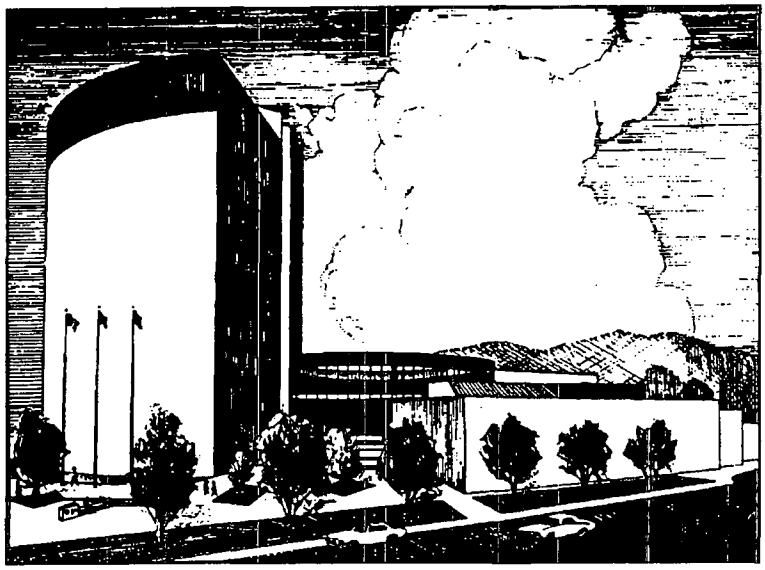


MINUTES

City of Las Vegas

CITY COUNCIL

COUNCIL CHAMBERS • 400 E. STEWART AVENUE • 229-6011 (VOICE) • 386-9108 (TDD)

O C T O B E R 1 9 , 1 9 9 4

INVOCATION: Wendell Gray, Church of Jesus Christ of Latter-Day Saints

PLEDGE OF ALLEGIANCE: Mayor led audience in Pledge.

CITY COUNCIL	PRESENT	ABSENT	EXCUSED
MAYOR JAN LAVERTY JONES	☒	☐	☐
COUNCILMAN ARNIE ADAMSEN MAYOR PRO-TEM	☒	☐	☐
COUNCILMAN SCOTT HIGGINSON	☒	☐	☐
COUNCILMAN FRANK HAWKINS JR.	☒	☐	☐
COUNCILMAN KEN BRASS	☒	☐	☐
LARRY BARTON, CITY MANAGER	☒	☐	☐
BRADFORD R. JERBIC, CITY ATTORNEY	☒ (excused	☐ 4:06 PM)	☐
Chief Deputy Civil City Attorney VAL STEED was present PM Session			
KATHLEEN TIGHE, CITY CLERK	☒	☐	☐

APPROVED BY REFERENCE December 21, 19 94

ATTEST:

Kathleen M. Tighe
CITY CLERK

Jan Laverty Jones
MAYOR

510-016-12/93

CITY COUNCIL MINUTES

001

OCT 19 1994

AGENDA City of Las Vegas

CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE • PHONE 229-6011
JAN LAVERTY JONES, MAYOR • COUNCILMEN: ARNIE ADAMSEN, SCOTT HIGGINSON, FRANK HAWKINS JR., KEN BRASS

Facilities are provided throughout City Hall for the convenience of persons with disabilities. For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 229-6311 and advise of your need at least 48 hours in advance of the meeting. The City's TDD number is 386-9108.

OCTOBER 19, 1994

Morning Session begins at 9:00 a.m.
Afternoon Session begins at 2:00 p.m.

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE

THESE PROCEEDINGS ARE BEING VIDEOTAPED BY THE U.N.L.V. GREENSPUN SCHOOL OF COMMUNICATION AND WILL BE REBROADCAST THE DAY FOLLOWING EACH MEETING ON PRIME CABLE, CHANNEL 4, AT 7:00 P.M.

DUPLICATE AUDIO TAPES ARE AVAILABLE AT A COST OF $5.00 PER TAPE AND DUPLICATE VIDEO TAPES ARE AVAILABLE AT A COST OF $15.00 PER TAPE THROUGH THE CITY CLERK'S OFFICE

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

I. CEREMONIAL MATTERS

- 9:00 A.M. - CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - Wendell Gray, Church of Jesus Christ of Latter-Day Saints
- PLEDGE OF ALLEGIANCE
- PRESENTATION BY THE CHAMBER OF COMMERCE FOR CUSTOMER SERVICE WEEK
- EMPLOYEE SERVICE AWARDS

II. BUSINESS ITEMS

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

2. Approval of the Final Minutes by Reference of the Regular City Council meeting of 8/17/94

III. CONSENT AGENDA

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND ARE RECOMMENDED FOR APPROVAL BY THE DEPARTMENTS. THEY MAY BE ENACTED IN ONE MOTION; HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COUNCIL MEMBER SO REQUESTS.

DEPARTMENT OF BUILDING AND SAFETY

3. Set date for Public Hearing to consider the Report of Expenses to recover the cost for Nuisance/Litter Abatement at 518 S. First Street.

4. Set date for Public Hearing to consider the Report of Expenses to recover the cost for Nuisance/Litter Abatement at 1150 "J" Street.

DEPARTMENT OF BUSINESS ACTIVITY

SPECIAL EVENT LIQUOR LICENSES

5. COMMUNITY ACTION AGAINST RAPE, Location: Hills Park Summerlin, Date: November 6, 1994, Type: Special Event Beer/Wine/Cooler, Responsible Person in Charge: Jody O'Hare

6. FRIENDS OF THE CHARLESTON HEIGHTS ART CENTER, Location: Charleston Heights Art Center, 800 S. Brush, Date: October 29, 1994, Type: Special Event Beer/Wine/Cooler, Responsible Person in Charge: Joel Mur

DEPARTMENT OF ECONOMIC AND URBAN DEVELOPMENT

7. Action to accept a $15,000 donation from Primerit Bank, F.S.B. in support of Phase Two of the West Las Vegas "Adopt-Your-Block " neighborhood improvement program.

8. Action to approve an extension of the agreement with Marjorie Polly as the development consultant for Mobilized Assistance and Shelter for the Homeless (M*A*S*H).

DEPARTMENT OF FINANCE & COMPUTER SERVICES

9. Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

DEPARTMENT OF GENERAL SERVICES

AWARD OF BIDS

10. Award of Bid Number 95.1730.43, Street Block Number Signs at 200 Signalized Intersections - Department of Public Works - HIGHWAY RENTALS, INC. ($126,325.00)

11. Award of Bid Number 95. Nov.03, Annual Tire and Tire Repair Contract - Department of General Services - VARIOUS VENDORS ($58,000.00)

PURCHASE ORDER APPROVAL

12. Purchase Order Approval for Proprietary Data Processing Services - Various Departments - CLARK COUNTY TREASURER ($60,000.00)

13. Purchase Order Approval for Supplement No. 2 with Boyle Engineering for Engineering Services for the Ogden Underpass Project - Department of Public Works - BOYLE ENGINEERING ($50,000.00)

14. Purchase Order Approval for Supplement No. 1 with Custard Insurance Adjusters for Accident Investigations - Department of Human Resources - CUSTARD INSURANCE ADJUSTERS ($18,000.00)

CONTRACT RENEWALS

15. Supplements to the Annual Contract for 36-Month Copier Replacement Contract - Department of General Services ($8,474.00)

CITY COUNCIL MINUTES

OCT 19 1994

AGREEMENT EXTENSION

16. Interim extension of Annual Agreement for Furnishing Long Distance Telephone Service - Various Departments - LDDS-METROMEDIA ($10,000.00)

17. Assignment of RFP Number 92.Nov.5: Agreement for Furnishing Annual Health Care Services for the Detention and Enforcement Facility and City Hall Jail

18. Interim Extension of Annual Agreement for Furnishing Health Care Services for the Detention and Enforcement Facility and City Hall Jail - Dept. Detention and Enforcement - E.F. GHANEM, M.D., LTD. ($225,000.00)

19. Extension of Interlocal Agreements with the Regional Transportation Commission for the Operation of the Downtown Transportation Center and the Trolley System

DEPARTMENT OF HUMAN RESOURCES

REPORT OF NEW HIRES - SEPTEMBER 21 - OCTOBER 5, 1994

20. Inspector (3), Building & Safety; Senior Secretary, Business Activity; GIS Technician, Community Planning & Development; Office Specialist II, Fire Services; Personnel Analyst I, Human Resources; Office Specialist II, Business Activity, Quality Assurance Officer, Public Works; Junior Clerk III, City Attorney; Public Information Assistant, City Manager; Junior Clerk IV (2), Human Resources; Leisure Instructor II, Parks & Leisure Activities.

DEPARTMENT OF PARKS & LEISURE ACTIVITIES

21. Request approval of agreement with the Mark Group for design and development of Children's Memorial Park, Phase III.

DEPARTMENT OF PUBLIC WORKS

ACCEPTANCE OF RIGHT OF WAY ITEMS

GRANT DEEDS

22. From: TRUSTEES OF THE CHURCH OF CHRIST, To: City of Las Vegas, For: Portion of the Northeast Quarter (NE 1/4) of Section 6, T21S, R61E, M.D.M., for dedication of a portion of Del Monte Avenue cul-de-sac located north of Oakey Boulevard and west of Valley View Boulevard (9-22-94) 162-06-603-014

23. From: OAKEY DEVELOPMENT GROUP LIMITED PARTNERSHIP, To: City of Las Vegas, For: Portions of the Northeast Quarter (NE 1/4) of Section 6, T21S, R61E, M.D.M., for dedication of a portion of Del Monte Avenue cul-de-sac and a 25' radius corner located at the northwest corner of Oakey Boulevard and Valley View Boulevard (9-14-94) 162-06-603-005 & 015

GRANT, BARGAIN, SALE DEED

24. From: JOSEPH C. SCHLAGETER AND RITA M. SCHLAGETER, "REVOCABLE FAMILY TRUST", To: City of Las Vegas, For: Lot 9 in Block 28 of H.F.M. & M. ADDITION TO THE CITY OF LAS VEGAS as shown in Plats Book 1, Page 47 for expansion of H. P. Fitzgerald Park (8-10-94) 139-27-110-104

RIGHT OF WAY GRANTS FOR SEWER PURPOSES

25. From: WALTER JAGODZINSKI, SUCCESSOR TRUSTEE U/A/D/ JUNE 28, 1978 (FORMER TRUSTEE RONALD REISS), To: City of Las Vegas, For: Portion of the Northeast Quarter (NE 1/4) of Section 8, T21S, R62E, M.D.M., for a 14.62' sewer easement located south of Sahara Avenue, east of Nellis Boulevard (previously recorded in the Office of the Recorder, Clark County, Nevada in Book 940922 as Instrument Number 00253) (8-17-94) 240-090-001

RIGHT OF WAY GRANT FOR DRAINAGE PURPOSES

26. From: OAKEY DEVELOPMENT GROUP LIMITED PARTNERSHIP, To: City of Las Vegas, For: Portion of the Northeast Quarter (NE 1/4) of Section 6, T21S, R61E, M.D.M., for a 5' drainage easement east of Mountain View Boulevard cul-de-sac located north of Oakey Boulevard and west of Valley View Boulevard (9-14-94) 162-06-603-005

27. Request for permission to file a right of way application with the Bureau of Land Management for roadway and temporary construction purposes on portions of land lying within the Southwest Quarter (SW 1/4) of Section 28, T20S, R60E, M.D.M., located at the Southeast corner of Durango Drive and Washington Avenue

ACCEPTANCE OF SUBDIVISION IMPROVEMENTS

28. OASIS PALMS (Michael T. Black and Lori Jo Black, Developer), Property generally located north of Via Olivero Avenue, west of Lisa Lane, 2.6 Acres, 8 Lots, Zoned R-1.

RELEASE OF SECURITIES

29. LOCATION: Alta Quail Park at Alta Drive, USE: Off-Site Improvements, OWNER: 70 Limited Partnership, SECURITY: Subdivision Performance Bond with Fidelity and Deposit Company of Maryland, AMOUNT: $95,400.00, BOND NO.: 30487190 (CLV 14-94)

30. LOCATION: 1950 Pinto Lane (Groom/Steele Health Facility), USE: Off-Site Improvements, OWNER: Richard Groom and D. Stuart Steele, SECURITY: Agreement in Lieu of Off-Site Improvements Performance Bond, AMOUNT: Less than $50,000.00 (Occupancy), BOND NO.: (CLV 2-94)

31. LOCATION: 3200 S. Valley View Boulevard (Truckmaster's), USE: Off-Site Improvements, OWNER: 1986 Leavitt Family Trust, SECURITY: Performance Bond with American Bonding Company, AMOUNT: $5,000.00, BOND NO.: 9346855 (CLV 24-94)

ENCROACHMENT REQUEST

32. DESERT SHORES COMMUNITY ASSOCIATION (Point Conception Drive, Lazarette Drive, Valiant Drive, and Regatta Drive), Request from applicant to encroach into the public right of way in various locations in the Desert Shores Community. The encroachment would consist of privately-installed conduit and wiring for privately-owned entrance sign lighting in public rights-of-way as follows: Point Conception Drive, east of Rampart Boulevard; Lazarette Drive, east of Rampart Boulevard; Valiant Drive, west of Buffalo Drive; and Regatta Drive, west of Buffalo Drive. It should be noted that the entrance signs will be located on private property (common areas) and only the conduit and wiring will be located in the rights-of-way.

TRAFFIC & PARKING ITEMS

33. Discussion and possible approval of a request to prohibit parking in front of 608 South Jones Boulevard

34. Discussion and possible approval to ratify the installation of the 4-way stop at Desert Inn Road and Fort Apache Road

35. Discussion and possible approval of a request to designate a 2-Hour Time Limited Parking Zone in front of 303 West St. Louis Avenue

REPORTS/ACTION ITEMS

36. Discussion and possible approval of Contract modification #1 with Boulder Construction, Inc. for the Bonneville Avenue Extension and Underpass

37. Discussion and possible approval on using City of Las Vegas "Relocation rules for projects not involving the use of Federal Funds" for the Downtown Corridor Improvements Project

38. Discussion and possible approval of retaining BSI Consultants, Inc. to provide consultant services in drainage study review

39. Set date for Public Hearing to adopt a Master Plan Amendment to the Lone Mountain Detention Basin

40. Discussion and possible approval of Interlocal Agreement with Clark County for Buffalo/ Cheyenne Special Improvement District No. 1447

41. Discussion and possible approval of a contract for right of way acquisition and relocation assistance with Property Specialists, Inc. for the Downtown Corridor Improvements Project

42. Discussion and possible action to designate Las Vegas Boulevard from Gass Avenue to Fremont Street as the City's official downtown parade route

***** END OF CONSENT AGENDA *****

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE AGENDA

43. Discussion and possible action to waive plans check and building permit fees for the Dewey Animal Shelter.

44. Discussion and possible action to include the City Attorney under the City's Executive Compensation Plan.

45. Discussion and possible action approving a donation from the Japanese National Council of Social Welfare to cover all travel expenses to Japan for John Chambers, Manager of the Adaptive Recreation Division, to consult regarding his expertise in wheelchair sports, adaptive golf and exhibition basketball. (October 23 - November 2, 1994)

DEPARTMENT OF BUSINESS ACTIVITY

LIQUOR – New

46. SUPPER CLUB LICENSE; BRINKER RESTAURANT CORPORATION, dba ROMANO'S MACARONI GRILL, 2300 West Sahara (Brinker Restaurant Corporation, a wholly-owned subsidiary of Brinker International, Inc., a publicly traded corporation), Debra L. Smithart, Dir, COB, Pres, Chief Financial Officer, Roger Farley Thomson, Dir, Senior V.P., Secy, Brinker International, Inc., 100%, Debra L. Smithart, Dir, Exec V.P., Chief Financial Officer, Roger F. Thomson, Dir, Senior V.P., Secy, Subject to the provisions of the Planning and Fire codes and Health Department regulations

LIQUOR – Change of Ownership/Change of Location/Change of Business Name

47. RESTAURANT SERVICE BAR LICENSE; From: Robinson & Williams, dba Cafe Bianco, 8611-8615 West Sahara (Nonoperational Status), Jackie L. Robinson, 50%, Flintie R. Williams, 50%, TO: DIMARTINO HACIENDA RESTAURANT ASSOCIATES LIMITED PARTNERSHIP, dba NEW YORK PASTA COMPANY, 8427 West Lake Mead, M.Dim. Restaurant Enterprises (A Nevada Corporation), General Partner, 50% – Mark J. DiMartino, Dir, Pres, Secy, Treas, 100%, Allen R. Anes, Limited Partner, 45%, David A. Mulken, Limited Partner, 5%, Subject to the provisions of the Fire codes and Health Department regulations

LIQUOR – Change of Ownership/Change of Business Name

48. TAVERN LICENSE; From: Jesters, Inc., dba Whiskey River Saloon, Thomas Coward, Dir, Pres, Secy, Treas, 100%, TO: THE FLAME II, INC., dba THE FLAME, 1243 East Sahara, Edward J. Jaffe, Dir, Pres, Secy, Treas, 100%, Subject to the provisions of the Health Department regulations

49. BEER/WINE/COOLER OFF-SALE LICENSE; From: Dubar, Inc., dba Pit Row Deli Mart, John Barrett, Dir, Pres, Treas, 50%, Robert Dugan, Dir, Secy, 50%, TO: SYLEE CORPORATION, dba PIT ROW DELI, 4030 West Charleston, Suk Young Lee, Dir, Pres, Secy, Treas, 100%, Approval subject to favorable investigation report from Las Vegas Metropolitan Police Department; Also subject to Health Department regulations

LIQUOR – Approval of Officer

50. PACKAGE LICENSES, PRESTIGE STATIONS, INC., dba AM/PM MINI MARKETS, 3885 East Charleston, 1619 Las Vegas Boulevard South, 1500 West Bonanza, 1625 South Decatur, 1550 North Rancho, 551 North Lamb, Robert A. Milliken, Jr. V.P., Sales

LIQUOR – Approval of Managers

51. BEER/WINE/COOLER ON-SALE LICENSES; PIZZA HUTS OF LAS VEGAS, dba PIZZA HUTS OF LAS VEGAS, 7000 West Charleston Boulevard, 3001 West Sahara, 825 North Rancho, Mark A. MacDonald, Area Manager

52. PACKAGE LICENSE; THE VONS COMPANIES, INC., dba VONS, 4440 East Charleston, 390 South Decatur, 6000 West Cheyenne, 4610 West Sahara, 3535 West Sahara (nonoperational), 4854 West Lone Mountain, Russell J. Long, District Manager

LIQUOR – Approval of Officer/Stockholder; GAMING – New

53. BEER/WINE/COOLER ON-SALE LICENSE/RESTRICTED GAMING: 12 slots; CRYSTAL PALACE BILLIARDS, INC., dba CRYSTAL PALACE BILLIARDS, 2411 East Bonanza, #A-2, Francisco B. Torres, Dir, Pres, V.P., Secy, Treas, 100%, Approved by the Nevada Gaming Commission on August 25, 1994

LIQUOR & GAMING – Approval of Officer

54. TAVERN LICENSE/NONRESTRICTED GAMING; PALACE STATION HOTEL & CASINO, INC., dba PALACE STATION HOTEL & CASINO, 2411 West Sahara (Palace Station Hotel & Casino, Inc., a wholly-owned subsidiary of Station Casinos, Inc., a publicly traded corporation) Blake L. Sartini, Dir, Chief Exec Ofcr, Pres, Chairman of the Board, Joseph J. Canfora, V.P., Chief Operating Ofcr, Scott M. Nielson, V.P., Secy, General Counsel

GAMING – New

55. SLOT OPERATOR LICENSE - ANCHOR COIN Space Lease Location at: Sunshine Laundromat, 2517 E. Stewart Avenue, Restricted Gaming: 4 slots, Subject to approval by the Nevada Gaming Commission on October 27, 1994

56. SLOT OPERATOR LICENSE - CORRAL COUNTRY COIN Space Lease Location at: Red Rock Moose #252, 4950 1/2 W. Charleston, Restricted Gaming: 6 slots, Approved by the Nevada Gaming Commission on April 21, 1994

MARTIAL ARTS LICENSE – Change of Business Name

57. ENRIQUE MATA, dba From: Tae Kwon Do Institute of Las Vegas, TO: UNITED STATES NATIONAL TAE KWON DO INSTITUTE, 2511 Stewart Avenue, Enrique Mata, 100%

MASSAGE ESTABLISHMENT – New

58. ELLEN GREEN, dba AMBIANCE, 923 South Rainbow, Ellen L. Green-Bluestein, 100%, Subject to the provisions of the fire codes

LIQUOR – New

59. BEER/WINE/COOLER OFF-SALE LICENSE; SAM E. HAMIKA, dba KWIKY MINI MART, 732 North Eastern Avenue, Sam E. Hamika, 100%, Subject to the provisions of the fire codes and Health Department regulations, NOTE: Item to be heard in PM session in conjunction with Planning item (U-219-94)

60. BEER/WINE/COOLER OFF-SALE LICENSE; OLSON & OLSON, dba LAS VEGAS GROCERY OUTLET, 1110 East Charleston, Jack L. Olson and Mary A. Olson, 100% jointly as husband & wife; NOTE: Item to be heard in PM session in conjunction with Planning item (U-205-94)

CITY ATTORNEY

61. Appeal of Work Card Denial: Ms. Tonja Dee Bremer, 850 North Las Vegas Blvd., Las Vegas, Nevada 89101

62. Appeal of Work Card Denial: Mr. Greg L. Gregory, 4545 Pennwood #131, Las Vegas, Nevada 89102

63. Appeal of Work Card Denial: Mr. Marlow Williams, 2724 Carla Avenue, North Las Vegas, Nevada 89030

DEPARTMENT OF FINANCE & COMPUTER SERVICES

64. Quarterly Financial Update

DEPARTMENT OF PUBLIC WORKS

TRAFFIC & PARKING ITEM

65. Discussion and possible approval of a request to close Stormson Lane between Buffalo Drive and Huntly Road

REPORTS ACTION ITEM

66. Discussion and possible action to approve a list of eligible projects to be included in the proposed Mountain Spa Special Improvement District

IV. RESOLUTIONS

67. ABEYANCE ITEM - R-103-94 - Approval of Resolution requesting the Department of Business and Industry (formerly the Department of Commerce) of the State of Nevada to issue bonds to finance a project for Cambridge Health System, Inc., a Nevada not-for-profit Corporation, a/k/a Spring Valley Hospital, to finance a not-for-profit hospital for which bonds could be issued by the City of Las Vegas, Nevada under the City Economic Development Revenue Bond Law, requesting the State Board of Finance to approve this financing and making certain findings and determinations with respect thereto. **NOTE: NO ACTION CAN BE TAKEN ON THIS ITEM UNTIL AFTER THE PUBLIC HEARING IS HELD AT 2:00 P.M.**

68. R-105-94 - Approval of Resolution to amend Schedules 14-II, 17-III and 17-IV in accord with Traffic & Parking Items 33, 34 and 35.

69. R-106-94 - Approval of Resolution in support of the National League of Cities efforts to inform Citizens about the impact on Federal Unfunded Mandates.

70. R-107-94 - Approval of a Resolution directing the engineers on behalf of the City of Las Vegas, Nevada to prepare and file with the City Clerk preliminary plans and an assessment plat in connection with a proposed water, sanitary sewer, roadway, drainage, curb and gutter, sidewalk, and storm sewer project in the City of Las Vegas, Nevada Special Improvement District No. 606 (Mountain Spa Development) pursuant to the consolidated local improvements law and all laws amendatory thereof and supplemental thereto; and providing the effective date hereof.

71. R-108-94 - Approval of a Resolution authorizing the preparation of a preliminary official statement in connection with the City of Las Vegas, Nevada Special Improvement District No. 606 (Mountain Spa Development) limited obligation improvement bonds; and providing the effective date hereof.

V. REPORTS FROM RECOMMENDING COMMITTEES

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

72. **BILL NO. 94-80** – Establishes New Alcoholic Beverage Licensing Category of Gift Basket Limited License

73. **BILL NO. 94-81** – Establishes a Business License Fee for Real Estate Brokerage Businesses.

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. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.

74. **BILL NO. 94-83** – Proposed Increase in Business License Fees.

VII. NEW BILLS

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

75. **BILL NO. 94-82** – Annexation No. A-17-94(A), Property Located: On the east side of Cimmaron Road, approximately 330 feet south of Alexander Road, Petitioned By: Pageantry Communities, Inc., et al., Acreage: Approximately 18.542 acres, Zoned: R-E (County Zoning) N-U (City Equivalent).

76. **BILL NO. 94-84** – Annexation No. A-19-94(A), Property Located: On the east side of Durango Drive, north of Elkhorn Road, Petitioned By: The Krishna Trust, Acreage: Approximately 10.506 acres, Zoned: R-E (County Zoning) N-U (City Equivalent).

77. **BILL NO. 94-85** – Annexation No. A-20-94(A), Property Located: On the southeast corner of Durango Drive and Grant Teton Drive, Petitioned By: N.R. Yerramsetti, Acreage: Approximately 10.490 acres, Zoned: R-E (County Zoning) N-U (City Equivalent)

78. **BILL NO. 94-86** – Creates a New Review Process to the State of Nevada District Court for Work Card Applicants Whose Denial is Based on the Prohibition Against Employment Contained in NRS 648.1405.

AFTERNOON SESSION

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

IX. PUBLIC HEARINGS

80. ABEYANCE ITEM - TEFRA and City Council Public Hearing on a proposed Plan of Finance and the issuance of Revenue Bonds by the State of Nevada (Cambridge Health System, Inc. Project)

81. Public Hearing to consider the Report of Expenses to recover the cost of Dangerous Building Abatement at 5112 Alta Drive, Property Owner, Margaretten & Company, Inc., c/o E. Ellis

82. Public Hearing to consider the Report of Expenses to recover the cost of Dangerous Building Abatement at 4221 Middlesex Avenue, Property Owner, Secretary Housing & Urban Development, c/o FHA #322 2153956 703

COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT

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

In addition, items may be required to conform to one or more of the following standard conditions:

ZONING APPLICATIONS: (1) Resolution of Intent with a twelve month time limit. (2) Conformance to the plot plan and building elevations. (3) Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license. (4) Submittal of a landscaping plan prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first. (5) All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development). (6) Satisfaction of City Code requirements and design standards of all City departments. (7) Approval of the parking and driveway plans by the Traffic Engineer. (8) Repair any damage to the existing street improvements resulting from this development as required by the Department of Public Works. (9) Remove all unused

driveway cuts and replace with "L" curb and new sidewalk as required by the Department of Public Works. (10) A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of a building or grading permit, whichever may occur first. (11) Provision of fire hydrants and water flow as required by the Department of Fire Services. (12) The required fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade as required by the Department of Community Planning and Development.

VARIANCE AND SPECIAL USE PERMIT APPLICATIONS: (1) Conformance to the plot plan and elevations. (2) Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license. (3) submittal of a landscaping plan prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first. (4) All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development). (5) Satisfaction of City Code requirements and design standards of all City departments. (6) Approval of the parking and driveway plans by the Traffic Engineer. (7) Repair any damage to the existing street improvements resulting from this development as required by the Department of Public Works. (8) Provision of fire hydrants and water flow as required by the Department of Fire Services.

SUBDIVISION APPLICATIONS: Tentative Maps: (1) Approval of the tentative map shall be for no more than twelve months. If a final map is not recorded on all or a portion of the area embraced by the tentative map within twelve months of the approval of the tentative map, or an extension of time up to one year is not granted for the tentative map, a new tentative map must be filed. (2) Street names to be provided in accord with the City's Street Name Policy. (3) Subject to all conditions of City departments and State Subdivision Statutes. (4) A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the approval of a Final Map. Final Maps: (1) Conformance with the Tentative Map. Vacation Applications: (1) Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom. (2) Conformance to code requirements and design standards of all City departments. (3) The Reconveyance shall not be recorded until all of the above conditions have been met. (4) If the Reconveyance is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted.

CONSENT AGENDA

2:00 P.M. SESSION - ALL ITEMS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND ARE RECOMMENDED FOR APPROVAL. THEY MAY BE ENACTED BY ONE MOTION; HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COUNCIL MEMBER SO REQUESTS.

EXTENSION OF TIME

83. Z-10-87(5) - Rock Springs Vista Development Co. - Request for an Extension of Time for a proposed retail/office commercial center on property located on the northwest corner of Buffalo Drive and Washington Avenue, N-U Zone (under Resolution of Intent to C-1).

84. Z-146-89(4) - Lexington Realty Services, Inc. - Request for an Extension of Time for a proposed commercial center on property located on the east side of Rainbow Boulevard, south of Smoke Ranch Road, N-U Zone (under Resolution of Intent to C-1).

85. U-194-93(1) - Rock Springs Vista Development Company - Request for an Extension of Time of an approved Special Use Permit which allowed the sale of beer and wine within a proposed convenience store; and a tavern in conjunction with a proposed restaurant on property located on the northwest corner of Washington Avenue and Buffalo Drive, N-U Zone (under Resolution of Intent to C-1).

*** * * * * END OF CONSENT AGENDA * * * ***

DISCUSSION/ACTION ITEMS

ZONE CHANGE - PUBLIC HEARING

86. ABEYANCE ITEM - Z-91-94 - USA Capital Land Fund - Request for reclassification of property bounded by Vegas Drive, Lake Mead Boulevard, Comstock Drive and Tonopah Drive. From: R-E (Residence Estates) To: R-CL (Single Family Compact Lot) Proposed Use: 547 SINGLE FAMILY DETACHED DWELLINGS

FIVE YEAR REVIEW

87. U-111-89(1) - Misty, Inc. - Application for a required Five Year Review of an approved Special Use Permit which allowed a 14 x 48 foot off-premise advertising (billboard) sign to a height of 40 feet on property located on the south side of Bonanza Road, approximately 640 feet west of Lamb Boulevard, C-1 Zone.

PLOT PLAN AND BUILDING ELEVATION REVIEW

88. U-79-94(1) - Amerco Real Estate Company - Application for a Plot Plan and Building Elevation Review on an approved mini-storage facility and U-Haul truck and rental center on property located directly south of the intersection of Rancho Drive and Jones Boulevard, C-2 Zone.

89. Z-68-85(15) - American Medicorp - Request for a Plot Plan and Building Elevation Review for a proposed hospital on property located in the Las Vegas Technology Center at the southeast corner of Tenaya Way and Cheyenne Avenue, N-U Zone (under Resolution of Intent to C-PB).

REVIEW OF CONDITION

90. ABEYANCE ITEM - Z-25-94(2) - VTN Nevada, on behalf of Olympic Nevada, Inc. - Request for a Review of Conditions to delete the requirements to dedicate and construct half-street improvements for Jensen Street, on property located on the south side of Alexander Road, east and west of Grand Canyon Drive, N-U Zone (under Resolution of Intent to R-CL). **APPLICANT HAS REQUESTED THAT THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE**

91. Z-128-93(1) - Maverick Holdings - Request for a Review of Condition to delete the requirement for two lanes of paving on Maverick Street, between Fisher Avenue and Washburn Road concurrent with the first phase of development of this site, R-E Zone (under Resolution of Intent to R-D and R-1).

REVIEW OF CONDITION - PUBLIC HEARING

92. ABEYANCE ITEM - Z-81-89(8) - Property Holding Corporation - Request for a Review of Conditions to delete the requirements that all houses be a minimum of 1,500 square feet and market priced to start at approximately $175,000, and that the property revert back to the original zoning if sold to or developed by another developer unless prior approval is granted by the City Council, on property located on the northwest corner of Decatur Boulevard and Gilmore Avenue, R-E Zone, (under Resolution of Intent to R-PD4).

STREET NAME CHANGE - PUBLIC HEARING

93. SNC-1-94 - City of Las Vegas - Request for a Street Name Change from 28th Street to Avenida de las Americas, between Bonanza Road on the north and Charleston Boulevard on the south.

VACATION - PUBLIC HEARING

94. VAC-34-94 - Highland Investments, Inc., Et Al - Request for a Petition of Vacation to vacate U. S. Government Patent Reservations generally located west of Fort Apache Road, between Gilmore Avenue and Gowan Road.

95. VAC-37-94 - Andrea F. Smith Banks - Request for a Petition of Vacation to vacate a portion of the north/south public alley located between Cleveland Avenue and Cincinnati Avenue, west of Fairfield Avenue.

96. VAC-39-94 - City of Las Vegas - Request for a Petition of Vacation to vacate Turquoise Road, between Woodbridge Drive and Pyramid Drive.

VARIANCE - PUBLIC HEARING

97. V-138-94 - Reese Family Trust - Appeal filed by U.S. Outdoor Advertising on behalf of Reese Family Trust on the action of the Board of Zoning Adjustment in DENYING its application for a Variance to allow an existing off-premise advertising (billboard) sign to be raised to 55 feet above an elevated freeway grade where 30 feet above grade is the maximum height allowed; and to allow a 520 foot separation from an existing off-premise sign, where a minimum 750 foot separation is required on property located on the east side of "H" Street, south of Wilson Avenue, C-1 Zone.

98. V-134-94 - Quincy Fortier Trust on behalf of Barbara Derryberry - Appeal submitted by Quincy Fortier on behalf of Barbara Derryberry on the action of the Board of Zoning Adjustment in DENYING their application for a Variance to allow an auto pawn which includes the outdoor storage of automobiles on property located at 5550 West Charleston Boulevard, C-1 Zone.

99. V-123-94 - Donrey Outdoor on behalf of Howard Hughes Properties, Limited Partnership - Appeal filed by Donrey Outdoor on behalf of Howard Hughes Properties, Limited Partnership on the action of the Board of Zoning Adjustment in DENYING its application for a Variance to allow a proposed 12 foot x 24 foot off-premise advertising (billboard) sign where such use is not allowed on property located on the west side of Rancho Drive, approximately 510 feet north of Lake Mead Boulevard, R-4 Zone.

SPECIAL USE PERMIT - PUBLIC HEARING

100. U-224-94 - Howard Hughes Properties, Limited Partnership - Application for a Special Use Permit to allow a 14 foot x 48 foot off-premise advertising (billboard) sign on property located on the northwest corner of Lake Mead Boulevard and Rancho Drive, C-2 Zone.

101. U-194-94 - Sahara Paradise Plaza, Ltd. - Application of Sahara Paradise Plaza Ltd for a Special Use Permit to allow a Class III secondhand dealership for the sale of women's clothing and accessories on property located at 2200 Paradise Road, C-1 Zone.

102. U-219-94 - Burgundy Company - 1986 - Application of Burgundy Company - 1986 for a Special Use Permit to allow the sale of beer and wine within a proposed convenience store on property located at 732 North Eastern Avenue, C-1 Zone.

103. U-215-94 - Sahara Durango Limited Partnership - Appeal filed by Becker Realty Corporation on behalf of Sahara Durango Limited Partnership on the action of the Board of Zoning Adjustment in DENYING its application for a Special Use Permit for a tavern; and a request for a waiver of the 1,500 foot distance separation from another tavern and a child care facility for more than 12 children on property located at the southwest corner of Sahara Avenue and Durango Drive, C-1 Zone.

104. U-222-94 - Liberty Real Estate Limited Partnership III - Application for a Special Use Permit to allow a Class III secondhand dealership for buying and selling of gold jewelry on property located at 850 South Rancho Road, Suite 2A, C-1 Zone.

105. U-205-94 - Bernard Shapiro - Application of Bernard Shapiro for a Special Use Permit to allow the sale of beer and wine within an existing grocery store on property located at 1110 East Charleston Boulevard, C-2 Zone.

106. U-223-94 - Lewis Homes of Nevada - Application for a Special Use Permit to allow a tavern on property located at 731 South Rainbow Boulevard, R-1 Zone (under Resolution of Intent to C-1).

ZONE CHANGE - PUBLIC HEARING

107. ABEYANCE ITEM - Z-46-94 - Pahor Family Trust - Request for reclassification of property located on the southwest corner of Lake Mead Boulevard and Tonopah Drive. From: N-U (Non-Urban) To: R-PD9 (Residential Planned Development) Proposed Use: 229 SINGLE FAMILY DETACHED DWELLINGS

108. ABEYANCE ITEM - Z-87-94 - Gowan 20 Limited Liability Company - Request for reclassification of property located on the north side of Buckskin Avenue, approximately 1,650 feet west of Hualapai Way. From: N-U (Non-Urban) To: R-CL (Single Family Compact Lot) Proposed Use: 133 SINGLE FAMILY DETACHED DWELLINGS

109. ABEYANCE ITEM - Z-88-94 - National Group No. 1 Limited Liability Company - Request for reclassification of property located on the north side of Cheyenne Avenue, approximately 2,640 feet west of Hualapai Way. From: N-U (Non-Urban) To: R-CL (Single Family Compact Lot) Proposed Use: 167 SINGLE FAMILY DETACHED DWELLINGS

110. ABEYANCE ITEM - Z-89-94 - Chieftain 5 Limited Liability Company - Request for reclassification of property located on the north and south sides of Gowan Road, west of Hualapai Way. From: N-U (Non-Urban) To: R-CL (Single Family Compact Lot) Proposed Use: 230 SINGLE FAMILY DETACHED DWELLINGS

GENERAL PLAN AMENDMENT - PUBLIC HEARING

111. GPA-33-94 - M B J R Trust - Request to amend a portion of the Southwest Sector of the General Plan on property located on the east side of Rainbow Boulevard, between Oakey Boulevard and O'Bannon Drive. From: L (Low Density Residential) To: SC (Service Commercial) and From: SC (Service Commercial) To: GC (General Commercial)

ZONE CHANGE RELATED TO GPA-33-94 - PUBLIC HEARING

112. Z-81-94 - M B J R Trust - Request for reclassification of property located on the east side of Rainbow Boulevard, between Oakey Boulevard and O'Bannon Drive. From: N-U (Non-Urban) To: C-1 (Limited Commercial) and C-2 (General Commercial) Proposed Use: 63,000 SQUARE FOOT RETAIL SHOPPING CENTER AND AHERN RENTAL FACILITY

113. SET DATE FOR PUBLIC HEARING ON ANY ITEM REQUIRING A PUBLIC HEARING THAT WAS ACTED UPON BY THE CITY PLANNING COMMISSION.

114. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE BOARD OF ZONING ADJUSTMENT MEETING.

X. ADDENDUM

XI. CITIZENS PARTICIPATION

Items raised under this portion of the City Council Agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes.

****

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

Downtown Transportation Center, City Clerk's Posting Board
Senior Citizen Center, 450 E. Bonanza Road
Bridger Building, 225 Bridger Avenue
Court Clerk's Office Bulletin Board, City Hall Plaza
City Hall Plaza, Special Outside Posting Bulletin Board



Mayor
JAN LAVERTY JONES
Elected At Large

The Mayor and City Council welcome your attendance and participation at this meeting. Should you wish to speak on an Agenda item, please feel free to do so. However, in fairness to others, we respectfully ask your observance of the following:

1. Please state your name and home address for the record.
2. Groups or organizations wishing to make a presentation are asked to designate one spokesperson in the interest of time and to avoid repetition.
3. When more than one citizen is heard on any matter, please avoid repetition in your comments. Careful attention to the previous speaker's remarks will be helpful in this regard.
4. Your City Council carefully considers all the facts before a decision is made. Brief statements, therefore, are most helpful in reaching a decision based on sound judgment.

FACILITIES ARE PROVIDED THROUGHOUT CITY HALL FOR THE CONVENIENCE OF HANDICAPPED PERSONS

LARRY K. BARTON
City Manager

BRADFORD R. JERBIC
City Attorney

KATHY TIGHE
City Clerk



Councilman
FRANK HAWKINS JR.
WARD 1
Central Area of the City



Councilman
ARNIE ADAMSEN
WARD 2
Southwest Area of the City



Councilman
KEN BRASS
WARD 3
Eastern Area of the City



Councilman
SCOTT HIGGINSON
WARD 4
Northwest Area of the City

510-004-12/93

CITY COUNCIL MINUTES
OCT 19 1994
011

CITY COUNCIL MINUTES

OCT 19 1994

012

AFFIDAVIT OF POSTING

(Posting required under the provisions of NRS Chapter 241)

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

Beverly K. Bridges, Claudette Pocius and Linda Owens an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the **14th** day of **October, 1994**, at the hour of **8:00 a.m.** there were posted copies of a NOTICE, the attached of which is a true and correct copy of **City of Las Vegas City Council Meeting** to be held on the **19th** day of **October, 1994** at **9:00 a.m.**, Las Vegas, Nevada; to be posted on Public Bulletin Boards at the following locations:

BKB (1.) On the City Clerk's Bulletin Board at the Downtown Transportation Center;

Lo (2.) In the Senior Citizens Center, 450 E. Bonanza Road;

emp (3.) Bridger Building, 225 Bridger Avenue;

BKB (4.) On the Public Bulletin Board at the Plaza Level of City Hall, 400 E. Stewart Avenue (near the entrance to the Court Clerk's Office); and

BKB (5.) On the Special Bulletin Board at the Plaza Level of City Hall, 400 E. Stewart Avenue (in the walkway area between Metro and Municipal Court).

Beverly K. Bridges / Claudette Pocius / Linda Owens
SIGNATURE

City Clerk
DEPARTMENT

Subscribed and sworn to before me

this 14th day of October, 1994

Sandra R. LeBoeuf
NOTARY PUBLIC in and for said County and State

SANDRA R. LeBOEUF
Notary Public - State of Nevada
Appointment Recorded in Clark County
My Appointment Expires Mar. 15, 1998

OCT 19 1994

AFFIDAVIT OF MAILING

(Mailing required under the provisions of NRS Chapter 241)

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

Beverly K. Bridges, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the **13th** day of **October**, 1994, a copy of NOTICE, the attached of which is a true and correct copy of the Public Hearing - re: **City of Las Vegas City Council Meeting** to be held on the **19th** day of **October**, 1994 was deposited in the United States Mail, Postage prepaid, First Class Mail, to each person and/or organization whose name appears on the list maintained in the Office of the City Clerk.

Beverly K. Bridges
SIGNATURE

City Clerk
DEPARTMENT

Subscribed and sworn to before me this
13th day of October, 1994

Sandra R. LeBoeuf
NOTARY PUBLIC in and for said County and State

SANDRA R. LeBOEUF
Notary Public - State of Nevada
Appointment Recorded in Clark County
My Appointment Expires Mar. 15, 1998

CITY COUNCIL

MEETING OF

OCTOBER 19, 1994

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

Item Number	ITEM	ACTION
	THESE PROCEEDINGS ARE BEING VIDEOTAPED BY THE UNLV GREENSPUN SCHOOL OF COMMUNICATION AND WILL BE REBROADCAST THE DAY FOLLOWING EACH MEETING ON PRIME CABLE, CHANNEL 4 AT 7:00 P.M.	ANNOUNCEMENT MADE
	9:00 A.M. - CALL TO ORDER	PRESENT: MAYOR JONES, COUNCILMEN ADAMSEN, HIGGINSON, HAWKINS JR and BRASS Also present CITY MANAGER LARRY BARTON, CITY ATTORNEY BRAD JERBIC (AM Session and excused 4:06 P.M. Session), CHIEF DEPUTY CIVIL CITY ATTORNEY VAL STEED (PM Session) and CITY CLERK KATHLEEN M. TIGHE
	I. CEREMONIAL MATTERS	
	ANNOUNCEMENT RE COMPLIANCE WITH OPEN MEETING LAW	ANNOUNCEMENT MADE - Meeting noticed and posted at the following locations: Downtown Transportation Center, City Clerk's Board Senior Citizens Center, 450 E. Bonanza Bridger Building, 225 E. Bridger Ave. Ct. Clerk's Bulletin Board, City Hall City Hall Plaza, posting board
	INVOCATION Wendell Gray Church of Jesus Christ of Latter-Day Saints	Invocation given by WENDELL GRAY, Church of Jesus Christ of Latter-Day Saints
	PLEDGE OF ALLEGIANCE	MAYOR JONES led audience in Pledge.
	PRESENTATION BY THE CHAMBER OF COMMERCE FOR CUSTOMER SERVICE WEEK	DAVE SMITH, Chairman of Las Vegas Chamber of Commerce, explained that the Chamber of Commerce and numerous businesses in the community sponsor this Valley wide competition recognizing customer service. The City participates in the E Division along with McCarran and other governmental entities. He presented MAYOR JONES with the award for First Place. MAYOR JONES acknowledged that the award truly belonged to the City employees who are very much aware that the citizen is the customer that they serve. (9:17 - 9:21)
	EMPLOYEE SERVICE AWARDS	MAYOR JONES, COUNCILMEN ADAMSEN, HIGGINSON, HAWKINS JR and BRASS, CITY MANAGER BARTON and MARY FINCH, Director of Human Resources, honored City employees with 5 to 35 year service histories. The entire Council, CITY MANAGER BARTON, MS. FINCH and the respective Department Directors congratulated and thanked all these individuals for their combined total of 1,330 years of service to the community. (9:21 - 9:37)

OCT 19 1994

City of Las Vegas
Employee Service Awards

October 19, 1994

CITY COUNCIL MINUTES

OCT 19 1994

Five Year Awards

Building & Safety
Mary Lynn Ashworth

Community Planning & Development
Louis Carr, Jr.
Ervin G. Kral, Jr.
Virginia Tarin Hernandez

Detention & Enforcement
Lisa Jo Campanella
Howard Joseph Korten
Amanda C. Carter
Johnna S. P. Pereyda
Jacqueline D. Cooper
Patrick T. Sims
Neil R. Ferguson
Robert H. Walters
Clifford A. Hartman

Fire Services
Joseph M. Baldi
Russell W. Hubbs
James A. Bassett
William Kissam
Patrick J. Benedickt
Steven A. Klein
Michael K. Brigman
Cherina M. Kleven
Brian Brown
Richard A. Ortiz
Eric M. Cheese
Orlando Rios
Debra R. Duda
Barbara L. Shultzman
Patrick M. Gosse
Beery W. Stephens
Maureen E. Higgins

General Services
Derrick S. Collick
Carmen Sampson
Ronald S. Hegge
Brenda A. Skipalis
Edwina Jo Morrison
Tracey Wells

Human Resources
William T. Thorp

Municipal Court
Richard T. Ciolino
Lynn L. Rosenfeld
Linda Helda-Blair
Valorie V. Stutz
Tracie Joyce

Parks & Leisure Activities
Jonathan R. Boardman
John P. Nelson
Mike. Brosky
Tina M. Robles
Barbara J. Hix
Dan D. Roskens
Bobby Kirk Kelly

Public Works
Howard M. Basch
Alvin D. Johnson
Mark S. Christensen
Donald L. Marshall, Jr.
Curtis A. Corbin
Dennis Bartlett Moyer
Tony J. Cousino
Frank A. Ortega
Randall D. Cummings
Thomas E. Peot
George J. Gagnon
Jacques Rice
Laura I. Giuliano
Michael W. Schneider
Edwin E. Hoar III
Steven T. Shultz
Leonard E. Howard
Albert Walton

Note:

The employees honored at this ceremony have completed a combined 1,330 years of service to the citizens of the City of Las Vegas.

CITY COUNCIL MINUTES

OCT 19 1994

Ten Year Awards

Building & Safety
Keefe R. Beyer — *George R. Cleveland*

Business Activity
Tammy G. Hughes — *Aurora A. Palmiere*

City Clerk
Claudette M. Pocius — *Gabriela S. Portillo*

City Manager
Douglas L. Dickerson

Detention & Enforcement
Patrick O. PeQueen — *Dennis Sgarlata*

Economic & Urban Development
Carol J. Little

Fire Services
Angelo J. Aragon — *Michael L. Nelson*
William J. Cooper — *Nick Nordblom*
George Goldbaum — *Norman E. Peterson*
Michael Dale Hill — *Wayne Phillipenas*
Leonard T. Ladd — *Robert D. Pitts*
Andrew Lewis — *Paul Shapiro*

General Services
Midgie Benedict — *Todd Oran Gragson*
Alexander J. Feister

Municipal Court
Kimberly A. Fearn

Parks & Leisure Activities
Rich Clark — *David W. Parker*
Robin L. Hardin — *Mark C. Romeo*

Public Works
Charles J. Baringer — *William Morris*
Danny Arthur Fowler — *Raymond F. Wheeler*
Verna J. Marshall

Fifteen Year Awards

City Attorney
Josephine Audia

City Council
Roni Ronemus

Detention & Enforcement
Phillip H. Hogan

Fire Services
James L. Thomason

Municipal Court
Edna M. Harris — *Ron W. Weiss*

Parks & Leisure Activities
Raymond D. Call — *Sydell P. MacKay*

Public Works
Dan S. Harper — *Horace Mullinax, Jr.*

Twenty Year Awards

Building & Safety
George L. Gardner

Community Planning & Development
Lindsey Mills

Fire Services
William R. Bravo
Perry L. Hortt
David L. Washington
Gary W. Williams

General Services
Orville Dee Ennis
Marcel J. Ralbovsky
Walter M. West
James L. White, Esq.

Parks & Leisure Activities
Jack L. Cordell

Public Works
Joseph A. Blas
Paul L. Lee

Twenty-Five Year Awards

City Clerk
Kathleen M. Tighe

Fire Services
Charles M. Gripp
E. F. "Ed" Wood

Thirty Year Awards

Fire Services
John B. Eckles, Jr.
Orville R. Roberts
William R. Weber

Thirty-Five Year Awards

Fire Services
Melvin E. Lowell

Congratulations on this, your special day of recognition, and best wishes as you continue to serve our community.

Jan Laverty Jones
Mayor

City Council:
Arnie Adamsen
Scott Higginson
Frank Hawkins Jr.
Ken Brass

Larry K. Barton
City Manager

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	II. BUSINESS ITEMS	
1	Any items from the morning session that the Council, staff, and/or the applicant wishes to be stricken or held in abeyance to a future meeting, may be brought forward and acted upon at this time.	**ADAMSEN - ABEYANCE of Item 44 to 11/2/94 and of Item 48 until the applicant requests to be placed back on the agenda - UNANIMOUS** **Staff to proceed** ****** There was no discussion. (9:37 - 9:38)
2	Approval of the Final Minutes by Reference of the Regular City Council meeting of 8/17/94.	**ADAMSEN - APPROVED by Reference - UNANIMOUS** **Clerk to proceed** (9:38)

Item Number	ITEM	ACTION
	III. CONSENT AGENDA	
	DEPARTMENT OF BUILDING AND SAFETY	**ADAMSEN - APPROVED Consent Agenda, Items 3 through 6, 8 through 17 and 19 through 42 as recommended - UNANIMOUS**
3	Set date for Public Hearing to consider the Report of Expenses to recover the cost for Nuisance/Litter Abatement at 518 S. First Street.	**Staff to proceed** ****** There was no discussion. (9:39 - 9:40)
	PUBLIC HEARING DATE SET FOR 11/2/94 AT 2:00 P.M.	
4	Set date for Public Hearing to consider the Report of Expenses to recover the cost for Nuisance/Litter Abatement at 1150 "J" Street.	**APPROVED - See above**
	PUBLIC HEARING DATE SET FOR 11/2/94 AT 2:00 P.M.	

AGENDA DOCUMENTATION

CITY COUNCIL
MEETING OF
OCTOBER 19, 1994

021

TO: **City Council**

FROM: **LARRY K. BARTON**
CITY MANAGER

SUBJECT: **SET DATE FOR PUBLIC HEARING TO CONSIDER THE REPORT OF EXPENSES TO RECOVER COST FOR NUISANCE/LITTER ABATEMENT AT 518 S. FIRST STREET**

PURPOSE/BACKGROUND

The subject property was a vacant lot, with old mattresses, garbage, trash and debris. The condition of the property was a source of concern to the public and the Fire and Police Departments because of the hazardous conditions.

The Department of Building and Safety declared the property in violation and started legal notification process.

When no corrective action was taken nor an appeal filed, the Department of Building and Safety hired Weaver Construction to secure the structure and clear the property of all trash and debris. Work was completed by Weaver Construction on September 30, 1994, at a cost of $1,834.05.

Attached is a letter sent to the property owner serving as notification that the work has been completed. Also attached is a copy of the Report of Expenses on file in the City Clerk's Office.

The procedure set forth in the Las Vegas Municipal Ordinance for Nuisance/Litter Abatement requires that a public hearing be held to consider the Report of Expenses and hear any objections thereto.

FISCAL IMPACT

$1,834.05 paid to Weaver Construction

RECOMMENDATIONS

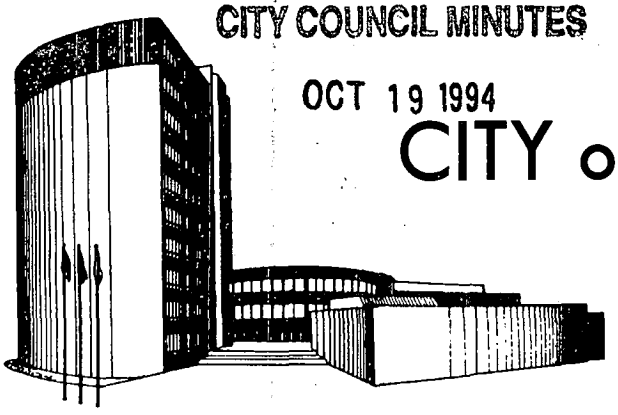
The City Manager recommends that the City Council set a time, date and place for a public hearing to consider the Report of Expenses to recover the cost for Nuisance and Litter Abatement at 518 S. First Street.

Agenda Item
3

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
SCOTT HIGGINSON
FRANK HAWKINS JR.
KEN BRASS

CITY MANAGER
LARRY K. BARTON



OCT 19 1994

CITY of LAS VEGAS

October 7, 1994

TRUSTEE CLARK COUNTY TREASURER
225 BRIDGER AVENUE
LAS VEGAS, NV 89155

RE: NUISANCE/LITTER ABATEMENT - 518 S. FIRST STREET

Dear Property Owner:

On September 30, 1994, the City of Las Vegas caused the property to be cleared of trash and debris. A Report of Expenses has been submitted by the Department of Building and Safety.

At the City Council meeting to be held on October 19, 1994, a date and time for a public hearing will be set to consider the Report of Expenses. A tentative date for the public hearing is November 2, 1994. You will, however, be mailed appropriate notification.

For your information, a copy of the procedures for Nuisance/Litter Abatement is enclosed, along with a copy of the Report of Expenses.

If you have any questions concerning this procedure, please contact the Code Enforcement Division located in the Department of Building and Safety, by telephoning (702) 229-6615.

Sincerely,

Sam Bowler

SAM BOWLER, Manager
Code Enforcement Division
Department of Building & Safety

SB:yl
Enclosures

Date

INTER-OFFICE MEMORANDUM

OCTOBER 7, 1994

TO:

KATHLEEN M. TIGHE
CITY CLERK

FROM:

Paul K Wilkins
PAUL WILKINS, DEPUTY DIRECTOR
DEPARTMENT OF BUILDING & SAFETY

SUBJECT:

REPORT OF EXPENSES
518 S. FIRST STREET
NUISANCE/LITTER ABATEMENT

COPIES TO:

CITY COUNCIL MINUTES

OCT 19 1994

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Ordinance for Nuisance/Litter Abatement, the Department of Building and Safety caused the property to be cleared of all trash and debris.

Work was completed on September 30, 1994, by Weaver Construction at a cost of $1,834.05 and was accepted by the Department of Building and Safety.

Loader 7 hr @ $65 per hr	$455.00
Semi Truck 8 hr @ $63 per hr	504.00
Water Truck 7 hr @ $50	350.00
2 Laborers, 14 hr @ $24 per hr	336.00
Water	5.00
Amount due	$1,650.00
Dump Fees	184.05
TOTAL AMOUNT DUE:	$1,834.05

OWNER OF RECORD: TRUSTEE CLARK COUNTY TREASURER
225 BRIDGER AVENUE
LAS VEGAS, NV 89155

PROPERTY ABATED: 518 S. FIRST STREET

ASSESSOR'S PARCEL: 139-34-311-021

LEGAL DESCRIPTION: CLARKS LAS VEGAS TOWNSITE
PLAT BOOK 1 PAGE 37
PT LOT 23 BLOCK 7
& LOTS 24, 25

SB:yl
034

AGENDA DOCUMENTATION

CITY COUNCIL
MEETING OF
OCTOBER 19, 1994

TO:	FROM:
City Council	**LARRY K. BARTON** **CITY MANAGER**

SUBJECT: **SET DATE FOR PUBLIC HEARING TO CONSIDER THE REPORT OF EXPENSES TO RECOVER COST FOR NUISANCE/LITTER ABATEMENT AT 1150 "J" STREET**

PURPOSE/BACKGROUND

The subject property is a vacant lot with large piles of concrete, dirt and debris. The condition of the property was a source of concern to the public and the Fire and Police Departments because of the hazardous conditions.

The Department of Building and Safety declared the property in violation and started legal notification process.

When no corrective action was taken nor an appeal filed, the Department of Building and Safety hired Weaver Construction to clear the property of all trash and debris. Work was completed by Weaver Construction on September 16, 1994, at a cost of $2,516.84.

Attached is a letter sent to the property owner serving as notification that the work has been completed. Also attached is a copy of the Report of Expenses on file in the City Clerk's Office.

The procedure set forth in the Las Vegas Municipal Ordinance for Nuisance/Litter Abatement requires that a public hearing be held to consider the Report of Expenses and hear any objections thereto.

FISCAL IMPACT

$2,516.84 paid to Weaver Construction

RECOMMENDATIONS

The City Manager recommends that the City Council set a time, date and place for a public hearing to consider the Report of Expenses to recover the cost for Nuisance and Litter Abatement at 1150 "J" Street.

Agenda Item
4

CITY COUNCIL MINUTES

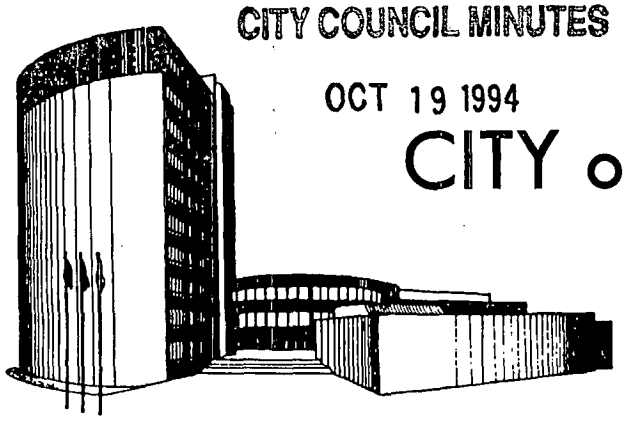
OCT 19 1994

025

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
SCOTT HIGGINSON
FRANK HAWKINS JR.
KEN BRASS

CITY MANAGER
LARRY K. BARTON



CITY of LAS VEGAS

October 7, 1994

CHURCH HOLY GHOST TEACHING CTR
C/O C. SYKES
2205 CENTER CIR. #4
LAS VEGAS, NV 89106

RE: NUISANCE/LITTER ABATEMENT - 1150 "J" STREET

Dear Property Owner:

On September 16, 1994, the City of Las Vegas caused the property to be cleared of trash and debris. A Report of Expenses has been submitted by the Department of Building and Safety.

At the City Council meeting to be held on October 19, 1994, a date and time for a public hearing will be set to consider the Report of Expenses. A tentative date for the public hearing is November 2, 1994. You will, however, be mailed appropriate notification.

For your information, a copy of the procedures for Nuisance/Litter Abatement is enclosed, along with a copy of the Report of Expenses.

If you have any questions concerning this procedure, please contact the Code Enforcement Division located in the Department of Building and Safety, by telephoning (702) 229-6615.

Sincerely,

Sam Bowler

SAM BOWLER, Manager
Code Enforcement Division
Department of Building & Safety

SB:yl
Enclosures

CITY OF LAS VEGAS

Date 026

INTER-OFFICE MEMORANDUM

OCTOBER 7, 1994

TO:

KATHLEEN M. TIGHE
CITY CLERK

FROM:

PAUL WILKINS, DEPUTY DIRECTOR
DEPARTMENT OF BUILDING & SAFETY

SUBJECT:

REPORT OF EXPENSES
1150 "J" STREET
ABATEMENT OF NUISANCE/LITTER

COPIES TO:

CITY COUNCIL MINUTES

OCT 19 1994

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Ordinance for Nuisance/Litter Abatement, the Department of Building and Safety caused the removal of all concrete, dirt, trash and debris from the above-referenced property.

Work was completed on September 16, 1994, by Weaver Construction at a cost of $2,516.84 and was accepted by the Department of Building and Safety.

Loader for 8 hr @ $65 per hr	$520.00
2 Semi Trucks 8 hr ea @ $63 per hr	1,008.00
Water Truck for 6 hr @ $50 per hr	300.00
Labor 5 hr @ $24.40 per hr	122.00
96.77 ton waste to Wells Cargo @ $2/ton ..	193.54
% Loads to Southwest Paving @ $50/load ...	250.00
Dump Fee	123.30
TOTAL AMOUNT DUE	$2,516.84

OWNER OF RECORD: CHURCH HOLY GHOST TEACHING CTR
C/o C. SYKES
2205 CENTER CIR #4
LAS VEGAS, NV 89106

PROPERTY ABATED: 1150 "J" STREET

ASSESSOR'S PARCEL: 139-21-803-006

LEGAL DESCRIPTION: PT SE4 SE4 SEC 21 20 61

PW:SB/yl
034

CLV 7007

Item Number	ITEM	ACTION
	III. CONSENT AGENDA	
	DEPARTMENT OF BUSINESS ACTIVITY	
	SPECIAL EVENT LIQUOR LICENSES	
5	COMMUNITY ACTION AGAINST RAPE Location: Hills Park Summerlin Date: November 6, 1994 Type: Special Event Beer/ Wine/Cooler Responsible Person in Charge: Jody O'Hare	**ADAMSEN - APPROVED Consent Agenda, Items 3 through 6, 8 through 17 and 19 through 42 as recommended - UNANIMOUS** **Staff to proceed** ****** There was no discussion. (9:39 - 9:40)
6	FRIENDS OF THE CHARLESTON HEIGHTS ART CENTER Location: Charleston Heights Art Center 800 S. Brush Date: October 29, 1994 Type: Special Event Beer/ Wine/Cooler Responsible Person in Charge: Joel Mur	**APPROVED - See above**

Lynn Hoey

Item Number	ITEM	ACTION
	III. CONSENT AGENDA	
	DEPARTMENT OF ECONOMIC & URBAN DEVELOPMENT	
7	Action to accept a $15,000 donation from Primerit Bank, F.S.B. in support of Phase Two of the West Las Vegas "Adopt-Your-Block" neighborhood improvement program.	**ADAMSEN - APPROVED as recommended - UNANIMOUS** **Staff to proceed** ****** DAN CHEEVER and JOHN DODGION spoke in support of the Adopt-Your-Block Program in West Las Vegas to which Primerit Bank was donating $15,000 and expressed their pleasure at being the first bank to contribute to the Program. COUNCILMAN ADAMSEN confirmed that Primerit was challenging all other banking institutions in the Valley to also contribute to the Program. There was no further discussion. (9:40 - 9:41)
8	Action to approve an extension of the agreement with Marjorie Polly as the development consultant for Mobilized Assistance and Shelter for the Homeless (M*A*S*H).	**ADAMSEN - APPROVED Consent Agenda, Items 3 through 6, 8 through 17 and 19 through 42 as recommended - UNANIMOUS** **Staff to proceed** ****** There was no discussion. (9:39 - 9:40)

CITY COUNCIL

MEETING OF

October 19, 1994

AGENDA DOCUMENTATION

TO:
City Council

FROM: Richard B. Blue, Jr., Acting Director
Economic & Urban Development

SUBJECT: **ACTION TO ACCEPT A $15,000 DONATION FROM PRIMERIT BANK, F.S.B., IN SUPPORT OF PHASE TWO OF THE WEST LAS VEGAS "ADOPT-YOUR-BLOCK" NEIGHBORHOOD IMPROVEMENT PROGRAM**

PURPOSE/BACKGROUND

Phase Two of the West Las Vegas "Adopt-Your-Block" Neighborhood Improvement Program consists of painting and minor rehabilitation for 40 homes in Neighborhood Association Area 1 (south of Owens Avenue and east of "H" Street) between November, 1994, and March, 1995. This program is being supported by private sector sponsors (banks and other corporations) to supplement/augment CDBG funds. PriMerit Bank, F.S.B., is donating $15,000 to be used for the purchase of paint, supplies, materials and equipment for this initial effort.

The City will set up an account to track the expenditures of these donated funds and will provide PriMerit Bank with a monthly report, listing expenses and the account balance. PriMerit will also be advised as to the selected homes to be painted.

Representatives from PriMerit Bank will be attending the October 19 Council meeting to present the $15,000 check to the City Council.

FISCAL IMPACT

None

RECOMMENDATIONS

Accept the $15,000 donation from PriMerit Bank and commend them for their support.

Agenda Item

7

AGENDA DOCUMENTATION

CITY COUNCIL

MEETING OF
October 19, 1994

TO:
City Council

FROM: RICHARD B. BLUE, JR., ACTING DIRECTOR
DEPT. OF ECONOMIC & URBAN DEV.

SUBJECT: ACTION TO APPROVE AN EXTENSION OF THE AGREEMENT WITH MARJORIE POLLY AS THE DEVELOPMENT CONSULTANT FOR MOBILIZED ASSISTANCE AND SHELTER FOR THE HOMELESS (M*A*S*H)

PURPOSE/BACKGROUND

The City of Las Vegas Council approved the contract with Marjorie Polly as Development Consultant for M*A*S*H at their February 16, 1994, City Council meeting. The contract was signed by both parties effective April 1, 1994, for a three-month period which expired July 1, 1994, and was extended to September 30, 1994.

Council requested that the proposal be returned for further evaluation prior to extending the contract for an additional three-month period.

Under the terms of the contract, the Development Consultant was to develop a comprehensive fundraising strategy and submit regular written reports regarding all fundraising activities. Please see attached reports.

FISCAL IMPACT

Allocation of a total of $11,400 in 1993 Redevelopment funds for the three-month extension period.

RECOMMENDATIONS

It is the recommendation of the City Manager that the Agreement between the City of Las Vegas and Marjorie Polly be extended for an additional three-month period, October 19, 1994 - January 19, 1995.

Agenda Item

8

SUMMARY OF PROJECTED ACTIVITIES FOR
JULY 1, 1994 - SEPTEMBER 30, 1994

Promote and distribute house raffle tickets (we would like to make this an annual event).

Establish a contest for City/County employees to give each group cash prizes for the most tickets sold.

Create press event for the announcements and drawing of house raffle.

Create mailing list and design of concert tickets.

Create press for concert.

Solicit inkind from building trades to supply actual building materials for MASH.

Continue to solicit cash and inkind for professional services for MASH.

AUG. 22 - AUG. 27, 1994

OCT 19 1994

SPOKE TO:	BOB SCHULMAN - DISCUSSION ON HOME RAFFLE. HE IS NOT BUILDING THE $75,000 HOUSE. HIS LEAST EXPENSIVE HOME WILL BE $150,000. WE ARE WORKING ON A PLAN TO USE THIS HOUSE INSTEAD, AND MAKE UP THE DIFFERENCE.
MET WITH:	M.A.S.H. CONCERT PRODUCERS AND CONTACTED ALL THE YES RSVPs TO NOTIFY THEM OF CHANGE OF DATE FOR CONCERT. THERE HAS BEEN NO OPPOSITION TO THE DATE CHANGE.
MET WITH:	CATHOLIC COMMUNITY SERVICES TO NEGOTIATE LEASE FOR THE TEMPORARY M.A.S.H. AT ST. VINCENT'S.
MET WITH:	POTENTIAL CONTRACT TO ENCOURAGE THEM TO BID ON THE M.A.S.H. BUILDING.
	WENT TO ST. VINCENT'S TO STUDY SPACE FOR TEMP CRISIS CENTER.
	DID A RADIO INTERVIEW FOR M.A.S.H.

CITY COUNCIL MINUTES

OCT 19 1994

AUG. 29 - SEPT. 3, 1994

CONTINUED CALLING RSVPs FOR CONCERT TO CHANGE DATE TO NOV. 6, 1994

DID RADIO PROGRAM KLAV WITH LOU EPTON

MET WITH: JOAN FRAGATIS OF SCHULMAN GROUP TO DESIGN A PACKAGE FOR HOUSE RAFFLE -- BOB WILL BE OUT OF TOWN TILL SEPTEMBER 19TH. WE WILL PRESENT IT TO HIM THEN.

MET WITH: ANOTHER CONTRACTOR TO ENCOURAGE ANOTHER BID ON M.A.S.H.

CITY COUNCIL MINUTES

SEPT. 5TH, 6TH & 7TH, 1994

OCT 19 1994

OFF

OCT 19 1994

SEPT. 8-10, 1994

MET WITH: A GROUP OF PRIVATE DEVELOPERS, BUILDERS AND BANKERS AT FREMONT STREET AND DISCUSSED M.A.S.H. AND THE NEED FOR PUBLIC/PRIVATE PARTNERSHIP.

Item Number	ITEM	ACTION
	III. CONSENT AGENDA	
	DEPARTMENT OF FINANCE & COMPUTER SERVICES	
9	SERVICE AND MATERIAL CHECKS/ PAYROLL CHECKS/OTHER CHECKS AND INVESTMENTS Service and Material Checks In the amount of $11,201,640.08 Payroll Checks In the amount of $ 2,741,928.06 Wire Transfers In the amount of $ 4,702,422.50 Other Checks and Investments In the amount of $ 152,745.99	**ADAMSEN - APPROVED Consent Agenda, Items 3 through 6, 8 through 17 and 19 through 42 as recommended - UNANIMOUS** **Staff to proceed** ****** There was no discussion. (9:39 - 9:40)

Lynn Goya

CITY OF LAS VEGAS, NEVADA CITY COUNCIL MINUTES

Check Register Recap I216607I

037

OCT 19 1994

SERVICE & MATERIAL CHECKS:

NUMBER	THRU	NUMBER	AMOUNT	DESCRIPTION
			$ (2,480.31)	City Voids 09/28/94
			(19,863.38)	City Voids 10/05/94
I216605		I216606	1,325,000.00	Special Checks 09/28/94
I216607		I216608	101,815.83	Special Checks 10/05/94
I942292		I942673	6,846,967.67	City Accounts Payable 09/28/94
J942674		J943080	2,950,200.27	City Accounts Payalbe 10/05/94
Total Service & Material			$ 11,201,640.08	

PAYROLL CHECKS:

NUMBER	THRU	NUMBER		DESCRIPTION
00160759		00160772	$ 3,617.38	City Payroll 09/17/94
00160773		00161619	915,035.39	City Payroll 09/24/94
00161620		00161640	1,819,703.66	City Direct Deposit 09/24/94
00161641		00161656	3,571.63	City Assignments 09/24/94
Total Payroll			$ 2,741,928.06	

NEVADA BUSINESS SERVICES:

NUMBER	THRU	NUMBER	AMOUNT	
I405946		I406025	$ 77,563.89	NBS Accounts Payable09/23/94
I406026		I406098	24,000.93	NBS Accounts Payable 09/30/94
536001		536125	51,181.17	NBS Payroll 09/30/94
Total NBS and City Investments			$ 152,745.99	

RECAP:

Total Service & Material Checks	$ 11,201,640.08
Total Payroll Checks	2,741,928.06
Total NBS and City Investments	152,745.99
SUBTOTAL	14,096,314.13
Total Wire Transfers	4,702,422.50
GRAND TOTAL	$ 18,798,736.63

I hereby certify that I have reviewed the above amounts and approved them for payment as being in compliance with all applicable laws, to the best of my knowledge and belief.

DIRECTOR OF FINANCE

CITY MANAGER

On October 19, , 1994, The City Council ordered the above checks paid.

MAYOR

ATTEST:

Chief Deputy City Clerk

Item Number	ITEM	ACTION
	III. CONSENT AGENDA DEPARTMENT OF GENERAL SERVICES AWARD OF BIDS	
10	AWARD OF BID NUMBER 95.1730.43, STREET BLOCK NUMBER SIGNS AT 200 SIGNALIZED INTERSECTIONS Department of Public Works HIGHWAY RENTALS, INC. ($126,325.00)	**ADAMSEN - APPROVED Consent Agenda, Items 3 through 6, 8 through 17 and 19 through 42 as recommended - UNANIMOUS** **Staff to proceed** ****** There was no discussion. (9:39 - 9:40)
11	AWARD OF BID NUMBER 95.NOV.03, ANNUAL TIRE AND TIRE REPAIR CONTRACT Department of General Services VARIOUS VENDORS ($58,000.00)	**APPROVED - See above**

Lynn Goya

CITY COUNCIL

MEETING OF
October 19, 1994

AGENDA DOCUMENTATION

TO:
City Council

FROM: RALPH SHACKELFORD, DIRECTOR
DEPARTMENT OF GENERAL SERVICES

SUBJECT: AWARD OF BID NUMBER 95.1730.43, STREET BLOCK NUMBER SIGNS AT 200 SIGNALIZED INTERSECTIONS

PURPOSE/BACKGROUND

BID NUMBER: 95.1730.43 **BUYER:** R. K. DELABARRE

ITEM: CAPITAL IMPROVEMENT **DEPARTMENT ESTIMATE:** $155,000.00

DEPARTMENT: PUBLIC WORKS **INVITATIONS MAILED:** 10
MBE: 1 WBE: 0 DVBE: 0

FUNDING: TRAFFIC SIGNALS CAPITAL PROJECTS **RESPONSES RECEIVED:** 3
MBE: 0 WBE: 0 DVBE: 0

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY FOR THE FABRICATION AND INSTALLATION OF BLOCK NUMBER SIGNS ON ALL CORNERS OF INTERSECTIONS AND FOR THE REMOVAL OF STREET NAME SIGNS AND POLES AT ALL INTERSECTIONS HAVING ILLUMINATED STREET NAME SIGNS INSTALLED ON TRAFFIC SIGNAL MAST ARMS.

BID ABSTRACT SUMMARY

HIGHWAY RENTALS, INC.	LAS VEGAS, NV	$126,325.00
RONCO MEDIA, INC.	LAS VEGAS, NV	$146,475.00
SIGNS WEST, INC.	LAS VEGAS, NV	$149,921.48 (NO BID BOND & EXCEPTIONS)

STAFF RECOMMENDATION OF AWARD

THAT THE LOW BID BE AWARDED TO:

HIGHWAY RENTALS, INC.	LAS VEGAS, NV	$126,325.00

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 94/95. FUNDS ARE AVAILABLE IN THE **TRAFFIC SIGNALS CAPITAL PROJECTS FUND.**

RECOMMENDATIONS

BASED ON THE WRITTEN RECOMMENDATION OF THE REQUESTING DEPARTMENT, AND THE CONCURRENCE OF THE DEPARTMENT OF GENERAL SERVICES, THIS ITEM IS PRESENTED TO THE CITY COUNCIL FOR APPROVAL.

CONSENT
Agenda Item
10

PURCHASE REQUEST 95,1730.43

SUGGESTED VENDOR:

SHIP TO:

GLENN GRAYSON, P.E.
TRAFFIC ENGINEER
400 E. STEWART AVENUE
LAS VEGAS, NV 89101

REQ. DATE	REQ. NO.	P.O. NO.
7/21/94	1770-2552	

ESTIMATES FROM:
- ☐ FORMER P.O. No. _____ DATE _____
- ☐ PURCHASING & CONTRACTS
- ☐ OTHER (SPECIFY)

FUNDING:
☐ UNBUDGETED XX☑ BUDGETED 1 of 1 PAGE _____ OBJECT CODE

REQUESTING DEPT. EST. 155,000.00 NOT TO EXCEED 172,000.00

REQUESTING DEPT./DIV.	BUYER	TERMS	FOB	DELIVERY REQUIRED
PUBLIC WORKS/TRAFFIC ENGINEERING	[illegible] PKD	N/30	LV	

JUSTIFICATION FOR PURCHASE
FABRICATE AND INSTALL BLOCK NUMBER SIGNS AT 200 SIGNALIZED INTERSECTIONS.

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL
200	ea.	FABRICATE AND INSTALL BLOCK NUMBER SIGNS ON ALL CORNERS OF INTERSECTION PER CCA DRAWING 404.420 AND SPECIAL PROVISIONS. REMOVE EXISTING STREET NAME SIGNS AND POLES AT ALL INTERSECTIONS HAVING ILLUMINATED STREET NAME SIGNS INSTALLED ON TRAFFIC SIGNAL MAST ARMS.		

225-14

FUNDING VERIFIED
SOURCE: Traffic Signals CPF
DATE: 26 July 94 APPROVED BY:
CC Traffic Capacity Agreements 4th + 5th year

VENDORS CONTACTED		
	☒ CONSTRUCTION CONTRACT	☐ NEGOTIATED
	☐ SUPPLY CONTRACT	☐ VERBAL QUOTE
	☒ FORMAL BID	☐ INFORMAL BID
	☐ SINGLE SOURCE	☐ SOLE SOURCE
		☒ COMPETITIVE

LINE	PURCHASER FUND/ORG	ACCOUNT	TASK	OPTION	ACTIVITY/WA	TOTAL	LOCATION FUND/ORG	GRANT NUMBER
1	5071	8081	087		WU6700	86,000.00		
2	5071	8081	087		WU6724	86,000.00		

THE DEPARTMENT HEAD CERTIFIES THAT TO THE BEST OF THEIR KNOWLEDGE FUNDS ARE BUDGETED AND AVAILABLE FOR THIS PURCHASE AND THE ITEMS/SERVICES REQUESTED ARE FOR PUBLIC USE.

DEPT./DIV. HEAD [signature] TEPeot 7-25-94 DATE

BUDGET [signature] 26 July 94 DATE

FINANCE [signature] 7/26/94 DATE

DEPUTY CITY MANAGER [signature] 7/26/94 DATE

PURCHASING & CONTRACTS _____ DATE

BID ABSTRACT & AWARD RECOMMENDATION

BID TITLE: STREET BLOCK NUMBER SIGNS AT 200 SIGNALIZED INTERSECTIONS

BID #

ITEM	QTY.	DESCRIPTION	HIGHWAY RENTALS, INC. U.P.	HIGHWAY RENTALS, INC. TOTAL	RONCO MEDIA, INC. U.P.	RONCO MEDIA, INC. TOTAL	SIGNS WEST, INC. U.P.	SIGNS WEST, INC. TOTAL
1.	775 EA	BLOCK NUMBER SIGNS	163.00	126,325.00	189.00	146,475.00	"NO BID BOND & EXCEPTIONS"	
		TOTAL BID:		**$126,325.00**		**$146,475.00**		
		SUBCONTRACTORS	NONE		NONE			
		SUPPLIERS						
		ALUMINUM	US STANDARD SIGN CO.					
		SHEETING	3M CORP.					
		SIGN BRACKETS	TRAFFIC SAFETY, INC.					
		SIGN MOUNTING HARDWARE	BANDIT CORP.					
		SIGN FABRICATION & BRACKETS			SAFEWAY SIGN COMPANY			

CITY COUNCIL MINUTES
OCT 19 1994

BID ABSTRACT & AWARD RECOMMENDATION

BID TITLE: STREET BLOCK NUMBER SIGNS AT 200 SIGNALIZED INTERSECTIONS
BID BOND REQD: YES **EST:** $155,000.00
BID #: 95.0730.43 **INV. SENT:** 16
BID OPENED: 9-27-94 **BUYER:** RKD

ITEM	QTY	DESCRIPTION	HIGHWAY RENTALS, INC. 5005 E. CAREY AVENUE LAS VEGAS, NV 89115 LIC#:C11012252000437 U.P.	TOTAL	RONCO MEDIA, INC. 1405 N. A STREET LAS VEGAS, NV 89106 LIC#:C11003902000615 U.P.	TOTAL	SIGNS WEST, INC. 4970 S. ARVILLE, STE.101 LAS VEGAS, NV 89118 LIC#: U.P.	TOTAL
		STATE OF NV CONTRACTOR'S LIC#:	011224		0010581		"NO BID BOND" & "EXCEPTIONS"	
		CONTRACTOR'S CLASSIFICATION:	A		C6			
		LIMITATIONS:						
		STATE CONTRACTORS LICENSE BOARD CALLED: COMPANY: Highway Rentals WHO: Carolyn						
		IS/IS NOT LICENSE OK: OK						
		VERIFIED BY: RK Delahare						
		DATE & TIME: 9/28/94 9:30						
		BID BOND	YES		CASHIER'S CHECK #1504635	$7,323.75		
		BID QUALIFIES FOR PREFERENCE UNDER NRS 338.147	YES		YES			
		ACKNOWLEDGE ADDENDUM #1	YES		YES			

CITY COUNCIL MINUTES
OCT 19 1994

To: PW-TRAFFIC. Please review and furnish recommendation prior to 10/3/94 for Commission award on 10/19/94

RK Delahare 9/30/94
Purchasing and Contracts Date

To: Purchasing and Contracts. Recommend award to low Bidder (Highway Rentals).

10/3/94
Department/Division Signature Date

042

AGENDA DOCUMENTATION

CITY COUNCIL

MEETING OF

October 19, 1994

TO:
City Council

FROM: RALPH SHACKELFORD, DIRECTOR
DEPARTMENT OF GENERAL SERVICES

SUBJECT: AWARD OF BID NUMBER 95.NOV.03, ANNUAL TIRE AND TIRE REPAIR CONTRACT

PURPOSE/BACKGROUND

BID NUMBER: 95.NOV.03

BUYER: R. K. DELABARRE

ITEM: SUPPLIES

DEPARTMENT ESTIMATE: $58,000.00 ANNUALLY

DEPARTMENT: GENERAL SERVICES

INVITATIONS MAILED: 17
MBE: 1 WBE: 0 DVBE: 0

FUNDING: GENERAL FUND

RESPONSES RECEIVED: 3
MBE: 0 WBE: 0 DVBE: 0

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY FOR THE REPAIR OF TIRES AND THE REPLACEMENT AND DISPOSAL OF TIRES WHICH BECOME UNSERVICEABLE.

BID ABSTRACT SUMMARY

		TIRES (DISCOUNT)	TIRE REPAIR
JOE ROSSI TIRES	LAS VEGAS, NV	SEE ATTACHED	$106.00 TOTAL UNIT PRICES
TED WEINS TIRE	LAS VEGAS, NV	SEE ATTACHED	$ 86.00 TOTAL UNIT PRICES
CHARLIE CASE TIRE CO.	LAS VEGAS, NV	SEE ATTACHED	$ 95.00 TOTAL UNIT PRICES

STAFF RECOMMENDATION OF AWARD

THAT THE LOW BID BE AWARDED TO:

JOE ROSSI TIRES LAS VEGAS, NV
TED WEINS TIRE LAS VEGAS, NV
CHARLIE CASE TIRE CO. LAS VEGAS, NV

EACH REQUIREMENT FOR TIRES AND/OR TIRE REPAIR WILL BE EVALUATED ON A CASE BY CASE BASIS WITH PRICE, AVAILABILITY AND DISTANCE CONSIDERED, AND THE FIRM WITH THE LOWEST OVERALL COST WILL BE SELECTED.

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR **94/95**. FUNDS ARE AVAILABLE IN THE **GENERAL FUND**.

RECOMMENDATIONS

THIS ITEM IS PRESENTED TO THE CITY COUNCIL FOR APPROVAL.

CONSENT

Agenda Item

11

BID ABSTRACT & AWARD RECOMMENDATION

BID TITLE: ANNUAL CONTRACT FOR TIRE & TIRE REPAIR-FROM 11/1/94 - 10/31/95

BID BOND REQD: NO **EST:** $ $58,000.00(ANN)

BID #: 95.NOV.03 **INV. SENT:** 17/1/0

BID OPENED: 9-27-94 **BUYER:** RKD

ITEM	QTY	DESCRIPTION	JOE ROSSI TIRES, INC. 3140 LOSEE RD. LAS VEGAS, NV 89030 LIC#: 57028 U.P.	TOTAL	TED WEINS TIRE 1701 LAS VEGAS BLVD. SO LAS VEGAS, NV 89104 LIC#: S050008460046800 U.P.	TOTAL	CHARLIE CASE TIRE CO. 3655 W. QUAIL AVE.,STE A LAS VEGAS, NV 89118 LIC#: T10021096044707 U.P.	TOTAL
1.	EA.	AUTOMOBILE TIRE	8.00		5.00		7.50	
2.	EA.	TRUCK TIRE (NO SPLIT RIM), UP TO 7:50 X 15	12.00		6.00		8.00	
3.	EA.	TRUCK TIRE (SPLIT RIM) 7:50 X 20 OR LARGER	15.00		14.00		15.00	
4.	EA.	TRACTOR TIRE, DRY	25.00		20.00		25.00	
5.	HR.	SERVICE CALL, IN FIELD	42.00		38.00		37.50	
6.	EA.	UNSERVICEABLE TIRE REMOVAL, ALL SIZES, BRANDS, AND COMPOSITION	4.00		3.00		2.00 4.00 50.00	
		TOTAL UNIT PRICE:	**$106.00**		**$86.00**		**$95.00** **$97.00** **$143.00**	
		NUMBER OF FIELD SERVICE TRUCKS AVAILABLE FOR FIELD SERVICE CALLS:	5		10		5	
		NUMBER OF REPAIR FACILITIES IN CLARK COUNTY CAPABLE OF SERVICING THIS REQUIREMENT:	2		7		1	
		ADDRESSES:	3140 LOSEE RD. LAS VEGAS, NV 89030		SEE ATTACHED LIST		3655 W. QUAIL AVE.,STE.A LAS VEGAS, NV 89118	
			2350 N. NELLIS LAS VEGAS, NV 89115		*		TOTALS VARY BY LINE DUE TO STATE OF NV LANDFILL CHARGES.	

CITY COUNCIL MINUTES
OCT 19 1994

To: VEH. SVCS. Please review and furnish recommendation prior to 10/3/94 for Commission award on 10/19/94

Purchasing and Contracts — Date 9/30/94

To: Purchasing and Contracts.

AWARD TO ALL!

Department/Division Signature — Date 9/30/94

044

Item Number	ITEM	ACTION
	III. CONSENT AGENDA DEPARTMENT OF GENERAL SERVICES PURCHASE ORDER APPROVAL	
12	PURCHASE ORDER APPROVAL FOR PROPRIETARY DATA PROCESSING SERVICES Various Departments CLARK COUNTY TREASURER ($60,000.00)	**ADAMSEN - APPROVED Consent Agenda, Items 3 through 6, 8 through 17 and 19 through 42 as recommended - UNANIMOUS** **Staff to proceed** ****** There was no discussion. (9:39 - 9:40)
13	PURCHASE ORDER APPROVAL FOR SUPPLEMENT NO. 2 WITH BOYLE ENGINEERING FOR ENGINEERING SERVICES FOR THE OGDEN UNDERPASS PROJECT Department of Public Works BOYLE ENGINEERING ($50,000.00)	**APPROVED - See above**

Lynn Goya

CITY COUNCIL

AGENDA DOCUMENTATION

MEETING OF
October 19, 1994

TO:
City Council

FROM: RALPH SHACKELFORD, DIRECTOR
DEPARTMENT OF GENERAL SERVICES

SUBJECT: PURCHASE ORDER APPROVAL FOR PROPRIETARY DATA PROCESSING SERVICES

PURPOSE/BACKGROUND

ITEM: SERVICES

BUYER: LINDA D. PARKER LDP

FUNDING: VARIOUS

PURCHASE REQUEST: 1230-3920

DEPARTMENT: VARIOUS DEPARTMENTS

DEPARTMENT ESTIMATE: $60,000.00

NEED FOR PURCHASE

THIS ANNUAL PURCHASE ORDER WILL PROVIDE VARIOUS CITY OF LAS VEGAS DEPARTMENTS WITH PROPRIETARY DATA PROCESSING SERVICES SUCH AS CRIMINAL JUSTICE INFORMATION SERVICES AND SCOPE SERVICES. THESE SERVICES ARE ONLY AVAILABLE FROM CLARK COUNTY. THIS PURCHASE ORDER IS EXEMPT FROM COMPETITIVE BIDDING REQUIREMENTS UNDER NRS 332.115.(a).

STAFF RECOMMENDATION

FOR PURCHASE ORDER APPROVAL:

CLARK COUNTY TREASURER	LAS VEGAS, NV	$60,000.00

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 94/95. FUNDS ARE AVAILABLE IN VARIOUS DEPARTMENTS' BUDGETS FOR THE USE OF THESE SERVICES.

RECOMMENDATIONS

THIS ITEM IS PRESENTED TO THE CITY COUNCIL FOR APPROVAL.

CONSENT

Agenda Item

12

PURCHASE REQUEST

443-23

047

SUGGESTED VENDOR:

CLARK COUNTY TREASURER
225 BRIDGER AVENUE
LAS VEGAS, NV 89101

CITY COUNCIL MINUTES

OCT 19 1994

SHIP TO:

CITY OF LAS VEGAS
PURCHASING & CONTRACTS
400 E. STEWART AVE.
LAS VEGAS, NV 89101
ATTN: LINDA PARKER

EJ 7/13/94

REQ. DATE	REQ. NO.	P.O. NO.
6/28/94	1230-3920	A-

ESTIMATES FROM:

- ☐ FORMER P.O. No. _____ DATE _____
- ☐ PURCHASING & CONTRACTS
- ☐ OTHER (SPECIFY)

FUNDING:

☐ UNBUDGETED ☒ BUDGETED _____ PAGE _____ OBJECT CODE

REQUESTING DEPT. EST. _____ NOT TO EXCEED _____

REQUESTING DEPT./DIV.	BUYER	TERMS	FOB	DELIVERY REQUIRED
G.S./P&C	LDP			

JUSTIFICATION FOR PURCHASE

PAYMENT FOR VARIOUS DATA PROCESSING SERVICES REQUIRED FROM CLARK COUNTY DURING A FISCAL YR

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL
		DURING THE PERIOD JULY 1, 1994 THROUGH JUNE 30, 1995, THE VENDOR SHALL PROVIDE ASSORTED PROPRIETARY DATA PROCESSING SERVICES AVAILABLE ONLY THROUGH CLARK COUNTY FOR VARIOUS DEPARTMENTS OF THE CITY OF LAS VEGAS. SERVICES INCLUDED, BUT NOT LIMITED TO, ARE: SCOPE SERVICES; CRIMINAL JUSTICE INFORMATION SERVICES. PRIMARY USERS ARE: BUSINESS ACTIVITY, DETENTION, MUNICIPAL COURT, COURT COUNSELING, PUBLIC WORKS, BUILDING & SAFETY, CITY ATTORNEY, FIRE DEPARTMENT, PLANNING. OTHER CITY OF LAS VEGAS DEPARTMENTS MAY USE THIS PURCHASE ORDER AS REQUIRED.		$60,000.00 (ESTIMATED ANNUAL USAGE)

FUNDING VERIFIED
SOURCE: Various
DATE: 7/5/94 APPROVED BY: [illegible]

VENDORS CONTACTED			
	☐ CONSTRUCTION CONTRACT	☐ NEGOTIATED	
	☐ SUPPLY CONTRACT	☐ VERBAL QUOTE	
	☐ FORMAL BID	☐ INFORMAL BID	
	☐ SINGLE SOURCE	☐ SOLE SOURCE	
		☐ COMPETITIVE	

LINE	PURCHASER FUND/ORG	ACCOUNT	TASK	OPTION	ACTIVITY WA	TOTAL	LOCATION FUND/ORG	GRANT NUMBER
	VARIOUS					60,000.00 ESTIMATED ANNUAL USAGE		

THE DEPARTMENT HEAD CERTIFIES THAT TO THE BEST OF THEIR KNOWLEDGE FUNDS ARE BUDGETED AND AVAILABLE FOR THIS PURCHASE AND THE ITEMS/SERVICES REQUESTED ARE FOR PUBLIC USE.

BUDGET [signature] 7/5/94 DATE

FINANCE [signature] 7/6/94 DATE

DEPT./DIV. HEAD [signature] 6/30/94 DATE

DEPUTY CITY MANAGER [signature] 7/7/94 DATE

PURCHASING & CONTRACTS _____ DATE

CITY COUNCIL

AGENDA DOCUMENTATION

MEETING OF
October 19, 1994

TO:
City Council

FROM: RALPH SHACKELFORD, DIRECTOR
DEPARTMENT OF GENERAL SERVICES

SUBJECT: PURCHASE ORDER APPROVAL FOR SUPPLEMENT NO. 2 WITH BOYLE ENGINEERING FOR ENGINEERING SERVICES FOR THE OGDEN UNDERPASS PROJECT.

PURPOSE/BACKGROUND

ITEM: PROFESSIONAL SERVICES **BUYER:** R. K. DELABARRE

FUNDING: ROAD & FLOOD CAPITAL PROJECTS **PURCHASE REQUEST:** 1732-0089.2

DEPARTMENT: PUBLIC WORKS **DEPARTMENT ESTIMATE:** $50,000.00

NEED FOR PURCHASE

THIS PURCHASE ORDER APPROVAL REPRESENTS SUPPLEMENT NUMBER 2 TO THE ENGINEERING SERVICES AGREEMENT WITH BOYLE ENGINEERING TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES FOR THE OGDEN UNDERPASS PROJECT. APPROVAL OF SUPPLEMENT NUMBER 2 WOULD ALLOW BOYLE ENGINEERING TO CONTINUE TO REPRESENT THE CITY IN PERFORMING THE CONSTRUCTION MANAGEMENT.

ORIGINAL PURCHASE ORDER	$565,000.00
SUPPLEMENT #1	$ 78,670.54
SUPPLEMENT #2	$ 50,000.00
TOTAL PURCHASE ORDER	$693,670.54

STAFF RECOMMENDATION

FOR PURCHASE ORDER APPROVAL:

BOYLE ENGINEERING	LAS VEGAS, NV	$50,000.00

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR **94/95**. FUNDS ARE AVAILABLE IN THE **ROAD & FLOOD CAPITAL PROJECTS FUND.**

RECOMMENDATIONS

BASED ON THE WRITTEN RECOMMENDATION OF THE REQUESTING DEPARTMENT, AND THE CONCURRENCE OF THE DEPARTMENT OF GENERAL SERVICES, THIS ITEM IS PRESENTED TO THE CITY COUNCIL FOR APPROVAL.

CONSENT
Agenda Item
13

PURCHASE REQUEST

049

SUGGESTED VENDOR:

Boyle Engineering
1705 E. Sahara Avenue, Ste. 300
Las Vegas, NV 89104

cont. 09/20/94

SHIP TO:

Dennis Anderson, P. E.
City Engineer
400 E Stewart Avenue
Las Vegas, NV 89101

CITY COUNCIL MINUTES

OCT 19 1994

REQ. DATE	REQ. NO.	P.O. NO.
9/2/94	1732-0089.2	60299.2

ESTIMATES FROM:

☐ FORMER P.O. No. _____ DATE _____

☐ PURCHASING & CONTRACTS

X ☐ OTHER (SPECIFY) Engineer's Estimate

FUNDING:

☐ UNBUDGETED ☒ BUDGETED _____ PAGE _____ OBJECT CODE

REQUESTING DEPT. EST $50,000.00 NOT TO EXCEED $50,000.00

REQUESTING DEPT./DIV.	BUYER	TERMS	FOB	DELIVERY REQUIRED
Public Works/City Engineer	DKR			

JUSTIFICATION FOR PURCHASE

Construction management services for Ogden Underpass beyond the terms of their contract.

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL
1	L.S.	To have Boyle continue with the Engineering Construction Management beyond the term of their contract.		$50,000.00

FUNDING VERIFIED
SOURCE: Road Flood CPF
DATE: 9/19 APPROVED BY: [signature]
UPRR Contribution

VENDORS CONTACTED					
		☐	CONSTRUCTION CONTRACT	☐	NEGOTIATED
		☐	SUPPLY CONTRACT	☐	VERBAL QUOTE
		☐	FORMAL BID	☐	INFORMAL BID
		☐	SINGLE SOURCE	☐	SOLE SOURCE
				☐	COMPETITIVE

LINE	PURCHASER FUND/ORG	ACCOUNT	TASK	OPTION	ACTIVITY/WA	TOTAL	LOCATION FUND/ORG	GRANT NUMBER
2 4	5131	6101			WA 6759	$50,000.00		

THE DEPARTMENT HEAD CERTIFIES THAT TO THE BEST OF THEIR KNOWLEDGE FUNDS ARE BUDGETED AND AVAILABLE FOR THIS PURCHASE AND THE ITEMS/SERVICES REQUESTED ARE FOR PUBLIC USE.

BUDGET Lisa Mathis 9/19/94 DATE

FINANCE [signature] 9/22/94 DATE

DEPT./DIV. HEAD [signature] PE/COT 9-12-94 DATE

DEPUTY CITY MANAGER [signature] 9/22/94 DATE

PURCHASING & CONTRACTS _____ DATE

CLV 7019

Item Number	ITEM	ACTION
	III. CONSENT AGENDA DEPARTMENT OF GENERAL SERVICES PURCHASE ORDER APPROVAL - CONT'D.	
14	PURCHASE ORDER APPROVAL FOR SUPPLEMENT NO. 1 WITH CUSTARD INSURANCE ADJUSTERS FOR ACCIDENT INVESTIGATIONS Department of Human Resources CUSTARD INSURANCE ADJUSTERS ($18,000.00)	**ADAMSEN - APPROVED Consent Agenda, Items 3 through 6, 8 through 17 and 19 through 42 as recommended - UNANIMOUS** **Staff to proceed** ****** There was no discussion. (9:39 - 9:40)
	CONTRACT RENEWALS	
15	SUPPLEMENTS TO THE ANNUAL CONTRACT FOR 36-MONTH COPIER REPLACEMENT CONTRACT Department of General Services ($8,474.00)	**APPROVED - See above**

Lynn G. Goya

CITY COUNCIL

051

AGENDA DOCUMENTATION

MEETING OF

OCT 19 1994

TO: **City Council**

FROM: RALPH SHACKELFORD, DIRECTOR
DEPARTMENT OF GENERAL SERVICES

SUBJECT: PURCHASE ORDER APPROVAL FOR SUPPLEMENT NO. 1 WITH CUSTARD INSURANCE ADJUSTERS FOR ACCIDENT INVESTIGATIONS

PURPOSE/BACKGROUND

ITEM: SERVICE

BUYER: DAVID A. RAWSKI DR

FUNDING: INTERNAL SERVICE FUND (LIABILITY INSURANCE)

PURCHASE REQUEST: 0770-1921.1

DEPARTMENT: HUMAN RESOURCES

DEPARTMENT ESTIMATE: $18,000.00

NEED FOR PURCHASE

CUSTARD INSURANCE ADJUSTERS WAS SELECTED ON JUNE 22, 1992 BY THE COUNCIL TO PROVIDE LIABILITY ADJUSTING SERVICES AND INVESTIGATIONS FOR ACCIDENTS INVOLVING CITY OF LAS VEGAS VEHICLES AND THE PUBLIC WHICH RESULT IN LIABILITY CLAIMS AGAINST THE CITY FOR INJURIES AND PROPERTY DAMAGE FOR THE PERIOD FROM JULY 1, 1992 THROUGH JUNE 30, 1995 FOR APPROXIMATELY $20,000 PER YEAR. THIS PURCHASE ORDER APPROVAL REPRESENTS SUPPLEMENT NO. 1 AND AUTHORIZES ADDITIONAL COST THROUGH JUNE 30, 1995.

ORIGINAL PURCHASE ORDER	$60,000.00
SUPPLEMENT NO. 1	$18,000.00
TOTAL PURCHASE ORDER	$78,000.00

STAFF RECOMMENDATION

FOR PURCHASE ORDER APPROVAL:

CUSTARD INSURANCE ADJUSTERS	LAS VEGAS, NV	$18,000.00

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR **94/95**. FUNDS ARE AVAILABLE IN THE **INTERNAL SERVICE FUND (LIABILITY INSURANCE)**.

RECOMMENDATIONS

BASED ON THE WRITTEN RECOMMENDATION OF THE REQUESTING DEPARTMENT, AND THE CONCURRENCE OF THE DEPARTMENT OF GENERAL SERVICES, THIS ITEM IS PRESENTED TO THE CITY COUNCIL FOR APPROVAL.

CONSENT

Agenda Item

14

PURCHASE REQUEST

947-12

SUGGESTED VENDOR:

Custard Insurance Adjusters, Inc.
1840 E. Sahara Ave., Suite 260
Las Vegas, NV 89104

SHIP TO:

052

William T. Thorp
Risk Management
City of Las Vegas
400 E. Stewart
Las Vegas, NV 89101

CITY COUNCIL MINUTES

OCT 19 1994

Ext 10-4-94

REQ. OATE	REQ. NO.	P.O. NO.
9-22-94	0770-1921.1	59356.1

ESTIMATES FROM:

☐ FORMER P.O. No._____ DATE_____

☐ PURCHASING & CONTRACTS

☐ OTHER (SPECIFY)

FUNDING:

☐ UNBUOGETEO ☒ BUOGETED _____ PAGE _____ OBJECT CODE

REQUESTING OEPT. EST. _____ NOT TO EXCEED_____

REQUESTING DEPT./DIV.	BUYER	TERMS	FOB	DELIVERY REQUIRED
Human Resources/Tech. Supt	DSL	Net 30	LV	June 30, 1995

JUSTIFICATION FOR PURCHASE

For adjusting service on City vehicular accidents

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL
	cost	~~To supplement existing P.O. to end of fiscal year 1995~~ This supplement is issued to authorize additional ~~one-year extension, through~~ through June 30, 1995, to investigate, report and complete appraisals on all City involved auto accidents, To investigate liability accidents on City property, emergency and stand-by weekend and holiday services		18,000.00

FUNDING VERIFIED
SOURCE: Internal Service Fund (Liability Ins.)
DATE: 9/26/94 APPROVED BY: GT

Original P.O.	$60,000.00
Supplement #1	$18,000.00
Total	$78,000.00

VENDORS CONTACTED

☐	CONSTRUCTION CONTRACT
☐	SUPPLY CONTRACT
☐	FORMAL BIO
☐	SINGLE SOURCE

☐	NEGOTIATED
☐	VERBAL QUOTE
☐	INFORMAL BIO
☐	SOLE SOURCE
☐	COMPETITIVE

LINE	PURCHASER FUND/ORG	ACCOUNT	TASK	OPTION	ACTIVITY/WA	TOTAL	LOCATION FUND/ORG	GRANT NUMBER
1	3551	6109				$18,000.00		

THE DEPARTMENT HEAD CERTIFIES THAT TO THE BEST OF THEIR KNOWLEDGE FUNDS ARE BUDGETED AND AVAILABLE FOR THIS PURCHASE AND THE ITEMS/SERVICES REQUESTED ARE FOR PUBLIC USE.

William T. Thorp — DEPT./DIV. HEAD — 9-22-94 DATE

Greg Turner — BUDGET — 9/26/94 DATE

Lynn Macy — DEPUTY CITY MANAGER — 9/27/94 DATE

Bernard Hardcastle — FINANCE — 9/26/94 DATE

PURCHASING & CONTRACTS — DATE

1210-010-5/93 CLV 7019

CITY COUNCIL

AGENDA DOCUMENTATION

MEETING OF
October 19, 1994

TO:
City Council

FROM: RALPH SHACKELFORD, DIRECTOR
DEPARTMENT OF GENERAL SERVICES

SUBJECT: SUPPLEMENTS TO THE ANNUAL CONTRACT FOR 36-MONTH COPIER REPLACEMENT CONTRACT

PURPOSE/BACKGROUND

BID NUMBER: 93.JUL.2

BUYER: KEN K. FALLINE

ITEM: RENTALS

DEPARTMENT ESTIMATE: $8,474.00
SUPPLEMENTS NO. 6, 7 AND 8

DEPARTMENT: GENERAL SERVICES

FUNDING: GENERAL FUND

NEED FOR PURCHASE

THE NEED FOR THESE SUPPLEMENTS IS TO PROVIDE ADDITIONAL FUNDS TO COVER INCREASED COPIER RENTAL REQUIREMENTS THAT WILL EXCEED THE TEN PERCENT (10%) CONTRACT ALLOWANCE. THE ORIGINAL CONTRACT IN THE AMOUNT OF $359,667.00 HAS SINCE BEEN INCREASED TO A TOTAL DOLLAR AMOUNT OF $394,341.30 VIA SUPPLEMENT NUMBERS 1 THROUGH 5. THIS RENTAL CONTRACT EXPIRES JUNE 30, 1995.

STAFF RECOMMENDATION

THAT THESE SUPPLEMENTS BE APPROVED:

SUPPLEMENT NO. 6	$ 1,512.00
SUPPLEMENT NO. 7	$ 1,638.00
SUPPLEMENT NO. 8	$ 5,324.00
	$ 8,474.00
ORIGINAL CONTRACT PLUS SUPPLEMENTS NO. 1-5	$394,341.30
NEW TOTAL	$402,815.30

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR **94/95**. FUNDS ARE AVAILABLE IN THE **GENERAL FUND**.

RECOMMENDATIONS

THIS ITEM IS PRESENTED TO THE CITY COUNCIL FOR APPROVAL.

CONSENT

Agenda Item

15

OCT 19 1994

PURCHASE REQUEST

SUGGESTED VENDOR:

THE COPYMAN
~~3021 S. Valley View #101~~ 3200 So. Procyan Ave.
Las Vegas, NV 89102

cmd: 09/22/94

SHIP TO:
City of Las Vegas

REQ. DATE	REQ. NO.	P.O. NO.
19 Sept. '94	3310-1550.8	A-1952.8

ESTIMATES FROM:
☐ FORMER P.O. No. _____ DATE _____
☐ PURCHASING & CONTRACTS
☐ OTHER (SPECIFY)

FUNDING:
☐ UNBUDGETED ☒ BUDGETED _____ PAGE _____ OBJECT CODE
REQUESTING DEPT. EST. _____ NOT TO EXCEED _____

REQUESTING DEPT./DIV.	BUYER	TERMS	FOB	DELIVERY REQUIRED
Gen. Servs./Graphic Arts Servs.	AF	N/30	LV	Confirmation

JUSTIFICATION FOR PURCHASE
Additional Copier placement

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL
		This supplement is issued to authorize the following changes and additional cost to Bid #93, July 2 - 36 month copier replacement for period through June 30, 1995.		
9	mos.	Install copier #66 in the Building & Safety Department of the West City Yard. Group #1 Konica 1290 approved by Budget, Rosemary Vassilliadis, Sept. 19, 1994.	$ 36.00	$ 324.00
		TOTAL		$ 324.00

Verbal approval 9/22/94 $5000.00 for contingency approved by Joe Hough 9/23/94.

ORIGINAL PURCHASE ORDER $359,667.00
SUPPLEMENT #1 5,899.20
SUPPLEMENT #2 41,060.00
SUPPLEMENT #3 19,163.25
SUPPLEMENT #4 864
SUPPLEMENT #5 7667.85
SUPPLEMENT #6 $512.00
CONFIRMATION ONLY!

VENDORS CONTACTED

SUPPLEMENT # 7 $1,638.00
SUPPLEMENT # 8 $532.00
TOTAL $397,815.30

	CONSTRUCTION CONTRACT		NEGOTIATED
	SUPPLY CONTRACT		VERBAL QUOTE
	FORMAL BID		INFORMAL BID
	SINGLE SOURCE		SOLE SOURCE
			COMPETITIVE

LINE	PURCHASER FUND/ORG	ACCOUNT	TASK	OPTION	ACTIVITY/WA	TOTAL	LOCATION FUND/ORG	GRANT NUMBER
1	3331	6501				$324.00		

THE DEPARTMENT HEAD CERTIFIES THAT TO THE BEST OF THEIR KNOWLEDGE FUNDS ARE BUDGETED AND AVAILABLE FOR THIS PURCHASE AND THE ITEMS/SERVICES REQUESTED ARE FOR PUBLIC USE.

DEPT./DIV. HEAD — DATE 9/19/94

BUDGET — DATE 9/19/94

DEPUTY CITY MANAGER — DATE

FINANCE — DATE 9/21/94

PURCHASING & CONTRACTS — DATE 9-22-94

1210-010.5.93 CLV 7019

Item Number	ITEM	ACTION
	III. CONSENT AGENDA DEPARTMENT OF GENERAL SERVICES AGREEMENT EXTENSIONS/ASSIGNMENT	
16	INTERIM EXTENSION OF ANNUAL AGREEMENT FOR FURNISHING LONG DISTANCE TELEPHONE SERVICE Various Departments LDDS-METROMEDIA ($10,000.00)	**ADAMSEN - APPROVED Consent Agenda, Items 3 through 6, 8 through 17 and 19 through 42 as recommended - UNANIMOUS** **Staff to proceed** ****** There was no discussion. (9:39 - 9:40)
17	ASSIGNMENT OF RFP NUMBER 92.NOV.5: AGREEMENT FOR FURNISHING ANNUAL HEALTH CARE SERVICES FOR THE DETENTION AND ENFORCEMENT FACILITY AND CITY HALL JAIL	**APPROVED - See above**

Lynn Goya

CITY COUNCIL

AGENDA DOCUMENTATION

MEETING OF
October 19, 1994

TO:
City Council

FROM: RALPH SNACKELFORD, DIRECTOR
DEPARTMENT OF GENERAL SERVICES

SUBJECT: INTERIM EXTENSION OF ANNUAL AGREEMENT FOR FURNISHING LONG DISTANCE TELEPHONE SERVICE

PURPOSE/BACKGROUND

RFP NUMBER: 90-17

BUYER: LINDA D. PARKER

ITEM: SERVICES

DEPARTMENT ESTIMATE: $10,000.00
ESTIMATED INTERIM USAGE

DEPARTMENT: VARIOUS

FUNDING: GENERAL FUND

NEED FOR PURCHASE
THE NEED FOR THIS SERVICE IS TO PROVIDE LONG DISTANCE SERVICE (1+ DIALING) FOR CITY HALL AND REMOTE FACILITIES.

CONTRACT EXTENSION
THIS IS AN INTERIM EXTENSION, ON A MONTH-TO-MONTH BASIS, FOR THE PERIOD OCTOBER 1, 1994 THROUGH DECEMBER 31, 1994 FOR LONG DISTANCE SERVICE. THIS INTERIM EXTENSION DOES NOT INCLUDE ANY INCREASES.

STAFF RECOMMENDATION

THAT THE INTERIM EXTENSION BE AWARDED TO:

LDDS-METROMEDIA	LOS ANGELES, CA	$10,000.00 ESTIMATED INTERIM USAGE

FISCAL IMPACT
FUNDS BUDGETED FOR FISCAL YEAR 94/95. FUNDS ARE AVAILABLE IN THE GENERAL FUND.

RECOMMENDATIONS

BASED ON THE WRITTEN RECOMMENDATION OF THE REQUESTING DEPARTMENT, AND THE CONCURRENCE OF THE DEPARTMENT OF GENERAL SERVICES, THIS ITEM IS PRESENTED TO THE CITY COUNCIL FOR APPROVAL.

CONSENT
Agenda Item
16

CITY COUNCIL

MEETING OF

OCT 19 1994

AGENDA DOCUMENTATION

TO: **City Council**

FROM: RALPH SHACKELFORD, DIRECTOR
DEPARTMENT OF GENERAL SERVICES

SUBJECT: ASSIGNMENT OF RFP NUMBER 92.NOV.5: AGREEMENT FOR FURNISHING ANNUAL HEALTH CARE SERVICES FOR THE DETENTION AND ENFORCEMENT FACILITY AND CITY HALL JAIL

PURPOSE/BACKGROUND

Vendor, Elias F. Ghanem, M.D., Ltd., dba Correctional Medical Management, A Nevada Corporation, requests assignment of this RFP agreement in full to E.F. Ghanem, M.D., Ltd., a Nevada Corporation. As sole stockholder of both above named Nevada Corporations, E. F. Ghanem, M.D. has agreed by signature on the attached Assignment of Agreement and the attached Consent to Assignment of Agreement to accept the assignment of RFP Number 92.NOV.5 and further agrees to be bound by all the terms and conditions of the agreement and to perform all the duties of correctional medical management under the agreement. This agreement is valid through November 16, 1995. The Council approved the original agreement on August 7, 1991.

FISCAL IMPACT

NO FISCAL IMPACT

RECOMMENDATIONS

THIS ITEM IS PRESENTED TO THE CITY COUNCIL FOR APPROVAL.

CONSENT

Agenda Item

17

GORDON, SILVER & BEESLEY, LTD.

ATTORNEYS AT LAW

FOURTEENTH FLOOR

3800 HOWARD HUGHES PARKWAY

LAS VEGAS, NEVADA 89109

(702) 796-5555

FAX (702) 369-2666

RENO OFFICE

SUITE 530

350 SOUTH CENTER STREET

RENO, NEVADA 89501

(702) 322-8999

FAX (702) 322-9697

GERALD M. GORDON
JEFFREY A. SILVER
BRUCE T. BEESLEY
BRADLEY J. RICHARDSON
JAMES PATRICK SHEA
CANDACE C. CARLYON

JOSEPH S. KISTLER
WILLIAM M. NOALL
ALAN C. SKLAR
BRIDGET ROBB PECK
JEFFREY D. CONWAY
ERIC R. OLSEN

CREIGHTON C. SKAU
DOUGLAS ALAN EMERICK
JAMES S. MACE
MARK G. FRAASE
KIMBERLY A. WANKER
THOMAS H. FELL
WILLIAM B. COSSITT
LISA S. MILLER-ROCHE
PATRICK J. SHEEHAN
JEFFREY R. SYLVESTER

DANIEL G. CHAPMAN
KARLEN J. REED
DONALD T. POLEDNAK
MICHAEL E. KOSTRINSKY
AMANDA G. YOUNG
LURLEEN Y. FREESE
SONIA CHURCH VERMEYS
CHRISTINE S. MUNRO
BRIAN M. BERGIN

GEORGE F. OGILVIE
OF COUNSEL

STEPHEN B. YOKEN*
KARLIN R. DUNLOP*
* LICENSED IN CALIFORNIA

CITY COUNCIL MINUTES

OCT 19 1994

September 15, 1994

Mr. Ralph Shackelford
Director of General Services
City of Las Vegas
400 East Stewart Avenue, 10th Floor
Las Vegas, NV 89101

Re: Consent of City of Las Vegas to Assignment of Agreement

Dear Mr. Shackelford:

I am requesting on behalf of Elias F. Ghanem, M.D., Ltd., dba Correctional Medical Management, a Nevada corporation ("CMM"), that the City of Las Vegas, Nevada, a municipal corporation in the State of Nevada ("City"), approve the assignment of CMM's rights and delegation of CMM's duties pursuant to the attached Agreement dated September 1, 1991. and Section Twenty-Six thereof. I have enclosed the following draft documents: (1) Assignment of Agreement with Consent to Assignment of Agreement; and (2) Authorization of Assignor. Please note that Elias F. Ghanem, M.D. is presently the sole stockholder of both CMM and the assignee, E. F. Ghanem, M.D., Ltd.

Please call me at the telephone number listed above after you have reviewed the attached documents.

Very truly yours,

GORDON, SILVER AND BEESLEY, LTD.

Lurleen Y. Freese

Lurleen Y. Freese, Esq.

LYF/pt
Enclosure
cc: Mr. Val Steed (w/enc.)
Mr. Edward M. Nigro
Alan C. Sklar, Esq.

ASSIGNMENT OF AGREEMENT

This Assignment of Agreement (this "Assignment") is made as of the 14th day of October, 1994, by and between Elias F. Ghanem, M.D., Ltd., dba Correctional Medical Management, a Nevada corporation ("Assignor") and E. F. Ghanem, M.D., Ltd., a Nevada professional corporation ("Assignee").

R E C I T A L :

Assignor agreed to sell and Assignee agreed to purchase all of Assignor's right, title, and interest in and to the Agreement dated September 1, 1991 by and between Assignor and the City of Las Vegas, Nevada, a municipal corporation in the State of Nevada (the "City") to provide health care services to the City.

NOW THEREFORE, the parties agree as follows:

1. Assignment of Property. For valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby (to the extent it is legally entitled to) sell and convey to Assignee without representation or warranty of any kind or nature all except as provided in this Assignment of its right, title and interest in and to the Agreement.

2. Assumption of Liabilities. Assignee hereby assumes and agrees to pay and discharge all debts, obligations and liabilities and to perform all agreements of the Assignor incurred in connection with the Agreement, and to save and hold harmless the Assignor, its respective officers and directors, from and against all loss, costs, liability, damage or expense

(including reasonable attorneys fees and court costs) arising therefrom or in connection therewith; provided, however, that nothing herein shall constitute a waiver, as against any third party, of Assignee's right to assert against such third party any defense or right of offset available to the Assignor.

IN WITNESS WHEREOF, the parties hereto each have caused this Assignment to be executed, in its name and behalf, by its duly authorized officer as of the day and year first above written.

"ASSIGNEE"

E.F. Ghanem, M.D., Ltd.
a Nevada professional
corporation

By: Elias F. Ghanem, M.D.
Its: President

"ASSIGNOR"

Elias F. Ghanem, M.D., Ltd.
a Nevada professional
corporation

By: Elias F. Ghanem M.D.
Its: President

CONSENT

TO

ASSIGNMENT OF AGREEMENT

The CITY OF LAS VEGAS, NEVADA, a municipal corporation in the State of Nevada (the "City") hereby consents to the assignment of rights and delegation of duties of Elias F. Ghanem, M.D., Ltd., dba Correctional Medical Management, a Nevada corporation ("Assignor") to E. F. Ghanem, M.D., Ltd., a Nevada professional corporation ("Assignee"), pursuant to that Agreement dated September 1, 1991 by and between Assignor and the City to provide health care services to the City. This Consent to Assignment of Agreement is not consent to subsequent assignment of the Agreement to any other entity.

Dated this 27th day of October, 1994.

City of Las Vegas, Nevada,
a municipal corporation

By: _____
Name: Jan Laverty Jones
Title: Mayor

ATTEST: _____
Sandra R. LeBoeuf
Chief Deputy City Clerk

main3/04638.002/misc/08.94/31contract

ACTION BY UNANIMOUS WRITTEN CONSENT

OF THE BOARD OF DIRECTORS OF

ELIAS F. GHANEM, M.D., LTD.

The undersigned, constituting the sole member of the Board of Directors of Elias F. Ghanem, M.D., Ltd., a Nevada corporation (the "Corporation"), does hereby take the following action, effective and dated as of the 14th day of October, 1994 by written consent, pursuant to NRS 78.315:

WHEREAS, the Director has duly considered the Assignment of Agreement ("Assignment") dated as of the 14th day of October, 1994 by and between the Corporation and E.F. Ghanem, M.D., Ltd., a Nevada professional corporation ("Assignee") with respect to the assignment of rights and delegation of duties of the Corporation to Assignee included in the Agreement dated September 1, 1991 by and between the City of Las Vegas, Nevada, a municipal corporation in the State of Nevada; and

WHEREAS, the Director has determined it in the best interest of the Corporation to enter into the transactions contemplated in the Assignment.

NOW, THEREFORE, IT IS:

RESOLVED, that the Corporation execute and deliver the Assignment and related documents which Assignment and related documents are hereby adopted; and

FURTHER RESOLVED, that the Agreement be, and it hereby is adopted, ratified, and approved as and for the act of this Corporation; and

RESOLVED FURTHER, that the officers and directors of the Corporation are each hereby authorized and directed, on behalf of this Corporation to execute any and all documents and instruments as any such officer may deem necessary and advisable to effectuate the foregoing, and the execution thereof shall be conclusive evidence of such approval.

Elias F. Ghanem, M.D., Director

main3/04638.001/misc/08.94/31BODres

Item Number	ITEM	ACTION
	III. CONSENT AGENDA **DEPARTMENT OF GENERAL SERVICES** **AGREEMENT EXTENSIONS/ASSIGNMENT**	
18	INTERIM EXTENSION OF ANNUAL AGREEMENT FOR FURNISHING HEALTH CARE SERVICES FOR THE DETENTION AND ENFORCEMENT FACILITY AND CITY HALL JAIL Dept. Detention and Enforcement E.F. GHANEM, M.D., LTD. ($225,000.00)	**ADAMSEN - APPROVED as recommended - UNANIMOUS** **Staff to proceed** ****** RALPH SHACKELFORD, Director of General Services, advised that since the item was placed on the agenda, the City received an offer from DR. GHANEM to extend the agreement to provide health care services without any increase. That extension will be placed on a future agenda subsequent to this item. COUNCILMAN ADAMSEN pointed out that it is in the best interests of the City to receive continued services without a cost increase. There was no further discussion. (9:41 - 9:42)
19	EXTENSION OF INTERLOCAL AGREEMENTS WITH THE REGIONAL TRANSPORTATION COMMISSION FOR THE OPERATION OF THE DOWNTOWN TRANSPORTATION CENTER AND THE TROLLEY SYSTEM	**ADAMSEN - APPROVED Consent Agenda, Items 3 through 6, 8 through 17 and 19 through 42 as recommended - UNANIMOUS** **Staff to proceed** ****** There was no discussion. (9:39 - 9:40)

CITY COUNCIL

MEETING OF
October 19, 1994

AGENDA DOCUMENTATION

TO:
City Council

FROM: RALPH SHACKELFORD, DIRECTOR
DEPARTMENT OF GENERAL SERVICES

SUBJECT: INTERIM EXTENSION OF ANNUAL AGREEMENT FOR FURNISHING HEALTH CARE SERVICES FOR THE DETENTION AND ENFORCEMENT FACILITY AND CITY HALL JAIL

PURPOSE/BACKGROUND

RFP NUMBER: 92.NOV.5 **BUYER:** LINDA D. PARKER

ITEM: SERVICES **DEPARTMENT ESTIMATE:** $225,000.00
ESTIMATED INTERIM USAGE

DEPARTMENT: DETENTION AND ENFORCEMENT **FUNDING:** GENERAL FUND

NEED FOR PURCHASE
THE NEED FOR THIS SERVICE IS TO PROVIDE HEALTH CARE SERVICES FOR THE INMATES AT THE DETENTION AND ENFORCEMENT FACILITY AND THE CITY HALL JAIL.

CONTRACT EXTENSION
THIS REQUEST FOR INTERIM EXTENSION IS ONLY APPLICABLE IF RELATED AGENDA ITEM, REQUEST FOR ASSIGNMENT, IS APPROVED. THIS IS AN INTERIM EXTENSION FOR THE PERIOD NOVEMBER 1, 1994 THROUGH JANUARY 31, 1995. THIS INTERIM EXTENSION DOES NOT INCLUDE ANY INCREASES.

STAFF RECOMMENDATION

PENDING APPROVAL OF AGENDA ITEM REQUESTING APPROVAL OF ASSIGNMENT, THAT THE INTERIM EXTENSION BE AWARDED TO:

E.F. GHANEM, M.D., LTD. LAS VEGAS, NV. $225,000.00
ESTIMATED INTERIM USAGE

FISCAL IMPACT
FUNDS BUDGETED FOR FISCAL YEAR 94/95. FUNDS ARE AVAILABLE IN THE GENERAL FUND.

RECOMMENDATIONS
BASED ON THE WRITTEN RECOMMENDATION OF THE REQUESTING DEPARTMENT, AND THE CONCURRENCE OF THE DEPARTMENT OF GENERAL SERVICES, THIS ITEM IS PRESENTED TO THE CITY COUNCIL FOR APPROVAL.

CONSENT
Agenda Item
18

AGENDA DOCUMENTATION

CITY COUNCIL

MEETING OF

OCTOBER 19, 1994

TO:
City Council

FROM: RALPH SHACKELFORD, DIRECTOR
DEPARTMENT OF GENERAL SERVICES

SUBJECT:

EXTENSION OF INTERLOCAL AGREEMENTS WITH THE REGIONAL TRANSPORTATION COMMISSION

PURPOSE/BACKGROUND

The City and the Regional Transportation Commission (RTC) had entered into two Interlocal Agreements for the operation of the Downtown Transportation Center and the Trolley System which expired June 16, 1994. We request an extension of these agreements until December 21, 1994 in order that staff can finalize the new Interlocal Agreements whereby the City will receive from the RTC fifty percent (50%) of the operational expenses for the Downtown Transportation Center and the Trolley System. The funds will be paid from the one-quarter percent (1.4%) Mass Transit Sales Tax and not from Federal grant funds.

The City has received the RTC's comments which are under review by the City Attorney's Office and staff.

FISCAL IMPACT

None by this action.

RECOMMENDATIONS

Approve the extension. Direct the City Manager to negotiate with RTC staff for new Interlocal Agreements.

Agenda Item

19

TROLLEY SERVICE
INTERLOCAL AGREEMENT

(Third Extension)

THIS Interlocal Agreement is made this 13th day of October, 1994 , by and between the REGIONAL TRANSPORTATION COMMISSION OF CLARK COUNTY, NEVADA, hereinafter referred to as the "RTC," and the City of Las Vegas, Nevada, a municipal corporation of the State of Nevada, whose address is 400 East Stewart Avenue, Las Vegas, Nevada 89101, hereinafter referred to as "CITY."

WHEREAS, the RTC has entered into Grant Agreements with the Federal Transit Administration (previously known as the Urban Mass Transportation Administration and hereinafter referred to as "FTA") for federal funding participation in mass transit projects under sections of the Urban Mass Transportation Act of 1964, as amended;

WHEREAS, the CITY, financed by a grant from FTA through the RTC, has purchased twelve custom-built trolleys for mass transit purposes (hereinafter referred to as the "trolleys"); and

WHEREAS, the CITY, with authority from the FTA and the RTC, conveyed four of the custom built trolleys to the City of Galveston, Texas, leaving the remaining eight trolleys as the subject of this Interlocal Agreement; and

WHEREAS, the RTC, under said Grant Agreement with FTA, and acting in the capacity as the FTA Designated Recipient, provided the means for the CITY to obtain FTA monies to purchase the trolleys; and

WHEREAS, FTA, pursuant to Section 3 of the Urban Mass Transportation Act of 1964, as amended, requires the RTC to have, maintain, and exercise continuing control over the uses, administration, and maintenance of the trolleys; and

WHEREAS, for the purposes of FTA, an Interlocal Agreement for the use, administration, maintenance, and repairs of the trolleys constitutes continuing control; and

WHEREAS, the RTC anticipates the operation of a mass transit service in Clark County, Nevada which may be complemented by the use of the trolleys by the CITY; and

WHEREAS, the RTC desires to engage the CITY to provide specified mass transit services with the trolleys, hereinafter described.

NOW THEREFORE, it is agreed:

ARTICLE I. SCOPE OF WORK.

The CITY will operate, maintain, and repair the trolleys for mass transit purposes in accordance with the Scope of Work attached hereto as Exhibit "A" and made part of this Interlocal Agreement by this reference. The term "mass transit" is used herein according to the definition promulgated by FTA.

ARTICLE I I. CONSIDERATION .

Consideration by the RTC to the CITY is from monies received by the RTC in the form of an FTA-financed capital grant for the purchase of the trolleys and from subsequent FTA-financed operating grants for the operation of the trolleys, said monies being passed through to the CITY.

Consideration by the CITY to the RTC is in the form of providing the local financial share to said FTA-financed operating grants for all costs associated with operations, maintenance, and repairs of and to the trolleys for and during their life as defined by FTA. Should actual operating costs exceed amounts allocated for operating expenses in said FTA grants, the CITY is responsible for said costs.

ARTICLE III. RECORDS AND ACCOUNTING.

The CITY shall maintain fiscal accounting records, in conformity with generally accepted accounting principles, of all operations, maintenance, and repairs of and to the trolleys. The CITY shall have an independent outside auditor prepare an annual audit of its records as provided under OMB Circular A-128 or subsequent regulations as required by FTA, two copies of which shall be submitted to the RTC within 30 days after their completion.

The CITY shall maintain and furnish to the RTC upon the RTC's request such additional ridership, financial, and trolley maintenance records as are deemed necessary by the RTC and/or by the U.S. Department of Transportation, and shall further comply with all reporting and other requirements of Section 15 of the Urban Mass Transportation Act of 1964, as amended.

If, during the life of this Interlocal Agreement, FTA funding becomes necessary to support services specified in the Scope of Work, then the records maintained by the CITY shall also show the amount and source of all revenue derived from the operations of the trolleys, and the CITY shall furnish such information to the RTC upon request. In addition, use of said funding assistance shall

cause the CITY to contribute toward the Disadvantaged Business Enterprise (DBE) spending requirements as established pursuant to Section 105(c) of the Surface Transportation Assistance Act.

ARTICLE IV. TERM

The CITY shall begin providing transit services mentioned herein with the trolleys on October 17, 1994, and shall continue providing said services through December 4, 1994.

ARTICLE V. INDEMNIFICATION AND INSURANCE.

The CITY agrees to indemnify, defend and hold the RTC, its officers, employees, and agents harmless from and against any and all demands, claims, and suits for personal injury, death, or destruction of any property which injury, death, damage, loss or destruction is in any way caused or alleged to be caused by the CITY's use, operation, maintenance, or repair of the trolleys.

The CITY further agrees to indemnify, defend and hold harmless the RTC, its officers, employees, and agents from and against any and all suits, actions, legal or administrative proceeding, claims, demands, damages, liabilities, interest, attorney fees, costs, and expenses of whatsoever kind arising out of the CITY's performance of this Interlocal Agreement, including the CITY's violation or alleged violation of any federal, state, or local law or regulation. No such indemnification shall be required with respect to any and all injury, loss, or damage caused due to the negligence of the RTC, its successor, or assigns.

The CITY, at its own expense, shall obtain and maintain for the duration of the Interlocal Agreement comprehensive and collision insurance on the trolleys in the amount necessary to cover the actual cash value of the trolleys.

The CITY will provide the RTC with certificates of insurance for the coverages listed above and endorsements establishing coverage required by this Interlocal Agreement. The certificates and endorsements for each insurance policy are to be signed by a person authorized by the insurer and licensed by the State of Nevada.

The insurance certificates supplied by the CITY must provide for a 30 day notice to the RTC before cancellation of the required insurance coverages. The notice requirement does not waive the insurance requirements contained therein. In addition, the CITY shall notify the RTC within 30 days of any reduction in coverage or limits.

Alternatively, the CITY may insure the trolleys by self-insurance which provides equivalent coverage as the above insurance provisions for the protection of the property. Notification shall be given to the RTC if the CITY is exercising this alternative.

ARTICLE VI. CAPITAL EQUIPMENT.

The CITY agrees to keep and operate all necessary equipment for the provision of transit services as described in the attached Scope of Work. All the trolleys and related personal property funded by said FTA grant shall be maintained by the CITY in good condition and working order according to manufacturers' suggestions and in a high level of cleanliness, safety, and mechanical soundness. Periodic inspections and inventory by the RTC and the U.S. Department of Transportation or their respective designees will be permitted during normal working hours.

ARTICLE VII. ASSIGNMENT.

Assignment of this Interlocal Agreement is not permitted without the written approval of the RTC.

ARTICLE VIII. TERMINATION.

1. For Convenience: The RTC or the CITY may cancel this Interlocal Agreement if the parties to the Interlocal Agreement agree that continuation of the service would not be in their best mutual interest.

2. For Cause; The RTC may, by 30 days written notice to the CITY, cancel this Interlocal Agreement for any of the following reasons:

A. The CITY discontinues the use of the trolley providing the service under this Interlocal Agreement.

B. The CITY uses funds provided under this Interlocal Agreement for any purpose other than transportation as described in the Scope of Work.

C. The timely rendition of services by the CITY is for any reason rendered impossible or illegal.

D. The CITY defaults in the substantial performance of any of its obligations under this Interlocal Agreement.

3. For Discontinuance of FTA Funding: During the life of said Interlocal Agreement, should FTA funding become necessary to support services specified in the Scope of Work, said funding for these services is subject to approval by FTA. Should said FTA funding be discontinued, this Interlocal Agreement may be terminated by the RTC upon written notice to the CITY.

4. Upon termination of this Interlocal Agreement, all obligations of the RTC to make payments to the CITY for transit services as described in the attached Scope of Work, whether in the form of reimbursements or otherwise, shall cease except for those services rendered by the CITY prior to the date of termination.

ARTICLE IX. INTEREST OF MEMBERS OR DELEGATES TO CONGRESS

No member of or delegate to the Congress of the United States shall be admitted to any share or part of this Interlocal Agreement or to any benefit arising therefrom.

ARTICLE X. PROHIBITED INTEREST.

No member, officer, or employee of the CITY during his or her tenure and for a period of one year thereafter shall have any interest, direct or indirect, in this Interlocal Agreement or the proceeds thereof.

ARTICLE XI. MOTOR VEHICLE SAFETY.

Motor vehicles procured as project equipment will comply with the Motor Vehicle Safety Standards as established by the U.S. Department of Transportation.

ARTICLE XII. DISCRIMINATION

Pursuant to the Rehabilitation Act of 1973 (Public Law 93-112, 29 U.S.C. 790 et.seq.), as amended, the CITY will comply with all requirements of Section 504 of the Act and the USDOT regulation (49 CFR; Part 27 and 609) implementing the Act, which prohibits discrimination on the basis of disabilities. The CITY will comply with all requirements of the Americans with Disabilities Act of 1990 (Public Law 101-336, 104, U.S.C. 327, et.seq.).

The services and employment opportunities offered or furnished by the CITY shall be made available for all eligible persons without regard to race, color, creed, religion, sex, age, national origin, marital status, or disabilities.

ARTICLE XIII. LABOR PROTECTION.

Pursuant to Section 13(c) of the Urban Mass Transportation Act of 1964 (49 U.S.C. 1601 et. seq.), as amended, affected employees and their unions are intended as third party beneficiaries of this Interlocal Agreement. The CITY agrees to be bound by the terms and conditions of Section 13(c) of the Urban Mass Transportation Act of 1964, as amended. All personnel activities of the CITY shall be conducted in a manner which will assure equal employment opportunity for all. Such activities will be based solely on individual merit and fitness of applicants and employees without regard to race, color, creed, religion, sex, age, national origin, marital status, disabilities, political affiliation, or other non-merit factors.

ARTICLE XIV. SUBCONTRACTS.

The CITY shall include in all subcontracts entered into pursuant to this Interlocal Agreement all of the provisions contained in Articles VII through XIII, inclusive. In addition, the section entitled "Methods by which Contractors and Subcontractors will be Required to Comply with Applicable DBE Requirements" of the RTC's Disadvantaged Business Enterprise (DBE) Program shall be followed by the CITY in any advertisement or invitation to bid for any procurement, using FTA monies, other than the purchase of manufactured vehicles under this Interlocal Agreement. Any purchases of manufactured vehicles under this Interlocal Agreement, using FTA monies, shall adhere to the DBE Program section entitled "Methods by which Transit Vehicle Manufacturers will be Required to Comply with Applicable DBE Requirements."

ARTICLE XV. STATEMENT OF FINANCIAL ASSISTANCE.

This Interlocal Agreement is subject to effectuation of financial assistance contracts between the RTC and the U.S. Department of Transportation.

ARTICLE XVI. GENERAL CONDITIONS.

It is further agreed by and between the RTC and the CITY as follows:

1. That in entering into this Interlocal Agreement, the CITY and or its employees, agents, or representatives, acquire no status, rights, or benefits as an employee of the RTC, it being expressly understood and agreed that the CITY shall perform all undertakings and professional services herein prescribed and contemplated as an independent contractor.

2. That this Interlocal Agreement may not be enlarged, modified, or altered except by a written document which is signed by the parties as an amendment hereto.

3. That no waiver of any breach of this Interlocal Agreement shall be held or construed to be a waiver or any subsequent breach thereof.

4. That it is expressly understood and agreed by the parties hereto that the only expenditures to be made by the RTC under and by virtue of this Interlocal Agreement shall be the charges and fees specifically provided herein.

CITY COUNCIL MINUTES

OCT 19 1994

IN WITNESS WHEREOF, the parties hereto have caused this Interlocal Agreement to be executed on the year and date first hereinabove written.

APPROVED AS TO FORM
AND LEGALITY

ZEV KAPLAN
Deputy District Attorney

REGIONAL TRANSPORTATION COMMISSION
OF CLARK COUNTY, NEVADA

BY: _____
BRUCE L. WOODBURY
Chairman

ATTEST:

LAURA TOYA
Executive Secretary

CITY OF LAS VEGAS, NEVADA

BY: _____
JAN LAVERTY JONES
Mayor

10-21-94

ATTEST:

KATHY TIGHE
City Clerk

By: Sandra R. LeBoeuf
Chief Deputy City Clerk

EXHIBIT A

SCOPE OF WORK

1. Utilizing the trolleys for mass transit service in the City of Las Vegas downtown area, including additional routes as agreed by the CITY and the RTC.

2. Management, maintenance and repair of the trolleys.

3. Service hours and days:

   A. Downtown Loop route. 7:30 A.M. 11:00 P.M., 7 Days per week.

   B. Meadows Mall Express route: 10:30 A.M. - 5:15 P.M., Monday - Saturday, excluding legal holidays.

   C. No service on any routes on Thanksgiving, Christmas, and New Year's Day.

4. Fares: Downtown Loop route:
   Adults - $.50
   Children (12 years and under) - $.25
   Senior Citizens - $.25
   Disabled Citizens - $.25

   Meadows Mall Express route:
   Adults - $1.10
   Children (12 years and under) $.55
   Senior Citizens - $.55
   Disabled Citizens - $.55

5. Compliance with all reporting and other requirements of Section 15 of the Urban Mass Transportation Act of 1964, as amended.

CITY COUNCIL MINUTES

OCT 19 1994

DOWNTOWN TRANSPORTATION CENTER
INTERLOCAL AGREEMENT

(Third Extension)

THIS INTERLOCAL AGREEMENT is made this 13th day of October, 1994 , by and between the REGIONAL TRANSPORTATION COMMISSION OF CLARK COUNTY, NEVADA, hereinafter referred to as the "RTC," and the City of Las Vegas, Nevada, a municipal corporation of the State of Nevada, whose address is 400 East Stewart Avenue, Las Vegas, Nevada 89101, hereinafter referred to as "CITY."

WHEREAS, the RTC has entered into grant agreements with the Federal Transit Administration (previously known as the Urban Mass Transportation Administration and hereinafter referred to as "FTA") for federal funding participation in mass transit projects under sections of the Urban Mass Transportation Act of 1964, as amended; and

WHEREAS, the CITY, financed by a grant from FTA through the RTC, has purchased certain real and personal property, commonly known as and referred to as the "Downtown Transportation Center," to provide a terminal facility for mass transit vehicles and a central transfer location for passengers in the Clark County mass transit system; and

WHEREAS, the RTC, under said grant agreement with FTA, and acting in the capacity as the FTA Designated Recipient, provided the means for the CITY to obtain FTA monies to construct the Downtown Transportation Center; and

WHEREAS, FTA, pursuant to Section 3 of the Urban Mass Transportation Act of 1964, as amended, requires the RTC to have, maintain, and exercise continuing control over the use, administration, and maintenance of the Downtown Transportation Center; and

WHEREAS, for the purposes of FTA, an Interlocal Agreement for the use, administration , maintenance, and repair of the Downtown Transportation Center constitutes continuing control; and,

WHEREAS, the RTC anticipates, with the use of the Downtown Transportation Center, the operation of mass transportation services in Clark County, Nevada which may be complemented by the services and facilities of the CITY; and

WHEREAS, the RTC desires to engage the CITY to provide specified transportation center services, hereinafter described.

NOW THEREFORE, it is agreed:

ARTICLE I. SCOPE OF WORK.

The CITY will operate and maintain the Downtown Transportation Center as a terminal facility for mass transit vehicles and central transfer location for passengers of the Clark County mass transit system in accordance with the Scope of Work attached hereto as Exhibit "A" and made part of this Interlocal Agreement by this reference. The CITY agrees to make the Downtown Transportation Center available to all vehicles and passengers of the mass transit system in Clark County, Nevada. The term "mass transit" is used herein according to the definition promulgated by FTA.

ARTICLE II. CONSIDERATION.

Consideration by the RTC to the CITY is from monies received by the RTC in the form of an FTA-financed capital grant for the construction of the Downtown Transportation Center and from subsequent FTA-financed operating grants for the operation of the Downtown Transportation Center, said monies being passed through to the CITY.

Consideration by the CITY to the RTC is in the form of providing the local financial share to said FTA-financed operating grants for all costs associated with operations, maintenance, and repairs of and to said Downtown Transportation Center including all appurtenant real and personal property, for and during their life as defined by FTA. Should actual operating costs exceed amounts allocated for operating expenses in said FTA grants, the CITY is responsible for said costs.

ARTICLE III. RECORDS AND ACCOUNTING.

The CITY shall maintain fiscal accounting records, in conformity with generally accepted accounting principles, of all operations, maintenance, and repairs of and to the Downtown Transportation Center. The CITY shall have an independent outside auditor prepare an annual audit of its records as provided under OMB Circular A-128 or subsequent regulations as required by FTA, two copies of which shall be submitted to the RTC within 30 days after their completion.

If during the life of this Interlocal Agreement, FTA funding becomes necessary to support services specified in the Scope of Work, then the records maintained by the CITY shall also show the amount and source of all revenue derived from the operations of the Downtown Transportation Center, and the CITY shall furnish such information to the RTC upon request. In addition, use of said funding assistance shall cause the CITY to contribute toward the Disadvantaged Business Enterprise (DBE) spending requirements as established pursuant to Section 105(c) of the Surface Transportation Assistance Act.

ARTICLE IV. TERM.

The CITY shall begin providing Downtown Transportation Center services mentioned herein on October 17, 1994 and shall continue providing said services through December 9, 1994.

ARTICLE V. INDEMNIFICATION AND INSURANCE.

The CITY agrees to indemnify, defend and hold the RTC, its officers, employees, and agents harmless from and against any and all demands, claims, and suits for personal injury, death, or destruction of any property which injury, death, damage, loss or destruction is in any way caused or alleged to be caused by the CITY's use, operation, maintenance, or repair of the Downtown Transportation Center.

The CITY further agrees to indemnify, defend and hold harmless the RTC, its officers, employees, and agents from and against any and all suits, actions, legal or administrative proceeding, claims, demands, damages, liabilities, interest, attorney fees, costs, and expenses of whatsoever kind arising out of the CITY's performance of this Interlocal Agreement including the CITY's violation or alleged violation of any federal, state, or local law or regulation. No such indemnification shall be required with respect to any and all injury, loss, or damage caused due to the negligence of the RTC, its successor, or assigns.

The CITY, at its own expense, shall obtain and maintain for the duration of the Interlocal Agreement fire insurance on the Downtown Transportation Center in the amount necessary to cover the actual cash value of the real property and on its contents funded by the FTA grant.

The CITY will provide the RTC with certificates of insurance for the coverages listed above and endorsements establishing coverage required by this Interlocal Agreement. The certificates and endorsements for each insurance policy are to be signed by a person authorized by the insurer and licensed by the State of Nevada.

The insurance certificates supplied by the CITY must provide for a 30 day notice to the RTC before the implementation of a proposal to cancel the required insurance coverages. The notice requirement does not waive the insurance requirements contained therein. In addition, the CITY shall notify the RTC within 30 days of any reduction in coverage or limits.

Alternatively, the CITY may insure the Downtown Transportation Center by self-insurance which provides equivalent coverage as the above insurance provisions for the protection of the property. Notification shall be given to the RTC if the CITY is exercising this alternative.

ARTICLE VI. CAPITAL EQUIPMENT AND BUILDINGS.

The CITY agrees to keep and operate all necessary equipment and buildings for the provision of transportation services as described in the attached Scope of Work. All real and personal property funded by said FTA grant shall be maintained by the CITY in good condition and working order according to builders' and manufacturers' suggestions and at a high level of cleanliness, safety, and mechanical soundness. Periodic inspections and inventory by the RTC and the U.S. Department of Transportation or their respective designees will be permitted during normal working hours.

ARTICLE VII. ASSIGNMENT.

Assignment of this Interlocal Agreement is not permitted without the written approval of the RTC.

ARTICLE VIII. TERMINATION.

1. For Convenience: The RTC or the CITY may cancel this Interlocal Agreement if the parties to the Interlocal Agreement agree that continuation of the service would not be in their best mutual interest.

2. For Cause: The RTC may, by 30 days written notice to the CITY, cancel this Interlocal Agreement for any of the following reasons:

A. The CITY discontinues the use of the real and personal property providing the service under this Interlocal Agreement.

B. The CITY uses funds provided under this Interlocal Agreement for any purpose other than transportation as described in the Scope of Work.

C. The timely rendition of services by the CITY is for any reason rendered impossible or illegal.

D. The CITY defaults in the substantial performance of any of its obligations under this Interlocal Agreement.

3. For Discontinuance of FTA Funding: During the life of said Interlocal Agreement, should FTA funding become necessary to support services specified in the Scope of Work, said funding for these services is subject to approval and funding by FTA. Should said FTA funding be discontinued, this Interlocal agreement may be terminated by the RTC upon written notice to the CITY.

4. Upon termination of this Interlocal Agreement, all obligations of the RTC to make payments to the CITY for mass transportation services as described in Scope of Work, whether in the form of reimbursements or otherwise, shall cease except for those services rendered by the CITY prior to the date of termination.

ARTICLE IX. INTEREST OF MEMBERS OR DELEGATES TO CONGRESS.

No member of or delegate to the Congress of the United States shall be admitted to any share or part of this Interlocal Agreement or to any benefit arising therefrom.

CITY COUNCIL MINUTES

OCT 19 1994

ARTICLE X. PROHIBITED INTEREST

No member, officer, or employee of the CITY during his or her tenure and for a period one year thereafter shall have any interest, direct or indirect, in this Interlocal Agreement or the proceeds thereof.

ARTICLE XI. MOTOR VEHICLE SAFETY.

Motor vehicles procured as project equipment will comply with the Motor Vehicle Safety Standards as established by the U.S. Department of Transportation.

ARTICLE XII. DISCRIMINATION.

Pursuant to the Rehabilitation Act of 1973 (Public Law 93-112, 29 U.S.C. 790 et.seq.), as amended, the CITY will comply with all requirements of Section 504 of the Act and the USDOT regulation (49 CFR; Part 27 and 609) implementing the Act, which prohibits discrimination on the basis of disabilities. The CITY will comply with all requirements of the Americans with Disabilities Act of 1990 (Public Law 101-336, 104 U.S.C. 327, et.seq.).

The services and employment opportunities offered or furnished by the CITY shall be made available for all eligible persons without regard to race, color, creed, religion, sex, age, national origin, marital status, or disabilities.

ARTICLE XIII. LABOR PROTECTION.

Pursuant to Section 13(c) of the Urban Mass Transportation Act of 1964 (49 U.S.C. 1601 et.seq.), as amended, affected employees and their unions are intended as third party beneficiaries of this Interlocal Agreement. The CITY agrees to be bound by the terms and conditions of Section 13(c) of the Urban Mass Transportation Act of 1964, as amended. All personnel activities of the CITY shall be conducted in a manner which will assure equal employment opportunity for all. Such activities will be based solely on individual merit and fitness of applicants and employees without regard to race, color, creed, religion, sex, age, national origin, marital status, disabilities, political affiliation, or other non-merit factors.

CITY COUNCIL MINUTES

OCT 19 1994

ARTICLE XIV. SUBCONTRACTS.

The CITY shall include in all subcontracts entered into pursuant to this Interlocal Agreement all of the provisions contained in Articles VII through XIII, inclusive. In addition, the section entitled "Methods by which Contractors and Subcontractors will be Required to Comply with Applicable DBE Requirements" of the RTC's Disadvantaged Business Enterprise (DBE) Program shall be followed by the CITY in any advertisement or invitation to bid for any procurement, using FTA monies, other than the purchase of manufactured vehicles under this Interlocal Agreement. Any purchases of manufactured vehicles under this Interlocal Agreement, using FTA monies, shall adhere to the RTC DBE Program section entitled "Methods by which Transit Vehicle Manufacturers will be Required to Comply with Applicable DBE Requirements."

ARTICLE XV. STATEMENT OF FINANCIAL ASSISTANCE.

This Interlocal Agreement is subject to effectuation of the financial assistance contracts between the RTC and the U.S. Department of Transportation.

ARTICLE XVI. GENERAL CONDITIONS

It is further agreed by and between the RTC and the CITY as follows:

1. That in entering into this Interlocal Agreement, the CITY and/or its employees, agents, or representatives acquire no status, rights, or benefits as an employee of the RTC, it being expressly understood and agreed that the CITY shall perform all undertakings and professional services herein prescribed and contemplated as an independent contractor.

2. That this Interlocal Agreement may not be enlarged, modified, or altered except by a written document which is signed by the parties as an amendment hereto.

3. That no waiver of any breach of this Interlocal Agreement shall be held or construed to be a waiver or any subsequent breach thereof.

4. That it is expressly understood and agreed by the parties hereto that the only expenditures to be made by the RTC under and by virtue of this Interlocal Agreement shall be the charges and fees specifically provided herein.

IN WITNESS WHEREOF, the parties hereto have caused this Interlocal Agreement to be executed on the year and date first hereinabove written.

APPROVED AS TO FORM
AND LEGALITY

ZEV KAPLAN
Deputy District Attorney

REGIONAL TRANSPORTATION COMMISSION
OF CLARK COUNTY, NEVADA

BY: B. L. Woodbury

BRUCE L. WOODBURY
Chairman

ATTEST:

LAURA TOYA
Executive Secretary

CITY OF LAS VEGAS, NEVADA

BY: Jan Laverty Jones VT 10-21-94

JAN LAVERTY JONES
Mayor

ATTEST:

KATHY TIGHE
City Clerk

By: Sandra R. LeBoeuf
Chief Deputy City Clerk

EXHIBIT A

SCOPE OF WORK

1. Management, maintenance, and repair of all real and personal property, including appurtenant grounds.

2. Administration of retail space leasing.

3. Facility promotional advertising and marketing.

4. Maintain and promote the facility to readily accommodate Clark County mass transit services such as, but not limited to, fixed route, demand responsive, and paratransit services.

5. Provide and maintain facility services such as, but not limited to, the following:

    1. ticket sales
    2. passenger rest room facilities
    3. transit service vehicle drivers' comfort station.

6. Service hours and days: 6:00 A.M. - 10:00 P.M., 7 days per week, excluding Thanksgiving, Christmas, and New Year's day.

Item Number	ITEM	ACTION
	III. CONSENT AGENDA	
	DEPARTMENT OF HUMAN RESOURCES	
20	REPORT OF NEW HIRES September 21 - October 5, 1994	**ADAMSEN - APPROVED Consent Agenda, Items 3 through 6, 8 through 17 and 19 through 42 as recommended - UNANIMOUS** **Staff to proceed** ******

POSITION(S)	DEPARTMENT	MONTHLY RANGE
GENERAL FUND		
Inspector (3)	Building & Safety	$3,124 3,987
Senior Secretary	Business Activity	$2,245- 3,366
GIS Technician	Community Planning & Development	$2,564- 3,272
Office Specialist II	Fire Services	$2,053- 2,620
Personnel Analyst I	Human Resources	$2,604- 3,905
ENTERPRISE FUNDS		
Office Specialist II	Business Activity	$2,053- 2,620
Quality Assurance Officer	Public Works	$3,202- 4,086

There was no discussion.

(9:39 - 9:40)

Lynn Hacy

ITEM | ACTION

Item Number

III. CONSENT AGENDA

DEPARTMENT OF HUMAN RESOURCES

REPORT OF NEW HIRES (CONTINUED)
September 21 - October 5, 1994

POSITION(S)	DEPARTMENT	HOURLY RANGE
GENERAL FUND		
Junior Clerk III	City Attorney	$ 6.25
Public Information Assistant	City Manager	$14.00
Junior Clerk IV (2)	Human Resources	$6.44
SPECIAL REVENUE FUNDS		
Leisure Instructor II	Parks & Leisure Activities	$7.85

APPROVED - See Page 12

Lynn Goya

CITY COUNCIL

MEETING OF
October 19, 1994

AGENDA DOCUMENTATION

TO:
City Council

FROM: Mary J. Finch, Director
Human Resources

SUBJECT: REPORT OF NEW HIRES SEPTEMBER 21 - OCTOBER 5, 1994

PURPOSE/BACKGROUND

Inspector (3): Building & Safety. Temporary replacement positions. This request is top priority because of the critical problems the Building & Safety Department is experiencing with inspections in the field. Inspections for the Department of Building & Safety have increased 26% over last year. For the first time, the department is unable to accomplish next day inspections. They have been averaging 436 holdovers a day. From January to July of 1994, the average number of inspections per day per inspector is 29.4; the national average for quality inspection is 18. The department cannot accommodate the demands of the building industry with the current number of inspectors.

Senior Secretary: Business Activity. Replacement position. Employee performs administrative duties in support of the Director of Business Activity; manages office support functions; directs the work activities of clerical personnel. In addition, prioritizes and coordinates work assignments.

GIS Technician: Community Planning & Development. Replacement position. Employee is responsible for the production of GIS data and maps, and will be providing a variety of planning and engineering resource materials as part of the overall GIS program.

Office Specialist II: Fire Services. Replacement position. Employee is responsible for processing all purchasing paperwork for Fire Services, inputting budget figures, and general office work, including switchboard relief. Takes maintenance calls for Fire facility repairs. Employee interfaces with firefighters on a daily basis.

Personnel Analyst I: Human Resources. Replacement position. Duties of employee include preparing course training materials, teaching training classes, compiling reports, assisting in development and implementation of programs, and providing support for other division staff.

Office Specialist II: Business Activity. Replacement position. This position was a vacant position transferred from Municipal Court to Business Activity for the new parking collection program. Employee accepts payments from parking violators, sets court dates, updates case files, answers switchboard, and works as a clerk for three hearing officers.

(CONTINUED ON NEXT PAGE)

FISCAL IMPACT

These positions are funded in the FY 1994-95 budget.

RECOMMENDATIONS

CONSENT

Agenda Item

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SUBJECT: REPORT OF NEW HIRES SEPTEMBER 21 - OCTOBER 5, 1994

Quality Assurance Officer: Public Works. Replacement position. Employee is the Quality Assurance Officer in the lab at the Water Pollution Control Facility/Environmental Division. Employee will be responsible for developing, implementing, and coordinating programs at the lab designed to ensure the validity of data generated by the lab. Valid data is critical to ensure compliance with EPA requirements at the plant. Employee will also evaluate and maintain a data management program and perform other technical tasks relative to his area of responsibility.

HOURLY POSITIONS

Jr. Clerk III: City Attorney. Replacement position. It is necessary for the City Attorney to have access to a "runner" because of the many and varied documents this office generates which have to be personally served on other attorneys and agencies, and which have to be filed in court. This individual also updates the books in the law library, runs the copy machine, shreds confidential documents, and, on occasion, picks up or delivers items for other departments, including the City Manager, City Council, and Mayor.

Public Information Assistant: City Manager. Replacement position. This individual is responsible for producing a bi-weekly public affairs television program for the City of Las Vegas. Duties include scheduling guests, writing scripts, and completing a video package for each program.

Jr. Clerk IV (2): Human Resources. New positions. One employee is assigned to the records section to complete the backlog in filing, as well as purge files. Will also be trained to assist at the front counter in greeting the public, handing out and accepting job applications, and answering the phones. The other individual is assisting personnel analysts in inputting applicant data into the SIGMA system, assisting the division secretary as required, filing applications, answering phones, and doing confidential shredding for the department.

Leisure Instructor II: Parks & Leisure Activities. New position. Employee will be assigned to work in seasonal and special events and supply support to the A-team.

Item Number	ITEM	ACTION
	III. CONSENT AGENDA	
	DEPARTMENT OF PARKS & LEISURE ACTIVITIES	
21	Request approval of agreement with the Mark Group for design and development of Children's Memorial Park, Phase III. **$34,586 funded by Park Impact Fees**	**ADAMSEN - APPROVED Consent Agenda, Items 3 through 6, 8 through 17 and 19 through 42 as recommended - UNANIMOUS** **Staff to proceed** ****** There was no discussion. (9:39 - 9:40)

AGENDA DOCUMENTATION

CITY COUNCIL
MEETING OF
OCTOBER 19, 1994

090

TO:
City Council

FROM: DAVID L. KNIPER, DIRECTOR
PARKS AND LEISURE ACTIVITIES

SUBJECT: Request approval of agreement with the Mark Group for design and development of Children's Memorial Park, Phase III.

PURPOSE/BACKGROUND

This item is a request to approve the subject consultant agreement between the City of Las Vegas and the Mark Group.

The attached agreement for your review outlines services to design and develop two (2) additional ballfields, lighting four (4) 60' baseball fields and to provide additional landscape surrounding the 90' baseball field at Children's Memorial Park. The budgeted cost to expand Phase III is estimated at $537,000.

With the current growth in the Northwest, it has become necessary to continue the development at Children's Memorial Park to ensure that we can accommodate the leagues that use this park as well as the neighborhood patrons.

FISCAL IMPACT

Park Impact Fees - $34,586..

RECOMMENDATIONS

The Parks and Leisure Activities Department recommends City Council approval.

CONSENT

Agenda Item
21

CITY COUNCIL MINUTES

OCT 19 1994

CONSULTANT AGREEMENT
CHILDREN'S MEMORIAL PARK PHASE 3

THIS AGREEMENT, and accompanying supplemental terms, made and entered into as of the 19th day of October, 1994, by and between the CITY OF LAS VEGAS, a municipal corporation and political subdivision of the State of Nevada (hereinafter referred to as the "City") and THE MARK GROUP, Inc., Engineers & Geologist (hereinafter referred to as "Consultant").

W I T N E S S E T H:

WHEREAS, the City desires to have constructed a Phase 3 of Children's Memorial Park (hereinafter referred to as "Children's Memorial Park"), and desires to have constructed in that park certain drainage, fencing, landscaping, electrical lights improvements and baseball fields (hereinafter referred to as the "Project") to be constructed in the N 1/2 of the SW 1/4 of Section 11, T 20S, R 60 E, M.D.M., as shown specifically on the map, Exhibit "B", attached hereto and incorporated herein; and

WHEREAS, the City desires to retain the services of the Consultant to provide the design services hereinafter described in connection with construction of Children's Memorial Park; and

WHEREAS, the Consultant is fully qualified to perform such services and is ready, willing and able to do so.

NOW, THEREFORE, in consideration of the foregoing premises, the parties hereto agree to the following terms, conditions, and covenants set forth in Sections I through VII hereinafter provided and to the Supplemental Terms, which includes Exhibits "A" and "B", attached hereto and incorporated herein by this reference as part of this Agreement. As used hereinafter the term "Agreement" refers both to Sections I through VII of this Agreement and to the Supplemental Terms attached hereto as Exhibit "A" and

CITY COUNCIL MINUTES

OCT 19 1994

"B".

SECTION I: CONSULTANT SERVICES

A. DESIGN PHASE

The consultant shall

1. Provide all required land surveying and legal descriptions for all necessary rights-of-way and easements. Preparation of legal documents for required rights-of-way and easements shall be the responsibility of the Consultant.

2. Perform all necessary horizontal and vertical surveys required for preparation of final design plans.

3. Prepare contract plans including but not limited to plan and profile sheets showing new on-site construction, two new baseball fields construction, lighting for existing baseball fields and two new baseball fields, landscaping, planting and irrigation plans for two new baseball fields and areas east and south of the existing 90 foot ballfield, tot lot location and details, location of existing utilities, adjustment or relocation of existing utilities, street plan showing new pavement fronting Phase 1 of Children's Memorial Park, and all associated details.

4. Prepare final specifications and contract documents for construction. Bid schedule will be separated by bid

items. OCT 19 1994

5. Provide the City with ten (10) sets of plans and specifications, at 70%, 90% and 100% completion for City design review purposes.

6. Coordinate the park design with utility companies and regulatory agencies or engineers on adjacent projects. Consultant will be responsible for preparing documentation with utility companies and regulatory agencies required for construction of this project. Review and coordinate with City design constraints and considerations; to include aesthetics, buffering, security aspects, water efficiency.

7. Following completion of the plans and specifications, prepare a detailed final construction cost estimate.

8. Furnish the City with a reproducible mylar set of 24" x 36" contract drawings and original set of specifications for City bidding process. All sheets of all plan drawings will be sealed by a registered professional engineer or a registered landscape architect in the State of Nevada.

9. Prepare up to three (3) contract addenda prior to the bid opening.

10. Attend the pre-bid conference.

11. Document the location of all survey monuments that may be disturbed by the construction.

12. Submit list of any and all necessary encroachment applications, traffic barricading plans, and engineering plans for any park related construction, including pavement transitions in right-of-way.

13. Submit a set of reproducible mylar construction drawings for City file. All sheets will be sealed by a registered professional engineer or registered landscape architect in the State of Nevada.

14. Submit completed plans, technical specifications, calculations, etc., to Building and Safety Department Permit Review. It will be the Consultant's responsibility to make all necessary corrections, at no expense to the City, to obtain a permit and to ensure an updated job copy.

B. CONSTRUCTION PHASE

The Consultant shall for each phase of the project:

1. Enter the construction phase for the project upon City's issuance of the Notice to Proceed to the contract.

2. Shall provide review and give approval or denial of all construction submittals or substitutions within five (5) calendar days of receiving submittal.

3. Shall advise and consult with City on a weekly basis regarding construction progress and problems as requested by the City.

4. Shall visit the project site one time weekly, submit status

reports on progress and quality of work, and determine if the work is proceeding according to the contract documents as requested by the City.

SECTION II: SERVICES BY THE CITY

The City shall:

1. Provide copies of City project plans pertinent to this construction. This does not negate the consultant's responsibility to incorporate and update plans with current information.
2. Designate a single representative of the City through whom all correspondence and communications relative to the Project shall be directed.
3. Provide documentation on all existing rights-of-way and easement and acquire additional right-of-way and easements as defined by the Consultant.
4. Provide general conditions and bidding instructions for inclusion in construction contract.
5. Conduct pre-construction meeting.
6. Provide construction contract administration.

SECTION III: TIME OF PERFORMANCE

Execution of this Agreement by the City shall constitute authorization as of the date stated in the introduction paragraph of this Agreement to proceed with Section

I, subsections A and B, according to the following schedule:

The total calendar days allotted for this project shall be 270 calendar days.

Design Phase - 32 calendar days from Phase 3 Notice-to-Proceed.

The above schedule is exclusive of the time intervals for review by the City. With respect to the schedule, the parties agree that each will perform their professional services in a timely manner consistent with sound professional practices.

SECTION IV: COMPENSATION AND MANNER OF PAYMENT

Compensation for this contract shall not exceed Thirty Four Thousand Five Hundred Eighty Six and No/100ths Dollars ($34,586.00) for Children's Memorial Park Phase 3 based on a $537,345.00 construction budget and will be paid according to the following schedule.

A. Consultant will submit monthly invoices to the City which shall include:

(1) A certified payroll report

(2) Overhead multiplier.

(3) List of costs/benefits included in multiplier.

(4) Number of man-hours per activity per phase for that month.

Upon verification of the information on the monthly invoice, City will remit payment of the invoice amount within 30 calendar days after receipt of the invoice by the City. Consultant will make available to the City during normal business hours all of Consultant's books and records relating to this Agreement to permit the City to verify the information on the invoices.

B. It is understood and agreed that the Consultant shall be obligated to complete its performances of this Agreement despite having reached the payment limits set forth herein.

SECTION V: INSURANCE

A. Consultant shall provide and maintain during the existence of this Agreement, for the protection of the Consultant and the City, the following insurance coverages:

(1) State Industrial Insurance System insurance covering its full liability under the State Industrial Insurance laws of the State of Nevada, or equivalent coverage which is approved by the City.

(2) Professional Liability Insurance or Errors and Omissions Insurance not less than in the amount of Five Hundred Thousand and No/100ths Dollars ($500,000.00) insuring against any negligent error or omissions which may be committed by the Consultant in the performance of this Agreement.

In lieu of a policy of insurance covering professional liability or errors and omissions, consultant may furnish the City an irrevocable letter of credit in a form acceptable to the City Attorney. The letter of credit provided by the Consultant in compliance with this subparagraph (2) shall remain in effect during the entire term of this Agreement and for a period of two years following the completion of this Agreement.

B. Prior to the commencement of this Agreement, as a condition precedent thereto, the Consultant will obtain the insurance coverages which are required hereunder and will furnish certificates of insurance to the City which demonstrate the procurement of such coverages.

C. The insurance coverage must be acceptable to the City, must be with a duly licensed insurance company, and must contain a clause to the effect that any cancellation, reduction, or restriction shall not become effective until thirty (30) days after written notice of such cancellation, reduction, or restriction is forwarded to the City. In the event that any of the insurance coverages required hereunder are cancelled, reduced or restricted, the City shall have the right to terminate this Agreement.

SECTION VI: NOTICES

Any notice which is appropriate or required to be given under this Agreement shall be sent to the parties to whom it is intended, addressed as follows:

If to the City:

CITY OF LAS VEGAS
c/o Parks & Leisure Activities
Deputy Director
749 Veterans Memorial Drive
Las Vegas, Nevada 89101

If to the Consultant:

THE MARK GROUP, INC.,
Engineers & Geologists
2975 S. Rainbow Blvd., Ste. G
Las Vegas, Nevada 89102

SECTION VII: ENTIRE AGREEMENT

Sections I to VII, inclusive, and Sections I to XXI, inclusive, of the

Supplemental Terms Exhibit "A" and Exhibit "B" constitute the entire Agreement between the parties hereto with respect to the matters covered herein.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by their duly authorized representatives the day and year first above written.

CITY OF LAS VEGAS

BY _____

JAN LAVERTY JONES, MAYOR

VS 10-4-94

ATTEST:

KATHLEEN M. TIGUE, CITY CLERK

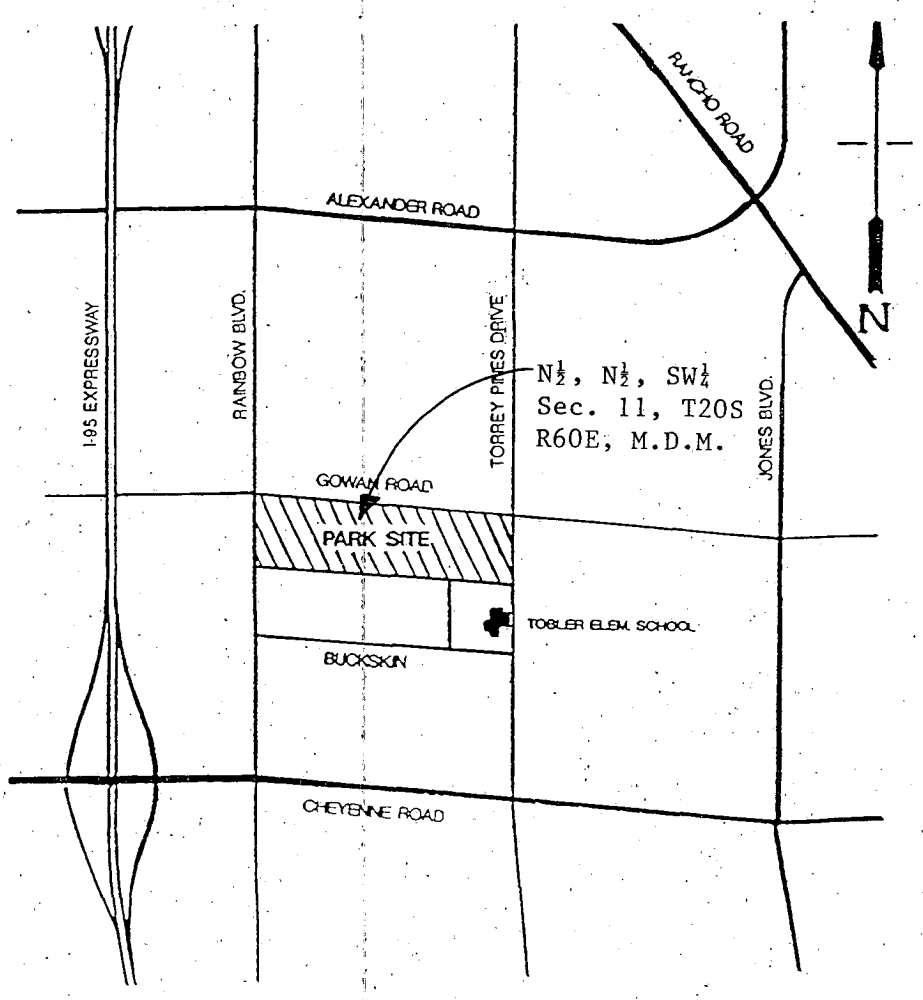
By: Sandra R. LeBoeuf
Chief Deputy City Clerk

THE MARK GROUP, Inc.,
Engineers & Geologists

BY _____

DAVID H. MALPASS, SENIOR ASSOCIATE

EXHIBIT B


RANCHO ROAD
ALEXANDER ROAD
I-95 EXPRESSWAY
RAINBOW BLVD.
TORREY PINES DRIVE
JONES BLVD.
N
N½, N½, SW¼
Sec. 11, T20S
R60E, M.D.M.
GOWAN ROAD
PARK SITE
TOBLER ELEM. SCHOOL
BUCKSKIN
CHEYENNE ROAD

CITY COUNCIL MINUTES

OCT 19 1994

EXHIBIT "A"

SUPPLEMENTAL TERMS

In addition to the foregoing terms, conditions and covenants, the Parties hereto agree to the following supplemental provisions:

SECTION I: TERMINATION

The CITY reserves the right to terminate this AGREEMENT without cause or default on the part of the CONSULTANT immediately upon written notification to the CONSULTANT. Notification of the CONSULTANT is deemed to have occurred on that date that the CITY deposits the written notification with the United States Postal Service, postage prepaid, and addressed to the party and location contained in the Section entitled "Notices" of the AGREEMENT to which these Supplemental Terms are attached thereto as Exhibit "A".

In the event that the written notification is returned to the CITY either by reason of the CONSULTANT'S refusal to accept delivery or because it is otherwise considered undeliverable by the United States Postal Service, such notification shall be deemed to have occurred on the date that it was initially posted by the CITY. In the event of termination, without cause or default, the CITY agrees to pay to the CONSULTANT the reasonable value for all work and services performed to the date of termination in accordance with the section entitled "Compensation and Manner of Payment" of this AGREEMENT.

SECTION II: DEFAULT

A. The occurrence of any of the following events shall be a default by CONSULTANT hereunder (hereinafter called "Events of Default"):

1. If CONSULTANT shall default in the due observance and performance of any term, condition or covenant contained herein.

2. If CONSULTANT shall (a) voluntarily terminate operations or consent to the appointment of a receiver, trustee or liquidator of CONSULTANT for all or a substantial portion of

its assets, (b) be adjudicated bankrupt or insolvent or file a voluntary petition in bankruptcy, or admit in writing an inability to pay its debts as they become due, (c) make a general assignment for the benefit of creditors, (d) file a petition or answer seeking reorganization or an arrangement with creditors or take advantage of any insolvency law, or (e) if action shall be taken by CONSULTANT for the purpose of effecting any of the foregoing;

3. If any warrant, execution or other writ shall be issued or levied upon any property or assets of CONSULTANT and shall continue unvacated and in effect for a period of thirty (30) days; or

4. If CONSULTANT should, in judgment of the CITY, neglect to prosecute the work hereunder properly and with proper dispatch in accordance with the time schedule which may have been agreed upon between the parties hereto:

Then, if any such Event of Default continues for three (3) working days after written notice to the CONSULTANT, CITY may, without prejudice to any other remedy it may have, at law or in equity, (a) terminate this AGREEMENT, suspend payment of all pending invoices otherwise due to CONSULTANT hereunder, finish the work by such means as the CITY may see fit, deduct from any balance due CONSULTANT the cost of finishing the work if the CITY cannot complete the performance of this AGREEMENT with the remaining funds originally set aside and budgeted for this PROJECT and paying the excess, if any, to CONSULTANT and in the event the cost of finishing CONSULTANT'S work exceeds the balance due CONSULTANT, such excess shall be paid by CONSULTANT to the CITY within five (5) days of invoicing by CITY or (b) terminate this AGREEMENT and all the obligations imposed hereunder, including the obligation of any further payment for the services of the CONSULTANT except for the reasonable value for all work

and services performed to the date of termination. The costs and expenses of completing the work of CONSULTANT shall be computed and audited by the CITY'S designated representative. The audit shall be made in accordance with generally accepted accounting principles and the CONSULTANT shall pay all costs of such audit.

B. In the event the CITY is required to perform or does perform or hires others to perform any work or services because of the default of the CONSULTANT, the difference between the contract amount with the CONSULTANT and the actual cost of completion shall be paid by CONSULTANT to the CITY.

C. It is expressly agreed that the CITY reserves the right to offset any and all claims made by CONSULTANT for payment of its fees hereunder or the reimbursement of additional costs it incurred, with any claims that the CITY might have against CONSULTANT for failure to comply with any of the terms and conditions of this AGREEMENT.

SECTION III: OWNERSHIP OF DOCUMENTS

All plans, drawings, specifications, calculations reports or other like documents given, prepared or assembled by the CONSULTANT or any subcontractors which are related to the performance of this AGREEMENT are deemed to be the property of the CITY. In the event of completion or termination of this AGREEMENT, the CITY reserves the right to require delivery of any and all plans, drawings, specifications, calculations, reports or other like documents not in its possession.

SECTION IV: INDEMNITY

Notwithstanding any of the insurance requirements hereinabove set forth or limits of liability set forth therein, CONSULTANT shall protect, indemnify and hold harmless the CITY, its officers and employees from any and all claims, damages, losses, expenses, suits, actions, decrees, judgements, attorney fees, and court costs, which the CITY, its officers or employees may

suffer, or which may be sought against, recovered from or obtainable against the CITY, its officers or employees as a result of, by reason of, or arising out of the negligent acts or omissions of the CONSULTANT, its subcontractors, or agents or anyone directly or indirectly employed by the subcontractors or agents, in fulfillment or performance of the terms, conditions or covenants of this AGREEMENT.

It is expressly agreed that the CONSULTANT shall, at its own cost, defend any and all suits or actions that may be brought against the CITY, its officers or employees by reason of any negligent act or omission against which the CONSULTANT has agreed to indemnify the CITY. If the CONSULTANT shall fail to do so, the CITY shall have the right to defend same and to charge all direct and incidental costs of such defense to the CONSULTANT, including court costs and counsel fees.

SECTION V: ASSIGNMENT

The CITY and the CONSULTANT each bind itself and its partners, successors, administrators and assigns to the other party of this AGREEMENT and to the partners, successors, executors, administrators and assigns of such other party in respect to all covenants of this AGREEMENT, except neither the CITY nor the CONSULTANT shall assign, sublet or transfer its interest in this AGREEMENT without the written consent of the other. Nothing contained herein shall be construed as creating any personal liability on the part of any officer or agent of any public body which may be a party hereto.

SECTION VI: WAIVER

No consent or waiver, express or implied, by either party to this AGREEMENT or of any breach or default by the other in the performance of any obligations hereunder shall be deemed or construed to be a consent or waiver of any other breach or default by such party hereunder. Failure on the part of any party hereto to complain of any act or failure to act of the other party or to declare that other party in default hereunder, irrespective of how long such failure continues, shall not constitute a waiver of the rights

of such party hereunder. Inspection, payment, or tentative approval or acceptance by the CITY or the failure of the CITY to perform any inspection hereunder, shall not constitute a final acceptance of the work or any part thereof and shall not release CONSULTANT of any of its obligations hereunder.

SECTION VII: DESIGNATION OF REPRESENTATIVE

The Director of Parks and Leisure Activities or his authorized representative is hereby designated as the CITY'S representative with respect to the work to be performed under this AGREEMENT. Said representative shall have complete authority to transmit instructions, receive information, interpret and define the CITY'S policies and decisions with respect to the services of the CONSULTANT.

SECTION VIII: CONSULTANT WARRANTIES

CONSULTANT represents and warrants:

A. That it is financially solvent, able to pay its debts as they mature, and is possessed of sufficient working capital to complete this AGREEMENT; that it is able to furnish the plant, tools, materials, supplies, equipment and labor, and is experienced in and competent to perform the work contemplated by this AGREEMENT, and that it is qualified to do the work herein and is authorized to do business in the State of Nevada.

B. That the CONSULTANT holds a license, permit or other special license to perform the services included in this AGREEMENT, as required by law, or employs or works under the general supervision of the holder of such license, permit or special license.

