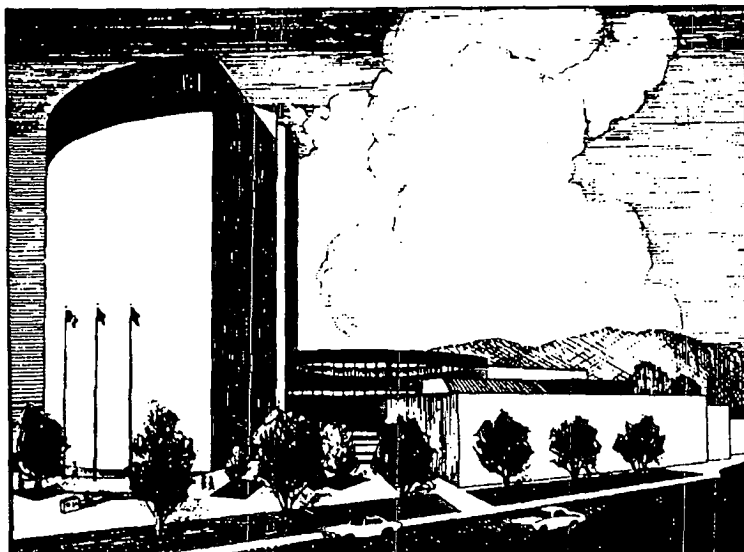




MINUTES

City of Las Vegas

CITY COUNCIL

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

NOVEMBER 15, 1995

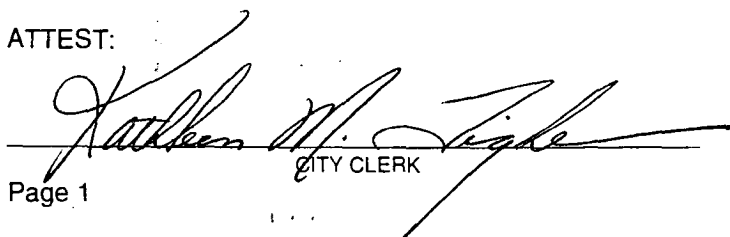
INVOCATION: Reverend Larry G. Hansmeier, First Christian Church

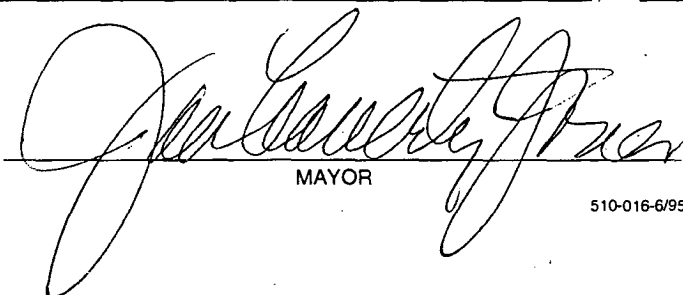
PLEDGE OF ALLEGIANCE: Mayor led audience in Pledge.

CITY COUNCIL	PRESENT	ABSENT	EXCUSED
MAYOR JAN LAVERTY JONES	☒	☐	☐
COUNCILMAN ARNIE ADAMSEN MAYOR PRO-TEM	☒	☐	☐
COUNCILMAN MATTHEW Q. CALLISTER	☒	☐	☐
COUNCILMAN MICHAEL J. McDONALD	☒	☐	☐
COUNCILMAN GARY REESE	☒	☐	☐
LARRY BARTON, CITY MANAGER	☒	☐	☐
BRADFORD R. JERBIC, CITY ATTORNEY (AM Session)	☒	☐	☐
Chief Deputy Civil City Attorney VAL STEED was present			PM Session
KATHLEEN TIGHE, CITY CLERK	☒	☐	☐

APPROVED BY REFERENCE January 17, 1996

ATTEST:


KATHLEEN M. TIGHE
CITY CLERK


JAN LAVERTY JONES
MAYOR

AGENDA

City of Las Vegas

CITY COUNCIL MINUTES

NOV 15 1995

001

CITY COUNCIL

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE • PHONE 229-6011

JAN LAVERTY JONES, MAYOR • COUNCILMEN: ARNIE ADAMSEN, MATT CALLISTER, MICHAEL J. McDONALD, GARY REESE

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.

NOVEMBER 15, 1995

**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 -Reverend Larry G. Hansmeier, First Christian Church
- PLEDGE OF ALLEGIANCE
- PRESENTATION TO LARRY SEITZ FOR BEING SELECTED EMPLOYEE OF THE MONTH FOR THE MONTH OF NOVEMBER

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 9/20/95.

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.

ADMINISTRATIVE

3. Action to approve contract with Facility Technics for Phase II of a comprehensive long-range facility master plan for the City of Las Vegas

CITY ATTORNEY**NOV 15 1995**

4. Approval of Regional Flood Control District Third Supplemental Interlocal Contract -- Buffalo Channel -- Summerlin Parkway to Vegas Drive.
5. Approval of Regional Flood Control District Second Supplemental Interlocal Contract - Oakey Boulevard Detention Basin and Collection System - Phase II.
6. Approval of Regional Flood Control District Fifth Supplemental Interlocal Contract -- Oakey Boulevard Detention and Conveyance System.

DEPARTMENT OF ECONOMIC AND URBAN DEVELOPMENT

7. Action To Approve And Issue To Lewis Properties, Inc. A Certificate Of Completion And Quitclaim Of Interest For Certain Real Property Situated In The Spectrum Of Las Vegas
8. Action Approving A Grant Deed For The Sale Of A Portion Of City-Owned Property To Sierra Health Service, Inc. At The Las Vegas Technology Center

DEPARTMENT OF FINANCE & BUSINESS SERVICES

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

LIQUOR - Change of Ownership/Change of Business Name

10. TAVERN LICENSE, From: Charles Baby Grand, Inc., dba Patricia's Lounge, (Nonoperational) TO: GO'S VEGAS, INC., dba GO'S WEST, 208 East Sahara, John G. Gamoke, Dir, Pres, Secy, Treas, 100%

LIQUOR & GAMING - Approval of Manager

11. TAVERN LICENSE/RESTRICTED GAMING: 15 slots, P.T. CORPORATION, dba PT'S PUB, 4604 West Sahara #10, Donald O. Homberg, Manager, Approved by the Nevada Gaming Commission on July 27, 1995

LIQUOR & GAMING - Change of Business Name

12. TAVERN LICENSE/RESTRICTED GAMING: 15 slots; LARRY'S OLD RANCH, INC., dba From: Old Ranch House, TO: LARRY'S HIDE-AWAY, 3369 Thom Boulevard, Lawrence A. LaPenta, Dir, Pres, Secy, Treas, Lawrence A. LaPenta Family Trust, 100%, Lawrence A. LaPenta, Trustee

LIQUOR - Reclassification

13. From: Beer/Wine/Cooler Off-Sale License, TO: PACKAGE LIQUOR LICENSE, SAM E. HAMIKA, dba KWIKY MINI MART, 732 North Eastern, Sam E. Hamika, 100%

MASSAGE ESTABLISHMENT -- New

14. CHRISTL NAUBEREIT, dba NEUROMUSCULAR THERAPY, 3170 West Sahara #D-16, Christl E. Naubereit, 100%

MARTIAL ARTS LICENSE -- New

15. HARRY COTTO, dba TWO DRAGONS, 1103 North Nellis, Harry Cotto, 100%

MARTIAL ARTS LICENSE -- Change of Ownership/Change of Business Name

16. From: Mark Lawrence, dba A LAWRENCE INSTITUTE OF KENPO KARATE, TO: MONICA LAWRENCE, dba LAWRENCE KENPO KARATE, 3120-3122 North Rainbow, Monica L. Lawrence, 100%

SECONDHAND DEALER LICENSE -- Approval of Manager

17. CLASS III-A, JAMES R. AUGUST, dba DIAMOND AND GOLD STORE, 806 Las Vegas Boulevard South, Kendrick N. Burt, Manager

TEENAGE NIGHTCLUB - New

18. T.G. ACTIVITY CENTER, dba T.G. ACTIVITY CENTER, 3000 South Highland #D, George T. Glanville, Dir, Pres, Secy, Treas, 100%, Subject to the provisions of the fire codes

NOV 15 1995

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AWARD/RENEWAL OF BIDS/REJECTIONS

19. Award of Bid Number 96.Dec.01, Annual Contract for Rental of Employee Uniforms and Laundry Service - Various Departments - Award Recommended to: PRUDENTIAL OVERALL SUPPLY (\$194,867.28)
20. Award of Bid Number 96.Nov.06, Annual Contract for Traffic Controllers with Cabinets Department of Public Works - Award Recommended to: SOUTHWEST TRAFFIC SYSTEMS, INC. (\$138,750)
21. Award of Bid Number 96.Nov.9, Annual Office Supplies Contract - Department of General Services - Award Recommended to: OFFICE DEPOT BUSINESS SERVICES (\$45,951.34)
22. Award of Bid Number 96.Jul.09, Annual Requirements Contract for Thermoplastic Striping Material, Flexible Pavement Marker Adhesive and Loop Detector Sealant - Department of Public Works - Award Recommended to: ITEM 1 - PAVE-MARK CORPORATION (\$1,770) ITEM 2 - CATAPHOTE, INC. (\$20,110) ITEM 3 - CRACKFILLER MFG. CORP. (\$2,300)
23. Award of Bid Number 96.Nov.03, Annual Contract for Sign Posts and Sign Mounting Material - Department of Public Works - Award Recommended to: LOT I SIGN POSTS HIGHWAY RENTALS, INC. (\$19,976) LOT II SIGN MOUNTING - WEBER INDUSTRIES, INC. (\$23,969)
24. Award of Bid Number 95.2610.15, Remodel of Chuck Minker Sports Office - Department of Parks and Leisure Activities - Award Recommended to: EDDIE GENERAL CONSTRUCTION (\$33,740)
25. Award of Bid Number 96.1770.03, Conflict (Fail Safe) Monitors - Department of Public Works - Award Recommended to: INTERSECTION DEVELOPMENT CORPORATION (\$29,120)
26. Rejection of Bidders and Award of Bid Number 96.1770.01, Traffic Masts and Poles; Various Signal Assemblies and Replacement Parts - Department of Public Works - Award Recommended to: LOT I - GRAYBAR ELECTRIC COMPANY (\$181,401) LOT II AND III - MCCAIN TRAFFIC SUPPLY (\$63,462) LOT IV - ECONOLITE CONTROL PRODUCTS (23,349.97)
27. Rejection of Bidder and Award of Bid Number 96.Oct.01, Annual Contract for Custodial Paper Products - Various Departments - Award Recommended to: LOT I - UNISOURCE (\$82,296.41), LOT II - WAXIE (\$35,178.60), LOT III - BRADY (\$3,362.60), LOT IV - UNISOURCE (\$4,127.76)
28. Rejection of Bidder and Award of Bid Number 96.Oct.02, Annual Contract for Laboratory Supplies and Chemicals - Department of Public Works - Award Recommended to: VWR SCIENTIFIC PRODUCTS (\$67,945.24)

PURCHASE ORDER APPROVALS/SUPPLEMENTS

29. Supplement to Purchase Order Number 65732, Modular Furniture System - City Manager's Office - Award Recommended to: HAWORTH, C/O FACILITEC (\$2,691.05)

CONTRACT MODIFICATIONS

30. Contract Modification Two - Bid Number 93.1730.07, Ogden Underpass - Phase II - Department of Public Works - KIEWIT WESTERN JOINT VENTURE (\$353,711.83)
31. Contract Modification Number 3, Bid Number 95.6325.02, Building Rehabilitation of the Bel-Aire Apartments - Department of Planning and Development - MACK COMPANY (\$200,000)

DEPARTMENT OF HUMAN RESOURCES

32. Approval To Create Two Inspector Supervisor Positions, Planning & Development
33. Approval To Create A Temporary Senior Development Project Officer Position, Public Works
34. REPORT OF NEW HIRES - OCTOBER 18 - NOVEMBER 1, 1995 - Deputy City Attorney, City Attorney; Collections Officer, Municipal Court; Office Specialist I, Municipal Court; Leisure Activities Attendant, Parks & Leisure Activities; Code Enforcement Officer I (X), Planning & Development; Planning Technician, Planning & Development; Civil Engineer I (X), Public Works; Office Specialist II, Municipal Court; Leisure Instructor I (R), Parks & Leisure Activities; Lifeguard/WSI, Parks & Leisure Activities; Leisure Instructor I (2), Parks & Leisure Activities; Lifeguard/WSI, Parks & Leisure Activities.

DEPARTMENT OF PARKS & LEISURE ACTIVITIES

35. Approval of Lease Agreement with the Las Vegas Natural History Museum (Lessee) to lease building at 900 Las Vegas Boulevard North.

PLANNING & DEVELOPMENT

NOV 15 1995

36. Action To Authorize The Mayor To Sign The Loan Documents To Ray & Ross Transport, Inc. For A Loan In The Amount Of \$150,000.
37. Action To Modify The Amount Of The U. S. Department Of Housing & Urban Development (Hud) Emergency Shelter Grant (Esg) Funds To Catholic Community Services Of Nevada From \$13,000 To \$13,146.87.
38. Action To Approve An Expenditure Of \$33,975 Of Community Development Block Grant (CDBG) Program Income For Carpet And Linoleum Replacement For The City Of Las Vegas Lessee, Nevada State Welfare, Which Is Located At 1040 West Owens.

DEPARTMENT OF PUBLIC WORKSACCEPTANCE OF RIGHT OF WAY ITEMSGRANT DEED

39. From: RICHARD N. GUBLER, AS TO AN UNDIVIDED ONE-FOURTH (1/4) INTEREST; DAVID M. GUBLER, AS TO AN UNDIVIDED ONE-FOURTH (1/4) INTEREST; JAMES L. GUBLER, AS TO AN UNDIVIDED ONE-FOURTH (1/4) INTEREST; JOHN G. GUBLER, AS TO AN UNDIVIDED ONE-EIGHT (1/8) INTEREST; JOHN GRAY GUBLER, TRUSTEE OF "THE JOHN GRAY GUBLER TRUST" DATED JULY 25, 1986, AS AMENDED, AS TO AN UNDIVIDED ONE-EIGHT (1/8) INTEREST, To: City of Las Vegas, For: Portion of the Northwest Quarter (NW 1/4) of Section 3, T21S, R61E, M.D.M. for 10' of right of way along Las Vegas Boulevard for the Downtown Corridor Improvement Project (previously recorded in the Office of the Recorder, Clark County, Nevada in Book 951020 as Instrument Number 01317) (9-26-95) 162-03-210-060

TEMPORARY RIGHT OF WAY GRANT FOR SEWER PURPOSES

40. From: THOMAS SENIUR AND JEANNE SENIUR, HUSBAND AND WIFE AS JOINT TENANTS, To: City of Las Vegas, For: Portion of the Southwest Quarter (SW 1/4) of Section 35, T19S, R60E, M.D.M., for a temporary sewer easement located within the Mountain Gate Townhomes Unit 3 (10-18-95) 125-35-401-019

RIGHT OF WAY GRANT FOR SEWER PURPOSES

41. From: TRANSCOM PROPERTIES INC., To: City of Las Vegas, For: Portion of the Southwest Quarter (SW 1/4) of Section 28, T20S, R60E, M.D.M., being Lot 1 in Block 2 and Common Lot B of Rodeo Drive Estates to provide sewer service to Melrose Park subdivision (10-13-95) 138-28-410-001 & 138-28-497

RIGHT OF WAY GRANT FOR DRAINAGE PURPOSES

42. From: FRIDAY ESTATES INC., A NEVADA CORPORATION, To: City of Las Vegas, For: Portion of the Southeast Quarter (SE 1/4) of Section 27, T19S, R60E, M.D.M., for a drainage easement located within Grand Entries - Phase 6 (10-17-95) 125-27-713-001

RIGHT OF WAY GRANT FOR INGRESS AND EGRESS PURPOSES

43. From: HOWARD HUGHES PROPERTIES, LIMITED PARTNERSHIP, A DELAWARE LIMITED PARTNERSHIP, To: City of Las Vegas, For: Portion of East Half (E 1/2) of Section 24, T20S, R59E, M.D.M, being that portion of Common Lot "O" of Summerlin Village 7 - The Trails - Unit 3 to provide access into Indian Hills Unit 5 (10-15-95) 137-24-697-010

RIGHT OF WAY GRANT FOR BUS STOP PADS

44. From: NEVADA-UTAH ASSOCIATION OF SEVENTH-DAY ADVENTISTS, A UTAH CORPORATION, To: The City of Las Vegas, For: Portion of Government Lot 60 in the Southwest Quarter (SW 1/4) of Section 1, T21S, R60E, M.D.M. for a bus stop pad easement located on the south side of Oakey Boulevard, east of Jones Boulevard, for the Oakey Project - Rainbow to Decatur. (10-18-95) 163-01-301-001

ENCROACHMENT REQUESTS

45. KALB CONSTRUCTION COMPANY ON BEHALF OF DURANGO MINI STORAGE, INC., OWNER HEAVENLY HILLS COURT - Applicant proposes to encroach into the public right of way consisting of grass, sprinklers, boulders and palm trees at the northeast corner of Charleston Boulevard and Heavenly Hills Court.
46. SOUTHLAND CORPORATION, 7650 W. Charleston Boulevard - Applicant proposes to encroach into the public right of way consisting of grass and a sprinkler system on the east side of Buffalo Drive, north of Charleston Boulevard to improve the aesthetics of the area.

REQUEST TO CUT PAVEMENT

47. POST, BUCKLEY, SCHUH, AND JERNIGAN, INC., ON BEHALF OF THE LAS VEGAS VALLEY WATER DISTRICT (Gowan Road, Fort Apache Road to Decatur Boulevard) - Applicant proposes to make several street cuts in areas of "five year no cut" pavement on Gowan Road from Fort Apache Road to Decatur Boulevard.

REPORTS/ACTION ITEMS**NOV 15 1995**

- 48. Discussion And Possible Approval Of A Consultant Agreement With Harris & Associates To Provide Construction Management Services For The Oakey Boulevard Roadway Project: Rainbow Boulevard To Decatur Boulevard
- 49. Discussion And Possible Approval Of Amendment 1 To The Agreement With Centennial Engineering, Inc. To Provide Engineering Design Services For The Cheyenne Avenue Improvement Project From Tenaya To Cimarron Drive

IV. RESOLUTIONS

- 50. **ABEYANCE ITEM R-112-95** - Resolution Amending Fee Schedule for LVMC Titles 18 and 19.
- 51. **R-114-95** - Approval Of Resolution Accepting Bids Re: Clark County Special Improvement District No. 93 (Oakey Boulevard) (City Contract)
- 52. **R-115-95** - A Resolution Of Intent, Proposing The Issuance Of, And Authorizing The Publication Of Notices Relating To General Obligation (Limited Tax) Redevelopment Projects Bonds (Additionally Secured By Pledged Revenues) For The Purpose Of Financing Redevelopment Projects For The City; Proving The Manner, Form And Contents Of The Notice Thereof; Ratifying Action Heretofore Taken Not Inconsistent Herewith; Providing Other Matters Properly Related Thereto; And Providing The Effective Date Hereof.

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

DISCUSSION / ACTION ITEMS**ADMINISTRATIVE**

- 53. **ABEYANCE ITEM** - Discussion and possible action to approve a lease agreement for the historic Fifth Street School located at 400 Las Vegas Boulevard between the City of Las Vegas and Clark County
- 54. **ABEYANCE ITEM** - Discussion and possible action to approve a sublease agreement for approximately 10,000 square feet of the historic Fifth Street School located at 400 Las Vegas Boulevard between the City of Las Vegas and the Metropolitan Police Department for the purpose of temporarily locating a police substation at the site
- 55. Discussion and possible action to approve a strategic plan for Citywide automation which has been formulated by the City's Information Systems Inner Look Team and their consultant ThirdWave, Inc.

CITY ATTORNEY

- 56. Appeal of Work Card Denial: Mr. Mike Hawes, 2103 Fallsburg Way, Henderson, NV 89015
- 57. Appeal of Work Card Denial: Mr. Wilbur Hines, 2008 West Lake Mead Avenue, Las Vegas, NV 89030
- 58. Appeal of Work Card Denial: Mr. Raymond G. Walker, 2665 South Bruce, #160, Las Vegas, NV 89109

DEPARTMENT OF FINANCE & BUSINESS SERVICES**Gaming -- Request for Preliminary Approval of Reclassification**

- 59. From: Nonrestricted Limited (35 slots), TO: Nonrestricted, in connection with a proposed hotel/casino at 4747 Faircenter Parkway, SES Gaming, Inc., Sheldon E. Stunkel, Sr., COB, 51%, Robert V. Stunkel, Pres., 14%, Bradley B. Stunkel, Dir., 14%, Sheldon E. Stunkel, Jr., Dir., 14%, Lee A. Shapiro, VP, Sect., Treas., 7%

APPEAL OF DENIAL OF SOLICITOR PERMIT

- 60. RAYFORD WILSON db at DASH MARKETING, 1799 N. Decatur, #140

CITY COUNCIL MINUTES

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NOV 15 1995

PLANNING & DEVELOPMENT

61. Discussion And Possible Action Concerning The Traffic And Pedestrian Safety Plan And The Fremont Street Experience Design Criteria Manual
62. Discussion And Possible Action To Rescind The CDBG Hud 108 Application In The Amount Of \$9.5 Million For The Moulin Rouge Hotel And Casino And To Search For Other Sources Of Financing.

DEPARTMENT OF PUBLIC WORKS

TRAFFIC & PARKING ITEM

63. Discussion And Possible Approval Of A Change In The Speed Limit On Torrey Pines Drive Between Sahara Avenue And Oakley Boulevard From 35 Mph To 25 Mph

REPORTS/ACTION ITEM

64. Discussion And Feedback Regarding Alternative Public Transportation Routes In The City Of Las Vegas As Per The Ongoing Major Investment Study

IV. RESOLUTIONS

65. R-116-95 - Approval of Resolution to amend Schedule 25-II in accord with Traffic & Parking Item 63.

V. REPORTS FROM RECOMMENDING COMMITTEES

BILL ELIGIBLE FOR ADOPTION AT THIS MEETING

66. Bill No. 95-73 -- Amends Title 2, Chapter 44, Section 10 of the Las Vegas Municipal Code of the City of Las Vegas, 1983 Edition, to delete a provision prohibiting members of the Planning Commission from holding other public office and other matters relating thereto.

BILL 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.

67. Bill No. 95-69 - Amends Title 2, Chapter 51 of the Las Vegas Municipal Code, 1983 Edition, relating to the Ethics Review Board and financial disclosure.

VI. REPORTS FROM REAL ESTATE COMMITTEE

68. Discussion and possible action authorizing staff to begin negotiations with the Horn Company for the acquisition of 7.11 acres of property located at the southwest corner of Simmons and Holly.
69. Discussion and possible action authorizing staff to enter into negotiations for the sale of real property located at the southwest corner of Charleston Boulevard and Eighth Street -- AKA "Mary Dutton Park."
70. Discussion and possible action to approve a real property lessee settlement between the City of Las Vegas and Obren and Janet Pantic, Lessees for property located at 1426 Las Vegas Blvd. South.
71. Discussion and possible action to approve an agreement for the purchase of real property between the City of Las Vegas and the Moreland Corporation previously designated by the City Council in the Las Vegas Enterprise Park for the new Veterans Administration Ambulatory Hospital.
72. Discussion and possible action authorizing execution of sixty (60) day option to purchase or lease the real property located at 333 South Sixth Street and authorizing the City Manager at the end of the sixty (60) day period to execute a purchase and sale agreement or five (5) year lease agreement.

NOV 15 1995

VII. BOARDS & COMMISSIONS

- 73. ABEYANCE ITEM - TRAFFIC & PARKING COMMISSION - Debbie Nelson - (Moved out of Ward and must be replaced by resident of Ward 3)
- 74. ABEYANCE ITEM - SENIOR CITIZENS LAW PROJECT ADVISORY BOARD - Raymond Gibson - Term Expires 11/1/95 (Not eligible for reappointment - Must be replaced by someone from a Senior Organization)
- 75. SENIOR CITIZENS ADVISORY COMMITTEE - Emma Lou Stampley - Term Expires 3/3/96 (RESIGNED)

VIII. 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.

- 76. Bill No. 95-74 -- Annexation No. A-17-95(A); Property Located: on the southeast corner of Alexander Road and Cimarron Road; Petitioned by: Joseph Weiss, et al.; Acreage: Approximately 2.65 acres; Zoned: R-E (County Zoning) N-U (City Equivalent).
- 77. Bill No. 95-75 -- Annexation No. A-18-95(A); Property Located: on the northeast corner of Gilmore Avenue and Quadrel Street; Petitioned by: Serob Hacharian; Acreage: Approximately 2.47 acres; Zoned: R-E (County Zoning) N-U (City Equivalent).
- 78. Bill No. 95-76 -- Adopts Volumes 1 and 2 of the Uniform Fire Code, 1994 Edition, together with the Supplemental Document providing for the deletions and additions thereto.
- 79. Bill No. 95-77 -- Amends Ordinance No. 3747 and 3924 (Pedestrian Mall Ordinance) to prohibit certain types of beverage containers within the Mall, adopting architectural standards and a traffic and pedestrian safety plan, adding new terms and definitions, and other matters related thereto.

2:00 P.M. - AFTERNOON SESSION

- 80. 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.

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) 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. (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) 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, 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. (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.

CITY COUNCIL MINUTES

CONSENT AGENDA

NOV 15 1995

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.

REINSTATEMENT AND EXTENSION OF TIME

81. U-101-94(1) - Magoo Enterprises, Inc. - Request for a Reinstatement and Extension of Time on an approved Special Use Permit which allowed a tavern, on property located on the north side of Cheyenne Avenue between Buffalo Drive and Tenaya Way, C-1 Zone.
82. Z-53-94(2) - Oasis Residential, Inc. - Request for a Reinstatement and Extension of Time for proposed apartments on property located on the southwest corner of Torrey Pines Drive and Vegas Drive, N-U Zone (under Resolution of Intent to R-PD18).

EXTENSION OF TIME

83. U-194-93(2) - Rock Springs Vista Development - Request for an Extension of Time on an approved Special Use Permit which allowed the off-premise sale of beer and wine in conjunction with a convenience store; and a tavern in conjunction with a restaurant, on property located on the northwest corner of Washington Avenue and Buffalo Drive, N-U Zone (under Resolution of Intent to C-1).
84. Z-23-92(4) - Edna Rose Crane Family Trust - Request for an Extension of Time for proposed condominiums on property located on the east side of Painted Mirage Road, south of Ann Road, R-E and C-2 Zones (under Resolution of Intent to R-PD5).

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

DISCUSSION/ACTION ITEMS

SPECIAL USE PERMIT - PUBLIC HEARING

85. ABEYANCE ITEM - U-67-95 Lionel Sawyer & Collins on behalf of Bivins Construction Company, Inc. - Appeal filed by Lionel Sawyer & Collins on behalf of Bivins Construction Company, Inc. for the on-premise sale of beer and wine in conjunction with an approved convenience store with gasoline sales; and for a tavern in conjunction with an approved restaurant, on property located on the southwest corner of Vegas Drive and Cimarron Road, N-U Zone (under Resolution of Intent to C-1).

ZONING RECLASSIFICATION - PUBLIC HEARING

86. ABEYANCE ITEM - Z-71-95 - David and Janet Meyers - Request for reclassification of property located at 1729 West Bonanza Road. From: R-E (Residence Estates), To: C-2 (General Commercial), Proposed Use: OUTDOOR LANDSCAPE SUPPLY AND STORAGE

REVIEW OF CONDITION

87. ABEYANCE ITEM - Z-80-77(2) - Israel Kunin - Request to decrease the length of the required median on Pecos Road adjacent to the applicant's property and to delete the requirement to construct sidewalk on Bonanza Road between the applicant's property and Reef Drive, C-1 Zone.

AESTHETIC REVIEW

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88. AR-16-94(1) - Stratosphere Corporation - Request for a Plot Plan and Building Elevation Review for Phase II to include an aquarium, an entertainment area, retail shops and a pool/recreation area, on property located on the northeast corner of Baltimore Avenue and Fairfield Avenue, R-4 Zone (under Resolution of Intent to C-2).

PLOT PLAN AND BUILDING ELEVATION REVIEW

89. Z-100-64(161) - Duane D. Williams - Request for a Plot Plan and Building Elevation Review for a proposed wedding chapel on property located at 800 and 810 South Fourth Street, R-4 Zone (under Resolution of Intent to C-2).
90. Z-26-91(5) - Georgia James - Request for a Plot Plan and Building Elevation Review for a proposed professional office on property located at 112 South Jones Boulevard, R-1 Zone (under Resolution of Intent to P-R).

REVIEW OF CONDITION - PUBLIC HEARING

91. ABEYANCE ITEM - Z-43-78(1) - V A Associates - Request for a Review of Condition to allow a partial demolition of the required block wall along Shadow Lane for the purpose of installing a driveway for vehicular access on property located at 1707 W. Charleston Boulevard, C-1 and P-R Zones.

AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS - PUBLIC HEARING

92. MSH-2-95 - Hunsaker & Associates - Request for an Amendment to the Master Plan of Streets and Highways to add Gowan Road, an 80 foot wide secondary street from a point (Jensen Street), approximately 660 feet west of the centerline of Grand Canyon Drive, westerly 4,104.42 feet, and from a point 2,421.34 feet west of the centerline of Hualapai Way westerly 691.72 feet; Borden Road, an 80 foot wide secondary street, between the centerline of Cheyenne Avenue and the centerline of Gowan Road; and Hualapai Way, a 100 foot wide primary street, from a point 670.09 feet north of the centerline of Cheyenne Avenue northerly 1,342.08 feet, and between the centerline of Gowan Road and the centerline of Alexander Road, curving northeasterly as shown on the drawing of project no. 1503-1 submitted by Hunsaker and Associates.

VARIANCE - PUBLIC HEARING

93. ABEYANCE ITEM - V-136-95 - Nevada Outdoor Systems, Inc., on behalf of Beard Family Trust on behalf of Southland Equities - Appeal filed by Nevada Outdoor Systems, Inc., on behalf of Beard Family Trust on behalf of Southland Equities for a Variance to allow a 14 foot x 48 foot off-premise advertising (billboard) sign where such use is not permitted, on property located at 3920 West Sahara Avenue, C-C Zone.
94. V-142-95 - Stephen Wong, Et Al, on behalf of Nancy Weinstein - Request for a Variance to allow a proposed pawn shop where such use is not allowed, on property located at 328 West Sahara Avenue, C-1 Zone.
95. V-147-95 - Gary Fisher and Joan Neagle on behalf of Rose Bowe - Request for a Variance to allow a secondhand dealership for the buying and selling of used hubcaps; and to allow the wholesale storage of hubcaps, where such uses are not allowed, on property located at 2112 East Charleston Boulevard, C-2 Zone.

SPECIAL USE PERMIT - PUBLIC HEARING

96. ABEYANCE ITEM - U-117-95 - Kryfam Limited Partnership - Request for a Special Use Permit for a tavern in conjunction with a proposed restaurant, on property located north of Ann Road and East of Rancho Drive, C-2, R-E, and N-U Zones (Proposed C-1).
97. U-125-95 - Cheyenne Investment Limited Liability Partnership Company - Request for a Special Use Permit for a tavern, on property located north of Cheyenne Avenue and west of Soaring Gulls Drive, N-U Zone (under Resolution of Intent to C-1).
98. U-126-95 - Kummer, Kaempfer, Bonner & Renshaw on behalf of Horizon Investments, Inc. - Appeal filed by Kummer, Kaempfer, Bonner & Renshaw on behalf of Horizon Investments, Inc., for a Special Use Permit for a tavern in conjunction with an approved wedding chapel and reception center; and a request for a waiver of the 1,500 foot separation distance from a church, on property located on the north side of Sahara Avenue, west of Tenaya Way, N-U Zone (under Resolution of Intent to C-1).
99. U-127-95 - Decatur Shopping Center Associates - Request for a Special Use Permit for the sale of beer and wine in conjunction with a proposed billiard parlor, on property located at 1401 North Decatur Boulevard, C-1 Zone.
100. U-128-95 - Southern Nevada Zoological Park - Request for a Special Use Permit for the off-premise sale of package liquor (reduced to beer and wine); and for the sale of propane gas in conjunction with a proposed convenience store; on property located at 1801 North Rancho Drive, C-2 Zone.
101. U-130-95 - Vegas Outdoor on behalf of Southland Corporation - Appeal of Vegas Outdoor on behalf of Southland Corporation for a Special Use Permit for a 14 foot x 48 foot double-faced off-premise advertising (billboard) sign, on property located at 1624 South Decatur Boulevard, C-1 Zone.

102. U-131-95 - William and Wanda Peccole Family Limited Partnership on behalf of Senior Tour Players Development - Request for a Special Use Permit for a tavern in conjunction with a golf course clubhouse, on property located at 9119 Alta Drive, N-U (under Resolution of Intent to C-1).

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ZONING RECLASSIFICATION - PUBLIC HEARING

103. Z-79-95 - Novex - Request for reclassification of property located on the north side of Owens Avenue, approximately 267 feet east of Martin L. King Boulevard. From: R-3 (Limited Multiple Residence), To: C-1 (Limited Commercial), Proposed Use: 12,000 SQUARE FOOT OFFICE BUILDING
104. Z-80-95 - Donald and Rose Wren - Request for reclassification of property located at 6761 Holmby Avenue. From: N-U (Non-Urban), To: R-3 (Limited Multiple Residence), Proposed Use: 10 TWO-STORY APARTMENT UNITS
105. Z-81-95 - Property Holding Corporation - Request for reclassification of property located on the west side of Shadow Lane, north of Pinto Lane. From: R-1 (Single Family Residence), To: P-R (Professional Offices and Parking), Proposed Use: 209 SPACE PARKING LOT EXPANSION

GENERAL PLAN AMENDMENT - PUBLIC HEARING

106. ABEYANCE ITEM - GPA-41-95 - International Church of the Foursquare Gospel - Request to amend a portion of the Northwest Sector of the General Plan on property located on the south side of Alexander Road, east of Cimarron Road. From: L (Low Density Residential) and ML (Medium - Low Density Residential), To: PF (Public Facilities)

ZONING RECLASSIFICATION RELATED TO GPA-41-95 - PUBLIC HEARING

107. ABEYANCE ITEM - Z-74-95 - International Church of the Foursquare Gospel - Request for reclassification of property located on the south side of Alexander Road, east of Cimarron Road. From: N-U (Non-Urban), To: C-V (Civic), Proposed Use: 20,000 SQUARE FOOT CHURCH

GENERAL PLAN AMENDMENT - PUBLIC HEARING

108. GPA-44-95 - Ernest E. and Doris L. Soady - Request to amend a portion of the Southwest Sector of the General Plan, on property located on the east side of Jones Boulevard and the west side of Mallard Street, south of Evergreen Avenue. From: M (Medium Density Residential), To: O (Office)

ZONING RECLASSIFICATION RELATED TO GPA-44-95 - PUBLIC HEARING

109. Z-77-95 - Ernest E. and Doris L. Soady - Request for reclassification of property located on the east side of Jones Boulevard and the west side of Mallard Street, south of Evergreen Avenue. From: R-1 (Single Family Residence)(under Resolution of Intent to P-R) and R-1 (Single Family Residence), To: P-R (Professional Offices and Parking), Proposed Use: 10,000 SQUARE FOOT PROFESSIONAL OFFICE COMPLEX

GENERAL PLAN AMENDMENT - PUBLIC HEARING

110. GPA-45-95 - Charleston-Tenaya Partnership, Et Al - Request to amend a portion of the Southwest Sector of the General Plan on property located south of Charleston Boulevard and east of Tenaya Way. From: ML (Medium-Low Density Residential), To: SC (Service Commercial)

ZONING RECLASSIFICATION RELATED TO GPA-45-95 - PUBLIC HEARING

111. Z-82-95 - Charleston-Tenaya Partnership, Et Al - Request for reclassification of property located on the southeast corner of Charleston Boulevard and Tenaya Way. From: N-U (Non-Urban) and N-U (Non-Urban)(under Resolution of Intent to C-1), To: C-1 (Limited Commercial), Proposed Use: 101,000 SQUARE FOOT OFFICE COMPLEX
112. SET DATE FOR PUBLIC HEARING ON ANY ITEM REQUIRING A PUBLIC HEARING THAT WAS ACTED UPON BY THE CITY PLANNING COMMISSION.
113. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE BOARD OF ZONING ADJUSTMENT MEETING.
114. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS ON ANY DANGEROUS BUILDINGS OR NUISANCE/LITTER ABATEMENTS.