SECTION IX: CONSULTANT'S EMPLOYEES

The CONSULTANT shall be responsible for maintaining satisfactory standards of employee competency, conduct and integrity, and shall be responsible for taking such disciplinary action with respect to its employees

as may be necessary. In the event the CONSULTANT fails to remove any employee from the contract work whom the CITY deems incompetent, careless or insubordinate, or whose continued employment on the work is deemed by the CITY to be contrary to the public interest, the CITY reserves the right to require such removal as a condition for the continuation of this AGREEMENT.

SECTION X: INDEPENDENT CONTRACTOR

It is hereby expressly agreed and understood that in the performance of the services provided herein, the CONSULTANT and any other person employed by him hereunder shall be deemed to be an independent contractor and not an agent or employee of the CITY.

SECTION XI: APPLICABLE LAW

This AGREEMENT shall be construed and interpreted in accordance with the laws of the State of Nevada.

SECTION XII: COMPLIANCE WITH LAWS

The CONSULTANT shall in the performance of its obligations hereunder comply with all applicable laws, rules and regulations of all governmental authorities having jurisdiction over the performance of this AGREEMENT, including the Federal Occupational Health and Safety Act and all state and federal laws prohibiting and/or related to discrimination by reason of race, sex, age, religion or national origin.

SECTION XIII: SEVERABILITY

In the event that any provisions of this AGREEMENT shall be held to be invalid or unenforceable, the remaining provisions of this AGREEMENT shall remain valid and binding on the parties hereto.

SECTION XIV: PROHIBITION AGAINST CONTINGENT FEES

The CONSULTANT warrants that no person or entity has been employed or retained to solicit or secure this AGREEMENT upon an agreement or

understanding for a commission, percentage, brokerage or contingent fee. For breach or violation of this warranty, the CITY shall have the right to annul this AGREEMENT without liability or, in its discretion, to deduct from the contract price or consideration, or otherwise recover, the full amount of such commission, percentage, brokerage or contingent fee.

SECTION XV: PUBLICITY

All publicity concerning the services of the CONSULTANT with respect to the performance of this AGREEMENT shall be approved by the CITY.

SECTION XVI: ARBITRATION

A. All claims, disputes and other matters in question between the parties to this AGREEMENT, arising out of or relating to this AGREEMENT or the breach thereof, may, at the option of the aggrieved party, be decided by arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association then existing unless the parties mutually agree otherwise. No arbitration arising out of or relating to this AGREEMENT shall include, by consolidation, joinder or in any other manner, any additional person not a party to this AGREEMENT and which is signed by the CITY. Any consent to arbitration involving an additional person or persons shall not constitute consent to arbitration of any dispute not described therein. This AGREEMENT to arbitrate and any agreement to arbitrate with an additional person or persons duly consented to by the CITY shall be specifically enforceable under the prevailing arbitration law.

B. It is further expressly agreed and understood between the parties that in the event the CITY is named as a party to any arbitration action arising out of, or resulting from, the CONSULTANT'S services as defined in the AGREEMENT, the CONSULTANT agrees and irrevocably consents, at the option of the CITY, to be joined as

a party in the arbitration proceeding and to be bound by any decision resulting therefrom and further irrevocably consents to the joinder, in any arbitration to which it is a party, of the contractor with respect to the PROJECT.

None of the time provisions imposed under Subsection C and D apply to the joinder rights provided herein in such a way as to preclude the CITY from joining the CONSULTANT as a party to any arbitration proceeding in which it is named and which arises out of, or results from, the construction of the PROJECT.

C. In order for the CONSULTANT to be able to arbitrate any claim, dispute or other matter in question between the parties, written notice must be given to the CITY within thirty (30) days after the claim, dispute or other matter arises. In order for the CITY to be able to arbitrate any claim, dispute or other matter in question between the parties, written notice must be given to the CONSULTANT within sixty (60) days after the claim, dispute or other matter arises. The purpose of such notification is to place the other party on notice so that proper measures can be taken to properly defend against such claim, dispute or other matter, and the failure to give such notice shall preclude the party desiring arbitration from subsequently arbitrating that particular claim, dispute or other matter.

D. The filing of the aforementioned written notice shall preserve that party's right to arbitration, but shall not obligate the party to proceed with arbitration. In the event that either party desires to proceed with the arbitration of any claim, dispute, or other matter with respect to which such notice has been give, a written demand for arbitration shall be filed in writing with the other party and with the American Arbitration Association within sixty (60) days after the filing of the Certificate of Substantial Completion with respect to the Project, and the failure to make such demand shall forever bar

such claim, dispute or other matter from being arbitrated.

E. In the event of arbitration, it is agreed by the parties hereto that all means of discovery, including but not limited to, depositions and interrogatories will be afforded to the parties involved in the arbitration, and the appointed arbitrator shall have all authority to impose sanctions against either party for failing to comply with the rules of discovery provided under the Nevada Rules of Civil Procedure.

F. The award rendered by the arbitrators shall be final, and judgment may be entered upon it in accordance with applicable law in any court having jurisdiction thereof.

SECTION XVII: CONFIDENTIALITY

CONSULTANT shall treat all information relating to the Project and all information supplied to the CONSULTANT by the CITY as confidential and proprietary information of the CITY and shall not permit its release to other parties or make any public announcement or publicity release without the CITY'S written authorization. CONSULTANT shall also require subcontractors and vendors to comply with this requirement.

XVIII: SITE INSPECTION

CONSULTANT represents that it has inspected the location or locations of the PROJECT and has satisfied itself as to the condition thereof and that the CONSULTANT'S compensation as provided for in the Section entitled "Compensation" of the AGREEMENT to which these Supplemental Terms are attached thereto as Exhibit "A", is just and reasonable compensation for performance hereunder, including all foreseen and foreseeable risks, hazards and difficulties in connection therewith.

SECTION XIX: SUBCONTRACTS

CONSULTANT agrees to include in all professional engineering subcontracts in connection with performance of the terms and obligations

imposed under this AGREEMENT the following:

A. A provision that CONSULTANT agrees to pay the subcontractor when paid for that portion of the work by the CITY, that no liability arises on the part of the CONSULTANT to the subcontractor for payment of the subcontracted work until payment has been made by the CITY, and that if the CITY has paid the CONSULTANT for said subcontracted work, the subcontractor's only recourse is against the CONSULTANT and not against the CITY, either through the institution of legal or equitable action or the attachment of any lien.

B. A provision that the subcontractors have no more rights against the CITY than that of the CONSULTANT.

C. A provision that the subcontractor agrees to be bound by all the terms, conditions and obligations of this AGREEMENT unless the CITY has approved any deviations, changes, or modifications in writing.

D. A provision that the subcontractor will obtain and maintain professional Errors and Omissions Insurance coverage in connection with the subcontracted work in an amount equal to that required of the CONSULTANT as provided in that section entitled "Insurance" of this AGREEMENT

XX: COORDINATION

In reviewing any and all plans, specifications, maps or other documents related to the performance of this AGREEMENT, CONSULTANT agrees to complete said review so as to not delay the performance of this AGREEMENT, or any other Agreement between the CITY and third parties. CONSULTANT agrees to notify the CITY of any and all documents in the possession of the CITY needed by the CONSULTANT in performing this AGREEMENT.

SECTION XXI: MODIFICATION

All modification or amendments to this AGREEMENT are null and void

unless reduced to writing and signed by the parties hereto.

Item Number	ITEM	ACTION
	III. CONSENT AGENDA	
	DEPARTMENT OF PUBLIC WORKS	
	ACCEPTANCE OF RIGHT OF WAY ITEMS	
	GRANT DEEDS	
22	From: TRUSTEES OF THE CHURCH OF CHRIST To: City of Las Vegas For: Portion of the Northeast Quarter (NE 1/4) of Section 6, T21S, R61E, M.D.M., for dedication of a portion of Del Monte Avenue cul-de-sac located north of Oakey Boulevard and west of Valley View Boulevard (9-22-94) 162-06-603-014	**ADAMSEN - APPROVED Consent Agenda, Items 3 through 6, 8 through 17 and 19 through 42 as recommended - UNANIMOUS** **Staff to proceed** ****** There was no discussion. (9:39 - 9:40)
23	From: OAKEY DEVELOPMENT GROUP LIMITED PARTNERSHIP To: City of Las Vegas For: Portions of the Northeast Quarter (NE 1/4) of Section 6, T21S, R61E, M.D.M., for dedication of a portion of Del Monte Avenue cul-de-sac and a 25' radius corner located at the northwest corner of Oakey Boulevard and Valley View Boulevard (9-14-94) 162-06-603-005 & 015	**APPROVED - See above**

Lynn Mary

Item Number	ITEM	ACTION
	III. CONSENT AGENDA	
	CONTINUED	
	DEPARTMENT OF PUBLIC WORKS	
	GRANT, BARGAIN, SALE DEED	
24	From: JOSEPH C. SCHLAGETER AND RITA M. SCHLAGETER, "REVOCABLE FAMILY TRUST" To: City of Las Vegas For: Lot 9 in Block 28 of H.F.M. & M. ADDITION TO THE CITY OF LAS VEGAS as shown in Plats Book 1, Page 47 for expansion of H. P. Fitzgerald Park (8-10-94) 139-27-110-104	**ADAMSEN - APPROVED Consent Agenda, Items 3 through 6, 8 through 17 and 19 through 42 as recommended - UNANIMOUS** **Staff to proceed** ****** There was no discussion. (9:39 - 9:40)
	RIGHT OF WAY GRANT FOR SEWER PURPOSES	
25	From: WALTER JAGODZINSKI, SUCCESSOR TRUSTEE U/A/D/ JUNE 28, 1978 (FORMER TRUSTEE RONALD REISS) To: City of Las Vegas For: Portion of the Northeast Quarter (NE 1/4) of Section 8, T21S, R62E, M.D.M., for a 14.62' sewer easement located south of Sahara Avenue, east of Nellis Boulevard (previously recorded in the Office of the Recorder, Clark County, Nevada in Book 940922 as Instrument Number 00253) (8-17-94) 240-090-001	**APPROVED - See above**

Item Number	ITEM	ACTION
	III. CONSENT AGENDA	
	CONTINUED	
	DEPARTMENT OF PUBLIC WORKS	
26	RIGHT OF WAY GRANT FOR DRAINAGE PURPOSES From: OAKEY DEVELOPMENT GROUP LIMITED PARTNERSHIP To: City of Las Vegas For: Portion of the Northeast Quarter (NE 1/4) of Section 6, T21S, R61E, M.D.M., for a 5' drainage easement east of Mountain View Boulevard cul-de-sac located north of Oakey Boulevard and west of Valley View Boulevard (9-14-94) 162-06-603-005	**ADAMSEN - APPROVED Consent Agenda, Items 3 through 6, 8 through 17 and 19 through 42 as recommended - UNANIMOUS** **Staff to proceed** ****** There was no discussion. (9:39 - 9:40)
27	REQUEST FOR PERMISSION TO FILE A RIGHT OF WAY APPLICATION WITH THE BUREAU OF LAND MANAGEMENT FOR ROADWAY AND TEMPORARY CONSTRUCTION PURPOSES ON PORTIONS OF LAND LYING WITHIN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 28, T20S, R60E, M.D.M., LOCATED AT THE SOUTHEAST CORNER OF DURANGO DRIVE AND WASHINGTON AVENUE	**APPROVED - See above**

Lynn Macy

Item Number	ITEM	ACTION
	III. CONSENT AGENDA	
	CONTINUED	
	DEPARTMENT OF PUBLIC WORKS	
28	ACCEPTANCE OF SUBDIVISION IMPROVEMENTS	
	OASIS PALMS (Michael T. Black and Lori Jo Black, Developer) Property generally located north of Via Olivero Avenue, west of Lisa Lane, 2.6 Acres, 8 Lots, Zoned R-1.	**ADAMSEN - APPROVED Consent Agenda, Items 3 through 6, 8 through 17 and 19 through 42 as recommended - UNANIMOUS** **Staff to proceed** ********** There was no discussion. (9:39 - 9:40)
	RELEASE OF SECURITIES	
29	LOCATION: Alta Quail Park at Alta Drive USE: Off-Site Improvements OWNER: 70 Limited Partnership SECURITY: Subdivision Performance Bond with Fidelity and Deposit Company of Maryland AMOUNT: $95,400.00 BOND NO.: 30487190 (CLV 14-94)	**APPROVED - See above**
30	LOCATION: 1950 Pinto Lane (Groom/Steele Health Facility) USE: Off-Site Improvements OWNER: Richard Groom and D. Stuart Steele SECURITY: Agreement in Lieu of Off-Site Improvements Performance Bond AMOUNT: Less than $50,000.00 (Occupancy) BOND NO.: (CLV 2-94)	**APPROVED - See above**

TO: City Council

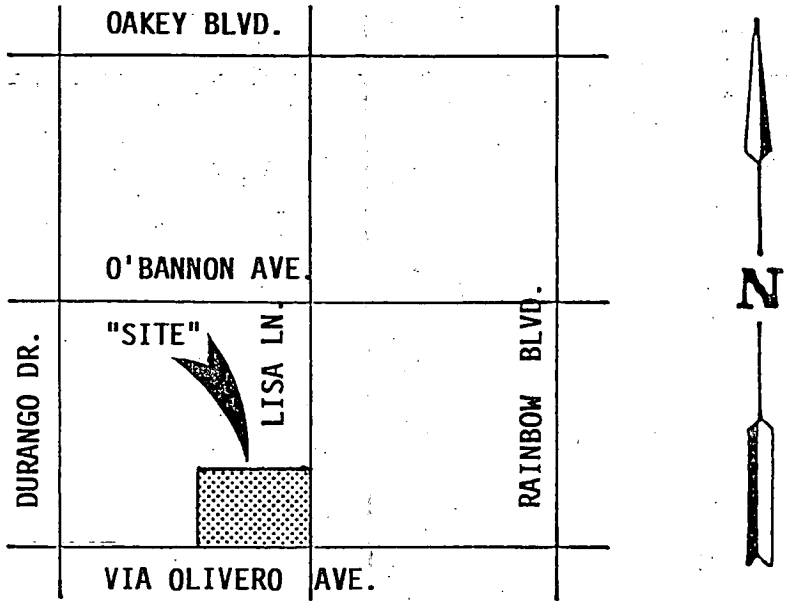
FROM: RICHARD D. GOECKE, DIRECTOR
DEPARTMENT OF PUBLIC WORKS

SUBJECT: **ACCEPTANCE OF SUBDIVISION IMPROVEMENTS - OASIS PALMS**
MICHAEL T. BLACK AND LORI JO BLACK

PURPOSE/BACKGROUND

OASIS PALMS (Michael T. Black and Lori Jo Black, Developer)

Property generally located north of Via Olivero Avenue, west of Lisa Lane, 2.6 Acres, 8 Lots, Zoned R-1.



All off-site improvements for this subdivision have been completed in accordance with the agreement and all City requirements. Improvements can be accepted subject to completion of the improvement correction list.

FISCAL IMPACT

None

RECOMMENDATIONS

The Department of Public Works recommends APPROVAL, subject to completion of the improvement correction list. Staff to proceed.

CONSENT
Agenda Item

28

AGENDA DOCUMENTATION

CITY COUNCIL

MEETING OF
October 19, 1994

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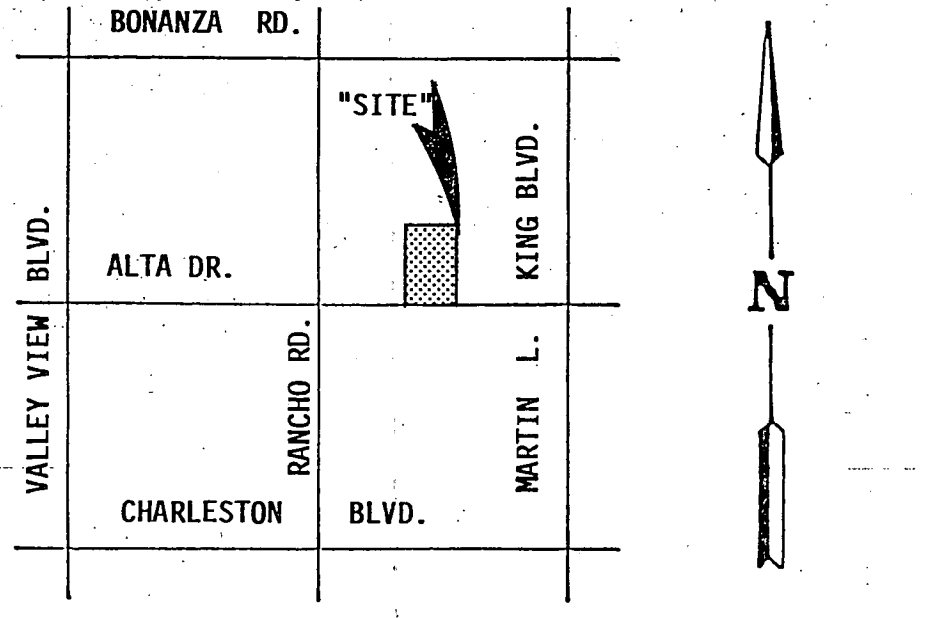
TO: **City Council**

FROM: RICHARD D. GOECKE, DIRECTOR
DEPARTMENT OF PUBLIC WORKS

SUBJECT: **RELEASE OF SECURITY**

PURPOSE/BACKGROUND

LOCATION:	Alta Quail Park at Alta Drive
USE:	Off-Site Improvements
OWNER:	70 Limited Partnership
SECURITY:	Subdivision Performance Bond with Fidelity and Deposit Company of Maryland
AMOUNT:	$95,400.00
BOND NO.:	30487190 (CLV 14-94)



All off-site improvements for this project have been completed in accordance with the agreement and all City requirements. Improvements can be accepted subject to completion of the improvement correction list.

FISCAL IMPACT

None

RECOMMENDATIONS

The Department of Public Works recommends APPROVAL, subject to completion of the improvement correction list. Staff to proceed.

CONSENT

Agenda Item

29

AGENDA DOCUMENTATION

CITY COUNCIL

MEETING OF

October 19, 1994

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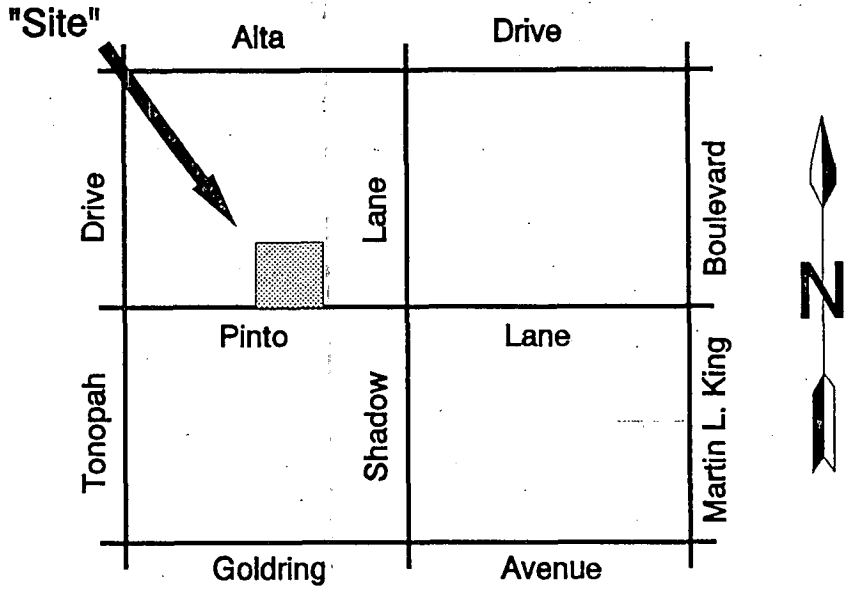
TO: City Council

FROM: RICHARD D. GOECKE, DIRECTOR
DEPARTMENT OF PUBLIC WORKS

SUBJECT: **RELEASE OF SECURITY**

PURPOSE/BACKGROUND

LOCATION:	1950 Pinto Lane (Groom/Steele Health Facility)
USE:	Off-Site Improvements
OWNER:	Richard Groom and D. Stuart Steele
SECURITY:	Agreement in Lieu of Off-Site Improvements Performance Bond
AMOUNT:	Less than $50,000.00 (Occupancy)
BOND NO.:	(CLV 2-94)



All off-site improvements for this project have been completed in accordance with the agreement and all City requirements. Improvements can be accepted subject to completion of the improvement correction list.

FISCAL IMPACT

None

RECOMMENDATIONS

The Department of Public Works recommends APPROVAL, subject to completion of the improvement correction list. Staff to proceed.

CONSENT

Agenda Item

30

Item Number	ITEM	ACTION
	III. CONSENT AGENDA	
	CONTINUED	
	DEPARTMENT OF PUBLIC WORKS	
31	LOCATION: 3200 S. Valley View Boulevard (Truckmaster's) USE: Off-Site Improvements OWNER: 1986 Leavitt Family Trust SECURITY: Performance Bond with American Bonding Company AMOUNT: $5,000.00 BOND NO.: 9346855 (CLV 24-94)	**ADAMSEN - APPROVED Consent Agenda, Items 3 through 6, 8 through 17 and 19 through 42 as recommended - UNANIMOUS** **Staff to proceed** ****** There was no discussion. (9:39 - 9:40)
	ENCROACHMENT REQUEST	
32	DESERT SHORES COMMUNITY ASSOCIATION Point Conception Drive, Lazarette Drive, Valiant Drive, and Regatta Drive Request from applicant to encroach into the public right of way in various locations in the Desert Shores Community. The encroachment would consist of privately-installed conduit and wiring for privately-owned entrance sign lighting in public rights-of-way as follows: Point Conception Drive, east of Rampart Boulevard; Lazarette Drive, east of Rampart Boulevard; Valiant Drive, west of Buffalo Drive; and Regatta Drive, west of Buffalo Drive. It should be noted that the entrance signs will be located on private property (common areas) and only the conduit and wiring will be located in the rights-of-way.	**APPROVED - See above**

Lynn Goya

AGENDA DOCUMENTATION

CITY COUNCIL

MEETING OF

October 19, 1994

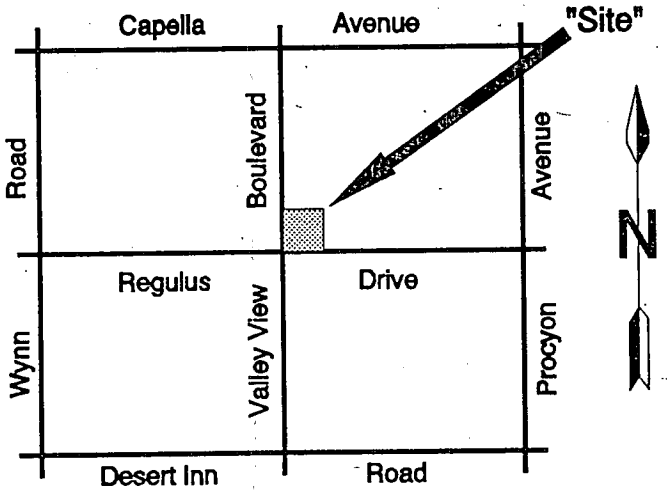
TO: **City Council**

FROM: RICHARD D. GOECKE, DIRECTOR
DEPARTMENT OF PUBLIC WORKS

SUBJECT: **RELEASE OF SECURITY**

PURPOSE/BACKGROUND

LOCATION:	3200 S. Valley View Boulevard (Truckmaster's)
USE:	Off-Site Improvements
OWNER:	1986 Leavitt Family Trust
SECURITY:	Performance Bond with American Bonding Company
AMOUNT:	$5,000.00
BOND NO.:	9346855 (CLV 24-94)



All off-site improvements for this project have been completed in accordance with the agreement and all City requirements. Improvements can be accepted subject to completion of the improvement correction list.

FISCAL IMPACT

None

RECOMMENDATIONS

The Department of Public Works recommends APPROVAL, subject to completion of the improvement correction list. Staff to proceed.

CONSENT

Agenda Item

31

TO: City Council

FROM: RICHARD D. GOECKE, DIRECTOR
DEPARTMENT OF PUBLIC WORKS

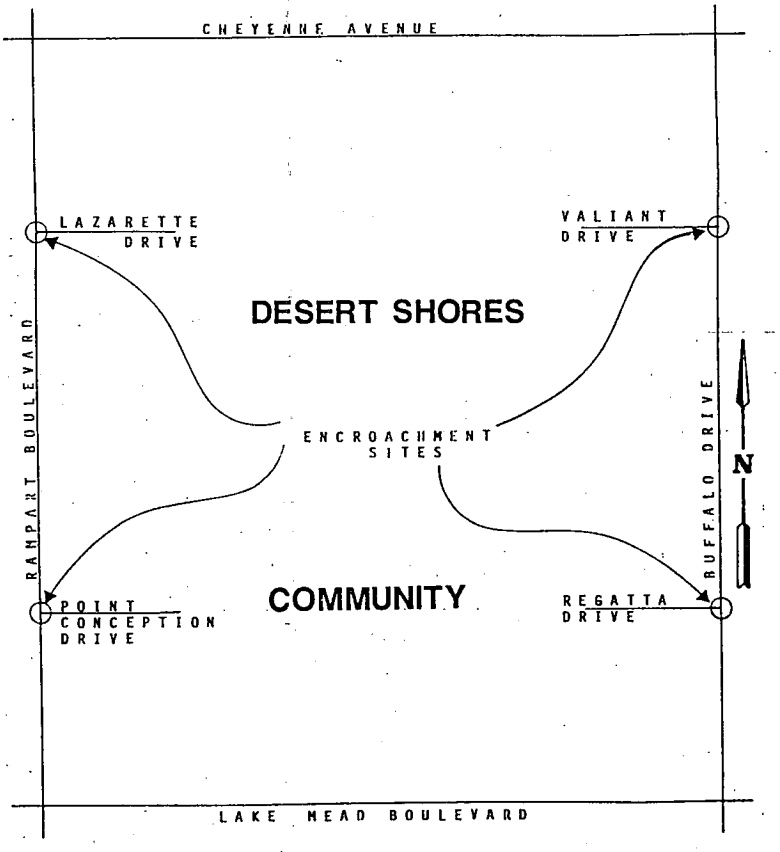
SUBJECT: **ENCROACHMENT REQUEST - DESERT SHORES COMMUNITY ASSOCIATION POINT CONCEPTION DRIVE, LAZARETTE DRIVE, VALIANT DRIVE, AND REGATTA DRIVE**

PURPOSE/BACKGROUND

The applicant proposes to encroach into the public right of way in various locations in the Desert Shores Community.

The encroachment would consist of privately-installed conduit and wiring for privately-owned entrance sign lighting in public rights-of-way as follows: Point Conception Drive, east of Rampart Boulevard; Lazarette Drive, east of Rampart Boulevard; Valiant Drive, west of Buffalo Drive; and Regatta Drive, west of Buffalo Drive. It should be noted that the entrance signs will be located on private property (common areas) and only the conduit and wiring will be located in the rights-of-way.

The applicant has signed an Encroachment Agreement which has conditions of liability, maintenance and removal.



FISCAL IMPACT

None

RECOMMENDATIONS

The Department of Public Works recommends APPROVAL, subject to conformance to all other City Codes and Department standards. Staff to proceed.

CONSENT Agenda Item

32

Item Number	ITEM	ACTION
	III. CONSENT AGENDA	
	CONTINUED	
	DEPARTMENT OF PUBLIC WORKS	
	TRAFFIC AND PARKING ITEMS	
33	DISCUSSION AND POSSIBLE APPROVAL OF A REQUEST TO PROHIBIT PARKING IN FRONT OF 608 SOUTH JONES BOULEVARD T & P Commission Recommendation: APPROVAL Staff Recommendation: APPROVAL, provided the applicant pays for the cost of the change.	**ADAMSEN - APPROVED Consent Agenda, Items 3 through 6, 8 through 17 and 19 through 42 as recommended - UNANIMOUS** **Staff to proceed** ****** There was no discussion. (9:39 - 9:40)
34	DISCUSSION AND POSSIBLE APPROVAL TO RATIFY THE INSTALLATION OF THE 4-WAY STOP AT DESERT INN ROAD AND FORT APACHE ROAD T & P Commission Recommendation: APPROVAL Staff Recommendation: APPROVAL	**APPROVED - See above**

Lynn Goya

AGENDA DOCUMENTATION

CITY COUNCIL

MEETING OF
October 19, 1994

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TO: **City Council**

FROM: RICHARD D. GOECKE, DIRECTOR
DEPARTMENT OF PUBLIC WORKS

SUBJECT: DISCUSSION AND POSSIBLE APPROVAL OF A REQUEST TO PROHIBIT PARKING IN FRONT OF 608 SOUTH JONES BOULEVARD

PURPOSE/BACKGROUND

A number of property owners have requested that the zoning on their properties be changed from residential to PR, which is small office use. As a condition of the zone change, the City has been requiring the applicants to request the parking restriction. When all of the properties have been converted to office use, the street parking will be totally eliminated, and alternate striping plans may be considered.

The residences which face Jones Boulevard have been negatively impacted by the growth in the volume of traffic along the street. The City Council has approved a change in zoning for most of the parcels facing the street from residential to PR, professional office, which is supposed to keep a residential appearance.

Each of the parcels must provide on-site parking sufficient to meet City Code requirements. Once the entire street has been converted, there should not be a need for on-street parking. The parking is being removed as each parcel converts from residential to PR so that the office users will understand that the parking demands must be handled on-site.

Notices of the proposed change were:
- sent to 9 nearby property owners, and
- received back from 2 with responses of...

...1 in favor of the requested change, and
...1 opposed to the requested change.

FISCAL IMPACT

City personnel will install the necessary signage.

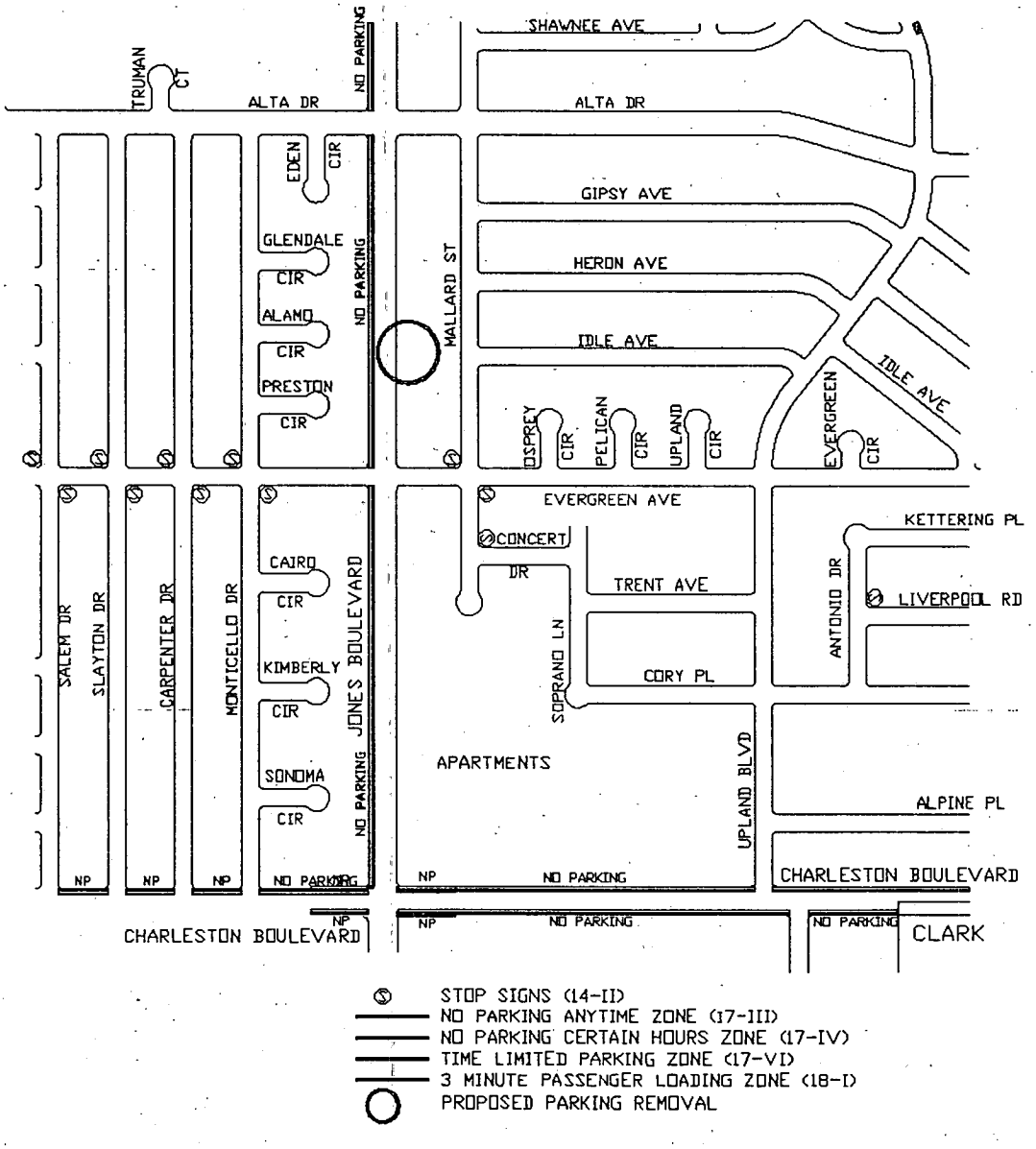
RECOMMENDATIONS

TRAFFIC AND PARKING COMMISSION RECOMMENDATION: Approval.
STAFF RECOMMENDATION: Approval, provided the applicant pays for the cost of the change.

CONSENT
Agenda Item
33

CITY COUNCIL MINUTES

OCT 19 1994



AGENDA DOCUMENTATION

CITY COUNCIL

MEETING OF
October 19, 1994

TO:	FROM:
City Council	RICHARD D. GOECKE, DIRECTOR DEPARTMENT OF PUBLIC WORKS

SUBJECT: DISCUSSION AND POSSIBLE APPROVAL TO RATIFY THE INSTALLATION OF THE 4-WAY STOP AT DESERT INN ROAD AND FORT APACHE ROAD

PURPOSE/BACKGROUND

This study was initiated by the Clark County Traffic Management Division at the request of a County Commissioner. Results of the study indicate that a four-way Stop is warranted. Clark County has already installed a four-way Stop after having received the concurrence of the Traffic Engineer, and is now requesting that the City of Las Vegas ratify the installation. The north half of the intersection is within the City of Las Vegas city limits.

FISCAL IMPACT

None; signage has already been installed By Clark County.

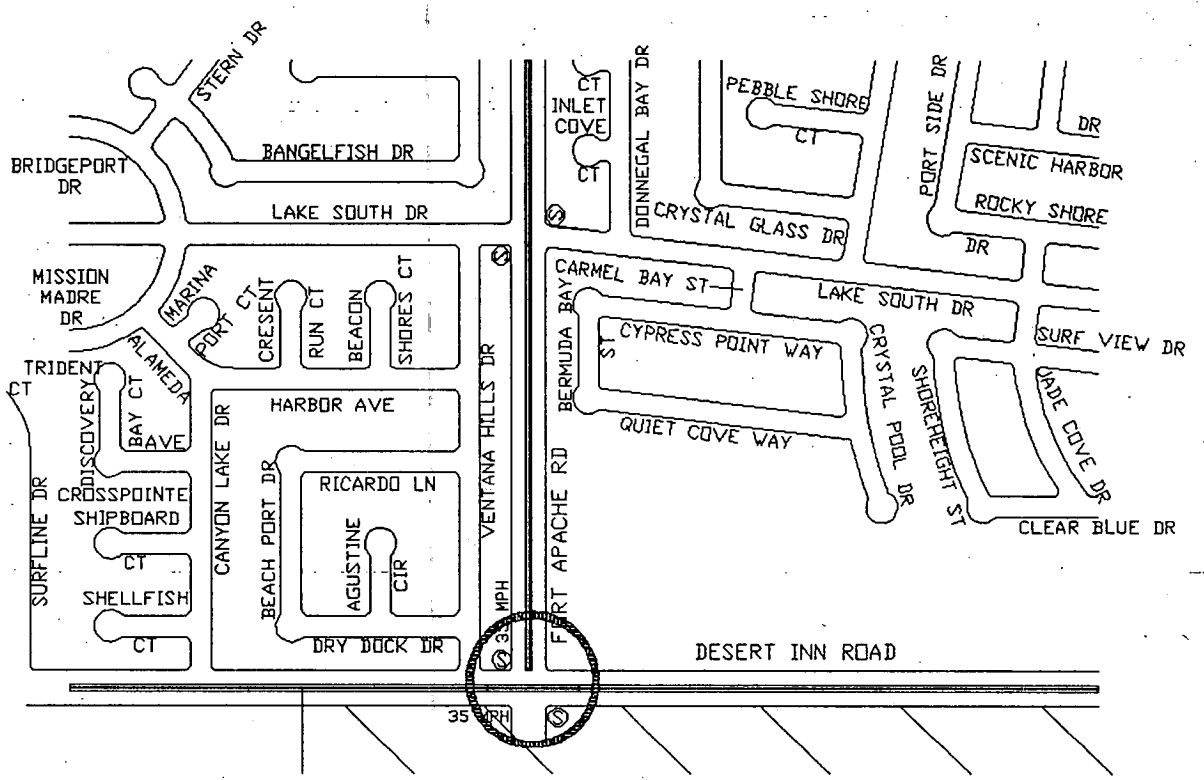
RECOMMENDATIONS

TRAFFIC AND PARKING COMMISSION RECOMMENDATION: Approval.
STAFF RECOMMENDATION: Approval.

CONSENT
Agenda Item
34

CITY COUNCIL MINUTES

OCT 19 1994



PRIVATE STREET
STOP SIGNS (14-II)
35 MPH SPEED LIMIT (25-II)
DESIGNATED SCHOOL ZONES (27-I)
INTERSECTION STUDY

Item Number	ITEM	ACTION
	III. CONSENT AGENDA	
	CONTINUED	
	DEPARTMENT OF PUBLIC WORKS	
35	DISCUSSION AND POSSIBLE APPROVAL OF A REQUEST TO DESIGNATE A 2-HOUR TIME LIMITED PARKING ZONE IN FRONT OF 303 WEST ST. LOUIS AVENUE T & P Commission Recommendation: APPROVAL Staff Recommendation: APPROVAL, provided the applicant pays for the cost of the change.	**ADAMSEN - APPROVED Consent Agenda, Items 3 through 6, 8 through 17 and 19 through 42 as recommended - UNANIMOUS** **Staff to proceed** ****** There was no discussion. (9:39 - 9:40)
	REPORTS/ACTION ITEMS	
36	DISCUSSION AND POSSIBLE APPROVAL OF CONTRACT MODIFICATION #1 WITH BOULDER CONSTRUCTION, INC. FOR THE BONNEVILLE AVENUE EXTENSION AND UNDERPASS **$38,209.46 funded by RTC**	**APPROVED - See above**

Lynn Wyatt

AGENDA DOCUMENTATION

CITY COUNCIL

MEETING OF
October 19, 1994

128

TO: **City Council**

FROM: RICHARD D. GOECKE, DIRECTOR
DEPARTMENT OF PUBLIC WORKS

SUBJECT: DISCUSSION AND POSSIBLE APPROVAL OF A REQUEST TO DESIGNATE A 2-HOUR TIME LIMITED PARKING ZONE IN FRONT OF 303 WEST ST. LOUIS AVENUE

PURPOSE/BACKGROUND

Mr. Alfred M. Gerstler, the owner of a building located at 303 W. St. Louis, has requested that the on-street parking in front of his building be replaced with 2-hour Time Limited Parking. He stated that parking is limited in the neighborhood, and he would like the parking time restricted so as to provide turnover of the available on-street spaces.

The area is predominantly commercial in nature. There are apartments located east of the affected parcel. The proposed 2-hour parking can only accommodate a limited number of vehicles; therefore, the area parking availability is not significantly impacted. Cab companies located on Industrial Road have virtually no on-site parking for drivers; therefore, the drivers park their personal vehicles on St. Louis Avenue and other nearby streets. This leaves limited parking for the businesses on St. Louis Avenue.

The Traffic and Parking Commission and the City Council earlier this year took the same action for 301 West St. Louis. This is a continuing problem for this area.

Notices of the proposed change were:

- sent to 15 nearby property owners, and
- received back from 7 with responses of...
  - ...7 in favor of the requested change, and
  - ...none opposed to the requested change, and
- returned as undeliverable from 2 addresses.

FISCAL IMPACT

City personnel will install the necessary signage.

RECOMMENDATIONS

TRAFFIC AND PARKING COMMISSION RECOMMENDATION: Approval.

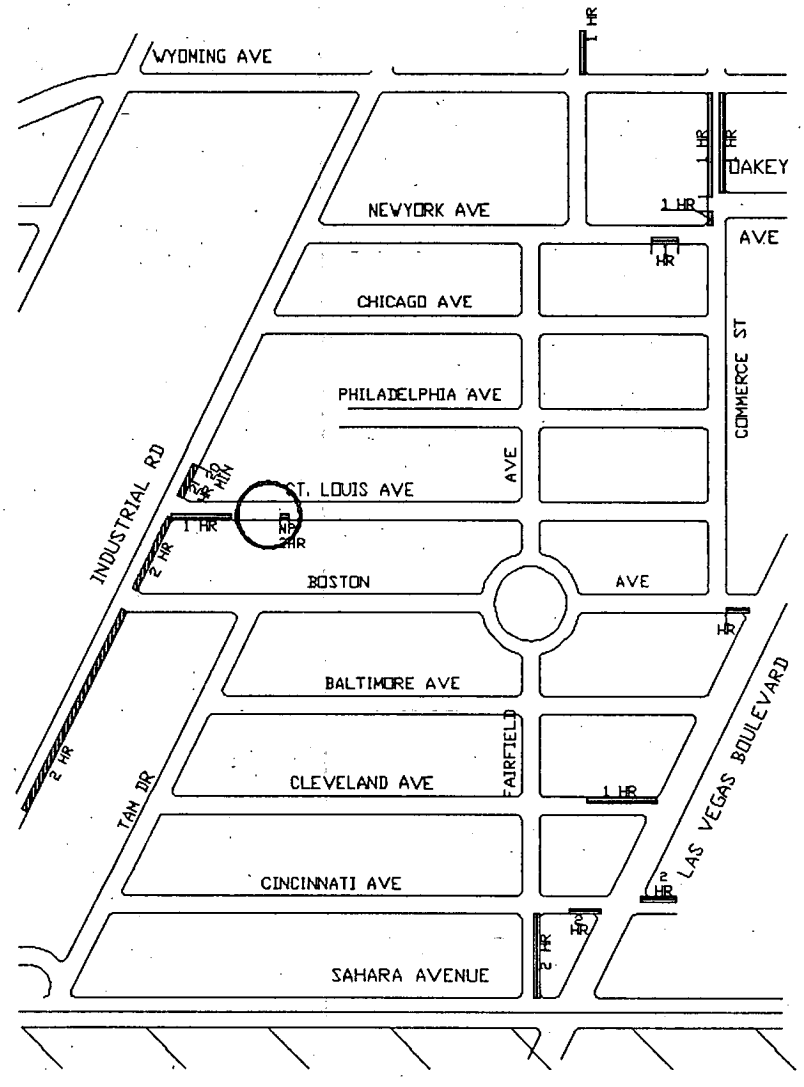
STAFF RECOMMENDATION: Approval, provided the applicant pays for the cost of the change.

CONSENT Agenda Item

35

CITY COUNCIL MINUTES

OCT 19 1994



TIME LIMITED PARKING ZONE (17-VI)

PROPOSED 2 HOUR PARKING ZONE

AGENDA DOCUMENTATION

CITY COUNCIL

MEETING OF

October 19, 1994

TO: **City Council**

FROM: RICHARD D. GOECKE, DIRECTOR
DEPARTMENT OF PUBLIC WORKS

SUBJECT: **DISCUSSION AND POSSIBLE APPROVAL OF CONTRACT MODIFICATION #1 WITH BOULDER CONSTRUCTION, INC. FOR THE BONNEVILLE AVENUE EXTENSION AND UNDERPASS**

PURPOSE/BACKGROUND

On November 18, 1992 the City Council awarded the construction contract for the Bonneville Avenue Extension and Underpass to Boulder Construction, Inc. in the amount of $4,183,737.50.

The reason for this contract modification is to reimburse the Contractor, Boulder Construction, Inc., for the following:

1. Labor and equipment expenses incurred for a delay caused by the failure of the Union Pacific Railroad Company to complete the trestle removal and subsequent excavation of the trestle area within the City right of way as scheduled. The delay resulted in a near stoppage of work for Boulder Construction during a six week period between December 1993 and February 1994. **Cost $32,692.00** (see attached backup)

2. Reimbursement for the differential cost in concrete forming lumber incurred by the Contractor between bid award, November 1992 and Notice to Proceed was caused by the failure of the Union Pacific Railroad Company to complete Phase I excavation for the underpass as scheduled. The differential cost for the forming lumber is due to drastic price increase in the product between this time period. The Contractor accepts a certain amount of risk when bidding a project with regard to material prices. However, with the delay in issuing the Notice to Proceed, usually 30 to 60 days after award, and the massive increase in lumber price in a short time period due to market fluctuation, our legal department advised this is the best way of handling this matter. This situation is unique but similar to the adjustments allowed for the fluctuation of oil prices, and thus asphalt concrete, which occurred during the 1980's. **Cost $53,826.99** (See attached backup)

Original Contract Amount	$4,183,737.50
Total Cost of Request	86,518.99
Remaining Contract Contingency	<48,309.53>
Current Modification Amount	**$38,209.46**
Revised Contract Amount	$4,221,946.96

3. Contract time extension of 128 days for delays caused by Union Pacific Railroad activities, extra and conflict work and inclement weather.

This contract modification was approved by the Regional Transportation Commission on October 13, 1994.

FISCAL IMPACT

$38,209.46 - Approved and funded by the Regional Transportation Commission

RECOMMENDATIONS

The Director of Public Works recommends that the City Council approve this contract modification.

CONSENT
Agenda Item

36

CITY OF LAS VEGAS CONTRACT MODIFICATION

131

DATE: 9-6-94

BID# 93.1730.05 PURCHASE ORDER #: 60489 SUPPLEMENT #: 1 MODIFICATION #: 1

NAME AND ADDRESS OF CONTRACTOR: Boulder Construction
P.O. Box 71914
Las Vegas, Nevada 89170

CITY COUNCIL MINUTES

OCT 19 1994

CONTRACT DESCRIPTION:
Construction of Bonneville Avenue Underpass and Roadway

DESCRIPTION AND REASON FOR MODIFICATION:

1. Contract time extension for delays caused by Union Pacific Railroad activities throughout duration of construction contract and extra work and conflict delays.

2. Reimbursement of $32,692.00 for labor and equipment expenses for delay caused by Union Pacific Railroad activities in City right-of-way.

3. Reimbursement of $53,826.99 for increased lumber costs due to drastic market fluctuation of lumber between bid award and notice to proceed.

CONTRACT CONTINGENCY AMOUNT: $ 250,000.00 REMAINING: $ 48,309.53

PRICE OF THIS MODIFICATION (WRITTEN): DOLLARS: $ 38,209.46
Thirty-eight thousand two hundred nine and 46/100 dollars

TOTAL TIME EXTENSION FOR THIS MODIFICATION (WRITTEN): # DAYS: 128
One hundred twenty-eight calendar days

ORIGINAL COMPLETION DATE: February 21, 1994 NEW COMPLETION DATE: June 30, 1994

PRICE OF ORIGINAL CONTRACT: .....$ 4,183,737.50
PRICE OF ALL PREVIOUS MODIFICATIONS: .....$ -0- (#_____ through _____)
PRICE OF THIS MODIFICATION: .....$ 38,209.46
PRICE OF CONTRACT (INCLUDING THIS MODIFICATION): $ 4,221,946.96

ALL OTHER TERMS, CONDITIONS, AND SPECIFICATIONS OF THIS CONTRACT, INCLUDING PREVIOUS MODIFICATION(S), IF ANY, REMAIN THE SAME.

DEPARTMENT: DIRECTOR APPROVAL: .....
DIRECTOR GENERAL SERVICES APPROVAL: .....
DEPUTY CITY MANAGER APPROVAL: .....

THE CITY OF LAS VEGAS AND THE CONTRACTOR NAMED ABOVE DO MUTUALLY AGREE TO THIS CONTRACT IN STRICT ACCORDANCE WITH THE TERMS AS STATED ABOVE. IN WITNESS WHEREOF, THE PARTIES HERETO HAVE EXECUTED THIS MODIFICATION AS OF THE APPROVAL DATE OF THIS MODIFICATION.

APPROVED:

MAYOR _____ (SIGNATURE)
11-09-94 (DATE)

ATTEST: _____ (CITY CLERK)

BOULDER CONST (NAME OF CONTRACTOR)

BY _____ 9-7-94 (DATE)
Asst. Sec. (TITLE)

VS 10-27-94
CITY MANAGER APPROVAL

CHIEF, PURCHASING AND CONTRACTS DIVISION

CLV 7042 P&C 6/8/94 1210-020-6/94

ORIGINAL

36

FILE COPY

132

CITY OF LAS VEGAS

INTER - OFFICE MEMORANDUM

Date: February 23, 1994

TO:
DENNIS ANDERSON, P.E.
CITY ENGINEER

FROM:
EDWARD C. NETTENSTROM, P.E.
PROJECT MANAGER
ENGINEERING DESIGN SECTION

SUBJECT:
BONNEVILLE AVE. UNDERPASS
BID NO. 93.1730.05
PAYMENT FOR DELAY

COPIES TO:
FILE

CITY COUNCIL MINUTES
OCT 19 1994

Please review the attached letter from Boulder Construction, Inc. requesting reimbursement for delay due to excavation of trestle plug by UPRR. Their claim may be valid under 108.12 "Right of Way Delays." Lets discuss at your convenience.

Before we can consider this we need more detail on equipment so we can compare to Rental Rate Blue Book.

May need current Rates also.

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Boulder Construction inc.

CITY COUNCIL MINUTES

OCT 19 1994

RECEIVED
CITY COMMISSIONS
JAN 2 0 1994
FEB 9 1994

January 21, 1994

Tim Pinter, P.E.
Poggemeyer Design Group
2601 N. Tenaya Way
Las Vegas, NV 89128

Re: Bonneville Underpass

Dear Mr. Pinter:

Relative to our previous discussions and correspondence during the last week of December, Boulder has been seriously affected by the continuing delay in the trestle plug excavation. Boulder has tried diligently to mitigate the situation, but we have incurred unwarranted financial impact. We experienced a severe slowdown in December, and during January we went down to one third our normal forces. We will now have to hold over some equipment for an additional month.

At this time, Boulder is willing to absorb seventy-six percent of our December expenses and thirty-three percent of our January expenses. The remainder, and forced idle time on key equipment should be reimbursed. Acoordingly, we are requesting compensation in the amount of $32,692.00.

Very truly yours,

Jerry L. Ray
Boulder Construction, Inc.

JLR/d
enc.

Post Office Box 71914, Las Vegas, Nevada 89170, 702/873-8073, FAX 702/873-1541 - LIC. #22130

Boulder Construction inc.

CITY COUNCIL MINUTES

OCT 19 1994

Calculations for proportioning of expenses for Trestle Excavation delay:

1. Work force prior to delay - 21
2. Work force remainder of December - 16 = 76%
3. Work force in January - 7 = 33%

Fixed Job Expenses: (per month)

1.	Wages	$16,880.00
	a) Project Manager @ 50%	
	b) Superintendent @ 100%	
	c) Project Engineer @ 75%	
	d) General Foreman @ 100%	
2.	Trailers	550.00
3.	Phones & Trailer Power	644.00
4.	Toilets	100.00
5.	Storage Units	235.00
6.	Vehicles & Vehicle Expense	2,010.00
7.	Equipment	6,547.00
	a) Bidwell Paving Machine	
	b) Compressor	
	c) Water Wagon	
	d) Fork Lift	

Subtotal for items 1-6 is $20,419.00 per month. The calculated claim is:

A.	December	
	$20,419.00 @ 24% =	$ 4,900.00
	$ 6,547.00 @ 24% =	1,571.00
B.	January	
	$20,419.00 @ 67% =	13,681.00
	$ 1,680.00 @ 67% =	1,126.00
	(Compressor & Water Wagon)	
	$ 4,867.00 @ 100% =	4,867.00
	(Paving Machine & Fork Lift)	
C.	Equipment Holdover	
	$ 6,547.00 @ 1 month =	6,547.00
	TOTAL	$32,692.00

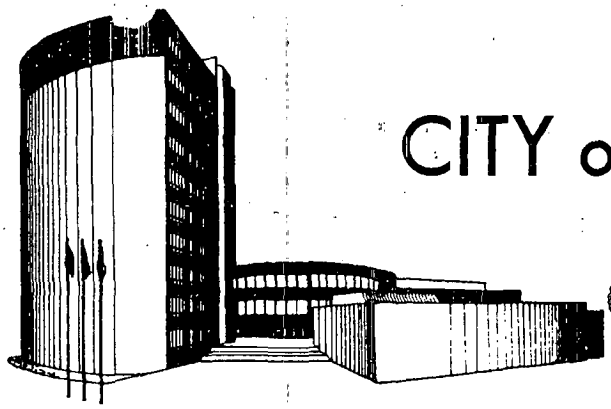
Post Office Box 71914, Las Vegas, Nevada 89170, 702/873-8073, FAX 702/873-1541 - LIC. #22130

FILE COPY

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
SCOTT HIGGINSON
FRANK HAWKINS JR.
KEN BRASS

CITY MANAGER
LARRY K. BARTON



CITY of LAS VEGAS

CITY COUNCIL MINUTES

OCT 19 1994

April 12, 1994

Mr. Jerry L. Ray
BOULDER CONSTRUCTION, INC.
P.O. Box 71914
Las Vegas, Nevada 89170

Dear Jerry:

SUBJECT: BONNEVILLE AVENUE UNDERPASS PROJECT - LUMBER PRICE INCREASE

In reference to your letter of January 21, 1994, regarding additional compensation for the increased price of lumber due to delay, please provide the following information in order for the City to evaluate your request:

1. Copies of original lumber takeoff and cost estimate prepared for bid
2. Copies of invoices for actual lumber purchased

Should you have any questions regarding this matter, please call me at your convenience at 229-6739.

Sincerely,

EDWARD C. NETTENSTROM, P.E.
Project Manager
Department of Public Works

ECN/ks

cc: Tim Pinter, P.E. - Poggemeyer Design Group

p:\home\ed\wpdata\letters\boncon41.ltr

400 E. STEWART AVENUE • LAS VEGAS, NEVADA 89101-2986
(702) 229-6011 (VOICE) • (702) 386-9108 (TDD)

3810-015-10/93

Boulder Construction inc.

CITY COUNCIL MINUTES

OCT 19 1994

MAY 13 1994

May 11, 1994

Ed Nettenstrom
City of Las Vegas
Public Works Department
400 E. Stewart Ave
Las Vegas, NV 89101

Re: Bonneville Underpass - Delay Request - UPRR Plug

Dear Ed:

In response to your request for additional information on the above, I submit the following:

Item 1. (Wages) was calculated as follows:

Project Manager -	$29.17/hr x 176 x 50% =	$2,567.00
Superintendent -	$36.81/hr x 176 x 100% =	$6,479.00
Engineer -	$13.89/hr x 176 x 75% =	$1,834.00
General Foreman -	$34.10/hr x 176 x 100% =	$6,000.00
		$16,880.00

Item 7. (Equipment) was as follows:

Bidwell RF200 Paving Machine with extendable 60 foot work bridge	$2,889.00
Atlas 160 CFM Diesel Compressor	$ 776.00
Keesee 1000 gallon Water Wagon	$ 904.00
Champion 12000# Fork Lift	$1,978.00

All rates are per month. Hourly rates would be substantially higher.

Very truly yours,

Jerry L. Ray
Boulder Construction, Inc.

JLR/d

Post Office Box 71914, Las Vegas, Nevada 89170, 702/873-8073, FAX 702/873-1541 - LIC. #22130

FILE COPY COPY

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CITY OF LAS VEGAS

INTER - OFFICE MEMORANDUM

Date: February 23, 1994

TO:

RON DELABARRE
CONTRACT SPECIALIST
PURCHASING AND CONTRACTS

FROM:

EDWARD C. NETTENSTROM, P.E.
PROJECT MANAGER
ENGINEERING DESIGN SECTION

SUBJECT:

BONNEVILLE AVE. UNDERPASS
BID NO. 93.1730.05
PAYMENT FOR MATERIALS

COPIES TO:

DENNIS ANDERSON, P.E.

CITY COUNCIL MINUTES

OCT 19 1994

Please review and comment on the attached letter from Boulder Construction, Inc. requesting additional reimbursement for an increase in the price of lumber for this project. The basis of their request is the unexpected rise in the cost of lumber between October 1992, when they bid the job, and February 1993 when they received the Notice to Proceed. How does the City stand on this issue?

Should you have any questions, please contact me at ext. 6739.

p:\home\ed\wpdata\memos\boncon17.mem

Boulder Construction inc.

CITY COUNCIL MINUTES

OCT 19 1994

RECEIVED
CITY OF LAS VEGAS
ENGINEERING DIVISION

JAN 1 0 1994

FEB 9 1994

January 21, 1994

Tim Pinter, P.E.
Poggemeyer Design Group
2601 N. Tenaya Way
Las Vegas, NV 89128

Re: Bonneville Underpass

Dear Mr. Pinter:

On February 19, 1993 we notified you by letter, (copy enclosed), that we would enter a request for reimbursement of excess lumber costs. At the time we received our notice to proceed, the prices had almost doubled those in effect at the time the job was bid. We were able to lessen the impact somewhat by spreading our purchases out, and by taking advantage of dips in the market. However, we still paid increased prices ranging from thirty-seven to seventy-eight percent. Traditionally, the lumber market has been very stable, and these increases were both unexpected and unusual.

You may recall that during the period of wild fluctuations in the oil market, various agencies, including the City of Las Vegas, made allowances for price adjustment. Our situation is certainly similar, and further compounded by the right of way delay.

Under the circumstances, we are requesting reimbursement in the amount of $53,826.99.

Very truly yours,

Jerry L. Ray
Boulder Construction, Inc.

JLR/d
enc.

Boulder Construction inc.

CITY COUNCIL MINUTES

OCT 19 1994

ITEM	QUANTITY	FALL '92 PRICE	AVERAGE PAID	UNIT DIFFERENCE	TOTAL DIFFERENCE
2" X 4"	37.163M	326.35	528.64	202.29	7,517.70
2" X 6"	50.268M	337.05	594.91	257.86	12,962.11
2" X 12"	28.384M	411.95	732.82	320.87	9,107.57
4" X 6"	4.96 M	374.50	642.21	267.71	1,327.84
4" X 8"	21.952M	411.95	698.67	286.72	6,294.08
Plywood	54.432M	481.50	658.91	177.41	9,596.78
					46,806.08
				15%	7,020.91
					$53,826.99

Post Office ... Las Vegas, Nevada 89170, 702/873-8073, FAX 702/873-1541 - LIC. #22130

1X6:				
.504	@	492.20	=	248.07
2X4:				
6.656	@	513.60	=	3,418.52
6.656	@	535.00	=	3,560.96
2.219	@	583.15	=	1,294.01
8.875	@	532.86	=	4,729.13
4.437	@	503.97	=	2,236.11
8.320	@	529.65	=	4,406.69
37.163				$ 19,645.42
2X6:				
6.912	@	652.70	=	4,511.46
6.656	@	545.70	=	3,632.18
4.096	@	620.60	=	2,541.98
5.724	@	609.90	=	3,491.07
6.144	@	625.95	=	3,845.84
4.608	@	506.11	=	2,332.15
4.608	@	506.11	=	2,332.15
6.912	@	631.30	=	4,363.55
4.608	@	619.53	=	2,854.79
50.268				$ 29,905.17
2X12:				
.720	@	731.88	=	526.95
7.168	@	734.02	=	5,261.46
11.520	@	731.88	=	8,431.26
5.376	@	734.02	=	3,946.09
3.60	@	731.88	=	2,634.77
28.384				$ 20,800.53
4X6:				
.720	@	653.77	=	470.71
3.20	@	646.28	=	2,068.10
.560	@	602.41	=	337.35
.480	@	645.21	=	309.70
4.96				$ 3,185.86
4X8:				
2.688	@	700.85	=	1,883.88
2.464	@	700.85	=	1,726.89
1.792	@	674.10	=	1,207.99
12.320	@	700.85	=	8,634.47
2.688	@	700.85	=	1,883.88
21.952				$ 15,337.11

Plywood

3.392	@	456.89	=	1,549.77
9.600	@	500.76	=	4,807.30
18.656	@	776.82	=	14,492.35
9.984	@	567.10	=	5,661.93
6.400	@	756.49	=	4,841.54
6.400	@	705.13	=	4,512.83
54.432				$ 35,865.72

$124,987.88

Boulder Construction inc.

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CITY COUNCIL MINUTES

05 017

OCT 19 1994

February 19, 1993

Tim Pinter
Poggemeyer Design Group
1140 Almond Tree Lane, Suite 306
Las Vegas, NV 89104

Re: Bonneville Underpass

Gentlemen:

I am enclosing copies of four recent articles in the Wall Street Journal regarding escalation of lumber prices in the last several weeks. The articles relate to the wholesale prices on the Chicago Mercantile Exchange. Those prices rose over seventy percent from mid November to mid February. The extended delay in starting this project has resulted in sharp increases in our cost for form lumber.

We are requesting your consideration for reimbursement of our added costs in as much as we were unable to place a firm order delivery date pending access to the site.

I would appreciate the chance to discuss this with you as soon as possible.

Very truly yours,

Jerry L. Ray
Boulder Construction, Inc.

JLR/d
enc.

Post Office Box [illegible] Las Vegas, Nevada 89170, 702/873-8073, FAX 702/873-1541 - LIC. #22130

COMMODITIES

rices of Lumber Futures Continue Their Climb, ising Daily Limit for 11th Trading Day in Row

By JEFFREY TAYLOR
Reporter of THE WALL STREET JOURNAL

HICAGO — Lumber futures prices ibed the daily limit for the 11th consec- e trading day, but there were signs a semblance of normality may be rning to the turbulent lumber market. The Chicago Mercantile Exchange ex- ded daily price-move limits for its ber futures contracts last week, after ng besieged by requests from traders. lumber contract had been locked at the ly price-move limit for more than a k, and many traders had been unable ake advantage of the most sustained e move in recent memory.

Yesterday, lumber for March delivery e by the expanded $15 price limit, ling at $353.50 a thousand board feet. lysts said the contract traded actively ughout the day.

"The futures are getting into a catch-up de," said William O'Neill, chief futures tegist for Merrill Lynch. "The basic damental strength in the market has ended. But I think we are getting to the nt where we are likely to see free ding of the futures."

The March contract opened at $345 a usand board feet, and then was buf- ed sharply lower by speculative profit- ng, analysts said. After retreating to out $324, however, lumber wholesalers ered the market, buying in force.

This buying occurred because prices on cash market for lumber are at about 5 a thousand board feet, and many ers of lumber are eager to lock in the pplies they need by buying futures ntracts at current price levels.

With cash prices so high, many ana- sts predict that the strange bull market 1993 hasn't yet run its course. Since the Chicago Merc on Thursday expanded its daily price-move limit from $5 a day to a "ballooning" limit scale that rises first to $10 a day and then to $15 a day, the March contract has reached the limit each day. And analysts say lumber *options* contracts are priced at high levels that suggest lumber futures prices will continue to rise.

Order books for lumber mills in the Pacific Northwest and Canada's British Columbia region are still filled through mid-March, as lumber yards and construction companies scramble to get the lumber they need for increasing construction of single-family homes.

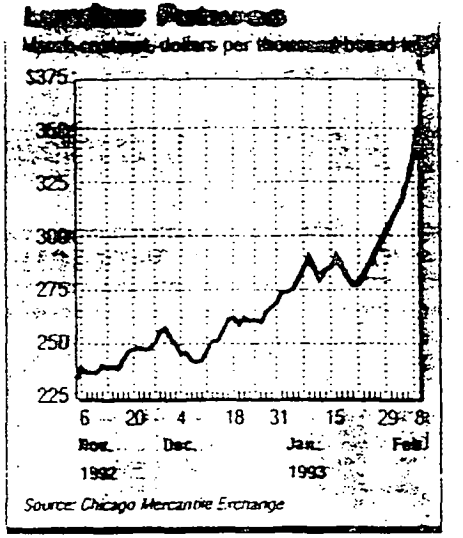
"The thing that's critical is that lumber futures are still at a big discount to cash," said Steven Moore, president of the Moore Research Center, a commodity analysis firm. "The fireworks are far from being over."

In other commodity markets yesterday:

COFFEE: Speculators hammered coffee futures prices in heavy trading, driving the March contract 5.35 cents lower to 57.25 cents a pound. The actively traded May contract finished 5.10 cents lower, at 61.80 cents a pound. Judith Ganes, a senior Merrill Lynch analyst, said the price drop was because of big sales by coffee roasters. Monday's close of the March contract was the lowest settlement for coffee futures since late last summer, and analysts said they expect the next support level to come in around the August 1992 low of 54 cents a pound. Ms. Ganes said she believes the March contract is headed below 50 cents a pound before it expires next month. "You could still make a positive argument for coffee," because of some indications of tightening supplies, Ms. Ganes said. But the recent sharp declines in coffee futures prices now indicate that key market players—commodity funds, coffee roasters and speculators — are increasingly convinced that a rally is not in the cards for the near term, Ms. Ganes said. The failure of the International Coffee Organization to move coffee producer and consumer nations closer to an export accord at its London meeting last week has robbed the market of any near-term buoyancy, analysts said.

ENERGY: Evidence mounted that some members of the Organization of Petroleum Exporting Countries are going ahead with plans to reduce production, some as early as March 1. Also, Alirio Parra, Venezuela's oil minister and OPEC's president, returned to Caracas after visiting Nigeria and Gabon, and he said again that all 12 members had agreed to reduce total output by at least one million barrels a day. But that didn't help oil markets much. Prices were mostly lower. In thin trading, light low-sulfur crude oil for March delivery settled 13 cents a barrel lower at $20.08 on the New York Mercantile Exchange. Meanwhile, the focus of oil markets is likely to turn tomorrow to a conference of Cambridge Energy Research Associates, or Cera, in Houston. Hisham Nazer, the Saudi Arabian oil minister who initially proposed the OPEC production cut of one million barrels a day, will speak at the conference. Yesterday, Joseph Stanislaw, a Cera managing director, told reporters that if the oil ministers who meet Saturday in Vienna don't agree on OPEC output cuts totaling a minimum one million barrels a day, oil prices will fall, erasing the recent $2 gain.

COPPER: Copper futures prices edged up over the psychologically important $1 a pound resistance level amid growing signs



Source: Chicago Mercantile Exchange

that the U.S. economic recovery will boost demand for the widely used metal, analysts said. Copper for March delivery rose 0.60 cent to $1.0050 a pound. "More and more indicators out of North America point to better copper demand and that has given the market a psychological lift," said James Steel, a senior analyst with Refco in New York. "Now that we are over a $1 a pound," Mr. Steel continued, "the technicians will try to take it over its recent high of $1.0140." Technical traders base their trading strategy on historical price trends.

Monday, February 08, 1993.

	Close	Net Chg.	Yr. Ago
Dow Jones Futures	122.85	+ 0.01	121.06
Dow Jones Spot	122.00	– 0.33	119.36
Reuter United Kingdom	1750.7	+ 2.3	1565.0
C R B Futures*	198.46	– 0.56	214.99

*Division of Knight-Ridder

London Metal Exchange Prices

Quotations in pounds sterling per metric ton at the close of second ring trading in the afternoon

Monday, February 08, 1993.

	Bid	Chg.	Asked	Chg.
Aluminum – Hi – Spot (z)	1213.00	– 6.50	1214.00	+ 7.00
3 months	1224.00	– 6.00	1225.00	– 6.50
Tin Spot (z)	5835.00	– 25.00	5845.00	– 30.00
3 months	5895.00	– 35.00	5900.00	– 25.00
Copper – Cath – Hi – Spot	1559.50	– 25.50	1560.50	– 25.50
3 months	1580.00	– 24.50	1581.00	– 25.00
Lead – Spot	290.50	– 2.00	291.00	+ 1.50
3 months	300.00	– 2.00	300.50	– 2.00
Nickel – Spot (z)	6055.00	– 195.00	6060.00	– 195.00
3 months	6118.00	– 193.00	6119.00	– 189.00
Zinc – Sp Hi – Spot (z)	1102.00	– 6.50	1104.00	– 5.50
3 months	1121.00	– 6.50	1123.00	– 5.50

z - Prices quoted in U.S. dollars

CITY COUNCIL MINUTES
OCT 19 1994
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COMMODITIES

Gold Futures Jump More Than $4 an Ounce On Speculative Buying and Growing Demand

By WARREN GETLER
Staff Reporter of THE WALL STREET JOURNAL

NEW YORK—Gold futures soared more than $4 an ounce on vigorous buying from speculative commodity funds and on growing industry demand from Asian and Mideast Eastern jewelers.

On the New York Commodity Exchange, gold for April delivery shot up $4.10 to close at $333.70 an ounce in one of the metal's strongest rallies in months.

Silver, another precious metal that tends to move in tandem with gold, closed 2 cents higher at $3.762 cents an ounce for March delivery on the Comex.

Leanne Baker, a metals and mining-industry analyst with Salomon Brothers, said that after months of languishing, gold was ripe for a rally. "Gold has a number of very positive commodity fundamentals, which the market is beginning to appreciate," she said.

Behind the renewed interest in gold is a growing market awareness of a big increase in demand for bullion out of Asia, including India, Ms. Baker said.

The Salomon analyst, echoing a number of other gold watchers, predicted that in the absence of further gold sales by central banks, "we could see a significant increase in the gold price."

News that the Dutch central bank was a heavy seller of gold last year recently has weighed on the gold price, as traders anticipated that other central banks would follow suit.

But large sales have not taken place and now traders and analysts say they are increasingly optimistic about the market's ability to absorb further central bank sales should they occur.

"Demand [for physical gold] is running at an all-time high," observed Ian MacDonald, a vice president in precious metals trading for Credit Suisse. "Only the central bank sales have been holding the market down, and those sales have dried up in the last week," he said. "If central banks stay out of sales, this market has the potential for moving higher, to around the mid-$330s, before consolidating," he predicted.

But William O'Neill, senior futures strategist for Merrill Lynch, rules out any likelihood of a sustained rally. Any substantial price rise will trigger heavy sales of inventories held by producers, he said.

Some analysts said that gold futures were buoyed by the strong rise yesterday in the Commodity Research Bureau Index of 21 futures contracts, a broad gauge of inflationary trends. The index ended above the psychologically important 200 level, at 202.23, up 2.56 on the day. The index closed as low as 198.4 earlier this week, depressed by weakening agricultural futures.

"Peripheral support for gold came from the run-up in the CRB," said Bernard Savatiko, a senior metals analyst with PaineWebber. "The jump in the CRB raised some inflationary concerns."

In the current, slow growth and low inflation environment, gold had been losing its luster as an investment asset. Many analysts predicted this year that gold would drop to levels of $320 an ounce or below, having languished at seven-year lows below $330 for much of 1993.

Platinum, having surged $6 an ounce Tuesday, ended $3 higher at $370.80 an ounce for April delivery, while March palladium closed 85 cents higher at $118.00 an ounce, following a sharper $2.20 rise Tuesday. Futures prices of platinum and palladium have been boosted by concerns over tightening supplies in the Commonwealth of Independent States and by growing demand from the automotive and electronic industries, particularly those based in Japan.

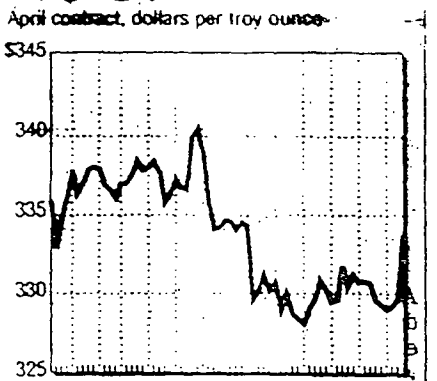
In other commodity markets yesterday:

LUMBER: Lumber futures prices soared the daily limit for the 13th consecutive trading day. The price of the March contract settled up the $10 daily limit at $373.50 per thousand board feet. Today the daily price-move limit returns to $15 on the sliding limit scale that the Chicago Mercantile Exchange imposed to try to deal with what has become the biggest bull market in the history of lumber futures trading. Analysts say the fundamentals affecting the lumber market remain the same: Lumber mills in Canada and the Northwest U.S. are operating at capacity and are unable to provide enough lumber to meet demands from the housing industry in the U.S., where construction of single-family homes is on the rise.

ENERGY: A weekly industry report showing a large drop in U.S. distillate fuel inventories helped propel petroleum futures prices higher on the New York Mercantile Exchange. The American Petroleum Institute reported a decrease of more than seven million barrels in distillates for the week ended Feb. 5. Market expectations had called for a drop, but by less than half that magnitude. The API statistics combined with technical factors to add 0.29 cent to March heating oil, raising it to 56.63 cents a gallon. March gasoline settled at 55.26 cents a gallon, up 0.15 cent. Crude oil for March delivery rose 13 cents a barrel to finish at $20.18. Outer months were higher for crude, gasoline and heating oil. Market observers said trading continued to reflect widespread uncertainties about the outcome of the next meeting of the Organization of Petroleum Exporting Countries, which is set to start this weekend.

Gold Futures

April contract, dollars per troy ounce



Source: Commodity Exchange of New York

LIVESTOCK & MEATS: Hog and pork-belly futures prices climbed on strength in the cash markets and reports of lower-than-expected slaughter of hogs. With relatively small numbers of hogs coming to market and winter storms moving into the hog-producing Plains states, meat packers were buying the available animals aggressively to lock in supplies, said Dan Vaught, livestock analyst for A.G. Edwards & Sons, St. Louis. Generally, hog slaughter is running below the expectations contained in last December's U.S. Agriculture Department hogs-and-pigs report, which suggested that slaughter was going to be about 3% higher this year than last year. In reality, over the past three weeks, hog slaughter has been lower than it was a year ago. The price of hogs for April delivery rose 1.27 cents to 44.52 cents a pound. Strength in hog prices spilled over into futures prices of pork bellies, or uncured bacon, with the March pork-belly contract rising 0.90 cent to 57.12 cents a pound.

Wednesday, February 10, 1993

	Close	Net Chg.	52 Week
Dow Jones Futures	135.64	- 1.87	172.58
Dow Jones Spot	173.73	- 1.13	119 Jan
Reuter United Kingdom	1743.1	+ 6.2	1565.6
C R B Futures*	202.73	+ 2.56	212.21

*Division of Knight-Ridder

CITY COUNCIL MINUTES
OCT 19 1994
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COMMODITIES

Coffee Futures Prices Continue Upward Move On Report of Sharp Decline in Brazilian Exports

By Warren Getler
Staff Reporter of The Wall Street Journal

NEW YORK – Coffee futures prices, spurred by a report of a sharp decline in recent Brazilian exports, continued to rally, closing 2.50 cents higher at 68.35 cents a pound for May delivery.

March coffee jumped 3.45 cents to 70 cents a pound.

"People saw that Brazil is not shipping coffee," at last year's levels and that pushed futures prices higher on the Coffee, Sugar & Cocoa Exchange in New York, said Chandra Kaul, an analyst with Shearson Lehman Brothers.

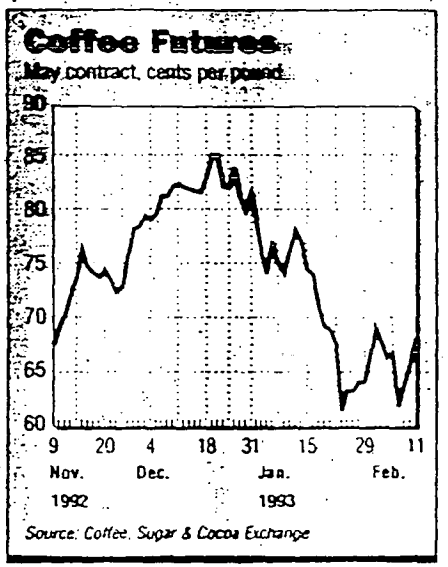
Brazil, the world's largest coffee producer, reportedly exported 578,000 bags of coffee in January, down 71% from last year. Each bag represents 132.28 pounds of coffee.

Some traders, however, had expected a much lower figure of 408,000 bags earlier in the month. "It was surprising that the market reacted so strongly," said Judith Hanes, an analyst with Merrill Lynch.

Analysts said that coffee futures, on an upward trend since Tuesday, were also lifted by indications that Brazil and Colombia might be re-examining export policies with an aim toward raising prices.

Other traders attributed Thursday's sharp price rise largely to heavy buying by a leading New York trading house, J. Aron, a Goldman Sachs unit. J. Aron and Goldman Sachs declined to comment on their position in the coffee market.

Analysts said they were at odds to predict the near-term to medium-term direction of the volatile coffee market. The futures market tumbled from a high of 3.55 cents a pound in late December, hit lows around 55 cents in late January, and, after further weakness in early February, is now showing signs of strength.



Two factors continue to weigh on futures prices and will probably prevent a full recovery to the 83 cent level, analysts said. They cite a large buildup of certified stocks in U.S. warehouses and the recent failure of the International Coffee Organization to make headway on a new export accord.

"Commodity funds came in with short-covering as well as new buying," said Bernard Savaiko, a senior analyst with PaineWebber. Short covering is the process by which investors holding "short" positions – or wagers that coffee prices will decline – buy back futures to close out their positions. Large-scale short-covering by coffee producers and big investors such as commodity funds tends to add upward price momentum to the market.

"It looks like we're basically in a trading range between 54 cents and 65 cents," a pound, Mr. Savaiko said. "If we forge ahead from here, we could see prices move up to 68 to 69 cents initially, followed by a possible rise to 75 cents." He said that coffee merchants and export-trading houses took advantage of weak prices and have been strong buyers this week, putting an effective floor under the market.

In other commodity markets yesterday:

ENERGY: Trading dried up as market players were loath to take big positions ahead of Saturday's meeting in Vienna of the Organization of Petroleum Exporting Countries. OPEC ministers are expected to discuss a cut in their crude production ceiling of one million barrels a day from the current level of about 24.6 million barrels daily. Without a pledge of output reduction, many traders said, crude prices could tumble as spring approaches and demand traditionally declines. Light sweet crude for March delivery on the New York Mercantile Exchange settled at $20.26 a barrel, up eight cents. The contract traded in a narrow range of $20.12 to $20.31. Petroleum product prices were mixed.

LUMBER: The price of the lumber futures contract for March delivery rose by the daily limit for the 14th consecutive trading session. But other lumber futures, especially the May contract, traded actively all day and failed to touch the daily limit. Big commodity traders that usually don't bother with the Chicago Mercantile Exchange's little-known lumber contracts have been trading them lately, because of the intense upward price movement that has been going on since late last year. Prices on the cash market for lumber remain strong, although prices of options contracts have tapered off a bit. The price of the March futures contract was up $15 yesterday to settle at $388.50, a record price.

LIVESTOCK AND MEATS: Strength in the cash market for pork bellies, or uncured bacon, continued to push futures prices higher. Hog slaughter has been lower than expected for the past three weeks, while movement of frozen pork bellies out of cold storage has been higher than expected, an indication that demand for bacon is good. While the demand typically rises in January, it generally tapers off a bit in February. So far, however, purchase of bacon by retailers has remained robust this month, analysts said. The price of the pork-belly futures contract for March delivery rose 0.32 cent to 37.45 cents a pound.

Thursday, February 11, 1993.

	Close	Net Chg.	Yr Ago
Dow Jones Futures	125.50	– 0.14	121.84
Dow Jones Spot	124.39	+ 0.66	119.05
Reuter United Kingdom	1757.1	+ 14.0	1586.3
C R B Futures*	202.39	+ 0.16	212.04

*Division of Knight-Ridder.

Penn Traffic Co.

JOHNSTOWN, Pa. – Penn Traffic Co.'s second-largest shareholder said it is considering a sale of all or part of its 9.6% stake in the supermarket chain.

Salomon Inc., units of which hold the stake, disclosed its intentions in a filing with the Securities and Exchange Commission; a Salomon spokeswoman declined to provide a reason. Penn Traffic declined to comment.

London Metal Exchange Prices

Quotations in pounds sterling per metric ton at the close of second ring trading in the afternoon.
Thursday, February 11, 1993.

	Bid	Chg	Asked	Chg.
Aluminum – Spot (z)	1214.00	– 1.00	1215.00	– 1.00
3 months	1235.50	– .50	1236.00	– 1.00
Tin – Spot (z)	5825.00	– 5.00	5845.00	– 5.00
3 months	5895.00	– .00	5900.00	
Copper – Cash – Hi – Spot	1563.00	– 7.00	1564.00	– 7.00
3 months	1584.00	– 5.00	1584.50	– 4.50
Lead – Spot	291.50	– 1.00	292.00	– 1.00
3 months	301.00	– .00	301.50	– 1.00
Nickel – Spot (z)	6015.00	– 5.00	6025.00	– 5.00
3 months	6080.00	– 10.00	6090.00	– 10.00
Zinc – Spot – Spot (z)	1071.00	– 14.50	1072.00	– 14.50
3 months	1090.00	– 15.50	1090.50	– 15.50

z - Prices quoted in U.S. dollars.

CITY COUNCIL MINUTES
OCT 19 1994
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COMMODITIES

Higher Futures Prices for Many Commodities Are Beginning to Raise Inflationary Concerns

By Warren Getler
Staff Reporter of The Wall Street Journal

NEW YORK – Is there a scent of inflation in commodity prices these days?

Nothing to get alarmed about, experts say, but stay tuned.

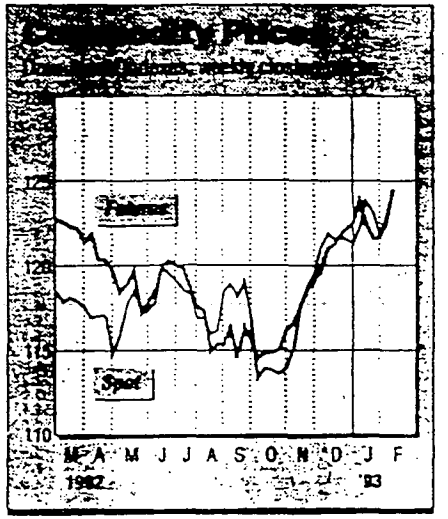
After months of generally stable to weaker futures prices in a host of important raw materials, a rally is under way in lumber, livestock, cotton, platinum and palladium. And that most pervasive of all commodities, oil, is showing signs of strength as well.

The recent rally in those commodities has pushed the closely watched Commodity Research Bureau Index of 21 futures contracts back above the psychologically important 200 level after the index had sunk last week to 198.46, the lowest point since July 1986. Friday, the CRB Index closed at 201.72.

That rebound suggests to Bernard Savaiko, a senior commodity analyst with eWebber, that the CRB Index "wants up more than decline."

ne jump in the index raises some inflationary concerns. While the most popular measure of inflation, the Bureau of Labor Statistics' Consumer Price Index, shows annual inflation just below 3%, the lowest in years, analysts point out that it measures current, or spot, prices. Futures indexes, such as the CRB, on the other hand, are regarded as barometers of broad price trends to come.

Technical analysts, who chart historical price trends, argue that last week's rise in the CRB Index may mark the end of the long decline in overall commodity prices.



Friday, February 12, 1993

	Close	Net Chg.	Yr. Ago
Dow Jones Futures	124.52	– 0.98	121.98
Dow Jones Spot	124.39	unch	119.24
Reuter United Kingdom	1762.0	+ 4.9	1581.8
C R B Futures*	201.72	– 0.67	212.07

*Division of Knight-Ridder.

"Last week's reversal in the CRB has the potential for becoming a very meaningful bottom of the market, from a technical perspective," says Hunt Taylor, managing director of Dutch Investments Co., a San Francisco commodity trading adviser. "The key question is, are these rallies sustainable?"

Mr. Savaiko and other analysts, such as John J. Murphy, president of JJM Technical Advisors, argue that if the CRB Index rises through its recent high of 204 in December, they would begin to worry about rising inflation.

But other analysts are far more sanguine about the inflation outlook. The rallies in some commodities notwithstanding, the CRB Index is still at historically low levels. It stood, for example, at 212 a year ago, 220 in October 1991, and at 245 in August 1990. Indeed, arrayed against the lineup of stronger industrial commodities is a roster of very weak players from the agricultural sector, including grains, soybeans, orange juice, sugar and cocoa.

"We're an awful lot closer to all-time lows than recent highs," says William O'Neill, senior futures strategist for Merrill Lynch.

While the strengthening economic recovery is bullish for commodity prices, Gail Levey, research director of the Commodity Research Bureau in New York, warns that it would be "premature" to see any inflation bugbear raising its head.

Even the rallies in the industrial commodities don't scare many analysts, who see them as peculiar, industry-specific developments that pose no real overall inflation threat to the broader economy.

Mr. O'Neill points out that although the U.S. economy is gathering steam, the other major industrialized nations are still slumping badly, especially Germany and Japan. For commodities that are traded around the world, such weakness virtually precludes a broad-based surge in prices.

Oil is a case in point. Although crude oil futures have recently firmed more than $1.50 to levels above $20 a barrel, the reasons have more to do with U.S. tax policy and worries about supplies than any surge in demand. Traders expect some form of U.S. energy-tax legislation to be implemented soon. At the same time, traders were cautious before this past weekend's conference of the Organization of Petroleum Exporting Countries in the event that the cartel would agree to – and enforce – a sizable production cut.

Lumber is the one hot commodity being driven higher by runaway demand. While lumber's recent price spiral is dramatic, economists say it is a fairly thin market and, thus, can't push broad-based commodity indexes significantly higher.

Tightening supplies – rather than accelerating demand – account primarily for recent jumps in other commodities. For example, last year's floods in Pakistan cut deeply into cotton supplies, and severe cold and heavy snowfall in the U.S. Midwest is cutting into livestock supplies. Also, production interruptions in the Commonwealth of Independent States are disrupting supplies of platinum and palladium.

Canada's Wheat Stocks Fell 9.3% at Year End

By a Wall Street Journal Staff Reporter

OTTAWA – Canadian wheat stocks totaled 27.1 million metric tons at Dec. 31, a 9.3% decline from 29.9 million tons a year earlier, said Statistics Canada, a government agency.

A metric ton of wheat equals 36.74 bushels.

The wheat stocks included 3.8 million tons of durum wheat, a 22% decline from 4.9 million tons a year earlier. Durum wheat is used to make pasta products.

Stocks of canola, or rapeseed, totaled 2.5 million tons, off 13% from 2.9 million tons a year earlier. Canola is Canada's biggest oilseed crop. Stocks of other oilseed crops also declined from a year earlier.

CITY COUNCIL MINUTES
OCT 19 1994
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CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

DATE: FEBRUARY 25, 1994

TO:
EDWARD C. NETTENSTROM, P.E.
PROJECT MANAGER

FROM:
R. K. DELABARRE
PURCHASING AND CONTRACTS

SUBJECT:
CITY OF LAS VEGAS BID #93.1730.05
BONNEVILLE AVENUE UNDERPASS
CONTRACTOR: BOULDER CONSTRUCTION
PURCHASE ORDER #60489

COPIES TO:
DENNIS ANDERSON

CITY COUNCIL MINUTES
OCT 19 1994

Reference: Your memo dated February 23, 1994, same subject

We have reviewed Boulder Construction's letter, including the Contract Documents and related material.

While we can offer no legal opinion, the following comments are furnished for your possible use in requesting assistance from the City Attorney.

1. Boulder Construction was notified by Certified letter (dated November 18, 1992) of the award. They signed for the letter on November 20, 1992.

2. The signed Contract and documents were to be returned by Boulder Construction by December 3, 1992. They complied with that requirement.

3. On December 10, 1992 Ron Delabarre informed you that all signatures had been obtained on the Contract and that a Pre-Construction Conference could be scheduled. You informed Mr. Delabarre that you and Boulder Construction had reached an agreement that the Conference would be held on January 21, 1993. During that Pre-Construction Conference, the City was unable to issue a Physical Notice To Proceed due to problems external to the City.

4. On February 16, 1993, you advised that the Physical Notice To Proceed date would be February 22, 1993. The Physical Notice To Proceed letter and Purchase Order were mailed (Certified) on February 17, 1993 and received by Boulder Construction on February 18, 1993.

5. While it appears that lumber prices were unstable in January and February of 1993, Boulder Construction has not indicated nor provided any information that those increased prices have continued during the ensuing 12 months. Additionally, we cannot determine at what point how much of this lumber was required to continue construction and therefore it would seem impossible to determine any definable increase at any one point in time.

6. The purpose of Construction Formal bidding is to establish unit prices or lump sum prices as fixed amounts thereby allowing for fair and equitable competition. Unit priced items are generally paid by field measurement and therefore the total paid may fluctuate from the estimated total bid amount for any unit priced item. This project does not have a line item for "lumber" and therefore is considered to be included in all other bid items.

7. Section 105, paragraph 105.17 of the UNIFORM STANDARD SPECIFICATIONS FOR PUBLIC WORK'S CONSTRUCTION OFF-SITE IMPROVEMENTS and the SUPPLEMENTAL GENERAL CONDITIONS, Clause 31, while not necessarily addressing this particular matter, ie. increased material cost due to delay not the fault of the Contractor's , they do indicate a methodology which may have some applicability here. Specifically,

> 105.17 Claims for **Adjustment** (emphasis added) and Disputes: If, in any case, the Contractor deems that additional compensation is due him for work **or material** (emphasis added) not clearly covered in the contract or not ordered by the Engineer as extra work defined herein, **the Contractor shall notify the Engineer in writing of his intention to make claim for such additional compensation before he begins the work on which he bases his claim.** (emphasis added) If such notification is not given, and the Engineer is not afforded proper facilities by the Contractor for keeping strict account of actual cost as required, then the Contractor hereby agrees to waive any claim for such additional compensation. Such notice by the Contractor, and the fact that the Engineer has kept account of the cost as aforesaid, shall not in any way be construed as proving or substantiating the validity of the claim. If the claim, after consideration by the Engineer, is found to be just, it will be paid as extra work as provided herein for "Force Account" work. Nothing in this subsection shall be construed as establishing any claim contrary to the terms of Subsection 104.02 "Increased or Decreased Quantities and Change in Character of Work".

Boulder Construction clearly placed the Engineer on notice of a claim for added lumber costs with their February 19, 1993 letter. We have no knowledge if the Engineer replied to that letter or maintained any accountability as to those increased costs during the construction period, but it does appear that Boulder Construction is knowledgeable as to the procedure which COULD be used in this matter.

8. I would recommend that this matter be referred to the City Attorney for an opinion. If it is determined that Boulder Construction's request is reasonable and allowable, then a contract modification would be in order.

RKD:rkd

CITY COUNCIL MINUTES

OCT 19 1994

FILE COPY

CITY OF LAS VEGAS

INTER - OFFICE MEMORANDUM

Date: March 14, 1994

TO:
TERRI A. WILLIAMS
DEPUTY CITY ATTORNEY

FROM:
DENNIS ANDERSON, P.E.
CITY ENGINEER

SUBJECT:
BONNEVILLE AVENUE UNDERPASS
PAYMENT FOR INCREASED MATERIAL
COST DUE TO INFLATION

COPIES TO:
ED NETTENSTROM, P.E.

CITY COUNCIL MINUTES

OCT 19 1994

Attached please find information pertaining a request from Boulder Construction, Inc. seeking additional compensation for an increased material cost (specifically lumber) due to price inflation of the material occurring after bid opening and prior to issuance of the physical notice to proceed. We have included an opinion from purchasing and contracts on the matter. They suggested getting an opinion from your office on whether a contract modification is allowable for this situation.

Should you have any questions regarding this matter, please contact Ed Nettenstrom at ext. 6739.

DA:ECN/ks
attachment

p:\home\ed\wpdata\memos\boncon19.mem

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

MAR 31 1994

DATE
March 30, 1994

150

TO:	Dennis Anderson, P.E. City Engineer	**FROM:**	Terri A. Williams Deputy City Attorney
SUBJECT:	Bonneville Avenue Underpass Payment for Increased Material Cost Due to Inflation	**COPIES TO:**	Ed Nettenstrom, P.E.

CITY COUNCIL MINUTES

OCT 19 1994

This is in response to your request for an opinion regarding the above-referenced subject. It certainly appears that since the delay was not the fault of Boulder Construction, that the City would be held liable for the added costs if push came to shove in a court of law, or before an arbitrator. While a Contractor always assumes some risk of additional costs due to inflation etc., this case seems extreme and out of the realm of normalcy for these type of contracts. I would recommend that the City first attempt to negotiate a compromise with Boulder Construction over the price, and then submit a contract modification for the amount agreed upon, or the full amount if no compromise is reached.

TAW/ck

Boulder Construction inc.

CITY COUNCIL MINUTES

OCT 19 1994

RECEIVED
CITY OF LAS VEGAS
ENGINEERING DEPT.

May 12, 1994

MAY 13 1994

Ed Nettenstrom
City of Las Vegas
Public Works Department
400 E. Stewart Ave
Las Vegas, NV 89101

Re: Bonneville Underpass - Lumber

Dear Ed:

In response to your request I am submitting the enclosed copies.

I apologize for the delay in getting these for you. As you are aware, I have had my attention on other matters.

Very truly yours,

Jerry L. Ray
Boulder Construction, Inc.

JLR/d
enc.

Post Office Box 71914, Las Vegas, Nevada 89170, 702/873-8073, FAX 702/873-1541 - LIC. #22130

Bonneville / CLV Lumber #

Prepared By: [illegible] Initials | Date
Approved By: [illegible] 10-16-92

© WILSON JONES COMPANY G7508 ColumnWrite ®

MADE IN U.S.A.

			Q	U	T
1	Plywood		42M	450	18900
2	2X 1#2		6M	305	1860
3	2X S#B		20M	280	5600
4	4X 1#2		30M	350	10500
5	4X S#B		8M	300	2400
6					5600

No taxes or freight in above. Frank got these from about four different guys & this is kind of an average.

Also:
No word back on column forms. Tiberti will have rail quote Monday or early Tuesday

CITY COUNCIL MINUTES
OCT 19 1994

Bonneville / CAV / 11-13-92

Prepared By: [illegible] Date: 10.92
Approved By:

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CITY COUNCIL MINUTES

MADE IN U.S.A.

OCT 19 1994

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	1 PM	2 2X 1&2	3 4X 1&2	4 2X 5&B	5 4X 5&B	6
PCCP	8M	24M	—	4M	8M	
RET. WALLS	14M	20M	16M	12M	—	
BRIDGE	16M	12M	12M	—	—	
L. STATION	2M	4M	2M	—	—	
VARIOUS	1M	1M	—	4M	—	

P — Notes

1. Frank & Chuck — you might save some on this since bridge is built first thing.
2. Did not figure shoring or labor — are we using Linken-Ebs?
3. Have us total in field hours each chamber strip to date.
4. Frank says Diamond Stone 1X for the strip & also some recycled. Will get name from Dave.

Dave

P.O. BOX 2189
7332 GOTHARD STREET
NGTON BEACH, CALIFORNIA 92647
(714) 848-8555 • (714) 556-2550

RANDALL LUMBER CO., INC.

INVOICE
NO. 103213

154

DATE: 3-9-93

CITY COUNCIL MINUTES RECEIVED 3-15-93 LV

222
BOULDER CONSTRUCTION INC.
2355 SO. RED ROCK RD
SUITE-102
LAS VEGAS, NV 89102

OCT 19 1994

UNDERPASS CORNER OF SOUTH MAIN AND BONNEVILLE

LAS VEGAS, NV

NO.	CUSTOMER P.O.	SALESMAN/JOB	SPECIAL INSTRUCTIONS	FOR TERMS AND CONDITIONS OF SALE SEE REVERSE SID

CODE	QUANTITY	DIMEN	DESCRIPTION		FOOTAGE	PRICE/PER	EXTENSION
311		4X 8	#1&2 DF S4S 42/24	24'	2688	655.00/MBF ✓	1760.64
311		4X 8	#1&2 DF S4S 42/22	22'	2464	655.00/MBF ✓	1613.92
85		2X12	#2&BTR DF S4S 192/14		5376	686.00/MBF ✓	3687.94
85	0	2X12	#2&BTR DF S4S 100/18		3600	684.00/MBF ✓	2462.40
54	0	2X 6	#2&BTR DF S4S 256/18		4608	473.00/MBF ✓	2179.58

pd ck 2669
dated 4-10-93

1873	0.00	0.00	0.00	0.00	0.00	11704.48	11704.48 ✓
TAL CARTAGE FEET			TAXABLE GROSS	SALES TAX %	SALES TAX	RESALE	INVOICE TOTAL

1% PER MONTH CHARGED ON DELINQUENT ACCOUNTS. PERIODIC R/
WHICH IS AN ANNUAL RATE OF 18%. CHECK LOAD WITH DRIVER OR NO CI
FOR SHORTAGE WILL BE ALLOWED. NOT RESPONSIBLE FOR DAMAGI
DELIVERY BEYOND CURB. NO DAMAGED MERCHANDISE RETURNABLE
CREDIT. Payment Made By Check Subject To Clearance

RLC-02 (Rev. 10/89)

CUSTOMER

P.O. BOX
17332 GOTHARD STREET
HUNTINGTON BEACH, CALIFORNIA 92647
(714) 848-8555 • (714) 556-2550

RANDALL LUMBER CO. INC.

INVOICE

NO. 1 02242

155

DATE: 2-9-93

CITY COUNCIL MINUTES

RECEIVED 3-15-93

LV

OCT 19 1994

222
BOULDER CONSTRUCTION INC.
2355 SO. RED ROCK RD
SUITE-102
LAS VEGAS, NV 89102

UNDERPASS CORNER OF SOUTH
MAIN AND BONNEVILLE

LAS VEGAS, NV

NO.	SALESMAN NO.	SPECIAL INSTRUCTIONS	FOR TERMS AND CONDITIONS OF SALE SEE REVERSE SID

CODE	DIMEN	DESCRIPTION	FOOTAGE	PRICE/PER	EXTENSION
85 0	2X12	#2&BTR DF S4S 256/14	7168	686.00/MBF ✓	4917.25
85 0	2X12	#2&BTR DF S4S 320/18	11520	684.00/MBF ✓	7879.68

Pd CK 2669
dated 4-10-93

TOTAL CARTAGE FEET	PIECES	CARTAGE TOTAL	TAXABLE GROSS	SALES TAX %	SALES TAX	RESALE	INVOICE TOTAL
1866		0.00	0.00	0.00	0.00	12796.93	12796.93 ✓

1½% PER MONTH CHARGED ON DELINQUENT ACCOUNTS. PERIODIC RA
WHICH IS AN ANNUAL RATE OF 18% CHECK LOAD WITH DRIVER OR NO CL
FOR SHORTAGE WILL BE ALLOWED. NOT RESPONSIBLE FOR DAMAGE
DELIVERY BEYOND CURB. NO DAMAGED MERCHANDISE RETURNABLE
CREDIT. Payment Made By Check Subject To Clearance.

CUSTOMER

P.O. Box 2149
17332 GOTHARD STREET
HUNTINGTON BEACH, CALIFORNIA 92647
(714) 848-8555 • (714) 556-2550

RANDALL LUMBER CO., INC.

INVOICE

NO. 120814

156

DATE: 3-9-93

CITY COUNCIL MINUTES

3-15-93

LV

OCT 19 1994

222
BOULDER CONSTRUCTION INC.
2355 SO. RED ROCK RD
SUITE-102
LAS VEGAS, NV 89102

UNDERPASS CORNER OF SOUTH
MAIN AND BONNEVILLE

LAS VEGAS, NV

JOB NO	CUSTOMER REF	SALESMAN/NO.	SPECIAL INSTRUCTIONS	FOR TERMS AND CONDITIONS OF SALE SEE REVERSE SI

CODE	QUANTITY	SIZE	DESCRIPTION	FOOTAGE	PRICE/PER	EXTENSION
999 0		2X12	SCAFFOLD PLANK 62/12	1488	1098.00/MBF	1633.82
130		4X 6	#1&2 DF S4S 20/18	720	611.00/MBF	439.92
130 0		4X 8	#1&2 DF S4S 100/16	3200	604.00/MBF	1932.80
130 0		4X 6	#1&2 DF S4S 20/14	560	563.00/MBF	315.28
130 0		4X 6	#1&2 DF S4S 20/12	480	603.00/MBF	289.44
64 0		2X 6	#2&BTR DF S4S 256/18	4608	473.00/MBF	2179.58
8[illegible]		2X12	#2&BTR DF S4S 20/18	720	684.00/MBF	492.48
406 0	300	4X 8	19/32 CDX PLYWOOD	9600	468.00/MBF	4492.80

pd ck 2669
dated 4-10-93

TOTAL CARTAGE FEET	CARTAGE RATE	CARTAGE TOTAL	TAXABLE GROSS	SALES TAX %	SALES TAX	RESALE	INVOICE TOTAL
2[illegible]	4.00	0.00	0.00	0.00	0.00	11776.12	11776.12

1½% PER MONTH CHARGED ON DELINQUENT ACCOUNTS. PERIODIC RATE WHICH IS AN ANNUAL RATE OF 18%. CHECK LOAD WITH DRIVER OR NO CLAIM FOR SHORTAGE WILL BE ALLOWED. NOT RESPONSIBLE FOR DAMAGE DELIVERY BEYOND CURB. NO DAMAGED MERCHANDISE RETURNABLE CREDIT. Payment Made By Check Subject To Clearance.

RLC-22 (R4) 10/88

CUSTOMER

2149 A
HARD STREET
EACH, CALIFORNIA 92647
8555 • (714) 556-2550

RANDALL LUMBER CO., INC.

INVOICE

NO. 1203285
157

DATE: 3/19/93

RECEIVED
3-22-93

CITY COUNCIL MINUTES

OCT 19 1994

NV

222
BOULDER CONSTRUCTION INC.
2355 SO. RED ROCK RD
SUITE-102
LAS VEGAS, NV 89102

UNDERPASS CORNER OF SOUTH
MAIN AND BONNEVILLE

LAS VEGAS, NV

9 NO	CUSTOMER REF	SALESMAN/NO	SPECIAL INSTRUCTIONS	FOR TERMS AND CONDITIONS OF SALE SEE REVERSE SID

CODE	QUANTITY	DIMEN	DESCRIPTION		FOOTAGE	PRICE/PER	EXTENSION
31 0		4X 8	#1&2 DF S4S 42/16		1792	630.00/MBF ✓	1128.96
3112		4X 8	#1&2 DF S4S 210/22	22'	12320	655.00/MBF ✓	8069.60
3113		4X 8	#1&2 DF S4S 42/24	24'	2688	655.00/MBF ✓	1760.64

Pd CK 2703
dated 4-20-93

6-22-100

16800	0.00	0.00	0.00	0.00	10959.20	10959.20 ✓
TOTAL CU FEET	PACKAGE TOTAL	TAXABLE GROSS	SALES TAX %	SALES TAX	RESALE	INVOICE TOTAL

1.5% PER MONTH CHARGED ON DELINQUENT ACCOUNTS. PERIODIC RA
WHICH IS AN ANNUAL RATE OF 18% CHECK LOAD WITH DRIVER OR NO CL
FOR SHORTAGE WILL BE ALLOWED. NOT RESPONSIBLE FOR DAMAGE
DELIVERY BEYOND CURB. NO DAMAGED MERCHANDISE RETURNABLE.
CREDIT Payment Made By Check Subject To Clearance

CUSTOMER

...2149
...OTHARD STREET
...N BEACH, CALIFORNIA 92647
...48-8555 • (714) 556-2550

RANDALL LUMBER CO. INC.

INVOICE

DATE: 3-31-93

158

CITY COUNCIL MINUTES

RECEIVED
4-6-93

NV

222
BOULDER CONSTRUCTION INC.
2355 SO. RED ROCK RD
SUITE-102
LAS VEGAS, NV 89102

OCT 19 1994

UNDERPASS CORNER OF SOUTH
MAIN AND BONNEVILLE

LAS VEGAS, NV

NO.	CUSTOMER REF.	SALESMAN/NO.	SPECIAL INSTRUCTIONS	FOR TERMS AND CONDITIONS OF SALE SEE REVERSE SID

CODE		LINEN	DESCRIPTION	FOOTAGE	PRICE/PER	EXTENSION
26 0	583	4X 8	5/8 BBO & ES PLYFORM	18656	726.00/MBF	13544.26
		2X 4	C/S DF S4S	8875	498.00/MBF	4419.75
			832/16			

pd ck 2743
dated 4-30-93

TOTAL CARTAGE FEET	CARTAGE RATE	CARTAGE TOTAL	TAXABLE GROSS	SALES TAX %	SALES TAX	RESALE	INVOICE TOTAL
2753	0.00	0.00	0.00	0.00	0.00	17964.01	17964.01

1½% PER MONTH CHARGED ON DELINQUENT ACCOUNTS PERIODICALLY WHICH IS AN ANNUAL RATE OF 18%. CHECK LOAD WITH DRIVER OR NO CLAIM FOR SHORTAGE WILL BE ALLOWED. NOT RESPONSIBLE FOR DAMAGE DELIVERY BEYOND CURB. NO DAMAGED MERCHANDISE RETURNABLE CREDIT Payment Made By Check Subject To Clearance.

RLC-02 (REV. 10/85)

CUSTOMER

BOX 2149
7332 GOTHARD STREET
HUNTINGTON BEACH, CALIFORNIA 92647
(714) 848-8555 • (714) 556-2550

RANDALL LUMBER CO. INC.

INVOICE
NO. 103377

DATE: 4-9-93

159

CITY COUNCIL MINUTES

NV

222
BOULDER CONSTRUCTION INC.
2355 SO. RED ROCK RD
SUITE-102
LAS VEGAS, NV 89102

OCT 19 1994

UNDERPASS CORNER OF SOUTH
MAIN AND BONNEVILLE

LAS VEGAS, NV

NO.		SALESMAN NO.		SPECIAL INSTRUCTIONS	FOR TERMS AND CONDITIONS OF SALE SEE REVERSE SID
	RANK	4			

CODE	QUANTITY	DIMEN	DESCRIPTION	FOOTAGE	PRICE/PER	EXTENSION
06 0	312	4X 8	19/32 CDX PLYWOOD	9984	530.00/MBF	5291.52

300 SHEETS TO 60-21-100
406 SHEET TO 60-22-100
112

pd ck 2764
dated 5-10-93

SE		0.00	0.00	0.00	5291.52	5291.52
AL CARTA FEET	LOAD TOTAL	TAXABLE GROSS	SALES TAX %	SALES TAX	RESALE	INVOICE TOTAL

% PER MONTH CHARGED ON DELINQUENT ACCOUNTS. PERIODIC RA
WHICH IS AN ANNUAL RATE OF 18%. CHECK LOAD WITH DRIVER OR NO CLA
FOR SHORTAGE WILL BE ALLOWED. NOT RESPONSIBLE FOR DAMAGE
DELIVERY BEYOND CURB. NO DAMAGED MERCHANDISE RETURNABLE F
CREDIT. Payment Made By Check Subject To Clearance.

CUSTOMER

RLC-02R

RANDALL FOREST PRODUCTS, INC.
P.O. BOX 2058
17332 GOTHARD STREET
HUNTINGTON BEACH, CALIFORNIA 92647
(714) 848-8555 • FAX (714) 848-6016

RECEIVED 7-22-93

INVOICE

160

DATE: 7-20-93

CITY COUNCIL MINUTES

OCT 19 1994

BOULDER CONSTRUCTION INC
2355 SO. RED ROCK RD
SUITE 102
LAS VEGAS, NV 89102

LAS VEGAS, NV

SPECIAL INSTRUCTIONS
VERBAL

FOR TERMS AND CONDITIONS OF SALE SEE REVERSE SID

QUANTITY	SIZE	DESCRIPTION	FOOTAGE	PRICE/PER	EXTENSION
200	4X 8	5/8 BBO & ES PLYFORM	6400	707.00/MBF	4524.80
	2X 4	C/S DF S4S 416/16	443	727.00/MBF	322.83

pd ck 3007
dated 8-20-93

0.00	0.00	0.00	6614.63	6614.63
TAXABLE SALES	SALES TAX%	SALES TAX	RESALE	INVOICE TOTAL

1½% PER MONTH CHARGED ON DELINQUENT ACCOUNTS PERIODICALLY WHICH IS AN ANNUAL RATE OF 18% CHECK LOAD WITH DRIVER OR NOTIFY FOR SHORTAGE WILL BE ALLOWED. NOT RESPONSIBLE FOR DAMAGE DELIVERY BEYOND CURB. NO DAMAGED

CUSTOMER

RANDALL FOREST PRODUCTS, INC.

P.O. BOX 2058
17332 GOTHARD STREET
HUNTINGTON BEACH, CALIFORNIA 92647
(714) 848-8555 • FAX (714) 848-6016

RECEIVED 10-21-93

INVOICE
NO. 15403

161

DATE: 10-15-93

NV

17
BOULDER CONSTRUCTION INC
2355 SO. RED ROCK RD
SUITE 102
LAS VEGAS, NV 89102

CITY COUNCIL MINUTES

OCT 19 1994

UNDERPASS-CORNER OF
SOUTH MAIN & BONNEVILLE
LAS VEGAS, CA
,

ORDER NO.		SPECIAL INSTRUCTIONS VERBAL		FOR TERMS AND CONDITION OF SALE SEE REVERSE SI
CODE	DESCRIPTION	FOOTAGE	PRICE/PER	EXTENSION
64 A	2X 6 #2&BTR DF S4S 384/18 5033	6912	590.00/MBF	4078.08
61 A	2X 4 C/S DF S4S 780/16 5033	8320	495.00/MBF	4118.40

Pd ck 9125
dated 11-10-93

0.00	0.00	0.00	0.00	8196.48	8196.48
PC	SALES	SALES TAX	RESALE		INVOICE TOT

1.5% PER MONTH CHARGED ON PAST DUE ACCOUNTS WHICH IS AN ANNUAL RATE OF 18%. CHECKS DATED TO DELIVERY DATE. NO CLAIMS FOR SHORTAGE WILL BE ALLOWED. NOT RESPONSIBLE FOR DAMAGE DELIVERY BEYOND CURB. NO DAMAGED MERCHANDISE RETURNED CREDIT. Payment Made By: Check Subject To Clearance

CUSTOMER

RANDALL FOREST PRODUCTS, INC.

P.O. BOX 2058
17332 GOTHARD STREET
HUNTINGTON BEACH, CALIFORNIA 92647
(714) 848-8555 • FAX (714) 848-6016

INVOICE

NO. 155574

162

DATE: 12-7-93

RECEIVED 12-7-93 NV

CITY COUNCIL MINUTES

17
BOULDER CONSTRUCTION INC
2355 SO. RED ROCK RD
SUITE 102
LAS VEGAS, NV 89102

OCT 19 1994

UNDERPASS - CORNER OF
SOUTH MAIN & BONNEVILLE
LAS VEGAS, NV
,

JOB NO.			SPECIAL INSTRUCTIONS			FOR TERMS AND CONDITIONS OF SALE SEE REVERSE SIDE
			VERBAL			
PCS.				BD. FOOTAGE	PRICE/PER	EXTENSION
426	200	4X 8	5/8 BBO & ES PLYFORM 5155	6400	659.00/MBF	4217.60
6[illegible]		2X 6	#2&BTR DF S4S 256/18 5155	4608	579.00/MBF	2668.03

pd ck 9275
dated 1-10-94

0.00	0.00	0.00	0.00	0.00	6885.63	6885.63
TOTAL PCS.		CASH DISCOUNT	SALES TAX %	SALES TAX	RESALE	INVOICE TOTAL

1½% PER MONTH CHARGED ON PAST DUE ACCOUNTS WHICH IS AN ANNUAL RATE OF 18% PER ANNUM. NO CLAIMS FOR SHORTAGE WILL BE ALLOWED. NOT RESPONSIBLE FOR DELIVERY BEYOND CURB. NO DAMAGED MERCHANDISE RETURNED FOR CREDIT. Payment Made By Check Subject To Clearance.

CUSTOMER

...N LUMBER CO... ANY, INC.
6665 South Arville
Las Vegas, NV 89118
Phone (702) 873-5911

CITY COUNCIL MINUTES

163

RECEIVED
3-7-93

OCT 19 1994

[redacted] INVOICE [redacted] 03/09/93 [redacted]

BOULDER CONSTRUCTION, INC
2355 S RED ROCK #102
PO BOX 71914
LAS VEGAS, NV 89170

SHIP: BONNEVILLE UNDERPASS
TO: 600 S. MAIN ST
1ST RUN DROP
MISC: BOULDER CONSTRUCT.
CUST PO:ANTHONY MANO

S- 1
P- 5
O- 0
W- 8
C- 1
P- 1

CUST#: 10950.0020 DEL DATE:03/09/93 TERMS: NET 10TH FROM: O 41517
873-8073

[redacted]	ITEM #	UNITS	PRICE	AMOUNT
624 2X4-16 STD & BTR DOUG FIR	01031116E	6656 6656	480.00MBF	3194.88 3194.88

pd ck 2671
dated 4-10-93

	SUBTOTAL	3194.88
D	SALES TAX - 7%	223.64
	TOTAL	3418.52

INTEREST - Shall be charged monthly on all unpaid past due accounts at the rate of 1 1/2% per month. See terms of this transaction above.

All claims for shortages or damages must be made within 48 hours of delivery. Returns are subject to restocking charge.

COPY

FRANKLIN LUMBER COMPANY, INC.
6555 South Arville
Las Vegas, NV 89118
Phone (702) 873-5911

RECEIVED
3-22-93

CITY COUNCIL MINUTES

Item Control No.

OCT 19 1994

164

NO. 41534 | INVOICE | 03/15/93 12:38 01

BOULDER CONSTRUCTION, INC
2355 S RED ROCK #102
PO BOX 71914
LAS VEGAS, NV 89170

SHIP TO: BONNEVILLE UNDERPASS
600 S MAIN ST

S- 1
P- 1
O- 0
W- 8
C- 1
P- 1

OUR PO: 35154

CUST#: 10950.0020 DEL DATE:03/12/93
873-8073

TERMS: NET 10TH

FROM: D

LN	DESCRIPTION	ITEM #	UNITS	PRICE	AMOUNT
1	10'-35' UNTREATED POLES	01359999E	1	263.75 EA	263.75
2	10'-30' UNTREATED POLES	01359999E	2	238.75 EA	477.50

~~743.14 ÷ 105 = $7.554 PER FT~~

RECEIVED 95' POLES SHORT 20' POLE
SHOULD HAVE RECEIVED 115' POLES
COST $6.90 PER FT
6.90 X 20 = $138.00

PAY $655.14

Pd CK 2671 dated 4-10-93

SUBTOTA 741.28
D SALES TAX 7% 51.86
TOTAL 793.14

INTEREST - shall be charged monthly on all unpaid past due accounts at the rate of 1 1/2% per month, per terms of this transaction above.

All claims for shortages or damages must be made within 48 hours of delivery. Returns are subject to restocking charge.

COPY

[illegible] LUMBER COMPANY, INC.
6655 South Arville
Las Vegas, NV 89118
Phone (702) 873-5911

RECEIVED
4-7-93

CITY COUNCIL MINUTES

OCT 19 1994

Item Control No.

165

NO. | INVOICE | 03/31/93 11:02 01

BOULDER CONSTRUCTION, INC
2355 S RED ROCK #102
PO BOX 71914
LAS VEGAS, NV 89170

SHIP TO: BONNEVILLE UNDERPASS
600 S MAIN ST

S- 1
P- 1
A- 8
W-19
C- 1
P- 1

CUST PO:HOLBERT

CUST#: 10950.0020 DEL DATE:03/31/93 TERMS: NET 10TH FROM: 0 410225
873-8073

QUANTITY	ITEM	DESCRIPTION	ITEM #	UNITS	PRICE	AMOUNT
138		2X6-18 #2 & BTR DOUG FIR	01032118E	2304	610.00MBF	1405.44
				2304		1405.44

pd ck 2745
dated 4-30-93

	SUBTOTAL	1405.44
D	SALES TAX - 7%	98.38
	TOTAL	1503.82

INTEREST - Shall be charged monthly on all unpaid past due accounts at the rate of 1 1/2% per month. See terms of this transaction above.

TERMS: All claims for shortages or damages must be made within 48 hours of delivery. Returns are subject to restocking charge. Finance charge will apply on all past due accounts of 1½% per month or an annual percentage rate of 18%.

Received In Good Condition By X _____

COPY

ANDLIN LUMBER COMPANY, INC.
5555 South Arville
Las Vegas, NV 89118
Phone (702) 873-5911

166

RECEIVED
4-7-93

CITY COUNCIL MINUTES

OCT 19 1994

INVOICE

03/31/93 11:02 01

BOULDER CONSTRUCTION, INC
2355 S RED ROCK #102
PO BOX 71914
LAS VEGAS, NV 89170

SHIP TO: BONNEVILLE UNDERPASS
600 S MAIN ST
6:30 A.M. -3:00 P.M.
MISC: 376 0488 474 0016
CUST PO:FRANK F.

S- 1
P- 1
A- 8
W-19
C- 1
P- 1

CUST#: 10950.0020 DEL DATE:03/31/93
873-8073

TERMS: NET 10TH

FROM: O 418207

QUANTITY	DESCRIPTION	ITEM #	UNITS	PRICE	AMOUNT
256	2X6-18 #2 & BTR DOUG FIR	010221SE 4608 4608		7.89 PBM	2019.84 2019.84

pd ck 2745
dated 4-30-93

	SUBTOTAL	2019.84
D	SALES TAX 7%	196.76
	TOTAL	3007.64

INTEREST - Shall be charged monthly on all unpaid past due accounts at the rate of 2 1/2% per month, per terms of this transaction above.

TERMS: All claims for shortages or damages must be made within 48 hours by delivery. Returns are subject to restocking charge. Finance charge will be on all past due accounts of 1½% per month or an annual percentage rate of 18%.

Received In Good Condition By X _____

COPY

HANDLIN LUMBER COMPANY, INC.
5556 South Arville
Las Vegas, NV 89118
Phone (702) 873-5911

CITY COUNCIL MINUTES

RECEIVED 5-17-93

OCT 19 1994

INVOICE

06/14/93

BOULDER CONSTRUCTION, INC
2355 S RED ROCK #102
PO BOX 71914
LAS VEGAS, NV 89170

SHIP TO: BOULDER CITY BYPASS
600 S MAIN ST

S- 1
P- 5
A- 8
W- 8
C- 1
P- 1

CUST#: 10950.0020 DEL DATE: 05/14/93 TERMS: NET 10TH FROM: O 42316
873-8073

		ITEM #	UNITS	PRICE	AMOUNT
1	664	2X6-16 STD & BTR DOUG FIR	01031116E 6656	500.00MBF	3328.00
2	456	2X6-18 #2 & BTR DOUG FIR	01032118E 4608	510.00MBF	2350.08
3	128	2X6-16 #2 & BTR DOUG FIR	01032116E 2040	510.00MBF	1044.48

Pd CK 2850
dated 6-10-93

	SUBTOTAL	6722.56
D	SALES TAX - 7%	470.58
	TOTAL	7193.14

INTEREST - Shall be charged monthly on all unpaid past due accounts at the rate of 1 1/2% per month. See terms of this transaction above.

TERMS: All claims for shortages or damages must be made within 48 hours of delivery. Returns are subject to restocking charge. Finance charge will apply on all past due accounts of 1½% per month or an annual percentage rate of 18%.

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COPY

SANDLIN LUMBER COMPANY, INC.
5555 South Arville
Las Vegas, NV 89118
Phone (702) 873-5911

RECEIVED 5-24-93

CITY COUNCIL MINUTES

OCT 19 1994

168

INVOICE

05/20/93 12:20 01

BOULDER CONSTRUCTION, INC
3356 S. RED ROCK #102
PO BOX 71914
LAS VEGAS, NV 89170

SHIP TO: BONNEVILLE UNDERPASS
600 S MAIN ST
W/C
MISC: JASON
CUST PO:0113/01

S- 1
P- 5
A- 8
W-19
C- 1
D- 1

CUST#: 10950.0020 DEL DATE:05/20/93
873-8073

TERMS: NET 10TH

FROM: O 423951

	DESCRIPTION	ITEM #	UNITS	PRICE	AMOUNT
84	1X6-12 STD & BTR S1S2E	03031112E	504 504	00467	231.84 231.84

Pd ck 2877
dated 6-18-93

	SUBTOTAL	231.84
D	SALES TAX - 7%	16.23
	TOTAL	248.07

INTEREST - will be charged monthly on all unpaid past due accounts at the rate of 1 1/2% per month. See terms of this transaction above.

TERMS: All claims for shortages or damages must be made within 48 hours of delivery. Returns are subject to restocking charge. Finance charge will apply on all past due accounts of 1½% per month or an annual percentage rate of 18%.

Received In Good Condition By X _____

COPY

...BLIN LUMBER CO... NV, INC.
5655 South Arville
Las Vegas, NV 89118
Phone (702) 873-5911

CITY COUNCIL MINUTES

RECEIVED 6-30-93

OCT 19 1994

169

BOULDER CONSTRUCTION, INC
2355 S RED ROCK #102
PO BOX 71914
LAS VEGAS, NV 89170

SHIP TO: BONNEVILLE UNDERPASS
602 S MAIN ST

S- 1
P- 5
A- 8
W- 8
C- 1
P- 1

CUST#: 10950.0020 DEL DATE:06/21/93 TERMS: NET 10TH FROM: O 42712
873-8073

QTY	ITEM #	UNITS	PRICE	AMOUNT
106	4X8-5/8 CDX PLYWOOD CO PLYWOOD	06011115E 3392	427.00MSF	1448.38

pd CK 2946
dated 7-20-93

	SUBTOTAL	1448.38
D	SALES TAX - 7%	101.39
	TOTAL	1549.77

INTEREST - shall be charged monthly on all unpaid past due accounts at the rate of 1 1/2% per month. See terms of this transaction above.

All claims for shortages or damages must be made within 48 hours of delivery. Returns are subject to restocking charge.

COPY

ANDLIN LUMBER COMPANY, INC.
5555 South Arville
Las Vegas, NV 89118
Phone (702) 873-5911

RECEIVED 6-30-93

CITY COUNCIL MINUTES

OCT 19 1994

170

[redacted] [redacted] 06/21/93 [redacted]

BOULDER CONSTRUCTION, INC
2355 S RED ROCK #102
PO BOX 71914
LAS VEGAS, NV 89170

SHIP TO: BONNEVILLE UNDERPASS
600 S MAIN ST

S- 1
P- 5
A- 8
W- 4
C- 1
P- 1

CUST PO:JERRY/FRANK

CUST#: 10950.0020 DEL DATE:06/21/93 TERMS: NET 10TH FROM: O 42692
873-8073

[redacted]	[redacted]	ITEM #	UNITS	PRICE	AMOUNT
384	2X6-16 #2 & BTR DOUG FIR	01032116E	6144	585.00MBF	3594.24
208	2X4-16 STD & BTR DOUG FIR	01031116E	2219	545.00MBF	1209.36

PLZ DELV AFTER RAIL CAR
IS UNLOADED.

pd CK 2946, dated 7-20-93

	SUBTOTAL	4803.60
D	SALES TAX - 7%	336.25
	TOTAL	5139.85

INTEREST - shall be charged monthly on all unpaid past due accounts at the rate of 1 1/2% per month. See terms of this transaction above.

All claims for shortages or damages must be made within 48 hours of delivery. Returns are subject to restocking charge.

COPY

SANDLIN LUMBER COMPANY, INC.
6555 South Arville
Las Vegas, NV 89118
Phone (702) 873-5911

RECEIVED 6-7-93

171

CITY COUNCIL MINUTES

OCT 19 1994

INVOICE

06/03/93 13:10 : 01

BOULDER CONSTRUCTION, INC
8360 S RED ROCK #102
PO BOX 71914
LAS VEGAS, NV 89170

SHIP TO: BONNEVILLE UNDERPASS
600 S MAIN ST

B- 1
P- 5
A- 8
W- 0
C- 1
P- 1

CUST PO:BONNEVILLE

CUST#: 10950.0020 DEL DATE:06/03/93 TERMS: NET 10TH FROM: O 425121
873-8073

		ITEM #	UNITS	PRICE	AMOUNT
256	2X6-16 #2 & BTR DOUG FIR	01032116E	4036	588.00MBF	2375.68
318	2X6-18 #2 & BTR DOUG FIR	01032118E	5724	570.00MBF	3262.68

Pd. ck. 3899
dated 6-30-93

SUBTOTAL 5638.36
SALES TAX - 7% 394.69
TOTAL 6033.05

INTEREST - Shall be charged monthly on all unpaid past due accounts at the rate of 1.1/2% per month. See terms of this transaction above.

TERMS: All claims for shortages or damages must be made within 48 hours of delivery. Returns are subject to restocking charge. Finance charge will apply on all past due accounts of 1½% per month or an annual percentage rate of 18%.

Received In Good Condition By X _____

COPY

172

ACCOUNTS RECEIVABLE
I N V O I C E

PAGE	DATE	TIME	INVOICE
1	03/24/94	1:32 PM	0152-125312

CITY COUNCIL MINUTES

OCT 19 1994

RECEIVED 3-24-94

600 S. Main (Maint Bonneville)

14005 0152

330 S CEATUR
LAS VEGAS, NV 89102
PHONE #: (702)873-9333

CUSTOMER: 0201-2906307

SOLD TO:
BOULDER CONST INC
PO BOX 71914

LAS VEGAS, NV 89170

CUSTOMER P.O.#: 14005

AUTHORIZED BUYER : NONE LISTED

SALESPERSON: NATALIE I.

SHIP TO:
BOULDER CONST INC

LAS VEGAS, NV 89172

HOME PHONE : (702)873-8073

ACCOUNT
P.O.NUM 14005
INV NO Register Validation Area:

Item	Item Description	UM	Quantity	Unit Price	Extended Total	Tax	Meth
100981	2X4X12 DIMENSION	EA	96	5.85	561.60	Y	YARD
101063	2X4X14 DIMENSION	EA	192	5.87	1,127.04	Y	YARD
101150	2X4X16 DIMENSION	EA	200	6.94	1,388.00	Y	YARD

2X4X12 DIMENSION
96 X 5.85 = 561.60 T

2X4X14 DIMENSION
192 X 5.87 = 1127.04 T

1388.00 T

SUBTOTAL 2999.04

TAX 209.99

COMMENT: DELIVERY N/C

	Subtotal	$ 2,999.84
	Tax	$ 209.99
NOTE: TOTAL for above listed items ONLY. SEE Register Validation for INVOICE TOTAL	Total	$ 3,209.83

SUBJECT TO BUSINESS CHARGE ACCOUNT TERMS AND CONDITIONS ON THE REVERSE SIDE

AR CHARGE 3209.83

000906

10152021 POS 4750 03/07/1994 09:51:00

AUTHORIZED CUSTOMER SIGNATURE

pd CK 9446
dated 331-94

TOB:00
ORDER:

ALL CLAIMS AND RETURNED GOODS MUST BE

Item Number	ITEM	ACTION
	III. CONSENT AGENDA	
	CONTINUED	
	DEPARTMENT OF PUBLIC WORKS	
37	DISCUSSION AND POSSIBLE APPROVAL ON USING CITY OF LAS VEGAS "RELOCATION RULES FOR PROJECTS NOT INVOLVING THE USE OF FEDERAL FUNDS" FOR THE DOWNTOWN CORRIDOR IMPROVEMENTS PROJECT	**ADAMSEN - APPROVED Consent Agenda, Items 3 through 6, 8 through 17 and 19 through 42 as recommended - UNANIMOUS** **Staff to proceed** ****** There was no discussion. (9:39 - 9:40)
38	DISCUSSION AND POSSIBLE APPROVAL OF RETAINING BSI CONSULTANTS, INC. TO PROVIDE CONSULTANT SERVICES IN DRAINAGE STUDY REVIEW **$25,000 General Fund**	**APPROVED - See above**

Lynn Hoey

AGENDA DOCUMENTATION

CITY COUNCIL
MEETING OF
OCTOBER 19, 1994

174

TO: **City Council**

FROM: RICHARD D. GOECKE, DIRECTOR
DEPARTMENT OF PUBLIC WORKS

SUBJECT: **DISCUSSION AND POSSIBLE APPROVAL ON USING CITY OF LAS VEGAS "RELOCATION RULES FOR PROJECTS NOT INVOLVING THE USE OF FEDERAL FUNDS" FOR THE DOWNTOWN CORRIDOR IMPROVEMENTS PROJECT**

PURPOSE/BACKGROUND

There are 13 improved properties that will be purchased for the Downtown Corridor Improvements Project. Located on these properties are approximately 12 businesses, 20 residential tenants, 48 motel occupants and 1 motel owner-occupant who require relocation assistance. The attached City of Las Vegas "Relocation Rules for Projects Not Involving the Use of Federal Funds" has been formulated from the rules and program utilized by the City of Las Vegas Downtown Redevelopment Agency. It is recommended that these rules be utilized on the Downtown Corridor Improvements Project.

Note: Using these relocation rules for the Downtown Corridor Improvements Project will result in an estimated cost of between $150,000 and $200,000.

FISCAL IMPACT

None.

RECOMMENDATIONS

The Director of Public Works recommends the approval on using City of Las Vegas "Relocation Rules for Projects Not Involving the Use of Federal Funds" for the above Project.

CONSENT Agenda Item

37

CITY OF LAS VEGAS

RELOCATION RULES FOR PROJECTS NOT INVOLVING THE USE OF FEDERAL FUNDS

I. (§100) DEFINITIONS

A. (§101) Acquisition

"Acquisition" means obtaining ownership or possession of real property by purchase, eminent domain, or any other lawful means.

B. (§102) Adequate Replacement Dwelling

"Adequate replacement dwelling" means a dwelling which meets all of the criteria for a comparable replacement dwelling, except that with respect to the number of rooms, habitable living space and type of construction the dwelling need be only adequate, not comparable.

C. (§103) City

"City" means the City of Las Vegas, a municipal corporation of the State of Nevada, and any staff, consultants, assignees, delegates and City departments who may be assigned the duties and responsibilities for implementing these Rules.

D. (§104) Average Annual Net Earnings

"Average annual net earnings" means one-half of any net earnings of a business before federal, state and local income taxes, during the two taxable years immediately preceding the taxable year in which such business moves from the real property being acquired, or during such other period as the City determines to be more equitable for establishing such earnings, and includes any compensation paid by the business to the owner, his spouse or his dependents during such period.

The term "owner" as used herein includes the sole proprietor in a sole proprietorship, the principal parties in a partnership, and the principal stockholders of a corporation, as determined by the City. For purposes of determining a principal stockholder, stock held by a husband, his wife and their dependent children will be treated as one unit.

E. (§105) Average Monthly Income

"Average monthly income" means gross income divided by twelve.

F. (§106) Business

"Business" means any lawful activity, except a farm operation, conducted primarily:

1. For the purchase, sale, lease, or rental of personal and real property, and for the manufacture, processing, or marketing of products, commodities or any other personal property;

2. For the sale of services to the public;

3. By a nonprofit organization.

G. (§107) Comparable Replacement Dwelling

"Comparable replacement dwelling" means a dwelling which satisfies each of the following standards:

1. Decent, safe, and sanitary, and comparable to the acquired dwelling with respect to number of rooms, habitable living space and type and quality of construction, but not lesser in rooms or living space than necessary to accommodate the displaced resident;

2. In an area not subjected to unreasonable adverse environmental conditions from either natural or man-made sources.

   It is not required that the replacement dwelling be generally as desirable as the acquired dwelling with respect to environmental characteristics. Though a displaced resident does not have to accept a dwelling subject to unreasonable adverse environmental conditions, neither is the City required to duplicate environmental characteristics, such as scenic vistas or proximity to the ocean, lakes, rivers, forests, or other natural phenomena.

   If the displaced resident so wishes, every reasonable effort shall be made to relocate such resident within or near to his existing neighborhood.

3. Available on the private market to the displaced resident and available to all residents regardless of race, color, religion, ancestry, national origin, sex, or marital status in a manner consistent with federal and state law;

4. To the extent practicable and where consistent with paragraph 1 of this Section, functionally equivalent and substantially the same as the acquired dwelling, but not excluding newly

CITY COUNCIL MINUTES

OCT 19 1994

constructed housing;

5. Within the financial means of the displaced resident. A replacement dwelling is within the financial means of a displaced resident if the monthly housing cost (including payments for mortgage, insurance and property taxes) or rental cost (including utilities and other reasonable recurring expenses), minus any replacement housing payment available to the resident, does not exceed the same proportion of the resident's average monthly income as is currently being experienced in the City by persons at the displaced resident's income level; provided however that in no event shall such amount exceed twenty-five percent (25%) of average monthly income for residents of low or moderate income, unless such twenty-five percent (25%) limit is waived in writing by such low or moderate income resident.

   A replacement dwelling is within the financial means of a displaced resident also if the purchase price of the dwelling including related increased interest costs and other reasonable expenses incident to the purchase of the replacement dwelling does not exceed the total of the amount of just compensation provided for the dwelling acquired and the replacement housing payment available to the resident.

H. (§108) Condominium

"Condominium" means a combination of co-ownership and ownership in severalty. It is an arrangement under which persons in a housing development hold full title to a one-family dwelling unit, including an undivided interest in common areas and facilities, and such restricted common areas and facilities as may be designated.

I. (§109) Decent, Safe and Sanitary Dwelling

Decent, safe and sanitary dwelling" means a dwelling which is in sound, clean and weather-tight condition, in good repair and adequately maintained, in conformance with the applicable state and local building, plumbing, electrical, housing and occupancy codes or similar ordinances or regulations and which meets the following minimum standards:

1. Each housekeeping unit shall include a kitchen with a fully usable sink, a stove or connection for a stove, a separate and complete bathroom, hot and cold running water in both bathroom and kitchen, an adequate and safe wiring system for lighting and other electrical services and heating as required by

climatic conditions and local codes.

2. Each non-housekeeping unit shall be in conformance with state and local standards for boardinghouses, hotels and other dwellings for congregate living.

J. (§110) Displaced Business

"Displaced business" means any business which qualifies as a displaced person under Section K below.

K. (§111) Displaced Person

"Displaced person" means any person who moves from real property, or who moves his personal property from real property, as a result of:

1. The acquisition of such real property, in whole or in part, by the City or by any person having an agreement with or acting on behalf of the City; or

2. A written order from the City to vacate the real property; or

3. The initiation of negotiations by the City to acquire the real property.

This definition shall be construed so that persons displaced as a result of City action receive benefits in cases where they are displaced as a result of an acquisition carried out by a private person for or in connection with a public use where the City is otherwise empowered to acquire the property to carry out the public use.

A utility which relocates its poles, posts, wires, conduits, cables, pipes, lines and necessary fixtures and equipment located in, along, or under any public street, road or highway as the result of activities in the implementation of a City project is not a displaced person.

L. (§112) Displaced Resident

"Displaced resident" means any individual or family occupant of a dwelling who qualifies as a displaced person under Section K above.

M. (§113) Dwelling

"Dwelling" means the place or permanent or customary and usual abode of a person, including a single-family building, a single-family unit in a two-family dwelling, multi-family or multipurpose dwelling, a unit of a condominium or cooperative housing project, a non-housekeeping unit, a mobile home or any other residential unit which either is considered to be real property under state law or cannot be moved without substantial damage or unreasonable cost. A residence need not be decent, safe and sanitary to be a dwelling.

N. (§114) Economic Rent

"Economic rent" means the amount of rent a tenant or homeowner would have to pay for a dwelling similar to the acquired dwelling in a comparable area.

O. (§115) Family

"Family" means two or more individuals, one of whom is the head of a household, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit.

P. (§116) Federal Project

"Federal project" means any direct federal project or any project receiving federal financial assistance.

Q. (§117) Gross Income

"Gross income" means the annual income from all sources of each member of the family residing in the household who is eighteen (18) years of age or over, except that income of a head of household or his spouse who is under eighteen (18) shall be included. Gross income is based on the 12-month period prior to displacement. If the City determines, on a case basis, that the use of the 12-month period prior to displacement would result in a hardship to the claimant, an alternate period, actual or projected, may be used in such exceptional situations.

R. (§118) Initiation of Negotiations

"Initiation of negotiations" means the initial written offer made by the City to the owner of the real property to be purchased, or the

owner's representative.

S. (§119) Mortgage

"Mortgage" means such classes of liens as are commonly given to secure advances on, or the unpaid purchase price of, real property, together with the credit instruments, if any, secured thereby, including but not limited to deeds of trust and land sales contracts.

T. (§120) Nonprofit Organization

"Nonprofit organization" means a corporation, partnership, individual or other public or private entity, engaged in a business, professional or institutional activity on a non-profit basis, necessitating fixtures, equipment, stock in trade, or other tangible property for the carrying on of the business, profession or institutional activity on the premises.

U. (§121) Ownership

"Ownership" means holding any of the following interests in a dwelling, or a contract to purchase one of the first four (4) interests:

1. A fee title;

2. A life estate;

3. A proprietary interest in a cooperative housing project which includes the right to occupy a dwelling;

4. A proprietary interest in a mobile home.

In the case of one who has succeeded to any of the foregoing interests by devise, bequest, inheritance or operation of law, the tenure of ownership, but not occupancy, of the succeeding owner shall include the tenure of the preceding owner.

V. (§122) Person

"Person" means any individual, family, partnership, corporation or association.

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W. (§123) Personal Property

"Personal property" means tangible property which is situated on the real property vacated or to be vacated by a displaced person and which is considered personal property and is non-compensable (other than for moving expenses) under the state law of eminent domain.

In the case of a tenant, personal property includes fixtures and equipment, and other property which may be characterized as real property under state or local law, but which the tenant may lawfully and at his election determine to move, and for which the tenant is not compensated in the real property acquisition.

In the case of an owner of real property, the determination as to whether an item of property is personal or real shall depend upon how it is identified in the closing or settlement statement with respect to the real property acquisition.

X. (§124) Post-Acquisition Tenant

"Post-acquisition tenant" means a tenant who lawfully commences to occupy property only after the City acquires it.

Y. (§125) Prepaid Expenses

"Prepaid expenses" means items paid in advance by the seller of real property and pro-rated between such seller and the buyer of such real property at the close of escrow including, but not limited to, real property taxes, insurance, homeowners' association dues and assessment payments.

Z. (§126) Public Use

"Public use" means a use for which real property may be acquired by eminent domain.

AA. (§127) Tenant

"Tenant" means a person who rents or is otherwise in lawful possession of a dwelling, including a sleeping room, which is owned by another.

II. (§200) DISPLACEMENT

In the event of any displacement that might arise as a result of City land acquisition actions where no Federal funds are being utilized, the City will provide the affected party(ies) with relocation advice and assistance in full compliance with these rules. In this vein, the City will pay all relocation payments required by the applicable regulations, and may make such discretionary relocation payments which it may deem reasonable and necessary. In the case of projects where Federal funds are involved, the City will provide relocation advice and assistance in compliance with: (1) the Relocation Assistance and Real Property Acquisition Policies Act (NRS 342.019, et. seq.) and the State guidelines adopted and promulgated pursuant thereto; and (2) the Federal Uniform Relocation and Real Properties Act of 1970 (Public Law 91-646), Title IV - Uniform Relocation Act Amendments of 1987 (Public Law 100-17) and any other applicable rules adopted by the City pursuant to those laws.

III. (§300) RELOCATION PROCEDURES

A. (§301) Administrative Organization

1. (§302) Responsible Agency

The City will be responsible for providing relocation payments and assistance to individuals, families, and businesses that might be displaced by City actions. The City may meet its relocation assistance responsibilities via the use of either staff or consultants, or a combination thereof, and will utilize available community resources and services to provide relocation assistance in the most effective manner.

2. (§303) Functions

The City's staff and/or consultant(s) will perform the following functions:

(a) Inform and advise residents of the City's project, and its possible effects upon site occupants and neighbors;

(b) Work with occupants to determine their relocation needs and plans, keeping them fully informed of their rights and responsibilities under the applicable relocation laws, and of the relocation resources, special services, and forms of assistance available to them;

(c) Advise and assist each displaced business in obtaining

and becoming established in a suitable replacement location, should they choose to continue in business;

(d) Assist displaced persons in preparing claims for relocation payments, and securing payment for these claims in an expeditious and timely manner;

(e) Establish and maintain an equitable and workable system for obtaining competitive bids from moving and storage companies, and from other concerns whose services might reasonably be required in the relocation process;

(f) Maintain relocation records and prepare reports in accordance with applicable relocation laws and regulations; and,

(g) Provide all services required in such a manner as to ensure that the relocation process results in fair, uniform, and equitable treatment for all affected parties, regardless of their race, color, religion, national origin, sex, marital status, or other arbitrary circumstances.

B. (§304) Relationship with Occupants

The City will maintain a close relationship with occupants, and will keep them, absentee owners, and the general community apprised of the City's plans and programs. As appropriate and needed, these relationships will be achieved via personal interviews, mailings, the distribution of informational materials, and public meetings to provide information and respond to questions. In all cases, these efforts will be maintained at such a level as to ensure that each affected tenant, owner, business, etc., is fully informed as to the relocation program, available services and resources, and applicable time schedules.

C. (§305) Relocation Standards for Residents

It is the objective of the City to ensure that displaced residents (if any) be established, with a minimum of hardship, in replacement housing which is decent, safe, and sanitary, and suitable to their needs.

D. (§306) Assistance to Businesses

Business occupants who might be displaced will be: (a) interviewed

at length to determine their individual relocation needs and preferences; (b) provided with all required informational materials; (c) assisted in locating suitable replacement locations; (d) assisted in preparing relocation claims; and, (e) referred, as appropriate, to outside agencies or organizations for assistance in achieving their relocation in a satisfactory manner.

IV. (§400) RELOCATION PAYMENTS

Relocation payments to affected property owners/tenants, shall be made in accordance with the following:

A. (§401) Relocation Payments to Displaced Residents

The City shall compensate a displaced resident for the expenses described in Subsection 1 or 2 and Subsection 3 or 4 of this section.

1. (§402) Actual Reasonable Moving Expenses

A displaced resident shall be compensated for the actual reasonable expenses incurred in moving himself and his family, including moving personal property, up to a maximum amount of $2,500. In all cases, the amount of a payment shall not exceed the reasonable cost of accomplishing the activity in connection with which a claim has been filed.

The moving and related expenses for which claims may be filed shall include:

(a) Transportation of persons and property not to exceed a distance of twenty (20) miles from the site from which the resident was displaced, except where the City determines that relocation beyond such distance of twenty (20) miles is justified;

(b) Packing, crating, unpacking and uncrating personal property;

(c) Such storage of personal property, for a period generally not to exceed six (6) months, as determined by the City to be necessary in connection with relocation;

(d) Insurance of personal property while in storage or transit;

(e) The reasonable replacement value of property lost, stolen, or damaged (not through the fault of the displaced resident, his agent or employee) in the process of moving, where insurance covering such loss, theft or damage is not reasonably available;

(f) The cost of disconnecting, dismantling, removing, reassembling, reconnecting and reinstalling machinery, equipment or other personal property not acquired by the City, including connection charges imposed by public utilities for starting utility service.

2. (§403) Alternate Payments

A displaced resident who is eligible for a payment for actual reasonable moving expenses may elect to receive, and shall be paid, in lieu of such payment, a dislocation allowance of $300.

3. (§404) Replacement Housing Payment for Displaced Homeowners

(a) Amount of Payment

The City shall make to a displaced resident who meets the eligibility requirements of the following Subsection (b) a payment not to exceed a total of $5,000, for the amount, if any, which when added to the acquisition cost of the dwelling acquired for the project equals the reasonable cost of a comparable replacement dwelling. This amount shall not exceed the difference between the acquisition price of the original dwelling and the actual purchase price of the replacement dwelling.

(b) Eligibility

A displaced resident is eligible for a replacement housing payment if such person satisfies the following conditions:

(i) Has actively owned and occupied the dwelling from which he is displaced for not less than 180 days prior to the initiation of negotiations for acquisition of such dwelling.

(ii) Purchases and occupies a replacement dwelling within one year subsequent to the date on which he received final payment from the City for all

CITY COUNCIL MINUTES

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costs of the original dwelling or the date on which he moves from the original dwelling, whichever is later.

(c) Computation of Reasonable Costs of Comparable Replacement Dwelling

In determining the reasonable cost of a comparable replacement dwelling, the City shall use one of the following methods:

(i) Comparative Method

On a case by case basis by determining the listing price of dwellings which have been selected by the City and which are most representative of the acquired dwelling unit and meet the definition of a comparable replacement dwelling. Whenever possible the listing price of at least three dwellings shall be considered; or

(ii) Schedule Method

Where the City determines the comparative method is not feasible, it may establish a schedule of reasonable acquisition costs for the various types of comparable replacement dwellings. The City shall cooperate with other entities causing displacement in the area to establish a uniform schedule. The schedule shall be based on a current analysis of the market to determine a reasonable cost for each type of dwelling to be purchased. The analysis may be confined to the subarea from which persons are displaced or may cover several different subareas, if they satisfy or exceed the criteria for a comparable replacement dwelling. To assure the greatest comparability of dwellings in any analysis, the analysis shall be divided into classifications of the type of construction, number of bedrooms, and price ranges; or

(iii) Alternative Method

Where the City determines that neither the schedule nor comparative method is feasible in a given situation, by the use of another reasonable method selected by the City.

Whichever method is selected the cost shall be updated to within three months of the date of purchase of the replacement dwelling.

4. (§405) Replacement Housing Payment for Tenants and Certain Others (Rent Difference Payment)

(a) Amount of Payment

The City shall make to a displaced resident who meets the eligibility requirements of Subsection (b) below, a payment, not to exceed $2,500, of an amount necessary to enable such person to lease or rent a comparable replacement dwelling for a period not to exceed 24 months.

(b) Eligibility

A displaced resident is eligible for a replacement housing payment if such person satisfies the following conditions:

(i) Has actually and lawfully occupied the dwelling from which he is displaced for a period of not less than 90 days prior to the initiation of negotiations for acquisition of such dwelling.

(ii) Is not eligible to receive a replacement housing payment for homeowners or elects not to receive such payment.

(iii) The displaced resident shall within 6 months from the date of displacement rent and occupy a replacement dwelling.

(c) Computation of Rent Differential Payment

The amount of payment necessary for a displaced resident to lease or rent a comparable replacement dwelling shall be computed by subtracting twenty-four (24) times the base monthly rental of the displaced resident, from twenty-four (24) times the monthly rental for a comparable replacement dwelling; provided that in no case may such amount exceed the difference between twenty-four (24) times the base monthly rental and twenty-four (24) times the monthly rental actually required for the replacement dwelling occupied by the displaced resident.

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(i) Base Monthly Rental

The base monthly rental shall be the lesser of:

(1) The average monthly rental paid by displaced resident for the 3-month period prior to initiation of negotiations; or

(2) Twenty-five percent (25%) of the displaced resident's average monthly income.

(ii) Rental for Comparable Replacement Dwelling

The monthly rental for a comparable replacement dwelling shall be determined by the City using one of the following methods:

(1) Comparative Method

On a case by case basis by determining the listing rental of dwellings which are most representative of the acquired dwelling and meet the definition of a comparable dwelling. Whenever possible the listing rental of at least three dwellings shall be considered; or

(2) Schedule Method

Where the City determines the comparative method is not feasible, it may establish a schedule of reasonable rental charges for the various types of comparable replacement dwellings. The City shall cooperate with other entities causing displacement in the area to establish a uniform schedule. The schedule shall be based on a current analysis of the market to determine a reasonable rental charge for each type of dwelling to be rented. The analysis may be confined to the subarea from which the persons are displaced or may cover several different subareas, if they satisfy or exceed the criteria for a comparable replacement dwelling. To assure the greatest comparability of dwellings in any analysis, the analysis shall be divided into classifications of the type of construction, number of bedrooms, and range

of rental charges; or

(3) Alternative Method

Where the City determines that neither the schedule nor comparable method is feasible in a given situation, by the use of another reasonable method selected by the City.

Whichever method is selected, the cost shall be updated to within three (3) months of the date of rental of the replacement dwelling.

In calculating the base monthly rental and the rental for a comparable replacement dwelling the City will include as a component of rent the cost or estimated cost of utilities, but not including telephone service.

5. (§406) Proration of Payments

For the purpose of calculating an alternate payment or a replacement housing payment, two or more individuals (whether they are members of one family or not) living together in and displaced from a single dwelling shall be regarded as one displaced resident. If two or more such individuals submit more than one claim, an eligible claimant for a payment may be paid only his reasonable prorata share (as determined by the City) of the total payment applicable to a single displaced resident. The total of the payments made to all such claimants moving from the dwelling unit shall not exceed the total payment allowed to be made to a single displaced resident.

Where a tenant is sharing a single-family dwelling with an owner-occupant and paying the owner-occupant rent for the privilege, the tenant shall not be entitled to more than one-half of the replacement housing payment otherwise payable. The owner-occupant shall not be required to share the payment to which he is entitled or to accept a prorated amount.

B. (§407) Relocation Payments to Displaced Businesses

1. (§408) Payments Required

The City shall compensate the owner of a displaced business for the expenses described in the following Subsections 2 or 3.

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2. (§409) Actual Reasonable Moving Expenses

A displaced business shall be compensated for the actual reasonable expenses incurred for moving the business including moving personal property up to a maximum amount of $4,000. In all cases the amount of a payment shall not exceed the reasonable cost of accomplishing the activity in connection with which a claim has been filed.

The moving and related expenses for which claims may be filed shall include:

(a) Transportation of persons and property not to exceed a distance of twenty (20) miles from the site from which the business was displaced, except where the City determines that relocation beyond such distance of twenty (20) miles is justified;

(b) Packing, crating, unpacking, and uncrating personal property;

(c) Such storage of personal property for a period generally not to exceed six (6) months, as determined by the City to be necessary in connection with relocation;

(d) Insurance of personal property while in storage or transit;

(e) The reasonable replacement value of property lost, stolen, or damaged (not through the fault or negligence of the displaced business, its agents or employees) in the process of moving, where insurance covering such loss, theft, or damage is not reasonably available;

(f) The cost of disconnecting, dismantling, removing, reassembling, reconnecting and reinstalling machinery, equipment, or other personal property (including goods and inventory kept for sale) not acquired by the City, including connection charges imposed by public utilities for starting utility service;

(g) The cost of any addition, improvement, alteration or other physical change in or to any structure or its premises in connection with the reassembling, reconnection, or reinstallation of machinery, equipment, or other personal property; the cost of any addition, improvement, alteration or other physical change otherwise required to render such structure, premises, or equipment suitable for the business use; the cost of

modifying the machinery, equipment, or other personal property to adapt it to the replacement location or to utilities available at the replacement location or the cost of modifying the power supply; claims for reimbursement of all such costs shall be subject to the following limitations:

(i) The cost shall be directly related to displacement;

(ii) Reimbursable costs shall be reasonable in amount;

(iii) The cost shall be found by the City to be required by law or ordinance or to be otherwise necessary to the reestablishment of the displaced business;

(iv) The cost could not be avoided or substantially reduced at an alternate available and suitable site to which the business was referred;

(v) The City shall deduct, on the basis of a reasonable estimate, the amount, if any, realized by the displaced business concern as compensation for comparable additions, improvements, alterations or other physical changes to the structure and premises acquired, as part of the payment made for the acquisition of such structure and premises;

(h) The cost of any license, permit, or certification required by a displaced business concern to the extent such cost is necessary to the reestablishment of its operation at a new location;

(i) The reasonable cost of any professional services (including but not limited to architects', attorneys', or engineers' fees, or consultants' charges) necessary for planning the move of personal property, moving the personal property, or installation of relocated personal property at the replacement site;

(j) Where an item of personal property which is used in connection with any business is not moved but is replaced with a comparable item, reimbursement in an amount not to exceed the lesser of:

(i) The replacement cost of the personal property, minus net proceeds (if any) realized from the

sale of all or part of the property;

(ii) The estimated reasonable cost of moving the personal property, as determined by the City.

In order to obtain a payment under this paragraph, the displaced business shall make a bona fide effort to sell the personal property for which the payment is claimed at the highest price offered after reasonable efforts have been made over a reasonable period of time to interest prospective purchasers. The displaced business shall be reimbursed for the reasonable costs of such effort to sell the tangible personal property.

Where, in the judgment of the City, the cost of moving any item of personal property of low value and high bulk which is used in connection with any business would be disproportionate in relation to its value, the allowable reimbursement for the expense of having such property shall not exceed the difference between the cost of replacing the same with a comparable item available on the market and the amount which would have been received for such property on liquidation. This provision may in appropriate situations be applied to claims involving the moving of junkyards, stockpiles, sand, gravel, minerals, metals, and similar property.

3. (§410) Alternate Payments

(a) Determination of Payments

(i) Amount of Payment

A displaced business which moves or discontinues, and which meets the eligibility requirements of Subsection (b) below may elect to receive and shall be paid, in lieu of the payments for which it is otherwise entitled under the above Subsection 2, a payment equal to the average annual net earnings of the business, except that such payment shall not be more than $2,000. Said dollar limitation shall apply to a single business regardless of whether it is carried on under one or more legal entities.

(ii) Determination of Number of Businesses

In determining whether one or more legal entities, all of which have been acquired,

constitutes a single business, the following factors, among others, shall be considered:

(1) The extent to which the same premises and equipment are shared;

(2) The extent to which substantially identical or intimately interrelated business functions are pursued and business and financial affairs are commingled;

(3) The extent to which such entities are held out to the public, and to those customarily dealing with such entities, as one business;

(4) The extent to which the same person or closely related persons own, control, or manage the affairs of the entities.

(b) Eligibility

(i) Business (Other Than Nonprofit Organization)

A displaced business (except a nonprofit organization) is eligible for the payment provided for in Subsection (3) (a) above only if the City determines that:

(1) The business cannot be relocated without a substantial loss of its existing patronage, based on a consideration of all pertinent circumstances including such factors as the type of business conducted, the nature of the clientele, the relative importance to the displaced business of its present and proposed location, and the availability of a suitable relocation site;

(2) The business is not part of a commercial enterprise having another establishment which is not being acquired for a project and which is engaged in the same or similar business.

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V. (§500) CLAIM AND PAYMENT PROCEDURES

A. (§501) Filing of Claims

All claims for relocation assistance and payments filed with the City shall be submitted within six months of the date in which the claimant receives final payment for the property or the date on which he moves, whichever is later. The City may extend this period upon a proper showing of good cause.

B. (§502) Documentation in Support of Claim

1. (§503) Moving Expenses

(a) Commercial Moves

Except in the case of a displaced resident or displaced business moving himself, a claim for payment of actual reasonable moving expenses shall be supported by a bill or other evidence of expenses incurred, such claim shall be supported by estimates or bids from at least two (2) reputable moving companies.

(b) Self Moves

Without documentation of moving expenses actually incurred a displaced resident or displaced business electing to self move may submit a claim for his moving expenses to the City in an amount not to exceed the estimated cost of moving commercially. The estimated cost of moving commercially shall be based on the lowest responsible bid or estimate from at least two (2) reputable moving firms submitted by the claimant to the City prior to the move. The estimated cost of moving commercially shall include the cost, if any, of obtaining bids or estimates.

2. (§504) Proof of Earnings

If a displaced business elects to receive an alternate payment, the business shall provide proof of its earnings to the City. Proof of earnings may be established by income tax returns, financial statements and accounting records or similar evidence acceptable to the City.

C. (§505) Payments for Replacement Dwellings

1. (§506) Payment for Purchase of Comparable Replacement Dwelling

(a) Disbursement

When the City has determined the amount of the payment for purchase of a comparable replacement dwelling to which the displaced resident is entitled and has verified that the displaced resident occupies a comparable replacement dwelling, payment shall be made to the displaced resident.

(b) Provisional Payment Pending Condemnation

If the exact amount of a replacement housing payment cannot be determined because of a pending condemnation suit, the City may make a provisional replacement housing payment to the displaced homeowner equal to the difference between the City's maximum offer for the property and the reasonable cost of a comparable replacement dwelling, but only if the homeowner enters into an agreement that upon final adjudication of the condemnation suit the replacement housing payment will be recomputed on the basis of the acquisition price determined by the court. If the acquisition price as determined by the court is greater than the maximum offer upon which the provisional replacement housing payment is based, the difference shall be refunded by the homeowner to the City. If the acquisition price as determined by the court is less than the maximum offer upon which the provisional replacement housing payment is based, the difference shall be paid to the homeowner.

(c) Certificate of Eligibility

Upon request by a displaced homeowner or tenant who has not yet purchased and occupied a comparable replacement dwelling, but who is otherwise eligible for a replacement housing payment, the City shall certify to any interested party, financial institution or lending agency, that the displaced homeowner or tenant will be eligible for the payment of a specific sum if he purchases and occupies a dwelling within the time limits prescribed.

2. (§507) Rent Differential Payments

When the City has determined the amount of the rent differential payment to which the displaced resident is entitled and has verified that the displaced resident occupies a comparable replacement dwelling, payment shall be made to the displaced resident. The payment shall be made in a lump sum, unless the displaced resident requests disbursement on another basis. If the displaced resident requests such in writing, the City shall make arrangements for payment in annual or more frequent installments. The City may pay the first and last month's rent in advance, to be credited toward the rent differential payment when made.

D. (§508) Termination of Relocation Assistance

The City's relocation obligations cease under the following circumstances:

1. (§509) A displaced resident moves to a comparable replacement dwelling and receives all assistance and payments to which he is entitled;

2. (§510) The displaced resident moves to substandard housing, refuses reasonable offers of additional assistance in moving to a decent, safe and sanitary replacement dwelling and receives all payments to which he is entitled;

3. (§511) The business concern has received all assistance and payments to which it is entitled and has been successfully relocated or has ceased operations;

4. (§512) A person displaced from his dwelling or business refuses reasonable offers of assistance, payments and comparable replacement dwellings.

E. (§513) Request for Review by City Council

1. (§514) Request for Review

At any time within 30 days of the date at which a complainant receives a notice of determination, that complainant may file a written request for formal review and consideration by the City Council.

The City Council shall consider every complainant's complaint

regardless of form, and shall, if necessary, provide assistance in preparing the written request for review.

2. (§515) Notice of Procedures

When a complainant seeks review, the City shall inform him that he has the right to be represented by an attorney, to present his case by oral or documentary evidence, to submit rebuttal evidence, to conduct such cross-examination as may be required for a full and true disclaimer of facts.

3. (§516) City Review

Upon receipt of a request for review, the City Council shall promptly hear all complaints, and determine if the Agency has complied with the provisions of the Nevada Community Redevelopment Law, other applicable laws and regulations and these rules and regulations.

Before making final determination, the City Council shall hold a hearing, where the complainants shall be permitted to offer testimony and witnesses and cross examine witnesses.

4. (§517) Scope of Review

The City Council shall review and consider the initial determination of the City in the complainant's case to insure that it complies with all applicable Relocation Assistance Rules.

5. (§518) Final Determination

Once the City Council has made a final determination, the complainant shall have no further administrative appeal.

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AGENDA DOCUMENTATION

CITY COUNCIL

MEETING OF

OCTOBER 19, 1994

TO: City Council

FROM: RICHARD D. GOECKE, DIRECTOR
DEPARTMENT OF PUBLIC WORKS

SUBJECT: **DISCUSSION AND POSSIBLE APPROVAL OF RETAINING BSI CONSULTANTS, INC. TO PROVIDE CONSULTANT SERVICES IN DRAINAGE STUDY REVIEW**

PURPOSE/BACKGROUND

Recently we have lost two staff members of the Flood Control Section who were responsible for reviewing drainage studies. Before you today is a request to authorize retaining BSI Consultants, Inc. to provide the department assistance with drainage study review. The work load in this section is significant and we receive approximately 3-4 drainage studies daily. The hiring of this consultant will give us the time we need to replace staff.

We have always performed drainage study review with in-house staff. Retaining BSI Consultants, Inc. will allow us the opportunity to evaluate the approach of using private consultants to perform this work.

FISCAL IMPACT

$25,000.00 -- General Fund.

RECOMMENDATIONS

The Director of Public Works recommends the approval of retaining BSI Consultants, Inc. to provide consultant services in drainage study review.

CONSENT
Agenda Item

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Item Number	ITEM	ACTION
	III. CONSENT AGENDA	
	CONTINUED	
	DEPARTMENT OF PUBLIC WORKS	
39	SET DATE FOR PUBLIC HEARING TO ADOPT A MASTER PLAN AMENDMENT TO THE LONE MOUNTAIN DETENTION BASIN	**ADAMSEN - APPROVED Consent Agenda, Items 3 through 6, 8 through 17 and 19 through 42 as recommended - UNANIMOUS** **Staff to proceed**
	PUBLIC HEARING DATE SET FOR 11/2/94 AT 2:00 P.M.	******
		There was no discussion. (9:39 - 9:40)
40	DISCUSSION AND POSSIBLE APPROVAL OF INTERLOCAL AGREEMENT WITH CLARK COUNTY FOR BUFFALO/ CHEYENNE SPECIAL IMPROVEMENT DISTRICT NO. 1447	**APPROVED - See above**

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CITY COUNCIL

MEETING OF

OCTOBER 19, 1994

AGENDA DOCUMENTATION

TO: **City Council**

FROM: RICHARD D. GOECKE, DIRECTOR
DEPARTMENT OF PUBLIC WORKS

SUBJECT: **SET DATE FOR PUBLIC HEARING TO ADOPT A MASTER PLAN AMENDMENT TO THE LONE MOUNTAIN DETENTION BASIN**

PURPOSE/BACKGROUND

The Department of Public Works requests the City Clerk to set the date of November 2, 1994 for a public hearing to adopt a Master Plan Amendment to the Lone Mountain Detention Basin.

On October 13, 1994 the Regional Flood Control District Board held a public hearing and unanimously adopted a Master Plan Amendment to the Lone Mountain Detention Basin as an amendment to the Flood Control Master Plan.

NRS 543.597, Subsection 6 provides an amendment becomes effective only after a public hearing is held by the governing body of the local government in whose jurisdiction the affected structures are located. In this case the local government involved is the City of Las Vegas.

FISCAL IMPACT

None.

RECOMMENDATIONS

The Director of Public Works recommends the City Clerk set the date of November 2, 1994 for a public hearing to adopt a Master Plan Amendment to the Lone Mountain Detention Basin.

CONSENT Agenda Item

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AGENDA DOCUMENTATION

CITY COUNCIL
MEETING OF
OCTOBER 19, 1994

TO: **City Council**

FROM: RICHARD D. GOECKE, DIRECTOR
DEPARTMENT OF PUBLIC WORKS

SUBJECT: **DISCUSSION AND POSSIBLE APPROVAL OF INTERLOCAL AGREEMENT WITH CLARK COUNTY FOR BUFFALO/CHEYENNE SPECIAL IMPROVEMENT DISTRICT NO. 1447**

PURPOSE/BACKGROUND

The Regional Transportation Commission has approved roadway improvements to Buffalo Drive from Washington Avenue to Cheyenne Avenue and to Cheyenne Avenue from Buffalo Drive to US95.

As part of this work the City has organized Special Improvement District No. 1447 to provide for infrastructure not funded by the Regional Transportation Commission. Within the targeted area are Parcel Numbers 138-10-403-007 and 138-09-801-014 which are located within the corporate boundaries of Clark County and outside of the corporate boundaries of the City of Las Vegas. This Interlocal Agreement would allow the inclusion of these parcels within this special improvement district for assessment purposes.

This agreement has been reviewed and found to be in order by the City Attorney's Office and is on the November 15, 1994 agenda for approval by the Clark County Commission.

FISCAL IMPACT

None. Associated costs will be paid by property assessment.

RECOMMENDATIONS

The Director of Public Works recommends the approval of the Interlocal Agreement.

CONSENT
Agenda Item
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INTERLOCAL AGREEMENT

BUFFALO/CHEYENNE SPECIAL IMPROVEMENT DISTRICT NO. 1447

THIS INTERLOCAL AGREEMENT, made and entered into as of this 15th day of November, 1994, by and between the County of Clark, a political subdivision, hereinafter referred to as "COUNTY" and the City of Las Vegas, a municipal corporation, hereinafter referred to as "CLV".

W I T N E S S E T H

WHEREAS, a Special Improvement District needs to be established prior to construction in order to adequately provide that certain improvements are included in the construction; and

WHEREAS, the COUNTY has two properties which must be included within a Special Improvement District and the CLV's Special Improvement District would include many properties; and

WHEREAS, the COUNTY desires that the CLV establish the Special Improvement District for the entire property, including the two properties within COUNTY.

NOW, THEREFORE, in consideration of these premises and the terms contained herein, the parties agree as follows:

SECTION I. AUTHORITIES AND CONSENT

1. This Interlocal Agreement is entered into pursuant to the authority granted by NRS Chapter 277.

2. In connection with the proposed street project for the CLV, known as Buffalo/Cheyenne, Special Improvement District Number 1447 is being organized pursuant to the provisions of Chapter 271 of the Nevada

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Revised Statutes.

3. COUNTY hereby consents to the exercise of the powers necessary by CLV for the construction of Buffalo/Cheyenne according to Paragraph J, Subsection 1 of NRS 271.265, and the use of the collateral powers indicated in NRS 271.270.

4. COUNTY further consents to the exercise by CLV of such other powers necessary under Chapter 271 within the corporate boundaries of the COUNTY to enable CLV to construct the proposed street project, levy the cost of such improvements for the subject property, to place a lien upon such parcel for the payment of such assessments, and to collect and enforce such assessments over the period of time authorized by NRS 271, including the right for the CLV to exercise, on behalf of the COUNTY, the powers necessary to foreclose such assessment lien in the event of nonpayment of any of the assessments or any installments thereof.

5. CLV agrees to administer the project and to accept the provisions and authorities outlined in this Interlocal Agreement and acknowledges that this Interlocal Agreement is limited to the properties described in Section II.

SECTION II. SCOPE

1. This Interlocal Agreement is made and entered into for the purpose of including within the CLV Special Improvement District those parcels of land identified by County Assessor's Parcel Numbers

CITY COUNCIL MINUTES

OCT 19 1994

138-10-403-007 and 138-09-801-014, which parcels are located within the corporate boundaries of the COUNTY and outside of the corporate boundaries of the CLV.

2. Assessments made against this parcel in connection with the Special Improvement District which is to be formed by the CLV include and are limited to pavement, curb and gutter, sidewalk, streetlights and water and sewer facilities.

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SECTION III. TERM OF AGREEMENT

1. The consents granted in Section I of this Interlocal Agreement shall be effective from the date of the adoption of the resolution by the City Council of the CLV authorizing the Interlocal Agreement until the date of the final payment of all assessments levied against the above designated parcel including interest, penalties and collection costs.

IN WITNESS WHEREOF, this Interlocal Agreement is hereby executed as of the date first set forth above.

DATE OF COMMISSION ACTION:

November 15, 1994

ATTEST:

LORETTA BOWMAN, COUNTY CLERK

APPROVED AS TO LEGALITY AND FORM:

CHRISTOPHER FIGGINS

DEPUTY DISTRICT ATTORNEY

DATE OF ~~COUNTY~~ CITY ACTION:

October 19, 1994

ATTEST:

KATHLEEN TIGHE, CITY CLERK

By: Sandra R. LeBoeuf
Chief Deputy City Clerk

COUNTY OF CLARK

BY:

JACOB DAVID BINGHAM, CHAIRMAN

BOARD OF COUNTY COMMISSIONERS

CITY OF LAS VEGAS

BY:

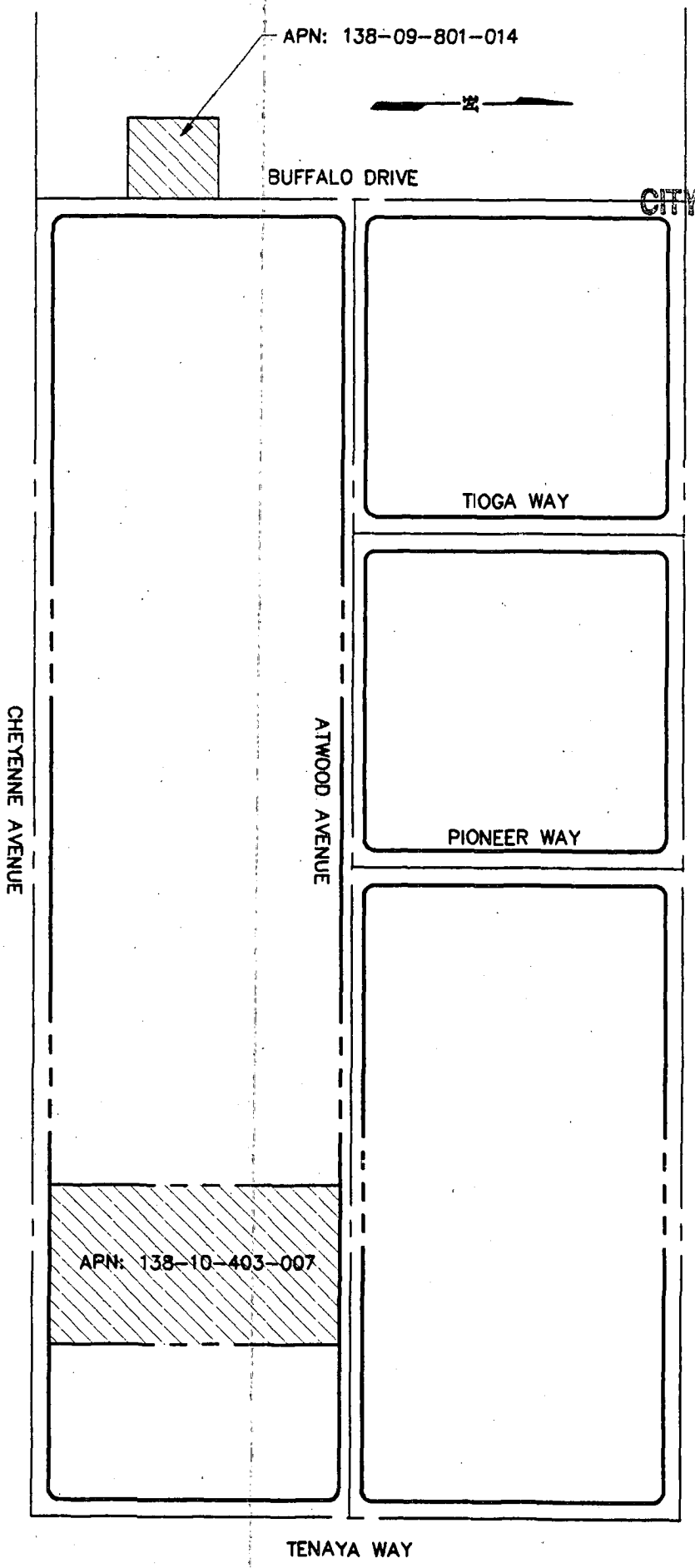
JAN LAVERTY JONES, MAYOR

VS
10-21-94

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CITY COUNCIL MINUTES

OCT 19 1994



Item Number	ITEM	ACTION
	III. CONSENT AGENDA	
	CONTINUED	
	DEPARTMENT OF PUBLIC WORKS	
41	DISCUSSION AND POSSIBLE APPROVAL OF A CONTRACT FOR RIGHT OF WAY ACQUISITION AND RELOCATION ASSISTANCE WITH PROPERTY SPECIALISTS, INC. FOR THE DOWNTOWN CORRIDOR IMPROVEMENTS PROJECT **$174,300 funded by Transportation Room Tax Bonds**	**ADAMSEN - APPROVED Consent Agenda, Items 3 through 6, 8 through 17 and 19 through 42 as recommended - UNANIMOUS** **Staff to proceed** ****** There was no discussion. (9:39 - 9:40)
42	DISCUSSION AND POSSIBLE ACTION TO DESIGNATE LAS VEGAS BOULEVARD FROM GASS AVENUE TO FREMONT STREET AS THE CITY'S OFFICIAL DOWNTOWN PARADE ROUTE **Estimated cost of $2,000 per parade for five annual parades events**	**APPROVED - See above**

Lynn Goya

AGENDA DOCUMENTATION

CITY COUNCIL
MEETING OF
OCTOBER 19, 1994

208

TO:	FROM:
City Council	RICHARD D. GOECKE, DIRECTOR DEPARTMENT OF PUBLIC WORKS

SUBJECT: **DISCUSSION AND POSSIBLE APPROVAL OF A CONTRACT FOR RIGHT OF WAY ACQUISITION AND RELOCATION ASSISTANCE WITH PROPERTY SPECIALISTS, INC. FOR THE DOWNTOWN CORRIDOR IMPROVEMENTS PROJECT**

PURPOSE/BACKGROUND

The City is currently in the design stage of the Downtown Corridor Improvements Project consisting of approximately two miles of road and related improvements along Las Vegas Boulevard and Fourth Street between Sahara Avenue and Stewart Avenue. To accomplish this Project it is necessary for the City to acquire right of way on 13 improved properties generally along the east side of Fourth Street between Las Vegas Boulevard and Charleston Boulevard. In order for the City to accomplish this Project in a timely manner, acquisition and relocation assistance services on these 13 parcels must be obtained.

The Department of Public Works has negotiated a contract for acquisition and relocation assistance services and is proposing that Property Specialists, Inc. be awarded the contract. The City Attorney's Office has reviewed the contract and has found it to be in order.

The actual cost of the contract could vary somewhat because some of the apartments, retail store and/or office units could be vacant at the time of purchase thus not requiring any relocation assistance. The acquisition services would remain fixed at $31,800 with the relocation assistance cost not to exceed $142,500. The relocation services cost is based on 12 businesses, 20 apartment tenants and the possibility of 48± weekly motel tenants.

FISCAL IMPACT

Not to exceed $174,300.00 -- Funded by Transportation Room Tax Bonds.

RECOMMENDATIONS

The Director of Public Works recommends the approval of the Contract.

CONSENT
Agenda Item
41

DOWNTOWN CORRIDOR IMPROVEMENTS

CONTRACT FOR RIGHT-OF-WAY ACQUISITION & RELOCATION ASSISTANCE

This Contract, entered into this 19th day of October, 1994, between the City of Las Vegas, hereinafter called the "CITY" and Property Specialists, Inc. whose address is 6330 South Eastern, Suite 1B, Las Vegas, Nevada 89119, hereinafter called the "CONSULTANT".

W I T N E S S E T H

WHEREAS, the CITY is currently in the design stage of the Downtown Corridor Improvements Project consisting of approximately two miles of road and related improvements between Sahara Avenue and Stewart Avenue. Said improvements include roadway and traffic improvements, streetscape amenities and minor drainage modifications; and

WHEREAS, this Project is a result of a need to not only provide a route with appropriate traffic capacity, but one that will be both pleasurable and desirable to the motoring public. To accomplish this Project it is necessary for the CITY, to acquire thirteen (13) improved properties (parcels) generally along the east side of 4th Street between Las Vegas Boulevard and Charleston Boulevard. In order for the CITY to accomplish the Project in a timely manner, acquisition and relocation assistance services on these thirteen (13) parcels must be obtained.

NOW, THEREFORE, in consideration of the covenants, conditions, agreements and provisions of the parties thereto, it is mutually understood and agreed as follows:

1. The CONSULTANT will make their best effort to negotiate and acquire property rights that may include, but are not limited to, rights of entry, temporary and permanent easements and fee title free and clear of liens and encumbrances in order to construct road improvements and related facilities and provide relocation assistance services on the following described thirteen (13) parcels of land:

APN	162-03-110-012, 013 & 014	APN	162-03-201-003
	162-03-110-015		162-03-210-073
	162-03-110-016		162-03-210-075 & 076
	162-03-110-017, 018 & 019		162-03-210-077
	162-03-110-020 & 162-03-210-072		162-03-210-078
	162-03-201-002 & 162-03-210-074		162-03-210-079
			162-03-210-080

2. The CITY shall furnish the CONSULTANT preliminary title reports, appraisal reports, legal descriptions, names of record owners, Assessor parcel maps, Grant Deeds, easement documents (if applicable), CITY acquisition forms, field notes relative to any background information on record owners and respective properties that may assist the CONSULTANT and/or any other descriptive material and construction plan data (when available) covering all of the properties to be purchased and CITY Relocation Rules.

3. The CONSULTANT services shall include: A. Acquisition - presentation of written offers based upon fair market appraisal values, negotiation with property owners on behalf of the CITY and performance of related

acquisition functions necessary to obtain the required property rights. Further services shall be to open and close escrows with Nevada Title Company, or a title company designated by a property owner, if pre-approved by the CITY; prepare parcel files with documented contacts with property owners; prepare payment requests on parcel purchases; prepare justification for settlement/condemnation action, if appropriate; submit monthly status reports and submit closed files to CITY. B. Relocation Assistance - determine eligibility of all displaced residents and businesses, discuss and arrange benefits using CITY Relocation Rules with relocatees, assist relocatee in finding suitable replacement housing and/or locations and performance of related relocation assistance functions. Further services shall be to open relocation files showing documented contacts with relocatees; refer relocatees to outside agencies for assistance, if needed; prepare benefit and moving payment requests; submit monthly status reports and submit closed files to CITY.

4. The CONSULTANT shall have submitted all parcels into escrow or for condemnation action on or before January 31, 1995 and all relocatees and personal property moved from said parcels on or before March 15, 1995 it being fully understood and agreed that if the CONSULTANT fails to deliver said parcels or perform relocation functions when due, the CITY, in such event, shall have the right to terminate the services of the CONSULTANT and the CITY shall not be liable for payment for parcels submitted after the due date. An extension of time may be granted by the CITY in the

event of unforeseeable circumstances presented in writing by the CONSULTANT prior to the aforesaid due date. The CONSULTANT shall be notified in writing of the CITY's decision regarding any request for an extension of time.

5. For their services in acquiring the necessary right-of-way, the CONSULTANT shall be paid according to the following fees: (fees not to exceed the following amounts)

Acquisition Services

Gas Station parcel	$3,000
(APN 162-03-210-080)	
All other parcels	$2,400 each

Relocation Assistance

Gas Station	$5,000
Offices, commercial & retail shops	$4,000 each
Homeowner occupant	$3,000
Residential tenants	$2,500 each
Motel tenants	$ 750 each
Non-occupant property owners	$ 500 each

which shall constitute full payment to the CONSULTANT for all services performed hereunder.

6. The CONSULTANT may bill monthly against the appropriate rate upon the following basis:

. . .

Acquisition (per parcel rate)

A. 33% payment after the initial written offer.

B. 33% payment upon opening of escrow.

C. 34% payment upon file completion and submittal to CITY.

Relocation Assistance (per relocatee rate)

A. 33% payment after explanation of relocation benefit and documenting file.

B. 33% payment after presenting letter of moving and/or replacement housing supplement.

C. 34% payment after close of file.

7. The CONSULTANT shall conduct negotiations, acquisition and relocation assistance services in a forthright, professional manner adhering to all applicable State laws, and CITY rules and regulations. Furthermore, the CONSULTANT shall maintain all licenses and permits required by law to perform acquisition and relocation assistance services at all times during the course of this Contract.

8. It is agreed that the CONSULTANT shall be available to the CITY for consultant-counsel conferences and for subsequent pre-trial conferences on properties identified under this Contract. Additional compensation for such conferences shall be at the rate of $125.00 per hour. It is further agreed that the CONSULTANT will be available to the CITY for court appearances and expert testimony on its behalf regarding said properties for an additional compensation computed on the basis of $125.00 per hour.

9. The CITY shall have the right to cancel the CONSULTANT's services to be performed under this Contract, in whole or part, in the event changes in the CITY's plans obviate the necessity for such acquisition, by giving notice by certified mail, return receipt requested, to the CONSULTANT, in which event, the CITY shall be liable for services furnished only to the date of the receipt by CONSULTANT of such notice of cancellation.

10. The CONSULTANT agrees that they will not discuss or convey information used in connection with the acquisition to, or negotiate with, any person or entity except property owners or their authorized representatives. The CONSULTANT further agrees that they will not furnish any other person or agency, except on proper order of the Court, a copy of the appraisal report or information contained therein without the prior consent of the CITY. The appraisal reports prepared for this Project are agreed to be confidential and a breach of such confidence by the CONSULTANT without the prior consent of the CITY shall be considered a material breach of this Contract for which damages will lie.

11. The CONSULTANT agrees to indemnify and save the CITY, its officers, agents and employees harmless from any and all claims and losses accruing or resulting to any and all persons, firms or corporations furnishing or supplying work, services, materials or supplies in connection with the performance of this Contract and from any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by the CONSULTANT in the performance of this Contract.

It is expressly understood that the CONSULTANT is an independent contractor and is subject to all statutes and laws relating to independent contractors and, in no event, will the CONSULTANT, or an agent or servant, be considered as an employee of the CITY.

12. The CONSULTANT, by executing this Contract, certifies that neither principals nor any employee in their service has, directly or indirectly, any financial or personal interest in or to any of the parcels to be purchased under this Contract, and, further, that neither principals nor any employee in their service has, directly or indirectly, any financial or personal interest, other than this Contract, in any contract or sub-contract in connection with this Project. The CONSULTANT further certifies that should they or any employee in their service acquire in the future, prior to completion of the above-mentioned acquisition services, any such interest in property within the Project or in any contract or sub-contract in connection with such Project, they will immediately notify the CITY of such interest or interests. For breach or violation of this warranty, the CITY shall have the right to annul this Contract without

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CITY COUNCIL MINUTES

OCT 19 1994

further liability, and the CITY shall thereupon pay only such consideration as shall have accrued on Project acquisitions completed in their entirety prior to the acquisition of such adverse interests.

IN WITNESS WHEREOF, this Contract is hereby executed as of the date first set forth above.

DATE OF COUNCIL ACTION:

October 19, 1994

ATTEST:

KATHLEEN TIGHE, CITY CLERK

By: Sandra R. LeBoeuf
Chief Deputy City Clerk

CITY OF LAS VEGAS

BY:

JAN LAVERTY JONES, MAYOR VS 10-21-94

PROPERTY SPECIALISTS, INC.

BY: Patricia D. Paulson

PATRICIA D. PAULSON, PRESIDENT

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AGENDA DOCUMENTATION

CITY COUNCIL
MEETING OF
OCTOBER 19, 1994

217

TO:
City Council

FROM:
RICHARD D. GOECKE, DIRECTOR
DEPARTMENT OF PUBLIC WORKS

SUBJECT: DISCUSSION AND POSSIBLE ACTION TO DESIGNATE LAS VEGAS BOULEVARD FROM GASS AVENUE TO FREMONT STREET AS THE CITY'S OFFICIAL DOWNTOWN PARADE ROUTE

PURPOSE/BACKGROUND

The City began planning for a new parade route for Downtown several months ago knowing that the closure of Fremont Street was imminent. After several meetings with representatives from the State, Metro, City Traffic Engineering and finally the committees/associations responsible for planning the five (5) annual parades downtown, it was agreed that Las Vegas Boulevard from Gass Avenue to Fremont Street was the most desirable route in the downtown area (see attached map of the parade route). This route has been used the last two years for the Martin Luther King Jr. Parade with success. A letter was then written to the State requesting approval for the use of Las Vegas Boulevard and they responded favorably. The only concern they expressed was over the "weekday" events and they asked that extra measures be taken to ensure that additional signage and appropriate detours are provided for in the barricade plan for those events. Three of the five parades (Martin Luther King Jr., Helldorado and Columbus Day) schedule their events on Saturdays with two groups (Veterans and St. Patrick's Day) having their events on the "actual day", falling the majority of the time on weekdays. We met to discuss the State's concerns and addressed those issues and now have on file an official approved barricade plan signed by the State for all events to be held on Las Vegas Boulevard. Utilizing the same plan for each event will minimize confusion for the traveling public and create a standard plan for the barricading companies to follow.

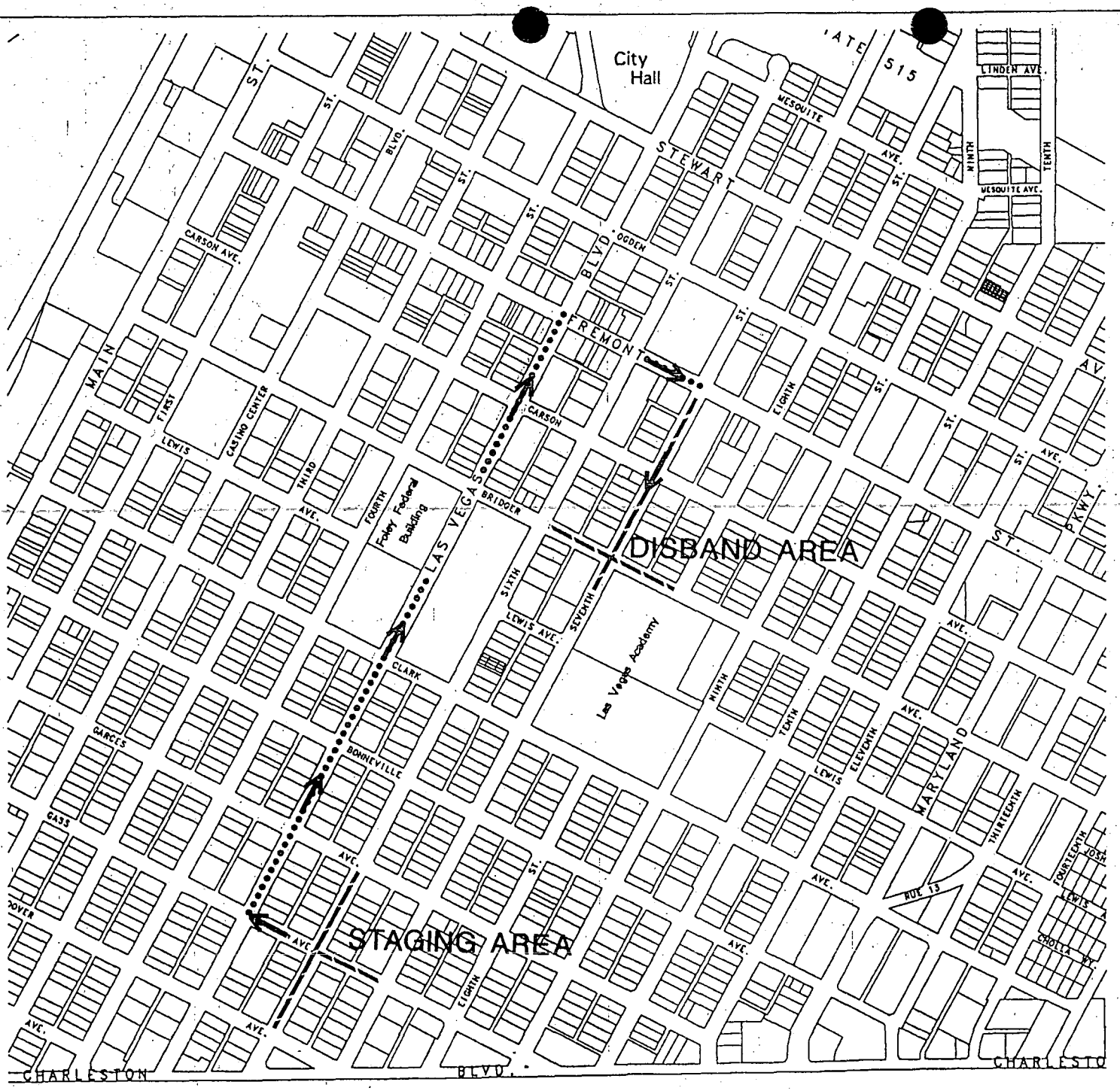
FISCAL IMPACT

The majority of this parade route is on Las Vegas Boulevard - NDOT right of way. The State has authorized the use of this road for parades with the condition the City be responsible for parade cleanup costs associated with the five annual parade events (estimated at $2,000.00 for each parade).

RECOMMENDATIONS

The City Manager requests that consideration be given to consider Las Vegas Boulevard from Gass Avenue to Fremont Street as the City's Official Downtown Parade Route.

Consent
Agenda Item
42



GIS maps are normally produced only to meet the needs of the City.
No Warranty is made as to the accuracy or quality of maps.

Geographic Information System

Las Vegas Blvd.

Parade Route

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CITY COUNCIL MINUTES
OCT 19 1994

Dewey Animal Care Center
4800 W. Dewey Drive
Las Vegas, Nevada 89118
873-3455

CITY COUNCIL MINUTES

OCT 19 1994

E.L. Kirshbaum, D.V.M. – co-director Joseph A. Freer, D.V.M. – co-director James J. Elliott, D.V.M. – resident veterinarian

September 21, 1994

Larry Barton
City Manager
400 E. Stewart Ave.
Las Vegas, Nevada 89101

Dear Mr. Barton:

Per our conversation Wednesday Sept. 21, 1994 prior to the City Council Meeting I am writing to request a waiver of building permit fees and a fast track of our plans thru the building department.

The new Animal Shelter we are building for the Las Vegas community is a public service building and a positive economic factor for the Rancho/Bonanza area.

Thank you,

Joseph A. Freer, D.V.M.

CITY OF LAS VEGAS

Date 220
September 30, 1994

INTER-OFFICE MEMORANDUM

TO:
Larry K. Barton
City Manager

FROM: Paul K Wilkins
Paul K. Wilkins, Acting Director
Department of Building and Safety

SUBJECT:
Dewey Animal Center

COPIES TO:
CITY COUNCIL MINUTES
OCT 19 1994

Our current turnaround time (without overtime) for large projects is approximately five weeks, depending upon the complexity and the completeness of the submission. If we run into problems, it can take more time depending upon the responsiveness of the customer.

I understand that the Dewey Animal Shelter is a $2.5-million project and that we should get a submission within the next few days. They intend to ask for a **fee waiver.** Based on the $2-million figure, permits and plan check should run about $17-18,000.00.

I will keep you posted.

PKW:RLB:at

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	ADMINISTRATIVE AGENDA	**HAWKINS JR - DENIED - UNANIMOUS**
43	Discussion and possible action to waive plans check and building permit fees for the Dewey Animal Shelter.	**Staff to proceed** ****** DR. FREER stressed the investment benefit to the City and community of relocating the Animal Shelter from the edge of the community into the heart of West Las Vegas. There is also a convenience factor in that this will save both City Animal Control Officers and citizens travel time and expense. COUNCILMAN HAWKINS JR noted that although the Council is very supportive of the Dewey Animal Shelter facility and the relocation, it is not entitled to the waiver because it operates as a for-profit animal hospital. COUNCILMAN HIGGINSON added that the facility acts as a contractor providing service to the City for which it is paid and not a quasi-public facility. MAYOR JONES confirmed with CITY MANAGER BARTON that historically the City has waived such fees for only other governmental entities or non-profit organizations. This could create a new precedent. There was no further discussion. (9:42 - 9:47)
44	Discussion and possible action to include the City Attorney under the City's Executive Compensation Plan.	**ADAMSEN - ABEYANCE of Item 44 to 11/2/94 and of Item 48 until the applicant requests to be placed back on the agenda - UNANIMOUS** **Staff to proceed** ****** There was no discussion. (9:37 - 9:38) NOTE: Subsequent to the meeting it was determined that the item would appear on a later agenda and did not appear on the 11/2/94 agenda.

CITY COUNCIL

AGENDA DOCUMENTATION

MEETING OF
October 19, 1994

TO:	FROM:
City Council	LARRY K. BARTON CITY MANAGER

SUBJECT: DISCUSSION AND POSSIBLE ACTION TO WAIVE PLANS CHECK AND BUILDING PERMIT FEES FOR THE DEWEY ANIMAL SHELTER.

PURPOSE/BACKGROUND

Dr. Joseph A. Freer, D.V.M., has requested a waiver of permit and plans check fees for the new private animal hospital he plans to build on the south side of West Bonanza Road, just east of Rancho Drive. No plans have been received yet for the facility, but based on Dr. Freer's estimated construction valuation of $2.1 million, the estimated total fees for permits and plans check would be $13,850.00.

FISCAL IMPACT

LOSS OF $13,850 IN REVENUE.

RECOMMENDATIONS

City Manager requests Council guidance on this request.

Agenda Item

43

222A

Dewey Animal Care Center
4800 W. Dewey Drive
Las Vegas, Nevada 89118
873-3455

CITY COUNCIL MINUTES

OCT 19 1994

E.L. Kirshbaum, D.V.M. – co-director Joseph A. Freer, D.V.M. – co-director James J. Elliott, D.V.M. – resident veterinarian

September 21, 1994

Larry Barton
City Manager
400 E. Stewart Ave.
Las Vegas, Nevada 89101

Dear Mr. Barton:

Per our conversation Wednesday Sept. 21, 1994 prior to the City Council Meeting I am writing to request a waiver of building permit fees and a fast track of our plans thru the building department.

The new Animal Shelter we are building for the Las Vegas community is a public service building and a positive economic factor for the Rancho/Bonanza area.

Thank you,

Joseph A. Freer

Joseph A. Freer, D.V.M.

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

Date: September 30, 1994

222 B

TO:
Larry K. Barton
City Manager

FROM:
Paul K. Wilkins, Acting Director
Department of Building and Safety

SUBJECT:
Dewey Animal Center

COPIES TO:
CITY COUNCIL MINUTES
OCT 19 1994

Our current turnaround time (without overtime) for large projects is approximately five weeks, depending upon the complexity and the completeness of the submission. If we run into problems, it can take more time depending upon the responsiveness of the customer.

I understand that the Dewey Animal Shelter is a $2.5-million project and that we should get a submission within the next few days. They intend to ask for a **fee waiver.** Based on the $2-million figure, permits and plan check should run about $17-18,000.00.

I will keep you posted.

PKW:RLB:at

CITY COUNCIL

AGENDA DOCUMENTATION

MEETING OF
OCTOBER 19, 1994

223

TO:
City Council

FROM:
LARRY K. BARTON
CITY MANAGER

SUBJECT: DISCUSSION AND POSSIBLE ACTION TO INCLUDE ~~THE CITY~~ ATTORNEY UNDER THE CITY'S EXECUTIVE COMPENSATION PLAN

PURPOSE/BACKGROUND

Based upon discussions at the October 5, Council Meeting, it has been proposed that the City Attorney's position be put under the recently adopted Executive Compensation Plan. The proposal will eliminate the need for the City Attorney's contract, and the contract will be terminated by mutual agreement.

FISCAL IMPACT

Dependent upon City Council application of the Compensation Plan.

RECOMMENDATIONS

It is recommended that the Council approve this item and authorize the Mayor to execute any necessary documents to implement the approval.

Agenda Item
44

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	ADMINISTRATIVE AGENDA	
45	DISCUSSION AND POSSIBLE ACTION APPROVING A DONATION FROM THE JAPANESE NATIONAL COUNCIL OF SOCIAL WELFARE TO COVER ALL TRAVEL EXPENSES TO JAPAN FOR JOHN CHAMBERS, MANAGER OF THE ADAPTIVE RECREATION DIVISION, TO CONSULT REGARDING HIS EXPERTISE IN WHEELCHAIR SPORTS, ADAPTIVE GOLF AND EXHIBITION BASKETBALL (OCTOBER 23 - NOVEMBER 2, 1994).	**HAWKINS JR - APPROVED Acceptance of the donation in the amount of $8,982 from the Japanese government as recommended - UNANIMOUS** **Staff to proceed** ****** COUNCILMAN HIGGINSON pointed out that JOHN CHAMBERS does great work for the City. MAYOR JONES commented on the great honor for both MR. CHAMBERS and the City to have the Japanese government seek him out as an expert consultant and pay his expenses to do so. Both MAYOR JONES and COUNCILMAN ADAMSEN congratulated him on being invited. There was no further discussion. (9:47 - 9:48)

AGENDA DOCUMENTATION

CITY COUNCIL

MEETING OF
OCTOBER 19, 1994

TO: **City Council**

FROM: Larry K. Barton
City Manager

SUBJECT: DONATION FROM THE JAPANESE COUNCIL FOR JOHN CHAMBERS' TRAVEL EXPENSES

PURPOSE/BACKGROUND

John Chambers, Manager of Adaptive Recreation, has been invited by Chekashi Matsuju, Secretary General of the Japanese National Council of Social Welfare, to travel to various cities in Japan (October 23 - November 2, 1994) for the purpose of elevating awareness of adaptive recreation in that country. The Japanese government will be paying all of the expenses (air and ground travel, meals, and lodging).

Mr. Chambers, an internationally recognized expert in the field of adaptive recreation, will be providing a series of exhibitions, hosting two golf clinics and coaching the U. S. Wheelchair Basketball Team.

FISCAL IMPACT

None to the City of Las Vegas; estimated value of donation from Japanese government--$8,982

RECOMMENDATIONS

The City Manager recommends that the Mayor and Council approve the acceptance of the donation from the Japanese government.

Agenda Item
45

CITY COUNCIL

MEETING OF

OCTOBER 19, 1994

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS DEPARTMENT OF BUSINESS ACTIVITY	
	LIQUOR -- New SUPPER CLUB LICENSE BRINKER RESTAURANT CORPORATION dba ROMANO'S MACARONI GRILL 2300 West Sahara (Brinker Restaurant Corporation, a wholly-owned subsidiary of Brinker International, Inc., a publicly traded corporation) Debra L. Smithart, Dir, COB, Pres, Chief Financial Officer Roger Farley Thomson, Dir, Senior V.P., Secy Brinker International, Inc., 100% Debra L. Smithart, Dir, Exec V.P., Chief Financial Officer Roger F. Thomson, Dir, Senior V.P., Secy Subject to the provisions of the Planning and Fire codes and Health Department regulations	**ADAMSEN - APPROVED subject to the provisions of the Planning and Fire codes and Health Department regulations - UNANIMOUS** **Staff to proceed** ****** PHILIP ROBINS, 1229 S. Casino Center, and ATTORNEY JOHN SULLIVAN, Jones, Jones, Close & Brown, appeared on behalf of the applicant. This is an upscale Olive Garden with Italian food and wine service at the table operated by the same corporation which operates the Chili's chain. This restaurant will be located in the Nevada Financial Center across from Palace Station. There was no further discussion. (9:48 - 9:49)

Lynn Macy

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS DEPARTMENT OF BUSINESS ACTIVITY (cont'd)	
	LIQUOR -- Change of Ownership/ Change of Location/Change of Business Name	**ADAMSEN - APPROVED subject to the provisions of the Fire codes and Health Department regulations -UNANIMOUS**
47	RESTAURANT SERVICE BAR LICENSE From: Robinson & Williams dba Cafe Bianco 8611-8615 West Sahara (Nonoperational Status) Jackie L. Robinson, 50% Flintie R. Williams, 50% TO: DIMARTINO HACIENDA RESTAURANT ASSOCIATES LIMITED PARTNERSHIP dba NEW YORK PASTA COMPANY 8427 West Lake Mead M.Dim. Restaurant Enterprises (A Nevada Corporation), General Partner, 50% -- Mark J. DiMartino, Dir, Pres, Secy, Treas, 100% Allen R. Anes, Limited Partner, 45% David A. Mulken, Limited Partner, 5% Subject to the provisions of the Fire codes and Health Department regulations	**Staff to proceed** ****** MARK DiMARTINO, 8427 W. Lake Mead, was present. There was no discussion. (9:49 - 9:50)

Lynn Wacey

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS DEPARTMENT OF BUSINESS ACTIVITY (cont'd)	
	LIQUOR -- Change of Ownership/ Change of Business Name	**ADAMSEN - ABEYANCE of Item 44 to 11/2/94 and of Item 48 until the applicant requests to be placed back on the agenda - UNANIMOUS**
	TAVERN LICENSE	**Staff to proceed**
48	From: Jesters, Inc. dba Whiskey River Saloon Thomas Coward, Dir, Pres, Secy, Treas, 100%	******
		The applicant was not present.
		There was no further discussion.
	TO: THE FLAME II, INC. dba THE FLAME 1243 East Sahara	NOTE: COUNCILMAN ADAMSEN instructed Metro to provide him with any information on the application regarding lawsuits in which the applicant might be involved by the next hearing on either the 11/2/94 or 11/16/94 Council meeting.
	Edward J. Jaffe, Dir, Pres, Secy, Treas, 100%	(9:50)
	Subject to the provisions of the Health Department regulations	

Lynn G. Goya

James C. Mahan
Frank A. Ellis, III

Mahan and Ellis Chartered
Attorneys At Law
510 South Ninth Street
Las Vegas, Nevada 89101

Telephone (702) 385-3727
Fax (702) 386-6826

229

CITY COUNCIL MINUTES

October 18, 1994

OCT 19 1994

RECEIVED
CITY CLERK
Oct 18 4 09 PM '94

HAND-DELIVERED

Ms. Kathleen Tighe
Las Vegas City Clerk
400 E. Stewart Ave.
Las Vegas, Nevada 89101

Re: The Flame II, Inc./Edward Jaffe--1243 East Sahara Ave.

Dear Ms. Tighe:

I represent The Flame II, Inc. and its sole shareholder, Edward Jaffe. My clients' application for a liquor license is scheduled for hearing tomorrow morning on the City Council's agenda.

The purpose to this letter is to request that the matter be removed from the calendar and rescheduled during the month of November. An opposition has been filed to my clients' application, and we want to attempt to resolve this dispute without wasting the Council's time and consideration.

Mr. Jaffe has been in the restaurant business here in Las Vegas since 1961. The Flame restaurant was owned by Mr. Jaffe and operated out of the same location at Number 1 Desert Inn Road from 1961 through October of 1993. In 1993 Clark County condemned the property on which the restaurant was located to make way for the Desert Inn Super Arterial. At the time he was forced out of business, Mr. Jaffe employed over thirty people, many of whom had been with him for decades.

For over one year my clients have been attempting to secure new premises from which to operate their restaurant. They have received no relocation assistance or payments from the County. Mr. Jaffe is legally blind and has been left by the condemning authority to fend for himself.

In addition, the landlord that owns the building is claiming that my clients are not entitled to any portion of the condemnation proceeds. Consequently, we are embroiled in a lawsuit with the landlord over that issue. This condemnation has cost Mr. Jaffe tens of thousands of dollars.

Several months ago Mr. Jaffe found a location which he believed could work as a new site for his restaurant. The Whiskey River Saloon at 1243 East Sahara Ave. had been closed for some

time. My clients purchased the liquor license from the owner of Whiskey River and thereafter filed their application, which is set for hearing tomorrow.

During the last few days Mr. Jaffe has been informed that several former employees of The Flame, Inc. have filed an opposition to his liquor application. As I understand their complaint, these employees believe that Mr. Jaffe should not be licensed because of a problem with their pension plan from The Flame, Inc., the corporation under which the previous restaurant did business on Desert Inn Road. These employees' allegations are misdirected.

The Flame, Inc. has been sued by these employees in State Court. However, there has been no determination as to the validity of the employees' claim. In addition, The Flame has sued the administrator of the pension plan, which caused the alleged problems facing these former employees. Mr. Jaffe did not create this dispute.

In any event, because of the time constraints, I respectfully request on behalf of my clients that this matter be continued until next month's agenda so that my clients can have an opportunity, if possible, to resolve this dispute.

Thank you for your consideration in this regard.

Very truly yours,

Frank Ellis

Frank E. Ellis III, Esq.

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS DEPARTMENT OF BUSINESS ACTIVITY (cont'd)	
	LIQUOR -- Change of Ownership/ Change of Business Name	
	BEER/WINE/COOLER OFF-SALE LICENSE	
49	From: Dubar, Inc. dba Pit Row Deli Mart John Barrett, Dir, Pres, Treas, 50% Robert Dugan, Dir, Secy, 50% TO: SYLEE CORPORATION dba PIT ROW DELI 4030 West Charleston Suk Young Lee, Dir, Pres, Secy, Treas, 100% Approval subject to favorable investigation report from Las Vegas Metropolitan Police Department Also subject to Health Department regulations	**ADAMSEN - APPROVED** subject to a favorable investigative report from Metro and the provisions of the Health Department regulations - **MOTION carried with Higginson voting NO** **Staff to proceed** ****** SUK LEE was present. COUNCILMAN ADAMSEN confirmed with MARIO GARCIA, Director of Business Activity, that the Metro investigative report was not yet available and that there was no opposition to granting the license subject to a favorable investigative report. There has been some difficulty in obtaining the necessary information from Nebraska. SGT. QUERING clarified that some of the missing information related to financial data the applicant has failed to provide. MR. LEE rebutted that all the requested information has been provided. COUNCILMAN HIGGINSON suggested holding the item until 11/2/94 to obtain the missing information from the applicant. MR. LEE stated that he has had three extensions on closing and that if the escrow does not close by the end of October, the deal will fall apart. COUNCILMEN ADAMSEN and HAWKINS JR commented that any adverse information in the report would result in the license coming back before Council. COUNCILMAN BRASS confirmed with MR. LEE that there is nothing in his background to delay Council approval. COUNCILMAN ADAMSEN warned MR. LEE that should an area of concern come before the Council, it would take very hard action against him. There was no further discussion. (9:51 - 9:56)

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	DEPARTMENT OF BUSINESS ACTIVITY (cont'd)	**ADAMSEN - APPROVED - UNANIMOUS** **Staff to proceed**
		******
	LIQUOR -- Approval of Officer	
50	PACKAGE LICENSES PRESTIGE STATIONS, INC. dba AM/PM MINI MARKETS 3885 East Charleston 1619 Las Vegas Boulevard South 1500 West Bonanza 1625 South Decatur 1550 North Rancho 551 North Lamb Robert A. Milliken, Jr. V.P., Sales	ATTORNEY CHRIS KAEMPFER, 3800 Howard Hughes, appeared on behalf of the applicant. COUNCILMAN BRASS asked if the existing license involved package liquor. ATTORNEY KAEMPFER stated that the request involved only approval of a new officer resulting from corporate changes and would not change the existing liquor license. COUNCILMAN ADAMSEN instructed MARIO GARCIA, Director of Business Activity, to ascertain the type of license involved. (9:56 - 9:58) MR. GARCIA reported back to the Council that the license for all six locations is for beer/wine/cooler only. COUNCILMAN ADAMSEN thanked MR. GARCIA and MR. RICKETTS for their quick action to clarify the item. There was no further discussion. (10:03)
	LIQUOR -- Approval of Manager	
51	BEER/WINE/COOLER ON-SALE LICENSES PIZZA HUTS OF LAS VEGAS dba PIZZA HUTS OF LAS VEGAS 7000 West Charleston Boulevard 3001 West Sahara 825 North Rancho Mark A. MacDonald, Area Manager	**ADAMSEN - APPROVED - UNANIMOUS** **Staff to proceed** ****** MARK A. MacDONALD was present. There was no discussion. (9:58 - 9:59)

Lynn Goya

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS DEPARTMENT OF BUSINESS ACTIVITY (cont'd)	
	LIQUOR -- Approval of Manager	**ADAMSEN - APPROVED - UNANIMOUS**
52	PACKAGE LICENSE THE VONS COMPANIES, INC. dba VONS 4440 East Charleston 390 South Decatur 6000 West Cheyenne 4610 West Sahara 3535 West Sahara (nonoperational) 4854 West Lone Mountain Russell J. Long, District Manager	**Staff to proceed** ****** RUSSELL LONG, 3625 Daisyfield Drive, was present. There was no discussion. (9:59)
	LIQUOR -- Approval of Officer/ Stockholder GAMING -- New	**ADAMSEN - APPROVED - UNANIMOUS with Hawkins Jr not voting**
53	BEER/WINE/COOLER ON-SALE LICENSE RESTRICTED GAMING: 12 slots CRYSTAL PALACE BILLIARDS, INC. dba CRYSTAL PALACE BILLIARDS 2411 East Bonanza, #A-2 Francisco B. Torres, Dir, Pres, V.P., Secy, Treas, 100% Approved by the Nevada Gaming Commission on August 25, 1994	**Staff to proceed** ****** FRANCISCO B. TORRES was present. There was no discussion. (10:00)

Lynn Goya

ITEM		ACTION
item Number	**DISCUSSION/ACTION ITEMS**	
	DEPARTMENT OF BUSINESS ACTIVITY (cont'd)	
	LIQUOR & GAMING -- Approval of Officer	**ADAMSEN - APPROVED - UNANIMOUS with Hawkins Jr not voting**
54	TAVERN LICENSE NONRESTRICTED GAMING	**Staff to proceed**
	PALACE STATION HOTEL & CASINO, INC. dba PALACE STATION HOTEL & CASINO 2411 West Sahara	******
	(Palace Station Hotel & Casino, Inc., a wholly-owned subsidiary of Station Casinos, Inc., a publicly traded corporation)	JOHN PASQUALOTTO, Station Casinos, was present.
	Blake L. Sartini, Dir, Chief Exec Ofcr, Pres, Chairman of the Board Joseph J. Canfora, V.P., Chief Operating Ofcr Scott M. Nielson, V.P., Secy, General Counsel	There was no further discussion.
		(10:00)

Lynn Macy

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	DEPARTMENT OF BUSINESS ACTIVITY (cont'd)	**ADAMSEN - APPROVED subject to Nevada Gaming Commission approval 10/27/94 - UNANIMOUS** **Staff to proceed**
		******
	GAMING -- New	
55	SLOT OPERATOR LICENSE ANCHOR COIN Space Lease Location at: Sunshine Laundromat 2517 E. Stewart Avenue Restricted Gaming: 4 slots Subject to approval by the Nevada Gaming Commission on October 27, 1994	JOHN HORSDANIEL was present on behalf of the applicant. COUNCILMAN ADAMSEN commented that the fact that three different slot companies have been at this location is proof that slot machines are not profitable in laundromats. The site is entitled to the use pursuant to a grandfather clause to the ordinance. He confirmed with MARIO GARCIA, Director of Business Activity that the license will not be issued prior to and unless there is an approval by the State Gaming Commission 10/27/94. There was no further discussion. (10:01 - 10:02)
56	SLOT OPERATOR LICENSE CORRAL COUNTRY COIN Space Lease Location at: Red Rock Moose #252 4950 1/2 W. Charleston Restricted Gaming: 6 slots Approved by the Nevada Gaming Commission on April 21, 1994	**ADAMSEN - APPROVED - UNANIMOUS** **Staff to proceed** ****** JIM AVANCE, Corral Country Coin, appeared on behalf of the applicant. He clarified that Corral Country Coin is one of four subsidiaries of Jackpot. There was no further discussion. (10:02)

Lynn G. Goya

AGENDA DOCUMENTATION

CITY COUNCIL

MEETING OF
OCTOBER 19, 1994

TO:
City Council

FROM: LYNN MACY
DEPUTY CITY MANAGER

SUBJECT: DEPARTMENT OF BUSINESS ACTIVITY -- OCTOBER 19, 1994 CITY COUNCIL AGENDA
GAMING APPLICATION -- Slot Operator Space Lease Location

PURPOSE/BACKGROUND

Appearing on the Department of Business Activity portion of the agenda is an application submitted by Anchor Coin for approval of restricted gaming (four slots) at the Sunshine Laundromat, 2517 Stewart Avenue.

Following is a history of gaming at this laundromat:

LICENSEE	NUMBER OF SLOTS	DATE APPROVED	DATE CEASED
Raydon Amusement Corporation	3	12/20/89	05/10/91
Valley Laundry and Cleaners	4	10/02/91	11/01/92

On April 17, 1991, the City Council passed an ordinance LVMC 6.40.155 prohibiting restricted gaming at various locations including laundromats. However, businesses existing as of 4/17/91 were allowed to continue their licenses "... so long as the nature and character of the business at the location does not materially change." Under current provisions, LVMC 6.40.165 (A), restricted gaming may be reestablished at this location, so long as it is not discontinued for more than twenty-four months. The deadline for resumption of gaming activities at this location is November 1, 1994.

As a result of the November 1, 1994 deadline the applicant is requesting City Council approval of this item prior to approval by the Nevada Gaming Commission on October 27, 1994. Attached is a letter from John D. Horstdaniel, Sales Manager of Anchor Coin, outlining this request.

Mr. Jerbic's memorandum to the City Council dated May 18, 1993, concerning Palace Station, indicated that the City Council could approve a gaming application prior to state approval if the ". . . Council gives explicit instruction to the Director of the Department of Business Activity to not physically issue the licenses until following issuance of State licenses by the Gaming Control Board".

FISCAL IMPACT

Mario A. Garcia
Mario A. Garcia, Director
Department of Business Activity

RECOMMENDATIONS

Agenda Item
55

ANCHOR COIN

RECEIVED
BUSINESS ACTIVITY
Aug 4 4 28 PM '94

CITY COUNCIL MINUTES

OCT 19 1994

August 4, 1994

Mayor Jan Jones
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

Dear Mayor Jones:

On behalf of the Sunshine Laundromat at 2517 E. Stewart and Anchor Coin, I am requesting that the City Council hear our application for a space lease license in your October meeting.

I filed all of the applications with the City, County and State yesterday for gaming. Agent Bev Meyer, the person in charge of restricted licenses, told me she will have our application on the State's October agenda. If the City would put this on its normal calendar it would be heard early in November and that would stop the laundry from ever having gaming. They have a grandfather clause which expires on November 1, 1994 so, in order to keep that clause alive, the machines must be operational by the end of October, 1994.

If this is not on the October agenda it would create a severe hardship as the location could never ever get gaming again.

I realize that my request is out of the ordinary, but I feel it is needed so that Mr. Sun Lee can have gaming.

Your consideration in this matter would be greatly appreciated.

Sincerely,

ANCHOR COIN

John D Horstdaniel

John D. Horstdaniel
Sales Manager

JH:sd

4305 E. Sahara Avenue, Suite #12 • Las Vegas, Nevada 89104 • (702) 641-8740 • Fax (702) 641-9403

CITY COUNCIL

MEETING OF

OCTOBER 19, 1994

City of Las Vegas

AGENDA & MINUTES

COUNCIL CHAMBERS · 400 EAST STEWART AVENUE

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS DEPARTMENT OF BUSINESS ACTIVITY (cont'd)	
57	MARTIAL ARTS LICENSE -- Change of Business Name ENRIQUE MATA dba From: Tae Kwon Do Institute of Las Vegas TO: UNITED STATES NATIONAL TAE KWON DO INSTITUTE 2511 Stewart Avenue Enrique Mata, 100%	**ADAMSEN - APPROVED - UNANIMOUS** **Staff to proceed** ****** ENRIQUE MATA was present. There was no discussion. (10:02)
58	MASSAGE ESTABLISHMENT -- New ELLEN GREEN dba AMBIANCE 923 South Rainbow Ellen L. Green-Bluestein, 100% Subject to the provisions of the fire codes	**ADAMSEN - APPROVED subject to the provisions of the Fire codes - UNANIMOUS** **Staff to proceed** ****** ELLEN GREEN was present. There was no discussion. (10:02 - 10:03)

Lynn Macy

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS DEPARTMENT OF BUSINESS ACTIVITY (cont'd)	
	LIQUOR -- New	NOTE: Item to be heard in PM session in conjunction with Planning item (U-219-94)
59	BEER/WINE/COOLER OFF-SALE LICENSE SAM E. HAMIKA dba KWIKY MINI MART 732 North Eastern Avenue Sam E. Hamika, 100% Subject to the provisions of the fire codes and Health Department regulations	**HIGGINSON - APPROVED - UNANIMOUS with Jones not voting** **Staff to proceed** ****** The applicant was present. NOTE: Discussion held in related Planning Item No. 102 (U-219-94) (5:23 - 5:24)
	LIQUOR -- New	NOTE: Item to be heard in PM session in conjunction with Planning item (U-205-94)
60	BEER/WINE/COOLER OFF-SALE LICENSE OLSON & OLSON dba LAS VEGAS GROCERY OUTLET 1110 East Charleston Jack L. Olson and Mary A. Olson, 100% jointly as husband & wife	**HIGGINSON - APPROVED - UNANIMOUS with Jones not voting** **Staff to proceed** ****** The applicant was present. NOTE: Discussion held in related Planning Item No. 105 (U-205-94) (5:38 - 5:39)

Lynn Harris

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	CITY ATTORNEY	
61	Appeal of Work Card Denial: Ms. Tonja Dee Bremer 850 North Las Vegas Blvd. Las Vegas, Nevada 89101	**ADAMSEN - DENIED Appeal; thereby upholding the denial action of Metro - UNANIMOUS** ****** The appellant failed to appear. There was no discussion. (10:04)

CITY COUNCIL MINUTES

OCT 19 1994

RECEIVED
CITY CLERK
SEP 28 9 58 AM '94

September 28, 1994

Ms. Kathleen M. Tighe
City Clerk
400 East Stewart Avenue
Las Vegas, Nevada 89101

Dear Ms. Tighe:

This letter constitutes my formal appeal of denial of a work card by the Las Vegas Metropolitan Police Department. I wish to appeal this denial before the City Council.

Sincerely,

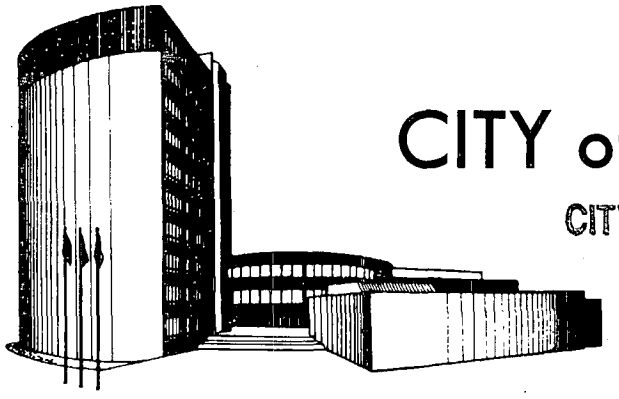
Tonja D. Bremer

Tonja Dee Bremer

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
SCOTT HIGGINSON
FRANK HAWKINS JR.
KEN BRASS

CITY MANAGER
LARRY K. BARTON



CITY of LAS VEGAS

CITY COUNCIL MINUTES

OCT 19 1994

September 28, 1994

Tonja Dee Bremer
850 North Las Vegas Blvd.
Las Vegas, Nevada 89101

Re: **WORK CARD APPEAL**

Dear Ms. Bremer:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting on October 19, 1994, in the Council Chambers at 400 E. Stewart Avenue, Las Vegas, Nevada.

Your appeal is scheduled to be heard during the morning session of the meeting which commences at 9:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so.

If a letter is submitted to the Council, **it must be from the licensee or principal who must be approved for suitability under Las Vegas Municipal Code Chapter 6.06 (the owner of the business, other principal or key employee)** for the establishment in which you are seeking employment. Also, you should bring to the hearing all other materials which may assist you in your appeal.

Sincerely,

Kathleen M. Tighe

KATHLEEN M. TIGHE
City Clerk

/bb

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB

400 E. STEWART AVENUE • LAS VEGAS, NEVADA 89101-2986
(702) 229-6011 (VOICE) • (702) 386-9108 (TDD)

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	CITY ATTORNEY	
82	Appeal of Work Card Denial: Mr. Greg L. Gregory 4545 Pennwood #131 Las Vegas, Nevada 89102	**ADAMSEN - APPROVED cancellation of the work card and authorize a 6-month temporary work card with any further violations to be brought back for immediate and permanent work card revocation - MOTION carried with Higginson voting NO** **Staff to proceed** ******

SGT. QUERING explained that Metro is citing bartenders and store clerks who fail to require identification and sell alcohol to minors. Confidentiality restrictions prohibit the notification of employers/business owners of the violation. Warning procedures have failed and Metro is using revocation of the offender's work card to correct the situation. He would recommend the issuance of a 6-month temporary work card to MR. GREGORY as a probationary measure.

COUNCILMAN HAWKINS JR confirmed with MR. GREGORY and bar owner GARY BOYTER that they would agree to be Metro's test case and congratulated the officers on setting this precedent.

COUNCILMAN HIGGINSON verified with SGT. QUERING that the minors were also cited but the outcome of those citations was unknown. He usually supports second chances but his opposition to this type of behavior is so strong he could not support the motion.

COUNCILMAN ADAMSEN commented that he had considered a one-year suspension but would accept SGT. QUERING'S recommendation.

COUNCILMAN BRASS suggested Metro to closely monitor the situation, especially on the graveyard shift when MR. GREGORY is working at Shifty's.

(10:04 - 10:11)

CITY COUNCIL MINUTES

OCT 19 1994

RECEIVED
CITY CLERK

SEP 26 11 06 AM '94

September 26, 1994

Ms. Kathleen M. Tighe
City Clerk
400 East Stewart Avenue
Las Vegas, Nevada 89101

Dear Ms. Tighe:

This letter constitutes my formal appeal of denial of a work card by the Las Vegas Metropolitan Police Department. I wish to appeal this denial before the City Council.

Sincerely,

Greg L. Gregory

CITY COUNCIL MINUTES

OCT 19 1994

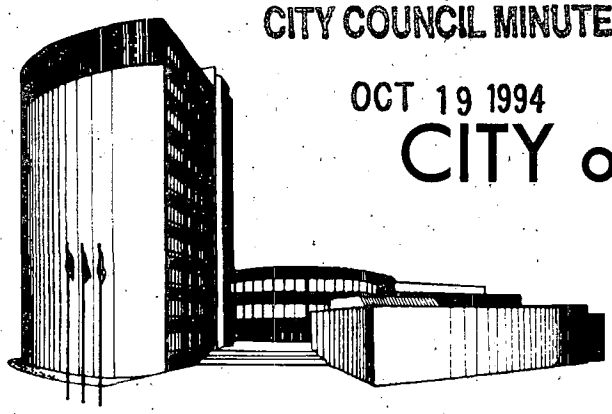
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CITY of LAS VEGAS

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
SCOTT HIGGINSON
FRANK HAWKINS JR.
KEN BRASS

CITY MANAGER
LARRY K. BARTON



September 26, 1994

Greg L. Gregory
4545 Pennwood #131
Las Vegas, Nevada 89102

Re: **WORK CARD APPEAL**

Dear Mr. Gregory:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting on October 19, 1994, in the Council Chambers at 400 E. Stewart Avenue, Las Vegas, Nevada.

Your appeal is scheduled to be heard during the morning session of the meeting which commences at 9:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so.

If a letter is submitted to the Council, **it must be from the licensee or principal who must be approved for suitability under Las Vegas Municipal Code Chapter 6.06 (the owner of the business, other principal or key employee)** for the establishment in which you are seeking employment. Also, you should bring to the hearing all other materials which may assist you in your appeal.

Sincerely,

SANDRA R. LeBOEUF
Chief Deputy City Clerk

/bb

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS CITY ATTORNEY	
	Appeal of Work Card Denial:	
63	Mr. Marlow Williams 2724 Carla Avenue North Las Vegas, Nevada 89030	**ADAMSEN - DENIED Appeal; thereby upholding the denial action of Metro - UNANIMOUS** ****** The appellant failed to appear. There was no discussion. (10:11 - 10:12)

RECEIVED
CITY CLERK

Oct 3 12 59 PM '94

October 3, 1994

Ms. Kathleen M. Tighe
City Clerk
400 East Stewart Avenue
Las Vegas, Nevada 89101

Dear Ms. Tighe:

This letter constitutes my formal appeal of denial of a work card by the Las Vegas Metropolitan Police Department. I wish to appeal this denial before the City Council.

Sincerely,

Marlow Williams

Marlow Williams

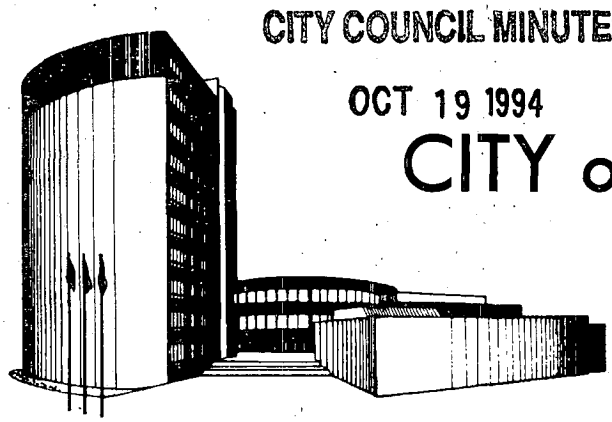
CITY COUNCIL MINUTES

OCT 19 1994

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
SCOTT HIGGINSON
FRANK HAWKINS JR.
KEN BRASS

CITY MANAGER
LARRY K. BARTON



CITY of LAS VEGAS

October 3, 1994

Marlow Williams
2724 Carla Avenue
North Las Vegas, Nevada 89030

Re: **WORK CARD APPEAL**

Dear Mr. Williams:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting on October 19, 1994, in the Council Chambers at 400 E. Stewart Avenue, Las Vegas, Nevada.

Your appeal is scheduled to be heard during the morning session of the meeting which commences at 9:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

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Sincerely,

SANDRA R. LE BOEUF
Chief Deputy City Clerk

/bb

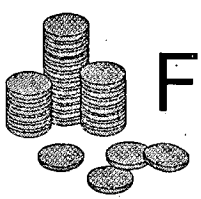
cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	DEPARTMENT OF FINANCE & COMPUTER SERVICES	**REPORT GIVEN**
64	Quarterly Financial Update	STEVEN HOUCHENS, Director of Finance, gave a slide presentation of the current financial picture for the City. Revenue continues to exceed projections with sales tax 17% above last year. This increase does not reflect the higher fees adopted, repeal of the franchise adjustment or aggressive collection policy adopted by the Council. Given the trend for all upswings to be followed by a downswing, his Department is projecting a continued growth through the next quarter with a drop in percentage growth during Quarters 3 and 4 to a projected 5 to 6% despite historical data showing building fees traditionally highest during the third and fourth quarters. Secondary revenues including DMV and property transfer taxes are anticipated to remain stable with a 6 to 7% growth driven by population growth. A more indepth review will be available during the Strategic Planning Session. COUNCILMAN BRASS confirmed with MR. HOUCHENS that the downswing is only relative to fantastic percentage growths of the last couple of years. COUNCILMAN HIGGINSON added that actual numbers are up. COUNCILMAN ADAMSEN encouraged MR. HOUCHENS to be careful in preparing a reserve for the lean years predicted nationally in two to three years. COUNCILMAN HIGGINSON asked about the items outlined in the goals and projects for unallocated revenue. CITY MANAGER BARTON clarified that he had been seeking direction from the Council to establish goals but would not recommend the allocation or commitment of those revenues until February 1995. COUNCILMAN HIGGINSON suggested that the discussion should have been held until that time. COUNCILMAN HAWKINS JR commented on issues to be discussed during the Planning Session involving the $900,000 revenue increase from Nevada Power and $350,000 expense to be covered by the building industry to expedite the permit and plans check phases. He asked the status of revenue from Downtown given the closure of Fremont Street. MR. HOUCHENS responded that the figures post street closure would not be available until next month. COUNCILMAN HAWKINS JR congratulated staff on the aggressive collection efforts. That money can be used by the City to fund necessary programs. Another key concern is the need to encourage a thriving business community to prevent Las Vegas from being a community of homes. MAYOR JONES concurred that the City needs to look at stimulating business to maintain the stability of growth in the community. (10:12 - 10:27)

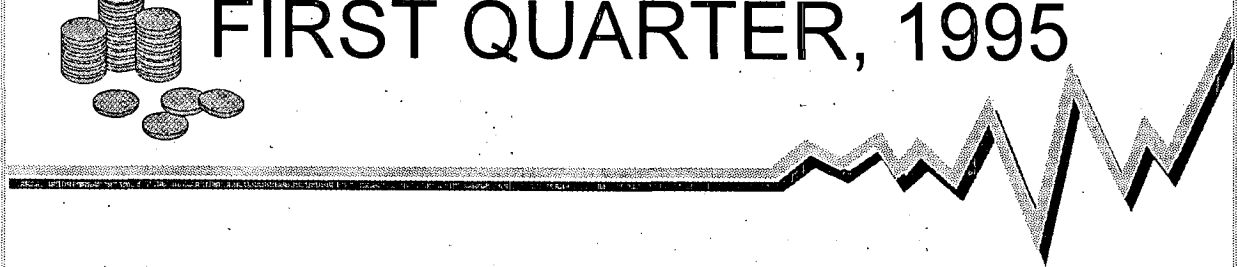
CITY COUNCIL MINUTES
OCT 19 1994
RECEIVED
CITY CLERK
Oct 26 2 36 PM '94

CITY OF LAS VEGAS

FINANCIAL REPORT



FIRST QUARTER, 1995



PREPARED BY:
DEPT. OF FINANCE AND INFORMATION SERVICES

CITY COUNCIL MINUTES

OCT 19 1994

City of Las Vegas

Financial Report

First Quarter, 1995

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Fiscal Year 1994 Expenditures	5
Economic Forecast	5
First Quarter Investment Review	7

AGENDA DOCUMENTATION

CITY COUNCIL
MEETING OF
October 19, 1994

TO:
City Council

FROM:
Steven P. Houchens, Director
Finance & Computer Services

SUBJECT:

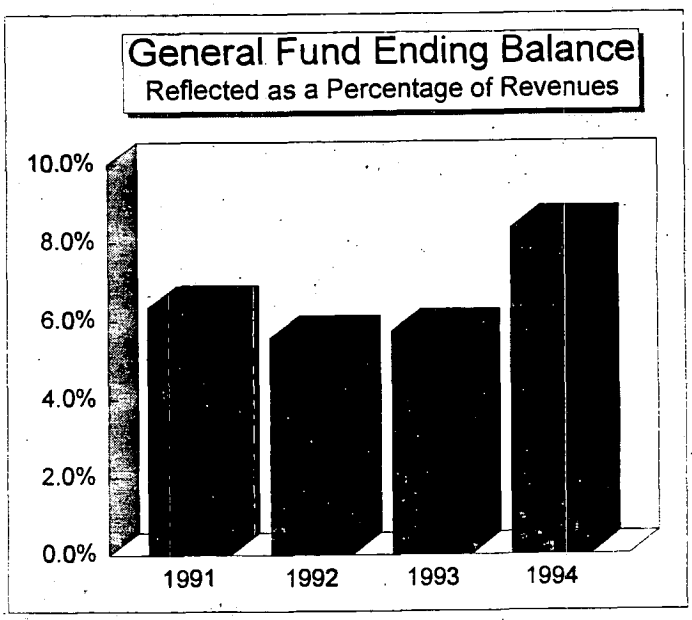
FIRST QUARTER FINANCIAL REPORT

PURPOSE/BACKGROUND

The following pages provide a brief summary of the City's financial condition after the first three months of this year. The overall condition of the City's General Fund at this time could be considered good. The Fiscal Year 1994 ending fund balance ended up at slightly over 8% of revenues, and will accordingly support a similar target for the end of this year. Fiscal Year 1995 revenues have been at or in excess of budget for the first three months, and the local economy continues to grow at a significant pace.

Fiscal Year 1994 Fund Balance

The 1994 ending fund balance for the General Fund ended up at $13.8 million, which is slightly over 8 percent of the annual revenues. The higher fund balance was supported by three events, a one-time adjustment from Nevada Power for $900,000 to recognize timing differences between their collection and submissions to the City; $880,000 of building permit revenues in June, almost double the monthly average; and a high ending personnel vacancy factor of 4.6 percent, resulting in almost $1 million in unanticipated budget savings.



The major contributors to the higher-than-expected personnel vacancy wage savings were Public Works, Fire Services, and Parks and Leisure, each exceeding the 4.6 percent average through various efficiency measures taken throughout the year.

FISCAL IMPACT

None.

RECOMMENDATIONS

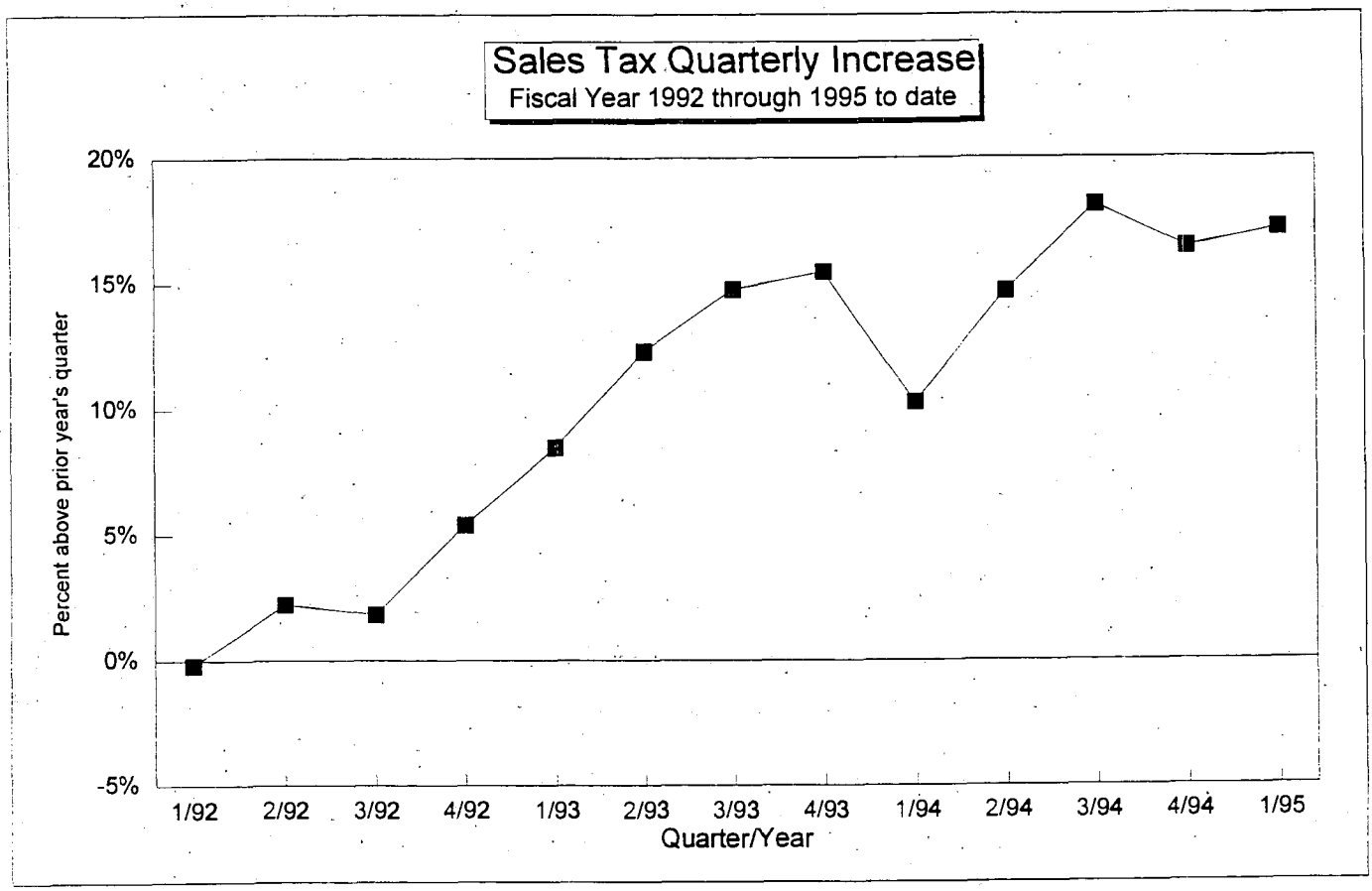
None. This report is advisory only.

Agenda Item

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Fiscal Year 1995 Revenues

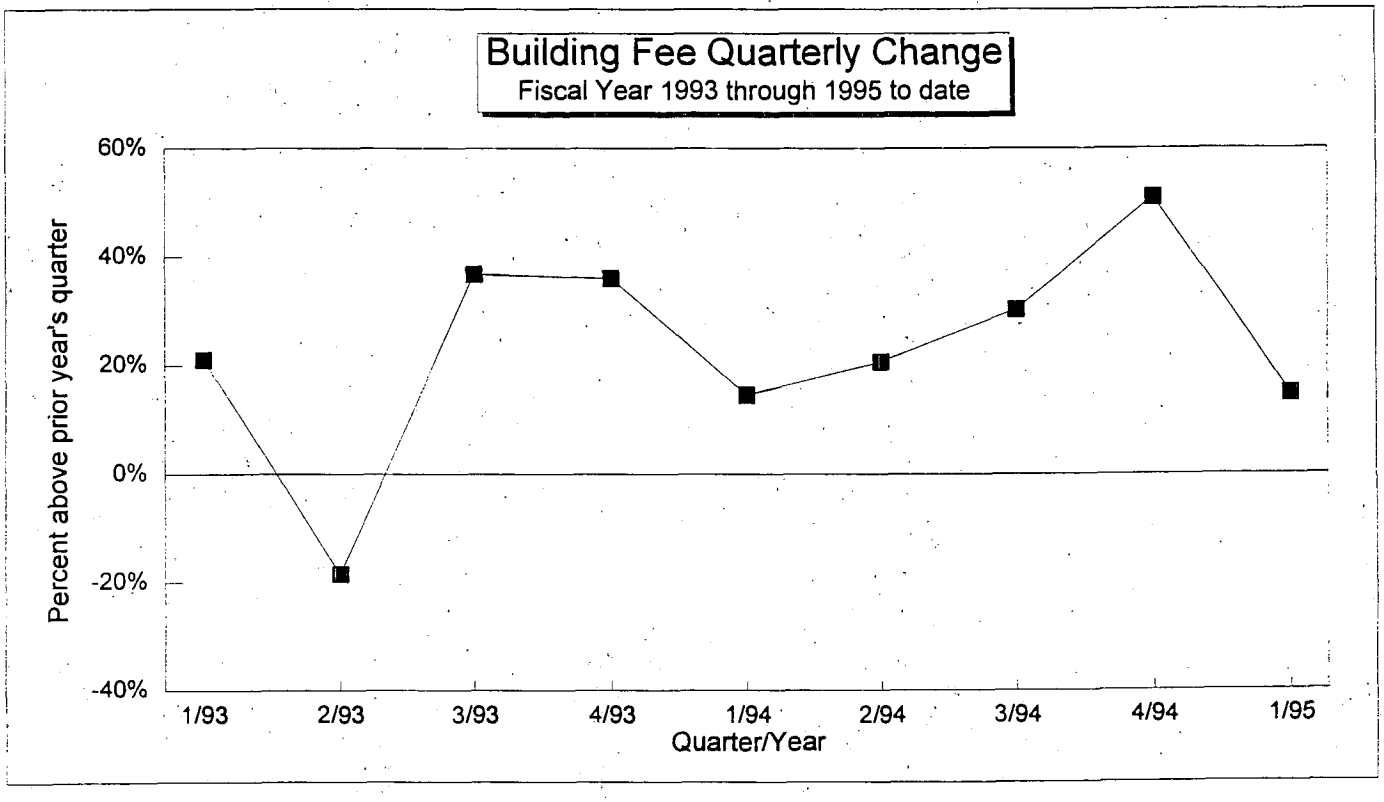
General Fund revenues during the first few months of this year have followed the pattern established during the final eight months of last year. We continue to see double digit growth in sales tax revenues, coming in at 19 percent and 15 percent for the months of July and August (reflecting May and June sales), respectively. The following chart reflects the quarterly increase in sales tax collections over the last three years.



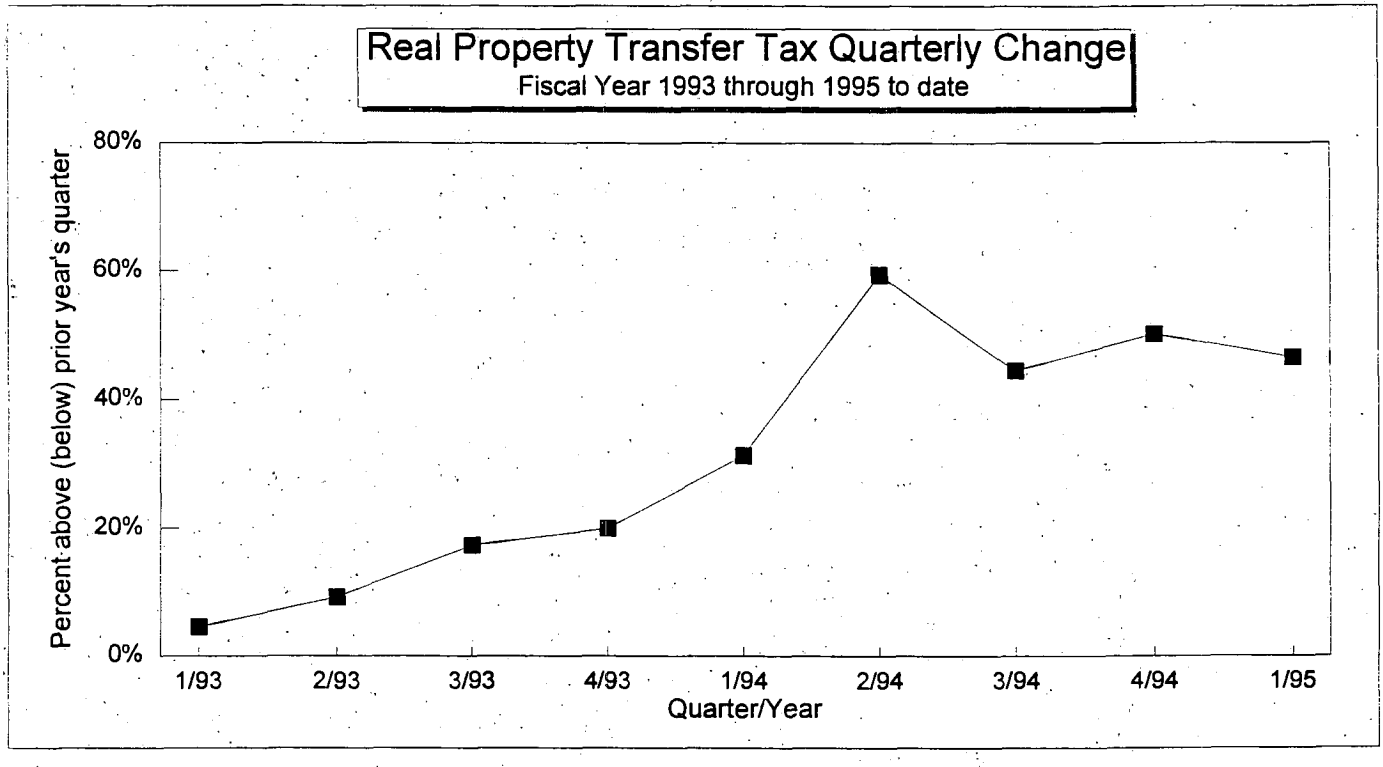
The chart reflects the economic growth which has been sustained since the beginning of Fiscal Year 1993 and peaked with the casino openings late in 1993. Our prediction is that this growth will continue, but at a lessened rate as we approach the anniversary of the last year's openings, which, of course, increased the prior year's base for November and subsequent months. We anticipate that sales tax collections for this Fiscal Year will exceed our original estimates. However, we have asked the Department Directors to maintain a cautions attitude until after the impact of the holiday sales are evaluated in late February.

After two or three months of activity, almost all other revenue sources are reflecting increases over last year. The recent fee increase in business license fees should generate approximately $400,000 this year in higher fees in addition to the anticipated increased revenues generated from more licenses issued. The recently passed ordinance which restructured parking fees will also generate additional revenues, although those revenues will be collected in a separate parking fund.

As we look towards the future, two other economic indicators should be considered. The first is the relative quarterly increase in building permit fees. As evident from the following chart, revenues peaked during the last quarter of Fiscal Year 1994, capped off by $880,000 in June receipts. Building activity for the first three months of this Fiscal Year appear to be tapering off, but are still showing a growth pattern.



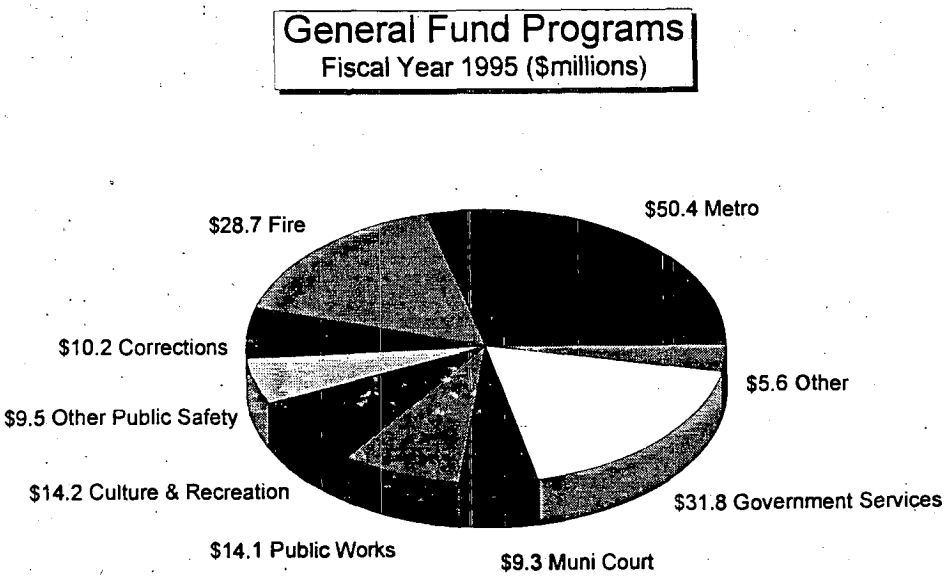
The second key indicator reflects real property transfer taxes, which are paid at the time property changes hands. This data provides us with an indication of movement in the real estate market. With interest rates on the rise, we would expect to see this indicator decreasing, but, as shown in the chart below, growth levels have remained relatively constant over the last four quarters.



As in the case of sales tax, we anticipate that this indicator will show lessened growth as a new base is established in this Fiscal Year. In addition, we believe that the higher interest rates will eventually reduce the volume of property transactions we have seen in the last twelve months.

Fiscal Year 1995 Appropriations

The adopted 1995 budget reflects the following appropriations among the City's major functions:



So far this year, there have only been minimal adjustments to our 1995 budget. The largest single impact is a $325,000 addition for staffing in Building and Safety. The staffing increase is required to handle the record volumes of activity, and is more than offset by increased revenues. The other impact is a combination of personnel actions totaling about $375,000, which include the settlement of the Fire and PPA contracts and the final implementation of the Classification/ Compensation study for the City's appointive staff.

Economic Forecast

We expect the local economy to remain strong throughout this fiscal year. Current indicators all seem to point to a strong economy which does not seem to be substantively impacted by the recent rise in interest rates and/or energy costs.

We anticipate that the City's revenues will continue to meet or exceed our projections. However, we don't expect the double-digit increases in sales tax to continue beyond the next few months. Beginning in November, collections will be compared to a base which was redefined at a much higher level last year by the opening of the new casinos.

In addition, the supplemental sales tax will be redistributed according to its formula which allocates the tax based on the relative assessed values of governments in the County. The higher assessed value associated with the new casinos shifts approximately $500,000 in supplemental

sales tax from the City to the County. This impact is largely offset, however, by the continued neighborhood growth experienced by the City.

The longer-term future continues to leave some uncertainty. As long as the current growth cycle continues, we are likely to see a continuation of current trends. However this, like all cycles, must eventually change.

A recent study by the University of Nevada (Reno) echoed the above comments relative to the near future. For the longer term, their outlook was not as optimistic, issuing a note of uncertainty about potential California casino gaming, the national proliferation of gaming, and the inherent problems of construction based economic growth. The study indicated that:

> "Nevada should no be so sanguine about its economic future despite impressive economic growth during the past year. Nevada's construction based economic growth and the continued threat posed by foreign gaming should be seriously considered and not dismissed as some argue because the spread of gaming will "generate a whole new market for Nevada". . . . (The) Nevada economy is forecast to do extremely well over the coming year; however, this should not deter policy makers from being cautious about Nevada's economic fortunes."[1]

The City should continue to follow its prudent fiscal policies governing the collection and appropriation of funding sources during these prosperous times, and the continued maintenance of adequate balances and reserves to sustain the City through more difficult times yet to come.

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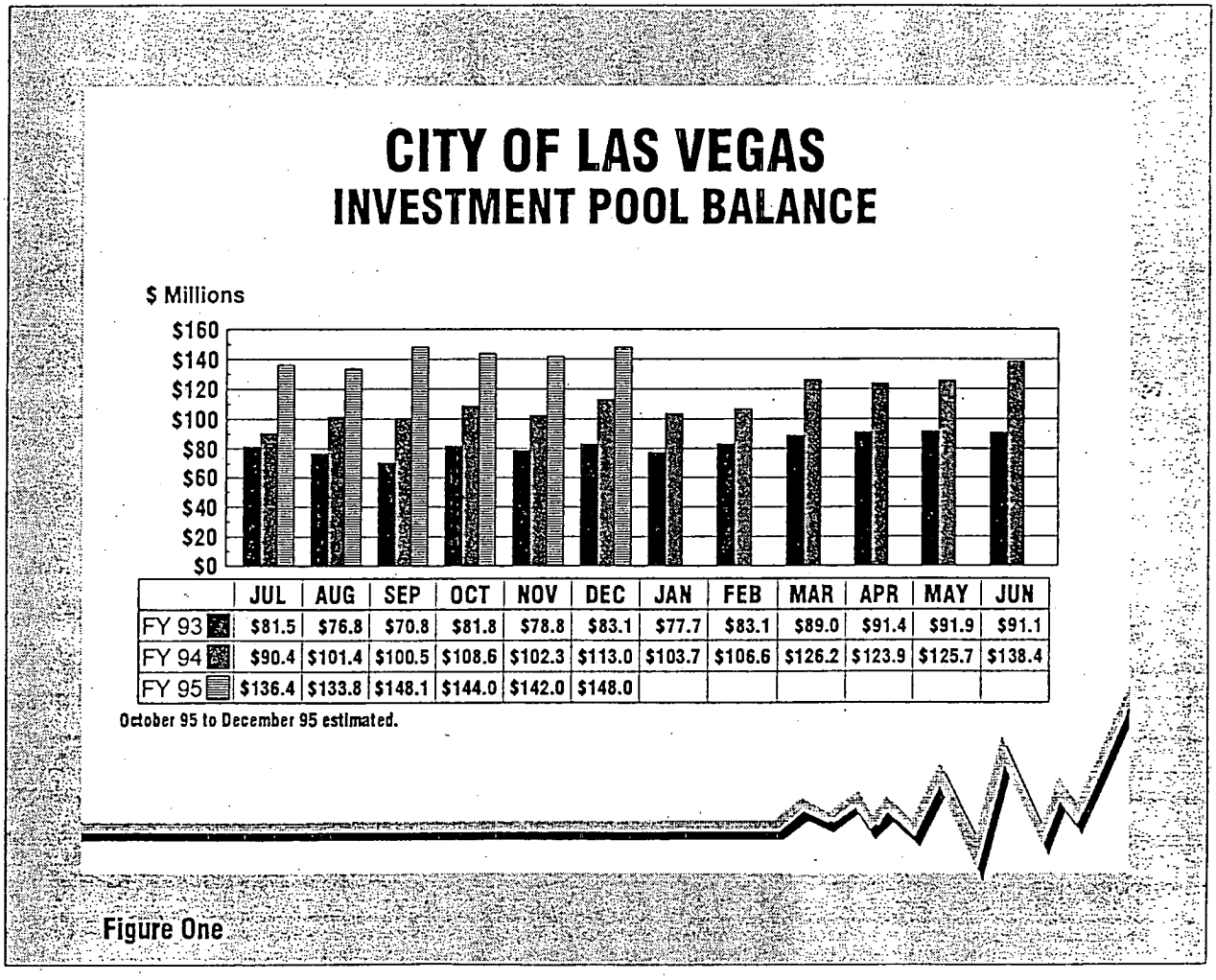
[1]Quarterly Report on Nevada and the National Economy; Short Term Nevada Forecast, Thomas F. Cargill, University of Nevada, Reno College of Business Administration

This Investment Report provides a review of the investment activities through the first quarter of the City's 1995 fiscal year which ends June 30, 1995.

SECTION I INVESTMENT ACTIVITY

The average monthly ending balance during the first quarter of fiscal year 1995 for the City's Investment Pool increased by 43.1% to $139.4 million from $97.4 million over the same period for fiscal year 1994 (see Figure One). Interest income increased 56.7% to $1.57 million from $1.00 million for the same respective periods (see Figure Two). This increase in interest income was due mainly to a continued increase in the Investment Pool's balance, an active cash management approach, and a further increase in interest rates.

During the first quarter, the City issued no new bonds. The City currently manages approximately $89.5 million in bond proceeds. Balances in the other funds such as the City's Self Insurance Liability, Workers Compensation, and Cemetery Endowment funds were relatively stable during the period.



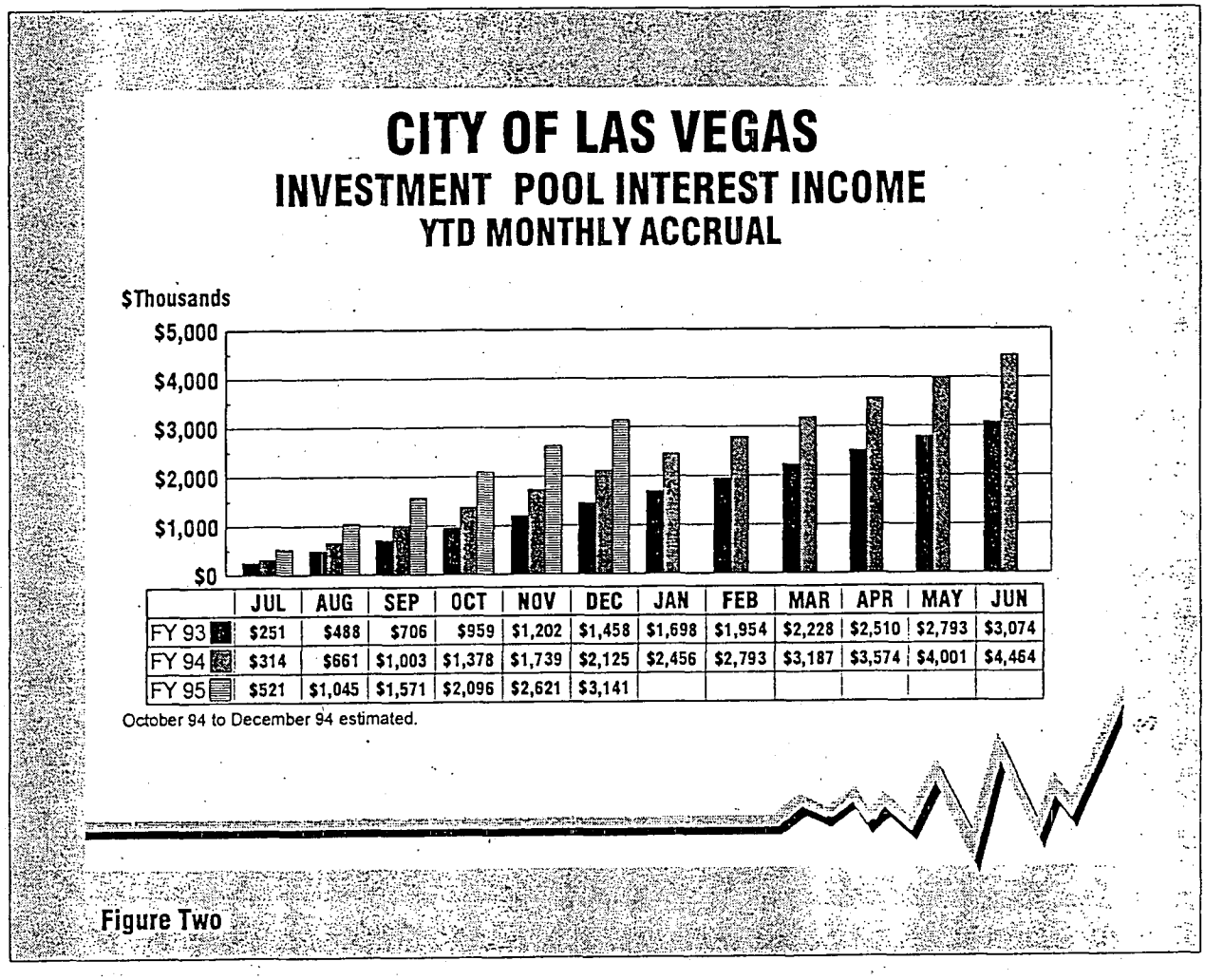
	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
FY 93	$81.5	$76.8	$70.8	$81.8	$78.8	$83.1	$77.7	$83.1	$89.0	$91.4	$91.9	$91.1
FY 94	$90.4	$101.4	$100.5	$108.6	$102.3	$113.0	$103.7	$106.6	$126.2	$123.9	$125.7	$138.4
FY 95	$136.4	$133.8	$148.1	$144.0	$142.0	$148.0						

October 95 to December 95 estimated.

Figure One

The Investment Pool is segregated into three separate accounts to match cash flow and liquidity needs:

Fund	September 30, 1994 Market Balances	Approx. Maturity Parameters
Cash Management	$ 32,890,677	1 day to 6 months
Short Term	$ 87,995,226	1 day to 5 years
Long Term	$ 27,235,939	1 day to 10 years
Total	$ 148,081,842	



	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
FY 93	$251	$488	$706	$959	$1,202	$1,458	$1,698	$1,954	$2,228	$2,510	$2,793	$3,074
FY 94	$314	$661	$1,003	$1,378	$1,739	$2,125	$2,456	$2,793	$3,187	$3,574	$4,001	$4,464
FY 95	$521	$1,045	$1,571	$2,096	$2,621	$3,141						

October 94 to December 94 estimated.

Figure Two

Figure Two shows that for the first quarter fiscal year 1995 the Investment Pool earned approximately $1.57 million of interest income (accrual basis) or an annualized 4.55% rate. We expect the annualized rate to average 5.05% for fiscal year 1995; the increase is primarily due to continued expected upward pressure by Federal Reserve Chairman Alan Greenspan on short term interest rates and adjustable securities in the portfolio that will reset to higher coupon rates during the fiscal year.

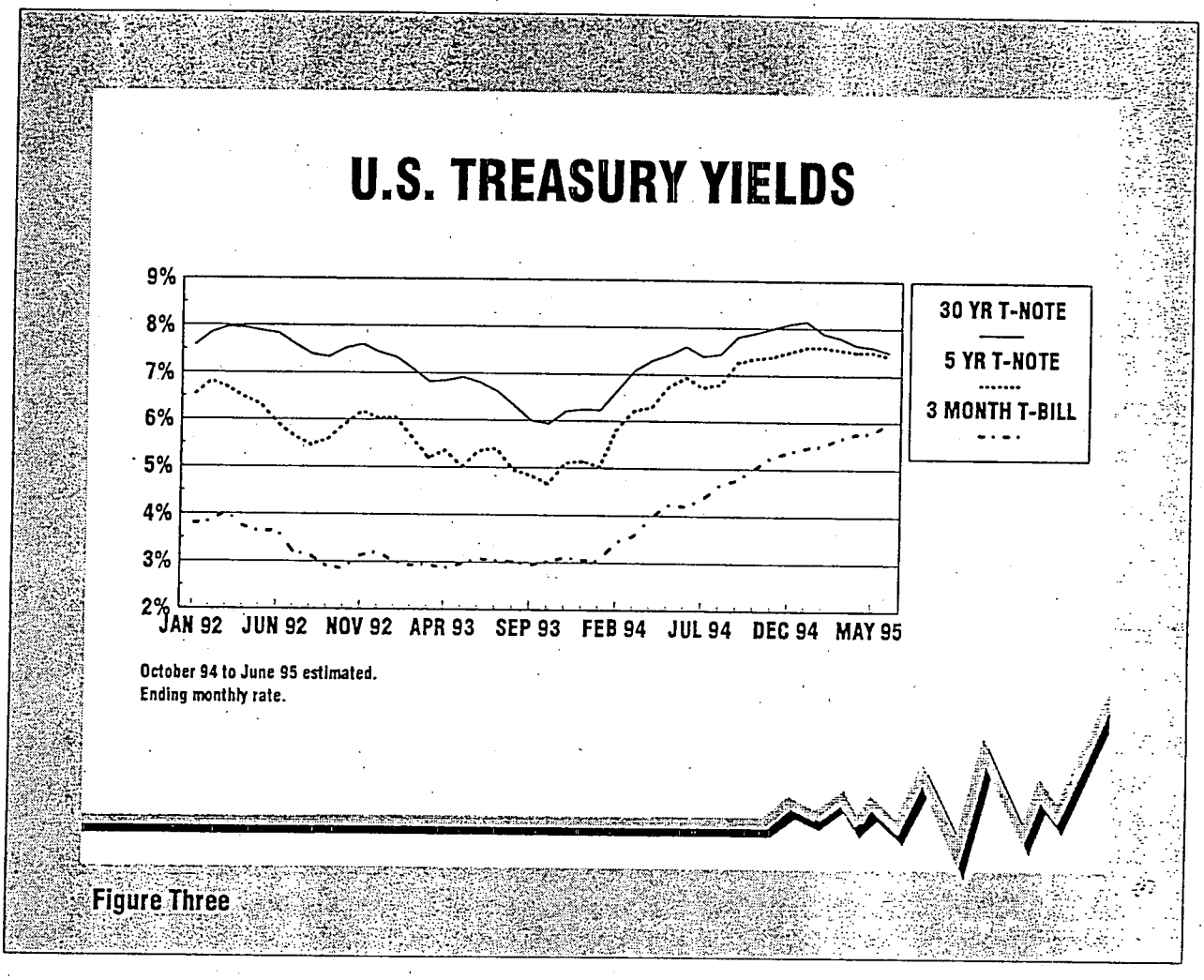


Figure Three

Figure Three reflects the decline in overall interest rates the past two years and the increase in rates facilitated by the Federal Reserve's initial tightening in February 1994. We expect longer term rates to fluctuate between 7.80% and 8.15% for the rest of 1994. We expect short term rates to close out 1994 approximately 25 basis points higher than current levels due to further increases in short term rates by the Fed. Additionally, if the Fed's rate hikes are sooner rather than later, we are expecting a dramatic flattening of the Treasury yield curve.

SECTION II INVESTMENT STRATEGY

The U.S. Treasury yield curve continues to remain steep. The yield curve is relationship between various instruments the Treasury issues. These instruments range from 3 months to 30 years. Over the past 18 months the yield spread between the 3 month T-bill and the 6 month T-bill has averaged 25 basis points. Currently, it has doubled to 50 basis points. We have extended some of our funds to take advantage of this relationship, while still maintaining an adequate liquidity reserve. Additionally, we have purchased high quality commercial paper (short term corporate debt) to take advantage of attractive spreads in relationship to other short term instruments.

Anticipating further increases in short term interest rates, we purchased additional Federal Agency securities that float with short term indices. These indices include three month T-bills and LIBOR (London Inter-Bank Offered Rate) which closely mirror changes in Federal Reserve policy. Floating rate securities' interest rates reset weekly, monthly, quarterly, and annually and take advantage of increasing rates. Some of these securities have already reset to higher rates and most others will reset higher during the next three months. The City's floating rate securities have maturities that range from six months to five years but stay relatively close to par as their interest rate reset is more frequent. We also purchased additional federal agency "step-up notes". These securities reset at previously determined higher rates at preset time periods. This strategy helps the City to maintain safety of principal, maintain liquidity, and increase interest income.

For monies in the longer term sector, we have increased our investments in U.S. Treasury securities. Treasuries have also increased in yield recently and provide excellent liquidity. However, with recent rate increases, existing long term positions have experienced price declines. The City only has a small portion of the portfolio in these securities and we plan on holding them until maturity (or until prices increase), at which time we receive full value. During the holding period, the City will continue to receive interest income.

For the bond issue proceeds, including such issues as the Fremont Street Experience, the Elkhorn Special Improvement District, and the 1993 Fire Station bond issues, the City keeps these funds' investment maturities typically less than one year. This strategy is to meet the various projects' cash flow and liquidity needs. With the continued increase in short term rates, the City will receive higher interest income than was originally projected on these bond proceeds. Monies that have longer term maturities include investments for the City's Workers Compensation, Self Insurance Liability, and Cemetery Endowment funds. These longer term funds have remained unchanged during the quarter.

SECTION III ECONOMIC OVERVIEW

Since February 4, 1994, the Federal Reserve has increased short term interest rates, namely Fed Funds (overnight reserves traded between commercial banks), approximately 1.75%. Many in the investment community are concluding that the Fed does not need to hike rates any higher in fear of pushing the economy into recession. However, we feel Fed Funds are still to low to contain inflation pressures that have built up in the economy. During the 1991-1993 bull market in bonds, banks were not lending reserves but were buying U.S. Treasury instruments. Currently, banks are major sellers of Treasuries to provide funds to meet huge loan demands by corporations. If corporations are borrowing, these corporations are predicting that the economic expansion will continue.

Inflation at both the consumer and producer levels are continuing to remain at low levels, 2.5% and 1.6%, respectively for the first three quarters of calendar year 1994. Crude oil and other energy prices are off their summer highs, alleviating mid-year concerns of sharply higher inflation. The strong job growth that has occurred since February 1994 has yet to push labor costs higher. Many of the 2.4 million jobs created since February are in the lower paying service sector and not in the higher paying manufacturing and construction sectors. Labor costs comprise approximately 70% of finished goods prices. Therefore, if jobs are added in the higher paying sectors, inflation pressures could heat up. However, if the Fed continues to push short rates higher, we expect inflation to not exceed 3.5% for CPI during the next year and that the Fed's action will curtail a major portion of the inflation pressures.

There appear to be continued signs that increased rates are affecting the economy. Mortgage rates are up more than 2.5% from their lows in the fall of 1993. The average 30 year mortgage was 8.94% for the week ending September 30, 1994. This 2.5% increase on a mortgage for a $100,000 house is an increase in the monthly payment of approximately $175 or a little over $2,000 annually. Obviously, the home affordability index has drop sharply, pushing many potential buyers out of the market. The rate increase's effects are exhibited by new home sales and new auto sales declining from their summer peaks.

In summary, we feel if the Fed will raise short term rates 50 basis points at the November Fed meeting and another 50 basis points at the January meeting, long term rates (including mortgage rates) will level off and even trend lower during 1995. If the Fed does not act timely, the market has already displayed its reaction to potential higher inflation by pushing rates higher on days it expected the Fed to raise rates but did not. We are expected Fed Chairman Alan Greenspan to continue his pursuit of low inflation and raise short term rates appropriately. As short term rates rise and long rates decline, the yield curve obviously flattens. A nearly flat or inverted yield curve has occurred during 9 out of the last 10 economic cycles and we do not expect this current cycle to buck the trend. As the curve flattens, our strategies of purchasing floating rate and step-up securities should prove extremely beneficial.

SECTION IV PORTFOLIO

The City's total portfolio ending balance on September 30, 1994 was $219,545,897. The total portfolio is comprised of the City's Investment Pool (mentioned above--approximately $148 million), bond proceeds, self insurance funds, workers' compensation funds, and various other smaller funds.

Exhibit One: Distribution of Investment Securities by Type is a table showing the make up of the City's total portfolio at the end of the first quarter. This exhibit is used to monitor compliance with the Investment Policy as far as diversification of securities held and the percentage each makes up of the total portfolio. All percentages are consistent with current policy.

Exhibit Two: Portfolio Master Summary is a table showing the major investment types. This chart acts as a summary of the major types of securities, their respective yields, average lengths, and percentage of the portfolio. At this time U.S. Treasuries, Federal Agencies, and Repurchase Agreements make up the bulk of the portfolio. All percentages and types are consistent with current policy.

Exhibit Three: Aging of Maturing Investments is a table showing maturities of the portfolio. On September 30, 1994, approximately 48.9% of the securities had a maturity of 1 year or less. All percentages are consistent with current policy.

Exhibit Four: Summary of Investments by Issuer is a table showing the percentage invested with each issuer. All the percentages are constant with the current policy.

EXHIBIT 1

CITY OF LAS VEGAS

DISTRIBUTION OF INVESTMENT SECURITIES BY TYPE

TOTAL PORTFOLIO

JULY 1, 1994 through SEPTEMBER 30, 1994

MONTH END	YEAR	TYPES OF INVESTMENTS					
		MMF	CP	REPO	FA	TR	OTHER
JULY	94	13.0%	2.5%	18.0%	42.5%	23.5%	0.5%
AUGUST	94	13.2%	3.5%	12.5%	43.7%	26.5%	0.6%
SEPTEMBER	94	12.2%	5.6%	0.0%	52.0%	29.7%	0.5%
AVERAGES		*12.8%*	*3.9%*	*10.2%*	*46.1%*	*26.6%*	*0.5%*

MMF: MONEY MARKET MUTUAL FUNDS
CP: COMMERCIAL PAPER
REPO: REPURCHASE AGREEMENTS
FA: FEDERAL AGENCY SECURITIES
TR: TREASURY SECURITIES
OTHER: CORPORATE BONDS & MUNICIPAL BONDS

CITY OF LAS VEGAS
PORTFOLIO MASTER SUMMARY
TOTAL PORTFOLIO
SEPTEMBER 30, 1994

INVESTMENTS	BOOK VALUE	PERCENT OF PORTFOLIO
MONEY MARKET FUNDS	$26,762,266	12.2%
COMMERCIAL PAPER	$12,354,582	5.6%
FEDERAL AGENCY SECURITIES	$114,221,131	52.0%
TREASURY SECURITIES	$65,248,478	29.7%
COPORATE & MUNICIPAL BONDS	$959,440	0.5%
TOTALS & AVERAGES	*$219,545,897*	*100.0%*

EXHIBIT 3

CITY OF LAS VEGAS

AGING OF MATURING INVESTMENTS

TOTAL PORTFOLIO

SEPTEMBER 30, 1994

AGING INTERVAL	COST	PERCENT OF PORTFOLIO
1 - 7 days	$52,125,879	23.74%
8 - 14 days	$6,549,785	2.98%
15 - 30 days	$5,423,582	2.47%
31 - 60 days	$14,875,955	6.78%
61 - 90 days	$15,954,658	7.27%
91 - 120 days	$7,858,584	3.58%
121 - 183 days	$1,122,545	0.51%
184 - 365 days	$3,548,478	1.62%
366 - 730 days	$1,254,589	0.57%
731 - 1095 days	$22,545,685	10.27%
1096 - 1460 days	$17,485,374	7.96%
1461-1825 days	$31,254,885	14.24%
1826 days and after	$39,545,898	18.01%
TOTALS	*$219,545,897*	*100.00%*

365 days = 1 year
730 days = 2 years
1095 days = 3 years
1460 days = 4 years
1825 days = 5 years

EXHIBIT 4

CITY OF LAS VEGAS

SUMMARY OF INVESTMENTS BY ISSUER
TOTAL PORTFOLIO
SEPTEMBER 30, 1994

ISSUER	NUMBER OF INVESTMENTS	COST	% OF PORTFOLIO	AVG. YTM	DAYS TO MATURITY
FIDELITY MMF	28	$14,525,895	6.62%	4.52%	1
GOLDMAN SACHES MMF	2	$3,105,456	1.41%	4.65%	1
FRANKLIN MMF	15	$9,130,915	4.16%	4.71%	1
COMMERCIAL PAPER	5	$12,354,582	5.63%	4.84%	32
FEDERAL FARM CREDIT BANK	9	$26,660,650	12.14%	4.59%	233
FEDERAL HOME LOAN BANK	18	$23,576,023	10.74%	4.85%	1,152
FEDERAL HOME LOAN MORTGAGE CORP.	10	$23,847,079	10.86%	4.93%	1,426
FEDERAL NATIONAL MORTGAGE ASSOC.	22	$22,515,151	10.26%	5.24%	1,325
STUDENT LOAN MARKETING ASSOC.	9	$12,589,575	5.73%	4.89%	425
TENNESSEE VALLEY AUTHORITY	2	$5,032,653	2.29%	4.27%	695
UNITED STATES TREASURY	16	$65,248,478	29.72%	5.48%	1,645
CORPORATE BONDS	18	$654,203	0.30%	7.89%	1,631
MUNICIPAL BONDS	7	$305,237	0.14%	7.43%	3,804
TOTALS	*161*	*$219,545,897*	*100.00%*	*4.78%*	*875*

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	DEPARTMENT OF PUBLIC WORKS	
	TRAFFIC & PARKING ITEM	
85	Discussion and possible approval of a request to close Stormson Lane between Buffalo Drive and Huntly Road	**ADAMSEN - APPROVED closure of Stormson Lane for 12 months with pedestrian access only - UNANIMOUS** **Staff to proceed** ****** RICHARD GOECKE, Director of Public Works, recommended that the street be opened as planned and a traffic study be conducted in six months to identify and discuss any traffic problems at a public hearing. COUNCILMAN ADAMSEN stressed that opening the street would create the very situation addressed in other areas with cut-through traffic. This would become the only neighborhood street opening onto Buffalo and would be a mistake. RON PETRARCA, 205 Huntly, and another resident strongly opposed the opening of the street. MR. PETRARCA submitted a petition from 143 homes in opposition and pointed out that there is a school 500 feet away from this site. Funnelling this type of traffic and children crossing to and from school would be inviting an accident. COUNCILMAN HIGGINSON confirmed with MR. GOECKE that the closure would not prohibit access to Luna. There was no further discussion. (10:27 - 10:32)

AGENDA DOCUMENTATION

CITY COUNCIL

MEETING OF
October 19, 1994

269

TO:
City Council

FROM: RICHARD D. GOECKE, DIRECTOR
DEPARTMENT OF PUBLIC WORKS

SUBJECT: DISCUSSION AND POSSIBLE APPROVAL OF A REQUEST TO CLOSE STORMSON LANE BETWEEN BUFFALO DRIVE AND HUNTLY ROAD

PURPOSE/BACKGROUND

A number of area residents requested that Stormson Lane not be opened as a part of the construction of Buffalo Drive. Stormson has been a dedicated right-of-way since the subdivision was mapped. It has not been connected to Buffalo in the past because it would have required the crossing of the drainage channel. The area residents expressed concerns about safety and the safety of the children that play and walk along our residential streets. They fear that the increased volume will bring traffic accidents, drunk drivers, reckless driving and speeding cars. They are concerned that the school district will have to pay for crossing guards. They fear that noise and carbon monoxide fumes will affect the residents. They are worried about flooding. They feel that the opening of the street will decrease the value of their homes. They do not see the need to connect a neighborhood to a 6-lane major arterial.

The intersection of Stormson Lane and Buffalo Drive is under construction. Without the street being open, it is difficult to assess the impact it would have on the neighborhood. If this discussion had taken place two years ago before or even during the design of the street, it could have been simple to not design a connection. However, the curbs are now in place, and it would be expensive to rebuild the street to take out the connection.

The Commission and Council recently took action to open Banjo at Harmony. That street had not been closed when a nearby development was built because of a concern by neighbors. When it subsequently opened, the impact was minimal. The street not being opened did negatively impact surrounding streets. Likewise, the opening of Stormson should allow the people in the neighborhood to get to an arterial more quickly and get off of residential streets. Staff has not been able to identify any pattern of cut-through traffic which would draw a large number of persons cutting through the neighborhood streets of this subdivision as a result of Stormson being opened to Buffalo.

It is possible that some objectionable patterns may indeed develop. However, in order to identify such patterns, the street needs to be open. Staff recommendation is that the street be opened as projected this month. Six months after the street is opened, staff can do a study of the traffic using the entry and identify any problems which have developed. The neighborhood would again be notified of the meeting when the report is delivered to the Commission.

(continued)

FISCAL IMPACT

City personnel will install the necessary signage. Funds are available in the current budget.

RECOMMENDATIONS

TRAFFIC AND PARKING COMMISSION RECOMMENDATION: That closure not be considered now, but instead be brought back to the Commission for consideration six months after the Buffalo Road construction project is completed and Stormson is opened to traffic at Buffalo Road.

STAFF RECOMMENDATION: Same.

Agenda Item
65

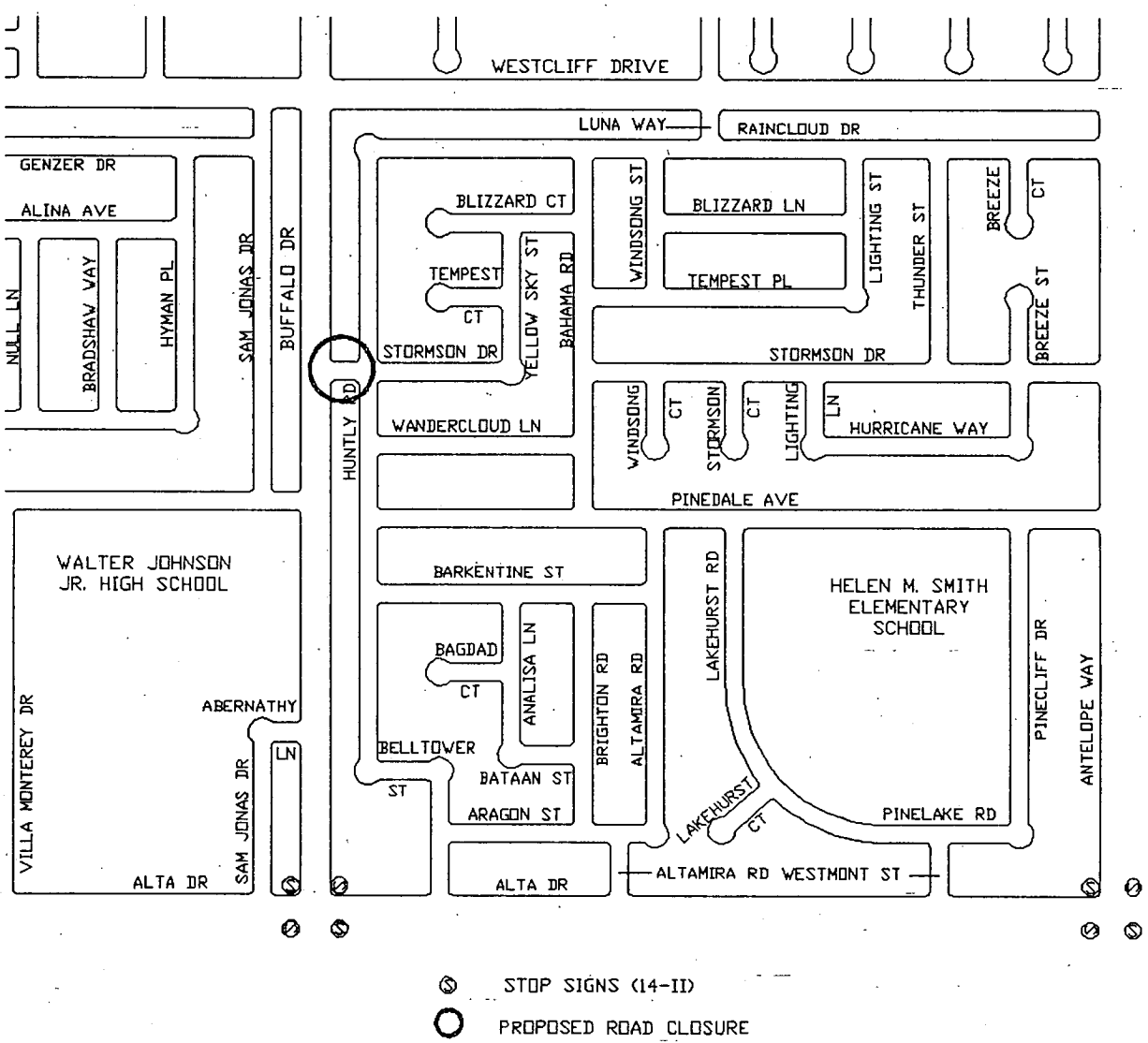
CITY COUNCIL MINUTES

OCT 19 1994

Notices of the proposed change were:

- sent to 276 nearby property owners, and
- received back from 40 with responses of...
  - ...30 in favor of the requested change, and
  - ...10 opposed to the requested change, and
- returned as undeliverable from 4 addresses.

The Traffic & Parking Commission denied the request for the immediate closure, and instead recommended that Stormson be opened so that a before-and-after study could be undertaken. The residents who originally asked for the closure do not wish to see Stormson opened even for a day, and they are appealing the Commission's recommendation to the City Council. Their request is for an immediate and permanent closure of Stormson.


N
WESTCLIFF DRIVE
LUNA WAY
RAINCLOUD DR
GENZER DR
ALINA AVE
NULL LN
BRADSHAW WAY
HYMAN PL
SAM JONAS DR
BUFFALO DR
BLIZZARD CT
TEMPEST CT
STORMSON DR
YELLOW SKY ST
BAHAMA RD
WINDSONG ST
BLIZZARD LN
TEMPEST PL
LIGHTING ST
THUNDER ST
BREEZE CT
BREEZE ST
STORMSON DR
HUNTLY RD
WANDERCLOUD LN
WINDSONG CT
STORMSON CT
LIGHTING LN
HURRICANE WAY
PINEDALE AVE
WALTER JOHNSON JR. HIGH SCHOOL
BARKENTINE ST
HELEN M. SMITH ELEMENTARY SCHOOL
BAGDAD CT
ANALISA LN
BRIGHTON RD
ALTAMIRA RD
LAKEHURST RD
PINECLIFF DR
ANTELOPE WAY
VILLA MONTEREY DR
ABERNATHY
SAM JONAS DR
LN
BELLTOWER ST
BATAAN ST
ARAGON ST
LAKEHURST CT
PINELAKE RD
ALTA DR
ALTAMIRA RD WESTMONT ST
ALTA DR
STOP SIGNS (14-II)
PROPOSED ROAD CLOSURE

CITY COUNCIL MINUTES

OCT 19 1994

RECEIVED
CITY CLERK

272

Oct 25 10 26 AM '94

PETITIONS COLLECTED

(City Council Meeting, October 19, 1994)
Department of Public Works
Traffic & Parking Item #65

HUNTLY RD.
1st petition: 2 homes
2nd petition: 37 homes
20 (other family member) signatures TOTAL: 39 homes

RAINCLOUD
2nd petition: 24 homes
2 (other family member) signatures TOTAL: 24 homes

PINEDALE:
2nd petition: 22 homes TOTAL: 22 homes

BAHAMA:
2nd petition: 11 homes TOTAL: 11 homes

THUNDER:
2nd petition: 8 homes
2 (other family member) signatures TOTAL: 8 homes

YELLOW SKY:
1st petition: 1 home
2nd petition: 6 homes TOTAL: 7 homes

WANDERCLOUD:
1st petition: 1 home
1 (other family member signature)
2nd petition: 7 homes TOTAL: 10 homes
1 (other family member signature)

ALTAMIRA:
2nd petition: 5 homes
5 (other family member)signatures TOTAL: 5 homes

STORMSON DR.:
2nd petition: 6 homes TOTAL: 6 homes

Antoinette M. Tedesco-Bell
137 Huntly Road
Las Vegas, Nevada 89128

65

BREEZE CT.:
2nd petition: 5 homes — TOTAL: 5 homes

LAKEHURST:
2nd petition: 1 — TOTAL 1 home

PINECLIFF:
2nd petition: 1 home — TOTAL: 1 home

TEMPEST:
2nd petition: 1 home — TOTAL: 1 home

DUCHARME: 1 home — TOTAL: 1 home

"NO ADDRESS ON PETITION" (2) — TOTAL: 2 homes

"VISITORS TO HUNTLY ROAD" (9 homes)
(1 other) — TOTAL: 9 homes

TOTAL HOMES (representing at least 2 adult signatures)
that request that Stormson Ln. stay closed permanently:
"152"

Antoinette M. Tedesco-Bell
137 Huntly Road
Las Vegas, Nevada 89128

CITY COUNCIL MINUTES

OCT 19 1994

RECEIVED
CITY CLERK

PRINT NAME-----ADDRESS------PHONE #-------SIGNATURE

1. JAMES J. BELL 137 HUNTLY RD 363- Oct 25 12 26 AM '94 James J Bell
2. ANTOINETTE M. BELL 137 HUNTLY 363-1699 Antoinette M Bell
3. JOHN J. BELL 137 HUNTLY RD 363-1699 John J. Bell
4. SANTO J. BELL 137 HUNTLY RD 256-4569 Santo Bell
5. MARK B WARRINGTON 200 HUNTLY RD 255-7818 Mark Warrington
6. DANA L. PETRARCA 205 HUNTLY RD L.V. 363-6804 Dana L. Petrarca
7. R.S. Petrarca, 205 Huntly Rd, L.V., NV. 89128, 363-6804 R.S. Petrarca
8. JODY A. COX, 129 HUNTLY RD. LVNV 89128 Jody A Cox
9. WILLIAM H. WEEKS 124 HUNTLY RD. 89128 363-3637 William H Weeks
10. REGGIE M. WEEKS 124 HUNTLY RD 89128 363-3637 Reggie M. Weeks
11. PAUL MERLINO 132 Huntly Rd. 89128 256-4881 Paul
12. TERESA MERLINO 132 Huntly Rd. 89128 256-4881 Teresa Merlino
13. JOHN JUHAS 128 HUNTLY RD 254-0409 John Juhas
14. SUE JUHAS 128 HUNTLY RD 254-0409 Sue Juhas
15. CONNIE LOWENSTEIN 209 Yellow Sky 255-7903 Connie Lowenstein
16. ROBERT COX 129 HUNTLY RD 256 1855 Robert Cox
17. MATTHEW E. KINKENON 7804 CORNFLOWER DR 3630853 Matthew E. Kinkenon
18. LORRAINE J KINKENON 133 Huntly Rd 363-0665 Lorraine J Kinkenon
19. JOHN E. KINKENON 133 HUNTLY RD. 363-0665 John E. Kinkenon
20. _____

spot

CITY COUNCIL MEETING
MINUTES OF
OCTOBER 19, 1994

ITEM #65 - DISCUSSION AND POSSIBLE APPROVAL OF A REQUET TO CLOSE STORMSON LANE BETWEEN BUFFALO DRIVE AND HUNTLY ROAD
(Sample Support Petition For Closure Attached)

Mrs. Larry Guonuz
100 Huntly Road
Las Vegas, Nevada 89128

Faith Steward
7000 Raincloud Dr.
Las Vegas, Nevada 89128

Slivlah Williams
7016 Raincloud Dr.
Las Vegas, Nevada 89128

Frank Guillory
7112 Raincloud
Las Vegas, Nevada 89128

Margaret DaBell
7200 Raincloud Dr.
Las Vegas, Nevada 89128

Steve Shroys
7201 Raincloud Dr.
Las Vegas, Nevada 89128

Kurt Bean
7205 Raincloud Dr.
Las Vegas, Nevada 89128

Maxine L. Rudolph
7213 Raincloud Dr.
Las Vegas, Nevada 89128

Kent Lang
7312 Raincloud Dr.
Las Vegas, Nevada 89128

Steve Damery
7400 Raincloud Dr.
Las Vegas, Nevada 89128

James J. Bell
137 Huntly Road
Las Vegas, Nevada 89128

Robert A. Houchin
7008 Raincloud Dr.
Las Vegas, NV 89128

Frances E. Brown
7024 Raincloud Dr.
Las Vegas, NV 89128

Henry McElroy
7116 Raincloud Dr.
Las Vegas, NV 89128

Gary S. Elias
7200 Raincloud Dr.
Las Vegas, NV 89128

T.M. Weaver
7204 Raincloud Dr.
Las Vegas, NV 89128

M.A. Lawler
7208 Raincloud Dr.
Las Vegas, NV 89128

Mrs. Fred W. Wilson
7240 Raincloud Dr.
Las Vegas, NV 89128

L.R. Arigoni
7300 Raincloud Dr.
Las Vegas, NV 89128

Lincoln Dorman
7405 Raincloud Dr.
Las Vegas, NV 89128

Michael Thompson
7409 Raincloud Dr.
Las Vegas, Nevada 89128

C.D. Caster
7500 Raincloud Dr.
Las Vegas, NV 89128

Michael Doble
7501 Raincloud Dr.
Las Vegas, Nevada 89128

R. Spilsbury
7504 Raincloud Dr.
Las Vegas, NV 89128

Eric Moser
7505 Raincloud Dr.
Las Vegas, Nevada 89128

Theder Robins
7508 Raincloud Dr.
Las Vegas, NV 89128

Stephen Newell
7512 Raincloud Dr.
Las Vegas, Nevada 89128

Kimberly N. Davis
7004 W. Pinedale Ave
Las Vegas, NV 89128

E.C. Pacheco
7016 Pinedale Ave.
Las Vegas, Nevada 89128

E.P. Fano
7024 Pinedale Ave.
Las Vegas, NV 89128

Nikki Evans
7108 Pinedale Ave.
Las Vegas, Nevada 89128

Toni Wally
7112 Pinedale Ave.
Las Vegas, NV 89128

T.R. Strickler
7136 Pinedale Ave.
Las Vegas, Nevada 89128

Jacque Dudley
7200 Pinedale Ave.
Las Vegas, NV 89128

J.P. Dooley
7209 Pinedale Dr.
Las Vegas, Nevada 89128

E.G. Yumas
7213 Pinedale Ave.
Las Vegas, NV 89128

Pilar Chandler
7217 Pinedale Ave.
Las Vegas, Nevada 89128

J. Leeds
7300 Pinedale Ave.
Las Vegas, NV 89128

Cathy Higgs
7304 Pinedale Ave.
Las Vegas, Nevada 89128

Ruth Thomphian
7308 Pinedale Ave.
Las Vegas, NV 89128

Joni Lahti
7313 Pinedale Ave.
Las Vegas, Nevada 89128

Nick Szanyi
7400 Pinedale Ave.
Las Vegas, NV 89128

James Jensen
7404 Pinedale Ave.
Las Vegas, Nevada 89128

Richard Brewer
7405 Pinedale Ave.
Las Vegas, NV 89128

Irene Dorsa
7409 Pinedale Ave.
Las Vegas, Nevada 89128

Nick Stevens
7500 Pinedale Ave.
Las Vegas, NV 89128

Kay De Neal
7500 Pinedale Ave
Las Vegas, Nevada 89128

Gladys Steen
7504 Pinedale Ave.
Las Vegas, NV 89128

Max Cooper
7505 Pinedale Ave.
Las Vegas, Nevada 89128

Clifford Mc Cray
100 Breeze Ct
Las Vegas, NV 89128

Michael J. Rondeau
105 Breeze Ct
Las Vegas, Nevada 89128

Etta May Stierwalt
108 Breeze Ct
Las Vegas, NV 89128

Unreadable
113 Breeze Ct
Las Vegas, Nevada 89128

Thomas Hargett
116 Breeze Ct
Las Vegas, NV 89128

Terri Harper
221 Thunder
Las Vegas, Nevada 89128

Ed King
104 Thunder
Las Vegas, NV 89128

Nanette Reber
109 Thunder
Las Vegas, Nevada 89128

Joy Wallace
112 Thunder
Las Vegas, NV 89128

Patricia Chambers
200 Thunder
Las Vegas, Nevada 89128

Richard Harrison
205 Thunder
Las Vegas, NV 89128

David Poole
208 Thunder
Las Vegas, Nevada 89128

Buanne L. Poole
208 Thunder
Las Vegas, NV 89128

James S. Bligh
220 Huntly Rd
Las Vegas, Nevada 89128

James Rice
216 Huntly Rd
Las Vegas, NV 89128

Beverly Noveck
212 Huntly Rd
Las Vegas, Nevada 89128

Roger & Debbie Smoot
208 Huntly Rd
Las Vegas, NV 89128

R.S. Petrarca
205 Huntly Rd
Las Vegas, Nevada 89128

Leslie Lamoya
204 Huntly Rd
Las Vegas, NV 89128

Joann Tucker
201 Huntly Rd
Las Vegas, Nevada 89128

Antoinette Bell
137 Huntly Rd
Las Vegas, Nevada 89128

Paul Merlino
132 Huntly Rd.
Las Vegas, Nevada 89128

Arnold J. Zimmer
128 Huntly Rd
Las Vegas, Nevada 89128

Donald Bourcier
124 Huntly Rd
Las Vegas, Nevada 89128

David Davis
121 Huntly Rd
Las Vegas, Nevada 89128

Ed Sahakian
117 Huntly Rd.
Las Vegas, Nevada 89128

Paula M. Stetka
116 Huntly Rd.
Las Vegas, Nevada 89128

Audrey Kettleson
109 Huntly Rd.
Las Vegas, Nevada 89128

Ron Ellis
108 Huntly Rd.
Las Vegas, Nevada 89128

Donna & Lowell Thorson
7405 Stormson Dr.
Las Vegas, Nevada 89128

Mary & Mitch Johnson
7409 Waundercloud Lane
Las Vegas, Nevada 89128

Mark Warrington
200 Huntly Rd
Las Vegas, NV 89128

Lorraine U. Kinkenon
133 Huntly Rd
Las Vegas, NV 89128

Jody A. Cox
129 Huntly Rd
Las Vegas, NV 89128

Daryles Meduis
125 Huntly Rd
Las Vegas, NV 89128

William Weeks
125 Huntly Rd
Las Vegas, NV 89128

William Phelf
120 Huntly Rd
Las Vegas, NV 89128

Judy Underwood
116 Huntly Rd.
Las Vegas, NV 89128

Carol Houghlond
112 Huntly Rd.
Las Vegas, NV 89128

Kenneth Dunn
108 Huntly Rd.
Las Vegas, NV 89128

Gene E. Zinnel
104 Huntly Rd.
Las Vegas, NV 89128

Don Haver
7508 Waundercloud Lane
Las Vegas, NV 89128

S. Bell
137 Huntly Rd.
Las Vegas, NV 89128

J.J. Bell
137 Huntly Rd.
Las Vegas, Nevada 89128

Mathew Kinkerno
7004 Cornflower Dr.
Las Vegas, Nevada 89128

James Shelly
760 Whispering Palms
Las Vegas, Nevada 89128

Lou Harvey
2225 Short Pine
Las Vegas, NV 89108

Dawn Castaldo
6766 Grandola Dr.
Las Vegas, NV 89103

Deanne K. Quinones
304 Pinecliff Dr.
Las Vegas, Nevada 89128

Unreadable
8301 W. Charleston #1032
Las Vegas, NV 89117

A. E. Cash
6448 Bannork Way
Las Vegas, NV

Chris Perry
1000 Interlude
Las Vegas, NV

Mark You
1869 Casa Vista Dr.
Las Vegas, NV 89128

Chris Ballenger
1317 Purple sage
Las Vegas, NV 89108

Sherry Johnson
2225 Short Pine
Las Vegas, NV 89108

Gince M. Lance
8008 Ducharme Ave
Las Vegas, NV 89128

SAMPLE SUPPORT PETITION
FOR CLOSURE - ITEM 65
LIST OF SIGNATORS ATTACHED

HUNTLY

280

RECEIVED
CITY CLERK
OCT 25 10 26 AM '94

PETITION TO KEEP THE STORMSON / BUFFALO CONNECTION AT HUNTLY RD. FROM OPENING

CITY COUNCIL MINUTES

OCT 19 1994

ISSUES:

SAFETY CONCERNS FOR CHILDREN, PETS, PROPERTY
INCREASED MOTOR TRAFFIC THROUGH OUR STREETS
(Danger of drunk, reckless, or speeding drivers)
NOISE AND AIR POLLUTION FROM TRAFFIC
FLOODING DAMAGE
DECREASED PROPERTY VALUE
INVASION OF PRIVACY
INCREASED FOOT TRAFFIC THROUGH OUR STREETS
VANDALISM / LOITERING

For 19 years the residents of this established neighborhood have conveniently used the following accesses to get to their homes:

1. BUFFALO TO WESTCLIFF
2. WESTCLIFF TO LUNA
3. WESTCLIFF TO ANTELOPE
4. BUFFALO TO ALTA
5. ALTA TO ANATOLIA
6. ALTA TO ALTAMIRA
7. ALTA TO WESTMONT
8. ALTA TO ANTELOPE
9. ANTELOPE TO PINEDALE
10. ANTELOPE TO STORMSON
11. ANTELOPE TO RAINCLOUD

"All streets leading to Huntly Rd."

I APPROVE TO KEEP THE STORMSON / HUNTLY CONNECTION "CLOSED" : signed James J Bell

YOUR ADDRESS: 137 HUNTLY RD, LAS VEGAS, NV 89128

PLEASE SIGN & RETURN TO MAILBOX
AT 133 OR 137 HUNTLY RD. 89128
THANK YOU FOR YOUR SUPPORT

CITY COUNCIL MINUTES

OCT 19 1994

RECEIVED
CITY CLERK

Oct 25 10 27 AM '94

August 17, 1994

Glen Grayson
City Traffic Engineer
400 East Stewart
Las Vegas, Nevada 89101

Dear Glen,

We desire to have the Stormson Lane connection to Buffalo "closed".

We have extreme concerns for our safety and the safety of the children that play and walk along our residential streets. The volumne of traffic from this Stormson access will bring increased incidents of traffic accidents, the danger of drunk drivers, reckless driving, and speeding violations. There would be the expense of crossing guards; paid by the city. It would cost the school district money on crossing equipment. We need to protect the students and children who use this access to walk accross the road and down Buffalo to Westcliff. We are concerned about pollution, both noise pollution and carbon monoxide fumes. We are equally concerned about future flooding problems. Our property value will certainly decrease; making it more difficult to sell our homes and recover our investments. We feel that it is clearly unnecessary for a 6 lane highway to be tied in to our residential neighborhood, especially one that is directly in front of a resident's home. There are plenty of other accesses in and out of our neighborhood by other means. For the past 17 years the residents in this neighborhood have had convenient access to their homes. A calculation of access streets, the milage, and approximate travel time is included with this letter. The signed petitions are also enclosed.

We wish to be considered before the Traffic and Parking Commission at your September meeting.

We would appreciate that no access be provided at this location and that you will take this matter under consideration to all families that reside in this area.

Very Sincerely,

Leslie Tamoya

NO ADDRESS

RECEIVED
CITY CLERK

Oct 25 10 27 AM '94

August 17, 1994 **CITY COUNCIL MINUTES**

OCT 19 1994

Glen Grayson
City Traffic Engineer
400 East Stewart
Las Vegas, Nevada 89101

Dear Glen,

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Very Sincerely,

NO ADDRESS

August 17, 1994

CITY COUNCIL MINUTES

OCT 19 1994

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CITY CLERK
Oct 25 10 27 AM '94

Glen Grayson
City Traffic Engineer
400 East Stewart
Las Vegas, Nevada 89101

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Very Sincerely, Monica Mallett

3500 ~~3500~~ WANDERCLOUD

August 17, 1994

CITY COUNCIL MINUTES

OCT 19 1994

RECEIVED
CITY CLERK
OCT 25 10 27 AM '94

Glen Grayson
City Traffic Engineer
400 East Stewart
Las Vegas, Nevada 89101

Dear Glen,

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Very Sincerely,

L. L. Waddell

7500
2500 WANDERCLOUD

CITY COUNCIL MINUTES

OCT 19 1994

RECEIVED
CITY CLERK

Oct 25 10 27 AM '94

August 17, 1994

Glen Grayson
City Traffic Engineer
400 East Stewart
Las Vegas, Nevada 89101

Dear Glen,

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We wish to be considered before the Traffic and Parking Commission at your September meeting.

We would appreciate that no access be provided at this location and that you will take this matter under consideration to all families that reside in this area.

Very Sincerely,

Roger & Debbie Smoot

Debbie Smoot
19 Aug. 94
208 Huntley Rd.

August 17, 1994

CITY COUNCIL MINUTES

OCT 19 1994

RECEIVED
CITY CLERK
Oct 25 10 27 AM '94

Glen Grayson
City Traffic Engineer
400 East Stewart
Las Vegas, Nevada 89101

Dear Glen,

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We wish to be considered before the Traffic and Parking Commission at your September meeting.

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Very Sincerely,

208 HUNTLY RD.

August 17, 1994

CITY COUNCIL MINUTES

OCT 19 1994

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CITY CLERK

Oct 25 10 26 AM '94

Glen Grayson
City Traffic Engineer
400 East Stewart
Las Vegas, Nevada 89101

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We have extreme concerns for our safety and the safety of the children that play and walk along our residential streets. The volumne of traffic from this Stormson access will bring increased incidents of traffic accidents, the danger of drunk drivers, reckless driving, and speeding violations. There would be the expense of crossing guards; paid by the city. It would cost the school district money on crossing equipment. We need to protect the students and children who use this access to walk accross the road and down Buffalo to Westcliff. We are concerned about pollution, both noise pollution and carbon monoxide fumes. We are equally concerned about future flooding problems. Our property value will certainly decrease; making it more difficult to sell our homes and recover our investments. We feel that it is clearly unnecessary for a 6 lane highway to be tied in to our residential neighborhood, especially one that is directly in front of a resident's home. There are plenty of other accesses in and out of our neighborhood by other means. For the past 17 years the residents in this neighborhood have had convenient access to their homes. A calculation of access streets, the milage, and approximate travel time is included with this letter. The signed petitions are also enclosed.

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We would appreciate that no access be provided at this location and that you will take this matter under consideration to all families that reside in this area.

Very Sincerely, John J. Bell

137 Hunter

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	DEPARTMENT OF PUBLIC WORKS	
	REPORTS ACTION ITEM	
86	Discussion and possible action to approve a list of eligible projects to be included in the proposed Mountain Spa Special Improvement District	**HIGGINSON - HOLD Mountain Spa to the 1992 developer guidelines adopted - UNANIMOUS with Adamsen not voting** **HIGGINSON - APPROVED exemption for on-site water and sewer lines and paved access to those lines for inclusion in the SID bonding issue and deleting the private streets from inclusion in the SID financing - UNANIMOUS with Adamsen not voting** **Staff to proceed** ****** APPEARANCES: MEL LACQUEMENT, 2820 W. Charleston ATTORNEY SEAN McGOWAN, Schreck, Jones, Bernhard, Woloson & Godfrey, 600 E. Charleston JACK SOMMER ATTORNEYS DOUGLAS GERRARD and BLAINE CARLTON, Alverson, Taylor, Mortensen & Nelson, 3821 W. Charleston GEORGE OGILVIE, 3800 Howard Hughes Parkway NOTE: A combined Verbatim Transcript of Items 66, 70 and 71 is made a part of the Final Minutes under Item 66. (10:32 - 11:29)

CITY COUNCIL

AGENDA DOCUMENTATION

MEETING OF

OCTOBER 19, 1994

289

TO: **City Council**

FROM: RICHARD D. GOECKE, DIRECTOR
DEPARTMENT OF PUBLIC WORKS

SUBJECT: **DISCUSSION AND POSSIBLE ACTION TO APPROVE A LIST OF ELIGIBLE PROJECTS TO BE INCLUDED IN THE PROPOSED MOUNTAIN SPA SPECIAL IMPROVEMENT DISTRICT**

PURPOSE/BACKGROUND

Mountain Spa Development has requested certain improvements, which are of a "non-regional" nature, be funded by bond proceeds made available through the Special Improvement District process. The City uses the "Developer Special Improvement District Guidelines" approved by Council December 2, 1992 in creating such districts.

Mountain Spa maintains that their Development Agreement approved December 18, 1991 takes precedence to the City's policy on Developer Special Improvement Districts.

The attached letter states their positions in this regard.

FISCAL IMPACT

None. (Optional - Funds will be derived through the levy of assessments to property within the Special Improvement District.)

RECOMMENDATIONS

Agenda Item

66

LAW OFFICES
SCHRECK, JONES, BERNHARD, WOLOSON & GODFREY
CHARTERED

FRANK A. SCHRECK
LESLIE TERRY JONES
PETER C. BERNHARD
KENNETH A. WOLOSON
JOHN A. GODFREY
DAVID D. JOHNSON
JAMES R. CHAMBERLAIN
MICHELLE L. MORGANDO
LANCE C. EARL

600 EAST CHARLESTON BOULEVARD
LAS VEGAS, NEVADA 89104
TELEPHONE: (702) 382-2101
TELECOPIER: (702) 382-8135

SEAN T. McGOWAN
DAWN M. CICA
F. EDWARD MULHOLLAND II
TODD L. BICE

OF COUNSEL:
HOWARD W. CANNON

CITY COUNCIL MINUTES

OCT 19 1994

October 10, 1994

HAND-DELIVERED

Richard D. Goecke, Director
Department of Public Works
CITY OF LAS VEGAS
City Hall
400 E. Stewart Avenue
Las Vegas, Nevada 89101

Attention: Darwin Bliss

Re: Mountain Spa Development - S.I.D. Eligible Projects

Dear Mr. Goecke:

This letter is a request for approval from the City Council to include certain project improvements at the development in northwest Las Vegas known as Mountain Spa ("Mountain Spa") in a local improvement district pursuant to NRS 271.710 through 271.730. You and your advisors have determined that certain improvements listed in Mountain Spa's application are not eligible under the current City of Las Vegas Developer Special Improvement District Guidelines adopted on December 2, 1992 (the "Guidelines"). Thank you for agreeing to place this letter request on the October 19, 1994 City Council Agenda.

The basis of this request is that the Development Agreement signed between the City and the owner of Mountain Spa (the "Developer") dated December 18, 1991 (the "Development Agreement") precedes the Guidelines and limits the City's ability to impose new standards for determining eligibility for S.I.D. financing. We have previously stated to you our belief that, based upon the Development Agreement, the Guidelines are not

applicable to Mountain Spa.[1] Nonetheless, to the extent application of the Guidelines is consistent with the terms of the Development Agreement, Mountain Spa is satisfied to acknowledge those project improvements upon which we both agree should be eligible for S.I.D. financing. The October 5, 1994 letter of Willdan Associates to Mountain Spa summarizes those improvements mutually agreed upon without consideration of the effect of the Development Agreement. The additional improvements, which we believe are also eligible under the Development Agreement follow a brief acknowledgement of the Willdan summary.

WILLDAN SUMMARY UNDER CURRENT CITY S.I.D. GUIDELINES

1. Off-site Water, Sewer and Roadways.

Qualified only by the requirement to receive copies of all agreements with the Las Vegas Valley Water District, these projects are mutually agreed to be S.I.D. eligible.

2. Flood Control.

All channels, culverts, walls and berms are determined to be eligible. Interior street drainage has been determined by your staff and advisors not to meet current funding criteria under the Guidelines. See below for our position under the Development Agreement.

3. Utilities On-site.

You and your advisors have determined that the eligible water lines include the 24" diameter pipeline in Mountain Spa Drive and the 24" diameter pipeline in Cupp Drive to Loire Street, and only those sewer lines along the southerly bundary of Mountain Spa. We believe the Development Agreement provides eligibility for additional on-site utilities.

4. On-Site Roadways.

Mountain Spa Drive, Cupp Drive to Loire Street excluding the extension to the clubhouse are determined to be eligible improvements, as well as engineering fees for these roadways.

---

[1] See letter of L.T. Jones, Esq. dated November 3, 1992. (Copy attached).

5. Other Fees and Costs.

The City of Las Vegas plan check fee, inspection fee, construction surveying, construction quality control, construction management, and certain unspecified bonds, the bond underwriting costs, and the tortoise fee are determined to be eligible.

THE DEVELOPMENT AGREEMENT

Section 6.4 of the Development Agreement says: "The City rules, regulations, ordinances, laws, general plans, and official policies governing development, density, permitted uses, growth management, timing and phasing of development, etc....shall be those in force and effect upon the Effective Date (as defined in the Development Agreement) ..." (emphasis supplied). Subsection (a) thereof says that during the term of the Development Agreement, the City can only apply those rules, regulations, ordinances, laws, general or specific plans and official policies promulgated or enacted after the Effective Date which will not prevent development in accordance with those sections of the Development Agreement dealing with permitted uses of the Property, permitted density and height and size requirements. Most importantly, Subsection (b) of Section 6.4 states: "... no standard set forth in the City subdivision and land use regulations, zoning regulations and regulations concerning growth management, timing and phasing of construction or construction standards shall be imposed upon the development of [Mountain Spa] except those in effect on the Effective Date" (emphasis supplied).

There are at least seven references in the Development Agreement to the permissibility of using the S.I.D. financing method for both off and on-site improvements. At least two are important for our consideration of specific improvements at Mountain Spa.

1. On-site Water and Sewer. You have determined only to allow the Mountain Spa Drive and Cupp Drive (to Loire) water pipeline, and only those sewer lines along the interior southerly boundary of Mountain Spa that are the subject of oversizing for eventual service to projects to the northwest of Mountain Spa.

We believe permission to fund **all** on-site water and sewer costs, including appropriate application and connection fees, through the S.I.D. has already been granted under the Development Agreement. At Page 4 of the Addendum, it provides, "Owner will provide facilities for conveyance of potable water to and within the Project Site by the construction of projects suitable to Owner and the Las Vegas Valley Water District. Such

potable water facilities may be financed by the owner through a special or limited improvement district."

Similarly with respect to sanitary sewer it is provided that on Page 4 of the Development Agreement that, "Owner will provide sanitary sewer facilities for disposal of waste water from the Project Site by the construction of public works projects suitable to Owner and the City. Such sewer facilities may be financed by the owner through a special or limited improvement district which may be established by the City."

Even though the distribution system for the on-site water and sewer will largely lie in private streets, appropriate public easements for maintenance will be granted.

2. On-site Flood Control. To the extent on-site streets serve, in part, as storm sewer projects, which assist in withstanding "a hypothetical 100-year flood and to safely direct the water without significant damage to on-site, off-site and downstream facilities, or to significantly increase the estimated cost for maintenance" the on-site streets should be partially eligible for S.I.D. funding. The Development Agreement at Page 2 of the Addendum recounts this standard as the standard for approving these project facilities. This standard is potentially different than the apparent manner of interpreting the Guidelines requiring "regional" benefit. Developer reserves the opportunity to present engineering and/or flood control information consistent with the Development Agreement standard.

CONCLUSION

The City Council affirmed its intention to honor the terms of the Development Agreement when the Guidelines where adopted on December 2, 1992. Honoring a commitment previously made can have no negative precedent-setting impact. City compliance with the S.I.D. financing portions of the Development Agreement will not compromise the City's ability to apply the Guidelines to other developments. In fact, Mountain Spa is legally entitled to continued good faith compliance by the City now that

one of the contemplated financing methods is being structured. To ignore the Development Agreement would be a breach of its terms, and subject Mountain Spa to manifest injustice and hardship.

Sincerely yours,

SCHRECK, JONES, BERNHARD,
WOLOSON & GODFREY

Sean T. McGowan, Esq.

STM/jsp
Enclosure
xc: Jack Sommer
Mayor Jan Jones
Councilman Arnie Adamsen
Councilman Ken Brass
Councilman Frank Hawkins, Jr.
Councilman Scott Higginson
C. Val Steed, Esq., Chief Deputy, City Attorney's Office
Nancy Payan, Supervisor, S.I.D. Department of Public Works

295

CITY of LAS VEGAS

DEPARTMENT OF PUBLIC WORKS
RICHARD D. GOECKE
DIRECTOR

October 17, 1994

CITY COUNCIL MINUTES

OCT 19 1994

TO: MAYOR JAN JONES
COUNCILMAN ARNIE ADAMSEN
COUNCILMAN SCOTT HIGGINSON
COUNCILMAN FRANK HAWKINS JR.
COUNCILMAN KEN BRASS

FROM: RICHARD D. GOECKE

SUBJECT: **CITY COUNCIL AGENDA ITEM #66**
OCTOBER 19, 1994

Mountain Spa Development asked that this document be delivered to you. I am certain they plan to use it as part of their presentation at the Council meeting on Wednesday.

xc: Larry K. Barton

Attachment

CITY COUNCIL MINUTES

OCT 19 1994

Mountain Spa

Special Improvement District Projects

October 13, 1994

Mountain Spa™

Mountain Spa Development, Inc

SECTION A

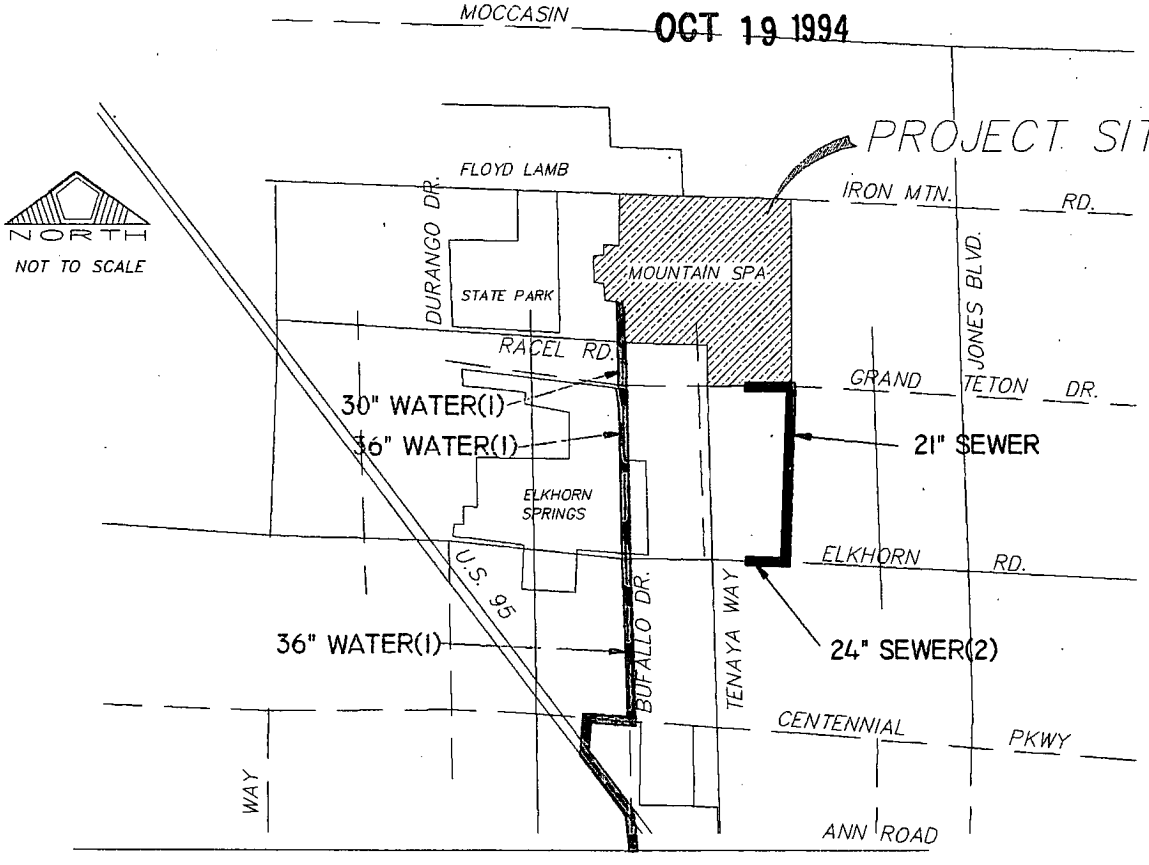
Projects That Have Current Approval By The City/Willdan

Exhibit #	Description
1	Off-Site Sewer and Water
2	Construction & Project Access
3	Public Streets on and around Project
4	Flood Control Facilities
5	On-Site Sewer
6	On-Site Water

The above projects represent approximately $20.0 million in hard and soft costs.

Note: The following exhibits are prepared for the purposes of discussion with the City Council. Separate documents are being provided to the City and their Assessment Engineer for a more complete definition of the SID projects.

OCT 19 1994

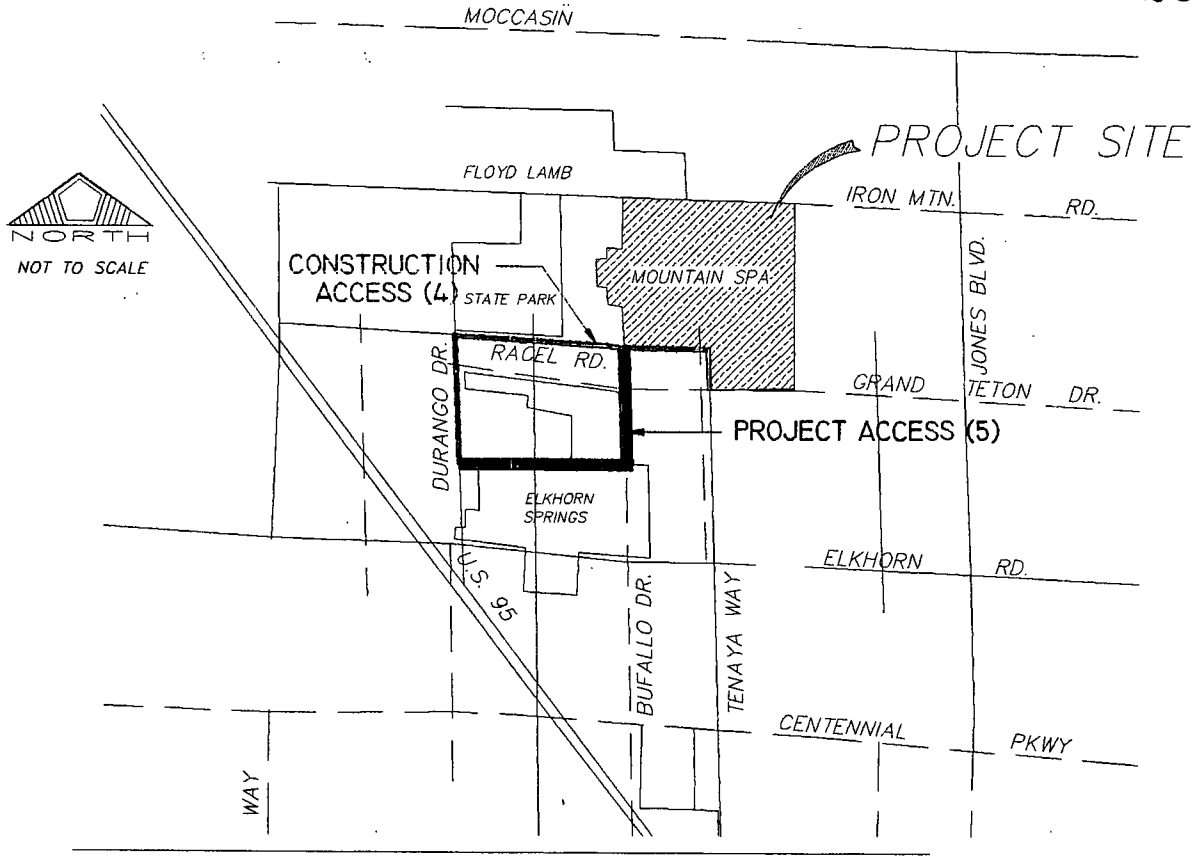


(1) DENOTES CITY'S PROJECT NO.

SPECIAL IMPROVEMENT DISTRICT

OFFSITE SEWER & WATER

Mountain Spa™



(4) DENOTES CITY'S PROJECT NO.

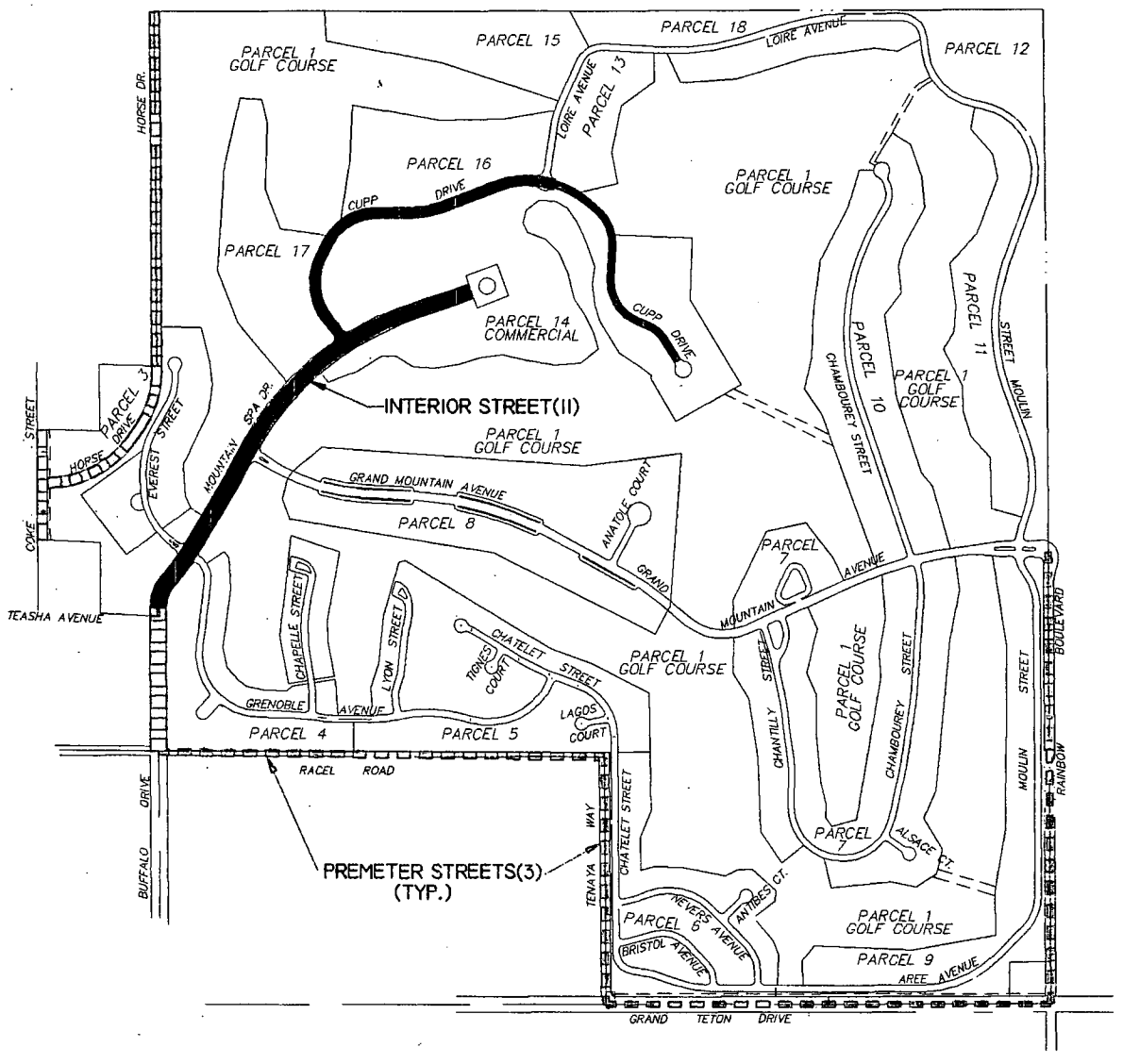
SPECIAL IMPROVEMENT DISTRICT

CONSTRUCTION & PROJECT ACCESS

Mountain Spa™

2

10/13/94

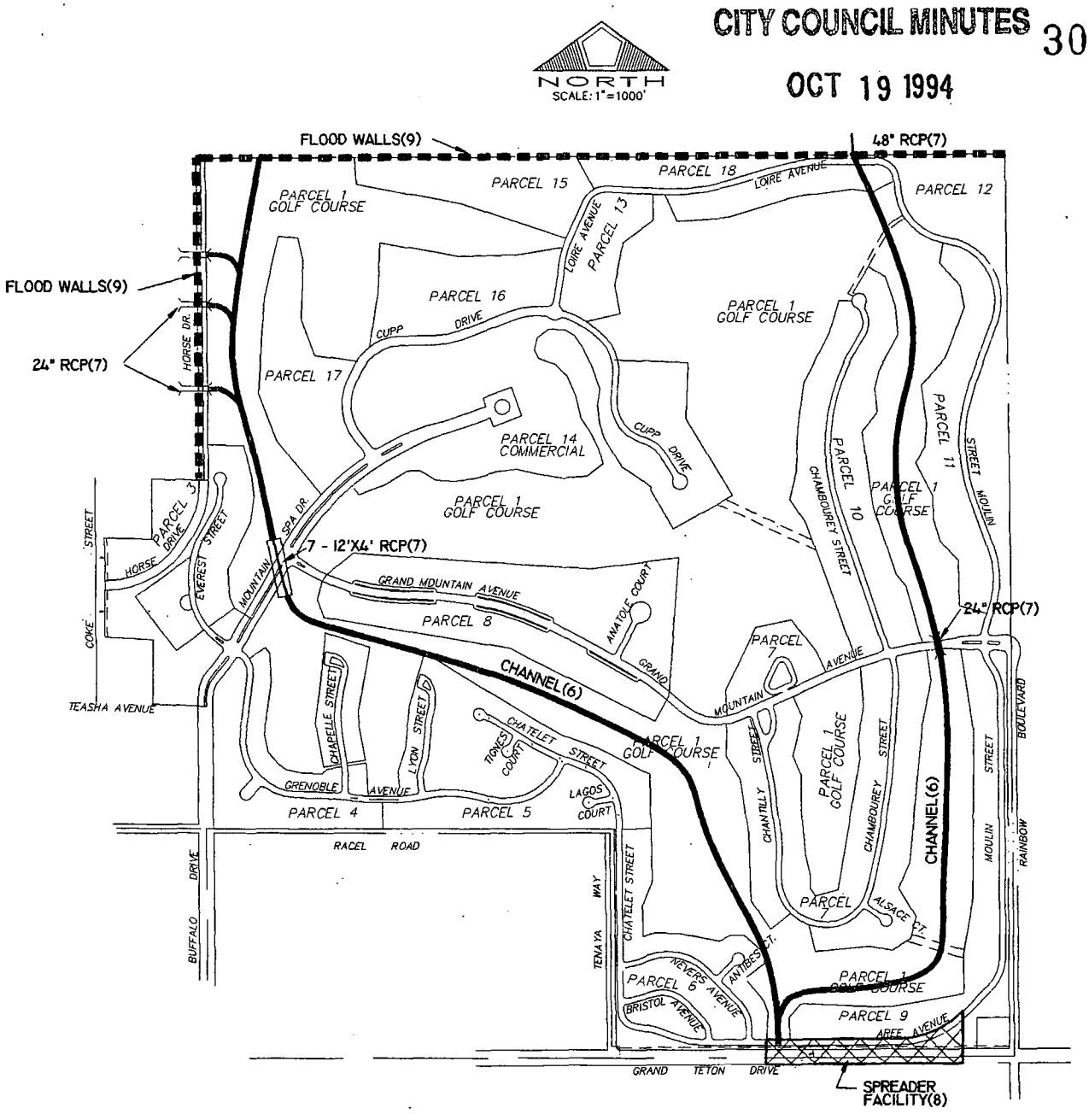


(11) DENOTES CITY'S PROJECT NO.

SPECIAL IMPROVEMENT DISTRICT

PUBLIC STREETS

Mountain Spa™



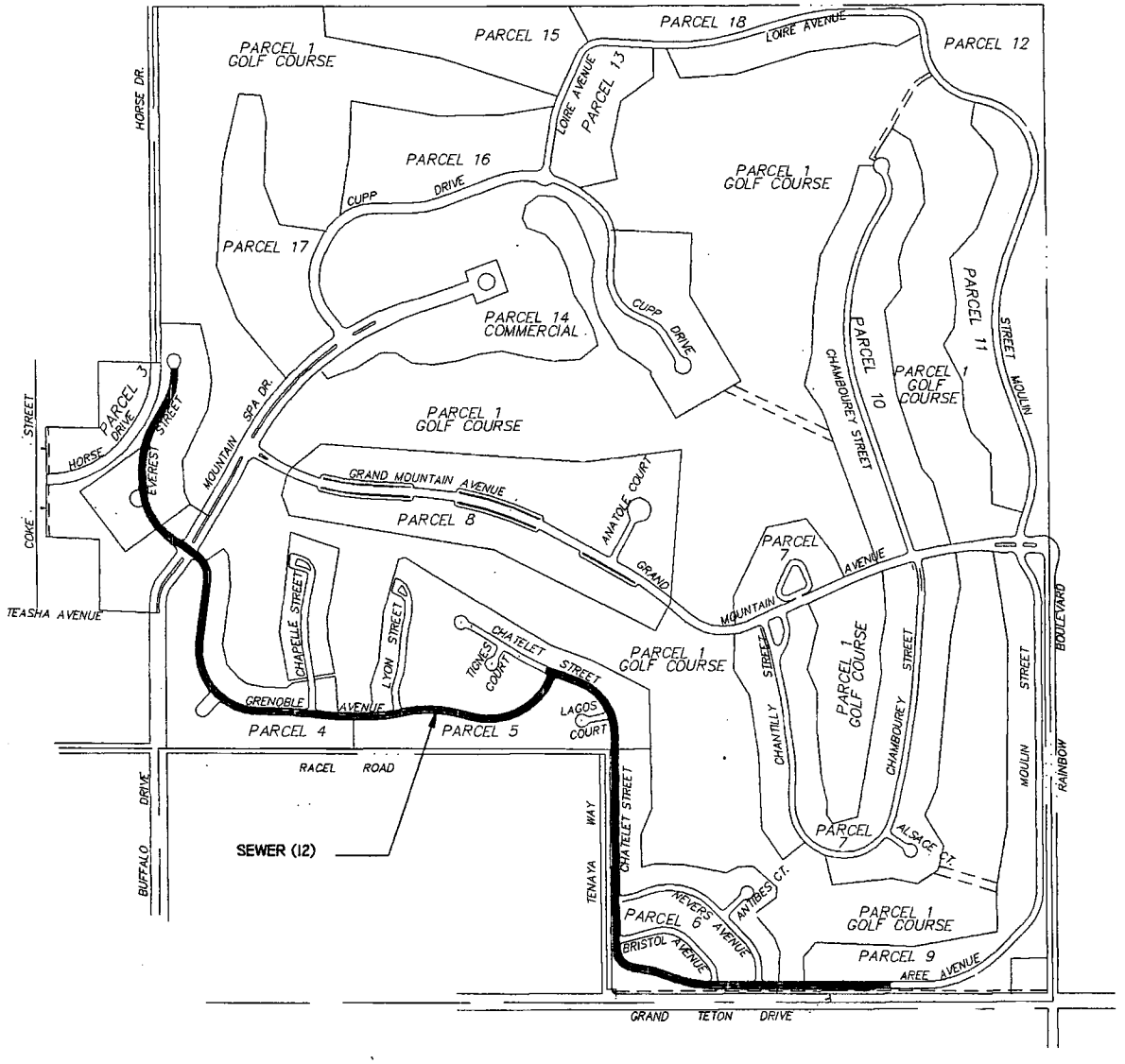
SPECIAL IMPROVEMENT DISTRICT

FLOOD CONTROL FACILITIES

Mountain Spa™

4

10\13\94

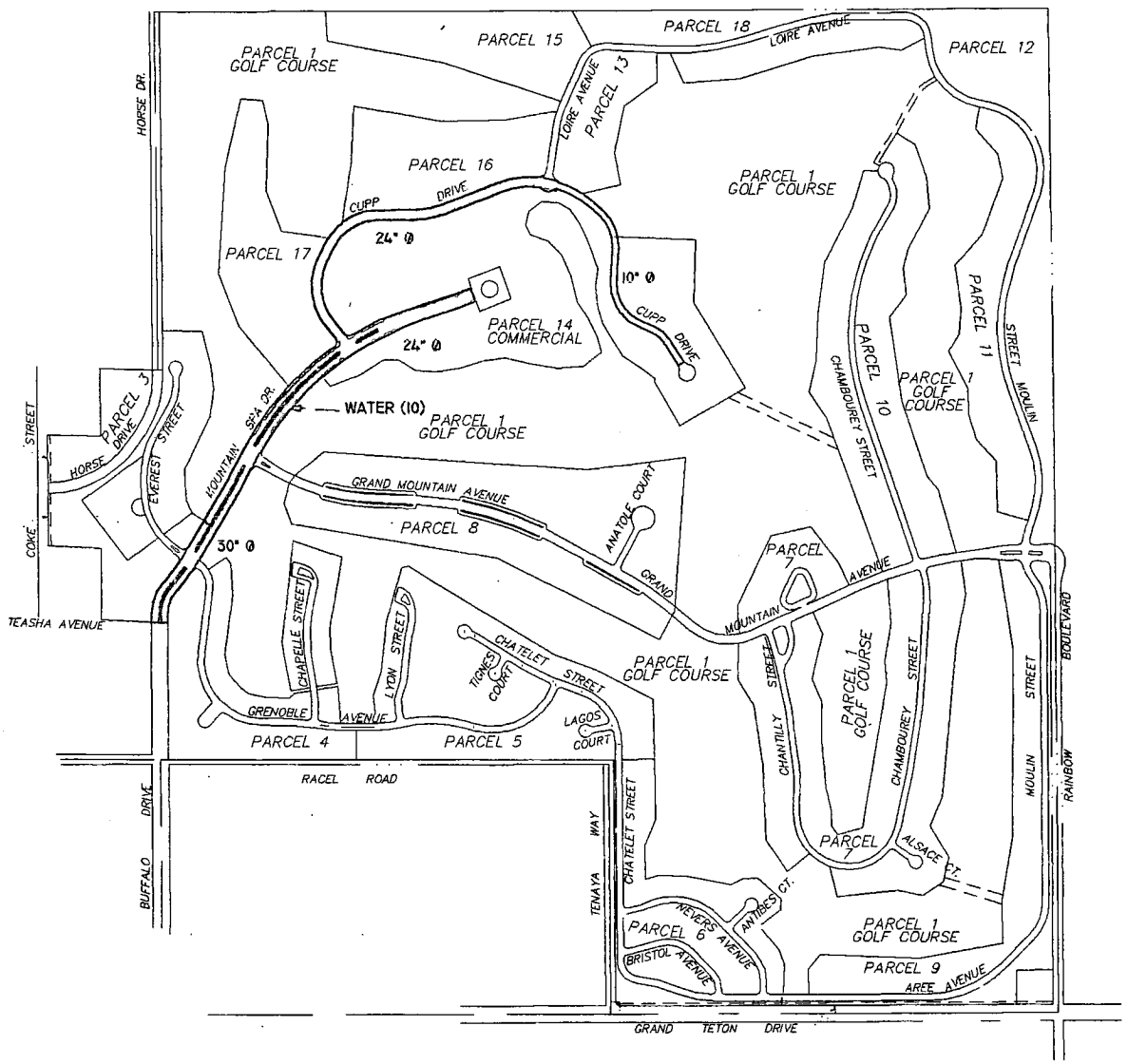


(12) DENOTES CITY'S PROJECT NO.

SPECIAL IMPROVEMENT DISTRICT

ONSITE SEWER

Mountain Spa™



(10) DENOTES CITY'S PROJECT NO.

SPECIAL IMPROVEMENT DISTRICT

ONSITE WATER

Mountain Spa™

6

10/13/94

CITY COUNCIL MINUTES

OCT 19 1994

SECTION B

Projects That Are Included As Eligible Items In Mountain Spa Development Agreement

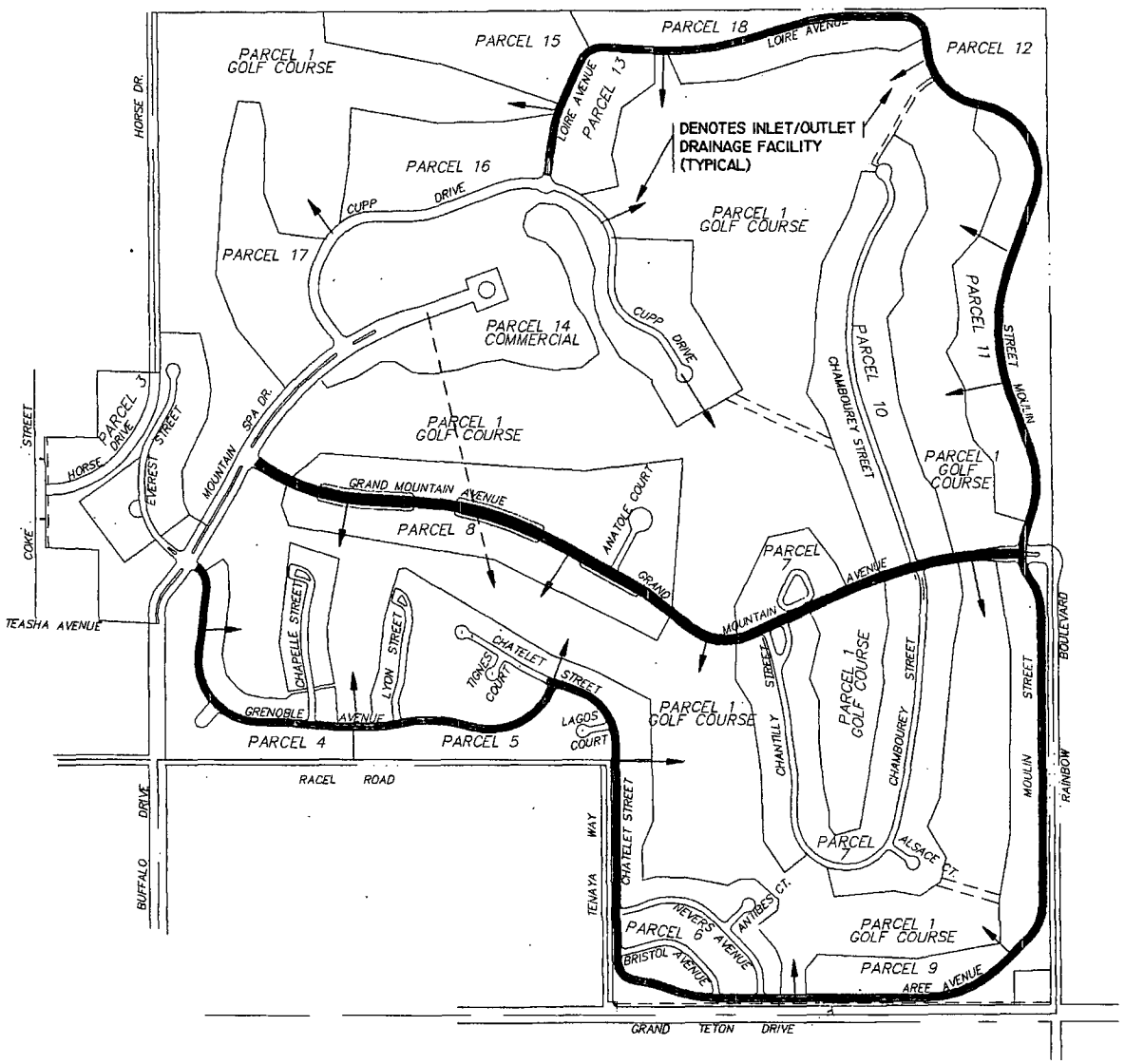
Exhibit #	Description
7	On-Site Drainage System
8	On-Site Sewer
9	On-Site Water

The above projects represent approximately $8.0 million in hard and soft costs.

Note: The following exhibits are prepared for the purposes of discussion with the City Council. Separate documents are being provided to the City and their Assessment Engineer for a more complete definition of the SID projects.

CITY COUNCIL MINUTES

OCT 19 1994



SPECIAL IMPROVEMENT DISTRICT

ONSITE DRAINAGE SYSTEM

Mountain Spa™

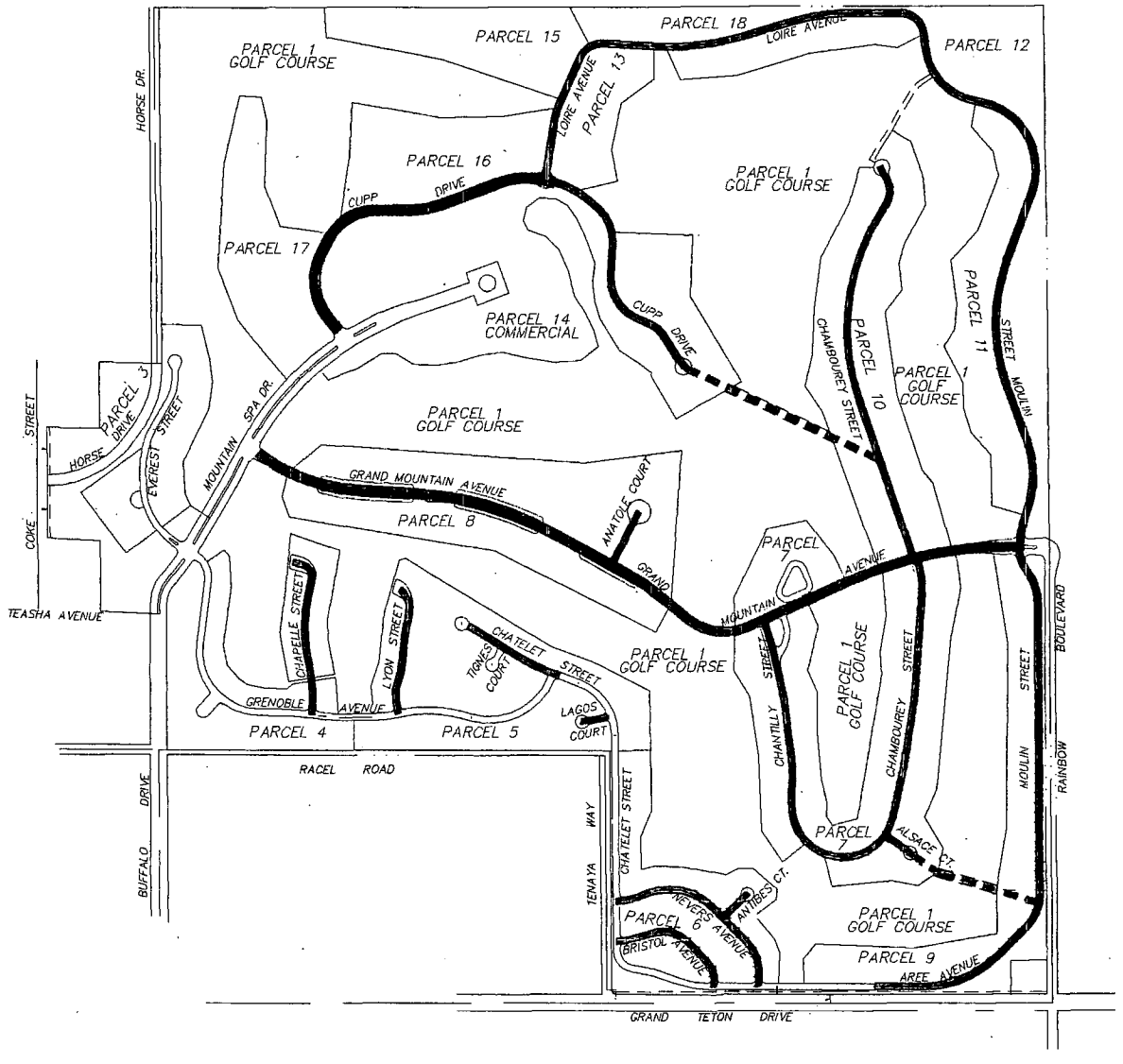
7

10/13/94

NORTH
NOT TO SCALE

CITY COUNCIL MINUTES

OCT 19 1994



SPECIAL IMPROVEMENT DISTRICT

ONSITE SEWER

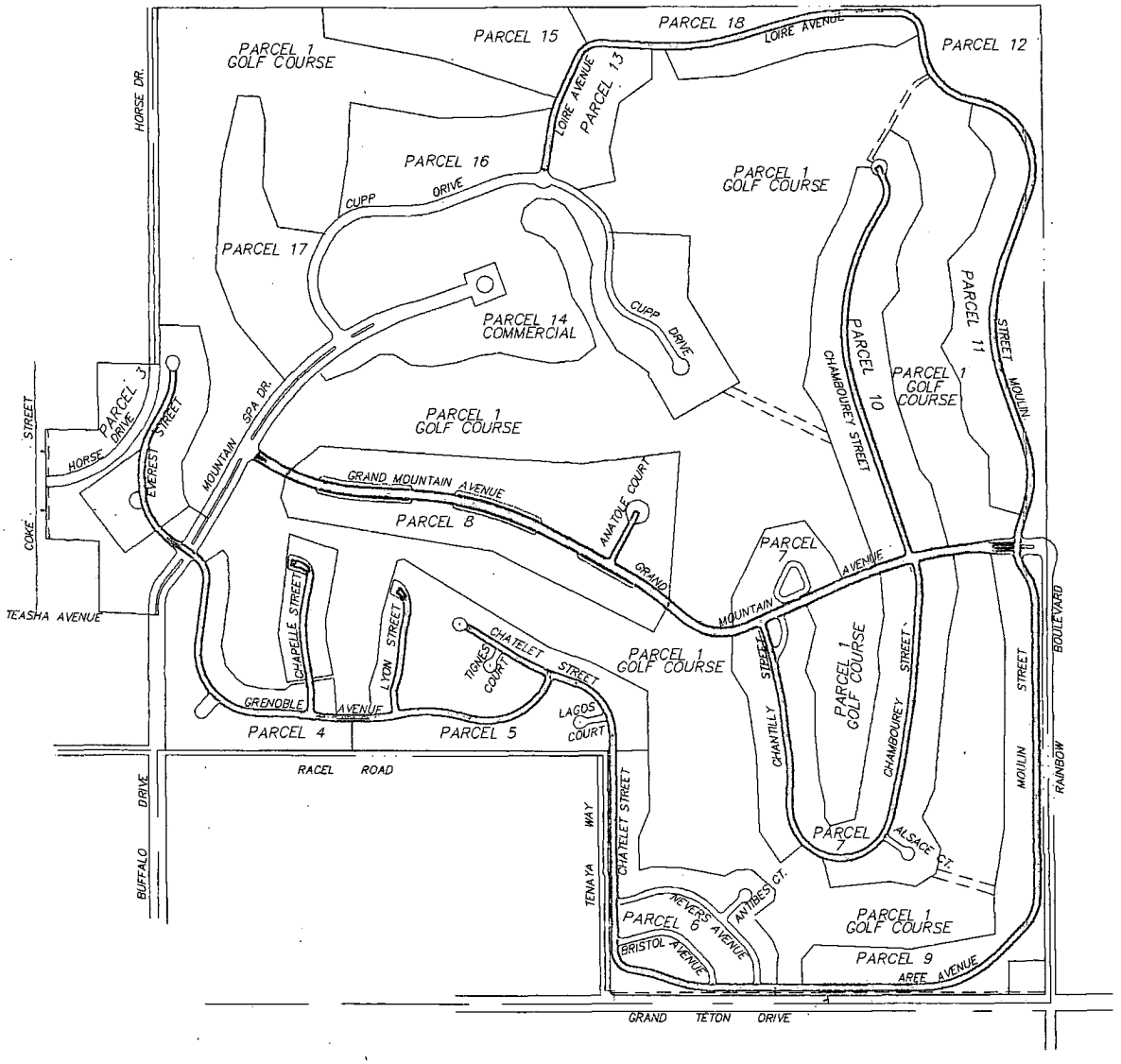
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8

10/13/94

CITY COUNCIL MINUTES

OCT 19 1994



SPECIAL IMPROVEMENT DISTRICT

ONSITE WATER

Mountain Spa™

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

COMBINED VERBATIM TRANSCRIPT - ITEM 66: DISCUSSION AND POSSIBLE ACTION TO APPROVE A LIST OF ELIGIBLE PROJECTS TO BE INCLUDED IN THE PROPOSED MOUNTAIN SPA SPECIAL IMPROVEMENT DISTRICT
ITEM 70 R-107-94 - APPROVAL OF A RESOLUTION DIRECTING THE ENGINEERS ON BEHALF OF THE CITY OF LAS VEGAS, NEVADA TO PREPARE AND FILE WITH THE CITY CLERK PRELIMINARY PLANS AND AN ASSESSMENT PLAT IN CONNECTION WITH A PROPOSED WATER, SANITARY SEWER, ROADWAY, DRAINAGE, CURB AND GUTTER, SIDEWALK, AND STORM SEWER PROJECT IN THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 606 (MOUNTAIN SPA DEVELOPMENT) PURSUANT TO THE CONSOLIDATED LOCAL IMPROVEMENTS LAW AND ALL LAWS AMENDATORY THEREOF AND SUPPLEMENTAL THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.
AND
ITEM 71: R-108-94 - APPROVAL OF A RESOLUTION AUTHORIZING THE PREPARATION OF A PRELIMINARY OFFICIAL STATEMENT IN CONNECTION WITH THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 606 (MOUNTAIN SPA DEVELOPMENT) LIMITED OBLIGATION IMPROVEMENT BONDS; AND PROVIDING THE EFFECTIVE DATE HEREOF

MAYOR JONES — Item 66 is the discussion and possible action to approve a list of eligible projects to be included in the proposed Mountain Spa Special Improvement District.

RICHARD GOECKE, DIRECTOR PUBLIC WORKS — Yes, Your Honor. Representatives of Mountain Spa are here to make comments. However, I believe the issue is simply that Mountain Spa -- submitted a list of approximately $28 million worth of projects to be included in a proposed single-owner SID. We applied the criteria of including regionally significant projects as opposed to non-regionally significant projects, separating then out -- separating $20 million of the $28 million as being regionally significant.

Their position I believe, and they can state their position, is that City Council adopted a policy in December of 1992 stating that regionally significant projects would be included in the single-owner SIDs and the development agreement they have is December of '91, whereby then they believe that the development agreement approved in '91 takes precedent over the policy adopted by Mayor and Council in December of '92. But as I say, they're here. I'm certainly they'll state their position.

COMBINED VERBATIM TRANSCRIPT - ITEMS 66, 70 AND 71

COUNCILMAN ADAMSEN — Sounds like a legal argument to me, Dick, but do you have any major problems if they have in their development agreement the ability to include these onto the special improvement districts? Do you care either way?

RICHARD GOECKE, DIRECTOR WORKS — The Public Works' role will be to ensure that the PUBLIC projects are constructed properly and they stand the test of an audit. And it doesn't make any difference to Public Works what kind of project. We have the ability to ensure that any type of project is properly constructed and we also have the ability to ensure that the -- that they stand the test of an audit. So, in answer to your question, to those of us in Public Works, it doesn't make any difference what kind of project is in there.

COUNCILMAN ADAMSEN — In the memo you sent up to us, you said that the real question would be what bond counsel would have to say about an SID improvement being under a private street. Do we have any kind of feeling on how that might go?

RICHARD GOECKE, DIRECTOR PUBLIC WORKS — And then I'd like to refer that to City Attorney.

CITY ATTORNEY JERBIC — Councilman, if I could help postulate the question a little bit this morning. There's a fairly special law that was enacted in the late 1980's that allows these kind of developer districts to occur. Historically, the first one was Summerlin. At that point in time we did not have developer guidelines. We were dealing with Hughes Corporation. They were able to meet all of our requirements. One of the things that we required back then was that the developer agreement would only finance regional, not non-regional, types of improvements. We also had a number of other things that were fairly onerous that they were able to satisfy, including putting up a bank letter of credit to satisfy our financing concerns.

The only other development that came in that has been almost seen to completion has been Elkhorn Springs. When it came up in December of 1992, we asked the City Council to establish guidelines as to how we were going to deal with these developer districts. In those guidelines, we established

the fact and memorialized that we were only going to fund regional, not non-regional, improvements.

We also backed off the bank letter of credit since no banks are issuing those these days. But we established other guidelines that would satisfy our finance concerns.

In between the two projects came Mountain Spa. And In December of 1991 they came to us with a Developer Agreement that was signed. That particular Developer Agreement merely establishes the kind of hurtles that they have to have through in order to meet our zoning and planning requirements. It doesn't in any way establish that we're going to fund non-regional improvements versus regional improvements. Those things have, whether you go by what we did before the Elkhorn guidelines or you go by the Elkhorn guidelines, those are things that we have never recommended funding for.

With respect to the -- and so the question that the Council has to answer today as a threshold question is what standard are you going to hold Mountain Spa to? Are you going to hold them to the standards that existed by matter of custom established by the Summa precedent or are you going to establish that they will be held to the standards established by the Elkhorn guidelines, which are applicable to all future development projects, not just Elkhorn.

The specific question that Mr. Goecke has raised involves whether or not these, this developer improvement district can include -- private streets within the development. It is our opinion that it cannot as a matter of law. Streets by definition, in NRS, have to have a public use and private streets by definition do not. So it's our legal opinion that they cannot be included in this development district. Further, I think if bond counsel were asked to answer the question they would tell you that even if it weren't precluded by statute, it would have an effect on the tax exempt status of the bonds; is that correct? And they're nodding affirmatively at this time.

That's our legal opinion at this time, that legally private streets cannot be included in a development district.

COMBINED VERBATIM TRANSCRIPT - ITEMS 66, 70 AND 71

COUNCILMAN HIGGINSON — Now are there, are you drawing a distinction between private streets and public streets within a development? Ron -- I mean, there are public streets that are non-regional in nature. Are you determining those, calling those private streets or are you referring to private streets only those that are within gated communities?

CITY ATTORNEY JERBIC — No. Private streets are only within a gated community. Those to which the public does not have access.

COUNCILMAN HIGGINSON — So if the applicant were to remove completely from the request those that are considered private streets but allow the other public streets, then we could go forward. Because you said it doesn't establish that we will do it, but it doesn't preclude us from doing it for other public streets that are non-regional.

CITY ATTORNEY JERBIC — That's correct. What we would recommend is on those things that are non-regional, which we have historically recommended against including in these development districts, they could come before you either under the Summa precedent or under the development guidelines and ask for an exemption from this Council. They couldn't ask for such an exemption for private streets. They could ask for such an exemption for public streets.