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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
Clark County Government Center, 500 S. Grand Central Parkway
Court Clerk's Office Bulletin Board, City Hall Plaza
City Hall Plaza, Special Outside Posting Bulletin Board

NOV 15 1995



Mayor
JAN LAVERTY JONES
Elected At Large



Councilman
MICHAEL J. McDONALD
WARD 1
Central Area of the City



Councilman
ARNIE ADAMSEN
WARD 2
Southwest Area of the City



Councilman
GARY REESE
WARD 3
Eastern Area of the City



Councilman
MATTHEW Q. CALLISTER
WARD 4
Northwest Area of the City

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

AFFIDAVIT OF POSTING NOV 15 1995

(Posting required under the provisions of NRS Chapter 241)

STATE OF NEVADA)

) ss

COUNTY OF CLARK)

Beverly K. Bridges, Linda Owens and Gabriela Portillo-Brenner employees of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 9th day of November, 1995, 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 15th day of November, 1995 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;
KLB (3) Clark County Government Center, 500 S. Grand Central Parkway;
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 / Linda Owens / Gabriela P. Brenner
SIGNATURE

City Clerk
DEPARTMENT

Subscribed and sworn to before me

this 9th day of November, 1995

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



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AFFIDAVIT OF MAILING

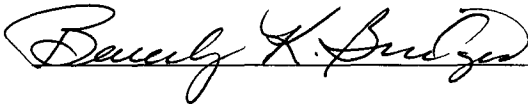
(Mailing required under the provisions of NRS Chapter 241)

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 **8th** day of **November**, 1995, 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 **15th** day of **November**, 1995 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.

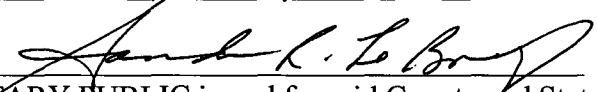


SIGNATURE

City Clerk

DEPARTMENT

Subscribed and sworn to before me this

8th day of November, 1995
NOTARY PUBLIC in and for said County and State

CITY COUNCIL

MEETING OF
NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

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.

9:00 A.M. - CALL TO ORDER

I. CEREMONIAL MATTERS

ANNOUNCEMENT RE: COMPLIANCE WITH
OPEN MEETING LAW

INVOCATION

Reverend Larry G. Hansmeier
First Christian Church

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT MADE

PRESENT: MAYOR JONES, COUNCILMEN ADAMSEN,
CALLISTER, McDONALD and REESE

Also Present: CITY MANAGER LARRY BARTON, DEPUTY
CITY ATTORNEY BRAD JERBIC (A.M. Session), CHIEF
DEPUTY CIVIL ATTORNEY VAL STEED (P.M. Session) and
SENIOR DEPUTY CITY CLERK SANDRA R. LeBOEUF

ANNOUNCEMENT MADE - Meeting noticed and posted at the
following locations:

Downtown Transportation Center, City Clerk's Board
Senior Citizens Center, 450 E. Bonanza Road
Clark County Government Center, 500 S. Grand Central Pkwy.
Court Clerk's Bulletin Board, City Hall
City Hall Plaza, Posting Board

Invocation given by REVEREND LARRY G. HANSMEIER,
First Christian Church

(9:27 - 9:28)

MAYOR JONES led the audience in the Pledge.

(9:28 - 9:29)

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

PRESENTATION TO LARRY SEITZ FOR BEING
SELECTED EMPLOYEE OF THE MONTH FOR
THE MONTH OF NOVEMBER

MAYOR JONES, COUNCILMEN ADAMSEN, CALLISTER
McDONALD and REESE congratulated MR. SEITZ for being
selected November's employee of the month. He is
responsible for putting together the Trauma Intervention
Program (TIP) wherein individuals work with victims of assault,
crime, accident, trying to mitigate the impact. He truly
represents all that is important about getting involved in the
community. MR. SEITZ thanked the Council and stated it is an
honor to receive such a recognition.

(9:29 - 9:31)

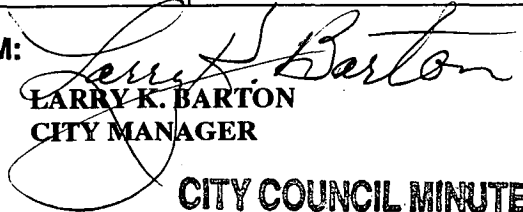
MAYOR JONES welcomed JESSICA BURNETT, JOSE
ORTIZ, KARLA VILLATORO, CECELIA TELLEZ, JULIA
JIMENEZ, JOSEPH FERNANDEZ, CHRISTINA REYES, ERIC
RAINES, and ANDRES RAMIREZ who were representing
various high schools as part of the Latin Chamber of
Commerce Career Day to explore the many career possibilities
that are available throughout the community. MAYOR JONES
commented on the lovely flowers given by the Latin Chamber
Youth Council who participated with the Council today for
Career Day.

(9:31 - 9:32)

INTER-OFFICE MEMORANDUM

October 27, 1995

TO: MAYOR JAN LAVERTY JONES
COUNCILMAN ARNIE ADAMSEN
COUNCILMAN MATTHEW Q. CALLISTER
COUNCILMAN MICHAEL J. MCDONALD
COUNCILMAN GARY REESE

FROM: 
LARRY K. BARTON
CITY MANAGER

CITY COUNCIL MINUTES

SUBJECT:

NOVEMBER EMPLOYEE OF THE MONTH

COPIES TO:

LYNN MACY
LYNETTE BOGGS-MCDONALD
KATHY TIGHE

CLELL WEST
RICK ANDERSON
LISA FOSTER

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I am pleased to announce that November's *Employee of the Month* has been selected. He is **Larry Seltz**, a Firefighter in the Fire Services Department. Larry has been with the department since April, 1964, making him 31-year veteran of Fire Services. His nomination comes from Fire Captains **Jeffrey Morgan** and **Mark Fleischmann**

Larry is a founding member of the Trauma Intervention Program Team, designed to provide support and assistance to trauma/disaster victims and their families in need. According to the nomination, Larry sets "...an example of community service in the most selfless manner."

Larry's influence is felt beyond his participation in the T.I.P. As Captains Fleischmann and Morgan wrote: "His experience and personal demeanor are a calming influence in the fire station. His wealth of experience and knowledge is something we all draw upon."

A presentation ceremony has been scheduled for **9:30 a.m., on Monday, November 13, 1995**, in the Fire Services Administration Building, located at 500 N. Casino Center Blvd. Your attendance at the presentation would be greatly appreciated. If you have any questions, please feel free to call.

LKB:MB

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item
Number

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 - HOLD IN ABEYANCE ITEM 59 until 12/6/95
and STRIKE CONSENT ITEM 18 - UNANIMOUS with
CALLISTER not voting

There was no discussion.

(9:32 - 9:33)

2

Approval of the Final Minutes by Reference of the Regular City Council Meeting of 9/20/95

ADAMSEN - APPROVED by Reference - UNANIMOUS with
CALLISTER not voting

There was no discussion.

(9:33)

CITY COUNCIL

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	<u>CONSENT AGENDA</u>	
3	<u>ADMINISTRATIVE AGENDA</u>	ADAMSEN - APPROVED Consent Items 3 through 52 as recommended (Item 18 was STRICKEN) - UNANIMOUS
	Action to approve contract with Facility Technics for Phase II of a comprehensive long-range facility master plan for the City of Las Vegas	*****
		There was no discussion.
		(9:33 - 9:34)

TO: CITY COUNCIL

FROM: LARRY K. BARTON
CITY MANAGERSUBJECT: ACTION TO APPROVE CONTRACT WITH FACILITY TECHNICS FOR PHASE II OF A COMPREHENSIVE
LONG-RANGE FACILITY MASTERPLAN FOR THE CITY OF LAS VEGAS.**PURPOSE/BACKGROUND**

The City of Las Vegas recently completed Phase I of a long-term facility masterplan to evaluate its presents conditions as it relates to space utilization, immediate square footage needs, capacity, building conditions and operating costs for the City Hall tower and other City administrative office locations. Some of the key findings of the Phase I report:

- The City Hall tower floor plate results in an overall space loss per floor of about 8% (an average loss is 2%). The loss represents almost one usable floor.
- At present, the City falls below national averages for space per person on a city-wide basis.
- There is currently a space shortfall of 35,000 usable square feet, based on existing space allocation.

The City is now ready to begin Phase II of the long-term facility masterplan that will include the following tasks to be provided by the Consultant:

TASK 1: REQUIREMENTS

Consultant will develop a comprehensive, long-range facility plan which will address the City's administrative and supporting facility needs through the year 2015. This task will also require the assessment of parking space needs through the year 2015.

This plan will consider current and future workload and related staffing needs to determine office space needs, additional support facilities and total parking needs. Space adjacencies, allocation standards and policies would be addressed during this phase.

These activities will utilize current staffing information and application of agreed upon staffing growth factors for long-range planning purposes.

Continued

FISCAL IMPACT

PHASE TWO (Tasks 1-3) - \$270,000 from budgeted Building Program funds.

RECOMMENDATION

It is recommended that the City Council approve the contract with Facility Technics for Phase II (Tasks 1-3) of the Comprehensive Long Range Facility Masterplan for the City of Las Vegas.

Agenda Item

3

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TASK 2: BUILDING ASSESSMENTS & EVALUATION CRITERIA

Consultant will evaluate order of magnitude the costs of any necessary modifications to the all buildings to be studied. These costs may include, but are not limited to: costs to bring the building into compliance with fire and life safety codes; ADA compliance costs; costs of leasing space to accommodate growth; costs to upgrade mechanical, plumbing, HVAC and communications systems; and costs to correct structural deficiencies as well as base building deficiencies. Describe the existing building capacity or lack of capacity to meet the evaluation criteria.

This task will include the evaluation of staff movement costs as well as the cost of the dispersion of City services away from the main City Hall complex.

The consultant will also develop evaluation criteria during this phase in consultation with the City to determine the facility goals and develop criteria for evaluating the effectiveness of strategies for meeting these goals.

TASK 3: EVALUATION AND IMPLEMENTATION

The consultant will evaluate alternate masterplan scenarios to include renovation, expansion, lease, or build (or a combination of each) options. This task will include an evaluation of alternative implementation methods as well as identifying alternative financing scenarios. Space allocation and phasing sequences must be addressed. During this task, special emphasis should be placed on such issues as the City's overall redevelopment and economic development goals for the downtown core.

It is anticipated the consultant team may be required to provide assistance with a tentative Task 4, assisting the City with the preparation of Request for Proposals (RFPs) for implementation of the Council-approved recommended solution for the City's long-term facility needs. However, Task 4 and subsequent tasks to be provided by consultant will be negotiated and brought before the Council at a future date.

CITY COUNCIL MINUTES

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1 AGREEMENT FOR PROFESSIONAL SERVICES
2 BETWEEN FACILITY TECHNICS
3 AND
4 THE CITY OF LAS VEGAS

4 THIS AGREEMENT, made and entered into this 15th, day of
5 NOVEMBER, 1995, by and between FACILITY TECHNICS, an California
6 corporation with principal offices at 505 Seventeenth Street, Suite 300, Oakland CA 94612
7 (hereinafter referred to as the "CONSULTANT"), and the CITY OF LAS VEGAS, a
8 municipal corporation of the State of Nevada (herein referred to as the "CLIENT").

9
10 WITNESSETH:

11 WHEREAS, the CLIENT desires to engage the services of the CONSULTANT to furnish
12 technical and professional assistance in the creation of the long-term facilities master plan
13 for City operations and the CONSULTANT has signified its willingness and capability to
14 furnish technical and professional services to the CLIENT; and WHEREAS, the
15 CONSULTANT represents to the CLIENT that it has sufficient expertise to enable it to
16 provide such advice and assistance to the CLIENT; NOW, THEREFORE, the parties do
17 mutually agree as follows:

18
19 A. Services Provided by CONSULTANT

20 The CONSULTANT agrees to perform in a good and professional manner those
21 services described in Attachment A (Scope of Services), a copy of which is attached hereto
22 and incorporated by reference in this AGREEMENT. When necessary CONSULTANT is
23 to utilize expertise of SUBCONTRACTORS for issues pertaining to financing,
24 architectural design, engineering, parking and other related matters that are not in the
25 CONSULTANT's field of expertise to derive a long-term facility master plan for the
26 CLIENT. Such issues to be examined in this study may include, but are not limited to,

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1 developing a comprehensive long-range facility plan which will address the City's
2 administrative and supporting facility needs through the year 2015. This task will also
3 require the assessment of parking space needs through the year 2015. The City of Las
4 Vegas may make copies of the product of this scope of work in sufficient numbers to
5 facilitate its use, provided that the copyright notices contained in the original documents
6 remain. CONSULTANT shall ultimately be responsible for the performance of all
7 services.

8
9 B. Services Provided by the CLIENT

10 All existing information, data, reports and records which are useful for carrying out
11 the work on this PROJECT and which are reasonably accessible to the CLIENT shall be
12 furnished to the CONSULTANT in a timely manner. The CONSULTANT after receiving
13 the CLIENTS initial production of documents will confer in a timely manner with
14 CLIENT as to what if any other records it needs to carryout the work.

15
16 C. Meetings and Consultants Visits

17 The CONSULTANT shall attend the meetings as defined in the attached scope of
18 services. Meetings shall include workshops, formal presentations and public meetings.
19 The CONSULTANTS shall conduct "personal visits" to gather information, data, perform
20 field reconnaissance, meet with the CLIENT as well as with other key constituents.

21
22 D. Changes

23 The CLIENT may at any time, by written order, make changes within the general
24 scope of this Agreement and in the services of work to be performed. If such changes
25 cause an increase or decrease in the CONSULTANTS cost or time required for
26

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1 performance of any services under this Agreement, then this Agreement shall be modified
2 in writing accordingly based on appropriated funds available, and approved by the Las
3 Vegas City Council. Any claim of CONSULTANT for the adjustment under this clause
4 must be asserted in writing within thirty (30) days from the date of receipt by the
5 CONSULTANT of notification of change unless the Las Vegas City Council grants
6 further period of time before the date of final payment under this Agreement.

7
8 No services for which an additional compensation will be charged by the
9 CONSULTANT shall be furnished without the approval of the Las Vegas City Council.

10
11 All Amendments to this Agreement shall be approved by the Las Vegas City
12 Council.

13
14 E. Consultants Compensation

15 The CLIENT shall pay the CONSULTANT for services described in Exhibit A, the
16 fixed fee of \$270,000.00. The fixed fee shall include compensation for all reasonable and
17 directly related job expenses incurred by the CONSULTANT and its sub-contractors
18 including, but not limited to, travel, lodging, meals, printing or reproduction of materials
19 or any other tasks necessary to complete the long-term facility master plan. It is expressly
20 understood that the entire work must be completed by the CONSULTANT and it shall be
21 the CONSULTANT's responsibility to pay all subcontractors out of the fixed fee and to
22 ensure that hours and tasks are properly budgeted so that the entire PROJECT is
23 completed for said fixed fee.

24
25 The CONSULTANT will be entitled to submit monthly progress payments.
26

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1 All payments shall be due within forty-five (45) days after the date of the receipt of
2 the invoice.

3
4 CLIENT shall subtract from any payment made to the CONSULTANT all
5 damages, costs and expenses caused by the CONSULTANT or his subcontractors
6 negligence, resulting from or arising out of errors or deficiencies in CONSULTANT's
7 reports and other services, which have not been previously paid by the CONSULTANT.

8
9 F. Subcontractors

10 The CLIENT understands and acknowledges that the CONSULTANT will
11 subcontract the firms of Williams-Kuebelbeck and Associates, Inc., 1301 Shoreway Road,
12 Suite 317, Belmont, CA 94002, RACE STUDIO, 1128 The Alameda, Berkeley, CA 94707
13 and Lucchesi-Galati, 2770 South Maryland Parkway, Suite 510, Las Vegas, NV 89109 in
14 order to complete the long-term facilities master plan.

15
16 Work performed by the subcontractor shall not in any way relieve the
17 CONSULTANT for the professional services and technical accuracy and adequacy of the
18 work. CONSULTANT shall be and remain liable for all damages to the CLIENT caused
19 by negligent performance or non-performance of work under this Agreement by
20 CONSULTANT's subcontractor or its subcontractor.

21
22 It is the sole responsibility of the CONSULTANT to compensate all subcontractors
23 per the fixed fee in Section E of this Agreement.

24
25 The CONSULTANT agrees, to the fullest extent permitted by law, to indemnify
26

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1 and hold the CLIENT harmless from any claims, damage, liability or cost (including
2 reasonable attorney's and costs of defense) to the extent caused by the CONSULTANT's
3 failure to compensate his or her subcontractors or subconsultants or anyone for whom the
4 CONSULTANT is legally liable as it relates to this PROJECT.

5
6 G. Time Schedule

7 CONSULTANT shall complete the Comprehensive Long-Range Facility Plan
8 project in accordance with the milestones in Exhibit B of this Agreement.

9
10 If the CONSULTANTS performance of services is delayed or if the
11 CONSULTANT sequence of tasks is changed, they shall notify the CLIENT in writing of
12 the reasons for the delay. The CONSULTANT shall then prepare a revised schedule for
13 performance of services and submit the revised schedule to the CLIENT's representative.

14
15 H. Termination

16 The CLIENT shall have the right to terminate this Agreement by written notice to
17 the CONSULTANT at least twenty (20) days prior to the specified effective date of such
18 termination. In such event, all finished and unfinished documents and work papers
19 prepared under this Agreement shall become the property of the CLIENT. On receipt of
20 said documents and work papers by the CLIENT, the CONSULTANT shall receive
21 compensation and reimbursement for the work actually performed up to the date of
22 termination in accordance with Article E of this Agreement, less payment of any
23 compensation previously paid.

24 ***

25 ***

CITY COUNCIL MINUTES

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1 I. Non-discrimination

2 Neither the CONSULTANT nor his subcontractors shall engage in unlawful
3 employment practices. The parties shall not fail, refuse to hire, discharge, or otherwise
4 discriminate against any individual with respect to his or her compensation, terms,
5 conditions, or privileges of employment, because of race, color, religion, sex, national
6 origin, or handicap unrelated to the individual's ability to perform the duties of the
7 position.

8
9 J. Force Majeure

10 The CONSULTANT and his subcontractors shall not be in breach of this
11 Agreement by reason of any failure in performance of this Agreement in accordance with
12 its terms if such failure arises out of causes beyond the control and without the fault or
13 negligence of the parties. Such causes may include, but are not limited to, acts of God, or
14 of public enemy, acts of government in either its sovereign or contractual capacity, fires,
15 floods, epidemics, quarantine restrictions, strikes, freight embargoes, and unusually severe
16 weather, but in every case, so long as the failure to perform is beyond the control and
17 without the fault or negligence of the CONSULTANT and subcontractors, the parties
18 shall not be deemed to be in breach of this Agreement.

19
20 K. Indemnification

21 CONSULTANT and its subcontractors will indemnify and defend the CLIENT
22 against any and all claims, demands and lawsuits arising out of negligence or willful
23 misconduct on the part of the CONSULTANT or its subcontractors, employees, officers,
24 agents, associates or sub consultants as it pertains to this PROJECT.

25 ***
26

CITY COUNCIL MINUTES

NOV 15 1995

L. Insurance

CONSULTANT shall furnish to CLIENT evidence of and maintain throughout the term of this AGREEMENT the following insurance:

1. Commercial general liability insurance of at least \$1,000,000 combined single limit per occurrence for bodily injury, personal injury, or property damage and \$1,000,000 annual aggregate.

The policy shall contain, or be endorsed to contain the following provisions:

The CLIENT, its officers, officials, and employees are covered as additional insured as respects liability arising out of activities performed by or on behalf of CONSULTANT.

CONSULTANT'S insurance coverage shall be primary insurance as respects the insured. Any insurance or self insurance maintained by the CLIENT or its insured shall be excess of CONSULTANT'S insurance, and shall not contribute with it.

CONSULTANT'S insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

2. Commercial automobile liability insurance of at least \$1,000,000 combined single limit per accident, for bodily injury and property damage.

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1 Each insurance policy required by this Article shall be endorsed to state that
2 coverage shall not be canceled by CONSULTANT except after 30 days prior to
3 written notice which has been given to the CLIENT.
4

5 M. Workmens Compensation

6 CONSULTANT shall provide and maintain during the existence of this
7 AGREEMENT for the protection of CONSULTANT and the CLIENT the following
8 insurance coverages:
9

10 State Industrial Insurance System insurance covering its full liability under
11 the State Industrial Insurance laws of the State of Nevada, as required by the State
12 Industrial Commission, or equivalent coverage which is approved by the CLIENT.
13

14 Prior to the commencement of this AGREEMENT, and as a condition precedent
15 thereto, CONSULTANT will obtain the insurance coverages which are required
16 hereunder and will furnish certificates of insurance to the CLIENT which demonstrate the
17 procurement of such coverages.
18

19 The insurance coverage which is required herein must be written by a company or
20 companies with a Best rating of A-VI or better and must contain a clause to the effect
21 that any cancellation shall not become effective until thirty (30) days after written notice
22 of such cancellation is forwarded to the CLIENT. In the event that any of the insurance
23 coverage required hereunder is canceled, the CLIENT shall have the rights to terminate
24 this AGREEMENT. Accordingly, it is the intent of the parties that no provisions in this
25 AGREEMENT will operate to cancel the coverage of CONSULTANT by the insurance
26

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1 AGREEMENT will operate to cancel the coverage of CONSULTANT by the insurance
2 set forth above.

3
4
5 N. Continuation of Services

6 Should the CLIENT, at its sole discretion, elect to proceed with the
7 recommendations of the CONSULTANT. The CLIENT may retain the CONSULTANT
8 at a negotiated fee to assist in the development of a Request for Proposals (RFP) for a
9 potential design/build competition or other implementation option and will develop
10 performance specifications, and will assist the CLIENT through the proposal evaluation
11 design review process.

12
13 O. Entire Agreement

14 This instrument, including the attachment, contains the entire agreement of the
15 parties. It may not be changed orally, but only by an agreement in writing executed by the
16 parties to this Agreement.

17
18 P. Client Representative to Agreement

19 The CLIENT designates Lynette M. McDonald, Assistant City Manager, to act as
20 its representative with respect to the work to be performed under this Agreement, and
21 such person shall have the authority to transmit instructions, receive information, interpret
22 and define CLIENT's policies and provide decisions in a timely manner pertinent to the
23 work covered by this Agreement until CONSULTANT designates Joe Ouye as the project
24 director and Pamela Adams, project manager who will act as the CONSULTANT's
25 representatives to the CLIENT.

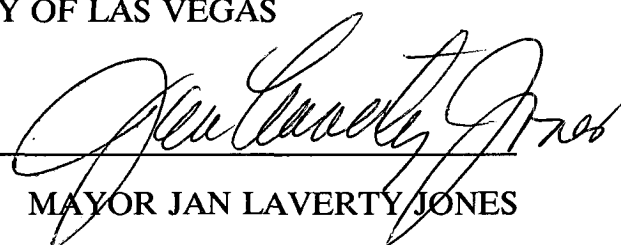
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Q. Conflict of Interest

The CONSULTANT and subcontractor's certify that, to the best of their knowledge, no CLIENT's employee or agent interested in this Agreement has any pecuniary interest in the business of the CONSULTANT or subcontractors, and that no person associated with either the CONSULTANT or subcontractors has any interest that would conflict in any manner or degree with the performance of the Agreement.

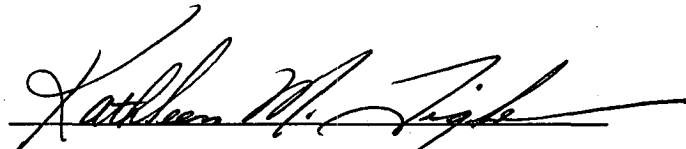
IN WITNESS WHEREOF, the CLIENT, the CONSULTANT and the subcontractors have executed this Agreement on the date and year first above written.

CITY OF LAS VEGAS

By: 

MAYOR JAN LAVERTY JONES

"CLIENT"

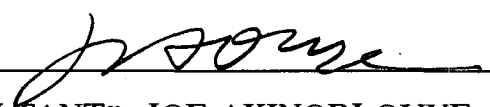
ATTESTED BY: 

KATHLEEN M. TIGHE, CITY CLERK

APPROVED AS TO FORM BY:  11-13-95

STEPHEN JONES, DEPUTY CITY ATTORNEY

FACILITY TECHNICIS

BY: 

"CONSULTANT" JOE AKINORI OUYE, PH.D.

CITY COUNCIL MINUTES

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City of Las Vegas
Comprehensive Long Range Facility Plan

PROJECT DIRECTORY

Project Leaders, Facility Planners

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FAX 510 763 1817

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Pamela Owen Adams

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Urban Design Consultant

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Structural Engineer

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Phone 415 388 1995
FAX 415 388 1996

David Cromb

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CITY OF LAS VEGAS COMPREHENSIVE LONG RANGE FACILITY PLAN

PROJECT KICKOFF November 15-16, 1995

Proposed Meetings (to be confirmed by City)

	<u>Target time</u>	<u>Who needs to attend?</u>
• Council Approve Contract	11/15 9-10 am	FT-Joe
• Steering Committee Kickoff	11/15 10-12 am	Joe, Pamela, Larry Bruce if possible Craig
• Service Delivery Workshop with Inner Look Customer Service Team, City Manager, and Deputy City Manager	11/15 1-3 pm	Joe, Pamela
• Finance Director	11/15 1 pm	Larry
• Facility Issues/Parameters Meeting	11/16 9-10 am	Pamela, Bruce, Craig
• Planning/Economic Development Issues with Planning and Redevelopment decisionmakers	11/16 10:30-12 am	Bruce, Pamela

Facility Technics

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Las Vegas City Offices

SCOPE OF SERVICES

The following scope of services is based on the City's draft work scope of October 13, and follow-up conversations with Project Manager Lynette McDonald and consultant team members. There are four parts to the scope:

- I. Requirements
- II. Building Assessments and Evaluation Criteria
- III. Evaluation and Implementation
- IV. (Tentative Next Step) Design/Build RFP

The following description covers only the first three parts and will result in the two requested deliverables at major milestones:

- January 15, 1996 Phase I/II. Product: Written report documenting the consultants' evaluation of the capability of the existing sites to meet present and future space and facility needs. This report (and associated database) will also describe comprehensive space and facility needs for City office and support functions.
- April 12, 1996 Phase III. Product: Final Report identifying the master plan scenarios as well as an implementation strategy including budget estimate, phasing, and financing. (Note: Draft report will be prepared in mid-March to assist the City in budgeting its Facilities Capital fund for fiscal year 1996-97, which begins July 1, 1996.)

Objectives

The consultant team brings a combination of expertise to help the City formulate a wholistic and integrated solution to its needs for future office/administrative space. The challenge is to prepare a comprehensive long-range facility plan that brings together many influences and parameters:

- External growth drivers such as future population and annexation, and the City's response in the form of service delivery policies and priorities (customer service, cost effectiveness, productivity)
- Internal factors such as reorganization of work groups, process redesign and revised space standards
- Space supply factors (current facility condition and capacity, inventory of leasable space, asset management potential of current holdings)

Formulation of the plan will be guided by the objectives established by the City, such as

Improve Customer Service: build on the Inner Look efforts and the consultants' experience to support efficient work processes and to enhance the speed and quality of service provision to the client public;

Reinforce City Planning and Economic Development Objectives: use public investment as a catalyst for revitalization and private improvements; and

Develop Implementation Strategies: including a comprehensive statement of budget and financing parameters.

Facilities to be Assessed

The facilities to be assessed are those currently used for City administrative purposes:

- City Hall complex, including all Municipal Court and Metropolitan Police space (to be vacated)
- General Services annex
- City Engineer building
- Human Resources building
- Manpower building
- Parks and Leisure Administration building
- Fire Department Administration space at Station 1
- Other leased space for City functions, excluding Courts

Process and Participants

The City has targeted an ambitious schedule, which will require close collaboration between the consultant team and the client and user groups. In order to provide the opportunity for City staff input into the process, we propose two types of participation:

1. Interviews during the first month with

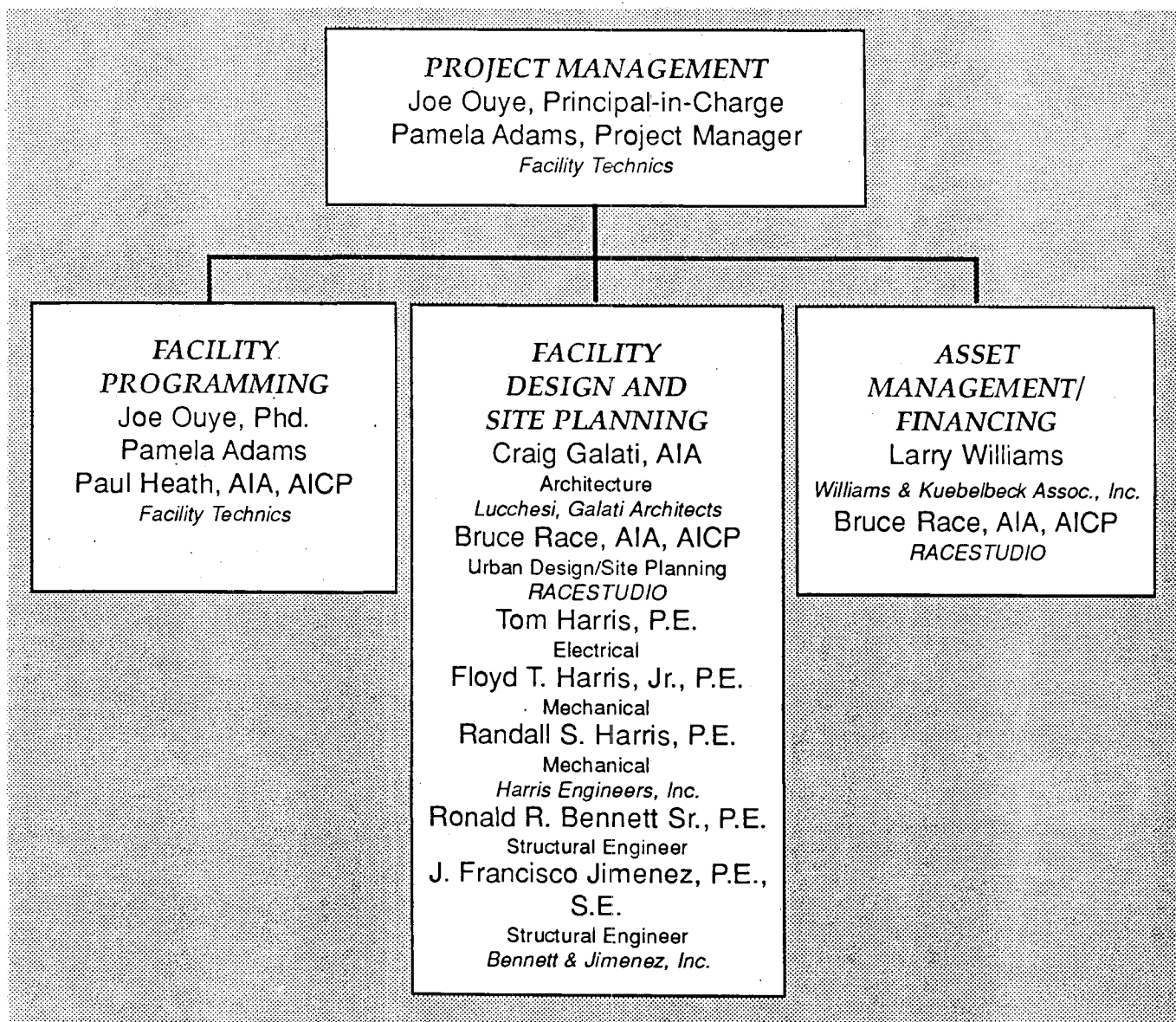
- City policy makers regarding goals, objectives and priorities
- Department heads regarding service delivery processes and workload and plans for the future
- Resource staff regarding financial, facility, human resource, planning/economic development, and other parameters

2. Steering Committee Workshops (approximately 3) with a core group of 6-8 decision makers to be identified by the City who will be expected to provide:

- Representation of groups who are affected by the project
- Consistent leadership and direction to the consultant team
- An advocacy group to promote the next steps toward implementation

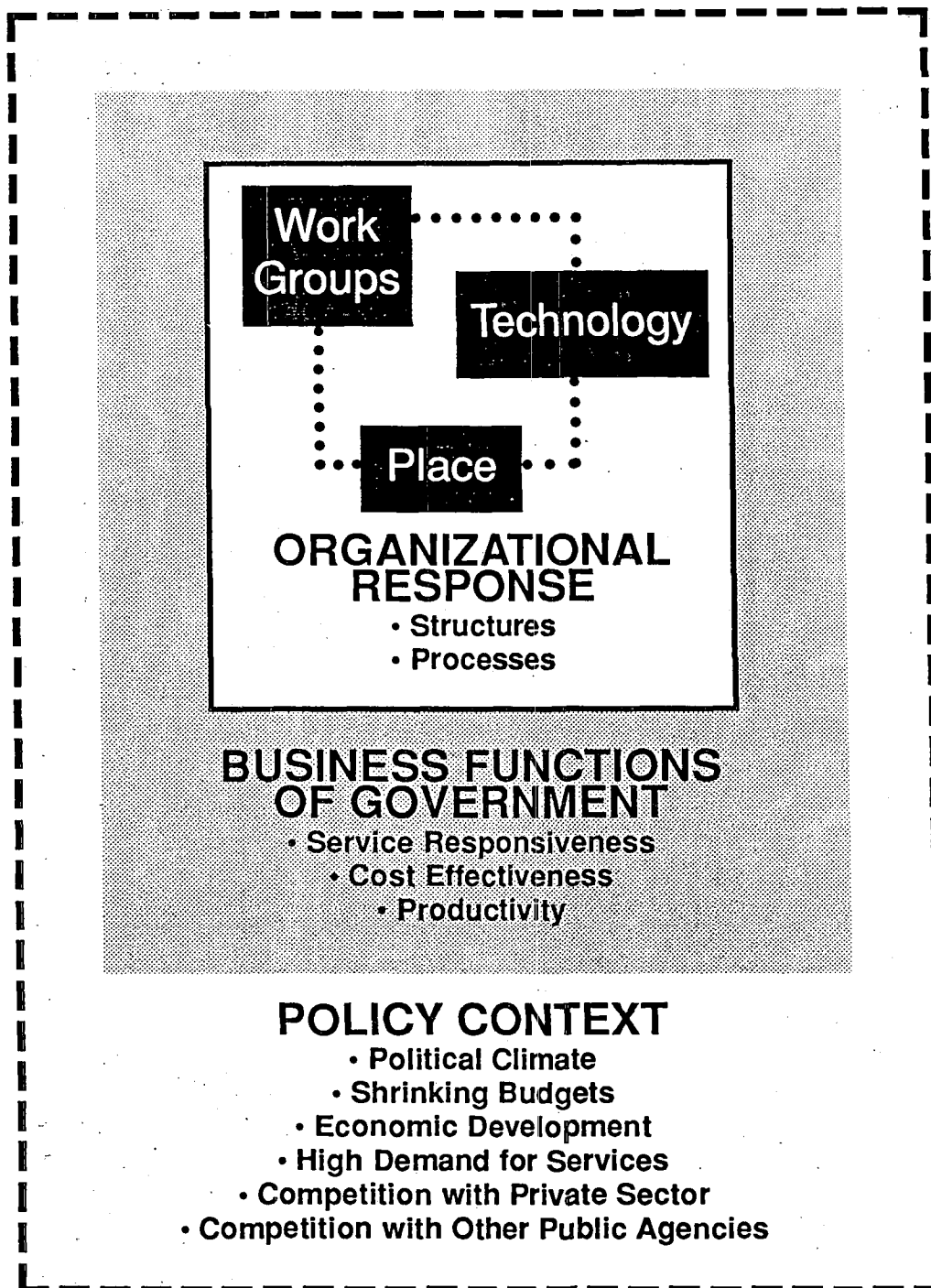
CITY COUNCIL MINUTES

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Team Organization

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Service Policy Context



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graph TD
    CSP[CITY SERVICE POLICIES] --- GD[GROWTH DEMAND]
    GD --- CLRF((Comprehensive Long Range Facility Plan))
    CLRF --- ISPL[INTERIOR SPACE PLANNING]
    ISPL -.-> CSP
    CLRF --- WG[WORK GROUPS]
    CLRF --- ORG[ORGANIZATION]
    CLRF --- ED[ECONOMIC DEVELOPMENT]
    CLRF --- REI[REAL ESTATE INVENTORY]
    CLRF --- AM[ASSET MANAGEMENT]
    AM -.-> OP[OPERATIONS]
    OP -.-> ISPL
    CLRF --- MA[MAINTENANCE]
    CLRF --- OP
    CLRF --- PUR[PURCHASING]
    
```

PART I. REQUIREMENTS

The purpose of Part I, which will be undertaken in parallel with Part II, is to develop a comprehensive, long-range facility plan to address the City's administrative and supporting facility needs (including parking) through the year 2015.

This plan will consider current and future workload and related staffing determinants to estimate the amounts of office, support, and parking needed. Space adjacencies, space standards, and allocation policies will also be addressed. For long-range planning purposes, current staffing information and agreed staffing growth factors will be utilized.

Task 1.0 Project Startup*a. Final Scope*

In cooperation with the City's Project Manager, the consultants will finalize a work scope, fee, schedule, and methodology for accomplishing the project, including:

- How past studies and related concurrent work will be integrated and built upon
- How to incorporate City staff input and direction to the consultants
- How work products should be conceived and packaged in order to be useful for next steps which the City may take toward implementation

b. Information to be Provided by City

It is assumed that the City will gather and transfer to the consultants all relevant information and documents, such as:

- Inner Look Initial Findings and Recommendations
- Planning documents, e.g. City's General Plan, Strategic Plan, and any plans for areas surrounding the existing City Hall complex
- Description of alternative sites to be considered for locating City office space and/or parking
- As-builts and site plans for City Hall complex and existing parking (CADD disks)
- Engineering assessments (see Task 2.2 for detail)
- List of City properties which might be candidates for disposition as part of an asset management strategy

Task 1.1 City Service Plan and Goals/Objectives

Immediately upon approval of the contract, we propose an intensive daylong series of meetings and interviews to begin the project, including:

- a. Kickoff Meeting* to finalize scope and schedule and to discuss issues and parameters which should guide subsequent work, such as:
 - the City's vision for its future governmental organization and service delivery

Comprehensive Long Range Facility Plan
Las Vegas City Offices

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- key objectives, e.g. customer convenience, one-stop permit approval processing, improved information storage and retrieval systems
 - budget/financing parameters
 - other significant issues to be addressed by this study
- b. *Service Delivery Issues* with City Manager, Department Directors, and key Inner Look contributors to discuss reorganization initiatives as they relate to staffing requirements and to distribution of staff and support functions among various facilities
- c. *Facility/Operational Issues* with key Architectural Services and Building Services staff
- d. *Planning/Economic Development Issues* with Planning Director and other decision makers
- e. *Finance Director* regarding financial and asset management issues (review current City financial condition, identify probable sources of funds and methods of raising capital funds, recommend approaches based on experience with other municipal building financing programs)

Task 1.2 Site/Building Inventory*a. Urban Development Context*

Urban development issues regarding future expansion of city administration facilities will be analyzed and graphically summarized. Sources of information will include interviews with City and Redevelopment Agency staff, and review of relevant reports and policy documents, to understand the urban design and economic development policy context for the City Hall area. Findings will be summarized in the form of a memo, a large presentation board, and a slide show describing urban design issues and opportunities.

b. Asset Inventory

Existing sites and facilities will be documented, based on information provided by the City. Findings will be summarized in a large presentation board that describes existing building and site area and occupants, potential expansion sites, and infrastructure issues, e.g. parking availability.

Lucchesi-Galati will survey the existing facilities and prepare floor plans in digital format of all floors of the buildings included in this study. (Note: we understand that as-built plans will be provided by the City at the beginning of the project.)

Task 1.3 Service Demand Analysis

Assuming the basic parameters established in the above meetings regarding city growth patterns, service priorities, and staff organization, the consultants will meet with Department Directors and key Inner Look participants in a daylong series of intensive interviews to gather necessary information to generate future staffing estimates and to understand future organization of city government and services. We will also work with the City Manager and/or Finance Director to confirm the basic assumptions upon which to base development of demand models for each department, considering:

- Relationship to key growth drivers, e.g. City population, annexation, and division of responsibility between City and County
- Equity among departments
- Range of uncertainty or variability due to uncontrollable external factors
- Degree of management control
- Potential for outsourcing of some functions
- Extent to which technological change may affect staffing requirements
- Potential for alternative officing to reduce space needs, e.g. through telecommuting, hoteling, etc.

Task 1.4 Steering Committee Workshop 1: Service Demand/Workload

The purpose of this meeting will be to finalize the service demand projections and factors upon which staff growth projections will be based. We propose that this be accomplished in a workshop with the Steering Committee, who will give direction to the consultants on assumptions to be used to generate space demand projections in subsequent tasks.

The focus of discussion should be proposed City service models, reorganization, process redesign and alternative officing potential as discussed with the department heads and City administration, and alternative approaches to allocating functions between the central City Hall and satellite facilities.

Task 1.5 Adjacencies/Space Standards

In order to understand the demand for space at various sites or buildings, we will analyze adjacencies among functions, with particular emphasis on what should be located in the central administrative headquarters. Space standards will be reviewed, including both existing and those proposed in the Statement of Present Conditions issued in September 1995.

Task 1.6 Space Demand

Based on the future staff projections from the previous task, as well as the consultants' analysis of space standards and adjacencies, space demand will be projected to the year 2015 in 5 year increments by type of space, e.g. central City Hall, satellite office, and storage/warehouse.

Racestudio will meet with City staff to determine transportation and demand reduction policies and strategies for City Hall employee parking. Planning code requirements for the various uses will be translated into parking demand, and divided into employee and visitor components. Estimates of parking requirements over time will be developed.

Task 1.7 Summary of Demand vs. Supply by Site

The findings of Part I will be summarized as follows:

Service Model and External Drivers

- Las Vegas city government context: Vision, Goals and Objectives
- Service Demand Assumptions and Translation into Future Staff

- Space Demand Model and Space Estimates by 5 Year Increment

Internal Organizational Drivers

- Locational/Adjacency Assumptions underlying Estimated Space Requirements for Centralized vs. Satellite Facilities
- Space Standards Assumptions

Facility Assessment Drivers

- Site/Building Inventory
- Asset Management Potential of Existing Property

*Summary Comparison of Demand and Supply by Site***PART II. BUILDING ASSESSMENTS AND EVALUATION CRITERIA**

The overall purpose of this phase is to assess existing facilities' capacity to satisfy future needs, the potential upgrade and expansion options and costs, and other cost and financial implications of various options for supplying space, including consideration of renovation, expansion, and leasing or construction at additional sites. Part of the assessment will be to develop with the City a set of comprehensive evaluation criteria upon which comparisons and decisions will be based.

Task 2.1 Evaluation Criteria

In collaboration with the Steering Committee, the consultants will in the first week of the project develop preliminary Evaluation Criteria to guide formulation and evaluation of alternatives. These criteria may include such factors as:

- Contribution to Urban Design and Economic Development Objectives
- Enhancement of Staff Productivity
- Increased Client Convenience
- Cost Effectiveness (e.g. Cost per Employee Housed, average Occupancy Cost)
- Improved Asset Management/Utilization of City owned Properties

Task 2.2 Architectural/Engineering Assessments

Lucchesi-Galati will lead the A&E Assessment Team, to include mechanical engineer, fire protection engineer, and structural engineer (as needed). This work scope and fee are based on the following information being provided by the City in a usable format and to the level of detail assumed below:

- Asbestos Survey (1990) conducted on all buildings by the City
- HVAC system upgrade (1994) design drawings, calculations, equipment specifications, and design criteria, which will be reviewed to determine the capacity and capabilities of the system (no additional calculations or detailed analysis assumed).

- Current Structural Analysis of the City Hall complex being provided by Mendenhall & Smith, which will provide analysis of actual and allowable live loads of all floors, exterior walls, and determination if the two-story area can be expanded to seven floors as originally designed. (Note: for budgeting purposes, we have assumed review of this information and one site trip to make a "best professional judgment" assessment of the City Hall Complex. No structural analysis is assumed for the other buildings).
- ADA Transition Plan for all City facilities, which identifies areas of non-compliance. This plan will be reviewed to identify areas that have not been corrected. Because the City is now in the process of hiring a consultant to address the accessibility upgrades identified by the plan for Human Resources and Leisure Administration Buildings and the Council Chambers, these buildings will not be part of our ADA assessment.
- Recent Fire Alarm System upgrade, which will be reviewed for capacity and capability of the system.

Information will be analyzed using a comprehensive checklist to identify the opportunities and constraints of the existing facilities (code compliance deficiencies as well as capacities of major systems). This information will be in a format suitable to be translated into cost estimates.

Task 2.3 Asset Management Assessment

Williams Kuebelbeck will develop an asset management assessment through the following steps:

- **Inventory Property Asset Value**
In cooperation with the City administration, WKA will assess whether there are surplus properties which could be incorporated in a asset management program to assist in funding the municipal building improvements. The potential use and preliminary estimate of sale or lease value will be assessed for each potential surplus property
- **Evaluate Existing Land/Building Reuse Opportunities**
The property now used for City administrative purposes will be evaluated for asset management value.
- **Determine Private Leasing Opportunities**
WKA will inventory buildings in the downtown area, as well as build-to-lease opportunities which could satisfy some portion of City space requirements.

Task 2.4 Potential Improvements and Expansion Options

After establishing the range of space supply options to be considered, the consultants will develop concept diagrams of up to six options. Ideas to be considered include:

- Alterations and/or annex to existing City Hall complex
- Lease or purchase existing space (per WKA Task 2.3 determination of opportunities and costs)
- Construct space on additional site(s)

Task 2.5 A&E Cost Planning Model

Budget-level cost estimates will be prepared based on the A&E Assessment of Existing Buildings and the Potential Improvement and Expansion Options from previous tasks. The cost planning model will support the comparative evaluation of alternatives, and will begin to address such issues as quality of materials and finishes and reuse vs. new furniture.

Task 2.6 Other Cost/Financial Factors

These may include:

- Costs of leased space of appropriate type and location(s)
- Operating Costs/Potential Savings
- Staff movement costs (churn)
- Cost of dispersion of City services away from City Hall complex
- Revenues from asset management (from WKA Task 2.3 assessment of sale or lease potential of identified surplus City property)
- Cost of land acquisition

Task 2.7 Summary Assessment Report: Space Supply and Financing Scenarios

The City requested on January 15 a Findings Report and Executive Summary covering Parts I and II. This report would combine the Summary of Demand vs. Supply by Site described under Task 1.7 with a description of Space Supply Scenarios and Evaluation Criteria developed in Part II. The Summary Assessment of Part II will cover:

- Identification and costs to remedy code, ADA, and major systems deficiencies
- Costs of major improvement and expansion options
- Type and order of magnitude benefits gained, e.g. # additional employees housed, degree of improved customer service, reduction in occupancy costs, etc.
- WKA working paper describing potential financing scenarios and survey of funding methods used by comparably sized western cities for municipal buildings

Task 2.8 Workshop 2: Space Requirements and Supply Scenarios

The purpose of this workshop will be to:

- Present the findings of Parts I and II
- Brainstorm Alternative Scenarios (combinations of space supply options to meet total city office needs)
- Give direction to consultants regarding next tasks

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PART III. EVALUATION, REFINEMENT AND IMPLEMENTATION STRATEGY**Task 3.1 Develop Alternative Scenarios**

Based on the input of the Steering Committee, the consultant team will develop and refine site and facility expansion scenarios, guided by the established Objectives and Evaluation Criteria.

The scenarios will be described in text, tables and diagrams summarizing amount of space at various locations, and principles for how functions would be grouped. We will prepare site plan diagrams and massing diagrams of up to three alternatives. These will be summarized on large presentation boards and slides.

The scenarios are intended as concept designs for the purposes of comparative evaluation, planning and budgeting.

Task 3.2 Urban Design/Economic Development Framework Concept

This framework concept will illustrate the location and character of public open spaces, pedestrian linkages, building siting and massing. We will prepare site plan and site massing diagrams, and up to three perspective sketches of the public spaces.

Task 3.3 Implementation Concepts

For the most promising scenario(s), the team will develop feasibility-level cost estimates and phasing approaches. The pros and cons of different delivery methods will also be described, for instance a traditional A&E Selection and Competitive Bid Process as compared with a Design-build Competition.

Task 3.4 Financing Scenarios

In cooperation with the City Manager and Finance Director, WKA will determine the most appropriate financing approach,, including consideration of different bonding mechanisms and various sources of debt service moneys:

- Revenues from sale or lease of surplus real estate
- Savings in leasing costs
- Operations and maintenance cost savings
- Savings in foregone staff dispersion costs
- Tax increment revenue
- Enterprise Funds of occupant groups, e.g. utilities, fines, etc.
- Other, e.g. state/federal grants

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Task 3.5 Evaluation of Alternatives

The three best alternative scenarios will be evaluated and systematically compared according to the established criteria. The evaluation will be summarized in text and supporting diagrams and tables, and a consultant recommendation will be made, for the purposes of the City's Facilities Capital fund budgeting process deadline (by the end of March).

Evaluation will include multi-year revenue-cost comparison of the net cost to the City General Fund of each alternative, including the baseline (current) situation. The model will be structured so that revenues and costs can be compared in a consistent manner for each alternative. Examples of costs to be addressed include:

- Direct and indirect capital costs, as lump sum amounts or as annual principal and interest payments on borrowed funds. (Capital costs will include acquisition, design, construction, FF&E, and others as deemed appropriate).
- Operating and maintenance costs
- Leasing costs
- Relocation costs

Evaluation findings will include both the above quantitative cost/revenue comparison and other more qualitative criteria addressing the full range of City objectives for the project (improved customer service, functional relationships, contribution to urban design/economic development goals, etc).

Task 3.6 Steering Committee Workshop 3: Select Preferred Strategy

By the second week in March, the consultants will prepare a draft of their findings and recommendations, which could be used in the City's budgeting process. After presentation of the consultants' evaluation and recommendation, the Steering Committee will give direction on what refinements should be made to the selected strategy.

Note: This trip provides a good opportunity for a Council workshop presentation if desired.

Task 3.7 Refine and Document Implementation Strategy

The phasing and budget for the selected strategy will be refined by the design/planning team. The Steering Committee will provide direction regarding the preferred delivery method, which will in turn affect how the findings and recommendations should be packaged and the subsequent Next Steps (Task 4).

Task 3.8 Refine and Document Financing Strategy

WKA will refine and document the financing strategy, based on Steering Committee comments and direction.

NOV 15 1995

Task 3.9 Final Report

The final report, targeted for completion by April 12, 1996, will identify the various scenarios considered and the rationale for selecting the preferred strategy. It will contain text, tables, and graphics describing actions, costs, phasing, and financing and delivery scenarios.

SCHEDULE AND BUDGET**Milestones, Meetings, and Presentations**

The attached Schedule chart corresponds to the City's target dates for completion of major deliverables. The consultants will rely on the Steering Committee to provide the required policy direction and input to allow the study process to move forward through the series of meetings illustrated:

1. Kickoff: Goals/Objectives, Service Plan, and Background Information
2. Service Demand and Workload Assumptions affecting Space Needs
3. Locational Alternatives
4. Phase I/II Findings Summary/Brainstorm Alternatives for Evaluation
5. Alternative Concepts
6. Select Preferred Concept to be Refined
7. Final Presentation

The budget assumes a total of seven 1-day trips to Las Vegas for client meetings at milestones in the work process, as illustrated in the attached Schedule.

The consultant team will be available for presentations beyond those described in this outline, with written authorization from the client. These trips will be charged on a time and materials basis according to the attached hourly rates.

Deliverables

The budget assumes the following deliverables, at target dates requested by the client:

- January 15, 1996 Phase I/II Report: Budget assumes 10 copies each of a Draft and Final version. Camera-ready original will be made available to client for any additional desired copies.
- April 12, 1996 Phase III Report: Budget assumes 10 copies of a Draft (probably in mid-March for the City's capital budgeting process), and 10 copies of a Final, with camera-ready original made available to the City for any additional copies.

PROJECT SCHEDULE



NOV 15 1995

CITY COUNCIL MINUTES

049

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Las Vegas City Offices
Comprehensive Long-Range Facility Plan

Hourly Rates for Additional Services, by Firm (In \$/Hour for Key Staff Categories to Be Utilized for this Project)

Facility Technics:

Project Leaders, Facility Planners

Principal	200
Project Manager	150
Facility Planning and Programming	100
Project/Technical Support	80
Administrative Support	60

Williams-Kuebelbeck & Associates:

Financial Consultants

Principal	125
Analyst	90

RACESTUDIO:

Urban Design/Economic Development Advisors

Principal	100
Designer	90

Lucchesi-Galati Architects, Inc.:

Architecture/Engineering Team Leader

Principal	115
Project Manager	75
Job Captain	65
Technical	50
Specifications Word Processor	40

Harris Consulting Engineers:

Mechanical/Electrical

Principal Engineer	95

CITY COUNCIL MINUTES

NOV 15 1995

050

Bennett & Jimenez, Inc.:
Structural

Principal	95
Staff Engineer	70
Draftsman	55
Clerical	30

Rolf Jensen & Associates, Inc.:
Fire Protection

Sr. Consulting Engineer	130
Consulting Engineer	110
Associate Engineer	95

Cromb Associates:
Cost Planning

Principal	85
Project Manager	75
Estimator	70
Typing	25

CITY COUNCIL

MEETING OF

NOVEMBER 15, 1995

051

City of Las Vegas

AGENDA & MINUTES

Page 5

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	<u>CONSENT AGENDA</u>	
	<u>CITY ATTORNEY</u>	
4	Approval of Regional Flood Control District Third Supplemental Interlocal Contract -- Buffalo Channel -- Summerlin Parkway to Vegas Drive.	ADAMSEN - APPROVED Consent Items 3 through 52 as recommended (Item 18 was STRICKEN) - UNANIMOUS ***** There was no discussion. (9:33 - 9:34)
5	Approval of Regional Flood Control District Second Supplemental Interlocal Contract - Oakey Boulevard Detention Basin and Collection System - Phase II.	APPROVED - See above
6	Approval of Regional Flood Control District Fifth Supplemental Interlocal Contract -- Oakey Boulevard Detention and Conveyance System.	APPROVED - See above

CITY COUNCIL

MEETING OF

AGENDA DOCUMENTATION

NOVEMBER 15, 1995

052

TO:
CITY COUNCIL

FROM: Bradford R. Jerbic
City Attorney

SUBJECT: Approval of the Regional Flood Control District Third Supplemental Interlocal Contract --
Buffalo Channel -- Summerlin Parkway to Vegas Drive.

PURPOSE/BACKGROUND

The Regional Flood Control District, and the City of Las Vegas entered into an Interlocal Contract dated August 13, 1992, a Supplemental Interlocal Contract dated April 8, 1993, and a second Supplemental Interlocal Contract dated May 11, 1995, to fund the construction of the Buffalo channel - Summerlin Parkway to Vegas Drive. This Third Supplemental Interlocal Contract extends the bid award date and the completion date for this Project.

FISCAL IMPACT

None

RECOMMENDATIONS

It is recommended that the City Council approve the attached Third Supplemental Interlocal Contract and authorize the Mayor to execute the same on behalf of the City.

Agenda Item

4

CITY COUNCIL MINUTES

053

NOV 15 1995

THIRD SUPPLEMENTAL INTERLOCAL CONTRACT FOR CONSTRUCTION OF

BUFFALO CHANNEL - SUMMERLIN PARKWAY TO VEGAS DRIVE

THIS THIRD SUPPLEMENTAL INTERLOCAL CONTRACT, made and entered into as of the 12th day of October, 1995 by and between the Clark County Regional Flood Control District, hereinafter referred to as "DISTRICT" and City of Las Vegas, a municipal corporation, hereinafter referred to as the "CITY".

W I T N E S S E T H

WHEREAS, the DISTRICT approved an Interlocal Contract dated August 13, 1992, a Supplemental Interlocal Contract dated April 8, 1993 and a Second Supplemental Interlocal Contract dated May 11, 1995 to fund the construction of the Buffalo Channel - Summerlin Parkway to Vegas Drive; and

WHEREAS, the flood control improvements proposed therein are the same as those identified in the Master Plan Update of the Las Vegas Valley (August, 1991) as GOSO 0344, 0394 and 0395, and shown on Exhibit "A" (hereinafter called the "PROJECT"); and

WHEREAS, it is the desire of the CITY to extend the bid award date and the completion date for this Project.

NOW, THEREFORE, in consideration of the covenants, conditions, agreements and promises of the parties hereto, it is mutually understood and agreed as follows:

SECTION III - GENERAL is hereby changed to read as follows:

2. The award of bid for this PROJECT shall occur no later than January 31, 1996. The CITY will take all reasonable steps possible to avoid

CITY COUNCIL MINUTES

054

NOV 15 1995

1 delays in the construction of DISTRICT-funded projects. PROJECT
2 delays more than four months, as measured from the award date, may
3 be subject to a formal review by both the Technical Advisory
4 Committee and the DISTRICT Board of Directors. At the review, the
5 CITY will have an opportunity to present information relative to the
6 delays, measures taken to avoid the delays and the likelihood of
7 those delays continuing. The Board will make a determination, in
8 view of the delays and limited available funding, whether PROJECT
9 funding should continue. In the case that the Board chooses to
10 discontinue funding, the Board may cancel any Interlocal Contract(s)
11 associated with the PROJECT and discontinue funding for the
12 remainder of the PROJECT. Funding already spent or appropriated by
13 the CITY will not be required to be refunded to the DISTRICT.
14 Project funding can be reconsidered at any time when the CITY can
15 demonstrate that the PROJECT can proceed on an acceptable schedule.

- 16 16. The items covered in SECTION II - PROJECT COSTS must be completed to
17 the satisfaction of the DISTRICT prior to January 31, 1997. The
18 DISTRICT may, at any time thereafter, grant extensions or terminate
19 this Contract after thirty (30) days notice and may require all sums
20 advanced to the CITY be repaid.

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CITY COUNCIL MINUTES

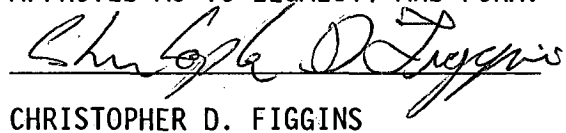
NOV 15 1995

055

1 All other sections of the Interlocal Contract dated August 13, 1992, the
2 Supplemental Interlocal Contract dated April 8, 1993 and the Second Supplemental
3 Interlocal Contract dated May 11, 1995 remain unchanged.

4 IN WITNESS WHEREOF, this THIRD SUPPLEMENTAL INTERLOCAL CONTRACT is hereby
5 executed as of the date first set forth above.

6 APPROVED AS TO LEGALITY AND FORM:

7 
8 CHRISTOPHER D. FIGGINS

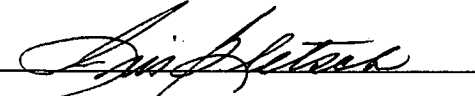
9 DEPUTY DISTRICT ATTORNEY

10
11 DATE OF DISTRICT ACTION:

12 OCT. 12 1995

REGIONAL FLOOD CONTROL DISTRICT

13 BY:

14 
15 IRIS BLETSCH, CHAIRMAN

16 ATTEST:

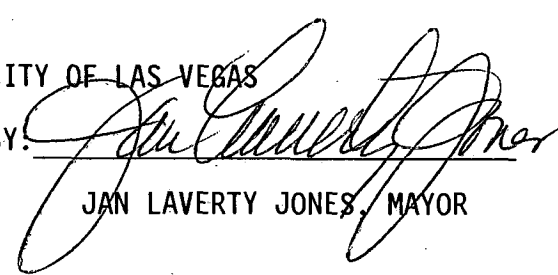
17 
18 DEANNA LEFKO, SECRETARY

19 DATE OF COUNCIL ACTION:

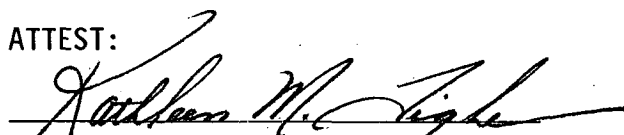
20 NOV 15 1995

CITY OF LAS VEGAS

21 BY:

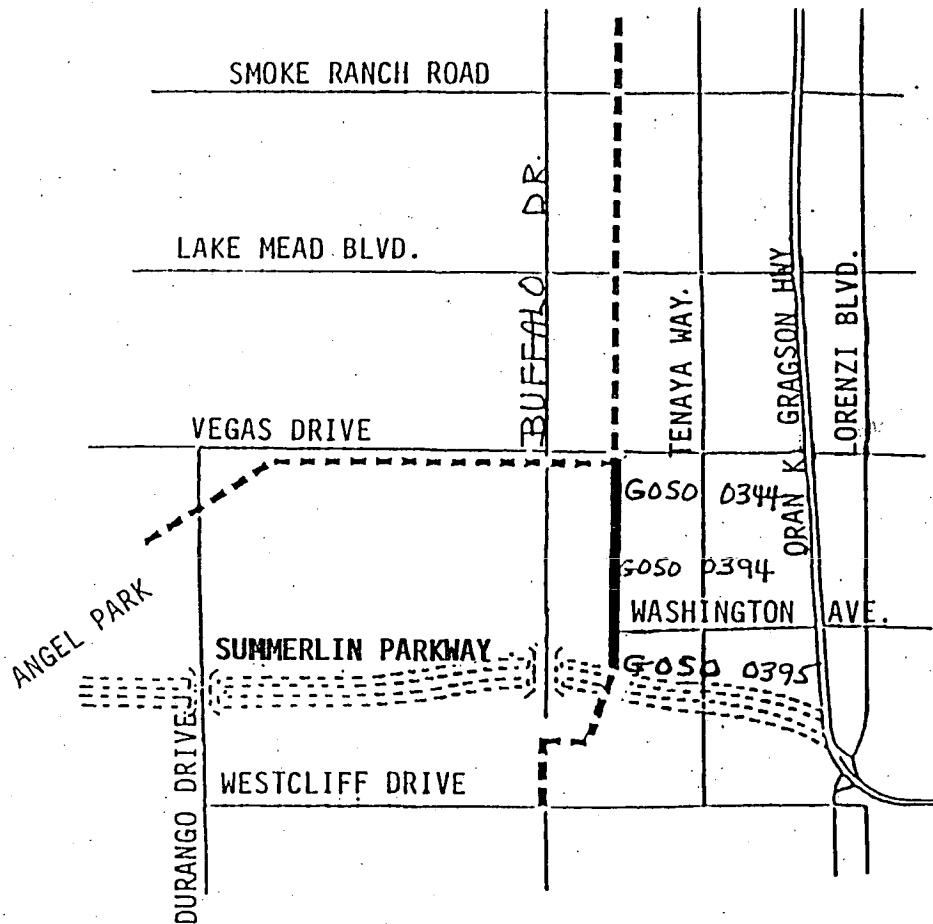
22 
23 JAN LAVERTY JONES, MAYOR

24 ATTEST:

25 
26 KATHLEEN TIGHE, CITY CLERK

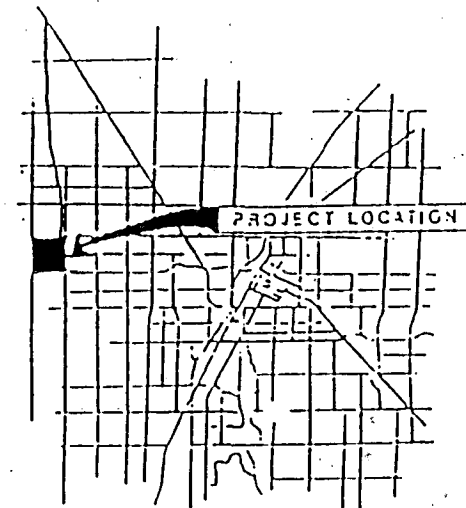
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— PRESENT INTERLOCAL AGREEMENT

- - - OTHER PHASES



VICINITY MAP
NO SCALE

NOV 15 1995

CITY COUNCIL MINUTES

CENTRAL LAS VEGAS VALLEY
PHASE 1, FACILITY No. 2
(ANGEL PARK/GOWAN DETENTION BASIN
CONVEYANCE SYSTEM)

EXHIBIT A

056

CITY COUNCIL

MEETING OF

AGENDA DOCUMENTATION

NOVEMBER 15, 1995

057

TO:
CITY COUNCIL

FROM: Bradford R. Jerbic
City Attorney

SUBJECT: Approval of Regional Flood Control District Second Supplemental Interlocal Contract - Oakey Boulevard Detention Basin and Collection System -- Phase II.

PURPOSE/BACKGROUND

The Regional Flood Control District and the City of Las Vegas entered into an Interlocal Contract dated November 10, 1994, and a Supplemental Interlocal Contract dated August 10, 1995, for the construction of the Oakey Detention Basin and Collection System - Phase II. This second Supplemental Contract allows for an increase in the construction costs originally allowed.

FISCAL IMPACT

None

RECOMMENDATIONS

It is recommended that the City Council approve the attached Second Supplemental Interlocal Contract and authorize the Mayor to execute the same on behalf of the City.

Agenda Item

5

CITY COUNCIL MINUTES

058

NOV 15 1995

1 SECOND SUPPLEMENTAL INTERLOCAL CONTRACT FOR CONSTRUCTION OF THE

2 OAKLEY DETENTION BASIN AND COLLECTION SYSTEM - PHASE II

3 THIS SECOND SUPPLEMENTAL INTERLOCAL CONTRACT, made and entered into as of
4 the 12th day of October, 1995 by and between the Clark County
5 Regional Flood Control District, hereinafter referred to as "DISTRICT" and City
6 of Las Vegas, a municipal corporation, hereinafter referred to as the "CITY".

7 W I T N E S S E T H

8 WHEREAS, an Interlocal Contract dated November 10, 1994 and a Supplemental
9 Interlocal Contract dated August 10, 1995 were entered into between the DISTRICT
10 and the CITY for the construction of the Oakley Detention Basin and Collection
11 System - Phase II, described in the DISTRICT Master Plan with the following
12 structure number: MECH 0400 and shown on Exhibit "A" (hereinafter called the
13 "PROJECT"); and

14 WHEREAS, a construction contract was awarded for this PROJECT for an amount
15 less than originally anticipated and the Board of Directors of the DISTRICT
16 request that a contractual amount allowed for the construction of the PROJECT be
17 amended by supplemental interlocal contract.

18 NOW, THEREFORE, in consideration of the covenants, conditions, agreements
19 and promises of the parties hereto, it is mutually understood and agreed as
20 follows:

- 21 1. SECTION II - PROJECT COSTS of the original Interlocal Contract dated
22 November 10, 1994 is revised to read:

1 SECTION II - PROJECT COSTS

CITY COUNCIL MINUTES

059

NOV 15 1995

1 The DISTRICT agrees to provide funding for PROJECT costs and shall not
2 exceed the limits specified below:

- 3 1. Construction costs shall not exceed \$1,203,347.
- 4 2. Construction engineering shall not exceed \$99,000.
- 5 3. Total PROJECT cost shall not exceed \$1,302,347 which includes all
6 items described in Paragraphs 1 and 2 above.
- 7 4. A written request must be made to the DISTRICT and approved by the
8 Board to reallocate funds between phases of the PROJECT.
- 9 5. A written request must be made to the DISTRICT and a supplemental
10 interlocal contract approved by the Board to increase the total cost
11 of the contract noted above prior to payment of any additional
12 funds.

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CITY COUNCIL MINUTES

NOV 15 1995

1 All other sections of the Interlocal Contract dated November 10, 1994 and
2 the Supplemental Interlocal Contract dated August 10, 1995 remain unchanged.