COUNCILMAN HIGGINSON — And under the Summa project, no non-regional public streets were included in the SID; is that correct?

CITY ATTORNEY JERBIC — That's correct.

ATTORNEY SEAN McGOWAN — Madam Mayor, if I may? Sean McGowan, Schreck Jones law firm. With me is Mel Lacquement of Mountain Spa and Jack Sommer is hiding over here. I -- if I may, I think that the City Attorney only partially answered Councilman Adamsen's question and then we got off on private streets, which is not part of Mountain Spa's request today.

COUNCILMAN ADAMSEN — That was my understanding. It's the access to the improvement underneath the streets.

ATTORNEY SEAN McGOWAN — That's right. On-site water and sewer which will be public improvements contained within private streets but they will be owned by the public and you will have easements for access to those facilities.

COUNCILMAN ADAMSEN — That's the question I wanted an answer.

ATTORNEY SEAN McGOWAN — So the only -- issue as to -- the only other issue as to private streets would be that portion of the streets which may qualify as a flood control facility for on-site water. We believe that also is covered under the development agreement. But we don't have hard and fast data for you today to suggest what that number would be, but we would like to preserve the inclusion of the streets, at least some component of the streets for on-site flood control.

The primary difference that we have -- and I shouldn't say difference with staff because Mr. Goecke has fairly characterized the issue. They have analyzed this very well and cooperatively with us under the current guidelines. But we have always had this understanding with them that our position from the start has been that the development agreement covers more than what the guidelines allow. And so that really is the thrust of our position.

And again, I must differ with the City Attorney. The development agreement provides quite specifically for the inclusion of on-site water and sewer through the SID funding mechanism. It is not --

COUNCILMAN ADAMSEN — And that --

COUNCILMAN HIGGINSON — But it's a may, not a shall; correct?

ATTORNEY SEAN McGOWAN — It is a may in that permission has been granted for the owner to include --

COUNCILMAN HIGGINSON — Or it's a may that we could grant it.

ATTORNEY SEAN McGOWAN — No, it --

CITY ATTORNEY JERBIC — No, we would disagree with counsel on this particular point obviously.

COUNCILMAN HIGGINSON — I mean, shall means one thing and may means another very clearly.

ATTORNEY SEAN McGOWAN — Councilman, in the first grade when I was instructed to ask the teacher if I may get a drink of water and when I asked for permission and she says to me yes, you may. I have permission to go get a drink of water. And that's what --

MAYOR JONES — This is a (inaudible) --

COUNCILMAN HIGGINSON — But then you, but then she's turned the may to a shall.

COUNCILMAN HAWKINS JR — Your Honor? Your Honor --

MAYOR JONES — Yeah, yeah. But generally teachers aren't lawyers and we've found in the language of the law, thus becomes the difference.

COUNCILMAN HAWKINS JR — Can I be the referee? Between these two?

MAYOR JONES — Yeah.

COUNCILMAN HIGGINSON — Is there -- But if the -- teacher said no, if the teacher said no, then you couldn't go to the bathroom.

MAYOR JONES — I'm not sure we need to be -- I not sure even what the argument is here yet so far. It was water. (Inaudible)

ATTORNEY SEAN McGOWAN — That's correct. But if you look what the development agreement says is that the owner will provide facilities for conveyance of potable water to and within the project site by the construction of projects suitable to City and the Water District. Such potable water facilities may be financed by the owner through a special or limited improvement district. That is permission. That is permission in the owner.

CITY ATTORNEY JERBIC — Well, if I could inform the Council. It's not our legal opinion that that gives permission. Quite clearly these developer guidelines when they were originally drafted were meant to set

for a number of predictable things that the developer would have to do in order to be eligible for things. And in no way gave permission to the developer and I don't think that anybody could reasonably conclude -- Now if they had come to us and asked to go to the bathroom and you said they may, I might answer the question differently. But they didn't come to us and ask to go to the bathroom. They came to us and they asked us for a list of developer guidelines that they would be held to. Each of these things would have been reviewed in its ordinary course. Many of these things would have been reviewed even prior to the developer guidelines, even under the Summa standards. And I would respectfully disagree with counsel's interpretation of the document.

ATTORNEY SEAN McGOWAN — Well, I don't --

COUNCILMAN ADAMSEN — Mr. Jerbic, if the development agreement said that the developer shall, then that in fact removes any option of the developer as to whether they may or may not participate in a special improvement district; is that not so?

CITY ATTORNEY JERBIC — To the extent that it says that the developer shall do certain things it means that in order to be eligible, they must jump these certain hurdles. It means nothing more than that. It doesn't mean that the City doesn't have the right to review at some future date when you come forward to ask us for, what specific things you want included in the developer district. That's the point that we're starting to reach right now, is what things do they want to include in the development district.

We have told them that they -- you have to cross certain hurtles. We have told them what zoning things would have to be in place. We have told them what type of plans would have to be in place. But in no way did we ever give up the authority of this Council to say no at any point to any one of the improvements they brought before you.

MAYOR JONES — I'd be interested just in -- and I know bond counsel gave one opinion, and I'm more concerned about the precedent. Is it a problem? What bond counsel may have to say on this issue. Then we'll come back.

COMBINED VERBATIM TRANSCRIPT - ITEMS 66, 70 AND 71

COUNCILMAN ADAMSEN — While they're coming up, Mr. Jerbic, answer my question. If in fact that this said that they shall be --

MAYOR JONES — He's not there.

COUNCILMAN ADAMSEN — He'll come back and he can hear me. If potable water facilities shall be financed, that there in fact then is no option as to the type of financing the developer can choose for these improvements?

BOND COUNSEL GERRARD — Mayor, Council members, Doug Gerrard of the firm Alverson, Taylor, Mortensen & Nelson, bond counsel. Permit me to introduce Blaine Carlton of the firm Bowers, Barr, Anders & Engersaul, who is our co-bond counsel on this transaction.

Let me just start by clarifying the issue. Because I think we've kind of gotten away from what the actual issues are that, before the Council today. The items that have been approved by City staff at this point in time as eligible improvements -- They've given a list to the developer and the only items that were considered not to be eligible for SID funding at this time were three.

One was water mains to the private development areas. The second issue was sewer mains to those same private developments. Now the third issue which could kind of be broken down into two separate issues is the private street issue that was raised by Mr. Jerbic and by one of the other Council members. The private street issue, I believe, the developer has backed away from that position. And that they are not requesting at this time, in their letter that's before the Council this morning, that the private streets be includable.

And there were two issues that dealt with the private streets themselves. One, whether the private streets would be fundable. And two, whether or not those private streets would be allowed to be used as flood control channels and possibly some portion of the cost of those private streets would be attributable to that flood control design work and therefore eligible for SID funding as well.

Now, what Mr. McGowan stated a few moments ago is that they -- that he still feels that there's a possibility that those private streets, some portion of the cost of those private streets can be attributable to some special design work for flood control. And that that is one thing that he still wants to be considered an eligible improvement. However, the private streets themselves are not an issue before the Council at this time I don't believe.

ATTORNEY SEAN McGOWAN That's correct.

BOND COUNSEL GERRARD I believe they backed away from that position. So what we really have is a situation where in trying to interpret the City's guidelines and the NRS statutes, we have a situation in which the statutes clearly indicate that an improvement must be, it must serve a public purpose and must have a public use. The City has chosen to interpret what that public use and public purpose will be when they adopted their City guidelines. Those City guidelines clearly indicate that an improvement must be regional in nature in order for it to be eligible for SID funding.

Now that brings the developer in front of the Council this morning because they wanted to, under either the development agreement or the comments that were made by counsel nearly two years ago when those SID guidelines were adopted, they would like to have their development agreement used in order to allow some improvements which under the current guidelines would not be allowed. Those being the water mains and the sewer mains to private streets. And apparently Mr. McGowan is saying he still wishes to have considered the issue about the flood -- the private streets being used for flood control.

Now as bond counsel our opinion is that, that of course, in order for it to be an eligible improvement under State law, we have got to have a finding by the City that it serves some public purpose. And under the current guidelines, the City's not prepared to make that. So the Council would have to make a determination that the current guidelines do not apply for some reason and in such an event then if the City staff, Mr. Goecke and his staff, was able to make a finding that in

fact those private street -- or excuse me, the water mains and the sewer mains, which will be under private streets with a public easement and will be publicly owned, would then be eligible to be considered.

So that's really the issue that's before the Council this morning.

COUNCILMAN HIGGINSON — Could the reason as to why the City's guidelines do not apply be the development agreement that was signed prior to the adoption of those -- I mean is that a defensible position in your mind?

BOND COUNSEL GERRARD — That's really a position that'd have to be determined by the City Attorney. We believe that under the statutes, the improvements other than the private streets that are being requested by the developer could be eligible for SID funding.

COUNCILMAN HIGGINSON — I mean the bottom line is we can sit here and argue semantics and mays and shalls until we're all blue in the face --

MAYOR JONES — Right.

COUNCILMAN HIGGINSON — -- and we've all talked about getting drinks of water. But the bottom line question is: if we allow these non-regional improvements to be included in the SID, some future developer may come forward and say you allowed Mountain Spa to include their non-regional public facilities to be included in the SID; therefore, we want to do it. And if at that time we hold up our agreements or our policy and say no you can't do it under the policy and they elect to take us to court because we allowed someone else to do it, is it a defensible position to say the reason they were allowed to do it was because of a development agreement that was signed prior to? Or --

MAYOR JONES — Right.

COUNCILMAN HIGGINSON — -- I mean, somewhere along the line we're, we may end up in court. Doesn't mean we're going to. We may end up in court, either from this --

COMBINED VERBATIM TRANSCRIPT - ITEMS 66, 70 AND 71

ATTORNEY SEAN McGOWAN — Different context.

COUNCILMAN HIGGINSON — -- applicant or from a future applicant. Because if today we decide no, we're not going to allow those non-regional public improvements to be included in the SID, this applicant may very well, and have every right to do, take us to court and say wait, I've got a development agreement that says in my opinion you have to let me do that. And so one way or the other, some time this decision may end up, may end up, being decided in court. Doesn't mean it's going to be, but at some time it may. So the question I'm posing to you, because it's a decision this Board's got to make, is if we allow these non-regional public improvements to be included in the SID; and maybe Mr. Jerbic's the one that's going to answer it; can we defend that position by saying we had a development agreement that allowed us to do that that was in place prior to the adoption of the policy. Period.

BOND COUNSEL GERRARD — Well, I believe that clearly if you want to adopt the position that's been taken by Mr. Jerbic that the development agreement does not cover this type of issue, then obviously you're going to have a difficult time defending that in court. However, if you say that the development agreement or the spirit of the contract, however you want to say it, did allow for Mountain Spa to be grandfathered in and not be subject to the SID guidelines adopted by the City two years ago, then the City Attorney I think could take an equally convincing position in saying that that was a one-time exception. And I think that it clearly could be defended in court.

COUNCILMAN HIGGINSON — One-time exception because of a development agreement that was in place prior to the City's policy.

BOND COUNSEL GERRARD — Because of the development agreement. However, we're not taking a position on whether or not that should be done. In fact, we believe that that's Mr. Jerbic's --

COUNCILMAN HIGGINSON — Understood.

MAYOR JONES — Right. They're trying to transfer that position to the City Attorney who's --

COMBINED VERBATIM TRANSCRIPT - ITEMS 66, 70 AND 71

COUNCILMAN HAWKINS JR — Let me --

BOND COUNSEL GERRARD — That's right.

COUNCILMAN ADAMSEN — Right. One other question that Mr. Jerbic brought up. If that in fact is the case, can you clarify for us the concern that that may affect the tax exempt status of the bonds by including the non-regional issues in the SID.

BOND COUNSEL GERRARD — Well, Mr. Carlton is our tax expert. And we've discussed this before and I'll let him speak to that issue but I think that we've made a decision that that's not going to affect the tax exempt nature of the bonds as long as we're not talking about private streets. May --

COUNCILMAN ADAMSEN — Okay.

COUNCILMAN HAWKINS JR — And, Your Honor, if I may have -- I'd like to further elaborate on the Councilman's -- and try and simplify even further what I think the issues is. Because I think you've said that the law will permit us to do whatever we decide to do. I see the real question is right here with our legal advisor. He helped draw up the documents with Mountain Spa. We all voted on them and rendered our opinion. I think the issue is of a difference of opinion. And is are we going to support what our attorney is saying or are we going to, as a Council, vote differently than what I believe his recommendation is. I mean that's as simple as it gets, I believe. With a period.

COUNCILMAN ADAMSEN — But there needs to be clarification of the issue that special improvement district bonds are to be sold are not an obligation of the City of Las Vegas. They're an obligation of the property purchasers within the Mountain Spa district and in fact the City of Las Vegas has no liability. The entire liability for the special improvement district lies with the developer and the subsequent owners of the special improvement district who are the purchasers of the property within Mountain Spa; is that not correct?

BOND COUNSEL CARLTON — Well, the special assessment bonds would be City of Las Vegas bonds and --

COUNCILMAN ADAMSEN — Oh, understood.

BOND COUNSEL CARLTON — -- in that sense, from a legal perspective, it does have consequence to the City as to what happens to those bonds. And so I think it's very important that the City be very comfortable that the improvements that are being financed are -- these assessment bonds are going to be repaid.

COUNCILMAN ADAMSEN — Granted and understood.

COUNCILMAN HIGGINSON — It could affect us; yeah.

CITY ATTORNEY JERBIC — If I could state, I think that there are a couple of questions that the Council should decide and I would even suggest that you vote on some of these issues during the course of this discussion. I think one of the threshold questions that you have to decide is whether or not Mountain Spa was grandfathered and therefore excluded from the developer guidelines or whether we want to include them under the developer guidelines. And that's the threshold question you have to resolve.

To that extent I would like to read a portion of the December 2nd, 1992, City Council meeting where we adopted the developer district guidelines and representatives from Mountain Spa, particularly Attorney Terry Jones was present and urged the Council to grandfather Mountain Spa so that they wouldn't be included under the developer guidelines.

Attorney Jones, at one point on the record, said I think clear the air. I think it would clear the air if the Council passes a resolution of this bill to essentially say that there's either a grandfather or the Mountain Spa project is exempt. After which Council had a discussion and at the end of the discussion there was a motion. And before the motion was voted on, nobody made a motion to grandfather them. Nobody made a motion to exclude them. Councilman Nolen stated specifically on the record I'm not willing to grandfather anybody. Is there a motion on the floor; there's a motion on the floor, and then the motion was voted on and the developer guidelines were at that point in time accepted by the City of Las Vegas.

What I would tell you is that I don't think anybody from Mountain Spa can reasonably except that no rules apply to them. Some rules are obviously going to apply to them. Whether they reasonably expected that they would be guideline rules or the precedent accepted by Summa, they have to reasonably expect that some rules apply to them. So what I would ask the Council to do at this time is to discuss whether or not you're going to hold them to the developer guidelines and then look at the possibility of exempting them on an issue by issue basis for those guidelines. Or hold them to the precedent that we established in the Summerlin project, in which case you are, at least with respect to regional versus non-regional, in the same boat. Because we would not allow the funding of non-regional improvements in the Summerlin project.

But with respect to where we're going to go from here with this project, I urge you to discuss at this time whether or not you're going to hold them to the developer guidelines or what we did with Summa prior to the guidelines.

COUNCILMAN HAWKINS JR — Before we do that, are there any other issues. I know you want us to vote on some other ones but could you run down those issues as well?

CITY ATTORNEY JERBIC — I think that after you decide what rules you're going to hold them to, I think that we need to hear is, on the record, the argument from Mountain Spa as to why it's in the interests of the City to fund non-regional improvements. And if you find sufficient reason there, guidelines are guidelines. They are rules that we should generally follow. But if you find that there is some public purpose in exempting them in this particular case, you should make that record. And if somebody can't make a similar record in the future, it'll stand or fall on its own. I'm confident that if you deny their request to include non-regional activities, that's a lawsuit -- or non-regional activities, that's a lawsuit that we can successfully defend.

COUNCILMAN HAWKINS JR — Well, if you grandfather them in, what does that mean? Does that mean that there are no guidelines? Or that gives them a choice between Summerlin and Elkhorn?

COMBINED VERBATIM TRANSCRIPT - ITEMS 66, 70 AND 71

CITY ATTORNEY JERBIC — No, if you say --

COUNCILMAN HIGGINSON — No --

CITY ATTORNEY JERBIC — And what I would say is -- I would just pose the question as to whether or not you want them to be subject to the developer guidelines and that's the way I would --

COUNCILMAN HAWKINS JR — As opposed to being grandfathered?

CITY ATTORNEY JERBIC — As opposed to being grandfathered and not included under the developer guidelines.

COUNCILMAN HIGGINSON — I think that's why Brad's suggesting that we look at the guidelines and say no, we think you're under the guidelines but we're willing to entertain discussion of exempting you from those guidelines.

CITY ATTORNEY JERBIC — And that I think makes the most sense and to more predictable consequences (inaudible)

COUNCILMAN BRASS — And I agree with that. I absolutely agree with that. I think condition by condition -- is what I've heard here is that there are some agreements and there are very few of those disagreements that we are concerned with. And I think that if we take this agreement when there is a concern, ounce by ounce, I think we'll be better off by doing that than saying that you're either grandfathered in or you come under no guidelines at all. I think there should be some guidelines. I think we ought to do it by saying okay, we recognize that we have an agreement with you; what we want to do here is go line-by-line.

In case we get a stumbling block, let's sit down and discuss this stumbling block. Because I think where we are now is we're probably going to be at an impasse because I am not so clear on where we ought to go. I don't think this company is clear on what the agreement said or what -- I mean when you're talking about an argument between what may means and what shall means, that means that we've got some misunderstanding. And I think we ought to sit and talk about

this as we get to it and come to an agreement as we come to it.

COUNCILMAN HAWKINS JR — You want to make a comment on what we've been discussing before we vote?

MEL LACQUEMENT — Yes, please. I think both of us have a couple of comments. Mel Lacquement, Mountain Spa Development, 2820 West Charleston. It just happened that I was involved in the original development agreement, working with Val Steed and Scott Nielsen who was with the firm of Schreck, Jones at the time. In putting the development agreement together.

And the specific language we're referring to this "may" or "shall" came up as a result of Mr. Somer not willing to say I will have to do one of the two. I think if you read it the choice is really Mr. Sommer's choice that he may finance it himself or he may finance it through a special improvement. That's one issue.

The second one is the regional/non-regional was not an issue when we put the development agreement together. We spent many, many laboring hours in the round room upstairs and in the City Attorney's conference room trying to get the language prepared for the development agreement. During those round table discussions, we indicated there are certain items that we would like to have possibly included in an SID. And we listed them and that list is included in the development agreement as may be included in a development agreement and -- I mean, in a special improvement district.

We went through that process for quite a long time. This was in December of '91 when you ratified our decisions by executing the contract on December 18th. Then during the summer and fall of '92, the City began a policy of establishing guidelines. We came before you, the City Council, on December 2nd of 1992, Mr. Terry Jones from Schreck, Jones and myself. And we labored for some time on discussing what was appropriate with respect to our developer guidelines and yes, we asked to be grandfathered. I understand your position of not grandfathering.

I think the City Attorney very eloquently spoke from a few excerpts from that meeting but there were many more that you need to read such as a deal is a deal; such as we have a contract we have a contract. There were many statements made with that regard. I think there was even a statement made that Mountain Spa is a regional facility. But regional was not an issue at the time we set forth a development agreement in good faith.

And we've exercised every condition that you have requested upon us through platting, through final maps, through procedures of the zoning and development plan approvals, through commencing construction of water line, paying for the water line ourselves up front so that we could meet those obligations and dates, continuing construction and meeting a schedule that we agreed that we would do. And we feel that the development agreement simply states an agreement that we felt was viable between the two parties.

We are at this time not going to belabor the issue of the private streets. I think that's an issue that's an iffy and for the record here and to make it perfectly clear, we'll remove our request for the private streets as they relate to flood control.

I think NRS statutes clearly states that the water and sewer are public facilities and public facilities are eligible items for SID funding. I think the question then becomes access to those public utilities, which we certainly would give the City an easement access and right access to maintain or to go to those public facilities that are going through our property. I believe Summerlin's SID included public facilities, water and sewer, that were in what they called neighborhood collectors. Those neighborhood collectors happened to be public streets, our's happen to be private streets. We would ask for the same thing.

We would like to include the public facilities, which is water and sewer, the connections, manholes, everything that's appropriate with those specific infrastructure and paved access as required by Public Works, in whatever form, with granted easements to the City of Las Vegas for maintenance of the public facilities and have those included in our SID, as

we discussed in the round tables, as we brought forward to you on December 18, 1991, and as was ratified by the City of Las Vegas. Thank you.

CITY ATTORNEY JERBIC — Sean --

COUNCILMAN ADAMSEN — Mr. McGowan?

ATTORNEY SEAN McGOWAN — The only thing I wanted to add was that I would -- I won't quibble with the term if you want to consider it grandfathering certain provisions, that's your term. What I think we're -- we would be doing, what the Council would be doing was reaffirming the viability and the effectiveness of the Agreement which preceded the guidelines. But the -- that's perhaps semantics as well and we don't want to do that. But we do need a clear direction from the Council that, at least as to the on-site water and sewer lines, that those are eligible improvements for this SID. And if I may just sum up again on the use of the term, I think we all recognize that the term may has more than one context. I don't want to bore you with citations to case authority but there are at least three or four cases in the State courts of Nevada which hold that the term may is permissive and grants permission to the holder of that provision to do the act for which permission was given. And you can see the clear difference on why may in the context of on-site sewer and on-site water is permission held by Mountain Spa by --

COUNCILMAN HAWKINS JR — Go to the overhead.

ATTORNEY SEAN McGOWAN — I'm sorry?

COUNCILMAN HAWKINS JR — Go ahead.

ATTORNEY SEAN McGOWAN — Oh, I moved it. I'm sorry. But I was going to compare the difference in that context when discussing -- compared against interim and permanent flood control. There may is used in a different context and it's used several times. And I think you're fairly well able to hold that it is different in that context and those improvements are not already agreed upon as includable.

COMBINED VERBATIM TRANSCRIPT - ITEMS 66, 70 AND 71

If I may, just briefly, and then I'm done. As to --

MAYOR JONES — Good.

COUNCILMAN HIGGINSON — We're almost --

ATTORNEY SEAN McGOWAN — Well, Page 3, Permanent Flood Control. Owner agrees to construct -- Second sentence: These facilities may consist of retention basins, etc. Owner will submit drawings -- What I'm pointing out here is that this is much more of a possibility as to those facilities. Those are --

COUNCILMAN HIGGINSON — We all recognize that. They are a possible.

MAYOR JONES — We know that.

ATTORNEY SEAN McGOWAN — All right, all right. All right. Those are possibilities. That's the different context. On-site sewer and water, permission was granted. We agreed upon it in the development agreement a year prior to the guidelines. Thank you.

COUNCILMAN HIGGINSON — Go ahead.

COUNCILMAN HAWKINS JR — Okay. Before Councilman Higginson goes, I have a couple of questions, I think two that lead to the $28 million question. One is, and I just asked the attorney, when did the regional question begin to come up. He says when you started talking about funding the sewer. Is that -- Do you agree there?

MEL LACQUEMENT — The regional --

COUNCILMAN HAWKINS JR — The regional issue. You said there was no regional issue originally.

MEL LACQUEMENT — The regional issue only came up, as I recall, during the time that you were preparing your SID guidelines in 1992.

COUNCILMAN HAWKINS JR — Okay.

MEL LACQUEMENT — That's when -- the term regional was interjected into the guidelines. There were no guidelines before then. So the

regional/non-regional was not an issue at the time of the development agreement.

COUNCILMAN HAWKINS JR — So are you asking, Mountain Spa, that there be no guidelines or are you saying we can fit into one of the other guidelines?

MEL LACQUEMENT — I think what we're saying is that, you know, we'll concur with the State regulations and State guidelines, especially with respect to NRS statutes on public facilities. I think the regional/non-regional is a City injected statute. That the City has put into their own guidelines after the development agreement was put together. So the question becomes is Mountain Spa regional or is it non-regional with respect to your current guidelines; is that correct, bond counsel?

BOND COUNSEL GERRARD — Well clearly the statute requires that you find a public purpose in whatever the improvement is. The way that this Council, upon recommendation of the City Attorney has interpreted that statute is they look to regional as opposed to non-regional improvements to determine whether or not they serve a public purpose and a public use. We believe that the approach that's been adopted by the City Attorney is probably the most -- Well, I think is probably be best way to proceed. His recommendation that we go forward based upon the City's guidelines that are in place and if there needs to be an exception, then the Council should consider those exceptions.

COUNCILMAN HAWKINS JR — Okay. Do you have any resistance to fitting into either Summerlin or Elkhorn's, one of those two, guidelines? Yes, no, maybe, indifferent; what?

ATTORNEY SEAN McGOWAN — It's not an issue of the guidelines. It's an issue of the development agreement. It's that simple. And the Agreement, the agreement you found when you did the Agreement that this Agreement was in the public interest. And you agreed that new standards would not -- be applicable.

COUNCILMAN HAWKINS JR — All right. I'm just looking for a yes or a no. (inaudible)

MAYOR JONES — I sort of wanted to hear Mr. Sommer's --

COMBINED VERBATIM TRANSCRIPT - ITEMS 66, 70 AND 71

MEL LACQUEMENT — Go ahead. Go ahead.

ATTORNEY SEAN McGOWAN — Go ahead.

JACK SOMMER — Could I just have one second to confer?

MAYOR JONES — Yes.

COUNCILMAN HIGGINSON — Take all you want to. Your Honor, I think I have a solution to our dilemma that we face here and if they have a -- If you're -- Did you want to say something, Jack? Or I -- I think I've got a solution that will make everybody comfortable and I'd like to make that, offer that at this time.

JACK SOMMER — Go ahead. Let's hear it.

COUNCILMAN HIGGINSON — I feel like I'm experiencing deja vu. Because at the time that we adopted the policy many of these issues were discussed, if you've read the transcripts. And at that time we all recognized and acknowledged that there would come a time where the Mountain Spa SID came forward and there were going to be some conflicts between its development agreement and the policy that we adopted at that time. There was discussion and debate as to whether at that time to grandfather Mountain Spa. At that time the Council did not take a position to grandfather Mountain Spa.

However, if I could, Your Honor, quote from the record on Page 8 of the transcript of that meeting, and I'll read this so I don't have to say it again: I think what's going to have to happen is at the time we get to the position of where Mountain Spa's ready to proceed with their SID and we run them through this policy, if it's adopted today - as it was -- and if they have a concern, the policy clearly states, if I remember correctly, that any provision of it can be waived by this Council at a request of the applicant. And so if he has some concerns in the future as to whether this applies or this doesn't or why we are being forced to do this, we don't know about that before; it can come back here. But the point was and is that there was no policy in place at the time the Mountain Spa agreement was put into effect. And so to hold us to our previous policy is holding us to nothing because

there was no policy. There were certain practices that we did with SIDs and we can go back and look at history. But this adopts the formal policy for special improvement districts. But it also, the City Council says, reserves the right on a case-by-case basis to impose additional requirements or to waive specific requirements listed herein.

And so at this time, Your Honor, in order -- and I think everybody will understand the position I'm taking and why, in order to protect the City from future concerns and questions, my motion is to hold Mountain Spa to the policy that we have in place but to table this item for two weeks so that we can negotiate and discuss those items which we may wish to exempt them from under that policy with, during the coming two weeks period. And then in two weeks, this item be placed back on the agenda where we will discuss certain portions of the current SID policy that will be exempted for the Mountain Spa development because of a previous development agreement. That is my **motion**.

But I think we have to be very clear on the record that there is a policy in place now for development agreements. And I am uncomfortable waiving them from that policy because it wasn't in place when they came before us. Now it's here. So the policy remains in place, the motion is they are under the policy but this Council has the authority and ability to waive certain requirements of that policy, still complying with State law. Because in a sense our law's tighter than the State law; still complying with State law, we have the ability to waive certain requirements of that policy. And I would make a motion of that nature now. Period.

COUNCILMAN ADAMSEN — The problem I have with the motion is that is in effect then says we don't honor any previous agreements that this City Council makes.

COUNCILMAN HIGGINSON — I don't think so.

COUNCILMAN ADAMSEN — We've got -- I think so. We've got a development agreement. The development agreement clearly gives in my opinion permission for certain public improvements and for us to say oops, well; listen, we had a contract and then all of a sudden

we decided we're going to adopt some additional conditions and listen, we're not really going to agree with our previous commitment that we had to you; we're going to say we might exempt you from some of them but we're going to include you on the agreements we adopted after we had your contract sends a terrible message.

COUNCILMAN HIGGINSON — Then you can vote against the motion.

COUNCILMAN ADAMSEN — Well, I intend to discuss it.

MAYOR JONES — My -- Wait. My only -- concern -- And I'm sure you will. But I think the issue is here with Councilman Higginson reading from the record that that was the intent. I don't think it's, at least not from my perspective, the intent of this Council to not find every way to work with Mr. Sommers (sic) and Mountain Spa development. And if he's comfortable giving that two weeks to try to come out, then I would be inclined to support the motion.

JACK SOMMER — Jack Sommer, the developer. The concept is certainly not abhorrent and Councilman Adamsen's comment is taken with gratification. I think that I'd like Rex Beard to speak to that subject because Rex is quarterbacking this issuance and obviously I think it's in all of our interests to procedure as orderly, quickly and orderly as possible after all these years. And so I'll turn it over to Rex.

REX BEARD — My name is Rex Beard, 3752 Howard Hughes Parkway. I'm the financial advisor to Mountain Spa. We have set a number of consultants in motion in trying to get a bond issue completed by the end of the year. These consultants have set aside time and we've been working them pretty hard in the, meeting our time line. These are consultants such as people doing absorption studies for this develop -- for this special improvement district, appraisals. Our underwriter is on board and is working very hard to this end as well as the assessment engineer.

My concern is that a two week delay in this process is going to push us past the end of the year in which we're going to be able to get this done and that was a time that was set --

COUNCILMAN HIGGINSON — Well, let me ask you this question. Which would delay it longer; a two week delay to help us protect and help this project go forward or a lawsuit if this Board denies your request?

REX BEARD — We, we're not sure we know what we're going to do in the next two weeks. I mean, you may have a clearly picture of the --

COUNCILMAN HIGGINSON — But you understand what I'm saying? As far as the delay? I mean I think a two week delay is prudent on your part at this point versus a denial from this Board and then we have to go through other revenues to try to --

JACK SOMMER — Is it procedurally possible to discuss the exempt issue now?

COUNCILMAN HIGGINSON — Which issues to exempt? I'm sure we could after the Board made some sort of a motion. Or after -- because my motion was, and I'd be happy to withdraw the portion to table -- my motion was to find that Mountain Spa does fall under the policy that the City has instituted for SIDs.

COUNCILMAN HAWKINS JR — If you can agree -- if you concur with that, I think we can go forward.

JACK SOMMER — Yes, I concur.

COUNCILMAN HAWKINS JR — Then let's do it.

CITY ATTORNEY JERBIC — Okay. If what I'm hearing from Mr. Sommers (sic) is that they agree to be bound by the developer guidelines and will -- I would still urge the Council at this point in time to make it the Council's intent to hold them to the developers guidelines and then we can proceed with the part of the discussion where they ask for exemptions for specific portions.

COUNCILMAN HIGGINSON — My only concern about -- or my only desire to have the two weeks to then go back and negotiate those exemptions was to establish a stronger record of the policy that we're trying to get in place and then we can sit down and look at them one-by-one versus trying to do that here today, in a public

meeting, with maybe not all the people involved that we need to have here.

COUNCILMAN BRASS — Your Honor, my only concern is that we -- I believe that a contract's a contract's a contract's. If you sign it, that's fine. I do agree with the motion but I have a concern that after all this time and we've waited and the applicant wants to complete a project, we are putting him in a precarious situation. I do agree that we ought to clarify, become clearer with the applicant on all forms of this Agreement. I do also believe that, again I will reiterate that if we made a contract with this applicant, this contract ought to stand the test of time and no matter what you do after that contract, I think that contract should stand. So -- I have to oppose the motion at this particular time because I don't believe that our intent -- And it was clear on our part as far as the applicant is concerned that what we intended to do was what he understood was our intent.

COUNCILMAN ADAMSEN — Well, and we've placed the applicant in an unfortunate position of saying hey well, we might give you some exemptions if you agree with us you're bound by the new rules. I think that's wrong. That stinks. The City of Las Vegas has a contract and by God we should honor it.

CITY ATTORNEY JERBIC — If I could state something. Because I don't think it's as black and white as Council is making it. The fact that the Agreement was signed and in place, I don't think any of us have a disagreement that we are going to honor our responsibility under the 1991 Agreement. Our disagreement is as to whether or not that mandates and takes out of the scope of your review at this point in time the ability to deny certain things that don't fit into either the Summa or the other guidelines. That's the issue.

MAYOR JONES — Right.

COUNCILMAN BRASS — And I understand that. And my only concern --

CITY ATTORNEY JERBIC — We will honor our agreement.

COUNCILMAN BRASS — And I understand that. But my concern is that that is a misunderstanding on the part of the applicant. And I think what we're doing is we're holding the applicant responsible for that misunderstanding as to what we intended during the original.

COUNCILMAN HIGGINSON — Well, at the time we held the hearing on the policy we tried to make it very clear to that the applicant that they were included in it.

COUNCILMAN BRASS — But obviously it is not clear.

MAYOR JONES — Well, but it was clear on the record.

COUNCILMAN HAWKINS JR — But, yeah -- I think -- if Mountain Spa agrees and we agree that there's going to be a, that we can go through and talk about the exemptions, then we can proceed. However, we've heard certain parts of the record, we didn't hear the whole part of the record. There was some, as I was reading along with Councilman Higginson, there were some parts where we spoke about an unwritten record and unwritten agreements and verbal agreements. And we talked about that in this part of the record as well. But I think to simplify things, if in fact we all concur, then we can proceed and maybe handle this issue today, right now. If that's what you want to do?

JACK SOMMER — At least --

COUNCILMAN HIGGINSON — Mr. -- Mel, Mr. Lacquement, would you state very clearly the exemptions that if you were held to the policy as adopted by the City, very clearly which exemptions you would need to see.

MEL LACQUEMENT — On-site water and on-site sewer in the -- that are within the private streets.

COUNCILMAN HIGGINSON — The public street, the non-regional streets. Don't call them private streets.

MEL LACQUEMENT — Well, okay. The --

COUNCILMAN HIGGINSON — The non-regional streets.

COMBINED VERBATIM TRANSCRIPT - ITEMS 66, 70 AND 71

MEL LACQUEMENT — They're gated. They're private streets; okay?

ATTORNEY SEAN McGOWAN — Well, actually, these are private streets.

COUNCILMAN HIGGINSON — Oh, okay.

MEL LACQUEMENT — So it'd be the on-site water and the on-site sewer throughout the property that is within the, what would be defined as neighborhood collectors; which is the same definition that Summerlin had, neighborhood collectors for the water and sewer and the paved access as required by Public Works to serve those public facilities.

COUNCILMAN HAWKINS JR — Is that it?

MAYOR JONES — Those are the two exemptions?

MEL LACQUEMENT — That's the end.

COUNCILMAN HIGGINSON — But my understand is there's some legal concern about doing them for those that are defined as private streets that are not accessible to the public.

UNIDENTIFIED MAN — No, no.

BOND COUNSEL GERRARD — Well, clearly in order for that to be an allowed, eligible improvement, the developer's already in agreement with this, they would have to give public ownership of those -- or public easement, permanent public easement for the maintenance of those --

COUNCILMAN HIGGINSON — To the streets.

MEL LACQUEMENT — Our --

BOND COUNSEL GERRARD — -- Yes, over those private streets for the public --

COUNCILMAN HIGGINSON — But the sewer and the water that are in private streets, you're opinion is they do not need, they would qualify? It's the streets themselves that would not?

BOND COUNSEL CARLTON — That's correct.

COUNCILMAN HIGGINSON — Thank you.

MEL LACQUEMENT — One other point --

JACK SOMMER — Our intention was to put the, those aspects of the private streets as they relate to the flood control into, to convey title to that and take it back as --

COUNCILMAN HIGGINSON — How do you separate those though? I mean how do you say what part of the street and its costs are dealing with regional flood control versus --

JACK SOMMER — Well, by easement. You do it by easement. Well, that's why we've agreed to eliminate that.

MEL LACQUEMENT — We'll remove that.

COUNCILMAN HIGGINSON — Eliminate the streets? Okay.

JACK SOMMER — Yeah.

MEL LACQUEMENT — Yes. One other point. It's somewhat unique for this particular project that the public facilities, which are what we define as the resort core which are the hotel and the gold facilities, the retail and the office have to be served by sanitary sewer through the private sector. And that's because of the topography and the terrain of the project. The Water District has also -- and that's indicated here, as you can see. It comes around like so and down and down like this through the private sector. Also the Water District has requested for fire protection that we create a loop of the water line. The water line as you see here on the left is the one that's included in the public's, public sector. The water lines over here within the private streets, and we have a loop which actually comes across here and actually is doing this, back to this tie in. So we're really required by Water District to provide fire ordinance loop in the private sector. We're required by topography to serve our sanitary sewer through the private sector.

COUNCILMAN HAWKINS JR — Okay.

COMBINED VERBATIM TRANSCRIPT - ITEMS 66, 70 AND 71

COUNCILMAN HIGGINSON — Okay. I mean, I think we're prepared to move forward. Did you have --

JACK SOMMER — I just want to say, and I'm not a lawyer, but I certainly don't want to prejudice anything having to do with the development agreement. The development agreement to me is precious, as it should be to you. I think it serves as a signal to the rest of the investment and development community nationally that Las Vegas is a good place in which to do business. And I've certainly been conveying that on a national level throughout these years. And, so I don't want to take it lightly as Councilman Adamsen so eloquently put it.

COUNCILMAN ADAMSEN — Not very eloquently; quite angrily.

JACK SOMMER — And angrily. And, but I can understand the -- It is frustrating. But I've been --

COUNCILMAN HIGGINSON — Well, none of us, Jack, have any concern that a development agreement is not standing and binding. There's disagreement over whether it says you can do it or you should do it or you could do it. And I think what we're going to find happen here is all of us are going to walk away happy. But I think that my responsibility is to look after the interests of the City long-term as well. And I don't want to establish a policy that I will be challenged on at some future date. And I think that we all recognize that your development agreement was done prior to the existence of a policy and that was the whole debate that I cited from. And if you read the whole transcript you can tell we knew we'd come to this point some time where we'd have to do it.

Nobody ever at that point acknowledged that yeah, we're going to throw the development agreement away. And yeah, the development agreement is worthless to us. Because there's a lot more in that development agreement than this discussion that we're having today. And we've all acknowledged that that's a great Agreement and it's a great partnership and it's going forward and we're all glad for that. But I think at this point my intention would be to make two motions.

One motion, and the reason I want to make two is I want very separate votes of the Council on two issues. One **motion** which is already and still on the floor is that Mountain Spa Development is required to operate under the policy for SID that have been adopted by this City. I will then be prepared immediately thereafter to **make** a policy to exempt Mountain Spa's request for sewer and water lines from that -- agreement. And you've agreed to remove the street question. So, I -- We're all sitting here jockeying for position and nobody needs a position. I mean, we're not looking here to impress anybody. All we're simply doing here is to set and establish a policy to make sure that this City is protected in future and that our agreement with you is honored. And I think that's what we're trying to do.

MEL LACQUEMENT — We would concur with those motions.

COUNCILMAN BRASS — Well, Your Honor, I don't know if there should be two motions.

COUNCILMAN HIGGINSON — I think (inaudible)

MAYOR JONES — You know, I believe from a legal perspective and I think you start getting in and as long as we're prepared to go forward, I think there is some question of interpretation of the agreement. I think we've been told that by bond counsel and the City Attorney. I also think there's also an attitude that Mr. Sommers (sic) and the Mountain Spa people ought to be able to proceed with this exemption to facilitate the funding of their project. I don't see the problem and I think you do have to look at the precedent that you're setting into the future. And I don't think that's unreasonable on the part of the City.

COUNCILMAN HIGGINSON — And any further developer make the -- you know, may come forward and --

MAYOR JONES — We don't want to hinder Mr. Sommers (sic) but I don't think we want to open up the door that this becomes the norm for anyone else coming in front of the City for approval.

COUNCILMAN HIGGINSON — Yeah. Yeah. Any future developer could certainly come forward and ask for an exemption from those policies as

we're going to do here. But I don't want to establish a policy that this project does not fall under those guidelines.

COUNCILMAN ADAMSEN — I know of no other future developer that has a development agreement with the City of Las Vegas.

COUNCILMAN HAWKINS JR — Councilman, can I ask you a question though. It may be the principle, but I think we're getting to the same end result. So, do you concur with what the position is?

COUNCILMAN ADAMSEN — Not at all.

COUNCILMAN HAWKINS JR — Is it because of the principle or because --

MAYOR JONES — Yeah. Why, Arnie? What difference does it make as long as we don't put any kind of deterrent in front of this developer and as long as --

COUNCILMAN ADAMSEN — Without going into a long triad (sic), we always do this. And it's time we stopped.

MAYOR JONES — Oh, I don't -- I don't agree with that. I think that we entered into an agreement when we didn't have a policy; now we have a policy and we're trying to make sure that that policy stands but doesn't hinder this developer at that time.

COUNCILMAN HAWKINS JR — I think as long as we get -- That's right. As long as we get to the end result. You agree, we agreed; let's move forward.

MAYOR JONES — Motion's on the floor.

COUNCILMAN HIGGINSON — And we do have other development agreements (inaudible) Springs right now.

COUNCILMAN HAWKINS JR — You agreed?

MAYOR JONES — Thank you. Vote on the motion. Post. Motion's approved. **(Motion carried unanimously with Adamsen not voting)**

ATTORNEY SEAN McGOWAN — Since you asked, I can't agree with the first part of it but I see the end target and we're in support of that.

COMBINED VERBATIM TRANSCRIPT - ITEMS 66, 70 AND 71

COUNCILMAN BRASS — All right.

COUNCILMAN HIGGINSON — Thank you (inaudible)

MAYOR JONES — Now we have another motion, a motion to exempt.

COUNCILMAN HAWKINS JR — Right.

COUNCILMAN HIGGINSON — I would now make a **motion** that would exempt the Mountain Spa development from the SID requirements as they pertain to - and, Jerbic, help me with the language - the sewer --

COUNCILMAN HAWKINS JR — On-site water and sewer.

COUNCILMAN HIGGINSON — -- on-site sewer and water for those facilities that we've been discussing at length today.

MEL LACQUEMENT — Comment, Councilman; access to those.

COUNCILMAN HIGGINSON — And I would say -- Let me just, let me add one other thing. I would say that based, that the reasons for granting the exemption is based upon the discussion that we've had today based upon the representations that have been made as part of this public hearing and, quite frankly, based upon the fact that a development agreement exists.

COUNCILMAN HAWKINS JR — And the record.

COUNCILMAN HIGGINSON — And a record. So because of those things I feel we're safe in granting an exception to the policy for this particular project.

CITY ATTORNEY JERBIC — If I could ask bond counsel on the record whether or not, in your opinion, those things based upon the record that's been established today, would be eligible for bond financing.

BOND COUNSEL GERRARD — We believe they would be although I do need to caution the Council that Mr. Goecke has some information that he needs to present to you before you vote on that. I don't believe they have all the information that they need yet to determine that those improvements are -- in such a final nature that they would be allowed in the form that they've been presented.

COMBINED VERBATIM TRANSCRIPT - ITEMS 66, 70 AND 71

COUNCILMAN HIGGINSON — Dick, what else do we need to know? I know there's a question regarding the access road and I'll address that as well.

RICHARD GOECKE, DIRECTOR PUBLIC WORKS — If I understand the motion, it may not make any difference. There are some water mains that we've not been able, the consulting engineer has not been able to determine what the sizing of those water mains should be. And if we apply this criteria to, for example, how we dealt with Summerlin and how we dealt with Elkhorn Springs, that would make a difference. But if you're speaking of on-site water and sewer, as a whole, then it probably doesn't make a whole lot of difference what size that water main might be. If I'm interpreting what's being -- Yes.

COUNCILMAN HIGGINSON — That's the intent of my **motion.**

MAYOR JONES — Right.

COUNCILMAN HIGGINSON — Now, I understand there's also a question regarding the access road that's required for construction and I would allow that to be included as well in the SID.

MEL LACQUEMENT — Let me clarify it. That's paved access to service and maintain the public facilities as required by Public Works.

COUNCILMAN HIGGINSON — Right.

MEL LACQUEMENT — Okay. And let them work out the size, etc.

COUNCILMAN HIGGINSON — That's what I meant.

MAYOR JONES — Yeah.

CITY ATTORNEY JERBIC — Is that road going to be permanent in nature?

MEL LACQUEMENT — I beg your pardon?

CITY ATTORNEY JERBIC — That road is going to be permanent in nature? It will exist after the construction is over with?

COUNCILMAN HIGGINSON — It'll be --

COMBINED VERBATIM TRANSCRIPT - ITEMS 66, 70 AND 71

MEL LACQUEMENT	Yes, it will be a permanent. It'll be a permanent paved access and that's what we'll grant the easement to the City of Las Vegas.
COUNCILMAN HIGGINSON	And it'll be permanent in nature until the property along side of it develops and puts in a full. But it's permanent enough for me to qualify.
RICHARD GOECKE, DIRECTOR PUBLIC WORKS	That won't be an issue
COUNCILMAN HIGGINSON	Thank you.
MAYOR JONES	Thank you.
COUNCILMAN BRASS	Is that motion clear?
MEL LACQUEMENT	Yes.
MAYOR JONES	As mud.
COUNCILMAN HIGGINSON	Is it clear to the attorneys? Everybody understand what we're doing? Okay.
MAYOR JONES	There's a motion on the floor. Vote on the motion. Post. Motion's approved. **(Motion carried unanimously with Adamsen not voting)**
COUNCILMAN BRASS	I'll vote for Arnie.
MEL LACQUEMENT	Thank you for your time.
JACK SOMER	Thank you.
ATTORNEY SEAN McGOWAN	Thank you.
MAYOR JONES	Thank you.

(RESUMED RELATED DISCUSSION UNDER RESOLUTIONS - ITEM 70)

MAYOR JONES	Item 70 is R-107-94. It's approval of a resolution directing the engineers on behalf of the City of Las Vegas, Nevada to

prepare and file with the City Clerk preliminary plans and an assessment plat -

COUNCILMAN HIGGINSON — Yup.

MAYOR JONES — -- in connection with a proposed water, sanitary sewer, roadway, drainage, curb and gutter, sidewalk, and storm sewer project in the City of Las Vegas, Nevada. This is Special Improvement District No. 606, that's Mountain spa Development.

CITY ATTORNEY JERBIC — Yeah. We need to get some comments on this, Mayor. I know that there were two parts of this resolution that were in question. One of them may have already been addressed and that was the, whether or not one of the roads in here was a temporary road or a permanent road. And if that's the same road that was just discussed, then that issue has been resolved.

BOND COUNSEL GERRARD — And I believe that is the same road.

MAYOR JONES — Think so.

CITY ATTORNEY JERBIC — The other thing that's in here, I believe, is a berm that is to be, from what I understand, to be temporary in nature, to protect the project from any flood damage that might occur should there be a flood during the course of the construction of the project. If that berm is temporary of nature, it should not be included. And I don't see anybody from Mountain Spa here to answer that question. Perhaps bond counsel can shed some light on this.

COUNCILMAN HIGGINSON — Dick, do we know if that berm's going to come down on flood control? They going to leave it up? I mean, it'll obviously offer some flood control protection after the construction period but are they going to level it or --

RICHARD GOECKE, DIRECTOR PUBLIC WORKS — Well, I apologize. I wasn't listening. I was talking back there. But I think the issue is the temporary nature of the berm. My contention, I wish they would have just eliminated the word temporary nature, because it's not unusual in construction projects to do something of a temporary nature that allows

you to build the permanent facility. Take for example, building a bridge. You may build a coffer dam around a bridge pier in order to, you tear the coffer dam out after the pier is sunk, so that you can build a permanent bridge.

COUNCILMAN HIGGINSON — Based upon that representation then I would **move** for approval and include the temporary structure. Because I think what you're saying is in order to build a permanent road, sometimes you have to build a temporary road to go around the spot where you're putting the permanent in.

RICHARD GOECKE, DIRECTOR PUBLIC WORKS — And you see that happen all the time as a construction projects. You build something temporarily to build --

CITY ATTORNEY JERBIC — I would ask if we could get Mr. Ogilvie's comments on this for a moment. I know we discussed this at length yesterday and I still have a concern. And I just want to --

COUNCILMAN HIGGINSON — And I think we just need to not -- I understand the sensitivity, but we need to be, not preclude something from happening because it is going to be torn down but it's part of a permanent project.

GEORGE OGILVIE — I don't want to disagree with Mr. Goecke, but it's my understanding that this is not something like a diversion channel that he mentioned around a bridge pier or a permanent dam that's being put in. This is a temporary measure to protect the home sites while they're under construction. And in that case it is temporary. There are also permanent berms and flood walls that will be included in the project and will be assessed for. But these are entirely different than, that we're talking about now than the permanent berms and walls. And it's my understanding that it is not to protect the construction of the permanent berms and walls but merely to protect the job site while they're constructing the houses. In that situation, I don't think there's no permanent benefit to the people who are going to pay the bill for them.

COUNCILMAN HIGGINSON — I understand that concern and while it may be far more costly than some of the other things that mentioned. For example, if you're putting in a permanent road, to put another road

around a corner to or even to purchase through the contract flashing yellow light barricades and orange cones, those are always included. And those orange cones don't stay. Those things are always included in the cost of a construction project. And while I appreciate the concern that is being raised because obviously it is a more expensive function and so forth, I do believe it is something that is temporary though that is necessary to meet a permanent structure. In the same sense that diversion roads are temporary but are necessary to meet a permanent structure. In the same way that a lot of other construction costs are temporary in nature and they're not the permanent structure itself. But they are necessary in order to meet that need for permanent structure. And based on the representation of that point as well from out Public Works Director, I'm not concerned about including the cost of that in the SID.

BOND COUNSEL GERRARD — As long as the permanent structures we are referring to are the structures that are being financed through the special improvement district, we would agree with that.

COUNCILMAN HIGGINSON — And they are. They're the downstream flows and the gullies that are being designed to carry the flow of the site, etc.

BOND COUNSEL GERRARD — Okay. We'd also request that the Council motion, or in approving this resolution, that you make a modification, allow us to make modification to the resolution to include the improvements in the projects that were just approved in the previous motion.

COUNCILMAN HIGGINSON — I would **include** that as part of the motion. Any other questions?

MAYOR JONES — Then I'd ask you to vote on the motion. Post. Motion's approved. **(Motion carried unanimously with Hawkins Jr not voting)**

(CONTINUED RELATED DISCUSSION UNDER RESOLUTIONS - ITEM 71)

MAYOR JONES — Item 71, R-108-94. It's approval of a resolution authorizing the preparation of a preliminary official statement in connection with the City of Las Vegas, Nevada Special Improvement

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

COMBINED VERBATIM TRANSCRIPT - ITEMS 66, 70 AND 71

District No. 606 (Mountain Spa Development) limited obligation improvement bonds; and providing the effective date hereof.

COUNCILMAN HIGGINSON — Same **motion** with same conditions and items attached, as on Item 70 for clarification, Madam Clerk.

MAYOR JONES — Further comments? Vote on the motion. Post. Motion's approved. **(Motion carried unanimously with Hawkins Jr not voting)**

(* * * END OF DISCUSSION * * *)

/vwd

ITEM | ACTION

Item Number

DISCUSSION/ACTION ITEMS

IV. RESOLUTIONS

ABEYANCE ITEM

67 R-103-94 - Approval of Resolution requesting the Department of Business and Industry (formerly the Department of Commerce) of the State of Nevada to issue bonds to finance a project for Cambridge Health System, Inc., a Nevada not-for-profit Corporation, a/k/a Spring Valley Hospital, to finance a not-for-profit hospital for which bonds could be issued by the City of Las Vegas, Nevada under the City Economic Development Revenue Bond Law, requesting the State Board of Finance to approve this financing and making certain findings and determinations with respect thereto.

NOTE: NO ACTION CAN BE TAKEN ON THIS ITEM UNTIL AFTER THE PUBLIC HEARING IS HELD AT 2:00 P.M.

Item 67 (Resolution) and Item 80 (Public Hearing) were recessed to 10/20/94 at 9:00 a.m. pursuant to a motion by Adamsen which carried with Higginson voting NO

Staff to proceed

******

APPEARANCES:

MARVIN LEAVITT, Legislative Affairs Coordinator
ROSE McKINNEY-JAMES, Director, State of Nevada Department of Business & Industry, 1665 Hot Springs Road, Carson City, NV
LARRY STRUVE, Chief of Industrial Development & Planning, State of Nevada, Department of Business & Industry, 1665 Hot Springs Road, Carson City, NV
ALAN DZIJA, Financial Advisor, State of Nevada Department of Business & Industry
ATTORNEY ROBERT FEYER, Orrick, Harrington & Sutcliffe, Bond Counsel to Nevada Department of Business & Industry
LOIS SEIDEMAN, Vice President of Clinical and Professional Services, Cambridge Health System, 2275 Renaissance Drive, Suite A, Building 3, LV, NV
ATTORNEY JAMES ROGERS, 1913 Plaza de la Cruz, LV, NV
ROGER RIEGER, CEO, Cambridge Health System,2275 Renaissance Drive, Suite A, Bldg. 3, LV, NV
CLIFF BEADLE, McGladrey & Pullen, 300 S. Fourth Street, LV, NV
BERNIE HESSE, McGladrey & Pullen, 800 Marquette Avenue, Minneapolis, Minn.
PATRICK O'NEILL, President, O'Neill & Assoc. Iowa City, Iowa
JOHN SWENDSEID, Las Vegas Bond Counsel, Swendseid & Stern, 50 W. Liberty Street, Suite 660, Reno, NV
DENNIS ROGNERUD, Senior Vice President, Ziegler Securities, 1815 Mt. Diablo Blvd., Walnut Creek, CA.
ATTORNEY JANET HOFFMAN, Katten, Muchin & Zavis, 525 W. Monroe Street, Suite 1600, Chicago, Illinois, Cambridge Bond Counsel

NOTE: A combined Verbatim Transcript of discussion of Items 67 and 80 from the 10/19/94 City Council meeting and the Recessed meeting of 10/20/94 is made a part of the Final Minutes of the Recessed Meeting of 10/20/94 under Item 80 (Public Hearing).

CITY COUNCIL MINUTES

OCT 19 1994

Oct. 14, 1994

The Hon. Jan Laverty Jones
City Hall,
400 East Stewart
Las Vegas, NV. 89101

RE: Draft Resolution R-103-94 (Cambridge Health Systems)

Dear Mayor:

As you may know, for the past 11 years I have served as chairman, and am a 23-year member of the Board of Governors which oversees the operations of Valley Hospital Medical Center. A matter on your agenda for Oct. 19, 1994, recently came to my attention. I am writing about Cambridge Health Systems' request that you approve a resolution which recommends that the Nevada Director of Business and Industry issue revenue bonds in the total amount of $85,000,000 to finance 100% the development and operation of a 158-bed acute care, not-for-profit Spring Valley Hospital.

I strongly oppose such a resolution because the reasons Cambridge uses to support the bonds are not supported by facts. Cambridge's reasons most appealing to the public are "lower health care costs" and "no risk to the City." Knowing the revenues that the various hospitals receive, because all the information is pulic, and knowing the costs the hospitals incur to operate, Cambridge's proposal that it will lower health costs is ludicrous. You should compare Cambridge to St. Rose Dominican Hospital which is a not-for-profit hospital with a similar number of beds in an area of fast growth. I know that St. Rose Dominican's costs are much greater than Valley's costs. I am confident that Cambridge's projections must include greater per-patient revenues than those received by Valley if Cambridge wants to project the possibility that it will ever be able to repay the bonds. If you approve the bond issue, you will be causing the public to pay more for health costs, not less.

I also strongly oppose the bonds because there is no compelling reason for the City to aid an entity that will not contribute one dollar to the City, while Valley has paid hundreds of thousands of City tax dollars. It makes no sense to me that you recommend that the State sell bonds to finance a hospital in the County in which likely just a few persons will make a lot of money, which will raise health costs and will take tax dollars away from the City.

Sincerely, Oran K. Gragson

Oran K. Gragson
348 Mill Hollow Drive
Las Vegas, NV. 89107

DENNIS P. GORDON, M.D., CHARTERED
DENNIS P. GORDON, M.D., F.A.C.S.
DIPLOMATE AMERICAN BOARD OF ORTHOPAEDIC SURGERY
801 SO. RANCHO DR., BUILDING E, UNIT 7
LAS VEGAS, NEVADA 89106
PHONE (702) 385-5289

October 06, 1994

CITY COUNCIL MINUTES

OCT 19 1994

Councilman Frank Hawkins
City Hall
400 East Stewart
Las Vegas, NV 89101

RE: Draft Resolution R-103-94 (Cambridge Health systems)

Dear Councilman Hawkins:

I am a member of the Board of Governors of Valley Hospital and I am writing to you regarding Cambridge Health Systems request for an $85,000,000.00 revenue bond issue to finance the development and operation of a 158 bed, acute not-for-profit, Spring Valley hospital.

I believe that there is no reason for supporting this issue. The claim that the hospital will be non-profit and will lower the health costs, is unsupported. Not-for-profit hospital costs are no lower than those for profit costs. Not-for-profit can be a matter of bookkeeping rather than reality.

I believe that this bond issue would unfairly effect the existent hospitals in the City and the two new hospitals being planned. Certainly Valley Hospital and Humana Hospital have been excellent tax paying entities in this city and have provided health care. All of the rules and regulations that the State has come up with to lower health care costs have been honored by Valley Hospital.

The bottom line is, that competition in the market place has driven health care costs down.

I believe that a bond issue to build a "not-for-profit" hospital, simply will not be of any advantage except to those getting the $85,000,000.00, and I do not think that will be the citizens of Las Vegas.

Very truly yours,

Dennis P. Gordon, M.D.
DPG:dw

CITY COUNCIL MINUTES

OCT 19 1994

LEADING THE WAY TO A HEALTHIER LIFE.™

Valley™

Hospital Medical Center

October 5, 1994

HAND DELIVERED

Councilman Frank Hawkins
City of Las Vegas
400 East Stewart Avenue
Las Vegas, Nevada 89101

Re: Draft Resolution R-103-94 (Cambridge Health Systems)

Dear Councilman Hawkins: Frank

Thank you for meeting with me about the Spring Valley Hospital bond issue. To repeat what I said, Valley Hospital Medical Center opposes the resolution because there is no truth to the perception that Spring Valley Hospital, as a private not-for-profit hospital, will lower health costs.

Cambridge's rhetoric about lower health costs is illusory when you read its Feasibility study. Someone will make a lot of money on this project if the government issues revenue bonds. Source Living Centers, Inc., which is not a corporation doing business in Nevada, is supposed to receive a management contract worth well over $1,000,000 a year from the Hospital? (Page 24 of the June 17, 1994 Financial Feasibility Study) There is no indication of the identity of the principals of Source Living Centers and whether they are different from the principals of Cambridge. The money for the management contract is separate and in addition to any money that principals of Cambridge might receive if they have any relationship to the contractor (with a $30,000,000 construction cost) and the owners of the land (with a price of $8,864,000).

There is no reason to believe, even assuming the accuracy of the Feasibility Study, that Spring Valley will lower health costs. The Feasibility Study reflects just the opposite. Spring Valley Hospital will increase the health care costs currently provided by the for-profit hospitals, Valley and Sunrise. I calculate Spring Valley Hospital's projected net revenues per patient are $1,489 for 1996, $1,551 for 1997 and $1586 for 1998. These projections are higher than the net revenues for Valley ($1383 for fiscal year ending March 31, 1994) and Sunrise ($1,403 for fiscal year ending March 31, 1994).

uhs/gen b1658.let

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(Pages 12, 20 and 27 of the Feasibility Study. See also attachment to this letter.) Cambridge seeks the City's approval of 100% financing of a hospital outside of Las Vegas which will take more money for its services than the for-profit hospitals currently serving Las Vegas citizens.

Cambridge has little relationship with Las Vegas. The Southern Nevada Hospital most similar to Spring Valley Hospital's proposed operation is St. Rose de Lima, a not-for-profit acute care hospital which recently underwent a major renovation and currently has approximately 160 beds. St. Rose de Lima serves the rapidly expanding Green Valley area which is a large portion of the "remaining service area" in which Spring Valley Hospital is expected to find 50% of its patients. (Page 6 of the Feasibility Study) In spite of the obvious similarity between Spring Valley Hospital and St. Rose de Lima, the Feasibility Study does not mention St. Rose de Lima.

Spring Valley Hospital assumes that it will have inpatient days of 31,935 in 1996 to 39,216 in 1998, but St. Rose de Lima had only 20,180 inpatient days during the fiscal year ending March 31, 1994. (Page 12 of the Feasibility Study. See also attachment to this letter.) There is nothing in the Feasibility Study that suggests why Spring Valley Hospital will be able to attract 50% more business than St. Rose de Lima. There is nothing at all to support the rank speculation that Spring Valley Hospital will have an occupancy rate from 55% to 68% during the first three years of its operation. Cambridge's misleading speculation of occupancy rates also fails because the Feasibility Study did not consider the impact of the planned Sunrise Hospital and the new hospital Valley intends to develop.

In addition to Spring Valley Hospital's higher health care costs, and its reliance on insupportable occupancy rates, it is likely that Spring Valley Hospital underestimates its operating expenses. When the Council considers the operating expenses of existing not-for-profit hospitals, the Council will see the high likelihood that Spring Valley Hospital will constantly lose money. Spring Valley Hospital projects its operating expenses per patient day at $1,532 for 1996, $1,502 for 1997 and $1,520 for 1998. There is no reason, however, to believe that Spring Valley Hospital will be able to lower its operating expenses below the expenses of the other not-for-profit hospitals in Nevada, namely UMC ($1,547 for the fiscal year ending March 31, 1994), St. Rose de Lima ($1,836.06 for the fiscal year ending March 31, 1994), Washoe Medical Center in Reno ($1,761 for the fiscal year ending March 31, 1994), and St. Mary's Hospital in Reno ($1,717.22 for the fiscal year ending March 31, 1994). (Pages 12 and 20 of the Feasibility Study. See also attachment to this letter.)

CITY COUNCIL MINUTES

OCT 19 1994

There is no explanation for the difference between the Hospital's proposed $85,000,000 start-up costs and Sunrise's proposed cost estimate of $60,000,000. There is no explanation for the reason for the increase of $20,000,000 on the two bonds from December 1993 to September 1994.

Just as Cambridge's lower health care costs do not exist and Cambridge's likelihood for success is minimal, the development of the hospital outside the City limits poses a real risk that the City will receive lower tax dollars. Sunrise's new hospital and Valley's new hospital will be within the City limits. There will be an increase of tax dollars. Spring Valley Hospital outside the City limits. On the other hand, Valley Hospital paid the City business use taxes totalling $156,621 for 1993. A recommendation that government bonds completely finance the Spring Valley Hospital means that if Cambridge completes the hospital, the City likely will lose tax dollars, in addition to the flight of related medical services from the area now around Valley.

Finally, Cambridge should not get any milage out of a "commitment to serve its share of charity and indigents." Federal and state law requires every hospital to treat every patient that comes through its doors

I respectfully submit that it is not in the City's interest to recommend that the State sell bonds to finance a private hospital which will increase health care costs, which will make a few individuals a lot of money, and which will cause a decrease in City tax dollars. I am enclosing with this letter a list of questions that may further develop the concerns I have shared with you. I will be happy to meet with you to discuss further any of the matter which I addressed in my letter or any other of your concerns.

Sincerely,

Claus Eggers
Managing Director

CE/kto

Enclosures

uhs/gen b1658.let

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	IV. RESOLUTIONS	
68	R-105-94 - Approval of Resolution to amend Schedules 14-II, 17-III and 17-IV in accord with Traffic & Parking Items 33, 34, and 35.	**HIGGINSON - ADOPTED Resolution as recommended - UNANIMOUS with Adamsen and Hawkins Jr not voting** **Staff to proceed** ****** There was no discussion. (11:29)
69	R-106-94 - Approval of Resolution in support of the National League of Cities efforts to inform Citizens about the impact on Federal Unfunded Mandates.	**HIGGINSON - ADOPTED Resolution as recommended - UNANIMOUS with Adamsen and Hawkins Jr not voting** **Staff to proceed** ****** There was no discussion. (11:29)

R-105-94

OCT 19 1994 RESOLUTION

WHEREAS, various sections of TITLE 11 of the Las Vegas Municipal Code allow for additions to and corrections of the schedules which are established in the respective sections to be effected by Resolution; and

WHEREAS, it has been determined and recommended by the Traffic and Parking Commission and the Traffic Engineer that the following additions and corrections be made in said schedules;

NOW, THEREFORE, be it resolved by the City Council of the City of Las Vegas, Nevada, that the following schedules pertaining to TITLE 11 of the City Code be amended as follows:

Schedule 14-II be amended to include the following Stop Sign:

On Fort Apache Road at Desert Inn Road, SB, 4-way stop.

Schedule 17-III be amended to include the following No Parking Anytime Zone:

The frontage of 608 South Jones Boulevard.

Schedule 17-VI be amended to include the following Time Limited Parking Zone:

The frontage of 303 West St. Louis Avenue (2-Hour).

PASSED, ADOPTED, AND APPROVED this 19th day of October, 1994.

JAN LAVERTY JONES, Mayor

VS
10-21-94

ATTEST:

KATHLEEN M. TIGHE, City Clerk

By: Sandra R. LeBoeuf
Chief Deputy City Clerk

CITY COUNCIL

MEETING OF

OCT 19 1994

AGENDA DOCUMENTATION

TO: **City Council**

FROM: LARRY K. BARTON
CITY MANAGER

SUBJECT: RESOLUTION IN SUPPORT OF THE NATIONAL LEAGUE OF CITIES EFFORTS TO INFORM CITIZENS ABOUT THE IMPACT ON FEDERAL UNFUNDED MANDATES

PURPOSE/BACKGROUND

The National League of Cities and the Nevada League of Cities request the City of Las Vegas' support and active participation in this year's National Unfunded Mandates Week, scheduled for October 24-30, 1994. The purpose is to reduce the burden of unfunded federal mandates on our cities and towns, and on our local taxpayers.

Last year, thousands of cities took part in the National Unfunded Mandates Day on October 27, 1993. That effort had a significant impact on Congress and the White House this year. Clearly, the cities' efforts are making a difference. In addition to this Resolution on Unfunded Mandates, the City of Las Vegas will issue a news release and send it to our local media. The City will also fax a letter to members of our Congressional Delegation urging action on federal mandate accountability and reform.

As always, the City will copy the Nevada League of Cities of our efforts regarding this endeavor.

FISCAL IMPACT

N/A

RECOMMENDATIONS

The Mayor and the City Council approve the Resolution on Unfunded Mandates.

Agenda Item

69

CITY COUNCIL MINUTES

OCT 19 1994 R-106-94

RESOLUTION IN SUPPORT OF THE NATIONAL LEAGUE OF CITIES EFFORTS TO INFORM CITIZENS ABOUT THE IMPACT ON FEDERAL UNFUNDED MANDATES

WHEREAS, unfunded federal mandates on state and local governments have increased significantly in recent years;

WHEREAS, federal mandates require cities and towns to perform duties without consideration of local circumstances, costs, or capacity, and subject municipalities to civil or criminal penalties for noncompliance;

WHEREAS, federal mandates require compliance regardless of other pressing local needs and priorities affecting the health, welfare, and safety of municipal citizens;

WHEREAS, excessive federal burdens on local governments force some combination of higher local taxes and fees and/or reduced local services on citizens and local taxpayers;

WHEREAS, federal mandates are too often inflexible, one-size-fits-all requirements that impose unrealistic time frames and specify procedures or facilities where less costly alternatives might be just as effective;

WHEREAS, existing mandates impose harsh pressures on local budgets and the federal government has imposed a freeze upon funding to help compensate for any new mandates;

WHEREAS, the cumulative impact of these legislative and regulatory actions directly affect the citizens of our cities and towns; and

WHEREAS, the National League of Cities, following up on last year's successful effort, is continuing its national public education campaign to help citizens understand and then reduce the burden and inflexibility of unfunded mandates, including a National Unfunded Mandates Week, October 24-30, 1994;

NOW, THEREFORE, BE IT RESOLVED that the City of Las Vegas endorses the efforts of the National League of Cities and supports working with NLC to fully inform our citizens about the impact of federal mandates on our government and the pocketbooks of our citizens;

PASSED, ADOPTED AND APPROVED THIS 19th DAY OF October, 1994.

JAN LAVERTY JONES, Mayor

VS
10-19-94

Attest:

KATHLEEN M. TIGHE, City Clerk

By: Sandra R. LeBoeuf
Chief Deputy City Clerk

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	IV. RESOLUTIONS	
70	R-107-94 - Approval of a Resolution directing the engineers on behalf of the City of Las Vegas, Nevada to prepare and file with the City Clerk preliminary plans and an assessment plat in connection with a proposed water, sanitary sewer, roadway, drainage, curb and gutter, sidewalk, and storm sewer project in the City of Las Vegas, Nevada Special Improvement District No. 606 (Mountain Spa Development) pursuant to the consolidated local improvements law and all laws amendatory thereof and supplemental thereto; and providing the effective date hereof.	**HIGGINSON - ADOPTED Resolution as recommended subject to inclusion of the permanent road, temporary berm and exemptions for on-site water and sewer lines and paved access to those lines for inclusion in the SID bonding issue and deleting the private streets from inclusion in the SID financing - UNANIMOUS with Hawkins Jr not voting** **Staff to proceed** ****** NOTE: A combined Verbatim Transcript of Items 66, 70 and 71 is made a part of the Final Minutes under Item 66. (11:30 - 11:35)
71	R-108-94 - Approval of a Resolution authorizing the preparation of a preliminary official statement in connection with the City of Las Vegas, Nevada Special Improvement District No. 606 (Mountain Spa Development) limited obligation improvement bonds; and providing the effective date hereof.	**HIGGINSON -- ADOPTED Resolution as recommended subject to inclusion of the permanent road, temporary berm and exemptions for on-site water and sewer lines and paved access to those lines for inclusion in the SID bonding issue and deleting the private streets from inclusion in the SID financing - UNANIMOUS with Hawkins Jr not voting** **Staff to proceed** ****** NOTE: A combined Verbatim Transcript of Items 66, 70 and 71 is made a part of the Final Minutes under Item 66. (11:35)

CITY COUNCIL MINUTES

OCT 19 1994

Las Vegas, Nevada

October 19, 1994

The City Council (the "Council") of the City of Las Vegas, Nevada met in regular session in full conformity with law and the bylaws and rules of the Council at the regular place of meeting in the Council Chambers at City Hall, 400 East Stewart Avenue, Las Vegas, Nevada on Wednesday, October 19, 1994 at 9:00 a.m. The meeting was called to order by the Mayor and on roll call the following members were found to be present, constituting a quorum:

Present:

Mayor:	Jan Laverty Jones
Councilmembers:	Arnie Adamsen Scott Higginson Frank Hawkins Jr. Ken Brass
Absent:	None

constituting all the members thereof.

There were also present:

City Manager:	Larry K. Barton
City Clerk:	Kathleen M. Tighe
City Attorney:	Bradford R. Jerbic
City Finance Director:	Steven P. Houchens
City Treasurer:	Michael K. Olson

Thereupon the following resolution was introduced, copies having been furnished to each member of the Council and filed with the City Clerk for public examination. The resolution is as follows: R-107-94

(The City of Las Vegas, Nevada Special Improvement District No. 606 (Mountain Spa Development) Preliminary Resolution follows.)

R-107-94

Summary -- a resolution directing the Engineers to prepare preliminary plans and an assessment plat for the City of Las Vegas, Nevada Special Improvement District No. 606 (Mountain Spa Development)

A RESOLUTION DIRECTING THE ENGINEERS ON BEHALF OF THE CITY OF LAS VEGAS, NEVADA TO PREPARE AND FILE WITH THE CITY CLERK PRELIMINARY PLANS AND AN ASSESSMENT PLAT IN CONNECTION WITH A PROPOSED WATER, SANITARY SEWER, ROADWAY, DRAINAGE, CURB AND GUTTER, SIDEWALK, AND STORM SEWER PROJECT IN THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 606 (MOUNTAIN SPA DEVELOPMENT) PURSUANT TO THE CONSOLIDATED LOCAL IMPROVEMENTS LAW AND ALL LAWS AMENDATORY THEREOF AND SUPPLEMENTAL THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the City of Las Vegas, Nevada (the "City") is organized and operating pursuant to the provisions of Chapter 517, Statutes of Nevada 1983, as amended, and the general laws of the State of Nevada; and

WHEREAS, Mountain Spa Development Limited Partnership, the owner of 100% of the property (except for property owned by the City and except for State or other government or privately owned property on which easements will be acquired) to be known as the "City of Las Vegas, Nevada Special Improvement District No. 606 (Mountain Spa Development)" (the "District"), has heretofore presented to the City Council of the City (the "Council") a written petition requesting the City to initiate the acquisition and improvement of the water, sanitary sewer, roadway, drainage, curb and gutter, sidewalk, and storm sewer project hereinafter more specifically described (the "Project") pursuant to Chapter 271, Nevada Revised Statutes and all laws amendatory thereof and supplemental thereto.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS AS FOLLOWS:

Section 1. The City Engineer and Willdan Associates, consultants to the City for the Project (collectively, the "Engineer"), are hereby directed to prepare and file with the City Clerk preliminary plans showing a typical section of the contemplated improvements, the type or types of material, approximate thickness and wideness, and a preliminary estimate of the total cost (including all incidental

costs), and a preliminary estimate of the portion of the total cost to be assessed for the acquisition and improvement of the Project. The Project consists of the acquisition and improvement of water distribution lines, sanitary sewer collection lines, roadways and roadway improvements, including street lights, curb and gutter and sidewalks, flood control channels and culverts and other flood control improvements, including a flood control spreader facility, in and along the property described in Section 5 of this resolution, and walls and berms and all appurtenances and incidentals necessary, useful or desirable, including real and other property therefor, which is more particularly described as follows:

Project No. 1

The construction of an offsite potable water distribution line in Buffalo Drive from Ann Road to Racel Road at the entrance to the district. The water line varies in size from a 30-inch diameter to a 36-inch diameter. The project includes all trenching, backfill, manholes, valves, together with appurtenances and appurtenant work.

Project No. 2

The construction of an offsite sanitary sewer collection line in Elkhorn Road and Rainbow Boulevard from Rio Vista Road to Grand Teton Drive at the southern boundary of the district. The sanitary sewer line has been oversized by the City of Las Vegas and measures 21 inches in diameter and 24 inches in diameter. The district will finance the required pipe diameters excluding the oversizing. The project includes trenching, backfill, manholes, together with appurtenances and appurtenant work.

Project No. 3

The construction of offsite roadways in the following locations:

Coke Street, Horse Drive from Coke Street to the northern boundary of the district. Buffalo Drive from Racel Road to the project entrance at the southern boundary of the district. Racel Road from Buffalo Drive to Tenaya Way, Tenaya Way from Buffalo Drive to Grand Teton Drive. Grand Teton Drive from Tenaya Way to Rainbow Boulevard. Rainbow Boulevard from Grand Teton Drive to a point where it will connect with the onsite roadway of Grand Mountain Avenue. The project includes grading, paving, base, street lights, curb, gutter and sidewalks, valley gutters, median and striping.

Project No. 4

The construction of offsite construction access roadway improvements in Racel Road, Tenaya Way and Durango Drive. The project includes grading, paving, base and miscellaneous roadside ditching for stormwater management.

Project No. 5

The construction of an offsite entrance street in Farm Street from Durango Drive to Buffalo Drive and in Buffalo Drive from Farm Street to Racel Road at the district entrance at Horse Drive. The project includes grading, paving, base, street lights, curb, gutter and sidewalks, valley gutters, medians and striping.

Project No. 6

The construction of flood control channels, the majority of which lie within the golf course planned area of the district. The project consists of varying width and depth channels which are unlined, grassed or lined. The flood control features will be contained within public utility easements. A maintenance agreement for said channels will be provided by the developer agreeing to the maintenance of the facilities.

Project No. 7

The construction of varying size and length flood control culverts throughout the district. Public utility easements will be provided for facilities located on private property. The project includes excavation, backfill, piping, headwalls, rip-rap, together with appurtenances and appurtenant work. A maintenance agreement for said culverts will be provided by the developer agreeing to the maintenance of the facilities.

Project No. 8

The construction of a flood control spreader facility located at the southern boundary of the district. The project includes excavation, lining and outfall features. The project will be located in a public utility easement. A maintenance agreement for said spreader facility will be provided by the developer agreeing to the maintenance of the facility.

Project No. 9

The construction of flood control features including walls and berms in both an interim and final nature. The project will include excavation, grading, filling, lining and flood control walls together with appurtenances and appurtenant work. The flood control features will be contained within public utility easements. A

maintenance agreement for said walls and berms will be provided by the developer agreeing to the maintenance of the facilities.

Project No. 10

The construction of varying size potable water line in Mountain Spa Drive and Cupp Drive to the golf course club house. The project includes pipeline, trenching, backfill, manholes, valves, together with appurtenances and appurtenant work.

Project No. 11

The construction of onsite public streets for Mountain Spa Drive from Buffalo Drive to its termination and Cupp Drive from Mountain Spa Drive to its termination. The project includes grading, paving, base, street lights, curb, gutter and sidewalks, valley gutters, median and striping.

Project No. 12

The construction of an onsite sanitary sewer collection system located in the following private streets and public easements:

Aree Avenue
Chatelet Street
Grenoble Avenue
Mountain Spa Drive
Everest Street
Chapelle Street
Lyon Street
Lagos Court
Nevers Avenue
Bristol Avenue
Antibes Court
Cupp Drive
Loire Street
Moulin Street
Chambourey Street
Grand Mountain Avenue
Anatole Court
Chantilly Street
Alsace Court
Easement across golf course connecting Cupp Drive with Chambourey Street
Easement across golf course connecting Alsace Court with Aree Avenue

The project includes pipeline, trenching, backfill, manholes, together with appurtenances and appurtenant work. The public sanitary sewer facilities will be located within public utility easements.

Project No. 13

The construction of an onsite public water distribution system located in the following private streets and public easements:

Aree Avenue
Chatelet Street
Grenoble Avenue
Mountain Spa Drive
Everest Street
Chapelle Street
Lyon Street
Loire Street
Moulin Street
Chambourey Street
Grand Mountain Avenue
Anatole Court
Chantilly Street

The project includes pipeline, trenching, backfill, manholes, valves, together with appurtenances and appurtenant work. The public water facilities will be located within public utility easements.

Section 2. Except as shown on the preliminary plans for the District to be filed by the Engineer in the office of the City Clerk, the character and location of the Project shall be as described in Section 1 hereof.

Section 3. The Engineer is hereby directed to estimate the cost of each type of construction in a lump sum or by unit prices, as to the Engineer may seem most desirable, for the construction, acquisition, improvement and installation of the Project. Such preliminary estimate of costs shall also include, without limiting the generality of the foregoing, the advertising, appraising, engineering, legal, printing and such other expenses as in the judgment of the Engineer are necessary or essential to the completion of such work or improvement attributable to the costs in the District and the payment of the cost thereof. Such preliminary estimate shall also include the amounts estimated to be deposited from bond proceeds in reserve and other funds for the bonds to be issued by the City to provide the funds for the acquisition and improvement of the Project. The entire cost of the Project is of special benefit and shall be paid by special assessment against the lots, tracts and parcels of land benefited.

Section 4. The Engineer is hereby directed to prepare and file with the City Clerk an assessment plat showing the area to be assessed, the market value and a description of each lot, tract or parcels of land, the name and address of the owner, and the amount of estimated maximum benefits to be assessed against each lot, tract and parcel of land. Assessments are to be levied against each lot, tract or parcel of land within the boundaries of the District on an equivalent dwelling unit (EDU) basis (i.e., an assessment schedule will be generated in the engineer's report based on the proposed development plan which will assign a total number of EDU's to each assessable parcel); such estimated benefits may be shown by an attached addendum to the plat which may be designated as the preliminary assessment roll or tabulation of parcels. An equitable adjustment will be made for assessments to be levied against wedge or V or other irregularly shaped lots, tracts or parcels of land, if any, and for any lot, tract or parcel of land not specially benefited by the Project so that assessments according to benefits are to be equal and uniform. In any event, the assessments shall be against all lots, tracts and parcels of land benefited by the Project proportionally to benefits received. Such basis of assessments is hereby designated by the Council.

Section 5. The location of the District including the parcels to be assessed is as follows:

BEING A PORTION OF SECTION 9 AND SECTION 10, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 10; THENCE ALONG THE EAST AND SOUTH LINES OF SAID SECTION 10 THE FOLLOWING THREE (THREE) COURSES: SOUTH 00°37'59" EAST, 2969.23 FEET; THENCE SOUTH 00°27'52" EAST, 2884.50 FEET; THENCE SOUTH 89°47'34" WEST, 1321.63 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SAID SECTION 10; THENCE NORTH 00°28'18" WEST, 50.00 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF GRAND TETON DRIVE (100.00 FEET WIDE); THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES: SOUTH 89°47'34" WEST, 1266.33 FEET; THENCE CURVING TO THE RIGHT ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 89°43'12", AN ARC LENGTH OF 39.15 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF TENAYA WAY (60.00 FEET WIDE); THENCE NORTH 00°29'14" WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 1413.76 FEET; THENCE NORTH 89°11'25" WEST, 30.01 FEET TO THE NORTHEAST CORNER OF THE SOUTH HALF (S1/2) OF THE SOUTHWEST QUARTER (SW1/4) OF SAID SECTION 10; THENCE SOUTH 89°53'57" WEST ALONG THE NORTH LINE OF THE SOUTH LINE OF THE SOUTH HALF (S1/2) OF THE SOUTHWEST QUARTER (SW1/4) OF SAID SECTION 10, A DISTANCE OF 2641.45 FEET TO THE WEST LINE OF SAID

SECTION 10; THENCE NORTH 00°25'58" WEST ALONG SAID WEST LINE, 798.32 FEET TO THE CENTERLINE OF TEASHA AVENUE (60.00 FEET WIDE); THENCE NORTH 87°43'55" WEST ALONG SAID CENTERLINE, 341.41 FEET; THENCE NORTH 00°21'32" WEST, 420.03 FEET; THENCE NORTH 87°43'55" WEST, 308.52 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF COKE STREET (60.00 FEET WIDE); THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES: NORTH 00°21'32" WEST, 348.33 FEET; THENCE NORTH 00°21'21" WEST, 300.37 FEET; THENCE SOUTH 88°50'09" EAST, 309.02 FEET; THENCE 00°23'39" WEST, 392.66 FEET; THENCE SOUTH 88°57'50" EAST, 338.76 FEET TO THE AFOREMENTIONED WEST LINE OF SAID SECTION 10; THENCE SOUTH 88°41'33" EAST, 30.01 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF BUFFALO DRIVE (60.00 FEET WIDE); THENCE NORTH 00°25'58" WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 2088.31 FEET TO THE NORTH LINE OF SAID SECTION 10; THENCE ALONG SAID NORTH LINE THE FOLLOWING TWO (2) COURSES: NORTH 89°48'11" EAST, 2607.28 FEET; THENCE NORTH 89°48'13" EAST, 2636.43 FEET TO THE POINT OF BEGINNING.

CONTAINING 631.50 ACRES.

BASIS OF BEARINGS:
ALL BEARINGS AND DISTANCES ARE AS SHOWN ON A RECORD OF SURVEY PREPARED BY G.C. WALLACE, INC., ON FILE IN THE CLARK COUNTY, NEVADA RECORDER'S OFFICE AS FILE 70, PAGE 15 OF SURVEYS.

Section 6. The officers of the City are directed to take all action necessary to effectuate the provisions of this resolution.

Section 7. All action heretofore taken (not inconsistent with the provisions of this resolution) by the Council and the officers of the City directed toward the District and the Project is ratified, approved and confirmed.

Section 8. All bylaws, orders and resolutions, or parts thereof, in conflict with this resolution, are repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any bylaw, order, or resolution, or part thereof, heretofore repealed.

Section 9. If any section, paragraph, clause or provision of this resolution shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 10. This resolution shall be in full force and effect from and after its adoption.

PASSED AND ADOPTED this October 19, 1994.

Mayor

(SEAL)

Attest:

City Clerk

CITY COUNCIL MINUTES

OCT 19 1994

It was then moved that said resolution be now finally passed and adopted. No second being required by the rules of procedure of the Council and the question being upon the final passage and adoption of the resolution, the roll was called with the following result:

Those Voting Aye:	Mayor Jan Laverty Jones Councilman Arnie Adamsen Councilman Scott Higginson Councilman Ken Brass
Those Voting Nay:	None
Those Not Voting:	Councilman Frank Hawkins Jr.
Those Absent:	None

The presiding officer thereupon declared that at least a majority of the members of the Council having voted in favor thereof, said motion was carried and the resolution duly passed and adopted.

The foregoing resolution is to be approved and authenticated by the signature of the Mayor, sealed with the City seal, attested by the Clerk of the City and recorded in the journal of the Council, said record to be signed by said officers and properly sealed.

Thereupon, after considering other matters not concerning the foregoing matter, upon motion duly made and adopted, such meeting was adjourned.

Dated this October 19, 1994.

Mayor

(SEAL)

Attest:

City Clerk

CITY COUNCIL MINUTES

STATE OF NEVADA)
) OCT 19 1994
COUNTY OF CLARK) SS.
)
CITY OF LAS VEGAS)

I, Kathleen M. Tighe, the duly chosen, qualified and acting Clerk of the City of Las Vegas, Nevada (the "City"), do hereby certify:

1. The foregoing pages numbered 1 through 10, excerpts from the minutes of a regular meeting of the City Council (the "Council") held on October 19, 1994, constitute a true, correct, complete and compared copy of the proceedings of the Council so far as said minutes relate to the resolution, designated in such proceedings as the City of Las Vegas, Nevada Special Improvement District No. 606 (Mountain Spa Development) Preliminary Resolution (the "Resolution"), copies of which are set forth therein.

2. The copy of the Resolution is true, correct, complete and compared copies of the original passed and adopted by the Council at such meeting.

3. The original of the Resolution has been approved and authenticated by the signatures of the Mayor of the City and myself as City Clerk, 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.

4. All members of the Council present at the meeting voted on the passage of the Resolutions as set forth in the minutes.

5. All members of the Council were given due and proper notice of such meeting. Pursuant to NRS § 241.020 written notice of the meeting including the time, place, location and agenda of the meeting was given at least three working days before the meeting:

(a) By posting a copy of the notice 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 other separate, prominent places within the jurisdiction of the Council, to wit:

(i) City Hall
Las Vegas, Nevada

(ii) Senior Citizens' Center
Las Vegas, Nevada

(iii) Bridger Building
Las Vegas, Nevada

(iv) Downtown Transportation Center
Las Vegas, Nevada

and

(b) By mailing a copy of the notice to each person, if any, who has requested notice of the meetings of the Council in the same manner in which notice is required to be mailed to a member of the Council.

6. A copy of such notice as posted and mailed is attached hereto as Exhibit "A".

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this October 19, 1994.

Kathleen M. Tighe

City Clerk

(SEAL)

AGENDA City of Las Vegas CITY COUNCIL MINUTES

OCT 19 1994

CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE • PHONE 229-6011
JAN LAVERTY JONES, MAYOR • COUNCILMEN: ARNIE ADAMSEN, SCOTT HIGGINSON, FRANK HAWKINS JR., KEN BRASS

Facilities are provided throughout City Hall for the convenience of persons with disabilities.For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 229-6311 and advise of your need at least 48 hours in advance of the meeting. The City's TDD number is 386-9108.

OCTOBER 19, 1994

Morning Session begins at 9:00 a.m.
Afternoon Session begins at 2:00 p.m.

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE

THESE PROCEEDINGS ARE BEING VIDEOTAPED BY THE U.N.L.V. GREENSPUN SCHOOL OF COMMUNICATION AND WILL BE REBROADCAST THE DAY FOLLOWING EACH MEETING ON PRIME CABLE, CHANNEL 4, AT 7:00 P.M.

DUPLICATE AUDIO TAPES ARE AVAILABLE AT A COST OF $5.00 PER TAPE AND DUPLICATE VIDEO TAPES ARE AVAILABLE AT A COST OF $15.00 PER TAPE THROUGH THE CITY CLERK'S OFFICE

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

I. CEREMONIAL MATTERS

- 9:00 A.M. - CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - Wendell Gray, Church of Jesus Christ of Latter-Day Saints
- PLEDGE OF ALLEGIANCE
- PRESENTATION BY THE CHAMBER OF COMMERCE FOR CUSTOMER SERVICE WEEK
- EMPLOYEE SERVICE AWARDS

II. BUSINESS ITEMS

1. Any items from the morning session that the Council, staff, and/or the applicant wishes to be stricken or held in abeyance to a future meeting, may be brought forward and acted upon at this time.
2. Approval of the Final Minutes by Reference of the Regular City Council meeting of 8/17/94

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND ARE RECOMMENDED FOR APPROVAL BY THE DEPARTMENTS. THEY MAY BE ENACTED IN ONE MOTION; HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COUNCIL MEMBER SO REQUESTS.

DEPARTMENT OF BUILDING AND SAFETY

3. Set date for Public Hearing to consider the Report of Expenses to recover the cost for Nuisance/Litter Abatement at 518 S. First Street.

4. Set date for Public Hearing to consider the Report of Expenses to recover the cost for Nuisance/Litter Abatement at 1150 "J" Street.

DEPARTMENT OF BUSINESS ACTIVITY

SPECIAL EVENT LIQUOR LICENSES

5. COMMUNITY ACTION AGAINST RAPE, Location: Hills Park Summerlin, Date: November 6, 1994, Type: Special Event Beer/Wine/Cooler, Responsible Person in Charge: Jody O'Hare

6. FRIENDS OF THE CHARLESTON HEIGHTS ART CENTER, Location: Charleston Heights Art Center, 800 S. Brush, Date: October 29, 1994, Type: Special Event Beer/Wine/Cooler, Responsible Person in Charge: Joel Mur

DEPARTMENT OF ECONOMIC AND URBAN DEVELOPMENT

7. Action to accept a $15,000 donation from Primerit Bank, F.S.B. in support of Phase Two of the West Las Vegas "Adopt-Your-Block " neighborhood improvement program.

8. Action to approve an extension of the agreement with Marjorie Polly as the development consultant for Mobilized Assistance and Shelter for the Homeless (M*A*S*H).

DEPARTMENT OF FINANCE & COMPUTER SERVICES

9. Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

DEPARTMENT OF GENERAL SERVICES

AWARD OF BIDS

10. Award of Bid Number 95.1730.43, Street Block Number Signs at 200 Signalized Intersections - Department of Public Works - HIGHWAY RENTALS, INC. ($126,325.00)

11. Award of Bid Number 95. Nov.03, Annual Tire and Tire Repair Contract - Department of General Services - VARIOUS VENDORS ($58,000.00)

PURCHASE ORDER APPROVAL

12. Purchase Order Approval for Proprietary Data Processing Services - Various Departments - CLARK COUNTY TREASURER ($60,000.00)

13. Purchase Order Approval for Supplement No. 2 with Boyle Engineering for Engineering Services for the Ogden Underpass Project - Department of Public Works - BOYLE ENGINEERING ($50,000.00)

14. Purchase Order Approval for Supplement No. 1 with Custard Insurance Adjusters for Accident Investigations - Department of Human Resources - CUSTARD INSURANCE ADJUSTERS ($18,000.00)

CONTRACT RENEWALS

15. Supplements to the Annual Contract for 36-Month Copier Replacement Contract - Department of General Services ($8,474.00)

AGREEMENT EXTENSION

16. Interim extension of Annual Agreement for Furnishing Long Distance Telephone Service - Various Departments - LDDS-METROMEDIA ($10,000.00)

17. Assignment of RFP Number 92.Nov.5: Agreement for Furnishing Annual Health Care Services for the Detention and Enforcement Facility and City Hall Jail

18. Interim Extension of Annual Agreement for Furnishing Health Care Services for the Detention and Enforcement Facility and City Hall Jail - Dept. Detention and Enforcement - E.F. GHANEM, M.D., LTD. ($225,000.00)

19. Extension of Interlocal Agreements with the Regional Transportation Commission for the Operation of the Downtown Transportation Center and the Trolley System

DEPARTMENT OF HUMAN RESOURCES

REPORT OF NEW HIRES - SEPTEMBER 21 - OCTOBER 5, 1994

20. Inspector (3), Building & Safety; Senior Secretary, Business Activity; GIS Technician, Community Planning & Development; Office Specialist II, Fire Services; Personnel Analyst I, Human Resources; Office Specialist II, Business Activity, Quality Assurance Officer, Public Works; Junior Clerk III, City Attorney; Public Information Assistant, City Manager; Junior Clerk IV (2), Human Resources; Leisure Instructor II, Parks & Leisure Activities.

DEPARTMENT OF PARKS & LEISURE ACTIVITIES

21. Request approval of agreement with the Mark Group for design and development of Children's Memorial Park, Phase III.

DEPARTMENT OF PUBLIC WORKS

ACCEPTANCE OF RIGHT OF WAY ITEMS

GRANT DEEDS

22. From: TRUSTEES OF THE CHURCH OF CHRIST, To: City of Las Vegas, For: Portion of the Northeast Quarter (NE 1/4) of Section 6, T21S, R61E, M.D.M., for dedication of a portion of Del Monte Avenue cul-de-sac located north of Oakey Boulevard and west of Valley View Boulevard (9-22-94) 162-06-603-014

23. From: OAKEY DEVELOPMENT GROUP LIMITED PARTNERSHIP, To: City of Las Vegas, For: Portions of the Northeast Quarter (NE 1/4) of Section 6, T21S, R61E, M.D.M., for dedication of a portion of Del Monte Avenue cul-de-sac and a 25' radius corner located at the northwest corner of Oakey Boulevard and Valley View Boulevard (9-14-94) 162-06-603-005 & 015

GRANT, BARGAIN, SALE DEED

24. From: JOSEPH C. SCHLAGETER AND RITA M. SCHLAGETER, "REVOCABLE FAMILY TRUST", To: City of Las Vegas, For: Lot 9 in Block 28 of H.F.M. & M. ADDITION TO THE CITY OF LAS VEGAS as shown in Plats Book 1, Page 47 for expansion of H. P. Fitzgerald Park (8-10-94) 139-27-110-104

RIGHT OF WAY GRANTS FOR SEWER PURPOSES

25. From: WALTER JAGODZINSKI, SUCCESSOR TRUSTEE U/A/D/ JUNE 28, 1978 (FORMER TRUSTEE RONALD REISS), To: City of Las Vegas, For: Portion of the Northeast Quarter (NE 1/4) of Section 8, T21S, R62E, M.D.M., for a 14.62' sewer easement located south of Sahara Avenue, east of Nellis Boulevard (previously recorded in the Office of the Recorder, Clark County, Nevada in Book 940922 as Instrument Number 00253) (8-17-94) 240-090-001

RIGHT OF WAY GRANT FOR DRAINAGE PURPOSES

26. From: OAKEY DEVELOPMENT GROUP LIMITED PARTNERSHIP, To: City of Las Vegas, For: Portion of the Northeast Quarter (NE 1/4) of Section 6, T21S, R61E, M.D.M., for a 5' drainage easement east of Mountain View Boulevard cul-de-sac located north of Oakey Boulevard and west of Valley View Boulevard (9-14-94) 162-06-603-005

27. Request for permission to file a right of way application with the Bureau of Land Management for roadway and temporary construction purposes on portions of land lying within the Southwest Quarter (SW 1/4) of Section 28, T20S, R60E, M.D.M., located at the Southeast corner of Durango Drive and Washington Avenue

ACCEPTANCE OF SUBDIVISION IMPROVEMENTS

28. OASIS PALMS (Michael T. Black and Lori Jo Black, Developer), Property generally located north of Via Olivero Avenue, west of Lisa Lane, 2.6 Acres, 8 Lots, Zoned R-1.

RELEASE OF SECURITIES

29. LOCATION: Alta Quail Park at Alta Drive, USE: Off-Site Improvements, OWNER: 70 Limited Partnership, SECURITY: Subdivision Performance Bond with Fidelity and Deposit Company of Maryland, AMOUNT: $95,400.00, BOND NO.: 30487190 (CLV 14-94)

30. LOCATION: 1950 Pinto Lane (Groom/Steele Health Facility), USE: Off-Site Improvements, OWNER: Richard Groom and D. Stuart Steele, SECURITY: Agreement in Lieu of Off-Site Improvements Performance Bond, AMOUNT: Less than $50,000.00 (Occupancy), BOND NO.: (CLV 2-94)

31. LOCATION: 3200 S. Valley View Boulevard (Truckmaster's), USE: Off-Site Improvements, OWNER: 1986 Leavitt Family Trust, SECURITY: Performance Bond with American Bonding Company, AMOUNT: $5,000.00, BOND NO.: 9346855 (CLV 24-94)

ENCROACHMENT REQUEST

32. DESERT SHORES COMMUNITY ASSOCIATION (Point Conception Drive, Lazarette Drive, Valiant Drive, and Regatta Drive), Request from applicant to encroach into the public right of way in various locations in the Desert Shores Community. The encroachment would consist of privately-installed conduit and wiring for privately-owned entrance sign lighting in public rights-of-way as follows: Point Conception Drive, east of Rampart Boulevard; Lazarette Drive, east of Rampart Boulevard; Valiant Drive, west of Buffalo Drive; and Regatta Drive, west of Buffalo Drive. It should be noted that the entrance signs will be located on private property (common areas) and only the conduit and wiring will be located in the rights-of-way.

TRAFFIC & PARKING ITEMS

33. Discussion and possible approval of a request to prohibit parking in front of 608 South Jones Boulevard

34. Discussion and possible approval to ratify the installation of the 4-way stop at Desert Inn Road and Fort Apache Road

35. Discussion and possible approval of a request to designate a 2-Hour Time Limited Parking Zone in front of 303 West St. Louis Avenue

REPORTS/ACTION ITEMS

36. Discussion and possible approval of Contract modification #1 with Boulder Construction, Inc. for the Bonneville Avenue Extension and Underpass

37. Discussion and possible approval on using City of Las Vegas "Relocation rules for projects not involving the use of Federal Funds" for the Downtown Corridor Improvements Project

38. Discussion and possible approval of retaining BSI Consultants, Inc. to provide consultant services in drainage study review

39. Set date for Public Hearing to adopt a Master Plan Amendment to the Lone Mountain Detention Basin

40. Discussion and possible approval of Interlocal Agreement with Clark County for Buffalo/ Cheyenne Special Improvement District No. 1447

41. Discussion and possible approval of a contract for right of way acquisition and relocation assistance with Property Specialists, Inc. for the Downtown Corridor Improvements Project

42. Discussion and possible action to designate Las Vegas Boulevard from Gass Avenue to Fremont Street as the City's official downtown parade route

***** END OF CONSENT AGENDA *****

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE AGENDA

43. Discussion and possible action to waive plans check and building permit fees for the Dewey Animal Shelter.

44. Discussion and possible action to include the City Attorney under the City's Executive Compensation Plan.

45. Discussion and possible action approving a donation from the Japanese National Council of Social Welfare to cover all travel expenses to Japan for John Chambers, Manager of the Adaptive Recreation Division, to consult regarding his expertise in wheelchair sports, adaptive golf and exhibition basketball. (October 23 - November 2, 1994)

DEPARTMENT OF BUSINESS ACTIVITY

LIQUOR – New

46. SUPPER CLUB LICENSE; BRINKER RESTAURANT CORPORATION, dba ROMANO'S MACARONI GRILL, 2300 West Sahara (Brinker Restaurant Corporation, a wholly-owned subsidiary of Brinker International, Inc., a publicly traded corporation), Debra L. Smithart, Dir, COB, Pres, Chief Financial Officer, Roger Farley Thomson, Dir, Senior V.P., Secy, Brinker International, Inc., 100%, Debra L. Smithart, Dir, Exec V.P., Chief Financial Officer, Roger F. Thomson, Dir, Senior V.P., Secy, Subject to the provisions of the Planning and Fire codes and Health Department regulations

LIQUOR – Change of Ownership/Change of Location/Change of Business Name

47. RESTAURANT SERVICE BAR LICENSE; From: Robinson & Williams, dba Cafe Bianco, 8611-8615 West Sahara (Nonoperational Status), Jackie L. Robinson, 50%, Flintie R. Williams, 50%, TO: DIMARTINO HACIENDA RESTAURANT ASSOCIATES LIMITED PARTNERSHIP, dba NEW YORK PASTA COMPANY, 8427 West Lake Mead, M.Dim. Restaurant Enterprises (A Nevada Corporation), General Partner, 50% – Mark J. DiMartino, Dir, Pres, Secy, Treas, 100%, Allen R. Anes, Limited Partner, 45%, David A. Mulken, Limited Partner, 5%, Subject to the provisions of the Fire codes and Health Department regulations

LIQUOR – Change of Ownership/Change of Business Name

48. TAVERN LICENSE; From: Jesters, Inc., dba Whiskey River Saloon, Thomas Coward, Dir, Pres, Secy, Treas, 100%, TO: THE FLAME II, INC., dba THE FLAME, 1243 East Sahara, Edward J. Jaffe, Dir, Pres, Secy, Treas, 100%, Subject to the provisions of the Health Department regulations

49. BEER/WINE/COOLER OFF-SALE LICENSE; From: Dubar, Inc., dba Pit Row Deli Mart, John Barrett, Dir, Pres, Treas, 50%, Robert Dugan, Dir, Secy, 50%, TO: SYLEE CORPORATION, dba PIT ROW DELI, 4030 West Charleston, Suk Young Lee, Dir, Pres, Secy, Treas, 100%, Approval subject to favorable investigation report from Las Vegas Metropolitan Police Department; Also subject to Health Department regulations

LIQUOR – Approval of Officer

50. PACKAGE LICENSES, PRESTIGE STATIONS, INC., dba AM/PM MINI MARKETS, 3885 East Charleston, 1619 Las Vegas Boulevard South, 1500 West Bonanza, 1625 South Decatur, 1550 North Rancho, 551 North Lamb, Robert A. Milliken, Jr. V.P., Sales

LIQUOR – Approval of Managers

51. BEER/WINE/COOLER ON-SALE LICENSES; PIZZA HUTS OF LAS VEGAS, dba PIZZA HUTS OF LAS VEGAS, 7000 West Charleston Boulevard, 3001 West Sahara, 825 North Rancho, Mark A. MacDonald, Area Manager

52. PACKAGE LICENSE; THE VONS COMPANIES, INC., dba VONS, 4440 East Charleston, 390 South Decatur, 6000 West Cheyenne, 4610 West Sahara, 3535 West Sahara (nonoperational), 4854 West Lone Mountain, Russell J. Long, District Manager

LIQUOR – Approval of Officer/Stockholder; GAMING – New

53. BEER/WINE/COOLER ON-SALE LICENSE/RESTRICTED GAMING: 12 slots; CRYSTAL PALACE BILLIARDS, INC., dba CRYSTAL PALACE BILLIARDS, 2411 East Bonanza, #A-2, Francisco B. Torres, Dir, Pres, V.P., Secy, Treas, 100%, Approved by the Nevada Gaming Commission on August 25, 1994

LIQUOR & GAMING – Approval of Officer

54. TAVERN LICENSE/NONRESTRICTED GAMING; PALACE STATION HOTEL & CASINO, INC., dba PALACE STATION HOTEL & CASINO, 2411 West Sahara (Palace Station Hotel & Casino, Inc., a wholly-owned subsidiary of Station Casinos, Inc., a publicly traded corporation) Blake L. Sartini, Dir, Chief Exec Ofcr, Pres, Chairman of the Board, Joseph J. Canfora, V.P., Chief Operating Ofcr, Scott M. Nielson, V.P., Secy, General Counsel

GAMING – New

55. SLOT OPERATOR LICENSE - ANCHOR COIN Space Lease Location at: Sunshine Laundromat, 2517 E. Stewart Avenue, Restricted Gaming: 4 slots, Subject to approval by the Nevada Gaming Commission on October 27, 1994

56. SLOT OPERATOR LICENSE - CORRAL COUNTRY COIN Space Lease Location at: Red Rock Moose #252, 4950 1/2 W. Charleston, Restricted Gaming: 6 slots, Approved by the Nevada Gaming Commission on April 21, 1994

MARTIAL ARTS LICENSE – Change of Business Name

57. ENRIQUE MATA, dba From: Tae Kwon Do Institute of Las Vegas, TO: UNITED STATES NATIONAL TAE KWON DO INSTITUTE, 2511 Stewart Avenue, Enrique Mata, 100%

MASSAGE ESTABLISHMENT – New

58. ELLEN GREEN, dba AMBIANCE, 923 South Rainbow, Ellen L. Green-Bluestein, 100%, Subject to the provisions of the fire codes

LIQUOR – New

59. BEER/WINE/COOLER OFF-SALE LICENSE: SAM E. HAMIKA, dba KWIKY MINI MART, 732 North Eastern Avenue, Sam E. Hamika, 100%, Subject to the provisions of the fire codes and Health Department regulations, NOTE: Item to be heard in PM session in conjunction with Planning item (U-219-94)

60. BEER/WINE/COOLER OFF-SALE LICENSE; OLSON & OLSON, dba LAS VEGAS GROCERY OUTLET, 1110 East Charleston, Jack L. Olson and Mary A. Olson, 100% jointly as husband & wife; NOTE: Item to be heard in PM session in conjunction with Planning item (U-205-94)

CITY ATTORNEY

61. Appeal of Work Card Denial: Ms. Tonja Dee Bremer, 850 North Las Vegas Blvd., Las Vegas, Nevada 89101

62. Appeal of Work Card Denial: Mr. Greg L. Gregory, 4545 Pennwood #131, Las Vegas, Nevada 89102

63. Appeal of Work Card Denial: Mr. Marlow Williams, 2724 Carla Avenue, North Las Vegas, Nevada 89030

DEPARTMENT OF FINANCE & COMPUTER SERVICES

64. Quarterly Financial Update

DEPARTMENT OF PUBLIC WORKS

TRAFFIC & PARKING ITEM

65. Discussion and possible approval of a request to close Stormson Lane between Buffalo Drive and Huntly Road

REPORTS ACTION ITEM

66. Discussion and possible action to approve a list of eligible projects to be included in the proposed Mountain Spa Special Improvement District

IV. RESOLUTIONS

67. ABEYANCE ITEM - R-103-94 - Approval of Resolution requesting the Department of Business and Industry (formerly the Department of Commerce) of the State of Nevada to issue bonds to finance a project for Cambridge Health System, Inc., a Nevada not-for-profit Corporation, a/k/a Spring Valley Hospital, to finance a not-for-profit hospital for which bonds could be issued by the City of Las Vegas, Nevada under the City Economic Development Revenue Bond Law, requesting the State Board of Finance to approve this financing and making certain findings and determinations with respect thereto. **NOTE: NO ACTION CAN BE TAKEN ON THIS ITEM UNTIL AFTER THE PUBLIC HEARING IS HELD AT 2:00 P.M.**

68. R-105-94 - Approval of Resolution to amend Schedules 14-II, 17-III and 17-IV in accord with Traffic & Parking Items 33, 34 and 35.

69. R-106-94 - Approval of Resolution in support of the National League of Cities efforts to inform Citizens about the impact on Federal Unfunded Mandates.

70. R-107-94 - Approval of a Resolution directing the engineers on behalf of the City of Las Vegas, Nevada to prepare and file with the City Clerk preliminary plans and an assessment plat in connection with a proposed water, sanitary sewer, roadway, drainage, curb and gutter, sidewalk, and storm sewer project in the City of Las Vegas, Nevada Special Improvement District No. 606 (Mountain Spa Development) pursuant to the consolidated local improvements law and all laws amendatory thereof and supplemental thereto; and providing the effective date hereof.

71. R-108-94 - Approval of a Resolution authorizing the preparation of a preliminary official statement in connection with the City of Las Vegas, Nevada Special Improvement District No. 606 (Mountain Spa Development) limited obligation improvement bonds; and providing the effective date hereof.

V. REPORTS FROM RECOMMENDING COMMITTEES

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

72. **BILL NO. 94-80** – Establishes New Alcoholic Beverage Licensing Category of Gift Basket Limited License

73. **BILL NO. 94-81** – Establishes a Business License Fee for Real Estate Brokerage Businesses.

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. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.

74. **BILL NO. 94-83** – Proposed Increase in Business License Fees.

VII. NEW BILLS

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

75. **BILL NO. 94-82** – Annexation No. A-17-94(A), Property Located: On the east side of Cimmaron Road, approximately 330 feet south of Alexander Road, Petitioned By: Pageantry Communities, Inc., et al., Acreage: Approximately 18.542 acres, Zoned: R-E (County Zoning) N-U (City Equivalent).

76. **BILL NO. 94-84** – Annexation No. A-19-94(A), Property Located: On the east side of Durango Drive, north of Elkhorn Road, Petitioned By: The Krishna Trust, Acreage: Approximately 10.506 acres, Zoned: R-E (County Zoning) N-U (City Equivalent).

77. **BILL NO. 94-85** – Annexation No. A-20-94(A), Property Located: On the southeast corner of Durango Drive and Grant Teton Drive, Petitioned By: N.R. Yerramsetti, Acreage: Approximately 10.490 acres, Zoned: R-E (County Zoning) N-U (City Equivalent)

78. **BILL NO. 94-86** – Creates a New Review Process to the State of Nevada District Court for Work Card Applicants Whose Denial is Based on the Prohibition Against Employment Contained in NRS 648.1405.

AFTERNOON SESSION

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

IX. PUBLIC HEARINGS

80. ABEYANCE ITEM - TEFRA and City Council Public Hearing on a proposed Plan of Finance and the issuance of Revenue Bonds by the State of Nevada (Cambridge Health System, Inc. Project)

81. Public Hearing to consider the Report of Expenses to recover the cost of Dangerous Building Abatement at 5112 Alta Drive, Property Owner, Margaretten & Company, Inc., c/o E. Ellis

82. Public Hearing to consider the Report of Expenses to recover the cost of Dangerous Building Abatement at 4221 Middlesex Avenue, Property Owner, Secretary Housing & Urban Development, c/o FHA #322 2153956 703

COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT

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

In addition, items may be required to conform to one or more of the following standard conditions:

ZONING APPLICATIONS: (1) Resolution of Intent with a twelve month time limit. (2) Conformance to the plot plan and building elevations. (3) Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license. (4) Submittal of a landscaping plan prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first. (5) All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development). (6) Satisfaction of City Code requirements and design standards of all City departments. (7) Approval of the parking and driveway plans by the Traffic Engineer. (8) Repair any damage to the existing street improvements resulting from this development as required by the Department of Public Works. (9) Remove all unused

driveway cuts and replace with "L" curb and new sidewalk as required by the Department of Public Works. (10) A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of a building or grading permit, whichever may occur first. (11) Provision of fire hydrants and water flow as required by the Department of Fire Services. (12) The required fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade as required by the Department of Community Planning and Development.

VARIANCE AND SPECIAL USE PERMIT APPLICATIONS: (1) Conformance to the plot plan and elevations. (2) Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license. (3) submittal of a landscaping plan prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first. (4) All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development). (5) Satisfaction of City Code requirements and design standards of all City departments. (6) Approval of the parking and driveway plans by the Traffic Engineer. (7) Repair any damage to the existing street improvements resulting from this development as required by the Department of Public Works. (8) Provision of fire hydrants and water flow as required by the Department of Fire Services.

SUBDIVISION APPLICATIONS: Tentative Maps: (1) Approval of the tentative map shall be for no more than twelve months. If a final map is not recorded on all or a portion of the area embraced by the tentative map within twelve months of the approval of the tentative map, or an extension of time up to one year is not granted for the tentative map, a new tentative map must be filed. (2) Street names to be provided in accord with the City's Street Name Policy. (3) Subject to all conditions of City departments and State Subdivision Statutes. (4) A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the approval of a Final Map. Final Maps: (1) Conformance with the Tentative Map. Vacation Applications: (1) Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom. (2) Conformance to code requirements and design standards of all City departments. (3) The Reconveyance shall not be recorded until all of the above conditions have been met. (4) If the Reconveyance is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted.

CONSENT AGENDA

2:00 P.M. SESSION - ALL ITEMS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND ARE RECOMMENDED FOR APPROVAL. THEY MAY BE ENACTED BY ONE MOTION; HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COUNCIL MEMBER SO REQUESTS.

EXTENSION OF TIME

83. Z-10-87(5) - Rock Springs Vista Development Co. - Request for an Extension of Time for a proposed retail/office commercial center on property located on the northwest corner of Buffalo Drive and Washington Avenue, N-U Zone (under Resolution of Intent to C-1).

84. Z-146-89(4) - Lexington Realty Services, Inc. - Request for an Extension of Time for a proposed commercial center on property located on the east side of Rainbow Boulevard, south of Smoke Ranch Road, N-U Zone (under Resolution of Intent to C-1).

85. U-194-93(1) - Rock Springs Vista Development Company - Request for an Extension of Time of an approved Special Use Permit which allowed the sale of beer and wine within a proposed convenience store; and a tavern in conjunction with a proposed restaurant on property located on the northwest corner of Washington Avenue and Buffalo Drive, N-U Zone (under Resolution of Intent to C-1).

*** * * * * END OF CONSENT AGENDA * * * ***

CITY COUNCIL MINUTES

OCT 19 1994

DISCUSSION/ACTION ITEMS

ZONE CHANGE - PUBLIC HEARING

86. ABEYANCE ITEM - Z-91-94 - USA Capital Land Fund - Request for reclassification of property bounded by Vegas Drive, Lake Mead Boulevard, Comstock Drive and Tonopah Drive. From: R-E (Residence Estates) To: R-CL (Single Family Compact Lot) Proposed Use: 547 SINGLE FAMILY DETACHED DWELLINGS

FIVE YEAR REVIEW

87. U-111-89(1) - Misty, Inc. - Application for a required Five Year Review of an approved Special Use Permit which allowed a 14 x 48 foot off-premise advertising (billboard) sign to a height of 40 feet on property located on the south side of Bonanza Road, approximately 640 feet west of Lamb Boulevard, C-1 Zone.

PLOT PLAN AND BUILDING ELEVATION REVIEW

88. U-79-94(1) - Amerco Real Estate Company - Application for a Plot Plan and Building Elevation Review on an approved mini-storage facility and U-Haul truck and rental center on property located directly south of the intersection of Rancho Drive and Jones Boulevard, C-2 Zone.

89. Z-68-85(15) - American Medicorp - Request for a Plot Plan and Building Elevation Review for a proposed hospital on property located in the Las Vegas Technology Center at the southeast corner of Tenaya Way and Cheyenne Avenue, N-U Zone (under Resolution of Intent to C-PB).

CITY COUNCIL MINUTES

OCT 19 1994

REVIEW OF CONDITION

90. ABEYANCE ITEM - Z-25-94(2) - VTN Nevada, on behalf of Olympic Nevada, Inc. - Request for a Review of Conditions to delete the requirements to dedicate and construct half-street improvements for Jensen Street, on property located on the south side of Alexander Road, east and west of Grand Canyon Drive, N-U Zone (under Resolution of Intent to R-CL). **APPLICANT HAS REQUESTED THAT THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE**

91. Z-128-93(1) - Maverick Holdings - Request for a Review of Condition to delete the requirement for two lanes of paving on Maverick Street, between Fisher Avenue and Washburn Road concurrent with the first phase of development of this site, R-E Zone (under Resolution of Intent to R-D and R-1).

REVIEW OF CONDITION - PUBLIC HEARING

92. ABEYANCE ITEM - Z-81-89(8) - Property Holding Corporation - Request for a Review of Conditions to delete the requirements that all houses be a minimum of 1,500 square feet and market priced to start at approximately $175,000, and that the property revert back to the original zoning if sold to or developed by another developer unless prior approval is granted by the City Council, on property located on the northwest corner of Decatur Boulevard and Gilmore Avenue, R-E Zone, (under Resolution of Intent to R-PD4).

STREET NAME CHANGE - PUBLIC HEARING

93. SNC-1-94 - City of Las Vegas - Request for a Street Name Change from 28th Street to Avenida de las Americas, between Bonanza Road on the north and Charleston Boulevard on the south.

VACATION - PUBLIC HEARING

94. VAC-34-94 - Highland Investments, Inc., Et Al - Request for a Petition of Vacation to vacate U. S. Government Patent Reservations generally located west of Fort Apache Road, between Gilmore Avenue and Gowan Road.

95. VAC-37-94 - Andrea F. Smith Banks - Request for a Petition of Vacation to vacate a portion of the north/south public alley located between Cleveland Avenue and Cincinnati Avenue, west of Fairfield Avenue.

96. VAC-39-94 - City of Las Vegas - Request for a Petition of Vacation to vacate Turquoise Road, between Woodbridge Drive and Pyramid Drive.

VARIANCE - PUBLIC HEARING

97. V-138-94 - Reese Family Trust - Appeal filed by U.S. Outdoor Advertising on behalf of Reese Family Trust on the action of the Board of Zoning Adjustment in DENYING its application for a Variance to allow an existing off-premise advertising (billboard) sign to be raised to 55 feet above an elevated freeway grade where 30 feet above grade is the maximum height allowed; and to allow a 520 foot separation from an existing off-premise sign, where a minimum 750 foot separation is required on property located on the east side of "H" Street, south of Wilson Avenue, C-1 Zone.

98. V-134-94 - Quincy Fortier Trust on behalf of Barbara Derryberry - Appeal submitted by Quincy Fortier on behalf of Barbara Derryberry on the action of the Board of Zoning Adjustment in DENYING their application for a Variance to allow an auto pawn which includes the outdoor storage of automobiles on property located at 5550 West Charleston Boulevard, C-1 Zone.

99. V-123-94 - Donrey Outdoor on behalf of Howard Hughes Properties, Limited Partnership - Appeal filed by Donrey Outdoor on behalf of Howard Hughes Properties, Limited Partnership on the action of the Board of Zoning Adjustment in DENYING its application for a Variance to allow a proposed 12 foot x 24 foot off-premise advertising (billboard) sign where such use is not allowed on property located on the west side of Rancho Drive, approximately 510 feet north of Lake Mead Boulevard, R-4 Zone.

SPECIAL USE PERMIT - PUBLIC HEARING

100. U-224-94 - Howard Hughes Properties, Limited Partnership - Application for a Special Use Permit to allow a 14 foot x 48 foot off-premise advertising (billboard) sign on property located on the northwest corner of Lake Mead Boulevard and Rancho Drive, C-2 Zone.

101. U-194-94 - Sahara Paradise Plaza, Ltd. - Application of Sahara Paradise Plaza Ltd for a Special Use Permit to allow a Class III secondhand dealership for the sale of women's clothing and accessories on property located at 2200 Paradise Road, C-1 Zone.

102. U-219-94 - Burgundy Company - 1986 - Application of Burgundy Company - 1986 for a Special Use Permit to allow the sale of beer and wine within a proposed convenience store on property located at 732 North Eastern Avenue, C-1 Zone.

103. U-215-94 - Sahara Durango Limited Partnership - Appeal filed by Becker Realty Corporation on behalf of Sahara Durango Limited Partnership on the action of the Board of Zoning Adjustment in DENYING its application for a Special Use Permit for a tavern; and a request for a waiver of the 1,500 foot distance separation from another tavern and a child care facility for more than 12 children on property located at the southwest corner of Sahara Avenue and Durango Drive, C-1 Zone.

104. U-222-94 - Liberty Real Estate Limited Partnership III - Application for a Special Use Permit to allow a Class III secondhand dealership for buying and selling of gold jewelry on property located at 850 South Rancho Road, Suite 2A, C-1 Zone.

105. U-205-94 - Bernard Shapiro - Application of Bernard Shapiro for a Special Use Permit to allow the sale of beer and wine within an existing grocery store on property located at 1110 East Charleston Boulevard, C-2 Zone.

106. U-223-94 - Lewis Homes of Nevada - Application for a Special Use Permit to allow a tavern on property located at 731 South Rainbow Boulevard, R-1 Zone (under Resolution of Intent to C-1).

ZONE CHANGE - PUBLIC HEARING

107. ABEYANCE ITEM - Z-46-94 - Pahor Family Trust - Request for reclassification of property located on the southwest corner of Lake Mead Boulevard and Tonopah Drive. From: N-U (Non-Urban) To: R-PD9 (Residential Planned Development) Proposed Use: 229 SINGLE FAMILY DETACHED DWELLINGS

108. ABEYANCE ITEM - Z-87-94 - Gowan 20 Limited Liability Company - Request for reclassification of property located on the north side of Buckskin Avenue, approximately 1,650 feet west of Hualapai Way. From: N-U (Non-Urban) To: R-CL (Single Family Compact Lot) Proposed Use: 133 SINGLE FAMILY DETACHED DWELLINGS

109. ABEYANCE ITEM - Z-88-94 - National Group No. 1 Limited Liability Company - Request for reclassification of property located on the north side of Cheyenne Avenue, approximately 2,640 feet west of Hualapai Way. From: N-U (Non-Urban) To: R-CL (Single Family Compact Lot) Proposed Use: 167 SINGLE FAMILY DETACHED DWELLINGS

110. ABEYANCE ITEM - Z-89-94 - Chieftain 5 Limited Liability Company - Request for reclassification of property located on the north and south sides of Gowan Road, west of Hualapai Way. From: N-U (Non-Urban) To: R-CL (Single Family Compact Lot) Proposed Use: 230 SINGLE FAMILY DETACHED DWELLINGS

GENERAL PLAN AMENDMENT - PUBLIC HEARING

111. GPA-33-94 - M B J R Trust - Request to amend a portion of the Southwest Sector of the General Plan on property located on the east side of Rainbow Boulevard, between Oakey Boulevard and O'Bannon Drive. From: L (Low Density Residential) To: SC (Service Commercial) and From: SC (Service Commercial) To: GC (General Commercial)

ZONE CHANGE RELATED TO GPA-33-94 - PUBLIC HEARING

112. Z-81-94 - M B J R Trust - Request for reclassification of property located on the east side of Rainbow Boulevard, between Oakey Boulevard and O'Bannon Drive. From: N-U (Non-Urban) To: C-1 (Limited Commercial) and C-2 (General Commercial) Proposed Use: 63,000 SQUARE FOOT RETAIL SHOPPING CENTER AND AHERN RENTAL FACILITY

113. SET DATE FOR PUBLIC HEARING ON ANY ITEM REQUIRING A PUBLIC HEARING THAT WAS ACTED UPON BY THE CITY PLANNING COMMISSION.

114. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE BOARD OF ZONING ADJUSTMENT MEETING.

X. ADDENDUM

CITY COUNCIL MINUTES

OCT 19 1994

XI. CITIZENS PARTICIPATION

Items raised under this portion of the City Council Agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes.

****

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

Downtown Transportation Center, City Clerk's Posting Board
Senior Citizen Center, 450 E. Bonanza Road
Bridger Building, 225 Bridger Avenue
Court Clerk's Office Bulletin Board, City Hall Plaza
City Hall Plaza, Special Outside Posting Bulletin Board

OCT 19 1994

EXHIBIT "A"

OCT 19 1994

Las Vegas, Nevada

October 19, 1994

The City Council (the "Council") of the City of Las Vegas, Nevada met in regular session in full conformity with law and the bylaws and rules of the Council at the regular place of meeting in the Council Chambers at City Hall, 400 East Stewart Avenue, Las Vegas, Nevada on Wednesday, October 19, 1994 at 9:00 a.m. The meeting was called to order by the Mayor and on roll call the following members were found to be present, constituting a quorum:

Present:

Mayor:	Jan Laverty Jones
Councilmembers:	Arnie Adamsen Scott Higginson Frank Hawkins Jr. Ken Brass
Absent:	None

constituting all the members thereof:

There were also present:

City Manager:	Larry K. Barton
City Clerk:	Kathleen M. Tighe
City Attorney:	Bradford R. Jerbic
City Finance Director:	Steven P. Houchens
City Treasurer:	Michael K. Olson

Thereupon the following resolution was introduced, copies having been furnished to each member of the Council and filed with the City Clerk for public examination. The resolution is as follows: R-108-94

(The City of Las Vegas, Nevada Special Improvement District No. 606 (Mountain Spa Development) Underwriter Authorization Resolution follows.)

R-108-94

Summary -- a resolution authorizing the underwriter to proceed with the preparation of a preliminary official statement with respect to the City of Las Vegas, Nevada Special Improvement District No. 606 (Mountain Spa Development)

A RESOLUTION AUTHORIZING THE PREPARATION OF A PRELIMINARY OFFICIAL STATEMENT IN CONNECTION WITH THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 606 (MOUNTAIN SPA DEVELOPMENT) LIMITED OBLIGATION IMPROVEMENT BONDS; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the City of Las Vegas, Nevada (the "City") is organized and operating pursuant to the provisions of Chapter 517, Statutes of Nevada 1983, as amended, and the general laws of the State of Nevada; and

WHEREAS, pursuant to Chapter 271, Nevada Revised Statutes (the "Act"), the City Council (the "Council") of the City has heretofore taken certain preliminary action in connection with the creation of the City of Las Vegas, Nevada Special Improvement District No. 606 (Mountain Spa Development) (the "District") and the ultimate issuance of local improvement bonds (the "Bonds") in a total principal amount which will not exceed the amount of unpaid special assessments to be levied in the District in order to provide funds to pay the costs of certain water, sanitary sewer, roadway, drainage, curb and gutter, sidewalk, and storm sewer improvements therein (the "Project"); and

WHEREAS, the Council has selected Stone & Youngberg, Sherman Oaks, California, to act as underwriter (the "Underwriter") with respect to the issuance of the Bonds; and

WHEREAS, the Council now desires to authorize the Underwriter to proceed with the preparation of a preliminary official statement with respect to said Bonds:

NOW, THEREFORE, be it resolved by the City Council of the City of Las Vegas as follows:

Section 1. The Council hereby authorizes the Underwriter to prepare, with the assistance of the appropriate administrative personnel of the City, a preliminary official statement in connection with the issuance and sale of the Bonds. The Council further approves the distribution by the Underwriter of the preliminary official statement in connection with the offering of the Bonds. The City Treasurer is hereby authorized, upon review and approval of the preliminary official statement by the administrative personnel of the City, to "deem final" said preliminary official statement for purposes of Rule 15c-2-12 of the Securities and Exchange Commission under the Securities and Exchange Act of 1934, except for the omission of the offering price, interest rates, selling commission, aggregate principal amount, delivery date, ratings, and other terms

depending on such matters.

Section 2. The officers of the City shall take all action in conformity with the Act necessary or desirable in conformity with the Act to carry out, give effect to and consummate the transactions contemplated by this resolution.

Section 3. All action heretofore taken (not inconsistent with the provisions of this resolution) by the Council and the officers of the City directed toward the District, the Bonds and the Project is ratified, approved and confirmed.

Section 4. All bylaws, orders and resolutions, or parts thereof, in conflict with this resolution, are repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any bylaw, order, or resolution, or part thereof, heretofore repealed.

Section 5. If any section, paragraph, clause or provision of this resolution shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 6. This resolution shall be in full force and effect from and after its adoption.

PASSED AND ADOPTED this October 19, 1994.

Mayor

(SEAL)

Attest:

City Clerk

It was then moved that said resolution be now finally passed and adopted. No second being required by the rules of procedure of the Council and the question being upon the final passage and adoption of the resolution, the roll was called with the following result:

Those Voting Aye:	Mayor Jan Laverty Jones Councilman Arnie Adamsen Councilman Scott Higginson Councilman Ken Brass
Those Voting Nay:	None
Those Not Voting:	Councilman Frank Hawkins Jr.
Those Absent:	None

The presiding officer thereupon declared that at least a majority of the members of the Council having voted in favor thereof, said motion was carried and the resolution duly passed as adopted.

The foregoing resolution is to be approved and authenticated by the signature of the Mayor, sealed with the City seal, attested by the Clerk of the City and recorded in the journal of the Council, said record to be signed by said officers and properly sealed.

Thereupon, after considering other matters not concerning the foregoing matter, upon motion duly made and adopted, such meeting was adjourned.

Dated this October 19, 1994.

Mayor

(SEAL)

Attest:

City Clerk

STATE OF NEVADA)
)
COUNTY OF CLARK) SS.
)
CITY OF LAS VEGAS)

I, Kathleen M. Tighe, the duly chosen, qualified and acting Clerk of the City of Las Vegas, Nevada (the "City"), do hereby certify:

1. The foregoing pages numbered 1 through 4, excerpts from the minutes of a regular meeting of the City Council (the "Council") held on October 19, 1994, constitute a true, correct, complete and compared copy of the proceedings of the Council so far as said minutes relate to the resolution, designated in such proceedings as the City of Las Vegas, Nevada Special Improvement District No. 606 (Mountain Spa Development) Underwriter Authorization Resolution (the "Resolution"), copies of which are set forth therein.

2. The copy of the Resolution is true, correct, complete and compared copies of the original passed and adopted by the Council at such meeting.

3. The original of the Resolution has been approved and authenticated by the signatures of the Mayor of the City and myself as City Clerk, 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.

4. All members of the Council present at the meeting voted on the passage of the Resolutions as set forth in the minutes.

5. All members of the Council were given due and proper notice of such meeting. Pursuant to NRS § 241.020 written notice of the meeting including the time, place, location and agenda of the meeting was given at least three working days before the meeting:

(a) By posting a copy of the notice 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 other separate, prominent places within the jurisdiction of the Council, to wit:

(i) City Hall
Las Vegas, Nevada

(ii) Senior Citizens' Center
Las Vegas, Nevada

(iii) Bridger Building
Las Vegas, Nevada

(iv) Downtown Transportation Center
Las Vegas, Nevada

and

(b) By mailing a copy of the notice to each person, if any, who has requested notice of the meetings of the Council in the same manner in which notice is required to be mailed to a member of the Council.

6. A copy of such notice as posted and mailed is attached hereto as Exhibit "A".

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this October 19, 1994.

City Clerk

(SEAL)

AGENDA City of Las Vegas

CITY COUNCIL MINUTES

OCT 19 1994

CITY COUNCIL

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE • PHONE 229-6011

JAN LAVERTY JONES, MAYOR • COUNCILMEN: ARNIE ADAMSEN, SCOTT HIGGINSON, FRANK HAWKINS JR., KEN BRASS

Facilities are provided throughout City Hall for the convenience of persons with disabilities.For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 229-6311 and advise of your need at least 48 hours in advance of the meeting. The City's TDD number is 386-9108.

OCTOBER 19, 1994

Morning Session begins at 9:00 a.m.
Afternoon Session begins at 2:00 p.m.

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE

THESE PROCEEDINGS ARE BEING VIDEOTAPED BY THE U.N.L.V. GREENSPUN SCHOOL OF COMMUNICATION AND WILL BE REBROADCAST THE DAY FOLLOWING EACH MEETING ON PRIME CABLE, CHANNEL 4, AT 7:00 P.M.

DUPLICATE AUDIO TAPES ARE AVAILABLE AT A COST OF $5.00 PER TAPE AND DUPLICATE VIDEO TAPES ARE AVAILABLE AT A COST OF $15.00 PER TAPE THROUGH THE CITY CLERK'S OFFICE

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

I. CEREMONIAL MATTERS

- 9:00 A.M. - CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - Wendell Gray, Church of Jesus Christ of Latter-Day Saints
- PLEDGE OF ALLEGIANCE
- PRESENTATION BY THE CHAMBER OF COMMERCE FOR CUSTOMER SERVICE WEEK
- EMPLOYEE SERVICE AWARDS

II. BUSINESS ITEMS

1. Any items from the morning session that the Council, staff, and/or the applicant wishes to be stricken or held in abeyance to a future meeting, may be brought forward and acted upon at this time.
2. Approval of the Final Minutes by Reference of the Regular City Council meeting of 8/17/94

III. CONSENT AGENDA

OCT 19 1994

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND ARE RECOMMENDED FOR APPROVAL BY THE DEPARTMENTS. THEY MAY BE ENACTED IN ONE MOTION; HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COUNCIL MEMBER SO REQUESTS.

DEPARTMENT OF BUILDING AND SAFETY

3. Set date for Public Hearing to consider the Report of Expenses to recover the cost for Nuisance/Litter Abatement at 518 S. First Street.

4. Set date for Public Hearing to consider the Report of Expenses to recover the cost for Nuisance/Litter Abatement at 1150 "J" Street.

DEPARTMENT OF BUSINESS ACTIVITY

SPECIAL EVENT LIQUOR LICENSES

5. COMMUNITY ACTION AGAINST RAPE, Location: Hills Park Summerlin, Date: November 6, 1994, Type: Special Event Beer/Wine/Cooler, Responsible Person in Charge: Jody O'Hare

6. FRIENDS OF THE CHARLESTON HEIGHTS ART CENTER, Location: Charleston Heights Art Center, 800 S. Brush, Date: October 29, 1994, Type: Special Event Beer/Wine/Cooler, Responsible Person in Charge: Joel Mur

DEPARTMENT OF ECONOMIC AND URBAN DEVELOPMENT

7. Action to accept a $15,000 donation from Primerit Bank, F.S.B. in support of Phase Two of the West Las Vegas "Adopt-Your-Block " neighborhood improvement program.

8. Action to approve an extension of the agreement with Marjorie Polly as the development consultant for Mobilized Assistance and Shelter for the Homeless (M*A*S*H).

DEPARTMENT OF FINANCE & COMPUTER SERVICES

9. Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

DEPARTMENT OF GENERAL SERVICES

AWARD OF BIDS

10. Award of Bid Number 95.1730.43, Street Block Number Signs at 200 Signalized Intersections - Department of Public Works - HIGHWAY RENTALS, INC. ($126,325.00)

11. Award of Bid Number 95. Nov.03, Annual Tire and Tire Repair Contract - Department of General Services - VARIOUS VENDORS ($58,000.00)

PURCHASE ORDER APPROVAL

12. Purchase Order Approval for Proprietary Data Processing Services - Various Departments - CLARK COUNTY TREASURER ($60,000.00)

13. Purchase Order Approval for Supplement No. 2 with Boyle Engineering for Engineering Services for the Ogden Underpass Project - Department of Public Works - BOYLE ENGINEERING ($50,000.00)

14. Purchase Order Approval for Supplement No. 1 with Custard Insurance Adjusters for Accident Investigations - Department of Human Resources - CUSTARD INSURANCE ADJUSTERS ($18,000.00)

CONTRACT RENEWALS

15. Supplements to the Annual Contract for 36-Month Copier Replacement Contract - Department of General Services ($8,474.00)

AGREEMENT EXTENSION

16. Interim extension of Annual Agreement for Furnishing Long Distance Telephone Service - Various Departments - LDDS-METROMEDIA ($10,000.00)

17. Assignment of RFP Number 92.Nov.5: Agreement for Furnishing Annual Health Care Services for the Detention and Enforcement Facility and City Hall Jail

18. Interim Extension of Annual Agreement for Furnishing Health Care Services for the Detention and Enforcement Facility and City Hall Jail - Dept. Detention and Enforcement - E.F. GHANEM, M.D., LTD. ($225,000.00)

19. Extension of Interlocal Agreements with the Regional Transportation Commission for the Operation of the Downtown Transportation Center and the Trolley System

DEPARTMENT OF HUMAN RESOURCES

REPORT OF NEW HIRES - SEPTEMBER 21 - OCTOBER 5, 1994

20. Inspector (3), Building & Safety; Senior Secretary, Business Activity; GIS Technician, Community Planning & Development; Office Specialist II, Fire Services; Personnel Analyst I, Human Resources; Office Specialist II, Business Activity, Quality Assurance Officer, Public Works; Junior Clerk III, City Attorney; Public Information Assistant, City Manager; Junior Clerk IV (2), Human Resources; Leisure Instructor II, Parks & Leisure Activities.

DEPARTMENT OF PARKS & LEISURE ACTIVITIES

21. Request approval of agreement with the Mark Group for design and development of Children's Memorial Park, Phase III.

DEPARTMENT OF PUBLIC WORKS

ACCEPTANCE OF RIGHT OF WAY ITEMS

GRANT DEEDS

22. From: TRUSTEES OF THE CHURCH OF CHRIST, To: City of Las Vegas, For: Portion of the Northeast Quarter (NE 1/4) of Section 6, T21S, R61E, M.D.M., for dedication of a portion of Del Monte Avenue cul-de-sac located north of Oakey Boulevard and west of Valley View Boulevard (9-22-94) 162-06-603-014

23. From: OAKEY DEVELOPMENT GROUP LIMITED PARTNERSHIP, To: City of Las Vegas, For: Portions of the Northeast Quarter (NE 1/4) of Section 6, T21S, R61E, M.D.M., for dedication of a portion of Del Monte Avenue cul-de-sac and a 25' radius corner located at the northwest corner of Oakey Boulevard and Valley View Boulevard (9-14-94) 162-06-603-005 & 015

GRANT, BARGAIN, SALE DEED

24. From: JOSEPH C. SCHLAGETER AND RITA M. SCHLAGETER, "REVOCABLE FAMILY TRUST", To: City of Las Vegas, For: Lot 9 in Block 28 of H.F.M. & M. ADDITION TO THE CITY OF LAS VEGAS as shown in Plats Book 1, Page 47 for expansion of H. P. Fitzgerald Park (8-10-94) 139-27-110-104

RIGHT OF WAY GRANTS FOR SEWER PURPOSES

25. From: WALTER JAGODZINSKI, SUCCESSOR TRUSTEE U/A/D/ JUNE 28, 1978 (FORMER TRUSTEE RONALD REISS), To: City of Las Vegas, For: Portion of the Northeast Quarter (NE 1/4) of Section 8, T21S, R62E, M.D.M., for a 14.62' sewer easement located south of Sahara Avenue, east of Nellis Boulevard (previously recorded in the Office of the Recorder, Clark County, Nevada in Book 940922 as Instrument Number 00253) (8-17-94) 240-090-001

RIGHT OF WAY GRANT FOR DRAINAGE PURPOSES

26. From: OAKEY DEVELOPMENT GROUP LIMITED PARTNERSHIP, To: City of Las Vegas, For: Portion of the Northeast Quarter (NE 1/4) of Section 6, T21S, R61E, M.D.M., for a 5' drainage easement east of Mountain View Boulevard cul-de-sac located north of Oakey Boulevard and west of Valley View Boulevard (9-14-94) 162-06-603-005

27. Request for permission to file a right of way application with the Bureau of Land Management for roadway and temporary construction purposes on portions of land lying within the Southwest Quarter (SW 1/4) of Section 28, T20S, R60E, M.D.M., located at the Southeast corner of Durango Drive and Washington Avenue

ACCEPTANCE OF SUBDIVISION IMPROVEMENTS

28. OASIS PALMS (Michael T. Black and Lori Jo Black, Developer), Property generally located north of Via Olivero Avenue, west of Lisa Lane, 2.6 Acres, 8 Lots, Zoned R-1.

RELEASE OF SECURITIES

29. LOCATION: Alta Quail Park at Alta Drive, USE: Off-Site Improvements, OWNER: 70 Limited Partnership, SECURITY: Subdivision Performance Bond with Fidelity and Deposit Company of Maryland, AMOUNT: $95,400.00, BOND NO.: 30487190 (CLV 14-94)

30. LOCATION: 1950 Pinto Lane (Groom/Steele Health Facility), USE: Off-Site Improvements, OWNER: Richard Groom and D. Stuart Steele, SECURITY: Agreement in Lieu of Off-Site Improvements Performance Bond, AMOUNT: Less than $50,000.00 (Occupancy), BOND NO.: (CLV 2-94)

31. LOCATION: 3200 S. Valley View Boulevard (Truckmaster's), USE: Off-Site Improvements, OWNER: 1986 Leavitt Family Trust, SECURITY: Performance Bond with American Bonding Company, AMOUNT: $5,000.00, BOND NO.: 9346855 (CLV 24-94)

ENCROACHMENT REQUEST

32. DESERT SHORES COMMUNITY ASSOCIATION (Point Conception Drive, Lazarette Drive, Valiant Drive, and Regatta Drive), Request from applicant to encroach into the public right of way in various locations in the Desert Shores Community. The encroachment would consist of privately-installed conduit and wiring for privately-owned entrance sign lighting in public rights-of-way as follows: Point Conception Drive, east of Rampart Boulevard; Lazarette Drive, east of Rampart Boulevard; Valiant Drive, west of Buffalo Drive; and Regatta Drive, west of Buffalo Drive. It should be noted that the entrance signs will be located on private property (common areas) and only the conduit and wiring will be located in the rights-of-way.

TRAFFIC & PARKING ITEMS

33. Discussion and possible approval of a request to prohibit parking in front of 608 South Jones Boulevard

34. Discussion and possible approval to ratify the installation of the 4-way stop at Desert Inn Road and Fort Apache Road

35. Discussion and possible approval of a request to designate a 2-Hour Time Limited Parking Zone in front of 303 West St. Louis Avenue

REPORTS/ACTION ITEMS

36. Discussion and possible approval of Contract modification #1 with Boulder Construction, Inc. for the Bonneville Avenue Extension and Underpass

37. Discussion and possible approval on using City of Las Vegas "Relocation rules for projects not involving the use of Federal Funds" for the Downtown Corridor Improvements Project

38. Discussion and possible approval of retaining BSI Consultants, Inc. to provide consultant services in drainage study review

39. Set date for Public Hearing to adopt a Master Plan Amendment to the Lone Mountain Detention Basin

40. Discussion and possible approval of Interlocal Agreement with Clark County for Buffalo/ Cheyenne Special Improvement District No. 1447

41. Discussion and possible approval of a contract for right of way acquisition and relocation assistance with Property Specialists, Inc. for the Downtown Corridor Improvements Project

42. Discussion and possible action to designate Las Vegas Boulevard from Gass Avenue to Fremont Street as the City's official downtown parade route

***** END OF CONSENT AGENDA *****

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE AGENDA

43. Discussion and possible action to waive plans check and building permit fees for the Dewey Animal Shelter.

44. Discussion and possible action to include the City Attorney under the City's Executive Compensation Plan.

45. Discussion and possible action approving a donation from the Japanese National Council of Social Welfare to cover all travel expenses to Japan for John Chambers, Manager of the Adaptive Recreation Division, to consult regarding his expertise in wheelchair sports, adaptive golf and exhibition basketball. (October 23 - November 2, 1994)

CITY COUNCIL MINUTES

OCT 19 1994

DEPARTMENT OF BUSINESS ACTIVITY

LIQUOR – New

46. SUPPER CLUB LICENSE; BRINKER RESTAURANT CORPORATION, dba ROMANO'S MACARONI GRILL, 2300 West Sahara (Brinker Restaurant Corporation, a wholly-owned subsidiary of Brinker International, Inc., a publicly traded corporation), Debra L. Smithart, Dir, COB, Pres, Chief Financial Officer, Roger Farley Thomson, Dir, Senior V.P., Secy, Brinker International, Inc., 100%, Debra L. Smithart, Dir, Exec V.P., Chief Financial Officer, Roger F. Thomson, Dir, Senior V.P., Secy, Subject to the provisions of the Planning and Fire codes and Health Department regulations

LIQUOR – Change of Ownership/Change of Location/Change of Business Name

47. RESTAURANT SERVICE BAR LICENSE; From: Robinson & Williams, dba Cafe Bianco, 8611-8615 West Sahara (Nonoperational Status), Jackie L. Robinson, 50%, Flintie R. Williams, 50%, TO: DIMARTINO HACIENDA RESTAURANT ASSOCIATES LIMITED PARTNERSHIP, dba NEW YORK PASTA COMPANY, 8427 West Lake Mead, M.Dim. Restaurant Enterprises (A Nevada Corporation), General Partner, 50% – Mark J. DiMartino, Dir, Pres, Secy, Treas, 100%, Allen R. Anes, Limited Partner, 45%, David A. Mulken, Limited Partner, 5%, Subject to the provisions of the Fire codes and Health Department regulations

LIQUOR – Change of Ownership/Change of Business Name

48. TAVERN LICENSE; From: Jesters, Inc., dba Whiskey River Saloon, Thomas Coward, Dir, Pres, Secy, Treas, 100%, TO: THE FLAME II, INC., dba THE FLAME, 1243 East Sahara, Edward J. Jaffe, Dir, Pres, Secy, Treas, 100%, Subject to the provisions of the Health Department regulations

49. BEER/WINE/COOLER OFF-SALE LICENSE; From: Dubar, Inc., dba Pit Row Deli Mart, John Barrett, Dir, Pres, Treas, 50%, Robert Dugan, Dir, Secy, 50%, TO: SYLEE CORPORATION, dba PIT ROW DELI, 4030 West Charleston, Suk Young Lee, Dir, Pres, Secy, Treas, 100%, Approval subject to favorable investigation report from Las Vegas Metropolitan Police Department; Also subject to Health Department regulations

LIQUOR – Approval of Officer

50. PACKAGE LICENSES, PRESTIGE STATIONS, INC., dba AM/PM MINI MARKETS, 3885 East Charleston, 1619 Las Vegas Boulevard South, 1500 West Bonanza, 1625 South Decatur, 1550 North Rancho, 551 North Lamb, Robert A. Milliken, Jr. V.P., Sales

LIQUOR – Approval of Managers

51. BEER/WINE/COOLER ON-SALE LICENSES; PIZZA HUTS OF LAS VEGAS, dba PIZZA HUTS OF LAS VEGAS, 7000 West Charleston Boulevard, 3001 West Sahara, 825 North Rancho, Mark A. MacDonald, Area Manager

52. PACKAGE LICENSE; THE VONS COMPANIES, INC., dba VONS, 4440 East Charleston, 390 South Decatur, 6000 West Cheyenne, 4610 West Sahara, 3535 West Sahara (nonoperational), 4854 West Lone Mountain, Russell J. Long, District Manager

LIQUOR – Approval of Officer/Stockholder; GAMING – New

53. BEER/WINE/COOLER ON-SALE LICENSE/RESTRICTED GAMING: 12 slots; CRYSTAL PALACE BILLIARDS, INC., dba CRYSTAL PALACE BILLIARDS, 2411 East Bonanza, #A-2, Francisco B. Torres, Dir, Pres, V.P., Secy, Treas, 100%, Approved by the Nevada Gaming Commission on August 25, 1994

LIQUOR & GAMING – Approval of Officer

54. TAVERN LICENSE/NONRESTRICTED GAMING; PALACE STATION HOTEL & CASINO, INC., dba PALACE STATION HOTEL & CASINO, 2411 West Sahara (Palace Station Hotel & Casino, Inc., a wholly-owned subsidiary of Station Casinos, Inc., a publicly traded corporation) Blake L. Sartini, Dir, Chief Exec Ofcr, Pres, Chairman of the Board, Joseph J. Canfora, V.P., Chief Operating Ofcr, Scott M. Nielson, V.P., Secy, General Counsel

GAMING – New

55. SLOT OPERATOR LICENSE - ANCHOR COIN Space Lease Location at: Sunshine Laundromat, 2517 E. Stewart Avenue, Restricted Gaming: 4 slots, Subject to approval by the Nevada Gaming Commission on October 27, 1994

56. SLOT OPERATOR LICENSE - CORRAL COUNTRY COIN Space Lease Location at: Red Rock Moose #252, 4950 1/2 W. Charleston, Restricted Gaming: 6 slots, Approved by the Nevada Gaming Commission on April 21, 1994

MARTIAL ARTS LICENSE – Change of Business Name

57. ENRIQUE MATA, dba From: Tae Kwon Do Institute of Las Vegas, TO: UNITED STATES NATIONAL TAE KWON DO INSTITUTE, 2511 Stewart Avenue, Enrique Mata, 100%

MASSAGE ESTABLISHMENT – New

58. ELLEN GREEN, dba AMBIANCE, 923 South Rainbow, Ellen L. Green-Bluestein, 100%, Subject to the provisions of the fire codes

LIQUOR – New

59. BEER/WINE/COOLER OFF-SALE LICENSE; SAM E. HAMIKA, dba KWIKY MINI MART, 732 North Eastern Avenue, Sarn E. Hamika, 100%, Subject to the provisions of the fire codes and Health Department regulations, NOTE: Item to be heard in PM session in conjunction with Planning item (U-219-94)

60. BEER/WINE/COOLER OFF-SALE LICENSE; OLSON & OLSON, dba LAS VEGAS GROCERY OUTLET, 1110 East Charleston, Jack L. Olson and Mary A. Olson, 100% jointly as husband & wife; NOTE: Item to be heard in PM session in conjunction with Planning item (U-205-94)

CITY ATTORNEY

61. Appeal of Work Card Denial: Ms. Tonja Dee Bremer, 850 North Las Vegas Blvd., Las Vegas, Nevada 89101

62. Appeal of Work Card Denial: Mr. Greg L. Gregory, 4545 Pennwood #131, Las Vegas, Nevada 89102

63. Appeal of Work Card Denial: Mr. Marlow Williams, 2724 Carla Avenue, North Las Vegas, Nevada 89030

DEPARTMENT OF FINANCE & COMPUTER SERVICES

64. Quarterly Financial Update

CITY COUNCIL MINUTES

OCT 19 1994

DEPARTMENT OF PUBLIC WORKS

TRAFFIC & PARKING ITEM

65. Discussion and possible approval of a request to close Stormson Lane between Buffalo Drive and Huntly Road

REPORTS ACTION ITEM

66. Discussion and possible action to approve a list of eligible projects to be included in the proposed Mountain Spa Special Improvement District

IV. RESOLUTIONS

67. **ABEYANCE ITEM** - R-103-94 - Approval of Resolution requesting the Department of Business and Industry (formerly the Department of Commerce) of the State of Nevada to issue bonds to finance a project for Cambridge Health System, Inc., a Nevada not-for-profit Corporation, a/k/a Spring Valley Hospital, to finance a not-for-profit hospital for which bonds could be issued by the City of Las Vegas, Nevada under the City Economic Development Revenue Bond Law, requesting the State Board of Finance to approve this financing and making certain findings and determinations with respect thereto. **NOTE: NO ACTION CAN BE TAKEN ON THIS ITEM UNTIL AFTER THE PUBLIC HEARING IS HELD AT 2:00 P.M.**

68. R-105-94 - Approval of Resolution to amend Schedules 14-II, 17-III and 17-IV in accord with Traffic & Parking Items 33, 34 and 35.

69. R-106-94 - Approval of Resolution in support of the National League of Cities efforts to inform Citizens about the impact on Federal Unfunded Mandates.

70. R-107-94 - Approval of a Resolution directing the engineers on behalf of the City of Las Vegas, Nevada to prepare and file with the City Clerk preliminary plans and an assessment plat in connection with a proposed water, sanitary sewer, roadway, drainage, curb and gutter, sidewalk, and storm sewer project in the City of Las Vegas, Nevada Special Improvement District No. 606 (Mountain Spa Development) pursuant to the consolidated local improvements law and all laws amendatory thereof and supplemental thereto; and providing the effective date hereof.

71. R-108-94 - Approval of a Resolution authorizing the preparation of a preliminary official statement in connection with the City of Las Vegas, Nevada Special Improvement District No. 606 (Mountain Spa Development) limited obligation improvement bonds; and providing the effective date hereof.

V. REPORTS FROM RECOMMENDING COMMITTEES

CITY COUNCIL MINUTES

OCT 19 1994

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

72. **BILL NO. 94-80** – Establishes New Alcoholic Beverage Licensing Category of Gift Basket Limited License

73. **BILL NO. 94-81** – Establishes a Business License Fee for Real Estate Brokerage Businesses.

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. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.

74. **BILL NO. 94-83** – Proposed Increase in Business License Fees.

VII. NEW BILLS

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

75. **BILL NO. 94-82** – Annexation No. A-17-94(A), Property Located: On the east side of Cimmaron Road, approximately 330 feet south of Alexander Road, Petitioned By: Pageantry Communities, Inc., et al., Acreage: Approximately 18.542 acres, Zoned: R-E (County Zoning) N-U (City Equivalent).

76. **BILL NO. 94-84** – Annexation No. A-19-94(A), Property Located: On the east side of Durango Drive, north of Elkhorn Road, Petitioned By: The Krishna Trust, Acreage: Approximately 10.506 acres, Zoned: R-E (County Zoning) N-U (City Equivalent).

77. **BILL NO. 94-85** – Annexation No. A-20-94(A), Property Located: On the southeast corner of Durango Drive and Grant Teton Drive, Petitioned By: N.R. Yerramsetti, Acreage: Approximately 10.490 acres, Zoned: R-E (County Zoning) N-U (City Equivalent)

78. **BILL NO. 94-86** – Creates a New Review Process to the State of Nevada District Court for Work Card Applicants Whose Denial is Based on the Prohibition Against Employment Contained in NRS 648.1405.

AFTERNOON SESSION

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

IX. PUBLIC HEARINGS

80. ABEYANCE ITEM - TEFRA and City Council Public Hearing on a proposed Plan of Finance and the issuance of Revenue Bonds by the State of Nevada (Cambridge Health System, Inc. Project)

81. Public Hearing to consider the Report of Expenses to recover the cost of Dangerous Building Abatement at 5112 Alta Drive, Property Owner, Margaretten & Company, Inc., c/o E. Ellis

82. Public Hearing to consider the Report of Expenses to recover the cost of Dangerous Building Abatement at 4221 Middlesex Avenue, Property Owner, Secretary Housing & Urban Development, c/o FHA #322 2153956 703

COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT

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

In addition, items may be required to conform to one or more of the following standard conditions:

ZONING APPLICATIONS: (1) Resolution of Intent with a twelve month time limit. (2) Conformance to the plot plan and building elevations. (3) Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license. (4) Submittal of a landscaping plan prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first. (5) All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development). (6) Satisfaction of City Code requirements and design standards of all City departments. (7) Approval of the parking and driveway plans by the Traffic Engineer. (8) Repair any damage to the existing street improvements resulting from this development as required by the Department of Public Works. (9) Remove all unused

driveway cuts and replace with "L" curb and new sidewalk as required by the Department of Public Works. (10) A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of a building or grading permit, whichever may occur first. (11) Provision of fire hydrants and water flow as required by the Department of Fire Services. (12) The required fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade as required by the Department of Community Planning and Development.

VARIANCE AND SPECIAL USE PERMIT APPLICATIONS: (1) Conformance to the plot plan and elevations. (2) Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license. (3) submittal of a landscaping plan prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first. (4) All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development). (5) Satisfaction of City Code requirements and design standards of all City departments. (6) Approval of the parking and driveway plans by the Traffic Engineer. (7) Repair any damage to the existing street improvements resulting from this development as required by the Department of Public Works. (8) Provision of fire hydrants and water flow as required by the Department of Fire Services.

SUBDIVISION APPLICATIONS: Tentative Maps: (1) Approval of the tentative map shall be for no more than twelve months. If a final map is not recorded on all or a portion of the area embraced by the tentative map within twelve months of the approval of the tentative map, or an extension of time up to one year is not granted for the tentative map, a new tentative map must be filed. (2) Street names to be provided in accord with the City's Street Name Policy. (3) Subject to all conditions of City departments and State Subdivision Statutes. (4) A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the approval of a Final Map. Final Maps: (1) Conformance with the Tentative Map. Vacation Applications: (1) Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom. (2) Conformance to code requirements and design standards of all City departments. (3) The Reconveyance shall not be recorded until all of the above conditions have been met. (4) If the Reconveyance is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted.

CONSENT AGENDA

2:00 P.M. SESSION - ALL ITEMS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND ARE RECOMMENDED FOR APPROVAL. THEY MAY BE ENACTED BY ONE MOTION; HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COUNCIL MEMBER SO REQUESTS.

EXTENSION OF TIME

83. Z-10-87(5) - Rock Springs Vista Development Co. - Request for an Extension of Time for a proposed retail/office commercial center on property located on the northwest corner of Buffalo Drive and Washington Avenue, N-U Zone (under Resolution of Intent to C-1).

84. Z-146-89(4) - Lexington Realty Services, Inc. - Request for an Extension of Time for a proposed commercial center on property located on the east side of Rainbow Boulevard, south of Smoke Ranch Road, N-U Zone (under Resolution of Intent to C-1).

85. U-194-93(1) - Rock Springs Vista Development Company - Request for an Extension of Time of an approved Special Use Permit which allowed the sale of beer and wine within a proposed convenience store; and a tavern in conjunction with a proposed restaurant on property located on the northwest corner of Washington Avenue and Buffalo Drive, N-U Zone (under Resolution of Intent to C-1).

*** * * * * END OF CONSENT AGENDA * * * ***

CITY COUNCIL MINUTES

OCT 19 1994

DISCUSSION/ACTION ITEMS

ZONE CHANGE - PUBLIC HEARING

86. ABEYANCE ITEM - Z-91-94 - USA Capital Land Fund - Request for reclassification of property bounded by Vegas Drive, Lake Mead Boulevard, Comstock Drive and Tonopah Drive. From: R-E (Residence Estates) To: R-CL (Single Family Compact Lot) Proposed Use: 547 SINGLE FAMILY DETACHED DWELLINGS

FIVE YEAR REVIEW

87. U-111-89(1) - Misty, Inc. - Application for a required Five Year Review of an approved Special Use Permit which allowed a 14 x 48 foot off-premise advertising (billboard) sign to a height of 40 feet on property located on the south side of Bonanza Road, approximately 640 feet west of Lamb Boulevard, C-1 Zone.

PLOT PLAN AND BUILDING ELEVATION REVIEW

88. U-79-94(1) - Amerco Real Estate Company - Application for a Plot Plan and Building Elevation Review on an approved mini-storage facility and U-Haul truck and rental center on property located directly south of the intersection of Rancho Drive and Jones Boulevard, C-2 Zone.

89. Z-68-85(15) - American Medicorp - Request for a Plot Plan and Building Elevation Review for a proposed hospital on property located in the Las Vegas Technology Center at the southeast corner of Tenaya Way and Cheyenne Avenue, N-U Zone (under Resolution of Intent to C-PB).

CITY COUNCIL MINUTES

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REVIEW OF CONDITION

90. ABEYANCE ITEM - Z-25-94(2) - VTN Nevada, on behalf of Olympic Nevada, Inc. - Request for a Review of Conditions to delete the requirements to dedicate and construct half-street improvements for Jensen Street, on property located on the south side of Alexander Road, east and west of Grand Canyon Drive, N-U Zone (under Resolution of Intent to R-CL). **APPLICANT HAS REQUESTED THAT THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE**

91. Z-128-93(1) - Maverick Holdings - Request for a Review of Condition to delete the requirement for two lanes of paving on Maverick Street, between Fisher Avenue and Washburn Road concurrent with the first phase of development of this site, R-E Zone (under Resolution of Intent to R-D and R-1).

REVIEW OF CONDITION - PUBLIC HEARING

92. ABEYANCE ITEM - Z-81-89(8) - Property Holding Corporation - Request for a Review of Conditions to delete the requirements that all houses be a minimum of 1,500 square feet and market priced to start at approximately $175,000, and that the property revert back to the original zoning if sold to or developed by another developer unless prior approval is granted by the City Council, on property located on the northwest corner of Decatur Boulevard and Gilmore Avenue, R-E Zone, (under Resolution of Intent to R-PD4).

STREET NAME CHANGE - PUBLIC HEARING

93. SNC-1-94 - City of Las Vegas - Request for a Street Name Change from 28th Street to Avenida de las Americas, between Bonanza Road on the north and Charleston Boulevard on the south.

VACATION - PUBLIC HEARING

94. VAC-34-94 - Highland Investments, Inc., Et Al - Request for a Petition of Vacation to vacate U. S. Government Patent Reservations generally located west of Fort Apache Road, between Gilmore Avenue and Gowan Road.

95. VAC-37-94 - Andrea F. Smith Banks - Request for a Petition of Vacation to vacate a portion of the north/south public alley located between Cleveland Avenue and Cincinnati Avenue, west of Fairfield Avenue.

96. VAC-39-94 - City of Las Vegas - Request for a Petition of Vacation to vacate Turquoise Road, between Woodbridge Drive and Pyramid Drive.

VARIANCE - PUBLIC HEARING

97. V-138-94 - Reese Family Trust - Appeal filed by U.S. Outdoor Advertising on behalf of Reese Family Trust on the action of the Board of Zoning Adjustment in DENYING its application for a Variance to allow an existing off-premise advertising (billboard) sign to be raised to 55 feet above an elevated freeway grade where 30 feet above grade is the maximum height allowed; and to allow a 520 foot separation from an existing off-premise sign, where a minimum 750 foot separation is required on property located on the east side of "H" Street, south of Wilson Avenue, C-1 Zone.

98. V-134-94 - Quincy Fortier Trust on behalf of Barbara Derryberry - Appeal submitted by Quincy Fortier on behalf of Barbara Derryberry on the action of the Board of Zoning Adjustment in DENYING their application for a Variance to allow an auto pawn which includes the outdoor storage of automobiles on property located at 5550 West Charleston Boulevard, C-1 Zone.

99. V-123-94 - Donrey Outdoor on behalf of Howard Hughes Properties, Limited Partnership - Appeal filed by Donrey Outdoor on behalf of Howard Hughes Properties, Limited Partnership on the action of the Board of Zoning Adjustment in DENYING its application for a Variance to allow a proposed 12 foot x 24 foot off-premise advertising (billboard) sign where such use is not allowed on property located on the west side of Rancho Drive, approximately 510 feet north of Lake Mead Boulevard, R-4 Zone.

SPECIAL USE PERMIT - PUBLIC HEARING

100. U-224-94 - Howard Hughes Properties, Limited Partnership - Application for a Special Use Permit to allow a 14 foot x 48 foot off-premise advertising (billboard) sign on property located on the northwest corner of Lake Mead Boulevard and Rancho Drive, C-2 Zone.

101. U-194-94 - Sahara Paradise Plaza, Ltd. - Application of Sahara Paradise Plaza Ltd for a Special Use Permit to allow a Class III secondhand dealership for the sale of women's clothing and accessories on property located at 2200 Paradise Road, C-1 Zone.

102. U-219-94 - Burgundy Company - 1986 - Application of Burgundy Company - 1986 for a Special Use Permit to allow the sale of beer and wine within a proposed convenience store on property located at 732 North Eastern Avenue, C-1 Zone.

103. U-215-94 - Sahara Durango Limited Partnership - Appeal filed by Becker Realty Corporation on behalf of Sahara Durango Limited Partnership on the action of the Board of Zoning Adjustment in DENYING its application for a Special Use Permit for a tavern; and a request for a waiver of the 1,500 foot distance separation from another tavern and a child care facility for more than 12 children on property located at the southwest corner of Sahara Avenue and Durango Drive, C-1 Zone.

104. U-222-94 - Liberty Real Estate Limited Partnership III - Application for a Special Use Permit to allow a Class III secondhand dealership for buying and selling of gold jewelry on property located at 850 South Rancho Road, Suite 2A, C-1 Zone.

105. U-205-94 - Bernard Shapiro - Application of Bernard Shapiro for a Special Use Permit to allow the sale of beer and wine within an existing grocery store on property located at 1110 East Charleston Boulevard, C-2 Zone.

106. U-223-94 - Lewis Homes of Nevada - Application for a Special Use Permit to allow a tavern on property located at 731 South Rainbow Boulevard, R-1 Zone (under Resolution of Intent to C-1).

ZONE CHANGE - PUBLIC HEARING

107. ABEYANCE ITEM - Z-46-94 - Pahor Family Trust - Request for reclassification of property located on the southwest corner of Lake Mead Boulevard and Tonopah Drive. From: N-U (Non-Urban) To: R-PD9 (Residential Planned Development) Proposed Use: 229 SINGLE FAMILY DETACHED DWELLINGS

108. ABEYANCE ITEM - Z-87-94 - Gowan 20 Limited Liability Company - Request for reclassification of property located on the north side of Buckskin Avenue, approximately 1,650 feet west of Hualapai Way. From: N-U (Non-Urban) To: R-CL (Single Family Compact Lot) Proposed Use: 133 SINGLE FAMILY DETACHED DWELLINGS

109. ABEYANCE ITEM - Z-88-94 - National Group No. 1 Limited Liability Company - Request for reclassification of property located on the north side of Cheyenne Avenue, approximately 2,640 feet west of Hualapai Way. From: N-U (Non-Urban) To: R-CL (Single Family Compact Lot) Proposed Use: 167 SINGLE FAMILY DETACHED DWELLINGS

110. ABEYANCE ITEM - Z-89-94 - Chieftain 5 Limited Liability Company - Request for reclassification of property located on the north and south sides of Gowan Road, west of Hualapai Way. From: N-U (Non-Urban) To: R-CL (Single Family Compact Lot) Proposed Use: 230 SINGLE FAMILY DETACHED DWELLINGS

GENERAL PLAN AMENDMENT - PUBLIC HEARING

111. GPA-33-94 - M B J R Trust - Request to amend a portion of the Southwest Sector of the General Plan on property located on the east side of Rainbow Boulevard, between Oakey Boulevard and O'Bannon Drive. From: L (Low Density Residential) To: SC (Service Commercial) and From: SC (Service Commercial) To: GC (General Commercial)

ZONE CHANGE RELATED TO GPA-33-94 - PUBLIC HEARING

112. Z-81-94 - M B J R Trust - Request for reclassification of property located on the east side of Rainbow Boulevard, between Oakey Boulevard and O'Bannon Drive. From: N-U (Non-Urban) To: C-1 (Limited Commercial) and C-2 (General Commercial) Proposed Use: 63,000 SQUARE FOOT RETAIL SHOPPING CENTER AND AHERN RENTAL FACILITY

113. SET DATE FOR PUBLIC HEARING ON ANY ITEM REQUIRING A PUBLIC HEARING THAT WAS ACTED UPON BY THE CITY PLANNING COMMISSION.

114. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE BOARD OF ZONING ADJUSTMENT MEETING.

X. ADDENDUM

CITY COUNCIL MINUTES

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XI. CITIZENS PARTICIPATION

Items raised under this portion of the City Council Agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes.

****

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

Downtown Transportation Center; City Clerk's Posting Board
Senior Citizen Center, 450 E. Bonanza Road
Bridger Building, 225 Bridger Avenue
Court Clerk's Office Bulletin Board, City Hall Plaza
City Hall Plaza, Special Outside Posting Bulletin Board

EXHIBIT "A"

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	V. REPORTS FROM RECOMMENDING COMMITTEES	**HAWKINS JR - Second Reading and BILL ADOPTED as per First Amendment - MOTION carried with Adamsen voting NO**
	BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING	**Clerk to proceed with second publication**
72	BILL NO. 94-80 -- Establishes New Alcoholic Beverage Licensing Category of Gift Basket Limited License Committee: Councilmen Hawkins Jr. and Adamsen First Reading - 9/7/94 Recommending Committee - 9/19/94 ABEYANCE until the 10/3/94 Recommending Committee meeting. City Council - 9/21/94 NO ACTION TAKEN Recommending Committee - 10/3/94 **ADOPTION at the 10/19/94 City Council meeting as per First Amendment** First Publication - R-J - 10/6/94 City Council - 10/5/94 NO ACTION TAKEN	****** COUNCILMAN ADAMSEN opposed the Bill and questioned both the comparatively low license fee and possible home deliveries. MAYOR JONES responded that this type of business would not maintain large inventories of alcohol. MARIO GARCIA, Director of Business Activity, confirmed that the license fee was based on projected sales volume and business use. MAYOR JONES added that it was not reasonable to anticipate children ordering gift baskets with their parents' credit cards to obtain alcohol. There was no further discussion. (11:35 - 11:39)
73	BILL NO. 94-81 -- Establishes a Business License Fee for Real Estate Brokerage Businesses. Committee: Councilmen Hawkins Jr. and Brass First Reading - 9/21/94 Recommending Committee - 10/3/94 **ADOPTION at the 10/19/94 City Council meeting** First Publication - R-J - 10/6/94 City Council - 10/5/94 NO ACTION TAKEN	**HAWKINS JR - Second Reading and BILL ADOPTED UNANIMOUS** **Clerk to proceed with second publication** ****** COUNCILMAN HAWKINS JR thanked MARIO GARCIA, Director of Business Activity, and his staff for designing this method of raising additional revenue. There was no further discussion. (11:39)

AGENDA DOCUMENTATION

TO:	FROM:
City Council	BRADFORD R. JERBIC CITY ATTORNEY

SUBJECT: BILL NO. 94-80 -- ESTABLISHES NEW ALCOHOLIC BEVERAGE LICENSING CATEGORY OF GIFT BASKET LIMITED LICENSE.

PURPOSE/BACKGROUND

There are a few stores that have already participated or want to participate in making gift baskets of assorted meats, cheeses, novelty items and wine or liquor. Such stores do not have a license that would allow them to do so or are not eligible under any existing license category. At present, we do not have a license category that this particular type of sale would apply to. Also, the sale of this type of basket that might contain a bottle of wine occurs 85% of the time during the Thanksgiving through Christmas holiday season. In addition, many times the customer brings the bottle in to have it wrapped inside one of these gift baskets. In order to legally accommodate this type of business, another license category needs to be established.

FISCAL IMPACT

None

RECOMMENDATIONS

This Bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

Agenda Item
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AGENDA DOCUMENTATION

MEETING OF
SEPTEMBER 21, 1994

OCT 19 1994

TO:	FROM:
City Council	BRADFORD R. JERBIC CITY ATTORNEY

SUBJECT: Bill No. 94-81 -- Establishes new semiannual business license fee requirements for real estate brokerage businesses.

PURPOSE/BACKGROUND

Currently, a semiannual license fee of fifty dollars is the total amount collected from each real estate broker. Additionally, a separate semiannual license fee of ten dollars is collected from each salesperson and broker-salesperson. Separate licenses for real estate broker, broker-salesperson and salesperson are then issued. This procedure results in separate billings for these fees. Furthermore, the City Code is not clear with regard to the responsibility of all broker members of a partnership or all broker officers of a corporation engaged in a real estate brokerage business to pay a broker license fee. Additionally, many brokers are opening up branch offices under the same company name.

This Bill proposes amending the applicable City Code provisions to provide for the issuance of one business license to a real estate brokerage business, the fee for which to be determined by the number of locations where the business is conducted, and the number of real estate brokers, broker-salespersons and salespersons that work at the locations where the business is conducted. The proposed fee for the principal office of a real estate brokerage business is fifty dollars semiannually, with an additional fifty dollar semiannual fee for each branch office thereof. In addition, a ten dollar semiannual fee is proposed for each real estate broker, in excess of one, and each broker-salesperson and each salesperson working for the real estate brokerage business, either at its principal office or branch office thereof.

FISCAL IMPACT

None

RECOMMENDATIONS

This Bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

Agenda Item
73

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	V. REPORTS FROM RECOMMENDING COMMITTEES (Cont'd)	
	BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING (SEE "RECOMMENDATION" FOR SPECIFIC BILL)	
74	BILL NO. 94-83 -- Proposed Increase in Business License Fees. Committee: Councilmen Hawkins Jr. and Brass First Reading - 10/5/94 Recommending Committee - 10/17/94 **ADOPTION at the 11/2/94 City Council meeting.** First Publication - R-J - 10/20/94	**RECOMMENDATION NOTED** 11/2/94 City Council agenda (11:40)

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	VIII. NEW BILLS	
75	Bill No. 94-82 -- Annexation No. A-17-94(A) Property Located: On the east side of Cimmaron Road, approximately 330 feet south of Alexander Road Petitioned By: Pageantry Communities, Inc., et al. Acreage: Approx. 18.542 acres Zoned: R-E (County Zoning) N-U (City Equiv.) Sponsored by: Councilman Scott Higginson	**FIRST READING - Referred - COUNCILMAN HIGGINSON and MAYOR JONES** **11/1/94 Recommending Committee** **11/2/94 Agenda** (11:40 - 11:43)
76	Bill No. 94-84 -- Annexation No. A-19-94(A) Property Located: On the east side of Durango Drive, north of Elkhorn Road Petitioned By: The Krishna Trust Acreage: Approx. 10.506 acres Zoned: R-E (County Zoning) N-U (City Equiv.) Sponsored by: Councilman Scott Higginson	**FIRST READING - Referred - COUNCILMAN HIGGINSON and MAYOR JONES** **11/1/94 Recommending Committee** **11/2/94 Agenda** (11:40 - 11:43)

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	VIII. NEW BILLS	
77	Bill No. 94-85 -- Annexation No. A-20-94(A) Property Located: On the southeast corner of Durango Drive and Grant Teton Drive Petitioned By: N.R. Yerramsetti Acreage: Approx. 10.490 acres Zoned: R-E (County Zoning) N-U (City Equiv.) Sponsored by: Councilman Scott Higginson	**FIRST READING - Referred - COUNCILMAN HIGGINSON and MAYOR JONES** **11/1/94 Recommending Committee 11/2/94 Agenda** (11:40 - 11:43)
78	Bill No. 94-86 -- Creates a New Review Process to the State of Nevada District Court for Work Card Applicants Whose Denial is Based on the Prohibition Against Employment Contained in NRS 648.1405. Sponsored by: Councilman Scott Higginson	**FIRST READING - Referred - COUNCILMAN HIGGINSON and MAYOR JONES** **11/1/94 Recommending Committee 11/2/94 Agenda** (11:40 - 11:43) **MORNING SESSION RECESSED AT 11:43 A.M.**

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
79	Any items from the afternoon session that the Council, staff, and/or the applicant wishes to be stricken or held in abeyance to a future meeting, may be brought forward and acted upon at this time.	HIGGINSON - Items 81, 82 and 107 HELD IN ABEYANCE to 11-2-94 City Council meeting; Item 90 WITHDRAWN WITHOUT PREJUDICE; and Items 108, 109 and 110 HELD IN ABEYANCE TO 12-7-94 City Council meeting UNANIMOUS Subsequent to the meeting, staff advised that Items 81 and 82 would be held in abeyance indefinitely ****** (2:26 - 2:28)

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	IX. 2:00 P.M. PUBLIC HEARINGS	
	ABEYANCE ITEM	
80	TEFRA and City Council Public Hearing on a proposed Plan of Finance and the issuance of Revenue Bonds by the State of Nevada (Cambridge Health System, Inc. Project)	**Item 67 (Resolution) and Item 80 (Public Hearing) were recessed to 10/20/94 at 9:00 a.m. pursuant to a motion by Adamsen which carried with Higginson voting NO** **Staff to proceed** ****** APPEARANCES: MARVIN LEAVITT, Legislative Affairs Coordinator ROSE McKINNEY-JAMES, Director, State of Nevada Department of Business & Industry, 1665 Hot Springs Road, Carson City, NV LARRY STRUVE, Chief of Industrial Development & Planning, State of Nevada, Department of business & Industry, 1665 Hot Springs Road, Carson City, NV ALAN DZIJA, Financial Advisor, State of Nevada Department of Business & Industry ATTORNEY ROBERT FEYER, Orrick, Harrington & Sutcliffe, Bond Counsel to Nevada Department of Business & Industry LOIS SEIDEMAN, Vice President of Clinical and Professional Services, Cambridge Health System, 2275 Renaissance Drive, Suite A, Building 3, LV, NV ATTORNEY JAMES ROGERS, 1913 Plaza de la Cruz, LV, NV ROGER RIEGER, CEO, Cambridge Health System 2275 Renaissance Drive, Suite A, Bldg. 3, LV, NV CLIFF BEADLE, McGladrey & Pullen, 300 S. Fourth Street, LV, NV BERNIE HESSE, McGladrey & Pullen, 800 Marquette Avenue, Minneapolis, Minn. PATRICK O'NEILL, President, O'Neill & Assoc. Iowa City, Iowa JOHN SWENDSEID, Las Vegas Bond Counsel, Swendseid & Stern, 50 W. Liberty Street, Suite 660, Reno, NV DENNIS ROGNERUD, Senior Vice President, Ziegler Securities, 1815 Mt. Diablo Blvd., Walnut Creek, CA. ATTORNEY JANET HOFFMAN, Katten, Muchin & Zavis, 525 W. Monroe Street, Suite 1600, Chicago, Illinois, Cambridge Bond Counsel **NOTE: A combined Verbatim Transcript of discussion of Items 67 and 80 from the 10/19/94 City Council meeting and the Recessed meeting of 10/20/94 is made a part of the Final Minutes of the Recessed Meeting of 10/20/94 under Item 80 (Public Hearing).**

OCT 19 1994

NOTICE OF A PUBLIC HEARING ON A PROPOSED PLAN OF FINANCE AND THE ISSUANCE OF REVENUE BONDS BY THE STATE OF NEVADA

NOTICE IS HEREBY GIVEN that a public hearing will be held by the City Council (the "City Council") of the City of Las Vegas, Nevada (the "City") on October 19, 1994 at 2:00 p.m. at the City Council Chambers, City Hall, 400 East Stewart, Las Vegas, Nevada 89101 with respect to a proposal that: (i) the City request that the Director of the Department of Business and Industry (formerly the Department of Commerce) (the "Director") of the State of Nevada (the "State") to issue one or more series of its Hospital Revenue Bonds (Cambridge Health System, Inc. Project) (the "Bonds") in an aggregate principal amount not to exceed $85,000,000 in the exercise of its powers under the City Economic Development Revenue Bond Law, Nevada Revised Statutes 268.512 et seq., as supplemented and amended (the "Act"); (ii) the City request that the State Board of Finance approve this financing in the absence of a five (5) year operating history of the obligor on the Bonds, Cambridge Health System, Inc. a/k/a Spring Valley Hospital ("Cambridge"); and (iii) the City by resolution make findings and determinations required under the Act. The Bonds of each series will not be general obligations of the City, the State or any political subdivision thereof, but will be special limited obligations of the State payable (subject to the security provisions within the Act) solely out of the revenues derived from the financing of the project to be financed by the Bonds and from the revenues and income derived under one or more Loan Agreements by and between the State and Cambridge, a Nevada not for profit corporation. The Bonds are not an obligation of the City. No obligation of the City shall be expressed or implied by the City holding the public hearing described in Section 2 hereof. The Bonds of each series will not constitute an indebtedness of the State of Nevada or any political subdivision thereof within the meaning of any constitutional or statutory provision.