3 IN WITNESS WHEREOF, this SECOND SUPPLEMENTAL INTERLOCAL CONTRACT is hereby
4 executed as of the date first set forth above.

5 APPROVED AS TO LEGALITY AND FORM:

6 

7 CHRISTOPHER D. FIGGINS

8 DEPUTY DISTRICT ATTORNEY

9
10 DATE OF DISTRICT ACTION:

11 OCT. 12 1995

REGIONAL FLOOD CONTROL DISTRICT

12 BY: 

13 IRIS BLETSCH, CHAIRMAN

14 ATTEST:

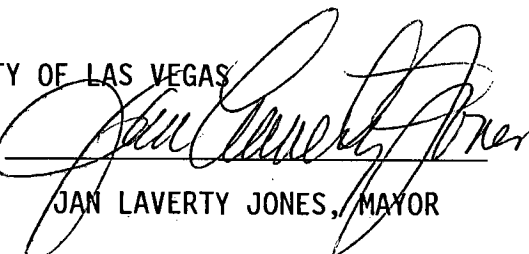
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16 DEANNA LEFKO, SECRETARY

17 DATE OF COUNCIL ACTION:

18 NOV 15 1995

CITY OF LAS VEGAS

19 BY: 

20 JAN LAVERTY JONES, MAYOR

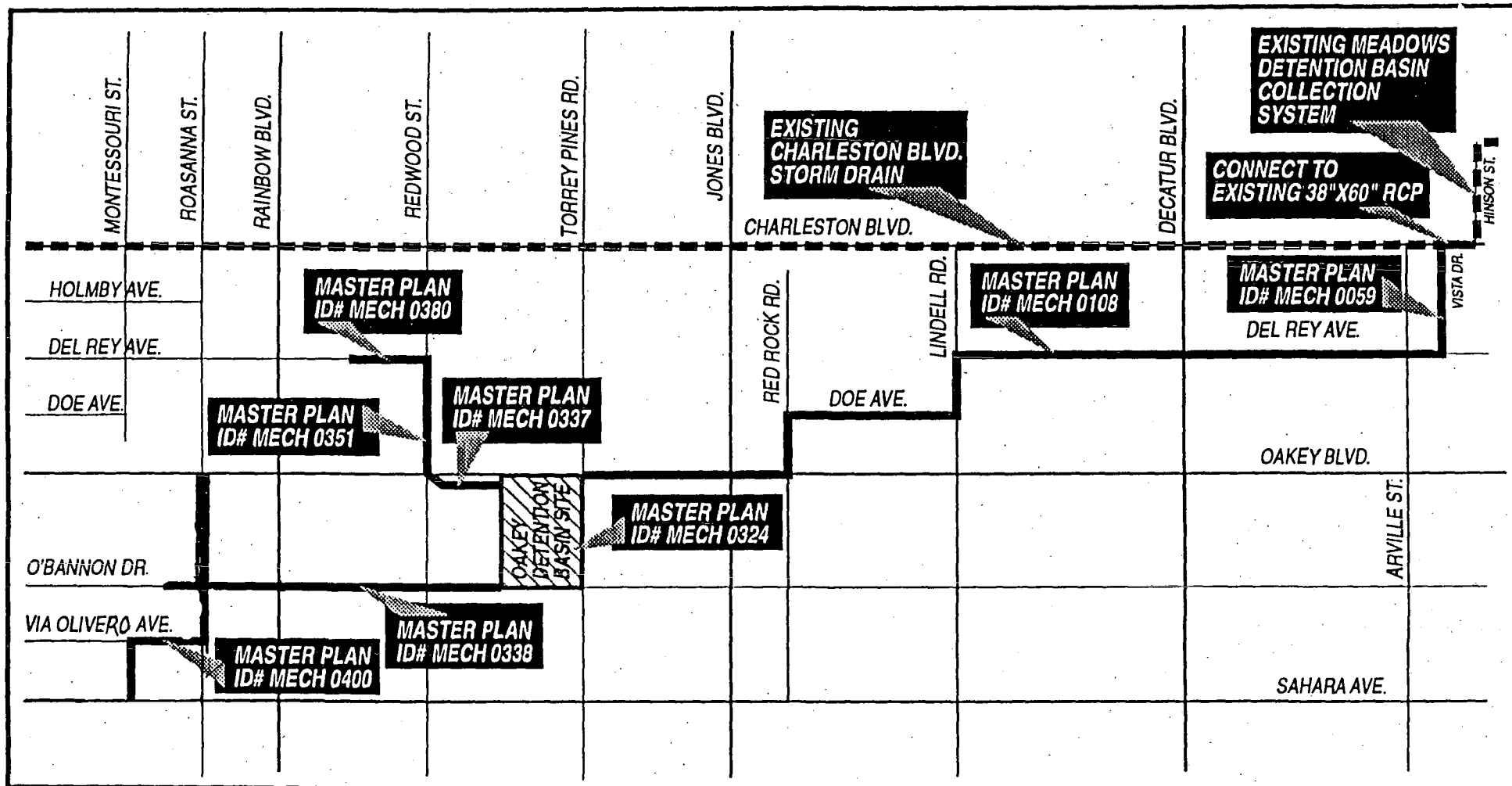
21 ATTEST:

22 

23 KATHLEEN TIGHE, CITY CLERK

Approved as to form:

 11/17/95
Date



OAKLEY DETENTION BASIN OUTFALL COLLECTION SYSTEM

CITY COUNCIL MINUTES
NOV 15 1995

061

EXHIBIT A

CITY COUNCIL

MEETING OF

AGENDA DOCUMENTATION

NOVEMBER 15, 1995

062

TO:
CITY COUNCIL

FROM: Bradford R. Jerbic
City Attorney

SUBJECT: Approval of the Regional Flood Control District Fifth Supplemental Interlocal Contract - Oakey Boulevard Detention and Conveyance System.

PURPOSE/BACKGROUND

The Regional Flood Control District, the County of Clark, the City of Las Vegas, the City of North Las Vegas and the City of Henderson entered into an Interlocal Contract dated April 12, 1990, a Supplemental Interlocal Contract dated July 9, 1992, a Third Supplemental Interlocal Contract dated January 14, 1993, and a Fourth Supplemental Interlocal Contract dated February 11, 1993, for the design of flood control improvements. This Fifth Supplemental Contract provides for additional design engineering costs and extends the completion date of this Project to June 30, 1996.

FISCAL IMPACT

None

RECOMMENDATIONS

It is recommended that the City Council approve the attached Fifth Supplemental Interlocal Contract and authorize the Mayor to execute the same on behalf of the City.

Agenda Item

6

CITY COUNCIL MINUTES

063

NOV 15 1995

FIFTH SUPPLEMENTAL INTERLOCAL CONTRACT

OAKEY BOULEVARD DETENTION AND CONVEYANCE SYSTEM

THIS FIFTH SUPPLEMENTAL INTERLOCAL CONTRACT made and entered into as of the 12th day of October, 1995, by and between the CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT, hereinafter referred to as "DISTRICT", the CITY OF LAS VEGAS, a municipal corporation, hereinafter referred to as "CITY", the CITY OF NORTH LAS VEGAS, a municipal corporation, the CITY OF HENDERSON, a municipal corporation, and the COUNTY OF CLARK, a political subdivision of the State of Nevada.

W I T N E S S E T H

WHEREAS, an Interlocal Contract dated April 12, 1990, a Supplemental Interlocal Contract dated September 12, 1991, a Second Supplemental Interlocal Contract dated July 9, 1992, a Third Supplemental Interlocal Contract dated January 14, 1993 and a Fourth Supplemental Interlocal Contract dated February 11, 1993 were entered into by the DISTRICT, the CITY, the CITY OF NORTH LAS VEGAS, the CITY OF HENDERSON, and the COUNTY OF CLARK proceeded with the design of flood control improvements under the original DISTRICT Master Plan dated October 1986 as Central Las Vegas Valley - Phase 1 Facility Number 5 and as subsequently amended by the DISTRICT Master Plan Update dated August 1991 with District Master Plan Facility numbers MECH 0059, MECH 0108, MECH 0324, MECH 0337, MECH 0351, MECH 0380, MECH 0338 and MECH 0400 as shown on Exhibit "A"; and

WHEREAS, additional design engineering costs were experienced regarding the Sahara-O'Bannon Storm Drain and the City desires to provide for these additional

CITY COUNCIL MINUTES

064

NOV 15 1995

1 costs and extend the completion date of this Project.

2 NOW, THEREFORE, in consideration of the covenants, conditions, agreements,
3 and promises of the parties hereto, the parties hereto agree as follows:

- 4 1. Section II of the original Interlocal Contract dated April 12, 1990
5 is revised to read:

6 SECTION II - PROJECT COSTS

7 The DISTRICT agrees to provide funding for the PROJECT within the limits
8 specified below:

- 9 1. Engineering and right-of-way design not to exceed \$634,000.
10 2. The total cost of this INTERLOCAL CONTRACT shall not exceed
11 \$634,000 which amount includes all work included in Paragraph
12 1 above and work completed prior to the date of this contract.
13 3. A written request must be made to the DISTRICT and a
14 Supplemental Interlocal Contract approved to increase any
15 amounts noted above prior to payment of any additional funds.
16 2. Paragraph 15 of Section III - GENERAL of the original Interlocal
17 Contract dated April 12, 1990 shall be revised to read as follows:
18 15. The items covered in Paragraphs 1 and 2 of Section II -
19 PROJECT COSTS must be completed to the satisfaction of the
20 DISTRICT prior to June 30, 1996. The DISTRICT may, at any
21 time thereafter, grant extensions or terminate this Agreement
22 after thirty (30) days notice and may require all sums
23 advanced to the CITY be repaid.

CITY COUNCIL MINUTES

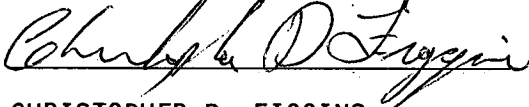
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NOV 15 1995

1 The remainder of the Interlocal Contract dated April 12, 1990, the
2 Supplemental Interlocal Contract dated September 12, 1991, the Second
3 Supplemental Interlocal Contract dated July 9, 1992, the Third Supplemental
4 Interlocal Contract dated January 14, 1993 and the Fourth Supplemental Interlocal
5 Contract dated February 11, 1993 remains unchanged.

6 IN WITNESS WHEREOF, this FIFTH SUPPLEMENTAL INTERLOCAL CONTRACT is hereby
7 executed as of the date first set forth above.

APPROVED AS TO LEGALITY AND FORM:

8 

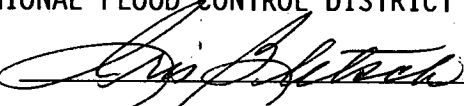
9 CHRISTOPHER D. FIGGINS

10 DEPUTY DISTRICT ATTORNEY

11 DATE OF DISTRICT ACTION:

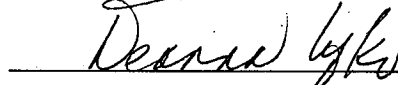
12 OCT. 12 1995

REGIONAL FLOOD CONTROL DISTRICT

13 BY: 

14 IRIS BLETSCH, CHAIRMAN

15 ATTEST:

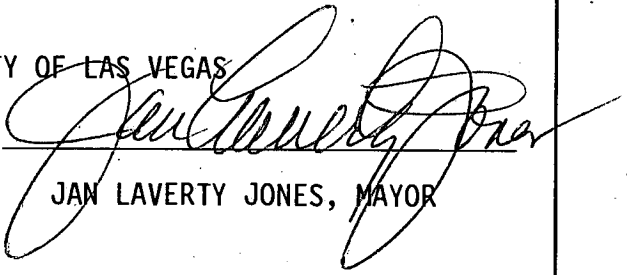
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17 DEANNA LEFKO, SECRETARY

18 DATE OF COUNCIL ACTION:

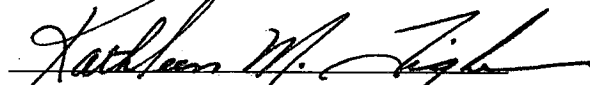
19 NOV 15 1995

CITY OF LAS VEGAS

20 BY: 

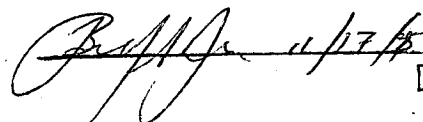
21 JAN LAVERTY JONES, MAYOR

22 ATTEST:

23 

KATHLEEN TIGHE, CITY CLERK

Approved as to form:

 11/17/95
Date

CITY COUNCIL MINUTES

066

NOV 15 1995

DATE OF COUNCIL ACTION:

DEC 20 1995

ATTEST:

Eileen M. Seigny

EILEEN SEIGNY, CITY CLERK

DATE OF COUNCIL ACTION:

DEC 19 1995

ATTEST:

Susan Robison

SUSAN ROBISON, CITY CLERK

DATE OF COMMISSION ACTION:

DEC. 19 1995

ATTEST:

Loretta Bowman

LORETTA BOWMAN, COUNTY CLERK

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CITY OF NORTH LAS VEGAS

BY:

James Seastrand

JAMES SEASTRAND, MAYOR

CITY OF HENDERSON

BY:

Robert A. Groesbeck

ROBERT A. GROESBECK, MAYOR

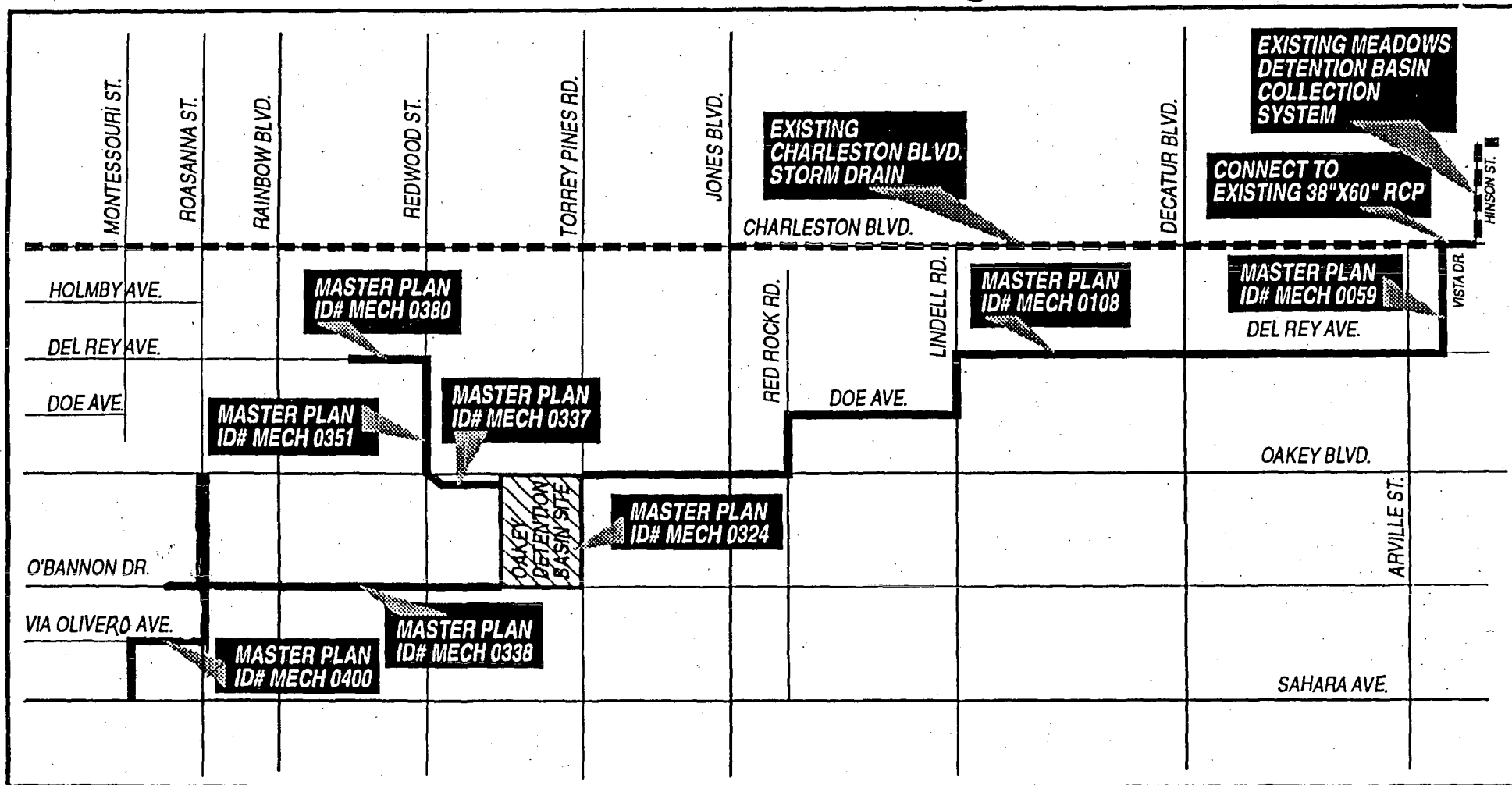
COUNTY OF CLARK

BY:

Yvonne Atkinson Gates

YVONNE ATKINSON GATES, CHAIR

BOARD OF COUNTY COMMISSIONERS



OAKLEY DETENTION BASIN OUTFALL COLLECTION SYSTEM

CITY COUNCIL MINUTES
NOV 15 1995

067

EXHIBIT A

CITY COUNCIL

MEETING OF
NOVEMBER 15, 1995

063

City of Las Vegas

AGENDA & MINUTES

Page 6

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	<u>CONSENT AGENDA</u>	
	<u>DEPARTMENT OF ECONOMIC & URBAN DEVELOPMENT</u>	
7	Action To Approve And Issue To Lewis Properties, Inc. A Certificate Of Completion And Quitclaim Of Interest For Certain Real Property Situated In The Spectrum Of Las Vegas	ADAMSEN - APPROVED Consent Items 3 through 52 as recommended (Item 18 was STRICKEN) - UNANIMOUS ***** There was no discussion. (9:33 - 9:34)
8	Action Approving A Grant Deed For The Sale Of A Portion Of City-Owned Property To Sierra Health Service, Inc. At The Las Vegas Technology Center	APPROVED - See above

CITY COUNCIL

MEETING OF

AGENDA DOCUMENTATION

November 15, 1995

069

TO:

City Council

FROM:

Doug Dickerson
Doug Dickerson, Administrator
Office of Business Development

SUBJECT:

ACTION TO APPROVE AND ISSUE TO LEWIS PROPERTIES, INC. A CERTIFICATE OF COMPLETION AND QUITCLAIM OF INTEREST FOR CERTAIN REAL PROPERTY SITUATED IN THE SPECTRUM OF LAS VEGAS

PURPOSE/BACKGROUND

The Disposition and Development Agreement (DDA) between the City and Lewis Properties (the "Developer"), Inc. requires the issuance of the Certificate of Completion and Quitclaim of Interest upon the satisfactory completion of construction on the property, depicted on the map attached hereto, together with all off-site improvements for same. The Developer has entered into a purchase and sale agreement for this property with Leonardi Properties which is scheduled to close on or before November 30, 1995 and a pending lease agreement with Pacific Bell Mobile Services by December 1, 1995. As of the City Council meeting on November 15, 1995, the Developer may or may not have completed all of the construction required under the DDA. However, in the event such construction is not completed by this date, the Developer intends to complete construction on or before November 30, 1995 in order to allow the close of escrow. The developer has substantially completed all improvements.

The attached Certificate of Completion and Quitclaim of interest is for the 1.295 acres of developed land designated on the attached map.

FISCAL IMPACT

None

RECOMMENDATIONS

It is the recommendation of the City Manager that the City Council authorize the Mayor to sign the Certificate of Completion and Quitclaim of Interest conditioned upon the Developer completing construction.

Agenda Item

7

Recording Requested by:
City of Las Vegas

CITY COUNCIL MINUTES

NOV 15 1995

After Recordation, Mail to:

Lewis Properties, Inc.
14772 Plaza Drive
Tustin, CA 92680
Attn: James R. Lewis

CERTIFICATE OF COMPLETION AND QUITCLAIM OF INTEREST

(Parcel 3, Phase III - 1.295± Acres)

WHEREAS, by Grant Deed dated April 19, 1995, and recorded May 18, 1995, in Book 950518, Instrument No. 309, in the records of the Office of the Recorder of the County of Clark, State of Nevada, the CITY OF LAS VEGAS, a municipal corporation (hereinafter referred to as the "City"), conveyed to LEWIS PROPERTIES, INC., a California corporation, (hereinafter referred to as the "Developer"), certain real property situated in the City of Las Vegas, County of Clark, State of Nevada, described in Exhibit "A", attached hereto and made a part hereof; and

WHEREAS, said conveyance was made subject to the terms of that certain Disposition and Development Agreement (the "Agreement") executed as of the 13th day of July, 1988, by Developer, and by the City on August 17, 1988, said Agreement being recorded by a "Short Form Memorandum" thereof on September 21, 1989, in Book 890921, Instrument No. 00043, in the records of the Office of the Recorder of the County of Clark, Nevada; and

WHEREAS, as referenced in said Grant Deed and Agreement, the City shall furnish the Developer with a Certificate of Completion upon completion of all construction and development, which certificate shall be in such form as to permit it to be recorded in the Recorder's Office of Clark County; and

WHEREAS, such Certificate shall be a conclusive determination of satisfactory completion of the development obligations required of Developer by the Agreement; and

WHEREAS, the City has determined that the development of the above described real property has been satisfactorily completed as required by the Agreement;

NOW, THEREFORE, the City hereby certifies that development obligation have been fully and satisfactorily performed and completed, and the City hereby quitclaims, releases and remises to Developer, its successors and assigns, any and all right, title and interest reserved or acquired by the City in or to the property described in the above mentioned Grant Deed by reason thereof or by reason of the Development Agreement or Short Form Memorandum hereinbefore mentioned.

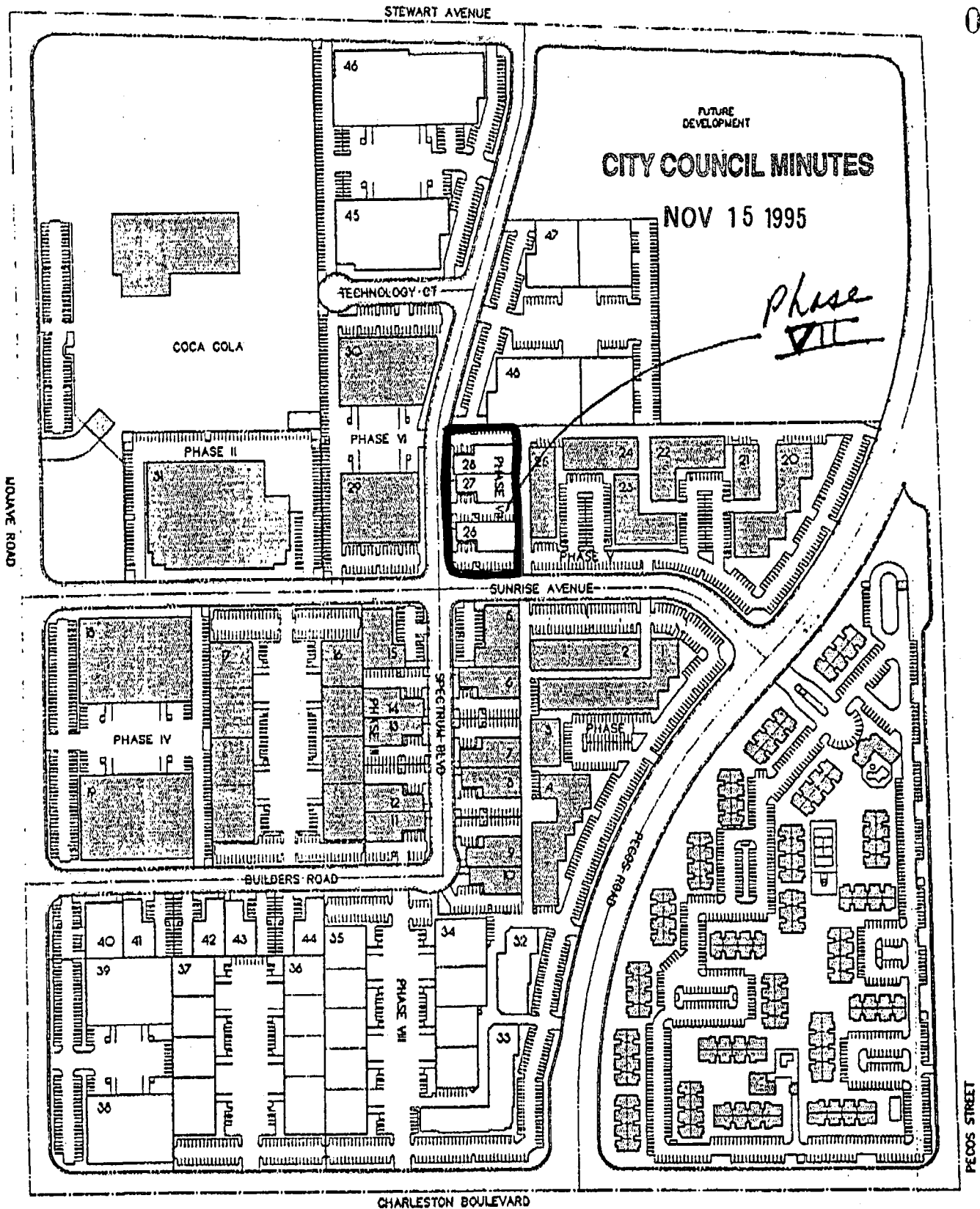
CITY COUNCIL MINUTES

NOV 15 1995

EXHIBIT "A"

THAT PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 36, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., IN THE CITY OF LAS VEGAS, COUNTY OF CLARK, STATE OF NEVADA, BEING THAT PORTION OF LOT 1, BLOCK 1 OF THE LAS VEGAS SPECTRUM (A COMMERCIAL SUBDIVISION) AS SHOWN ON THE PLAT THEREOF ON FILE IN BOOK 43 OF PLATS, PAGE 10 OF CLARK COUNTY, NEVADA RECORDS, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINES OF SPECTRUM BOULEVARD AND SUNRISE AVENUE AS SHOWN ON SAID PLAT OF THE LAS VEGAS SPECTRUM; THENCE ALONG THE CENTERLINE OF SAID SUNRISE AVENUE, NORTH 89°46'30" EAST A DISTANCE OF 197.66 FEET; THENCE DEPARTING SAID CENTERLINE OF SUNRISE AVENUE, NORTH 00°13'30" WEST A DISTANCE OF 30.00 FEET TO THE SOUTHWEST CORNER (SW COR.) OF THAT PROPERTY DESCRIBED IN THE DEED RECORDED IN BOOK 910919 AS INSTRUMENT 00440, CLARK COUNTY, NEVADA RECORDS, SAID POINT ALSO BEING THE POINT OF BEGINNING AND BEING A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID SUNRISE AVENUE; THENCE SOUTH 89°46'30" WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID SUNRISE AVENUE A DISTANCE OF 142.66 FEET; THENCE ALONG A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00" AN ARC DISTANCE OF 39.27 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SPECTRUM BOULEVARD; THENCE NORTH 00°13'30" WEST, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SPECTRUM BOULEVARD A DISTANCE OF 250.18 FEET; THENCE ALONG A TANGENT CURVE CONTINUING ALONG SAID RIGHT-OF-WAY LINE CONCAVE EASTERLY WITH A RADIUS OF 445.00 FEET THROUGH A CENTRAL ANGLE OF 08°06'56" AN ARC DISTANCE OF 63.03 FEET; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE NORTH 89°46'30" EAST A DISTANCE OF 163.20 FEET TO THE NORTHWEST CORNER (NW COR.) OF THAT PROPERTY DESCRIBED IN THE DEED RECORDED IN BOOK 910919 AS INSTRUMENT 00440, CLARK COUNTY, NEVADA RECORDS; THENCE SOUTH 00°13'30" EAST ALONG THE WESTERLY LINE OF THE PROPERTY DESCRIBED IN THE DEED RECORDED IN BOOK 910919 AS INSTRUMENT 00440, CLARK COUNTY, NEVADA RECORDS A DISTANCE OF 338.00 FEET TO THE POINT OF BEGINNING.



CITY COUNCIL

MEETING OF

074

AGENDA DOCUMENTATION

November 15, 1995

TO:

City Council

FROM:

Doug Dickerson
DOUG DICKERSON, ADMINISTRATOR
OFFICE OF BUSINESS DEVELOPMENT

SUBJECT:

ACTION APPROVING A GRANT DEED FOR THE SALE OF A PORTION OF CITY-OWNED
PROPERTY TO SIERRA HEALTH SERVICES, INC. AT THE LAS VEGAS TECHNOLOGY
CENTER**PURPOSE/BACKGROUND**

Subject property is located at U.S. 95 and Box Canyon Drive (map attached). The Agreement between the City of Las Vegas (City) and Sierra Health Services, Inc. (Sierra) was approved and implemented June 7, 1995. The site contains 10.2 acres to be transferred at the rate of \$5.00 per square foot. At or before the close of escrow, Sierra shall pay a total of \$488,000 to the City. The remainder of the purchase price, \$1,955,716, shall be paid with 7% interest per annum within 30 months after close of escrow, as provided in the Agreement.

FISCAL IMPACT

This transaction will result in a gain of approximately \$488,000 to the City of Las Vegas at close of escrow, and an additional \$1,955,716 with 7% interest, 30 months after the close of escrow.

RECOMMENDATIONS

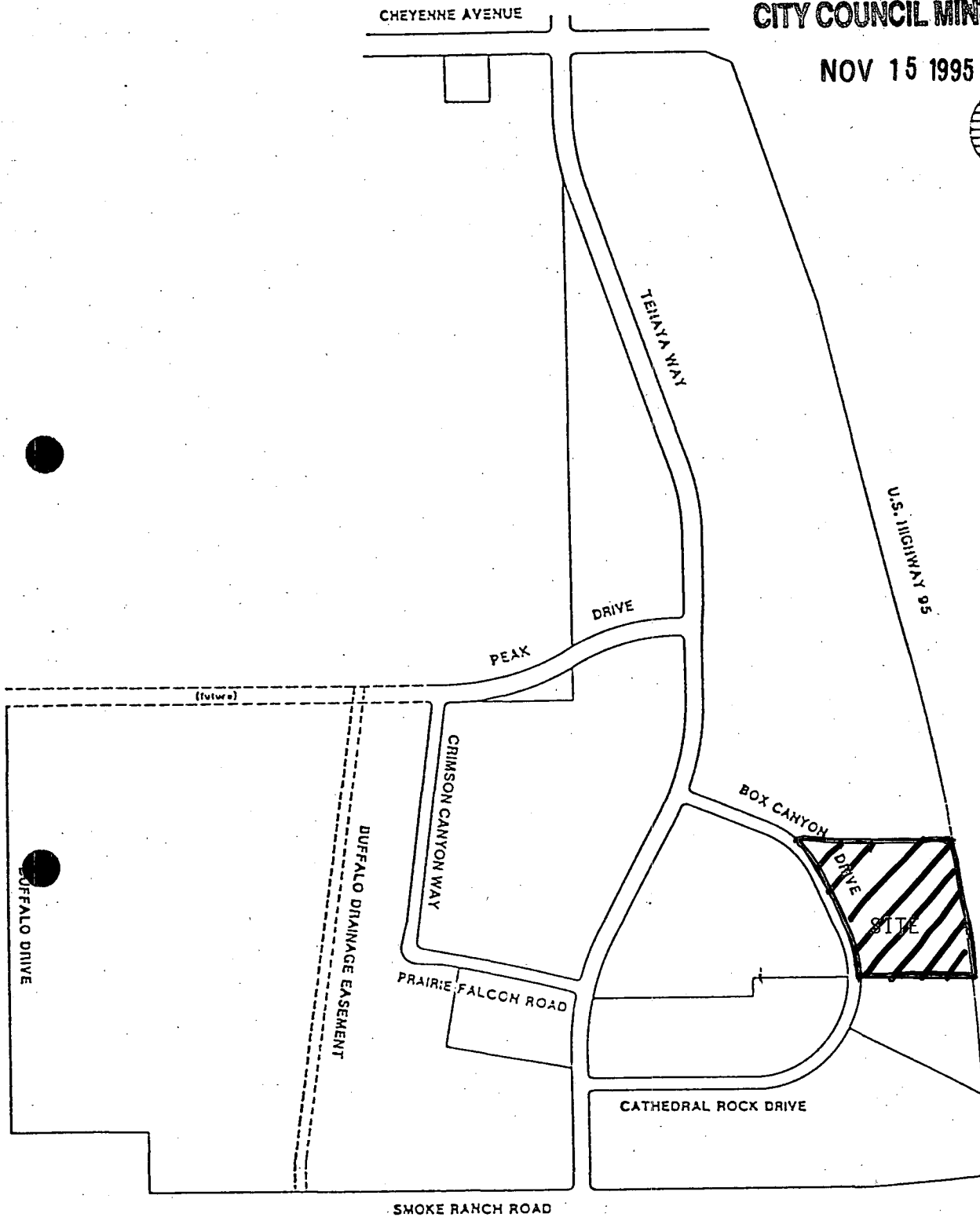
It is the recommendation of the City Manager that the City Council approve this agenda item.

Agenda Item

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CITY COUNCIL MINUTES

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CITY COUNCIL MINUTES

NOV 15 1995

TO: NEVADA TITLE COMPANY

RE: 95-09-0154 RMG

DATE: OCTOBER 6, 1995

The undersigned parties acknowledge that the Escrow Agent's function is to be a disinterested third party, taking mutual instructions from the parties to a transaction for preparation of documentation to complete the principals' prior agreements.

The Escrow Agent is NOT AN ATTORNEY and CANNOT ADVISE the parties as to any legal business, or tax consequences of any provisions or instrument set forth or prepared in connection with this transaction. The undersigned have read and understand each document to which we have affixed our signature and have authorized and instructed Escrow Agent in the manner in which any blanks remaining in said forms are to be completed.

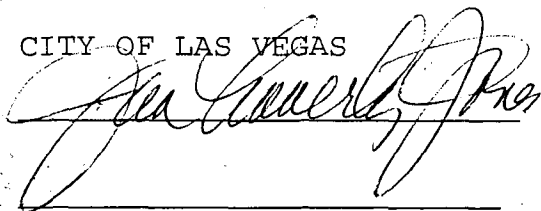
With regard to any questions we may have had pertaining to the Escrow Instructions, the Escrow Agent's role or participation in this escrow, or to the role of the Real Estate Broker, if any, we have received sufficient explanation. We understand that the subject escrow shall close in accordance with the matters set forth on the documents we have executed.

With regard to any questions we may have had pertaining to the new loan being obtained, if any, we have been made aware that the loan documents were not generated by Nevada Title Company, and that we have received sufficient explanation from the lender providing said loan.

DO NOT AFFIX YOUR SIGNATURES BELOW UNTIL YOU HAVE READ AND AGREED WITH THE MATTERS SET FORTH ABOVE. SHOULD YOU STILL HAVE QUESTIONS WITH REGARD TO THE ABOVE, YOU ARE ADVISED TO SEEK THE ADVICE OF AN INDEPENDENT LEGAL COUNSEL.

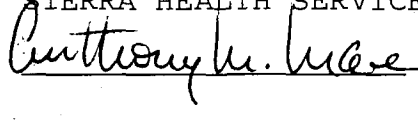
SELLERS

CITY OF LAS VEGAS

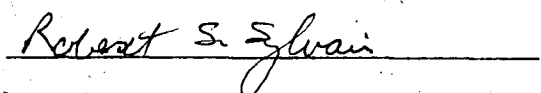


BUYERS

SIERRA HEALTH SERVICES, INC.



APPROVED AS TO FORM:



CITY COUNCIL MINUTES

NOV 15 1995

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Recording Requested by:

City of Las Vegas, Nevada

After Recordation, Mail to:

Department of Economic and Urban Development
City of Las Vegas, Nevada
400 East Stewart Avenue, 8th Floor
Las Vegas, Nevada 89101

GRANT, BARGAIN AND SALE DEED

For valuable consideration, the receipt of which is hereby acknowledged, the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada (herein the "Grantor"), hereby grants, bargains and sells to SIERRA HEALTH SERVICES, INC. a Nevada corporation (herein the "Grantee"), all right, title and interest in the real property (the "Property") legally described in the document attached hereto as Exhibit A and incorporated herein by this reference, which Property also known as APN 138-15-810-005 (290-603-020).

1. The Property is conveyed pursuant to an agreement for purchase and sale (the "Agreement") of the Property entered into by and between Grantor and Grantee and dated June 7, 1995. The conveyance herein is subject to the terms, covenants and conditions set forth in the Agreement.

2. The Agreement provides, among other things, that Grantee's use, occupation and development of the Property is subject to compliance with certain covenants, restrictions and obligations and that Grantee's failure to perform thereunder may result in Grantor's exercising its rights to repurchase, re-enter and repossess as set forth in said Agreement, provided, however, that Grantor's exercise of such rights shall not defeat, render invalid or limit any mortgage, deed of trust or other security instrument permitted by the Agreement.

3. The absence from this Deed of the covenants, restrictions and obligations contained in the Agreement shall not work as a merger thereof into this Deed to the exclusion of said covenants, restrictions and obligations.

4. The conditions set forth in the foregoing paragraphs shall remain in effect until a Certificate of Completion for the improvements constructed on the Property is issued by Grantor.

CITY COUNCIL MINUTES

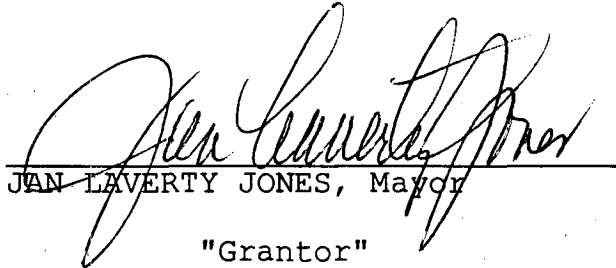
NOV 15 1995

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5. The Property is conveyed subject to restrictions, reservations, conditions, rights-of-way, easements and other encumbrances of record.

IN WITNESS WHEREOF, the Grantor and Grantee have caused this instrument to be executed this 15th day of NOVEMBER, 1995.

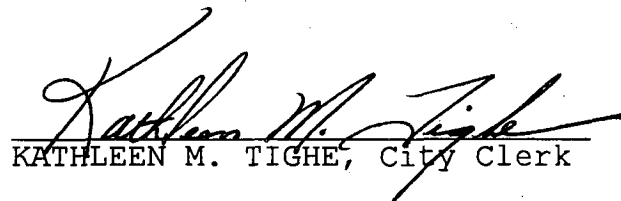
CITY OF LAS VEGAS


JAN LAVERTY JONES, Mayor
"Grantor"

Approved as to form:

ATTEST:

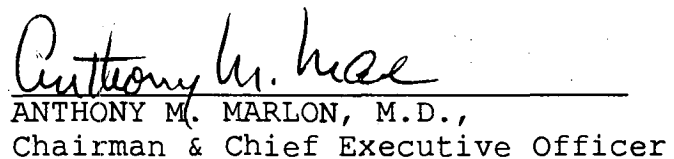
Robert S. Sylvain 11-1-95
Date


KATHLEEN M. TIGHE, City Clerk

ACCEPTANCE

The provisions of this Grant, Bargain and Sale Deed are hereby approved and accepted.

SIERRA HEALTH SERVICES, INC.
A Nevada Corporation


ANTHONY M. MARLON, M.D.,
Chairman & Chief Executive Officer

"Grantee"

ACKNOWLEDGMENTS**CITY COUNCIL MINUTES**

NOV 15 1995

State of Nevada)
) :Ss
 County of Clark)

This instrument was acknowledged before me, a notary public, on this 15th day of NOVEMBER, 1995 by JAN LAVERTY JONES, Grantor.

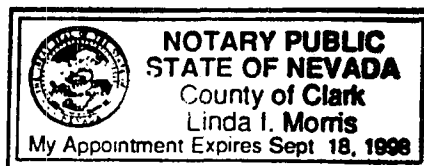


Sandra R. LeBoeuf
 Notary Public

State of Nevada)
) :Ss
 County of Clark)

This instrument was acknowledged before me, a notary public, on this 31 day of October, 1995 by Anthony M. Marlon, Grantee.

Linda I. Morris
 Notary Public



GRANT DEED
Legal Description
EXHIBIT A

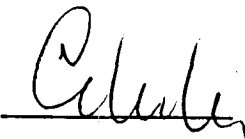
CITY COUNCIL MINUTES

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A.P.N. 138-15-810-005 (290-603-020)

That portion of the Southeast Quarter (SE 1/4) of Section 15, Township 20 South, Range 60 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, being that portion of LOT 4, BLOCK 1 of the RESUBDIVISION OF A PORTION OF THE LAS VEGAS TECHNOLOGY CENTER, a Commercial Subdivision, as shown on the plat thereof on file in Book 47 of Plats, Page 35 of Clark County, Nevada Records, described as follows:

COMMENCING at the intersection of the centerlines of TENAYA WAY and PEAK DRIVE as shown on the plat of said RESUBDIVISION OF A PORTION OF THE LAS VEGAS TECHNOLOGY CENTER, said intersection bears North 12°12'21" East a distance of 2752.56 feet from the Southwest corner of the Southeast Quarter (SE 1/4) of said Section 15; thence along the centerline of said PEAK DRIVE lying Easterly of the centerline of said TENAYA WAY, South 89°51'34" East a distance of 45.00 feet; thence North 07°10'13" East a distance of 12.67 feet to the Easterly prolongation of a line that is parallel with and distant 12.50 feet Northerly from the centerline of said PEAK DRIVE lying Westerly of the centerline of said TENAYA WAY; thence along the Easterly prolongation of said parallel line, South 89°57'23" East a distance of 298.29 feet to a line that is parallel with and distant 10.00 feet Southerly from that portion of the South line of LOT 1, BLOCK 7 as shown on the plat of said RESUBDIVISION OF A PORTION OF THE LAS VEGAS TECHNOLOGY CENTER; that bears South 84°04'34" West; thence along said parallel line, North 84°04'34" East a distance of 634.04 feet to a point that bears South 15°31'01" East a distance of 10.14 feet from the Southeast corner of said LOT 1, BLOCK 7; thence South 15°31'01" East a distance of 176.86 feet to the Northeast

INITIALS 

GRANT DEED

CITY COUNCIL MINUTES

Legal Description

NOV 15 1995

EXHIBIT A

A.P.N. 138-15-810-005 (290-603-020)

corner of LOT 4, BLOCK 1 as shown on the plat of said RESUBDIVISION OF A PORTION OF THE LAS VEGAS TECHNOLOGY CENTER; thence along the Easterly boundary of said LOT 4, Block 1, South 13°58'39" East a distance of 131.57 feet to the beginning of a tangent curve concave Westerly and having a radius of 9900.00 feet; thence continuing along said Easterly boundary, Southerly along said tangent curve, through a central angle of 04°25'41", an arc distance of 765.10 feet to the Southeasterly corner of that certain parcel of land described by DEED to SIERRA HEALTH SERVICES, INC., recorded September 18, 1992 in Book 920918 as Instrument Number 00001 of Clark County, Nevada Records, the TRUE POINT OF BEGINNING, a radial line through said point bears, North 80°27'02" East; thence continuing along said Easterly boundary, from a tangent which bears South 09°32'58" East, Southerly along said 9900.00 foot radius curve, through a central angle of 05°40'26", an arc distance of 980.40 feet to the Northeast corner of that certain parcel of land described by DEED to STATE FARM MUTUAL AUTOMOBILE INSURANCE CORPORATION, recorded February 11, 1992 in Book 920211 as Instrument Number 01166 of Clark County, Nevada Records; thence along the North line of said STATE FARM parcel, North 62°21'33" West a distance of 620.58 feet to the Northeasterly Right-of-Way line of BOX CANYON DRIVE as shown on the plat of said RESUBDIVISION OF A PORTION OF THE LAS VEGAS TECHNOLOGY CENTER; thence along said Northeasterly Right-of-Way line of BOX CANYON DRIVE, from a tangent which bears North 00°28'21" East, Northerly along the arc of a 530.00 foot radius curve concave Westerly, through a central angle of 24°43'20", an arc distance of 228.69 feet; thence continuing along said Northeasterly Right-of-Way line of BOX CANYON DRIVE, tangent to said curve, North 24°14'59" West a

INITIALS



GRANT DEED

Legal Description

NOV 15 1995

EXHIBIT A

A.P.N. 138-15-810-005 (290-603-020)

distance of 288.03 feet to the beginning of a tangent curve concave Southwesterly and having a radius of 481.49 feet; thence continuing along said Northeasterly Right-of-Way line of BOX CANYON DRIVE, Northwesterly along said tangent curve, through a central angle of 12°33'34", an arc distance of 105.54 feet to the Southwesterly corner of said SIERRA HEALTH SERVICES, INC. Parcel, a radial line through said Southwesterly corner bears North 53°11'27" East; thence departing said Northeasterly Right-of-Way line of BOX CANYON DRIVE, along the Southwesterly line of said SIERRA HEALTH SERVICES, INC. Parcel, along a line radial to the Easterly boundary of said LOT 4, Block 1, North 80°27'02" East a distance of 662.94 feet to the TRUE POINT OF BEGINNING.

The above described parcel of land contains an area of 10.205 acres, more or less.

RESERVING AN EASEMENT over, across and under the Easterly 10 feet of the above described parcel of land, in favor of the LAS VEGAS TECHNOLOGY CENTER OWNERS ASSOCIATION, its successors and assigns, for purposes of erecting, maintaining, removing and replacing block wall and fencing along the easterly edge of the easement area. The easement rights include the right of ingress and egress to and from said wall and fencing and the right to clear away growth and other obstacles as may be necessary for the purposes described herein.

INITIALS



ESCROW INSTRUCTIONS CITY COUNCIL MINUTES

NOV 15 1995

TO: NEVADA TITLE COMPANY

HI LI ESCROW

3320 W. SAHARA AVENUE, STE 200

LAS VEGAS, NV 89102

(702) 251-5000

FAX NUMBER: (702) 362-3432

OCTOBER 6, 1995

ESCROW #: 95-09-0154 RMG

ESCROW OFFICER: TROY LOCHHEAD

The undersigned CITY OF LAS VEGAS, A MUNICIPAL CORPORATION (herein SELLER), and SIERRA HEALTH SERVICES, INC., A NEVADA CORPORATION (herein BUYER), hereby authorize, direct and instruct NEVADA TITLE COMPANY, a Nevada Corporation, (herein ESCROW), as follows:

1. BUYER and SELLER have entered into that certain AGREEMENT FOR PURCHASE AND SALE (herein AGREEMENT), a copy of which is attached hereto as EXHIBIT A. By this reference said AGREEMENT is incorporated herein. Pursuant to the to the AGREEMENT the parties have agreed that SELLER shall sell and BUYER shall purchase that certain real property of the SELLER, which real property is described in the AGREEMENT.
2. BUYER and SELLER, desire to utilize ESCROW to receive and transfer the various documents and funds to be exchanged pursuant to the AGREEMENT, and to cause the requisite assurance of title to be obtained.
3. These Escrow Instructions are not intended to modify or amend the AGREEMENT between SELLER and BUYER unless such modification and/or amendment is specifically set forth herein.
4. ESCROW is hereby authorized and directed to examine the AGREEMENT and is empowered to perform such acts as are set forth in the AGREEMENT only to the extent that such terms and conditions are within the control of ESCROW. The delivery of funds to ESCROW and the recording of instruments deposited with ESCROW shall signify that all of the terms and conditions in the AGREEMENT have been complied with or waived to the satisfaction of BUYER and SELLER.
5. ESCROW is released from any liability and/or responsibility of any condition, agreement or provision in the AGREEMENT not within the control of ESCROW or that shall survive the close of this escrow.
6. Make prorations on basis of 30-day month.
7. "Close of Escrow" shall mean the day papers are filed for record.
8. When the conditions of this escrow have been complied with you are authorized to deliver the instruments and funds required in connection with this escrow to the parties entitled. You will record the necessary Deeds, Trust Deeds and other instruments.
9. From funds due the SELLER pay any encumbrance you may find against said property, except as set forth in the AGREEMENT.
10. Deduct from the amount collected from our respective accounts any payments made by you pursuant to these instructions, together with your charges.
11. All disbursements by ESCROW are to be made by check on the account of NEVADA TITLE COMPANY.
12. In the event these instructions provide for title to be vested in an "ASSIGNEE" and/or "NOMINEE" ESCROW is authorized to insert the name of said assignee/nominee into the deed and related documents prior to delivery and/or recording of same.

CITY COUNCIL MINUTES

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13. ESCROW is authorized to compute and insert appropriate dates and amounts on new encumbrances and Promissory Notes, if any.

14. Time is of the essence of these instructions. SELLER and BUYER shall comply with all requirements necessary to place this escrow in condition to close on or before December 7, 1995, provided however, that if said closing date falls on a Saturday, Sunday or holiday, the time limit herein set out is hereby extended through the next full business day and provided further that ESCROW is authorized to take any administrative steps necessary to implement the close of this escrow subsequent to said closing date unless otherwise instructed by a party hereto.

15. NEVADA TITLE COMPANY shall have no liability in connection with any PERSONAL PROPERTY which is the subject of this escrow.

16. These instructions may be executed in any number of counterparts each of which shall be considered as an original and effective as such.

17. POST-CLOSING ADJUSTMENTS: In the event a post-closing or post-disbursement adjustment is necessary by an entity involved with this escrow transaction, the undersigned authorizes Nevada Title Company to, if immediate action be necessary, advance funds on their behalf to effect an accurate closing settlement. The undersigned, upon notification and reasonable opportunity to investigate such advances, agrees to fully cooperate and pay to Nevada Title Company any and all funds so advanced on their behalf.

CITY COUNCIL MINUTES

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GENERAL PROVISIONS

Either principal hereunder claiming right of cancellation of this escrow, shall file notice for cancellation in the office of your company, in writing, in duplicate. You shall within three days thereafter mail one copy of such writing to the other party at his address as stated below. Unless written objection shall thereto shall be filed in such office by such other party within ten days thereafter you are authorized to comply with such notice and demand. In the event that such written objection shall be filed, you are authorized to hold all money and instruments in this escrow pending agreement of the parties or final order of a court of competent jurisdiction, except however, the parties hereto expressly agree and consent that said escrow holder shall have the absolute right, at its election, to file a suit in interpleader and obtain an order from the court requiring the claimants to interplead and litigate in such court their several claims and rights amongst themselves. In the event such suit is brought, they jointly and severally agree to pay said escrow holder all costs, expenses and reasonable attorney fees which it may expend or incur in such interpleader suit, the amount thereof to be fixed and judgement therefore to be rendered by the court is such suit. Upon filing of such suit, said escrow holder shall thereupon be fully released and discharged from all obligation to further perform any duties or obligations otherwise imposed by the terms of this escrow.

In the event that a suit is brought by any party or parties to these escrow instructions, to which the escrow holder is named as a party which results in a judgement in favor of the escrow holder and against a principal or principal's agent herein, the principal or principal's agent agree to pay said escrow holder all costs, expenses and reasonable attorney's fees which it may expend or incur in said suit, the amount thereof to be fixed and judgement therefore to be rendered by the court in said suit.

This agreement in all parts applies to, inures to the benefit of, and binds all parties hereto, their heirs, legatees, devisees, administrators, executors, successors and assigns, and whenever the context so requires, the masculine gender includes the feminine and neuter, and the singular number includes the plural.

ESCROW is hereby appointed the agent of the BUYER and SELLER for the purpose of endorsing and depositing checks into escrow on their behalf.

Each of the undersigned hereby acknowledges receipt of a full copy of these instructions.

SELLER CITY OF LAS VEGAS

BUYER SIERRA HEALTH SERVICES, INC.

APPROVED AS TO FORM:

ADDRESS FOR NOTICES

ADDRESS FOR NOTICES

FEDERAL TAX ID #:

FEDERAL TAX ID #:

EXHIBIT "A" CITY COUNCIL MINUTES

NOV 15 1995

AGREEMENT FOR PURCHASE AND SALE

THIS AGREEMENT, entered into this 7th day of JUNE, 1995, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada (hereinafter the "City") and SIERRA HEALTH SERVICES, INC., a Nevada corporation (hereinafter the "Developer").

WITNESSETH:

WHEREAS, the City owns certain real property that is located within what is known as the Las Vegas Technology Center (hereinafter the "Technology Center"); and

WHEREAS, the Technology Center is comprised of approximately 250 acres that is bounded by the Oran K. Gragson Highway on the east, Cheyenne Avenue on the north, the proposed detention basin for the Clark County Regional Flood Control District on the west and Smoke Ranch Road on the south; and

WHEREAS, the Developer desires to exercise its option to purchase from the City approximately ten and two-tenths (10.2)

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acres of City-owned property located within the Technology Center (hereinafter the "Site"); and

WHEREAS, the Site is subject to that certain document entitled "Las Vegas Technology Center - Amended Declaration of Covenants, Conditions and Restrictions - December, 1990 (hereinafter the "CC&R's"), which is recorded in the records of the Clark County Recorder at Book 910109, Instrument 00470; and

WHEREAS, the parties desire to set forth in this Agreement the terms and conditions of the purchase and sale of the Site.

NOW, THEREFORE, in consideration of the foregoing and of the covenants and conditions contained herein, the parties agree as follows:

1. PURPOSE OF AGREEMENT

The purpose of this Agreement is to accomplish the sale to and purchase by the Developer of the Site hereinafter described. As used in this Agreement, "Developer" refers to Sierra Health Services, Inc., or its nominee or assignee, subject to the provisions of Section 23.

CITY COUNCIL MINUTES

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2. THE SITE

The Site, consisting of approximately ten and two-tenths (10.2) acres, is depicted generally in Exhibit A and described more particularly in Exhibit B. Exhibits A and B are attached hereto and incorporated herein by this reference. The Site consists of unimproved land to which utilities and all off-site improvements (excluding sidewalks and driveways) are available.

3. GENERAL SCOPE OF ACQUISITION

In accordance with the terms of this Agreement, the City agrees to sell to the Developer, and the Developer agrees to purchase, the Site described above.

4. PURCHASE PRICE

The purchase price for the Site is approximately Two Million Four Hundred Forty-Three Thousand Seven Hundred Sixteen Dollars (\$2,443,716) (Five Dollars and Fifty Cents (\$5.50) per square foot, 10.2 acres). The purchase price shall be paid in accordance with Section 5 of this agreement.

CITY COUNCIL MINUTES

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5. PAYMENT OF THE PURCHASE PRICE

The purchase price described in Section 4 shall be paid as follows:

A. The Developer shall receive a credit against the Purchase Price equal to the Earnest Money Deposit provided such Deposit has been paid to the City in accordance with Section B.

B. At or before the close of escrow, the Developer shall deposit Four Hundred Eighty-Eight Thousand Dollars (\$488,000) into escrow (hereinafter the "Initial Payment").

C. The remainder of the Purchase Price (One Million Nine Hundred Fifty-Five Thousand Seven Hundred Sixteen Dollars) (\$1,955,716) shall be paid no later than thirty (30) months after the close of escrow, together with seven percent (7%) simple interest per annum on the unpaid balance. The Developer agrees to deposit in escrow, prior to and as a condition of the close of escrow, a promissory note in the amount of One Million Nine Hundred Fifty-Five Thousand Seven Hundred Sixteen (\$1,955,716) (hereinafter the "Promissory Note") evidencing the Developer's obligation to pay the remaining purchase price and a first deed of trust (hereinafter the "Deed of Trust") in the City's favor to secure the obligation.

CITY COUNCIL MINUTES

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Both the promissory note and the deed of trust must be in a form satisfactory to the City.

6. SITE DEVELOPMENT

The Developer and the City agree that:

A. Any and all development on the Site will conform to the procedures and limitations contained in the City's zoning regulations and the CC&R's;

B. The acquisition of the Site is for the purpose of constructing a health care/administrative facility for use by the Developer and/or its nominee, and is not for speculative purposes. The Developer will not sell or transfer the Site or any portion thereof except as provided under Section 23.

C. Within 24 months after the acquisition of the Site, the Developer will begin construction and will complete such construction within 18 months after commencement thereof, or within such additional time as corresponds to the extent of any delay that is caused by material shortages, labor disputes, fire, civil riots, unforeseen acts of government, acts of God or other

CITY COUNCIL MINUTES

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events reasonably beyond the Developer's control. The 24-month requirement shall not apply if the Developer demonstrates to the City that competitive financing to develop the Site is unavailable. However, in order to avail itself of the preceding sentence, the Developer must, within 21 months after the acquisition of the Site, notify the City of the unavailability of financing and request an extension of time. The request must propose a specified period within which the Developer will acquire financing and commence construction.

D. The Developer will be responsible for the installation, at its expense, of all sidewalks and driveways and on-site utilities, sewer lines and other on-site improvements.

E. If required by the Developer, the City agrees to subordinate the Deed of Trust executed by the Developer as security for the City's Promissory Note to the construction loan obtained by the Developer from an institutional lender approved by the City, which approval shall not be unreasonably withheld, for the development of the Site. Such construction loan shall include as a part thereof the following terms and conditions:

1. That the amount of the construction loan shall not exceed Fifty Million Dollars (\$50,000,000);

CITY COUNCIL MINUTES

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2. That the City shall not be obligated to pay any such loan or any part thereof;

3. That the construction loan shall require the institutional lender to provide the City with a thirty (30) day written notice of any default on the part of the Developer and an opportunity to the City to cure such default for a period of sixty (60) days following receipt of such notice;

4. That a default under the construction loan shall automatically constitute a default under the City's Promissory Note and Deed of Trust;

5. That a construction loan will be solely for the purpose of constructing the project and upon completion thereof, will be paid off by the Developer by means of a permanent loan.

Upon completion of the project, the Developer agrees to obtain a permanent loan in an amount sufficient to pay off the construction loan and the outstanding balance of the Promissory Note.

Failure on the part of the Developer, after acquisition

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of the Site, to comply with the provisions of this Section 6 shall entitle the City, in its sole discretion, to exercise its rights under Section 26.

7. GENERAL REPRESENTATIONS

The City and the Developer each represent and warrant that:

A. This Agreement and all agreements, instruments and documents herein provided to be executed are duly executed and binding on the parties;

B. The execution, consent or acknowledgment of no other party is necessary to effect the obligations of the City or the Developer as provided in this Agreement;

C. This Agreement does not now or shall not hereafter breach, invalidate, cancel, make inoperative or interfere with any contract, agreement, instrument, mortgage, deed of trust, promissory note, lease, bank loan or credit agreement.

CITY COUNCIL MINUTES

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8. EARNEST MONEY DEPOSIT

Concurrently with its execution of this Agreement, the Developer shall deliver to the City a deposit (the "Earnest Money Deposit") in the form of either cash or a cashier's check in the amount of \$20,000.00. Prior to the City's execution of this Agreement, any attempt on the part of the Developer to revoke its offer to enter into this Agreement or to materially modify the terms hereof without the City's consent shall entitle the City to retain the Earnest Money Deposit.

Upon fulfillment of all conditions necessary to enable escrow to close with respect to the Site, the Earnest Money Deposit shall be applied toward the purchase of the Site.

9. ACQUISITION AND CONVEYANCE

In accordance with and subject to all the terms, covenants and conditions of this Agreement, the City agrees to convey to the Developer the Site in accordance with this Agreement. Except as otherwise specifically provided, all closing and escrow costs related to the conveyance of the Site to the Developer shall be borne by the parties in equal shares.

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10. ESCROW

The Developer agrees to open an escrow with Nevada Title Company of Las Vegas, or another mutually agreed upon title company, (the "Title Company"), as escrow agent (the "Escrow Agent"), in Clark County, Nevada, within 90 days after the effective date of this Agreement. This Agreement constitutes the joint escrow instructions of the City and the Developer, and a duplicate original of this Agreement shall be delivered to the Escrow Agent upon the opening of escrow. The City and the Developer shall provide such additional escrow instructions as shall be necessary and consistent with this Agreement. Unless otherwise specified in any supplemental escrow instructions, the terms of this Agreement shall prevail in the case of any conflict between this Agreement and such instructions. The Escrow Agent hereby is empowered to act under this Agreement, and, upon indicating its acceptance of the provisions of this Section 10 in writing, delivered to the City and to the Developer within five days after the opening of the escrow, shall carry out its duties as Escrow Agent hereunder.

The City shall timely and properly execute, acknowledge and deliver to the Escrow Agent a deed conveying to the Developer title to the Site in accordance with this Agreement.

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Upon delivery of the deed to the Escrow Agent by the City and upon tender by the Developer of the Initial Payment and the other documents described in Section 5, the Escrow Agent shall record such deed when title can be vested in the Developer and title insurance as required by Section 16 hereof can be provided in accordance with the terms and provisions of this Agreement. The Escrow Agent shall buy, affix and cancel any transfer stamps required by law and pay any transfer tax required by law.

The Escrow Agent is authorized and instructed to:

A. Expeditiously obtain a preliminary title report ("PTR") for the Site and deliver a copy to each party. Thereafter, the Developer shall have 10 working days in which to accept, reject or request modification of the PTR. The Developer's failure to object to the PTR within 10 working days after delivery shall be deemed to represent the Developer's approval of the PTR.

B. Charge the parties obligated hereunder, and to pay to the persons entitled thereto, any fees, charges and costs payable under this Section 10 and related solely to the acquisition and transfer to the Developer of the Site. Before such payments are made, the Escrow Agent shall notify the City and the

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Developer of the fees, charges and costs necessary to clear title and close the escrow;

C. Disburse funds and deliver the deed and other documents to the Parties entitled thereto when the conditions of this escrow have been fulfilled by the City and the Developer;

D. Obtain and charge each of the parties one-half of the cost of an ALTA title insurance policy insuring title to the Site in conformance with the requirements of Section 16 of this Agreement; and

E. Record any instruments delivered through this escrow, if necessary or proper, to vest title in the Developer in accordance with the terms and provisions of this Agreement.

All funds received in this escrow may be deposited by the Escrow Agent with other escrow funds of the Escrow Agent in a general interest bearing escrow account or accounts with any state or national bank doing business in the State of Nevada. Such funds may be transferred to any other such general interest bearing escrow account or accounts. All disbursements shall be made by check of the Escrow Agent. All adjustments shall be made on the basis of a 30-day month. Any interest that is earned on

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funds deposited under this paragraph shall be for the benefit of the party responsible for depositing those funds with the Escrow Agent.

If this escrow is not in condition to close before the time for the conveyance of the Site as established in this Agreement, either Party who then shall have fully performed the acts to be performed before the conveyance of title may, in writing, terminate this Agreement and demand the return of its money, papers or documents. Thereupon all obligations and liabilities of the Parties shall cease and terminate, except that the Party who has not fully performed shall be solely responsible for any escrow cancellation charges. If neither the City nor the Developer shall have fully performed the acts to be performed by it on or before the time for the conveyance of the Site as established in this Agreement, no termination or demand for return shall be recognized until ten days after the Escrow Agent shall have mailed copies of such demand to the other party or parties at the address of its or their principal place or places of business. If any objections are raised within the 10-day period, the Escrow Agent is authorized to hold all money, papers and documents with respect to the Site until instructed in writing by both the City and the Developer or, upon failure thereof, by a court of competent jurisdiction. If no such

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demands are made, the escrow shall be closed as soon as possible. Nothing in this Section 10 shall be construed to impair or affect the rights or obligations of the City or the Developer to specific performance.

The Escrow Agent shall not be obligated to return any such money, papers or documents except upon the written instructions of both the City and the Developer or until the party entitled thereto has been determined by a final decision of a court of competent jurisdiction.

Any amendment of these escrow instructions shall be in writing and signed by both the City and the Developer. At the time of any amendment, the Escrow Agent shall agree to carry out its duties as Escrow Agent under such amendment.

All communications from the Escrow Agent to the City or the Developer shall be directed to the addresses and in the manner established in Section 30 of this Agreement for notices, demands and communications between the City and the Developer.

The liability of the Escrow Agent under this Agreement is limited to performance of the obligations imposed upon it under Sections 10 to 16, inclusive, of this Agreement.

CITY COUNCIL MINUTES

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The City agrees to pay to Scott J. Ruthe of Charles L. Ruthe & Associates, Inc., at the close of escrow, a brokerage commission in the amount of Ninety-Three Thousand, Three Hundred Eleven Dollars and Forty-Eight Cents (\$93,311.48). Neither the City nor the Developer shall be liable for any other real estate commissions or brokerage fees which may arise herefrom, and the City and the Developer each represent that neither has engaged any other broker, agent or finder in connection with this transaction.

11. CONVEYANCE OF TITLE AND DELIVERY OF POSSESSION

A. Provided that the Developer is not in material default under this Agreement and all conditions precedent to such conveyance have occurred, and subject to any mutually agreed upon extensions of time, conveyance to the Developer of title to the Site shall be completed on or prior to 30 days after title to the Site is in the condition specified in Section 13 and the contingencies described in Subsection B of this Section have been fulfilled, but in no event later than 180 days after the effective date of this Agreement. The City and the Developer agree to perform all acts necessary to conveyance of title in sufficient time for title to be conveyed in accordance with the foregoing provisions.

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B. Possession shall be delivered to the Developer concurrently with the conveyance of title, except that limited access shall be permitted before conveyance of title as permitted in Section 20 of this Agreement. The Developer shall accept title and possession on or before the closing date described in Subsection A of this Section 11.

12. FORM OF DEED

The City shall convey to the Developer or to its nominee fee simple title to the Site in the condition provided in Section 13 of this Agreement by a grant, bargain and sale deed in a form that is consistent with this Agreement and that is acceptable to the Title Company.

13. CONDITION OF TITLE

The City shall convey title to the Site free and clear of all recorded liens, encumbrances, assessments, taxes, and other defects except those acceptable to the Developer.

14. CONDITIONS PRECEDENT TO CLOSING

In order for escrow to close with respect to the Site,

the City must have deposited with the Escrow Agent the appropriate deed and the Developer must have deposited with the Escrow Agent the Initial Payment and the other documents described in Section 5.

15. CLOSE OF ESCROW

Upon the fulfillment of the conditions described in Section 14, the Escrow Agent shall file the deed for recordation among the land records in the Office of the County Recorder of Clark County and shall deliver to the Developer a title insurance policy insuring title in conformity with Section 16 of this Agreement. The recordation of the deed shall constitute the close of escrow.

16. TITLE INSURANCE

Concurrently with recordation of any deed, the Title Company shall provide and deliver to the Developer a title insurance policy issued by the Title Company insuring that the title to the property is vested in the Developer in the condition required by Section 13 of this Agreement. The Title Company shall provide the City with a copy of the title insurance policy and the title insurance policy shall be in the amount of the

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acquisition cost of the property.

17. TAXES, ASSESSMENTS, ENCUMBRANCES, AND LIENS

The Developer shall be responsible for the payment of all real estate taxes and assessments assessed and levied on the Site for any period subsequent to conveyance of title thereto. Prior to conveyance of title, the Developer shall not place or allow to be placed on the Site (or portion thereof) any encumbrance or lien.

18. CONVEYANCE FREE OF POSSESSION

The Site shall be conveyed free of any possession or right of possession by any person except that of the Developer.

19. ZONING OF THE SITE

The City represents that the City of Las Vegas General Plan and zoning ordinances permit the development and construction on the Site of facilities for Sierra Health Services, Inc..

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20. CONDITION OF THE SITE

(A) The Site shall be conveyed from the City to the Developer in an "as is" condition, subject to the provisions of this Section.

(B) After escrow closes with respect to the Site, Developer shall have the right to rescind this Agreement within the time period set forth in Subsection C of this Section in the event the Developer, during that time period, discovers the presence on or under the Site, or the release, escape, seepage, leakage or migration at or from the Site, of any hazardous substance in an amount or of a nature that makes development of the Site undesirable to the Developer. To the best knowledge of the City, no hazardous substances exist on, in or adjacent to the Site.

(C) The Developer's right to rescind pursuant to Subsection (B) of this Section is contingent upon the following:

i. The hazardous substance that is discovered on the Site subsequent to the close of escrow must have existed prior to close of escrow;

CITY COUNCIL MINUTES

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NOV 15 1995

ii. The Developer must establish that it did not know or have reason to know of the existence of the hazardous substance; and

iii. Not later than two (2) years after the close of escrow the Developer must provide written notice to the City that the Site is suitable for building. The written notice must include a release of the right to rescind pursuant to this Section.

(D) In the event the Developer rescinds pursuant to this Section, the Developer agrees to reconvey the Site to the City in the physical condition and condition of title at least as good as when conveyed to the Developer. In connection with such reconveyance, the City agrees to return to the Developer the Earnest Money Deposit (\$20,000), the Initial Payment (\$468,000) and any payment made to the City for the Site. The Developer agrees to pay any and all costs of any kind which may be associated with the reconveyance, including closing costs, recording fees, escrow fees, and any applicable taxes.

21. PRELIMINARY ACCESS BY THE DEVELOPER

For a period of ninety (90) days after the execution of this Agreement, representatives of the Developer shall have the

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right of access to the Site at all reasonable times for the purpose of obtaining data and making surveys and tests necessary to carry out this Agreement including without limitation, soils, subsoils and surface tests. The Developer shall indemnify, defend and hold the City harmless for any personal injury, death or property damage, including costs and attorney's fees, arising out of any activity by the Developer or its agents, employees or contractors pursuant to this Section.

The Developer shall have access to all data and information on the Site available to the City, but without warranty or representation by the City as to the completeness, correctness or validity of such data and information.

Any preliminary work undertaken on the Site by the Developer shall be done only after written consent of the City Manager (which consent shall not be unreasonably withheld) and at the sole expense of the Developer. The Developer shall save and protect the City against any claims resulting from such preliminary work, access or use of the Site and execute such documents as are customarily required for entry onto public property. The City Manager is authorized to execute such documents for the Developer's entry onto public property without further action by the City. Copies of data, surveys and tests obtained or made by the Developer

CITY COUNCIL MINUTES

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on the Site shall be filed with the City. Any preliminary work by the Developer shall be undertaken only after securing any necessary permits from the appropriate governmental agencies.

Notwithstanding any other provision of this Agreement, the Developer shall have the right to terminate this Agreement at any time during the ninety (90) day period, if inspection of the Site reveals soil or similar conditions that, in the Developer's reasonable judgment, make development impossible or impractical. Upon its exercise of said right to terminate, the Developer shall be entitled to the return of the Earnest Money Deposit.

22. GOVERNMENTAL PERMITS

Nothing in this Agreement shall affect the responsibility of the Developer to seek, obtain and comply with the conditions of any and all permits and governmental authorizations necessary to develop the Site or any portion thereof. However, the City agrees to cooperate with the Developer in facilitating the obtaining of such permits and authorizations. The Developer shall be responsible for the payment of permit fees, which shall be limited to those fees that are authorized by ordinance.

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23. ASSIGNMENT

Except as provided in this Section, the Developer shall not sell, transfer, convey or assign the Site or any portion thereof, the building or other improvements thereon, or any interest or obligation under this Agreement without the written consent of the City, which consent shall not be unreasonably withheld.

Notwithstanding the foregoing, this prohibition shall not be deemed to prevent the granting of easements or permits to facilitate the development of the Site, or (ii) to prohibit mortgages, deeds of trusts or any other form of conveyance required for any reasonable method of financing the construction of improvements on the Site. Subject to such consent, the Developer shall also have the right to designate another person or entity as nominee for purposes of taking title to the Site or portion thereof; provided, however, that both the Developer and its nominee shall be obligated to perform in accordance with this Agreement. The Developer may, without the City's consent, make an assignment or delegation to any entity in which the Developer or its principal shareholder retains a controlling interest.

24. TIME OF ESSENCE

Time is of the essence of this Agreement and every obligation hereunder.

25. DEFAULT AND REMEDIES

If the Developer fails to fulfill its obligations with respect to the purchase of the Site, where such failure is not based upon defective title or is not otherwise excused specifically under this Agreement, the City shall be entitled to terminate this Agreement and retain the Earnest Money Deposit.

Additionally, either party may avail itself of any legal or equitable remedy for breach. No such remedy shall be available unless and until:

A. Written notice of default is provided to the party in default; and

B. Within 20 days after receipt of such notice, such default has not been cured to the reasonable satisfaction of the party giving notice.

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26. RIGHT TO REPURCHASE, REENTER, AND REPOSSESS

In addition to and independent of any other remedy available to it, the City shall have the additional right at its option to repurchase, reenter and take possession of the Site with all improvements thereon, if, after conveyance of title thereto, and prior to the issuance of all certificates of occupancy therefor, the Developer fails or refuses to comply with or to cure the default of any provision of Section 6 for a period of 30 days after written notice thereof from the City. If the Developer has taken reasonable steps to cure, but cannot reasonably cure such default within the 30-day period, it shall have a reasonable time thereafter to effect such cure.

The right to repurchase, reenter and repossess, to the extent provided in this Agreement, shall be subordinate and subject to and be limited by and shall not defeat, render invalid or limit any mortgage, deed of trust, sale and leaseback or other security instrument or conveyance for financing permitted by this Agreement.

To exercise its right to repurchase, reenter and take possession of the Site, the City, or its nominee, shall pay to the Developer in cash an amount not less than:

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A. The Developer's costs to date expended by the Developer for the acquisition of the Site; plus

B. The actual costs incurred by the Developer for the development of the Site or for the construction of the improvements thereon including, but not limited to, costs of interest, fees, points and loan charges on any land, construction or permanent loan taken out by the Developer in connection with the acquisition and development thereof, less any gain or income withdrawn or made by the Developer therefrom.

27. SURVIVAL

The representations and warranties contained in this Agreement, and the covenants that extend beyond the conveyance of title, shall survive the recordation of any deed and shall not be deemed merged into such deed.

28. SUCCESSORS AND ASSIGNS