The Bonds and an additional approximately $15,000,000 in aggregate principal amount of indebtedness of Cambridge will be issued in order to finance the purchase of an approximately 43 acre site and the construction of a new 158-bed acute care hospital facility, an integrated diagnostic and treatment center, a medical office building and related parking to be owned and operated by Cambridge, and to be located within 10 miles of Las Vegas, Nevada, at the southeast corner of Hacienda Avenue and Rainbow Boulevard in Clark County, Nevada, to fund a debt service reserve fund for one of the issues of bonds, to pay interest on the bonds during construction, to provide initial working capital to Cambridge until it commences operations and to pay issuance expenses in connection with the Bonds.

The public hearing and this notice are required by Section 268.528 of the Act and Section 147(f) of the Internal Revenue Code of 1986. All persons interested may appear and be heard at the time and place set forth above; in addition, written comments may be submitted to the City Clerk at its office located at City Hall, 400 East Stewart, Las Vegas, Nevada 89101 prior to the date of the public hearing.

/s/ Kathleen Tighe
City Clerk
City of Las Vegas, Nevada
Date: October 5, 1994

CITY COUNCIL MINUTES

OCT 19 1994

CAMBRIDGE HEALTH SYSTEM, INC.

FINANCIAL FEASIBILITY STUDY

FOR THE PERIOD NOVEMBER 1, 1994 TO OCTOBER 31, 1995 AND THE FIVE YEARS ENDING OCTOBER 31, 2000

CITY COUNCIL MINUTES

OCT 19 1994

CAMBRIDGE HEALTH SYSTEM, INC.

FINANCIAL FEASIBILITY STUDY

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McGLADREY & PULLEN

Certified Public Accountants and Consultants

Cambridge Health System, Inc.
Las Vegas, Nevada

We have prepared a financial feasibility study of the **Cambridge Health System, Inc.** (the Hospital) plans to construct a new 158-bed, acute care facility. The study was undertaken to evaluate the ability of the Hospital to meet its operating expenses, working capital needs, and other financial requirements, including debt service requirements associated with the proposed $93.7 million debt issue of $79,893,000 State of Nevada, Hospital Revenue Bonds, Series 1994 (Cambridge Health System, Inc. Project), and $13,820,000 Taxable Direct Obligation Notes, Series 1994, at assumed average annual interest rates ranging between 9.5 percent and 12.0 percent during the five years ending December 31, 2000.

The proposed construction project (the Project) consists of a new 158-bed, acute care hospital and diagnostic and treatment center. In addition, a medical office building containing approximately 28 physician suites and the administrative support services of the Hospital will be included. Hospital management anticipates that construction will begin in late 1994, and be completed within thirteen months. The Hospital plans to open within 60 days of completion.

The estimated total cost of the Project is approximately $79.9 million. It is assumed that the $93.7 million of revenue bonds and notes that the Hospital proposes to issue would be the sole sources of funds for the Project. The responsibility for payment of debt service on the bonds and notes is solely that of the Hospital.

Our procedures included analysis of:

- Project history, objectives, timing and financing.
- The future demand for the Hospital's services including consideration of
  - Economic and demographic characteristics of the Hospital's defined service area.
  - Locations, capacities, and competitive information pertaining to other existing hospitals.
  - Physician support for the Hospital and its programs.
  - Definition of a primary and other service areas as dictated by geographic boundaries.
- Construction and equipment costs, debt service requirements, and estimated financing costs.
- Staffing patterns and other operating considerations.
- Third-party reimbursement methodologies.
- Future revenue/expense/volume relationships.

We also participated in gathering other information, assisted management in identifying and formulating its assumptions, and assembled the accompanying financial forecast based on those assumptions.

The accompanying financial forecast for the 13-month period October 1, 1994, to October 31, 1995, and the five years ending October 31, 2000, is based on assumptions that were provided by or reviewed with and approved by management. The financial forecast includes:

- Balance Sheets
- Statements of Revenues and Expenses
- Statements of Changes in Fund Balance (Deficit)
- Statements of Cash Flows
- Schedules of Debt Service Coverage

We have examined the financial forecast. Our examination was made in accordance with standards for an examination of a financial forecast established by the American Institute of Certified Public Accountants and, accordingly, included such procedures as we considered necessary to evaluate both the assumptions used by management and the preparation and presentation of the forecast.

Legislation and regulations at both the national and state level have affected and may continue to affect revenues and expenses of hospitals. The financial forecast is based on legislation and regulations currently in effect. If future legislation or regulations related to Hospital operations are enacted, such legislation or regulations could have a material effect on future operations. At the present time, national healthcare reform legislation has been proposed. Healthcare reform legislation could significantly change the manner in which the Hospital receives reimbursement for the services provided. This impending change in healthcare represents a significant uncertainty, the effects of which cannot be determined at this time.

The interest rate, principal payments, Project costs, and other financing assumptions are described in the section entitled "Summary of Significant Accounting Policies and Assumptions." If actual interest rates, principal payments, and funding requirements are different from those assumed, the amount of the bond issue and debt service requirements would need to be adjusted accordingly from those indicated in the forecast. If such interest rates, principal payments, and funding requirements are lower than those assumed, such adjustments would not adversely affect the forecast.

A fixed-price construction contract has not been signed at this time. Also, purchase orders have not been issued for purchase of the equipment nor have bids been obtained for the equipment items. The estimated construction costs have been included in the accompanying forecast based on a signed letter of intent from a general contractor to construct the facility for $26,613,000. The estimated costs of equipment have been based on a detail list of anticipated equipment items and prices obtained by management. The cost estimates have been reviewed with an experienced facility equipment planner on a per-bed basis and based on the anticipated ancillary departments and services to be provided. The costs of construction and equipment are significant assumptions which impact the feasibility of the project. Any increases in costs over the estimates would adversely affect the feasibility of the project and the forecast. Accordingly, the cash flow requirements could differ materially from those indicted in the forecasted financial statements.

Financing for the project is based on information provided by management in consultation with underwriters. Drafts of bond documents are in a preliminary phase. No bond purchase agreement has been signed at this time. Also, no commitment has been obtained for the line of credit to provide working capital in the amount of $4,000,000. The assumptions about bond proceeds, interest rates, repayment terms, available working capital financing and bond covenants and conditions are significant assumptions which impact the feasibility of the project. The inability to successfully market the debt or obtain a line of credit, increases in interest rates, acceleration of repayments of principal, or increases in costs of issuing the debt would adversely affect the feasibility of the project and the forecast. Accordingly, the available cash and the debt service requirements could differ materially from those indicated in the forecasted financial statements.

Our conclusions are presented below:

- In our opinion, the accompanying financial forecast is presented in conformity with guidelines for presentation of a financial forecast established by the American Institute of Certified Public Accountants.

- In our opinion, except for the effects of such adjustments, if any, as may be necessary in the costs of construction and equipment upon signing of a construction contract and obtaining of bids for equipment, and for any changes in the interest rates and repayment terms of the debt used to finance the project, or in the availability of sufficient bond proceeds or working capital financing, upon completion of bond documents and financing arrangements, the underlying assumptions provide a reasonable basis for management's forecast. However, there will usually be differences between the forecasted and actual results, because events and circumstances frequently do not occur as expected, and those differences may be material.

- The accompanying financial forecast indicates that sufficient funds could be generated to meet the Hospital's operating expenses, working capital needs, and other financial requirements, including the debt service requirements associated with the proposed $93.7 million debt issue, during the forecast periods. However, the effects of such adjustments, if any, as may be necessary in the costs of construction and equipment upon signing of a construction contract and obtaining of bids for equipment, and for any changes in the interest rates and repayment terms of the debt used to finance the project, or in the availability of sufficient bond proceeds or working capital financing, upon completion of bond documents and financing arrangements could indicate that sufficient funds will not be generated to meet the Hospital's operating expenses, working capital needs, and other financial requirements, including the debt service requirements associated with the proposed $93.7 million debt issue. The achievement of any financial forecast is also dependent on other future events, the occurrence of which cannot be assured.

We have no responsibility to update this report for events and circumstances occurring after the date of this report.

McGladrey & Pullen

Minneapolis, Minnesota
June 17, 1994

MARKETING AND DEMAND ANALYSIS

THE PROPOSED PROJECT

Cambridge Health System, Inc. (the Hospital) will be a 43-acre healthcare campus located in the southwest quadrant in Las Vegas, Nevada, on the south-east corner of Rainbow Boulevard and Hacienda Avenue. The master plan incorporates the construction of a 167,900 square foot, 158-bed acute care hospital and diagnostic and treatment center. The centrally located diagnostic and treatment center will house emergency room facilities, radiographic and nuclear medicine department, clinical laboratory services, physical therapy department and inpatient and ambulatory surgery and recovery room areas. Connecting to the diagnostic and treatment center will be a 83,800 square foot medical office building accommodating approximately 28 physician suites, as well as the hospital's administrative, general and service departments.

The proposed hospital will be owned and operated by Cambridge Health System, Inc., a nonprofit, tax exempt entity. The hospital will account for approximately 7 percent of the existing beds in the Las Vegas metropolitan service area, based upon present bed counts and assuming additional beds are not added by other hospitals. See Exhibit 1 for the location, description, and ownership of the existing hospitals.

The proposed hospital will be built in Clark County, Nevada, approximately 4 miles south of the city limits of Las Vegas and four miles west of the "Strip." The primary service area (PSA), the area that the Hospital expects to serve and from where it expects to obtain approximately 50 percent of its patients, is bordered by Interstate Highway 15 on the east, U.S. Highway 95 on the north, and the desert on the south and west. The remainder of the Las Vegas Metropolitan Statistical Area (LVMSA) is the geographic area from which the hospital also expects to draw patients.

There are six public hospitals in the Las Vegas metropolitan service area (LVMSA). The LVMSA includes part of Clark County, the City of Las Vegas, the City of North Las Vegas, and the City of Henderson.

The PSA has two hospitals, the County Hospital (UMC) and a for-profit hospital, Valley Medical Center. The remaining area has four existing for-profit hospitals (Desert Springs, Sunrise Lake Mead and Women's) and one not-for-profit hospital, St. Rose Dominican.

Information applicable to St. Rose Dominican has not been included on Exhibit 1 because it is outside the area expected to be served by the Hospital.

The estimated cost of the project was based upon a signed letter of intent from a general contractor to construct the facility for $26,613,000. The estimated costs of the equipment have been based on a detail list of anticipated equipment items and prices obtained by management.

Construction is projected to begin in late 1994 and be completed in approximately 13 months, with hospital operations scheduled to begin within 2 months of construction completion. Architectural plans have been completed and all zoning approvals have been obtained. The project requires the necessary financing and the issuance of construction permits.

THE PROPOSED PROJECT (CONTINUED)

Traditionally, hospitals have been constructed to centrally include all manner of ancillary diagnostic and treatment areas, i.e., radiology, clinical laboratories, cardiology, etc. As revolutionary advances in diagnosis and treatment have occurred, these areas have increased in both cost and size, often times necessitating extensive remodeling and renovation to the hospital resulting in decentralized locations.

The Hospital in its design and planning concept has approached this trend in a different manner. All ancillary services will be located in the centralized diagnostic and treatment center. In the past, a hospital has always functioned as the "focal point" of the healthcare system, with outpatients flowing into the hospital's environment for diagnosis and treatment. At the Hospital, the focal point for healthcare services will be the diagnostic and treatment center with outpatients, as well as inpatients, flowing in a smooth and functional manner into these diagnostic and treatment areas.

DEMAND ANALYSIS CONSIDERATIONS

A primary factor affecting the financial forecast for the hospital is the forecast utilization of its services. The level of utilization is dependent upon a number of factors, several of which are qualitative in nature. Major factors which can impact demand for a hospital's services include:

- Service area of the hospital;
- Current and future population of the service area;
- Age of the population;
- Proposed medical staff size, age, specialty complement and expected usage of the hospital;
- Quality and cost of the services provided;
- Expected competition from other facilities; and,
- Regulatory requirements and other factors as created by outside organizations such as federal and state governments and private insurers.

Whenever qualitative factors are involved, judgment is required to determine their impact on utilization, and judgments are naturally subject to uncertainty. The demand forecasts for the hospital which follow reflect management's evaluation of quantitative and qualitative data.

The overall methodology used to develop and support these utilization forecasts included:

- Collection and analysis of population data encompassing the hospital's service area;
- Survey of the physicians practicing in the community, using questionnaires, telephone follow-up, and interviews;
- Collection and comparison of the various statistics with data obtained from other sources; and,
- Forecast of expected demand based on data collected and expressed in terms of the patient days and corresponding outpatient visits expected for the hospital.

AREA DEMAND ANALYSIS

Total service area: The population to be served by the proposed hospital has been differentiated into two service areas: primary and the remaining area.

Primary service area (PSA): The geographic area which, due to its proximity to the Hospital or to other relationships with the hospital community, is considered to provide the primary source of demand for the proposed hospital's services. The proposed hospital is forecast to draw approximately one-half of its patients from the primary service area.

MARKETING AND DEMAND ANALYSIS

AREA DEMAND ANALYSIS (CONTINUED)

The actual and projected population of the primary service area is as follows:

Year	Population
1989	[1]165,122
1990	[2]175,099
1991	[1]171,319
1992	[1]177,064
1993	[1]181,705
1994 projected	[3]188,428
1995 projected	[3]196,907
1996 projected	[3]205,374
1997 projected	[3]212,768
1998 projected	[3]219,576
1999 projected	[3]223,749
2000 projected	[3]226,209

INCLUDES: Zip codes 89102, 89103, 89107, 89113, 89117, 89118 (reference the map on page 7)

SOURCE:

[1] Las Vegas Perspective (1989-1994).

[2] 1990 U.S. census, Bureau of Census

[3] Calculated by McGladrey & Pullen assuming the medium annual growth rate as projected by the Nevada State Demographer's Office, Bureau of Business and Economic Research.

Remaining service area: The area beyond the PSA which, although lacking immediate geographic proximity is expected to provide the remaining 50 percent of the patients for the proposed hospital.

The actual and projected population of the remaining service area is as follows:

Year	Population
1991	[1]623,573
1992	[1]654,662
1993	[1]692,754
1994 projected	[2]718,386
1995 projected	[2]750,713
1996 projected	[2]782,994
1997 projected	[2]811,182
1998 projected	[2]837,140
1999 projected	[2]853,046
2000 projected	[2]862,429

SOURCE:

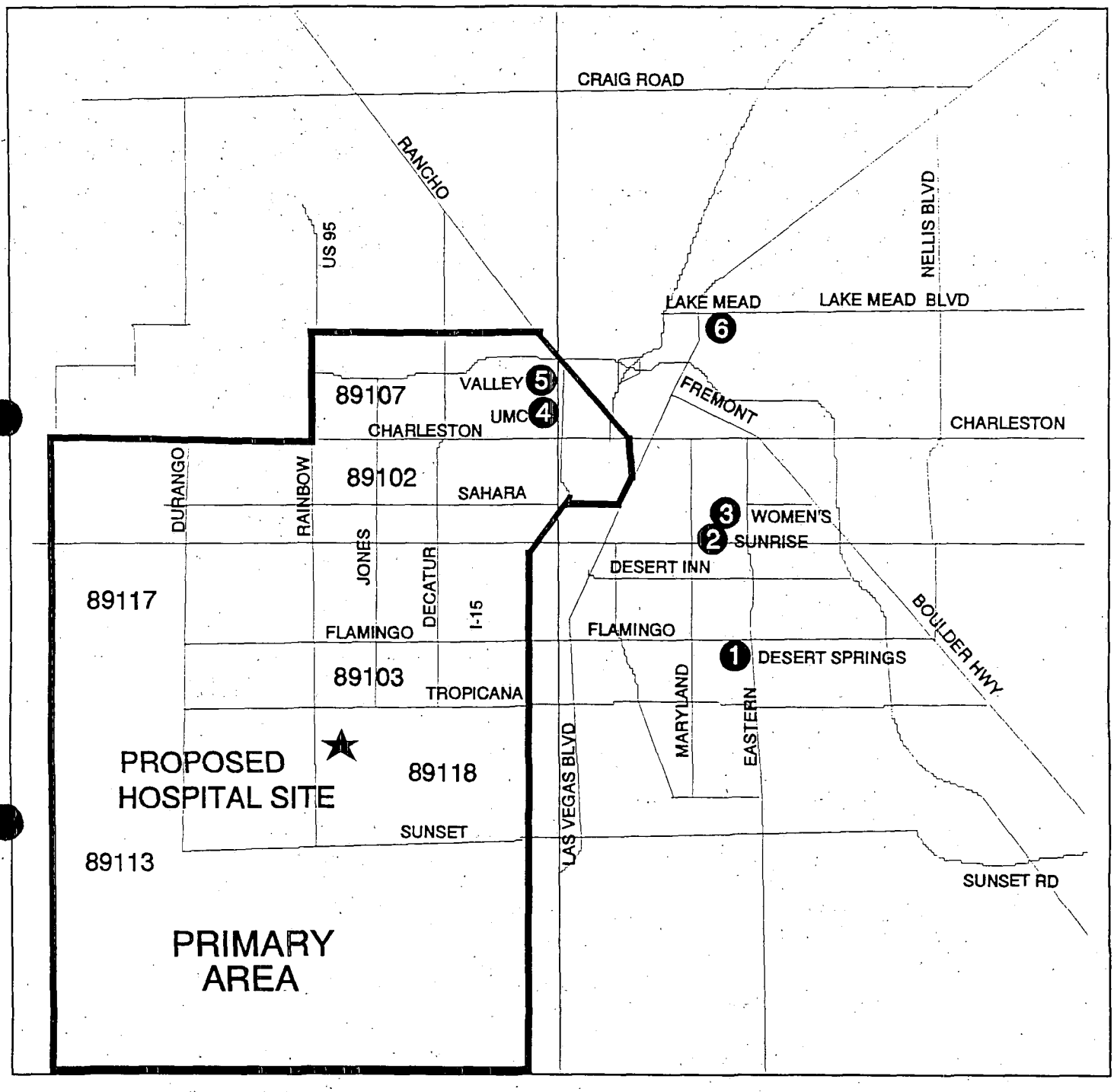
[1] Las Vegas Perspective (1992-1994).

[2] Calculated by McGladrey & Pullen assuming the annual growth rate as projected by the Nevada State Demographer's Office, Bureau of Business and Economic Research.

A map of the defined service areas is on the following page.

Las Vegas Metropolitan Service Area

Existing Area Hospitals
& Proposed Cambridge Health System, Inc. Medical Center



Primary Service Area

1 Area Hospitals

Scale: 1 inch = 2.39 miles

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EXHIBIT I
AREA HOSPITAL FACILITIES

Hospitals in the Las Vegas metropolitan service area (see map):

	Desert Springs Hospital	Sunrise Hospital	Women's Hospital	University Medical Center
Map designation	1	2	3	4
Street miles from the Hospital (approximately)	9.0 miles	10.0 miles	10.2 miles	8.4 miles
Ownership	Quorum Health Group	Columbia/HCA Corp.	Approximately 24 physicians	Clark County
Corporation type	For profit	For profit	For profit	Not for profit - government
Date opened	1971	1954	1961	1931
Original number of beds	200	56	67	20
Average licensed current beds	225	688	82	526
Occupancy:				
1989	70.4%	61.0%	N/A	62.9%
1990	69.2%	65.7%	N/A	74.2%
1991	70.6%	69.4%	N/A	80.0%
1992	80.0%	65.6%	46.9%	74.3%
1993	82.4%	64.6%	33.5%	67.5%
Services	Medical/Surgical	Full service, Neonatal ICU, Renal transplant	Obstetrics, Gynecology	Full service, Burn Unit, Full transplant, Neonatal ICU

	Valley Medical Center	Lake Mead Hospital
Map designation	5	6
Street miles from Hospital (approximately)	8.6 miles	15.5 miles
Ownership	Universal Health Services	American Healthcare Mgmt.
Corporation type	For profit	For profit
Date opened	1972	1960
Original number of beds	269	8
Average licensed current beds	416	163
Occupancy:		
1989	67.8%	N/A
1990	66.6%	N/A
1991	70.8%	N/A
1992	67.9%	53.6%
1993	56.5%	63.3%
Services	Full service, Helicopter Ambulance	Medical/Surgical

SOURCE: State of Nevada, Summary Utilization Reports.

MARKETING AND DEMAND ANALYSIS

AREA HOSPITAL FACILITIES (CONTINUED)

The Las Vegas metropolitan service area has six public hospitals with approximately 2,100 licensed beds, as well as a number of private practice clinics and voluntary health organizations providing specialized healthcare services.

Several of the facilities have undergone major expansions in the last 18 months or are planned for. These renovations and additions include:

- Desert Springs Hospital - In April of 1993, a second heart catheterization laboratory was opened.

  Future plans include a three phase one-year renovation project to the emergency room.

- Lake Mead Hospital - In 1993, a $14 million expansion/renovation project was completed. This included a 100-bed tower, new ancillary areas and a Women's Plaza.

  Current plans include a new ICU/CCU which will double the number of beds in this area (to 20). This is scheduled to open on July 1, 1994.

- Sunrise Hospital - Currently undergoing a $75 million expansion/remodeling project which will include a new 40,000 square foot surgery area, cardiac catheterization lab, diabetes center, and additional labor, delivery, and recovery rooms.

- Valley Medical Center - In 1993, a 96-bed tower was completed bringing the total number of beds to 416. In addition, the audiology department was remodeled and a technologically advanced heart catheterization laboratory was opened.

  Future plans include the construction of a new emergency room in the next year.

- University Medical Center - completed construction of the state's first pediatric emergency department and a free-standing trauma center.

The city of Las Vegas is committed to sell 30 acres of land to Columbia/HCA Corporation, the parent of Sunrise Hospital. Plans at this stage call for the construction of a 110-bed acute care hospital and a medical office building in the northwest quadrant of Las Vegas. Exact dates of construction are unknown but it is contemplated that construction could start in early 1995. The proposed medical complex is approximately eight miles from Cambridge Health Systems, Inc. and is not within the primary service area of the Hospital.

A second medical facility is in the preliminary discussion phase with a local developer to locate a hospital on West Charleston Boulevard. This proposed hospital had not reached the feasibility study phase at the date of this report. As a result, management is unable to determine what potential impact, if any, the proposed facility would have on Cambridge Health System, Inc. The location that is being considered would border the primary service area of the hospital.

The University of Nevada Medical School is in the early stages of assessing whether an ambulatory care center is needed in the Las Vegas area. If the assessment shows a need, the city will donate the land with a commitment that the ambulatory care center be constructed within two years. The location is in the northwest quadrant of Las Vegas and is not within the primary service area of the Hospital. The potential impact, if any, is not known at this time.

The historical utilization for the hospitals in the service area for the most recent five years is shown in Exhibit 1.

QUALITATIVE FACTORS AFFECTING DEMAND

Data relating to the historical demand for similar hospital services, service area population growth estimates and other area hospitals is basically quantitative. Additional factors considered, although they may be expressed numerically, can only be applied qualitatively to estimates of future demand levels. These factors are discussed in the following paragraphs.

PATIENT AND POPULATION AGE

The age of the population in the service area expected to provide patients to the proposed hospital is considered because overall age levels can suggest the probable need for hospitalization. During the forecast period it is assumed that there will be no significant changes in the composition of the population by age. The following chart shows actual demographics for the primary and other service areas:

Description	Actual 1993
Primary Service Area -	
Households	74,228
Population	181,705
Number of households with income of:	
Over $50,000	23,361
Under $50,000	50,867
Age of adults:	
Under 35	55,239
35 to 64	95,612
65 and older	30,854
Other Service Area -	
Households	268,050
Population	692,754
Number of households with income of:	
Over $50,000	71,824
Under $50,000	196,226
Age of adults:	
Under 35	226,399
35 to 64	352,891
65 and Older	113,464
Total Population of Las Vegas MSA	874,459

SOURCE: Las Vegas Perspective (1993-1994).

PHYSICIAN SURVEY

In June 1994, O'Neill and Associates under a contractual arrangement with McGladrey & Pullen sent a questionnaire to all physicians located in the primary service area as defined by the hospital. A sample of these physicians was verified by O'Neill and Associates as to their location. In addition, questionnaires were sent to a random sample of all other Las Vegas physicians. Nonadmitting physician specialties, such as radiologists, were not included in the survey; pediatricians and psychiatrists were also excluded due to the fact the proposed hospital would not have pediatric or psychiatric units.

The questionnaire sought physicians' responses concerning future utilization of the proposed facility. It also requested information related to specialties, admission patterns, insurance coverage of patients, familiarity of and need for the proposed hospital, and interest in leasing office space.

A total of 522 physicians were contacted; 143 participated, for a 27 percent response rate. The respondents were comprised of a mix of physician specialties and locations comparable to the Las Vegas area.

Over three-fourths of the responding physicians had heard about the proposed hospital; however, only one of four knew something about it. One-third thought there was a significant need for the facility; another one-third described the need as being "moderate."

PHYSICIAN SURVEY (Continued)

Assuming the proposed hospital would be affiliated with all managed care programs and provide services at least as good as other Las Vegas hospitals, 39 percent of the responding physicians located in the primary area and 27 percent of the responding physicians located in other areas indicated they would admit patients to the facility. Most physicians (59 percent) in the primary area and 42 percent of those in other areas indicated they would use the hospital's outpatient services.

The table below summarizes the results of the physicians' survey:

	Physician Location		
	Primary Service Area	Other Service Area	Total
Number of MDs			
Identified	319	679	998
Contacted	319	203	522
Not contacted	-	476	476
Respondents	92	51	143
Non-respondents	227	152	379
Response rate	29%	25%	27%

For forecast purposes, the inpatient volume is expected to be 95 percent of actual survey results by 1999. Inpatient volume for the year 2000 is estimated at 98 percent of 1999 volume. These estimates recognize an expected overall transition of patient care services from the inpatient setting to the outpatient setting.

Hospital management assumes outpatient visits will reach the survey levels by 1997. Outpatient visits are estimated to increase 20 percent in 1998 and 30 percent each year in 1999 and 2000. Management's rationale for these increases was based on several factors:

- Natural clinical progression to treat previous inpatient-type care in the outpatient setting.
- Pressure from managed care payors to transfer patients to the less expensive outpatient setting.
- Expected increases in population will result in a greater proportion of services provided in the outpatient setting.

Assuming office space at the proposed hospital were available at market rates, 5 percent of the physicians located in the primary area and 8 percent of those in other areas indicated they would be very likely to lease space.

OTHER VARIABLES AFFECTING DEMAND FORECAST

Currently, Las Vegas area physicians utilize a large number of area hospitals. It is anticipated that some of these physicians will choose to admit patients to the proposed hospital when it opens. The extent to which individual area hospitals will be impacted by the opening of the proposed hospital cannot be determined.

MARKETING AND DEMAND ANALYSIS

SUMMARY OF DEMAND ANALYSIS

The following table summarizes the inpatient days, outpatient visits and equivalent inpatient days used by management in the feasibility study:

	Forecast				
	1996	1997	1998	1999	2000
Inpatient days	31,935	36,193	39,216	40,580	39,768
Percent of occupancy	55.2	62.8	68.0	70.4	68.8
Outpatient visits	21,444	23,827	28,592	37,170	48,320
*Equivalent inpatient days	35,022	39,796	43,172	45,470	45,556

*Computed by adjusting inpatient days for additional days based on outpatient revenue divided by average revenue per inpatient day.

* * * * *

LAS VEGAS METROPOLITAN SERVICE AREA OVERVIEW

Advantages:

Location: Las Vegas is the largest city in Clark County and in Nevada.

Climate: The Las Vegas Valley has an average of 289 sunny days (80 percent) per year. The annual average temperature is 79, the average low is just 55 degrees. Nevada's third highest mountain peak, Mt. Charleston, receives an average of 90 inches of snow per year and is only 40 minutes from the city. The Valley receives an average of 4 inches of rainfall per year.

Business incentives: Businesses in Nevada, and in the Las Vegas Valley in particular, enjoy a growing economic environment, a dynamic growth in population, lower operating costs, lower labor costs, and a favorable tax structure.

Utilities for all types of development are less expensive than in many parts of the nation. In particular, the median utility rate is as much as 11 percent less than Phoenix, Arizona, and 10 percent less than Los Angeles, California. Residential utilities cost approximately 20 percent less than the U.S. average.

Nevada's tax structure is one of the most desirable in the nation. *Money* Magazine's January 1994 edition placed Nevada as the third lowest tax burden state in the nation. The state is one of only twelve in the nation with no corporate income tax. Along with a sales tax of 7 percent, no personal income tax, and a low property tax, Nevada has no unitary, inventory, franchise, admissions, local earnings, capital stock, chain store, intangible, or estate/gift/inheritance taxes.

Las Vegas is served by three airports: McCarran International, North Las Vegas Air Terminal, and Sky Harbor. McCarran International is undergoing major construction, which is addressed later in this study.

The city is also served by two rail systems, Union Pacific and Amtrak, and three major highways, Interstate 15, U.S. 95, and U.S. 93. As many as fifty regional/intercontinental freight carriers operate in the Valley with overnight delivery to Salt Lake City, Phoenix, Los Angeles, and San Diego.

LAS VEGAS METROPOLITAN SERVICE AREA OVERVIEW (CONTINUED)

Population growth: Clark County's population reached 919,388 by the end of fiscal 1993, a 5.6 percent increase from 1992, and more than the 3.9 percent increase from the year before. Henderson and Las Vegas, two of the fastest growing cities, had growth rates of 10.7 percent and 5.8 percent, respectively, in 1993. Nevada ranked #1 in population growth, with a 50 percent increase from 1980 to 1990, according to the U.S. Census Bureau.

Projected job growth: During the past two years, Southern Nevada's supply of land and labor attracted 78 companies, creating over 3,000 jobs. A strong job market has given Las Vegas the number two ranking in job creation according to *U.S. Bank's Business Barometer.* Major hotel construction has also increased employment numbers. The three major resorts (MGM Grand, Luxor, and Treasure Island) all opening in 1993-1994 created more than 15,000 jobs.

Labor market: Las Vegas is a very attractive labor market relative to recruitment, operations and cost advantages. The labor force is rich with a variety of skills and backgrounds brought in by the high volume of new residents each month and the availability of college/university education and training programs that assist in meeting the needs of employers.

The three largest employers in the Las Vegas Valley are the gaming/hotel industry, Nellis Air Force Base, and the Department of Energy's Nevada test site.

According to the Nevada Employment Security Department, the total Las Vegas labor force in 1993 was estimated at 443,500, an increase of 4.9 percent over the same period in 1992.

Nellis Air Force Base is not expected to decrease in size as a result of expected defense budget reductions. The Nevada test site is expected to be reduced over a ten-year period.

Challenges:

Water: Due to the high growth rate in Southern Nevada, water demands have increased. Last year Southern Nevada Water Authority acquired Southern California Edison's water rights for the Mohave Generating Station in Laughlin. They are also negotiating with Basic Management, Inc., for a portion of their unused Colorado River Basin. Early in 1994, the Nevada State Engineers held public hearings in Las Vegas for the appropriation of Virgin River water, which would be the first phase in the "Cooperative Water Project."

Water challenges: The current water sources, taking into consideration the growth factor and certain conservation factors, would supply the Las Vegas Valley through approximately the year 2013.

The Virgin River could be a source of as much as 60,000 acre-feet per year. For comparability purposes, the current Valley sources approximate 490,000 acre-feet.

The Colorado River waters would be the least expensive source for the Valley.

LAS VEGAS METROPOLITAN SERVICE AREA OVERVIEW (CONTINUED)

Air pollution: Officials at the Clark County Health District's Air Pollution Control Division are currently renegotiating a deadline set by the federal government for cleaning up the Valley's air. An extension from 1995 to approximately 1998 is being considered. The federal government has approved enhanced inspection for auto emission tests for Las Vegas scheduled for September 1995. An additional concern for the Valley is PM10, another pollutant standard in which attainment must be met by September 2001. The Las Vegas area is one of five areas given a "serious" designation. Missing these deadlines could mean reduced federal funding for roads and other infrastructure projects what will be critical as the city grows.

Infrastructure: The rapid growth in the Valley continues to challenge every facet of the communities' infrastructure. Nearly $200 million in street and highway construction projects are underway during 1994. In addition, electrical, water, gas, and sewer line projects are underway to assist the city in accommodating the new residents.

Sources: *Nevada Employment Security Department, Las Vegas Perspective, Las Vegas Review Journal, American Chamber of Commerce Research Association, Clark County Health District's Air Pollution Control Division.*

MAJOR DEVELOPMENTS OVERVIEW

New businesses - employment growth: Since 1988, Las Vegas has seen the industrial growth rate increase to approximately 35 percent. In addition to major hotel construction, residential construction has set records in meeting housing demands, financial institutions have entered the market, and retail strength is shown with the building of new shopping centers. There is a continued promise of future business and economic expansion for the Las Vegas area. A review of the number and value of construction permits issued between 1990 and 1993 shows the following:

MARKETING AND DEMAND ANALYSIS

Construction Permits Issued (1990 - 1993)

	Hotel/Motel		Commercial Building	
	Number of Permits	Valuation	Number of Permits	Valuation
1990				
New	26	$ 94,600,641	584	$ 323,286,176
Additions/remodel	228	$ 205,649,219	1,894	$ 157,064,006
Total	254	$ 300,249,860	2,478	$ 480,350,182
% Change over prior year	N/A	N/A	N/A	N/A
1991				
New	10	$ 265,748,528	478	$ 203,011,176
Additions/remodel	164	$ 68,776,224	1,751	$ 99,498,208
Total	174	$ 334,524,752	2,229	$ 302,509,384
% Change over prior year	(32%)	11%	(10%)	(37%)
1992				
New	32	$ 315,089,754	421	$ 224,568,286
Additions/remodel	166	$ 64,103,067	1,805	$ 101,588,646
Total	198	$ 379,192,821	2,226	$ 326,156,932
% Change over prior year	14%	13%	-	8%
1993				
New	38	$ 172,713,105	596	$ 273,699,857
Additions/remodel	207	$ 151,192,350	1,846	$ 145,532,310
Total	245	$ 323,905,455	2,442	$ 419,232,167
% Change over prior year	24%	(15%)	10%	29%

Source: *Las Vegas Perspective,* 1993 Building Department Reports.

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MAJOR DEVELOPMENTS OVERVIEW (CONTINUED)

Major commercial developments: New commercial development is evident in almost every sector of the Las Vegas Valley. Below is an update on some of the major projects scheduled for completion over the next two to three years:

Project	Estimated Cost (000)	Expected Completion Date
Boulder Station Hotel & Casino	$ 85,000	Fall 1994
Boomtown Hotel, Casino & R-V Resort	70,000	Completed
The Stratosphere Tower/Vegas World - 1st Phase	40,000	1995
Fremont Experience	60,000	Fall 1995
Silverado/Station Casinos	Not available	Fall 1995
Former Dunes Hotel & Country Club/Mirage Resorts, Inc.	400,000	1996
Hard Rock Hotel/Casino	80,000	Early 1995
Rio Hotel & Casino Renovation	75,000	Not available
Galleria Mall	150,000	Late 1994
Galaxy Mall	65,000	Early 1995
Green Valley Auto Mall	30,000	Early 1995
Desert Kingdom/ITT Sheraton	750,000	Early 1997
Mirage Resorts/Gold Strike Resorts Joint Venture	250,000	Mid 1996

Source: *Casino Journal* (June 1994)

* * * * *

Industrial parks: Industrial parks developing high-acreage parcels are becoming more common in the Las Vegas Valley. Two such parks are described below:

1. The Las Vegas Corporate Center is being developed near Nellis Air Force Base. This 40-acre park is expandable to 112 acres and will feature large warehouse/manufacturing buildings available for lease.

2. Summa Corporation is developing The Crossing Business Center in the Summerlin community (west side of Las Vegas). This park will offer a variety of building options for light-manufacturing, research and development, and office uses.

MAJOR DEVELOPMENTS OVERVIEW (CONTINUED)

Public facilities:

University of Nevada at Las Vegas: Enrollment on the 335-acre campus is approximately 19,500 where more than 120 graduate and undergraduate programs are offered. *U.S. News and World Report* has recognized UNLV in the top third of regional universities in the west. More than 3,000 students are enrolled in UNLV's expanding Graduate College, offering Master degree programs and Ph.Ds in English, sociology, history, physics, civil engineering, environmental biology, computer science, and education.

Community College of Southern Nevada: Community College is the largest of all University of Nevada system colleges and universities. It is a multi-campus institution with current enrollment in excess of 23,000 students. The State Legislature has approved new additions to the Cheyenne and West Charleston campuses to facilitate the increased demand for occupational training and business training. Construction is planned to begin in early 1995.

Public schools: The Clark County School District is the 11th largest in the country, with a total of 181 schools serving more than 145,000 students. Over the past year the district has opened 13 new schools. Three additional schools are scheduled to open in the fall of 1994. The following is a listing of the schools operated by the District:

Elementary Schools	126
Junior High Schools	27
High Schools	22
Special schools	6

Source: *Clark County School District, Las Vegas Perspective, Las Vegas Review Journal.*

Transportation:

McCarran International Airport: Passenger traffic has increased approximately 12 percent over the past two years, handling 22.5 million passengers in 1993. This makes McCarran International Airport the 15th busiest airport in the United States, ahead of Orlando, Minneapolis, and LaGuardia airports by comparison. In 1994, officials with the Clark County Department of Aviation predict a 15 percent increase in passenger traffic due to the new resorts and the Valley's growing popularity. In anticipation of this growth, the Department of Aviation began constructing a connector and runway system in 1992. The connector and runway system is a $200 million southern access roadway that will provide non-stop service to McCarran from Interstate 15. This roadway is expected to open December 1994.

Highway and road construction: A significant upgrade of the Interstate 15-U.S. 95 interchange will include improvements to the Interstate 15 and Charleston Blvd. interchange, as well as improved access to downtown Las Vegas.

A redesigned interchange will serve US 95 in the fastest growing northwest portion of the Valley.

People mover systems continue to be discussed. One under consideration is a privately-funded link between the MGM Grand and Bally's Hotel. Potential extension of this would be southward to the airport and northward along the Strip.

Construction of the $630 million beltway that will allow traffic to flow around the LVMSA from the southeast junction of US 95 to the west, across Interstate 15, south of Tropicana, to west of Durango and then north to U.S. Highway 95 has commenced. The second of seven segments is scheduled to start in July 1994. This proposed beltway will pass within one mile of the Hospital. Construction is expected to be completed by 2002.

Source: Clark County Beltway Task Force, *Las Vegas Perspective.*

FORECASTED FINANCIAL STATEMENTS

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CAMBRIDGE HEALTH SYSTEM, INC. PROJECT
FORECASTED BALANCE SHEETS

SEE FEASIBILITY REPORT

As of October 31,	1995	1996	1997	1998	1999	2000
ASSETS						
Current Assets						
Cash and cash equivalents	$3,301,986	$500,000	$500,000	$500,000	$500,000	$500,000
Patients accounts receivable, less allowance for doubtful accounts	-	11,507,375	13,666,879	15,167,228	16,359,354	16,978,118
Inventories	-	1,192,383	1,422,514	1,608,177	1,738,426	1,782,412
Prepaid expenses and other	-	176,342	211,116	242,832	267,800	280,820
Total current assets	3,301,986	13,376,100	15,800,509	17,518,237	18,865,580	19,541,350
Assets Whose Use is Limited						
By Trustee for Debt Service Reserve Fund	5,621,300	5,621,300	5,621,300	5,621,300	5,621,300	5,621,300
By Trustee for Bond Fund	4,662,165	603,706	583,220	747,386	747,803	747,386
By Trustee for Tenant Improvements Fund	448,000	320,000	192,000	128,000	64,000	-
By Board for capital improvements	-	890,543	6,031,743	10,102,939	15,056,982	20,359,803
	10,731,465	7,435,549	12,428,263	16,599,625	21,490,085	26,728,489
Property, Plant and Equipment, at cost	57,615,324	57,743,324	58,621,324	60,685,324	63,249,324	66,313,324
Less accumulated depreciation	-	(2,231,408)	(4,513,116)	(6,941,924)	(9,602,132)	(12,543,740)
	57,615,324	55,511,916	54,108,208	53,743,400	53,647,192	53,769,584
Other Assets						
Deferred financing costs, net of accumulated amortization	2,546,580	2,405,887	2,265,195	2,124,502	1,983,809	1,843,116
	$74,195,355	$78,729,452	$84,602,175	$89,985,764	$95,986,666	$101,882,539
LIABILITIES AND FUND BALANCE						
Current Liabilities						
Current maturities of long-term debt	-	-	$1,970,000	$1,975,000	$1,970,000	$1,970,000
Accounts payable	-	2,495,778	2,779,484	3,019,496	3,204,669	3,303,412
Accrued expenses and other	583,220	939,384	996,197	1,050,597	1,101,922	1,137,005
Total current liabilities	583,220	3,435,162	5,745,681	6,045,093	6,276,591	6,410,417
Long-Term Debt, less current maturities						
Senior bonds and notes payable	70,033,000	70,033,000	70,033,000	70,033,000	70,033,000	70,033,000
Subordinated bonds payable	11,018,378	12,147,781	11,422,951	10,803,926	10,126,919	9,380,047
	81,051,378	82,180,781	81,455,951	80,836,926	80,159,919	79,413,047
Fund Balance (Deficit)	(7,439,243)	(6,886,491)	(2,599,457)	3,103,745	9,550,156	16,059,075
	$74,195,355	$78,729,452	$84,602,175	$89,985,764	$95,986,666	$101,882,539

See summary of significant accounting policies and assumptions.

CAMBRIDGE HEALTH SYSTEM, INC. PROJECT
FORECASTED STATEMENTS OF REVENUE AND EXPENSES AND CHANGES IN FUND BALANCE (DEFICIT)

SEE FEASIBILITY REPORT

For the period October 1, 1994 to October 31, 1995 and the years ending October 31, 1996 to 2000	1995	1996	1997	1998	1999	2000
REVENUE AND EXPENSES						
Revenue						
Net patient service revenue	-	$52,646,241	$62,355,135	$69,200,478	$74,639,554	$77,674,890
Other operating revenue	-	1,000,804	1,361,234	1,530,999	1,660,105	1,799,409
Total operating revenue	-	53,647,045	63,716,369	70,731,477	76,299,659	79,474,299
Operating expenses						
Salaries and wages	494,184	14,533,881	16,898,820	19,196,308	21,358,575	22,880,833
Employee benefits	98,836	3,042,718	3,540,005	4,024,338	4,480,788	4,803,142
Supplies and purchased services	-	9,964,860	11,896,431	13,450,935	14,538,818	14,907,967
Utilities	-	1,254,190	1,339,670	1,431,028	1,528,669	1,633,030
Advertising	60,000	100,000	110,000	121,000	133,100	146,410
Other operating expenses	192,500	8,952,820	9,240,751	9,537,967	9,844,769	10,161,468
Insurance	-	1,058,050	1,266,695	1,456,992	1,606,799	1,684,920
Management fees	1,201,500	1,579,387	1,870,654	2,076,014	2,239,187	2,330,247
Bad debt expense	-	2,444,623	2,959,196	3,419,335	3,840,126	4,167,912
Interest	3,492,927	8,373,873	8,243,804	8,354,609	8,291,628	8,221,764
Depreciation and amortization	-	2,372,101	2,422,401	2,569,501	2,800,901	3,082,301
Total operating expenses	5,539,947	53,676,503	59,788,427	65,638,027	70,663,360	74,019,994
Income (loss) from operations	(5,539,947)	(29,458)	3,927,942	5,093,450	5,636,299	5,454,305
Percent of total operating revenue		-0.1%	6.2%	7.2%	7.4%	6.9%
Non-operating revenue (expenses)						
Interest income	1,171,684	582,210	359,092	609,752	810,112	1,054,614
Development costs	(3,070,980)	-	-	-	-	-
Excess (deficiency) of revenue over expenses	($7,439,243)	$552,752	$4,287,034	$5,703,202	$6,446,411	$6,508,919
Percent of total operating revenue		1.0%	6.7%	8.1%	8.4%	8.2%
CHANGES IN FUND BALANCE (DEFICIT)						
Balance (deficit), beginning	-	($7,439,243)	($6,886,491)	($2,599,457)	$3,103,745	$9,550,156
Excess (deficiency) of revenue over expenses	(7,439,243)	552,752	4,287,034	5,703,202	6,446,411	6,508,919
Balance (deficit), ending	($7,439,243)	($6,886,491)	($2,599,457)	$3,103,745	$9,550,156	$16,059,075

See summary of significant accounting policies and assumptions.

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CAMBRIDGE HEALTH SYSTEM, INC. PROJECT
FORECASTED STATEMENTS OF CASH FLOWS

SEE FEASIBILITY REPORT

For the period October 1, 1994 to October 31, 1995 and the years ending October 31, 1996 to 2000	1995	1996	1997	1998	1999	2000
Cash Flows From Operating Activities						
Excess (deficiency) of revenue over expenses	($7,439,243)	$552,752	$4,287,034	$5,703,202	$6,446,411	$6,508,919
Adjustments to reconcile excess (deficiency) of revenue over expenses to net cash provided by (used in) operating activities:						
Depreciation and amortization	-	2,372,101	2,422,401	2,569,501	2,800,901	3,082,301
Amortized original issue bond discount	455,528	1,129,404	1,245,170	719,544	530,692	350,047
Development costs expensed	3,070,980					
Change in assets and liabilities -						
(Increase) decrease in:						
Patient receivables	-	(11,507,375)	(2,159,504)	(1,500,349)	(1,192,126)	(618,764)
Inventories	-	(1,192,383)	(230,131)	(185,663)	(130,249)	(43,986)
Prepaid expenses and other	-	(176,342)	(34,774)	(31,716)	(24,968)	(13,020)
Increase (decrease) in:						
Accounts payable	-	2,495,777	283,706	240,014	185,173	98,743
Accrued expenses and other	-	356,164	56,812	54,399	51,327	35,082
Net cash flows provided by (used in) operating activities	(3,912,735)	(5,969,902)	5,870,714	7,568,932	8,667,161	9,399,322
Cash Flows From Investing Activities						
Increase in Debt Reserve Fund	(5,621,300)	-	-	-	-	-
(Increase) decrease in Bond Fund	(4,662,165)	4,058,459	20,486	(164,167)	(417)	417
(Increase) decrease in Tenant Improvements Fund	(448,000)	128,000	128,000	64,000	64,000	64,000
(Increase) decrease in Capital Improvements Fund	-	(890,543)	(5,141,200)	(4,071,196)	(4,954,043)	(5,302,821)
Purchase of property and construction of facility	(38,392,721)	(128,000)	(128,000)	(64,000)	(64,000)	(64,000)
Purchase of equipment	(13,000,000)	-	(750,000)	(2,000,000)	(2,500,000)	(3,000,000)
Net cash flows provided by (used in) investing activities	(62,124,186)	3,167,916	(5,870,714)	(6,235,363)	(7,454,460)	(8,302,404)
Cash Flows From Financing Activities						
Proceeds from long-term debt financing	72,061,353	-	-	-	-	-
Principal payments on subordinated bonds payable	-	-	-	(1,333,569)	(1,212,701)	(1,096,918)
Deferred bond issue costs	(2,722,447)	-	-	-	-	-
Net cash flows provided by (used in) financing activities	69,338,906	-	-	(1,333,569)	(1,212,701)	(1,096,918)
Net increase (decrease) in cash	3,301,986	(2,801,986)	-	-	-	-
Beginning cash and cash equivalents	-	3,301,986	500,000	500,000	500,000	500,000
Ending cash and cash equivalents	$3,301,986	$500,000	$500,000	$500,000	$500,000	$500,000
Supplemental Disclosures of Cash Flow Information						
Cash payments for:						
Interest (net of capitalized interest)	$1,800,663	$7,244,468	$6,998,635	$7,635,066	$7,760,934	$7,871,717
Supplemental Schedule of Noncash Investing and Financing Activities						
Construction costs of facilities and issuance costs financed by increase in liabilities:						
Originial issue discount capitalized	$653,517					
Interest expense accrued and capitalized	583,220					
Amortization of capitalized financing costs	175,866					
	$1,412,603					
Assets acquired in exchange for debt securities:						
Land	$4,810,000					
Development costs	3,070,980					
	$7,880,980					

See summary of significant accounting policies and assumptions.

OCT 19 1994

CAMBRIDGE HEALTH SYSTEM, INC. PROJECT
FORECASTED SCHEDULES OF DEBT SERVICE COVERAGE

SEE FEASIBILITY REPORT

For the years ending October 31, 1996 to 2000	1996	1997	1998	1999	2000
REVENUE OVER EXPENSES BEFORE DEPRECIATION, AMORTIZATION, AND INTEREST EXPENSE					
Excess of revenue over expenses	$552,752	$4,287,034	$5,703,202	$6,446,411	$6,508,919
Add back:					
Depreciation and amortization	2,372,101	2,422,401	2,569,501	2,800,901	3,082,301
Interest expense, including amortization of original issue discount	8,373,873	8,243,804	8,354,609	8,291,628	8,221,764
	$11,298,726	$14,953,239	$16,627,312	$17,538,940	$17,812,984
SENIOR PRIMARY DEBT SERVICE PAYMENTS					
Principal payments	-	-	-	-	-
Interest payments	6,998,635	6,998,635	6,998,635	6,998,635	6,998,635
Senior Primary Debt Service Payments	6,998,635	6,998,635	6,998,635	6,998,635	6,998,635
SUBORDINATED DEBT SERVICE PAYMENTS*					
Principal payments	-	-	1,333,569	1,212,701	1,096,918
Interest payments	-	-	636,431	762,299	873,082
Subordinated Debt Service Payments*	-	-	1,970,000	1,975,000	1,970,000
INTEREST ON WORKING CAPITAL BORROWINGS	245,833	-	-	-	-
COMBINED DEBT SERVICE PAYMENTS					
Principal payments	-	-	$1,333,569	$1,212,701	$1,096,918
Interest payments	7,244,468	6,998,635	7,635,066	7,760,934	7,871,717
Combined Debt Service Payments	$7,244,468	$6,998,635	$8,968,635	$8,973,635	$8,968,635
Number Of Times Debt Service Covered Before Subordinated and Other Debt Service	1.6x	2.1x	2.4x	2.5x	2.5x
Number Of Times Total Debt Service Covered	1.6x	2.1x	1.9x	2.0x	2.0x

* Amounts represent an allocation of the face value of the notes between principal and original issue discount.

See summary of significant accounting policies and assumptions.

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES AND ASSUMPTIONS
See Financial Feasibility Report

This financial forecast presents, to the best of management's knowledge and belief, the Hospital's expected financial position, results of operations, cash flows and debt service coverage for the forecast period. Accordingly, the forecast reflects their judgment of the expected conditions and their expected course of action as of the date of this forecast. The financial forecast is based on management's assumptions concerning future events and circumstances. The assumptions disclosed herein are those which management believes are significant to the forecast or are key factors upon which the financial results of the hospital depend.

Some assumptions inevitably will not materialize and unanticipated events and circumstances may occur subsequent to the date of this forecast. Therefore, the actual results achieved during the forecast period will vary from the forecast, and the variations may be material. Management does not intend to revise this forecast to reflect changes in present circumstances or the occurrence of unanticipated events.

This financial forecast has been prepared for the purpose of obtaining financing to construct and equip the hospital and to provide initial working capital.

* * * * *

Note 1. Nature of Business and Significant Accounting Policies

The healthcare campus will be owned and operated by Cambridge Health System, Inc., a Nevada non-profit corporation (Hospital). The financial statements included in this report relate only to Cambridge Health System, Inc. and do not include any activity of Source Living Centers, Inc., the parent organization. The parent organization is an Illinois not-for-profit company exempt from federal and state income tax under Section 501(a) of the Internal Revenue Code as an organization described in Section 501(c)(3) and applicable state statutes.

Basis of accounting: The accounting policies utilized in the forecast are those which management intends to use for historical financial statements.

Cash and cash equivalents: For purposes of reporting the statement of cash flows, the hospital includes all cash accounts and highly liquid debt instruments purchased with a maturity of three months or less and excludes all assets whose use is limited.

Inventories: Inventories are stated at the lower of cost or market; cost is determined by the first-in, first-out method.

Assets whose use is limited: Assets whose use is limited includes assets set aside by the Board for capital improvements over which the Board retains control and may at its discretion subsequently use for other purposes, and assets held by Trustees under bond indenture agreements for debt service and completion of the medical office building interior.

Property, plant and equipment: Property, plant and equipment is stated at estimated cost. Depreciation is determined on the straight-line basis for financial statement purposes and for determining reimbursable costs under certain third-party agreements. Amortization of deferred financing is included in depreciation expense.

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES AND ASSUMPTIONS
See Accountant's Report

Note 1. Nature of Business and Significant Accounting Policies (Continued)

Interest capitalized during construction: Interest cost incurred on borrowed funds, including amortization of deferred financing costs, during the period of construction of capital assets is capitalized as a component of the cost of acquiring those assets. Interest cost on the tax-exempt bonds is capitalized net of interest earnings on invested bond proceeds during the construction period. A portion of the interest cost on the taxable bonds was capitalized based on the weighted average of expenditures at the capitalization rate of 12 percent. Net interest expense during the construction period of $4,479,670 was assumed to be capitalized during the construction project. This amount is net of interest income of $718,302.

Deferred financing costs will be amortized over the period the bonds and loans are outstanding using the effective interest method which corresponds to the amounts of the bonds and loans outstanding.

Income taxes: It is anticipated that the Hospital will be exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code through a group exemption of Source Living Centers, Inc. It is also anticipated that the hospital will be exempt from state income taxes under applicable state regulations. The operations of the medical office building are taxable as unrelated business income. However, it is not anticipated that the operations of the medical office building will result in taxable income during the forecast period. Any deferred tax assets are fully offset by valuation allowances.

Patient service revenue: Patient service revenue will be recorded at the Hospital's established rates with allowances and contractual adjustments deducted to arrive at net patient service revenue.

The Hospital is expected to sign participating agreements with third-party payors which provide for reimbursement to the hospital at amounts different from its established rates. The primary programs are expected to be Medicare, Medicaid, and other managed care contracts.

Retroactively calculated contractual adjustments arising under reimbursement agreements with third-party payors are recognized on an estimated basis in the period that the services will be provided.

Development and start-up costs: All development and start-up costs are expensed during the 13-month period ended October 31, 1995.

Note 2. Related-Party Transactions

During construction and after operations commence, it is expected that Source Living Centers, Inc. will provide management services to the Hospital. The annual management fee calculated at 3 percent of net revenues (except for period of construction when fees are as stated in a contract) is forecast as follows (in thousands):

Forecast					
1995	1996	1997	1998	1999	2000
$ 1,202	$ 1,579	$ 1,871	$ 2,076	$ 2,239	$ 2,330

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES AND ASSUMPTIONS
See Accountant's Report

Note 3. The Project

Project description: The project consists of the construction of a 167,900 square foot, 158 bed acute care hospital and diagnostic and treatment center. The centrally located diagnostic and treatment center will house emergency room facilities, radiographic and nuclear medicine department, clinical laboratory services, physical therapy department, and inpatient and ambulatory surgery and recovery room area. Connecting to the diagnostic and treatment center will be an 83,800 square foot medical office building accommodating approximately 28 physician suites as well as the hospital's administrative, general, and service departments.

The Hospital will be located on a 43-acre healthcare campus of which approximately 30 acres will be available for future needs. Construction is projected to begin in late 1994 and be completed within one year, with hospital operations scheduled to begin within two months of construction completion. Architectural plans have been completed and all zoning approvals have been obtained.

Project financing: The construction of the hospital and medical office building, start-up costs, and initial working capital is expected to be financed through the issuance of hospital revenue bonds and notes.

The state of Nevada will issue $79,893,000 State of Nevada, Hospital Revenue Bonds, Series 1994 (Cambridge Health System, Inc. Project). Of the total amount of bonds, $23,680,000 of bonds will be capital appreciation bonds issued as noninterest bearing securities at an original issue discount of $13,771,000. The Hospital also intends to issue $13,820,000 Taxable Direct Obligation Notes, Series 1994. These notes will be issued on a parity basis with the senior tax-exempt bonds. The type of bonds and tax-exempt nature is presented in the table on the following page.

The Hospital will have the sole responsibility for the payment of principal and interest on the bonds under a loan agreement with the state of Nevada. The Hospital also has sole responsibility for payment of principal and interest on the notes.

The bonds are secured by a first mortgage on the facilities. A bond reserve fund is also pledged as security.

Debt service requirements from November 1, 1994, through October 31, 1996, will be provided from bond proceeds. The trustee will hold these proceeds for the sole purpose of making payments on the bonds. After these bond funds are utilized for debt service payments, the Hospital will provide additional security to the trustee in the form of a pledge of gross revenues and resulting accounts receivable.

In the event of a default on the senior bonds or on the senior taxable notes, or in the event of bankruptcy, dissolution or liquidation, payments of principal or interest on the subordinate bonds is not permitted until the senior bonds and notes are paid in full.

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES AND ASSUMPTIONS
See Accountant's Report

Note 3. The Project (Continued)

Type of Debt	Face Amount (in Thousands)	Original Issue Discount (in Thousands)	Proceeds (in Thousands)	Maturity (Years)	Effective Interest Rate
Senior tax-exempt bonds	$ 56,213	$ -	$ 56,213	30	9.5%
Subordinate tax-exempt bonds	23,680	13,771	9,909	15	10.0%
Senior taxable notes	13,820	-	13,820	20	12.0%
	$ 93,713	$ 13,771	$ 79,942		

Maturities on long-term debt obligations are as follows (in thousands):

	Senior Tax-Exempt	Senior Taxable	Subordinate Tax-Exempt	Total
1998	$ -	$ -	$ 1,970	$ 1,970
1999	-	-	1,975	1,975
2000	-	-	1,970	1,970
2001	-	-	1,970	1,970
2002	-	-	1,975	1,975
2003	-	-	1,975	1,975
2004	-	-	1,970	1,970
2005	-	670	1,975	2,645
Due thereafter	56,213	13,150	7,900	77,263
	$ 56,213	$ 13,820	$ 23,680	$ 93,713

Note: Principal maturities for 1995, 1996, and 1997 are $-0-. Maturities on the subordinate tax-exempt obligations includes amortization of original issue discounts.

* * * * *

Note 4. Sources and Uses of Funds

Sources and uses of construction funds are expected as follows:

	Tax-Exempt	Taxable	Total
Sources of funds (in thousands):			
Bond proceeds:			
Senior	$ 56,213	$ 13,820	$ 70,033
Subordinated*	9,909	-	9,909
	$ 66,122	$ 13,830	$ 79,942

* Subordinated tax-exempt bond is net of original issue discount of $13,771,000. These bonds will be issued in exchange for certain development costs and in partial payment of land acquisition costs.

Uses of funds (in thousands):	
Land	$ 8,865
Land improvements	1,250
New construction and fees	29,008
Construction contingency	837
Equipment	13,000
Development and organization costs	5,118
Bond issuance fees	2,722
Debt reserve fund	5,621
Medical office building tenant improvement fund	448
Initial debt service provided out of bond proceeds net of interest earnings	9,771
Hospital working capital	3,302
	$ 79,942

Note 4. Sources and Uses of Funds (Continued)

During the initial year of operations, starting November 1995, the Hospital will have an outstanding line of credit available to provide working capital in a maximum amount of $4,000,000. This line of credit will be secured by a pledge of accounts receivable. This line of credit will be paid in full and terminated by October 1, 1996. Subsequent to that date, gross revenues and all receivables will be pledged to the trustee to secure repayment of the bonds.

It is assumed that the Hospital will draw on this line of credit as needed. All borrowings under this line of credit are assumed to be at an interest rate of 10 percent. Monthly outstanding balances under the line of credit are forecast as follows:

Month	Balance
November 1995	$ -
December 1995	2,100,000
January 1996	3,600,000
February 1996	3,700,000
March 1996	3,800,000
April 1996	3,900,000
May 1996	4,000,000
June 1996	3,700,000
July 1996	2,600,000
August 1996	2,100,000
September 1996 and thereafter	-

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Note 5. Hospital Revenue and Expense Assumptions

Patient service revenue: Revenue was forecast at the departmental level by applying the inpatient admissions and outpatient visits determined from the demand analysis and marketing study to forecasted per admission and per-visit charge rates.

The forecasted inpatient and outpatient volumes and related information is presented below:

	Forecast				
	1996	1997	1998	1999	2000
Inpatient admissions	5,806	6,702	7,398	7,803	7,953
Inpatient days	31,935	36,193	39,216	40,580	39,768
Percent of occupancy	55.2	62.8	68.0	70.4	68.8
Outpatient visits	21,444	23,827	28,592	37,170	48,320
Outpatient revenue as a percent of inpatient revenue before discounts	9.7%	10.0%	10.1%	12.0%	14.6%
Equivalent inpatient days	35,022	39,796	43,172	45,470	45,556

Forecasted patient days or procedures were applied to forecasted charges per day or per procedure to develop departmental revenue. Departmental revenue was compared with the revenue from comparable hospitals in the Las Vegas area for reasonableness. Revenue per day or procedure was increased at a 5 percent annual inflation rate. Revenue per patient day, adjusted for equivalent days based on outpatient activity, for the forecast period is presented below:

	Forecast				
	1996	1997	1998	1999	2000
Revenue per equivalent inpatient day	$ 2,792	$ 2,974	$ 3,168	$ 3,378	$ 3,660

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SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES AND ASSUMPTIONS
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Note 5. Hospital Revenue and Expense Assumptions (Continued)

Allowances and contractual adjustments: Allowances and contractual adjustments include reductions to patient revenue for care to Medicare, Medicaid, and other patients to which the hospital is contractually obligated to provide care.

Regulations and rules currently in place and known changes to their reimbursement provisions were used to develop the reimbursement amounts. Regulations at the federal level (Medicare) and at the state level (Medicaid) undergo frequent change. These changes could significantly alter the reimbursement amounts received by the Hospital. Furthermore, the healthcare industry is undergoing planning for significant changes, especially at a national level. These changes may have a significant impact on allowances and contractual adjustments.

Medicare: Inpatient acute care services reimbursed to Medicare program beneficiaries are paid at prospectively determined rates-per-discharge. These rates vary according to the patient classification system that is based on clinical, diagnostic, and other factors. The allowance applicable to Medicare inpatients was determined by computing the difference between expected Medicare reimbursement on a per discharge basis from expected Medicare inpatient charges.

Certain outpatient services rendered to Medicare patients are reimbursed on a cost basis while other specified outpatient services are reimbursed on a fee-for-service basis. Allowances applicable to service rendered under both methods were computed and deducted from revenue.

Regulations related to reimbursement for inpatient capital costs were published in final form on August 30, 1991, by the Health Care Financing Administration (HCFA). These regulations provide for reimbursement of capital costs using fully prospective rates or a hold harmless method in situations where per case capital costs are higher than the national average. It is expected that the Hospital, as a new facility, will qualify to be reimbursed on the hold harmless provisions since this amount is greater than the fully prospective amount. This payment methodology is expected to remain in place throughout the forecast period.

Medicaid: Inpatient services provided Medicaid patients receive prospective rates established by the state of Nevada. These rates are periodically updated. Allowances applicable to these patients were computed by subtracting assumed reimbursement from estimated charges on a per case basis.

Medicaid outpatient allowances were estimated as a percentage of charges and deducted from patient service charges.

At the present time, the state of Nevada is studying its reimbursement methodology for hospitals. As a result of this, significant changes in the manner and amount of reimbursement could result. These potential changes represent significant uncertainty, the effects of which cannot be determined at this time.

Managed care: The hospital is also expected to contract with payors offering managed care contracts. These contracts are expected to reimburse the hospital on a per day basis for inpatient care and as a percentage of charges for outpatient care.

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES AND ASSUMPTIONS
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Note 5. Hospital Revenue and Expense Assumptions (Continued)

Key information related to net patient revenue and utilization is depicted in the following table. Dollar amounts are shown in thousands:

	Forecast				
	1996	1997	1998	1999	2000
Gross inpatient revenue	$ 89,162	$ 107,648	$ 124,241	$ 137,087	$ 145,534
Gross outpatient revenue	8,623	10,720	12,533	16,518	21,183
Total patient revenue	97,785	118,368	136,774	153,605	166,716
Less: Discounts and allowances	45,139	56,013	67,573	78,965	89,042
Net patient revenue	$ 52,646	$ 62,355	$ 69,201	$ 74,640	$ 77,674
Percent of inpatient days/outpatient visits:					
Medicare	48%	48%	48%	48%	48%
Medicaid	4%	4%	4%	4%	4%
Managed care	27%	28%	30%	32%	34%
Other	21%	20%	18%	16%	14%
Inpatient allowance as a percent of applicable charges:					
Medicare	62%	61%	63%	64%	65%
Medicaid	62%	63%	64%	64%	65%
Managed care	53%	54%	56%	57%	59%
Other	16%	16%	16%	16%	16%
Outpatient allowance as a percent of charges:					
Medicare	52%	56%	58%	60%	61%
Medicaid	60%	58%	55%	53%	50%
Managed care	50%	50%	50%	50%	50%
Other	16%	16%	16%	16%	16%

* * * * *

Other operating revenue: Other operating revenue consists of revenues from cafeteria, interest income on cash and cash equivalents, retail pharmacy sales and medical office building rental.

Start-up costs: Expenses expected to be incurred in preparation of opening the facility for operations during the period of construction include salaries, employee benefits, advertising, management fees and other expenses of $2,047,020.

Development costs: Expenditures incurred by Rainbow-Hacienda General Partnership, the owners of land, are expected to be paid from bond proceeds. These expenditures totaling $3,070,980 include reimbursement for legal and accounting fees, planning and zoning development and compensation for time spent in developing the hospital site.

Note 5. Hospital Revenue and Expense Assumptions (Continued)

Salaries and wages: Salaries and wages were forecast for each department and were based on the forecasted volume of the department. The hours required to staff the volume were established by industry productivity norms. The hours required by each department were deter-mined based on departmental volumes. Some overhead departments were handled as relatively fixed within the relevant forecast range of volume.

Average hourly rates for each department were estimated based on current conditions. An annual inflation factor of 5.5 percent was applied annually to the hourly rates.

Full-time equivalent employees (FTEs) for the years ending October 31, 1996, through October 31, 2000, are shown below:

	Forecast				
	1996	1997	1998	1999	2000
Routine services	142.8	157.7	170.9	177.4	172.8
Ancillary services	124.0	137.3	150.2	167.0	179.1
General hospital services	53.5	57.4	59.8	60.9	60.2
Fiscal and administrative	52.1	57.9	62.0	62.4	62.3
Total FTEs	372.4	410.3	442.9	467.7	474.4

It has been assumed that salaries for the Hospital Administrator, Director of Nurses, and Chief Financial Officer will be paid by the management company and included as part of the management fee.

* * * * *

Employee benefits: Employee benefits were forecast at 20 percent of salaries and wages for base benefits and a annual day care subsidy of $365 per employee, inflated annually by 7 percent.

Supplies and purchased services: Supplies and purchased services were forecast as a variable expense based on adjusted patient service days at $280 per day in 1996. An inflation factor ranging between 2 and 4 percent was applied annually thereafter.

The cost of retail pharmacy sales was assumed to be 50 percent of sales.

Utilities: Utility costs were based on a 251,700 square foot facility at $4.60 per square foot and inflated annually at 7 percent.

Advertising: A budget of $100,000 in 1996 has been established and is assumed to increase at a rate of 10 percent per year.

Other operating expenses: Other operating expenses were forecast as a fixed expense at $256 per adjusted patient service day in 1996. An inflation factor of 3.2 percent was applied annually thereafter.

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES AND ASSUMPTIONS
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Note 5. Hospital Revenue and Expense Assumptions (Continued)

Insurance: Malpractice insurance was forecast at $27.35 per adjusted patient day in 1996 and inflated at 7.1 percent annually.

Property, plant, and boiler insurance was forecast at $100,000 in 1996, and increased at a 4.9 percent inflation factor annually.

Management fees: Management fees for management of the hospital by Source Living Centers, Inc. were forecast at a rate of 3 percent of net patient service revenue.

The management agreement calls for Source Living Centers, Inc. to provide for the overall management of the hospital, recruitment of personnel, including physicians, collection of accounts and provision of general liability insurance.

Bad debt expense: Bad debts were set at 2.5 percent of gross patient service revenue for the forecast period.

Interest income: Interest income was forecast based on the beginning expected cash available for investment and assumed the following investment income percentages:

Construction fund	4.0%
Cash and short-term investment income	3.5%
Long-term limited use funds	5.0%

Note 6. Medical Office Building Revenue and Expense Assumptions

Rental and utilities charge: Rental income was forecast at $15 per square foot plus a utilities charge of $1.15 per square foot in 1996 and inflated at 5 percent annually. Tenant occupancy levels are forecast as:

Forecast				
1996	1997	1998	1999	2000
65%	75%	85%	90%	95%

Of the 83,800 square footage, approximately 25,500 square feet will be occupied by the Hospital's administrative office and are not included in the occupancy above. Hospital rental revenues are eliminated for reporting purposes.

Administrative and maintenance: Administrative and maintenance expenses were forecasted as a percentage of gross rental and utilities charges as shown:

Forecast				
1996	1997	1998	1999	2000
5.1%	6.3%	6.2%	5.9%	5.6%

Property taxes on rental property: Property taxes were forecast at $80,000 in 1996 based on 35 percent of the medical office building cost at a tax rate of $2.70 per $100 of assessed value. An annual inflation rate of 5 percent was assumed thereafter.

Note 7. Balance Sheet Assumptions

Cash and cash equivalents: Cash and cash equivalents are computed using a maximum amount of $500,000. Amounts in excess of the maximum are recorded as assets whose use is limited for capital purposes.

Patient accounts receivable: Patient accounts receivable were developed by multiplying the average daily revenue against expected days outstanding at the end of each period. The number of outstanding days revenue was assumed to be 80 days.

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES AND ASSUMPTIONS
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Note 7. Balance Sheet Assumptions (Continued)

Inventories: Inventories were assumed to be comprised mainly of departmental supplies, general supplies, food, and medications. Inventory was forecast based on 12 percent of supplies and purchased services in each of the forecast years.

Prepaid expenses: Prepaid expenses were assumed to be comprised primarily of prepaid insurance expense. Over the forecast period, prepaid expenses are expected to be 16.7 percent of insurance expense or approximately two months of premiums.

Debt service reserve fund: Funds required to be reserved for debt service were assumed to be 10 percent of the senior tax-exempt bond issue. No changes in the amount are forecast.

Bond fund: Funds provided from bond proceeds and payments made by the Hospital which are deposited with the trustee for the semi-annual principal and interest payments.

Tenant improvement fund: Total tenant improvements for the medical office building were forecast at $1,280,000. Sixty-five percent of the improvements will be completed during the initial construction phase and the remainder as the medical office building is occupied. The percentage of the total spent each year is forecast to be:

Forecast					
1995	1996	1997	1998	1999	2000
65%	10%	10%	5%	5%	5%

Capital improvement fund: Capital improvement funds are designated by the Board of Directors to be used for future capital investment requirements. The capital improvements fund was computed as the residual asset balance of all balance sheet accounts after applying all other assumptions.

Deferred financing costs: Certain costs incurred while obtaining financing are deferred and amortized using the effective interest method of amortization over the life of the debts. For purposes of this forecast $2,722,447 was deferred and amortized as follows:

	Expense	Capitalized
1995	$ -	$ 175,866
1996	140,693	-
1997	140,693	-
1998	140,693	-
1999	140,693	-
2000	140,693	-

Property, plant and equipment: Property, plant and equipment are stated at estimated cost. Depreciation was determined on the straight-line basis for financial statement purposes and for determining reimbursable costs under certain third-party agreements.

The estimated useful asset lives for the forecast period construction and acquisitions were:

	Years
New building construction	40
Land improvements	20
Equipment	10

Property additions from new construction were assumed to be completed on October 31, 1995, at which time the assets were transferred to property, plant, and equipment. Components of construction costs were assumed as:

Payments to contractors	$ 31,094,788
Net capitalized interest	4,479,670
Capitalized financing cost	175,866
	$ 35,750,324

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES AND ASSUMPTIONS
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Note 7. Balance Sheet Assumptions (Continued)

Net interest expense during the construction period has been capitalized or expensed as start-up costs in accordance with generally accepted accounting principles as follows (in thousands):

	Tax-Exempt	Taxable	Total
Interest expense	$ 6,895	$ 1,797	$ 8,692
Interest income	1,658	232	1,890
Net interest expense	$ 5,237	$ 1,565	$ 6,802
Net capitalized expense			$ 4,481
Interest expense			3,493
Interest income			(1,172)
			$ 6,802

Fixed asset cost by major asset classifications are as follows (in thousands):

Hospital:	
Land - 43 acres	$ 6,710
Land improvements	946
Building	28,003
Equipment	13,000
	48,659
Medical office building:	
Land	2,155
Land improvements	304
Building	6,498
	8,957
Total	$ 57,616

* * * * *

Capital expenditures, apart from new construction, were assumed as follows (in thousands):

	1996	1997	1998	1999	2000
Hospital - equipment	$ -	$ 750	$ 2,000	$ 2,500	$ 3,000
Medical office building - tenant improvements	128	128	64	64	64

* * * * *

Accounts payable: Accounts payable are assumed to be a function of supplies, and purchased services, advertising, utilities, and other operating expenses and the average number of days a payable is outstanding. For the forecast period, 45 days was assumed as the average days outstanding.

Accrued expenses: Accrued expenses are comprised of accrued compensation, accrued interest, and accrued property taxes.

Accrued compensation was assumed to be 7 days of salaries and benefits for each forecast year.

Accrued property tax was forecast as 25 percent of property tax expense.

Note 8. Analytical Comparisons

As a means of determining that forecasted amounts are reasonable, the operating results were evaluated for three Las Vegas hospitals considered to be comparable to Cambridge Health System, Inc.

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Note 8. Analytical Comparisons (Continued)

Hospitals considered as comparable for analytical comparison purposes include Valley Medical Center, Desert Springs Hospital, and Sunrise Hospital. Data for the comparable hospitals was obtained from the Nevada Hospital Quarterly Reports for the period ending December 31, 1993, or from the Medicare cost report for the period coinciding with the reporting hospital's fiscal year end.

For purposes of comparing payor mix, the physician survey (discussed previously) was used to prepare a weighted average payor mix based on the physicians intending to admit patients and their current payor mix of patients. The comparison data includes the following:

	Physician Survey	Average for Comparable Hospitals	Cambridge Health System, Inc. Forecast				
			1996	1997	1998	1999	2000
Occupancy		76.8%	55.2%	62.8%	68.0%	70.4%	68.8%
Average length of stay (days)		5.7	5.5	5.4	5.3	5.2	5.0
Payor mix--based on inpatient service days:							
Medicare and Medicaid	40%	56%	52%	52%	52%	52%	52%
Managed care	31%	N/A	27%	28%	30%	32%	34%
Other	29%	N/A	21%	20%	18%	16%	14%
Inpatient gross revenue per patient service day		$ 3,024	$ 2,792	$ 2,974	$ 3,168	$ 3,378	$ 3,660
Percent of gross outpatient revenue to gross revenue		18.8%	9.7%	10.0%	10.1%	12.0%	14.6%
Discounts and bad debts as a percent of gross revenue		58.2%	48.7%	49.8%	51.9%	53.9%	55.9%
Salary and wages:							
FTEs per occupied bed		4.6	4.3	4.1	4.1	4.2	4.4
Total hours per patient service day		35.4	24.3	23.6	23.5	24.0	24.9
Average salary per hour		$ 16.84	$ 18.81	$ 19.80	$ 20.84	$ 21.96	$ 23.12
Expenses:							
*Supplies and purchased services per adjusted patient service day (excluding retail pharmacy)		$ 229	$ 279	$ 291	$ 304	$ 312	$ 319
Utilities cost per square foot		$ 4.28	$ 4.60	$ 4.92	$ 5.27	$ 5.64	$ 6.03
*Other operating expenses per adjusted patient service day		$ 208	$ 277	$ 230	$ 219	$ 214	$ 221
*Malpractice insurance cost per adjusted patient service day		$ 17.52	$ 27.35	$ 29.19	$ 31.20	$ 32.80	$ 34.33
Other:							
Equipment cost per licensed bed		$ 83,573	$ 82,278	$ 89,025	$ 99,684	$ 115,506	$ 134,494

*Computed by adjusting inpatient days for additional days based on outpatient revenue divided by average revenue per inpatient day.

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES AND ASSUMPTIONS
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Note 9. Sensitivity Analysis

The financial forecast is especially sensitive to changes in net patient revenue assumptions relating to the forecasted admissions, payor mix, and staffing levels. A decrease in admissions will have a detrimental effect on the ability of the hospital to meet its obligations as will an increasing percentage of noncharged based payors. If the hospital is not successful in meeting its volume forecasts and inpatient admissions and outpatient visits are reduced by 25 percent, the following approximate changes will occur:

	1996	1997	1998	1999	2000
25% reduction in occupancy					
Occupancy	41.4%	47.1%	51.0%	52.8%	51.6%
Resulting excess (deficiency) of revenues over expenses (000s)	$ (1,634)	$ 911	$ 1,867	$ 2,406	$ 2,471
Debt service coverage ratio	1.3x	1.7x	1.4x	1.5x	1.5x

The financing arrangements included in the forecasted financial statements are structured with only minimal payments on principal during the forecast period. If the financing were structured with no principal payments for the first two years followed by level annual payments of principal and interest to amortize the debt over 28 years, debt service coverage would be as follows, assuming that all other assumptions are consistent with those in the forecasted financial statements.

	1966	1997	1998	1999	2000
Number of times total debt service covered per forecast	1.6	2.1	1.9	2.0	2.0
Number of times total debt service covered with above described sensitivity	1.4	1.7	1.9	2.0	2.0

Note 10. Rounding

Because the accompanying forecasted statements are computer generated, certain amounts may not sum to the first order digit due to internal rounding.

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CITY OF LAS VEGAS
CAMBRIDGE HEALTH SYSTEM, INC

Feasibility Study Limited Review

BACKGROUND

The City of Las Vegas, Nevada has been approached by Cambridge Health System, Inc. (CHS) to assume certain findings that will allow the State of Nevada to perform the role of issuing authority for approximately $93.7 million of debt composed of $79,893,000 of tax-exempt Hospital Revenue Bonds and $13,820,000 of taxable notes. The debt proceeds will be used to fund construction and initial operations of a new 167,900 square foot, 158-bed acute care hospital and diagnostic treatment center. The proposed hospital is to be built in Clark County, Nevada, approximately 4 miles south of the city limits of Las Vegas. A draft feasibility study was completed by McGladrey & Pullen, CPAs in June 1994. The proposed hospital will be owned and operated by Cambridge Health System, Inc., a nonprofit, tax-exempt organization.

Ernst & Young has been requested by the City of Las Vegas and Cambridge Health System to perform a limited review of the scope and approach taken to conduct the feasibility study completed by McGladrey & Pullen, CPAs. The purpose of the review is to provide the City of Las Vegas with additional information on the completeness of the feasibility study and to identify areas which we would recommend that the scope and approach of the analysis be enhanced. Our procedural evaluation does not constitute the due diligence required to opine on the reasonableness of the assumptions developed or the reasonableness of the financial statements developed in the completed feasibility study.

SCOPE AND APPROACH OF A FINANCIAL FEASIBILITY STUDY

The analysis necessary to assess a hospital's ability to service bond indebtness requires a thorough understanding of market conditions that should exist when the facility begins operations. The value of a feasibility study is determined by whether the thoroughness and reasonableness of the study is sufficient to warrant the capital investment of third parties and whether the study provides the framework on which management can build long term forecasts. The elements of the feasibility study generally cover the following areas:

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- ❑ Historical perspectives of the institution and its achievements. Statistical data on utilization, financial performance, management and medical staff provide appreciation of the quality of the institution.

- ❑ Project budget and proposed source and uses of funds. An accurate budget and breakdown of depreciable assets is essential for an objective assessment of future cash availability.

- ❑ Market analysis, definition of service area and projection of aggregate demand for future patient services. This section usually relies on a number of external data sources and in-depth interviews with knowledgeable participants.

- ❑ Financial projections of operating income, cash available for debt service, pro forma balance sheets and other cash sources. This portion of the study is based on projections of reimbursement sources and utilization and operating expenses. Generally accepted accounting principles are applied.

The following outline provides a summary of guidelines for the preparation of financial forecasts recommended by the American Institute of Certified Public Accountants.

1. **Single most probable result.** A financial forecasting system should provide a means for management to determine what it considers to be the single most probable forecasted result. In addition, determination of the single most probable result generally should be supplemented by the development of ranges or probabilistic statements.

2. **Accounting principles used.** The financial forecasting system should provide management with the means to prepare financial forecasts using the accounting principles that are expected to be used when the events and transactions envisioned in the forecast occur.

3. **Appropriate care and qualified personnel.** Financial forecasts should be prepared with appropriate care by qualified personnel.

4. **Best information available.** A financial forecasting should provide for seeking out the best information, from whatever source, reasonably available at the time.

5. **Reflection of plans.** The information used in preparing a financial forecast should reflect the plans of the enterprise.

6. **Reasonable assumptions suitably supported.** The assumptions utilized in preparing a financial forecast should be reasonable and appropriate and should be suitably supported.

7. **Relative effect of variations.** The financial forecasting system should provide the means to determine the relative effect of variations in the major underlying assumptions.

8. **Adequate documentation.** A financial forecasting system should provide adequate documentation of both the forecast and the forecasting process.

9. **Regular comparison with attained results.** A financial forecasting system should include the regular comparison of the forecast with attained results.

10. **Adequate review and approval.** The preparation of a financial forecast should include adequate review and approval by management at the appropriate levels.

LIMITED REVIEW OF MCGLADREY & PULLEN FEASIBILITY STUDY

The McGladrey & Pullen feasibility study includes information categorized in the following 4 areas: (1) Feasibility Report (2) Marketing and Demand Analysis (3) Forecasted Financial Statements, and (4) Summary of Significant Accounting Policies and Assumptions. The market and demand analysis phase of the study should establish the reasonable basis of assumptions relating to forecast utilization of the present and proposed health care facilities. Volume forecasts of all major potential revenue sources, as well as the status of third-party contracts and principals of reimbursement, are among the most significant inputs for the financial forecasts. The following sections include references to the above areas in the Feasibility Study and Ernst & Young's comments and recommendations concerning the scope and approach of the analysis.

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Construction of the proposed hospital is anticipated to be completed in approximately 13 months, with hospital operations scheduled to begin within 2 months of construction completion. Architectural plans have been completed and all zoning approvals have been obtained, however, the project requires the necessary financing and the issuance of construction permits. The narrative should also clearly explain the source of assumptions regarding the cost of the assets to be constructed and/or acquired, e.g., whether construction bids, equipment costs, actual contracts and/or a guaranteed maximum price has been received by CHS for a significant percentage of the project costs. Where estimates are used for a portion of the project, these should be disclosed.

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The forecast utilization should be based on assumptions and rationale about the potential supply and demand characteristics of the hospital's primary and secondary service areas as related to the particular facilities, services, and physicians of the hospital. Assumptions and rationale should be developed after investigation of the following factors:

1. The potential population growth of the hospital service area obtained from recognized and accepted agencies; analysis of economic and demographic information, obtained through research of published information and supplemented by interviews with appropriate persons;

2. The potential need for health care services in the geographic area, based on an evaluation of the population growth and service area health care trends, as well as national trends;

3. The ability of the service area's health care delivery system to meet these needs through existing facilities, plus those under construction and planned for construction during the period of the forecast; and

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4. The indicated patronage of the hospital by patients of the prospective medical staff and managed care contractor.

The overall methodology used to develop the CHS utilization forecasts included an analysis of a portion of the recommended tasks required to develop demand for health care services. However, several important and significant considerations that should have been addressed were excluded in the study. Service area admission/discharge market share profiles were not presented in the feasibility study and admissions or discharges were not presented or discussed. A service area admission/discharge market share profile presents area hospitals that receive discharges from the defined service area, illustrating each hospital's percentage of total service area resident admission/discharges. Variations in service area market share trends experienced by area hospitals provide insight regarding service area resident utilization of area hospitals and indications if any hospital(s) are enjoying increased market share at the expense of competing facilities. The service area discharge market share is also necessary to determine what percentage the CHS would need to capture to meet the inpatient volume estimates used in the feasibility study.

The Nevada Department of Human Resources Health Care Financial Analysis Unit provides a discharge abstract reporting system that includes information necessary to develop a service area discharge market share profile for Nevada facilities. The State of California Office of Statewide Health Planning and Development provides similar information for California based hospitals.

In addition, State of Nevada, Clark County and service area historical and forecast acute care admission/discharge use rates were not presented in the feasibility study. The service area acute care admission/discharge use rate represents the actual number of service area resident discharges per 1,000 service area residents. No forecast use rates were mentioned or presented in the study for any Counties in Nevada as well as the service area. Information required to develop use rates by service can be obtained from the University of Nevada Las Vegas Center for Public Data Research. Review of the data gathered from these sources results in an estimate of forecast need for services in the area and the hospital's ability to meet those needs.

Typically, the historical use rate are analyzed by service such as medical/surgical, obstetric, pediatric, etc. to determine whether certain trends that have been occurring over time could continue in the future. For instance, most hospitals have been experiencing a declining use-rate

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and average length of stay over the past years as advances in medical technology and pressures from third party payors have reduced inpatient admissions. Therefore, the forecast use rates and length of stay assumptions could reflect this continuing decline throughout the forecast period.

The feasibility study did not address alternative delivery systems or other managed care activity prevalent in the State of Nevada or California. The continuing shift away from the fee for service environment to venues of managed care and other alternative forms of health care delivery place an increasing amount of importance on this portion of the feasibility study analysis. Managed care growth, alternative forms of delivery and the increasing penetration of capitated payment arrangements need to be considered and evaluated for their impact on area use rates. These assumptions should include a description of the type of managed care programs operating in the area, the enrollment in the plans and the proposed hospital contracting position should be disclosed (i.e. contract rates, managed care provider). In addition to this type of macro level market trend analysis, cost factors dictating competitive advantages will play an increasing role as managed care increases and as the industry increasingly becomes more cost driven by product line.

The primary objective of an alternative delivery system is to reduce hospital utilization and reduce health care costs to the consumer. Representative alternative delivery systems include health maintenance organization (HMO) and preferred provider organization (PPO). HMOs assume responsibility for, and directly assume the financial risk of providing health care services to their members in return for a set prepaid monthly premium. A PPO is a group of health care providers which have contractual arrangements to provide specific or full-scope services at a negotiated price to a defined group of patients. In addition, there is an increasing conversion of beneficiaries enrolled in capitated plans that are responsible for providing or arranging for the health care services needed by that enrolled population. Conversion from a traditional fee-for-service to managed care population is believed to impact acute-care providers during the initial years of implementation by reducing average length of stay and use rates and increasing discounts from charges. Medicare HMO companies are also aggressively expanding into new markets by offering the senior population capitated contracts with attractive options.

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The average occupancy rate of the six existing hospitals operating in the Las Vegas metropolitan service area in 1993 was approximately 64 percent, significantly below target hospital occupancy rates of 80 to 85 percent, depending on the level of service. Preliminary estimates suggest there is no bed need in the Las Vegas area for the forecast period presented, even with expected population growth.

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Identification of competing hospitals that will affect the proposed hospital's likelihood of success through discussions with management and planning agencies should include the major competitive facilities in the primary service area and also the major competitors located outside of the primary service area that draw heavily from that area. The feasibility study identified the possible development of a 110-bed acute care hospital in the northwest quadrant of Las Vegas. Although the proposed development is not located within the primary service area of the Hospital, the close proximity to the proposed hospital could impact utilization of area facilities. In addition, policies and regulations promulgated by federal, state and local health care regulatory agencies can impact competition and utilization in the service area. A discussion of the market share of existing Las Vegas area hospitals as well as the type of health planning regulation (i.e. utilization review) and projected bed need methodology can help clarify the probable impact of new providers in the competitive environment.

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Demand for acute care services at the proposed hospital was developed based on physician survey completed in June 1994 by O'Neill and Associates. The questionnaire, which was sent to physicians located in both the primary service area and other areas, sought physicians' responses concerning future utilization of the proposed facility and requested information related to specialties, admission patterns, insurance coverage of patients, familiarity of and need for the

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proposed hospital, and interest in leasing office space. The inpatient volume was forecast based on 95 percent of survey results by 1999. In our experience, the level of scientific accuracy associated with physician questionnaires is doubtful. There is [illegible]eral bias among physician respondents that accompanies inquires into new facilities. Many [illegible]ysicians have existing hospital affiliations or managed care network arrangements that prevent or discourage support of alternative providers. To assume approximately 100 penetration based on physician responses without validation is a optimistic presumption. Outpatient visit forecasts for 1997 were also developed based on results of the physician survey. Outpatient visits were based on 100 percent of survey estimates by 1997. In addition, outpatient volume was forecast to increase at aggressive growth levels for the future years without substantiation. There was no supporting documentation in the feasibility study for emergency room volume assumptions.

Accordingly, the physician survey should result in an analysis that presents a medical staff profile and the results from any medical staff interviews. The feasibility study did not address interview commentary with the proposed medical staff. Interviews with significant physicians with the greatest potential to support the proposed hospital will assist in determining those physicians who will be most active in terms of admissions and in patient days by specialty after the completion of the hospital. Normally there are a core group of physicians that can be identified as the key leaders of the development of a new hospital and are the spokesmen for the medical community.

Physicians were not identified by specialty, by age or board certification status, or by the distribution of physician admissions by age, specialty and practice type. Because the proposed hospital depends so greatly on support from physicians, their opinions about how the hospital will influence their patronage are vital. Written commitments and interview commentary from physicians that are anticipated to be members of the active medical staff would be advisable to support the stated intent to patronage the hospital based 95 percent of survey respondents.

Section - Marketing and Demand Analysis
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Forecast utilization of hospital facilities in terms of admissions and patient days and other measurements of service, as developed from economic data and from physicians' estimates showing expected utilization, should be classified according to clinical service and revenue-

producing departmental categories such as surgical beds, medical beds, obstetrical beds, non acute beds, special clinical services, and emergency and outpatient services. The summary of demand analysis was not presented or discussed in this detail, recommended as follows:

	1996	1997	Forecast 1998	1999	2000
MEDICAL/SURGICAL					
Discharges					
Patient Days					
Average Length of Stay					
Licensed Beds					
Percent Occupancy					
Occupied Beds					
OBSTETRICS					
Discharges					
Patient Days					
Average Length of Stay					
Licensed Beds					
Percent Occupancy					
Occupied Beds					
ADULT SUBTOTAL					
Discharges					
Patient Days					
Average Length of Stay					
Licensed Beds					
Percent Occupancy					
Occupied Beds					
NEWBORNS					
Discharges					
Patient Days					
Average Length of Stay					
Licensed Beds					
Percent Occupancy					
Occupied Beds					
TOTAL					
Discharges					
Patient Days					
Average Length of Stay					
Licensed Beds					
Percent Occupancy					
Occupied Beds					
SELECTED OUTPATIENT					
Outpatient Surgery					
Clinic Visits					
Emergency Room					

Forecasted Financial Statements
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The forecasted statements of revenue and expenses present a net income of over $500,000 during the first year of operations in 1996. In our experience, the first year of start-up operations for a general acute care hospital generally produces a substantial operating loss and deficit as occupancy levels gradually build over time.

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Section - Summary of Significant Accounting Policies and Assumptions. Page 23.

The financial statements presented in the feasibility study present a stand-alone project rather than the consolidated financials of CHS parent corporation, Source Living Centers, Inc. The parent corporation is an Illinois not-for-profit company exempt from federal and state income tax under Section 503(c). The City of Las Vegas and State of Nevada should consider performing due diligence requested for CHS as it is anticipated that the proposed hospital will be exempt from federal tax through a group exemption of Source Living Centers, Inc. It is also expected that Source Living Centers, Inc. will provide management services to the hospital for an annual fee equal to 3 percent of net revenue.

Section - Summary of Significant Accounting Policies and Assumptions. Page 24

The annual management fee of 3 percent of net revenues should be subordinated to all debt payments on the Hospital Revenue Bonds, Obligation Notes and other debts incurred and all operating expenses. Subordinated management fees assure bondholders that payments of management fees are not permitted until principal and interest are paid in full.

Section - Summary of Significant Accounting Policies and Assumptions. Page 26

There are no equity contributions shown in the sources or uses of funds. Typically, equity contributions equal to 10 percent to 20 percent of the overall cost of the project are required by institutional investors. The proposed project financing would be considered high risk to investors (i.e. 100 percent leveraged, start-up operation, no rating, no bond insurance, no letter of credit) and therefore require high rates of interest to attract prospective investors. Bondholders carry all the risk in case of an eventual default without equity contributions from the development sponsor. Effective interest rates ranged from 9.5 percent for tax-exempt bonds to 12.0 percent for taxable bonds. The proposed debt structure and future debt service requirements are high compared to health care industry standards.

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A brief summary of the legal structure of the proposed financing should be described. This disclosure should include the provisions with regard to the major funds to be established, the description of how these funds are to operate, the amounts and dates involved in establishing each fund, the amounts to be deposited in the funds, the restrictions regarding the use of these funds, the disposition of interest earned on these funds and the transfer of monies between funds.

Section - Summary of Significant Accounting Policies and Assumptions. Page 27

As presented in the feasibility study, revenue was forecast by applying inpatient admissions determined in the demand analysis to forecasted per admission charge rates. Admission/discharges were not presented or discussed in the demand analysis.

Section - Summary of Significant Accounting Policies and Assumptions. Page 31

Tenant occupancy levels were forecast to increase from 65 percent in 1996 to 95 percent in 2000. There is no supporting documentation for fill-up rates in the medical office building or indication of written commitments by physicians to lease office space at stated lease rates. Forecast rental income generated from the medical office building exceeds $1 million annually by 1998.

Section - Summary of Significant Accounting Policies and Assumptions. Page 33

Analytical comparisons of CHS proposed hospital (158 beds) relative to three other Las Vegas hospitals, Valley Medical Center (416 beds), Desert Springs Hospital (225 beds), and Sunrise Hospital (688 beds) are presented on page 34. Hospital industry standard comparative analysis are generally displayed by bed size (i.e. 50-99 beds, 100-150 beds, 151-200 beds, etc.) to maintain consistency with operating variables based on bed size and volume. Therefore, a more helpful index would include only hospitals within a comparable range to the proposed 158-bed facility.

The feasibility study presents an estimated staffing complement of 4.3 full-time equivalents (FTEs) per occupied bed and a total hour per patient day service day estimate that is significantly lower

than the area comparable average. Salaries and wage expenses typically account for approximately 60 percent of total hospital operating expenses. Understated FTE per occupied bed assumptions can significantly understate expected operating expenses and overstate operating profits.

McGLADREY & PULLEN

Certified Public Accountants and Consultants

Cambridge Health System, Inc.
Las Vegas, Nevada

Gentlemen:

At your request, we have reviewed the comment letter prepared for the City of Las Vegas by Ernst & Young regarding questions raised by Ernst & Young in connection with a feasibility study prepared by our firm for a proposed new not-for-profit hospital to be located in the Southwest part of the Las Vegas Valley.

We believe that all issues raised by Ernst & Young were addressed during our work resulting in our report. The following is a detailed discussion responding to all of questions raised by Ernst & Young.

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Section - Marketing and Demand Analysis

Page 4

Construction of the proposed hospital is anticipated to be completed in approximately 13 months, with hospital operations scheduled to begin within 2 months of construction completion. Architectural plans have been completed and all zoning approvals have been obtained, however, the project requires the necessary financing and the issuance of construction permits. The narrative should also clearly explain the source of assumptions regarding the cost of the assets to be constructed and/or acquired, e.g., whether construction bids, equipment costs, actual contracts and/or a guaranteed maximum price has been received by CHS for a significant percentage of the project costs. Where estimates are used for a portion of the project, these should be disclosed.

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Internationally Dunwoody Robson McGladrey & Pullen

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McGLADREY & PULLEN - RESPONSE

We agree that additional information about the source of assumptions regarding the cost of assets to be constructed and/or acquired should be included. It was our intent to update this draft of the feasibility study once construction contracts have been signed and actual cost determined. At the present time, the source of assumptions for construction costs are a signed proposal letter from a general contractor. This proposal indicates contract amounts of $26,000,613 were obtained through independent bidding processes and were valid for a period of 90 days from the date of the letter. The same general contractor also provided a schedule of anticipated construction draws. The price of the land is based upon an independent appraisal that is provided as well as an agreement from the owner of the property to sell that property to Cambridge Health Systems at the appraised price. We obtained a list of the major equipment items that were anticipated to be needed to make this project operational. Specific quotes or bids have not been obtained for the purchase of these equipment items. We compared the overall equipment cost per bed to that of other hospitals. Furthermore, we discussed the cost assumption with a medical facility planning consultant to determine the reasonableness of the assumption.

Since the City has requested a signed feasibility report in final form, we will add specific disclosures about the source of the assumption for the cost of construction and equipment item.

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Section - Marketing and Demand Analysis

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The forecast utilization should be based on assumptions and rationale about the potential supply and demand characteristics of the hospital's primary and secondary service areas as related to the particular facilities, services and physicians of the hospital. Assumptions and rationale should be developed after investigation of the following factors:

1. The potential population growth of the hospital service area obtained from recognized and accepted agencies; analysis of economic and demographic information, obtained through research of published information and supplemented by interviews with appropriate persons;
2. The potential need for health care services in the geographic area, based on an evaluation of the population growth and service area health care trends, as well as national trends.
3. The ability of the service area's health care delivery system to meet these needs through existing facilities, plus those under construction and planned for construction during the period of the forecast; and
4. The indicated patronage of the hospital by patients of the prospective medical staff and managed care contractor.

McGLADREY & PULLEN - RESPONSE

We agree with Ernst & Young's statement that the forecast utilization should be based on assumptions and rationale about the potential supply and demand characteristics. We also agree with the four items they have indicated that should be investigated in the development of these assumptions. We believe the procedures we followed in evaluating the supply and demand characteristics of the hospital's primary and other service area encompassed all of the four items that are listed, as well as a number of other additional items including:

- *Analysis of historical admission rates per thousand population*
- *Consideration of the changes in the intensity of care rendered*
- *Consideration of the change in the delivery of health care from inpatient to outpatient*

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The overall methodology used to develop the CHS utilization forecasts included an analysis of a portion of the recommended tasks required to develop demand for health care services. However, several important and significant considerations that should have been addressed were excluded in the study. Service area admission/discharge market share profiles were not presented in the feasibility study and admissions or discharges were not presented or discussed. A service area admission/discharge market share profile presents area hospitals that receive discharges from the defined service area, illustrating each hospital's percentage of total service area resident admission/discharges. Variations in service area market share trends experienced by area hospitals provide insight regarding service area resident utilization of area hospitals and indications if any hospital(s) are enjoying increased market share at the expense of competing facilities. The service area discharge market share is also necessary to determine what percentage the CHS would need to capture to meet the inpatient volume estimates used in the feasibility study.

McGLADREY & PULLEN - RESPONSE

We agree with the comment that service area admission and discharge market share profiles should be investigated as part of the feasibility study. While we did not present in the feasibility report, detailed admissions or discharge information for competitors, we did in fact evaluate admissions by facilities, as well as look at the ten year trend in admissions per 1,000 of population. This analysis was used to compute the future demand that was anticipated as consideration of the forecasted admissions for Cambridge Health System, Inc.. The assumptions use were based on the most recent trend in admissions which amounted to 98.65 admissions per 1,000 population. The combination of the admissions per 1,000 and the expected growth rate of the population was used to provide an estimate of potential admissions in the service area.

Historical information is only valid if the status quo is maintained. With the rapid changes in the health care industry caused by managed care payors, technology advances in medicine and mandates from state and federal levels, it is necessary to look beyond historical demand information. As such, we used historical utilization information, but also relied on the current and prospective information generated by our market research.

McGLADREY & PULLEN - RESPONSE (CONTINUED)

The potential need for health care services, particularly in the defined primary service area, was developed through several means but, primarily, substantiated through the demand analysis.

The primary service area currently includes two existing hospitals. However, these hospitals are physically located on the eastern edge of the defined service area. The demand analysis indicated that the physicians who control access to the hospital would support the project by providing admissions and orders for outpatient procedures that would attain the volumes indicated in the forecast.

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The Nevada Department of Human Resources Health Care Financial Analysis Unit provides a discharge abstract reporting system that includes information necessary to develop a service area discharge market share profile for Nevada facilities. The State of California Office of Statewide Health Planning and Development provides similar information for California based hospitals.

McGLADREY & PULLEN - RESPONSE

As part of our feasibility study we used the State of Nevada Summary Utilization Report - Nevada Hospital and Long-term Care Facilities and compared the admissions data for a ten year period. We also obtained the Medicare cost reports for the hospitals in the Las Vegas area for each hospital's most recent two fiscal years and reviewed the statistical information to discern any trends. We believe this information provides comparable information and would be comparable to the discharge abstract reporting system that is referred to above.

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In addition, State of Nevada, Clark County and service area historical and forecast acute care admission/discharge use rates were not presented in the feasibility study. The service area acute care admission/discharge use rate represents the actual number of service area resident discharges per 1,000 service area residents. No forecast use rates were mentioned or presented in the study for any Counties in Nevada as well as the service area. Information required to develop use rates by service can be obtained from the University of Nevada Las Vegas Center for Public Data Research. Review of the data gathered from these sources results in an estimate of forecast needed for services in the area and the hospital's ability to meet those needs.

McGLADREY & PULLEN - RESPONSE

We did not use the information from the University of Nevada Las Vegas Center for Public Data Research. As indicated earlier we did use admissions/discharge rates in order to determine the anticipated demand in the service area. Since our primary focus was on use of other market research techniques, we did not include the specific information about discharge rates. However, we will include additional information to provide readers of the feasibility study additional information about admission/discharge utilization rates and forecasted rates.

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Typically, the historical use rates are analyzed by service such as medical/surgical, obstetric, pediatric, etc. to determine whether certain trends that have been occurring over time could continue in the future. For instance, most hospitals have been experiencing a declining use-rate and average length of stay over the past years as advances in medical technology and pressures from third party payors have reduced inpatient admissions. Therefore, the forecast use rates and length of stay assumptions could reflect this continuing decline throughout the forecast period.

McGLADREY & PULLEN - RESPONSE

We agree that the historical use rates are usually analyzed by department or types of services to determine whether certain trends may be occurring. We also agree there has been a declining use rate and average length of stay over the past several years. Our analysis shows that the admission rate had decreased significantly and had started to level off in the past years. This combined with the increase in population provides for a growth in potential market such that the market share required to meet the forecast remains fairly constant once full utilization has been achieved in the proposed facility.

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The feasibility study did not address alternative delivery systems or other managed care activity prevalent in the State of Nevada or California. The continuing shift away fro the fee for service environment to venues of managed care and other alternative forms of health care delivery place an increasing amount of importance on this portion of the feasibility study analysis. Managed care growth, alternative forms of delivery and the increasing penetration of capitated payment arrangements need to be considered and evaluated for their impact on area use rates. These assumptions should include a description of the type of managed care programs operating in the area, the enrollment in the plans and the proposed hospital contracting position should be disclosed (i.e. contract rates, managed care provider). In addition to this type of macro level market trend analysis, cost factor dictating competitive advantages will play an increasing role as managed care increases and as the industry increasingly becomes more cost driven by product line.

McGLADREY & PULLEN - RESPONSE

We agree that the managed care activity in the State of Nevada will continue to provide a significant impact on the delivery of future health care. As part of our analysis, we inquired of managed care plans and performed analysis to obtain information about the potential contracts. We also assumed that the percentage of managed care would increase throughout the forecast period. The anticipated managed care percentages were based upon information provided by the physicians in the survey as it relates to the percent of managed care they currently experience and increased these amounts over the forecast period.

We further analyzed the cost per discharge of the proposed hospital and compared that to competitive facilities. It was our conclusion that the cost would enable Cambridge Health Systems to take a very competitive position in negotiating the future managed care contracts.

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The primary objective of an alternative delivery system is to reduce hospital utilization and reduce health care costs to the consumer. Representative alternative delivery systems include health maintenance organization (HMO) and preferred provider organization (PPO). HMOs assume responsibility for, and directly assume the financial risk of providing health care services to their members in return for a set prepaid monthly premium. A PPO is a group of health care providers which have contractual arrangements to provide specific or full-scope services at a negotiated price to a defined group of patients. In addition, there is an increasing conversion of beneficiaries enrolled in capitated plans that are responsible for providing or arranging for the health care services needed by that enrolled population. Conversion from a traditional fee-for-service to managed care population is believed to impact acute-care providers during the initial years of implementation by reducing average length of stay and use rates and increasing discounts from charges. Medicare HMO companies are also aggressively expanding into new markets by offering the senior population capitated contracts with attractive options.

McGLADREY & PULLEN - RESPONSE

We agree with the discussion of Ernst & Young regarding alternate delivery systems, managed care and the increased tendency to reduce hospital utilization and health care cost. We also agree that there is an increasing conversion to captitated plans as a means of providing or arranging for health care needs of the enrolled population.

The assumptions as described in the previous section, indicate a significant penetration of managed care. Our analysis was responsive to the potential impact of future managed care on utilization and specifically on discounts from established fees for the services that are provided. The increase in managed care and capitation will be a challenge to Cambridge Health System, Inc. as it will be for all providers. However, we feel the cost structure of Cambridge Health System, Inc. places it in a competitive situation such that it will be able to capture a representative share of the market for managed care and capitated products.

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The average occupancy rate of the six existing hospitals operating in the Las Vegas metropolitan service area in 1993 was approximately 64 percent, significantly below target hospital occupancy rates of 80 to 85 percent, depending on the level of service. Preliminary estimates suggest there is no bed need in the Las Vegas area for the forecast period presented, even with expected population growth.

McGLADREY & PULLEN - RESPONSE

The average occupancy of five of the six hospitals in the Las Vegas Metro area range from 82.4 percent to 56.5 percent on an annual basis. Women's Hospital experienced a lower rate, however, it is a specialized hospital and currently is not admitting patients. Because of the "seasonality" of the demand for health care service in the Las Vegas area, the occupancy rates are somewhat misleading. During certain periods of the year the Las Vegas hospitals experience very high occupancy rates to the extent that patients need to be diverted from the facility of their first choice. Utilization rates used in the feasibility study ranged from approximately 55% in the first year to approximately 70% in year four. We also considered the specific areas of the metro area that are experiencing the fastest growth and the location of the proposed facility versus the other existing facilities. It is our understanding that one of the existing hospitals has acquired land with its announced intention of adding additional beds in a facility to be constructed in the northwest part of the Las Vegas Valley.

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Identification of competing hospitals that will affect the proposed hospital's likelihood of success through discussions with management and planning agencies should include the major competitive facilities in the primary service area and also the major competitors located outside of the primary service area that draw heavily from that area. The feasibility study identified the possible development of a 110-bed acute care hospital in the northwest quadrant of Las Vegas. Although the proposed development is not located within the primary service area of the Hospital, the close proximity to the proposed hospital could impact utilization of area facilities. In addition, policies and regulations promulgated by federal, state and local health care regulatory agencies can impact competition and utilization in the service area. A discussion of the market share of existing Las Vegas area hospitals as well as the type of health planning regulation (i.e. utilization review) and projected bed need methodology can help clarify the probable impact of new providers in the competitive environment.

McGLADREY & PULLEN - RESPONSE

Our interview with the Las Vegas City Development personnel disclose that a potential 110-bed hospital was being proposed in the area described as the Las Vegas Technology Center. The timing for this proposed hospital (scheduled to open in 2001), together with its proximity to the Cambridge Health System, Inc. facility was determined not to significantly impact the forecasted utilization by Cambridge Health System, Inc..

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Demand for acute care services at the proposed hospital was developed based on physician survey completed in June 1994 by O'Neill and Associates. The questionnaire, which was sent to physicians located in both the primary service area and other areas, sought physician's responses concerning future utilization of the proposed facility and requested information related to specialties, admission patterns, insurance coverage of patients, familiarity of and need for the proposed hospital, and interest in leasing office space. The inpatient volume was forecast based on 95 percent of survey results by 1999. In our experience, the level of scientific accuracy associated with physician questionnaires is doubtful. There is several bias among physician respondents that accompanies inquires into new facilities. Many physicians have existing hospital affiliations or managed care network arrangements that prevent or discourage support of alternative providers. To assume approximately 100 penetration based on physician responses without validation is an optimistic presumption. Outpatient visit forecast for 1997 were also developed based on results of the physician survey. Outpatient visits were based on 100 percent of survey estimates by 1997. In addition, outpatient volume was forecast to increase at aggressive growth levels for the future years without substantiation. There was no supporting documentation in the feasibility study for emergency room volume assumptions.

McGLADREY & PULLEN - RESPONSE

We believe the methodology of determining utilization based upon the surveys of the individuals most directly instrumental in providing patient admissions and orders for tests is an acceptable way to estimate future utilization. 319 physicians practicing in the primary service area and 203 physicians practicing elsewhere in the Las Vegas Valley were contacted. Respondents comprised a mix of physicians representative of the physicians practicing in the Las Vegas market. The inpatient volumes used in the financial forecast were set at 95 percent of the inpatient volumes that the physicians indicated were currently occurring in their practices. Outpatient admissions were forecast at 97 percent of current admissions. These percentages may appear to be aggressive in setting the demand for service for the hospital. However, we have performed sensitivity analysis at 75 percent of the volume forecasted, which demonstrated sufficient cash flow to meet debt service requirements. Further sensitivity analysis indicates that volumes 60 percent or lower than those indicated in the survey will result in insufficient cash to meet debt service. The assumptions of future utilization did not take into consideration additional admissions that might occur because of increases in the population or increased utilization of out patient services. Outpatient volume was forecasted at an aggressive growth rate. However, the proportion of outpatient revenue to inpatient revenue, even at these aggressive outpatient increases, is still significantly less than the 18 percent that is currently

McGLADREY & PULLEN - RESPONSE (CONTINUED)

being experienced by other hospitals in the Las Vegas area. The growth in outpatient activity also parallels the growth in outpatient services that is resulting from the relatively constant or declining utilization on an inpatient basis.

The emergency room is treated as a separate department, as are all others, in the study. In developing emergency room utilization, we used utilization rates per inpatient admissions and outpatient visits from data bases available to us. These utilization rates were reviewed by hospital administrators and our clinical specialists consisting of a registered nurse and a health care operations expert for concurrence.

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Accordingly, the physician survey should result in an analysis that presents a medical staff profile and the results from any medical staff interviews. The feasibility study did not address interview commentary with the proposed medical staff. Interviews with significant physicians with the greatest potential to support the proposed hospital will assist in determining those physicians who will be most active in terms of admissions and in patient days by specialty after the completion of the hospital. Normally there are a core group of physicians that can be identified as the key leaders of the development of a new hospital and are the spokesmen for the medical community.

McGLADREY & PULLEN - RESPONSE

We feel the methodology used in the physicians survey is appropriate and does not need other qualitative type discussions to establish the validity of the survey. However, there were personal interviews during a previous market analysis. This encompassed interviews with physicians identified as the key physicians in terms of admissions and patient days. The survey update conducted in June, 1994, was based primarily on the quantitative analysis described above and did not include a re-interview of the selected physicians.

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Physicians were not identified by specialty, by age or board certification status, or by the distribution of physician admissions by age, specialty and practice type. Because the proposed hospital depends so greatly on support from physicians, their opinions about how the hospital will influence their patronage are vital. Written commitments and interview commentary from physicians that are anticipated to be members of the active medical staff would be advisable to support the stated intent to patronage the hospital based 95 percent of survey respondents.

McGLADREY & PULLEN - RESPONSE

The physicians survey conducted by O'Neill and Associates did request information relative to such matters as primary specialty, secondary specialty, years in practice and location. This information was considered in our analysis of the survey, however, it has not been included in the written report.

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Forecast utilization of hospital facilities in terms of admissions and patient days and other measurements of service, as developed from economic data and from physicians' estimates showing expected utilization, should be classified according to clinical service and revenue producing departmental categories such as surgical beds, medical beds, obstetrical beds, non-acute beds, special clinical services, and emergency and outpatient services. The summary of demand analysis was not presented or discussed in this detail, recommended as follows:

			Forecast		
MEDICAL/SURGICAL	1996	1997	1998	1999	2000
Discharges					
Patient Days					
Average Length of Stay					
Licensed Beds					
Percent Occupancy					
Occupied Beds					
OBSTETRICS					
Discharges					
Patient Days					
Average Length of Stay					
Licensed Beds					
Percent Occupancy					
Occupied Beds					
ADULT SUBTOTAL					
Discharges					
Patient Days					
Average Length of Stay					
Licensed Beds					
Percent Occupancy					
Occupied Beds					
NEWBORNS					
Discharges					
Patient Days					
Average Length of Stay					
Licensed Beds					
Percent Occupancy					
Occupied Beds					
TOTAL					
Discharges					
Patient Days					
Average Length of Stay					
Licensed Beds					
Percent Occupancy					
Occupied Beds					
SELECTED OUTPATIENT					
Outpatient Surgery					
Clinic Visits					
Emergency Room					

McGLADREY & PULLEN - RESPONSE

We agree with Ernst & Young that the forecast utilization of hospital facilities, in terms of admissions and other measurement of service, should be classified according to the various department categories. While these categories were not presented in the feasibility report the analysis that was performed during the feasibility study encompassed not only the recommended categories that are listed by Ernst & Young, but also other categories such as intermediate care, special care, birthing and a number of outpatient centers. In total, forty separate departments were analyzed from a revenue and cost relationship to evaluate the assumptions that were used in the financial forecast.

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The forecasted statements of revenue and expenses present a net income of over $500,000 during the first year of operations in 1996. In our experience, the first year of start-up operation for a general acute care hospital generally produces a substantial operating loss and deficit as occupancy levels gradually build over time.

McGLADREY & PULLEN - RESPONSE

The financial feasibility study does show a loss from operations in the first year of $29,458. Non-operating income of $582,210 is earned on operating cash and assets whose use is limited. In addition to the small operating loss indicated in the first year of operations, approximately 5.5 million of loss has been incurred in the prior year as the expenses of start-up operations and other expenses have been incurred. If the year end dates were other than what was indicated, the first year of operations including this start up period would show a loss of several million dollars.

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The financial statements presented in the feasibility study present a stand-alone project rather than the consolidated financials of CHS parent corporation, Source Living Centers, Inc. The parent corporation is an Illinois not-for-profit company exempt from federal and state income tax under Section 503(c). The City of Las Vegas and State of Nevada should consider performing due diligence requested for CHS as it is anticipated that the proposed hospital will be exempt from federal tax through a group exemption of Source Living Centers, Inc. It is also expected that Source Living Centers, Inc. will provide management services to the hospital for an annual fee equal to 3 percent of net revenue.

McGLADREY & PULLEN - RESPONSE

We agree that the financial statement presented in the feasibility study include only the Cambridge Health Systems project rather than the consolidated financial statements of Source Living Centers, Inc. and affiliates. We believe that the presentation of the project is the most meaningful information in order to evaluate the feasibility of the proposed financing. As part of our due diligence process we did request the exemption letter received by Source Living Centers, Inc. from the IRS as well as the request for a group exemption. We also reviewed the short form 990 for Source Living Centers, Inc. and determined there were no other significant activities that occurred in the organization. Source Living Center, Inc. will provide management services including the key administrative employees who will be employees of the parent company. Other services will be supplied and paid for by the parent organization and reimbursed by the management fee.

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The annual management fee of 3 percent of net revenues should be subordinated to all debt payments on the Hospital Revenue Bonds, Obligation Notes and other debts incurred and all operating expenses. Subordinated management fees assure bondholders that payments of management fees are not permitted until principal and interest are paid in full.

McGLADREY & PULLEN - RESPONSE

Subordination of the payment of management fees to the debt payments on the hospital revenue bonds is a decision that legitimately is made by management and the underwriters in their analysis of the bond structuring necessary in order to successfully market the underlying securities.

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There are no equity contributions shown in the sources or uses of funds. Typically, equity contributions equal to 10 percent to 20 percent of the overall cost of the project are required by institutional investors. The proposed project financing would be considered high risk to investors (i.e. 100 percent leveraged, start-up operation, no rating, no bond insurance, no letter of credit) and therefore require high rates of interest to attract prospective investors. Bondholders carry all the risk in case of an eventual default without equity contributions from the development sponsor. Effective interest rates ranged from 9.5 percent for tax-exempt bonds to 12.0 percent for taxable bonds. The proposed debt structure and future debt service requirements are high compared to health care industry standards.

McGLADREY & PULLEN - RESPONSE

The current structure of the transaction does not include an equity contribution on the part of Cambridge Health System, Inc. or Source Living Centers, Inc. We agree that equity contributions of 10 percent to 20 percent are preferable to insure the success of the project. Nonetheless, we feel it is also a decision to be made by management, in consultation with investment bankers. The primary decision should be based upon the ability of the underwriter to market the securities at a commensurate return to the investor. We agree the debt structure and debt service requirements indicate a very high degree of leverage, however, we recognize this is a new organization that does not have the benefits of past earnings in order to provide such equity contributions.

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A brief summary of the legal structure of the proposed financing should be described. This disclosure should include the provisions with regard to the major funds to be established, the description of how these funds are to operate, the amounts and dates involved in establishing each fund, the amounts to be deposited in the funds, the restriction regarding the use of these funds, the disposition of interest earned on these funds and the transfer of monies between funds.

McGLADREY & PULLEN - RESPONSE

We agree with Ernst & Young that a more comprehensive summary of the legal structure of the proposed financing should be described. As we have indicated earlier, we intend to provide such additional details of the financing when they become available. The present assumptions regarding the financing is based upon discussions and information provided by underwriter. Only preliminary drafting of bond documents has occurred. Consequently, any disclosure of information regarding restrictions on the use of funds and other details would be speculative. Our current report on the feasibility study indicates that such information is preliminary and subsequent changes in the financing, which would impact the interest rates, repayment terms or the marketability of the bonds, would adversely affect the feasibility study.

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As presented in the feasibility study, revenue was forecast by applying inpatient admissions determined in the demand analysis to forecasted per admission charge rates. Admission/discharges were not presented or discussed in the demand analysis.

McGLADREY & PULLEN - RESPONSE

We agree that admission/discharge information was not presented or included in the feasibility study. However, it was considered during the process of analysis. We have since added that additional information to the revenue assumptions.

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Tenant occupancy levels were forecast to increase from 65 percent in 1996 to 95 percent in 2000. There is no supporting documentation for fill-up rates in the medical office building or indication of written commitments by physicians to lease office space at stated lease rates. Forecast rental income generated from the medical office building exceeds $1 million annually by 1998.

McGLADREY & PULLEN - RESPONSE

Tenant occupancy levels as forecasted in the feasibility study were based upon the information provided by physicians in the survey. At the present time there are no written commitments or signed leases for this space. Responses by physicians in the survey were more optimistic regarding their intentions to occupy space in the medical office building than used in the feasibility study. These assumptions were revised downward to reflect the expected results.

Ernst & Young - Comments/Recommendations

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Analytical comparisons of CHS proposed hospital (158 beds) relative to three other Las Vegas hospitals, Valley Medical Center (416 beds), Desert Springs Hospital (225 beds) and Sunrise Hospital (688 beds) are presented on page 34. Hospital industry standard comparative analysis are generally displayed by bed size (i.e. 50-99 beds, 100-150 beds, 151-200 beds, etc.) to maintain consistency with operating variables based on bed size and volume. Therefore, a more helpful index would include only hospitals within a comparable range to the proposed 158-bed facility.

The feasibility study presents an estimated staffing complement of 4.3 full-time equivalents (FTEs) per occupied bed and a total hour per patient day service day estimate that is significantly lower than the area comparable average. Salaries and wage expenses typically account for approximately 60 percent of total hospital operating expenses. Understated FTE per occupied bed assumptions can significantly understate expected operating expenses and overstate operating profits.

McGLADREY & PULLEN - RESPONSE

We agree that under normal situations analytical reviews should be completed using comparable size facilities. However, in the Las Vegas area there are no comparable bed size facilities. For this reason we used facilities that management felt were broadly comparable to Cambridge Health System, Inc. Additionally, information related to departmental staffing and utilization comparable to Cambridge Health System, Inc. was used to develop the departmental financial information.

The forecasted FTE per occupied bed of 4.3 in the initial year of operations was developed as a result of building individual departmental staffing. This staffing varies as the departmental volume varies. The comparative hospitals include departments that of necessity require heavy staffing levels (Neonatal, burn units, transplant units). Cambridge Health System, Inc. will not include these type of departments. As a result, the staffing forecast for Cambridge Health System, Inc. is less than the comparable hospitals.

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If there are any additional questions, please contact Clifford Beadle in our Las Vegas Office at (702) 386-5800.

McGladrey & Pullen

Las Vegas, Nevada
October 17, 1994

MR. ROGER C. RIEGER, Esq.
2759 SEABRIDGE DRIVE
LAS VEGAS, NV 89121
(702) 734-2362

Mr. Roger C. Rieger, Esq., is a highly accomplished health care business executive, acquiring a wide range of experience and expertise in start-up and expanded "Not-for-Profit" and "For-Profit" hospitals and healthcare facilities in the areas of executive management, education, financial and hospital/health administrative care over a number of years, in a wide variety of progressively responsible professional positions; i.e., Chairman of the Board, President, Chief Executive Officer, Vice President-Finance (Treasurer), Chief Operating Officer, Business Manager, Human Resources Manager, University Professor, along with a wide variety of clinical and professional supervisory positions.

PROFESSIONAL:

1992-present **Cambridge Health System, Inc., Chairman of the Board, President, and Chief Executive Officer** - Responsible for planning, organizing, financing, design, construction and operation of a 158-bed, 167,000 square foot acute care **"Not-For-Profit"** hospital to be built in the South-West area of Las Vegas, Nevada. (All planning, zoning, design, bond financing, administrative, along with clinical policies and procedures are prepared and ready, pending State of Nevada approval to issue the bonds).

1991-present **Southern California Healthcare Network, Executive Management Consultant** - The Southern California Healthcare Network is a new comprehensive concept in healthcare delivery which administratively joins several of the Adventist Health System-West affiliates (Glendale Adventist Medical Center, White Memorial Medical Center and Simi Valley Hospital) together to better meet the expanding medical and market needs associated with progressively managed health care systems and represents 1,056 total patient beds. (Responsibilities include concept development, administrative and financial services planning and coordination, professional clinical associations, systems design and coordination, foundation formulation, bond financing, and practice management acquisition and structuring).

1990-present **Executive Management Consulting Services** - Provide(d) a wide range of executive health care expertise to a number of medical facilities through-out the United States in areas of administration, management, bond financing and other finance related activities; i.e., Shawnee Mission Medical Center, Shawnee Mission Kansas; Shady Grove Adventist Hospital, Rockville, Maryland; New England Memorial Hospital, Stoneham, Massachusetts; Washington Adventist Hospital, Takoma Park, Maryland; Hanford Community Medical Center, Hanford, California; Adventist Health System/West, Roseville, California; and Adventist Health System/Sunbelt, Orlando, Florida.

While at Loma Linda University, other significant client work included the comprehensive evaluation, integration and financial analysis of Health Care Resources available within the U.S. Marshall Islands for the U.S. Departments of Energy and Interior. Authored the financial analysis portion of the report which was prepared and presented to the Departments as mandated by congressional action.

1987-1990 **Adventist Health System/United States, Vice President, Finance** - As Corporate Treasurer, responsibilities included working with Boards of Directors, Presidents, Chief Executive Officers, Chief Financial Officers, Investment Bankers, Bond and Hospital Counsels, State and Local Governments and Feasibility Consultants covering all phases of financing and refinancing activities for some 65 hospitals totalling approximately $1.5 billion in both the private and public markets.

1983-1987 **Adventist Health System/West - "Western Health Resources" and "Western Physician Services, Inc.", Executive Vice President, Chief Executive Officer and Assistant to the President** - Responsibilities included Operational Accountability for certain product lines such as home health and "specialty" programs; Executive Administrative Support for the President of the 14-hospital "Not-For-Profit" Health Care System; and was responsible for the "For-Profit" corporation of the Adventist Health System/West which included ten hospital programs throughout the United States (Atlanta, GA., Kansas City, KA., Denver/Boulder, CO., Portland, OR., Seattle, WA., Los Angeles, CA., Orlando, FL.,

Memphis, TN., and Dallas/Fort Worth, TX.) with 600 employee and ten Home Health Facilities in the Western U.S. with 300 employees.

1982-1983 **Adventist Health System/West, Assistant to Senior Vice President of Finance** - Responsibilities included financial and analytical reviews, budgeting and financial evaluations and implementation, and financial positioning for the corporation.

1979-1982 **Assistant Professor: Loma Linda University, Pasadena City College, San Bernardino City College and the L.A. Unified School District (Adult Education)** - Taught at graduate, undergraduate and adult educational levels; i.e., Medical Staff Bi-Laws & Program Revisions,; Health Care Law; Business Law; Marketing for Not-For-Profit Organizations; and Probate Estate Planning.

1978-1979 **Cancer Detection Center of Los Angeles, Executive Director** - Functioned as Chief Executive Officer, was responsible for all financial, administrative, operational and program and fundraising strategies.

1975-1978 **Corona Multi-Specialty Medical Group, Manager** - Responsibilities included administrative, financial, operations and program management for a multi-specialty medical group in Corona, California. Mr. Rieger also served as Chairman of the advisory board of medical group administrators for Blue Cross of California' Managed care Program, "HEALTHNET."

1969-1975 **Security Pacific National Bank, Officer** - Scope of responsibilities included comptroller department, leasing officer, and lending activities, along with associated banking duties.

1966-1969 **Pacific Mutual Life Insurance Company, Account Executive** - Specific responsibilities included supervision and liaison for the Hughes Aircraft Account.

EDUCATIONAL BACKGROUND

Loma Linda University, Loma Linda, California
1966, B.S. Degree. Major: Business Administration
Minor: Economics

California State University, Long Beach, California
1970, M.B.A. Degree. Emphasis: Finance, Management, Human Resource Planning and Development, and Marketing.

U.W.L.A., Los Angeles, California
1976, Juris Doctorate Degree.

AFFILIATIONS

Medical Group Management Association
National Health Lawyers Association
Healthcare Financial Management Association

MILITARY SERVICE

1963-1965 United States Army, Secret Clearance
Honorable Discharge

MS. LOIS SEIDEMAN, M.A., B.S.N., P.H.N.
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(702) 736-0065 (OFFICE)

Ms. Seideman has over 30 years in the Healthcare Industry, serving in positions of progressively greater responsibility through this time. The majority of her career has been spent in the "not-for-profit" arena of the healthcare industry. She has been involved in start-up operations and existing facilities including acute care, long term care, substance abuse, and Physician practice issues. She has extensive work experience with regulatory agencies including the Health Care Financing Administration in both Baltimore, Maryland, and Washington, D.C.; the Joint Commission on Accreditation of Healthcare Organizations, in Chicago, Illinois; and numerous State licensing agencies throughout the United States. She is thoroughly knowledgable in all areas of Clinical and professional matters serving in various Administrative positions within the healthcare industry.

PROFESSIONAL EXPERIENCE

1992 - Present — CAMBRIDGE COMMUNITY HOSPITAL AND HEALTHCARE CAMPUS, VICE PRESIDENT, CLINICAL AND PROFESSIONAL SERVICES.
Responsible for meeting with policital entities and persons involved in the financing of this not-for-profit Hospital. Responsible for meetings with and the structure of all Medical Staff matters; planning and implementing all policies and procedures affecting clinical services; working with the architect of the project toward the completion of working plans for the Hospital; working with the Board of Directors of the Hospital in the formulation of policies and the decision making process; Participating in the formulation of the Foundation which will fundraise for the benefit of the project; Represents Cambridge Health Systems in all affairs within the State of Nevada.

1981 - 1992 — HEALTHCARE CONSULTING SERVICES, VICE PRESIDENT CLINICAL AND PROFESSIONAL SERVICES.
Traveled the United States as assigned implementing the terms of Contracts. Those assignments included:

* The preparation of over 30 Healthcare facilities for surveys by regulatory agencies including State Licensure, Medicare Certification and Accreditation by the Joint Commission on the Accreditation of Healthcare

Organizations. Completed all Agency surveys with a 100% success rate.

* Visits to the Health Care Financing Administration in Baltimore, Maryland and Washington, D.C., assisting in the review of regulations with recommendations for upgrading or changing existing regulations.
* Visits to the office of the Joint Commission on Accreditation of Healthcare Organizations to participate in the recommendations for change in specific requirements for surveys.
* Participating in the Opening of new Hospitals for specific major Hospital Chains. Completing all manuals, filling key administrative positions until administrative staff was employed; working with survey teams pre-opening.
* Systems analysis in existing healthcare facilities; implementing changes where necessary; evaluating results of any changes made and overseeing outcomes as change was implemented by the Administrative staff.
* Assisted in the formulation of a major national Physician organization designed to restructure reimbursement issues and quality control issues. Acted as Executive Director of the Organization until a permanent person was employed.
* Assisted in the selection of Vendors, Equipment, personnel development, contract negotiations with Physicians and others, in a variety of healthcare facilities. Participation in the design of facilities to be constructed.
* Did "troubleshooting" as assigned.
* Participated in the design of improved billing policies and procedures and the development of strategic plans for specific healthcare entities.

1978 - 1981 ASSOCIATE HOSPITAL ADMINISTRATOR, CLINICAL SERVICES; VALLEY HOSPITAL, LAS VEGAS, NEVADA. Responsible for the overall operations of the Clinical Departments within this 300 + Acute Care Hospital. Participated as a member of the administrative team in the formulation of all budgets, policies and procedures, medical staff affairs, community associated programs,

start up of flight for life, and both a building and remodeling project. Participated in the hiring of all administrative staff. Completed hiring, evaluations and terminations of all key department clinical staff. Responsible

for all education programs; laison with outside educational entities using the Hospital as a clinical site. Member of the Board of Directors.

1971 - 1978 ASSOCIATE NURSING ADMINISTRATOR, EISENHOWER MEDICAL CENTER, RANCHO MIRAGE, CALIFORNIA. Joined the team opening this newly constructed Acute Care Hospital six months pre-opening. Responsible for Hiring, evaluation, termination of clinical staff. Worked with the Medical Staff in all departments including all medical staff committees. Formulated all Policies and Procedures within the assigned departments of responsibility. Completed successfully all surveys by regulatory agencies. Responsible for the Education department, implementing a variety of training programs which provided additional jobs for the community. Participated in all aspects of the budget process. Reported as a member of the administrative team to the Board of Directors regarding clinical matters.

EDUCATIONAL BACKGROUND

Redlands University
Redlands, California
Master of Arts
Major: Education

California State University
Chico, California
Bachelor of Science Degree
Major: Nursing

University of Maryland
College Park, Maryland
Major: Nursing Administration

Cottage Hospital
Santa Barbara, California
Diploma: Nursing

PROFESSIONAL AFFILIATIONS

American Nursing Association, Past Member
California Nursing Association, Past Member

Odin G. Berg
285 North Richmond Avenue
Clarendon Hills, Illinois 60514
(708) 790-6353 (days)
(708) 655-2142 (evenings)

ACCOMPLISHMENTS

GlenOaks Medical Center (1988 to Present)

1. Instrumental in design and execution of a simultaneous plan of program development and cost control that caused turnaround of a $4 million dollar loss to a $1 million dollar gain over a three-year period.

2. Established Independent Physicians' Association (IPA): Managed development of an IPA, consisting of sixty of the hospital's key physicians, for group contracting and business development; in second year of operation, IPA has 12 major contracts and is generating about $1 million of incremental business for its members.

3. Led hospital participation in 1990 debt restructuring: Instrumental in negotiation, development and analysis of a program resulting in advance defeasance of hospital's then-existing debt.

4. Reduced patient receivables: Oversaw reduction of days in patient receivables from 70 to 60. Also, administered a competitive collection agency program that reduced fees by more than one-third while increasing recovery levels.

5. Managed care contract negotiation: Expanded hospital's strategy for successful negotiation of contracts with HMOs and PPOs.

6. Improved operational reporting systems: Developed systems for daily review of hospital activity; for ongoing monitoring and management of cash; for control of staffing and wages; and for control of capital expenditures.

7. Managed development of several programs improving efficiency in medical records, information systems, employee benefits and billing and collection procedures.

Adventist Living Centers (1987 to 1988)

1. Developed innovative leasing program tied to equipment and furniture at company's various nursing home locations.

2. Implemented cash management system that included on-line reporting, daily cash concentration of funds from over 40 facilities and centralized disbursement of funds.

3. Established comprehensive capital acquisition policy, including standardized analysis of profitability, tiered approval levels and guidelines for policy application.

4. Actively participated in company's management of non-owned facilities, resulting in profit improvement for several nonowned facilities entering into arrangements with company.

Ba Ward Source

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(708) 655-2142 (evenings)

EXPERIENCE

GlenOaks Medical Center, Glendale Heights, IL
Vice President for Finance - September, 1988 to Present

Responsible for all accounting, data processing, food service, medical records, patient business office, personnel, purchasing, risk management, social service, and utilization review functions. Areas of administration encompass approximately 80 employees. Participate in the negotiation of all physician, service and joint venture contracts; serve as the president of the hospital's occupational medicine joint venture. Also coordinated development of an independent physicians' association (IPA) consisting of sixty physicians affiliated with the hospital.

GlenOaks Medical Center is a 186-bed hospital in DuPage County, Illinois. Its services include obstetrics and gynecology, pediatrics, intensive and cardiac care, adult and adolescent psychiatry, and orthopedics. Total assets and net patient revenues each approximated $35 million for the year ended December 31, 1991.

Adventist Living Centers, Inc., Warrenville, IL
Corporate Controller (1987-1988)

Responsible for all accounting, accounts payable, capital expenditure, cash management, debt compliance, leasing, and payroll functions. Sixteen finance department personnel were directly or indirectly supervised.

Adventist Living Centers is a long-term care corporation that owned, leased, or managed about 60 facilities. Some facilities have subsequently been divested.

Adventist Health System/North, Inc., Hinsdale, IL
Assistant Vice President/Assistant Treasurer (1985-1987)

Responsible for implementing and coordinating system-wide cash management system, as well as placing long-term debt, maintaining banking relationships, negotiating leases, monitoring capital expenditure policies and practices, and reviewing potential acquisitions.

Director of Internal Auditing (1983-1985)

Responsible for coordinating and supervision of all internal audit department activities. Departmental activities included financial auditing, operational auditing, and financial projections.

Adventist Health System/North was a health care management corporation directing the operations of eleven hospitals and several other health care related facilities in the Great Lakes and New England states. In 1987, Adventist Health System/North was merged with another AHS management corporation.

Ernst & Young, CPAs, Madison, Wisconsin Senior Accountant (1979-1982)

Peat, Marwick, Main & Co., CPAs, Milwaukee, Wisconsin
In-Charge and Staff Accountant, Tax Specialist (1975-1979)

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EDUCATION

University of Wisconsin, Madison
M.B.A., Major in Finance, Investments and Banking, May 1983
University of Wisconsin, Milwaukee
B.B.A., Accounting, August, 1974
University of Wisconsin, West Bend
Associate degree

ACTIVITIES AND HONORS

-- CPA certification received December, 1978. Currently certified and licensed in Illinois and Wisconsin.

-- Elijah Watt Sells Certificate for outstanding performance on November, 1974 CPA examination. Certificates are awarded nationally for the highest overall grades on the 3-day, 4-part examination.

-- Beta Gamma Sigma; Phi Theta Kappa; National Honor Society

MEMBERSHIP

-- American Institute of Certified Public Accountants (AICPA)
-- Wisconsin Institute of Certified Public Accountants (WICPA)
-- Healthcare Financial Management Association (HFMA)
-- Healthcare Internal Audit Group (HIAG)

RELATED ACTIVITIES

-- Accounting and Finance instructor, North Central College (Naperville, Illinois), Andrews University (Berrien Springs, Michigan), College of DuPage (Glen Ellyn, Illinois), and Madison Area Technical College (Madison, Wisconsin). Have taught courses on graduate, undergraduate, and associate degree levels.

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References

- Gary C. Skilton, Treasurer, Adventist Health System Sunbelt, 2400 Bedford Road, Orlando, FL 32803
  1-404-897-1919

- Peter C. Gerali, Senior Manager, Ernst & Young, 150 South Wacker Drive, Chicago, IL 60606
  1-312-606-2308

- Arthur Randall, Vice President and CFO, Metro Health Center, 252 West 11th Street, Erie, PA 16501
  1-814-870-3592

- Keton Allison, Vice President and CFO, Northern Montana Hospital, 30 13th Street, Havre, Montana, 59501
  1-406-265-2211

Adventist Health System/North (1983 to 1987)

1. Participated in over six major bond financings or refinancings (of $13 to $40 million) for system institutions. Was instrumental in the analysis of proposed items and the monitoring of compliance with existing terms. Debt structures included variable-rate put bonds ("lower floaters"), advance defeasances, high-to-low refinancings, various types of credit-enhanced indebtedness, secured and unsecured lines of credit and asset-based financings.

2. Developed comprehensive cash management system that included on-line reporting, cash centralization and remote disbursement. Inflows and outflows each averaged between $800,000 and $1 million each business day.

3. Established comprehensive leasing program for North division, including standard package for initial approval to lease, lease/buy analysis, obtaining and analysis of bids and standard lease contract terms.

4. Participated in several acquisition and divestiture analyses of hospitals and other healthcare facilities in the Midwest and Northeast. Actively participated in the final negotiation process when actual purchase or sale decisions resulted.

5. Established complete internal audit program for the North division, including audit programs, questionnaires, workpaper formats, time control programs and cycle review plans to ensure coverage of all facilities.

CITY COUNCIL MINUTES

OCT 19 1994

CURRICULUM VITAE

HAROLD R. PHILLIPS, Ph.D
8794 UNIVERSITY BOULEVARD
BERRIEN SPRINGS, MI 49103
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(616) 471-1302 - Office

EDUCATION:

BA (Religion), 1950 Southern College of Seventh-day Adventist
MBA (Economics and Management), 1960, University of Florida
Ph.D. (Economics and Management), 1966, University of Florida
Advanced Management Program, Claremont Graduate School, 1985, Clarement, California

ACADEMIC EXPERIENCE:

1990 - Present	Professor of Business Administration, Andrews University, Berrien Springs, MI.
1977 - 1990	Professor of Health Administration, Loma Linda University, Loma Linda, California.
1988 - 1990	Contract Professor - Clinical Sciences Department, California State University, Dominquez Hills, California.
1985 - 1986	Associate Dean, School of Public Health, Loma Linda University, Loma Linda, California.
1981 - 1982	Accreditation Team Site Visitor - Western Association of Schools and Colleges.
1977 - 1981	Chairman, Department of Health Administration, Loma Linda University, Loma Linda, California.
1970 - 1977	Professor of Business and Economics, Andrews University.
1970 - 1971	Executive Director, Hewitt Research Center
1966 - 1970	Associate Professor of Business and Economics, Andrews University.
1965 - 1966	Assistant Professor of Business and Economics, Andrews University.

1962 - 1965 Assistant Professor of Management, Arizona State University.

1960 - 1962 Instructor in Management, University of Florida.

MANAGEMENT EXPERIENCE

Board of Directors, ProCare Dental Network, Inc., Loma Linda, CA. 1987 - 1989

Board of Directors, Loma Linda Foods; Riverside, CA. 1987-1989

Board of Directors, Adventist Health System/Eastern & Middle America, East Central Region, Kettering, Ohio 1983 - Present

Board of Directors, Adventist Health System/North; Hinsdale, IL. 1981 -1986

Board of Directors, Berrien Teachers Credit Union, St. Joseph, MH; 1976 - 1977

Partner, Private Nurses' Registry, Wilmette, IL; 1971 - 1980

Assistant Administrator, Healeah Hospital - Hialeah, Florida, 1954 - 1957

Credit Manager, Walker Memorial Hospital, Avon Park, Florida, 1951 - 1954.

SELECTED BIBLIOGRAPHY:

Paul R. Cone, Harold R. Phillips, Simen J. Saliba, Strategic Resource Management, Vol. I, (Berrien Springs, MI., Andrews University Press, 1985.

"The Master of Health Administration at Loma Linda University." Program Notes, AUPHA. September/October, 1980.

"Advantages and Disadvantages of Mandatory Controls on Health Care Costs" (consultant), a memorandum for the White House, 13 December, 1978.

Cases in Denominational Administration, (Co-ed), Andrews University Press. December, 1978.

"Educational Delivery Systems" in Reed M. Powell and Dalton E. McFarland, Management Problems in Social Policy Research and Action Programs. (New York: Institute for Administrative Research, 1974).

RELATED SCHOLARLY ACTIVITY

Manuscript reviewer of Blair-Kenny, Microeconomics for Managerial Decision Making for McGraw-Hill Book Co., Inc., 1980.

Referee for journal articles - Decision Sciences, 1990.

Reviewer for paper presented for Decision Science Institute annual meeting, 1990.

Article with Professor Charles J. Stokes on SDA financial Capacity to Support its Educational System. Submitted May 1991 to Journal of Adventist Education.

"Selected Social and Econimic Trends Affecting SDA Education: 1961-1987" a paper prepared for Project Affirmation; February 1990.

CONSULTING:

"Emergency Department Quesues and Work Flows". White Memorial Medical Center, Los Angeles. 1990.

Developed Job Evaluation System. General Conference of Seventh Day Adventists, Washington, D.C. 1986-1987.

"Strategic Planning, Management Systems Design." Life Care Centers of America, Inc. 1982.

"Functional Analysis of Student Health Service." University of California at Riverside. 1982.

"Wage Administration." Hinsdale (IL) Hospital. 1977- 1978.

"Wage Administration." Andrews University. 1975-1976.

"Redesign of Organiation Structure." Hinsdale Hospital. 1976.

"Wage Administration." Shawnee Mission (KA) Medical Center. 1975-1976.

"Wage Administration, Supervisory Development." Pawating Hospital, (Niles, MI). 1966-1975.

"Marketing, Supervisory Training." Division Health Food Company, Brazil, Urugauy, & Argentina. August/Septermber 1974.

"Supervisory Training." Good Samaritan Hospital, (Phoenix, AZ). 1964-1965.

"Supervisory Training." Maryvale Hospital, (Phoenix, AZ). 1964.

"Supervisory Training." Arizona State Hospital, (Phoenix, AZ). 1964.

SELECTED LECTURES, WORKSHOPS:

5/1989	-	"Trends in Hospital Administration in the U.S." - Workshops (Human Resource Management, Quality Control), ADRA International for Ministry of Public Health, People's Republic of China, Shanghai and Beijing.
6/1985	-	"Leadership Styles, Power and Authority." Norton AFB San Bernardino, CA.
5/1983	-	"Trends in Health Care Delivery: Implications for Nursing." SDA Nursing Council and Council on Nursing Education. Ward CO.
11/1982	-	"What You Want to Know About Economics When You Don't Know What to Ask." Association of SDA Secretaries. Riverside, CA.
3/1982	-	"Employees, Equipment, and Practice Management Decisions." Loma Linda University, School of Medicine, Alumni Conventioin.
8/1980	-	Discussant, The Academy of Management - "Exploring the Effectiveness of Regulation in the Health Industry Using Decision Analysis."
9/1979 - 2/80		Supervisory Development Program, Simi Valley Adventist Hospital, CA.
10/1978 - 3/1979		Supervisory Development Program, SDA Media Center. Thousand Oaks, CA.
9/1979	-	"Introducing Change into the Organization." - A workshop for the administrative team of Hinsdale Hospital. Lake Geneva, WS.
9/1977	-	Chairman, Task Force on Administration - General Conference of SDA Better Living Center Workshop, Loma Linds, CA.

9/1976 - "Authority and Delegation," "Employee Selection and Performance Evaluation." - Business Administrators Seminar, Lake Union Conference of SDA.

6/1976 - "Resources for Managers' Problem Solving in Human and Personnel Relations." E.A. Anderson Executive Management Seminar, Collegedale, TN.

3/1976 - "Managenebt if the Small Business Enterprise", First Annual Harry Schrillo Memorial Lecture, Loma Linda, University.

1/1975 - "The Pastor as Manager". A Workshop for the Ministers of the Central California Conference of Seventh-day Adventists, Soquel, California.

1965 - 1975 - Numerous Selected Lectures and Workshops.

MEMBERSHIPS

Academy of Management
Association of University Programs in Health Administration
Decision Sciences Institute
National Association of Business Economists

FRANCISCO J. PEREZ, FACHE
12 BLUEBERRY HILL ROAD,
ANDOVER, MASSACHUSETTS, 01810
(508) 470-3021

Mr. Perez is a highly motivated and accomplished health care executive, with a wide range of experience as President/CEO in not-for-profit and for-profit hospitals of up to 400 beds, and health care systems of up to 2,000 beds in the United States of America and overseas. Mr. Perez has extensive experience in start up "Not-for-Profit" hospitals and expanded healthcare units, leading TQM initiatives in progressive health care institutions. Demonstrated ability to promote integrated strategic alliances with the Medical Staff, and to establish Management Services Organizations, Independent Physicians Associations, Physician Hospital Organizations, and Foundations. Recognized for developing strategic planning processes with multi-disciplinary representation, effectively monitoring market adjustments and reorienting organizations to better meet market demands. Personally-led institutions have increased productivity and improved operating margins five to ten fold.

PROFESSIONAL EXPERIENCE

1988-Present PRESIDENT/CEO, NEW ENGLAND MEMORIAL HOSPITAL, STONEHAM, MASSACHUSETTS.
Responsible for strategic planning, operations, development of Medical Staff, and successful accreditation by the Joint Commission on Accreditation of Healthcare Organizations in the top ten percentile in the nation. Repositioned the hospital from high cost questionable quality to a high quality low cost health care provider. Successfully refinanced unrated high interest long term debt with investment-rated, low interest financing. Fitted up and sold 100,000 square feet of Medical Office Buildings to physicians, assuming growth of hospital utilization (50% increase in adjusted discharges since 1988). Increased productivity and profitabllity while reducing length of stay and resource compensation. Directed and successfully completed first capital campaign in over 25 years at the hospital.

1989-Present PRESIDENT, ATLANTIC ADVENTIST HEALTHCARE CORPORATION, STONEHAM, MASSACHUSETTS.
Responsible for providing strategic planning, financial oversight, mission compliance and quality improvement to five not-for-profit healthcare institutions, a real estate company, and Supervisor of all Chief Executive Officers within each corporation. Directed development and implementation of strategic repositioning of institutional portfolio including effective repositioning and divestiture of institutions within a region covering four New England States.

1992-Present PRESIDENT OF COMMUNITY HOSPITALS OF EASTERN MIDDLESEX (CHEM), BOARD MEMBER AND PRESIDENT OF A HIGHLY SUCCESSFUL SIX COMMUNITY HOSPITAL JOINT VENTURE.
Directs and plans areas of cooperation among highly competitive neighboring hospitals. Successful implementation of a joint cancer treatment center, joint credentialing of medical staffs, and other high technology treatment and medical services.

1985-1988 EXECUTIVE DIRECTOR, CARIBE HOSPITAL AFFILIATES, INC., BAYAMON, PUERTO RICO.
Responsible for providing executive direction and supervision to highly qualified consulting staffs. Responsible for executive consultations to boards of seven hospitals under management contracts. Administrator of flagship hospital. Directed and implemented strategic development plans, including overseeing all operational phases in such projects as the planning, appeal process, organization and staffing of the hospital's open heart surgical unit. Developed and implemented business plans for a managed hospital that resulted avoiding bankruptcy, through refinancing of FHA long-term debt. Developed and implemented a capital placement and financing plan for a managed hospital. The Hospital was named most improved institution in 1985 by the State Hospital Association. Led successful management campaigns in two labor oganizing efforts.

BOARD MEMBER, VICE PRESIDENT AND CHAIRMAN OF PPS STATE HOSPITAL ASSOCIATION COMMITTEE,

Formed and directed a strong local coalition designed to achieve passage of federal law improving medicare reimbursement for all hospitals within the State. Recipient of exceptional achievement award by the Hospital Financing Management Association for leadership in this effort.

1979-1985 EXECUTIVE DIRECTOR, BELLA VISTA HOSPITAL, MAYAQUEZ, PUERTO RICO.
Responsible for strategic planning, directing, staffing, and controlling all operations of the hospital. Improved medical staff and community relations to establish a more preeminent presence and enhance the image of the hospital in the communities it served. Directed successful fund raising campaigns to complete an institutional capital masterplan. Sucessfully negotiated with the State Secretary of Health to double the license beds for the institution through an executive order exempting the hospital from the certificate of need process. Improved profitablility; increased expanded community support. Computerized accounting patient business and patient applications resulting in increased efficiency and productivity. Appointed by the State Secretary of Health to the State's Health Facilities Committee to formulate the 1985-1990 plans. Served as President of the State Health Facilities Committee for the local Hospital Association.

1974-1979 EXECUTIVE VICE PRESIDENT, CHRIST HOSPITAL, JERSEY CITY, NEW JERSEY.
Responsible for operations of hospital including successful appeal of operating budget. Directed certificate of need application for construction and remodeling of the 366 beds in the hospital through FHA financing. Managed and coordinated the work of architects, construction manager, city and state permits, including public hearings. Achieved cost reductions that generated improved profitability at the hospital. Achieved recognition from community papers and national health care publications for achievements in directing the hospital to a profitable position during a very strict All-Payers State Prospective Rate Setting System that eventually evolved into one of the first PPS/DRG Systems in the Country.

EDUCATIONAL BACKGROUND

Columbia Union College, Takoma Park, Maryland. Bachelor of Science Degree, Administration, Minor in Economics. 1970

The George Washington University, Washington, D.C. Master of Arts in Health Care Administration, 1974

PROFESSIONAL ASSOCIATIONS

Fellow, American College of Healthcare Executives
Member, American Hospital Association
Board Member, Massachusetts Hospital Association
Board Member, Atlantic Union College, South Lancaster, Massachusetts.

Chairman of the Board of the following Institutions:

New England Healthcare Associates
Fuller Memorial Hospital
Atlantic Health Resources
Langwood Foundation, Inc.

President, North Shore Hospital Council

OTHER PROFESSIONAL AFFILIATIONS:

1993-Present	Director of Health Care Reform Task Force by appointment of the Governor of Puerto Rico.
1992-Present	Hospital Superintendents' Club.
1988-Present	Board Member, Vice President, Stoneham Chamber of Commerce.
1990-1993	Board Member, Chairman Elect, American Protestant Hospital/Interhealth.
1989-1987	Regional Chairman, United Way
1986-1987	Member, House of Delegates, American Hospital Association
1979-1985	Board Member, Antillian College, Mayaquez, Puerto Rico.

PUBLISHED

Tri-County Health Services plan; (TESS Agency) 1973

Social Impact of Community Health Improvement Program Center in Hudson County. The George Washington University, 1974

Health Care Rationing: Economics and American Ethics, (The Jersey Journal, 19-24, April 1979) (Hospitals, October 1979)

State Medical Facilities Plan, Puerto Rico, 1985-1990, (The Puerto Rico State Department of Health, October 1984) (Contributor)

PPS/DRG's for Puerto Rico: The Next Frontier Hospi-Noticias, (PRHA, September 1985)

Inclusion of Puerto Rico in PPS/DRG: Achievement of the Association: Challenge to the Hospitals, (Hospitals PR, Hospital Association, December 1986)

Bonding Program Reverses Losses, (Healthcare Executive Briefings, American College of Healthcare Executives, March/April 1990)

New England Memorial Hospital Fulfills its Adventist Mission; (APHA Health Leader, July 1990)

HARVEY A. RUDISAILE, JR., FACHE
2055 CARTAGE COURT
ROLLAND HEIGHTS, CA. 91748
(818) 409-8330

Mr. Rudisaile is an accomplished healthcare executive with a depth of experience as President/CEO of hospitals ranging in size from 150 beds, to a regional system of 800 plus beds. He has extensive experience start-up "Not-for-Profit" hospitals and healthcare units, implementing structural changes with financially troubled hospitlas, implementing Total Quality Management programs, and a successful track record in Physician Communications and Relationships. He has developed Hospital Physician Managed Care Organizations, bringing both parties into alliance for management and contracting in a managed care environment.

PROFESSIONAL EXPERIENCE

1992 - Present EXECUTIVE VICE PRESIDENT, SOUTHERN CALIFORNIA HEALTHCARE NETWORK, AND PRESIDENT, SOUTHERN CALIFORNIA HEALTHCARE NETWORK FOUNDATION.

1987 - 1992 PRESIDENT/CEO, WHITE MEMORIAL MEDICAL CENTER, LOS ANGELES, CALIFORNIA.
Brought White Memorial Medical Center from an essentially bankrupt financial position through complete restructuring, cost reduction programs, implementation of quality assurance programs and the development of the mrket to the point that it is now a highly successful profitable institution serving an urban Intercity area with a mostly Hispanic population. Built and developed a 100,000 square foot medical office building to house the major medical groups that make up the medical staff of the hospital.

1985 - 1987 REGIONAL VICE PRESIDENT, ADVENTIST HEALTH SYSTEM WEST, ROSEVILLE, CALIFORNIA
Reported to the corporate President and served as Board Chairman for seven hospitals, ranging in size from 26 to 200 beds. Responsible for the strategic development of these hospitals and coordinating the corporate services used by those hospitals. Responsible for corporate hospital acquisition program and sat on the corporate executive committee.

1985 - 1987 REGIONAL VICE PRESIDENT, ADVENTIST HEALTH SYSTEM WEST, ROSEVILLE, CALIFORNIA.
Reported to the corporate President and served as Board Chairman for seven hospitals, ranging in size from 26 to 200 beds. Responsible for

the strategic development of these hospitals and coordinating the corporate services used by those hospitals. Responsible for corporate hospital acquisition program and sat on the corporate executive committee.

1984 - 1985 VICE PRESIDENT, FINANCE, GLENDALE ADVENTIST MEDICAL CENTER, GLENDALE, CALIFORNIA
Glendale Adventist Medical Center is a 300 plus bed acute care hospital located in the Los Angeles metropolitan area. Responsible for all financial affairs and strategic planning as related to finance, accounting and information systems. Responsible for negotiating managed care contracts for the hospital.

1983 - 1984 VICE PRESIDENT, INFORMATION SYSTEMS, ADVENTIST HEALTH SYSTEMS, SUNBELT, ORLANDO, FLORIDA.
Responsible for corporate computer services. Provided 26 hospitals with computer services over a shared centralized system.

1982 - 1983 PRESIDENT, ADVENTIST HEALTH SYSTEMS, ASIA, REPUBLIC OF SINGAPORE.
Responsible for the design and implementation of a multi-national hospital system which included 26 hospitals thoroughout Asia. Implemented a hospital system that gave opportunities for strategic planning, executive education and development, medical staff recruiting and technical advise to these hospitals that were generally decentralized in their management structure.

1976 - 1982 PRESIDENT, MEDICAL CENTER HOSPITAL, PUNTA GORDA, FLORIDA
CEO of a 200 plus bed acute care hospital operating in an area that was predominately retired individuals with a Medicare ratio of 58%. Brought a loosing hospital into a profitable organization. Designed and built a 20,000 square foot medical office building housing newly recruited physicians. Implemented new ancillary and support services.

EDUCATIONAL BACKGROUND

Atlantic Union College, South Lancaster
Massachusetts: Bachelor of Science
University of Chicago, Chicago, Illinois
Master of Business Administration

PROFESSIONAL AFFILIATIONS AND AWARDS

American College of Healthcare Executives
Certificate of Fellowship - 1984

California Hospital Association
Institutional Member

Southern California Hospital Council
Institutional Member
Committee Member

The Healthcare Forum
1989 Organizational Innovator Award

Adventist Health System, West
1989 CEO of the Year Award

MR. GARY C. SKILTON, CPA
405 FOREST PARK CIRCLE
LONGWOOD, FLORIDA, 32779
(407) 774-9179

Mr. Gary Skilton, CPA, is a dedicated professional, with a broad base of executive financial experience in a veriety of highly responsible positions in the healthcare, manufacturing and certified public accounting field spaning some twenty years. He has been involved in several start-up and expanded "Not-for-Profit" hospitals and medical care units, holding positions as Chief Financial Officer, Treasurer, Director of Corporate Accounting, Director of Internal Audit, and Director of Taxation in several Fortune 1000-sized companies.

PROFESSIONAL EXPERIENCE

1990-Present — ADVENTIST HEALTH SYSTEM/SUNBELT HEALTH CARE CORPORATION, VICE PRESIDENT/TREASURER.
Adventist Health System/Sunbelt Health Care Corporation (Sunbelt) is one of the largest not-for-profit healthcare systems, operating 23 hospitals, 21 nursing homes, home care agencies and clinics in the southeast and southwest United States. Sunbelt has over $1 billion in assets and net operating revenues. Responsibilities include financial community relationships, strategic planning and development, along with the implementation of financial planning and overseeing investment of the system's substantial cash reserves.

1987-1990 — ADVENTIST LIVING CENTERS, INC., SENIOR VICE PRESIDENT AND CHIEF FINANCIAL OFFICER.
Prior to it sale, this company operated 53 long term and/or sub-acute facilities in the midwest United States, with a revenue base in excess of $476 million. Responsibilities included all aspects of financial planning and implimentation, including accounting, treasury, budgeting and third-party reimbursement.

1986-1987 — ADVENTIST HEALTH SYSTEM/NEMA, INC.
VICE PRESIDENT FOR CAPITAL FINANCE.
This company operated 11 hospitals and 41 long-term care facilities, with over $350 million in revenues. Scope of responsibilites included implementation of all financing plans, oversight of investment of system cash, and financial community relationships.

1982-1986 ADVENTIST HEALTH SYSTEM/NORTH, INC., VICE PRESIDENT FOR CAPITAL FINANCE.
This company operated 29 hospitals and 52 long-term care facilities with annual revenues of over $800 million. Responsibilities included all aspects of financial planning, implementation and accountability.

1978-1982 WARNER ELECTRIC BRAKE AND CLUTCH COMPANY, INC., DIRECTOR OF COPORATE ACCOUNTING (1980-1982) AND DIRECTOR OF TAX AND INTERNAL AUDIT DEPARTMENTS (1978-1980).
Prior to its sale, this company was the largest manufacturer of motion control devises in the United States. Company had five domestic and thirteen overseas divisions, with sales of $160 million. Responsibilities included worldwide financial reporting, domestic credit and collection, domestic cash management, and SEC and tax research and compliance.

1975-1978 PEAT, MARWICK, MAIN AND CO., SENIOR ACCOUNTANT.
Responsibile for audits of school districts, banks, governmental units, and manufacturing concerns.

1973-1975 RAYMOND D. ROBERTS, CERTIFIED PUBLIC ACCOUNTANTS, STAFF ACCOUNTANT.
Responsible for audits of governmental units and monthly accounting and tax write-up work for a variety of small business clients.

EDUCATIONAL BACKGROUND

Northwestern University, Chicago, Illinois, 1986.
Masters in Management Degree.
Major: International Business
Marketing
Finance
Management Policy

1973 Andrews Universtiy, Berrien Springs, Michigan,
Bachelor of Science Degree.
Major: Business Administration
Accounting Concentration

PROFESIONAL CERTIFICATIONS

Certified Management Accountant - 1981
Certified Public Accountant - 1975

MEMBERSHIPS

American Institute of Certified Public Accountants.
Institute of Management Accountants.
Hospital Financial Management Association.

SENT BY:VALLEY HOSPITAL ;10- 4-94 ;11:40AM ;Valley Hospital Adm.→ 702 382 4800:# 2

Fax to Bruce Judd

COST ANALYSIS
ACUTE CARE FACILITIES
ALL EXPENSES PER PATIENT DAY

	DESERT SPRINGS	ST MARY'S	SUNRISE	UMC	VALLEY	WASHOE	ST ROSE	TOTAL
INPATIENT DAYS	68,082	68,691	164,760	123,878	85,576	99,689	20,180	630,856
BILLED CHARGES								
INPATIENT	$2,975.36	$2,474.13	$3,216.11	$2,580.25	$3,122.80	$2,957.88	$3,407.34	$2,937.13
OUTPATIENT	$670.96	$583.80	$480.30	$608.14	$560.89	$731.04	$1,297.16	$613.93
TOTAL	$3,646.32	$3,057.92	$3,696.41	$3,188.39	$3,683.69	$3,688.93	$4,704.50	$3,551.07
DEDUCTIONS	$2,109.36	$1,284.44	$2,223.54	$1,785.09	$2,300.98	$1,927.66	$2,933.42	$2,009.32
NET REVENUE	$1,536.96	$1,773.48	$1,472.88	$1,403.30	$1,382.72	$1,761.26	$1,771.08	$1,541.74
OPERATING EXPENSES	$1,411.59	$1,717.22	$1,329.65	$1,547.38	$1,222.26	$1,699.67	$1,836.06	$1,483.55

SOURCE:

STATE OF NEVADA, DEPARTMENT OF HUMAN RESOURCES
HEALTH CARE FINANCIAL ANALYSIS UNIT
FISCAL YEAR END MARCH 31, 1994 SUMMARY FINANCIAL REPORT-1
STATEMENT OF REVENUES AND EXPENSES
(TAKEN FROM THE NEVADA HOSPITAL QUARTERLY REPORTS SUBMITTED BY THE FACILITIES)

CITY COUNCIL MINUTES
OCT 19 1994

CAMBRIDGE HEALTH SYSTEM, INC.
2275 RENAISSANCE DRIVE
SUITE A, BLDG.3
LAS VEGAS, NEVADA, 89119
(702) 736-0065

October 3, 1994

Ms. Rose McKinney-James, Director
Department of Business and Industry
2500 W. Washington, Suite 100
Las Vegas, Nevada, 89106

Dear Ms. McKinney-James;

On this date, notices of the TEFRA Hearing regarding the issuance of tax exempt revenue bonds for Cambridge Community Hospital which was originally scheduled for October 5th, 1994, and which will now be held by the City of Las Vegas on October 19th, 1994, have been sent by certified mail to each of the hospitals mentioned in the McGladrey Pullen feasibility study of August 16th, 1994. As mentioned in our letter of September 21, 1994, Women's Hospital could not be included in the mailing as it was purchased by the corporation which owns Sunrise Hospital and is officially closed.

Certified mailings were done to the following hospitals:

Desert Springs Hospital; Ms. Marcia Powers, Administrator
Valley Hospital; Mr. Claus Eggers, Managing Director
Sunrise Hospital and Medical Center; Mr. Alan Stipes, President
Lake Mead Hospital; Mr. Ernest Libman, Chief Executive Officer
University Medical Center; Mr. Bill Hale, Chief Executive Officer

Attached you will find copies of each of the letters sent with the notice of the TEFRA hearing enclosed.

Should you have any questions, please do not hesitate to contact me.

Respectfully,

Lois Seideman, MA, BSN
Vice President, Clinical and Professional Services
Cambridge Health System, Inc.

cc: Larry Struve
Jill Laorr
Brad Jerbic
Janet Hoffman
Marvin Leavitt
Douglas Walther

OCT 19 1994

NOTICE OF A PUBLIC HEARING ON A PROPOSED PLAN OF FINANCE AND THE ISSUANCE OF REVENUE BONDS BY THE STATE OF NEVADA

NOTICE IS HEREBY GIVEN that a public hearing will be held by the City Council (the "City Council") of the City of Las Vegas, Nevada (the "City") on October 19, 1994 at 2:00 p.m. at the City Council Chambers, City Hall, 400 East Stewart, Las Vegas, Nevada 89101 with respect to a proposal that: (i) the City request that the Director of the Department of Business and Industry (formerly the Department of Commerce) (the "Director") of the State of Nevada (the "State") to issue one or more series of its Hospital Revenue Bonds (Cambridge Health System, Inc. Project) (the "Bonds") in an aggregate principal amount not to exceed $85,000,000 in the exercise of its powers under the City Economic Development Revenue Bond Law, Nevada Revised Statutes 268.512 et seq., as supplemented and amended (the "Act"); (ii) the City request that the State Board of Finance approve this financing in the absence of a five (5) year operating history of the obligor on the Bonds, Cambridge Health System, Inc. a/k/a Spring Valley Hospital ("Cambridge"); and (iii) the City by resolution make findings and determinations required under the Act. The Bonds of each series will not be general obligations of the City, the State or any political subdivision thereof, but will be special limited obligations of the State payable (subject to the security provisions within the Act) solely out of the revenues derived from the financing of the project to be financed by the Bonds and from the revenues and income derived under one or more Loan Agreements by and between the State and Cambridge, a Nevada not for profit corporation. The Bonds are not an obligation of the City. No obligation of the City shall be expressed or implied by the City holding the public hearing described in Section 2 hereof. The Bonds of each series will not constitute an indebtedness of the State of Nevada or any political subdivision thereof within the meaning of any constitutional or statutory provision.

The Bonds and an additional approximately $15,000,000 in aggregate principal amount of indebtedness of Cambridge will be issued in order to finance the purchase of an approximately 43 acre site and the construction of a new 158-bed acute care hospital facility, an integrated diagnostic and treatment center, a medical office building and related parking to be owned and operated by Cambridge, and to be located within 10 miles of Las Vegas, Nevada, at the southeast corner of Hacienda Avenue and Rainbow Boulevard in Clark County, Nevada, to fund a debt service reserve fund for one of the issues of bonds, to pay interest on the bonds during construction, to provide initial working capital to Cambridge until it commences operations and to pay issuance expenses in connection with the Bonds.

The public hearing and this notice are required by Section 268.528 of the Act and Section 147(f) of the Internal Revenue Code of 1986. All persons interested may appear and be heard at the time and place set forth above; in addition, written comments may be submitted to the City Clerk at its office located at City Hall, 400 East Stewart, Las Vegas, Nevada 89101 prior to the date of the public hearing.

/s/ Kathleen Tighe
City Clerk
City of Las Vegas, Nevada
Date: October 5, 1994

CAMBRIDGE HEALTH SYSTEM, INC
2275 RENAISSANCE DRIVE
SUITE A, BLDG.3
LAS VEGAS, NEVADA, 89119
(702) 735-0065

October 3, 1994

Ms. Marcia Powers
Desert Springs Hospital
2075 E. Flamingo Road
Las Vegas, Nevada, 89119

Dear Ms. Powers;

This attached notice of a Tefra hearing to be held on October 19th, 1994, by the City of Las Vegas is sent to you by certified mail at the Request of the the Director of the Department of Business and Industry, Ms. Rose McKinney-James. This is the hearing which had originally been scheduled for October 5th, 1994.

Respectfully,

Roger R. Rieger

Roger Rieger, Chairman and President
Cambridge Health System, Inc.

CITY COUNCIL MINUTES

OCT 19 1994

CAMBRIDGE HEALTH SYSTEM, INC
2275 RENAISSANCE DRIVE
SUITE A, BLDG.3
LAS VEGAS, NEVADA, 89119
(702) 735-0065

October 3, 1994

Mr. Claus Eggers, Managing Director
Valley Hospital
620 Shadow Lane
Las Vegas, Nevada, 89106

Dear Mr. Eggers;

This attached notice of a Tefra hearing to be held on October 19th, 1994, by the City of Las Vegas is sent to you by certified mail at the Request of the the Director of the Department of Business and Industry, Ms. Rose McKinney-James. This is the hearing which had originally been scheduled for October 5th, 1994.

Respectfully,

Roger Rieger

Roger Rieger, Chairman and President
Cambridge Health System, Inc.

CAMBRIDGE HEALTH SYSTEM, INC
2275 RENAISSANCE DRIVE
SUITE A, BLDG.3
LAS VEGAS, NEVADA, 89119
(702) 735-0065

October 3, 1994

Mr. Alan Stipes, President and CEO
Sunrise Hospital and Medical Center
3186 S. Maryland Parkway
Las Vegas, Nevada, 89109

Dear Mr. Stipes;

This attached notice of a Tefra hearing to be held on October 19th, 1994, by the City of Las Vegas is sent to you by certified mail at the Request of the the Director of the Department of Business and Industry, Ms. Rose McKinney-James. This is the hearing which had originally been scheduled for October 5th, 1994.

Respectfully,

Roger Rieger

Roger Rieger, Chairman and President
Cambridge Health System, Inc.

CITY COUNCIL MINUTES

OCT 19 1994

CAMBRIDGE HEALTH SYSTEM, INC
2275 RENAISSANCE DRIVE
SUITE A, BLDG.3
LAS VEGAS, NEVADA, 89119
(702) 735-0065

October 3, 1994

Mr. Bill Hale, Chief Executive Officer
University Medical Center
1800 West Charleston Blvd.
Las Vegas, Nevada, 89102

Dear Mr. Hale;

This attached notice of a Tefra hearing to be held on October 19th, 1994, by the City of Las Vegas is sent to you by certified mail at the Request of the the Director of the Department of Business and Industry, Ms. Rose McKinney-James. This is the hearing which had originally been scheduled for October 5th, 1994.

Respectfully,

Roger Rieger

Roger Rieger, Chairman and President
Cambridge Health System, Inc.

OCT 19 1994

CAMBRIDGE HEALTH SYSTEM, INC
2275 RENAISSANCE DRIVE
SUITE A, BLDG.3
LAS VEGAS, NEVADA, 89119
(702) 735-0065

October 3, 1994

Mr. Ernest Libman, Chief Executive Officer
Lake Mead Hospital
1409 E. Lake Mead Blvd.
North Las Vegas, Nevada, 89030

Dear Mr. Libman;

This attached notice of a Tefra hearing to be held on October 19th, 1994, by the City of Las Vegas is sent to you by certified mail at the Request of the the Director of the Department of Business and Industry, Ms. Rose McKinney-James. This is the hearing which had originally been scheduled for October 5th, 1994.

Respectfully,

Roger Rieger

Roger Rieger, Chairman and President
Cambridge Health System, Inc.

U.S. POSTAL SERVICE

LV SUNRISE

UNIT FIN	314880
ZIP CODE	89199
14	# 14
10-05-94	10:19:30
VERSION	22.00

CUSTOMER RECEIPT

109 POST VAL IMP	2.29
109 POST VAL IMP	2.29
109 POST VAL IMP	2.29
109 POST VAL IMP	2.29
109 POST VAL IMP	2.29
TOTAL	11.45
CASH T	11.45
CHANGE	.00

THANK YOU

Z 007 415 735

Receipt for Certified Mail
No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to MR. ERNEST LIBMAN	
Street and No. 1409 E. LAKE MEAD BLVD.	
P.O., State and ZIP Code NORTH LAS VEGAS, NV, 89030	
Postage	$ .29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.00
Return Receipt Showing to Whom, Date, and Address of Addressee's Address	
TOTAL Postage & Fees	$ 2.29
Postmark or Date	OCT 5 1994 USPS

PS Form 3800, March 1993

Z 007 415 709

Receipt for Certified Mail
No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to MR. BILL HALE	
Street and No. 1800 W. CHARLESTON BLVD	
P.O., State and ZIP Code LAS VEGAS, NV., 89102	
Postage	$ .29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.00
Return Receipt Showing to Whom, Date, and Address of Addressee's Address	
TOTAL Postage & Fees	$ 2.29
Postmark or Date	OCT 5 1994 USPS

PS Form 3800, March 1993

Z 007 415 689

Receipt for Certified Mail
No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to	MR. ALAN STIDES
Street and No.	3186 S. MARYLAND PKWY
P.O., State and ZIP Code	LAS VEGAS, NV. 89109
Postage	$ .29
Certified Fee	1.06
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.00
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	$ 2.29
Postmark or Date	LAS VEGAS NV OCT 5 1994 USPS

PS Form 3800, March 1993

Z 007 415 755

Receipt for Certified Mail
No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to	MR. CLAUS EGGERS
Street and No.	620 SHADOW LANE
P.O., State and ZIP Code	LAS VEGAS, NV. 89106
Postage	$ .29
Certified Fee	1.06
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.00
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	$ 2.29
Postmark or Date	LAS VEGAS NV OCT 5 1994 USPS

PS Form 3800, March 1993

Z 007 415 734

Receipt for Certified Mail
No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to	MS. MARCIA POWERS
Street and No.	2075 E. FLAMINGO RD.
P.O., State and ZIP Code	LAS VEGAS, NV. 89119
Postage	$ .29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.00
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	$ 2.29
Postmark or Date	LAS VEGAS NV OCT 5 1994 USPS

PS Form 3800, March 1993

CITY COUNCIL MINUTES
OCT 19 1994

Is your RETURN ADDRESS completed on the reverse side?

SENDER:
- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):
1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
MR. ALAN STIPES
3186 S. MARYLAND PKWY
LAS VEGAS, NV., 89109

4a. Article Number
Z 007 415 689

4b. Service Type
☐ Registered ☐ Insured
☐ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery
10/5/94

5. Signature (Addressee)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)
J Woods

Thank you.

PS Form 3811, December 1991 ☆U.S. GPO: 1993—352-714 **DOMESTIC RETURN RECEIPT**

Is your RETURN ADDRESS completed on the reverse side?

SENDER:
- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):
1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
Ms. MARCIA POWERS
2075 E. FLAMINGO RD
LAS VEGAS, NV., 89119

4a. Article Number
Z 007 415 734

4b. Service Type
☐ Registered ☐ Insured
☐ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery
10-6-94

5. Signature (Addressee)
[illegible]

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

Thank you for using Return Receipt Service.

PS Form 3811, December 1991 ☆U.S. GPO: 1993—352-714 **DOMESTIC RETURN RECEIPT**

BOB MILLER
Governor

STATE OF NEVADA

ROSE McKINNEY-JAMES
Director

CITY COUNCIL MINUTES

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OCT 19 1994

DEPARTMENT OF BUSINESS AND INDUSTRY
DIRECTOR'S OFFICE
2500 W. Washington, Suite 100
Las Vegas, Nevada 89106
(702) 486-5150
Fax (702) 486-5018

October 19, 1994

The Honorable Bradford R. Jerbic,
City Attorney
City of Las Vegas
400 East Stewart Street
Las Vegas, Nevada 89101

Re: Cambridge Health Systems, Inc.

Dear Brad:

This letter will confirm certain recent conversations you have had with me and my representatives concerning the Cambridge Health Systems, Inc. matter. I appreciate your willingness to afford me the opportunity to participate in your discussions of this project at this juncture.

It is my understanding that the Las Vegas City Council will hold the public hearing and consider a resolution today. This will also confirm that I will attend the public hearing, which will also serve as the "TEFRA hearing." At this time we do not intend to present any testimony, but are there to observe the proceedings and obtain information relevant to the TEFRA approval which will be required later on. I also want it to be clear that in refraining from participating in a substantive way in the hearing I am not in any way giving up the ability to ask for futher information or to set appropriate conditions on the bond issue if and when I obtain jurisdiction in this matter. In connection with the City's resolution and determination of findings as required by NRS Chapter 268.530, my understanding is that the City will make every effort to compile a complete record including testimony from the Cambridge group, City staff, and the Ernst & Young report. This evidence will show the City's due diligence and the City's rationale and basis for its findings.

The conversations we have had in the past week or so have primarily concerned the findings dealing with financial feasibility of the project. In that regard you have shared with us the Ernst & Young report which the City commissioned. We anticipate that much of the evidence to be placed in the record at the public hearing will deal with this subject. However, I wish to note that there are at least two other specific matters upon which the City Council may act, for which I wish to encourage you to seek adequate evidence or discussion be included in the public record.

First, one paragraph of the City's Resolution will be a request to the Board of Finance to waive the statutory requirement that the project sponsor or a guarantor has a 5-year operating history. The granting of such a waiver will, in effect, permit the issuance of unrated bonds for the project. I would like to suggest that there be some evidence in the record which justifies this proposed form of financing, and why the waiver should be granted. I will reiterate that it is the City which is petitioning the Board of Finance for the waiver of the 5-year operating history. I anticipate that members of the Board will ask the City to explain its rationale for this request.

#80

ERNST & YOUNG LLP

CITY OF LAS VEGAS
CAMBRIDGE HEALTH SYSTEM, INC

Feasibility Study Limited Review

CITY COUNCIL MINUTES

OCT 19 1994

BACKGROUND

The City of Las Vegas, Nevada has been approached by Cambridge Health System, Inc. (CHS) to assume certain findings that will allow the State of Nevada to perform the role of issuing authority for approximately $93.7 million of debt composed of $79,893,000 of tax-exempt Hospital Revenue Bonds and $13,820,000 of taxable notes. The debt proceeds will be used to fund construction and initial operations of a new 167,900 square foot, 158-bed acute care hospital and diagnostic treatment center. The proposed hospital is to be built in Clark County, Nevada, approximately 4 miles south of the city limits of Las Vegas. A draft feasibility study was completed by McGladrey & Pullen, CPAs in June 1994. The proposed hospital will be owned and operated by Cambridge Health System, Inc., a nonprofit, tax-exempt organization.

Ernst & Young has been requested by the City of Las Vegas and Cambridge Health System to perform a limited review of the scope and approach taken to conduct the feasibility study completed by McGladrey & Pullen, CPAs. The purpose of the review is to provide the City of Las Vegas with additional information on the completeness of the feasibility study and to identify areas which we would recommend that the scope and approach of the analysis be enhanced. Our procedural evaluation does not constitute the due diligence required to opine on the reasonableness of the assumptions developed or the reasonableness of the financial statements developed in the completed feasibility study.

SCOPE AND APPROACH OF A FINANCIAL FEASIBILITY STUDY

The analysis necessary to assess a hospital's ability to service bond indebtness requires a thorough understanding of market conditions that should exist when the facility begins operations. The value of a feasibility study is determined by whether the thoroughness and reasonableness of the study is sufficient to warrant the capital investment of third parties and whether the study provides the framework on which management can build long term forecasts. The elements of the feasibility study generally cover the following areas:

Exhibit B

OCT 19 1994

- ❑ Historical perspectives of the institution and its achievements. Statistical data on utilization, financial performance, management and medical staff provide appreciation of the quality of the institution.

- ❑ Project budget and proposed source and uses of funds. An accurate budget and breakdown of depreciable assets is essential for an objective assessment of future cash availability.

- ❑ Market analysis, definition of service area and projection of aggregate demand for future patient services. This section usually relies on a number of external data sources and in-depth interviews with knowledgeable participants.

- ❑ Financial projections of operating income, cash available for debt service, pro forma balance sheets and other cash sources. This portion of the study is based on projections of reimbursement sources and utilization and operating expenses. Generally accepted accounting principles are applied.

The following outline provides a summary of guidelines for the preparation of financial forecasts recommended by the American Institute of Certified Public Accountants.

1. **Single most probable result.** A financial forecasting system should provide a means for management to determine what it considers to be the single most probable forecasted result. In addition, determination of the single most probable result generally should be supplemented by the development of ranges or probabilistic statements.

2. **Accounting principles used**. The financial forecasting system should provide management with the means to prepare financial forecasts using the accounting principles that are expected to be used when the events and transactions envisioned in the forecast occur.

3. **Appropriate care and qualified personnel.** Financial forecasts should be prepared with appropriate care by qualified personnel.

4. **Best information available.** A financial forecasting should provide for seeking out the best information, from whatever source, reasonably available at the time.

5. **Reflection of plans.** The information used in preparing a financial forecast should reflect the plans of the enterprise.

6. **Reasonable assumptions suitably supported.** The assumptions utilized in preparing a financial forecast should be reasonable and appropriate and should be suitably supported.

7. **Relative effect of variations.** The financial forecasting system should provide the means to determine the relative effect of variations in the major underlying assumptions.

8. **Adequate documentation.** A financial forecasting system should provide adequate documentation of both the forecast and the forecasting process.

9. **Regular comparison with attained results.** A financial forecasting system should include the regular comparison of the forecast with attained results.

10. **Adequate review and approval.** The preparation of a financial forecast should include adequate review and approval by management at the appropriate levels.

LIMITED REVIEW OF MCGLADREY & PULLEN FEASIBILITY STUDY

The McGladrey & Pullen feasibility study includes information categorized in the following 4 areas: (1) Feasibility Report (2) Marketing and Demand Analysis (3) Forecasted Financial Statements, and (4) Summary of Significant Accounting Policies and Assumptions. The market and demand analysis phase of the study should establish the reasonable basis of assumptions relating to forecast utilization of the present and proposed health care facilities. Volume forecasts of all major potential revenue sources, as well as the status of third-party contracts and principals of reimbursement, are among the most significant inputs for the financial forecasts. The following sections include references to the above areas in the Feasibility Study and Ernst & Young's comments and recommendations concerning the scope and approach of the analysis.

OCT 19 1994

McGladrey & Pullen Feasibility Study - Comments/Recommendations

Section - Marketing and Demand Analysis
Page 4

Construction of the proposed hospital is anticipated to be completed in approximately 13 months, with hospital operations scheduled to begin within 2 months of construction completion. Architectural plans have been completed and all zoning approvals have been obtained, however, the project requires the necessary financing and the issuance of construction permits. The narrative should also clearly explain the source of assumptions regarding the cost of the assets to be constructed and/or acquired, e.g., whether construction bids, equipment costs, actual contracts and/or a guaranteed maximum price has been received by CHS for a significant percentage of the project costs. Where estimates are used for a portion of the project, these should be disclosed.

Section - Marketing and Demand Analysis
Page 5

The forecast utilization should be based on assumptions and rationale about the potential supply and demand characteristics of the hospital's primary and secondary service areas as related to the particular facilities, services, and physicians of the hospital. Assumptions and rationale should be developed after investigation of the following factors:

1. The potential population growth of the hospital service area obtained from recognized and accepted agencies; analysis of economic and demographic information, obtained through research of published information and supplemented by interviews with appropriate persons;

2. The potential need for health care services in the geographic area, based on an evaluation of the population growth and service area health care trends, as well as national trends;

3. The ability of the service area's health care delivery system to meet these needs through existing facilities, plus those under construction and planned for construction during the period of the forecast; and

McGladrey & Pullen Feasibility Study - Comments/Recommendations

4. The indicated patronage of the hospital by patients of the prospective medical staff and managed care contractor.

The overall methodology used to develop the CHS utilization forecasts included an analysis of a portion of the recommended tasks required to develop demand for health care services. However, several important and significant considerations that should have been addressed were excluded in the study. Service area admission/discharge market share profiles were not presented in the feasibility study and admissions or discharges were not presented or discussed. A service area admission/discharge market share profile presents area hospitals that receive discharges from the defined service area, illustrating each hospital's percentage of total service area resident admission/discharges. Variations in service area market share trends experienced by area hospitals provide insight regarding service area resident utilization of area hospitals and indications if any hospital(s) are enjoying increased market share at the expense of competing facilities. The service area discharge market share is also necessary to determine what percentage the CHS would need to capture to meet the inpatient volume estimates used in the feasibility study.

The Nevada Department of Human Resources Health Care Financial Analysis Unit provides a discharge abstract reporting system that includes information necessary to develop a service area discharge market share profile for Nevada facilities. The State of California Office of Statewide Health Planning and Development provides similar information for California based hospitals.

In addition, State of Nevada, Clark County and service area historical and forecast acute care admission/discharge use rates were not presented in the feasibility study. The service area acute care admission/discharge use rate represents the actual number of service area resident discharges per 1,000 service area residents. No forecast use rates were mentioned or presented in the study for any Counties in Nevada as well as the service area. Information required to develop use rates by service can be obtained from the University of Nevada Las Vegas Center for Public Data Research. Review of the data gathered from these sources results in an estimate of forecast need for services in the area and the hospital's ability to meet those needs.

Typically, the historical use rate are analyzed by service such as medical/surgical, obstetric, pediatric, etc. to determine whether certain trends that have been occurring over time could continue in the future. For instance, most hospitals have been experiencing a declining use-rate

McGladrey & Pullen Feasibility Study - Comments/Recommendations

and average length of stay over the past years as advances in medical technology and pressures from third party payors have reduced inpatient admissions. Therefore, the forecast use rates and length of stay assumptions could reflect this continuing decline throughout the forecast period.

The feasibility study did not address alternative delivery systems or other managed care activity prevalent in the State of Nevada or California. The continuing shift away from the fee for service environment to venues of managed care and other alternative forms of health care delivery place an increasing amount of importance on this portion of the feasibility study analysis. Managed care growth, alternative forms of delivery and the increasing penetration of capitated payment arrangements need to be considered and evaluated for their impact on area use rates. These assumptions should include a description of the type of managed care programs operating in the area, the enrollment in the plans and the proposed hospital contracting position should be disclosed (i.e. contract rates, managed care provider). In addition to this type of macro level market trend analysis, cost factors dictating competitive advantages will play an increasing role as managed care increases and as the industry increasingly becomes more cost driven by product line.

The primary objective of an alternative delivery system is to reduce hospital utilization and reduce health care costs to the consumer. Representative alternative delivery systems include health maintenance organization (HMO) and preferred provider organization (PPO). HMOs assume responsibility for, and directly assume the financial risk of providing health care services to their members in return for a set prepaid monthly premium. A PPO is a group of health care providers which have contractual arrangements to provide specific or full-scope services at a negotiated price to a defined group of patients. In addition, there is an increasing conversion of beneficiaries enrolled in capitated plans that are responsible for providing or arranging for the health care services needed by that enrolled population. Conversion from a traditional fee-for-service to managed care population is believed to impact acute-care providers during the initial years of implementation by reducing average length of stay and use rates and increasing discounts from charges. Medicare HMO companies are also aggressively expanding into new markets by offering the senior population capitated contracts with attractive options.

OCT 19 1994

McGladrey & Pullen Feasibility Study - Comments/Recommendations

Section - Marketing and Demand Analysis
Page 8

The average occupancy rate of the six existing hospitals operating in the Las Vegas metropolitan service area in 1993 was approximately 64 percent, significantly below target hospital occupancy rates of 80 to 85 percent, depending on the level of service. Preliminary estimates suggest there is no bed need in the Las Vegas area for the forecast period presented, even with expected population growth.

Section - Marketing and Demand Analysis
Page 9

Identification of competing hospitals that will affect the proposed hospital's likelihood of success through discussions with management and planning agencies should include the major competitive facilities in the primary service area and also the major competitors located outside of the primary service area that draw heavily from that area. The feasibility study identified the possible development of a 110-bed acute care hospital in the northwest quadrant of Las Vegas. Although the proposed development is not located within the primary service area of the Hospital, the close proximity to the proposed hospital could impact utilization of area facilities. In addition, policies and regulations promulgated by federal, state and local health care regulatory agencies can impact competition and utilization in the service area. A discussion of the market share of existing Las Vegas area hospitals as well as the type of health planning regulation (i.e. utilization review) and projected bed need methodology can help clarify the probable impact of new providers in the competitive environment.

Section - Marketing and Demand Analysis
Page 10

Demand for acute care services at the proposed hospital was developed based on physician survey completed in June 1994 by O'Neill and Associates. The questionnaire, which was sent to physicians located in both the primary service area and other areas, sought physicians' responses concerning future utilization of the proposed facility and requested information related to specialties, admission patterns, insurance coverage of patients, familiarity of and need for the

proposed hospital, and interest in leasing office space. The inpatient volume was forecast based on 95 percent of survey results by 1999. In our experience, the level of scientific accuracy associated with physician questionnaires is doubtful. There is a general bias among physician respondents that accompanies inquires into new facilities. Many physicians have existing hospital affiliations or managed care network arrangements that prevent or discourage support of alternative providers. To assume approximately 100 penetration based on physician responses without validation is a optimistic presumption. Outpatient visit forecasts for 1997 were also developed based on results of the physician survey. Outpatient visits were based on 100 percent of survey estimates by 1997. In addition, outpatient volume was forecast to increase at aggressive growth levels for the future years without substantiation. There was no supporting documentation in the feasibility study for emergency room volume assumptions.

Accordingly, the physician survey should result in an analysis that presents a medical staff profile and the results from any medical staff interviews. The feasibility study did not address interview commentary with the proposed medical staff. Interviews with significant physicians with the greatest potential to support the proposed hospital will assist in determining those physicians who will be most active in terms of admissions and in patient days by specialty after the completion of the hospital. Normally there are a core group of physicians that can be identified as the key leaders of the development of a new hospital and are the spokesmen for the medical community.

Physicians were not identified by specialty, by age or board certification status, or by the distribution of physician admissions by age, specialty and practice type. Because the proposed hospital depends so greatly on support from physicians, their opinions about how the hospital will influence their patronage are vital. Written commitments and interview commentary from physicians that are anticipated to be members of the active medical staff would be advisable to support the stated intent to patronage the hospital based 95 percent of survey respondents.

Section - Marketing and Demand Analysis
Page 12

Forecast utilization of hospital facilities in terms of admissions and patient days and other measurements of service, as developed from economic data and from physicians' estimates showing expected utilization, should be classified according to clinical service and revenue-

McGladrey & Pullen Feasibility Study - Comments/Recommendations

producing departmental categories such as surgical beds, medical beds, obstetrical beds, non acute beds, special clinical services, and emergency and outpatient services. The summary of demand analysis was not presented or discussed in this detail, recommended as follows:

	1996	1997	Forecast 1998	1999	2000
MEDICAL/SURGICAL					
Discharges					
Patient Days					
Average Length of Stay					
Licensed Beds					
Percent Occupancy					
Occupied Beds					
OBSTETRICS					
Discharges					
Patient Days					
Average Length of Stay					
Licensed Beds					
Percent Occupancy					
Occupied Beds					
ADULT SUBTOTAL					
Discharges					
Patient Days					
Average Length of Stay					
Licensed Beds					
Percent Occupancy					
Occupied Beds					
NEWBORNS					
Discharges					
Patient Days					
Average Length of Stay					
Licensed Beds					
Percent Occupancy					
Occupied Beds					
TOTAL					
Discharges					
Patient Days					
Average Length of Stay					
Licensed Beds					
Percent Occupancy					
Occupied Beds					
SELECTED OUTPATIENT					
Outpatient Surgery					
Clinic Visits					
Emergency Room					

Forecasted Financial Statements
Page 20

The forecasted statements of revenue and expenses present a net income of over $500,000 during the first year of operations in 1996. In our experience, the first year of start-up operations for a general acute care hospital generally produces a substantial operating loss and deficit as occupancy levels gradually build over time.

McGladrey & Pullen Feasibility Study - Comments/Recommendations

Section - Summary of Significant Accounting Policies and Assumptions. Page 23

The financial statements presented in the feasibility study present a stand-alone project rather than the consolidated financials of CHS parent corporation, Source Living Centers, Inc. The parent corporation is an Illinois not-for-profit company exempt from federal and state income tax under Section 503(c). The City of Las Vegas and State of Nevada should consider performing due diligence requested for CHS as it is anticipated that the proposed hospital will be exempt from federal tax through a group exemption of Source Living Centers, Inc. It is also expected that Source Living Centers, Inc. will provide management services to the hospital for an annual fee equal to 3 percent of net revenue.

Section - Summary of Significant Accounting Policies and Assumptions. Page 24

The annual management fee of 3 percent of net revenues should be subordinated to all debt payments on the Hospital Revenue Bonds, Obligation Notes and other debts incurred and all operating expenses. Subordinated management fees assure bondholders that payments of management fees are not permitted until principal and interest are paid in full.

Section - Summary of Significant Accounting Policies and Assumptions. Page 26

There are no equity contributions shown in the sources or uses of funds. Typically, equity contributions equal to 10 percent to 20 percent of the overall cost of the project are required by institutional investors. The proposed project financing would be considered high risk to investors (i.e. 100 percent leveraged, start-up operation, no rating, no bond insurance, no letter of credit) and therefore require high rates of interest to attract prospective investors. Bondholders carry all the risk in case of an eventual default without equity contributions from the development sponsor. Effective interest rates ranged from 9.5 percent for tax-exempt bonds to 12.0 percent for taxable bonds. The proposed debt structure and future debt service requirements are high compared to health care industry standards.

McGladrey & Pullen Feasibility Study - Comments/Recommendations

A brief summary of the legal structure of the proposed financing should be described. This disclosure should include the provisions with regard to the major funds to be established, the description of how these funds are to operate, the amounts and dates involved in establishing each fund, the amounts to be deposited in the funds, the restrictions regarding the use of these funds, the disposition of interest earned on these funds and the transfer of monies between funds.

Section - Summary of Significant Accounting Policies and Assumptions.
Page 27

As presented in the feasibility study, revenue was forecast by applying inpatient admissions determined in the demand analysis to forecasted per admission charge rates. Admission/discharges were not presented or discussed in the demand analysis.

Section - Summary of Significant Accounting Policies and Assumptions.
Page 31

Tenant occupancy levels were forecast to increase from 65 percent in 1996 to 95 percent in 2000. There is no supporting documentation for fill-up rates in the medical office building or indication of written commitments by physicians to lease office space at stated lease rates. Forecast rental income generated from the medical office building exceeds $1 million annually by 1998.

Section - Summary of Significant Accounting Policies and Assumptions.
Page 33

Analytical comparisons of CHS proposed hospital (158 beds) relative to three other Las Vegas hospitals, Valley Medical Center (416 beds), Desert Springs Hospital (225 beds), and Sunrise Hospital (688 beds) are presented on page 34. Hospital industry standard comparative analysis are generally displayed by bed size (i.e. 50-99 beds, 100-150 beds, 151-200 beds, etc.) to maintain consistency with operating variables based on bed size and volume. Therefore, a more helpful index would include only hospitals within a comparable range to the proposed 158-bed facility.

The feasibility study presents an estimated staffing complement of 4.3 full-time equivalents (FTEs) per occupied bed and a total hour per patient day service day estimate that is significantly lower

than the area comparable average. Salaries and wage expenses typically account for approximately 60 percent of total hospital operating expenses. Understated FTE per occupied bed assumptions can significantly understate expected operating expenses and overstate operating profits.

AFFIDAVIT OF PUBLICATION

RECEIVED
CITY CLERK
OCT 14 9 32 AM '94

(TEFRA AND CITY COUNCIL PUBLIC NOTICE)

NOTICE OF A PUBLIC HEARING ON A PROPOSED PLAN OF FINANCE AND THE ISSUANCE OF REVENUE BONDS BY THE STATE OF NEVADA

NOTICE IS HEREBY GIVEN that a public hearing will be held by the City Council (the "City Council") of the City of Las Vegas, Nevada (the "City") on OCTOBER 19, 1994, at 2:00 p.m. at the City Council Chambers, City Hall, 400 East Stewart, Las Vegas, Nevada 89101 with respect to a proposal that: (i) the City request that the Director of the Department of Business and Industry (formerly the Department of Commerce) (the "Director") of the State of Nevada (the "State") to issue one or more series of its Hospital Revenue Bonds (Cambridge Health System Inc. Project) (the "Bonds") in an aggregate principal amount not to exceed $85,000,000 in the exercise of its powers under the City Economic Development Revenue Bond Law, Nevada Revised Statutes 268.512 ET SEQ., as supplemented and amended (the "Act"); (ii) the City request that the State Board of Finance approve this financing in the absence of a five (5) year operating history of the obligor on the Bonds, Cambridge Health System, Inc. a/k/a Spring Valley Hospital ("Cambridge"); and (iii) the City by resolution make findings and determinations required under the Act. The Bonds of each series will not be general obligations of the City, the State or any political subdivision thereof, but will be special limited obligations of the State payable (subject to the security provisions within the Act) solely out of the revenues derived from the financing of the project to be financed by the Bonds and from the revenues and income derived under one or more Loan Agreements by and between the State and Cambridge, a Nevada not for profit corporation. The Bonds are not an obligation of the City. No obligation of the City shall be expressed or implied by the City holding the public hearing described in Section 2 hereof. The Bonds of each series will not constitute an indebtedness of the State of Nevada or any political subdivision thereof within the meaning of any constitutional or statutory provision.

The Bonds and an additional approximately $15,000,000 in aggregate principal amount of indebtedness of Cambridge will be issued in order to finance the purchase of an approximately 43 acre site and the construction of a new 158-bed acute care hospital facility, an integrated diagnostic and treatment center, a medical office building and related parking to be owned and operated by Cambridge, and to be located within 10 miles of Las Vegas, Nevada, at the southeast corner of Hacienda Avenue and Rainbow Boulevard in Clark County, Nevada, to fund a debt service reserve fund for one of the issues of bonds, to pay interest on the bonds during construction, to provide initial working capital to Cambridge until it commences operations and to pay issuance expenses in connection with the Bonds.

The public hearing and this notice are required by Section 268.528 of the Act and Section 147(f) of the Internal Revenue Code of 1986. All persons interested may appear and be heard at the time and place set forth above; in addition, written comments may be submitted to the City Clerk at its office located at City Hall, 400 East Stewart, Las Vegas, Nevada 89101 prior to the date of the public hearing.

/s/ Kathleen Tighe
City Clerk
City of Las Vegas, Nevada
Date: October 5, 1994
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

ANDREA WALKER, being first duly sworn, deposes and says:

That she/he is a 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 of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of OCTOBER 5,1994 to OCTOBER 5,1994, on the following days:

OCTOBER 5,1994

Signed: Andrea Walker

Subscribed and sworn to before me this 5 day of Oct, 19 94

Peggy D. Barron
Notary Public

PEGGY D. BARRON
Notary Public - Nevada
Clark County
My appt. exp. Feb. 17, 1998

REV. 5-94

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	IX. 2:00 P.M. PUBLIC HEARINGS	HIGGINSON - Items 81, 82 and 107 HELD IN ABEYANCE to 11-2-94 City Council meeting; Item 90 WITHDRAWN WITHOUT PREJUDICE; and Items 108, 109 and 110 HELD IN ABEYANCE TO 12-7-94 City Council meeting UNANIMOUS Subsequent to the meeting, staff advised that Items 81 and 82 would be held in abeyance indefinitely ****** (2:26 - 2:28)
81	Public Hearing to consider the Report of Expenses to recover the cost of Dangerous Building Abatement at 5112 Alta Drive Property Owner Margaretten & Company, Inc. c/o E. Ellis	
82	Public Hearing to consider the Report of Expenses to recover the cost of Dangerous Building Abatement at 4221 Middlesex Avenue Property Owner Secretary Housing & Urban Development c/o FHA #322 2153956 703	HIGGINSON - Items 81, 82 and 107 HELD IN ABEYANCE to 11-2-94 City Council meeting; Item 90 WITHDRAWN WITHOUT PREJUDICE; and Items 108, 109 and 110 HELD IN ABEYANCE TO 12-7-94 City Council meeting UNANIMOUS Subsequent to the meeting, staff advised that Items 81 and 82 would be held in abeyance indefinitely ****** (2:26 - 2:28)

TO: City Council

FROM: LARRY K. BARTON
CITY MANAGER

SUBJECT: **PUBLIC HEARING TO CONSIDER THE REPORT OF EXPENSES TO RECOVER COSTS FOR THE ABATEMENT OF DANGEROUS BUILDING LOCATED AT 5112 ALTA DRIVE**

PURPOSE/BACKGROUND

The subject property was a vacant single family dwelling, with trash and debris, and unsecured gate. The condition of the property was a source of concern to the public and the Fire and Police Departments because of the hazardous conditions.

The Department of Building and Safety declared the property in violation and started legal notification.

When no corrective action was taken nor an appeal filed, the Department of Building and Safety hired Weaver Construction to secure the structure and gate and remove all trash and debris from the property. Work was completed by Weaver Construction on September 12, 1994, at a cost of $1,317.05.

Today's public hearing is to consider the Report of Expenses filed by the Department of Building and Safety and to hear any objections thereto. Under the "Uniform Code for the Abatement of Dangerous Buildings", the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien of Assessment is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.

Attached for your information are the following:

1. Location map
2. Report of Expenses
3. Notice of Public Hearing
4. Chronological List of Events
5. Copy of the Notice and Claim of Lien of Assessment

FISCAL IMPACT

$1,317.05 paid to Weaver Construction

RECOMMENDATIONS

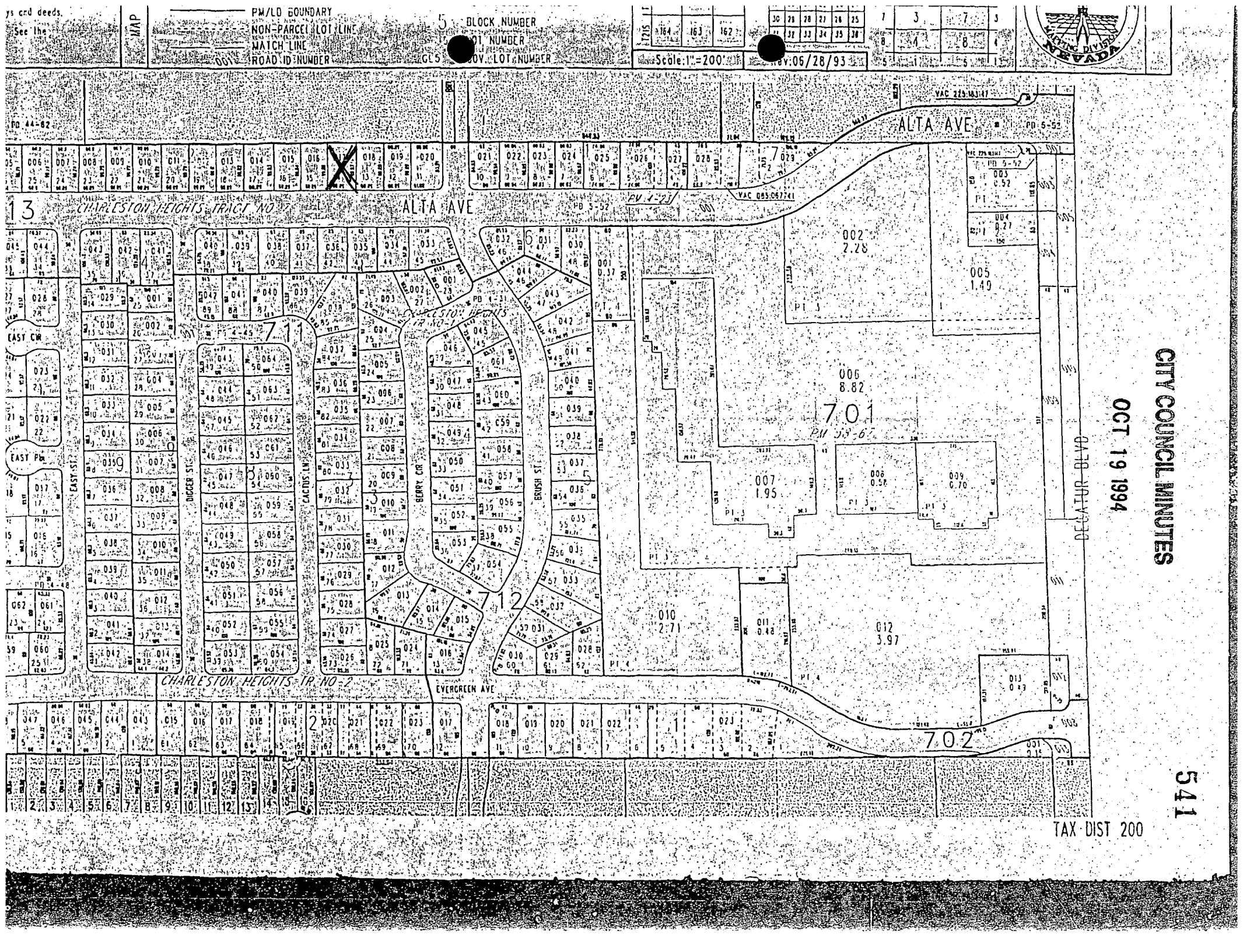
SEE NEXT PAGE

PUBLIC HEARING TO CONSIDER THE REPORT OF EXPENSES TO RECOVER COSTS FOR THE ABATEMENT OF DANGEROUS BUILDING LOCATED AT 5112 ALTA DRIVE

RECOMMENDATIONS:

The City Manager recommends that the City Council:

1. Approve the Report of Expenses in the amount of $1,317.05.
2. Order that the above charges be assessed against the property, constituting a special assessment and lien.
3. Authorize that the Notice and Claim of Lien of Assessment be duly recorded and filed with the County Treasurer's Office for collection as ordinary property taxes. If the Property Owner chooses to make payments, then a Property Lien will be recorded and filed in place of an Assessment Lien.


ys and deeds.
See the
MAP
PM/LO BOUNDARY
NON-PARCEL LOT LINE
MATCH LINE
001 ROAD ID NUMBER
5 BLOCK NUMBER
01 NUMBER
GOV. LOT NUMBER
Scale: 1"=200'
Rev: 06/28/93
MAPPING DIVISION
NEVADA
ALTA AVE
PD 44-62
PD 5-52
VAC 229:143:47
VAC 085:067:41
PM 1-23
CHARLESTON HEIGHTS TRACT NO 1
CHARLESTON HEIGHTS TR NO-1
CHARLESTON HEIGHTS TR NO-2
EASY CIR
EASY PL
EASY ST
DIGGER ST
CACTUS LN
BERRY CIR
BRUSH ST
EVERGREEN AVE
DECATUR BLVD
002 2.28
005 1.49
006 8.82
701
PM 55-67
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006 0.58
009 0.70
010 2.71
011 0.48
012 3.97
013 0.43
702
TAX DIST 200
CITY COUNCIL MINUTES
OCT 19 1994
541

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

Date: SEPTEMBER 21, 1994

TO:

KATHLEEN M. TIGHE
CITY CLERK

FROM: Paul Wilkins

PAUL WILKINS, DEPUTY DIRECTOR
DEPARTMENT OF BUILDING & SAFETY

SUBJECT:

REPORT OF EXPENSES
5112 ALTA DRIVE
DANGEROUS BUILDING ABATEMENT

COPIES TO:

CITY COUNCIL MINUTES

OCT 19 1994

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for " Abatement of Dangerous Buildings", the Department of Building and Safety caused the property to be secured and cleared of all trash and debris.

Work was completed on September 12, 1994, by Weaver Construction at a cost of $1,317.05 and was accepted by the Department of Building and Safety.

Case Loader 6 hrs @ $50.00 per hr	$300.00
Semi Truck 6 hrs @ $63.00 per hr	378.00
3 Laborers, 20 hrs @ $24.00 per hr	480.00
Board 4' x 3' hole, 12 s.f. @ $3.75	45.00
Repair and secure gate	47.00
Amount due	$1,250.00
Dump Fees	67.05
TOTAL AMOUNT DUE:	$1,317.05

OWNER OF RECORD: MARGARETTEN & COMPANY, INC.
c/o R. ELLIS
P.O. BOX 26388
RICHMOND, VA 23260

PROPERTY ABATED: 5112 ALTA DRIVE

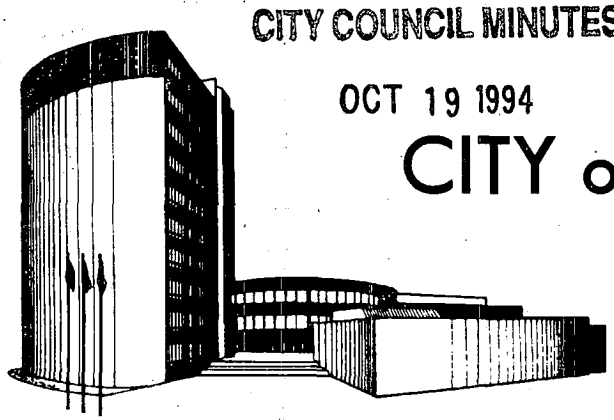
ASSESSOR'S PARCEL: 138-36-713-017

LEGAL DESCRIPTION: CHARLESTON HGTS TRACT #07
PLAT BOOK 5 PAGE 52
LOT 14 BLOCK 2

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
SCOTT HIGGINSON
FRANK HAWKINS JR.
KEN BRASS

CITY MANAGER
LARRY K. BARTON



CITY of LAS VEGAS

NOTICE OF PUBLIC HEARING
OCTOBER 19, 1994

Pursuant to Section 902 of the Uniform Code for the Abatement of Dangerous Buildings, adopted as Section 16.08.010 of the Las Vegas Municipal Code. NOTICE IS HEREBY GIVEN THAT ON **Wednesday, October 19, 1994,** at the hour of **2:00 P.M.**, in the Council Chambers, City Hall Complex, 400 East Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following REPORT OF EXPENSES submitted by the Director of Building & Safety incurred by the City of Las Vegas for:

Abatement of the dangerous building by boarding, securing and cleaning the premises on property located at **5112 Alta Drive** legally described as **CHARLESTON HGTS TRACT #7, PLAT BOOK 5, PAGE 52, LOT 14, BLOCK 2** . Owner of record at time of abatement: MARGARETTEN & COMPANY, INC., C/O R. ELLIS

The Director of Building and Safety certifies in the report that the sum of $1,317.05 was expended to Weaver Construction for securing and cleaning the property.demolition and cleaning the property.

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

KATHLEEN M. TIGHE
CITY CLERK

400 E. STEWART AVENUE • LAS VEGAS, NEVADA 89101-2986
(702) 229-6011 (VOICE) • (702) 386-9108 (TDD)

OCT 19 1994

CHRONOLOGICAL LIST OF EVENTS

5112 ALTA DRIVE

May 10, 1994		Complaint received, vacant house open and accessible, trash and debris.
May 10, 1994	-	Property inspected, complaint verified. Broken front bedroom window, rear patio door open and unsecured, several broken rear windows, discarded sofa, dry weeds, trash and debris in front, piles of dry weeds, wood, trash and debris in rear and side yards. Signs of vagrant activity and vandalism evident.
May 13, 1994	-	Notice & Order to Abate Dangerous Building was sent by regular & certified mail to property owner. Callback date of June 14 was given.
June 14, 1994	-	Inspection showed no improvement. Front door accessible, not locked, front window still broken out. No change in condition of building or grounds.
July 28, 1994	-	Inspection found front door locked, couldn't get to back door because of trash, debris, dry vegetation on sides and rear yard.
August 01, 1994	-	Bid request sent to Weaver Construction for abatement.
August 08, 1994	-	Bid quote received from Weaver Construction in the amount of $1,250.00. Ten-day bid letter sent by regular and certified mail to property owner. Callback date of August 19 was given.
August 19, 1994	-	Green card returned signed by property owner.
September 02, 1994	-	Notice & Order to Abate Dangerous Building recorded with County Clerk.

CHRON LIST OF EVENTS - 5112 ALTA DRIVE OCT 19 1994

September 08, 1994	-	Notice to proceed was given to Weaver Construction.
September 12, 1994	-	Abatement completed. Statement in the amount of $1,317.05 was received from contractor, Weaver Construction.
September 23, 1994	-	A copy of the Report of Expenses along with a letter was sent certified and regular mail to the property owner, notifying them that the work has been completed.
October 05, 1994	-	City Council set the Public Hearing date for October 19, 1994, at 2:00 P.M.
October 07, 1994	-	Notice of Public Hearing was published in the newspaper and the property owners were notified.
October 07, 1994	-	Notice of Public Hearing was posted on the property.

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MARGARETTEN & COMPANY, INC.** (Reputed Owner) (At time of abatement)

On **September 12, 1994,** as provided in the Uniform Code for the Abatement of Dangerous Buildings, adopted by reference in Las Vegas Municipal Code 16.08.01D, the City of Las Vegas caused the abatement of the following dangerous building(s):

Assessor's Parcel No.: **138-36-713-017**
Commonly known as: **5112 ALTA DRIVE**
Legal Description: **CHARLESTON HGTS TRACT #07**
PLAT BOOK 5 PAGE 52
LOT 14 BLOCK 2

CITY COUNCIL MINUTES

OCT 19 1994

Expenses in the amount of $ **1,317.05** were incurred by the City of Las Vegas in the Above abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on **October 19, 1994**, ordered the above charges in the amount of $ _____, assessed against the property by means of a Lien of Assessment, such lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessments and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment which remains unpaid after 30 days from the date of the recording thereof on the assessment roll shall become delinquent and shall accure interest at the rate of 7 percent per annum from and after said date.

This lien shall continue until the assessment which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

KATHLEEN M. TIGHE
400 East Stewart Avenue
Las Vegas, Nevada 89101
Telephone: (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

KATHLEEN M. TIGHE, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated therein are true of her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

KATHLEEN M. TIGHE

SUBSCRIBED and SWORN to before me
this _____ day of _____, 19___.

NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:

CITY OF LAS VEGAS
DEPARTMENT OF BUILDING & SAFETY
400 E. STEWART AVENUE
LAS VEGAS, NEVADA 89101

FH Important Oct 19 Council Agenda Item

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

Date 547

OCTOBER 18, 1994

CITY COUNCIL MINUTES
OCT 19 1994

TO: LYNN MACY
DEPUTY CITY MANAGER

FROM: SAM BOWLER, MANAGER
CODE ENFORCEMENT DIVISION

SUBJECT:

PUBLIC HEARING 10/19/94
4221 MIDDLESEX AVENUE
5112 ALTA DRIVE

COPIES TO:

MAYOR JONES
COUNCILMAN ADAMSEN
COUNCILMAN HIGGINSON
COUNCILMAN HAWKINS
COUNCILMAN BRASS
LARRY BARTON
PAUL WILKINS

Yesterday afternoon, I talked at length with Diane Swartz. She oversees the building acquisitions for H.U.D. and their disposition.

It is her contention that we ignored notices posted on the properties at 4221 Middlesex and 5112 Alta Drive, indicating that they were owned by H.U.D. She said Douglas DaSilva, who has contracted to secure H.U.D. properties, will be at the Council Meeting on Wednesday to give H.U.D.'s position regarding the abatements by the Code Enforcement Division.

It is our position that the properties did not have H.U.D. posting on them at the time of abatement. Had there been posting, we would have backed away and contacted the H.U.D. office. We never conduct a title search unless the property is to be demolished.

I asked Ms. Swartz how we might be able to determine H.U.D. ownership in the future, but received no direct answer. She said H.U.D. posts the properties immediately after receiving them and we should be able to tell they are H.U.D. properties from the notices posted on the property. She was quite firm in the belief that we trespassed onto government property to abate the two properties in question. She did not offer a solution, although I suggested that we contact the H.U.D. office to insure they do not have claim to buildings being considered for abatement. However, this will not resolve problems if the property is in transition during the abatement process.

I also plan to update Val Steed before the Council meeting. Ms. Swartz told me that they have not been in contact with the City Attorney's office.

It seems ironic that H.U.D. is so adamant about complaining regarding the boardups when, at the same time, they called upon us last week to spend two full days inspecting the Sierra Nevada Arms Apartments for them to determine code violations.

SB:yl
055

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

Date 548

OCTOBER 10, 1994

TO:

LYNN MACY
DEPUTY CITY MANAGER

FROM:

SAM BOWLER, MANAGER
CODE ENFORCEMENT DIVISION

SUBJECT:

PUBLIC HEARING
COUNCIL MEETING
OCTOBER 19, 1994

COPIES TO:

LARRY BARTON
PAUL WILKINS

CITY COUNCIL MINUTES

OCT 19 1994

Mr. Douglas DaSilva, who runs the management company that secures H.U.D. properties, called late last week complaining about our securing an open building belonging to H.U.D.

The property at 5212 Alta Drive was secured by Weaver Construction and all notifications to the known property owner were sent by certified mail. H.U.D. did not show up as ownership anywhere.

A similar case involved property at 4221 Middlesex. I sent you a memo regarding that property on September 15, 1994. I do not know if Mr. DaSilva will be appearing at the Public Hearing on October 19th.

SB:yl
049

CITY COUNCIL MINUTES

OCT 19 1994

RECEIVED
CITY CLERK

Oct 19 8 42 AM '94

BOULEVARD HOTEL
BOULEVARD DEVELOPMENT, INC.

October 18, 1994

City of Las Vegas
Mayor Jan Jones
Councilmen Arnie Adamsen, Scott Higginson, Frank Hawkins, Jr., Ken Brass
City Manager Larry K. Barton

In Re: 5112 W Alta
Report of Expenses
Dangerous Building Abatement

Sirs/Madam;

Boulevard Development, Inc. is the Real Estste Asset Manager for U.S. Department of Housing and Urban Development for the Counties of Clark, Lincoln, and Nye.

We are in receipt of your letter dated September 21, 1994, which contains a Report of Expenses on the Subject Property. Said report indicates that purported work was performed September 12, 1994, by Weaver Construction. Upon receipt of such letter we notified Sam Bowler, Manager of the Code Enforcement Division of the Department of Building and Safety, that the property in which the city authorized the work to be done is owned by HUD, and that HUD was given no prior notice of any intended work to be done, or, of any Code Violation.

In reviewing the files, it was again determined that no notices had been sent to HUD, but rather, that notices had been sent to previous owners. Mr. Bowler indicated that the Building and Safety Code section 401. (b) indicates as follows:

Notice and Order. *The building official shall issue a notice and order directed to the record owner of the building.*

Please find attached Exhibit "A" , Grant Deed in favor of HUD filed August 2, 1994, 8:00 a.m. in Book 940802, Instrument #00491 of the Official Records of the County of Clark. It should be noted that HUD was Record Owner of the property some forty one (41) days prior to the commencement of the purported work. Additionally, HUD added Subject Property to the inventory of Boulevard Development, Inc. on August 8, 1994.

On August 11, 1994, the property was inspected by Douglas B. DaSilva of Boulevard Development, Inc., and Rolland McHughes of HUD. Their findings included the patching of two (2) 1 1/2' x 2' air conditioner holes, with the additional recommendation to patch and paint the interior ceiling completely, the installation of three (3) windows, and the abating of defective paint on the exterior and repainting of the exterior, and the removal of approximately four (4) yards of exterior debris, and six (6) yards of interior debris. The estimate for removal of debris was One Hundred Twenty Five Dollars ($125.00). At time of said inspection , a U.S. Government Warning Sign, in addition to a Property Information Sign, were installed in the southwest front window, directly facing the street.

The abating and repainting of the exterior wood was completed on September 8, 1994, while the emergency work for the windows was completed August 22, 1994. In addition, the debris

BOULEVARD HOTEL
BOULEVARD DEVELOPMENT, INC.

removal was completed September 12, 1994. It is interesting to note, this is the same day that Weaver Construction purports to have completed similar work. Jesus Rene Ostorga, of Rene's Janitorial, the sub-contractor for such work through Boulevard Development, Inc., will be available for questioning at the City Council Meeting.

Reinspection of the property subsequent to the City's purported completion of work indicated that no work had been performed other than that authorized by HUD. In addition, it was observed, and photographed, that the original U.S. Government Warning, and Property Information Sign, were plainly visible not only from the property itself, but from the street.

Please find attached Exhibit "B", said photographs of U.S. Government Warning Signs, attached to the front southwest window.

Additionally, for your review, I introduce the Report of Expenses as Exhibit "C".

In conclusion, the City of Las Vegas authorized Weaver Construction, a third party, to perform work on property owned by the U.S. Department of Housing and Urban Development, without any prior notice to HUD, and, on property that was clearly posted with U.S. Government Warning Signs. Additionally, the Department of Building and Safety has accepted a bid in the amount of One Thousand Three Hundred Seventeen Dollars and Five Cents ($1317.05) for work we do not feel was performed.

We respectfully submit that the Report of Expenses be rejected.

Sincerely,

Douglas B. DaSilva
Owner
Boulevard Development, Inc.

cc: U.S. Department of Housing and Urban Development

DBD:jm

GRANT DEED
Nevada

LV-762888-TP/HUD

LSB#: F2-10705

LOAN #: 470659-4

FHA/VA #: 332-1187092-203

LENDER SERVICE BUREAU

DOCUMENTARY TRANSFER TAX $ -0-

Computed on full value of property conveyed, or

Computed on full value less liens & encumbrances remaining thereon at the time of sale

Signature of declarant or agent determining tax - Firm Name

Jennifer L. Vilar, Lender Service Bureau

For valuable consideration, the undersigned hereby grants, assigns and transfers to:

SECRETARY OF HOUSING AND URBAN DEVELOPMENT, HIS SUCCESSORS AND/OR ASSIGNS OF WASHINGTON D.C.,

the real property in the County of CLARK, State of NEVADA, described as:

LOT FOURTEEN (14) IN BLOCK TWO (2) OF CHARLESTON HEIGHTS TRACT NO. 7, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 5 OF PLATS, PAGE 52, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

EXCEPT ALL OIL, GAS, HYDROCARBON AND MINERALS WITHOUT THE RIGHT, HOWEVER, OF SURFACE ENTRY UPON SAID LAND FOR THE PURPOSES OF MINING, DRILLING AND/OR EXPLORING FOR, SAID OIL, GAS, HYDROCARBONS AND MINERALS, AS CONVEYED BY DEED RECORDED JUNE 4, 1954, AS DOCUMENT NO. 11778, IN BOOK NO. 11 OF OFFICIAL RECORDS, CLARK COUNTY, NEVADA RECORDS.

****PLEASE SEE ATTACHED EXHIBIT "A", MADE A PART HEREOF.

Date: 3/14/94

Grantee:
MARGARETTEN & COMPANY INC.

Donald W Courtney
First Vice President

Notary Acknowledgement

STATE OF
County of } ss

On 3/14/94 before me, Terre Moser, the undersigned Notary Public, personally appeared Donald W Courtney

X personally known to me
☐ proved to me on the basis of satisfactory evidence to be the person(s) who executed the within instrument as _____ or on behalf of the corporation therein named, and acknowledged to me that the corporation executed it.

WITNESS my hand and official seal.

Terre Moser

Terre Moser
My Commission expires 10/31/97

Recording requested by:
LENDER SERVICE BUREAU

Mail tax statements to:
DEPT. OF HOUSING & URBAN DEVELOPMENT
ATTN: SINGLE FAMILY PROPERTY DISP. BR
1500 E. TROPICANA AVE. #205
LAS VEGAS, NV 89119-5516

WHEN RECORDED MAIL TO:
same as above

© Lender Service Bureau 1992

gd-nv-rev 12/92

CITY COUNCIL MINUTES

OCT 19 1994

940802 00491

F2-10705
Marg. # 470659-4

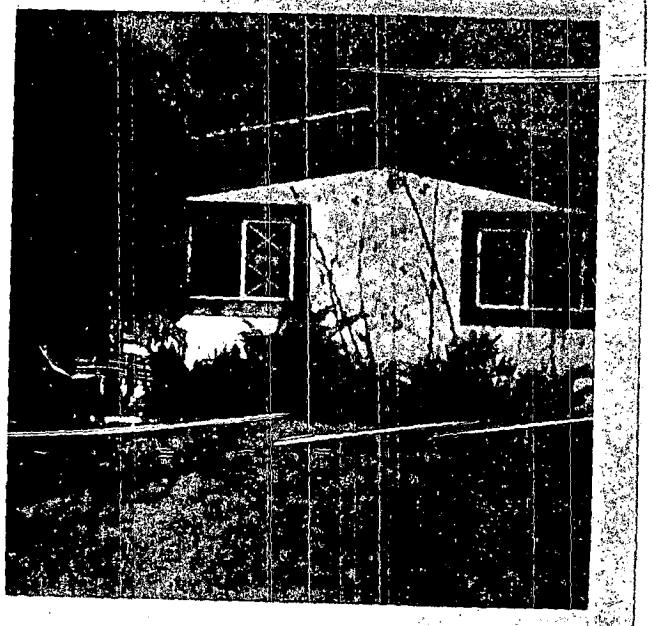
EXHIBIT "A" LV-762688-TP/HUD

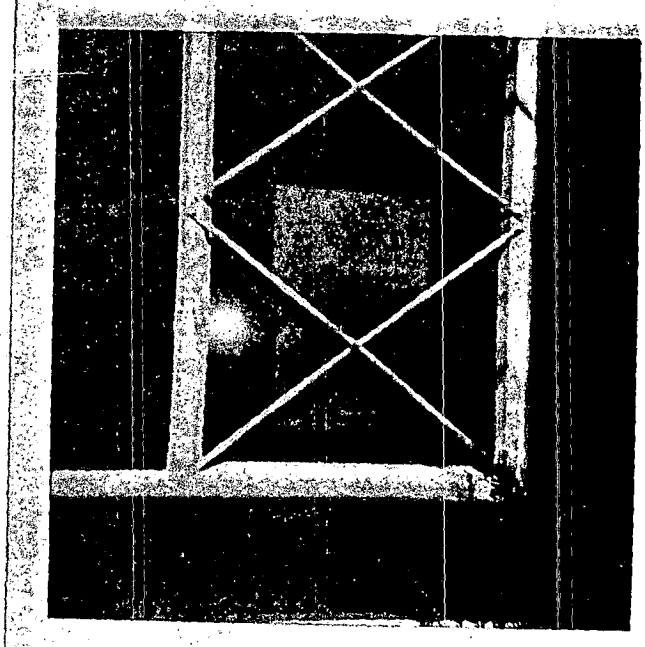
PROPERTY COMMONLY KNOWN AS: 5112 ALTA DRIVE
LAS VEGAS, NV 89107

A.P.N. 280-138-36-713-017

THE SECRETARY OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, PURSUANT TO NEVADA REVISED STATUTES 328.110 HAS HERETOFORE GIVEN PUBLIC WRITTEN NOTICE THAT THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT DOES NOT SEEK TO EXERCISE EXCLUSIVE JURISDICTION OVER THE WITHIN DESCRIBED RESIDENTIAL PROPERTY BY GENERAL NOTICE RECORDED IN CLARK COUNTY, NEVADA, ON DECEMBER 23, 1986, IN BOOK 861223 AS INSTR. NO. 00628.

CLARK COUNTY, NEVADA
JOAN L. SWIFT, RECORDER
RECORDED AT REQUEST OF:
FIRST AMERICAN TITLE COMPANY OF
08-02-94 08:00 BAM 2
OFFICIAL RECORDS
BOOK: 940802 INST: 00491
FEE: .00 RPTT: EX#002





CITY OF LAS VEGAS

EXHIBIT "C"

Date 554

INTER-OFFICE MEMORANDUM

SEPTEMBER 21, 1994

TO:

KATHLEEN M. TIGHE
CITY CLERK

FROM: Paul Wilkins

PAUL WILKINS, DEPUTY DIRECTOR
DEPARTMENT OF BUILDING & SAFETY

SUBJECT:

REPORT OF EXPENSES
5112 ALTA DRIVE
DANGEROUS BUILDING ABATEMENT

COPIES TO:

CITY COUNCIL MINUTES

OCT 19 1994

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for " Abatement of Dangerous Buildings", the Department of Building and Safety caused the property to be secured and cleared of all trash and debris.

Work was completed on September 12, 1994, by Weaver Construction at a cost of $1,317.05 and was accepted by the Department of Building and Safety.

Case Loader 6 hrs @ $50.00 per hr	$300.00
Semi Truck 6 hrs @ $63.00 per hr	378.00
3 Laborers, 20 hrs @ $24.00 per hr	480.00
Board 4' x 3' hole, 12 s.f. @ $3.75	45.00
Repair and secure gate	47.00
Amount due	$1,250.00
Dump Fees	67.05
TOTAL AMOUNT DUE:	$1,317.05

OWNER OF RECORD: MARGARETTEN & COMPANY, INC.
c/o R. ELLIS
P.O. BOX 26388
RICHMOND, VA 23260

PROPERTY ABATED: 5112 ALTA DRIVE

ASSESSOR'S PARCEL: 138-36-713-017

LEGAL DESCRIPTION: CHARLESTON HGTS TRACT #07
PLAT BOOK 5 PAGE 52
LOT 14 BLOCK 2

TO: City Council

FROM: LARRY K. BARTON
CITY MANAGER

SUBJECT: PUBLIC HEARING TO CONSIDER THE REPORT OF EXPENSES TO RECOVER COSTS FOR THE ABATEMENT OF DANGEROUS BUILDING LOCATED AT 4221 MIDDLESEX AVENUE

PURPOSE/BACKGROUND

The subject property was a vacant building, open and accessible to vagrants and vandals, with trash and debris. The condition of the property was a source of concern to the public and the Fire and Police Departments because of the hazardous conditions.

The Department of Building and Safety declared the property in violation and started legal notification.

When no corrective action was taken nor an appeal filed, the Department of Building and Safety hired Weaver Construction to secure the units and laundry room and remove all trash and debris from the property. Work was completed by Weaver Construction on August 30, 1994, at a cost of $2,735.00.

Today's public hearing is to consider the Report of Expenses filed by the Department of Building and Safety and to hear any objections thereto. Under the "Uniform Code for the Abatement of Dangerous Buildings", the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien of Assessment is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.

Attached for your information are the following:

1. Location map
2. Report of Expenses
3. Notice of Public Hearing
4. Chronological List of Events
5. Copy of the Notice and Claim of Lien of Assessment

FISCAL IMPACT

$2,735.00 paid to Weaver Construction

RECOMMENDATIONS

SEE NEXT PAGE

RECOMMENDATIONS:

The City Manager recommends that the City Council:

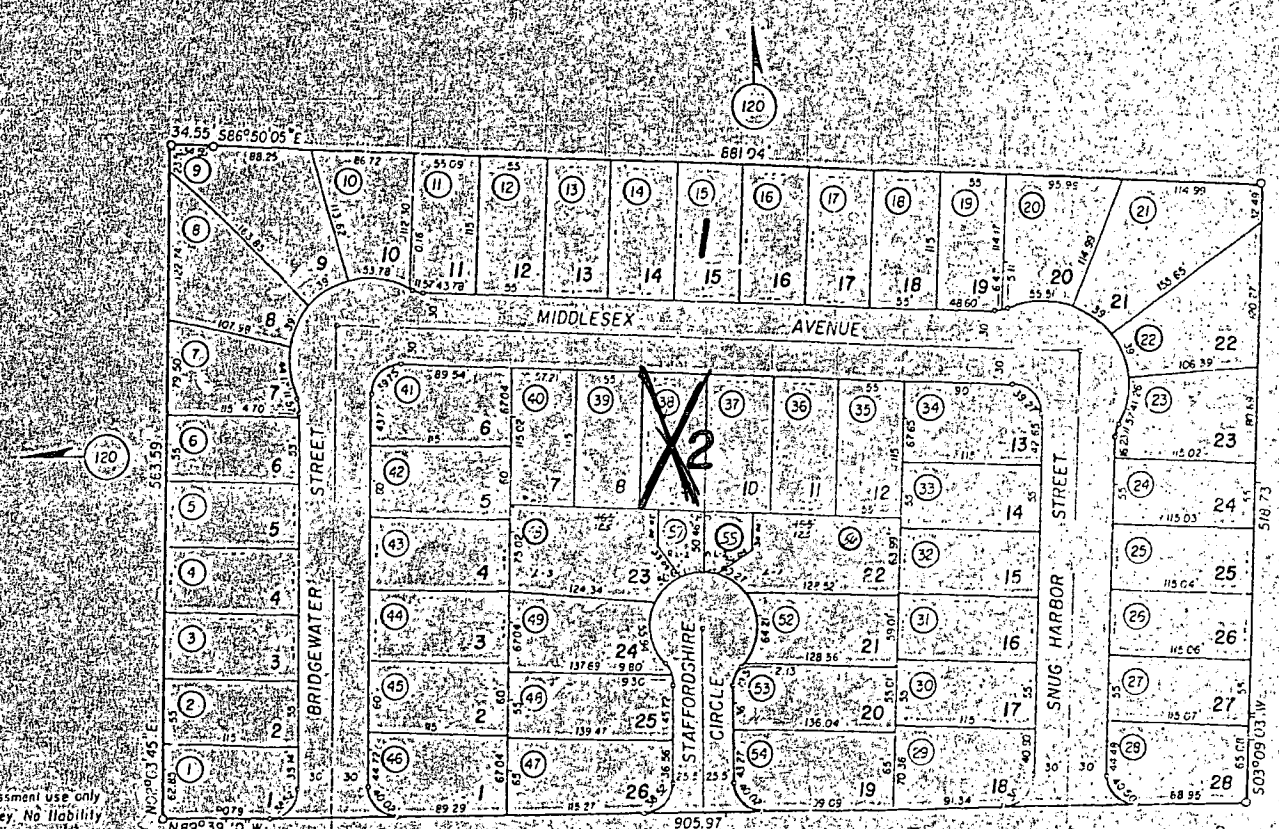
1. Approve the Report of Expenses in the amount of $2,735.00.
2. Order that the above charges be assessed against the property, constituting a special assessment and lien.
3. Authorize that the Notice and Claim of Lien of Assessment be duly recorded and filed with the County Treasurer's Office for collection as ordinary property taxes. If the Property Owner chooses to make payments, then a Property Lien will be recorded and filed in place of an Assessment Lien.

TRW·REDI SCALE IN 1/10 OF AN INCH 1 2 3 4 5 6 1-800-345-7334

THE VILLAGE AT WASHINGTON

060-121

PT. SE¼NE¼ SEC. 30 T.20S. R.62E.



CITY COUNCIL MINUTES
OCT 19 1994

NOTICE: This plat is for assessment use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

55 56 58 57 D/A 12-2

CCAO CA 6-15-82 WANG

BK.28 PG.9

CLV. 200

557

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

Date: SEPTEMBER 16, 1994

TO:

KATHLEEN M. TIGHE
CITY CLERK

FROM:

PAUL WILKINS, DEPUTY DIRECTOR
DEPARTMENT OF BUILDING & SAFETY

SUBJECT:

REPORT OF EXPENSES
4221 MIDDLESEX AVENUE
DANGEROUS BUILDING ABATEMENT

COPIES TO:

CITY COUNCIL MINUTES

OCT 19 1994

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Uniform Building Code for "Dangerous Building Abatement", the Department of Building and Safety caused the structure to be boarded up, and all litter and debris from the above-referenced property to be removed.

Work was completed on August 30, 1994, by Weaver Construction at a cost of $2,735.00 and was accepted by the Department of Building and Safety.

Doors, 6 @ $65.00 per door	$390.00
Windows, 206 @ $3.73 per s.f	769.00
Labor, 3 men = 24 hrs. @ $24.00 per hr	576.00
Flatbed, 8 hrs @ $45.00 per hr	360.00
Semi Truck 5 hrs. @ $63.00 per hr	315.00
Loader 5 hrs. @ $65.00 per hr	325.00
TOTAL AMOUNT DUE	$2,735.00

TOTAL AMOUNT DUE: $2,735.00

OWNER OF RECORD: SECRETARY HOUSING & URBAN DEVELOPMENT
c/o FHA #322 2153956 703
1500 E. TROPICANA AVENUE #205
LAS VEGAS, NV 89119-6516

PROPERTY ABATED: 4221 MIDDLESEX AVENUE

ASSESSOR'S PARCEL: 060-121-038

LEGAL DESCRIPTION: VILLAGE AT WASHINGTON
PLAT BOOK 28 PAGE 9
LOT 9 BLOCK 2

PW:SB/yl
034

NOTICE OF PUBLIC HEARING
OCTOBER 19, 1994

Pursuant to Section 902 of the Uniform Code for the Abatement of Dangerous Buildings, adopted as Section 16.08.010 of the Las Vegas Municipal Code. NOTICE IS HEREBY GIVEN THAT ON **Wednesday, October 19, 1994,** at the hour of **2:00 P.M.,** in the Council Chambers, City Hall Complex, 400 East Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following REPORT OF EXPENSES submitted by the Director of Building & Safety incurred by the City of Las Vegas for:

Abatement of the dangerous building by boarding, securing and cleaning the premises on property located at **5112 Alta Drive** legally described as **CHARLESTON HGTS TRACT #7, PLAT BOOK 5, PAGE 52, LOT 14, BLOCK 2** . Owner of record at time of abatement: MARGARETTEN & COMPANY, INC., C/O R. ELLIS

The Director of Building and Safety certifies in the report that the sum of $1,317.05 was expended to Weaver Construction for securing and cleaning the property.demolition and cleaning the property.

Abatement of the dangerous building by boarding, securing and cleaning the premises on property located at **4221 Middlesex Avenue** legally described as **VILLAGE AT WASHINGTON, PLAT BOOK 28, PAGE 9, LOT 9, BLOCK 2** . Owner of record at time of abatement: SECRETARY HOUSING & URBAN DEVELOPMENT, C/O FHA #322 2153956 703

The Director of Building and Safety certifies in the report that the sum of $2,735.00 was expended to Weaver Construction for securing and cleaning the property.

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

KATHLEEN M. TIGHE
CITY CLERK

CHRONOLOGICAL LIST OF EVENTS

4221 MIDDLESEX AVENUE

February 24, 1994	-	Complaint received, vacant building, open and accessible, deteriorated block wall, trash and debris.
February 25, 1994	-	Property inspected, complaint verified. Unit #B and laundry room open and accessible. Trash and debris in all yards. Deteriorated rear, west side block wall.
March 09, 1994	-	Notice & Order to Abate Dangerous Building was sent by regular & certified mail to property owners and mortgage holders. Callback date of April 11th was given.
April 25, 1994	-	Posted copy of Notice & Order to Abate Dangerous Building. Callback date of May 25 was given.
April 28, 1994	-	Inspection showed that situation is deteriorating. All units are now open and accessible through broken windows and doors. Vagrant activity and vandalism is evident. Property is trashed.
April 28, 1994	-	Notice & Order Dangerous Building Letter was returned signed by Chemical Mortgage Company.
May 26, 1994	-	Inspection showed that building is secured, except for some broken windows in rear. Grounds are clean, block walls are still in disrepair. Hold for response. Callback date of July 3 was given.
June 06, 1994	-	Inspection showed no improvement, building still open, trashed, walls getting worse. Vagrants with drugs, lighted candles inside the building.
June 17, 1994	-	Inspection showed that the laundry room is still accessible, windows broken, wall still not repaired. It appears that all units are vacant, open and accessible.

4221 MIDDLESEX AVENUE
Page Two

CHRONOLOGICAL LIST OF EVENTS

August 01, 1994	-	Bid request sent to Weaver Construction.
August 08, 1994	-	Quote received from Weaver Construction in the amount of $2,735.00. Ten-day bid letter sent to property owner by regular and certified mail. Callback date of August 19 was given.
August 24, 1994	-	Notice to proceed was given to Weaver Construction.
August 30, 1994	-	Notice & Order to abate dangerous building recorded with County Clerk against the property. Abatement completed. Statement in the amount of $2,735.00 received from Weaver Construction.
September 21, 1994	-	Report of expenses was filed with the City Clerk's Office. A copy of the Report of Expenses along with a letter was sent certified and regular mail to the property owners, and the mortgage holder, notifying them that the work has been completed.
October 05, 1994	-	City Council set the Public Hearing date for October 19, 1994, at 2:00 P.M.
October 07, 1994	-	Notice of Public Hearing was published in the newspaper and the property owners were notified.
October 10, 1994	-	Notice of Public Hearing was posted on the property

022894-026

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

562

TO: **SECRETARY HOUSING & URBAN DEVELOPMENT** (Reputed Owner)
1500 E. TROPICANA AVENUE #205 (At time of abatement)
LAS VEGAS, NV 89119-6516

On **August 30, 1994** as provided in the Uniform Code for the Abatement of Dangerous Buildings, adopted by reference in Las Vegas Municipal Code 16.08.010, the City of Las Vegas caused the abatement of the following dangerous building(s):

CITY COUNCIL MINUTES

OCT 19 1994

Assessor's Parcel No.: **060-121-038**
Commonly known as: **4221 MIDDLESEX AVENUE**
Legal Description: **VILLAGE AT WASHINGTON**
PLAT BOOK 28 PAGE 9
LOT 9 BLOCK 2

Expenses in the amount of $ **2,735.00** were incurred by the City of Las Vegas in the Above abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on **October 19, 1994**, ordered the above charges in the amount of $_____, assessed against the property by means of a Lien of Assessment, such lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessments and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment which remains unpaid after 30 days from the date of the recording thereof on the assessment roll shall become delinquent and shall accure interest at the rate of 7 percent per annum from and after said date.

This lien shall continue until the assessment which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

_____
KATHLEEN M. TIGHE
400 East Stewart Avenue
Las Vegas, Nevada 89101
Telephone: (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

KATHLEEN M. TIGHE, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated therein are true of her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

_____
KATHLEEN M. TIGHE

SUBSCRIBED and SWORN to before me
this _____ day of _____, 19___.

_____
NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:

CITY OF LAS VEGAS
DEPARTMENT OF BUILDING & SAFETY
400 E. STEWART AVENUE
LAS VEGAS, NEVADA 89101

BOULEVARD HOTEL
BOULEVARD DEVELOPMENT, INC.

CITY COUNCIL MINUTES

OCT 19 1994

RECEIVED
CITY CLERK
Oct 19 8 42 AM '94

October 18, 1994

City of Las Vegas
Mayor Jan Jones
Councilmen Arnie Adamsen, Scott Higginson, Frank Hawkins, Jr., Ken Brass
City Manager Larry K. Barton

In Re: 4221 Middlesex
Report of Expenses
Dangerous Building Abatement

Sirs/Madam;

Boulevard Development, Inc. is the Real Estate Asset Manager for the U.S. Department of Housing and Urban Development for the Counties of Clark, Lincoln, and Nye.

We are in receipt of your letter dated September 16, 1994, which contains a Report of Expenses on the Subject Property. Said report indicates that purported work was performed August 30, 1994, by Weaver Construction. Upon receipt of such letter we notified Sam Bowler, Manager of the Code Enforcement Division of the Department of Building and Safety, that the property in which the City authorized the work to be done is owned by HUD, and that HUD was given no prior notice of any intended work to be done, or, of any Code Violation. Mr. Bowler was very helpful in opening his files to us to determine how such an error could occur.

In reviewing the files, it was again determined that no notices had been sent to HUD, but rather, that notices had been sent to previous owners. Mr. Bowler indicated that the Building and Safety Code Section 401. (b) indicates as follows:

> ***Notice and Order.*** *The building official shall issue a notice and order directed to the record owner of the building.*

Please find attached Exhibit "A", Grant Deed in the favor of HUD filed July 21, 1994, 8:00 a.m. in Book 940721, Instrument #00150 of the Official Records of the County of Clark. It should be noted that HUD was Record Owner of the property some forty (40) days prior to the commencement of the purported work. Additionally, HUD added Subject Property to the inventory of Boulevard Development, Inc. on August 9, 1994.

On August 16, 1994, the property was inspected by Douglas B. DaSilva and David I. Poire' of Boulevard Development, Inc. Their findings included a complete board-up of the property including four (4) security doors, with an estimate of Nine Hundred Dollars ($900.00), and a complete removal of all interior and exterior debris, including trimming of all bushes, with an estimate of One Hundred Twenty Five Dollars ($125.00). At the time of said inspection, a U.S. Government Warning Sign, in addition to a Property Information Sign, were installed in the lower northeast bedroom window.

Reinspection of the property subsequent to the City's purported completion of work indicated that twelve (12) first floor windows had been boarded, and the glass removed and neatly stacked against the wall in each room. It was observed, and photographed, that the window removed

525 Las Vegas Blvd., So. • Las Vegas, NV 89101 • Office: (702) 366-0000 • Fax: (702) 366-0027
Reservations: (702) 384-6090

BOULEVARD HOTEL
BOULEVARD DEVELOPMENT, INC.

CITY COUNCIL MINUTES

OCT 19 1994

from the lower northeast bedroom had affixed to it the U.S. Government Warning Signs as previously indicated.

Please find attached Exhibit "B", said photographs of U.S. Government Warning Signs, attached to windows removed from the lower northeast bedroom.

Additionally, in review of the letter dated September 16, 1994, Report of Expenses, now introduced as Exhibit "C", I make the following comments:

There are only four (4) doors on the property. In addition, only the lower windows were boarded. The current cost for materials at Home Depot is Twenty Dollars and Thirty One Cents ($20.31) for 3/4" by 4' x 8', or Sixty Three Cents ($.63) per square foot. Hardware runs approximately Five Dollars ($5.00) per window. It should also be noted, doors were not installed, but rather were installed in the same manner as windows. I make the assumption that the figures referred to in Exibit "C" are for materials only, as labor is broken down separately. It should also be noted that a flatbed truck was on hand for eight (8) hours, presumably to deliver materials as there was a semi-truck on hand for five (5) hours to remove debris. Additionally, there was a loader on hand for five (5) hours. Again, I would like to point out Boulevard Development, Inc.'s estimate for removal of debris, interior and exterior, at One Hundred Twenty Five Dollars ($125.00), which included two (2) yards of exterior debris and eight (8) yards of interior debris.

In conclusion, the City of Las Vegas authorized Weaver Construction, a third party, to perform work on property owned by the U.S. Department of Housing and Urban Development, without any prior notice to HUD, and, on property that was clearly posted with U.S. Government Warning Signs. Additionally, the Department of Building and Safety has accepted a bid in the amount of Two Thousand Seven Hundred and Thirty Five Dollars ($2735.00), which is at least six hundred percent (600%) of the figure in which HUD would normally pay for such work.

We respecfully submit that the Report of Expenses be rejected.

Sincerely,

Douglas B. DaSilva
Owner
Boulevard Development, Inc.

cc: U.S. Department of Housing and Urban Development

DBD:jm

EXHIBIT A

GRANT DEED

GKA

565

EXEMPT #2
LOAN # 3866522
TS # 205304
FHA # 322 2153956 703
LV-757414-TF/HUD

The undersigned grantor(s) declare(s):
Documentary transfer tax is $ NONE
(X) Computed on full value of property conveyed, Or
( ) Computed on full value less value of liens and encumbrances remaining at time of sale.
( ) Unincorporated area (X) City of LAS VEGAS
Tax Parcel No. 200 060 121 038

CITY COUNCIL MINUTES

OCT 19 1994

CHEMICAL MORTGAGE COMPANY

FOR A VALUABLE CONSIDERATION, DOES HEREBY GRANT TO
THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT, WASHINGTON, D.C., HIS SUCCESSORS AND/OR ASSIGNS

the real property in the County of CLARK, State of Nevada, described as

LOT NINE (9) IN BLOCK TWO (2) OF THE VILLAGE AT WASHINGTON, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 28 OF PLATS, PAGE 9, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

The secretary of the Department of Housing and Urban Development, pursuant to Nevada Revised Statutes 328.110 has heretofore given written public notice that the Department of Housing and Urban Development does not seek to exercise exclusive jurisdiction over the within described residential property by general notice recorded in Clark County, Nevada, on December 23, 1988, in book 881223, instrument 00628.

Dated: JULY 14, 1994

CHEMICAL MORTGAGE COMPANY

By Harry Kinkead
HARRY KINKEAD VICE President

By Linda N. Clayton
LINDA N. CLAYTON ASST. Secretary

(SEAL)

STATE OF OHIO
COUNTY OF FRANKLIN ss.

On JULY 14, 1994 before me, the undersigned, a Notary Public in and for said County and State, personally appeared HARRY KINKEAD and LINDA N. CLAYTON known to me (or proved to me on the basis of satisfactory evidence) to be the VICE President and ASST. Secretary of the Corporation that executed the within instrument, known to me to be the persons who executed the within instrument on behalf of the Corporation therein named, and acknowledged to me that such Corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal

Donna L. Stuthard
Notary Public in and for said County and State

Notary Seal
DONNA L. STUTHARD
NOTARY PUBLIC-STATE OF OHIO
MY COMMISSION EXPIRES AUGUST 1,1997

RECORDING REQUESTED BY

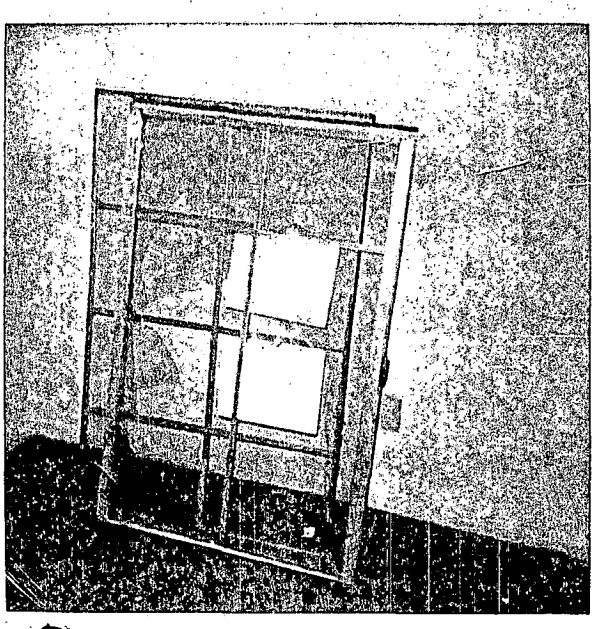
MAIL TAX STATEMENT TO
SAME AS BELOW

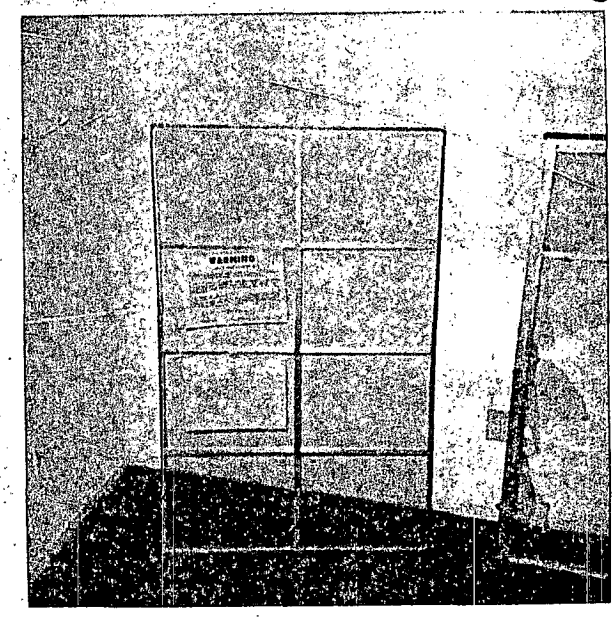
WHEN RECORDED MAIL TO
Name DEPT. OF HOUSING & URBAN DEV.
Street Address PROPERTY DISPOSITION
City 1500 E. TROPICANA, STE 205
State LAS VEGAS, NV 89119
Zip

CLARK COUNTY, NEVADA
JOAN L. SWIFT, RECORDER
RECORDED AT REQUEST OF:
FIRST AMERICAN TITLE COMPANY OF
07-21-94 08:00 PGC 1
OFFICIAL RECORDS
BOOK: 940721 INST: 00150
FEE: .00 NPTT: EX#002

MAIL TAX STATEMENT AS DIRECTED ABOVE

EXHIBIT B"





CITY COUNCIL MINUTES

OCT 19 1994

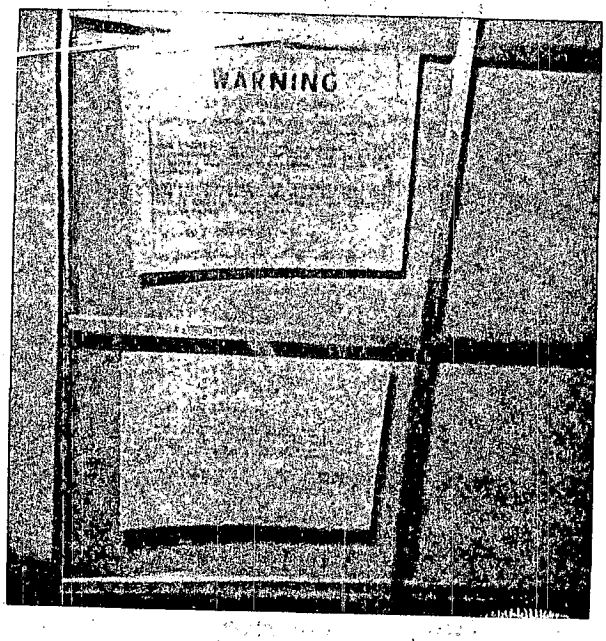


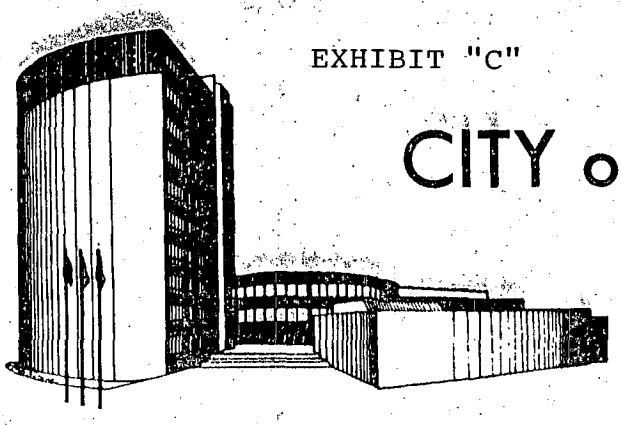
EXHIBIT "C"

567

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
SCOTT HIGGINSON
FRANK HAWKINS JR.
KEN BRASS

CITY MANAGER
LARRY K. BARTON



CITY of LAS VEGAS

SEP 27 1994

CITY COUNCIL MINUTES

OCT 19 1994

September 16, 1994

DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT
FEDERAL HOUSING ADMINISTRATION

OCT 03 1994

RECEIVED
LAS VEGAS, NEVADA

SECRETARY HOUSING & URBAN DEV
C/O FHA #322 2153956 703
1500 E. TROPICANA AVE. #205
LAS VEGAS, NV 89119-6516

RE: DANGEROUS BUILDING ABATEMENT - 4221 MIDDLESEX AVENUE

Dear Property Owner:

On August 30, 1994, the City of Las Vegas caused the property to be secured and cleared of litter and debris. A Report of Expenses has been submitted by the Department of Building and Safety.

At the City Council meeting to be held on October 5, 1994, a date and time for a public hearing will be set to consider the Report of Expenses. A tentative date for the public hearing is October 19, 1994. You will, however, be mailed appropriate notification.

For your information, a copy of the procedures for Dangerous Building Abatement is enclosed, along with a copy of the Report of Expenses.

If you have any questions concerning this procedure, please contact the Code Enforcement Division located in the Department of Building and Safety, by telephoning (702) 229-6615.

Sincerely,

SAM BOWLER, Manager
Code Enforcement Division
Department of Building & Safety

SB:yl
Enclosures

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

Date 568

SEPTEMBER 16, 1994

TO:

KATHLEEN M. TIGHE
CITY CLERK

FROM:

PAUL WILKINS, DEPUTY DIRECTOR
DEPARTMENT OF BUILDING & SAFETY

SUBJECT:

REPORT OF EXPENSES
4221 MIDDLESEX AVENUE
DANGEROUS BUILDING ABATEMENT

COPIES TO:

CITY COUNCIL MINUTES

OCT 19 1994

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Uniform Building Code for "Dangerous Building Abatement", the Department of Building and Safety caused the structure to be boarded up, and all litter and debris from the above-referenced property to be removed.

Work was completed on August 30, 1994, by Weaver Construction at a cost of $2,735.00 and was accepted by the Department of Building and Safety.

Doors, 6 @ $65.00 per door	$390.00
Windows, 206 @ $3.73 per s.f	769.00
Labor, 3 men = 24 hrs. @ $24.00 per hr	576.00
Flatbed, 8 hrs @ $45.00 per hr	360.00
Semi Truck 5 hrs. @ $63.00 per hr	315.00
Loader 5 hrs. @ $65.00 per hr	325.00
TOTAL AMOUNT DUE	$2,735.00

TOTAL AMOUNT DUE: $2,735.00

OWNER OF RECORD: SECRETARY HOUSING & URBAN DEVELOPMENT
c/o FHA #322 2153956 703
1500 E. TROPICANA AVENUE #205
LAS VEGAS, NV 89119-6516

PROPERTY ABATED: 4221 MIDDLESEX AVENUE

ASSESSOR'S PARCEL: 060-121-038

LEGAL DESCRIPTION: VILLAGE AT WASHINGTON
PLAT BOOK 28 PAGE 9
LOT 9 BLOCK 2

PW:SB/yl
034

ITEM | ACTION

Item Number

DISCUSSION/ACTION ITEMS

COMMUNITY PLANNING AND DEVELOPMENT

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

In addition, items as indicated may be required to conform to one or more of the following standard conditions:

ZONING APPLICATIONS:

1. Resolution of Intent with a twelve month time limit.

2. Conformance to the plot plan and building elevations.

3. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

4. Submittal of a landscaping plan prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.

5. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).

INDEX
AGENDA ITEMS

CONSENT AGENDA

EXTENSION OF TIME

83 **Z-10-87(5)** - Rock Springs Vista Development Co.
84 **Z-146-89(4)** - Lexington Realty Services, Inc.
85 **U-194-93(1)** - Rock Springs Vista Development Company

DISCUSSION/ACTION ITEMS

ZONE CHANGE

86 **ABEYANCE ITEM - Z-91-94** - USA Capital Land Fund

FIVE YEAR REVIEW

87 **U-111-89(1)** - Misty, Inc.

PLOT PLAN AND BUILDING ELEVATION REVIEW

88 **U-79-94(1)** - Amerco Real Estate Company
89 **Z-68-85(15)** - American Medicorp

ITEM ACTION

Item Number

DISCUSSION/ACTION ITEMS

COMMUNITY PLANNING AND DEVELOPMENT

6. Satisfaction of City Code requirements and design standards of all City departments.

7. Approval of the parking and driveway plans by the Traffic Engineer.

8. Repair any damage to the existing street improvements resulting from this development as required by the Department of Public Works.

9. Remove all unused driveway cuts and replace with "L" curb and new sidewalk as required by the Department of Public Works.

10. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of a building or grading permit, whichever may occur first.

11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures.

12. The required fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade as required by the Department of Community Planning and Development.

VARIANCE AND SPECIAL USE PERMIT APPLICATIONS:

1. Conformance to the plot plan and elevations.

2. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

INDEX
AGENDA ITEMS
PAGE TWO

REVIEW OF CONDITION

90 **ABEYANCE ITEM - Z-25-94(2)** - VTN Nevada on behalf of Olympic Nevada, Inc. *(Applicant has requested item be withdrawn)*
91 **Z-128-93(1)** - Maverick Holdings

REVIEW OF CONDITION - PUBLIC HEARING

92 **ABEYANCE ITEM - Z-81-89(8)** - Property Holding Corporation

STREET NAME CHANGE - PUBLIC HEARING

93 **SNC-1-94** - City of Las Vegas

VACATION - PUBLIC HEARING

94 **VAC-34-94** - Highland Investments, Inc., Et Al
95 **VAC-37-94** - Andrea F. Smith Banks
96 **VAC-39-94** - City of Las Vegas

VARIANCE - PUBLIC HEARING

97 **V-138-94** - Reese Family Trust
98 **V-134-94** - Quincy Fortier Trust on behalf of Barbara Derryberry
99 **V-123-94** - Donrey Outdoor on behalf of Howard Hughes Properties, Limited Partnership

ITEM

ACTION

Item Number

DISCUSSION/ACTION ITEMS

COMMUNITY PLANNING AND DEVELOPMENT

3. Submittal of a landscaping plan prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.

4. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).

5. Satisfaction of City Code requirements and design standards of all City departments.

6. Approval of the parking and driveway plans by the Traffic Engineer.

7. Repair any damage to the existing street improvements resulting from this development as required by the Department of Public Works.

8. Provision of fire hydrants and water flow as required by the Department of Fire Services.

SUBDIVISION APPLICATIONS:

Tentative Maps:

1. Approval of the tentative map shall be for no more than twelve months. If a final map is not recorded on all or a portion of the area embraced by the tentative map within twelve months of the approval of the tentative map, or an extension of time up to one year is not granted for the tentative map, a new tentative map must be filed.

2. Street names to be provided in accord with the City's Street Name Policy.

3. Subject to all conditions of City departments and State Subdivision Statutes.

INDEX
AGENDA ITEMS
PAGE THREE

SPECIAL USE PERMIT - PUBLIC HEARING

100 **U-224-94** - Howard Hughes Properties, Limited Partnership
101 **U-194-94** - Sahara Paradise Plaza, Ltd.
102 **U-219-94** - Burgundy Company - 1986
103 **U-215-94** - Sahara Durango Limited Partnership
104 **U-222-94** - Liberty Real Estate Limited Partnership III
105 **U-205-94** - Bernard Shapiro
106 **U-223-94** - Lewis Homes of Nevada

ZONE CHANGE - PUBLIC HEARING

107 **ABEYANCE ITEM - Z-46-94** - Pahor Family Trust
108 **ABEYANCE ITEM - Z-87-94** - Gowan 20 Limited Liability Company
109 **ABEYANCE ITEM - Z-88-94** - National Group No. 1 Limited Liability Company
110 **ABEYANCE ITEM - Z-89-94** - Chieftain 5 Limited Liability Company

GENERAL PLAN AMENDMENT - PUBLIC HEARING

111 **GPA-33-94** - MBJR Trust

ZONE CHANGE RELATED TO GPA-33-94 - PUBLIC HEARING

112 **Z-81-94** - MBJR Trust

ITEM

ACTION

Item Number

DISCUSSION/ACTION ITEMS

COMMUNITY PLANNING AND DEVELOPMENT

4. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the approval of a Final Map.

5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures.

Final Maps:

1. Conformance with the Tentative Map.

Vacation Applications:

1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom.

2. Conformance to code requirements and design standards of all City departments.

3. The Reconveyance shall not be recorded until all of the above conditions have been met.

4. If the Reconveyance is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted.

INDEX
AGENDA ITEMS
PAGE FOUR

113 SET DATE FOR PUBLIC HEARING ON ANY ITEM REQUIRING A PUBLIC HEARING THAT WAS ACTED UPON BY THE CITY PLANNING COMMISSION.

114 SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE BOARD OF ZONING ADJUSTMENT MEETING.

Item Number	ITEM	ACTION
	III. CONSENT AGENDA	
	COMMUNITY PLANNING AND DEVELOPMENT	ADAMSEN - APPROVED Items 83, 84 and 85 Motion carried with HAWKINS abstaining on Items 84 and 85
	EXTENSION OF TIME	
83	Z-10-87(5) - Rock Springs Vista Development Co. Request for an Extension of Time for a proposed retail/office commercial center on property located on the northwest corner of Buffalo Drive and Washington Avenue, N-U Zone (under Resolution of Intent to C-1). Planning Commission (3-0-1) and staff recommended APPROVAL, subject to: 1. This Extension of Time will expire on September 10, 1995. 2. Conformance to all ordinance amendments enacted subsequent to the original approval.	****** There was no discussion. (4:06)
84	Z-146-89(4) - Lexington Realty Services, Inc. Request for an Extension of Time for a proposed commercial center on property located on the east side of Rainbow Boulevard, south of Smoke Ranch Road, N-U Zone (under Resolution of Intent to C-1). Planning Commission (4-0 vote) and staff recommended APPROVAL, subject to: 1. This Extension of Time will expire on August 30, 1995. 2. Conformance to all ordinance amendments enacted subsequent to the original approval.	APPROVED -- See above.

AGENDA DOCUMENTATION

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: EXTENSION OF TIME - Z-10-87(5) - Rock Springs Vista Development Company

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for a third Extension of Time on property zoned to allow a commercial shopping center. The applicant has indicated that they are awaiting the completion of Buffalo Drive and Summerlin Parkway Interchange and the formation of the Buffalo Special Improvement District.

BACKGROUND DATA:

3/18/87	The City Council approved C-1 (limited Commercial) zoning for this site, as part of a larger request (Z-10-87).
3/27/90	The Planning Commission approved a Plot Plan and Building Elevation Review for property adjacent to the site [Z-10-87(1)].
10/21/92	The City Council approved an Extension of Time for the site which expired on September 10, 1993 [Z-10-87(2)].
6/10/93	The Planning Commission approved a Plot Plan and Building Elevation Review for a proposed retail/office center on the site [Z-10-87(3)].
11/3/93	The City Council approved an Extension of Time for the site which expired September 10, 1994 [Z-10-87(4)].

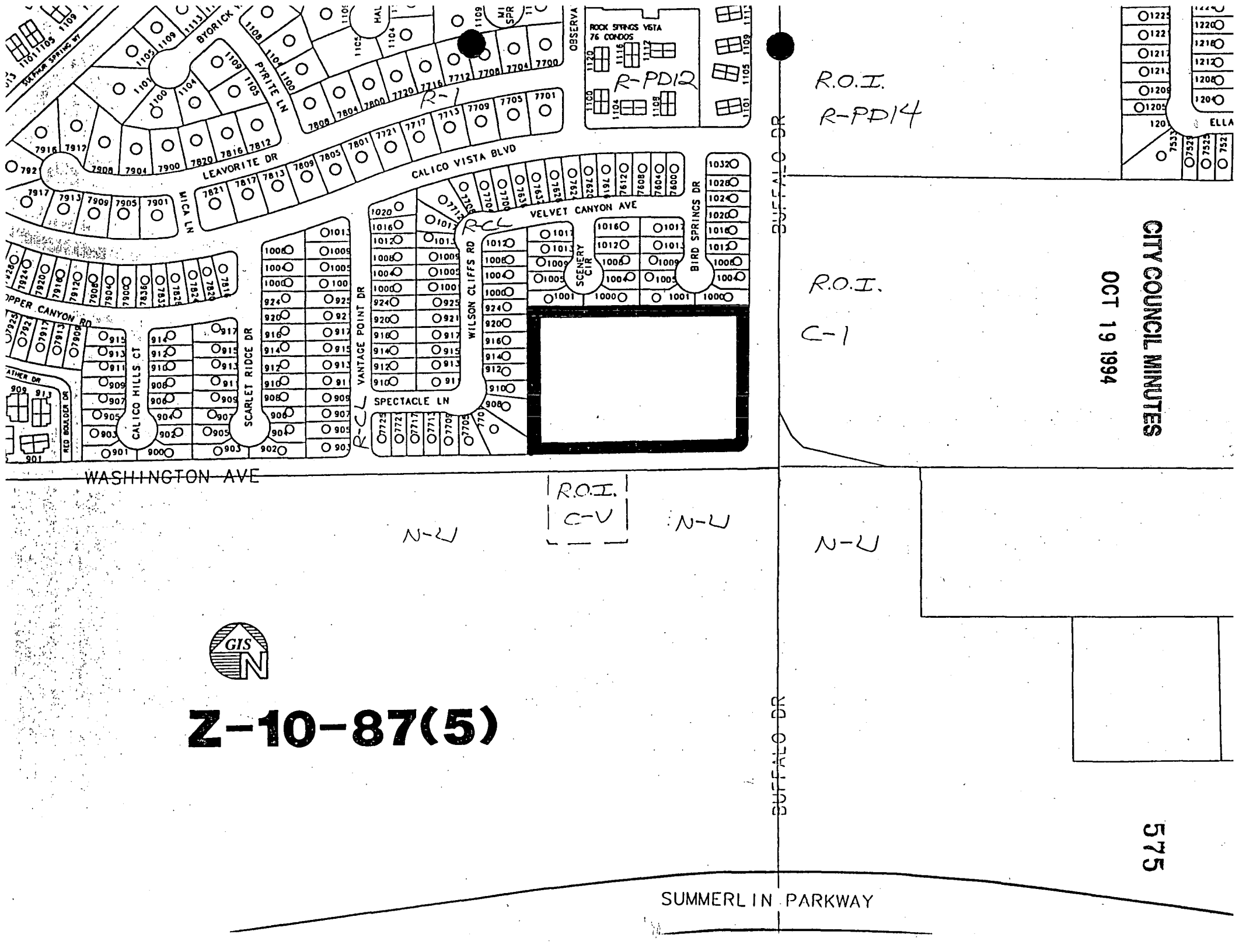
FINDINGS:

The C-1 (Limited Commercial) zoning remains appropriate for this area. Staff has no objection provided all conditions of approval are complied with.

Planning Commission Recommendation: APPROVAL (3-0-1 vote)

Staff Recommendation: APPROVAL

SEE ATTACHED LOCATION MAP


R.O.I.
R-PD14
R-PD12
R-1
R.O.I.
C-1
R.O.I.
C-V
N-U
N-U
N-U
R-C
R-C
ROCK SPRINGS VISTA
76 CONDOS
BYORICK
PYRITE LN
LEAVORITE DR
CALICO VISTA BLVD
VELVET CANYON AVE
MICA LN
UPPER CANYON RD
CALICO HILLS CT
SCARLET RIDGE DR
VANTAGE POINT DR
SPECTACLE LN
WILSON CLIFFS RD
SCENERY CIR
BIRD SPRINGS DR
BUFFALO DR
BUFFALO DR
WASHINGTON AVE
SUMMERLIN PARKWAY
GIS
N
Z-10-87(5)
CITY COUNCIL MINUTES
OCT 19 1994
575

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

576

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: EXTENSION OF TIME - Z-146-89(4) - Lexington Realty Services, Inc.

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This is the applicant's fourth request for Extension of Time for property zoned to allow a retail center which includes an existing 7/11 convenience store. The applicant has indicated that a portion of the lot has been sold and that additional time is needed to redesign the proposed building.

BACKGROUND DATA:

2/7/90	The City Council approved C-1 (Limited Commercial) zoning for the property (Z-146-89).
3/6/91	The City Council approved a one year Extension of Time which was kept active by the issuance of a building permit for a 7/11 convenience store [Z-146-89(1)].
8/30/91	A final Certificate of Occupancy was approved for the 7/11 convenience store which extended the Resolution of Intent for C-1 (Limited Commercial) on this property to 8/30/92.
9/2/92	The City Council approved an Extension of Time which expired on 8/30/93 [Z-146-89(2)].
9/15/93	The City Council approved an Extension of Time which expired on 8/30/94 [Z-146-89(3)].

FINDINGS:

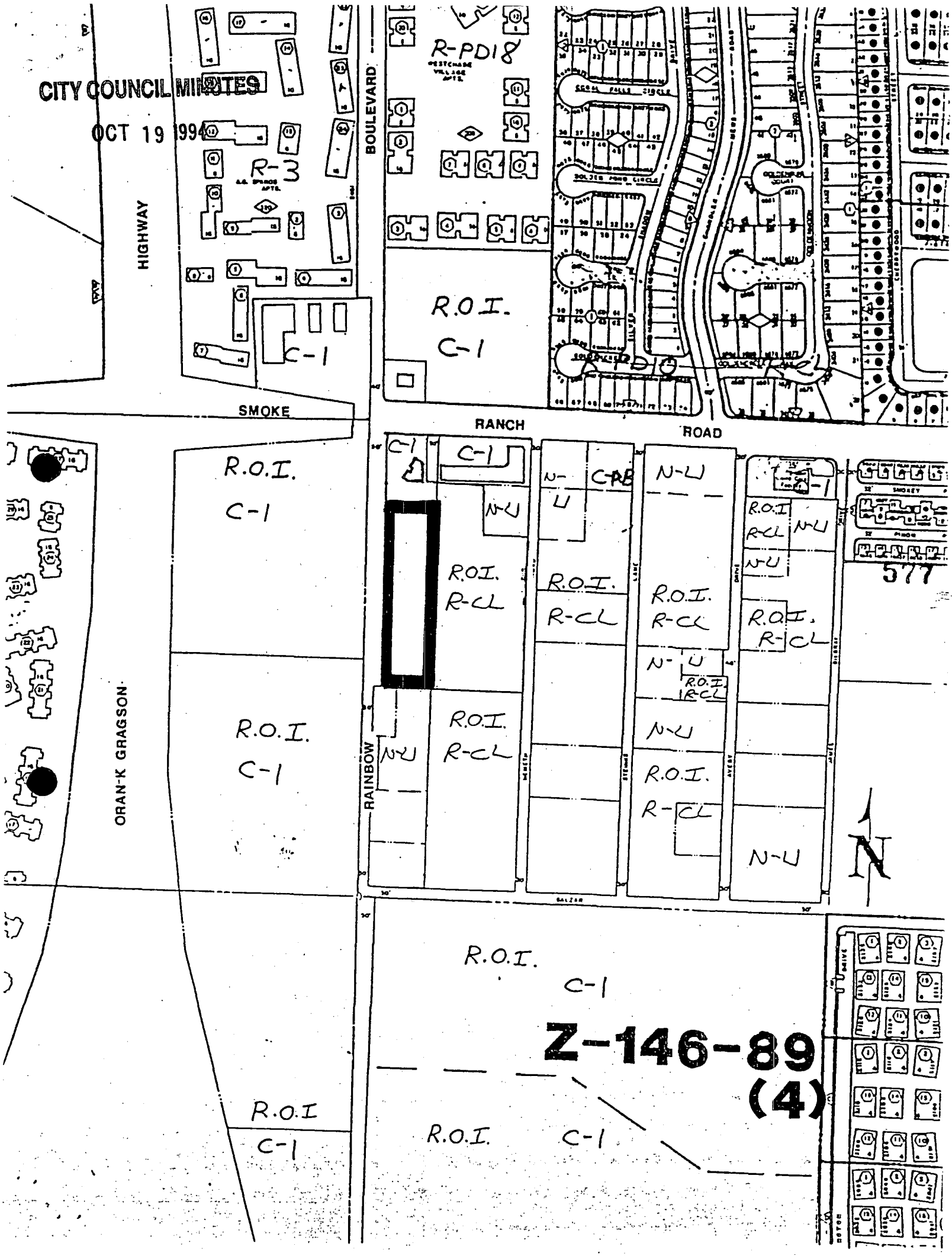
The approved C-1 (Limited Commercial) zoning remains appropriate for this property. Staff has no objection provided that all previously imposed conditions of approval are complied with.

Planning Commission Recommendation: APPROVAL (4-0 vote)

Staff Recommendation: APPROVAL

SEE ATTACHED LOCATION MAP

Agenda Item
84


CITY COUNCIL MINUTES
OCT 19 1994
HIGHWAY
BOULEVARD
R-PD18
R-3
R.O.I.
C-1
SMOKE
RANCH
ROAD
R.O.I.
C-1
C-1
C-1
N-U
C-R
N-U
R.O.I.
R-CL
R.O.I.
R-CL
R.O.I.
R-CL
R.O.I.
R-CL
N-U
R.O.I.
R-CL
N-U
R.O.I.
R-CL
N-U
577
ORAN-K GRAGSON
RAINBOW
R.O.I.
C-1
R.O.I.
C-1
N-U
R.O.I.
R-CL
N-U
R.O.I.
R-CL
N-U
N
R.O.I.
C-1
Z-146-89
(4)
R.O.I
C-1
R.O.I.
C-1

Item Number	ITEM	ACTION
	III. CONSENT AGENDA	
	COMMUNITY PLANNING AND DEVELOPMENT	
	EXTENSION OF TIME	
85	U-194-93(1) - Rock Springs Vista Development Company Request for an Extension of Time of an approved Special Use Permit which allowed the sale of beer and wine within a proposed convenience store; and a tavern in conjunction with a proposed restaurant on property located on the northwest corner of Washington Avenue and Buffalo Drive, N-U Zone (under Resolution of Intent to C-1). Board of Zoning Adjustment (4-0 vote) and staff recommended APPROVAL, subject to: 1. This Extension of Time shall expire on October 20, 1995. Ward 2 (Adamsen)	**ADAMSEN - APPROVED Items 83, 84 and 85** **Motion carried with HAWKINS abstaining on Items 84 and 85** ****** There was no discussion. (4:06)

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

579

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: EXTENSION OF TIME - U-194-93(1) - Rock Springs Vista Development Company

PURPOSE/BACKGROUND

BACKGROUND DATA:

10/20/93 The City Council approved a Special Use Permit for the sale of beer and wine in conjunction with a proposed convenience store; and for a tavern in conjunction with a proposed restaurant.

DETAILS OF APPLICATION REQUEST:

This is the applicant's first request for an extension of time. The owner has indicated that additional time is needed while awaiting the completion of the Buffalo Drive/Summerlin Parkway Interchange and the Buffalo Drive Special Improvement District.

FINDINGS:

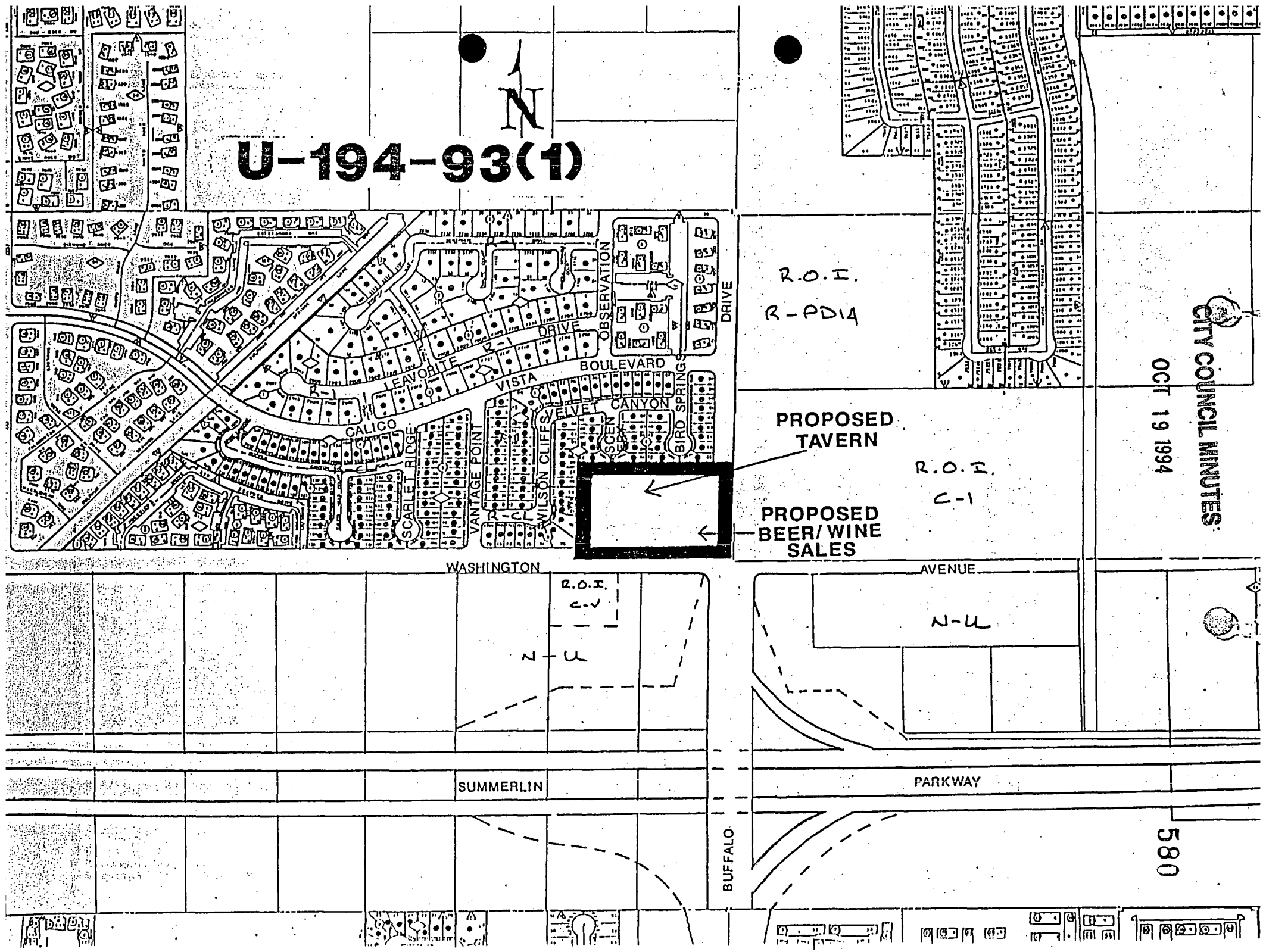
The proposed use remains appropriate for this commercial location.

Board of Zoning Adjustment Recommendation: APPROVAL (4-0 vote)

Staff Recommendation: APPROVAL

SEE ATTACHED LOCATION MAP

Agenda Item
85


N
U-194-93(1)
R.O.H.
R-PD14
OBSERVATION
DRIVE
FAVORITE
VISTA
BOULEVARD
CANYON
BIRD SPRING
CALICO
SCARLET RIDGE
VANTAGE POINT
WILSON CLIFFS
VELVET
PROPOSED TAVERN
PROPOSED BEER/ WINE SALES
R.O.H.
C-1
CITY COUNCIL MINUTES
OCT 19 1994
WASHINGTON
AVENUE
R.O.H.
C-V
N-U
SUMMERLIN
PARKWAY
BUFFALO
580

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	**HAWKINS - HELD IN ABEYANCE to 11-2-94 City Council meeting**
	ZONE CHANGE - PUBLIC HEARING	**UNANIMOUS**
86	ABEYANCE ITEM - Z-91-94 - USA Capital Land Fund	**11-2-94 Council Agenda**
	Request for reclassification of property bounded by Vegas Drive, Lake Mead Boulevard, Comstock Drive and Tonopah Drive.	**(A previous motion by COUNCILMAN HAWKINS to bring Item 86 forward carried unanimously)**
	From: R-E (Residence Estates)	******
	To: R-CL (Single Family Compact Lot)	MAYOR JONES declared the Public Hearing open.
	Proposed Use: 547 SINGLE FAMILY DETACHED DWELLINGS	COUNCILMAN HAWKINS stated that the developer has agreed to the R-D lots on Vegas Drive and the first 20 acres R-1. Neighbors have agreed and building can begin. MR. MURTAUGH confirmed with Councilman Hawkins that R-D will be inclusive of the 20 acres and he agreed.
	Staff Recommendation: APPROVAL	
	PROTESTS: 2 (at meeting)	
	Ward 1 (Hawkins)	
	Planning Commission unanimously (5-0 vote) recommended APPROVAL, subject to:	COUNCILMAN HAWKINS asked the residents in the audience how many were in favor of the R-1 lots for the first 20 acres. Also discussed were the R-D 100' x 100' lots on Vegas Drive, with no R-CL and nothing else. He then stated that would be the motion.
	1. The application shall be amended to provide a row of R-1 (Single Family Residence) lots backing to Vegas Drive.	JOHN SCHLEGEL, Community Planning and Development, stated that staff has not had an opportunity to review the Plot Plan and asked whether or not Council would send this back to the Planning Commission for their review.
	2. Construct a six foot high decorative block wall set back 10 feet for landscaping outside the wall along Lake Mead Boulevard and Vegas Drive, a six foot high decorative block wall with 5 foot deep by 10 foot wide landscape insets every 100 feet along Tonopah Drive, and an eight foot high block wall along the east property line as required by the Department of Community Planning and Development.	COUNCILMAN HIGGINSON asked if they wanted R-1 on the whole piece, but COUNCILMAN HAWKINS said they will just zone the first 20 acres. The applicant will come back in a year if he wants to rezone additional property. MR. MURTAUGH said the problem is if the entire community becomes R-1 it is not a viable project for him. He needs the R-CL zoning behind the first 20 acres.
		JOANNA WESLEY, West Las Vegas Advisory Board, appeared and stated under no circumstances do
		CONTINUED ...

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	COMMUNITY PLANNING AND DEVELOPMENT	the residents want the R-CL zoning. If the developer returns in a year they would like to be informed so they can prevent it.
	ABEYANCE ITEM - Z-91-94 - USA Capital Land Fund (continued)	MR. MURTAUGH explained that directly to the east of the property is property zoned Industrial to be owned by the City (Industrial Park). Directly to the north is public housing. To the west of the property is some property currently being zoned in excess of 13 units to the acre and to the south is Bonanza Village. He showed photos of how Bonanza Village looks on Vegas Drive. MR. MURTAUGH stated he understood the residents' concern but if they want R-D he would have to sell homes priced at $140,000 to $160,000 and if they will be spending that price for homes buyers will probably go to the west of U.S. 95. What will make this a viable site is affordable housing. R-CL is not an unrealistic request. A mile and a half north of there is Craig Road and homes are being sold in the 80's. He agreed that the area is improving, but an improving area needs affordable housing before building more expensive homes.
	3. Provide minimum 10 foot wide landscaped planters along Lake Mead Boulevard and Vegas Drive and install 24 inch box evergreen trees 30 feet on center with boulders, shrubs and ground cover in the planters as required by the Department of Community Planning and Development. The use of drought tolerant landscaping is encouraged.	COUNCILMAN HAWKINS asked Mr. Murtaugh if he was concurring or not. MR. MURTAUGH replied he is concurring with the 20 acres of lower density zoning but he needs the 58 acres of R-CL zoning.
	4. Install one 24 inch box evergreen tree with shrubs and ground cover in the wall insets along Tonopah Drive as required by the Department of Community Planning and Development. The use of drought tolerant landscaping is encouraged.	COUNCILMAN HIGGINSON asked where the 20 acres would be located on the site. MR. MURTAUGH pointed out the location on the map and said the closest R-CL lot to the existing property line is over 850 feet. It would actually be the southernmost 20 acres.
	5. Construct half-street improvements on Vegas Drive and Tonopah Drive adjacent to this site and construct widened paving on Vegas Drive between Tonopah Drive and the existing half-street improvements west of this site as required by the Department of Public Works. Construct all required Vegas Drive improvements concurrent with development of a street access from this site to Vegas Drive.	COUNCILMAN HIGGINSON inquired if there was an R-D buffer along Vegas Drive and MR. MURTAUGH responded there was.
	6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of grading, building or off-site permits or the recordation of a Final Map, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.	COUNCILMAN HAWKINS stated that three meetings have been held with the neighborhood and many meetings with the developer. He then made a

CONTINUED ...

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	COMMUNITY PLANNING AND DEVELOPMENT	motion for denial because it is not compatible.
	ABEYANCE ITEM - Z-91-94 - USA Capital Land Fund	MR. MURTAUGH asked if the item could be held for another two weeks.
	7. A Homeowners Association shall be established to maintain the perimeter walls, landscaping and common areas.	COUNCILMAN HAWKINS did not have a problem holding the item in abeyance and **so moved.**
	8. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map. It is recommended that Comstock Drive between Lake Mead Boulevard and Vegas Drive not be developed adjacent to this site unless there is some extenuating reason for such; if Comstock Drive is eliminated, the dedication and construction requirements detailed above shall not be enforced, however, all existing Comstock Drive right-of-way will be required to be vacated prior to the recordation of any conflicting Final Map. It is also recommended that the subdivision layout be modified so that neither a north/south nor an east/west street runs totally through this entire site.	MAYOR JONES declared the Public Hearing closed.
	9. Conformance to the plot plan as amended by the above conditions.	(2:28 - 2:38)
	10. Conformance to the building elevations.	**NOTE: A Verbatim Transcript is made a part of the Final Minutes.**
	11. Standard conditions 1, 3-8, and 10-12.	

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: ABEYANCE ITEM - ZONE CHANGE - PUBLIC HEARING - Z-91-94 - USA Capital Land Fund

PURPOSE/BACKGROUND

This item was held in abeyance from your last meeting to allow the applicant to meet with surrounding residents regarding the proposed development.

APPLICATION REQUEST:

This request is for 547 single family dwellings on a 78 acre parcel at a residential density of 7 units per acre. The typical lot size is 3,800 square feet with dimensions of 45 feet by 95 feet.

BACKGROUND DATA:

5/7/80 The City Council approved a request for rezoning to R-PD8 (Residential Planned Development) zoning (Z-10-80) for this site.

DETAILS OF APPLICATION REQUEST:

Site Area	78	Acres		
No. of Lots	547	Single Family		
Density	7.01	Units per Acre		
Building Type	Plan 1	Plan 2	Plan 3	Plan 4
Square Footage	982	1,235	1,585	1,752
Bedrooms/Baths	2/1	2/2	3/2	2/2
Height	1 Story	1 Story	1 Story	1 Story
Garage	1 Car	1 Car	1.5 Car	2 Car

Access to the site is via four street connections, one each to Lake Mead Boulevard, Tonopah Drive, Vegas Drive and Comstock Drive. All of the lots have access to 51 foot wide interior streets or cul-de-sacs within the project. A six foot high decorative wall is proposed around the perimeter of the site. No landscaping is indicated. Twenty foot wide drainage easements are proposed in the northeast and southeast corners of the property. The elevations depict stucco exteriors with tile roofs.

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: ABEYANCE ITEM - ZONE CHANGE - PUBLIC HEARING - Z-91-94 - USA Capital Land Fund

PURPOSE/BACKGROUND

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

	ZONING	*LAND USE*
North	North Las Vegas	Single Family
South	R-E	Single Family
East	R-E	Vacant
West	R-PD12, R-PD19	Vacant

FINDINGS:

GENERAL PLAN:

The site is designated for ML (Medium-Low Density Residential) on the Southeast Sector of the General Plan, which permits a maximum density of 9 units per acre for detached single family units.

REZONING:

The R-CL (Single Family Compact Lot) permits a maximum density of 8 units per acre. Both the zoning district and density reflected on the plot plan are in conformance with the General Plan. However, in situations where a proposed R-CL rezoning abuts established R-E (Residence Estates) zoning, staff has consistently suggested that the applicant be required to provide a row of either R-D (Single Family Residence, Restricted), or in some cases R-1 (Single Family Residence) lots to provide a transition from R-E neighborhoods to proposed R-CL developments. In this case, because the site is separated from existing R-E by a major street, staff feels that the request should be amended to provide for an R-1 buffer along the south side of the site. The overall development should be compatible with future development to the east, which is designated LI/R on the General Plan, and with the proposed mixed uses to the west of this site.

Agenda Item

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: ABEYANCE ITEM - ZONE CHANGE - PUBLIC HEARING - Z-91-94 - USA Capital Land Fund

PURPOSE/BACKGROUND

PLOT PLAN:

Staff feels that several revisions should be made to the proposed plot plan. The property to the east is currently zoned R-E, but the City has the property in escrow for development of a future business and office warehousing center. Therefore, Comstock Drive will not be necessary, and staff recommends that the applicant be required to vacate the Comstock Drive right-of way, and construct an 8 foot high block wall along the east property line to help buffer this site from the potential office park.

The Planning Commission required the proposed R-PD9 development to the west of this site to construct a six foot high decorative block wall along Lake Mead Boulevard and Tonopah Drive, and provide a minimum 10 foot wide landscaped planter along Lake Mead Boulevard with 24 inch box trees planted 30 feet on center outside the wall. Along Tonopah Drive, 5 foot by 10 foot wide insets for landscaping were required every 100 feet. To ensure continuity of development, staff feels that those standards should also apply to this request.

Staff is also concerned that the proposed street layout within the development will encourage cut-through traffic between Lake Mead Boulevard and Vegas Drive which will have a detrimental affect on those lots proposed to front this street.

The Department of Public Works will also require the applicant to dedicate all necessary rights-of-way and infrastructure for the project, and submit a Traffic Impact Analysis for approval prior to the issuance of grading, building or off-site permits.

Planning Commission Recommendation: APPROVAL (5-0 vote)

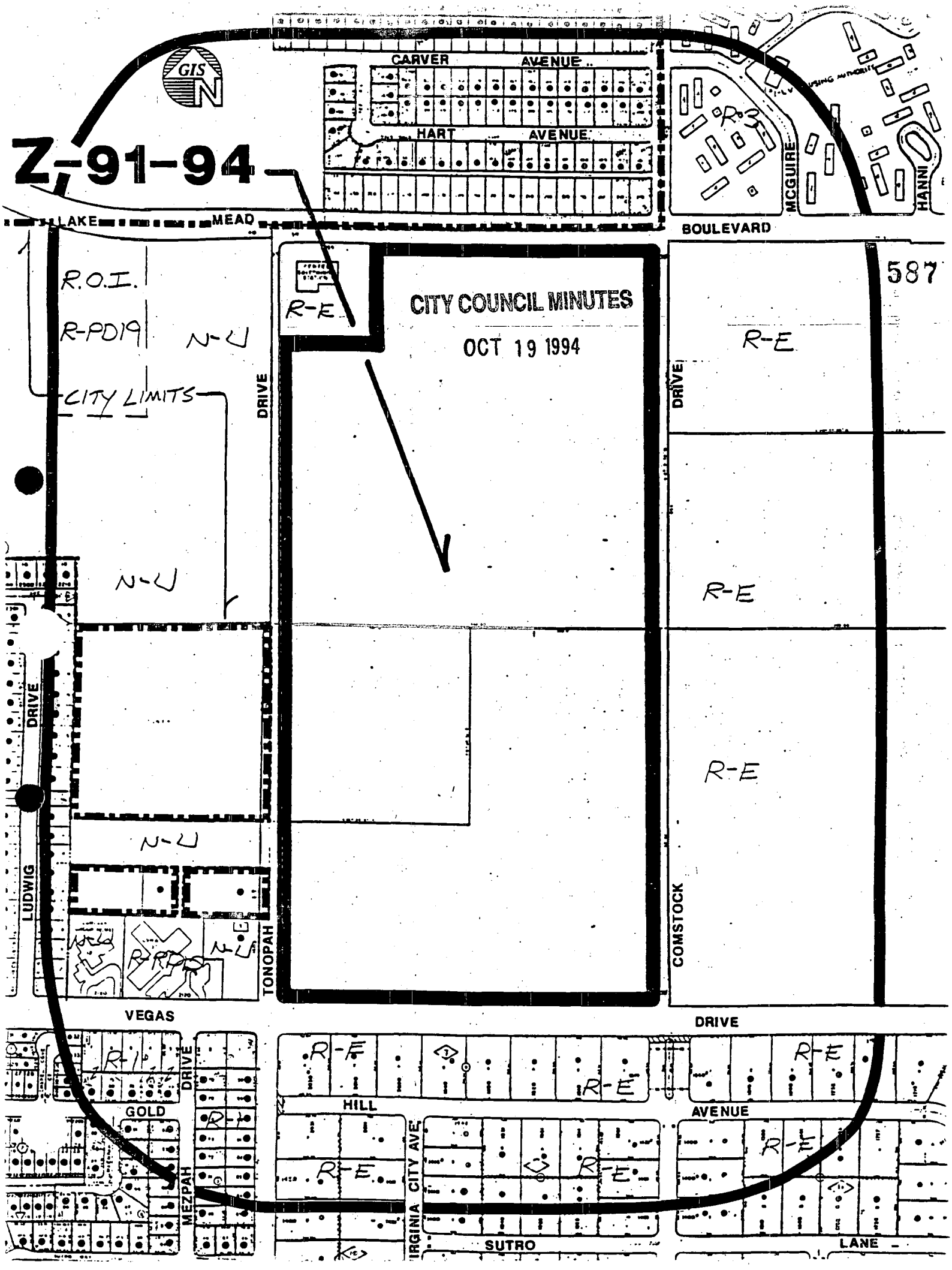
Staff Recommendation: APPROVAL

PROTESTS: 2 (at meeting) (Protestors objected to the proposed R-CL sized lots.)

NOTICES MAILED: 196

SEE ATTACHED LOCATION MAP

Agenda Item


GIS
N
Z-91-94
CARVER AVENUE
HART AVENUE
LAKE MEAD BOULEVARD
MCGUIRE
HANNI
R-3
R.O.I.
R-PD19
N-U
CITY LIMITS
DRIVE
R-E
CITY COUNCIL MINUTES
OCT 19 1994
587
LUDWIG
TONOPAH
COMSTOCK
VEGAS
GOLD
MEZPAH
HILL
AVENUE
VIRGINIA CITY AVE.
SUTRO
LANE

VERBATIM TRANSCRIPT - ITEM 86 - Z-91-94 - USA CAPITAL LAND FUND

MAYOR JONES	Also, before we begin the Public Hearing, and I don't know if we can do this. There has been a request that we move up an item from City Planning. Councilman Hawkins?
CITY ATTORNEY JERBIC	Unless there's opposition, it should be moved up, unless any member of the Council has opposition to moving it up.
COUNCILMAN HIGGINSON	Just make a motion.
COUNCILMAN HAWKINS JR	Yes. I'd -- What item?
COUNCILMAN BRASS	What number is it?
COUNCILMAN HIGGINSON	I think it has to be.
COUNCILMAN HAWKINS JR	Yeah, Item 86, Z-91-94.
COUNCILMAN HIGGINSON	We have a motion?
COUNCILMAN HAWKINS JR	That'd be a **motion**. That's my --
MAYOR JONES	Vote on the motion. Post. Motion's approved. **(Motion carried unanimously)** That's 94?
COUNCILMAN HIGGINSON	86.
MAYOR JONES	86, I'm looking for it right here. Item 86 is a Public Hearing. It's abeyance item Z-91-94, USA Capital Land Fund. It's a request for reclassification of the property bounded by Vegas Drive, Lake Mead Boulevard, Comstock Drive and Tonopah Drive, from R-E to R-CL. Proposed use is 547 single family detached dwellings. Staff and Planning Commission recommend approval. There were 2 protests. This is a Public Hearing; I would now declare it open.
COUNCILMAN HAWKINS JR	Your Honor, in order to expedite this, the developer has agreed, and I'll have him restate, to agree to do the R-D lots on Vegas Drive in the first 20 acres of R-1. He agrees to do that, the neighbors have all agreed and we will begin building.
JOHN MURTAGH	Just as a clarification, the R-D will be inclusive of the 20 acres?
COUNCILMAN HAWKINS JR	Yes.

JOHN MURTAGH	Okay. I agree with that.
COUNCILMAN HAWKINS JR	Is that it? If that's it, before I'd make the motion, how many residents are here from -- in favor of that?
AUDIENCE	Disruptive comment
COUNCILMAN HAWKINS JR	What -- we did was agree to the R-1 lots. The neighborhood wanted R-1's and he's agreed to the R-1 for the first 20 acres. That's all we're going to zone. We also talked about the R-D, the 100 x 100 lots on Vegas Drive. That is what we're doing, no R-CL, no, nothing else. That's it, R-1 and R-D. Okay. That would be the **motion**, Your Honor.
JOHN MURTAGH	Excuse me. The rest of it. Is the back area --?
COUNCILMAN HAWKINS JR	We're not voting on the rest of it now. Staff aware of the conditions?
JOHN SCHLEGEL, COMM PLANNING & DEVELOPMENT	Staff hasn't had a chance to review this plot plan and we were wondering whether or not we could get you to send this back to the Planning Commission for them to do a review?
COUNCILMAN HAWKINS JR	Doesn't matter to me, but I thought the developer --
JOHN MURTAGH	Just a clarification, what -- Is any zoning beyond the first 20 acres or that remains R-E?
COUNCILMAN HAWKINS JR	That remains R-E.
COUNCILMAN HIGGINSON	Do you want R-1 on the whole thing?
COUNCILMAN HAWKINS JR	No, we're just going to zone the first 20 acres. We're going to come back in a year if he wants to rezone the additional property. We believe as a neighborhood that that property will sell.
JOHN MURTAGH	I -- The problem is, eventually the entire community becomes R-1, it's not feasibly -- it's not a viable project for me. It just -- I can't -- if I go with the R-1 zoning first, I have no problem with the R-1 zoning up front for the first 20 acres, but I need the R-CL zoning behind it.
AUDIENCE	Disruptive comment

COUNCILMAN HAWKINS JR — (inaudible) That's what -- Go ahead.

JOANNA WESLEY — My name is Joanna Wesley with the West Las Vegas Advisory Board. We are for the R-D's and the R-1's and we thought we had the understanding. But under any, under no circumstances do we want the R-CL zoning. So if this is approved today, when he comes back in a year or whatever for the other part of the zoning, we would like to be informed so we can come back and do what we have to do to prevent it, you know, because we don't want any R-CL lots period.

GENTLEMAN IN AUDIENCE — Bonanza Village agrees with that.

JOHN MURTAGH — I just -- Well, could I -- I guess I haven't had a chance to talk yet. I guess I was thrown a curve because I thought we had a different agreement (inaudible). I'm sorry. Let me give you some history ahead of time where we are. Is that upside down or is it right side up? I can't read it from here. Good, okay.

Directly to the east of the property is a property zoned Industrial, it'll be owned by the City (Industrial Park). Directly to the north of the property is public housing. Directly to the west of the property is some property currently being zoned next to us at 13 units to the acre. Directly to the south of the property is Bonanza Village itself and I know that a great deal of the people in Bonanza Village have a lot of pride in their homes, but I'd like to show what the actual Bonanza Village looks like on Vegas Drive.

These are the people that want an R-D buffer from -- these actual lots on Vegas Drive. There's one, there's another one, there's another one, there's another one, there's another one. These are all along Vegas Drive. These are the buffer they want. There's another one. There's another one. This is all along Vegas Drive to the south of my property.

Now I understand their concern, but if you want R-D there, I have to sell homes in their area for $140,000 to $160,000 to the land. And I know it's a problem, but with the public housing to the north and to the, industrial zoning to the east, and the 13 to the acre to the west and the condition of Vegas Drive to the south, there is a real (inaudible). If they're going to spend $140,000, they might go to the west side of 95 rather than here. I mean, you can call me probably any name in the book, but right now what's going

to make this a viable site is affordable housing. And I understand the size of the site, but also I think to make the site work you need affordable housing and you don't do affordable housing with 4 or 3 units to the acre.

It's unfortunate, the area around it, but any other area, to the east you have industrial zoning, to the north you have public housing, to the west you have 13 to the acre. R-CL is not an unrealistic request, it really isn't. And to say that you have to start in with R-D and R-1 lots to start your homes in the 110 to 120 range, a mile and a half north of there is Craig Road. They're selling homes in the 80's. West of 95 you can still build homes in the 80's and buy them in the 80's. To put a requirement of you can't sell a home under $110,000 here, you're just -- the whole job becomes just unfeasible.

I know it's an area that's improving, but an improving area needs some affordable housing first before you can build a more expensive homes. That's the real world. I mean, they can have dreams, but the real world is an area that's just starting to change. You have to have the rooftops in there first before you can build the $130,000 homes.

AUDIENCE — Disruptive comment.

COUNCILMAN HAWKINS JR — So, I mean, the question is, are you concurring or not concurring with?

JOHN MURTAGH — I am concurring with the 20 acres of lower density zoning, but I need my 58 acres of R-CL zoning. That's just the real world.

COUNCILMAN HIGGINSON — Where would the 20 acres be located as part of the site?

JOHN MURTAGH — Okay. Here's Vegas Drive here. Here's Bonanza Village here. The 20 acres is right here, which means that the closest R-CL lot to the existing property line here is over 850 feet.

COUNCILMAN HIGGINSON — So the southern most --

JOHN MURTAGH — Twenty acres.

COUNCILMAN HIGGINSON — -- twenty acres would be the R-1.

JOHN MURTAGH	Right, with the R-D buffer, which means the closest R-CL lot to the existing Bonanza Village is over 850 feet.
COUNCILMAN HIGGINSON	And you do have an R-D buffer along Vegas?
JOHN MURTAGH	Right.
COUNCILMAN HAWKINS JR	Well, Your Honor, let me just get to the chase and I can appreciate -- we've had three meetings at least with the neighborhood and many more of those meetings outside a formal meeting with the developer. At this particular time, the developer has come for us, come before us for a zone change. It'd be my **motion** to deny the zone change. And I would deny it because it's not, it is not compatible.
AUDIENCE	Disruptive comment.
JOHN MURTAGH	Can I hold this to the two weeks then?
COUNCILMAN HAWKINS JR	I don't mind holding it, but I mean I thought we had an agreement that --
JOHN MURTAGH	I thought we had an agreement also.
COUNCILMAN HAWKINS JR	I don't mind holding it. I -- **motion** to hold it for two weeks.
JOHN MURTAGH	Thank you.
MAYOR JONES	Vote on the motion to table. Post. Post. Ken, are you --
COUNCILMAN ADAMSEN	He's deciding.
MAYOR JONES	Motion's approved. **(Motion carried unanimously)** Two weeks.

(* * * END OF DISCUSSION * * *)

/lo

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	BRASS - APPROVED subject to conditions
		UNANIMOUS
		*****
	FIVE YEAR REVIEW	
87	U-111-89(1) - Misty, Inc.	CHUCK DYKES, Donrey Outdoor Advertising, 1211 W. Bonanza, concurred with staff.
	Application for a required Five Year Review of an approved Special Use Permit which allowed a 14 x 48 foot off-premise advertising (billboard) sign to a height of 40 feet on property located on the south side of Bonanza Road, approximately 640 feet west of Lamb Boulevard, C-1 Zone.	COUNCILMAN BRASS noted that the neighborhood and the area did not change very much in the last five years and made the motion for approval.
	Board of Zoning Adjustment unanimously (4-0 vote) recommended APPROVAL, subject to:	(4:06)
	1. This use shall be reviewed in five years with the sign being subject to removal at that time.	
	2. The applicant obtain off-premise sign certificates from the Department of Community Planning and Development within 30 days of the City Council approval of this request.	
	3. Standard conditions 1 and 5.	
	Staff Recommendation: APPROVAL - subject to a five year review	
	Ward 3 (Brass)	

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: FIVE YEAR REVIEW - U-111-89(1) - Misty, Inc.

PURPOSE/BACKGROUND

BACKGROUND DATA:

09/20/89 The City Council approved a Special Use Permit for a 14 foot by 48 foot off-premises advertising (billboard) sign to a height of 40 feet. Condition Number 1 of that approval required that a review be conducted in five years with the sign being subject to removal at that time.

DETAILS OF APPLICATION REQUEST:

The sign is located on the south side of Bonanza Road, approximately 640 feet west of Lamb Boulevard. The sign is oriented towards the east and west bound traffic on Bonanza Road.

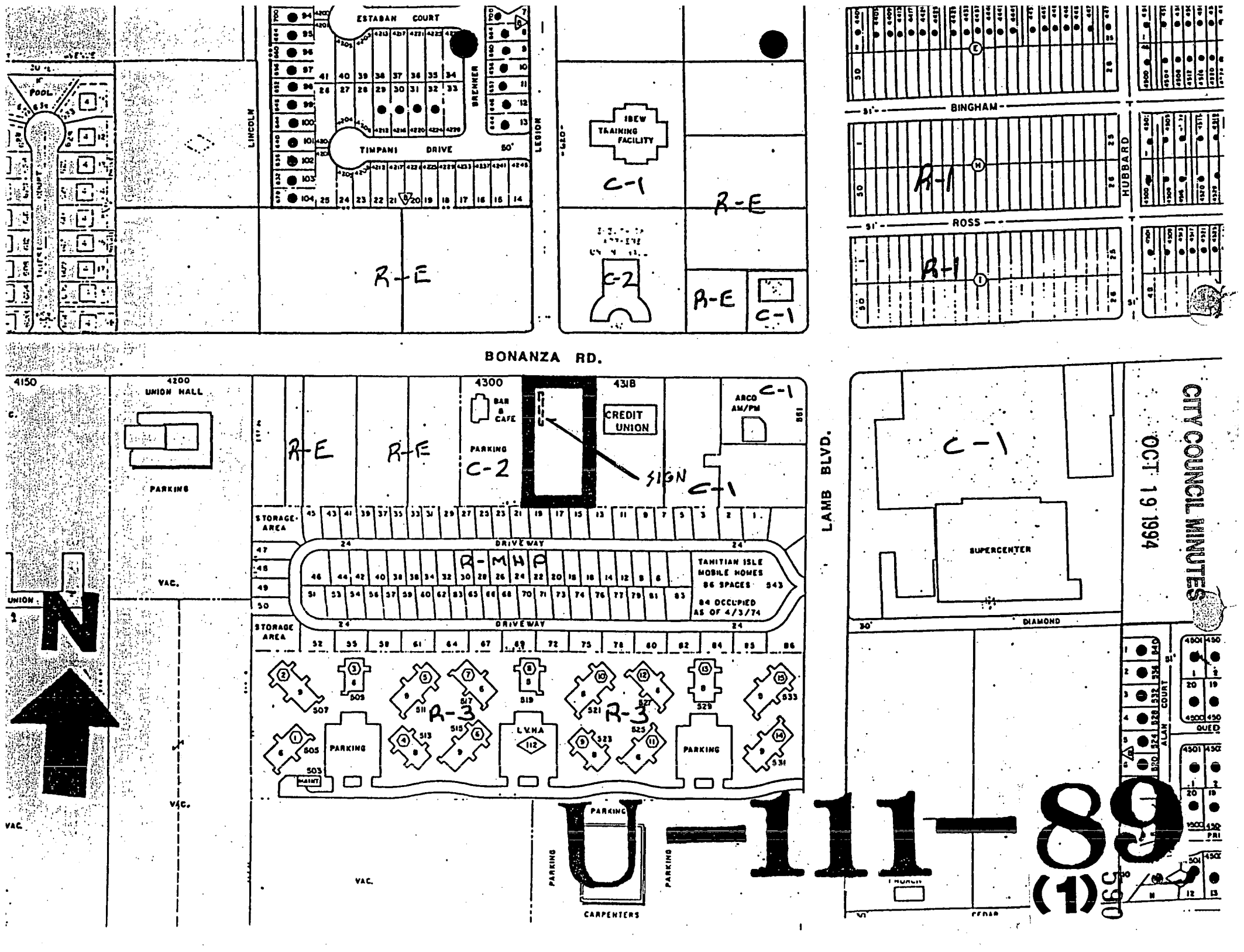
FINDINGS:

Conditions in the area have not changed significantly, therefore the sign remains appropriate along this major roadway.

Board of Zoning Adjustment Recommendation: APPROVAL - subject to a review in five years (4-0 vote)

Staff Recommendation: APPROVAL - subject to a review in five years

SEE ATTACHED LOCATION MAP


ESTABAN COURT
TIMPANI DRIVE
BRENNER
LINCOLN
LEGION
POOL
IBEW TRAINING FACILITY
C-1
C-2
R-E
BINGHAM
ROSS
HUBBARD
R-1
BONANZA RD.
LAMB BLVD.
4150
4200
UNION HALL
4300
BAR & CAFE
PARKING
4318
CREDIT UNION
ARCO AM/PM
SIGN
STORAGE AREA
DRIVEWAY
R-MHP
TAHITIAN ISLE MOBILE HOMES
86 SPACES 543
84 OCCUPIED AS OF 4/3/74
R-3
L.V.H.A.
112
VAC.
UNION
SUPERCENTER
DIAMOND
CARPENTERS
CITY COUNCIL MINUTES
OCT 19 1994
U-111-89
(1)

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	HIGGINSON - APPROVED as recommended subject to the conditions
	PLOT PLAN AND BUILDING ELEVATION REVIEW	UNANIMOUS
88	U-79-94(1) - Amerco Real Estate Company	*****
	Application for a Plot Plan and Building Elevation Review on an approved mini-storage facility and U-Haul truck and rental center on property located directly south of the intersection of Rancho Drive and Jones Boulevard, C-2 Zone.	COUNCILMAN HIGGINSON asked if the conditions include the wall as staff desired along Jones.
	Staff Recommendation: APPROVAL	ROD ALLISON, Community Planning and Development, replied it does and is included in Conditions 1 and 2. No modifications are required.
	Ward 4 (Higginson)	There was no further discussion.
	Board of Zoning Adjustment unanimously (4-0 vote) recommended APPROVAL, subject to:	(4:07)
	1. Construct an 8 foot high decorative wall, setback 10 feet for landscaping, along Jones Boulevard between the south property line to the northwest corner of the proposed building.	
	2. Construct an 8 foot high decorative wall along the south property line between the wall along Jones Boulevard to the southwest corner of the proposed building.	
	3. Install 10 foot wide landscape planters along Jones Boulevard and Rancho Drive. The planters shall contain 24 box evergreen trees 30 feet on center with boulders, shrubs and ground cover as required by the Department of Community Planning and Development. The use of drought tolerant landscaping is encouraged.	
	4. Additional landscaped planters containing 24 inch box trees shall be installed in the vehicle parking areas to soften and breakup the large expanse of paving.	
	5. Landscape and maintain all unimproved right-of-way on Rancho Drive adjacent to this site as required by the Department of Public Works.	

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	COMMUNITY PLANNING AND DEVELOPMENT	APPROVED - See Page 61.
	U-79-94(1) - Amerco Real Estate Company (continued)	
	6. Obtain an Occupancy Permit for all landscaping and private improvements adjacent to this site in the Rancho Drive public rights-of-way.	
	7. The vacant area to the south of the improved site may not be used for the storage or parking of trucks, trailers, or any related equipment.	
	8. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the corner of Jones Boulevard and Rancho Drive as required by the Department of Public Works.	
	9. Complete all incomplete half-street improvements, if any, on Jones Boulevard and on Rancho Drive adjacent to this site prior to occupancy of any buildings on this site as required by the Department of Public Works.	
	10. Contribute $10,000 to partially fund the future upgrading of the existing traffic signal system at the intersection of Jones Boulevard and Rancho Drive prior to the issuance of building or offsite permits as required by the Department of Public Works. The City reserves the right to utilize the contributed traffic signal monies for the installation of traffic signals at any other intersection within this general vicinity which is impacted by this development and which has a more immediate need for signalization.	
	11. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards as required by the Department of Public Works.	
	12. A Drainage Plan and Technical Drainage Study is required to be submitted to and approved by the Department of Public works prior to approval of a building permit.	

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	APPROVED - See Page 61.
	U-79-94(1) - Amerco Real Estate Company (continued)	
	13. Remove all unused driveway cuts adjacent to this site and replace with new "L" curb and sidewalk meeting current City Standards.	
	14. Redesign the driveway and parking lot layout to meet the approval of the Traffic Engineer. Driveways shall be designed and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.	
	15. No outdoor public address systems shall be permitted.	
	16. Standard conditions 1-5, 7 and 8.	

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

594

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: PLOT PLAN AND BUILDING ELEVATION REVIEW - U-79-94(1) - Amerco Real Estate Company

PURPOSE/BACKGROUND

BACKGROUND DATA:

05/18/94 The City Council approved a Special Use Permit for a mini-storage facility, a U-Haul truck and trailer rental center and for the sale of propane. Condition Number One of that approval required submittal of a Plot and Building Elevation Review for review and approval by the Board of Zoning Adjustment and City Council.

DETAILS OF APPLICATION REQUEST:

The applicant is proposing a 57,000 square foot two-story building. The U-Haul Center will occupy 5,000 square feet, while the mini-storage facility will occupy 52,000 square feet and contain 459 storage units.

There are 41 parking spaces required and 63 provided. The U-Haul truck and trailer rental business will have trucks and trailers displayed on the Rancho Drive and Jones Boulevard street frontages. A propane tank is located in the vicinity of the northwest area of the site in front of the storage facility.

The elevations indicate concrete tilt-up construction with steel accent panels and an overall height of 18 feet. The submitted landscaping plans depict eight foot wide planters with trees, shrubs and ground cover along all property lines.

FINDINGS:

Mini-storage facilities tend to be compatible neighbors to both residential and commercial development. Staff is more concerned with the truck rental operation. The proposed building is large and has a semi-industrial look. In addition, staff has received a number of complaints over the years about the U-Haul facility on Decatur Boulevard. Most of the complaints were the result of trucks being stored outside of the screened fenced area and on the surrounding streets. Staff feels that it is likely that the large paved area to the west of the building along Jones Boulevard will be used to store vehicles and equipment.

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: PLOT PLAN AND BUILDING ELEVATION REVIEW - U-79-94(1) - Amerco Real Estate Company

PURPOSE/BACKGROUND

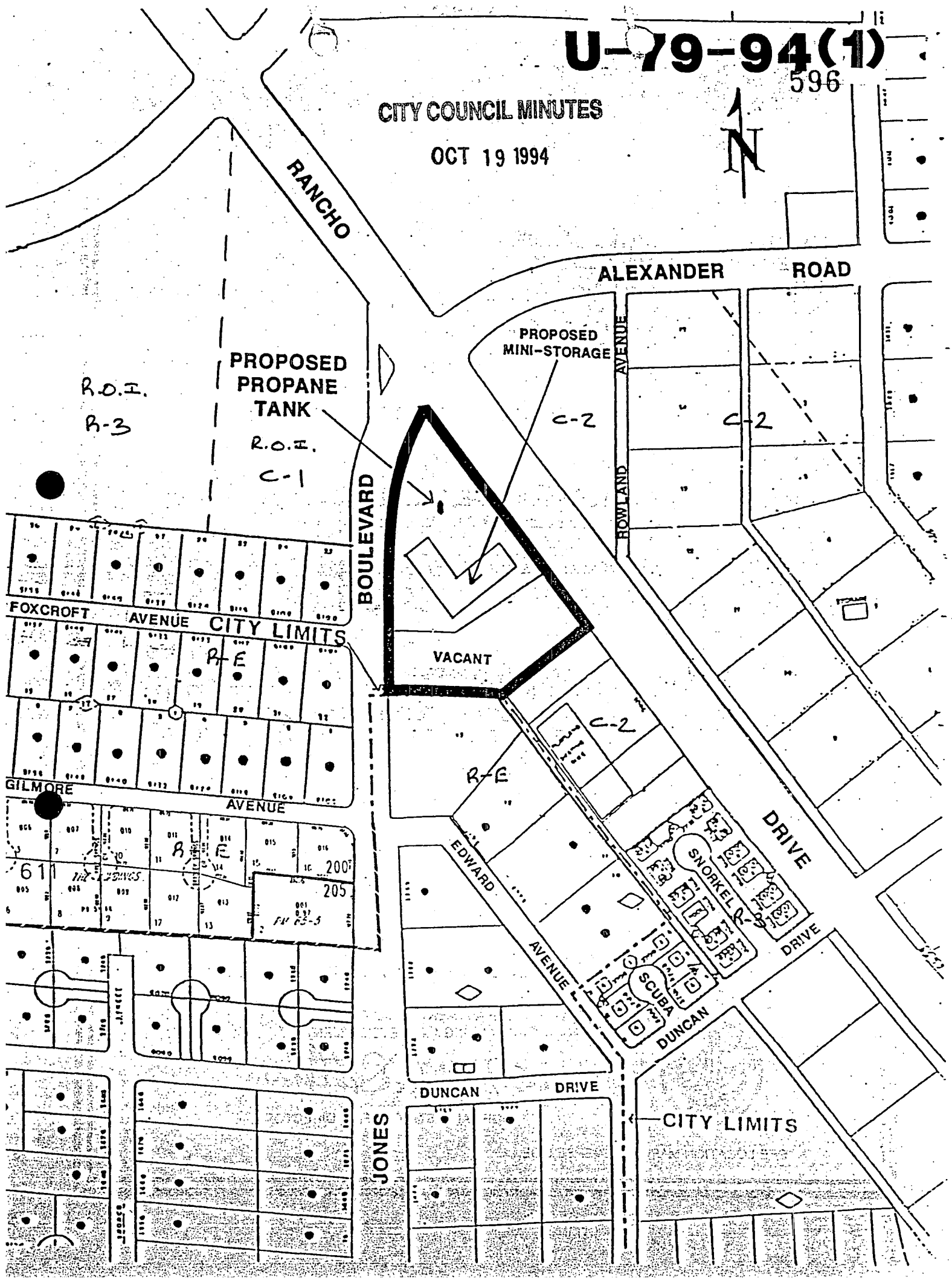
Both the building and the paved area is across from and in full view of the homes to the west of Jones Boulevard. Staff feels that an 8 foot high decorative wall should be constructed behind the planter along Jones Boulevard and along the south side of the parcel to provide a buffer for the nearby homes. Staff does not feel the proposed planter alone will adequately buffer these homes. The wall along Jones Boulevard should be constructed from the south property line to the northwest corner of the building. The buffer wall to the south would be on the property line and extend from the back of the planter along Jones Boulevard to the southwest corner of the building.

Board of Zoning Adjustment Recommendation: APPROVAL (4-0 vote)

Staff Recommendation: APPROVAL

SEE ATTACHED LOCATION MAP

Agenda Item


U-79-94(1)
596
CITY COUNCIL MINUTES
OCT 19 1994
N
RANCHO
ALEXANDER
ROAD
PROPOSED
PROPANE
TANK
R.O.H.
R-3
R.O.H.
C-1
PROPOSED
MINI-STORAGE
AVENUE
ROWLAND
C-2
C-2
BOULEVARD
FOXCROFT
AVENUE
CITY LIMITS
VACANT
R-E
C-2
R-E
GILMORE
AVENUE
R-E
611
200
205
DRIVE
EDWARD
AVENUE
SNORKEL
SCUBA
DRIVE
DUNCAN
DUNCAN
DRIVE
JONES
CITY LIMITS

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	**HIGGINSON - APPROVED** as recommended subject to the conditions
	PLOT PLAN AND BUILDING ELEVATION REVIEW	**UNANIMOUS**
		*****
89	Z-68-85(15) - American Medicorp	MIKE ROSS, G. C. Wallace, Inc., 1555 S. Rainbow Boulevard, was present for the applicant. Also, present was Jeannine Savoia, Vice President of Sunrise Hospital.
	Request for a Plot Plan and Building Elevation Review for a proposed hospital on property located in the Las Vegas Technology Center at the southeast corner of Tenaya Way and Cheyenne Avenue, N-U Zone (under Resolution of Intent to C-PB).	COUNCILMAN HIGGINSON asked to see the building elevations.
	Staff Recommendation: APPROVAL	There was no further discussion.
	Ward 4 (Higginson)	(4:08)
	Planning Commission unanimously (5-0 vote) recommended APPROVAL, subject to:	
	1. Install landscaping around the perimeter of the site and within the parking lot area in accord with the C-PB district standards and in a manner consistent with the submitted plot plan. A detailed landscaping plan shall be submitted to the Department of Community Planning and Development prior to the approval of building permits for this site. The use of drought tolerant landscaping is encouraged.	
	2. All proposed interior landscape planters located in the parking area shall have a minimum width of 5 feet as required by the Department of Community Planning and Development.	
	3. All on-site landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all driveways intersecting with public streets.	
	4. Construct all incomplete sidewalk improvements on Tenaya Way adjacent to this site as required by the Department of Public Works.	

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	COMMUNITY PLANNING AND DEVELOPMENT	APPROVED - See Page 64.
	Z-68-85 (15) - American Medicorp (continued)	
	5. A Traffic Impact Analysis including sections addressing master driveway locations and on-site circulation must be submitted to the Department of Public Works prior to the issuance of grading, building or off-site permits. Obtain approval and comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.	
	6. All access drives connecting this site to Tenaya Way shall be designed and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.	
	7. Site development to also comply with all applicable conditions of approval for Z-68-85 and all subsequent actions imposed on this site as required by the Department of Public Works.	
	8. Conformance to the plot plan and building elevations.	
	9. Standard conditions Nos. 2, 3, and 5-11.	

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: PLOT PLAN AND BUILDING ELEVATION REVIEW - Z-68-85(15) - American Medicorp

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for a Plot Plan and Building Elevation Review for Sunrise Hospital North, a 212,000 square foot 120 bed hospital facility in the Las Vegas Technology Center.

BACKGROUND DATA:

11/20/85	The City Council approved a Reclassification from N-U (Non-Urban) to C-PB (Planned Business Park) zoning for this site as part of a larger request (Z-68-85).
8/04/93	The City Council approved a request to allow medical offices/clinics and other medical service uses as a permitted use in the C-PB zone (CPB-1-93). The Planning Commission recommended approval.
8/03/94	The City Council approved a Plot Plan and Building Elevation Review for a six story medical building on a portion of this site [Z-68-85(13)].

DETAILS OF APPLICATION REQUEST:

Project Statistics	Proposed	Required
Site Area	20 Acres	32,670 Sq. Ft. Minimum
Building Size	212,000 Sq. Ft.	5,000 Sq. Ft. Minimum
Beds	120	
Circulation	5,016 Sq. Ft. (Corridors, Stairs, etc.)	
Support	3,140 Sq. Ft. (Restrooms, Waiting Rooms)	
Lobby	4,263 Sq. Ft.	
Building Height	54 Feet	100 Feet Maximum
Building Setbacks:		
Front (Tenaya Way)	320 Feet	30 Feet Minimum
Side (Cheyenne Ave.)	277 Feet	20 Feet Minimum
Rear (O.K. Gragson Hwy.)	236 Feet	20 Feet Minimum
Floor Area Ratio	.24	60 Maximum
Parking	1,384 Spaces	668 Spaces

Agenda Item
89

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

600

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: PLOT PLAN AND BUILDING ELEVATION REVIEW - Z-68-85(15) - American Medicorp

PURPOSE/BACKGROUND

The project site is located in the City of Las Vegas Technology Center. Access to the site is via three two-way drive lanes on Tenaya Way and through one drive on Cheyenne Avenue. The plot plan indicates a 120 bed hospital building that will eventually expand to 400 beds. The plan also indicate an auxiliary building and designated areas for proposed future expansion such as a parking structure with a helipad, additional on surface parking and a proposed addition to the hospital area.

The elevations depict a four story building with a large expanse of glass used at the main entrance, a stone base and similar accents on the building tower. The building materials will be pre-cast to give the building a more mature look.

Landscaping is proposed throughout the site. A 20 foot planter is proposed along the Tenaya Way frontage, 30 feet is proposed along the Cheyenne Avenue frontage, and 30 feet is proposed along the Oran Gragson Highway (U.S. Highway 95) frontage.

FINDINGS:

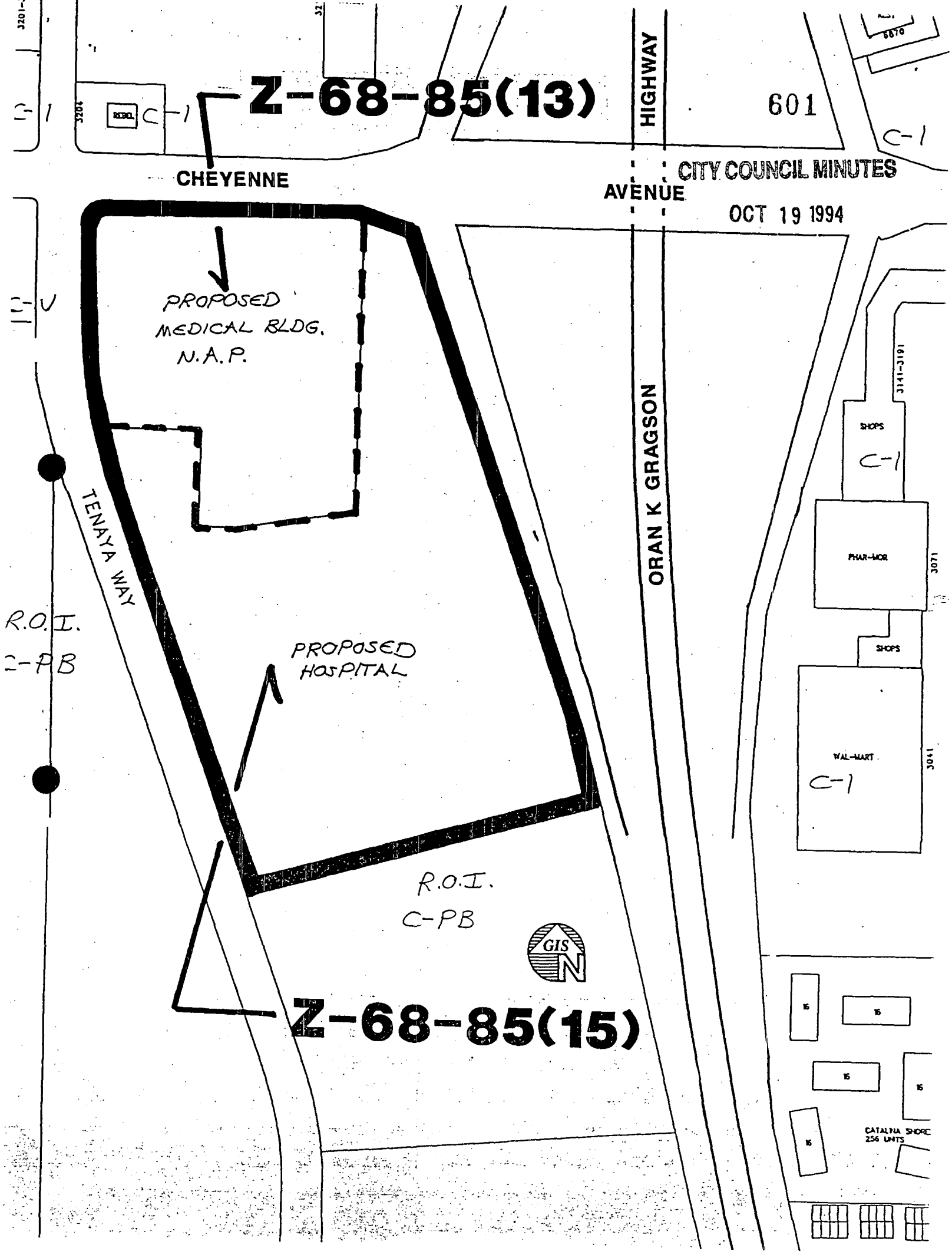
On Thursday, August 25, 1994 the City's Architectural Review Committee which oversees development in the Las Vegas Technology Center met and approved in concept the Plot Plan and Building Elevation plans for this proposal. The project site is a part of an overall 300 acre parcel that makes up the City of Las Vegas Technology Center. Each development within this business park requires a Plot Plan and Building Elevation Review prior to development. Adjacent to the proposed hospital is a six story medical building that has already received approval from both the Planning Commission and City Council. Staff has no objections to this request provided that the project complies with all sections of Chapter 19.47 of the City of Las Vegas Municipal Code for the C-PB Planned Business Park District.

Planning Commission Recommendation: APPROVAL (5-0 vote)

Staff Recommendation: APPROVAL

SEE ATTACHED LOCATION MAP

Agenda Item


Z-68-85(13)
HIGHWAY
601
C-1
CHEYENNE
AVENUE
CITY COUNCIL MINUTES
OCT 19 1994
PROPOSED
MEDICAL BLDG.
N.A.P.
TENAYA WAY
ORAN K GRAGSON
R.O.I.
C-PB
PROPOSED
HOSPITAL
SHOPS
C-1
PHAR-MOR
SHOPS
WAL-MART
C-1
R.O.I.
C-PB
GIS
N
Z-68-85(15)
CATALINA SHORE
256 UNITS

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	HIGGINSON - Items 81, 82 and 107 HELD IN ABEYANCE to 11-2-94 City Council meeting; Item 90 WITHDRAWN WITHOUT PREJUDICE; and Items 108, 109 and 110 HELD IN ABEYANCE TO 12-7-94 City Council meeting
	COMMUNITY PLANNING AND DEVELOPMENT	UNANIMOUS
	APPLICANT HAS REQUESTED THAT THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE	******
	REVIEW OF CONDITION	(2:26 - 2:28)
90	ABEYANCE ITEM - Z-25-94(2) - VTN Nevada, on behalf of Olympic Nevada, Inc.	
	Request for a Review of Conditions to delete the requirements to dedicate and construct half-street improvements for Jensen Street, on property located on the south side of Alexander Road, east and west of Grand Canyon Drive, N-U Zone (under Resolution of Intent to R-CL).	
	Staff Recommendation: DENIAL	
	Ward 4 (Higginson)	
	Planning Commission unanimously (4-0 vote) recommended APPROVAL, subject to:	
	1. Condition No. 4 shall be amended to read: Dedicate 50 feet of right-of-way for Alexander Road adjacent to this site, 40 feet/80 feet (as appropriate) for Grand Canyon Drive and 30 feet for Gilmore Avenue as required by the Department of Public Works. The dedication of 30 feet of right-of-way for Jensen Street adjacent to this site and the elimination of Foxcroft Avenue from extending to the west edge of this site and connecting with Jensen Street are also requirements placed on this site however the Jensen Street dedication may be eliminated by the Flood Control Section of the Department of Public Works if the applicant can provide appropriate documentation to the City that such street is not needed for flood control purposes.	

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	COMMUNITY PLANNING AND DEVELOPMENT	WITHDRAWN WITHOUT PREJUDICE - See Page 66.
	REVIEW OF CONDITION	
	ABEYANCE ITEM - Z-25-94(2) - VTN Nevada, on behalf of Olympic Nevada, Inc.	
	2. Condition No. 5 shall be amended to read: Construct half-street improvements on Alexander Road and Gilmore Avenue adjacent to this site and construct half-street/full-width (as appropriate) on Grand Canyon Drive and all other street rights-of-way dedicated with this site as required by the Department of Public Works. Additional paving width may be requested on Grand Canyon Drive and Foxcroft Avenue adjacent to the not-a-part piece if traffic conditions warrant and if legally able.	
	3. Condition No. 14 shall be amended to read: A site-specific Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of a Final Map on this subdivision site. Comply with all recommendations of the approved Drainage Plan/Study and all site-related impacts required by the Predesign Report for the Lone Mountain Detention Basin. The Department of Public Works recommends that no lots front onto Jensen Street and that no streets other than Alexander Road and Gilmore Road intersect with Jensen Street however all subdivision layout proposals shall be reviewed and are subject to the approval of the Flood Control Section. The applicant shall make all necessary subdivision layout modifications, if any, required by Flood Control prior to recordation of a Final Map.	

CITY COUNCIL MINUTES

OCT 19 1994

VTN nevada

CONSULTING ENGINEERS • PLANNERS • SURVEYORS

PRINCIPALS:
K.D. Weir
Charley R. Johnson, P.E.
James L. MacFarlane, P.L.S., P.E.
Gene D. Krametbauer, P.L.S.
Dennis E. Fritz, P.E.
Gregory G. Radig, P.L.S., P.E.

RECEIVED
CITY CLERK
SEP 29 2 13 PM '94

September 29, 1994
W.O.# 4619

CITY OF LAS VEGAS
CITY CLERK'S OFFICE
400 East Stewart Avenue
Las Vegas, Nevada 89101

Re: Z-25-94(2) - Review of Condition

Dear Matt:

On behalf of Olympic Nevada, Inc. and Stanpark Construction Company, we would like to withdraw without predjudice the application for Review of Condition Z-25-94(2). This application is currently scheduled to be heard at the October 19, 1994 City Council meeting.

If you have any questions or require additional information, please contact me.

Sincerely,
VTN NEVADA

Lonette D. Nagy

Lonette D. Nagy
Project Coordinator

/ldn
461903.ltr

2727 SOUTH RAINBOW BOULEVARD LAS VEGAS, NEVADA 89102-5148
TEL. (702) 873-7550 FAX: 362-2597

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: ABEYANCE ITEM - REVIEW OF CONDITION - Z-25-94(2) - VTN Nevada, on behalf of Olympic Nevada, Inc.

PURPOSE/BACKGROUND

This item was held in abeyance from your last meeting. Staff has been instructed to work with the applicant to resolve issues surrounding this application.

APPLICATION REQUEST:

This request is for a review to delete the requirements to dedicate and construct half-street improvements for Jensen Street along the west edge of the subject property. The specific wording of the two Conditions which include the requirements is as follows:

Condition No. 4: Dedicate 50 feet of right-of-way for Alexander Road adjacent to this site, 40 feet/80 feet (as appropriate) for Grand Canyon Drive, 25 1/2 feet for Jensen Street and 30 feet for Gilmore Avenue as required by the Department of Public Works. Foxcroft Avenue may be developed as a 51 foot wide public street in lieu of the 60 feet shown.

Condition No. 5: Construct half-street improvements on Alexander Road, Jensen Street and Gilmore Avenue adjacent to this site and construct half-street/full-width (as appropriate) on Grand Canyon Drive through this site as required by the Department of Public Works. Additional paving width may be requested on Grand Canyon Drive and Foxcroft Avenue adjacent to the not-a-part piece if traffic conditions warrant and if legally able.

The applicant has indicated that they feel that the requirement to dedicate and construct Jensen Street is unnecessary because their site proposes no access to Jensen, the approved site plan for the property south of Gilmore Avenue does not include Jensen, and there is a proposed Detention Basin to the west.

BACKGROUND DATA:

5/18/94 The City Council approved Reclassification for this property from N-U (Non-Urban) to R-CL (Single Family Compact Lot). The Planning Commission recommended denial.

8/03/94 The City Council approved a Plot Plan and Building Elevation Review for single family dwellings on this site [Z-25-94(1)].

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

606

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: ABEYANCE ITEM - REVIEW OF CONDITION - Z-25-94(2) - VTN Nevada, on behalf of Olympic Nevada, Inc.

PURPOSE/BACKGROUND

FINDINGS:

The recently adopted Pre-design Report for the Lone Mountain Detention Basin indicates that Jensen Street should be dedicated and developed as a 60-foot wide public street, rather than the 51 foot wide street which was originally required. It is staff's opinion that Jensen Street is needed to provide a conveyance corridor for the overflow spillway if the basin is ever overtopped.

Upon presentation of this information to the applicant, an agreement was reached to modify the original request so that three of the original conditions would be reworded slightly to enable Flood Control staff within the Department of Public Works to work with the applicant on the Jensen Street issue.

The Department of Public Works, therefore, objects to the applicant's request but supports the amended condition as approved by the Planning Commission.

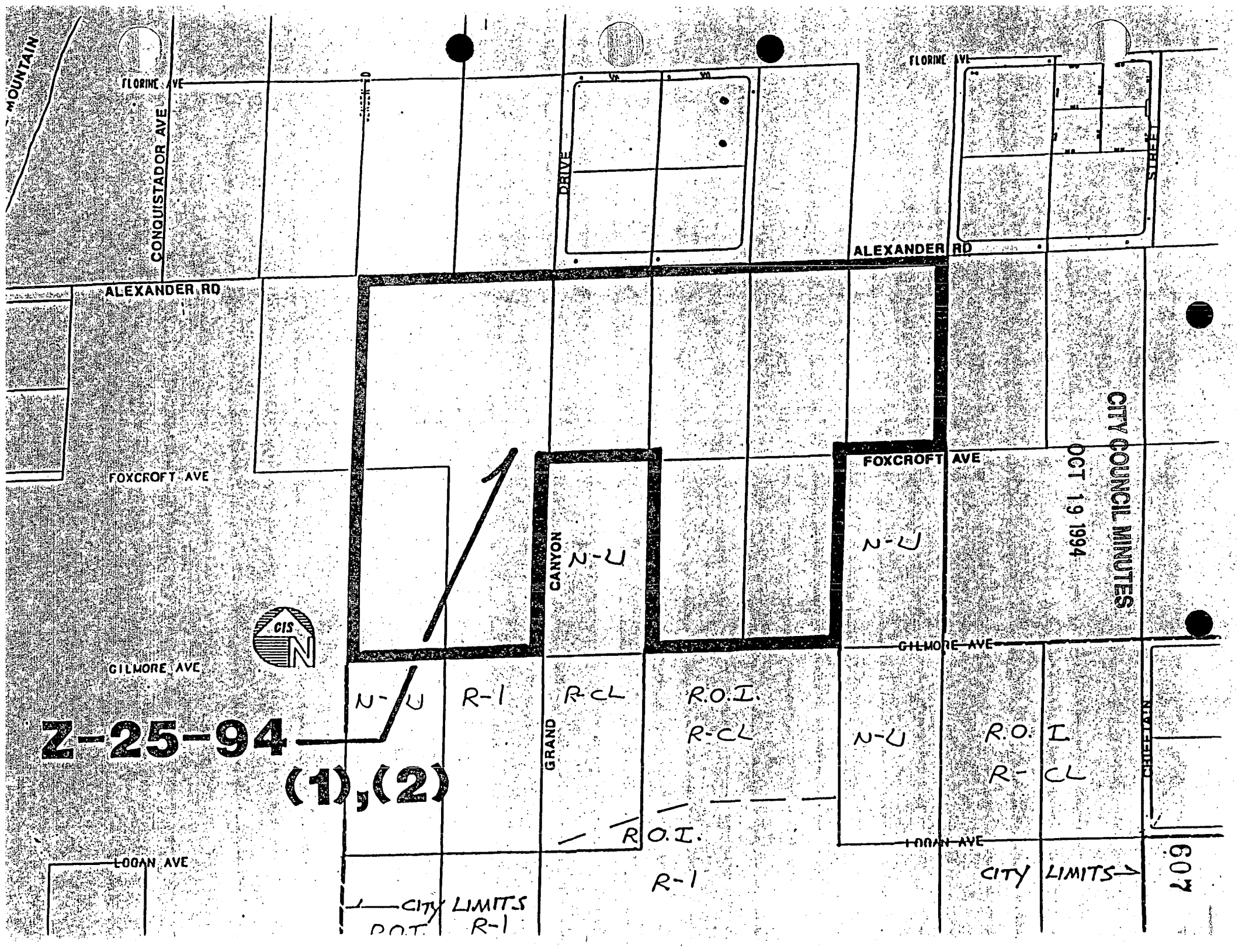
Planning Commission Recommendation: APPROVAL (4-0 vote)

Staff Recommendation: DENIAL of the submitted request and APPROVAL of the modified request

SEE ATTACHED LOCATION MAP

Agenda Item

510-015-5/94


MOUNTAIN
FLORINE AVE
CONQUISTADOR AVE
ALEXANDER RD
DRIVE
FLORINE AVE
ALEXANDER RD
FOXCROFT AVE
FOXCROFT AVE
CITY COUNCIL MINUTES
OCT 19 1994
607
CANYON
GRAND
GILMORE AVE
GILMORE AVE
LOGAN AVE
LOGAN AVE
CITY LIMITS
CITY LIMITS
CIS
N
N-U
R-1
R-CL
R.O.I.
Z-25-94
(1),(2)

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	**HIGGINSON - APPROVED deletion of the Original Condition No. 4 and add a condition that in lieu of installing improvements, the developer may contribute $5,940 directly to the City fund to fund PM10 dust control paving improvements for the section of Maverick between Fisher and Washburn**
	REVIEW OF CONDITION	**UNANIMOUS**
91	Z-128-93(1) - Maverick Holdings	*****
	Request for a Review of Condition to delete the requirement for two lanes of paving on Maverick Street, between Fisher Avenue and Washburn Road concurrent with the first phase of development of this site, R-E Zone (under Resolution of Intent to R-D and R-1).	RICHARD TURNER, L. R. Nelson, 35 East Patrick, representing the applicant, stated he was in agreement with staff's recommendations with the exception of Item No. 4.
	Planning Commission unanimously (5-0 vote) recommended APPROVAL, subject to:	COUNCILMAN HIGGINSON stated the reason the condition was placed on there was because the City has tried to curtail development where the only way to get to it is over an unpaved surface because of the PM10 problem in the Valley; however, COUNCILMAN HIGGINSON said he understood there is enough PM10 dust control paving improvement dollars available that, should this condition be removed, require the developer, in lieu of putting in full improvements, to pay the cost of $5,940 that that money combined with the PM10 dollars in the area will be enough to meet it; thereby the developer will not be paying the full burden. COUNCILMAN HIGGINSON felt it was a good compromise and recognizing that developers are concerned when they have to pave roads to their projects that they are not responsible for, but there is a horrendous PM10 problem in the Valley and there will be greater costs and impacts to the community if those standards are not met. Both the City and County will continue to require developers to have paved access in several locations to their projects.
	1. Conformance with all other conditions of approval of zoning application Z-128-93.	
	Staff Recommendation: APPROVAL	
	Ward 4 (Higginson)	

CONTINUED ...

ITEM ACTION

COMMUNITY PLANNING AND DEVELOPMENT (CONTINUED)

Item 91 - Z-128-93(1) - Review of Condition (Continued)

COUNCILMAN HIGGINSON made the approval motion deleting the Condition but added a new condition that the developer contribute $5,940 to the PM10 Dust Control Fund for paving of Maverick St. between Fisher and Washburn.

MR. TURNER concurred but the developer asked for clarification as several other developers in the area were not hit with the additional cost. COUNCILMAN HIGGINSON explained that as the problems become more acute and more aware, the City is trying to do it with other developments.

COUNCILMAN BRASS asked what percentage of the total cost is the $5,940 and COUNCILMAN HIGGINSON said it is probably about 40%.

There was no further discussion.

(4:09 - 4:13)

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: REVIEW OF CONDITION - Z-128-93(1) - Maverick Holdings

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for a Review of Condition to delete original condition no. 4 imposed at the time of reclassification. The applicant indicated that they feel that the condition was imposed because there was no paved access to the site at the time of the reclassification. However, the applicant indicates that there are now two points of paved access available from Fisher Avenue. The applicants met with the Land Development Division of the Department of Public Works subsequent to the reclassification to discuss this matter. The specific wording of the condition that required providing paved access is as follows:

Condition #4: "Construct two lanes of paving on Maverick Street between Fisher Avenue and Washburn Road concurrent with the first phase of development on this site as required by the Department of Public Works".

BACKGROUND DATA:

2/2/94 The City Council approved a Reclassification from R-E (Residence Estates) to R-1 (Single Family Residence) zoning for this site [Z-128-93].

FINDINGS:

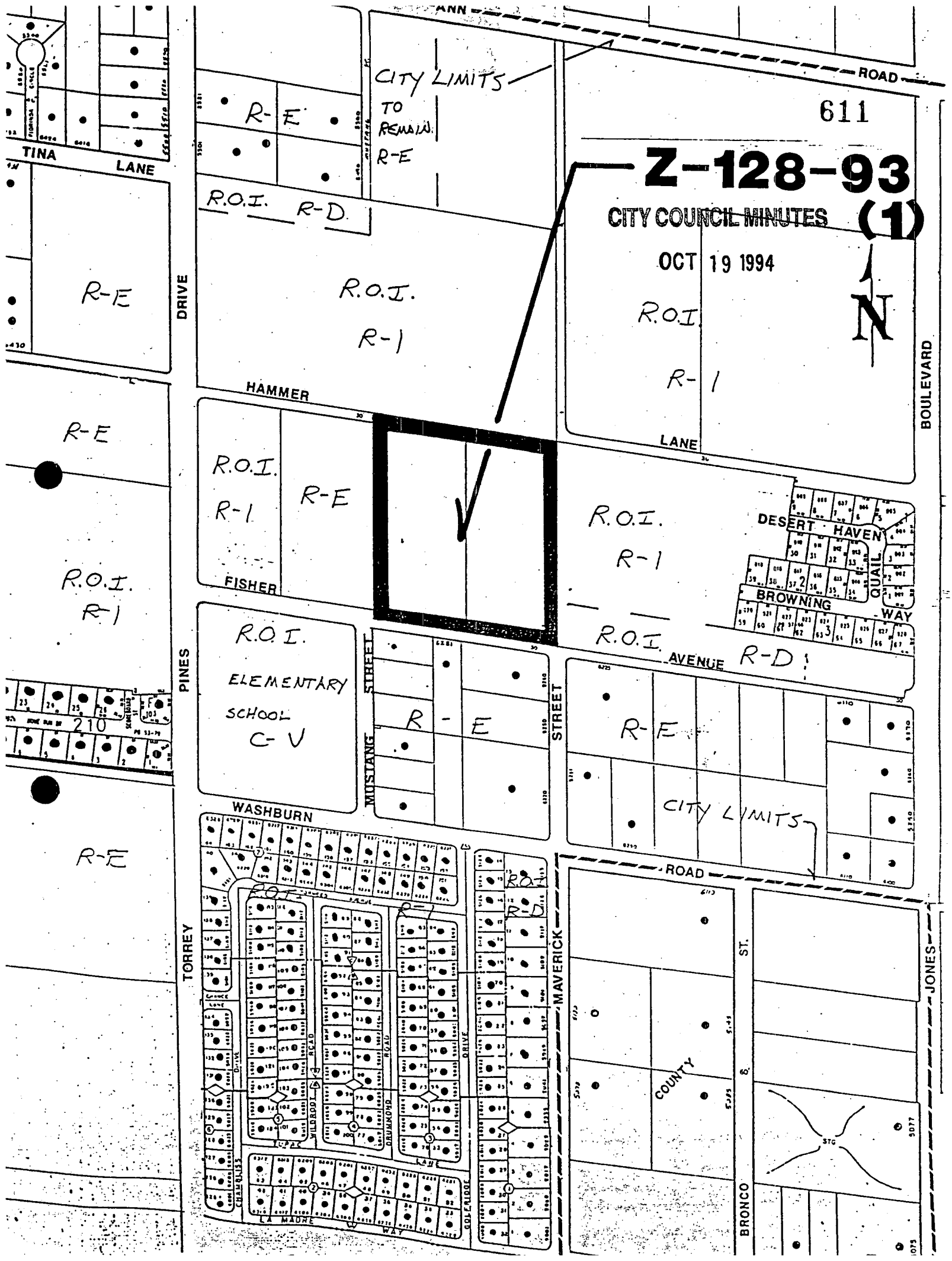
The Department of Public Works indicates that Condition No. 4 was originally recommended to provide a paved connection from Washburn Road to this site because Staff anticipated this route as the preferred access to this subdivision. Because of other ongoing development in the vicinity of the project site, improvements have been made or will be made to provide access and alternate routes. Therefore, Public Works has no objection to the Review of Condition application to delete original Condition No. 4 of Z-128-93.

Planning Commission Recommendation: APPROVAL (5-0 vote)

Staff Recommendation: APPROVAL

SEE ATTACHED LOCATION MAP

Agenda Item
91


611
Z-128-93
CITY COUNCIL MINUTES
(1)
OCT 19 1994
CITY LIMITS TO REMAIN R-E
R-E
R.O.I. R-D
R.O.I. R-1
R-1
HAMMER
LANE
BOULEVARD
TINA
DRIVE
FISHER
PINES
STREET
MUSTANG
AVENUE
DESERT HAVEN
QUAIL
BROWNING
WAY
ELEMENTARY SCHOOL
C-V
WASHBURN
CITY LIMITS
ROAD
TORREY
MAVERICK
JONES
COUNTY
BRONCO
ST.
210
N

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	**ADAMSEN - APPROVED with 1600 square foot minimum homes along the west property line** **Motion carried with HIGGINSON and JONES voting "no"**
		*****
92	REVIEW OF CONDITION - PUBLIC HEARING ABEYANCE ITEM - Z-81-89(8) - Property Holding Corporation Request for a Review of Conditions to delete the requirements that all houses be a minimum of 1,500 square feet and market priced to start at approximately $175,000, and that the property revert back to the original zoning if sold to or developed by another developer unless prior approval is granted by the City Council, on property located on the northwest corner of Decatur Boulevard and Gilmore Avenue, R-E Zone, (under Resolution of Intent to R-PD4). Ward 4 (Higginson)	ANDREA DELFONSA, representing Richard McKnight, requested that the item be trailed until Mr. McKnight arrived. (4:13) * * * * * * RICHARD McKNIGHT and TOM JULIAN appeared representing the applicant. **NOTE: A Verbatim Transcript is made part of the Final Minutes.** (5:03 - 5:19)

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 5, 1994

CITY COUNCIL MINUTES
Date: OCT 19 1994

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT
JLS

SUBJECT: ABEYANCE ITEM - REVIEW OF CONDITION - PUBLIC HEARING - Z-81-89(8) - Property Holding Corporation

PURPOSE/BACKGROUND

This item was before you at your August 17, 1994 City Council meeting. After the applicant rejected a compromise, the City Council denied the applicant's request. The applicant is now before the Board to request that the issue of the compromise be pursued.

This is a request to remove two conditions of approval for a single family development in an R-PD4 zone. The conditions being requested for review are:

8. *Houses to be a minimum of 1,500 square feet and market price to start at approximately $175,000.*
11. *Property to revert back to original zoning if property is sold or developed by another developer unless approved by the City Council.*

At the time of the original reclassification of this site, staff and the Planning Commission recommended denial because it was not in compliance with the rural residential development proposed in the General Plan. Additionally, there was a protest factor from adjacent residents who objected to the R-1 sized lot sizes and felt that the proposed density was not compatible. The City Council, in approving the request for R-PD4, attempted to ensure compatible homes for the area by including the minimum house size and market price.

The applicant proposes to construct homes in the 1,400 to 1,900 square foot range with prices from $100,000 to $132,000.. They indicate that their market study indicates area new home prices in the area range from $99,000 to $194,000 with home sizes in the range of 1,150 square feet to 2,916 square feet.

The General Plan, which was adopted subsequent to this reclassification was approved in 1989, indicates Low Density Residential (6.7 dwelling units per acre) for this site.