This Agreement shall enure to the benefit of and bind the successors and assigns of the respective parties hereto, subject to the provisions of this Agreement regarding assignment.

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29. NONLIABILITY OF CITY OFFICIALS AND EMPLOYEES

No official or employee of the City shall be personally liable to the Developer for any default or breach by the City, for any amount which may become due to the Developer or for any obligation of the City under the terms of this Agreement.

30. NOTICES, DEMANDS AND COMMUNICATIONS

Formal notices, demands and communications between the City and the Developer shall be sufficiently given if made in writing and dispatched by registered or certified mail, postage prepaid, return receipt requested or by personal delivery, to the principal offices of the City and the Developer as set forth in this Section 30. Such written notices, demands and communications may be sent in the same manner to such other addresses as either party may from time to time designate in writing.

If to the City:

City Manager's Office
400 East Stewart Avenue
Las Vegas, Nevada 89101

If to the Developer:

SIERRA HEALTH SERVICES, INC.
P.O. Box 15645
Las Vegas, NV 89114-5645

31. ENTIRE AGREEMENT, WAIVERS AND AMENDMENTS

This Agreement is executed in two duplicate originals, each of which is deemed to be an original. This Agreement comprises pages 1 through 31, inclusive, and Exhibits A and B attached hereto and incorporated herein by reference, all of which constitute the entire understanding and agreement of the parties.

This Agreement integrates all of the terms and conditions mentioned herein or incidental hereto, and supersedes all negotiations or previous agreements between the parties with respect to all or any part of the subject matter hereof.

All waivers of the provisions of this Agreement must be in writing and signed by the appropriate authorities of the City and the Developer and no waiver of one provision shall be construed as a waiver of that provision in the future or as a waiver of any other provision.

All amendments hereto must be in writing and signed by the appropriate authorities of the City and the Developer.

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32. SEVERABILITY

Whenever possible, each provision of this Agreement shall be interpreted in such a manner as to be valid under applicable law, but if any provision shall be invalidated, it shall be deemed to be severed from this Agreement and the remaining provisions shall remain in full force and effect.

33. GOVERNING LAW

The interpretation and enforcement of this Agreement shall be governed in all respects by the laws of the State of Nevada.

34. CAPTIONS

The captions contained in this Agreement are for the convenience of the parties and shall not be construed so as to alter the meaning of the provisions of the Agreement.

35. TIME FOR ACCEPTANCE OF AGREEMENT BY CITY

This Agreement, when executed by the Developer and delivered to the City, must be approved by the City Council, exe-

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cuted and delivered by the City within 60 days or this Agreement shall be void, except to the extent that the Developer shall consent in writing to further extensions of time for the authorization, execution and delivery of this Agreement. By executing this Agreement and submitting it to the City, the Developer is making an irrevocable offer to enter into this Agreement, which offer shall continue for the period of time specified above. Any attempted revocation of such offer or material modification of the terms hereof without the consent of the City shall entitle the City to retain the Developer's Earnest Money Deposit. The effective date of this Agreement shall be the date when this Agreement has been signed by the City. This Agreement may be

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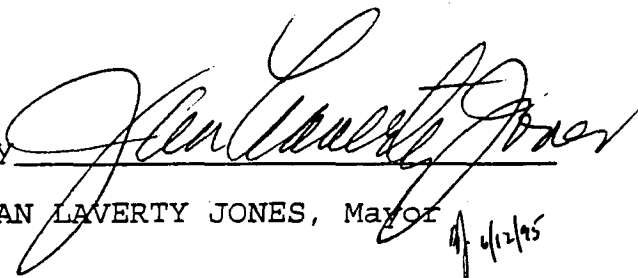
recorded in the Office of the County Recorder, Clark County,
Nevada.

Date of City Council Approval:

JUNE 7, 1995

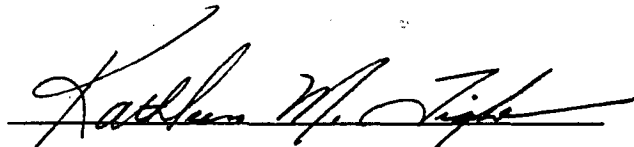
CITY OF LAS VEGAS

By


JAN LAVERTY JONES, Mayor

4/12/95

ATTEST:

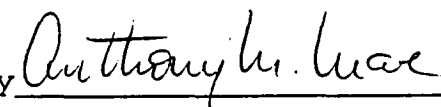


KATHLEEN M. TIGHE, City Clerk

JUNE 7, 1995

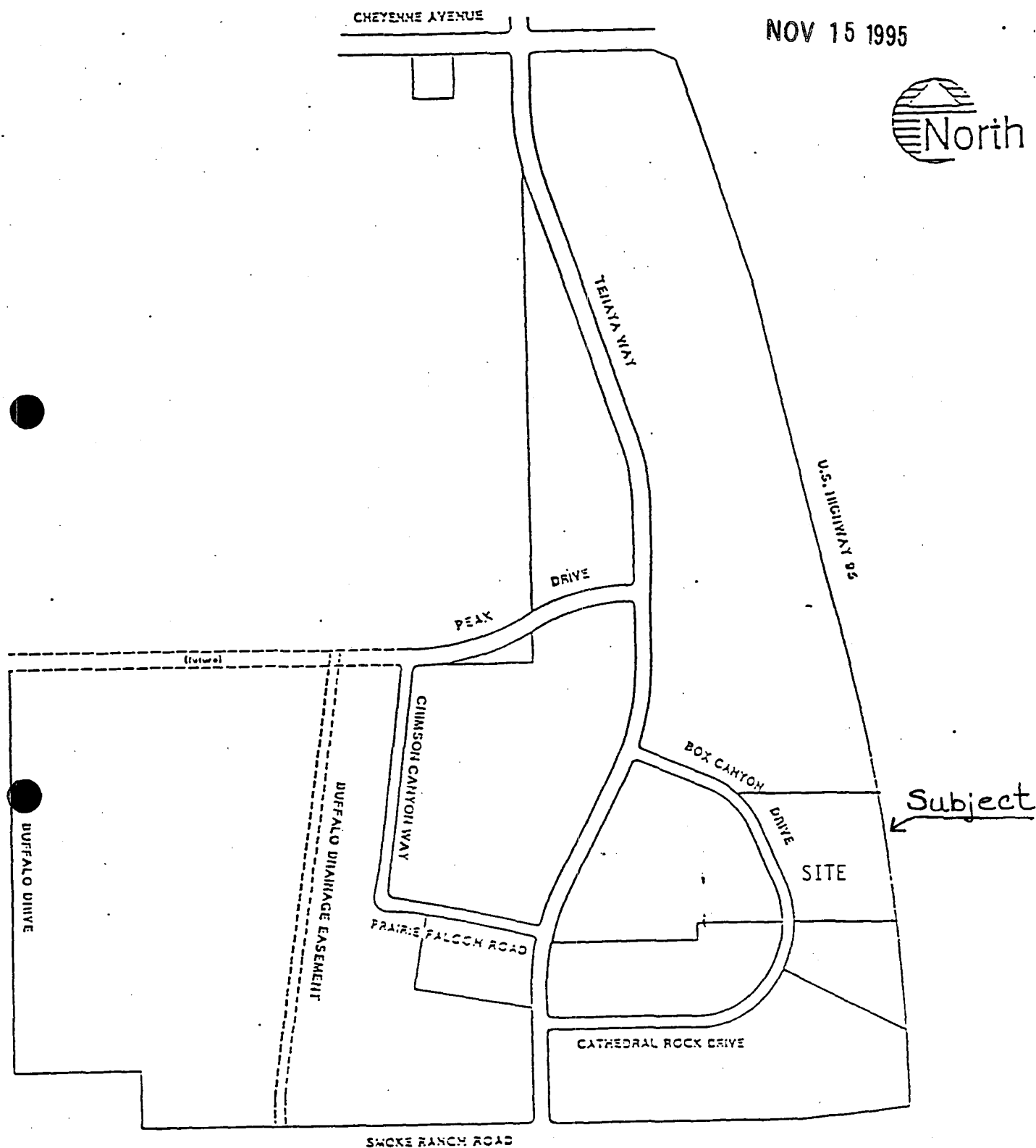
SIERRA HEALTH SERVICES, INC.

By



ANTHONY M. MARLON, M.D.
Chairman, Chief Executive Officer

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CITY COUNCIL MINUTES

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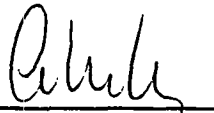
EXHIBIT B

A.P.N. 138-15-810-005 (290-603-020)

That portion of the Southeast Quarter (SE 1/4) of Section 15, Township 20 South, Range 60 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, being that portion of LOT 4, BLOCK 1 of the RESUBDIVISION OF A PORTION OF THE LAS VEGAS TECHNOLOGY CENTER, a Commercial Subdivision, as shown on the plat thereof on file in Book 47 of Plats, Page 35 of Clark County, Nevada Records, described as follows:

COMMENCING at the intersection of the centerlines of TENAYA WAY and PEAK DRIVE as shown on the plat of said RESUBDIVISION OF A PORTION OF THE LAS VEGAS TECHNOLOGY CENTER, said intersection bears North 12°12'21" East a distance of 2752.56 feet from the Southwest corner of the Southeast Quarter (SE 1/4) of said Section 15; thence along the centerline of said PEAK DRIVE lying Easterly of the centerline of said TENAYA WAY, South 89°51'34" East a distance of 45.00 feet; thence North 07°10'13" East a distance of 12.67 feet to the Easterly prolongation of a line that is parallel with and distant 12.50 feet Northerly from the centerline of said PEAK DRIVE lying Westerly of the centerline of said TENAYA WAY; thence along the Easterly prolongation of said parallel line, South 89°57'23" East a distance of 298.29 feet to a line that is parallel with and distant 10.00 feet Southerly from that portion of the South line of LOT 1, BLOCK 7 as shown on the plat of said RESUBDIVISION OF A PORTION OF THE LAS VEGAS TECHNOLOGY CENTER, that bears South 84°04'34" West; thence along said parallel line, North 84°04'34" East a distance of 634.04 feet to a point that bears South 15°31'01" East a distance of 10.14 feet from the Southeast corner of said LOT 1, BLOCK 7; thence South 15°31'01" East a distance of 176.86 feet to the Northeast

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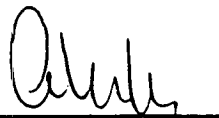
NOV 15 1995

EXHIBIT B

A.P.N. 138-15-810-005 (290-603-020)

corner of LOT 4, BLOCK 1 as shown on the plat of said RESUBDIVISION OF A PORTION OF THE LAS VEGAS TECHNOLOGY CENTER; thence along the Easterly boundary of said LOT 4, Block 1, South 13°58'39" East a distance of 131.57 feet to the beginning of a tangent curve concave Westerly and having a radius of 9900.00 feet; thence continuing along said Easterly boundary, Southerly along said tangent curve, through a central angle of 04°25'41", an arc distance of 765.10 feet to the Southeasterly corner of that certain parcel of land described by DEED to SIERRA HEALTH SERVICES, INC., recorded September 18, 1992 in Book 920918 as Instrument Number 00001 of Clark County, Nevada Records, the TRUE POINT OF BEGINNING, a radial line through said point bears, North 80°27'02" East; thence continuing along said Easterly boundary, from a tangent which bears South 09°32'58" East, Southerly along said 9900.00 foot radius curve, through a central angle of 05°40'26", an arc distance of 980.40 feet to the Northeast corner of that certain parcel of land described by DEED to STATE FARM MUTUAL AUTOMOBILE INSURANCE CORPORATION, recorded February 11, 1992 in Book 920211 as Instrument Number 01166 of Clark County, Nevada Records; thence along the North line of said STATE FARM parcel, North 62°21'33" West a distance of 620.58 feet to the Northeasterly Right-of-Way line of BOX CANYON DRIVE as shown on the plat of said RESUBDIVISION OF A PORTION OF THE LAS VEGAS TECHNOLOGY CENTER; thence along said Northeasterly Right-of-Way line of BOX CANYON DRIVE, from a tangent which bears North 00°28'21" East, Northerly along the arc of a 530.00 foot radius curve concave Westerly, through a central angle of 24°43'20", an arc distance of 228.69 feet; thence continuing along said Northeasterly Right-of-Way line of BOX CANYON DRIVE, tangent to said curve, North 24°14'59" West a

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EXHIBIT B

A.P.N. 138-15-810-005 (290-603-020)

distance of 288.03 feet to the beginning of a tangent curve concave Southwesterly and having a radius of 481.49 feet; thence continuing along said Northeasterly Right-of-Way line of BOX CANYON DRIVE, Northwesterly along said tangent curve, through a central angle of 12°33'34", an arc distance of 105.54 feet to the Southwesterly corner of said SIERRA HEALTH SERVICES, INC. Parcel, a radial line through said Southwesterly corner bears North 53°11'27" East; thence departing said Northeasterly Right-of-Way line of BOX CANYON DRIVE, along the Southwesterly line of said SIERRA HEALTH SERVICES, INC. Parcel, along a line radial to the Easterly boundary of said LOT 4, Block 1, North 80°27'02" East a distance of 662.94 feet to the TRUE POINT OF BEGINNING.

The above described parcel of land contains an area of 10.205 acres, more or less.

RESERVING AN EASEMENT over, across and under the Easterly 10 feet of the above described parcel of land, in favor of the LAS VEGAS TECHNOLOGY CENTER OWNERS ASSOCIATION, its successors and assigns, for purposes of erecting, maintaining, removing and replacing block wall and fencing along the easterly edge of the easement area. The easement rights include the right of ingress and egress to and from said wall and fencing and the right to clear away growth and other obstacles as may be necessary for the purposes described herein.

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CITY COUNCIL

MEETING OF
NOVEMBER 15, 1995

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION**

Item Number	<u>CONSENT AGENDA</u>	
	<u>DEPARTMENT OF FINANCE & BUSINESS SERVICES</u>	ADAMSEN - APPROVED Consent Items 3 through 52 as recommended (Item 18 was STRICKEN) - UNANIMOUS
9	Service and Material Checks In the amount of \$ 7,770,467.93 Payroll Checks In the amount of \$ 3,061,394.12 Wire Transfers In the amount of \$ 2,045,808.75 Other Checks and Investments In the amount of \$ 143,472.09	***** There was no discussion. (9:33 - 9:34)
	<u>LIQUOR - Change of Ownership/Change of Business Name</u>	APPROVED - See above
10	TAVERN LICENSE From: Charlies Baby Grand, Inc. dba Patricia's Lounge (Nonoperational) TO: GO'S VEGAS, INC. dba GO'S WEST 208 East Sahara John G. Gamoke, Dir, Pres, Secy, Treas, 100%	

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Check Register Recap

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SERVICE & MATERIAL CHECKS:

NUMBER	THRU	NUMBER	AMOUNT	DESCRIPTION
			(636.35)	City Voids 10/25/95
			(72,254.52)	City Voids 11/01/95
J216780		J216781	17,840.00	City Special Checks 10/25/95
J216782		J216787	88,587.88	City Special Checks 11/01/95
J965111		J965644	7,034,250.28	City Accounts Payable 10/25/95
K965645		K965933	693,663.11	City Accounts Payable 11/01/95
J700275		J700276	2,240.00	Travel Accounts Payable 10/19/95
J700277		J700280	6,777.53	Travel Accounts Payable 10/26/95
Total Service & Material			\$ 7,770,467.93	

PAYROLL CHECKS:

NUMBER	THRU	NUMBER	AMOUNT	DESCRIPTION
00188060		00188933	890,284.55	City Payroll 10/21/95
00188934		00188958	2,164,586.40	City Direct Deposit 10/21/95
00188959		00188979	5,740.55	City Assignments 10/21/95
00135979		00136066	782.62	City Travel 10/18/95
Total Payroll			\$ 3,061,394.12	

NEVADA BUSINESS SERVICES:

NUMBER	THRU	NUMBER	AMOUNT	DESCRIPTION
J410464		J410503	\$ 49,304.01	NBS Accounts Payable 10/20/95
J410504		J410543	67,668.36	NBS Accounts Payable 10/27/95
546734		546756	6,489.69	NBS Payroll 10/20/95
546757		546808	20,010.03	NBS Payroll 10/27/95
Total NBS and City Investments			\$ 143,472.09	

RECAP:

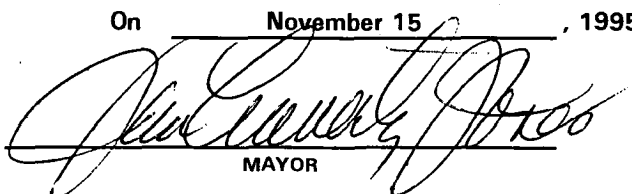
Total Service & Material Checks	\$ 7,770,467.93
Total Payroll Checks	3,061,394.12
Total NBS and City Investments	143,472.09
SUBTOTAL	10,975,334.14
Total Wire Transfers	2,045,808.75
GRAND TOTAL	\$ 13,021,142.89

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.

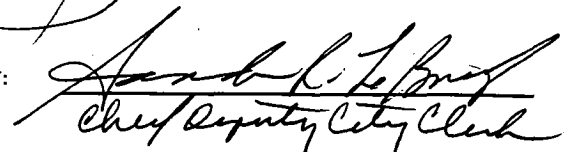

DIRECTOR OF FINANCE


CITY MANAGER

On November 15, 1995, The City Council ordered the above checks paid.


MAYOR

ATTEST:


Chief Deputy City Clerk

CITY COUNCIL

MEETING OF
NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number		
	<u>CONSENT AGENDA</u>	
	<u>DEPARTMENT OF FINANCE & BUSINESS SERVICES</u>	
	<u>LIQUOR & GAMING - Approval of Manager</u>	
11	TAVERN LICENSE RESTRICTED GAMING: 15 slots P.T. CORPORATION dba PT'S PUB 4604 West Sahara #10 Donald O. Homberg, Manager Approved by the Nevada Gaming Commission on July 27, 1995	ADAMSEN - APPROVED Consent Items 3 through 52 as recommended (Item 18 was STRICKEN) - UNANIMOUS ***** There was no discussion. (9:33 - 9:34)
12	<u>LIQUOR & GAMING - Change of Business Name</u> TAVERN LICENSE RESTRICTED GAMING: 15 slots LARRY'S OLD RANCH, INC. dba From: Old Ranch House TO: LARRY'S HIDE-AWAY 3369 Thom Boulevard Lawrence A. LaPenta, Dir, Pres, Secy, Treas Lawrence A. LaPenta Family Trust, 100%, Lawrence A. LaPenta, Trustee	APPROVED - See above

CITY COUNCIL

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number		
	<u>CONSENT AGENDA</u>	
	<u>DEPARTMENT OF FINANCE & BUSINESS SERVICES</u>	ADAMSEN - APPROVED Consent Items 3 through 52 as recommended (Item 18 was STRICKEN) - UNANIMOUS
	<u>LIQUOR - Reclassification</u>	*****
13	From: Beer/Wine/Cooler Off-Sale License TO: PACKAGE LIQUOR LICENSE SAM E. HAMIKA dba KWIKY MINI MART 732 North Eastern Sam E. Hamika, 100%	There was no discussion. (9:33 - 9:34)
	<u>MASSAGE ESTABLISHMENT -- New</u>	
14	CHRISTL NAUBEREIT dba NEUROMUSCULAR THERAPY 3170 West Sahara #D-16 Christl E. Naubereit, 100%	APPROVED - See above

CITY COUNCIL

MEETING OF

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*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION**

Item Number	<u>CONSENT AGENDA</u>	
	<u>DEPARTMENT OF FINANCE & BUSINESS SERVICES</u>	ADAMSEN - APPROVED Consent Items 3 through 52 as recommended (Item 18 was STRICKEN) - UNANIMOUS
	<u>MARTIAL ARTS LICENSE -- New</u>	*****
15	HARRY COTTO dba TWO DRAGONS 1103 North Nellis Harry Cotto, 100%	There was no discussion. (9:33 - 9:34)
16	<u>MARTIAL ARTS LICENSE -- Change of Ownership/Change of Business Name</u> From: Mark Lawrence dba A LAWRENCE INSTITUTE OF KENPO KARATE TO: MONICA LAWRENCE dba LAWRENCE KENPO KARATE 3120-3122 North Rainbow Monica L. Lawrence, 100%	APPROVED - See above

CITY COUNCIL

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*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM		ACTION
<u>Item Number</u>	<u>CONSENT AGENDA</u>	
	<u>DEPARTMENT OF FINANCE & BUSINESS SERVICES</u>	
	<u>SECONDHAND DEALER LICENSE -- Approval of Manager</u>	ADAMSEN - APPROVED Consent Items 3 through 52 as recommended (Item 18 was STRICKEN) - UNANIMOUS
17	CLASS III-A JAMES R. AUGUST dba DIAMOND AND GOLD STORE 806 Las Vegas Boulevard South Kendrick N. Burt, Manager	***** There was no discussion. (9:33 - 9:34)
18	<u>TEENAGE NIGHTCLUB - New</u> T.G. ACTIVITY CENTER dba T.G. ACTIVITY CENTER 3000 South Highland #D George T. Glanville, Dir, Pres, Secy, Treas, 100% Subject to the provisions of the fire codes	ADAMSEN - HOLD IN ABEYANCE ITEM 59 until 12/6/95 and STRIKE CONSENT ITEM 18 - UNANIMOUS with CALLISTER not voting ***** There was no discussion. (9:32 - 9:33)

CITY COUNCILMEETING OF
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*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM		ACTION
<u>Item Number</u>	<u>CONSENT AGENDA</u>	
	<u>DEPARTMENT OF GENERAL SERVICES</u>	
	<u>AWARD/RENEWAL OF BIDS/REJECTIONS</u>	
19	Award of Bid Number 96.Dec.01, Annual Contract for Rental of Employee Uniforms and Laundry Service Various Departments Award Recommended to: PRUDENTIAL OVERALL SUPPLY (\$194,867.28)	ADAMSEN - APPROVED Consent Items 3 through 52 as recommended (Item 18 was STRICKEN) - UNANIMOUS ***** There was no discussion. (9:33 - 9:34)
20	Award of Bid Number 96.Nov.06, Annual Contract for Traffic Controllers with Cabinets Department of Public Works Award Recommended to: SOUTHWEST TRAFFIC SYSTEMS, INC. (\$138,750)	APPROVED - See above
21	Award of Bid Number 96.Nov.9, Annual Office Supplies Contract Department of General Services Award Recommended to: OFFICE DEPOT BUSINESS SERVICES (\$45,951.34)	APPROVED - See above

CITY COUNCILMEETING OF
November 15, 1995

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AGENDA DOCUMENTATION**TO:****CITY COUNCIL****FROM:**
RALPH SHACKELFORD, DIRECTOR
GENERAL SERVICES DEPARTMENT**SUBJECT: AWARD OF BID NO. 96.DEC.01, ANNUAL CONTRACT FOR RENTAL OF EMPLOYEE UNIFORMS AND LAUNDRY SERVICE.****PURPOSE/BACKGROUND**

THIS REQUEST PROVIDES FOR AN ANNUAL CONTRACT FOR THE RENTAL OF EMPLOYEE UNIFORMS AND LAUNDRY SERVICE FROM THE NOTICE OF AWARD THROUGH OCTOBER 31, 1998.

BID ABSTRACT SUMMARY**ESTIMATED ANNUAL USAGE**

PRUDENTIAL OVERALL SUPPLY	LAS VEGAS, NV	\$ 64,955.76
MISSION UNIFORM & LINEN SERVICE	LAS VEGAS, NV	65,090.66
WORK CLOTHES RENTAL SERVICE, INC.	HENDERSON, NV	84,532.50
G & K SERVICES	LAS VEGAS, NV	95,134.73
CINTA CORPORATION	LAS VEGAS, NV	106,799.42
SOUTHWEST LINEN	HENDERSON, NV	148,744.15
NEVADA LINEN SUPPLY	LAS VEGAS, NV	151,548.54

FISCAL IMPACT

FUNDS ARE AVAILABLE IN THE GENERAL FUND.

RECOMMENDATIONS

THAT THE CITY COUNCIL APPROVE THE AWARD OF BID NUMBER 96.DEC.01, ANNUAL CONTRACT FOR RENTAL OF EMPLOYEE UNIFORMS AND LAUNDRY SERVICE TO LOW BIDDER, PRUDENTIAL OVERALL SUPPLY IN THE AMOUNT OF \$194,867.28 WHICH IS THE ESTIMATED USAGE AMOUNT FROM THE NOTICE OF AWARD THROUGH OCTOBER 31, 1998..

PREPARED BY
KEN FALLINE

AGENDA ITEM

CITY COUNCIL

MEETING OF
November 15, 1995

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AGENDA DOCUMENTATION

TO:

CITY COUNCIL

FROM:


RALPH SHACKELFORD, DIRECTOR
GENERAL SERVICES DEPARTMENT

SUBJECT: AWARD OF BID NUMBER 96.NOV.06 ANNUAL CONTRACT FOR TRAFFIC CONTROLLERS
WITH CABINETS

PURPOSE/BACKGROUND

THIS ANNUAL CONTRACT PROVIDES FOR THE FURNISHING AND DELIVERY OF TRAFFIC CONTROLLERS, 8 PHASE, WITH CABINETS, TYPE R, FROM NOVEMBER 15, 1995 THROUGH OCTOBER 31, 1996, WITH THREE ONE-YEAR RENEWAL OPTIONS. IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE BID, AN INITIAL PURCHASE ORDER WILL BE ISSUED FOR ONE UNIT IN THE AMOUNT OF \$13,875. ADDITIONAL UNITS MAY BE PURCHASED THROUGHOUT THE TERM OF THE CONTRACT AS FUNDS ARE APPROPRIATED.

BID ABSTRACT SUMMARY

SOUTHWEST TRAFFIC SYSTEMS, INC.	PHOENIX, AZ	\$138,750
AUTOMATIC SIGNAL/EAGLE SIGNAL CONTROLS	PHOENIX, AZ	\$144,480
ECONOLITE CONTROL PRODUCTS, INC.	ANAHEIM, CA	\$200,770

FISCAL IMPACT

FUNDS ARE AVAILABLE IN THE GENERAL FUND FOR THE INITIAL PURCHASE ORDER IN THE AMOUNT OF \$13,875.

RECOMMENDATIONS

THAT THE CITY COUNCIL APPROVE THE AWARD OF BID NUMBER 96.NOV.06, ANNUAL CONTRACT FOR TRAFFIC CONTROLLERS WITH CABINETS TO THE LOW BIDDER, SOUTHWEST TRAFFIC SYSTEMS, INC. FOR THE PERIOD FROM NOVEMBER 15, 1995 THROUGH OCTOBER 31, 1996, IN THE ESTIMATED ANNUAL AMOUNT OF \$138,750, WITH THREE ONE-YEAR RENEWAL OPTIONS.

PREPARED BY

REGINA R. HEILMAN *RU*

AGENDA ITEM

20

CITY COUNCIL

MEETING OF
November 15, 1995

AGENDA DOCUMENTATION

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TO:
CITY COUNCIL

FROM: 
RALPH SHACKELFORD, DIRECTOR
GENERAL SERVICES DEPARTMENT

SUBJECT: AWARD OF BID NUMBER 96.NOV.9 - ANNUAL OFFICE SUPPLIES CONTRACT

PURPOSE/BACKGROUND

THIS REQUEST PROVIDES FOR THE PURCHASE OF OFFICE SUPPLIES TO BE STOCKED IN CENTRAL STORES, AND FOR USE BY OTHER CITY DEPARTMENTS. THE CONTRACT PERIOD WILL BE FROM DATE OF AWARD THROUGH OCTOBER 31, 1996 WITH THREE (3) ONE-YEAR OPTIONS TO RENEW.

BID ABSTRACT SUMMARY

OFFICE DEPOT BUSINESS SERVICES	LAS VEGAS, NV	\$45,951.34
ADVANCE MARKETING	LAS VEGAS, NV	\$59,097.96
BOISE CASCADE OFFICE	RANCHO DOMINGUEZ, CA	\$62,298.87

FISCAL IMPACT

FUNDS ARE AVAILABLE IN THE MISCELLANEOUS STORES INTERNAL SERVICES FUND.

RECOMMENDATIONS

THAT THE CITY COUNCIL AWARD BID NUMBER 96.NOV.9 FOR ANNUAL CONTRACT FOR OFFICE SUPPLIES TO OFFICE DEPOT BUSINESS SERVICES IN THE ESTIMATED ANNUAL AMOUNT OF \$45,951.34 FOR THE PERIOD FROM NOTICE OF AWARD THROUGH OCTOBER 31, 1996 WITH THREE ONE-YEAR OPTIONS TO RENEW.

PREPARED BY

DAVID RAWSKI 

AGENDA ITEM

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CITY COUNCIL

MEETING OF

NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	<u>CONSENT AGENDA</u>	
	<u>DEPARTMENT OF GENERAL SERVICES</u>	
	<u>AWARD/RENEWAL OF BIDS/REJECTIONS</u>	
22	Award of Bid Number 96.Jul.09, Annual Requirements Contract for Thermoplastic Striping Material, Flexible Pavement Marker Adhesive and Loop Detector Sealant Department of Public Works Award Recommended to: ITEM 1 - PAVE-MARK CORPORATION (\$1,770) ITEM 2 - CATAPHOTE, INC. (\$20,110) ITEM 3 - CRACKFILLER MFG. CORP. (\$2,300)	ADAMSEN - APPROVED Consent Items 3 through 52 as recommended (Item 18 was STRICKEN) - UNANIMOUS ***** There was no discussion. (9:33 - 9:34)
23	Award of Bid Number 96.Nov.03, Annual Contract for Sign Posts and Sign Mounting Material Department of Public Works Award Recommended to: LOT I SIGN POSTS HIGHWAY RENTALS, INC. (\$19,976) LOT II SIGN MOUNTING - WEBER INDUSTRIES, INC. (\$23,969)	APPROVED - See above
24	Award of Bid Number 95.2610.15, Remodel of Chuck Minker Sports Office Department of Parks and Leisure Activities Award Recommended to: EDDIE GENERAL CONSTRUCTION (\$33,740)	APPROVED - See above

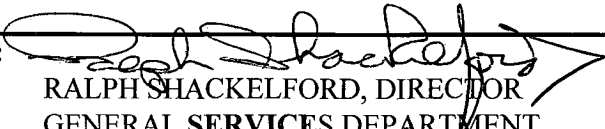
CITY COUNCIL

MEETING OF
November 15, 1995

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AGENDA DOCUMENTATION

TO:
CITY COUNCIL

FROM: 
RALPH SHACKELFORD, DIRECTOR
GENERAL SERVICES DEPARTMENT

SUBJECT: AWARD OF BID NUMBER 96.JUL.09, ANNUAL REQUIREMENTS CONTRACT FOR
THERMOPLASTIC STRIPING MATERIAL, FLEXIBLE PAVEMENT MARKER ADHESIVE AND
LOOP DETECTOR SEALANT

PURPOSE/BACKGROUND

ANNUAL REQUIREMENTS CONTRACT TO FURNISH AND DELIVER THERMOPLASTIC STRIPING MATERIAL, FLEXIBLE PAVEMENT MARKER ADHESIVE AND LOOP DETECTOR SEALANT, FROM NOVEMBER 15, 1995 THROUGH FEBRUARY 27, 1997, WITH THREE ONE-YEAR RENEWAL OPTIONS.

BID ABSTRACT SUMMARY

		ITEM 1	ITEM 2	ITEM 3
BRITE-LINE INDUSTRIES, INC.	DENVER, CO	NO BID	\$ 22,843	NO BID
CATAPHOTE, INC.	JACKSON, MS	NO BID	\$ 20,110	NO BID
CRACKFILLER MFG. CORP.	GRAND JUNCTION, CO.	NO BID	NO BID	\$ 2,300
MATERIAL SALES INT'L.	TEMPE, AZ	\$ 7,200	NO BID	\$ 3,500
MCCAIN TRAFFIC SUPPLY	TEMPE, AZ	\$ 9,000	NO BID	\$ 4,500
PAVE-MARK CORP.	ATLANTA, GA	\$ 1,770	\$ 20,800	NO BID
SWARCO INDUSTRIES, INC.	COLUMBIA, TN	NO BID	\$ 21,650	NO BID

FISCAL IMPACT

FUNDS ARE AVAILABLE IN THE GENERAL FUND.

RECOMMENDATIONS

THAT THE CITY COUNCIL AWARD BID NUMBER 96.JUL.09, ANNUAL REQUIREMENTS CONTRACT FOR ITEM 1, FLEXIBLE PAVEMENT MARKER ADHESIVE; ITEM 2, THERMOPLASTIC STRIPING MATERIAL; AND ITEM 3, LOOP DETECTOR SEALANT, FROM NOVEMBER 15, 1995, THROUGH FEBRUARY 27, 1997, WITH THREE ONE-YEAR RENEWAL OPTIONS, TO THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDERS LISTED BELOW:

PAVE-MARK CORPORATION
CATAPHOTE, INC.
CRACKFILLER MFG. CORP.

ESTIMATED ANNUAL USAGE	
ITEM 1	\$ 1,770
ITEM 2	\$20,110
ITEM 3	\$ 2,300

PREPARED BY

REGINA R. HEILMAN 

CITY COUNCIL

MEETING OF
November 15, 1995

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AGENDA DOCUMENTATION

TO:

CITY COUNCIL

FROM:

RALPH SHACKELFORD, DIRECTOR
GENERAL SERVICES DEPARTMENT

SUBJECT: AWARD OF BID NUMBER 96.NOV.03, ANNUAL CONTRACT FOR SIGN POSTS AND SIGN MOUNTING MATERIAL

PURPOSE/BACKGROUND

THIS ANNUAL REQUIREMENTS CONTRACT PROVIDES FOR THE FURNISHING AND DELIVERY OF SIGN POSTS, LOT I AND SIGN MOUNTING MATERIALS, LOT II, ON AN AS NEEDED BASIS FOR THE NORMAL MAINTENANCE NEEDS OF THE TRAFFIC AND ELECTRICAL FIELD SERVICES DIVISION, FOR THE PERIOD FROM NOVEMBER 15, 1995 THROUGH SEPTEMBER 30, 1996 WITH THREE ONE-YEAR RENEWAL OPTIONS.

BID ABSTRACT SUMMARY

		LOT I	LOT II
HIGHWAY RENTALS, INC.	LAS VEGAS, NV	\$19,976.00	\$40,250.00
UNISTRUT CORPORATION	SANTA FE SPRINGS, CA	\$24,886.00	\$56,900.00
ZUMAR INDUSTRIES, INC.	LOS ANGELES, CA	\$36,587.50	\$44,550.00
FLASHER DIRECT	SALT LAKE CITY, UT	\$47,927.00	NO BID
TRUE POWER, INC.	LAS VEGAS, NV	\$57,630.50	\$59,365.00
HAWKINS TRAFFIC SAFETY SUPPLY	BERKELEY, CA	\$61,058.00	\$32,750.00
WEBER INDUSTRIES INC.	CLEVELAND OH	NO BID	\$23,969.00
WEB CO WEST	GLENDALE, CA	NO BID	\$28,534.00
VULCAN SIGNS INC.	FOLEY, AL	NO BID	\$32,830.00
CORE PRODUCTS	IRVING, TX	NO BID	\$33,134.00
PELCO PRODUCTS INC.	EDMOND, OK	NO BID	\$44,100.00
PACIFIC MECHANICAL SUPPLY	HENDERSON, NV	NO BID	\$57,365.00

FISCAL IMPACT

FUNDS ARE AVAILABLE IN THE GENERAL FUND.

RECOMMENDATIONS

THAT THE CITY COUNCIL AWARD BID NUMBER 96.NOV.03, ANNUAL CONTRACT FOR LOT I, SIGN POSTS TO HIGHWAY RENTALS, INC., LOW BIDDER, IN THE ESTIMATED ANNUAL AMOUNT OF \$19,976; AND LOT II, SIGN MOUNTING MATERIAL TO WEBER INDUSTRIES INC., LOW BIDDER, IN THE ESTIMATED ANNUAL AMOUNT OF \$23,969, FOR THE PERIOD FROM NOVEMBER 15, 1995 THROUGH OCTOBER 31, 1996, WITH THREE ONE-YEAR RENEWAL OPTIONS.

PREPARED BY

REGINA R. HEILMAN *rt*

AGENDA ITEM

23

CITY COUNCILMEETING OF
November 15, 1995

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AGENDA DOCUMENTATION**TO:****CITY COUNCIL****FROM:**
RALPH SHACKELFORD, DIRECTOR
GENERAL SERVICES DEPARTMENT**SUBJECT: AWARD OF BID NUMBER 95.2610.15, REMODEL OF CHUCK MINKER SPORTS OFFICE.****PURPOSE/BACKGROUND**

THIS PROJECT PROVIDES FOR THE REMOVAL OF EXISTING CASE WORK AND QUARRY TILE FLOORING, AND INSTALLATION OF NEW PLASTIC LAMINATE CASE WORK WITH ASSOCIATED ELECTRICAL WORK AND NEW CARPETING.

BID ABSTRACT SUMMARY

		<u>BASE BID</u>	<u>ALT. A</u>	<u>ALT. B</u>	<u>TOTAL BID</u>
*EDDIE GENERAL CONSTRUCTION	LAS VEGAS, NV	\$ 19,500	\$ 12,190	\$ 6,050	\$ 33,740
*R.G.C. CONSTRUCTION	LAS VEGAS, NV	\$ 21,130	\$ 8,000	\$ 8,800	\$ 37,930
*MBE					

FISCAL IMPACT

FUNDS ARE AVAILABLE IN THE PARKS AND LEISURE CAPITAL IMPROVEMENT FUND.

RECOMMENDATIONS

THAT THE CITY COUNCIL APPROVE THE AWARD OF BID NUMBER 95.2610.15, REMODEL OF CHUCK MINKER SPORTS OFFICE, TO EDDIE GENERAL CONSTRUCTION, LAS VEGAS, NV, LOW BIDDER, IN THE AMOUNT OF \$33,740.

PREPARED BYYOLANDA C. JONES 

CITY COUNCIL

MEETING OF

NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	<u>CONSENT AGENDA</u>	
	<u>DEPARTMENT OF GENERAL SERVICES</u>	ADAMSEN - APPROVED Consent Items 3 through 52 as recommended (Item 18 was STRICKEN) - UNANIMOUS
	<u>AWARD/RENEWAL OF BIDS/REJECTIONS</u>	
25	Award of Bid Number 96.1770.03, Conflict (Fail Safe) Monitors Department of Public Works Award Recommended to: INTERSECTION DEVELOPMENT CORPORATION (\$29,120)	***** There was no discussion. (9:33 - 9:34)
26	Rejection of Bidders and Award of Bid Number 96.1770.01, Traffic Masts and Poles; Various Signal Assemblies and Replacement Parts Department of Public Works Award Recommended to: LOT I - GRAYBAR ELECTRIC COMPANY (\$181,401) LOT II AND III - MCCAIN TRAFFIC SUPPLY (\$63,462) LOT IV - ECONOLITE CONTROL PRODUCTS (23,349.97)	APPROVED - See above
27	Rejection of Bidder and Award of Bid Number 96.Oct.01, Annual Contract for Custodial Paper Products Various Departments Award Recommended to: LOT I - UNISOURCE (\$82,296.41), LOT II - WAXIE (\$35,178.60), LOT III - BRADY (\$3,362.60), LOT IV - UNISOURCE (\$4,127.76)	APPROVED - See above
28	Rejection of Bidder and Award of Bid Number 96.Oct.02, Annual Contract for Laboratory Supplies and Chemicals Department of Public Works Award Recommended to: VWR SCIENTIFIC PRODUCTS (\$67,945.24)	APPROVED - See above

CITY COUNCIL

MEETING OF
November 15, 1995

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AGENDA DOCUMENTATION

TO:

CITY COUNCIL

FROM:


RALPH SHACKELFORD, DIRECTOR
GENERAL SERVICES DEPARTMENT

SUBJECT: AWARD OF BID NUMBER 96.1770.03, CONFLICT (FAIL SAFE) MONITORS

PURPOSE/BACKGROUND

THIS CONTRACT PROVIDES FOR THE FURNISHING AND DELIVERY OF 59 CONFLICT (FAIL SAFE) MONITORS. CONFLICT MONITORS ARE A SAFETY DEVICE THAT ENSURE NON CONFLICTING TRAFFIC SIGNAL OPERATION. THIS CONTRACT WILL ENABLE THE TRAFFIC/ELECTRICAL FIELD OPERATIONS DIVISION TO REPLACE EXISTING CONFLICT MONITORS THAT HAVE EXCEEDED THEIR NORMAL LIFE EXPECTANCY.

BID ABSTRACT SUMMARY

INTERSECTION DEVELOPMENT CORPORATION	PHOENIX, AZ	\$29,120
SOUTHWEST TRAFFIC SYSTEMS INC.	PHOENIX, AZ	\$35,990
AUTOMATIC SIGNAL/EAGLE SIGNAL CONTROLS	PHOENIX, AZ	\$45,100

FISCAL IMPACT

FUNDS ARE AVAILABLE IN THE TRAFFIC IMPROVEMENT CAPITAL PROJECT FUND.

RECOMMENDATIONS

THAT THE CITY COUNCIL AWARD BID NUMBER 96.1770.03, CONFLICT MONITORS, TO INTERSECTION DEVELOPMENT CORPORATION, LOW BIDDER, IN THE AMOUNT OF \$29,120.

PREPARED BY

REGINA R. HEILMAN *RH*

AGENDA ITEM

25

CITY COUNCILMEETING OF
November 15, 1995

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AGENDA DOCUMENTATION**TO:****CITY COUNCIL****FROM:**
RALPH SHACKELFORD, DIRECTOR
GENERAL SERVICES DEPARTMENT**SUBJECT: REJECTION OF BIDDERS AND AWARD OF BID NUMBER 96.1770.01, TRAFFIC MASTS & POLES; VARIOUS SIGNAL ASSEMBLIES AND REPLACEMENT PARTS****PURPOSE/BACKGROUND**

THIS ANNUAL REQUIREMENTS CONTRACT PROVIDES FOR THE FURNISHING AND DELIVERY OF TRAFFIC SIGNAL POLES AND MASTS; VARIOUS SIGNAL ASSEMBLIES, MODIFICATION KITS AND REPLACEMENT PARTS FROM NOVEMBER 15, 1995 THROUGH NOVEMBER 30, 1996, WITH THREE ONE-YEAR RENEWAL OPTIONS. INITIAL PURCHASE ORDERS WILL BE ISSUED FOR AN AGGREGATE AMOUNT OF \$149,325. ADDITIONAL REQUIREMENTS MAY BE PURCHASED THROUGHOUT THE TERM OF THE CONTRACT AS FUNDS ARE APPROPRIATED.

SPECIFICATIONS REQUIRED BIDDERS TO BID ALL ITEMS IN A LOT TO BE CONSIDERED RESPONSIVE. THE FOLLOWING BIDDERS DID NOT BID ALL ITEMS IN A LOT AND ARE THEREFORE DEEMED NON RESPONSIVE: INTERSECTION DEVELOPMENT CORPORATION, LOT IV; PELCO PRODUCTS INC., LOT 1; AND TRAFFIC PARTS INC., LOTS II AND IV. TRANSAMERICAN POWER PRODUCTS, IS RECOMMENDED FOR REJECTION, LOT I, FOR NOT MEETING THE TECHNICAL SPECIFICATIONS.

BID ABSTRACT SUMMARY

SEE ATTACHED SUMMARY FOR BID RESULTS.

FISCAL IMPACT

FUNDS ARE AVAILABLE IN THE GENERAL FUND AND THE TRAFFIC IMPROVEMENT CAPITAL PROJECT FUND FOR THE INITIAL PURCHASE ORDERS IN THE AMOUNT OF \$149,325.

RECOMMENDATIONS

THAT THE CITY COUNCIL REJECT THE BIDS OF PELCO PRODUCTS INC., AND TRANSAMERICAN POWER PRODUCTS LOT 1; TRAFFIC PARTS INC., LOTS II AND IV; AND INTERSECTION DEVELOPMENT CORPORATION, LOT IV; AND APPROVE THE AWARD OF BID NUMBER 96.1770.01, ANNUAL CONTRACT FOR TRAFFIC SIGNAL POLES AND MASTS; VARIOUS SIGNAL ASSEMBLIES, MODIFICATION KITS AND REPLACEMENT PARTS FOR THE ESTIMATED ANNUAL AMOUNT OF \$238,036.97, FOR THE PERIOD FROM NOVEMBER 15, 1995 THROUGH NOVEMBER 30, 1996, WITH THREE ONE-YEAR RENEWAL OPTIONS, TO THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDERS LISTED BELOW:

GRAYBAR ELECTRIC COMPANY
MCCAIN TRAFFIC SUPPLY
ECONOLITE CONTROL PRODUCTS

ESTIMATED ANNUAL USAGE	
LOT I	\$181,401.00
LOT II AND III	\$ 63,462.00
LOT IV	\$ 23,349.97

PREPARED BY

REGINA R. HEILMAN 

BID ABSTRACT FOR BID 96.1770.01
TRAFFIC MASTS AND POLES; VARIOUS SIGNAL ASSEMBLIES AND REPLACEMENT PARTS

		LOT I	LOT II	LOT III	LOT IV