Staff does not feel that conditions of this nature are enforceable and, therefore, recommends that the applicant's request be approved.

PROTESTS: 0

NOTICES MAILED: 152

SEE ATTACHED LOCATION MAP

Z-81-89
R-E
R-E
R-E
CITY COUNCIL MINUTES
OCT 19 1994
CITY LIMITS
DECATUR
BOULEVARD
NORTH LAS VEGAS
SAN DIEGO
STREET
614

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

VERBATIM TRANSCRIPT - ITEM 92: Z-81-89(8) PROPERTY HOLDING CORPORATION

MAYOR JONES — We've been trailing Item 92; has the principle --

COUNCILMAN ADAMSEN — Yeah. 'Cause I thought I saw him out there.

COUNCILMAN HAWKINS JR — Thought we'd forgotten about you, didn't you?

RICHARD M. KNIGHT — I thought so but --

COUNCILMAN ADAMSEN — Well, you should have waived your hand and let us know you're here.

RICHARD M. KNIGHT — No. That's okay. I was -- actually rather entertained. So --

MAYOR JONES — It is Item Z-81-89(8), Property Holding Corporation. It's the request for review of condition to delete the requirements that all houses be a minimum of 1500 square feet and market prices start at approximately 175,000, and that the property revert back to the original zoning if sold to or developed by another developer, unless prior approval is granted by the City Council, on the property located on the northwest corner of Decatur Boulevard and Gilmore Avenue in R-E zone (under Resolution of Intent to R-PD4.)

COUNCILMAN ADAMSEN — Mr. Steed, you had asked that this held, be held a couple of weeks ago and you said some information that you had was in the mail.

COUNCILMAN HAWKINS JR — Going to court, move for approval. Oh, wait, Councilman's back. He can (inaudible)

COUNCILMAN HIGGINSON — Tried to slip this one in on me, huh?

RICHARD M. KNIGHT — Right. We had proposed the compromise of putting along the back lots, which are contiguous with the R-E zoning, houses of a minimum 1600 square feet as a way to compromise this question and asked that the other conditions be relieved in lieu of that. That would give the people who were in the R-E zone at least some comfort of having the larger houses along that, that back line. And I --

COUNCILMAN HAWKINS JR — I'm going to need some advice because I think next Council meeting I may be faced with something similar. So I'll have to sit and listen very, very carefully.

RICHARD M. KNIGHT — Well, when we originally brought this on, there was a -- there was a request that a compromise be made to make these back lots that are contiguous with the R-E, reduce

them by two and make them larger so that they would be a particular zoning. I'm not sure what that zoning is.

COUNCILMAN HIGGINSON — The plot plan that I see before us isn't what you're --

RICHARD M. KNIGHT — Beg your pardon?

COUNCILMAN HIGGINSON — The plot plan before us on the screen isn't what you're proposing?

RICHARD M. KNIGHT — No, that is what -- That is what's proposed right there.

COUNCILMAN HIGGINSON — So instead of --

MAYOR JONES — They were going to be more?

RICHARD M. KNIGHT — No. What is proposed is --

COUNCILMAN ADAMSEN — 1600 square feet.

RICHARD M. KNIGHT — -- that along the contiguous, at the back of Gilmore here, --

COUNCILMAN HIGGINSON — The western edge.

RICHARD M. KNIGHT — The western edge, be 1600 square foot houses.

MAYOR JONES — Oh, I see. 1600 feet

COUNCILMAN HIGGINSON — The homes be at least 1600 feet.

RICHARD M. KNIGHT — Beg your pardon?

COUNCILMAN HIGGINSON — The homes be at least 1600 square feet, but not the lot size to change.

RICHARD M. KNIGHT — Right, without the lot size changing. Correct, because --

COUNCILMAN HIGGINSON — You got one house with four homes in its backyard.

RICHARD M. KNIGHT — Well -- yes.

MAYOR JONES — Yes.

COUNCILMAN HIGGINSON — Yes. Easy answer is yes.

RICHARD M. KNIGHT — Well, it's a -- there's a half a yard; one yard is half. It's like three and a half yards.

VERBATIM TRANSCRIPT - ITEM 92: Z-81-89(8) PROPERTY HOLDING CORPORATION

COUNCILMAN HIGGINSON — Not on the northern lot. On the northern lot it's four houses.

MAYOR JONES — Yeah, it sure is. Well, three and three/quarters.

COUNCILMAN ADAMSEN — Yeah.

RICHARD M. KNIGHT — Well, he's saying that one, two, three, four. The -- one in the middle is split.

COUNCILMAN HIGGINSON — Okay. Let's --

MAYOR JONES — Sort of.

RICHARD M. KNIGHT — So it's like three and a half lots is what it amounts to. I mean, I don't want to quibble on that point.

COUNCILMAN ADAMSEN — Is that neighbor here?

RICHARD M. KNIGHT — Beg your pardon?

COUNCILMAN ADAMSEN — Is that neighbor here?

COUNCILMAN HIGGINSON — They have been; they've given up. They've been here repeatedly on this item. I've talked to them.

COUNCILMAN ADAMSEN — What's our chances of prevailing?

COUNCILMAN HAWKINS JR — We've already been there. That's why we're back.

RICHARD M. KNIGHT — Oh, I think the -- I think the owner of number -- It's in back of -- Well, I can't see the markings on the lot but it's the one further back. It's not the one that's on Gilmore.

COUNCILMAN HIGGINSON — I know them both personally. They've been here.

RICHARD M. KNIGHT — Oh, they have both been here?

COUNCILMAN HIGGINSON — Yes.

RICHARD M. KNIGHT — That is the compromise that we would propose prior to launching off with litigation.

COUNCILMAN HAWKINS JR — I'll withdraw my motion so Councilman Higginson can make it.

COUNCILMAN HIGGINSON — The only question I have is we've each received some input and discussion regarding this item and in response to that, I was on the Council when this was originally decided, as was Councilman Adamsen. The other members

VERBATIM TRANSCRIPT - ITEM 92: Z-81-89(8) PROPERTY HOLDING CORPORATION

of the City Council who are currently here were not. So I can't speak for them but I can certainly speak for myself.

And the subject is this, is that when an individual comes before us and agrees to certain conditions, we as members of this Council base our decision upon their agreement to those conditions. If at some latter point it is determined that those conditions are unenforceable or invalid, then it is my opinion that I should be forced to come back before the Council for consideration, because the agreement made by myself and perhaps Councilman Adamsen was based upon those conditions; be they unenforceable or not. The agreement was made based upon your agreeance to those conditions. And so -- Let me finish --

RICHARD M. KNIGHT

Well -- Okay, sure.

COUNCILMAN HIGGINSON

And so if now we're being told those conditions are unenforceable and they're going to take us to court and we're going to lose, then I ought to get a chance to revote. I ought to get a chance because my thought process, the basis of my decision, as it is with any of these conditions is if those conditions are in place, yes, I can approve it. If those conditions are not in place; no, I can't approve it. And so if they are unenforceable conditions, then I ought to get a chance to say well, if I can't put that condition on, I mean, it's unenforceable, I want to hear it. I want to rethink my position. Because that's like saying we have standard conditions 1 through 12 and if at some point down in the future somebody were to determine well, you can't enforce condition No. 4, then it doesn't mean that I shouldn't have a chance to go back and review that based upon those.

You stood here, and the applicant originally stood here and accepted those conditions. Now we're being told they're unenforceable. And if they're unenforceable, I ought to get a chance to redecide on the zoning matter entirely. That's why those conditions were put in place.

RICHARD M. KNIGHT

Okay. Now, you pointed your finger at me a couple of times, Councilman. It was not -- I was not the original proponent of this. It was John Moran and the owner of the property did not know about these conditions until the owner of the property went to sell the property. That was -- that's what caused the problem here in the

VERBATIM TRANSCRIPT - ITEM 92: Z-81-89(8) PROPERTY HOLDING CORPORATION

first place. So when you point at me, you're pointing at the wrong fellow. I was not here, sir.

COUNCILMAN HIGGINSON — Okay. I apologize for pointing. All I'm saying is whoever stood there made and accepted those conditions. And I ought to be able to rehear it.

RICHARD M. KNIGHT — I agree with that -- I, I don't disagree with the fact that they agreed to it. However, it's like -- It's somewhat similar to putting a -- making an agreement that is just not enforceable.

COUNCILMAN HIGGINSON — Then shouldn't I have the chance to rethink making the agreement? Because I made the agreement based upon the fact that the conditions were in place.

RICHARD M. KNIGHT — I don't -- That's a rather philosophical question. You granted the man next door here on Gilmore the same exact zoning as you granted on these -- without the conditions.

COUNCILMAN HIGGINSON — That's not true. They were larger lots.

RICHARD M. KNIGHT — Well, that's not my understanding.

COUNCILMAN ADAMSEN — Yeah, it's like having a development agreement and then not living up to it.

RICHARD M. KNIGHT — Well, that's why we're back here. Because things have changed in the interim. And the fact of the matter is, is that maybe they agreed to these things because they knew they were unenforceable, but you, you can't just stand there --

COUNCILMAN HIGGINSON — Certainly would be a suspicion on my part.

RICHARD M. KNIGHT — -- and say if A owns the property, it's okay; but if B owns it, it's not okay because that's discrimination and the courts just won't stand for it. So we can either all go to court and fight about it or we can try to reach some sort of compromise, which is what we've been trying to do for the last six or seven months. But what possible difference can it make if A owns a piece of property or B owns a piece of property?

COUNCILMAN HIGGINSON — No one's arguing that point.

COUNCILMAN HAWKINS JR — And I agree. We --

VERBATIM TRANSCRIPT - ITEM 92: Z-81-89(8) PROPERTY HOLDING CORPORATION

RICHARD M. KNIGHT — That's the condition that's on here. That's the condition that was imposed. That's the condition we want taken off.

COUNCILMAN HIGGINSON — That's not the only one on there that you want off.

RICHARD M. KNIGHT — Well, we can only talk about them one at a time.

COUNCILMAN HIGGINSON — Okay.

RICHARD M. KNIGHT — And that condition is unenforceable and it shouldn't be enforceable. What do you care if it's X or Y that owns the property or develops it as long as the park is in there, the roads are put in and things are done.

COUNCILMAN BRASS — It's unfortunate that you have to take the wrath of the Councilman for somebody else's efforts, but I think we'll get to that soon.

RICHARD M. KNIGHT — Well, that's my job. So --

COUNCILMAN HAWKINS JR — Yeah. Doesn't bother you too much. Okay. Are we ready?

RICHARD M. KNIGHT — -- that really doesn't bother me all that much. But -- I just wanted to point out that it was not me. The, the conditions -- Go ahead.

COUNCILMAN HIGGINSON — Let me ask you -- Okay. No, you go ahead. I'll wait.

RICHARD M. KNIGHT — The conditions for sale of the property at $175,000, I can't, I can't even see how that could be enforceable. Is the Building Department, somebody going to come out there and monitor and say you sold this for $174,000 instead of $175,000? I mean --

COUNCILMAN ADAMSEN — Well, you're arguing semantics. And we were looking for something that was compatible, but I hear what you're saying. Mr. Steed, you're saying that is not enforceable or someone else is saying it's not enforceable.

CHIEF DEPUTY CITY ATTY STEED — No, I'm saying it is not enforceable and, for the record, Councilman Higginson, is absolutely right that he has the right to have them come back and seek removal of those conditions. He's also right in theory that he ought to be able to consider the application in the absence of those conditions. But the court will judge the Council's action based on two things: number one, was -- would, would the Council have been justified in denying this application back in 1989? More

importantly, would the Council be justified today, based on the development of the area, in denying the application without those conditions? That's what the court will look at and, and my suggestion to you is, is that we would lose that case.

COUNCILMAN HIGGINSON — Well, my only point, and I hope I've made it loud enough and perhaps the City Attorney, in the future, when we have conditions that in the attorney's position are unenforceable, I'd like to hear it at the time we're making those conditions. Because my vote on this matter was based upon the fact that those conditions were accepted by the applicant and -- if those are unenforceable, then we need to know that at the time and not put them in place.

COUNCILMAN ADAMSEN — Well, and -- thank you, Councilman Higginson. That brings me to my next question. You're offering a compromise of 1600 square feet minimum along the western part. That in and of itself is going to be unenforceable; is it not?

COUNCILMAN HIGGINSON — All we're dealing with is zoning; his lot size.

RICHARD M. KNIGHT — Well, but there's -- but whether or not it's enforceable, if somebody agrees to do it and they do in fact do it, what difference does it make?

COUNCILMAN ADAMSEN — Are you going to do it?

RICHARD M. KNIGHT — Well, my client says yes, he will do it. That's the compromise --

COUNCILMAN HIGGINSON — But the next guy may not. See and --

RICHARD M. KNIGHT — Well, I understand that, but you can always --

COUNCILMAN HIGGINSON — -- that's the point of the originals conditions. Somebody stood there and said they would do it.

RICHARD M. KNIGHT — Well, I understand that. But here we are, we've got this piece of property. It hasn't been developed. We haven't gotten off square one. We're coming up on, in January in time to post the bond and we either work it out with you or we, or we go to court and if, putting 1600 square foot houses on these back lots is just not the type of thing that makes somebody want to go spend a lot of attorneys fees. It's a type of olive branch that isn't that expensive to extend. And it's --

VERBATIM TRANSCRIPT - ITEM 92: Z-81-89(8) PROPERTY HOLDING CORPORATION

COUNCILMAN HIGGINSON — It's really -- But in a sense it's meaningless because the protest from the neighborhood hasn't been the size of the homes, it's been the size of the lots. The number of lots. Now, if you want to offer to me elimination of one of the lots on the west side, perhaps we can talk and go forward.

RICHARD M. KNIGHT — That's where we were two months ago, before --

COUNCILMAN HIGGINSON — No, we were R-D lots, which would be elimination of two of them.

COUNCILMAN ADAMSEN — How many lots total in this subdivision?

RICHARD M. KNIGHT — 45.

COUNCILMAN HIGGINSON — But along the back side there's one, two, three, four, five, six, seven that abut the western border.

RICHARD M. KNIGHT — Right, right.

TOM JULIAN — Do -- hang up for a minute. Councilman Higginson, you know, we've been going back and forth on the compromise. This is a superior development for this neighborhood. This is a planned unit development. It's going to be a private community. The ingress and egress is going to be off of Decatur. It's not going to impact their --

COUNCILMAN HIGGINSON — Right. Understood.

TOM JULIAN — -- the neighborhood. There's going to be a community park. It's going to be a nice development --

COUNCILMAN ADAMSEN — Gated.

TOM JULIAN — If, if there was more developments like this in this area bordering along Decatur against these lots, this would be a very classy little development and all developments in this price range, if they could afford to do that would be a really good positive thing for the community. Now granted, yes, you wanted the larger lots, but if we could get these guys, which they committed to, building a 1600 square foot home, the value -- of a home is in the improvement, not in the lot size. So that's what they're going to actually have, is a better home against this property, but it's still a superior develop as opposed if we went into for a regular R-1 development, give me the R-D lots and let's cram as many darn lots as we could get in the rest of the site and build them the way we want, down and dirty, it's actually a detriment. This is better.

VERBATIM TRANSCRIPT - ITEM 92: Z-81-89(8) PROPERTY HOLDING CORPORATION

COUNCILMAN ADAMSEN — Is this a gated -- is this a gated community and what are the prices of the houses? Is this gated?

TOM JULIAN — It's a -- well, that's the option. It can go gated. It depends on what they want to do, but it is only one entrance. They wanted to go upscale entry level home with the exception of the back lots. And they guaranteed me that they would be building minimum averaging 15 to 1700 square feet.

COUNCILMAN HIGGINSON — You know I --

COUNCILMAN HAWKINS JR — Who's the builder? Who is the builder?

COUNCILMAN ADAMSEN — Okay.

RICHARD M. KNIGHT — Pacific View.

TOM JULIAN — Out of -- Yeah, Pacific View.

RICHARD M. KNIGHT — They're out of California.

COUNCILMAN HIGGINSON — You know, I certainly understand your arguments and I certainly knew that when I said let's put R-D and the I knew the other lots would get smaller. But there's one thing that a lot of people, I had this conversation yesterday with some other developers in my office as we're looking at aerial photographs of this general area. There's one thing that people don't understand about the mind set of individuals who live on half acre and full acre lots. They walk into their backyards and their homes and they look at that lot and they say I'm on an acre; I can't imagine five homes on this property. It's a mind set. It's a, it's a style of living. They, they like the elbow room and so they walk into their backyards and they see that acre, they see that half acre and they go can you imagine on the other side of the fence they're going to put four homes on this much ground; and to them it's just unfathomable.

And that's why they don't, they don't care about things like the size of the home. They don't care so much about the price of the home. They look at it, it's a density question to them and they look at it, it's a lifestyle question, that they can't imagine that condensed living in their backyard. Now granted these are fairly large, we've seen much smaller. I understand that. All I'm trying to explain to you and every other developer that's heard me give this speech before is there is a mind set there that we need to try and work with. And every place else in my district where we have

bumped into that mind set, that R-E zoning, we have required a row of R-D homes against the existing R-E. This is the first we have not.

RICHARD M. KNIGHT — Well, but if they're, if they were R-D, we could have more lots and more density. So maybe you wouldn't have the neighbor there immediately but people leaving and coming to the subdivision would be more people.

COUNCILMAN HIGGINSON — I understand. That's not their concern.

MAYOR JONES — That's not their concern.

RICHARD M. KNIGHT — This -- Well, it seems to me if their density is their concern, it's not just looking at the houses. It's getting stuck at the corner.

TOM JULIAN — Well, they're going to put up -- It's going to be a landscaped wall. It's going to be high.

COUNCILMAN ADAMSEN — Excuse me. We can probably sit here and argue this all night. Our City Attorney has told us we're not going to win. I'm going to **move** for approval with the applicants understanding and their -- they're going to build a 1600 minimum square foot lot on the western part of the subdivision but, gentlemen, we look forward to seeing you in front of the Council at some point in the future.

RICHARD M. KNIGHT — No. They're going to put 1600 square foot if I have to go out and do it for them. They're going to do it. So --

COUNCILMAN ADAMSEN — Very good. That's the motion, Your Honor.

COUNCILMAN HIGGINSON — The machines aren't up yet. We've gone dead.

COUNCILMAN ADAMSEN — We wore them out voting today.

MAYOR JONES — Vote on the motion. Post.

COUNCILMAN HIGGINSON — There it goes.

MAYOR JONES — Motion's approved. **(Motion carried with Jones and Higginson voting NO)**

(* * * END OF DISCUSSION * * *)

/vwd

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	COMMUNITY PLANNING AND DEVELOPMENT	**BRASS - APPROVED subject to conditions** **Motion carried with HIGGINSON voting "no"**
		*****
	STREET NAME CHANGE - PUBLIC HEARING	MAYOR JONES declared the Public Hearing open.
93	SNC-1-94 - City of Las Vegas	RICHARD LONGRICCO, 92 N. 28th Street, appeared in opposition and asked if the Mayor and Council had received their letters of protest. COUNCILMAN HIGGINSON suggested he submit the letters to the City Clerk and they will be made part of the record.
	Request for a Street Name Change from 28th Street to Avenida de las Americas, between Bonanza Road on the north and Charleston Boulevard on the south. Planning Commission unanimously (5-0 vote) recommended APPROVAL, subject to: 1. This constitutes approval of a waiver to allow the proposed street name to contain 23 characters, including spaces. 2. The Street Name Change will not take effect until July 1, 1995. Staff Recommendation: NO OBJECTION PROTESTS: 27 (24 letters, 3 at meeting) Ward 3 (Brass)	MR. LONGRICCO read a letter from Darlene Phillips, 98 N. 28th Street, in which she stated she is trying to buy the house that she is living in now. Also, not many Mexicans live in the area any longer and the area has become predominantly Black and they, too, have a problem pronouncing the new street name. MR. LONGRICCO also read a letter from Sharon Martinez who has lived on 28th Street for 34 years. Ms. Martinez explained she is hard of hearing and has a speech problem and feels the new street name would be very difficult for her to pronounce. She has seen a lot of violence on the street, but the name of the street did not cause it; the street gangs did. MAYOR JONES explained that the philosophy behind the street name changes is that we are a very diverse community, with 12% of the community of Hispanic origin, 9% African American, and we have different names throughout the Valley that are representative of the diversity that makes up Las Vegas. Avenida de las Americas was simply a recognition that many of the people who live and work and pay taxes here are of the Hispanic origin. Also, in looking at different street names around the community, they reflect not necessarily the specific CONTINUED ...

COMMUNITY PLANNING AND DEVELOPMENT (CONTINUED)

Item 93 - SNC-1-94 - Street Name Change (Continued)

demographics of that street, but the demographics of the community as a whole.

COUNCILMAN BRASS agreed with Mayor Jones stating the reasoning for the change came out of the requests of some of those who wanted to show there is some diversity along that thoroughfare. It is a notion that that street has inhabitants from all walks of life from America and that is what the name of the street denotes, as well.

MR. LONGRICCO asked who will pay the cost of changing addresses on work cards, etc.

COUNCILMAN HIGGINSON noted this has nothing to do with whether there are more African-Americans there, Hispanics, or Anglos. To him it is a question of the neighborhood and he has yet to support one where they don't have unanimity amongst the neighborhood. In his Ward Lorenzi was changed to Rainbow to help alleviate confusion, but a survey was done of all the residents and there were no protests. Though there is minimal costs and hassles to the individuals living on that street changing subscriptions, etc., COUNCILMAN HIGGINSON felt there should be some unanimity among the residents.

COUNCILMAN BRASS felt it was being made more difficult than it is. There is more to it than the pronunciation of the name and he did not know it was a good reason to deny the street name change. Residents have written to him saying they cannot sell their property because of the present street name and something should be done about the perception of where they live. The Las Vegas Metropolitan Police Department has done a good job of trying to police that street with the bike patrol, officer patrol and he, in fact, has been there when the bike patrol was present.

MAYOR JONES declared the Public Hearing closed.

COUNCILMAN BRASS felt the biggest concern was the perception that 28th Street brings to the quality of life of citizens living in and around that area. He again repeated that the name of a street or the pronunciation of a street is no reason to deny the street name change. It was his feeling that after consultation with Metro who have worked so diligently to correct some of the criminal element that has taken place along that corridor and in talking with some of the community groups regarding some of the things done in that area, such as the development of a community center, he made the motion that 28th Street be changed to Avenida de las Americas. Hopefully with the street name change all that has gone on there will soon get better and that those living there understand that he empathizes with what they have gone through and that this will help in some small way.

(4:14 - 4:30)

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: STREET NAME CHANGE - PUBLIC HEARING - SNC-1-94 - City of Las Vegas

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request to change the name of 28th Street to Avenida de Las Americas from Bonanza Road to Charleston Boulevard, was initiated by Councilman Brass on behalf of the Latin Chamber of Commerce in order to create a street name which reflects the various ethnic groups that reside in this neighborhood.

DETAILS OF APPLICATION REQUEST:

The distance for the proposed name change from Bonanza Road to Charleston Boulevard is approximately one mile. Approximately 83 addresses along this portion of 28th street would be affected by the change. The lots on the west side of 28th Street from Charleston Boulevard to Sunrise Avenue are in the County, however the entire right-of-way is in the City. Twenty-six street identification signs and three, eight foot illuminated street signs would need to be replaced at a cost of approximately $5,000.

FINDINGS:

If this request is approved, a waiver from the City of Las Vegas Street Naming and Address Assignment Regulations will be required to permit a primary street name to contain more than 20 characters. This street name contains 23 characters, including spaces. The Department of Fire Services has indicated that the name change and waiver will not affect delivery of emergency services. The name change will also work within the 911 system. Given the findings, staff has no objection to the proposed Street Name Change.

Planning Commission Recommendation: APPROVAL (5-0 vote)

Staff Recommendation: NO OBJECTION

PROTESTS: 27 (24 letters, 3 at meeting) (Protestors were opposed to the name change for various reasons, ranging from the difficulty in pronouncing the new name to opposing a name change to appeal to a limited number of residents. Others protested the inconvenience of a street name change and the accompanying problems to be experienced with inefficient mail service.)

NOTICES MAILED: 50

SEE ATTACHED LOCATION MAP

CITY COUNCIL MINUTES

RECEIVED
OCT 19 1994
CITY CLERK

NINA MARKSBERRY
501-a NORTH 28TH ST.
LAS VEGAS, NV. 89101

628

KATHLEEN TIGHE, CITY CLERK
CITY OF LAS VEGAS
400 EAST STEWART
LAS VEGAS, NV. 89101

OCTOBER 11, 1994

SNC-1-94

RE: NOTICE OF PUBLIC HEARING, STREET NAME CHANGE, LV CITY COUNCIL MEETING 10-19-94 at 2:00PM.

DEAR MS. TIGHE,

I LIVE IN THE CEDAR GREEN ESTATES CONDO COMPLEX. AS A HOMEOWNER ON 28TH STREET, I WOULD BE IN FAVOR OF A STREET NAME CHANGE. THE 28TH STREET REPUTATION HAS SUFFERED OVER THE PAST EIGHT YEARS. I MOVED INTO THIS CONDO IN DEC. 1986. AT THAT TIME, THIS AREA WAS NOT NEARLY AS BAD AS IT IS TODAY. IN RELATION TO THE GANGS, AND DRUG DEALERS, AND THE DETERIATION OF THE NEIGHBORHOOD. THIS COMPLEX IS ON THE CORNER OF 28TH STREET & CEDAR AVE. THIS YEAR HAS BEEN THE WORST THUS FAR IN REGARDS TO VANDALISM. I HAVE HAD ROCKS THROWN THROUGH MY BEDROOM WINDOW DURING THE NIGHT. I HAVE HEARD GUN SHOTS IN THE NEIGHBORHOOD, AND NOW THE CEMENT BLOCK FENCE FACING 28TH STREET HAS BEEN KICKED DOWN.

OUR HOMEOWNERS ASSOCIATION IS VERY POORLY RUN BECAUSE THERE ARE NOT AS MANY HOMEOWNERS HERE NOW. (MOSTLY RENTERS, ETC.) RIGHT NOW THERE IS NO FIRE INSURANCE ON THE EXTERIOR OF THE BLDGS. DUE TO LOSS OF OUR INSURANCE COVERAGE LAST APRIL. I HAVE REQUESTED MEETINGS REGARDING THIS URGENT SITUATION - AND I GET NO RESPONSE. ISN'T THE ASSOCIATION RESPONSIBLE FOR MAINTAINING INSURANCE?

Sorry, I GOT CARRIED AWAY DUE TO THE FRUSTRATION OF LIVING HERE. I AM A SINGLE PARENT, TRYING TO RAISE MY TWO SONS AS BEST I KNOW HOW. I HAVE HAD MY CONDO LISTED WITH A REALTOR SINCE JAN. I HAVE BEEN TRYING TO SELL IT. AS SOON AS PEOPLE FIND OUT WHERE THE PROPERTY IS LOCATED THEY ARE NOT INTERESTED. HOW AM I SUPPOSED TO BE FINANCIALLY RESPONSIBLE IF I CANNOT EVEN SEEL MY HOME?

THANKS FOR LISTENING & READING THIS LETTER, SINCERELY,

NINA MARKSBERRY

93

RECEIVED
CITY CLERK
OCT 19 1994
OCT 17 2 29 PM '94

SN C-1-94 Oct 14, 1994

City Council,

My name is Janice Ashwell & Live with my husband Gary Ashwell at 509 A N 28th St. Our Unit is Located in Cedar Green Estates at the Corner of Cedar & 28th St. Gary is President of the Homeowners Association for our 28 Units. We bought this Property Seven (7) years Ago. It is Comfortable, Inexpensive & Convient to Work. There are Problems in our Neighborhood but We have decided that no one is going to run us away from our home.

Our Concern is about the Street Name Change. (I went to the first meeting but was not able to stay & speak as it was too far on the list, I would have had to miss work) Our Concern is not about the Name Change (as we see that may help the image of our Neighborhood) But Please, Please Please! Consider Some Name we Can Say & Spell - Also We do have a problem already with Black gangs one side of the Street & Mexican on the other. If we Change to a Mexican Name I Can only See More trouble. Why Can't we get Something Neutral? American! Why do I have to learn Spanish? This is my Country. Let them learn American.

Sincerely

Janice M. Ashwell

93

CITY COUNCIL MINUTES

OCT 19 1994

Sept 20, 1994

630

To Whom it may Concern,

My name is Sharon Martinez I have lived on 28 Street for 34 years. I am Hard of Hearing and have a speech problem, How would I ever pronounce where I live, That new street name is very difficult to say. In 34 years of living here I've seen alot of Violence, although it is not as Bad as it used to be, it was never the name of the street that caused it, it was the street gangs. The Gang's used to say were from 28th Street. What makes you think that they won't say Were from Avenida De Las Americas! If you want to stop the Violence that connected to the street name how about something like Crime Watch Drive.

Thank You

Sharon L. Martinez
99 N. 28 St.
L.V. Nev 89101

RECEIVED
SEP 21 4 59 PM '94
PLANNING AND DEVELOPMENT

#93

To Whom it may concern

My name is Darlene Phillips I live at 98 N. 28 I am trying to buy this house that I live in now last I have lived on 28th St for almost 10 years and it is, or wasn't that bad of a street, but if you change the name of the street to some unpronounceable word in another language you will be making a big mistake. There are not that many Mexicans in this area any longer, it has turned predominetly Black who will have as much trouble as myself try to tell someone I live on a foreign sounding name street because I can't say it. I like 28th ST keep it that way we are in america not Mexico

Darlene Phillips
98 N 28

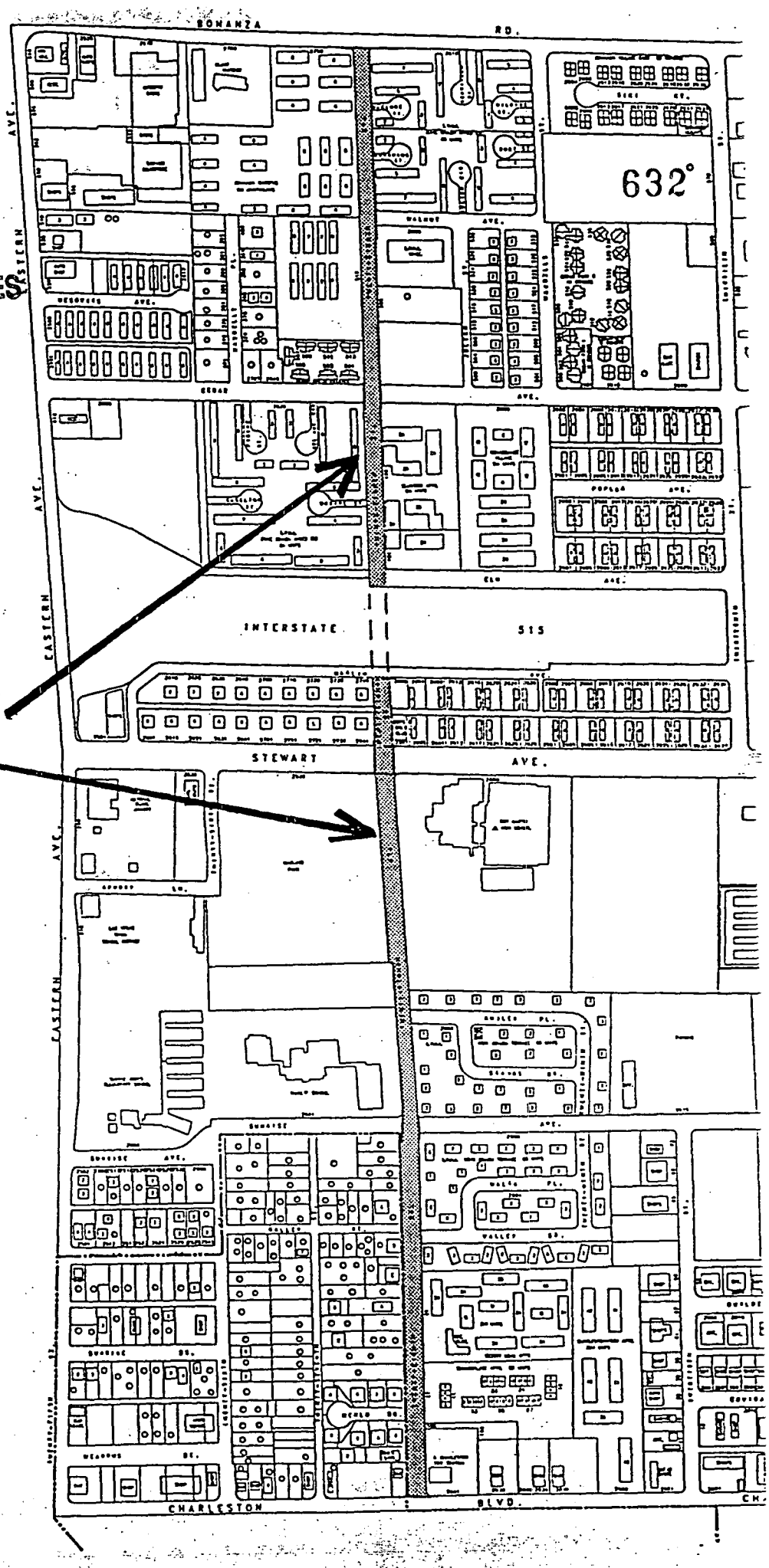
RECEIVED
SEP 21 4 59 PM '94
PLANNING AND DEVELOPMENT

#93

SNC-1-94

CITY COUNCIL MINUTES

OCT 19 1994



PORTION OF 28 TH STREET THAT IS PROPOSED TO BE CHANGED TO AVENIDA DE LAS AMERICAS

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	**ADAMSEN - APPROVED as recommended subject to the conditions** **UNANIMOUS**
	VACATION - PUBLIC HEARING	*****
94	VAC-34-94 - Highland Investments, Inc., Et Al Request for a Petition of Vacation to vacate U. S. Government Patent Reservations generally located west of Fort Apache Road, between Gilmore Avenue and Gowan Road. Planning Commission unanimously (5-0 vote) recommended APPROVAL, subject to: 1. Standard conditions 2-4. Staff Recommendation: APPROVAL PROTESTS: 0 Ward 2 (Adamsen)	MAYOR JONES declared the Public Hearing open. SUSAN JOHNSON, PBS&J, 6600 West Charleston, was present representing the applicant. No one was present to speak on this item. There was no discussion. MAYOR JONES declared the Public Hearing closed. (4:31)

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

Date: 634

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

JLS

SUBJECT: VACATION - PUBLIC HEARING - VAC-34-94 - Highland Investments, Et Al

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is to vacate all or part of U.S. Government Patent Reservations on three parcels, each containing approximately five acres. The areas being vacated will be incorporated into proposed residential developments.

BACKGROUND DATA:

2/2/94 The City Council approved a Zoning Reclassification (Z-111-93) to R-CL (Single Family Compact Lot) for these three parcels as part of a larger overall site.

FINDINGS:

Staff has no objection to this request.

Planning Commission Recommendation: APPROVAL (5-0 vote)

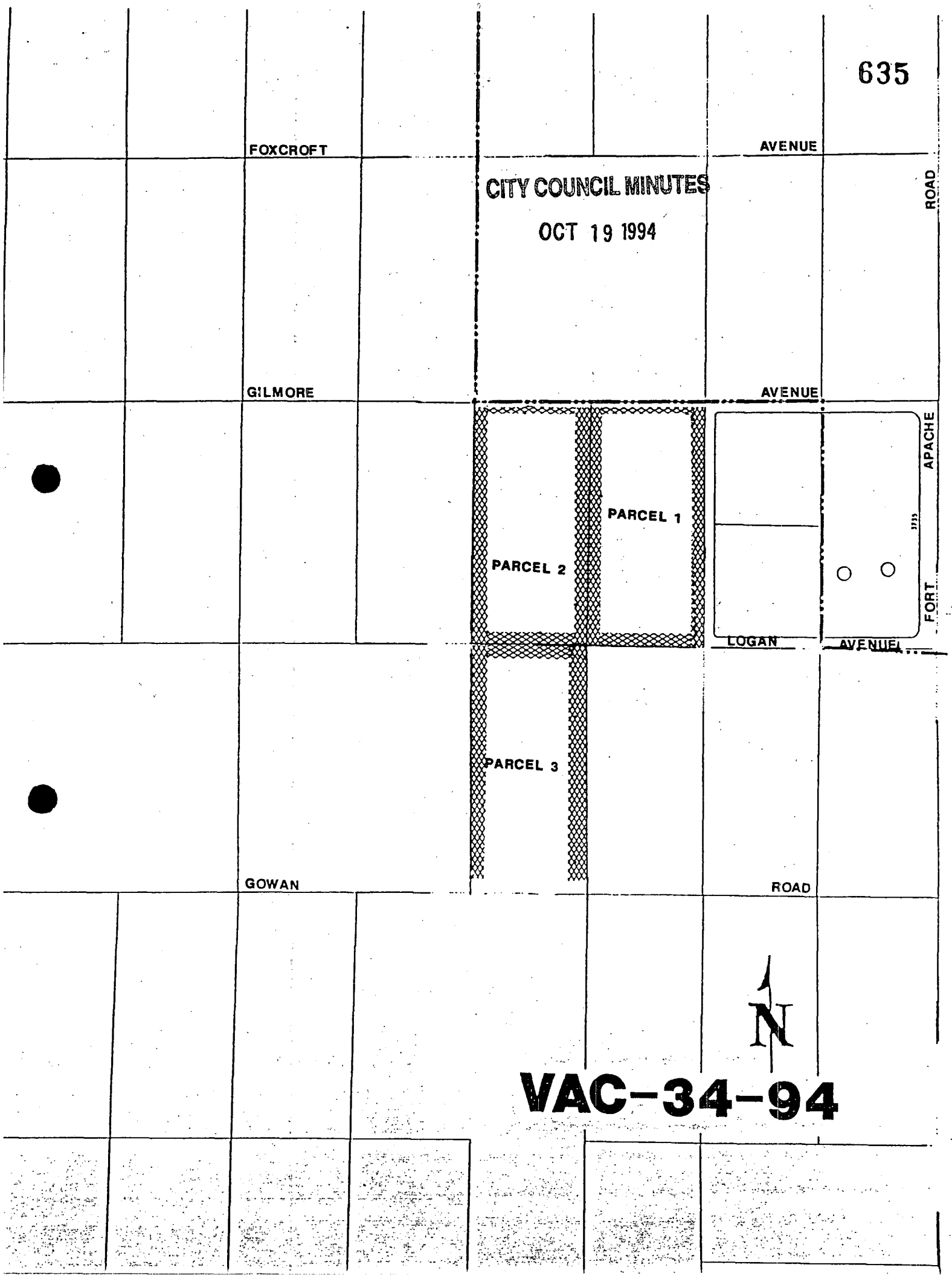
Staff Recommendation: APPROVAL

PROTESTS: 0

NOTICES MAILED: 4

SEE ATTACHED LOCATION MAP

Agenda Item
94


FOXCROFT
AVENUE
CITY COUNCIL MINUTES
OCT 19 1994
ROAD
GILMORE
AVENUE
APACHE
PARCEL 1
PARCEL 2
FORT
LOGAN
AVENUE
PARCEL 3
GOWAN
ROAD
N
VAC-34-94

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	COMMUNITY PLANNING AND DEVELOPMENT	HAWKINS - APPROVED as recommended subject to the conditions UNANIMOUS
	VACATION - PUBLIC HEARING	*****
95	VAC-37-94 - Andrea F. Smith Banks Request for a Petition of Vacation to vacate a portion of the north/south public alley located between Cleveland Avenue and Cincinnati Avenue, west of Fairfield Avenue. Planning Commission unanimously (5-0 vote) recommended APPROVAL, subject to: 1. The power meter (212 Cincinnati) presently servicing a portion of the public streetlights in this neighborhood must be relocated to an accessible location prior to the recordation of the Order of Vacation as required by the Department of Public Works. 2. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation as required by the Department of Public Works. 3. Standard Condition Nos. 1 and 2. 4. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Conditions #1 and 2 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. 5. Standard Condition No. 4. Staff Recommendation: NO OBJECTION PROTESTS: 0 Ward 1 (Hawkins)	MAYOR JONES declared the Public Hearing open. ANDREA BANKS, the applicant, stated the request was made for security purposes and Metro endorses it. Council cooperation was requested. COUNCILMAN ADAMSEN asked Ms. Banks if she was in agreement with staff's recommendations and MS. BANKS stated she was. No one was present to speak on this item. MAYOR JONES declared the Public Hearing closed. (4:32)

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

637

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: VACATION - PUBLIC HEARING - VAC-37-94 - Andrea F. Smith Banks

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is to vacate a portion of the north/south public alley located between Cleveland Avenue and Cincinnati Avenue, west of Fairfield Avenue. The applicant has submitted photographs that show damage, caused by two separate hit-and-run driving incidents, to a property line wall that abuts the alley . The applicant has also indicated that there is criminal activity taking place in the alley.

BACKGROUND DATA:

7/19/89 The City Council DENIED a Petition of Vacation for the same alley. A property owner at 2310 Fairfield Avenue felt that the vacation would be detrimental to his property value.

FINDINGS:

The Department of Public Works has indicated that all abutting properties not represented by the applicant will still have alley access and that this vacation request will not result in a reduced traffic handling capability for the surrounding area. They also believe that this portion of the public alley could be vacated without circulation problems arising.

The Las Vegas Metropolitan Police Department has stated that they support this request, believing that it will enhance crime reduction efforts currently focused on the Meadows Village area of the City.

Based on these findings, staff has no objections to this request.

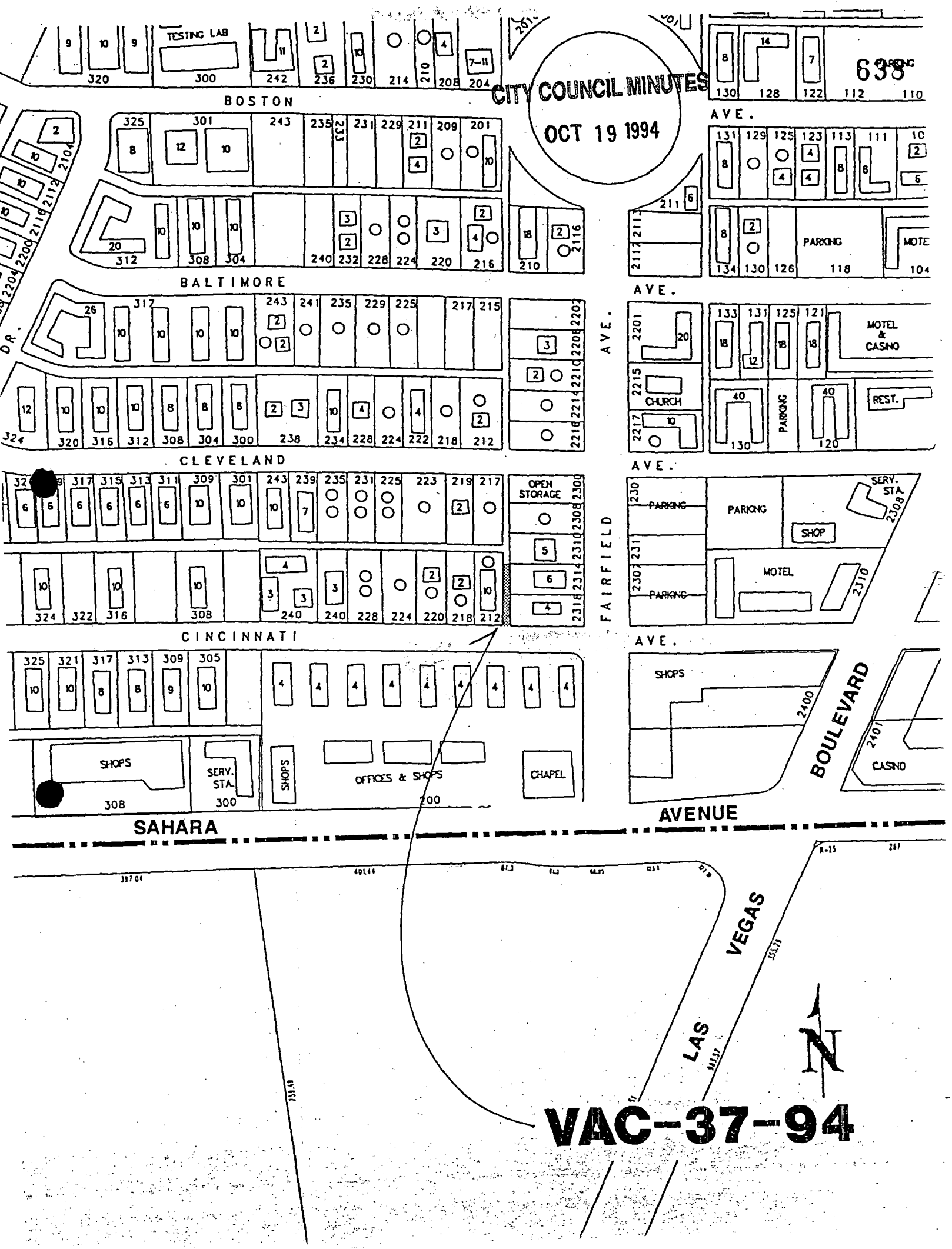
Planning Commission Recommendation: APPROVAL (5-0 vote)

Staff Recommendation: NO OBJECTION

PROTESTS: 0

NOTICES MAILED: 15

SEE ATTACHED LOCATION MAP


CITY COUNCIL MINUTES
OCT 19 1994
638
TESTING LAB
BOSTON
BALTIMORE
CLEVELAND
CINCINNATI
SAHARA
AVENUE
FAIRFIELD AVE.
LAS VEGAS BOULEVARD
AVE.
PARKING
MOTEL & CASINO
REST.
CHURCH
SHOP
MOTEL
SERV. STA.
SHOPS
OFFICES & SHOPS
CHAPEL
CASINO
OPEN STORAGE
VAC-37-94

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	**HAWKINS - APPROVED subject to the conditions**
		UNANIMOUS
		*****
	VACATION - PUBLIC HEARING	
96	VAC-39-94 - City of Las Vegas	MAYOR JONES declared the Public Hearing open.
	Request for a Petition of Vacation to vacate Turquoise Road, between Woodbridge Drive and Pyramid Drive.	HOWARD LEVER, Chairman of the Control Access Committee, thanked Council for its cooperation and stated he was available to answer any questions.
	Staff Recommendation: NO OBJECTION	
	PROTESTS: 2 (1 call, 1 at meeting)	COUNCILMAN ADAMSEN asked if the people in the audience were in support of or in opposition to the Vacation.
	APPROVALS: 125 (1 letter, 4 at meeting, petition with 120 approvals)	MR. LEVER responded there were about 20 people present who expressed their support by a showing of hands.
	Ward 1 (Hawkins)	MAYOR JONES thanked everyone for waiting so patiently.
	Planning Commission unanimously (5-0 vote) recommended APPROVAL, subject to:	No one was present to speak on this item.
	1. Prior to the installation of any physical barriers within the boundaries of this vacation action that might impact neighborhood drainage patterns, a Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works. The design and appearance of any physical barrier shall be decorative on the Pyramid Drive side of the barrier, subject to approval by the Department of Community Planning and Development. Unless the approved Drainage Plan/Study allows otherwise, a public drainage easement shall be retained over the entire area being vacated.	There was no further discussion.
		MAYOR JONES declared the Public Hearing closed.
	2. If required by the Department of Fire Services or the Metropolitan Police Department, a public emergency access easement shall be retained over the entire area being vacated and all physical barriers installed, if any, shall provide for an emergency access gate.	(4:33

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	APPROVED - See Page 73.
	VAC-39-94 - City of Las Vegas (continued)	
	3. The single public streetlight within the vacated area shall be removed and delivered to the City Electrical Yard or the ownership and electrical/maintenance costs of such light shall be assumed by the adjacent property owners or a legal entity established for such purpose. A separate power meter shall be installed if the light is assumed by someone other than the City.	
	4. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the adjacent property owner's expense or at the expense of a legal entity established for such purpose prior to the recordation of an Order of Vacation as required by the Department of Public Works.	
	5. A public sewer easement shall be retained over the entire area being vacated.	
	6. The Order of Vacation shall not be recorded until the trial closure approved by the Traffic and Parking Commission has been completed.	
	7. Standard conditions Nos. 1 and 2.	
	8. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition Nos. 1, 2, 3 and 4 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.	
	9. Standard condition No. 4.	

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

JLS

SUBJECT: VACATION - PUBLIC HEARING - VAC-39-94 - City of Las Vegas

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is to vacate Turquoise Road, between Woodbridge Drive and Pyramid Drive. This request was submitted as a result of a meeting attended by residents of the Twin Lakes Country Club Estates and Woodland Hills neighborhoods. The residents believe that this Vacation will help reduce vandalism that has been occurring in the area.

BACKGROUND DATA:

9/22/94 The Traffic and Parking Commission recommended approval to close the street on a six month trial basis.

FINDINGS:

The Department of Public Works has noted that this vacation action will completely eliminate all Turquoise Road public right-of-way (a subdivision access route) between Woodbridge Drive and Pyramid Drive. They indicate that this right-of-way is developed full width with typical urban street improvements.

The Department of Public Works has indicated that, providing the conditions of approval are met, they have no objection to this request.

Planning Commission Recommendation: APPROVAL (5-0 vote)

Staff Recommendation: NO OBJECTION

PROTESTS: 2 (1 call, 1 at meeting) (Protestors voiced concerns that vacation of this right-of-way would be a detriment to pedestrian access to schools in the area.)

APPROVALS: 125 (1 letter, 4 at meeting, petition with 120 approvals) (Supporters of the application indicated that this right-of-way is used vandals to escape to Washington Avenue after committing acts of vandalism. They noted that there were still three points of access to the neighborhood.)

NOTICES MAILED: 227
SEE ATTACHED LOCATION MAP

Agenda Item
96

CITY COUNCIL MINUTES

OCT 19 1994

back to the Commission for consideration six months after the Buffalo construction project is completed and Stormson is opened to traffic. Commissioner Gholson opposed the motion.

6. DISCUSSION AND POSSIBLE APPROVAL OF A REQUEST TO CLOSE TURQUOISE ROAD BETWEEN WOODBRIDGE DRIVE AND PYRAMID DRIVE

Mr. Derr stated that the Twin Lakes Country Club Estates/ Woodland Hills Access Control Committee has requested the closure of the street in an attempt to cut down on the pedestrian traffic through the neighborhood, specifically going to Gibson Junior High. They have also requested action by the City with respect to an opening by the vacant lot by the golf course fence where children are coming through this way through the neighborhood. The Parks and Leisure Activities Division is working with the golf course to get fencing there to close off that access. The neighborhood has requested this roadway be closed. Turquoise is not an important roadway. There are about 400 vehicles per day on this road. The primary concern to staff is that any elementary school children going to Twin Lakes Elementary will then have to come out of the neighborhood and walk over to Washington to get to the school, which is a significantly greater safety concern than their use of Turquoise. Staff recommends the trial closure of Turquoise Road for six months, provided the neighborhood pays for the trial closure.

Notices of the proposed change were:
- *sent to 168 nearby property owners, and*
- *received back from 79 with responses of...*
  - *...68 in favor of the requested change, and*
  - *...11 opposed to the requested change, and*
- *returned as undeliverable from 3 addresses.*

Mr. Derr stated that this item will be on tonight's (9/22/94) Planning Commission agenda because the request is to vacate Turquoise to provide closure. Staff's primary concern is related to access for Fire Services and other emergency vehicles, and staff requests that any action that is taken continue to provide access for these vehicles.

Commissioner Peot stated that whatever is done short of a total gate will not stop pedestrian traffic, which he understood was the whole purpose of this closing.

Mr. Howard Lieburn of 3820 Golf Lane appeared and stated that he is Chairman of the Control Access Committee. Each morning and afternoon he rides his bicycle and each day there are fights, beating up of children, and spray painting of property. A house was set on fire last year. The Neighborhood Watch Committee members recommended closing it off. He was not aware of any children that live in that area who would have to go down to Washington to get to that elementary school. The children living east of Pyramid come into his area and do not use Washington. It is a longer route for them to take to Gibson.

Mr. J. D. Ross of 1309 Oak Tree Lane appeared and stated he is a member of the Woodland Hills Access Control Committee. He forwarded a petition on August 1 to Mr. Derr. He had contacted 121 people in the subdivision and 116 of them signed the petition, and they realized they would have to pay the cost of these modifications and they overwhelmingly supported it. The malicious vandalism they have had is excessive; and they are on one of the routes to Gibson Jr. High School. The different kinds of vandalism they have had are: graffiti; rocks thrown breaking street lights that they, not the City, provide in this community; extensive damage to their vehicles: damage to

their landscaping, mail stolen from locked mailboxes, matches put in their mailboxes; and an attempt to burn a house down. These acts are not caused by the children in their subdivision but by children who have no reason to come through their subdivision. It is an alternate route for them. The 2 families with children going to the elementary school were also very supportive of closing Turquoise even though they would have to go out to Washington (but not cross Washington) or any other streets going to the elementary school. The closure of Turquoise would assist them in protecting their property and eliminating through traffic that has no reason to go through these winding streets. Closing Turquoise leaves adequate access for safety purposes and will create no bottlenecks with 3 accesses left onto Washington. Many people have asked that Mr. Ross speak for them, and they all hope this petition will be approved.

Mr. Leon Marx of 1216 Oaktree Lane appeared and asked if the closure at 3712 Briarglen was the responsibility of the golf course or the property owner. Mr. Derr stated the gap is on the golf course which is owned by the City of Las Vegas. The City is working to get that gap closed. Mr. Marx stated he has lived there for 6 years and has had a couple of robberies by juveniles. Several others have been burglarized by adults. If Turquoise is closed and they still experience this problem, then they have done this in futility. The first attempt should be made to close off 3712 Briarglen as an access because the students using it as a cutoff to Gibson Jr. High are probably the cause of the vandalism, not the robberies, and closing off Turquoise will probably not stop the robberies.

Mr. Victor Warren of 3613 Woodglen Court appeared and stated that he supports the closure on Turquoise as it dead ends at Woodbridge and serves no useful purpose. He understood that at the time the subdivision was built it was originally not to have been dedicated, but for whatever reason it was. The closure will divert the children going to Gibson Jr. High, and there is no reason they have to go through the residential streets to get to school.

Commissioner Cameron asked what kind of a barrier would be put in. Mr. Derr said it would be some kind of a block wall with an emergency access provided, probably an electronic gate. On a temporary closure, it would be fencing combined with a barrier rail to stop vehicles but with a gate to provide emergency access and still close off pedestrians. Commissioner Cameron said this type of gate, to allow access for emergency vehicles, would not prevent children from getting through. Mr. Derr stated this is correct.

Mr. David Dwyer of 1800 Stonehaven Drive appeared and spoke in opposition to the closure. He stated that his children had attended Twin Lakes and currently attend Gibson and either he or his wife drive to Washington and Valley View daily and noticed that Turquoise does carry a large volume of traffic, 400 a day as was stated. This keeps people from exiting onto Washington. Entering Washington from Woodbridge is dangerous because it is on a hill. People coming out to turn left have to cross two lanes and a left-turn median to cross over, and it is not a safe intersection. People coming out of that subdivision use Turquoise and come out on Pyramid instead of using Washington. Lots of kids there go to Twin Lakes and use Turquoise, which is a quick and safe access, and they will not usually walk an extra half mile but parents will drive them, which forces them onto Woodbridge and the dangerous intersection at Washington. He is opposed to this closure. The subdivision was designed with good traffic flow, both for cars and pedestrians. That street currently drains most of the stormwater out of that subdivision. There is also a sewer that comes from Pyramid up through that area.

In response to Commissioner Cameron's request for plans once the ground was vacated by the City, Mr. Ross stated the intention was to build an 8-foot high block wall that would adjoin the

CITY COUNCIL MINUTES

OCT 19 1994

neighbors' block walls. That land would be turned over under this proposal to the adjacent land owners, and the block wall was to match the existing block walls. They would provide for drainage and utility corridors that are in that area. With the 3 accesses from Washington and the location of the Fire Station, there is sufficient public safety access. They would ask for approval of that block wall. However, if it was not approved, they would have to put up some sort of gate in the middle of that block wall and they would provide that.

Commissioner Peot asked what kind of temporary blockage would be used. Mr. Derr stated it has not been discussed with the applicants. Staff's recommendation was for a trial closure prior to using a block wall or permanent vacation, so no details have been discussed.

Mr. Ross stated the neighborhood would not want an eyesore as a temporary closure, so he would suggest a barricade to judge the traffic impact but the pedestrian traffic during that trial time would not be changed, and he would be willing to work with the City on that basis.

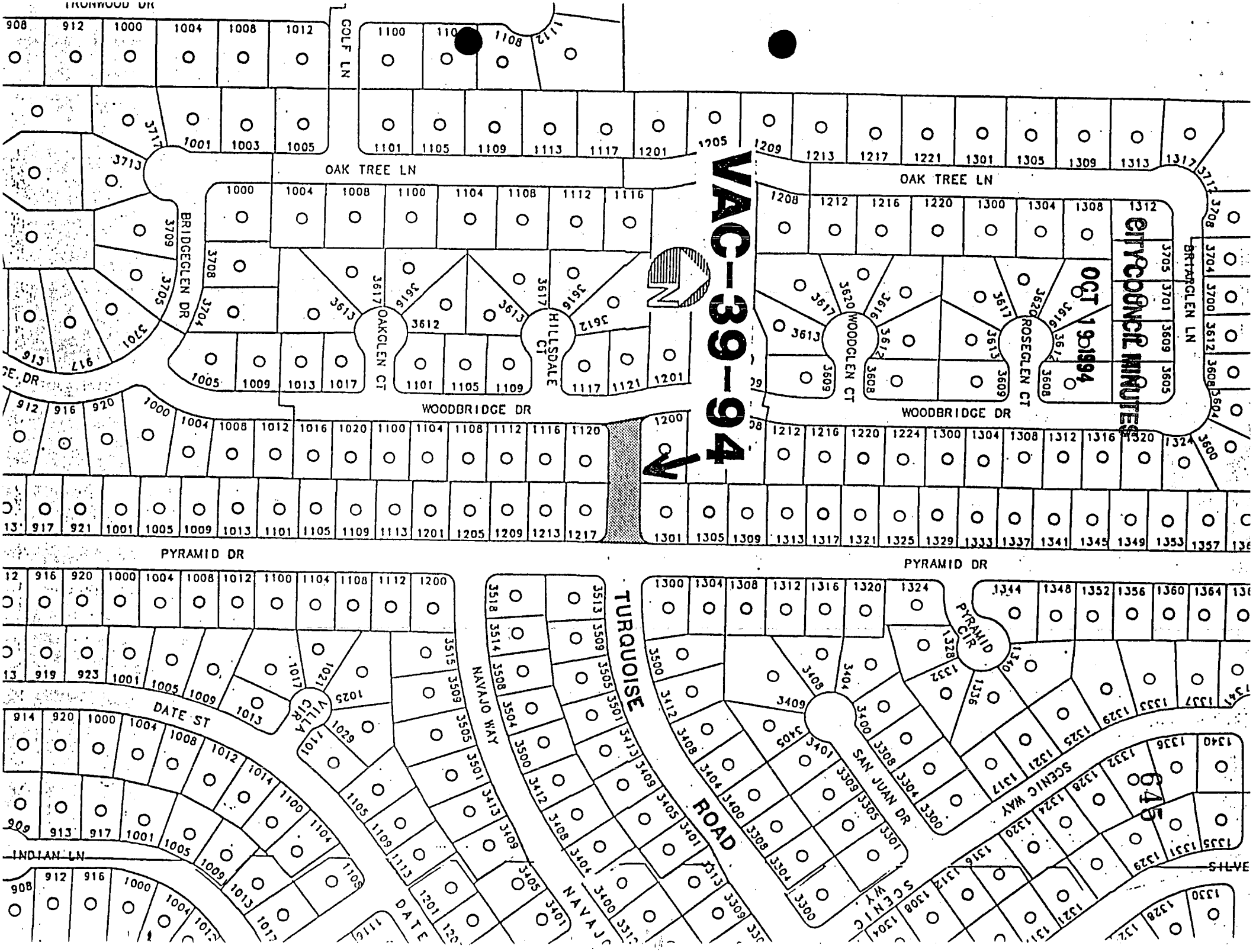
Upon a motion by Commissioner Hawkins and second by Commissioner Cameron, the Commission voted to follow staff recommendation for a trial closure, provided the neighborhood pays for the trial closure. Commissioner Nelson opposed the recommendation.

7. CITIZENS PARTICIPATION

No citizens appeared.

The meeting adjourned at 3:36 pm.

W. GORDON DERR, P.E.


VAC-39-94
CITY COUNCIL MINUTES
OCT 19 1994
OAK TREE LN
WOODBRIDGE DR
PYRAMID DR
DATE ST
INDIAN LN
SILVE
BRIDGEGLEN DR
OAKGLEN CT
HILLSDALE CT
WOODGLEN CT
ROSEGLEN CT
BRIARGLEN LN
PYRAMID CIR
SAN JUAN DR
SCENIC WAY
NAVAJO WAY
TURQUOISE ROAD
645

ITEM

ACTION

Item Number

DISCUSSION/ACTION ITEMS

COMMUNITY PLANNING AND DEVELOPMENT

VARIANCE - PUBLIC HEARING

97 V-138-94 - Reese Family Trust

Appeal filed by U.S. Outdoor Advertising on behalf of Reese Family Trust on the action of the Board of Zoning Adjustment in DENYING its application for a Variance to allow an existing off-premise advertising (billboard) sign to be raised to 55 feet above an elevated freeway grade where 30 feet above grade is the maximum height allowed; and to allow a 520 foot separation from an existing off-premise sign, where a minimum 750 foot separation is required on property located on the east side of "H" Street, south of Wilson Avenue, C-1 Zone.

Board of Zoning Adjustment unanimously (5-0 vote) DENIED this request. If approved, subject to:

1. Standard conditions 1 and 5.

Staff Recommendation: DENIAL

PROTESTS: 0

Ward 1 (Hawkins)

HAWKINS - DENIED

UNANIMOUS

*****

MAYOR JONES declared the Public Hearing open.

JEFF RAY, Kummer, Kaempfer, Bonner and Renshaw, 3800 Howard Hughes Parkway, Counsel for U. S. Outdoor Advertising Company of Mississippi, Inc. who is acting on behalf of the applicant in this particular matter, stated the sign has been in existence since 1981. The height variance is needed due to the fact that a significant portion of the display surface of the sign is severely obscured from view on the travel lanes of I-15 as result of the growth of trees and other vegetation in the State-owned right-of-way directly behind this piece of property. As a result of this obstruction the value of the property is being negatively impacted due to a lack of interest on the part of businesses to utilize the sign for advertising purposes and a loss of revenue resulting therefrom.

COUNCILMAN ADAMSEN told Mr. Ray he had a heavy burden in attempting to overcome the recommendations of BZA and staff and asked what extenuating circumstances he had other than landscaping that grew up along the Interstate. COUNCILMAN ADAMSEN then asked Mr. Steed if he had any comments to add.

CHIEF DEPUTY CITY ATTORNEY VAL STEED noted that landscaping is something that certainly creates a hardship but it is Council's decision whether or not it will recognize that type of hardship.

MR. RAY introduced photos taken from I-15 depicting the severity and magnitude of the obstruction. His client has been in contact with the Nevada Department of Transportation and has been advised that because all of the trees and vegetation are in the State-owned

CONTINUED ...

COMMUNITY PLANNING AND DEVELOPMENT (CONTINUED)

Item 97 - V-138-94 - Reese Family Trust (Continued)

right-of-way they will not and cannot trim them because of the Highway Beautification Act. Even trimming would not be sufficient to alleviate the obstruction. This individual has owned this property for a long period of time with the billboard in existence since 1981 and now the trees and vegetation have grown to such a height that it has become obsolete. The owner is interested in maintaining the billboard and generating some revenue.

In answer to Council questions regarding the lease contract on the property, MR. RAY responded that the party he represents has entered into a conditional land lease which would run for ten years as well as an agreement to acquire 50% interest in this particular sign assuming the Variance is granted.

COUNCILMAN HAWKINS asked for staff's comments and ROD ALLISON stated their recommendation stands as written; however, if the Variance were to be granted, are those trees at mature height and would this Variance be adequate?

MR. RAY responded that he had been told the trees have matured to such a level that any future growth would be minimal, at best. The requested height would take into account any additional growth.

MAYOR JONES declared the Public Hearing closed.

COUNCILMAN HAWKINS made motion for denial following the recommendation of staff and BZA. MAYOR JONES stated for the record that you can see the sign until you get right up on it, so it does have some visibility.

(4:34 - 4:42)

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

648

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: VARIANCE - PUBLIC HEARING - V-138-94 - Reese Family Trust

PURPOSE/BACKGROUND

BACKGROUND DATA:

07/23/81 The Board of Zoning Adjustment approved a Variance (V-40-81) to allow a proposed billboard sign to a maximum height of 30 feet above the road bed or 55 feet above the property grade, whichever was the lesser.

DETAILS OF APPLICATION REQUEST:

This is an appeal to the denial action of the Board of Zoning Adjustment for a Variance to allow an off-premise sign. The applicant wishes to construct a 672 square foot off-premise billboard sign to a height of 55 feet above Interstate 15 and 85 feet above ground level. The proposed sign would be located in the southeast corner of this vacant parcel and would be oriented towards the north and south bound traffic on I-15. It would be constructed in the same location as an existing sign which is 30 feet above I-15.

The applicant claims that due to vegetation growth near the billboard, large portions of the billboard face are no longer visible and that this problem will only get worse as the vegetation grows.

When the sign was first constructed, the sign ordinance required a separation of 500 feet between signs along a freeway. The sign ordinance now requires a separation of 750 feet for all new signs.

FINDINGS:

Staff believes that any allowance which would permit billboards to have a greater height than what is permitted by the Sign Code invites competition among billboard owners to have higher and larger billboards. It is also staff's opinion that any reduction of the separation requirement as specified in the Sign Ordinance motivates other sign owners to apply for similar variances.

AGENDA DOCUMENTATION

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: VARIANCE - PUBLIC HEARING - V-138-94 - Reese Family Trust

PURPOSE/BACKGROUND

Staff cannot support this request because there does not appear to be any exceptional or extraordinary circumstances applicable to this property to warrant the granting of the requested variance.

The Board pointed out that the purpose of landscaping, which was obstructing the sign, was beautification. The Board was also concerned that the Sign Code be adhered to and that approval of this application would encourage other sign companies to seek the same action.

Board of Zoning Adjustment Recommendation: DENIAL (5-0 vote)

Staff Recommendation: DENIAL

PROTESTS: 0

NOTICES MAILED: 80

SEE ATTACHED LOCATION MAP

Agenda Item

CITY COUNCIL MINUTES

OCT 19 1994

RECEIVED
CITY CLERK

SEP 28 8 47 AM '94

9/28/94

650

I wish to appeal the Board of Zoning Appeals on ~~the~~ case V-38-94 which was decided at the 9/27 meeting.

Please contact Leonard Busby at (601) 428-4014 as to when the appeal case is set.

Thank You.

Will Mullins

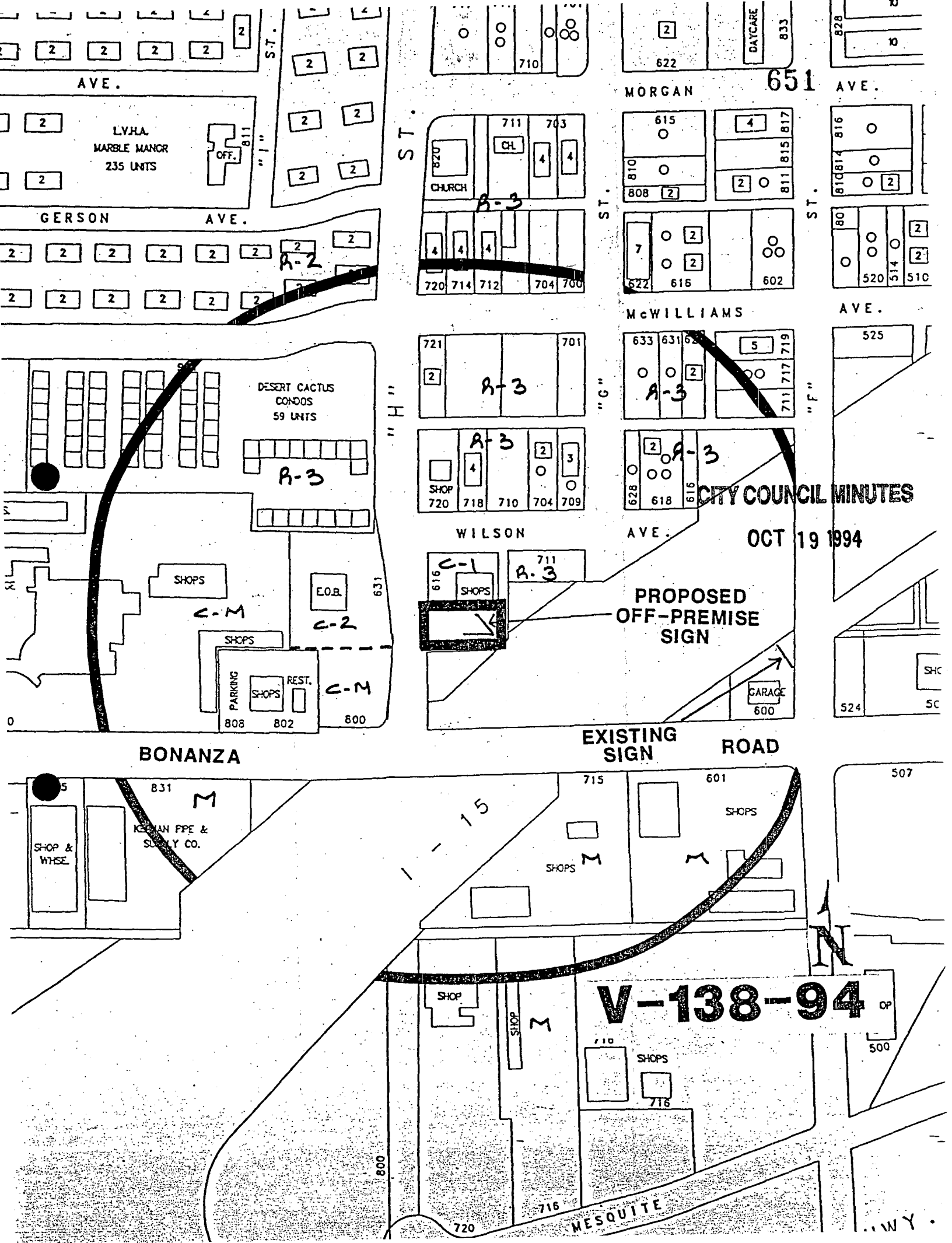
Asst.

U.S. Outdoor ADVERTISING

P.O. Box 6439
Laurel, Mississippi 39441

Telephone (601) 428-4014
FAX (601) 428-1948
Toll-Free 1-800-467-4014

Will Mullins


AVE.
S.T.
L.V.H.A.
MARBLE MANOR
235 UNITS
OFF.
811
"I"
GERSON
AVE.
R-2
710
622
DAYCARE
833
MORGAN
651
AVE.
828
ST.
711
703
CH.
820
CHURCH
R-3
615
810
808
817
815
811
816
814
720
714
712
704
700
7
522
616
602
520
514
510
McWILLIAMS
AVE.
DESERT CACTUS
CONDOS
59 UNITS
R-3
721
701
"H"
"G"
"F"
633
631
719
717
711
525
SHOP
720
718
710
704
709
628
618
WILSON
AVE.
CITY COUNCIL MINUTES
OCT 19 1994
SHOPS
C-M
E.O.B.
C-2
631
C-1
616
PROPOSED
OFF-PREMISE
SIGN
PARKING
REST.
808
802
800
GARAGE
600
524
BONANZA
EXISTING
SIGN
ROAD
831
SHOP &
WHSE.
I - 15
715
601
507
SHOP
716
500
V-138-94
N
800
720
MESQUITE

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	
	VARIANCE - PUBLIC HEARING	
98	V-134-94 - Quincy Fortier Trust on behalf of Barbara Derryberry	
	Appeal submitted by Quincy Fortier on behalf of Barbara Derryberry on the action of the Board of Zoning Adjustment in DENYING their application for a Variance to allow an auto pawn which includes the outdoor storage of automobiles on property located at 5550 West Charleston Boulevard, C-1 Zone.	
	Staff Recommendation: DENIAL	
	PROTESTS: 20 (2 letters, petition with 15 protests, 3 at meeting)	
	Ward 1 (Hawkins)	
	Board of Zoning Adjustment voted (4-1) to DENY this request. If approved, subject to:	
	1. No outdoor storage or display of any merchandise, other than automobiles, shall be permitted.	
	2. No signage on this property that advertises the pawn shop or any associated uses shall be permitted.	
	3. Vehicles being transferred from the pawn shop to the storage site, or vice versa, shall not utilize Alpine Place.	
	4. The area to be used for automobile storage and all access driveways shall be paved in accordance with City code.	
	5. Construct a six foot high decorative wall along the northerly property line (Alpine Place) as required by the Department of Community Planning and Development.	
		HAWKINS - DENIED **Motion carried with HIGGINSON voting "no"** ******
		MAYOR JONES declared the Public Hearing open.
		BARBARA DERRYBERRY, Pawn Place, 5624 W. Charleston Blvd., stated she has an auto pawn license at this location but does not have adequate storage in order to pawn autos. Dr. Fortier, owner of the commercial lot at 5550 W. Charleston Blvd., has leased that property to Alberto's Mexican Restaurant. Alberto's is on the front portion of the lot and the back portion is unimproved. MS. DERRYBERRY has obtained letters of intent to lease an easement from Goodyear and from the Red Rock Animal Clinic which will provide access to that property. She has contacted property owners on Alpine, the street behind, and at that point they did not; only two who did not like the idea of a pawn shop in their neighborhood were in dissent. She also spoke to all of the business people on both sides of the street in that one block of Charleston Boulevard explaining her position and what her intentions were. None of the businesses indicated any kind of a problem with the pawn shop which has been there for ten months. MS. DERRYBERRY had 23 statements from business people, owners and managers in that area to that effect. She also had 12 statements from existing neighbors who have said there has been no negative impact since her shop had located there.
		COUNCILMAN ADAMSEN asked what was the major source of opposition. In the back-up provided to the Council, concerns were noted about the debris which neighbors have attributed to Ms. Derryberry's operation.
		MS. DERRYBERRY responded that neighbors had complained about a lot of cars parking along Alpine. She explained to the neighbors that her people or clientele did not park there, but a telemarketing company which has located
		CONTINUED ...

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	
	V-134-94 - Quincy Fortier Trust on behalf of Barbara Derryberry (continued)	
	6. Install 24" box evergreen trees spaced 20 feet on center along the northerly property line inside of the wall as required by the Department of Community Planning and Development. The use of drought-tolerant landscaping is encouraged.	
	7. No outdoor public address system shall be allowed.	
	8. All exterior lighting shall be directed away from the residential properties to the north with no ray of light shining directly onto any residential lot.	
	9. Conformance to the plot plan as amended by the above conditions.	
	10. Standard Conditions 2 through 8.	
		in her building has employees parking along that street and enter the building through the rear. It is a 24-hour operation and the available parking for that building is not adequate for the telemarketing operation. COUNCILMAN HIGGINSON asked about off-road improvements along Alpine. JOHN SCHLEGEL, Community Planning Department, responded that an S.I.D. for Alpine should have taken care of that. MS. DERRYBERRY stated there is a sidewalk and the off-site improvements have been completed. A six foot wall requirement was placed along Alpine but it is zoned for eight feet. She would extend the block wall on down. LYLE JENSEN, 5500 Alpine Place, speaking on his behalf and his neighbors on Alpine Place, stated that the neighbors are unanimously opposed to any further expansion of the pawn shop, especially an auto pawn which would back right up against their street. There have been numerous problems, such as parking on Alpine Place all hours of the day and night, dumping trash and dropping off and picking up employees. They are trying to keep their neighborhood a quiet place and asked the Council not to approve the Variance. COUNCILMAN HIGGINSON pointed out to Mr. Jensen that technically whether it's an auto pawn, Alberto's Restaurant that is currently there could pave it and use it for a parking lot with no wall, whereas this application would be required to put up a wall. COUNCILMAN HAWKINS noted that Ms. Derryberry did work with the neighborhood and made certain concessions to operate The Pawn Place and because of that Council granted its approval originally; however, he felt that Mr. Jensen had a valid concern and, with no reflection on Ms. Derryberry, this use is not compatible to the area and therefore made the motion for denial. MAYOR JONES declared the Public Hearing closed. (4:42 - 4:59)

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

654

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: VARIANCE - PUBLIC HEARING - V-134-94 - Quincy Fortier Trust on behalf of Barbara Derryberry

PURPOSE/BACKGROUND

DETAILS OF APPLICATION REQUEST:

This is an appeal to the denial action of the Board of Zoning Adjustment for a Variance. The applicant is proposing to utilize a 15,000 square foot area located in the rear portion of the property located at 5550 West Charleston Boulevard for the storage of automobiles that are taken in pawn. The existing pawnshop is located at 5620 West Charleston Boulevard two properties to the west of the auto storage parcel. The applicant has submitted letters indicating that the operators of the pawn shop have permission to drive vehicles across the rear of the two properties that lie between the location of the existing pawn shop and the proposed auto pawn. This will eliminate the necessity of driving on any abutting street. The applicant has indicated she intends to pave this site and construct a wall along Alpine Place to screen the parking area from the homes to the north.

FINDINGS:

The Zoning Ordinance requires the storage of goods, material, and equipment in the C-1 (Limited Commercial) District to be in a completely enclosed building, except for live nursery stock. Outdoor storage of vehicles is first permitted in a C-2 zone, by Special Use Permit.

Although the existing pawn shop was approved by Variance last year, staff has no basis to support this request.

Board of Zoning Adjustment Decision: DENIAL (4-1 vote)

Staff Recommendation: DENIAL

PROTESTS: 20 (2 letters, petition with 15 protests, 3 at meeting) (Protestors were opposed to the proposed use and voiced concerns that the use would become a used car lot. Protestors also indicated that the existing pawnshop use negatively impacted the neighborhood with employee parking, increased traffic and added trash.)

NOTICES MAILED: 82

SEE ATTACHED LOCATION MAP

Agenda Item
98

CITY COUNCIL MINUTES

OCT 19 1994

RECEIVED
CITY CLERK

Oct 4 | 19 PM '94

1431 Wengert
Las Vegas, Nevada 89104

October 3, 1994

City of Las Vegas
400 E. Stewart Avenue
Las Vegas, Nevada 89101-2986

ATTN: City Clerk

RE: V-134-94 VARIANCE

Our request for the above referenced variance to allow an auto pawn including outdoor storage of automobiles at 5550 W. Charleston Boulevard was denied by the Board of Zoning Adjustment at their regular meeting on September 27, 1994. We wish to request reconsideration of our request for a variance by the City Council at their earliest convenience.

Sincerely,

QUINCY FORTIER TRUST

Quincy Fortier

bd

CHARLES P. CALDWELL / SHARON L. JOHNSON
1236 Westwind Road
Las Vegas, Nevada 89102

RECEIVED
CITY CLERK
Oct 12 10 30 AM '94

656

October 9, 1994

CITY COUNCIL MINUTES
OCT 19 1994

RE: V-134-94

Dear Ms. Tighe:

Please be advised that we own the property located at 1236 Westwind Road, Las Vegas, Nevada. We are opposed to a zoning variance for an auto pawn shop at 5550 West Charleston Blvd., scheduled to be considered at the Las Vegas City Council meeting on October 19, 1994.

Thank you for your attention.

Sincerely,

Charles P. Caldwell

Sharon L. Johnson

ITEM 98 - SAMPLE SUPPORT LETTER
SEE LIST OF SIGNATORS ATTACHED

TO WHOM IT MAY CONCERN;

THE PAWN PLACE has been our neighbor for approximately five years. We have found them to be most satisfactory neighbors, operating a clean attractive business. We do not find that having a pawnshop in our midst has a derogatory impact upon our neighborhood.

Sincerely,

Jean's House OF Beauty
Business 133 N. 4th St.

Jean Layne
By

N/A manager
Title

10-12-94
Date

CITY COUNCIL MEETING
MINUTES OF
OCTOBER 19, 1994

ITEM #98: V-134-94 QUINCY FORTIER TRUST ON BEHALF OF BARBARA DERRYBERRY
(Sample Support Letter Attached)

TO WHOM IT MAY CONCERN: THE PAWN PLACE has been our neighbor for approximately five years. We have found them to be most satisfactory neighbors, operating a clean attractive business. We do not find that having a pawnshop in our midst has a derogatory impact on our neighborhood.

Peter Hasali
Four Kings Apartments
123 N. Fourth Street
Las Vegas, Nevada

Jean Bayne
Jean's House of Beauty
123 N. Fourth Street
Las Vegas, Nevada

Vanasha Shimalaks
Vegas Chinese & Thai Restaurant
115 N. 4th St.
Las Vegas, Nevada

Susan D. Sims
Postal Plus, Inc.
133 N. 4th St.
Las Vegas, Nevada

Samuel A. Paterniti
Ice Cream & Deli Station
119 N. 4th St.
Las Vegas, Nevada

Leo Nomemache
Plumbing Parts
2405 S. Industrial
Las Vegas, Nevada

James E. Scheeler
Nevada Tire City
400 N. bridge Lane
Las Vegas, Nevada

Kevin J. Cronin
Pool Tables Plus
2452 Industrial Rd.
Las Vegas, Nevada

M.B. King
Tri State Precision
2454 S. Industrial
Las Vegas, Nevada

Charles C. Adefer
Rhode Island Wholesale
2458 S. Industrial
Las Vegas, Nevada

Renete Schiff
Schiff Properties
2401 S. Industrial
Las Vegas, Nevada

Henry V. Houser
Attention Sign Co.
376 W. Sahara
Las Vegas, Nevada

Meledie Vass
Advantage Insurance Agency
5650 W. Charleston
Las Vegas, Nevada

J. Keller
Barber Shop
5643 W. Charleston
Las Vegas, Nevada

Paul Robarts
Neighbor Rental Center
5650 W. Charleston
Las Vegas, Nevada

James W. Faley
Competition Car & Boats
5643 W. Charleston
Las Vegas, Nevada

Michael Byrd
Radio Control Service
5643 W. Charleston
Las Vegas, Nevada

David B. Peckham
Peckham Engineering
5643 W. Charleston
Las Vegas, Nevada

Ruth Ann Thorne
The Pool Depot
5643 W. Charleston
Las Vegas, Nevada

Frank J. Moore
Denali Sports
5650 W. Charleston
Las Vegas, Nevada

Libia Kompanoski
L & K Custom Wear
5640 W. Charleston
Las Vegas, Nevada

Jeanne Reed
Priority Mail Plus
1982 Rainbow Blvd.
Las Vegas, Nevada

William Montelongo
Cash Oasis
5628 W. Charleston
Las Vegas, Nevada

Unreadable
5628 W. Charleston
Las Vegas,Nevada

Lais Kruher
Red Rock Mini Mart
5501 W. Charleston
Las Vegas, Nevada

Raul O. Troidol
Home-Krafters
5643 W. Charleston
Las Vegas, Nevada

S. Tortonusi
You've Been Nailed
5643 W. Charleston
Las Vegas, Nevada

Hellen Hadland
A & J Electronics, Inc.
5643 W. Charleston
Las Vegas, Nevada

Heddy Boring
Heddy's Fabrics
5640 W. Charleston
Las Vegas, Nevada

Gaylene Vidal
Nevada Graphics
5620 W. Charleston
Las Vegas, Nevada

Fern Billbe
Pre Paid Legal Associates of Nevada
5650 W. Charleston
Las Vegas, Nevada

Tinkei Ho
TKH Consulting Engineers
5650 W. Charleston
Las Vegas, Nevada

Dean Christofferson
It's All Downhill
5636 W. Charleston
Las Vegas, Nevada

OCT 19 1994

DATE: October 17, 1994

RE: Barbara Derryberry
Pawn Place III

To Whom It May Concern,

For the past 10 months I have had the pleasure of knowing and working with Barbara Derryberry and her daughter Cassie of Pawn Place III, 5620 W. Charleston. Acting as a liason between the owner of the building and Barbara concerning issues related to her leasing of space I have found her to be very easy to work with and a very good neighbor. Since we occupy offices in the same building I have made myself available to her and Cassie whenever any type of issue has come up, even when there were problems with construction prior to her move-in, roof leaks or parking issues, they have both been very easy to talk to and very understanding. Many times she has gone out of her way to get me information or make herself available to answer questions.

It is my sincere hope that this working relationship continues for many years to come.

Sincerely,

Mark Cabble

Mark Cabble - Operations Manager
Telecharge Audio Network, LTD

CITY COUNCIL MINUTES

OCT 19 1994

DATE: October 17, 1994

RE: Parking Problems
At & Around 5620 W. Charleston

To Whom It May Concern,

Due to an unanticipated growth in business and the subsequent hiring of additional staff, parking has become a real problem for our employees. We have been making use of street parking on Alpine St. for a period of time now and acknowledge that this causes discomfort for residents directly behind our building. To rectify this problem we are currently working on a couple of alternative plans to contain parking within our building parameters. This project should be completed in approximately 30 days. We apologize for any inconvenience this has caused to our business neighbors and the residents of Alpine St.

Sincerely,

Mark Cabble

Mark Cabble - Operations Manager
Telecharge Audio Network, LTD

RECEIVED
CITY CLERK

Oct 19 2 29 PM '94

FROM: JOHN & TAMMI BALLNER
5416 ALPINE PLACE
LAS VEGAS, NEVADA 89107

CITY COUNCIL MINUTES

OCT 19 1994

Dears Sirs:

We strongly request that you deny the appeal for a Variance to allow an auto pawn . It would have a very negative impact on our neighborhood. It is a family neighborhood & our children play out doors. The kind of atomsphere a pawn shop creates is not the atmosphere we want our children exposed to.

The previous variance granted for the property just west of this has already resulted in loitering and littering on our street.

We ask that you please deny this variance request, because we would like to keep our neighborhood safe.

THANK YOU

JOHN BALLNER AND TAMMI BALLNER

Gerald Fagin and Elaine Fagin
5600 Alpine Place
Las Vegas, Nevada 89107-3762
phone (702) 258-9516

RECEIVED
CITY CLERK
Oct 17 11 17 AM '94

October 9, 1994

662

CITY COUNCIL MINUTES
OCT 19 1994

Las Vegas City Council
Council Chambers, City Hall
400 E. Stewart Avenue
Las Vegas, Nevada 89101

Subject: Written objection to appeal of denial for variance request.
Case No.: V-134-94
Request: Appeal of variance denial to allow an auto pawn which includes the outdoor storage of automobiles.
Property Location: 5550 West Charleston Boulevard

Dear Sirs:

We strongly urge you to uphold the action of the Board of Zoning Adjustment in denying the application for variance which would allow an auto pawn as they request. It is felt that an "auto pawn" would have an overall negative impact on family living conditions for our neighborhood. The property location in question is just down the street from our house and has direct contact with our property access street, Alpine Place.

Previous variance granted for the property just west of this location (Pawn Shop) has resulted in unsavory and unsafe conditions directly in front of my home; i.e.: persons waiting in cars and loitering at all hours of the day and night, littering of alcoholic containers, cigarette butts, broken glass, and increased general littering. At the time of the previous zoning request I was assured by Barbara Derryberry and her daughter that the property fronting Alpine Place would not be utilized as a business conduit of any type. This has not been the case and I am distressed at the negative impact businesses located on "Charleston Blvd." are having on my sidewalk on "Alpine Place".

We have recently felt it necessary to have a professional alarm system installed in our house and are genuinely concerned with the future security of our home and neighborhood.

Please deny this variance request appeal as we are concerned that it will propagate further decline of neighborhood safety and appeal.

Sincerely,

Gerald Fagin and Elaine Fagin
Homeowners 5600 Alpine Place

Orig: Mayor
cc: Council

October 9th, 1994

Las Vegas City Council
City Hall
400 East Stewart Avenue
Las Vegas NV 89101

CITY COUNCIL MINUTES

OCT 19 1994

TO: Councilman Frank Hawkins and all councilmen

RE: V - 134 - 94

We are objecting, strongly, to the appeal to allow a variance so that an auto pawn can be stored at 5550 W. Charleston Blvd.
When a variance was first sought, approximately one year ago, for a pawn shop a few doors away, we weren't too happy about it, but wanted to be fair. A short time later, the same applicants came before the council so that they could store and sell guns. Now these same applicants want to store autos for a auto pawn. This chipping away at our neighborhood really should be stopped. Not only would this auto storage be un-sightly, it would encourage vandalism on the autos. We have lived in this neighborhood since 1968 and it is a nice albeit older section of our growing city. Please do not allow this variance to pass, as it would only deteriorate this part of Charleston Blvd.

We are urging you to vote down this variance.

Thank you,

Sheldon and Barbara Plotkin

Sheldon and Barbara Plotkin
5501 Cory Place
Las Vegas NV 89107

Home phone: 878-5745

Kenneth and Maria Feinberg
5432 Alpine Place
Las Vegas, NV 89107

RECEIVED
CITY CLERK
10/17/94
OCT 18 11 16 AM '94

664

CITY COUNCIL MINUTES
OCT 19 1994

Dear Sirs,

We are writing in regards to a variance request that comes up before the city council on Wednesday, October 19, 1994. This is case number V-134-94.

The variance calls to allow an auto pawn with storage of automobiles on property directly across the ~~street~~ from ~~my~~ our house. The zoning Board already has denied the application and we strongly agree with their decision. We do not want our neighborhood devalued and most importantly we do not want it unsafe. We have three small children in our home and believe that an auto pawn would invite an unsavory and sometimes desperate element into our area.

Please deny this variance request and help keep our neighborhood safe.

Sincerely,

Kenneth & Maria Feinberg

CITY COUNCIL MINUTES
OCT 19 1994
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CITY CLERK
Oct 18 11 15 AM '94

10/17/94

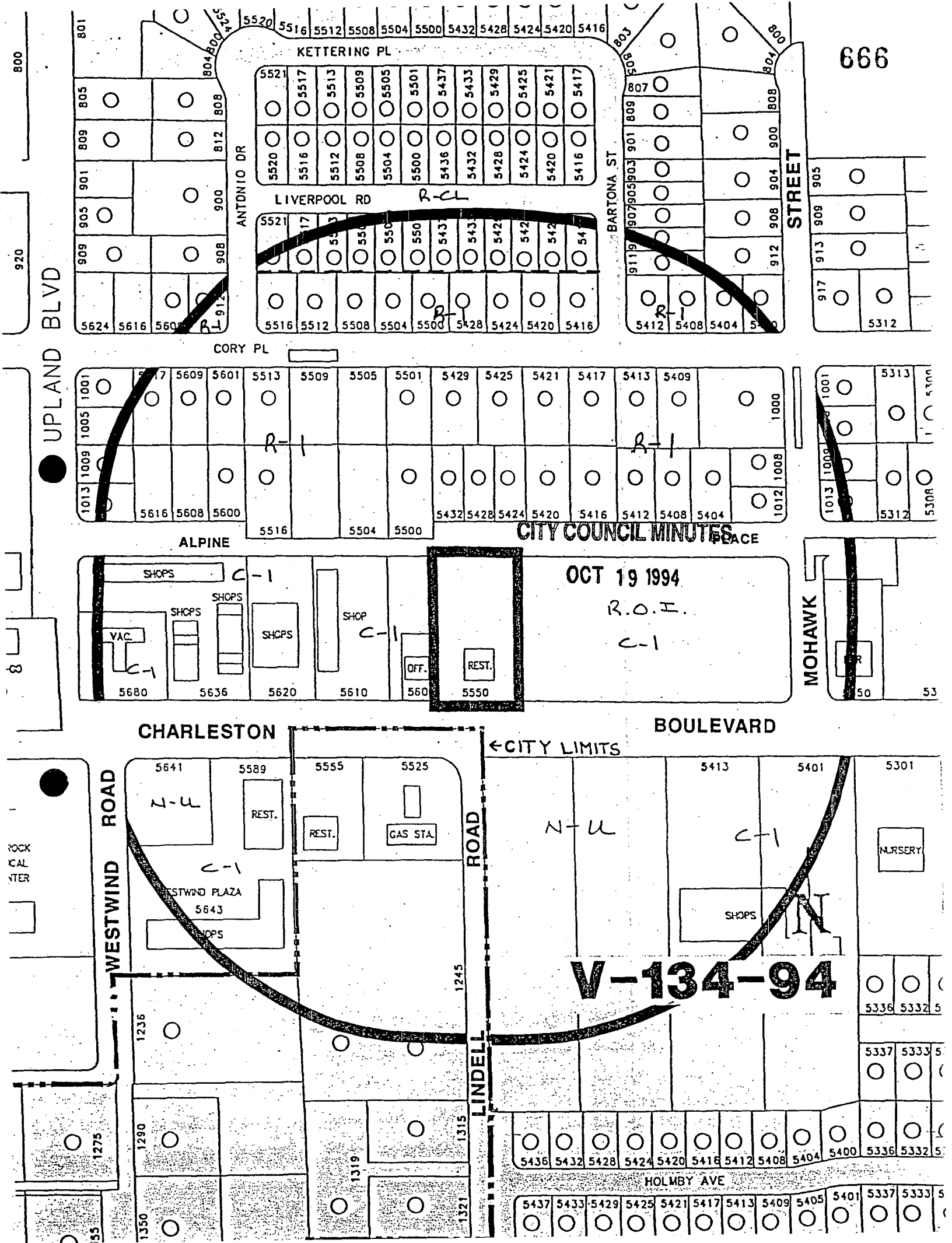
To whom it concern (Kathleen Tighe)

Regarding Request V-134-94

I'm writing to you, that I agree with the Board of Zoning, a denial for a VARIANCE for a Auto pawn Storage at 5550 W Charleston Blvd. It's not the Right Area for that Kind of operation

Leo F Davis
5429 Cory Place
Las Vegas Nev 89107

Leo Davis


666
KETTERING PL
LIVERPOOL RD
CORY PL
ALPINE
CHARLESTON
BOULEVARD
←CITY LIMITS
ANTONIO DR
BARTONA ST
STREET
UPLAND BLVD
MOHAWK
WESTWIND ROAD
LINDELL ROAD
HOLMBY AVE
R-1
C-1
N-U
SHOPS
REST.
GAS STA.
NURSERY
OFF.
VAC.
CITY COUNCIL MINUTES
OCT 19 1994
R.O.H.
C-1
V-134-94

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	**HIGGINSON - APPROVED subject to the conditions**
	VARIANCE - PUBLIC HEARING	**UNANIMOUS**
99	V-123-94 - Donrey Outdoor on behalf of Howard Hughes Properties, Limited Partnership	*****
	Appeal filed by Donrey Outdoor on behalf of Howard Hughes Properties, Limited Partnership on the action of the Board of Zoning Adjustment in DENYING its application for a Variance to allow a proposed 12 foot x 24 foot off-premise advertising (billboard) sign where such use is not allowed on property located on the west side of Rancho Drive, approximately 510 feet north of Lake Mead Boulevard, R-4 Zone.	MAYOR JONES declared the Public Hearing open.
	Board of Zoning Adjustment voted (4-1) to DENY this request. If approved, subject to:	CHUCK DYKES, Donrey Outdoor, 1211 W. Bonanza, was present.
	1. This use shall be reviewed in five years, with the sign being subject to removal at that time.	COUNCILMAN HIGGINSON stated that this item is before the Council because one of the signs rests on some property that many years ago (1964) was zoned R-4 which is thirty-some odd units per acre apartment zoning. It is in an area where the 300 foot depth of Rancho Road is C-2 the entire stretch. In his opinion, the R-4 should be C-1 or C-2. Then it would be an approved use and would not be before the Council for a Variance.
	2. The applicant obtain an off-premises sign certificate from the Department of Community Planning and Development prior to the issuance of a building permit.	COUNCILMAN HIGGINSON asked if the signs are the proper distance apart from each other. MR. DYKES said they are and they are on property that is zoned for an outdoor usage. COUNCILMAN HIGGINSON made the motion for approval subject to the conditions.
	3. Standard Conditions 1 and 5.	No one was present to speak on this item.
	Staff Recommendation: DENIAL	MAYOR JONES declared the Public Hearing closed.
	PROTESTS: 1 (letter)	COUNCILMAN ADAMSEN asked the reason for staff's recommendation for denial. ROD ALLISON stated the reason was that the property is zoned R-4 and it is not a permitted use. The General Plan indicates this area is general commercial and light industrial. However, COUNCILMAN HIGGINSON felt that the R-4 will go away once the casino that North Las Vegas zoned directly across the street is in place in six months.
	Ward 4 (Higginson)	(4:59 - 5:01)

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

AGENDA DOCUMENTATION

Date: 668

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: VARIANCE - PUBLIC HEARING - V-123-94 - Howard Hughes Properties, Limited Partnership

PURPOSE/BACKGROUND

DETAILS OF APPLICATION REQUEST:

This is an appeal to the denial action of the Board of Zoning Adjustment for a Variance to allow an off-premise advertising (billboard) sign. The applicant proposes to construct a 288 square foot off-premise billboard sign to a height of 30 feet on this vacant parcel. The sign would be oriented towards the north and south bound traffic on Rancho Drive.

FINDINGS:

Staff feels that there are no exceptional or extraordinary circumstances applicable to this property to warrant the requested use variance.

Although the General Plan indicates that the proposed future land use for this property is general commercial, the existing zoning is R-4 (Apartment Residence) and this use is not permitted in an R-4 District. The Board concurred with staff's recommendation.

Board of Zoning Adjustment Recommendation: DENIAL (4-1 vote)

Staff Recommendation: DENIAL

PROTESTS: 1 (letter) (Protestor voiced an objection to allowing any more signs in the area, drawing comparisons to the lack of visual clutter in the Summerlin area with other areas in the City where signs are allowed.)

NOTICES MAILED: 291

SEE ATTACHED LOCATION MAP

Agenda Item
99

DONREY OUTDOOR ADVERTISING COMPANY

1211 WEST BONANZA ROAD
POST OFFICE BOX 4245
LAS VEGAS, NEVADA 89127-0245
702-382-5020

669

CITY COUNCIL MINUTES

OCT 19 1994

VIA TELEFAX 382-4803

September 28, 1994

RECEIVED
CITY CLERK
SEP 28 5 09 PM '94

City Clerks Office
City of Las Vegas
400 East, Stewart Ave
Las Vegas, NV 89101

RE: V-123-94

The Board of Zoning Adjustment denied our Application V-123-94 at their meeting on September 27, 1994.

We would like to request an appeal on this matter for consideration by the City Council at their next scheduled meeting.

Sincerely,

Chuch Dykes
Market Development

/mpb

RECEIVED
CITY CLERK
OCT 19 1994
Oct 13 10 17 AM '94

10-11-94

To: KATHLEEN M. TIGHE, City Clerk
c/o CITY HALL
400 E. STEWART AVE.
LAS VEGAS, NV. 89101-2986

Ref: V-123-94
U-224-94

WE AS HOME OWNERS OF THIS COMMUNITY STRONGLY OBJECT TO THE PLACEMENT OF ANY SIGNS OF THIS SIZE AT THESE LOCATIONS. SIGNS OF THIS TYPE DOES NOTHING TO INHANCE OR APPRECIATE THE VALUE OF THE PROPERTY IN THIS VICINITY.

Please, Do not Approve these two Applications.

Sincerely,

Eugene Bartolomey
Priscilla Bartolomey
4420 W. Lake Mead Bl. #101
Las Vegas, NV. 89108-6106
Phone 646-1221

RECEIVED
CITY CLERK
OCT 14 10 44 AM '94

OCT 19 1994

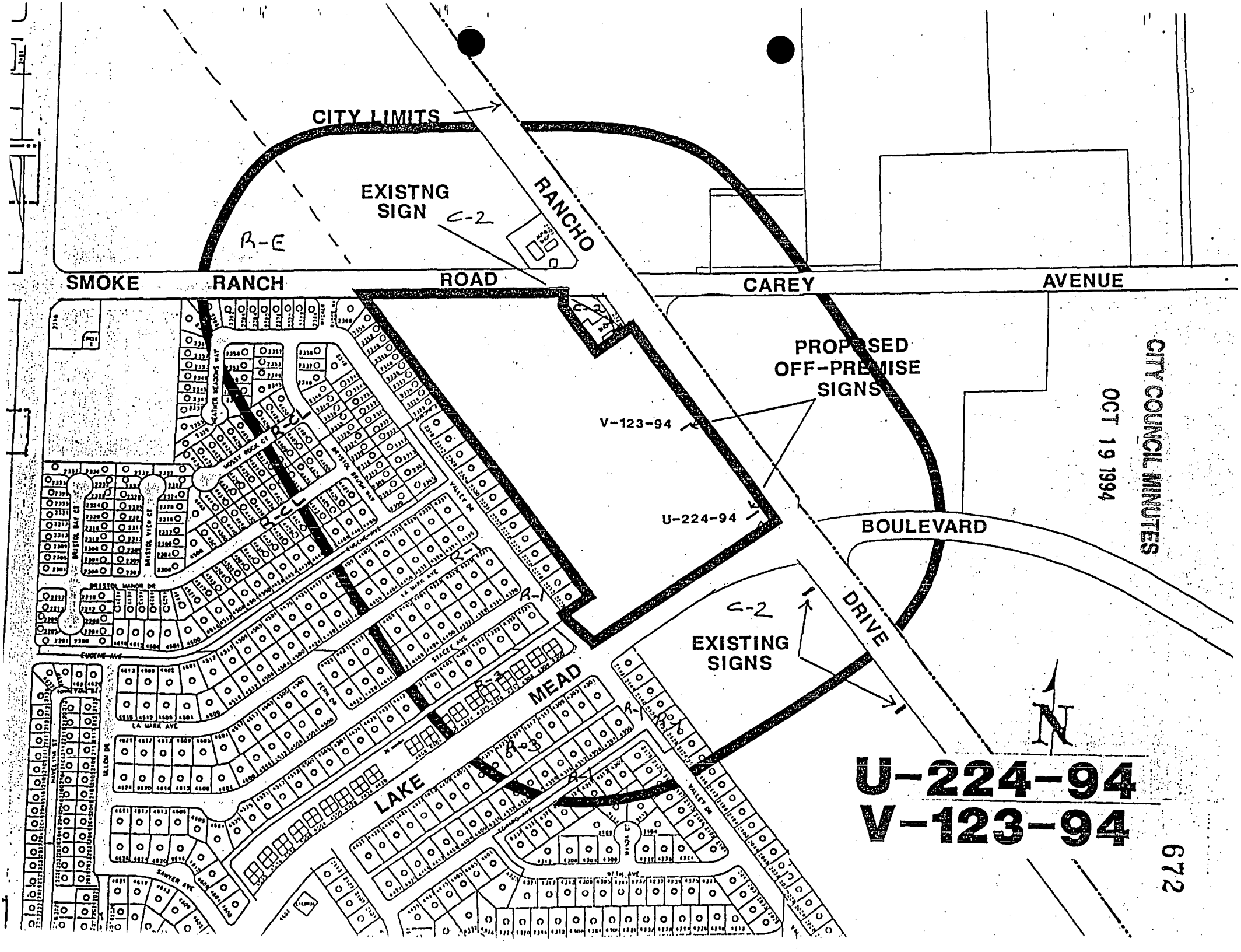
City Hall
Las Vegas

Variance Requests # V123-94
& # V224-94

We are against issuing any variance for these billboard signs. Actually, there are too many now along this section of Rancho Dr. - If it isn't controlled, Rancho will soon look like Boulder Hwy. The City of North Las Vegas did a beautiful job in the redevelopment & remodeling of the Airport and the new Casinos will add to the aesthetics needed along this strip of Rancho Dr. The Billboards will just trash up the area.

William T. & Shirley Holt
2344 Valley Dr 89108

994/00


CITY LIMITS
EXISTNG SIGN
C-2
R-E
RANCHO
SMOKE RANCH ROAD
CAREY AVENUE
PROPOSED OFF-PREMISE SIGNS
V-123-94
U-224-94
BOULEVARD
DRIVE
C-2
EXISTING SIGNS
MEAD
LAKE
N
U-224-94
V-123-94
CITY COUNCIL MINUTES
OCT 19 1994
672

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	**HIGGINSON - APPROVED** as recommended subject to the conditions **UNANIMOUS**
	SPECIAL USE PERMIT - PUBLIC HEARING	*****
100	U-224-94 - Howard Hughes Properties, Limited Partnership Application for a Special Use Permit to allow a 14 foot x 48 foot off-premise advertising (billboard) sign on property located on the northwest corner of Lake Mead Boulevard and Rancho Drive, C-2 Zone. Board of Zoning Adjustment voted (4-1) to recommend APPROVAL, subject to: 1. This use shall be reviewed in five years, with the sign being subject to removal at that time. 2. The applicant obtain an off-premises sign certificate from the Department of Community Planning and Development prior to the issuance of a building permit. 3. Standard conditions 1 and 5. Staff Recommendation: APPROVAL PROTESTS: 0 Ward 4 (Higginson)	CHUCK DYKES, Donrey Outdoor, 1211 W. Bonanza, was present. MAYOR JONES declared the Public Hearing open. No one was present to speak on this item. There was no discussion. MAYOR JONES declared the Public Hearing closed. (5:01)

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

674

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-224-94 - Howard Hughes Properties, Limited Partnership

PURPOSE/BACKGROUND

DETAILS OF APPLICATION REQUEST:

The applicant is proposing to construct a 672 square foot billboard sign to a height of 40 foot on this vacant parcel. The sign would be oriented towards the north and south bound traffic on Rancho Drive.

FINDINGS:

This is commercial site located on a major street. The sign conforms to the standards for off-premises signs, therefore staff supports this request.

Board of Zoning Adjustment Recommendation: APPROVAL (4-1 vote)

Staff Recommendation: APPROVAL

PROTESTS: 0

NOTICES MAILED: 291

SEE ATTACHED LOCATION MAP

Agenda Item
100

CITY COUNCIL MINUTES

OCT 19 1994

RECEIVED
CITY CLERK

Oct 13 10 17 AM '94

10-11-94

675

To: KATHLEEN M. TIGHE, City Clerk
c/o CITY HALL
400 E. STEWART AVE.
LAS VEGAS, NV. 89101-2986

Ref: V-123-94
U-224-94

WE AS HOME OWNERS OF THIS COMMUNITY STRONGLY OBJECT TO THE PLACEMENT OF ANY SIGNS OF THIS SIZE AT THESE LOCATIONS. SIGNS OF THIS TYPE DOES NOTHING TO INHANCE OR APPRECIATE THE VALUE OF THE PROPERTY IN THIS VICINITY.

PLEASE, DO NOT APPROVE THESE TWO APPLICATIONS.

Sincerely,

Eugene Bartolomey
Priscilla Bartolomey
4420 W. Lake Mead Bl. #101
Las Vegas, NV. 89108-6106
Phone 646-1221

100

CITY COUNCIL MINUTES

RECEIVED
CITY CLERK
Oct 14 10 44 AM '94

OCT 19 1994

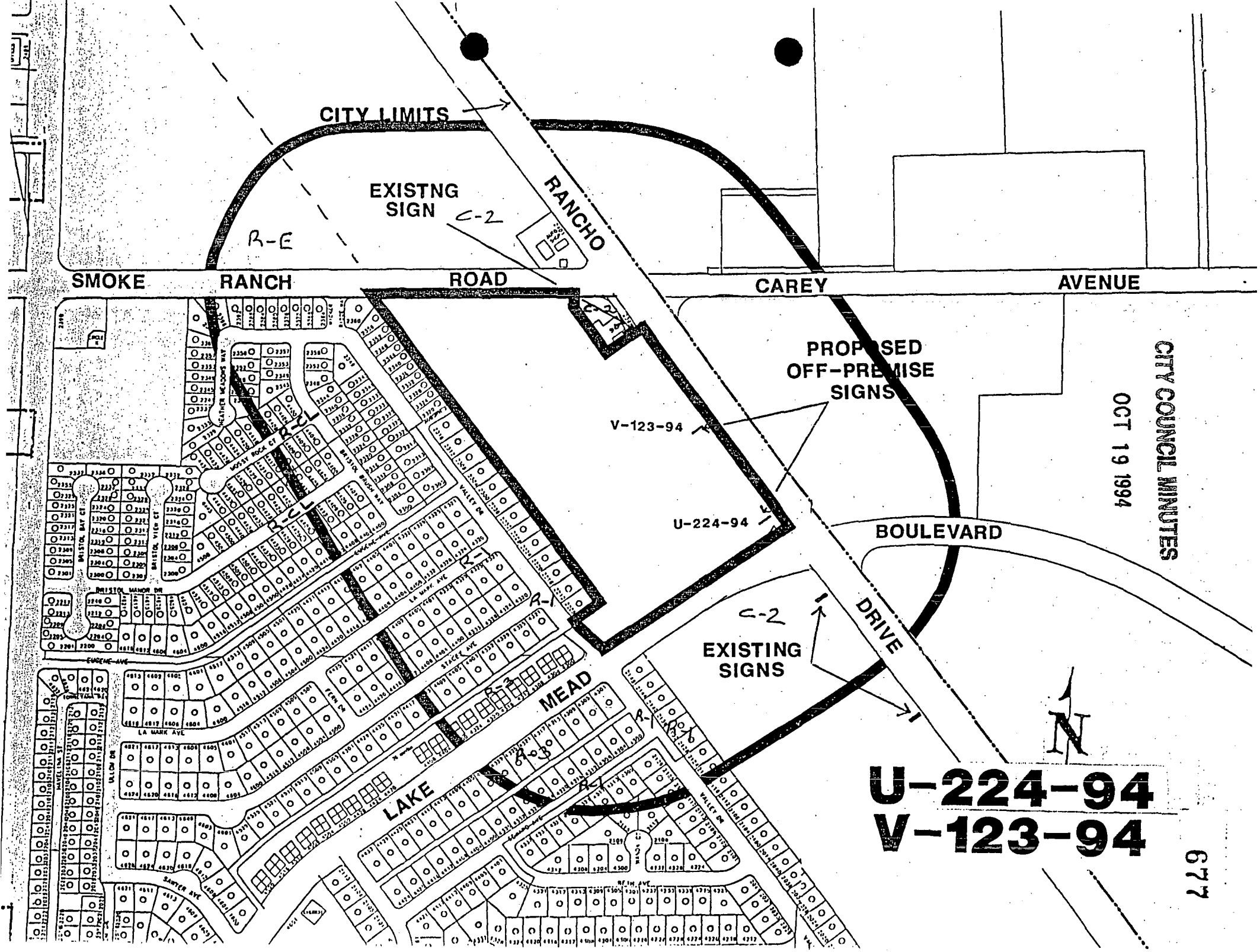
City Hall
Las Vegas

Variance Requests # V123-94
& # V224-94

We are against issuing the variance for these billboard signs. Actually, there are too many now along this section of Rancho Dr. - If it isn't controlled, Rancho will soon look like Boulder Hwy. The City of North Las Vegas did a beautiful job in the beautifying & remodeling of the Airport and the new Casinos will add to the aesthetics needed along this strip of Rancho Dr. The Billboards will just trash up the area.

William T. & Shirley Holt
2344 Valley Dr 89108

994/00


CITY LIMITS
EXISTNG SIGN
C-2
R-E
RANCHO
SMOKE RANCH ROAD
CAREY AVENUE
PROPOSED OFF-PREMISE SIGNS
V-123-94
U-224-94
CITY COUNCIL LIMITS
OCT 19 1994
BOULEVARD
DRIVE
C-2
EXISTING SIGNS
MEAD
LAKE
N
U-224-94
V-123-94
677

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	COMMUNITY PLANNING AND DEVELOPMENT	HAWKINS - APPROVED as recommended subject to the conditions UNANIMOUS with COUNCILMAN HIGGINSON not voting
	SPECIAL USE PERMIT - PUBLIC HEARING	
101	U-194-94 - Sahara Paradise Plaza, Ltd.	*****
	Application of Sahara Paradise Plaza Ltd for a Special Use Permit to allow a Class III secondhand dealership for the sale of women's clothing and accessories on property located at 2200 Paradise Road, C-1 Zone.	MAYOR JONES declared the Public Hearing open.
	Board of Zoning Adjustment unanimously (4-0) recommended APPROVAL, subject to :	TONY GREEN appeared representing the applicant.
	1. Standard conditions 1 and 5.	VALERIE DENNIS was present representing the business.
	Staff Recommendation: APPROVAL	COUNCILMAN ADAMSEN asked if they agreed with the conditions and she replied she did.
	PROTESTS: 0	MAYOR JONES declared the Public Hearing closed.
	Ward 1 (Hawkins)	(5:02)

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

Date: 679

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-194-94 - Sahara Paradise Plaza Ltd.

PURPOSE/BACKGROUND

BACKGROUND DATA:

06/17/87 The City Council approved a Variance to allow a Secondhand Dealership for the sale of used slot machines and related new gaming items (V-48-87)

DETAILS OF APPLICATION REQUEST:

The applicant is proposing to utilize an existing commercial building for a secondhand dealership for the sale of women's clothing and accessories.

FINDINGS:

Staff believes the proposed use is appropriate in a commercial shopping center along a major street.

The Downtown Redevelopment Agency has recommended approval of this request.

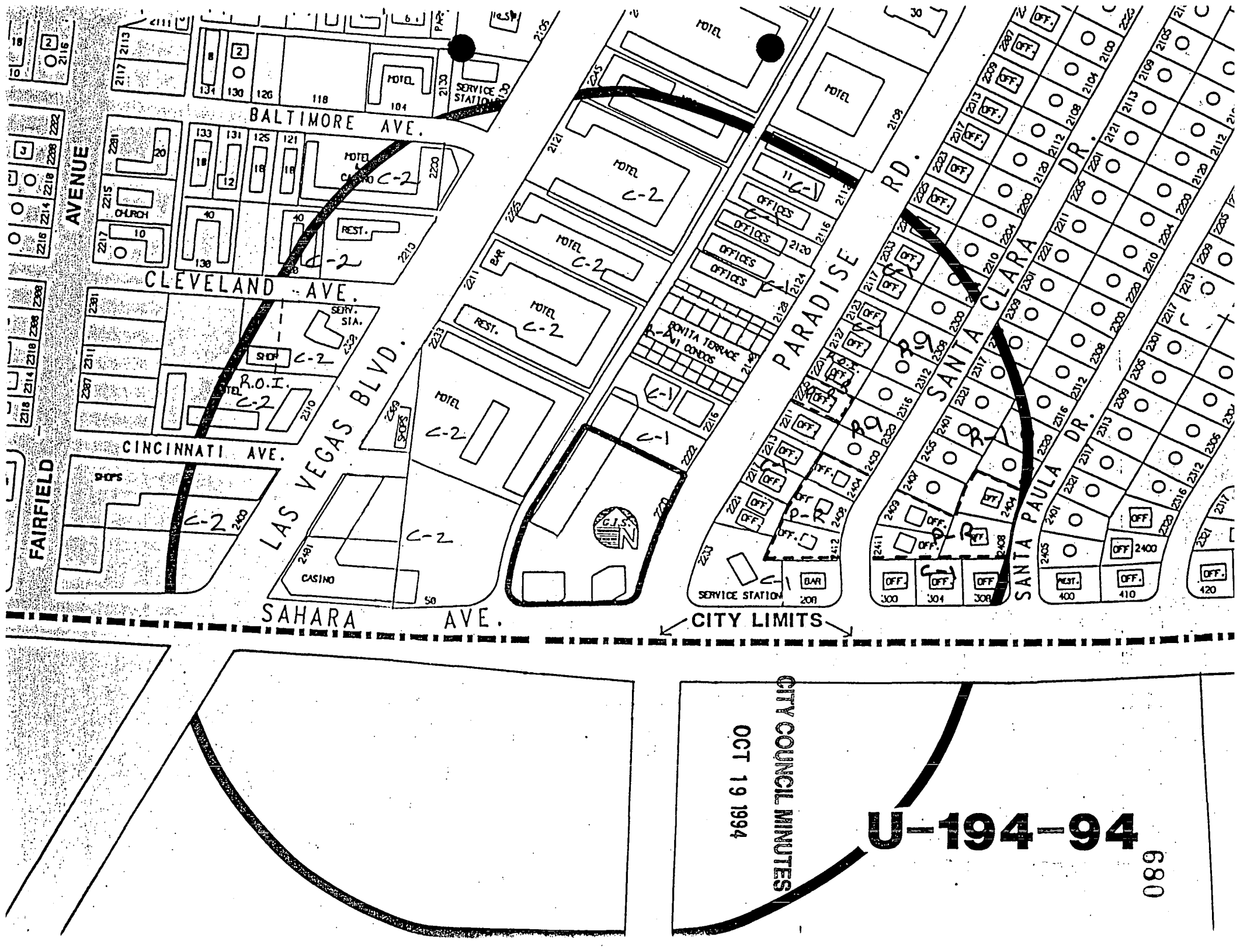
Board of Zoning Adjustment Recommendation: APPROVAL (4-0 vote)

Staff Recommendation: APPROVAL

PROTESTS: 0

NOTICES MAILED:

SEE ATTACHED LOCATION MAP


BALTIMORE AVE.
CLEVELAND AVE.
CINCINNATI AVE.
SAHARA AVE.
FAIRFIELD AVENUE
LAS VEGAS BLVD.
PARADISE RD.
SANTA CLARA DR.
SANTA PAULA DR.
CITY LIMITS
MOTEL
C-2
C-1
R-3
OFFICES
SHOPS
REST.
BAR
CASINO
SERVICE STATION
CHURCH
SERV. STA.
R.O.I.
BONITA TERRACE CONDOS
CITY COUNCIL MINUTES
OCT 19 1994
U-194-94
089

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	**NOTE: ITEM TO BE TAKEN IN CONJUNCTION WITH BUSINESS ACTIVITY ITEM 59, PAGE 36**
	SPECIAL USE PERMIT - PUBLIC HEARING	**BRASS - APPROVED subject to conditions**
102	U-219-94 - Burgundy Company - 1986	**UNANIMOUS**
	Application of Burgundy Company - 1986 for a Special Use Permit to allow the sale of beer and wine within a proposed convenience store on property located at 732 North Eastern Avenue, C-1 Zone.	*****
	Staff Recommendation: APPROVAL	MAYOR JONES declared the Public Hearing open.
	PROTESTS: 0	SAM HAMIKA, 1600 East Lake Mead Boulevard, was present.
	Ward 3 (Brass)	COUNCILMAN ADAMSEN asked MR. HAMIKA if he was in agreement with staff's recommendations. MR. HAMIKA concurred.
	Board of Zoning Adjustment (4-0 vote) unanimously recommended APPROVAL, subject to:	COUNCILMAN BRASS asked if that included the handicap ramp to which MR. HAMIKA replied, yes.
	1. This action does not constitute approval of a liquor license.	COUNCILMAN BRASS then asked if the other off-site improvements were included. MR. HAMIKA answered that he had pulled the permit for the handicap ramp, but it is not done yet and the easement is done. Regarding Conditions 4, 5 and 6, he has spoken with John McNellis of the Public Works Department. COUNCILMAN BRASS told Mr. Hamika he was advised there was a request to relax those conditions.
	2. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the southeast corner of Harris Avenue and Eastern Avenue as required by the Department of Public Works.	JOHN McNELLIS, Public Works Department, clarified that the applicant will construct the handicap ramp. The applicant dropped off the dedication documents. Regarding the other conditions as they apply, if things are changed on site, then the other conditions will apply. As long as the driveway remains as is, everything is fine. The off-site improvements are all in place.
	3. Construct a handicap ramp on the southwest corner of Eastern Avenue and Harris Avenue and required by the Department of Public Works.	CONTINUED ...
	4. Redesign the driveway and parking lot layout to meet the approval of the Traffic Engineer. Driveways shall be designed and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.	
	5. Remove all unused driveway cuts adjacent to this site, if any, and replace with new "L" curb and sidewalk meeting current City Standards as required by the Department of Public Works.	

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	COMMUNITY PLANNING AND DEVELOPMENT	A correction was noted that Condition No. 3 refers to the southeast corner, not the southwest corner. MAYOR PRO TEM ADAMSEN declared the Public Hearing closed. (5:19 - 5:22)
	U-219-94 - Burgundy Company 1986	
	6. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards as required by the Department of Public Works.	
	7. Standard conditions 1 and 5.	

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

683

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

JLS

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-219-94 - Burgundy Company - 1986

PURPOSE/BACKGROUND

DETAILS OF APPLICATION REQUEST:

This parcel is 15,530 square feet in size and is developed with an existing 2,754 square foot commercial building which will be converted to a convenience store. The applicant proposes to sell beer and wine in conjunction with the convenience store.

There are no churches, schools, synagogues, public parks or child care facilities for greater than 12 children within 400 feet of the proposed convenience store location.

FINDINGS:

This use is common to many convenience stores throughout the City and usually does not create problems for surrounding uses. Therefore, staff supports this request.

Board of Zoning Adjustment Recommendation: APPROVAL (4-0 vote)

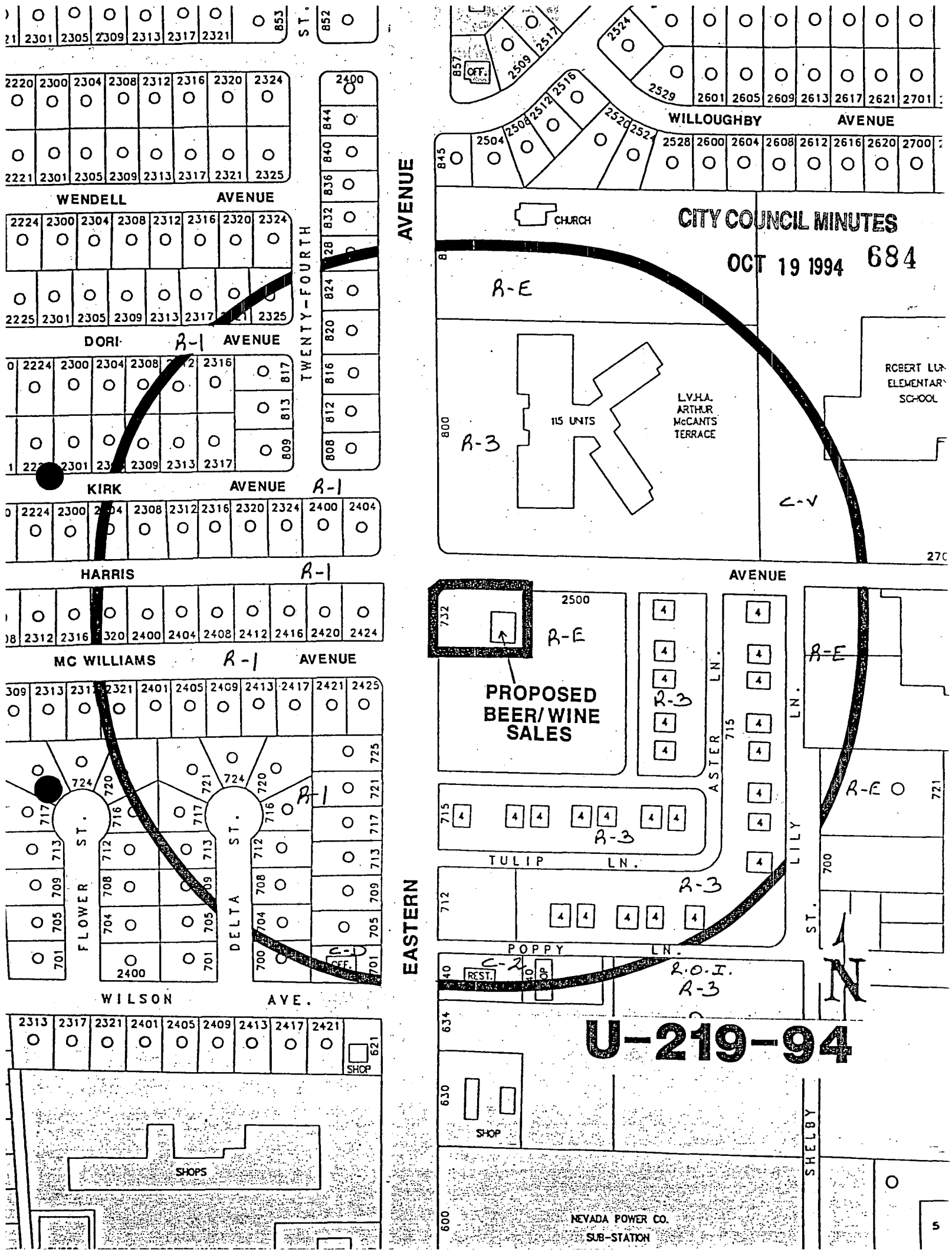
Staff Recommendation: APPROVAL

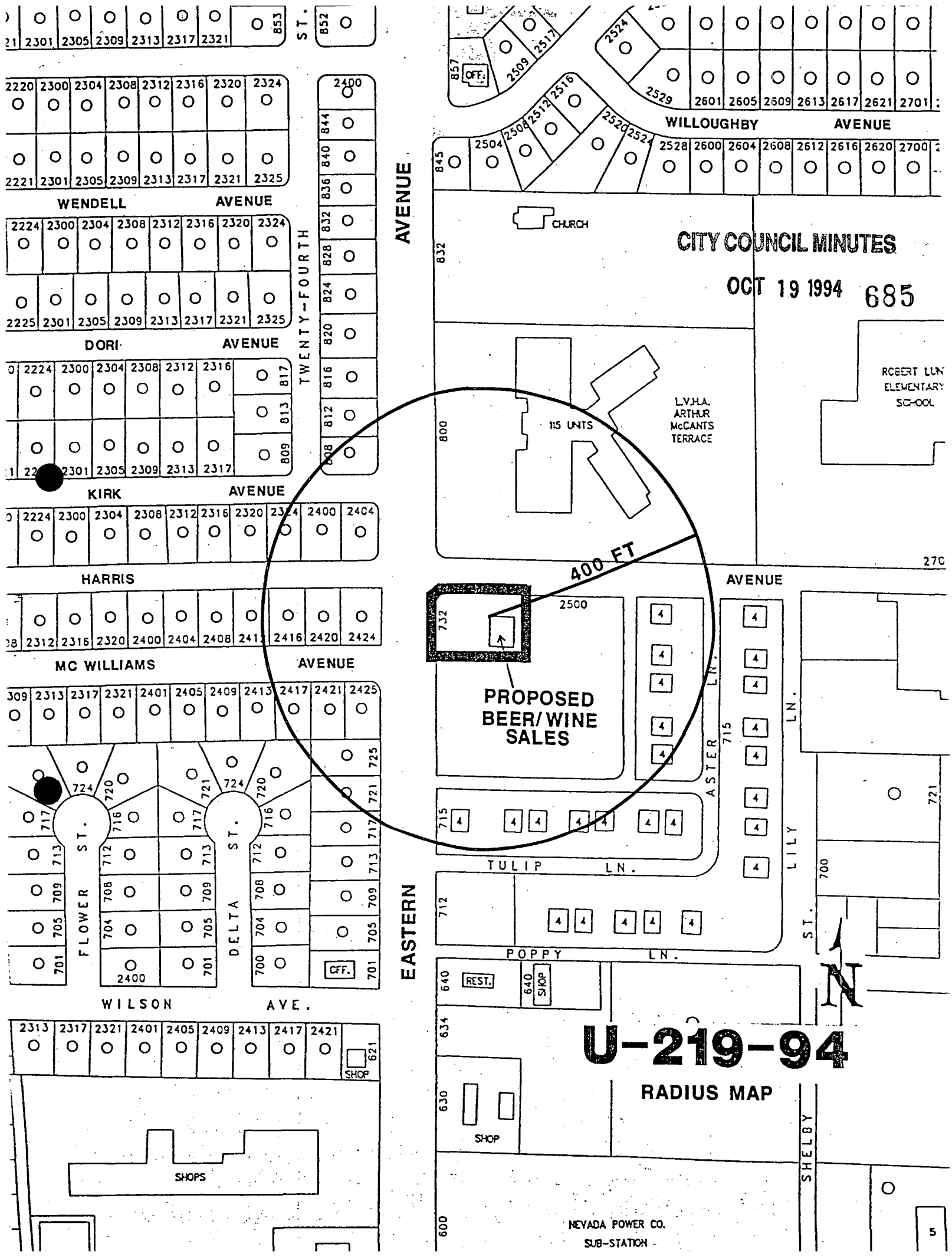
PROTESTS: 0

NOTICES MAILED: 79

SEE ATTACHED LOCATION MAP

Agenda Item
102


CITY COUNCIL MINUTES
OCT 19 1994 684
WILLOUGHBY AVENUE
WENDELL AVENUE
DORI AVENUE
KIRK AVENUE
HARRIS AVENUE
MC WILLIAMS AVENUE
WILSON AVE.
TWENTY-FOURTH AVENUE
EASTERN AVENUE
CHURCH
R-E
R-3
R-1
C-V
C-2
C-1
L.V.H.A. ARTHUR McCANTS TERRACE
115 UNITS
ROBERT LU ELEMENTARY SCHOOL
PROPOSED BEER/WINE SALES
ASTER LN.
LILY LN.
TULIP LN.
POPPY LN.
FLOWER ST.
DELTA ST.
LILY ST.
SHELBY
R.O.I.
REST.
OFF.
SHOP
SHOPS
NEVADA POWER CO. SUB-STATION
N
U-219-94


CITY COUNCIL MINUTES
OCT 19 1994 685
400 FT
PROPOSED BEER/WINE SALES
U-219-94
RADIUS MAP
WILLOUGHBY AVENUE
WENDELL AVENUE
DORI AVENUE
KIRK AVENUE
HARRIS AVENUE
MC WILLIAMS AVENUE
WILSON AVE.
EASTERN AVENUE
TWENTY-FOURTH ST.
FLOWER ST.
DELTA ST.
ASTER LN.
LILY LN.
TULIP LN.
POPPY LN.
SHELBY
CHURCH
L.V.H.A. ARTHUR McCANTS TERRACE
115 UNITS
ROBERT LUN ELEMENTARY SCHOOL
SHOPS
SHOP
REST.
NEVADA POWER CO. SUB-STATION
N

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	**ADAMSEN - APPROVED subject to the conditions UNANIMOUS**
		*****
	SPECIAL USE PERMIT - PUBLIC HEARING	
103	U-215-94 - Sahara Durango Limited Partnership	MAYOR PRO TEM ADAMSEN declared the Public Hearing open.
	Appeal filed by Becker Realty Corporation on behalf of Sahara Durango Limited Partnership on the action of the Board of Zoning Adjustment in DENYING its application for a Special Use Permit for a tavern; and a request for a waiver of the 1,500 foot distance separation from another tavern and a child care facility for more than 12 children on property located at the southwest corner of Sahara Avenue and Durango Drive, C-1 Zone.	BARRY BECKER, 50 S. Jones Boulevard, appeared for the item and stated that it would be an Outback Restaurant with operating hours beginning at 4:00 p.m.
	Board of Zoning Adjustment voted (3-1) to DENY this request. If approved, subject to:	MAYOR PRO TEM ADAMSEN asked if this is for a restaurant that wants a tavern license in order to have the potential for gaming. MR. BECKER stated they did not want gaming. Outback already has three restaurants in town with no gaming in any of them. They want a tavern license because they have a sit-down bar in the center of the restaurant.
	1. This action does not constitute approval of a liquor license.	
	2. Conformance to the conditions of approval of Plot Plan and Building Elevation Review Z-54-84 (12) and Zoning Reclassification Z-54-84.	MAYOR PRO TEM ADAMSEN asked Mr. Becker if he has talked to the people at the day care center. MR. BECKER responded that he talked to the gentleman from Denver and did not believe they had any problem whatsoever.
	3. Standard Condition No. 5.	MAYOR PRO TEM ADAMSEN said he had not received any phone calls regarding the restaurant.
	Staff Recommendation: DENIAL	No one was present to speak on this item and the Public Hearing was closed.
	PROTESTS: 1 (at meeting)	MAYOR PRO TEM ADAMSEN made the approval motion and the reason for deviation is that this is a restaurant which is part of a nationwide chain and the proposed use is commonly found throughout the area. The child care facility is on the very fringe of the 1,500 foot distance to the southwest and is not in close proximity and the main focus of this establishment would be food service.
	Ward 2 (Adamsen)	COUNCILMAN HIGGINSON added, as the author of the legislation which added child care facilities, these are not the type of facilities Council was concerned with.
		(5:22 - 5:26)

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-215-94 - Sahara Durango Limited Partnership

PURPOSE/BACKGROUND

BACKGROUND DATA:

08/15/84 The City Council approved C-1 (Limited Commercial) zoning for this site as part of a larger reclassification (Z-54-84).

08/11/94 The Planning Commission approved a Plot Plan and Building Elevation Review (Z-54-84[11]) for an Outback Steakhouse Restaurant.

DETAILS OF APPLICATION REQUEST:

This is an appeal to the denial action of the Board of Zoning Adjustment for a Special Use Permit. The applicant is requesting a tavern license to sell alcoholic beverages for consumption within the Outback Steakhouse Restaurant at the Lakeside Village Shopping Center.

City records indicate there is one tavern, Charlie's Lakeside Bar and Grill at 8603 W. Sahara Avenue and one child care center, the Children's Oasis School at the Lakes at 2750 Lake Sahara Drive which are located within 1,500 feet of this proposed tavern license.

The Board approved an application for a Variance (V-132-94) for a parking deficiency in conjunction with the Outback Steakhouse Restaurant.

FINDINGS:

The code contains provisions in which the City Council declares that the safety, welfare, health, peace and morals of the City are best promoted and protected by requiring a 1,500 foot distance separation between taverns and between taverns and child care facilities of more than 12 children. The code also requires the applicant to show by "convincing and substantial evidence" that a waiver of said distance requirement will not compromise the objective of safeguarding the interests of citizens of the City. Staff has no record of any evidence to support the waiver.

Agenda Item
103

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

688

Date: _____

AGENDA DOCUMENTATION

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-215-94 - Sahara Durango Limited Partnership

PURPOSE/BACKGROUND

Although the applicant pointed out that this restaurant is part of a nationwide chain and the proposed use is commonly found, the Board did not feel that another tavern was needed in the area.

Board of Zoning Adjustment Decision: DENIAL (3-1 vote)

Staff Recommendation: DENIAL

PROTESTS: 1 (at meeting) (Protestor objected to the proposed size of the tavern, indicating that the bar would be the primary use.)

NOTICES MAILED: 149

SEE ATTACHED LOCATION MAP

510-015-5/94

Agenda Item

BECKER REALTY CORP.

RECEIVED
CITY CLERK
OCT 5 2 09 PM '94

October 5, 1994

Kathleen Tighe
City Clerk, City of Las Vegas
400 E Stewart Ave, 10th Floor
Las Vegas NV 89101

RE: U-215-94 - SPECIAL USE PERMIT
SAHARA AVENUE AND DURANGO DRIVE

Dear Kathleen,

I hereby request an appeal on the decision on the Board of Zoning Adjustment to deny the Special Use Permit Application for a tavern for the property located on the SWC of Sahara Avenue and Durango Drive.

Thank you for your consideration.

Yours truly,

Barry W. Becker
Agent
Sahara Durango Limited Partnership

50 S JONES BL, SUITE 101, LAS VEGAS, NV 89107-2699 □ (702) 870-0212, 870-1226 □ FAX (702) 870-4976

BECKER ENTERPRISES □ A STANDARD OF EXCELLENCE SINCE 1903 □ REALTOR MLS □ COMMERCIAL/RESIDENTIAL LAND INVESTMENTS

CITY COUNCIL MINUTES

OCT 19 1994

CITY COUNCIL
OCTOBER 19, 1994

U-215-94
SPECIAL USE PERMIT
FOR
OUTBACK STEAKHOUSE RESTAURANT
SWC SAHARA AVENUE AND DURANGO DRIVE
BECKER REALTY CORP.

I. REASONS FOR GRANTING A VARIANCE FROM THE 1,500-FOOT DISTANCE FROM TAVERNS AND A CHILD CARE FACILITY.

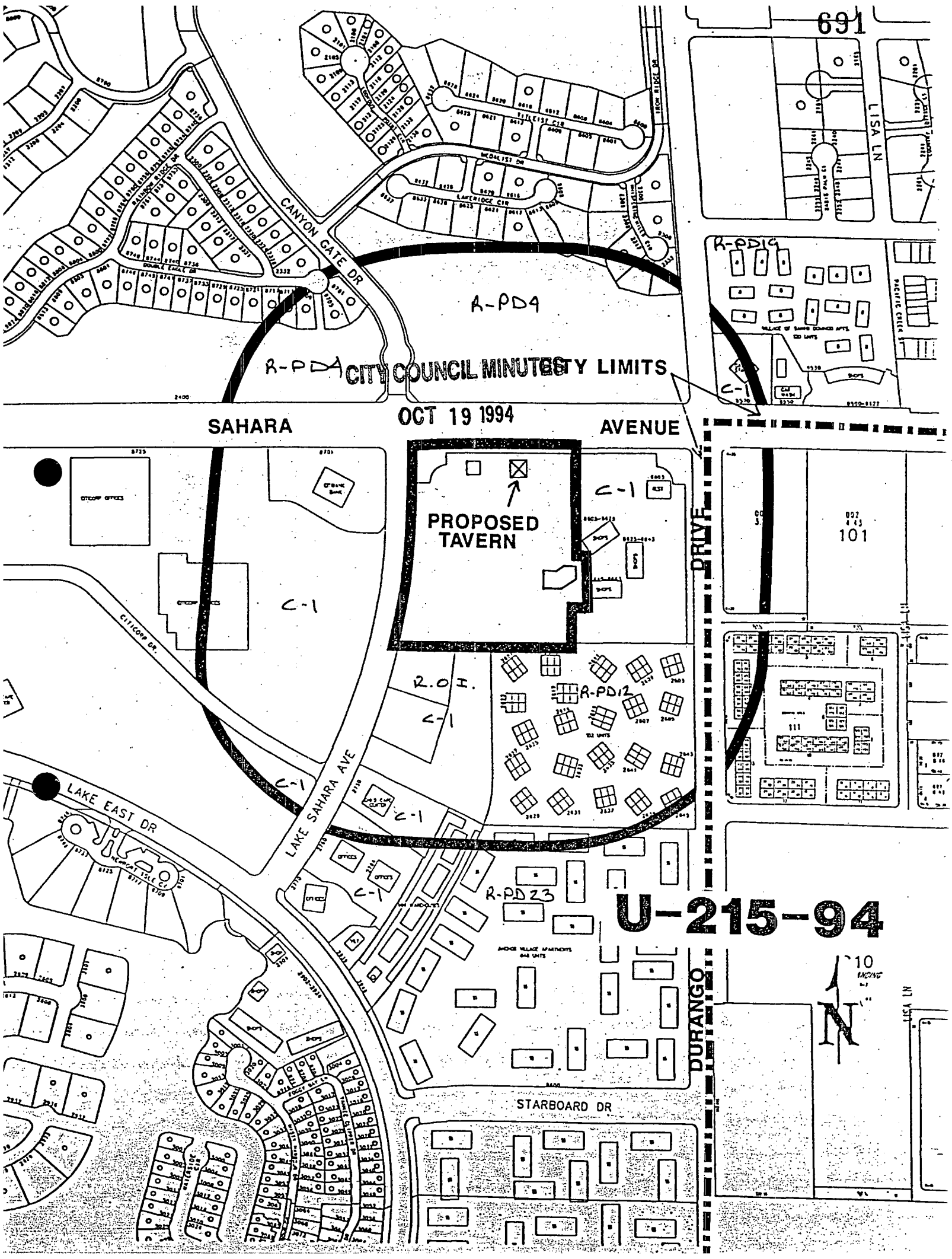
The 1,500-foot distance between taverns was established primarily for separation between bars or taverns, not to separate restaurants that, as part of their business, serve liquor and have a bar primarily for waiting/eating area.

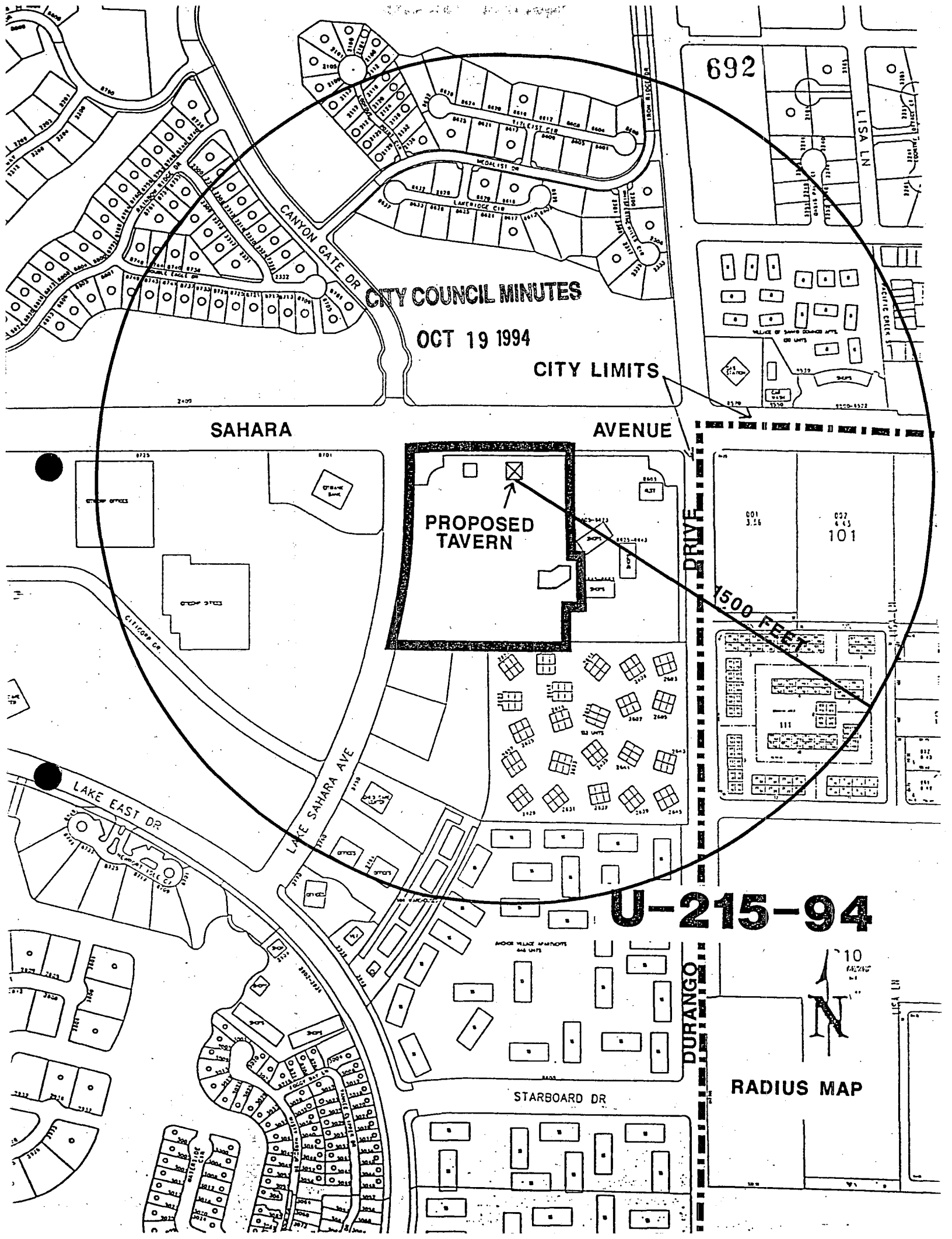
The Outback Restaurant, with 193 (corporate and national) locations throughout the United States, is clearly a restaurant operation and does not fit the description of a tavern.

II. OTHER RESTAURANT ESTABLISHMENTS WITH BARS

Spago	Lone Star Steakhouse
The Palms	Cousins
Mortons	Hungry Hunter
Chillis	Macayos
Cafe Nicole	Bob Taylor's Ranch House
Quilas	Jerome's
Ricardos	Tillerman
Golden Steer	Famous Pacific Fish Co.
Olive Garden	Romeos
Red Lobster	Ruth Chris
Cafe Michelle	

All of these restaurants have bars. It is an important part of the atmosphere and an important ingredient to the total success of their operations. None of the above mentioned restaurants would be considered taverns.


691
LISA LN
CANYON GATE DR
R-PD4
R-PD4
CITY COUNCIL MINUTES
CITY LIMITS
OCT 19 1994
SAHARA
AVENUE
R-PD1C
C-1
PROPOSED
TAVERN
C-1
DRIVE
101
C-1
R.O.H.
C-1
R-PD12
CITICORP GR.
LAKE EAST DR
LAKE SAHARA AVE
C-1
C-1
R-PD23
U-215-94
DURANGO
STARBOARD DR
N


692
LISA LN
CANYON GATE DR
CITY COUNCIL MINUTES
OCT 19 1994
CITY LIMITS
SAHARA
AVENUE
PROPOSED
TAVERN
DRIVE
1500 FEET
101
CITICORP CR
LAKE SAHARA AVE
LAKE EAST DR
U-215-94
DURANGO
STARBOARD DR
N
RADIUS MAP

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	
		HAWKINS - APPROVED as recommended subject to the conditions
	SPECIAL USE PERMIT - PUBLIC HEARING	**UNANIMOUS**
104	U-222-94 - Liberty Real Estate Limited Partnership III	*****
	Application for a Special Use Permit to allow a Class III secondhand dealership for buying and selling of gold jewelry on property located at 850 South Rancho Road, Suite 2A, C-1 Zone.	MAYOR JONES declared the Public Hearing open.
	Board of Zoning Adjustment unanimously (4-0 vote) recommended APPROVAL, subject to:	RICHARD FEDELLECK, 2025 Alta Drive, was present for the applicant.
	1. Standard conditions 1 and 5.	COUNCILMAN HAWKINS asked why staff recommended approval. ROD ALLISON, Community Planning Department, said staff feels that this use is appropriate in this commercial location.
	Staff Recommendation: APPROVAL	No one was present to speak on this item.
	PROTESTS: 2 (letters)	MAYOR JONES declared the Public Hearing closed.
	Ward 1 (Hawkins)	MAYOR JONES noted that the protests she received were the fear that this would become a pawn shop rather than just allowing the operator to sell estate jewelry as is seen in jewelry stores in Fashion Show Mall and other retail environments.
		MR. FEDELLECK agreed and added that he manufactures and sells fine custom jewelry.
		COUNCILMAN HAWKINS confirmed with Mr. Fedelleck that he will not appear before the Council in a couple months and want to sell some pawn.
		COUNCILMAN HAWKINS made the approval motion.
		5:26 - 5:28)

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

Date: 694

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

JLS

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-222-94 - Liberty Real Estate Limited Partnership III

PURPOSE/BACKGROUND

DETAILS OF APPLICATION REQUEST:

The applicant is proposing to utilize a suite within an existing shopping center for the buying and selling of gold jewelry. Adequate on-site parking is provided within the shopping center.

FINDINGS:

Staff believes the proposed use is appropriately located in this commercial shopping center adjacent to a major street.

Board of Zoning Adjustment Recommendation: APPROVAL (4-0 vote)

Staff Recommendation: APPROVAL

PROTESTS: 2 (letters) (Protestors were opposed to the nature of this proposed use, indicating that this type of use increases the dealing of stolen property. Protestors requested that the uses be limited to professional office and less intense commercial uses.)

NOTICES MAILED: 135

SEE ATTACHED LOCATION MAP

RECEIVED
CITY CLERK
Oct 19 10 41 AM '94
CITY COUNCIL MINUTES
OCT 19 1994

695

SMITH & KOTCHKA

ATTORNEYS AT LAW

MALANI L. KOTCHKA
GREGORY E. SMITH
KEITH F. KIZER
L. STEVEN DEMAREE
ROSE MARIE REYNOLDS

317 SOUTH SIXTH STREET
LAS VEGAS, NEVADA 89101
TELEPHONE (702) 382-1707

TELECOPIER (702) 382-9370

October 19, 1994

TELECOPIED
382-4803

The Honorable Jan Jones
& Members of the City Council
City of Las Vegas - City Hall
400 East Stewart
Las Vegas, NV 89101

Ladies & Gentlemen:

I am writing in opposition to the application for a special use permit to allow a Class III second-hand dealership for buying and selling of gold jewelry on property located at 850 South Rancho Road, Suite 2A. The item is listed on your October 19, 1994 agenda as item 104 and identified as U-222-94.

My wife and I own and recently cleared the lot at 804 Shetland Road. Our plans for a custom home are currently pending a building permit. We purchased the property and plan to build there because the entire neighborhood has clearly developed a trend toward improvement, both visually and in terms of a comfortable and safe lifestyle. We think the granting of the variance for the current application would be adverse to that trend.

We are concerned that the nature of the business contemplated will not fit with the recently remodeled shopping area in which it will sit; that it will create more and different type of traffic in the area; that it will attract, wittingly or unwittingly, individuals attempting to sell stolen property; and that it will encourage other types of second-hand stores and shops, further denigrating the area.

We ask that you vote against the application.

Sincerely yours,

Gregory E. Smith

GES/sdc

104

AA

696

MORRIS BRIGNONE & PICKERING
ATTORNEYS AT LAW
1203 BANK OF AMERICA PLAZA
300 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101
(702) 474-9400
FAX (702) 474-9422

STEVE MORRIS

CITY COUNCIL MINUTES

OCT 19 1994

October 19, 1994

Mr. Arnie Adamsen
City Hall
400 East Stewart Avenue
Las Vegas, Nevada 89101

Re: U222-94

Dear Councilman Adamsen:

I live at 2301 Palomino Lane, just across the alley from the jewelry store that is seeking this Special Use Permit to buy and sell used gold jewelry. I am opposed to issuance of the permit for two reasons:

(1) Dealing in second-hand goods is not now allowed in this neighborhood or in the shopping center where the applicant does business. Granting this permit would set an undesirable precedent and encourage applications from other used goods dealers to conduct their businesses in the same location.

(2) Buying and selling used gold jewelry may draw people to the neighborhood who have stolen goods to sell. Conversely, the dealer and his adjoining neighbors may be subject to increased risk of burglary and theft as the result of having such goods on hand. This shopping center already draws its share of toughs to the neighborhood. Smith's market has been the subject of two armed robberies in the last two years.

Please vote to deny this application for a special use permit. Thank you.

Very truly yours,

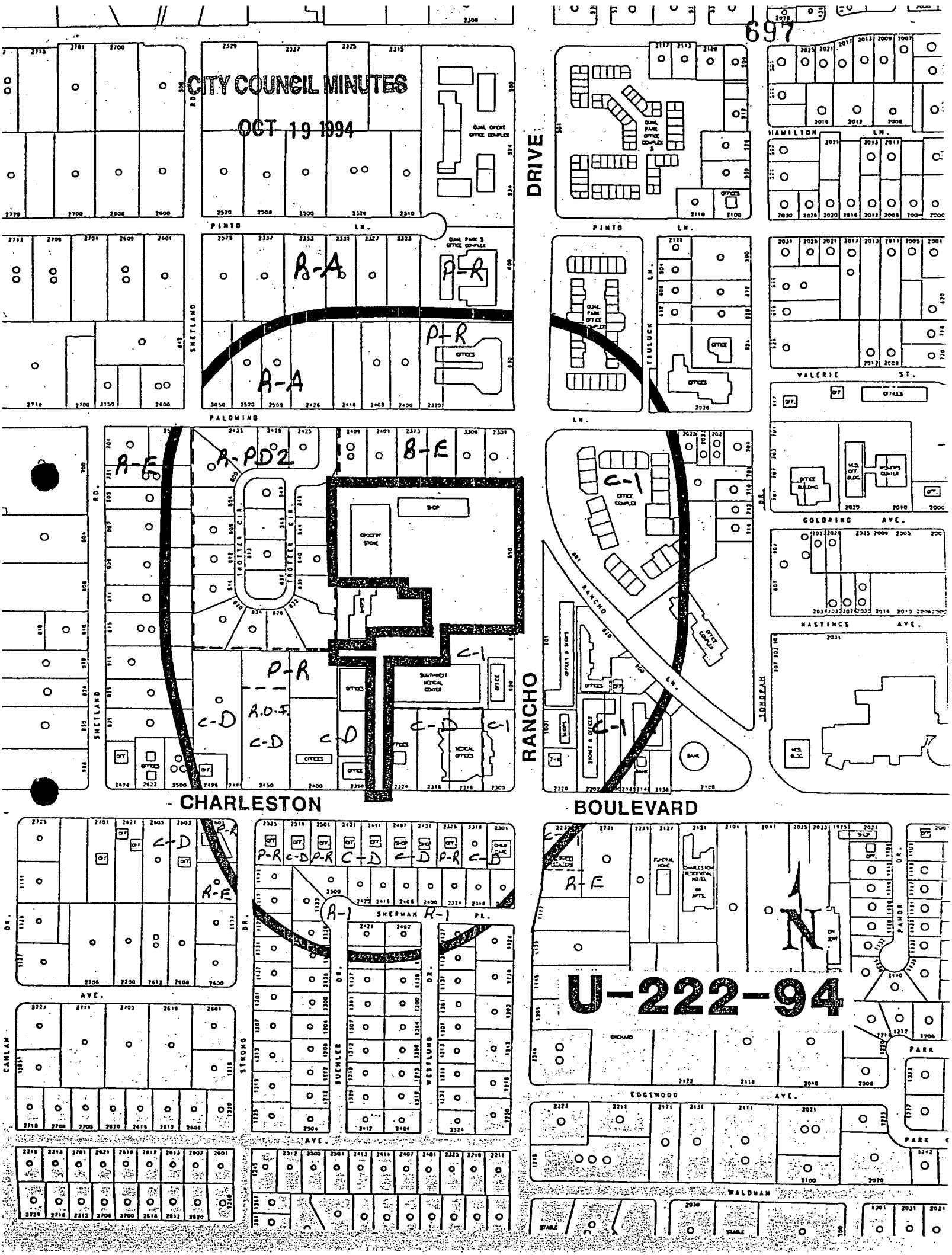
Steve Morris

STEVE MORRIS

SM:jp

CITY COUNCIL MINUTES

OCT 19 1994



ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	**NOTE: ITEM TO BE TAKEN IN CONJUNCTION WITH BUSINESS ACTIVITY ITEM 60, PAGE 36**
	SPECIAL USE PERMIT - PUBLIC HEARING	**HAWKINS - APPROVED as recommended subject to the conditions**
105	U-205-94 - Bernard Shapiro	**UNANIMOUS with JONES not voting**
	Application of Bernard Shapiro for a Special Use Permit to allow the sale of beer and wine within an existing grocery store on property located at 1110 East Charleston Boulevard, C-2 Zone.	*****
	Board of Zoning Adjustment recommended (3-1 vote) APPROVAL, subject to:	JACK OLSEN, 5800 W. Charleston Boulevard, stated he and his wife are the owners/ operators of the Las Vegas Grocery Outlet.
	1. This action does not constitute approval of a liquor license.	MAYOR PRO TEM ADAMSEN declared the Public Hearing open.
	2. Standard conditions 1 and 5.	THERESA LEWIS, 1005 Yucca Avenue, read and submitted a petition with signatures of 17 business owners in the area. They would like to see the City enforce vagrancy/illiteracy laws. More beer and wine is not needed.
	Staff Recommendation: APPROVAL	ALLEN AND THERESA McCONNELL, 1012 Jessica Avenue, appeared in protest stating there are enough alcohol related problems already.
	PROTESTS: 2 (at meeting)	EDITH VAN TASSEL also objected to the sale of beer and wine because there are six liquor stores in the area now.
	Ward 1 (Hawkins)	MAYOR PRO TEM ADAMSEN declared the Public Hearing closed.
		COUNCILMAN HAWKINS asked Mr. Olsen how long he has had the business at that location. MR. OLSEN said he's been there six months and has tried to make the area nice. He is applying only for beer and wine as it is important to his business, but sympathizes with the neighbors.
		MAYOR PRO TEM ADAMSEN asked if we had concurrence of the Redevelopment Agency and staff stated they did concur.
		COUNCILMAN HAWKINS said he understood the constituents' problems, but it would be a real problem denying the application. He then made the motion for approval.
		(5:28 - 5:38)

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-205-94 - Bernard Shapiro

PURPOSE/BACKGROUND

DETAILS OF APPLICATION REQUEST:

The applicant wishes to sell beer and wine in an existing Grocery Outlet supermarket, located within a retail shopping center.

FINDINGS:

This use is common to many stores within shopping centers throughout the City and usually does not create problems for surrounding uses. Therefore, staff supports this request.

There are no churches, schools, synagogues, public parks or child care facilities for greater than 12 children within 400 feet of the existing supermarket location.

The Downtown Redevelopment Agency has indicated that they also support this request.

Board of Zoning Adjustment Recommendation: APPROVAL (3-1 vote)

Staff Recommendation: APPROVAL

PROTESTS: 2 (at meeting) (Protestors opposed the use, noting that there is a high rate of crime and drug abuse in the neighborhood and increased availability of alcohol will exacerbate the conditions.)

NOTICES MAILED: 166

SEE ATTACHED LOCATION MAP

NOTICE OF PUBLIC HEARING

SPECIAL USE PERMIT REQUEST

CITY COUNCIL MINUTES

OCT 19 1994

RECEIVED
CITY CLERK
OCT 17 11 15 AM '94

MEETING: LAS VEGAS CITY COUNCIL
DATE: OCTOBER 19, 1994
TIME: 2:00 p.m.
LOCATION: Council Chambers, City Hall
400 East Stewart Avenue, Las Vegas, Nevada

REQUEST: U-205-94

Application of BERNARD SHAPIRO for a Special Use Permit for the sale of beer and wine within an existing grocery store on property located at 1110 East Charleston Boulevard in Zoning District C-2.

I say "NO" to Permit because; I do not want anymore people laying around on the street Parks to threaten us that there are already Liquor Stores in Henderson 0211 Jessica Ave LV, Nev 89104

APPLICANT: BERNARD SHAPIRO

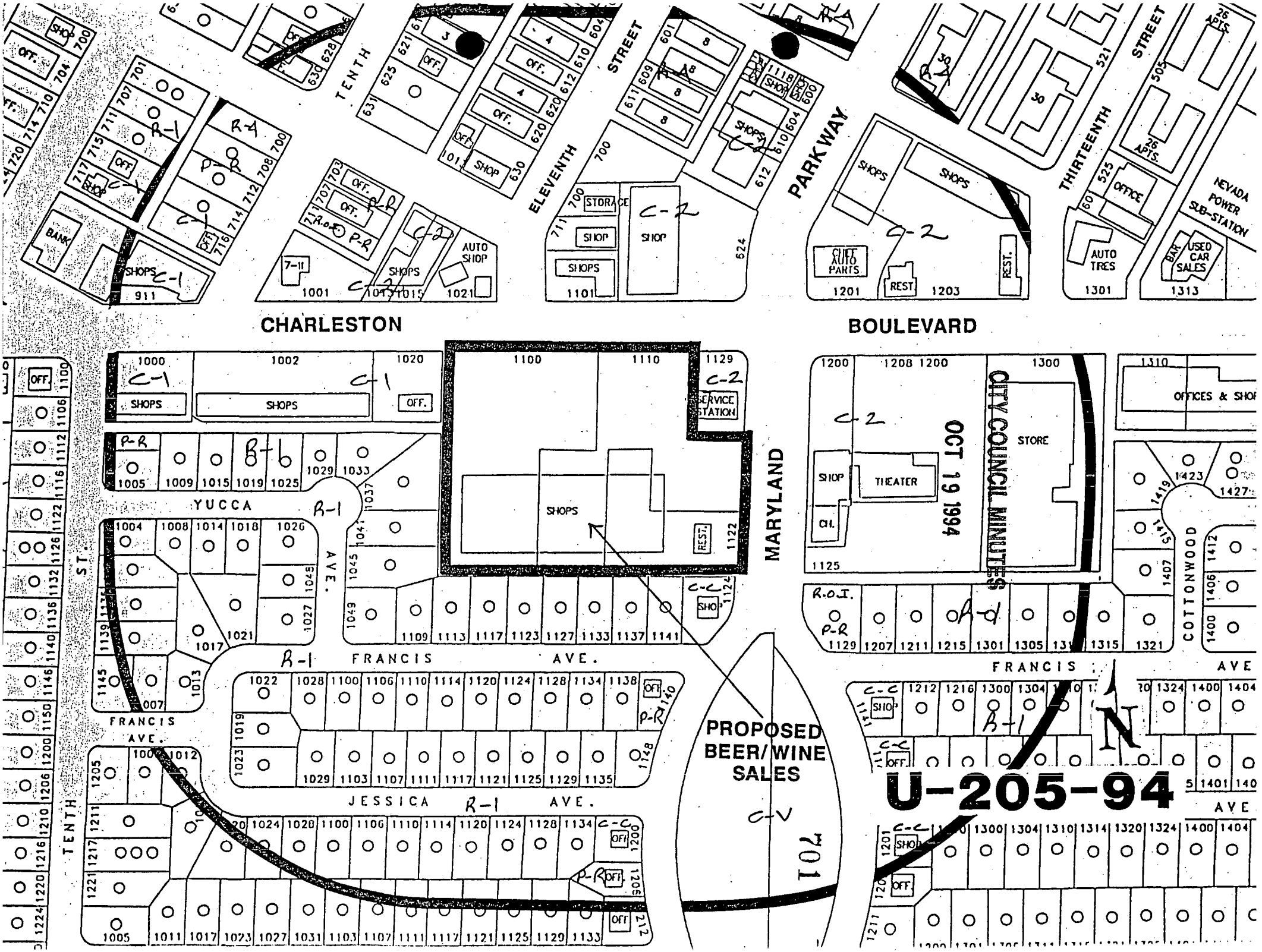
PROPERTY DESCRIPTION: THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS A PORTION OF BLOCK TWENTY-FOUR (24) OF HUNTRIDGE SUBDIVISION AMENDED TRACTS 1, 2 AND 3.

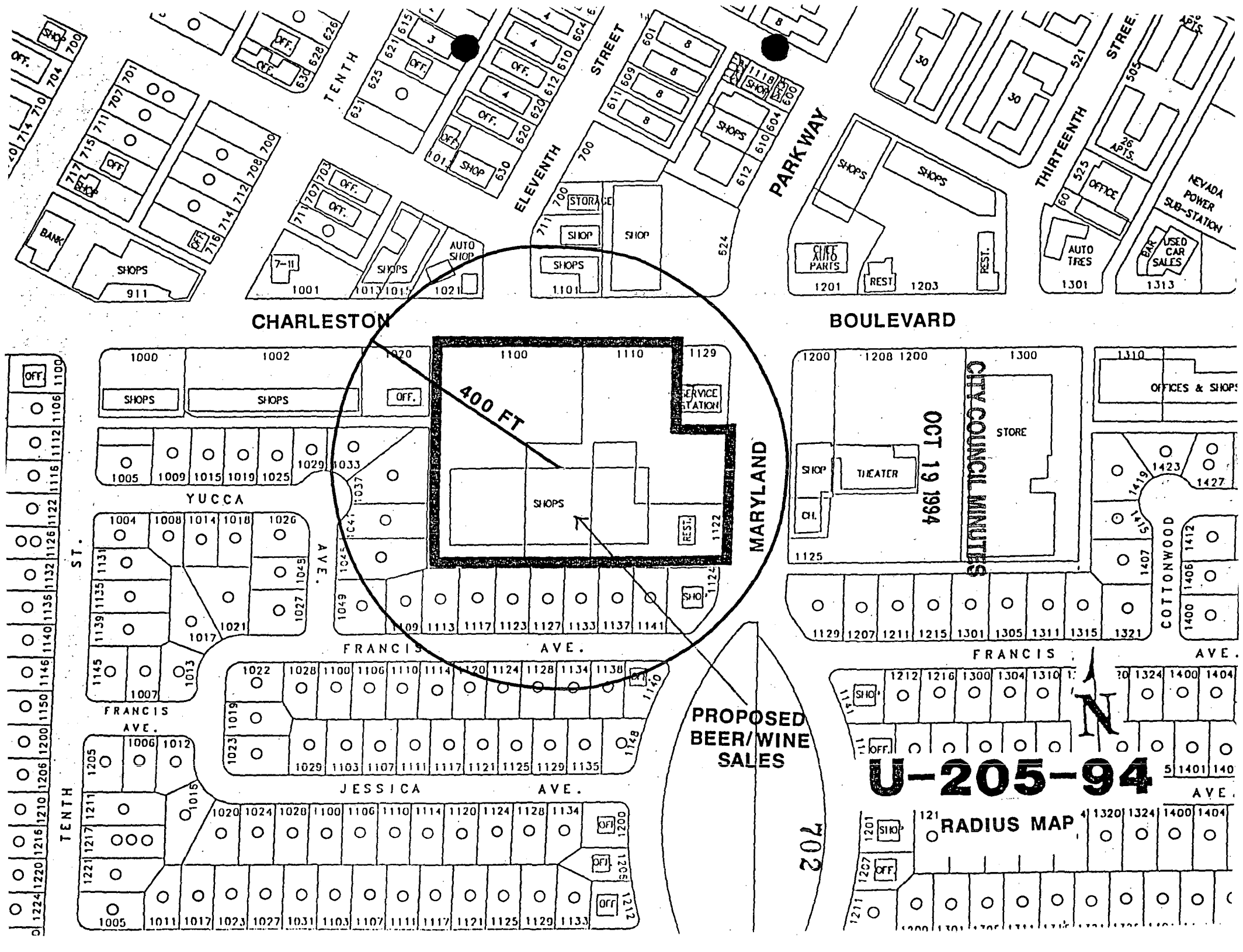
Any and all interested persons may appear and be heard at said meeting or, prior thereto, may file written objection thereto or approvals thereof with the city clerk, 5th floor, City Hall

CITY OF LAS VEGAS NEVADA

KATHLEEN M. TIGHE
CITY CLERK

105


CHARLESTON
BOULEVARD
TENTH
ELEVENTH
STREET
PARKWAY
THIRTEENTH
STREET
MARYLAND
PARKWAY
YUCCA
AVE.
FRANCIS
AVE.
JESSICA
AVE.
COTTONWOOD
AVE
TENTH
ST.
PROPOSED
BEER/WINE
SALES
CITY COUNCIL MINUTES
OCT 19 1994
U-205-94
N
SHOPS
SHOP
OFF.
STORAGE
SERVICE
STATION
THEATER
STORE
REST.
AUTO
SHOP
AUTO
TIRES
USED
CAR
SALES
NEVADA
POWER
SUB-STATION
OFFICES & SHOP
APTS.
OFFICE
BANK
7-11
CLIFT
AUTO
PARTS
R.O.I.
C-1
C-2
R-1
R-A
P-R


CHARLESTON
BOULEVARD
MARYLAND
PARKWAY
TENTH
ELEVENTH
THIRTEENTH
STREET
400 FT
PROPOSED
BEER/WINE
SALES
OCT 19 1994
CITY COUNCIL MINUTES
U-205-94
RADIUS MAP
YUCCA
FRANCIS
AVE.
JESSICA
ST.
COTTONWOOD
SHOPS
SHOP
STORE
THEATER
SERVICE STATION
OFFICE
OFFICES & SHOPS
AUTO PARTS
AUTO TIRES
USED CAR SALES
NEVADA POWER SUB-STATION
BANK
REST.
BAR
7-11
N

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	**HAWKINS JR - APPROVED subject to conditions - UNANIMOUS with JONES and HIGGINSON not voting and ADAMSEN abstaining from voting because his employer, Stewart Title, is involved with this application.**
		******
	SPECIAL USE PERMIT - PUBLIC HEARING	
106	U-223-94 - Lewis Homes of Nevada	MAYOR PRO TEM ADAMSEN declared the Public Hearing open.
	Application for a Special Use Permit to allow a tavern on property located at 731 South Rainbow Boulevard, R-1 Zone (under Resolution of Intent to C-1).	There was no one present to represent the application.
	Board of Zoning Adjustment voted (3-2) to recommend APPROVAL, subject to:	DIANE QUENELL, 400 S. Lorenzi St., appeared in protest as a spokesperson for the neighborhood. This is in a school zone area. The children on the west side of the Rainbow/Alta area must cross Rainbow, which is six lanes, and does not have a crossing guard.
	1. Conformance to the conditions of approval of Z-51-90.	MAYOR PRO TEM ADAMSEN advised that it is difficult to get crossing guards at signalized intersections.
	2. This action does not constitute approval of a liquor license.	DIANE QUENELL said ten years ago this was a residential area. Since then Lucky's, Home Depot, Susan's Hallmark, etc. have been put in the area. There are several bars in the area already so another bar will not be unique.
	3. Standard conditions 1, 5 and 8.	VICKI ARNOLD, 6724 Papyrus Circle, appeared in protest. There is a 24 hour sports center going into the area with a child care center. The sports center will have a fruit juice bar within it, but not a liquor bar. At the original zoning there was an opposition of approximately 100 people. This community does not feel there is a need for a bar.
	Staff Recommendation: APPROVAL	DIANE QUENELL said the protestants have been at this meeting since 2 p.m., but the applicant is not concerned enough to send a representative.
	PROTESTS: 85 (1 call, 81 letters, 3 at meeting	MAYOR PRO TEM ADAMSEN declared the Public Hearing closed.
	Ward 2 (Adamsen)	COUNCILMAN HAWKINS JR pointed out that staff says this is on a major street in a large shopping center.
		(5:39 - 5:49)

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

Date: 704

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-223-94 - Lewis Homes of Nevada

PURPOSE/BACKGROUND

BACKGROUND DATA:

06/06/90 The City Council approved a Zoning Reclassification for this property for C-1 (Limited Commercial) zoning for a shopping center (Z-51-90).

DETAILS OF APPLICATION REQUEST:

The applicant is proposing to locate a tavern on a 6,500 square foot pad on the east side of the existing shopping center. Access is via Rainbow Boulevard. On-site parking for this shopping center and the proposed tavern use is adequate.

FINDINGS:

The proposed use is located in a large shopping center on a major street and will not have a detrimental effect on this commercial area.

There are no churches, synagogues, schools or public parks within 1500 feet of the proposed tavern.

Board of Zoning Adjustment Recommendation: APPROVAL (3-2 vote)

Staff Recommendation: APPROVAL

PROTESTS: 85 (1 call, 81 letters, 3 at meeting) (Protestors noted that the location is surrounded by residential areas and opposed the proliferation of taverns in the area.

NOTICES MAILED: 321

SEE ATTACHED LOCATION MAP

RECEIVED
CITY CLERK

Oct 8,1994

Oct 12 10 31 AM '94 CITY COUNCIL MINUTES

OCT 19 1994

Las Vegas City Council
400 East stewart Ave.
Las Vegas, NV

This letter is in regard to request U-223-94 by Lewis Homes of Nevada for a special use permit for a tavern on property located at 731 S.Rainbow Blvd in zoning district R-1.

We feel that the council must know what has taken place in the past between Lewis Homes, the developer (Gordon) and the residents of the area in question. When a meeting was held just this past March between the residents, Mr Gordon, a representative of Lewis and officers of The Q, who are constructing a sports club on a portion of the property in question, we were given an outline of the stores being built and what kind of businesses were going in them. Mr Gordon himself told us that there would be NO Lounges , Bars or Restaurant serving liquor in this shopping center. He lied. At that same meeting they told us that the sports club would have hours of 6:30 am to 11 pm. They lied. The club will be open 24 hours a day. We object to having a tavern in our back yard so to speak. We live at 445 Capertino St , just 2 houses off Alta directly across from the property where the sports club is being built. It's bad enough we are going to have to put up with 1500 people a day coming and going to and from this building. Now we are being asked to put up with a bunch of rowdy beer and liquor customers driving their pick-ups around and through our neighborhood in order to frequent another 24 hour establiishment. You must not let this happen. Please vote against this request.

Alvin Goldstein
Bonnie Huovinen

Alvin Goldstein
Bonnie Huovinen

Al Goldstein
445 Capertino St
Las Vegas, NV 89128
702-877-9589

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CITY CLERK

Oct 13 10 16 AM '94

CITY COUNCIL MINUTES

OCT 19 1994

October 11, 1994

Ms. Kathleen M. Tighe, City Clerk
City of Las Vegas
City Hall, 5th Floor
200 E. Stewart
Las Vegas, NV 89101

Re: Special Use Permit Request U-223-94
Application of LEWIS HOMES OF NEVADA for a Special Use Permit for a tavern on property located at 731 South Rainbow Boulevard in Zoning District R-1 (under Resolution of Intent to C-1).

Dear Ms. Tighe:

With regard to the above proposed Special Use Permit Request, please have the record show that I am against the granting of this request.

This is the fourth zone change that has been proposed for this property. The original request was to change the zone from residential to commercial so that one story professional offices with a nice green area around it could be built. This was not what I expected the property to be used as when I purchased my home, but, I agreed because this use would be a five day-a-week, eight-to-five use of the property.

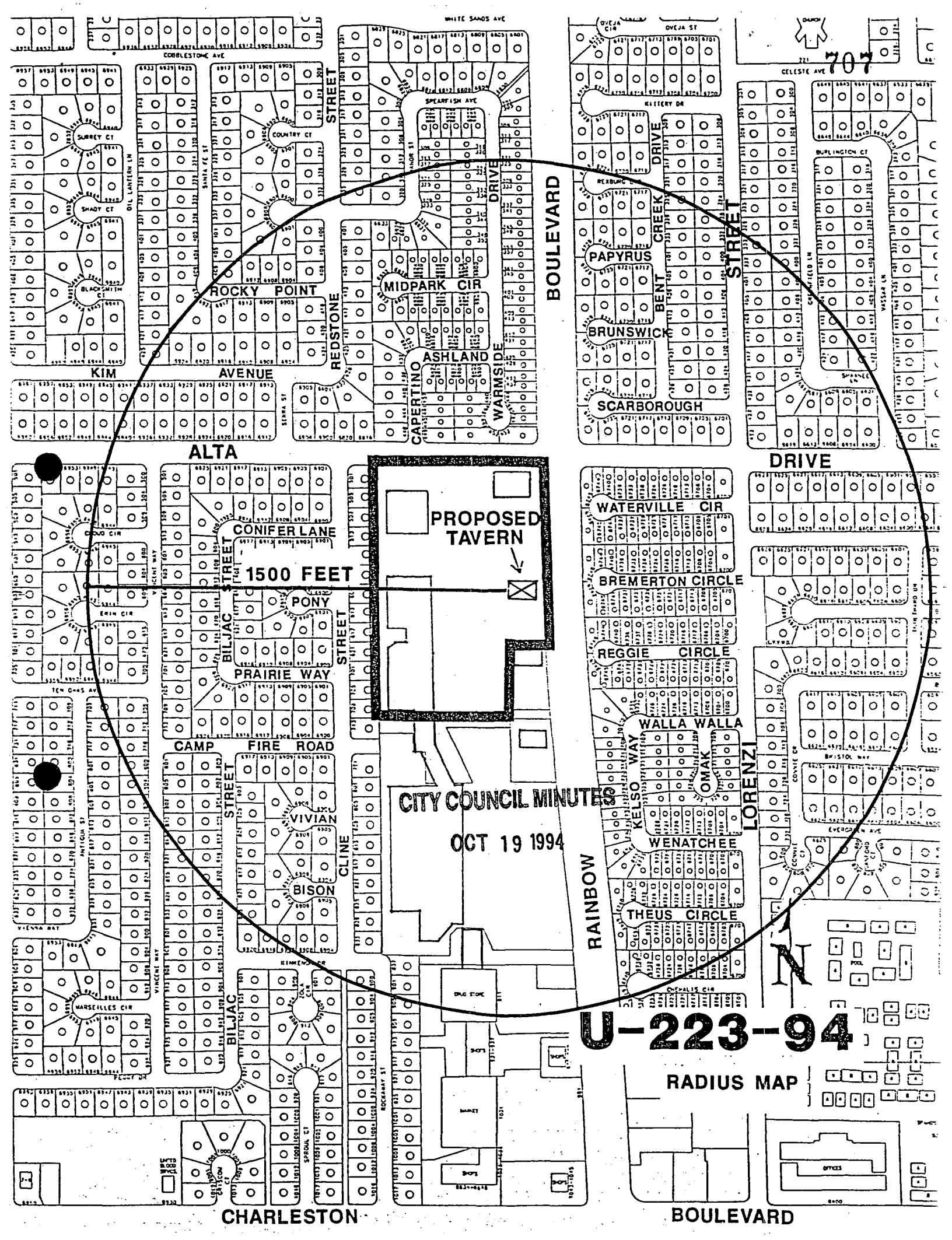
The second request was to allow a propane tank to be installed at Home Depot. What happened to our professional office buildings?

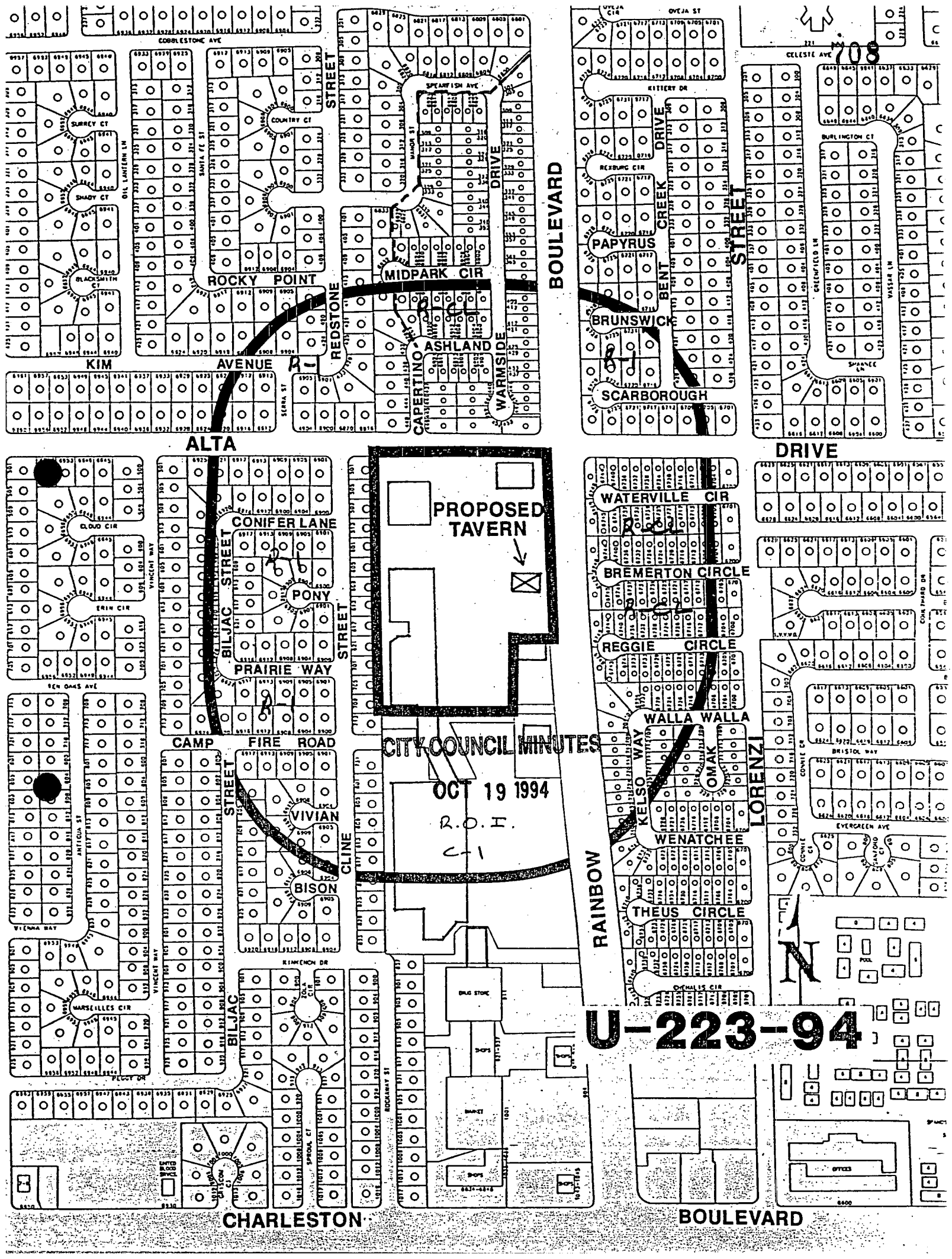
The third request was to allow a family gym to be built on the property. I was not in favor of the gym, but I decided it would be better than a convenience store, gas station or tavern.

Now, Lewis Homes wants the zoning to change to allow the tavern. In view of the fact that the zoning was changed to allow a family gym on the property, I do not feel that allowing a tavern in such close proximity is advisable. Patrons of the tavern will probably leave the premises after ingesting alcohol, get into their cars to go home, and will drive through the parking lot being used by families with children. In order to protect the children, this special request should be declined.

Sincerely,

Carol Chamberlain
6816 Ashland Ave.
Las Vegas, NV 89128


707
PROPOSED TAVERN
1500 FEET
CITY COUNCIL MINUTES
OCT 19 1994
U-223-94
RADIUS MAP
N
ALTA
DRIVE
CHARLESTON
BOULEVARD
RAINBOW
LORENZI
BILJAC
CLINE
REDSTONE
WARMSIDE
CAPERTINO
ROCKY POINT
KIM
AVENUE
MIDPARK CIR
ASHLAND
PAPYRUS
BRUNSWICK
SCARBOROUGH
CREEK
BENT
STREET
CONIFER LANE
PONY
PRAIRIE WAY
CAMP
FIRE ROAD
VIVIAN
BISON
WATERVILLE CIR
BREMERTON CIRCLE
REGGIE CIRCLE
WALLA WALLA
WAY
OMAK
KELSO
WENATCHEE
THEUS CIRCLE
COBBLESTONE AVE
WHITE SANDS AVE
SPEARFISH AVE
OVEJA ST
CELESTE AVE
BURLINGTON CT
SURREY CT
SHADY CT
BLACKSMITH CT
COUNTRY CT
SANTA FE ST
OIL LANTERN LN
SIERRA ST
VIENNA WAY
MARSEILLES CIR
FERRY DR
ROCKAWAY ST
SPROUL CT
DRUG STORE
SHOPS
MARKET
OFFICES
POOL


708
PROPOSED TAVERN
CITY COUNCIL MINUTES
OCT 19 1994
R.O.H.
C-1
U-223-94
ALTA
DRIVE
BOULEVARD
CHARLESTON
BOULEVARD
RAINBOW
LORENZI
REDSTONE
CLINE
BILJAC
STREET
CREEK
BENT
STREET
CONIFER LANE
PRAIRIE WAY
PONY
VIVIAN
BISON
MIDPARK CIR
ASHLAND
CAPERTINO
WARMSIDE
ROCKY POINT
KIM
AVENUE
BRUNSWICK
SCARBOROUGH
PAPYRUS
WATERVILLE CIR
BREMERTON CIRCLE
REGGIE CIRCLE
WALLA WALLA
WENATCHEE
THEUS CIRCLE
KELSO WAY
OMAK
CAMP FIRE ROAD
SPEARFISH AVE
COBBLESTONE AVE
CELESTE AVE
OVEJA ST
KITTERY DR
BURLINGTON CT
SURREY CT
SHADY CT
BLACKSMITH CT
COUNTRY CT
OIL LANTERN LN
SANTA FE ST
MANOR ST
SIERRA ST
GREENFIELD LN
VASSAR LN
SHAWNEE LN
CLOUD CIR
ERIN CIR
TEN OAKS AVE
VINCENT WAY
VIENNA WAY
MARSEILLES CIR
PEGGY DR
ANTIGUA ST
RIMROCK DR
ROCKAWAY ST
SPROUL CT
BRISTOL WAY
EVERGREEN AVE
CONNIE CT
CONNIE CIR
CORLPARD DR
DRUG STORE
SHOPS
BANK
OFFICES
N

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	COMMUNITY PLANNING AND DEVELOPMENT	HIGGINSON - Items 81, 82 and 107 HELD IN ABEYANCE to 11-2-94 City Council meeting; Item 90 WITHDRAWN WITHOUT PREJUDICE; and Items 108, 109 and 110 HELD IN ABEYANCE TO 12-7- 94City Council meeting
	ZONE CHANGE - PUBLIC HEARING	UNANIMOUS
107	ABEYANCE ITEM - Z-46-94 - Pahor Family Trust	******
	Request for reclassification of property located on the southwest corner of Lake Mead Boulevard and Tonopah Drive.	(2:26 - 2:28)
	From: N-U (Non-Urban)	
	To: R-PD9 (Residential Planned Development)	
	Proposed Use: 229 SINGLE FAMILY DETACHED DWELLINGS	
	Staff Recommendation: APPROVAL	
	PROTESTS: 0	
	Ward 1 (Hawkins)	
	Planning Commission unanimously recommended (4-0 vote) APPROVAL, subject to:	
	1. Redesign the plot plan to provide an average lot size of 3,750 square feet and a minimum lot size of 3,500 square feet, and redesign the street layout so that no private drive is adjacent to a perimeter property line abutting single family homes as required by the Department of Community Planning and Development.	
	2. Increase the size of the recreation area and redesign the subdivision to improve the homeowners accessibility to this recreational amenity.	
	3. Provide a minimum 10 foot wide landscaped planter along Lake Mead Boulevard and install 24 inch box evergreen trees 30 feet on center with boulders, shrubs and ground cover in the planter as required by the Community Planning and Development Department. The use of drought tolerant landscaping is encouraged.	

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	ABEYANCE to 11-2-94 - See Page 87.
	ABEYANCE ITEM - Z-46-94 - Pahor Family Trust (continued)	
	4. Construct a 6 foot high decorative block wall set back 10 feet for landscaping outside the wall along Lake Mead Boulevard and construct a 6 foot high decorative block wall with 5 foot deep by 10 foot wide insets every 100 feet along Tonopah Drive as required by the Department of Community Planning and Development.	
	5. Install one 24 inch box evergreen tree with shrubs and ground cover in the wall insets along Tonopah Drive as required by the Department of Community Planning and Development. The use of drought tolerant landscaping is encouraged.	
	6. The setbacks for this development shall conform to R-CL standards.	
	7. Dedicate and improve a 45½-foot radius cul-de-sac bulb to terminate Holly Avenue or obtain adjoining property owners approval and reconstruct the east end of Holly Avenue into a semi-circular design to better allow for street sweeping operations as required by the Department of Public Works.	
	8. Dedicate 30 feet of right-of-way adjacent to this site for Tonopah Drive and an additional 29 feet for a total radius of 54 feet on the southwest corner of Lake Mead Boulevard and Tonopah Drive as required by the Department of Public Works.	
	9. Construct half-street improvements on Tonopah Drive adjacent to this site as required by the Department of Public Works.	
	10. Complete all incomplete half-street improvements on Lake Mead Boulevard adjacent to this site as required by the Department of Public Works.	

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	ABEYANCE to 11-2-94 - See Page 87.
	ABEYANCE ITEM - Z-46-94 - Pahor Family Trust (continued)	
	11. All active access drives connecting this site to the abutting public streets shall be designed and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works. Their location(s) shall be subject to approval of the Traffic Engineer.	
	12. A Homeowner's Association shall be established to maintain all perimeter walls, landscaping, private access drives and common areas created with this development.	
	13. A revised plot plan for this site shall be submitted to the Planning Commission for approval prior to the submission of a Tentative Map for this site.	
	14. Standard conditions 1, 3-8, and 10-12.	

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

712

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

JLS

SUBJECT: ABEYANCE ITEM - ZONE CHANGE - PUBLIC HEARING - Z-46-94 - Pahor Family Trust

PURPOSE/BACKGROUND

This item was held in abeyance from your September 21, 1994 meeting.

APPLICATION REQUEST:

This request for reclassification is to allow the development of 222 single family dwellings. The typical lot in the subdivision is 3,685 square feet. Setbacks are indicated as follows: front 18 feet, side 0 to 5 feet, corner side 7 to 12 feet, and rear 17 feet.

BACKGROUND DATA:

There are no previous zoning applications for this property.

DETAILS OF APPLICATION REQUEST:

Site Area	25.95 Gross Acres	
Number of Units	222 Single Family Dwellings	
Density	8.55 Dwellings Per Gross Acre	
Building Height	Single Story	
Building Type	*Plan 952*	*Plan 1100*
Square Footage	952	1,100
Bedrooms/Bath	2/2	3/2

The access to the site will be via two two-way private streets, one each from Tonopah Drive and Lake Mead Boulevard. An emergency access crash gate is provided to Holly Avenue. The subdivision is proposed as a gated community with a six foot high block wall along all exterior property lines. The block wall along Tonopah Drive is to have 5 foot x 10 foot planter insets every 150 feet. The wall along Lake Mead Boulevard is to be setback 5 feet for landscaping. There is a small recreation area with pool and cabana.

The building elevations depict wood siding with brick veneer and a fiberglass shingle roof.

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

713

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: ABEYANCE ITEM - ZONE CHANGE - PUBLIC HEARING - Z-46-94 - Pahor Family Trust (continued)

PURPOSE/BACKGROUND

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

	ZONING	*LAND USE*
North	North Las Vegas	Vacant
South	County/R-1	Vacant/Single Family
East	R-E	Sprint Building and Vacant
West	R-PD19/R-4	Vacant/Apartments

FINDINGS:

Staff still has concerns regarding certain aspects of the overall design of the site. The applicant has addressed the relatively small size of the proposed lots by deleting 7 lots and increasing the size of the remaining lots.

Our remaining concerns are summarized as follows:

A. Some of the existing lots on the north side of Holly Avenue will now have a private street to the rear of the homes which will in effect create a double frontage situation separated only by a block wall.

B. Holly Avenue will dead-end against a new street within this proposed subdivision with no provision for a turn-around.

C. The landscaping along the Lake Mead frontage should be increased. A minimum ten foot planter should be provided in front of a decorative block wall.

D. The wall insets along Tonopah Drive should be spaced at 100 foot intervals.

E. All lots should conform to R-CL setbacks.

The applicant has addressed staff's concerns about the size and usefulness of the recreation area.

Agenda Item

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

714

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: ABEYANCE ITEM - ZONE CHANGE - PUBLIC HEARING - Z-46-94 - Pahor Family Trust (continued

PURPOSE/BACKGROUND

GENERAL PLAN:

This request is in conformance with the ML (Medium-Low Density Residential) Land Use designation indicated on the Southeast Sector of the General Plan which allows a maximum density of 9.0 sfue/gross acre.

Planning Commission Recommendation: APPROVAL (5-0 vote)

Staff Recommendation: APPROVAL

PROTESTS: 0

NOTICES MAILED: 150

SEE ATTACHED LOCATION MAP

510-015-5/94

Agenda Item

OCT 19 City Council Agenda Item

715

Jim Saxton, Incorporated

A Full Service Real Estate Development Company

CITY COUNCIL MINUTES

OCT 19 1994

18 October 1994

City of Las Vegas
City Council
400 East Stewart Avenue
Las Vegas, Nevada 89101

sent via fax, original to be hand delivered

Attn: Councilman Frank Hawkins

Re: Zone Change Application #Z-46-94
Pahor Family Trust

Dear Councilman Hawkins:

Pursuant to our September 29, 1994 meeting with the West Las Vegas Advisory Board, we are currently working on modifying our development plans for the above referenced project These modifications include revising the elevations of the proposed houses. By October 26, 1994, we will have the modified plans available for review by yourself, the WLVAB, as well as the Department of Community Planning and Development.

For this reason, we would like to request your support in holding the above referenced item in abeyance until your November 2, 1994 City Council meeting. This would allow all interested parties the opportunity to review the modified plans.

Should you have any further questions or desire additional information, please feel free to call me at 221-1111.

Yours Very Truly,
Jim Saxton Development

James C. Saxton
President

JCS/sg

716

Jim Saxton, Incorporated

A Full Service Real Estate Development Company

CITY COUNCIL MINUTES

OCT 19 1994

18 October 1994

West Las Vegas Neighborhood Advisory Board
914 West Owens Avenue
Las Vegas, Nevada 89106

Attn: Rodney Lucas, M.P.A.

Re: Zone Change Application #Z-46-94
Summit Hills Residential Development

Dear Mr. Lucas:

Pursuant to our meeting on September 29, 1994, Jim Saxton Development has made the following modifications to our development plans for the above referenced project:

1. The elevations are being re-designed with more narrow horizontal siding as opposed to the wider vertical siding. I have enclosed three polaroid pictures of what the narrow horizontal siding would look like. I expect that these pictures will clarify what the elevations will look like. I will have more clear pictures forwarded to you as soon as possible.

2. We have also agreed to seek out all qualified minority subcontractors on the City of Las Vegas list of qualified businesses for bidding. However, we cannot guarantee that work will be given to these subcontractors. Bids from the minority groups will have to meet our current standards for all bids. Two of these requirements are that the bids be competitive and the subcontractors be qualified through our quality control department on financial resources and quality of production.

In addition, we would like to request your support in holding this item in abeyance until the November 2, 1994 City Council meeting. We are requesting this extension in order to have the modified elevations available to you, Councilman Hawkins, and the Department of Community Planning and Development prior to the City Council meeting.

Should you have any further questions or desire additional information, please feel free to call me at 221-1111.

Yours Very Truly,
Jim Saxton Development

James C. Saxton
President

CC: Councilman Frank Hawkins
John Schlegel, Acting Director of Community Planning and Development

717

CITY COUNCIL MINUTES

OCT 19 1994

RECEIVED
CITY CLERK
Oct 19 10 41 AM '94

Jim Saxton, Incorporated

A Full Service Real Estate Development Company

19 October 1994

City of Las Vegas
City Clerk
400 East Stewart Avenue
Las Vegas, Nevada 89101

sent via fax, original to be hand delivered

Attn: City Clerk

Re: Zone Change Application #Z-46-94
Pahor Family Trust

Dear City Clerk:

Pursuant to our September 21, 1994 City Council meeting, Jim Saxton Development met with the West Las Vegas Advisory Board as the Council requested. As a result of this meeting, we are currently working on modifying our development plans for the above referenced project These modifications include revising the elevations of the proposed houses. By October 26, 1994, we will have the modified plans available for review by the Council, the WLVAB, as well as the Department of Community Planning and Development.

For this reason, we would like to request that the above referenced item be held in abeyance until your November 2, 1994 City Council meeting. This would allow all interested parties the opportunity to review the modified plans.

Should you have any further questions or desire additional information, please feel free to call me at 221-1111.

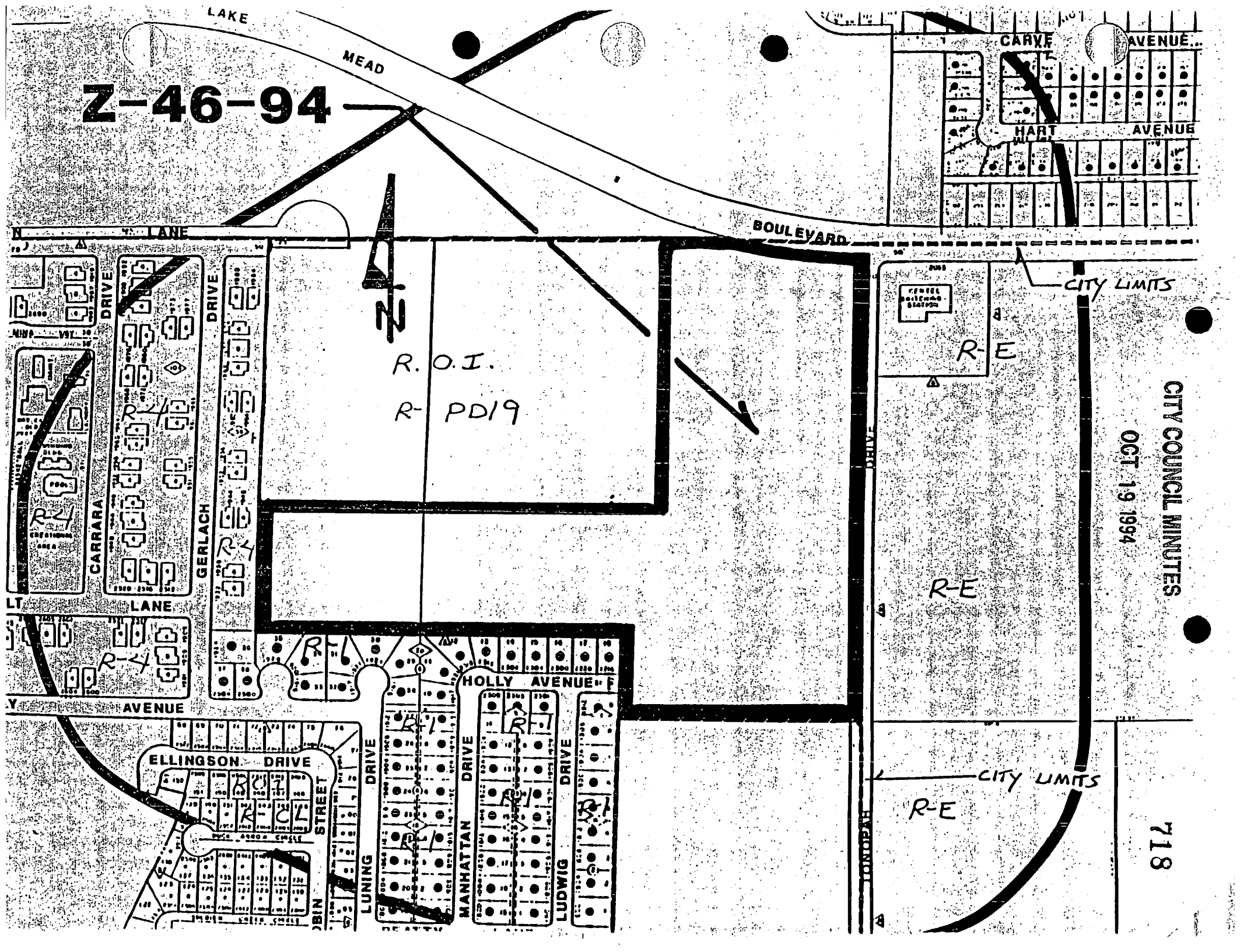
Yours Very Truly,
Jim Saxton Development

Stephanie Garcia

Stephanie D. Garcia
Director of Planning

SDG/hs

107


Z-46-94
LAKE MEAD BOULEVARD
CARVE AVENUE
HART AVENUE
N. LANE
CARRARA DRIVE
GERLACH DRIVE
LANE
AVENUE
HOLLY AVENUE
ELLINGSON DRIVE
STREET
LUNING DRIVE
MANHATTAN DRIVE
LUDWIG DRIVE
R.O.I.
R- PD19
R-4
R-1
R-E
CITY LIMITS
CITY COUNCIL MINUTES
OCT. 19 1964
718

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	**HIGGINSON - Items 81, 82 and 107 HELD IN ABEYANCE to 11-2-94 City Council meeting; Item 90 WITHDRAWN WITHOUT PREJUDICE; and Items 108, 109 and 110 HELD IN ABEYANCE TO 12-7-94 City Council meeting**
	ZONE CHANGE - PUBLIC HEARING	**UNANIMOUS**
108	ABEYANCE ITEM - Z-87-94 - Gowan 20 Limited Liability Company	**12-7-94 Council Agenda**
	Request for reclassification of property located on the north side of Buckskin Avenue, approximately 1,650 feet west of Hualapai Way. From: N-U (Non-Urban) To: R-CL (Single Family Compact Lot) Proposed Use: 133 SINGLE FAMILY DETACHED DWELLINGS Staff Recommendation: APPROVAL PROTESTS: 1 (at meeting) Ward 2 (Adamsen) Planning Commission unanimously (5-0 vote) recommended DENIAL. If approved, subject to: 1. Construct a six foot high decorative masonry wall along all property lines where homes do not front the exterior streets as required by the Department of Community Planning and Development. This condition also pertains to the property line separating the north five acres adjacent to Gowan Road from the parcel to the east. 2. Dedicate 40 feet of right-of-way adjacent to this site for Gowan Road and Bardon Road, 30 feet for Buckskin Avenue, a 25 foot radius on the southeast corner of Gowan Road and Bardon Road and a 20 foot radius on the northeast corner of Buckskin Avenue and Bardon Road as required by the Department of Public Works.	****** COUNCILMAN HIGGINSON stated the General Plan for these areas will be in place and these items can be discussed immediately after the adoption of the General Plan. He then made the motion for abeyance to the December 7, 1994 meeting. There was no discussion. (2:26 - 2:28)

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	COMMUNITY PLANNING AND DEVELOPMENT	ABEYANCE TO 12-7-94 - See Page 90.
	ABEYANCE ITEM - Z-87-94 - Gowan 20 Limited Liability Company (continued)	
	3. Construct half-street improvements on Gowan Road, Bardon Road and Buckskin Avenue adjacent to this site as required by the Department of Public Works.	
	4. Provide paved, legal access to this site in an alignment acceptable to the Department of Public Works prior to occupancy of any units within this development. A secondary paved access roadway may be required if recommended by the Traffic Engineer.	
	5. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of grading, building or off-site permits or the recordation of a Final Map, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.	
	It should be noted that this site is in proximity to the technically preferred alignment for the west leg of the Las Vegas Beltway project and may be impacted by future right-of-way needs, construction activities and increases in traffic volumes and noise due to the beltway project.	

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	COMMUNITY PLANNING AND DEVELOPMENT	ABEYANCE TO 12-7-94 - See Page 90.
	ABEYANCE ITEM - Z-87-94 - Gowan 20 Limited Liability Company(continued)	
	6. The final layout of the subdivision on this site shall be determined at the time of approval of the Tentative Map. The subdivision layout must acknowledge adjoining public street right-of-ways (such as on APN 450-280-009) and dedicate the opposing half of all such existing right-of-ways or the applicant must submit a vacation application to eliminate the abutting right-of-ways prior to or concurrent with the submittal of a Tentative Map. The creation of parcels not meeting zoning requirements is not allowed unless a Homeowner's Association is established for ownership and maintenance.	
	7. Standard Condition Nos. 1, 2, 5 - 7, and 10 - 12.	

NATIONAL DEVELOPMENT CORPORATION

722

7310 SMOKE RANCH RD., SUITE P
LAS VEGAS, NEVADA 89128
(702) 242-4949

RECEIVED
CITY CLERK
OCT 12 12 47 PM '94

October 12, 1994

CITY COUNCIL MINUTES
OCT 19 1994

Kathy Tighe, City Clerk
City Clerks Office
City of Las Vegas
400 E. Stewart
Las Vegas, NV 89101

By Facsimile to 382-4803.

RE: Zoning items Z-87-94, Z-88-94 and Z-89-94.

Dear Kathy,

Due to a scheduling conflict with the County Commission meeting, we respectfully request that the beforementioned zoning items being heard at the October 19, 1994, City Council meeting be placed at the end of the meeting.

If this is not possible, please contact me.

Sincerely,

John A. Ritter, General Manager
Gowan 20, LLC, National Group #1, LLC,
and Chieftain 5, LLC

s12hold.doc

108, 109, 110

City of Las Vegas

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

AGENDA DOCUMENTATION

Date: 723

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: ABEYANCE ITEM - ZONE CHANGE - PUBLIC HEARING - Z-87-94 - Gowan 20 Limited Liability Company

PURPOSE/BACKGROUND

This item was held in abeyance from your last meeting at the applicant's request. Councilman Higginson voiced concerns regarding development occurring within the preferred beltway, directing staff to develop a policy regarding development within the preferred beltway alignment. This work is in progress.

APPLICATION REQUEST:

This request is to reclassify this 20.8 acre parcel from N-U to R-CL for 133 detached single family dwellings at a residential density of 6.39 units per acre. The average lot size is 4,000 square feet with a dimension of 40' X 100'.

BACKGROUND DATA:

9/16/94 The property was annexed into the City of Las Vegas [A-6-94(A)].

4/6/94 The City Council approved a request for rezoning to R-CL (Single Family Compact Lot) on a 20 acre parcel to the south of this site (Z-9-94).

DETAILS OF APPLICATION REQUEST:

Site Area	20.81	Acres
No. of Lots	133	Single Family
Density	6.39	DU/AC.
Building Type	Plan A	
Square Feet	1,800	
Bedrooms/Baths	3/2	
Height	2 Story	
Garage	2 Car	

Access is via two street connections to Buckskin Avenue and one each to Gowan Road and Bardon Road. All of the lots will have access to 51 foot wide loop streets or cul-de-sacs within the subdivision. No landscaping or block walls are indicated. The plot plan contained a note that both one and two story homes would be built, however building elevations were submitted for only the two story model. They depict stucco exteriors with Spanish tile roofs.

Agenda Item
108

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

724

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: ABEYANCE ITEM - ZONE CHANGE - PUBLIC HEARING - Z-87-94 - Gowan 20 Limited Liability Company (continued)

PURPOSE/BACKGROUND

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

	ZONING	*LAND USE*
North	N-U	Vacant
South	ROI to R-CL	Vacant
East	N-U	Vacant
West	N-U	Vacant

FINDINGS:

GENERAL PLAN:

This property is located to the north and west of the parcels currently a part of the adopted General Plan. As part of the approval of the zoning action taken for application Z-9-94, it was determined that the density requested would be in line with the L (Low Density Residential)/ML (Medium-Low Density Residential) land use designations indicated on the Northwest Sector of the General Plan north of Cheyenne Avenue and east of Hualapai Way.

REZONING:

The requested R-CL (Single Family Compact Lot) zoning district permits a maximum density of 8 units per acre. Staff finds that the request is in conformance with the General Plan, given the action taken on Z-9-94. The request is compatible with the established R-CL to the south of this site, and with future land use patterns which can be expected to be single family development at densities between 6 to 9 units to the acre.

Staff has noted that this rezoning is in proximity to the technically preferred alignment for the west leg of the Las Vegas Beltway project and may be impacted by future right-of way or construction needs, which may alter the development of the site.

Agenda Item

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

725

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: ABEYANCE ITEM - ZONE CHANGE - PUBLIC HEARING - Z-87-94 - Gowan 20 Limited Liability Company

PURPOSE/BACKGROUND

PLOT PLAN:

The Conditions of Approval for Z-9-94 contained a provision to require a six foot high decorative wall along all property lines where homes do not front the exterior streets. Staff feels that this condition should also be a part of this action to ensure continuity of development.

Another concern is the five acre parcel east of the portion of the site fronting on Gowan Road which is partially developed with one single family home. A 51 foot wide public street is proposed adjacent to the west edge of that parcel which, by design, will create an area too small to be a lot. The final design of that street will require the approval of the Department of Public Works. A decorative block wall should also be required along this property line.

The applicant should also be required to dedicate all necessary rights-of-way, construct half-street improvements on Gowan Road, Bardon Road and Buckskin Avenue, provide paved legal access to the site and submit a Traffic Impact Analysis for approval by the Department of Public Works prior to the issuance of grading, building or off-site permits.

The Planning Commission felt that the General Plan for this area should be officially amended prior to any further zoning approvals west of Hualapai Way.

Planning Commission Recommendation: DENIAL (5-0 vote)

Staff Recommendation: APPROVAL

PROTESTS: 1 (at meeting) (Protestor was opposed to smaller lot developments.)

NOTICES MAILED: 91

SEE ATTACHED LOCATION MAP

Agenda Item

CITY COUNCIL MINUTES

OCT 19 1994

CURRAN HAMMER & PARRY
ATTORNEYS AT LAW
QUAIL PARK II, SUITE C-23
601 SOUTH RANCHO DRIVE
LAS VEGAS, NEVADA 89106

WILLIAM P. CURRAN
BILL C. HAMMER
STANLEY W. PARRY
BRADLEY N. BOODT*
*ADMITTED IN NEW MEXICO

TELEPHONE
(702) 471-7000
FACSIMILE
(702) 471-7070

October 14, 1994

Councilman Scott Higginson
City Councilman
City Hall Complex
400 E. Stewart
Las Vegas, NV 89101

HAND DELIVERY

Re: Z-87-94, Z-88-94 and Z-89-94;
Hearing on October 19, 1994

Dear Councilman Higginson:

As you know, my client, John Ritter of Focus Commercial Group and I appeared at the City Council Meeting on Wednesday, October 5, 1994 on the three above-referenced zoning applications; no action was taken and the hearing was rescheduled for October 19th. Attached to this letter are maps showing the location of the three pending applications and another map showing the location of Z-9-94, another application that the Council approved for my clients in April in the same vicinity as the pending applications.

Unfortunately, a prior commitment requires me to be out-of-state on the date of the upcoming hearing, so I am submitting the attached booklet which outlines my client's efforts to date to respond to every potential concern raised by various local governmental entities in the hope that every conceivable issue would be resolved prior to the Council's consideration of the zoning applications. I hope you will find the answer to any question you may have by reference to the chronologies and to the referenced documents.

Mr. Ritter will, of course, be at the upcoming Council meeting since it is critical to him to get the matters resolved at that time. If you identify an issue that is not answered to your satisfaction by the documents in the attached booklet, please call me. I will be in my office virtually all day Friday, October 14th, and Monday, October 17th. Unfortunately, I will be gone on both Tuesday and Wednesday.

CITY COUNCIL MINUTES

OCT 19 1994

Mr. Ritter is also planning to follow up with you prior to the meeting, so I am most hopeful that we will be able to answer any question prior to the meeting and that my unavailability will not delay your consideration of the applications.

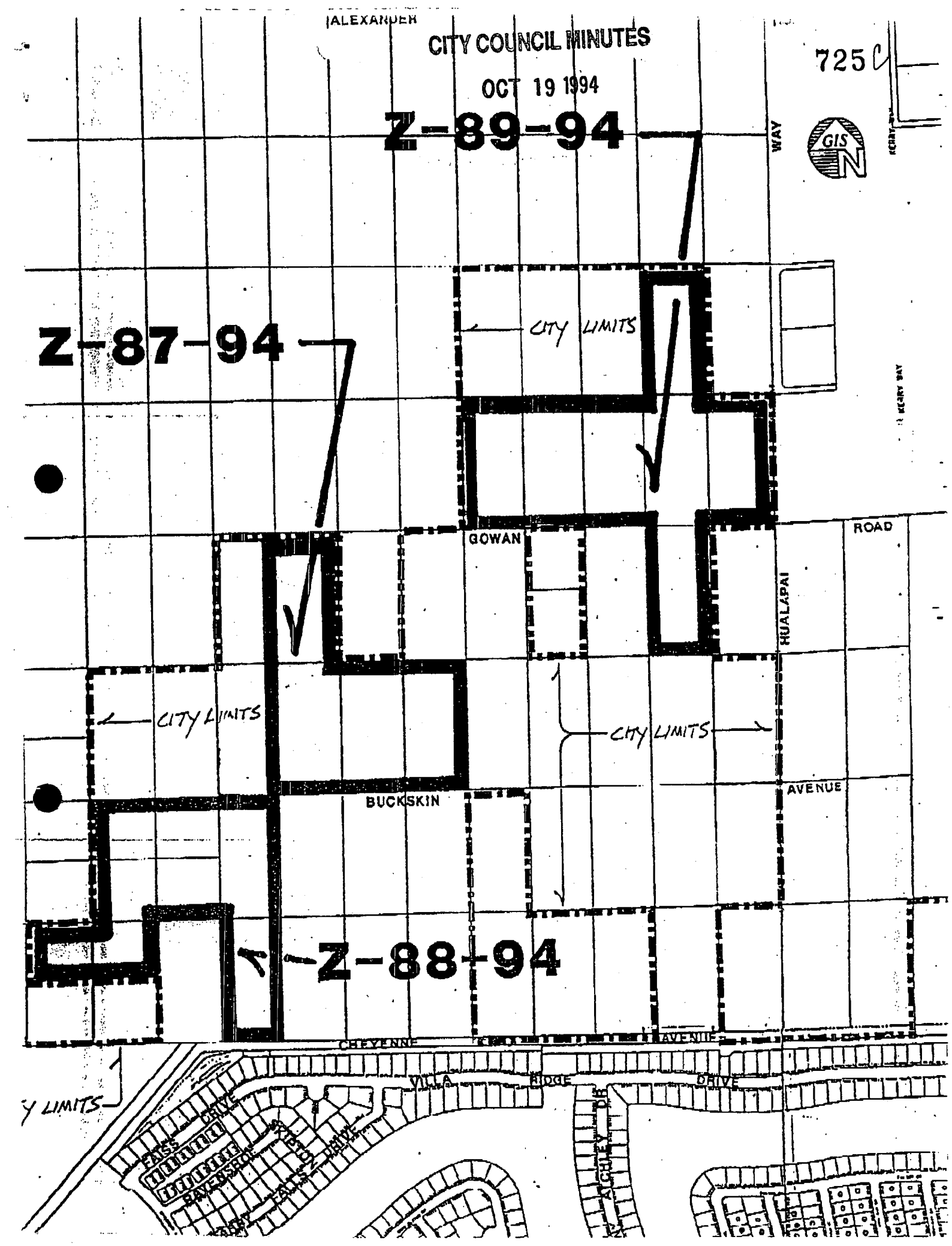
Best personal regards.

Sincerely,

Bill Curran

BC/ks
Attachment

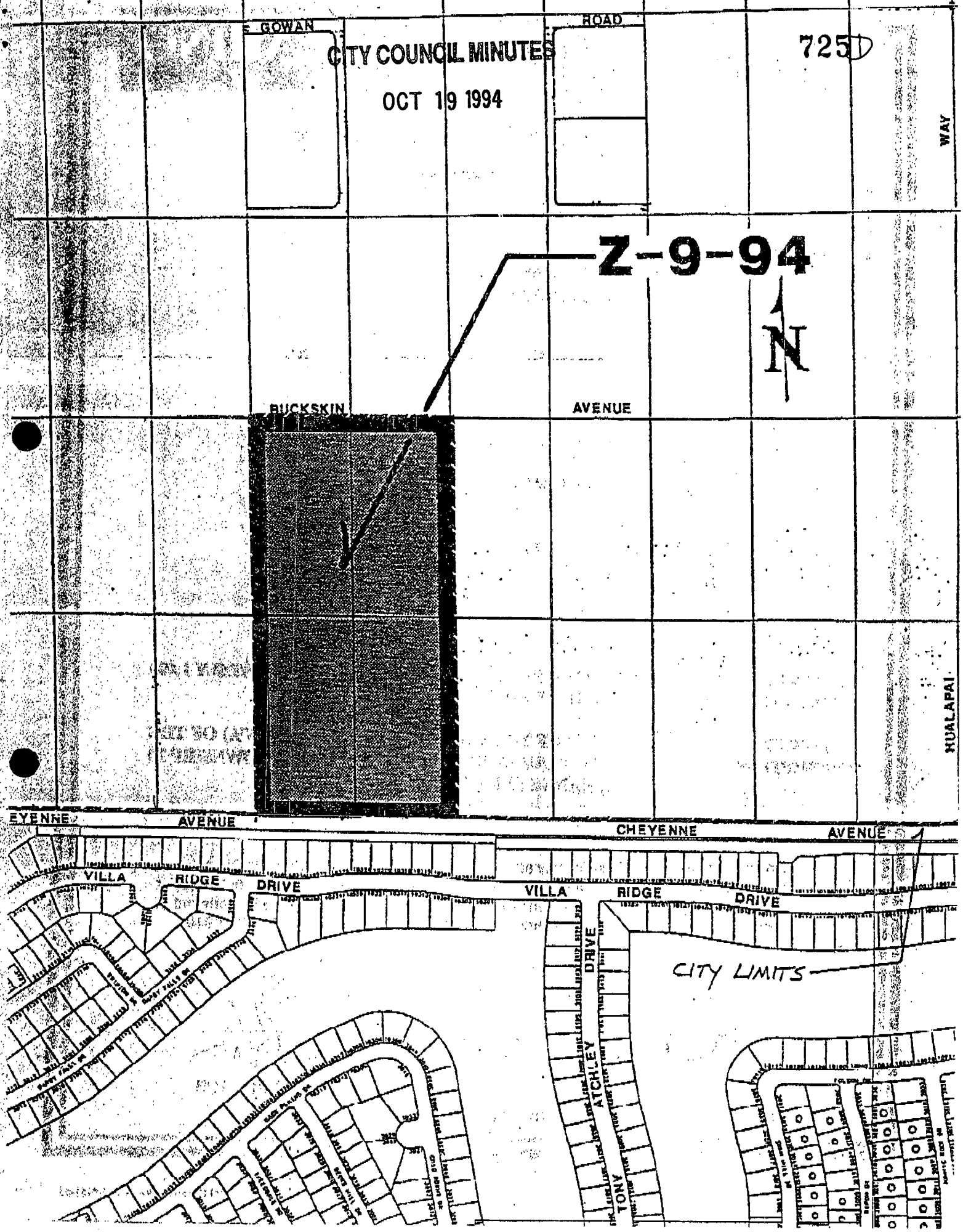
cc: John Ritter


CITY COUNCIL MINUTES
OCT 19 1994
725
Z-89-94
Z-87-94
Z-88-94
CITY LIMITS
CITY LIMITS
CITY LIMITS
CITY LIMITS
GOWAN
BUCKSKIN
HUALAPAI
ROAD
AVENUE
CHEYENNE
VILLA
RIDGE
DRIVE
GIS

CITY COUNCIL MINUTES

OCT 19 1994

725



CITY COUNCIL MINUTES

OCT 19 1994

725 E

BACKGROUND INFORMATION

Focus Commercial Group, Inc.
National Development Corporation
John Albert Ritter

September 1994

Company Information
Focus Commercial Group, Inc.

Focus Commercial Group, Inc. ("Focus") was formed in 1990 by John Albert Ritter and Andrew M. Flaherty to serve the development and investment community in Las Vegas. Mr. Ritter and Mr. Flaherty, possess a combined 20 years of real estate experience.

Although Focus is a small firm, since its inception in the local real estate market almost five years ago the company has been involved in closed transactions exceeding 80 million dollars, exclusively vacant land sales to investors and developers.

Through research, analysis, and presentation, Focus has become a leader in the sale of improved and unimproved land to Southern Nevada homebuilders. In addition to brokering residential parcels, Focus is expanding its operations to include land-banking for developers who do not wish to or can not finance land inventories.

Some of the company's clients include: American West Development, Pulte Home Corporation, Long Beach Savings and Loan, Gem Homes, The Vista Group, Summa Corporation, BR Homes, Pardee Development, Lewis Homes, Whittier Development, Coleman Homes, Peccole Trust, and Durable Homes.

CITY COUNCIL MINUTES

OCT 19 1994

Company Information
National Development Corporation

National Development Corporation ("NDC") is a Corporation solely owned and controlled by John A. Ritter. NDC was formed in June, 1989, for the purpose of participating in real estate investments and partnerships.

NDC's participation in its partnerships is based solely on a percentage of the net profits upon resale of the properties. NDC recieves no fees, commissions or salary of any kind.

NDC has formed eleven investment groups in raw land properties to date. Of the eleven, five have been re-sold, achieving annualized rates of return to their investors exceeding 40%. Six of the groups are holding for longer term investment.

NDC is located at the offices of Focus Commercial Group Inc., 7310 Smoke Ranch Road, Suite P. John A. Ritter is also president and one of the two owners of Focus. Through Focus, NDC has access to extensive and comprehensive information regarding development trends, municipal zoning, planning and development, comparable sales data, and current property ownership and availability.

Background Information

John Albert Ritter

Mr. Ritter has been licensed and actively involved in the real estate industry for over 12 years, nine of which he has been licensed as a real estate broker.

After selling commercial real estate in the Phoenix metropolitan area, Mr. Ritter moved to Las Vegas in 1988. Since that time he has been personally involved in closed real estate transactions totalling over 40 million dollars, primarily vacant land sales to investors and developers. In 1990 Mr. Ritter and an associate, Andrew Flaherty, started their own company, Focus Commercial Group, Inc. Specializing in raw land investments for commercial interchange parcels and residential parcels, Mr. Ritter has purchased over $10 million in property to form investment groups in the last few years.

John A. Ritter and National Development Corporation References

Gard Jameson, Revelle Taylor, and Mike Kern
Piercey, Bowler, Taylor & Kern
Office 384-1120

- Accountants who have prepared and audited all of John A. Ritter's personal financial statements and National Development Corporation's previous and existing partnership returns. Currently participate in investments formed by National Development Corporation.

William P. Curran, Esq.
Curran, Hammer & Parry
Office 471-7000

- Attorney for John A. Ritter and National Development Corporation.

John A. Smith
President, Nevada School of the Arts
Office 739-3502

- John A. Ritter serves on the Board of Directors of the School.

Rick Schofield
Vice-President, Merrill Lynch
Office 227-7000

- Manages John A. Ritter's personal and National Development Corporation's pension funds. Currently participates in investments formed by National Development Corporation.

Additional references available upon request.

JP802a

Zoning Applications

OCT 19 1994

John Ritter is referred to as "JR"
Darrin Badger is referred to as "DB"

8/10/93	Exhibit Z-1	JR and DB met with Richard Oglesby to discuss flood control measures Summerlin had instituted.
12/9/93		DB and JR met with Bob Genzer. Staff would support Section 12 zoning as extension of present masterplan.
2/2/94		Annexation meeting, 1st reading, Section 12 (A-22-93).
2/7/94		DB met with Dave Clapsaddle and Bob Genzer to discuss our zoning application.
2/16/94		Annexation recommending committee (A-22-93).
3/2/94		Final annexation meeting, Section 12.
3/9/94		DB met with Mark Solomon, dropped off map of Section 12.
3/10/94		DB and Larry Bross (Hunsaker Engineering) met with Commissioner Brown, Planning Commission.
3/10/94	Exhibit Z-2	Planning commission approved RCL zoning, unanimous decision.
3/11/94		Annexation effective (A-22-93).
4/4/94		JR and Bill Curran met with Councilman Adamson, Adamson suggested his support for the application. Curran talked to Higginson on the telephone. Higginson said no reason for meetings since he saw no problems.
4/5/94	Exhibit Z-3	JR and DB received confirmation from the BLM to annex approximately 120 acres of BLM property into the City of Las Vegas.
4/6/94	Exhibit Z-4	City Council , 20 acres Section 12 zoning RCL approved unanimously (Z-9-94).
5/11/94	Exhibit Z-5	John sent letter to Bob requesting to hold A-6-94 in abeyance so he might include additional properties.
5/18/94	Exhibit Z-6	Submitted annexation for remaining land in Section 12.
6/9/94	Exhibit Z-7	A-6-94 City Planning Commission approves annexation.

Zoning Applications (continued)

6/14/94	Exhibit Z-8	Letter from City indicating unanimous approval of annexation application 195 acres A-6-94
6/27/94		DB, Mike Cuddy and Larry Bross met with Bob Genzer, said he had meeting with NW citizens. They decided all property west of the beltway alignment would be RE and those properties on the east side would be ML/L.
7/26/94	Exhibit Z-9	Submitted application for zoning Z-87-94, Z-88-94, and Z-89-94.
7/26/94		DB spoke with Bob Genzer who reiterated that L/ML zoning east of Beltway Corridor would be in cmpliance with extended masterplan.
8/3/94		Annexation, 1st reading approved (A-6-94).
8/25/94	Exhibit Z-10	Planning Commission denied, Commissioner Brown upset with staff for not briefing him on their studies of this area.
8/30/94	Exhibit Z-11	City confirmed our denial at Planning Commission.
9/7/94		DB met with protester (Jeff Chenes), considering signing letter of approval.
9/12/94		Greg Borgel, Bill Curran, & John Ritter met with Higginson to discuss Section 12 zoning application.
9/14/94	Exhibit Z-12	JR sent letter to Higginson thanking for meeting and answering concerns.
9/14/94		DB spoke again with protester (Jeff Chenes), interested in marketing property with us.
9/15/94		JR and DB met with Bob Genzer, John McNellis, Frank Null and Ron Hansen regarding beltway issues. Genzer informed us he had met with Higginson and that they decided to go ahead with the zoning if we agreed to hold the parcel affected by the beltway study corridor. We expressed our concerns as to how long we would have to hold this site. Nobody could say for sure but we agreed to hold. Ron Hansen and Howard Null expressed interest in acquiring our Topo map and CAD disks of Section 12 we agreed to give them to them ASAP.
9/15/94		Submitted topography map of Section 12 to Howard Null
9/15/94	Exhibit Z-13	John sent letter and copy of hydrology plan to Richard Goecke at Higginson's direction.
9/20/94	Exhibit Z-14	JR sent letter to City requesting Z-87-94, Z-88-94, and Z-89-94 be held in abeyance at Higginson's direction.

Zoning Applications (continued)

9/20/94		DB researched BLM holdings in Section 12 for reservations for school sites and park sites.
9/21/94		City Council meeting held in abeyance at Higginson request.
9/28/94	Exhibit Z-15	DB contacts Dusty Dickens at the CCSD to indicate locations in Section 12 that would be suitable for school sites.
9/28/94	Exhibit Z-15	DB contacts John Black at City of Las Vegas Dept. of Parks and Leisure to discuss potential park sites in Section 12.
10/4/94		JR and DB met with Goecke, discussed his conversations with Higginson.
10/5/94	Exhibit Z-16	Zoning application tabled by Councilman Higginson. Higginson mentioned he was not made aware by staff that this area was outside of the present masterplan.
10/7/94		DB called John Black to further discuss school and park sites in Section 12.

Flood Control Issues

4/30/93		DB met with Bob Thompson regarding diversion channel in Section 8 at County
9/93		Met with Mike Cuddy at RFC regarding (LM) Detention Basin
11/22/93		DB spoke with Randy Fultz regarding footprint of Lone Mountain Detention Basin
11/23/93		DB spoke with Del Webb representative regarding offsite and flood improvement schedule
11/30/93		DB met with Tom Chiatovich and McNellis regarding Flood control in Section 12
12/6/93		DB spoke with Fultz, update on Basin
12/23/93	Exhibit F-1	Received copy of Tom Chiatovich's letter with recommendations for flood control in Section 12.
1/13/94		DB met with Mike Cuddy at RFC regarding his review of plans for LM Interim Basin.
1/14/94		DB met with Tom Chiatovich regarding right-of-way through Section 12.

Flood Control Issues (continued)

1/21/94		Received copy of Summerlin Option Parcel 2 Hydrology study from City of Las Vegas. Study indicates an obvious diversion of flows into Section 12.
2/16/94		DB spoke with Chiatovich regarding VTN or Church Engineering Plans for Flood Control between Cheyenne and Alexander.
2/17/94		DB met with McNellis - no money for LM detention required from Del Webb, only from property owners north of Cheyenne.
3/21/94		DB spoke with Chiatovich discussed $500,000 contribution from Summerlin to fund Section 12 flood control improvements.
4/15/94		Received copy of Chiatovich flood control letter to VTN.
5/8/94		DB met with Chiatovich and John McNellis to collect additional suggestions from the City. During conversation confusion arises between Tom and John as to whether Gowan will continue west of Jensen into Section 12.
5/9/94	Exhibit F-2	JR submits letter to Tom Chiatovich indicating our need for Gowan to extend west beyond Jensen
5/11/94		Tom Chiatovich calls DB indicating Gowan Rd. will continue west of Jensen Rd. into Section 12.
8/10/94		JR and DB met with Richard Oglesby at Summerlin to discuss Summerlin drainage issues in Section 12.
8/23/94		JR and AF met with Calvin Black at VTN regarding Summerlin's diversion of flows.
8/23/94	Exhibit F-3	Hunsaker engineering (Mike Cuddy) submitted hydrology plan to Chiatovich and Sorenson.
9/15/94		DB and JR met with Randy Fultz. Discussed hydrology plan. He said he did not have time to review it yet.
9/15/94		DB & JR met with Mark Sorenson regarding submitted hydrology plan.
10/4/94		JR and DB spoke with Richard Goecke regarding his comments to Higginson regarding our contribution to solving hydrology problem

Western Leg of Beltway Issue

11/3/93		JR and DB attend Beltway meeting Cimarron HS, meet with Terry Phemister from Parsons Brinkerhoff Engineering.
11/4/93		DB discussed routes in Section 12 with Terry Phemister
1/27/94		DB spoke with Terry Phemister regarding status of route through Section 12
3/22/94		JR and DB attended Las Vegas Beltway workshop #3, discussed issues with Terry Phemister
4/22/94		JR and DB met with Terry Phemister at Parson Brinkerhoff office to discuss impact of Beltway to Section 12.
5/2/94		DB called Terry Phemister to discuss options and get an update on Beltway progress.
6/6/94	Exhibit B-1	DB spoke with Terry Phemister to discuss a potential land trade for right-of-way in Section 12. Terry sends copy of preferred route to DB.
6/28/94		DB requested Terry send copy of Technical Pref. Alt. relating to Section 12 be sent to Bob Genzer at City of Las Vegas.

Proposed Nevada Power Substation Located on Cheyenne Rd. at Bardon Rd.

7/13/94	Exhibit NP-1	John sent letter to Lucy Stewart objecting to the location of proposed Nevada Power substation site on Cheyenne Rd at Bardon Ave. Bob mentions that since this area is currently being annexed into the City of Las Vegas, this should come before City Council.
7/15/94	Exhibit NP-2	John sent letter to Bob Genzer requesting his attention to this matter.
7/19/94		DB met with Bill Rollier and Chris Wener at Nevada Power to discuss alternate sites in Section 12. Bill mentions that any BLM site in the area may be utilized. Expected construction in 5 years.
7/20/94	Exhibit NP-3	After several telephone conversations Bill Curran wrote letter to Lisa Coder at County summarizing his conversation.
7/20/94	Exhibit NP-4	Bob Genzer wrote County (Lisa Coder) recommending that Nevada Powers application in the County be stricken from the agenda and that Nevada Power's request be heard by the City.
7/21/94	Exhibit NP-5	JR and DB attended Clark County planning commission meeting regarding substation. Item was approved.

OCT 19 1994

Proposed Nevada Power Substation Located on Cheyenne Rd. at Bardon Rd. (continued)

7/26/94	Exhibit NP-6	Bill Curran submitted letter of appeal to Lucy Stewart re: UC-0909-94 regarding proposed Nevada Power substation proposal at Cheyenne and Bardon Road.
8/10/94		JR hires Greg Borgel to help with substation issue.
8/14/94	Exhibit NP-7	Petition circulated opposing substation to affected Sun City residents.
8/17/94		DB, Bill Curran and Greg Borgel met with Bingham, Dondero, Woodbury and Schlesinger regarding proposed electric substation on W. Cheyenne Rd.
8/17/94		Nevada Power application is tabled indefinitely, will be heard by the City Council at a later date.

Utilities

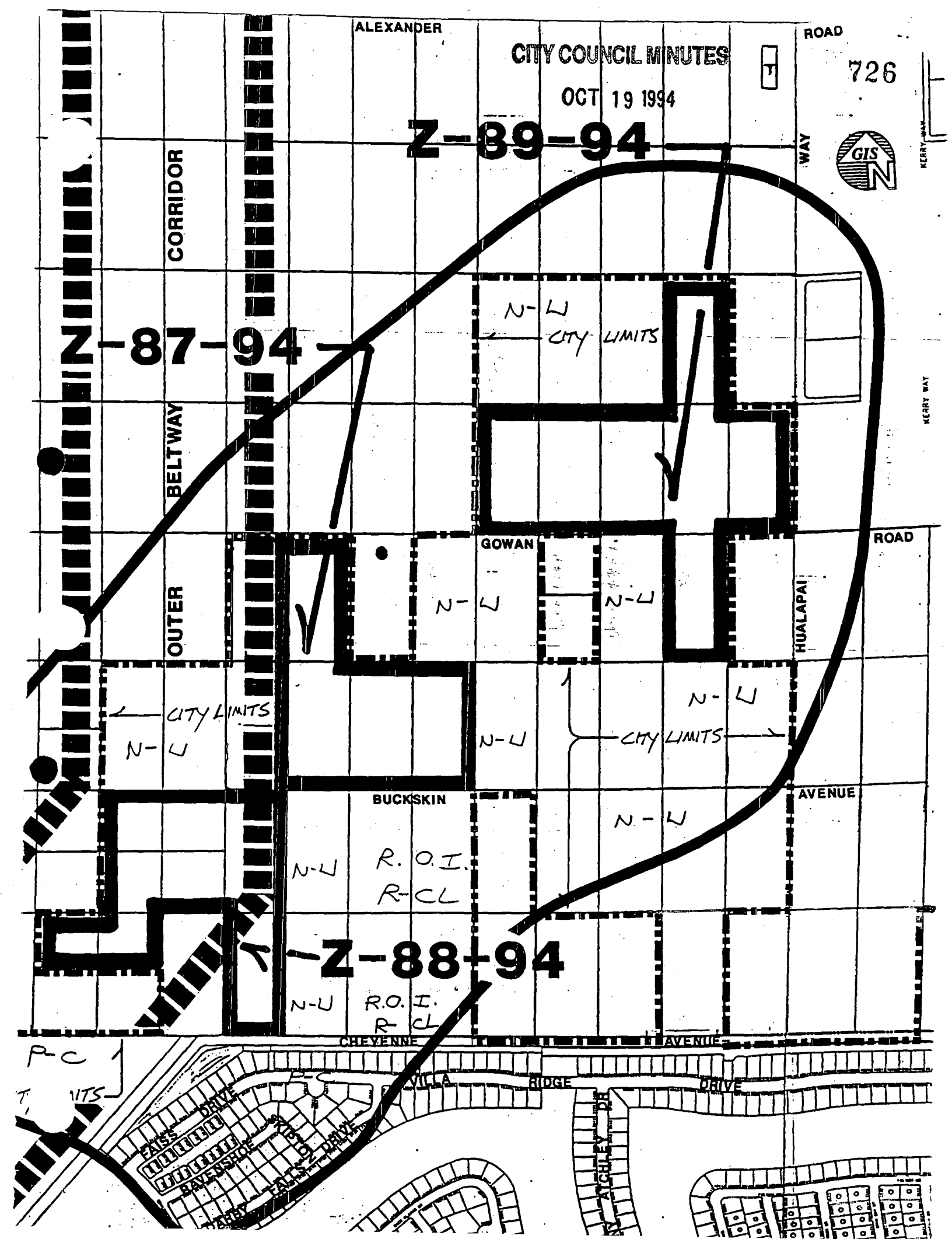
6/9/94		DB spoke with Mark Owens regarding sewer capacity and reclamation plant
6/21/94		DB spoke with Mark Owens sewer relating to Falcon's project in Section 7.
7/8/94		DB spoke with Mark Owens regarding sewer capacity to serve Section 12 and 7
7/14/94	Exhibit U-1	Focus received letter from Mark Owens requesting any maps, plans or other documentation we have for Section 12 to help the city design future waste water collection system improvements.
7/15/94		John notified Hunsaker and Associates to release all information to the City including all CAD information.

Engineering

8/25/93	Exhibit E-1	Received feasibility study from GC Wallace
11/22/93	Exhibit E-2/3	Proposal for Level 1 Site assessment from Terracon, proposal for Geotechnical Services, prelim. Geotechnical Exploration
4/4/94		Letter from Hunsaker indicating our wish to Topo all of Section 12.
6/22/94		Received proposal for final engineering on 40 acres $222,000.
7/7/94		Received proposal for engineering studies on 40 acres.

Reports

9/93	Exhibit E-1	Draft Feasibility Study - GC Wallace
12/21/93	Exhibit E-3	Preliminary Geotechnical Exploration Report - Terracon
12/31/93	Exhibit E-2	Level I Site Assessment
8/94	Exhibit F-3	Conceptual Hydrology Study - Hunsaker
10/94	Exhibit R-1	Preliminary Property Analysis - Hunsaker


Z-89-94
Z-87-94
Z-88-94
ALEXANDER
ROAD
CORRIDOR
BELTWAY
OUTER
GOWAN
ROAD
HUALAPAI
KERRY WAY
N-U
CITY LIMITS
BUCKSKIN
AVENUE
R.O.I.
R-CL
CHEYENNE
AVENUE
P-C
VILLA
RIDGE
DRIVE
FAISS
DRIVE
RAVENSHOE
DRIVE
ATCHLEY
DR

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	**HIGGINSON - Items 81, 82 and 107 HELD IN ABEYANCE to 11-2-94 City Council meeting; Item 90 WITHDRAWN WITHOUT PREJUDICE; and Items 108, 109 and 110 HELD IN ABEYANCE TO 12-7-94 City Council meeting**
	ZONE CHANGE - PUBLIC HEARING	**UNANIMOUS**
109	ABEYANCE ITEM - Z-88-94 - National Group No. 1 Limited Liability Company	**12-7-94 Council Agenda**
	Request for reclassification of property located on the north side of Cheyenne Avenue, approximately 2,640 feet west of Hualapai Way. From: N-U (Non-Urban) To: R-CL (Single Family Compact Lot) Proposed Use: 167 SINGLE FAMILY DETACHED DWELLINGS Staff Recommendation: APPROVAL PROTESTS: 1 (at meeting) Ward 2 (Adamsen) Planning Commission unanimously (5-0 vote) recommended DENIAL. If approved, subject to: 1. Construct a six foot high decorative masonry wall along all property lines where homes do not front the exterior streets as required by the Department of Community Planning and Development. 2. Dedicate 50 feet of right-of-way adjacent to this site for Cheyenne Avenue, 40 feet for Bardon Road and 30 feet for Buckskin Avenue, a 20 foot radius on the southeast corner of Bardon Road and Buckskin Avenue and a 54 foot radius on the northwest corner of Bardon Road and Cheyenne Avenue as required by the Department of Public Works.	****** COUNCILMAN HIGGINSON stated the General Plan for these areas will be in place and these items can be discussed immediately after the adoption of the General Plan. He then made the motion for abeyance to the December 7, 1994 meeting. There was no discussion. (2:26 - 2:28)

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	COMMUNITY PLANNING AND DEVELOPMENT	ABEYANCE TO 12-7-94 - See Page 93.
	ABEYANCE ITEM - Z-88-94 - National Group No. 1 Limited Liability Company (continued)	
	3. Construct half-street improvements on Cheyenne Avenue, Bardon Road and Buckskin Avenue adjacent to this site as required by the Department of Public Works.	
	4. Provide paved, legal access to this site in an alignment acceptable to the Department of Public Works prior to occupancy of any units within this development.	
	5. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of grading, building or off-site permits or the recordation of a Final Map, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.	
	It should be noted that this site is in proximity to the technically preferred alignment for the west leg of the Las Vegas Beltway project and may be impacted by future right-of-way needs, construction activities and increases in traffic volumes and noise due to the beltway project.	

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	COMMUNITY PLANNING AND DEVELOPMENT	ABEYANCE TO 12-7-94 - See Page 93.
	ABEYANCE ITEM - Z-88-94 - National Group No. 1 Limited Liability Company (continued)	
	6. The final layout of the subdivision on this site shall be determined at the time of approval of the Tentative Map. The subdivision layout must acknowledge adjoining public street right-of-ways, if any, and dedicate the opposing half of all such existing right-of-ways or the applicant must submit a vacation application to eliminate the abutting right-of-ways prior to or concurrent with the submittal of a tentative map.	
	7. Standard Condition Nos. 1, 2, 5 - 7 and 10 - 12.	

NATIONAL DEVELOPMENT CORPORATION

730

7310 SMOKE RANCH RD., SUITE P
LAS VEGAS, NEVADA 89128
(702) 242-4949

CITY COUNCIL MINUTES

OCT 19 1994

RECEIVED CITY CLERK OCT 12 12 47 PM '94

October 12, 1994

Kathy Tighe, City Clerk
City Clerks Office
City of Las Vegas
400 E. Stewart
Las Vegas, NV 89101

By Facsimile to 382-4803.

RE: Zoning items Z-87-94, Z-88-94 and Z-89-94.

Dear Kathy,

Due to a scheduling conflict with the County Commission meeting, we respectfully request that the beforementioned zoning items being heard at the October 19, 1994, City Council meeting be placed at the end of the meeting.

If this is not possible, please contact me.

Sincerely,

John A. Ritter, General Manager
Gowan 20, LLC, National Group #1, LLC,
and Chieftain 5, LLC

s12hold.doc

108, 109, 110

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

731

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: ABEYANCE ITEM - ZONE CHANGE - PUBLIC HEARING - Z-88-94 - National Group No. 1 Limited Liability Company

PURPOSE/BACKGROUND

This item was held in abeyance from your last meeting at the applicant's request. Councilman Higginson voiced concerns regarding development occurring within the preferred beltway, directing staff to develop a policy regarding development within the preferred beltway alignment. This work is in progress.

APPLICATION REQUEST:

This request is to reclassify this 25.5 acre parcel from N-U to R-CL for 167 single family detached dwellings at a residential density of 6.56 units per acre. The average lot size is 4,000 square feet and the typical lot dimension is 40' X 100'.

BACKGROUND DATA:

9/16/94 The property was annexed into the City of Las Vegas [A-6-94(A)].

4/6/94 The City Council approved a request for rezoning to R-CL (Single Family Compact Lot) for property to the east of this site (Z-9-94).

DETAILS OF APPLICATION REQUEST:

Site Area	25.46	Acres
No. of Lots	167	
Density	6.56	
Building Type	Plan A	
Square Feet	1,800	
Bedrooms/Baths	3/2	
Height	2	Story
Garage	2	Car

Access is via four street connections to Bardon Road along the east property line and one to Buckskin Avenue. No direct access to Cheyenne Avenue is shown. All lots will have access to 51 foot wide loop streets and cul-de-sacs, with the exception of 20 lots along the north boundary which will have direct access to Buckskin Avenue. No block walls or landscaping are indicated. The plot plan indicated that both 1 and 2 story units would be constructed, however building elevations were only submitted for the 2 story model, which depict stucco exteriors with Spanish tile roofs.

AGENDA DOCUMENTATION

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: ABEYANCE ITEM - ZONE CHANGE - PUBLIC HEARING - Z-88-94 - National Group No. 1 Limited Liability Company

PURPOSE/BACKGROUND

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

	ZONE	*LAND USE*
North	N-U	Vacant
South	P-C	Single Family
East	ROI to R-CL	Vacant
West	County	Vacant

FINDINGS:

GENERAL PLAN:

This property is located to the west of the parcels currently a part of the adopted General Plan. As part of the approval of the zoning action taken for application Z-9-94, it was determined that the density requested would be in line with the L (Low Density Residential)/ML (Medium-Low Density Residential) land use designations indicated on the Northwest Sector of the General Plan, north of Cheyenne Avenue and east of Hualapai Way.

REZONING:

The requested R-CL (Single Family Compact Lot) zoning district permits a maximum density of 8 units per acre. Staff finds that the request is in conformance with the General Plan, given the action taken on Z-9-94. The request is compatible with the densities permitted in the P-C zone to the south and the R-CL approved for the property east of this site, and with future land use patterns which can be expected to be single family development at densities between 6 to 9 units per acre.

Staff has noted this site is in proximity to the technically preferred alignment for the west leg of the Las Vegas Beltway project and may be severely impacted by future right-of-way needs, construction activities and increases in traffic volumes and noise due to the beltway project.

Agenda Item

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: ABEYANCE ITEM - ZONE CHANGE - PUBLIC HEARING - Z-88-94 - National Group No. 1 Limited Liability Company

PURPOSE/BACKGROUND

PLOT PLAN:

The Conditions of Approval for Z-9-94 contain a provision to require a six foot high decorative wall along all property lines where homes do not front the exterior streets. Staff feels that this condition should also be a part of this action to ensure continuity of development.

The applicant should also be required to dedicate necessary rights-of-way, construct half-street improvements on Cheyenne Avenue, Bardon Road and Buckskin Avenue adjacent to the site, provide paved legal access and submit a Traffic Impact Analysis for approval by the Department of Public Works prior to the issuance of grading, building or off-site permits.

The Planning Commission felt that the General Plan for this area should be officially amended prior to any further zoning approvals west of Hualapai Way.

Planning Commission Recommendation: DENIAL (5-0 vote)

Staff Recommendation: APPROVAL

PROTESTS: 1 (at meeting) (Protestor was opposed to smaller lot developments.)

NOTICES MAILED: 91

SEE ATTACHED LOCATION MAP

Agenda Item

CITY COUNCIL MINUTES

OCT 19 1994

733A

CURRAN
HAMMER & PARRY
ATTORNEYS AT LAW

QUAIL PARK II, SUITE C-23
601 SOUTH RANCHO DRIVE
LAS VEGAS, NEVADA 89106

WILLIAM P. CURRAN
BILL C. HAMMER
STANLEY W. PARRY
BRADLEY N. BOODT*
*ADMITTED IN NEW MEXICO

TELEPHONE
(702) 471-7000
FACSIMILE
(702) 471-7070

October 14, 1994

Councilman Scott Higginson
City Councilman
City Hall Complex
400 E. Stewart
Las Vegas, NV 89101

HAND DELIVERY

Re: Z-87-94, Z-88-94 and Z-89-94;
Hearing on October 19, 1994

Dear Councilman Higginson:

As you know, my client, John Ritter of Focus Commercial Group and I appeared at the City Council Meeting on Wednesday, October 5, 1994 on the three above-referenced zoning applications; no action was taken and the hearing was rescheduled for October 19th. Attached to this letter are maps showing the location of the three pending applications and another map showing the location of Z-9-94, another application that the Council approved for my clients in April in the same vicinity as the pending applications.

Unfortunately, a prior commitment requires me to be out-of-state on the date of the upcoming hearing, so I am submitting the attached booklet which outlines my client's efforts to date to respond to every potential concern raised by various local governmental entities in the hope that every conceivable issue would be resolved prior to the Council's consideration of the zoning applications. I hope you will find the answer to any question you may have by reference to the chronologies and to the referenced documents.

Mr. Ritter will, of course, be at the upcoming Council meeting since it is critical to him to get the matters resolved at that time. If you identify an issue that is not answered to your satisfaction by the documents in the attached booklet, please call me. I will be in my office virtually all day Friday, October 14th, and Monday, October 17th. Unfortunately, I will be gone on both Tuesday and Wednesday.

Mr. Ritter is also planning to follow up with you prior to the meeting, so I am most hopeful that we will be able to answer any question prior to the meeting and that my unavailability will not delay your consideration of the applications.

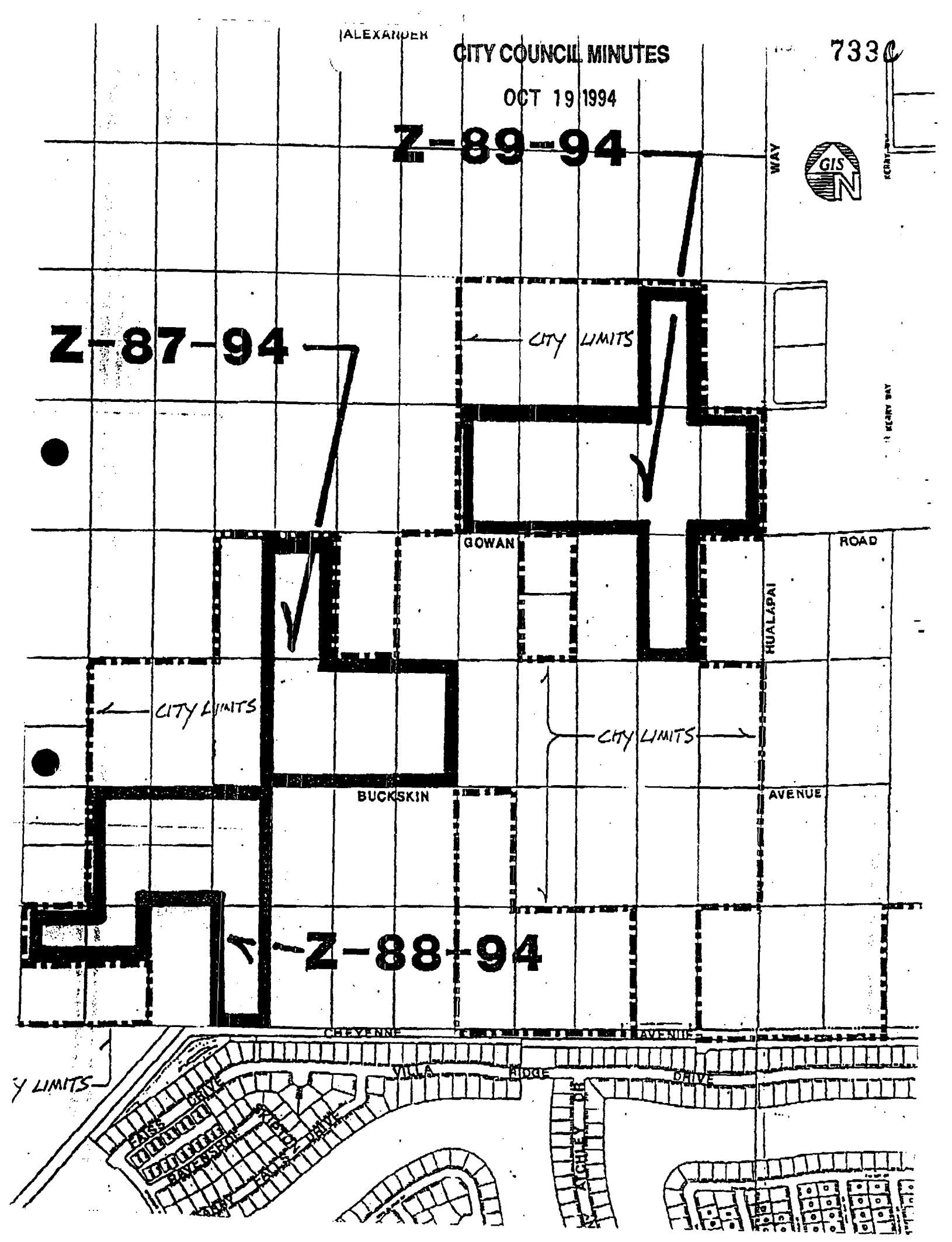
Best personal regards.

Sincerely,

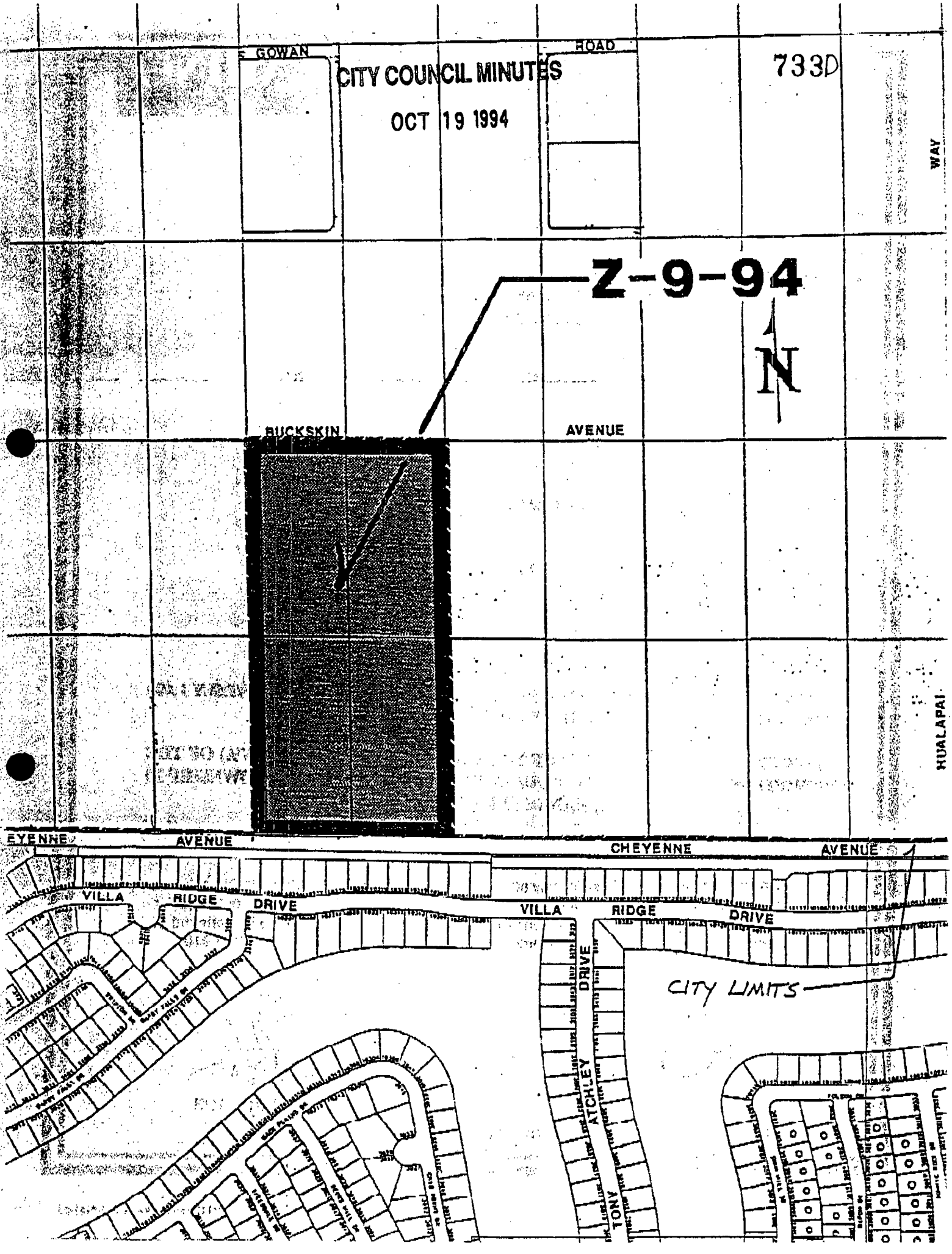
Bill Curran

BC/ks
Attachment

cc: John Ritter


Z-89-94
Z-87-94
Z-88-94
CITY LIMITS
CITY LIMITS
CITY LIMITS
CITY LIMITS
GOWAN
ROAD
HUALAPAI
WAY
BUCKSKIN
AVENUE
CHEYENNE
AVENUE
VILLA
RIDGE
DRIVE
GIS

CITY COUNCIL MINUTES
OCT 19 1994
733D



CITY COUNCIL MINUTES

OCT 19 1994

733E

BACKGROUND INFORMATION

Focus Commercial Group, Inc.
National Development Corporation
John Albert Ritter

September 1994

Company Information
Focus Commercial Group, Inc.

Focus Commercial Group, Inc. ("Focus") was formed in 1990 by John Albert Ritter and Andrew M. Flaherty to serve the development and investment community in Las Vegas. Mr. Ritter and Mr. Flaherty, possess a combined 20 years of real estate experience.

Although Focus is a small firm, since its inception in the local real estate market almost five years ago the company has been involved in closed transactions exceeding 80 million dollars, exclusively vacant land sales to investors and developers.

Through research, analysis, and presentation, Focus has become a leader in the sale of improved and unimproved land to Southern Nevada homebuilders. In addition to brokering residential parcels, Focus is expanding its operations to include land-banking for developers who do not wish to or can not finance land inventories.

Some of the company's clients include: American West Development, Pulte Home Corporation, Long Beach Savings and Loan, Gem Homes, The Vista Group, Summa Corporation, BR Homes, Pardee Development, Lewis Homes, Whittier Development, Coleman Homes, Peccole Trust, and Durable Homes.

Company Information
National Development Corporation

National Development Corporation ("NDC") is a Corporation solely owned and controlled by John A. Ritter. NDC was formed in June, 1989, for the purpose of participating in real estate investments and partnerships.

NDC's participation in its partnerships is based solely on a percentage of the net profits upon resale of the properties. NDC recieves no fees, commissions or salary of any kind.

NDC has formed eleven investment groups in raw land properties to date. Of the eleven, five have been re-sold, achieving annualized rates of return to their investors exceeding 40%. Six of the groups are holding for longer term investment.

NDC is located at the offices of Focus Commercial Group Inc., 7310 Smoke Ranch Road, Suite P. John A. Ritter is also president and one of the two owners of Focus. Through Focus, NDC has access to extensive and comprehensive information regarding development trends, municipal zoning, planning and development, comparable sales data, and current property ownership and availability.

Background Information

John Albert Ritter

Mr. Ritter has been licensed and actively involved in the real estate industry for over 12 years, nine of which he has been licensed as a real estate broker.

After selling commercial real estate in the Phoenix metropolitan area, Mr. Ritter moved to Las Vegas in 1988. Since that time he has been personally involved in closed real estate transactions totalling over 40 million dollars, primarily vacant land sales to investors and developers. In 1990 Mr. Ritter and an associate, Andrew Flaherty, started their own company, Focus Commercial Group, Inc. Specializing in raw land investments for commercial interchange parcels and residential parcels, Mr. Ritter has purchased over $10 million in property to form investment groups in the last few years.

John A. Ritter and National Development Corporation References

Gard Jameson, Revelle Taylor, and Mike Kern
Piercey, Bowler, Taylor & Kern
Office 384-1120

- Accountants who have prepared and audited all of John A. Ritter's personal financial statements and National Development Corporation's previous and existing partnership returns. Currently participate in investments formed by National Development Corporation.

William P. Curran, Esq.
Curran, Hammer & Parry
Office 471-7000

- Attorney for John A. Ritter and National Development Corporation.

John A. Smith
President, Nevada School of the Arts
Office 739-3502

- John A. Ritter serves on the Board of Directors of the School.

Rick Schofield
Vice-President, Merrill Lynch
Office 227-7000

- Manages John A. Ritter's personal and National Development Corporation's pension funds. Currently participates in investments formed by National Development Corporation.

Additional references available upon request.

JP802a

OCT 19 1994

Zoning Applications

John Ritter is referred to as "JR"
Darrin Badger is referred to as "DB"

8/10/93	Exhibit Z-1	JR and DB met with Richard Oglesby to discuss flood control measures Summerlin had instituted.
12/9/93		DB and JR met with Bob Genzer. Staff would support Section 12 zoning as extension of present masterplan.
2/2/94		Annexation meeting, 1st reading, Section 12 (A-22-93).
2/7/94		DB met with Dave Clapsaddle and Bob Genzer to discuss our zoning application.
2/16/94		Annexation recommending committee (A-22-93).
3/2/94		Final annexation meeting, Section 12.
3/9/94		DB met with Mark Solomon, dropped off map of Section 12.
3/10/94		DB and Larry Bross (Hunsaker Engineering) met with Commissioner Brown, Planning Commission.
3/10/94	Exhibit Z-2	Planning commission approved RCL zoning, unanimous decision.
3/11/94		Annexation effective (A-22-93).
4/4/94		JR and Bill Curran met with Councilman Adamson, Adamson suggested his support for the application. Curran talked to Higginson on the telephone. Higginson said no reason for meetings since he saw no problems.
4/5/94	Exhibit Z-3	JR and DB received confirmation from the BLM to annex approximately 120 acres of BLM property into the City of Las Vegas.
4/6/94	Exhibit Z-4	City Council , 20 acres Section 12 zoning RCL approved unanimously (Z-9-94).
5/11/94	Exhibit Z-5	John sent letter to Bob requesting to hold A-6-94 in abeyance so he might include additional properties.
5/18/94	Exhibit Z-6	Submitted annexation for remaining land in Section 12.
6/9/94	Exhibit Z-7	A-6-94 City Planning Commission approves annexation.

Zoning Applications (continued)

6/14/94	Exhibit Z-8	Letter from City indicating unanimous approval of annexation application 195 acres A-6-94
6/27/94		DB, Mike Cuddy and Larry Bross met with Bob Genzer, said he had meeting with NW citizens. They decided all property west of the beltway alignment would be RE and those properties on the east side would be ML/L.
7/26/94	Exhibit Z-9	Submitted application for zoning Z-87-94, Z-88-94, and Z-89-94.
7/26/94		DB spoke with Bob Genzer who reiterated that L/ML zoning east of Beltway Corridor would be in cmpliance with extended masterplan.
8/3/94		Annexation, 1st reading approved (A-6-94).
8/25/94	Exhibit Z-10	Planning Commission denied, Commissioner Brown upset with staff for not briefing him on their studies of this area.
8/30/94	Exhibit Z-11	City confirmed our denial at Planning Commission.
9/7/94		DB met with protester (Jeff Chenes), considering signing letter of approval.
9/12/94		Greg Borgel, Bill Curran, & John Ritter met with Higginson to discuss Section 12 zoning application.
9/14/94	Exhibit Z-12	JR sent letter to Higginson thanking for meeting and answering concerns.
9/14/94		DB spoke again with protester (Jeff Chenes), interested in marketing property with us.
9/15/94		JR and DB met with Bob Genzer, John McNellis, Frank Null and Ron Hansen regarding beltway issues. Genzer informed us he had met with Higginson and that they decided to go ahead with the zoning if we agreed to hold the parcel affected by the beltway study corridor. We expressed our concerns as to how long we would have to hold this site. Nobody could say for sure but we agreed to hold. Ron Hansen and Howard Null expressed interest in acquiring our Topo map and CAD disks of Section 12 we agreed to give them to them ASAP.
9/15/94		Submitted topography map of Section 12 to Howard Null
9/15/94	Exhibit Z-13	John sent letter and copy of hydrology plan to Richard Goecke at Higginson's direction.
9/20/94	Exhibit Z-14	JR sent letter to City requesting Z-87-94, Z-88-94, and Z-89-94 be held in abeyance at Higginson's direction.

Zoning Applications (continued)

9/20/94		DB researched BLM holdings in Section 12 for reservations for school sites and park sites.
9/21/94		City Council meeting held in abeyance at Higginson request.
9/28/94	Exhibit Z-15	DB contacts Dusty Dickens at the CCSD to indicate locations in Section 12 that would be suitable for school sites.
9/28/94	Exhibit Z-15	DB contacts John Black at City of Las Vegas Dept. of Parks and Leisure to discuss potential park sites in Section 12.
10/4/94		JR and DB met with Goecke, discussed his conversations with Higginson.
10/5/94	Exhibit Z-16	Zoning application tabled by Councilman Higginson. Higginson mentioned he was not made aware by staff that this area was outside of the present masterplan.
10/7/94		DB called John Black to further discuss school and park sites in Section 12.

Flood Control Issues

4/30/93		DB met with Bob Thompson regarding diversion channel in Section 8 at County
9/93		Met with Mike Cuddy at RFC regarding (LM) Detention Basin
11/22/93		DB spoke with Randy Fultz regarding footprint of Lone Mountain Detention Basin
11/23/93		DB spoke with Del Webb representative regarding offsite and flood improvement schedule
11/30/93		DB met with Tom Chiatovich and McNellis regarding Flood control in Section 12
12/6/93		DB spoke with Fultz, update on Basin
12/23/93	Exhibit F-1	Received copy of Tom Chiatovich's letter with recommendations for flood control in Section 12.
1/13/94		DB met with Mike Cuddy at RFC regarding his review of plans for LM Interim Basin.
1/14/94		DB met with Tom Chiatovich regarding right-of-way through Section 12.

OCT 19 1994

Flood Control Issues (continued)

1/21/94		Received copy of Summerlin Option Parcel 2 Hydrology study from City of Las Vegas. Study indicates an obvious diversion of flows into Section 12.
2/16/94		DB spoke with Chiatovich regarding VTN or Church Engineering Plans for Flood Control between Cheyenne and Alexander.
2/17/94		DB met with McNellis - no money for LM detention required from Del Webb, only from property owners north of Cheyenne.
3/21/94		DB spoke with Chiatovich discussed $500,000 contribution from Summerlin to fund Section 12 flood control improvements.
4/15/94		Received copy of Chiatovich flood control letter to VTN.
5/8/94		DB met with Chiatovich and John McNellis to collect additional suggestions from the City. During conversation confusion arises between Tom and John as to whether Gowan will continue west of Jensen into Section 12.
5/9/94	Exhibit F-2	JR submits letter to Tom Chiatovich indicating our need for Gowan to extend west beyond Jensen
5/11/94		Tom Chiatovich calls DB indicating Gowan Rd. will continue west of Jensen Rd. into Section 12.
8/10/94		JR and DB met with Richard Oglesby at Summerlin to discuss Summerlin drainage issues in Section 12.
8/23/94		JR and AF met with Calvin Black at VTN regarding Summerlin's diversion of flows.
8/23/94	Exhibit F-3	Hunsaker engineering (Mike Cuddy) submitted hydrology plan to Chiatovich and Sorenson.
9/15/94		DB and JR met with Randy Fultz. Discussed hydrology plan. He said he did not have time to review it yet.
9/15/94		DB & JR met with Mark Sorenson regarding submitted hydrology plan.
10/4/94		JR and DB spoke with Richard Goecke regarding his comments to Higginson regarding our contribution to solving hydrology problem

Western Leg of Beltway Issue

11/3/93		JR and DB attend Beltway meeting Cimarron HS, meet with Terry Phemister from Parsons Brinkerhoff Engineering.
11/4/93		DB discussed routes in Section 12 with Terry Phemister
1/27/94		DB spoke with Terry Phemister regarding status of route through Section 12
3/22/94		JR and DB attended Las Vegas Beltway workshop #3, discussed issues with Terry Phemister
4/22/94		JR and DB met with Terry Phemister at Parson Brinkerhoff office to discuss impact of Beltway to Section 12.
5/2/94		DB called Terry Phemister to discuss options and get an update on Beltway progress.
6/6/94	Exhibit B-1	DB spoke with Terry Phemister to discuss a potential land trade for right-of-way in Section 12. Terry sends copy of preferred route to DB.
6/28/94		DB requested Terry send copy of Technical Pref. Alt. relating to Section 12 be sent to Bob Genzer at City of Las Vegas.

Proposed Nevada Power Substation Located on Cheyenne Rd. at Bardon Rd.

7/13/94	Exhibit NP-1	John sent letter to Lucy Stewart objecting to the location of proposed Nevada Power substation site on Cheyenne Rd at Bardon Ave. Bob mentions that since this area is currently being annexed into the City of Las Vegas, this should come before City Council.
7/15/94	Exhibit NP-2	John sent letter to Bob Genzer requesting his attention to this matter.
7/19/94		DB met with Bill Rollier and Chris Wener at Nevada Power to discuss alternate sites in Section 12. Bill mentions that any BLM site in the area may be utilized. Expected construction in 5 years.
7/20/94	Exhibit NP-3	After several telephone conversations Bill Curran wrote letter to Lisa Coder at County summarizing his conversation.
7/20/94	Exhibit NP-4	Bob Genzer wrote County (Lisa Coder) recommending that Nevada Powers application in the County be stricken from the agenda and that Nevada Power's request be heard by the City.
7/21/94	Exhibit NP-5	JR and DB attended Clark County planning commission meeting regarding substation. Item was approved.

Proposed Nevada Power Substation Located on Cheyenne Rd. at Bardon Rd. (continued)

7/26/94	Exhibit NP-6	Bill Curran submitted letter of appeal to Lucy Stewart re: UC-0909-94 regarding proposed Nevada Power substation proposal at Cheyenne and Bardon Road.
8/10/94		JR hires Greg Borgel to help with substation issue.
8/14/94	Exhibit NP-7	Petition circulated opposing substation to affected Sun City residents.
8/17/94		DB, Bill Curran and Greg Borgel met with Bingham, Dondero, Woodbury and Schlesinger regarding proposed electric substation on W. Cheyenne Rd.
8/17/94		Nevada Power application is tabled indefinitely, will be heard by the City Council at a later date.

Utilities

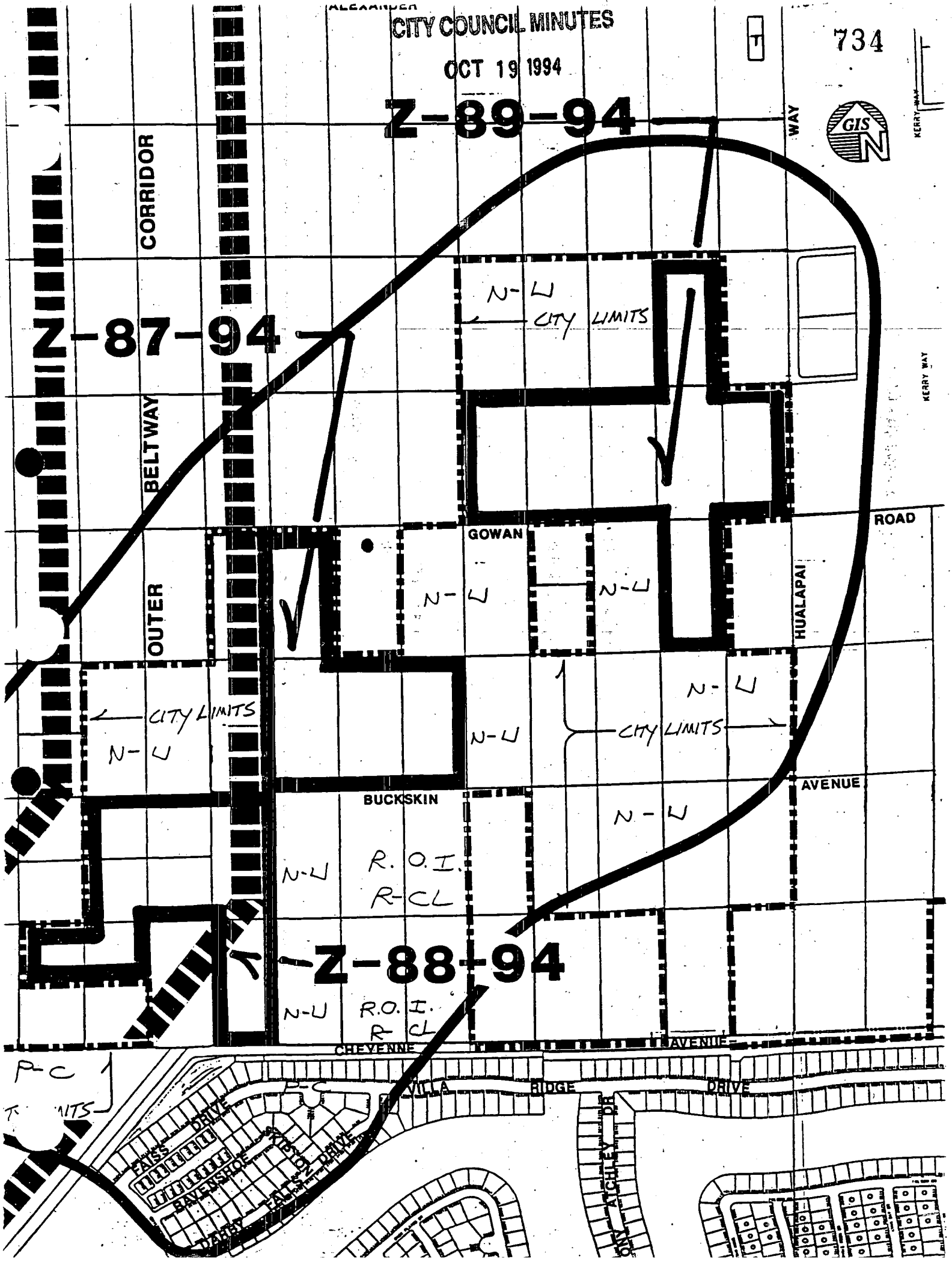
6/9/94		DB spoke with Mark Owens regarding sewer capacity and reclamation plant
6/21/94		DB spoke with Mark Owens sewer relating to Falcon's project in Section 7.
7/8/94		DB spoke with Mark Owens regarding sewer capacity to serve Section 12 and 7
7/14/94	Exhibit U-1	Focus received letter from Mark Owens requesting any maps, plans or other documentation we have for Section 12 to help the city design future waste water collection system improvements.
7/15/94		John notified Hunsaker and Associates to release all information to the City including all CAD information.

Engineering

8/25/93	Exhibit E-1	Received feasibility study from GC Wallace
11/22/93	Exhibit E-2/3	Proposal for Level 1 Site assessment from Terracon, proposal for Geotechnical Services, prelim. Geotechnical Exploration
4/4/94		Letter from Hunsaker indicating our wish to Topo all of Section 12.
6/22/94		Received proposal for final engineering on 40 acres $222,000.
7/7/94		Received proposal for engineering studies on 40 acres.

Reports

9/93	Exhibit E-1	Draft Feasibility Study - GC Wallace
12/21/93	Exhibit E-3	Preliminary Geotechnical Exploration Report - Terracon
12/31/93	Exhibit E-2	Level I Site Assessment
8/94	Exhibit F-3	Conceptual Hydrology Study - Hunsaker
10/94	Exhibit R-1	Preliminary Property Analysis - Hunsaker


Z-89-94
Z-87-94
Z-88-94
CORRIDOR
BELTWAY
OUTER
WAY
KERRY WAY
GIS
N-U
CITY LIMITS
GOWAN
HUALAPAI
ROAD
AVENUE
BUCKSKIN
R.O.I.
R-CL
CHEYENNE
AVENUE
VILLA
RIDGE
DRIVE
FAISS
DRIVE
BAVENSHOE
DAISY
ATCHLEY DR
P-C

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	**HIGGINSON - Items 81, 82 and 107 HELD IN ABEYANCE to 11-2-94 City Council meeting; Item 90 WITHDRAWN WITHOUT PREJUDICE; and Items 108, 109 and 110 HELD IN ABEYANCE TO 12-7-94 City Council meeting**
	ZONE CHANGE - PUBLIC HEARING	**UNANIMOUS**
110	ABEYANCE ITEM - Z-89-94 - Chieftain 5 Limited Liability Company	**12-7-94 Council Agenda**
	Request for reclassification of property located on the north and south sides of Gowan Road, west of Hualapai Way.	******
	From: N-U (Non-Urban)	COUNCILMAN HIGGINSON stated the General Plan for these areas will be in place and these items can be discussed immediately after the adoption of the General Plan. He then made the motion for abeyance to the December 7, 1994 meeting.
	To: R-CL (Single Family Compact Lot)	There was no discussion.
	Proposed Use: 230 SINGLE FAMILY DETACHED DWELLINGS	(2:26 - 2:28)
	Staff Recommendation: APPROVAL	
	PROTESTS: 1 (at meeting)	
	Ward 2 (Adamsen)	
	Planning Commission unanimously (5-0 vote) recommended DENIAL. If approved, subject to:	
	1. Construct a six foot high decorative masonry wall along all property lines where homes do not front the exterior streets as required by the Department of Community Planning and Development.	
	2. Dedicate 50 feet of right-of-way adjacent to this site for Hualapai Way, 40/80 feet of right-of-way (as appropriate) for Gowan Road and a 54 foot radius on the northwest corner of Hualapai Way and Gowan Road as required by the Department of Public Works. All other public streets proposed on the perimeter of this site shall be dedicated as 30 foot wide half-width right-of-ways unless another width is acceptable to Staff based on development plans of adjoining sites.	

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	COMMUNITY PLANNING AND DEVELOPMENT	ABEYANCE TO 12-7-94 - See Page 96.
	ABEYANCE ITEM - Z-89-94 - Chieftain 5 Limited Liability Company (continued)	
	3. Construct half-street improvements on Hualapai Way and all perimeter streets adjacent to this site along with half or full width street improvements on Gowan Road adjacent to or through this site (as appropriate) as required by the Department of Public Works.	
	4. Provide paved, legal access to this site in an alignment acceptable to the Department of Public Works prior to occupancy of any units within this development. A secondary paved access roadway may be required if recommended by the Traffic Engineer.	
	5. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of grading, building or off-site permits or the recordation of a Final Map, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.	
	It should be noted that this site is in proximity to the technically preferred alignment for the west leg of the Las Vegas Beltway project and may be impacted by future right-of-way needs, construction activities and increases in traffic volumes and noise due to the beltway project.	

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	COMMUNITY PLANNING AND DEVELOPMENT	ABEYANCE TO 12-7-94 - See Page 96.
	ABEYANCE ITEM - Z-89-94 - Chieftain 5 Limited Liability Company (continued)	
	6. The final layout of the subdivision on this site shall be determined at the time of approval of the Tentative Map. The subdivision layout must acknowledge adjoining public street right-of-ways, if any, and dedicate the opposing half of all such right-of-ways or the applicant must submit a vacation application to eliminate the abutting right-of-ways prior to or concurrent with the submittal of a tentative map.	
	7. Standard Condition Nos. 1, 2, 5 - 7 and 10 - 12.	

NATIONAL DEVELOPMENT CORPORATION

738

7310 SMOKE RANCH RD., SUITE P
LAS VEGAS, NEVADA 89128
(702) 242-4949

CITY COUNCIL MINUTES

OCT 19 1994

OCT 12 12 47 PM '94

RECEIVED
CITY CLERK

October 12, 1994

Kathy Tighe, City Clerk
City Clerks Office
City of Las Vegas
400 E. Stewart
Las Vegas, NV 89101

By Facsimile to 382-4803.

RE: Zoning items Z-87-94, Z-88-94 and Z-89-94.

Dear Kathy,

Due to a scheduling conflict with the County Commission meeting, we respectfully request that the beforementioned zoning items being heard at the October 19, 1994, City Council meeting be placed at the end of the meeting.

If this is not possible, please contact me.

Sincerely,

John A. Ritter, General Manager
Gowan 20, LLC, National Group #1, LLC,
and Chieftain 5, LLC

s12hold.doc

108, 109, 110

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: ABEYANCE ITEM - ZONE CHANGE - PUBLIC HEARING - Z-89-94 - Chieftain 5 Limited Liability Company

PURPOSE/BACKGROUND

This item was held in abeyance from your last meeting at the applicant's request. Councilman Higginson voiced concerns regarding development occurring within the preferred beltway, directing staff to develop a policy regarding development within the preferred beltway alignment. This work is in progress.

APPLICATION REQUEST:

This request is to reclassify this 37.1 acre parcel from N-U to R-CL for 230 single family lots at a residential density of 6.2 units per acre. The average lot size is 4,000 square feet with typical dimensions of 40' X 100'.

BACKGROUND DATA:

9/16/94 The property was annexed into the City of Las Vegas [A-6-94(A)].

6/6/94 The City Council approved a request for rezoning for R-CL (Single Family Compact Lot) on a 20 acre parcel to the south and west of this site.

DETAILS OF APPLICATION REQUEST:

Site Area	37.07	Acres
No. of Lots	230	Single Family
Density	6.2	DU/AC.
Building Type	Plan A:	
Square Footage	1,800	
Bedrooms/Baths	3/2	
Height	2 Story	
Garages	2 Car	

Access to the project is via two street connections to Gowan Road and six more to streets which are as yet not constructed. All lots will have access to 51 foot wide interior streets and cul-de-sacs with the exception of the tier of lots abutting the south property line which face outward. No block walls or landscaping is indicated. The plot plan states that both 1 and 2 story homes will be constructed, however building elevations were only submitted for the 2 story model which depicts stucco exteriors with Spanish Tile roofs.

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: ABEYANCE ITEM - ZONE CHANGE - PUBLIC HEARING - Z-89-94 - Chieftain 5 Limited Liability Company

PURPOSE/BACKGROUND

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

	ZONING	*LAND USES*
North	N-U/County	Vacant/Vacant
South	N-U/County	Vacant/Vacant
East	County	Vacant
West	N-U/County	Vacant/Vacant

FINDINGS:

GENERAL PLAN:

This property is located to the north and west of the parcels currently a part of the adopted General Plan. As part of the approval of the zoning action taken for application Z-9-94, it was determined that the density requested would be in line with L (Low Density Residential)/ML (Medium-Low Density Residential) land use designations indicated on the Northwest Sector of the General Plan north of Cheyenne Avenue and east of Hualapai Way.

REZONING:

The requested R-CL (Single Family Compact Lot) zoning district permits a maximum density of 8 units per acre. Staff finds that the request is in conformance with the General Plan, given the action taken on Z-9-94. The request is compatible with the established R-CL to the south of this site, and with future land use patterns which can be expected to be single family development at densities between 6 to 7 units to the acre between Alexander Road and Gowan Road.

It should also be noted that this site is in proximity to the technically preferred alignment for the west leg of the Las Vegas Beltway project and may be impacted by future right-of-way needs, construction activities and increases in traffic volumes and noise due to the Beltway project.

Agenda Item

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: ABEYANCE ITEM - ZONE CHANGE - PUBLIC HEARING - Z-89-94 - Chieftain 5 Limited Liability Company (continued)

PURPOSE/BACKGROUND

PLOT PLAN:

The Conditions of Approval for Z-9-94, contain provisions to require a six foot high decorative masonry wall along all property lines where homes do not front the exterior streets. Staff feels that this condition should also be a part of this action to ensure continuity of development. Staff has no other objection to the plot plan.

The applicant should also be required to dedicate necessary rights-of-way, construct half-street improvements on Hualapai Way and all perimeter streets, provide paved legal access to the site and submit a Traffic Impact Analysis for approval by the Department of Public Works prior to the issuance of grading, building, or off-site permits.

The Planning Commission felt that the General Plan for this area should be officially amended prior to any further zoning approvals west of Hualapai Way.

Planning Commission Recommendation: DENIAL (5-0 vote)

Staff Recommendation: APPROVAL

PROTESTS: 1 (at meeting) (Protestor opposed smaller lot developments.)

NOTICES MAILED: 91

SEE ATTACHED LOCATION MAP

Agenda Item

CITY COUNCIL MINUTES

OCT 19 1994

741A

CURRAN
HAMMER & PARRY
ATTORNEYS AT LAW
QUAIL PARK II, SUITE C-23
601 SOUTH RANCHO DRIVE
LAS VEGAS, NEVADA 89106

WILLIAM P. CURRAN
BILL C. HAMMER
STANLEY W. PARRY
BRADLEY N. BOODT*
*ADMITTED IN NEW MEXICO

TELEPHONE
(702) 471-7000
FACSIMILE
(702) 471-7070

October 14, 1994

Councilman Scott Higginson
City Councilman
City Hall Complex
400 E. Stewart
Las Vegas, NV 89101

HAND DELIVERY

Re: Z-87-94, Z-88-94 and Z-89-94;
Hearing on October 19, 1994

Dear Councilman Higginson:

As you know, my client, John Ritter of Focus Commercial Group and I appeared at the City Council Meeting on Wednesday, October 5, 1994 on the three above-referenced zoning applications; no action was taken and the hearing was rescheduled for October 19th. Attached to this letter are maps showing the location of the three pending applications and another map showing the location of Z-9-94, another application that the Council approved for my clients in April in the same vicinity as the pending applications.

Unfortunately, a prior commitment requires me to be out-of-state on the date of the upcoming hearing, so I am submitting the attached booklet which outlines my client's efforts to date to respond to every potential concern raised by various local governmental entities in the hope that every conceivable issue would be resolved prior to the Council's consideration of the zoning applications. I hope you will find the answer to any question you may have by reference to the chronologies and to the referenced documents.

Mr. Ritter will, of course, be at the upcoming Council meeting since it is critical to him to get the matters resolved at that time. If you identify an issue that is not answered to your satisfaction by the documents in the attached booklet, please call me. I will be in my office virtually all day Friday, October 14th, and Monday, October 17th. Unfortunately, I will be gone on both Tuesday and Wednesday.

Mr. Ritter is also planning to follow up with you prior to the meeting, so I am most hopeful that we will be able to answer any question prior to the meeting and that my unavailability will not delay your consideration of the applications.

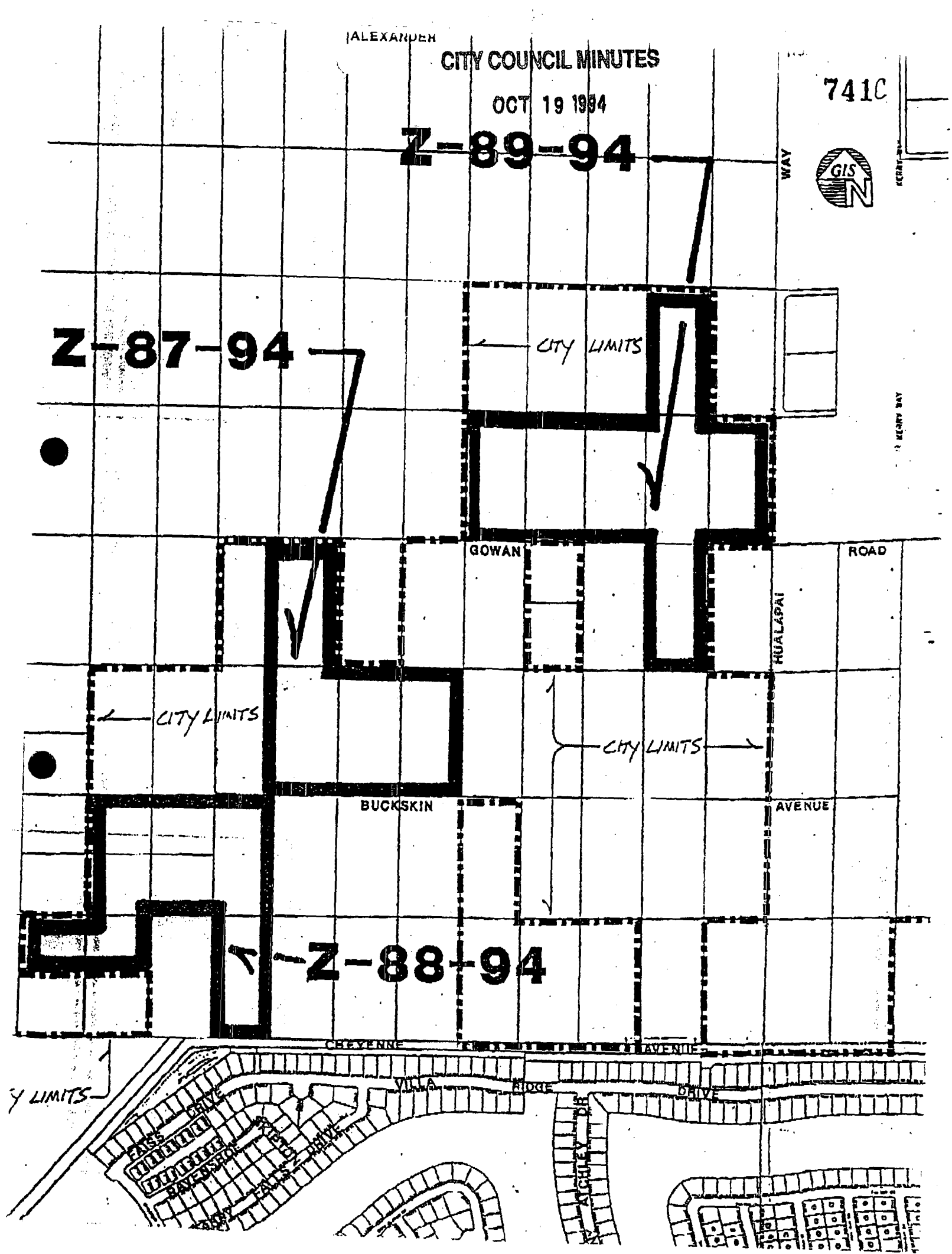
Best personal regards.

Sincerely,

Bill Curran

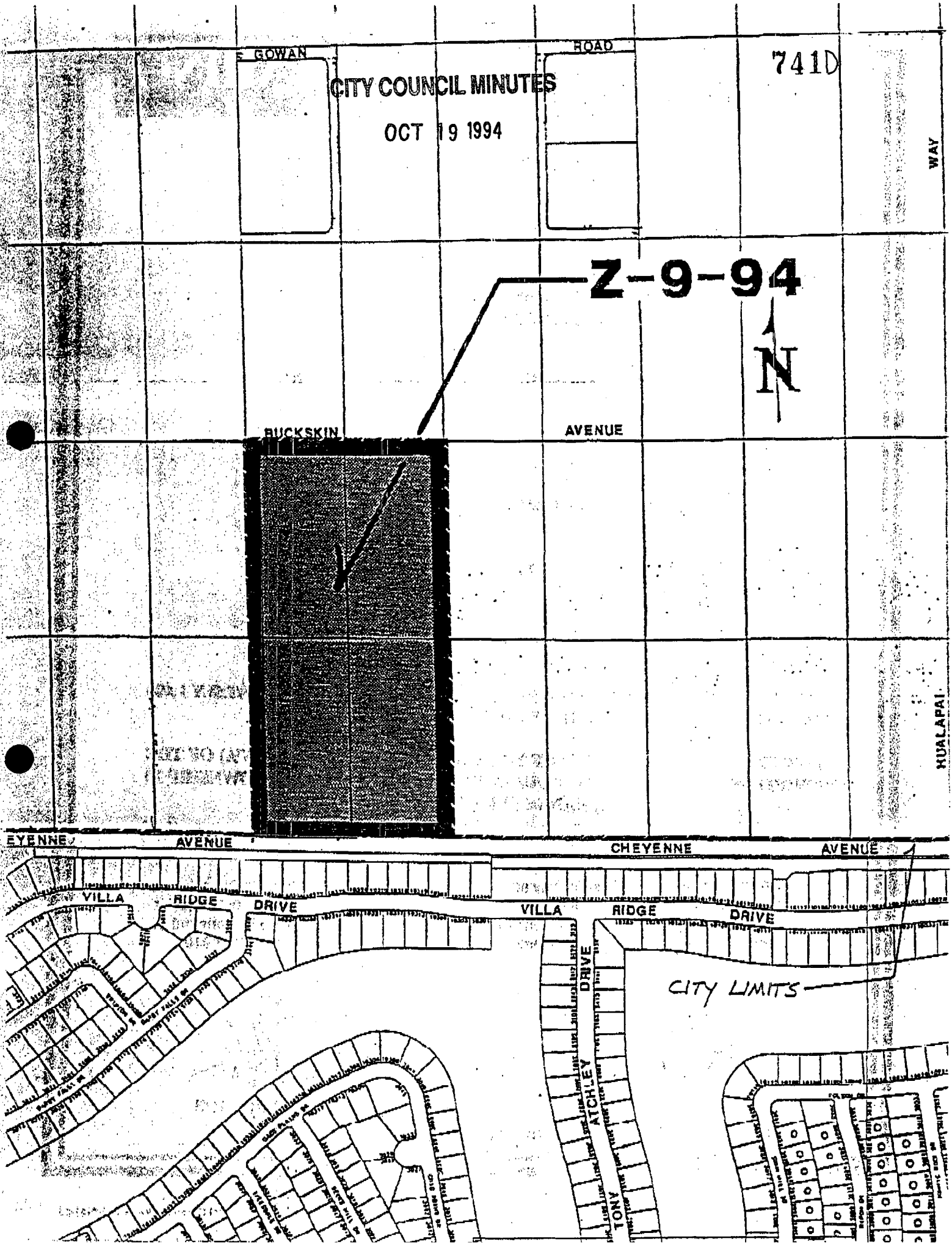
BC/ks
Attachment

cc: John Ritter


Z-89-94
WAY
GIS
N
Z-87-94
CITY LIMITS
GOWAN
ROAD
HUALAPAI
CITY LIMITS
CITY LIMITS
BUCKSKIN
AVENUE
Z-88-94
CHEYENNE
AVENUE
Y LIMITS
VILLA
RIDGE
DRIVE
PASS
DRIVE
BAYENSBROOK
ASHLEY DR

CITY COUNCIL MINUTES
OCT 19 1994

741D



CITY COUNCIL MINUTES

OCT 19 1994

741E

BACKGROUND INFORMATION

Focus Commercial Group, Inc.
National Development Corporation
John Albert Ritter

September 1994

Company Information
Focus Commercial Group, Inc.

Focus Commercial Group, Inc. ("Focus") was formed in 1990 by John Albert Ritter and Andrew M. Flaherty to serve the development and investment community in Las Vegas. Mr. Ritter and Mr. Flaherty, possess a combined 20 years of real estate experience.

Although Focus is a small firm, since its inception in the local real estate market almost five years ago the company has been involved in closed transactions exceeding 80 million dollars, exclusively vacant land sales to investors and developers.

Through research, analysis, and presentation, Focus has become a leader in the sale of improved and unimproved land to Southern Nevada homebuilders. In addition to brokering residential parcels, Focus is expanding its operations to include land-banking for developers who do not wish to or can not finance land inventories.

Some of the company's clients include: American West Development, Pulte Home Corporation, Long Beach Savings and Loan, Gem Homes, The Vista Group, Summa Corporation, BR Homes, Pardee Development, Lewis Homes, Whittier Development, Coleman Homes, Peccole Trust, and Durable Homes.

Company Information
National Development Corporation

National Development Corporation ("NDC") is a Corporation solely owned and controlled by John A. Ritter. NDC was formed in June, 1989, for the purpose of participating in real estate investments and partnerships.

NDC's participation in its partnerships is based solely on a percentage of the net profits upon resale of the properties. NDC recieves no fees, commissions or salary of any kind.

NDC has formed eleven investment groups in raw land properties to date. Of the eleven, five have been re-sold, achieving annualized rates of return to their investors exceeding 40%. Six of the groups are holding for longer term investment.

NDC is located at the offices of Focus Commercial Group Inc., 7310 Smoke Ranch Road, Suite P. John A. Ritter is also president and one of the two owners of Focus. Through Focus, NDC has access to extensive and comprehensive information regarding development trends, municipal zoning, planning and development, comparable sales data, and current property ownership and availability.

CITY COUNCIL MINUTES

OCT 19 1994

Background Information

John Albert Ritter

Mr. Ritter has been licensed and actively involved in the real estate industry for over 12 years, nine of which he has been licensed as a real estate broker.

After selling commercial real estate in the Phoenix metropolitan area, Mr. Ritter moved to Las Vegas in 1988. Since that time he has been personally involved in closed real estate transactions totalling over 40 million dollars, primarily vacant land sales to investors and developers. In 1990 Mr. Ritter and an associate, Andrew Flaherty, started their own company, Focus Commercial Group, Inc. Specializing in raw land investments for commercial interchange parcels and residential parcels, Mr. Ritter has purchased over $10 million in property to form investment groups in the last few years.

CITY COUNCIL MINUTES

OCT 19 1994

John A. Ritter and National Development Corporation
References

Gard Jameson, Revelle Taylor, and Mike Kern
Piercey, Bowler, Taylor & Kern
Office 384-1120

- Accountants who have prepared and audited all of John A. Ritter's personal financial statements and National Development Corporation's previous and existing partnership returns. Currently participate in investments formed by National Development Corporation.

William P. Curran, Esq.
Curran, Hammer & Parry
Office 471-7000

- Attorney for John A. Ritter and National Development Corporation.

John A. Smith
President, Nevada School of the Arts
Office 739-3502

- John A. Ritter serves on the Board of Directors of the School.

Rick Schofield
Vice-President, Merrill Lynch
Office 227-7000

- Manages John A. Ritter's personal and National Development Corporation's pension funds. Currently participates in investments formed by National Development Corporation.

Additional references available upon request.

JP802a

Zoning Applications

John Ritter is referred to as "JR"
Darrin Badger is referred to as "DB"

8/10/93	Exhibit Z-1	JR and DB met with Richard Oglesby to discuss flood control measures Summerlin had instituted.
12/9/93		DB and JR met with Bob Genzer. Staff would support Section 12 zoning as extension of present masterplan.
2/2/94		Annexation meeting, 1st reading, Section 12 (A-22-93).
2/7/94		DB met with Dave Clapsaddle and Bob Genzer to discuss our zoning application.
2/16/94		Annexation recommending committee (A-22-93).
3/2/94		Final annexation meeting, Section 12.
3/9/94		DB met with Mark Solomon, dropped off map of Section 12.
3/10/94		DB and Larry Bross (Hunsaker Engineering) met with Commissioner Brown, Planning Commission.
3/10/94	Exhibit Z-2	Planning commission approved RCL zoning, unanimous decision.
3/11/94		Annexation effective (A-22-93).
4/4/94		JR and Bill Curran met with Councilman Adamson, Adamson suggested his support for the application. Curran talked to Higginson on the telephone. Higginson said no reason for meetings since he saw no problems.
4/5/94	Exhibit Z-3	JR and DB received confirmation from the BLM to annex approximately 120 acres of BLM property into the City of Las Vegas.
4/6/94	Exhibit Z-4	City Council , 20 acres Section 12 zoning RCL approved unanimously (Z-9-94).
5/11/94	Exhibit Z-5	John sent letter to Bob requesting to hold A-6-94 in abeyance so he might include additional properties.
5/18/94	Exhibit Z-6	Submitted annexation for remaining land in Section 12.
6/9/94	Exhibit Z-7	A-6-94 City Planning Commission approves annexation.

Zoning Applications (continued)

6/14/94	Exhibit Z-8	Letter from City indicating unanimous approval of annexation application 195 acres A-6-94
6/27/94		DB, Mike Cuddy and Larry Bross met with Bob Genzer, said he had meeting with NW citizens. They decided all property west of the beltway alignment would be RE and those properties on the east side would be ML/L.
7/26/94	Exhibit Z-9	Submitted application for zoning Z-87-94, Z-88-94, and Z-89-94.
7/26/94		DB spoke with Bob Genzer who reiterated that L/ML zoning east of Beltway Corridor would be in cmpliance with extended masterplan.
8/3/94		Annexation, 1st reading approved (A-6-94).
8/25/94	Exhibit Z-10	Planning Commission denied, Commissioner Brown upset with staff for not briefing him on their studies of this area.
8/30/94	Exhibit Z-11	City confirmed our denial at Planning Commission.
9/7/94		DB met with protester (Jeff Chenes), considering signing letter of approval.
9/12/94		Greg Borgel, Bill Curran, & John Ritter met with Higginson to discuss Section 12 zoning application.
9/14/94	Exhibit Z-12	JR sent letter to Higginson thanking for meeting and answering concerns.
9/14/94		DB spoke again with protester (Jeff Chenes), interested in marketing property with us.
9/15/94		JR and DB met with Bob Genzer, John McNellis, Frank Null and Ron Hansen regarding beltway issues. Genzer informed us he had met with Higginson and that they decided to go ahead with the zoning if we agreed to hold the parcel affected by the beltway study corridor. We expressed our concerns as to how long we would have to hold this site. Nobody could say for sure but we agreed to hold. Ron Hansen and Howard Null expressed interest in acquiring our Topo map and CAD disks of Section 12 we agreed to give them to them ASAP.
9/15/94		Submitted topography map of Section 12 to Howard Null
9/15/94	Exhibit Z-13	John sent letter and copy of hydrology plan to Richard Goecke at Higginson's direction.
9/20/94	Exhibit Z-14	JR sent letter to City requesting Z-87-94, Z-88-94, and Z-89-94 be held in abeyance at Higginson's direction.

Zoning Applications (continued)

9/20/94		DB researched BLM holdings in Section 12 for reservations for school sites and park sites.
9/21/94		City Council meeting held in abeyance at Higginson request.
9/28/94	Exhibit Z-15	DB contacts Dusty Dickens at the CCSD to indicate locations in Section 12 that would be suitable for school sites.
9/28/94	Exhibit Z-15	DB contacts John Black at City of Las Vegas Dept. of Parks and Leisure to discuss potential park sites in Section 12.
10/4/94		JR and DB met with Goecke, discussed his conversations with Higginson.
10/5/94	Exhibit Z-16	Zoning application tabled by Councilman Higginson. Higginson mentioned he was not made aware by staff that this area was outside of the present masterplan.
10/7/94		DB called John Black to further discuss school and park sites in Section 12.

Flood Control Issues

4/30/93		DB met with Bob Thompson regarding diversion channel in Section 8 at County
9/93		Met with Mike Cuddy at RFC regarding (LM) Detention Basin
11/22/93		DB spoke with Randy Fultz regarding footprint of Lone Mountain Detention Basin
11/23/93		DB spoke with Del Webb representative regarding offsite and flood improvement schedule
11/30/93		DB met with Tom Chiatovich and McNellis regarding Flood control in Section 12
12/6/93		DB spoke with Fultz, update on Basin
12/23/93	Exhibit F-1	Received copy of Tom Chiatovich's letter with recommendations for flood control in Section 12.
1/13/94		DB met with Mike Cuddy at RFC regarding his review of plans for LM Interim Basin.
1/14/94		DB met with Tom Chiatovich regarding right-of-way through Section 12.

Flood Control Issues (continued)

1/21/94		Received copy of Summerlin Option Parcel 2 Hydrology study from City of Las Vegas. Study indicates an obvious diversion of flows into Section 12.
2/16/94		DB spoke with Chiatovich regarding VTN or Church Engineering Plans for Flood Control between Cheyenne and Alexander.
2/17/94		DB met with McNellis - no money for LM detention required from Del Webb, only from property owners north of Cheyenne.
3/21/94		DB spoke with Chiatovich discussed $500,000 contribution from Summerlin to fund Section 12 flood control improvements.
4/15/94		Received copy of Chiatovich flood control letter to VTN.
5/8/94		DB met with Chiatovich and John McNellis to collect additional suggestions from the City. During conversation confusion arises between Tom and John as to whether Gowan will continue west of Jensen into Section 12.
5/9/94	Exhibit F-2	JR submits letter to Tom Chiatovich indicating our need for Gowan to extend west beyond Jensen
5/11/94		Tom Chiatovich calls DB indicating Gowan Rd. will continue west of Jensen Rd. into Section 12.
8/10/94		JR and DB met with Richard Oglesby at Summerlin to discuss Summerlin drainage issues in Section 12.
8/23/94		JR and AF met with Calvin Black at VTN regarding Summerlin's diversion of flows.
8/23/94	Exhibit F-3	Hunsaker engineering (Mike Cuddy) submitted hydrology plan to Chiatovich and Sorenson.
9/15/94		DB and JR met with Randy Fultz. Discussed hydrology plan. He said he did not have time to review it yet.
9/15/94		DB & JR met with Mark Sorenson regarding submitted hydrology plan.
10/4/94		JR and DB spoke with Richard Goecke regarding his comments to Higginson regarding our contribution to solving hydrology problem

Western Leg of Beltway Issue

11/3/93		JR and DB attend Beltway meeting Cimarron HS, meet with Terry Phemister from Parsons Brinkerhoff Engineering.
11/4/93		DB discussed routes in Section 12 with Terry Phemister
1/27/94		DB spoke with Terry Phemister regarding status of route through Section 12
3/22/94		JR and DB attended Las Vegas Beltway workshop #3, discussed issues with Terry Phemister
4/22/94		JR and DB met with Terry Phemister at Parson Brinkerhoff office to discuss impact of Beltway to Section 12.
5/2/94		DB called Terry Phemister to discuss options and get an update on Beltway progress.
6/6/94	Exhibit B-1	DB spoke with Terry Phemister to discuss a potential land trade for right-of-way in Section 12. Terry sends copy of preferred route to DB.
6/28/94		DB requested Terry send copy of Technical Pref. Alt. relating to Section 12 be sent to Bob Genzer at City of Las Vegas.

Proposed Nevada Power Substation Located on Cheyenne Rd. at Bardon Rd.

7/13/94	Exhibit NP-1	John sent letter to Lucy Stewart objecting to the location of proposed Nevada Power substation site on Cheyenne Rd at Bardon Ave. Bob mentions that since this area is currently being annexed into the City of Las Vegas, this should come before City Council.
7/15/94	Exhibit NP-2	John sent letter to Bob Genzer requesting his attention to this matter.
7/19/94		DB met with Bill Rollier and Chris Wener at Nevada Power to discuss alternate sites in Section 12. Bill mentions that any BLM site in the area may be utilized. Expected construction in 5 years.
7/20/94	Exhibit NP-3	After several telephone conversations Bill Curran wrote letter to Lisa Coder at County summarizing his conversation.
7/20/94	Exhibit NP-4	Bob Genzer wrote County (Lisa Coder) recommending that Nevada Powers application in the County be stricken from the agenda and that Nevada Power's request be heard by the City.
7/21/94	Exhibit NP-5	JR and DB attended Clark County planning commission meeting regarding substation. Item was approved.

Proposed Nevada Power Substation Located on Cheyenne Rd. at Bardon Rd. (continued)

7/26/94	Exhibit NP-6	Bill Curran submitted letter of appeal to Lucy Stewart re: UC-0909-94 regarding proposed Nevada Power substation proposal at Cheyenne and Bardon Road.
8/10/94		JR hires Greg Borgel to help with substation issue.
8/14/94	Exhibit NP-7	Petition circulated opposing substation to affected Sun City residents.
8/17/94		DB, Bill Curran and Greg Borgel met with Bingham, Dondero, Woodbury and Schlesinger regarding proposed electric substation on W. Cheyenne Rd.
8/17/94		Nevada Power application is tabled indefinitely, will be heard by the City Council at a later date.

Utilities

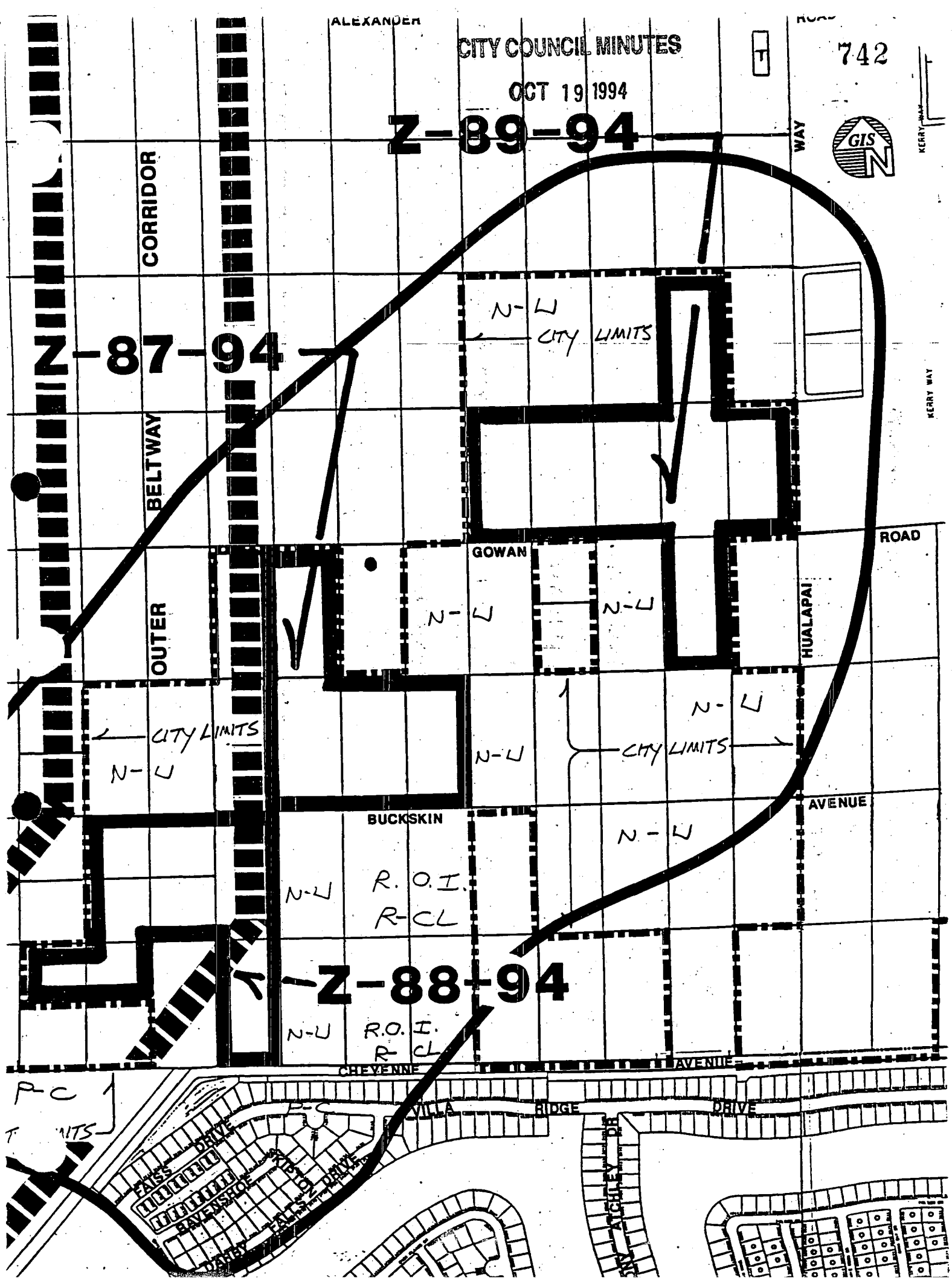
6/9/94		DB spoke with Mark Owens regarding sewer capacity and reclamation plant
6/21/94		DB spoke with Mark Owens sewer relating to Falcon's project in Section 7.
7/8/94		DB spoke with Mark Owens regarding sewer capacity to serve Section 12 and 7
7/14/94	Exhibit U-1	Focus received letter from Mark Owens requesting any maps, plans or other documentation we have for Section 12 to help the city design future waste water collection system improvements.
7/15/94		John notified Hunsaker and Associates to release all information to the City including all CAD information.

Engineering

8/25/93	Exhibit E-1	Received feasibility study from GC Wallace
11/22/93	Exhibit E-2/3	Proposal for Level 1 Site assessment from Terracon, proposal for Geotechnical Services, prelim. Geotechnical Exploration
4/4/94		Letter from Hunsaker indicating our wish to Topo all of Section 12.
6/22/94		Received proposal for final engineering on 40 acres $222,000.
7/7/94		Received proposal for engineering studies on 40 acres.

Reports

9/93	Exhibit E-1	Draft Feasibility Study - GC Wallace
12/21/93	Exhibit E-3	Preliminary Geotechnical Exploration Report - Terracon
12/31/93	Exhibit E-2	Level I Site Assessment
8/94	Exhibit F-3	Conceptual Hydrology Study - Hunsaker
10/94	Exhibit R-1	Preliminary Property Analysis - Hunsaker


Z-89-94
Z-87-94
Z-88-94
ALEXANDER
CORRIDOR
BELTWAY
OUTER
GOWAN
ROAD
HUALAPAI
KERRY WAY
N-U
CITY LIMITS
BUCKSKIN
AVENUE
R.O.I.
R-CL
CHEYENNE
VILLA
RIDGE
DRIVE
FALLS
RAVENSHOE
DARBY
GIS

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	**ADAMSEN - APPROVED subject to the conditions - UNANIMOUS with JONES and HIGGINSON not voting.**
		******
	GENERAL PLAN AMENDMENT - PUBLIC HEARING	MAYOR PRO TEM ADAMSEN declared the Public Hearing open.
111	GPA-33-94 - M B J R Trust	KEN SCHEER, 3839 Spring Mountain Road, appeared to represent the applicant.
	Request to amend a portion of the Southwest Sector of the General Plan on property located on the east side of Rainbow Boulevard, between Oakey Boulevard and O'Bannon Drive.	COUNCILMAN ADAMSEN asked if the C-2 portion is going to be deleted.
	From: L (Low Density Residential)	KEN SCHEER answered in the affirmative.
	To: SC (Service Commercial) and	JOHN SCHLEGEL said this General Plan Amendment would only change the zoning to (SC) Service Commercial.
	From: SC (Service Commercial)	MAYOR PRO TEM ADAMSEN felt there was sufficient finding to support the General Plan Amendment.
	To: GC (General Commercial)	There was no one present in opposition.
	Planning Commission unanimously (5-0 vote) recommended APPROVAL, subject to:	MAYOR PRO TEM ADAMSEN declared the Public Hearing closed.
	1. The GC (General Commercial) portion of the request shall be deleted.	(5:49 - 5:51)
	Staff Recommendation: APPROVAL - subject to deleting the GC portion of the application	
	PROTESTS: 8 (at meeting)	
	Ward 2 (Adamsen)	

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

744

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-33-94 - MBJR Trust

PURPOSE/BACKGROUND

APPLICATION:

This request is to amend the General Plan from SC (Service Commercial) to GC (General Commercial) for the north .95 acre, and from L (Low Density Residential) to SC (Service Commercial) for the remainder of the site. This request was generated by the applicant's request for rezoning to C-2 (General Commercial) and C-1 (Limited Commercial). The letter of justification for the SC states that this designation would be in accord with other parcels along Rainbow Boulevard, and that the GC is needed to rezone the north parcel to C-2 for the purpose of constructing an Ahern Rents business on that portion of the site.

BACKGROUND DATA:

7/7/93	The City Council approved C-1 (Limited Commercial) zoning for the half acre parcel at the northwest corner of this site (Z-50-93).
8/11/94	The Planning Commission held this item in abeyance at the applicant's request.
9/7/94	The City Council approved a request for an Extension of Time for the C-1 property at the northwest corner of this site [Z-50-93(2)].
9/22/94	The Planning Commission recommended Approval of the request to reclassify this property to C-1 (Limited Commercial) (Z-81-94).

DETAILS OF APPLICATION REQUEST:

Entire Site Area	8.11	Acres
Proposed GC Area	.95	Acre
Proposed SC Area	7.16	Acres

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

	DESIGNATION	*LAND USE*
North	SC	Rainbow Express Village Shopping Center
South	SC	Commercial
East	R	Single Family Residential
West	S	Commercial

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

Date: 745

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-33-94 - MBJR Trust (continued)

PURPOSE/BACKGROUND

FINDINGS:

Staff has several concerns regarding the request from SC (Service Commercial to GC (General Commercial). The first concern is that there are no properties currently designated for GC (General Commercial) development along the Rainbow Boulevard frontage anywhere between Sahara Avenue and Charleston Boulevard. All of the properties are designated Service Commercial. The second concern is the more intense commercial uses permitted in the GC category. According to the General Plan text, this category permits outdoor storage or display of products or parts, uses which may generate noise, need excessive lighting and have other characteristics not generally compatible with the established residential neighborhood to the east of the site. For these reasons, staff cannot support the request to GC (General Commercial), and believes it should remain Service Commercial.

Staff has no objection to the request for SC (Service Commercial) on the remainder of the site. In actuality, the current designation of L (Low Density Residential) is inappropriate for this area. It is the only parcel with a residential designation along either side of the Rainbow Boulevard corridor. Given the development of the area and the land use designation of Service Commercial along Rainbow Boulevard, staff believes that the request to Service Commercial is warranted.

The Planning Commission concurred with staff's recommendation of amending the application to C-1 as well as prohibiting access to Oakey and O'Bannon, unless it is determined to be necessary by the Traffic Study.

Planning Commission Recommendation: APPROVAL (5-0 vote)

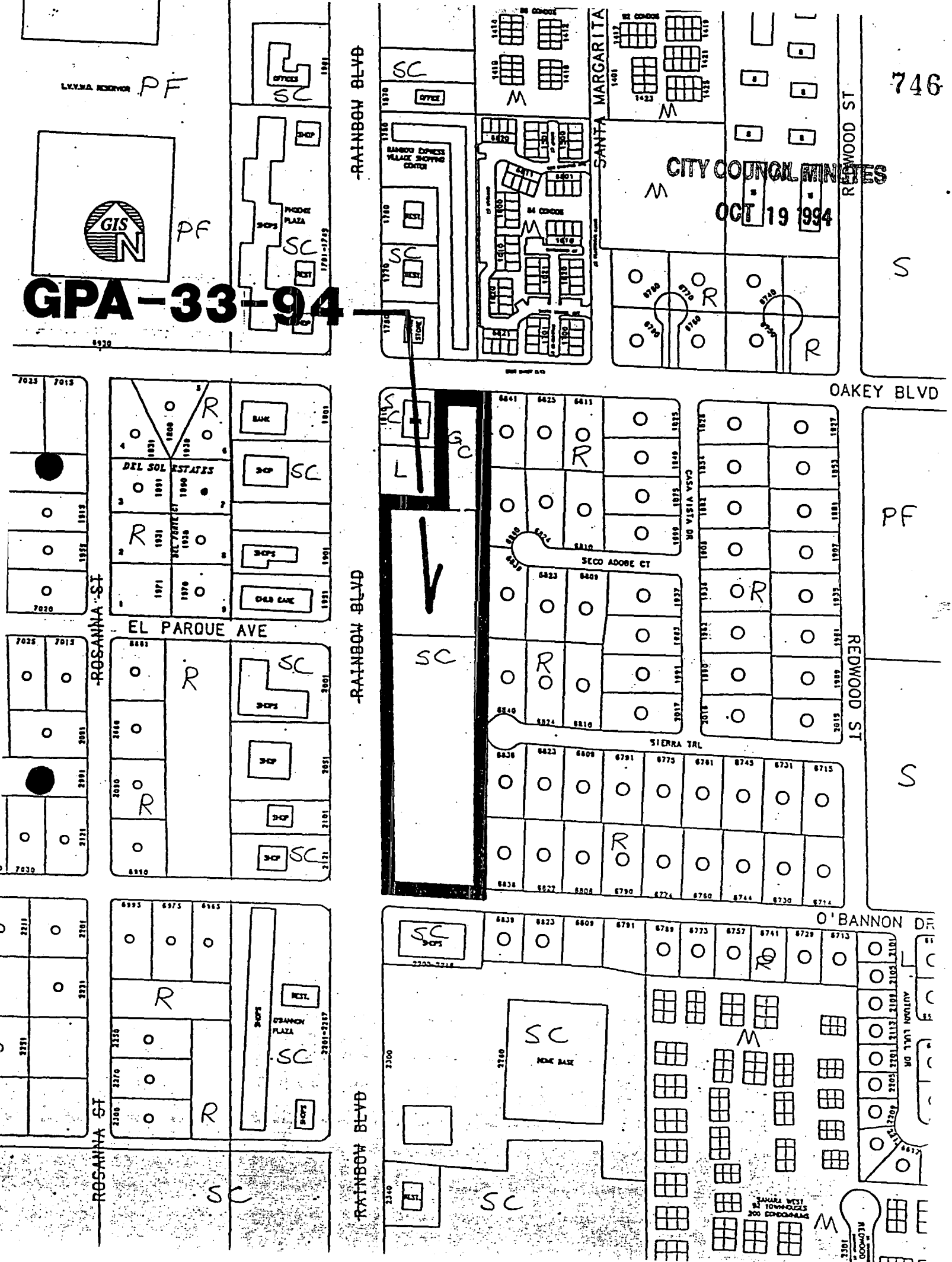
Staff Recommendation: APPROVAL - subject to deleting the GC portion of the application

PROTESTS: 8 (at meeting) (Protestors were opposed to the outside storage as well as the noise and lighting that would accompany this use. Adjacent residents also voiced concerns regarding the traffic impact this business would have on the neighborhood.)

NOTICES MAILED: 166

SEE ATTACHED LOCATION MAP

Agenda Item


746
GPA-33-94
CITY COUNCIL MINUTES
OCT 19 1994
PF
SC
R
S
L
RAINBOW BLVD
SANTA MARGARITA
REDWOOD ST
OAKEY BLVD
EL PARQUE AVE
ROSANNA ST
DEL SOL ESTATES
SECO ADOBE CT
CASA VISTA DR
SIERRA TRL
O'BANNON DR
O'BANNON PLAZA
SHOPS
BANK
REST.
M
GIS

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	**ADAMSEN - APPROVED subject to the conditions - UNANIMOUS with JONES and HIGGINSON not voting.**
	ZONE CHANGE RELATED TO GPA-33-94 - PUBLIC HEARING	******
112	Z-81-94 - M B J R Trust	MAYOR PRO TEM ADAMSEN declared the Public Hearing open.
	Request for reclassification of property located on the east side of Rainbow Boulevard, between Oakey Boulevard and O'Bannon Drive.	KEN SCHEER, 3839 Spring Mountain Road, appeared to represent the application.
	From: N-U (Non-Urban)	There was no one present in opposition.
	To: C-1 (Limited Commercial) and C-2 (General Commercial)	MAYOR PRO TEM ADAMSEN declared the Public Hearing closed.
	Proposed Use: 63,000 SQUARE FOOT RETAIL SHOPPING CENTER AND AHERN RENTAL FACILITY	(5:51 - 5:52)
	Staff Recommendation: APPROVAL - subject to amending the application to C-1	
	PROTESTS: 8 (at meeting)	
	Ward 2 (Adamsen)	
	Planning Commission unanimously (5-0 vote) recommended APPROVAL, subject to:	
	1. Approval of a General Plan Amendment to make the proposed zoning consistent with the plan.	
	2. The C-2 portion of the request shall be amended to C-1.	
	3. Install 24 inch box evergreen trees a minimum of 20 feet on center with shrubs and ground cover in the 10 foot wide landscaped planter area inside the block wall along the east property line as required by the Department of Community Planning & Development. The use of drought tolerant landscaping is encouraged.	

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	APPROVED - See Page 100
	Z-81-94 - M B J R Trust (continued)	
	4. Install 24 inch box evergreen trees a minimum of 40 feet on center with small shrubs planted a minimum of 3 feet on center with ground cover in the landscaped planter areas along Rainbow Boulevard and O'Bannon Drive as required by the Department of Community Planning and Development. The use of drought tolerant landscaping is encouraged.	
	5. No public address system shall be allowed.	
	6. All outdoor lighting shall be directed so that light falls only on the subject site.	
	7. Submit a revised plot plan for the portion of the site proposed for C-1 indicating the location of trash enclosures and loading zones for approval by the Department of Community Planning and Development prior to development.	
	8. Dedicate 30 feet (not 40 feet as shown on the rezoning map) of right-of-way for O'Bannon Drive and a 25 foot radius on the northeast corner of Rainbow Boulevard and O'Bannon Drive as required by the Department of Public Works.	
	9. Concurrent with the first phase of development anywhere on this site, construct half-street improvements on O'Bannon Drive adjacent to this site and construct all incomplete half-street improvements including streetlighting and sidewalk improvements on Rainbow Boulevard and Oakey Boulevard adjacent to this site as required by the Department of Public Works.	

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	APPROVED - See Page 100
	Z-81-94 - M B J R Trust (continued)	
	10. All access driveways connecting this site to the abutting public streets shall be designed and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works. Construct sidewalk on at least one side of all access drives connecting this site to Rainbow Boulevard; the connecting sidewalk shall extend from the sidewalk on Rainbow Boulevard to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp as required by the Department of Public Works.	
	11. A Traffic Impact Analysis including a Master Driveway and Onsite Circulation Plan for the overall commercial site must be submitted to and approved by the Department of Public Works prior to the issuance of grading, building or off-site permits. The number and location of the permitted driveways to service the overall commercial site shall be as approved within the required plan; no additional driveways or driveway relocations shall be allowed unless the Department of Public Works approves such. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. No access to O'Bannon Drive or Oakey Boulevard shall be permitted unless it is determined to be necessary by this Traffic Study.	
	12. Approval of a revised plot plan and building elevations by the Planning Commission prior to development for the north .95 acre portion of the site.	
	13. Conformance to the plot plan as amended by the above conditions for the entire site.	

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	APPROVED - See Page 100
	Z-81-94 - M B J R Trust (continued)	
	14. Conformance to the building elevations for the C-1 portion of the site.	
	15. A Drainage Plan and Technical Drainage Study for the overall commercial site must be submitted to and approved by the Department of Public Works prior to issuance of a building or grading permit or the recordation of any map splitting the overall commercial site, whichever may occur first. Provide all drainage pipes and appurtenances and improve all drainageways in the approved Drainage Plan/Study.	
	16. Standard condition Nos. 1 and 3-11.	

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

751

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: ZONE CHANGE RELATED TO GPA-33-94 - PUBLIC HEARING - Z-81-94 - MBJR Trust

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is to rezone 7.16 acres to C-1 (Limited Commercial) and .95 acre to C-2 (General Commercial). The request for C-1 is for 63,000 square feet of office and commercial space, the request for C-2 is for a proposed Ahern Rental business. No square footage or parking calculations were submitted for the C-2 part of the request.

BACKGROUND DATA:

7/7/93 The City Council approved C-1 (Limited Commercial) zoning for the parcel directly west of this site (Z-50-93).

9/7/94 The City Council approved a request for an Extension of Time for the C-1 property at the northwest corner of this site [Z-50-93(2)].

9/22/94 The Planning Commission recommended approval of a request to amend the General Plan to SC (Service Commercial) for the remainder of the site (GPA-33-94).

DETAILS OF APPLICATION REQUEST:

Total Site Area	8.11 Acres
Proposed C-2 Area	1.00± Acres
Proposed C-2 Building Area	Not Given
Proposed C-1 Area	7.16 Acres
Proposed C-1 Building Area	63,000 Square Feet
Floor Area Ratio	0.33
Total C-1 Parking Required	347 Parking Spaces
Total C-1 Parking Provided	395 Parking Spaces
Building Height	1 Story

The plot plan shows an area reserved for a major tenant and on line shops, 5 building pads and a proposed auto service center in the proposed C-1 portion of the site. The C-2 portion shows an area for a proposed Ahern Rental store, but no square footage or parking information is given. The plan also shows the existing bar and proposed Midas Muffler shop on the site directly west, which is not a part of this action.

Agenda Item
112

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: ZONE CHANGE RELATED TO GPA-33-94 - PUBLIC HEARING -Z-81-94 - MBJR Trust (continued)

PURPOSE/BACKGROUND

Access to the C-2 is via one driveway connection to Oakey Boulevard. Three points of access off Rainbow Boulevard, and two from O'Bannon Drive are indicated for the C-1 portion of the property.

An existing six foot high concrete block wall is shown along the eastern boundary of the site. No other block walls are indicated. Minimum six foot wide landscaped planters are shown along the west and south sides of the site. The proposed landscaping along the east side of the property is not clearly shown on the plot plan. Landscaped planter areas are shown at the end of each row of parking stalls throughout the project. No trash receptacles or loading zones are shown, however the service drive is located to the rear of the on line shops along the east boundary of the site. The elevations of the major tenant depict plaster exteriors with painted window frames and stone fascia trim with tile roofs. The other typical pad elevations match those of the major tenant.

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

	ZONE	*LAND USE*
North	C-1	Commercial Shops
South	C-1	Commercial Shops
East	R-E	Single Family Dwellings
West	C-1	Commercial Shops and Child Care

FINDINGS:

Regarding the rezoning request, staff has several concerns about the C-2 portion of the site. The C-2 district is intended to conform with the General Commercial land use category, which permits more intense uses such as outdoor storage or display of products or parts, uses which generate noise, may have excessive lighting and other characteristics not generally compatible with single family development. Staff feels that approval of C-2 could result in substantial land use conflicts with the established R-E single family neighborhood to the east. Staff would suggest that the application for C-2 be amended to C-1 (Limited Commercial). Staff has no objections to the request for C-1 (Limited Commercial) zoning for the remainder of the property. It would establish a similar land use pattern that currently exists to the north and south of the site, and the west side of Rainbow Boulevard. Substantial landscaping and buffering along the east side of the property will mitigate potential impacts to the residential neighborhood to the east.

Agenda Item

City of Las Vegas

AGENDA DOCUMENTATION

CITY COUNCIL MINUTES
MEETING OF
OCTOBER 19, 1994

Date: _____

TO:
The City Council

FROM: JOHN L. SCHLEGEL, ACTING DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT: ZONE CHANGE RELATED TO GPA-33-94 - PUBLIC HEARING - Z-81-94 - MBJR Trust (continued)

PURPOSE/BACKGROUND

Regarding the plot plan, staff suggests that the applicant be required to submit a revised plan indicating the location of trash enclosures and loading areas for each of the proposed structures for approval by the Department of Community Planning and Development prior to development.

Pertaining to landscaping, staff feels that a minimum 10 foot wide landscaped planter should be provided inside the existing block wall along the east side of the property, with 36 inch box evergreen or deciduous trees a minimum of 20 feet on center. The landscaping along the Rainbow Boulevard and O'Bannon Drive frontages can be less dense, with 24 inch box trees planted a minimum of 40 feet on center with small shrubs spaced a maximum of 3 feet on center, as established in the minimum standards for light buffering in the Landscape & Wall Buffer System Guidelines. Other Conditions of Approval should include an exclusion of public address systems, and a provision to direct lighting so that light falls only on the site and is not a nuisance to the single family neighborhood.

The applicant should also be required to dedicate all necessary rights-of-way, construct half-street improvements on O'Bannon Drive adjacent to the site and any incomplete improvements on Rainbow and Oakey Boulevard, and submit a Traffic Impact Analysis including a Master Driveway and Onsite Circulation Plan for the overall site.

GENERAL PLAN:

The request is not in conformance with the SC (Service Commercial) and L (Low Density Residential) designations on the Southwest Sector of the General Plan. Staff is supporting the request to amend the General Plan to Service Commercial which is also on this agenda.

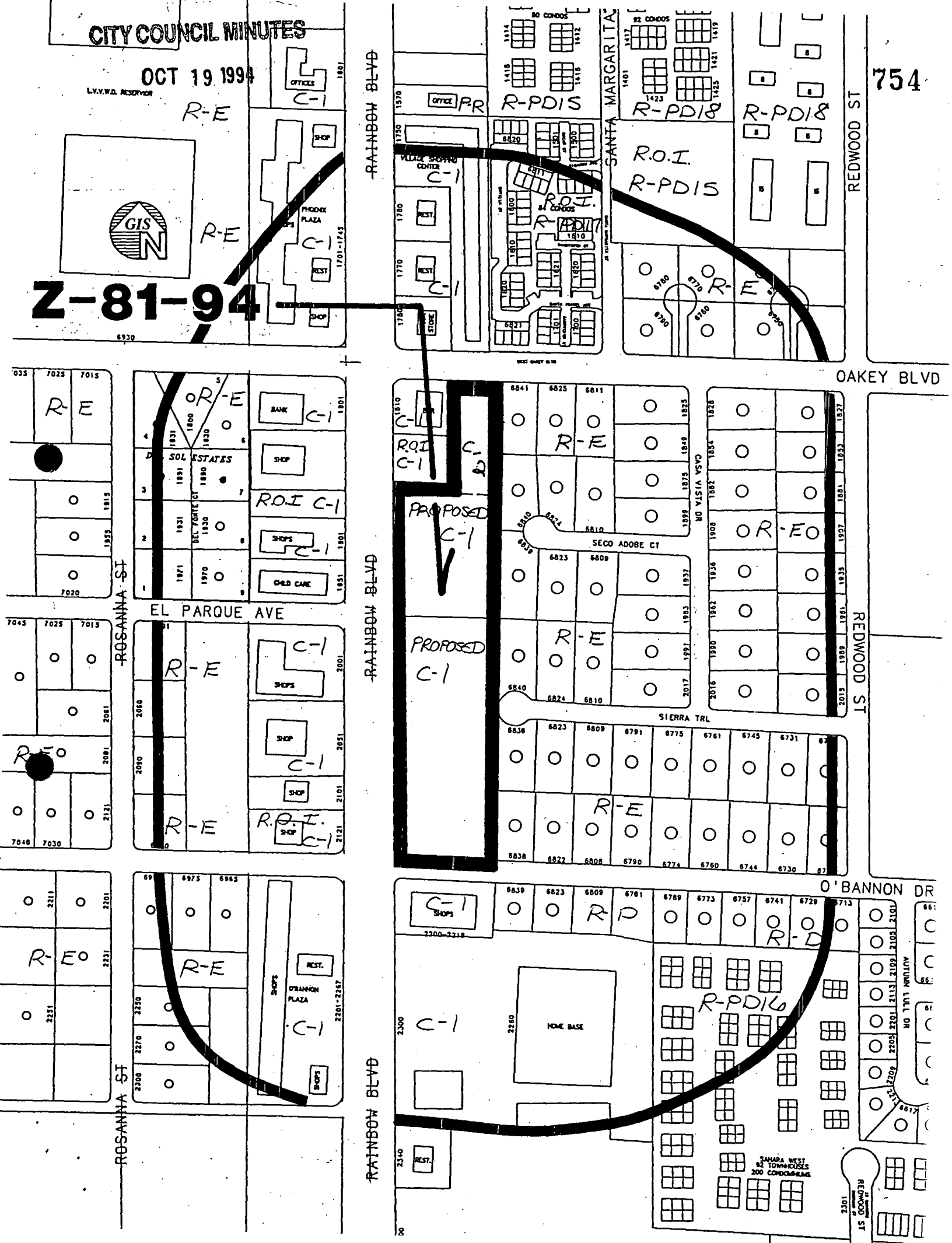
Planning Commission Recommendation: APPROVAL - subject to amending the application for the entire site to C-1

Staff Recommendation: APPROVAL - subject to amending the application for the entire site to C-1

PROTESTS: 8 (at meeting)) (Protestors were opposed to the outside storage as well as the noise and lighting that would accompany this use. Adjacent residents also voiced concerns regarding the traffic impact this business would have on the neighborhood.)

NOTICES MAILED: 166
SEE ATTACHED LOCATION MAP

Agenda Item


CITY COUNCIL MINUTES
OCT 19 1994
754
Z-81-94
GIS
RAINBOW BLVD
SANTA MARGARITA
REDWOOD ST
OAKEY BLVD
EL PARQUE AVE
ROSANNA ST
SECO ADOBE CT
SIERRA TRL
CASA VISTA DR
O'BANNON DR
AUTUMN LULL DR
PROPOSED C-1
R-E
R-PD18
R-PD15
R-PD16
R.O.I.
C-1
R-E
R-E
R-E

ITEM		ACTION
Item Number	**DISCUSSION/ACTION ITEMS**	
	COMMUNITY PLANNING AND DEVELOPMENT	
113	SET DATE FOR PUBLIC HEARING ON ANY ITEM REQUIRING A PUBLIC HEARING THAT WAS ACTED UPON BY THE CITY PLANNING COMMISSION.	VAC-38-94, VAC-40-94 - 11/2/94 AGENDA
114	SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE BOARD OF ZONING ADJUSTMENT MEETING.	NONE

Item Number	ITEM	ACTION
	DISCUSSION/ACTION ITEMS	
	X. ADDENDUM	NONE

Item Number	ITEM	ACTION
	XI. CITIZENS PARTICIPATION Items raised under this portion of the City Council Agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes.	JOE RYCHIC, 516 North 11th Street, Apt. D, said he attended a taxicab meeting with the Street Department and brought up the subject of street signs in the downtown area. The taxicab signs are up, but not a lot of the street signs. It would be helpful to persons traveling in the downtown area if the street signs were put up, even if they were just temporary. After the completion of the construction permanent signs could be installed. (5:52 - 5:53) AL GALLEGOS, 610 North 4th Street, said his concern is in Ward 1 on the corner of Sahara Avenue and Santa Paula Drive, which he called Detention North. There is a chain link fence that is at least 15 feet high and he objected to its appearance. In just the last two weeks gates were put up. CITY MANAGER BARTON said there is an issue of security and that property fronts on Sahara Avenue. AL GALLEGOS said there is a similar problem on Las Vegas Boulevard where motels are installing big chain link fences around their property. He wants to have Las Vegas Boulevard improved with palm trees, etc. He requested the chain link fence at Sahara Avenue and Santa Paula Drive be taken down. (5:53 - 5:56) **MEETING ADJOURNED AT 5:54 P.M.**

ITEM	ACTION
Item Number	**DISCUSSION/ACTION ITEMS**

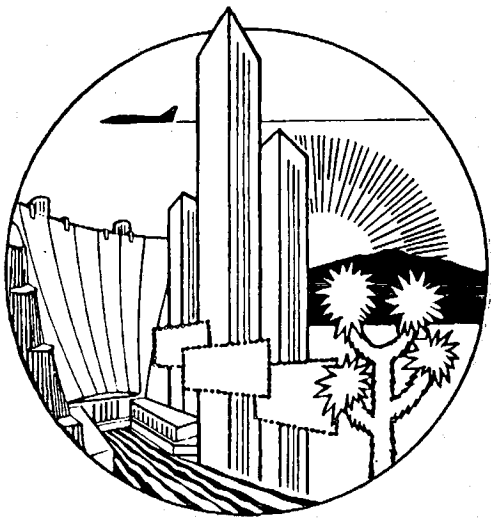
NOTES AND COMMENTS

COUNCILMAN ADAMSEN instructed Metro to provide him with any information on the application regarding lawsuits in which the applicant might be involved by the next hearing on either the 11/2/94 or 11/16/94 Council meeting.

(9:50)

City of Las Vegas

400 E. STEWART AVE.
LAS VEGAS, NV 89101



AGENDA

POSTMASTER:
CONTAINS DATED MATERIAL
REQUESTED BY ADDRESSEE

TO:

CITY COUNCIL MINUTES

OCT 19 1994

III. CONSENT AGENDA

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND ARE RECOMMENDED FOR APPROVAL BY THE DEPARTMENTS. THEY MAY BE ENACTED IN ONE MOTION; HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COUNCIL MEMBER SO REQUESTS.

DEPARTMENT OF BUILDING AND SAFETY

3. Set date for Public Hearing to consider the Report of Expenses to recover the cost for Nuisance/Litter Abatement at 518 S. First Street.

4. Set date for Public Hearing to consider the Report of Expenses to recover the cost for Nuisance/Litter Abatement at 1150 "J" Street.

DEPARTMENT OF BUSINESS ACTIVITY

SPECIAL EVENT LIQUOR LICENSES

5. COMMUNITY ACTION AGAINST RAPE, Location: Hills Park Summerlin, Date: November 6, 1994, Type: Special Event Beer/Wine/Cooler, Responsible Person in Charge: Jody O'Hare

6. FRIENDS OF THE CHARLESTON HEIGHTS ART CENTER, Location: Charleston Heights Art Center, 800 S. Brush, Date: October 29, 1994, Type: Special Event Beer/Wine/Cooler, Responsible Person in Charge: Joel Mur

DEPARTMENT OF ECONOMIC AND URBAN DEVELOPMENT

7. Action to accept a $15,000 donation from Primerit Bank, F.S.B. in support of Phase Two of the West Las Vegas "Adopt-Your-Block " neighborhood improvement program.

8. Action to approve an extension of the agreement with Marjorie Polly as the development consultant for Mobilized Assistance and Shelter for the Homeless (M*A*S*H).

DEPARTMENT OF FINANCE & COMPUTER SERVICES

9. Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

DEPARTMENT OF GENERAL SERVICES

AWARD OF BIDS

10. Award of Bid Number 95.1730.43, Street Block Number Signs at 200 Signalized Intersections - Department of Public Works - HIGHWAY RENTALS, INC. ($126,325.00)

11. Award of Bid Number 95. Nov.03, Annual Tire and Tire Repair Contract - Department of General Services - VARIOUS VENDORS ($58,000.00)

PURCHASE ORDER APPROVAL

12. Purchase Order Approval for Proprietary Data Processing Services - Various Departments - CLARK COUNTY TREASURER ($60,000.00)

13. Purchase Order Approval for Supplement No. 2 with Boyle Engineering for Engineering Services for the Ogden Underpass Project - Department of Public Works - BOYLE ENGINEERING ($50,000.00)

14. Purchase Order Approval for Supplement No. 1 with Custard Insurance Adjusters for Accident Investigations - Department of Human Resources - CUSTARD INSURANCE ADJUSTERS ($18,000.00)

CONTRACT RENEWALS

15. Supplements to the Annual Contract for 36-Month Copier Replacement Contract - Department of General Services ($8,474.00)

ACCEPTANCE OF SUBDIVISION IMPROVEMENTS

28. OASIS PALMS (Michael T. Black and Lori Jo Black, Developer), Property generally located north of Via Olivero Avenue, west of Lisa Lane, 2.6 Acres, 8 Lots, Zoned R-1.

RELEASE OF SECURITIES

29. LOCATION: Alta Quail Park at Alta Drive, USE: Off-Site Improvements, OWNER: 70 Limited Partnership, SECURITY: Subdivision Performance Bond with Fidelity and Deposit Company of Maryland, AMOUNT: $95,400.00, BOND NO.: 30487190 (CLV 14-94)

30. LOCATION: 1950 Pinto Lane (Groom/Steele Health Facility), USE: Off-Site Improvements, OWNER: Richard Groom and D. Stuart Steele, SECURITY: Agreement in Lieu of Off-Site Improvements Performance Bond, AMOUNT: Less than $50,000.00 (Occupancy), BOND NO.: (CLV 2-94)

31. LOCATION: 3200 S. Valley View Boulevard (Truckmaster's), USE: Off-Site Improvements, OWNER: 1986 Leavitt Family Trust, SECURITY: Performance Bond with American Bonding Company, AMOUNT: $5,000.00, BOND NO.: 9346855 (CLV 24-94)

ENCROACHMENT REQUEST

32. DESERT SHORES COMMUNITY ASSOCIATION (Point Conception Drive, Lazarette Drive, Valiant Drive, and Regatta Drive), Request from applicant to encroach into the public right of way in various locations in the Desert Shores Community. The encroachment would consist of privately-installed conduit and wiring for privately-owned entrance sign lighting in public rights-of-way as follows: Point Conception Drive, east of Rampart Boulevard; Lazarette Drive, east of Rampart Boulevard; Valiant Drive, west of Buffalo Drive; and Regatta Drive, west of Buffalo Drive. It should be noted that the entrance signs will be located on private property (common areas) and only the conduit and wiring will be located in the rights-of-way.

TRAFFIC & PARKING ITEMS

33. Discussion and possible approval of a request to prohibit parking in front of 608 South Jones Boulevard

34. Discussion and possible approval to ratify the installation of the 4-way stop at Desert Inn Road and Fort Apache Road

35. Discussion and possible approval of a request to designate a 2-Hour Time Limited Parking Zone in front of 303 West St. Louis Avenue

REPORTS/ACTION ITEMS

36. Discussion and possible approval of Contract modification #1 with Boulder Construction, Inc. for the Bonneville Avenue Extension and Underpass

37. Discussion and possible approval on using City of Las Vegas "Relocation rules for projects not involving the use of Federal Funds" for the Downtown Corridor Improvements Project

38. Discussion and possible approval of retaining BSI Consultants, Inc. to provide consultant services in drainage study review

39. Set date for Public Hearing to adopt a Master Plan Amendment to the Lone Mountain Detention Basin

40. Discussion and possible approval of Interlocal Agreement with Clark County for Buffalo/ Cheyenne Special Improvement District No. 1447

41. Discussion and possible approval of a contract for right of way acquisition and relocation assistance with Property Specialists, Inc. for the Downtown Corridor Improvements Project

42. Discussion and possible action to designate Las Vegas Boulevard from Gass Avenue to Fremont Street as the City's official downtown parade route

***** END OF CONSENT AGENDA *****

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE AGENDA

43. Discussion and possible action to waive plans check and building permit fees for the Dewey Animal Shelter.

44. Discussion and possible action to include the City Attorney under the City's Executive Compensation Plan.

MARTIAL ARTS LICENSE – Change of Business Name

57. ENRIQUE MATA, dba From: Tae Kwon Do Institute of Las Vegas, TO: UNITED STATES NATIONAL TAE KWON DO INSTITUTE, 2511 Stewart Avenue, Enrique Mata, 100%

MASSAGE ESTABLISHMENT – New

58. ELLEN GREEN, dba AMBIANCE, 923 South Rainbow, Ellen L. Green-Bluestein, 100%, Subject to the provisions of the fire codes.

LIQUOR – New

59. BEER/WINE/COOLER OFF-SALE LICENSE; SAM E. HAMIKA, dba KWIKY MINI MART, 732 North Eastern Avenue, Sam E. Hamika, 100%, Subject to the provisions of the fire codes and Health Department regulations, NOTE: Item to be heard in PM session in conjunction with Planning item (U-219-94)

60. BEER/WINE/COOLER OFF-SALE LICENSE; OLSON & OLSON, dba LAS VEGAS GROCERY OUTLET, 1110 East Charleston, Jack L. Olson and Mary A. Olson, 100% jointly as husband & wife; NOTE: Item to be heard in PM session in conjunction with Planning item (U-205-94)

CITY ATTORNEY

61. Appeal of Work Card Denial: Ms. Tonja Dee Bremer, 850 North Las Vegas Blvd., Las Vegas, Nevada 89101

62. Appeal of Work Card Denial: Mr. Greg L. Gregory, 4545 Pennwood #131, Las Vegas, Nevada 89102

63. Appeal of Work Card Denial: Mr. Marlow Williams, 2724 Carla Avenue, North Las Vegas, Nevada 89030

DEPARTMENT OF FINANCE & COMPUTER SERVICES

64. Quarterly Financial Update

DEPARTMENT OF PUBLIC WORKS

TRAFFIC & PARKING ITEM

65. Discussion and possible approval of a request to close Stormson Lane between Buffalo Drive and Huntly Road

REPORTS ACTION ITEM

66. Discussion and possible action to approve a list of eligible projects to be included in the proposed Mountain Spa Special Improvement District

IV. RESOLUTIONS

67. **ABEYANCE ITEM** - R-103-94 - Approval of Resolution requesting the Department of Business and Industry (formerly the Department of Commerce) of the State of Nevada to issue bonds to finance a project for Cambridge Health System, Inc., a Nevada not-for-profit Corporation, a/k/a Spring Valley Hospital, to finance a not-for-profit hospital for which bonds could be issued by the City of Las Vegas, Nevada under the City Economic Development Revenue Bond Law, requesting the State Board of Finance to approve this financing and making certain findings and determinations with respect thereto. **NOTE: NO ACTION CAN BE TAKEN ON THIS ITEM UNTIL AFTER THE PUBLIC HEARING IS HELD AT 2:00 P.M.**

68. R-105-94 - Approval of Resolution to amend Schedules 14-II, 17-III and 17-IV in accord with Traffic & Parking Items 33, 34 and 35.

69. R-106-94 - Approval of Resolution in support of the National League of Cities efforts to inform Citizens about the impact on Federal Unfunded Mandates.

70. R-107-94 - Approval of a Resolution directing the engineers on behalf of the City of Las Vegas, Nevada to prepare and file with the City Clerk preliminary plans and an assessment plat in connection with a proposed water, sanitary sewer, roadway, drainage, curb and gutter, sidewalk, and storm sewer project in the City of Las Vegas, Nevada Special Improvement District No. 606 (Mountain Spa Development) pursuant to the consolidated local improvements law and all laws amendatory thereof and supplemental thereto; and providing the effective date hereof.

71. R-108-94 - Approval of a Resolution authorizing the preparation of a preliminary official statement in connection with the City of Las Vegas, Nevada Special Improvement District No. 606 (Mountain Spa Development) limited obligation improvement bonds; and providing the effective date hereof.

driveway cuts and replace with "L" curb and new sidewalk as required by the Department of Public Works. (10) A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of a building or grading permit, whichever may occur first. (11) Provision of fire hydrants and water flow as required by the Department of Fire Services. (12) The required fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade as required by the Department of Community Planning and Development.

VARIANCE AND SPECIAL USE PERMIT APPLICATIONS: (1) Conformance to the plot plan and elevations. (2) Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license. (3) submittal of a landscaping plan prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first. (4) All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development). (5) Satisfaction of City Code requirements and design standards of all City departments. (6) Approval of the parking and driveway plans by the Traffic Engineer. (7) Repair any damage to the existing street improvements resulting from this development as required by the Department of Public Works. (8) Provision of fire hydrants and water flow as required by the Department of Fire Services.

SUBDIVISION APPLICATIONS: Tentative Maps: (1) Approval of the tentative map shall be for no more than twelve months. If a final map is not recorded on all or a portion of the area embraced by the tentative map within twelve months of the approval of the tentative map, or an extension of time up to one year is not granted for the tentative map, a new tentative map must be filed. (2) Street names to be provided in accord with the City's Street Name Policy. (3) Subject to all conditions of City departments and State Subdivision Statutes. (4) A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the approval of a Final Map. Final Maps: (1) Conformance with the Tentative Map. Vacation Applications: (1) Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom. (2) Conformance to code requirements and design standards of all City departments. (3) The Reconveyance shall not be recorded until all of the above conditions have been met. (4) If the Reconveyance is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted.

CONSENT AGENDA

2:00 P.M. SESSION - ALL ITEMS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND ARE RECOMMENDED FOR APPROVAL. THEY MAY BE ENACTED BY ONE MOTION; HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COUNCIL MEMBER SO REQUESTS.

EXTENSION OF TIME

83. Z-10-87(5) - Rock Springs Vista Development Co. - Request for an Extension of Time for a proposed retail/office commercial center on property located on the northwest corner of Buffalo Drive and Washington Avenue, N-U Zone (under Resolution of Intent to C-1).

84. Z-146-89(4) - Lexington Realty Services, Inc. - Request for an Extension of Time for a proposed commercial center on property located on the east side of Rainbow Boulevard, south of Smoke Ranch Road, N-U Zone (under Resolution of Intent to C-1).

85. U-194-93(1) - Rock Springs Vista Development Company - Request for an Extension of Time of an approved Special Use Permit which allowed the sale of beer and wine within a proposed convenience store; and a tavern in conjunction with a proposed restaurant on property located on the northwest corner of Washington Avenue and Buffalo Drive, N-U Zone (under Resolution of Intent to C-1).

*** * * * * END OF CONSENT AGENDA * * * ***

DISCUSSION/ACTION ITEMS

ZONE CHANGE - PUBLIC HEARING

86. ABEYANCE ITEM - Z-91-94 - USA Capital Land Fund - Request for reclassification of property bounded by Vegas Drive, Lake Mead Boulevard, Comstock Drive and Tonopah Drive. From: R-E (Residence Estates) To: R-CL (Single Family Compact Lot) Proposed Use: 547 SINGLE FAMILY DETACHED DWELLINGS

FIVE YEAR REVIEW

87. U-111-89(1) - Misty, Inc. - Application for a required Five Year Review of an approved Special Use Permit which allowed a 14 x 48 foot off-premise advertising (billboard) sign to a height of 40 feet on property located on the south side of Bonanza Road, approximately 640 feet west of Lamb Boulevard, C-1 Zone.

PLOT PLAN AND BUILDING ELEVATION REVIEW

88. U-79-94(1) - Amerco Real Estate Company - Application for a Plot Plan and Building Elevation Review on an approved mini-storage facility and U-Haul truck and rental center on property located directly south of the intersection of Rancho Drive and Jones Boulevard, C-2 Zone.

104. U-222-94 - Liberty Real Estate Limited Partnership III - Application for a Special Use Permit to allow a Class III secondhand dealership for buying and selling of gold jewelry on property located at 850 South Rancho Road, Suite 2A, C-1 Zone.

105. U-205-94 - Bernard Shapiro - Application of Bernard Shapiro for a Special Use Permit to allow the sale of beer and wine within an existing grocery store on property located at 1110 East Charleston Boulevard, C-2 Zone.

106. U-223-94 - Lewis Homes of Nevada - Application for a Special Use Permit to allow a tavern on property located at 731 South Rainbow Boulevard, R-1 Zone (under Resolution of Intent to C-1).

ZONE CHANGE - PUBLIC HEARING

107. ABEYANCE ITEM - Z-46-94 - Pahor Family Trust - Request for reclassification of property located on the southwest corner of Lake Mead Boulevard and Tonopah Drive. From: N-U (Non-Urban) To: R-PD9 (Residential Planned Development) Proposed Use: 229 SINGLE FAMILY DETACHED DWELLINGS

108. ABEYANCE ITEM - Z-87-94 - Gowan 20 Limited Liability Company - Request for reclassification of property located on the north side of Buckskin Avenue, approximately 1,650 feet west of Hualapai Way. From: N-U (Non-Urban) To: R-CL (Single Family Compact Lot) Proposed Use: 133 SINGLE FAMILY DETACHED DWELLINGS

109. ABEYANCE ITEM - Z-88-94 - National Group No. 1 Limited Liability Company - Request for reclassification of property located on the north side of Cheyenne Avenue, approximately 2,640 feet west of Hualapai Way. From: N-U (Non-Urban) To: R-CL (Single Family Compact Lot) Proposed Use: 167 SINGLE FAMILY DETACHED DWELLINGS

110. ABEYANCE ITEM - Z-89-94 - Chieftain 5 Limited Liability Company - Request for reclassification of property located on the north and south sides of Gowan Road, west of Hualapai Way. From: N-U (Non-Urban) To: R-CL (Single Family Compact Lot) Proposed Use: 230 SINGLE FAMILY DETACHED DWELLINGS

GENERAL PLAN AMENDMENT - PUBLIC HEARING

111. GPA-33-94 - M B J R Trust - Request to amend a portion of the Southwest Sector of the General Plan on property located on the east side of Rainbow Boulevard, between Oakey Boulevard and O'Bannon Drive. From: L (Low Density Residential) To: SC (Service Commercial) and From: SC (Service Commercial) To: GC (General Commercial)

ZONE CHANGE RELATED TO GPA-33-94 - PUBLIC HEARING

112. Z-81-94 - M B J R Trust - Request for reclassification of property located on the east side of Rainbow Boulevard, between Oakey Boulevard and O'Bannon Drive. From: N-U (Non-Urban) To: C-1 (Limited Commercial) and C-2 (General Commercial) Proposed Use: 63,000 SQUARE FOOT RETAIL SHOPPING CENTER AND AHERN RENTAL FACILITY

113. SET DATE FOR PUBLIC HEARING ON ANY ITEM REQUIRING A PUBLIC HEARING THAT WAS ACTED UPON BY THE CITY PLANNING COMMISSION.

114. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE BOARD OF ZONING ADJUSTMENT MEETING.

X. ADDENDUM

XI. CITIZENS PARTICIPATION

Items raised under this portion of the City Council Agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes.

****

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

Downtown Transportation Center, City Clerk's Posting Board
Senior Citizen Center, 450 E. Bonanza Road
Bridger Building, 225 Bridger Avenue
Court Clerk's Office Bulletin Board, City Hall Plaza
City Hall Plaza, Special Outside Posting Bulletin Board