		TRAFFIC POLES & MASTS	SIGNAL ASSEMBLIES	MC CAIN TRAFFIC SIGNAL REPLACEMENT PARTS	ECONOLITE TRAFFIC SIGNAL REPLACEMENT PARTS
AUTOMATIC EAGLE SIGNAL CONTROLS	PHOENIX, AZ	NO BID	\$ 94,245.00	NO BID	NO BID
CONSOLIDATED ELECTRICAL DISTRIBUTORS DBA C.E.D.	LAS VEGAS, NV	\$ 192,044.51	NO BID	NO BID	NO BID
ECONOLITE CONTROL PRODUCTS	ANAHEIM, CA	NO BID	\$ 106,301.84	NO BID	\$ 23,349.97
GRAYBAR ELECTRIC COMPANY	LAS VEGAS, NV	\$ 181,401.00	NO BID	NO BID	NO BID
INTERSECTION DEVELOPMENT CORPORATION	PHOENIX, AZ	NO BID	\$ 77,594.10	NO BID	** \$6,248.00
MCCAIN TRAFFIC SUPPLY	TEMPE, AZ	NO BID	\$ 59,572.00	\$ 3,890.00	NO BID
PELCO PRODUCTS INC.	EDMOND, OK	** \$72,840.00	NO BID	NO BID	NO BID
PHILCOR TV AND ELECTRONICS LEASING INC DBA NEDCO SUPPLY	LAS VEGAS, NV	\$ 193,129.00	NO BID	NO BID	NO BID
SERVICE ELECTRIC COMPANY	LAS VEGAS, NV	\$ 182,035.88	NO BID	NO BID	NO BID
STANDARD WHOLESALE SUPPLY CO.	LAS VEGAS, NV	\$ 185,469.00	NO BID	NO BID	NO BID
TRAFFIC PARTS INC	SPRING, TX	NO BID	** \$26,938.80	\$ 4,800.00	** \$13,775.00
TRANSAMERICAN POWER PRODUCTS	HOUSTON, TX	* \$151,225.00	NO BID	NO BID	NO BID
		* NO SIGNED PROPOSAL PAGE			
		** INCOMPLETE BID			

CITY COUNCIL MINUTES
NOV 15 1995

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CITY COUNCIL

MEETING OF
November 15, 1995

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AGENDA DOCUMENTATION

TO: CITY COUNCIL

FROM: 
RALPH SHACKELFORD, DIRECTOR
GENERAL SERVICES DEPARTMENT

SUBJECT: REJECTION OF BIDDER AND AWARD OF BID NUMBER 96.OCT.01, ANNUAL CONTRACT FOR CUSTODIAL PAPER PRODUCTS

PURPOSE/BACKGROUND

THIS REQUEST PROVIDES FOR AN ANNUAL CONTRACT FOR CUSTODIAL PAPER PRODUCTS TO BE STOCKED IN CENTRAL STORES, AND FOR USE BY PUBLIC WORKS, WATER POLLUTION CONTROL FACILITY (LOT IV ONLY), FROM NOVEMBER 15, 1995 THROUGH SEPTEMBER 30, 1996, WITH THREE ONE-YEAR RENEWAL OPTIONS.

W. W. GRAINGER IS IS RECOMMENDED FOR REJECTION FOR LOT I, FOR FAILING TO BID ALL ITEMS AS REQUIRED BY THE BID SPECIFICATIONS.

BID ABSTRACT SUMMARY

SEE ATTACHED

FISCAL IMPACT

FUNDS ARE AVAILABLE IN THE SANITATION ENTERPRISE FUND AND INTERNAL SERVICE, STORES INVENTORY FUND

RECOMMENDATIONS

THAT THE CITY COUNCIL REJECT THE BID FROM W. W. GRAINGER FOR LOT I AND AWARD BID NUMBER 96.OCT.01, ANNUAL CONTRACT FOR CUSTODIAL PAPER PRODUCTS, FROM NOVEMBER 15, 1995 THROUGH SEPTEMBER 30, 1996, WITH THREE ONE-YEAR RENEWAL OPTIONS, TO THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDERS AS FOLLOWS:

LOT I: UNISOURCE, LAS VEGAS, \$82,296.41
LOT II: WAXIE, LAS VEGAS, \$35,178.60
LOT III: BRADY, LAS VEGAS, \$3,362.60
LOT IV: UNISOURCE, LAS VEGAS, \$4,127.76
GRAND TOTAL \$124,965.37

PREPARED BY

TERESA J. BOWMAN 

AGENDA ITEM

CITY COUNCIL MINUTES

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NOV 15 1995

BID ABSTRACT SUMMARY
BID NUMBER 96.OCT.01

		<u>LOT I</u> <u>or I.a</u>	<u>LOT II</u> <u>or II.a</u>	<u>LOT III</u>	<u>LOT IV</u>
W. W. GRAINGER	LAS VEGAS, NV	89,523.10 ¹	1,608.02 ¹	NO BID	NO BID
ZELLERBACH	LAS VEGAS, NV	88,062.01 ²	51,130.00	3,637.50	NO BID
BRADY	LAS VEGAS, NV	1,085,315.95 ³	47,753.70	3,362.50	4,566.24
NATIONAL SANITARY	LAS VEGAS, NV	103,444.48 ^{2&3}	58,030.00 ²	6,562.50 ²	7,352.10 ²
DEBARRY	LAS VEGAS, NV	NO BID	5,127,125.00 ³	NO BID	NO BID
AMERCARE	SEATTLE, WA	NO BID	NO BID	6,100.00	NO BID
UNISOURCE	LAS VEGAS, NV	82,296.41 ³	54,862.05 ^{2&3}	3,443.75	4,127.76
WAXIE	LAS VEGAS, NV	89,018.30	35,178.60	4,801.25 ³	4,299.75

FOOTNOTES:

1. NON-RESPONSIVE, NOT ALL ITEMS IN LOT WERE BID
2. NON-RESPONSIVE, MATERIAL EXCEPTIONS TO BID
3. CORRECTED MATH ERROR

CITY COUNCIL

MEETING OF
November 15, 1995

AGENDA DOCUMENTATION

141

TO:
CITY COUNCIL

FROM: 
RALPH SHACKELFORD, DIRECTOR
GENERAL SERVICES DEPARTMENT

SUBJECT: REJECTION OF BIDDER AND AWARD OF BID NUMBER 96.OCT.02, ANNUAL CONTRACT FOR LABORATORY SUPPLIES AND CHEMICALS

PURPOSE/BACKGROUND

THIS REQUEST PROVIDES FOR AN ANNUAL CONTRACT FOR LABORATORY SUPPLIES AND CHEMICALS FOR USE BY THE ENVIRONMENTAL LABORATORY OF THE DEPARTMENT OF PUBLIC WORKS, TO PERFORM VARIOUS ANALYTICAL TESTS. THE INITIAL CONTRACT PERIOD IS FROM NOVEMBER 15, 1995 THROUGH SEPTEMBER 30, 1996, WITH THREE ONE-YEAR OPTIONS TO RENEW.

FISHER SCIENTIFIC IS RECOMMENDED FOR REJECTION AS THEIR BID CONTAINED A CONDITIONAL OFFER.

BID ABSTRACT SUMMARY

FISHER SCIENTIFIC	TUSTIN, CA	\$58,049.01
VWR SCIENTIFIC PRODUCTS	CERRITOS, CA	\$67,945.24
E & H MEDICAL SALES	LAS VEGAS, NV	\$118,732.65

FISCAL IMPACT

FUNDS ARE AVAILABLE IN THE SANITATION OPERATIONS AND MAINTENANCE FUND.

RECOMMENDATIONS

THAT THE CITY COUNCIL REJECT THE BID FROM FISHER SCIENTIFIC AND APPROVE THE AWARD OF BID NUMBER 96.OCT.02, ANNUAL CONTRACT FOR LABORATORY SUPPLIES AND CHEMICALS, FROM NOVEMBER 15, 1995 THROUGH SEPTEMBER 30, 1996, WITH THREE ONE-YEAR RENEWAL OPTIONS, TO THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, VWR SCIENTIFIC PRODUCTS, IN THE ESTIMATED ANNUAL AMOUNT OF \$67,945.24.

PREPARED BY

TERESA BOWMAN 

AGENDA ITEM

28

CITY COUNCIL

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	ITEM	ACTION
	<u>CONSENT AGENDA</u>	
	<u>DEPARTMENT OF GENERAL SERVICES</u>	
	<u>AWARD/RENEWAL OF BIDS/REJECTIONS</u>	
	<u>PURCHASE ORDER APPROVALS/SUPPLEMENTS</u>	
29	Supplement to Purchase Order Number 65732, Modular Furniture System City Manager's Office Award Recommended to: HAWORTH, C/O FACILITEC (\$2,691.05)	ADAMSEN - APPROVED Consent Items 3 through 52 as recommended (Item 18 was STRICKEN) - UNANIMOUS ***** There was no discussion. (9:33 - 9:34)
	<u>CONTRACT MODIFICATIONS</u>	
30	Contract Modification Two - Bid Number 93.1730.07, Ogden Underpass - Phase II Department of Public Works KIEWIT WESTERN JOINT VENTURE (\$353,711.83)	APPROVED - See above
31	Contract Modification Number 3, Bid Number 95.6325.02, Building Rehabilitation of the Bel-Aire Apartments Department of Planning and Development MACK COMPANY (\$200,000)	APPROVED - See above

CITY COUNCIL

MEETING OF
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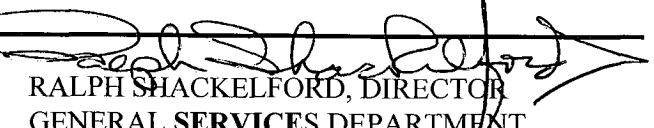
143

AGENDA DOCUMENTATION

TO:

CITY COUNCIL

FROM:


RALPH SHACKELFORD, DIRECTOR
GENERAL SERVICES DEPARTMENT

SUBJECT: SUPPLEMENT TO PURCHASE ORDER NUMBER 65732, MODULAR FURNITURE SYSTEM

PURPOSE/BACKGROUND

THIS SUPPLEMENT PROVIDES FOR ADDITIONAL MODULAR FURNITURE COMPONENTS FOR THE CITY COUNCIL AND CITY MANAGER'S CLERICAL SUPPORT STAFF AND INCREASES THE PURCHASE ORDER AMOUNT TO A TOTAL OF \$48,691.05. THIS PURCHASE ORDER WAS ORIGINALLY APPROVED ON OCTOBER 3, 1995.

FISCAL IMPACT

FUNDS ARE AVAILABLE IN THE GENERAL FUND.

RECOMMENDATIONS

THAT THE CITY COUNCIL APPROVE ISSUANCE OF A SUPPLEMENT TO PURCHASE ORDER NUMBER 65732 TO HAWORTH, c/o FACILITEC, IN THE AMOUNT OF \$2,691.05.

PREPARED BY


LINDA D PARKER

AGENDA ITEM

29

CITY COUNCIL**144**MEETING OF
November 15, 1995**AGENDA DOCUMENTATION****TO:**
CITY COUNCIL**FROM:** 
RALPH SHACKELFORD, DIRECTOR
GENERAL SERVICES DEPARTMENT**SUBJECT: CONTRACT MODIFICATION TWO - BID NUMBER 93.1730.07, OGDEN UNDERPASS - PHASE II****PURPOSE/BACKGROUND**

ON NOVEMBER 4, 1992, THE CITY COUNCIL APPROVED THE AWARD OF BID NUMBER 93.1720.07, OGDEN UNDERPASS PHASE II, TO KIEWIT WESTERN JOINT VENTURE IN THE AMOUNT OF \$9,188,000. CONTRACT MODIFICATION ONE, WHICH REPRESENTED CONSTRUCTION QUANTITY OVERRUNS, WAS APPROVED FOR \$64,482 BY THE CITY COUNCIL ON JANUARY 18, 1995. CONTRACT MODIFICATION TWO REPRESENTS THE NEVADA ARBITRATION ASSOCIATION'S DECISION THAT THE CITY PAY TO KIEWIT WESTERN JOINT VENTURE A TOTAL OF \$353,711.83. THIS WILL BRING THE FINAL CONTRACT TOTAL TO \$9,606,193.83.

FISCAL IMPACT

FUNDS ARE AVAILABLE IN THE PUBLIC WORKS ROAD AND FLOOD CAPITAL PROJECT FUND.

RECOMMENDATIONS

THAT THE CITY COUNCIL APPROVE CONTRACT MODIFICATION TWO TO KIEWIT WESTERN JOINT VENTURE, IN THE AMOUNT OF \$353,711.83.

PREPARED BYREGINA R. HEILMAN 

CITY OF LAS VEGAS CONTRACT MODIFICATION

BID# 93.1730.07

PURCHASE ORDER #: 60112.2

SUPPLEMENT #: 2

DATE: 10-5-95

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MODIFICATION #: 2

NAME AND ADDRESS OF CONTRACTOR: Kiewit Western Joint Venture
1515 E. Tropicana Ave., Ste. 500
Las Vegas, NV 89119

CITY COUNCIL MINUTES

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CONTRACT DESCRIPTION: Ogden Underpass and Roadway Project

DESCRIPTION AND REASON FOR MODIFICATION:

In the matter of Kiewit Western Joint Venture (KWJV) vs. the City of Las Vegas (Case #9552), the Nevada Arbitration rendered a unanimous decision to award KWJV the sum of \$337,363.83 plus \$16,348.00 in agreed items for a total of \$353,711.83.

CONTRACT CONTINGENCY AMOUNT: \$ 400,000.00

REMAINING: \$ 41,390.06

PRICE OF THIS MODIFICATION (WRITTEN):

DOLLARS: \$ 353,711.83

Three hundred thirty-seven thousand, three hundred sixty-three dollars and eighty-three cents.
TOTAL TIME EXTENSION FOR THIS MODIFICATION (WRITTEN): zero # DAYS: 0

ORIGINAL COMPLETION DATE: February 2, 1994

NEW COMPLETION DATE: February 17, 1995

PRICE OF ORIGINAL CONTRACT: \$9,188,000.00

PRICE OF ALL PREVIOUS MODIFICATIONS: \$ 64,482.00 (# through)

PRICE OF THIS MODIFICATION: \$ 353,711.83

PRICE OF CONTRACT (INCLUDING THIS MODIFICATION): \$9,606,193.83

1. 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)

11-15-95
(DATE)

ATTEST:

(CITY CLERK)

CLV 7042

P&C 6/8/94

1210-020-6/94

Kiewit Western Joint Venture

(NAME OF CONTRACTOR)

BY

x

Area Manager

(TITLE)

CITY MANAGER APPROVAL

OK

CHIEF, PURCHASING AND CONTRACTS DIVISION

10/13/95

DATE

11/7/95

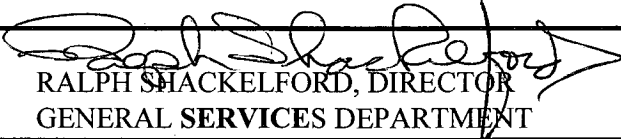
CITY COUNCIL

MEETING OF
November 15, 1995

AGENDA DOCUMENTATION

146

TO:
CITY COUNCIL

FROM: 
RALPH SHACKELFORD, DIRECTOR
GENERAL SERVICES DEPARTMENT

SUBJECT: CONTRACT MODIFICATION NUMBER 3, BID NUMBER 95.6325.02. BUILDING
REHABILITATION OF THE BEL-AIRE APARTMENTS

PURPOSE/BACKGROUND

CONTRACT MODIFICATION NUMBER THREE PROVIDES FOR A CONFLICT AND CONTINGENCY ALLOWANCE IN THE AMOUNT OF \$200,000 FOR REQUESTS FOR PROPOSAL SUBMITTED BY STAFF TO BE NEGOTIATED WITH CONTRACTOR FOR ANY CHANGE ORDERS REQUIRED FOR THE TIMELY CLOSE-OUT OF THE PROJECT. THIS CONTRACT MODIFICATION BRINGS THE CONTRACT AMOUNT TO \$1,922,395.96.

FISCAL IMPACT

FUNDS ARE AVAILABLE IN THE HOME PROGRAM FUNDS.

RECOMMENDATIONS

THAT THE CITY COUNCIL APPROVE CONTRACT MODIFICATION NUMBER THREE TO MACK COMPANY, LAS VEGAS, NV IN THE AMOUNT OF \$200,000 TO BE UTILIZED ONLY UPON APPROVAL BY THE CITY.

PREPARED BY

YOLANDA C. JONES 

AGENDA ITEM

31

CITY OF LAS VEGAS CONTRACT MODIFICATION

DATE: 10-13-95 147

BID# 95.6325.2 PURCHASE ORDER #: 64206.2 SUPPLEMENT #: 3 MODIFICATION #: 3

NAME AND ADDRESS OF CONTRACTOR: The MACK Company
3365 Wynn Road, Suite G
Las Vegas, NV 89102

CITY COUNCIL MINUTES

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CONTRACT DESCRIPTION: Building REhabilitation of the Bel Aire Apartments - 128 units

DESCRIPTION AND REASON FOR MODIFICATION: This contract modification will provide a conflict and contingency allowance in the amount of \$200,000 for requests for proposals submitted by staff and negotiated with The MACK Company for any change orders required for the timely close-out of the project.

CONTRACT CONTINGENCY AMOUNT: \$

REMAINING: \$

PRICE OF THIS MODIFICATION (WRITTEN):
Two Hundred Thousand Dollars.

DOLLARS: \$ 200,000.00

TOTAL TIME EXTENSION FOR THIS MODIFICATION (WRITTEN):

DAYS:

ORIGINAL COMPLETION DATE:

NEW COMPLETION DATE:

PRICE OF ORIGINAL CONTRACT:\$ 1,136,454.64

PRICE OF ALL PREVIOUS MODIFICATIONS:\$ 585,941.32 (# 1 through 2)

PRICE OF THIS MODIFICATION:\$ 200,000.00

PRICE OF CONTRACT (INCLUDING THIS MODIFICATION): \$ 1,922,395.96

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

DEPARTMENT:

DIRECTOR APPROVAL: *[Signature]*

DIRECTOR GENERAL SERVICES APPROVAL: *[Signature]*

DEPUTY CITY MANAGER APPROVAL: *[Signature]*

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

THE MACK COMPANY

(NAME OF CONTRACTOR)

BY *[Signature]*

DATE 11-8-95

DATE

Date

(SIGNATURE)

11-15-95

(DATE)

(TITLE)

CITY MANAGER APPROVAL

ATTEST:

(CITY CLERK)

CLV 7042

P&C 6/8/94

1210-020-6/94

CHIEF, PURCHASING AND CONTRACTS DIVISION

CITY COUNCIL

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	CONSENT AGENDA										
	DEPARTMENT OF HUMAN RESOURCES										
32	Approval To Create Two Inspector Supervisor Positions, Planning & Development	ADAMSEN - APPROVED Consent Items 3 through 52 as recommended (Item 18 was STRICKEN) - UNANIMOUS ***** There was no discussion. (9:33 - 9:34)									
	<table> <tr> <th>POSITION(S)</th><th>DEPARTMENT</th><th>MONTHLY RANGE</th></tr> <tr> <td><u>GENERAL FUND</u></td><td></td><td></td></tr> <tr> <td>Inspector Supervisor</td><td>Planning & Development</td><td>\$3,622-4,623</td></tr> </table>	POSITION(S)	DEPARTMENT	MONTHLY RANGE	<u>GENERAL FUND</u>			Inspector Supervisor	Planning & Development	\$3,622-4,623	
POSITION(S)	DEPARTMENT	MONTHLY RANGE									
<u>GENERAL FUND</u>											
Inspector Supervisor	Planning & Development	\$3,622-4,623									
33	Approval To Create A Temporary Senior Development Project Officer Position, Public Works	APPROVED - See above									
	<table> <tr> <th>POSITION(S)</th><th>DEPARTMENT</th><th>MONTHLY RANGE</th></tr> <tr> <td><u>CAPITAL PROJECT FUNDS</u></td><td></td><td></td></tr> <tr> <td>Senior Development Project Officer</td><td>Public Works</td><td>\$3,202-4,086</td></tr> </table>	POSITION(S)	DEPARTMENT	MONTHLY RANGE	<u>CAPITAL PROJECT FUNDS</u>			Senior Development Project Officer	Public Works	\$3,202-4,086	
POSITION(S)	DEPARTMENT	MONTHLY RANGE									
<u>CAPITAL PROJECT FUNDS</u>											
Senior Development Project Officer	Public Works	\$3,202-4,086									

TO:
City Council

FROM: Rick Anderson, Acting Director
Human Resources

SUBJECT: APPROVAL TO CREATE TWO INSPECTOR SUPERVISOR POSITIONS, PLANNING &
DEVELOPMENT

PURPOSE/BACKGROUND

The Zoning, Permits and Inspections area of the Planning & Development Department continues to experience significant growth in the "Inspection Division." There are currently 54 inspectors performing the daily tasks required to meet the needs of the City's building inspections. There are currently have 4 inspector supervisors; each of these supervisors is responsible for 13 inspectors. To perform their responsibilities adequately, each supervisor should be supervising between 6 to 9 inspectors.

Therefore, it is requested that two additional Inspector Supervisor positions be approved, which would give each supervisor 9 inspectors for whom they would be responsible. If approved, the day-to-day operations would flow more smoothly, schedules would be met in a more timely manner, and problems that arise would be resolved more quickly.

FISCAL IMPACT

The fiscal impact to the General Fund for fiscal year 1995-96 is approximately \$117,854.

RECOMMENDATIONS

It is recommended that the proposed creation of these position be approved.

TO:
City CouncilFROM: Rick Anderson, Acting Director
Human ResourcesSUBJECT: APPROVAL TO CREATE A TEMPORARY SENIOR DEVELOPMENT PROJECT OFFICER
POSITION, PUBLIC WORKS**PURPOSE/BACKGROUND**

The Department of Public Works requests Council approval to create a temporary Senior Development Project Officer position to assist with ADA projects within the City. ADA requires the modification of City facilities to comply with ADA mandates.

This position will allow release time for current employees in the Public Works department who now work on ADA projects as well as provide direct assistance for these projects.

FISCAL IMPACT

The fiscal impact to the Capital Project Funds for fiscal year 1995-96 is approximately \$34,874.

RECOMMENDATIONS

It is recommended that the proposed creation of the above position be approved.

CITY COUNCIL

MEETING OF

NOVEMBER 15, 1995

City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	CONSENT AGENDA																																																				
	DEPARTMENT OF HUMAN RESOURCES	ADAMSEN - APPROVED Consent Items 3 through 52 as recommended (Item 18 was STRICKEN) - UNANIMOUS																																																			
34	REPORT OF NEW HIRES October 18 - November 1, 1995	*****																																																			
	<table> <tr> <th>POSITION(S)</th><th>DEPARTMENT</th><th>MONTHLY RANGE</th></tr> <tr> <td colspan="3"><u>GENERAL FUND</u></td></tr> <tr> <td>Deputy</td><td>City</td><td>\$3,333-</td></tr> <tr> <td>City Attorney</td><td>Attorney</td><td>4,999</td></tr> <tr> <td>Collections Officer</td><td>Municipal Court</td><td>\$2,381- 3,038</td></tr> <tr> <td>Office Specialist I</td><td>Municipal Court</td><td>\$1,860- 2,374</td></tr> <tr> <td>Leisure Activities Attendant</td><td>Parks & Leisure Activities</td><td>\$1,284- 1,639</td></tr> <tr> <td>Code Enforcement Officer I (X)</td><td>Planning & Development</td><td>\$2,830- 3,612</td></tr> <tr> <td>Planning Technician</td><td>Planning & Development</td><td>\$2,381- 3,038</td></tr> <tr> <td>Civil Engineer I (X)</td><td>Public Works</td><td>\$3,282- 4,188</td></tr> <tr> <td colspan="3"><u>ENTERPRISE FUNDS</u></td></tr> <tr> <td>Office Specialist II</td><td>Municipal Court</td><td>\$2,053- 2,620</td></tr> <tr> <td colspan="3"><u>POSITION(S)</u></td></tr> <tr> <td colspan="3"><u>DEPARTMENT</u></td></tr> <tr> <td colspan="3"><u>HOURLY RATE</u></td></tr> <tr> <td colspan="3"><u>GENERAL FUND</u></td></tr> <tr> <td>Leisure Instructor I (R)</td><td>Parks & Leisure Activities</td><td>\$6.35</td></tr> </table>	POSITION(S)	DEPARTMENT	MONTHLY RANGE	<u>GENERAL FUND</u>			Deputy	City	\$3,333-	City Attorney	Attorney	4,999	Collections Officer	Municipal Court	\$2,381- 3,038	Office Specialist I	Municipal Court	\$1,860- 2,374	Leisure Activities Attendant	Parks & Leisure Activities	\$1,284- 1,639	Code Enforcement Officer I (X)	Planning & Development	\$2,830- 3,612	Planning Technician	Planning & Development	\$2,381- 3,038	Civil Engineer I (X)	Public Works	\$3,282- 4,188	<u>ENTERPRISE FUNDS</u>			Office Specialist II	Municipal Court	\$2,053- 2,620	<u>POSITION(S)</u>			<u>DEPARTMENT</u>			<u>HOURLY RATE</u>			<u>GENERAL FUND</u>			Leisure Instructor I (R)	Parks & Leisure Activities	\$6.35	There was no discussion. (9:33 - 9:34)
POSITION(S)	DEPARTMENT	MONTHLY RANGE																																																			
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CITY COUNCIL

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*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****Item
Number****CONSENT AGENDA****DEPARTMENT OF HUMAN RESOURCES**REPORT OF NEW HIRES (CONTINUED)
October 18 - November 1, 1995

<u>POSITION(S)</u>	<u>DEPARTMENT</u>	<u>HOURLY RATE</u>
<u>GENERAL FUND</u>		
Lifeguard/ WSI	Parks & Leisure Activities	\$6.75

SPECIAL REVENUE FUNDS

Leisure Instructor I (2)	Parks & Leisure Activities	\$6.35
Lifeguard/ WSI	Parks & Leisure Activities	\$6.75
Leisure Instructor I	Parks & Leisure Activities	\$6.35

APPROVED - See Page 16.

TO: City Council

FROM: Rick Anderson, Acting Director
Human Resources

SUBJECT: REPORT OF NEW HIRES OCTOBER 18 - NOVEMBER 1, 1995

PURPOSE/BACKGROUND

Deputy City Attorney: City Attorney. Replacement position. Each department in Municipal Court has a Deputy City Attorney assigned to it who is responsible for prosecuting misdemeanor cases on behalf of the City of Las Vegas. Every three months, the deputies rotate to a different department so that each deputy will gain the experience of working with each judge on a variety of cases.

Collections Officer: Municipal Court. New position. This employee assists in the development and implementation of, and will participate in, fine collection programs within Municipal Court. In addition, performs a variety of technical tasks relative to assigned areas of responsibility

Office Specialist I: Municipal Court. Replacement position. This employee provides clerical support to two judges and their Senior Executive Assistant.

Leisure Activities Attendant: Parks & Leisure Activities. Replacement position. Employee will be in charge of policing, cleaning restrooms, picnic areas, barbecue grills, general park maintenance, and landscaping. Employee will provide weekend coverage.

Code Enforcement Officer I (X): Planning & Development. New position. Employee will be assigned to field work to respond to neighborhood complaints and will check status of previous complaints and compliance. The addition of this inspector will assist the division in more promptly responding to citizen complaints and the abatement of such.

Planning Technician: Planning & Development. Replacement position. This employee, utilizing GIS technology and computer programs, creates maps for zoning, public hearings, and actions; retrieves property ownership information for public hearing notices; and provides customer service at the front counter

(CONTINUED ON NEXT PAGE)

FISCAL IMPACT

These positions are funded in the Fiscal Year 1995-96 budget

RECOMMENDATIONS

SUBJECT: REPORT OF NEW HIRES OCTOBER 18 - NOVEMBER 1, 1995

PURPOSE/BACKGROUND CONTINUED:

Civil Engineer I (X): Public Works. Replacement position. Employee will be responsible for performing professional engineering work, providing assistance/coordination of the plan review process, and related offsite "conditions of approval" for those plans going to the Planning Commission/City Council. Employee will also be attending Planning Commission and City Council meetings as staff support and providing counter assistance to developers, builders, contractors, and the general public pertaining to City engineering policies and procedures.

Office Specialist II: Municipal Court. Replacement position. This employee provides clerical support to the DUI Assessment Coordinator. The DUI Assessment Center program is a unit of the Alternative Sentencing and Education Division and accredited by the State of Nevada.

HOURLY POSITIONS

Leisure Instructor I (R): Parks & Leisure Activities. Replacement position. Employee is working at the New A.G.E. Program, an after work recreation program for adults with developmental disabilities. Employee is responsible for implementing leisure activities such as arts and crafts, basketball, and board games as well as ensuring the safety of, and assisting participants at, off site activities (i.e., bowling and skating).

Lifeguard/WSI: Parks & Leisure Activities. Replacement position. Certified employees are necessary to the year-round operation of the Municipal Pool per Health Department regulations.

Leisure Instructor I (2): Parks & Leisure Activities. Replacement positions. One employee will be working at the Chuck Minker Sports Complex and is necessary for the daily operations of the center's programs. The other employee will be working in the Sports Unit and is necessary for the daily operations of the sports programs.

Lifeguard/WSI: Parks & Leisure Activities. Replacement position. Certified employees are necessary to the year-round operation of the Municipal Pool per Health Department regulations.

CITY COUNCIL

MEETING OF
NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	<u>CONSENT AGENDA</u>	
35	<u>DEPARTMENT OF PARKS & LEISURE ACTIVITIES</u>	ADAMSEN - APPROVED Consent Items 3 through 52 as recommended (Item 18 was STRICKEN) - UNANIMOUS
	Approval of Lease Agreement with the Las Vegas Natural History Museum (Lessee) to lease building at 900 Las Vegas Boulevard North.	***** There was no discussion. (9:33 - 9:34)

CITY COUNCIL

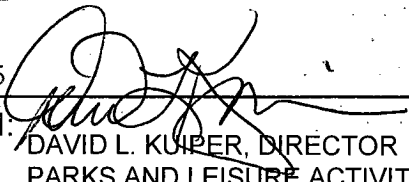
MEETING OF

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AGENDA DOCUMENTATION

NOVEMBER 15, 1995

TO:
City Council

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

SUBJECT: Approval of lease agreement with the Las Vegas Natural History Museum (Lessee) to lease building at 900 Las Vegas Boulevard North.

PURPOSE/BACKGROUND

On May 17, 1995, the City Council approved a lease agreement with the Museum. The agenda item came from the Real Estate Committee.

At the time the agreement was presented for signature, the Museum administrators asked for two minor changes. After review by the City Attorney's office, the requested changes were made. They are:

- 1) Language to show the City would insure the structure - which we were already doing (Section 3 - 11); and
- 2) Language to allow the lessee to charge for overflow parking in the undeveloped property for Cashman Field events. This provision will go away as the site is developed as Heritage Park (Section 3 - 14).

At the direction of the City Manager's Office, we are submitting this agreement for Council approval of the changes made.

FISCAL IMPACT

None

RECOMMENDATIONS

The Parks and Leisure Activities Department recommends Council approval.

CONSENT
Agenda Item

CITY COUNCIL MINUTES

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LEASE AGREEMENT

THIS AGREEMENT, made and entered into as of the 15th day of NOVEMBER, 1995, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada (hereinafter "Lessor"), and the MUSEUM OF NATURAL HISTORY, a Nevada (non-profit 501C3) corporation, (hereinafter "Lessee").

W I T N E S S E T H:

WHEREAS, the Lessor is the legal owner of the property (hereinafter "premises") described in Exhibit "A" attached hereto and incorporated as though set forth in its entirety, situated in the City of Las Vegas, County of Clark and State of Nevada; and

WHEREAS, the Lessee has made an offer to the Lessor to lease a portion of the aforesaid premises from the Lessor, and the Lessor has accepted said offer and has agreed to lease said portion of said premises to the Lessee subject to, and in accordance with, the covenants, terms and conditions hereinafter specified.

NOW, THEREFORE, in consideration of the covenants and agreements hereinafter set forth, it is mutually agreed by the parties hereto, as follows:

SECTION ONE LESSOR'S OBLIGATIONS

1. The Lessor does hereby lease to the Lessee for use by the Lessee as and for a museum of natural history, the existing building structure which comprises a portion of the premises described in Exhibit "A" and more specifically described as 900 Las Vegas Boulevard North, Las Vegas, Nevada.

2. The Lessor hereby agrees to grant the Lessee an easement to use the existing parking lot adjacent to the leased premises during the Lessee's hours of business or for special events of the Lessee's business and the Lessor also agrees to grant the Lessee an easement to use the existing access roads to the leased premises for ingress and egress. The Lessor, however, reserves the right, at its election, to use the existing access roads and parking lot adjacent to the leased premises when needed by the Lessor. The Lessee shall have accessibility to other parking areas designated for joint use. Both parties recognize that there may be future parking conflicts. Both parties will use their best efforts to resolve any parking conflicts.

3. The Lessor shall recognize the autonomy of operations of programs by the Lessee and shall not interfere with the general programming to be undertaken by the Lessee at the premises so long as that programming has been approved by the City Council and is followed as approved, including, but not limited to, the Lessee's public admission charges and quality of service.

4. The Lessor shall be responsible to furnish and supply to the premises the

following utilities and services: HVAC, water, gas, and electricity.

5. The Lessor shall provide the maintenance of the exterior of the premises. The Lessee shall maintain the interior of the premises and shall be responsible for the abuse and destruction of property and equipment not due to ordinary wear and tear that occurs during the hours that the Lessee operates its program.

6. The Lessor, acting through its agents, representatives or employees, shall have the right to enter upon the premises at any reasonable hours, for the purpose of making inspections.

**SECTION TWO
TERM OF LEASE**

The term of this Lease Agreement shall be for a period of five (5) years to commence on notification by the Lessor to the Lessee that the premises are ready for occupancy and that all repairs by the Lessor have been substantially completed and is ready for occupancy. The Lessor shall notify the Lessee in writing to that effect, and the term of this Lease Agreement shall commence thirty (30) days after the notice date.

**SECTION THREE
LESSEE'S OBLIGATIONS**

The Lessee agrees to pay as rental the sum of one (1) dollar per annum.

Ninety (90) days prior to the expiration of this lease obligation, the Lessee shall have the obligation to enter into negotiations with the Lessor to renew and extend this Lease Agreement for a period of five (5) years and an option to renew for an additional period of five (5) years and if such extension and option is exercised, the yearly rental rate and other terms of the Agreement shall also be subject to renegotiation between the Lessor and the Lessee.

It is further expressly understood and agreed by the parties with reference to the tenancy created, as follows:

1. In the event the Lessee shall hold over and remain in possession of the premises leased after the expiration of this Lease Agreement without any written renewal of that Lease Agreement, that holding over shall not be deemed to operate as a renewal or extension of this Lease Agreement but shall only create a tenancy from month to month that may be terminated at any time by the Lessor.

2. The Lessee shall operate and maintain a community cultural service program geared to benefit the needs of the residents;

3. Upon reasonable request and notice, the Lessee shall have the right and

NOV 15 1995

may make space available at no charge, to nonprofit persons, firms, corporations, clubs and associations on a one time basis to said organizations, for cultural purposes or activities. The Lessee shall determine whether or not such request complies in being a cultural purpose or activity and is beneficial to the community. The Lessor has the right, through its representative, the Director of Parks and Leisure Activities, to review any request denied by the Lessee.

4. The Lessee shall plan and operate its program at the premises so that it will not exclude any resident of the program or the community because of race, nationality or religious convictions.

5. The Lessee shall have paid staff present at the premises whenever the Lessee's program is in operation.

6. The Lessee agrees to keep accurate books and records in accordance with recognized accounting practices. All books and records maintained by the Lessee relating to all financial transactions should be available upon reasonable notice at all reasonable hours to the inspection of the Lessor and its agents. On or before the third Wednesday of each calendar month of the term, the Lessee shall deliver to the Lessor's Director of Parks and Leisure Activities of a financial report, certified by an officer of the Lessee to be correct, showing all financial transactions during the preceding month. On or before the 60th day after the end of the Lessee's fiscal year, the Lessee shall deliver to the Director of Parks and Leisure Activities a certified statement prepared by the Lessee's independent certified public accountant showing all financial transactions for the preceding year, or if some other accounting record is required by the Lessee's Board of Directors than the record shall be provided, (i.e. an independent financial audit).

7. The needs of the community shall be given consideration in the planning the Lessee's program at the premises, and, therefore, the parties agree that joint staff meetings shall be held semi-annually between representatives of the Lessor and the Lessee, to facilitate mutual cooperation and make possible regular re-examination of the effectiveness of the Lessee's program at the premises.

8. The Lessee shall maintain the premises in a safe condition and in good repair.

9. The Lessee shall not undertake any structural alterations or changes in the construction of the premises, without prior written consent of the Lessor.

10. The Lessee shall indemnify the Lessor and save it harmless from and against all liability, claims, damages and causes of action arising out of the Lessee's possession, maintenance, use and operation of the premises, excluding the City's maintenance obligations.

11. During the full term of this Lease Agreement the Lessee shall, at its sole cost and expense, cause equipment, fixtures, improvements and other property located in the

CITY COUNCIL MINUTES

NOV 15 1995

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demised premises to be kept insured to the full insurable value but not less than Five Hundred Thousand and No/100ths Dollars (\$500,000.00) without the prior written consent of the Lessor, which shall not be unreasonably withheld, against the perils of explosion, fire and like perils and the Lessee will be shown as the loss payee on the insurance policy. It is understood that the Lessor shall insure the building only, with the Lessee responsible for insuring all contents therein.

12. The insurance shall be procured from a company authorized to do business in the State of Nevada and satisfactory to the Lessor and the Lessee and shall provide evidence satisfactory to the Lessor that such coverage has been procured and is being maintained. A certificate of insurance will be furnished the Lessor annually, showing the Lessee as a named additional insured on the policy.

13. Comprehensive public liability and property damage insurance, naming the Lessor and the Lessee against claims for person injury or death or property damages suffered in connection with the use and occupancy of the leased premises with minimum liability limits of One Million and No/100ths Dollars (\$1,000,000.00) and a certificate of insurance will be furnished to the Lessor annually showing the Lessor as a named additional insured on the policy.

14. The Lessee shall not rent or sublet space in the premises, without the written consent of the Lessor's representative, the Director of Parks and Leisure Activities, which consent will not be withheld unreasonably. Any such person, firm, corporation, club or association which is awarded the use of space on the premises shall be required to indemnify both the Lessor and the Lessee and save them harmless against all liability, claims, damages and causes of action arising out of said person's, firm's, club's, corporation's, or association's possession, maintenance or use or operation of space on the premises. A written agreement with the above wording shall be signed by each person, firm, club, corporation or association which is awarded space. The Lessee shall have the right during special events held in the area, to charge for the use of the parking lot, provided proper and sufficient insurance is maintained to cover said activity. This right terminates upon the Lessor's need for the use of the parking area for future construction projects.

15. If the premises leased to the Lessee are partially damaged by fire, explosion, the elements, the public enemy, or other casualty, but not rendered untenable, the premises (the building itself, but not the contents or property of the Lessee) shall be repaired with due diligence by the Lessee at its own cost and expense. If the damage shall be so extensive as to render such premises untenable, but capable of being repaired in 180 days, the premises shall be repaired with due diligence by the Lessor at its own cost and expense, and the rent payable shall be proportionately paid up to the time of such damage and then cease until such time as the premises are fully restored. In the event the premises are completely destroyed by fire, explosion, the elements, the public enemy or other casualty, or so damaged that they will remain untenable for more than 180 days, the Lessor shall be under no obligation to repair and reconstruct the premises. If, within 12 months after the time of such damage or destruction said premises shall not have been repaired or reconstructed, the Lessee may give the

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Lessor written notice of its intention to cancel the agreement in its entirety as of the date of such damage or destruction.

16. The Lessee agrees to pay any taxes or assessments which may be lawfully levied against the Lessee's occupancy or use of the demised premises as a result of the Lessee's occupancy.

SECTION FOUR GENERAL PROVISIONS

The paragraph headings contained here are for the convenience in reference and are not intended to define or limit the scope of any provision of this Lease Agreement.

SECTION FIVE NOTICES

All notices, demands, or other writings in this Lease Agreement provided to be given, or which may be given by either party to the other, shall be deemed to have been fully given when made in writing and deposited with the United States Postal Service as certified mail, with postage prepaid, and addressed as follows:

LESSOR: City of Las Vegas
Department of Parks and Leisure Activities
749 Veterans Memorial Drive
Las Vegas, Nevada 89101

LESSEE: Las Vegas Natural History Museum
900 Las Vegas Boulevard North
Las Vegas, Nevada 89101

The address to which any notice, demand, or other writing may be given to any party as above provided may be changed by written notice given by such party as above provided.

SECTION SIX SUCCESSORS AND ASSIGNS

All of the terms, covenants and agreements here contained shall be binding upon and shall inure to the benefit of successors and assigns of the respective parties.

SECTION SEVEN TERMINATION OF LEASE

This Lease Agreement may be terminated at any time and with cause by either party giving the other at least thirty (30) days' prior written notice of such termination.

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SECTION EIGHT

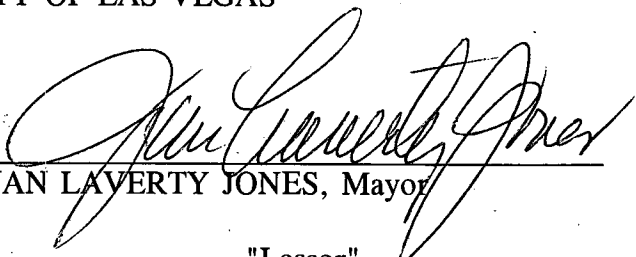
VENUE

The venue of any action brought on this contract shall lie in Clark County, State of Nevada.

IN WITNESS WHEREOF, the parties, by their duly authorized representatives, have executed this Lease Agreement on the day and year first above written.

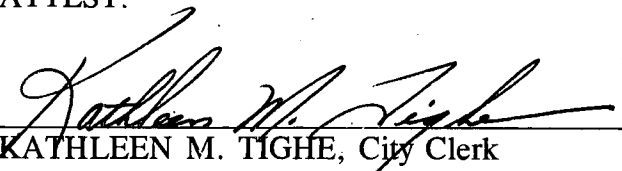
CITY OF LAS VEGAS

By


JAN LAVERTY JONES, Mayor

"Lessor"

ATTEST:


KATHLEEN M. TIGHE, City Clerk

APPROVED AS TO FORM:

 9-6-95
Date

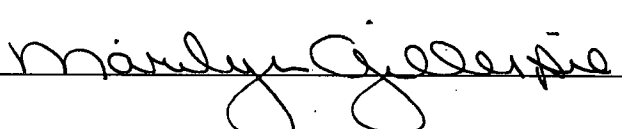
MUSEUM OF NATURAL HISTORY

By


PRESIDENT, Raymond Lucchesi

"Lessee"

ATTEST:



CITY COUNCIL

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	<u>CONSENT AGENDA</u>	
	<u>PLANNING & DEVELOPMENT</u>	
36	Action To Authorize The Mayor To Sign The Loan Documents To Ray & Ross Transport, Inc. For A Loan In The Amount Of \$150,000. (CDBG-RLF)	ADAMSEN - APPROVED Consent Items 3 through 52 as recommended (Item 18 was STRICKEN) - UNANIMOUS ***** There was no discussion. (9:33 - 9:34)
37	Action To Modify The Amount Of The U. S. Department Of Housing & Urban Development (HUD) Emergency Shelter Grant (ESG) Funds To Catholic Community Services Of Nevada From \$13,000 To \$13,146.87.	APPROVED - See above
38	Action To Approve An Expenditure Of \$33,975 Of Community Development Block Grant (CDBG) Program Income For Carpet And Linoleum Replacement For The City Of Las Vegas Lessee, Nevada State Welfare, Which Is Located At 1040 West Owens.	APPROVED - See above

CITY COUNCIL

MEETING OF

November 15, 1995

AGENDA DOCUMENTATION

164

TO:

City Council

FROM:

Donna H. Kristaponis, Director
Planning and Development Department

SUBJECT:

ACTION TO AUTHORIZE THE MAYOR TO SIGN THE LOAN DOCUMENTS TO RAY & ROSS TRANSPORT, INC. FOR A LOAN IN THE AMOUNT OF \$150,000.

PURPOSE/BACKGROUND

On November 1, 1995, the City Council approved a working capital loan from the Community Development Block Grant Revolving Loan Fund (CDBG-RLF) in the amount of \$150,000 to Ray & Ross Transport, Inc. (Applicant). The loan was approved after a recommendation of approval by the Loan Review Committee (LRC) by a vote of 6-2. The two members who opposed approval were concerned about the company's ability to repay the note. The purpose of the loan is to provide interim financing while the company continues to increase its revenue. The majority of the LRC members felt that retaining 210 full-time and part-time jobs was important and merited its recommendation.

Attached is the Loan Agreement, which includes as Exhibits, a Promissory Note, a Loan Guaranty, and an Employment Plan. The principals of Ray & Ross have signed as Applicant and as Personal Guarantors.

A Second Deed of Trust will be filed on the property located at 3951 Las Vegas Boulevard South owned by Sammie R. Armstrong. A UCC-1 will be filed on equipment owned by Ray & Ross Transport, Inc. and located at 300 West Owens Avenue.

FISCAL IMPACT

The CDBG-RLF will be decreased by \$150,000.

RECOMMENDATIONS

The City Manager recommends that the City Council authorize the Mayor to sign the Loan documents.

Agenda Item

36

not signed
as of 1/23/96
see memo 1/14/97

LOAN AGREEMENT

CITY COUNCIL MINUTES

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THIS LOAN AGREEMENT (herein the "Agreement") is made and entered into this ____ day of _____, 1995, by and among the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada (herein the "City"), RAY & ROSS TRANSPORT INC., a Nevada corporation, (herein the "Borrower"), and Sammie R. Armstrong and Douglas R. McCain, in their individual capacities (herein the "Guarantors").

WITNESSETH:

WHEREAS, as part of its Community Development Block Grant Program, the City has created a program to loan funds for various economic activities undertaken by a private business if such loan results in creating or retaining jobs for low and moderate income persons, expand the City's tax base, leverage public and private investments or help remove or eliminate blight in the community; and

WHEREAS, the City has established a fund entitled, to wit: Community Development Block Grant Revolving Loan Fund (herein the "RLF") to provide economic development loans to persons who have been determined to qualify for such loans by the Loan Review Committee; and

WHEREAS, the Borrower has made an application for a loan in the amount hereinafter set forth to the Loan Review Committee which will be used to retain low to moderate income persons as employees of the business who otherwise would be at risk of losing such employment because of adverse business conditions; and

WHEREAS, the Loan Review Committee has determined that the Borrower's business qualifies for a loan from the RLF and, therefore, has approved the Borrower's request for financial assistance under the terms and conditions set forth herein.

NOW, THEREFORE, for and in consideration of the premises, of the mutual promises that are hereinafter contained, and of other good and sufficient considerations, the receipt and sufficiency of which is hereby acknowledged by each of the parties hereto, said parties do hereby agree as follows:

1. AMOUNT OF LOAN. The City will lend to the Borrower, and the Borrower will borrow from the City, the sum of One Hundred Fifty Thousand and No/100ths Dollars (\$150,000) (herein the "Loan") which shall be used by the Borrower as set forth in Section 2. The proceeds of the Loan shall be disbursed directly to the Borrower by the City as needed.

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2. USE OF LOAN PROCEEDS AND HUD REGULATIONS. The Borrower hereby acknowledges that all of the funds that exist within the RLF have been derived from the City's federally funded Community Development Block Grant Program and the Borrower, therefore, agrees to comply with all of the applicable rules and regulations of the City and the United States Department of Housing and Urban Development (herein "HUD") that relate to the expenditure of the Community Development Block Grant Loan Fund. In this connection, the Borrower further acknowledges that one of the guidelines that is contained in such rules and regulations requires that such funds be expended in job-creating or job-retaining activities and, therefore, agrees that the proceeds of the Loan will be used as working capital for the business and to retain, within the first twelve (12) months after the execution of this Agreement, a minimum of 210 permanent and part-time jobs. The Borrower agrees that at least at least fifty-one percent (51%) of these jobs shall be filled by persons of low to moderate incomes as determined in accordance with the regulations of HUD. The Borrower further agrees to provide to the City evidence of the creation and maintenance of such jobs upon request by the City or HUD.

3. APPLICATION AND ORIGINATION FEE. The Borrower will pay to the City a loan origination fee in the amount of One Thousand Five Hundred and No/100ths Dollars (\$1,500.00) and an application fee in the amount of One Hundred and No/100ths Dollars (\$100.00).

4. PROMISSORY NOTE. The Loan shall be represented by the promissory note (the "Note") attached hereto as Exhibit "A", executed concurrently with the execution of this Agreement, and shall be repaid to the City by the Borrower in Sixty (60) equal monthly installments in the amount of Three Thousand Seventy-Three and 90/100ths Dollars (\$3,073.90), including interest on the unpaid balance thereof at the rate of eight percent (8%) per annum from the date of the execution of this Agreement. In this connection, the Borrower acknowledges that, upon the execution of this Agreement, the City will set aside the full amount of the Loan for the benefit of the Borrower, and the Borrower therefore, agrees that interest will accrue from the date of the execution of this Agreement notwithstanding the fact that the proceeds of the Loan are not expended by, or on behalf of, the Borrower until some later date.

5. COLLATERAL. As and for the security for the Promissory Note and Loan herein, the Borrower will provide to the City a security interest in the following collateral, to wit: a second deed of trust on the real property and improvements thereon located at 3951 South Las Vegas Boulevard, Las Vegas, Nevada (herein the "Collateral"). The Borrower agrees to execute any and all documents necessary to protect the City's security interest in the Collateral. The Borrower agrees not to transfer or use the Collateral as security for any other loan other than the Loan identified herein and will otherwise keep the Collateral free from liens and other encumbrances unless the City's written consent therefor is first obtained.

The Borrower may repay, without penalty, all or any portion of the amount of the Note at any time and from time to time; provided, however, that any partial payment shall be in an even multiple of Three Thousand Seventy-Three and 90/100ths Dollars (\$3,073.90), and shall be credited against the unpaid installments of the Note in the inverse order of their respective due dates.

If payment is not received on the due date, or within five days after the due date, there will be a late fee of five percent (5%) of the payment amount or \$100.00, whichever is the greater amount. If the Borrower misses the second due date, the Loan may, at the option of the City, become entirely due and payable, and failure to pay the unpaid balance within ten (10) days after notification of the acceleration shall entitle the City to enforce its security interest in the Collateral. The City will also notify a local credit bureau that the loan is sixty (60) days in arrears.

6. GUARANTY. As and for additional security for the Loan, the Guarantors hereby guarantee repayment of the Loan and Promissory Note to the City and agree to execute the guaranty (the "Guaranty") set forth in Exhibit "B" attached hereto.

7. EMPLOYMENT PLAN. It is understood and agreed that this Loan has been approved and executed subject to an approved Employment Plan set forth in Exhibit "C" attached hereto.

8. RELOCATION. No loans will be granted to businesses located outside the City. If the Borrower relocates their business outside the corporate boundaries of the City, the Loan will be in default and the entire unpaid balance will be due and payable immediately.

9. INSURANCE. The Borrower shall obtain and maintain until repayment of the Loan has been made to the City, insurance coverage in a minimum amount equal to the value of the Loan, insuring the Collateral against fire, damage and destruction and certificates evidencing such coverage with an insurance company, satisfactory to the City and naming the City as an additional insured party thereunder, shall be provided to the City prior to the disbursement of any of the proceeds of the Loan.

10. FLOOD HAZARD INSURANCE. Borrowers will be required to obtain and maintain flood hazard insurance, if applicable.

11. ACCESS FOR THE HANDICAPPED. If a construction project is financed by the CDBG-RLF, accessibility to the handicapped must be assured in compliance with the standards of 41 CFR, subpart 101-19.6.

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12. MINIMUM WAGE. If any of the loan is to be expended upon construction costs that exceed \$2,000; the Borrower agrees to pay wages for the construction costs at the current prevailing wage rate as determined by the Davis Bacon Act.

13. REPORTS. The Borrower agrees to provide to the City, at such times as the City may request, audit reports, financial statements and a business plan.

14. DEFAULT. The City may terminate this Agreement and declare the Borrower to be in default hereunder should the Borrower breach any of the terms or conditions hereof including without limitation, the payment of any installment of principal and interest due and owing under the Loan as provided in Section 5, and may declare the unpaid balance of the Loan to be immediately due and payable. In the event of such acceleration, the City shall be entitled to pursue any legal or equitable remedies that may be available to it including, without limitation, instituting collection action against the Borrower, proceeding against the Guarantors on their guaranty, or seizing and selling any or all of the Collateral as the security for the Loan, or any combination thereof.

15. MISCELLANEOUS. a. The City's failure to enforce any breach by the Borrower of the provisions of this Agreement shall not be construed as a waiver of any subsequent breach of the same or any of the other provisions herein, and the City reserves the right to pursue any of the remedies that are provided for in Paragraph 13 above against the Borrower or the Guarantors, or both, upon the occurrence of any such subsequent breach.

b. This Agreement, and each of the provisions hereof, shall be binding upon, and shall inure to the benefit of, the parties hereto and their respective heirs, legal representatives, successors and assigns.

CITY COUNCIL MINUTES

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

CITY OF LAS VEGAS

By _____
Jan Lavery Jones, Mayor

ATTEST:

KATHLEEN M. TIGHE, City Clerk

APPROVED AS TO FORM

Robert S. Sylvain 11-3-95
City Attorney

Ray & Ross Transport Inc.

By _____
Sammie R. Armstrong, President

Ray & Ross Transport Inc.

By _____
Douglas R. McCain, Vice President

CITY COUNCIL MINUTES

EXHIBIT "A"

NOV 15 1995

PROMISSORY NOTE

\$150,000.00

Las Vegas, Nevada

November __, 1995

FOR VALUE RECEIVED, the undersigned, Ray & Ross Transport Inc., the principal address of which is 300 West Owens Avenue, Las Vegas, Nevada 89106 (the "Borrower" herein) promises to pay to the CITY OF LAS VEGAS (the "City" herein), at 400 East Stewart Avenue, Las Vegas, Nevada 89101, the sum of One Hundred Fifty Thousand and No/100ths Dollars (\$150,000.00) with interest thereon from the date hereof at the rate of eight percent (8%) per annum, in sixty (60) equal monthly installments in the amount of Three Thousand Seventy-Three and 90/100ths Dollars (\$3,073.90), commencing on the 10th day of February, 1996 and continuing thereafter, on the same day of each and every month, until the 10th day of January, 2001 when the entire principal sum hereof then unpaid, together with all accrued interest thereon, shall be due and payable.

In the event of a default in the payment of any of the installments, as the same are herein above provided, time being of the essence, the City may, without notice of demand, declare the entire principal sum then unpaid, together with all accrued interest thereon, immediately due and payable.

The Borrower, and each endorser and guarantor, hereby expressly waives presentment, demand of payment, notice of nonpayment, protest, notice of protest and all exemptions. If the payment of this Promissory Note, or any installment thereof, is not made when the same is due, and the commencement of a suit becomes necessary for any reason to enforce the payment hereof, the Borrower agrees to pay all of the costs of collection, including without limitation reasonable attorneys' fees and court costs, that the City may incur in connection with the collection hereof.

This Promissory Note is secured by a deed of trust and other security instruments of even date herewith and is subject to the terms and conditions or that certain Loan Agreement of even date herewith between the Borrower, the City and the Guarantors who are hereinafter named.

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IN WITNESS WHEREOF, the Borrower has caused this Promissory Note to be executed by its duly authorized officers this ____ day of November, 1995.

Ray & Ross Transport Inc.

By _____
Sammie R. Armstrong, President

Ray & Ross Transport Inc.

By _____
Douglas R. McCain, Vice President

Approved as to form:

Robert S. Glavin 11-3-95
Date

NOV 15 1995

EXHIBIT "B"GUARANTY

In consideration of the loan that is evidenced by the within Promissory Note that was made at the request of the undersigned, on the terms and conditions thereof, each of the undersigned hereby guarantees the prompt payment of said Promissory Note, and each installment thereof, as and when the same becomes due, whether at the stated maturity, through acceleration or otherwise, and in accordance with all of the terms and conditions thereof, and each of the undersigned hereby agrees to all of the terms and conditions of said Promissory Note and affirms the waivers and consents that are contained therein.

The liability of the undersigned under this Guaranty shall be direct and not conditional or contingent upon the pursuit of any remedy against the maker, any endorser hereof or any collateral that is held as security for the payment of said Promissory Note.

Notice of acceptance is hereby waived. This Guaranty shall be a continuing guaranty extending to any promissory note that is given in extension or renewal of said Promissory Note, notwithstanding the fact that the original thereof may have been surrendered; provided, however, that the liability of the undersigned shall not be increased over and above the amount contained in such original, plus accrued and unpaid interest.

DONE AND DATED this ____ day of November, 1995.

Ray & Ross Transport Inc.

By _____
Sammie R. Armstrong, President

Ray & Ross Transport Inc.

Approved as to form:

By _____
Douglas R. McCain, Vice President

Robert S. Zlosin 11-3-95
Date

RAY & ROSS TRANSPORT, INC

EMPLOYMENT PLAN

The purpose of the Community Development Block Grant (CDBG) Employment Plan is to establish an employment plan policy to be the guideline for persons who have or will receive assistance from the CDBG Revolving Loan Fund (CDBG-RLF) program. It is a requirement of the CDBG-RLF that, except for commercial rehabilitation loans which eliminate or remove slum and blight, each loan recipient must make available one job for every \$35,000 loaned to 51% of low and moderate income persons.

Ray and Ross Transport, Inc. ("Borrower"), a company owned by an African-American, currently employs 210 persons, 110 full-time and 100 part-time. Most of them were hired through a training program through the Nevada Business Services (NBS). The Borrower plans to continue to hire all of its new drivers through the same program, which is funded through the Job Training and Partnership Act of the U. S. Department of Labor.

Borrower is located within the SNEC Targeted Area, an approved Enterprise Zone. It is also located within Census Tract 3.02, in which 67.1% of the residents are persons of low- and moderate- income.

The implementation of the Employment Plan will be conducted by the owner/operator of Ray & Ross Transport, Inc., Mr. Sammie R. Armstrong. The oversight shall be performed by the City of Las Vegas Planning & Development Department, as deemed reasonable.

THE PLAN

The Borrower is aware that the City of Las Vegas Planning and Development Department wants the Borrower to make as many jobs available to persons of low and moderate income as possible. The U. S. Department of Housing and Urban Development (HUD) has determined that the following groups should have an opportunity for employment:

- Persons of low and moderate income
- Persons in any of the following programs:
 - Job Training Partnership Act (JTPA)
 - Jobs Opportunities for Basic Skills (JOBS)
 - Aid to Families with Dependent Children (AFDC)
- Participants in Unemployment Insurance programs
- Residents of Public and Indian Housing or other assisted housing units
- Persons who are homeless
- Clear opportunities for promotion for low- and moderate- income individuals, through training or other job enhancement programs

NOV 15 1995

Financial assistance to Borrower will :

- 1) retain the business and 210 full and part-time jobs
- 2) hire an additional 10-20 persons.

Ray & Ross Transport, Inc. ("Borrower") will work with Nevada Business Services ("NBS"), the State of Nevada Employment Security ("ESD"), Nevada Black Chamber of Commerce (NBCC), and/or the Latin Chamber of Commerce ("LCC) to implement a community based employment strategy which accomplishes one or more of the following, as required by City staff :

1. Hire a work force reflecting the local community;
2. Improve the community by giving jobs to certain individuals from areas that otherwise would not have the equivalent opportunities with major emphasis placed on hiring:
 - Economically disadvantaged
 - Physically handicapped
 - Members of racial minorities
 - Veterans
 - Women
3. Provide a minimum of 51% of all new jobs associated with the operation of the company to residents of the targeted neighborhoods, the City of Las Vegas Special Impact Area, and/or persons who are representative of one of the groups in 2;
4. Pay a minimum wage which is the higher of the Federal minimum wage or the market rates paid by employers in similar businesses in order to ensure that economic development jobs provide decent standards of living for employees;
5. Submit to the Neighborhood Resource Division within thirty (30) calendar days after the end of each calendar quarter a list of employees' names, addresses, rates of pay and health benefit status, and whether or not they were referred by one of the above mentioned agencies;
6. Provide full compliance in accordance with this Employment Plan, as approved by the Las Vegas City Council, as Attachment "C" of the Loan Agreement between the City of Las Vegas and Ray & Ross Transport, Inc.

CITY COUNCIL MINUTES

NOV 15 1995

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IN WITNESS WHEREOF, the Borrower has caused this Employment Plan to be executed by its duly authorized officers this ____ day of November, 1995.

RAY & ROSS TRANSPORT, INC.

By _____
Sammie R. Armstrongs, President and
General Manager
300 W. Owens Avenue,
Las Vegas, NV 89106

RAY & ROSS TRANSPORT, INC.

By _____
Douglas R. McCain, Vice President
300 W. Owens Avenue,
Las Vegas, NV 89106

Approved as to form:

Robert S. Sylvan 11-3-95
Date

175-A
October 14, 1997

INTER-OFFICE MEMORANDUM

TO:

Sandra LeBoeuf, Chief Deputy City Clerk

FROM:

*Peggy Proestos*Peggy Proestos, Sr. Dev. Project Officer
Neighborhood Development Division
Neighborhood Services Department

SUBJECT:

Ray & Ross Transport, Inc.

COPIES TO:

Sharon Segerblom, Director

In response to your memo of October 10, the loan of \$150,000, which was approved by the City Council on November 15, 1995 (Item #36), was never completed. Staff delivered the Loan Documents to Ray & Ross, but the owner declined to sign them. Subsequently, the business was sold to an out of state organization. In December, 1995, the Loan Review Committee rescinded the loan and the matter was closed. Thank you.

RECEIVED
CITY CLERK
OCT 14 1 59 PM '97

CITY COUNCIL

MEETING OF

AGENDA DOCUMENTATION

November 15, 1995

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TO:

City Council

FROM

Donna H. Kristaponis, Director
Department of Planning & Development

SUBJECT: ACTION TO MODIFY THE AMOUNT OF THE U.S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT (HUD) EMERGENCY SHELTER GRANT (ESG) FUNDS TO CATHOLIC COMMUNITY SERVICES OF NEVADA FROM \$13,000 TO \$13,146.87.

On August 2, 1995, the City Council authorized staff to reallocate \$13,000 in U.S. Department of Housing and Urban Development (HUD) Emergency Shelter Grant (ESG) to Catholic Community Services of Nevada.. The purpose of the funds was to construct an accessible public restroom facility/water fountain on its St. Vincent Plaza property (1501 Las Vegas Boulevard North).

The correct amount to be reallocated should have been \$13,146.87. The purpose of this agenda item is to reallocate the correct amount so that the amount of funds remaining in the account can be used for the project.

FISCAL IMPACT

The \$13,146.87 will be paid by previously committed Emergency Shelter Grant funds and reallocated as indicated.

RECOMMENDATIONS

The City Manager recommends that the City Council change the reallocation to Catholic Community Services of Nevada from \$13,000 to \$13,146.87 from the Emergency Shelter Grant fund.

Agenda Item

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TO:

City Council

FROM:

Donna H. Kristaponis, Director
Planning and Development Department

SUBJECT:

ACTION TO APPROVE AN EXPENDITURE OF \$33,975 OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM INCOME FOR CARPET AND LINOLEUM REPLACEMENT FOR THE CITY OF LAS VEGAS LESSEE, NEVADA STATE WELFARE, WHICH IS LOCATED AT 1040 WEST OWENS

PURPOSE/BACKGROUND

In November, 1983, the City of Las Vegas purchased one-third, or 30,840 square feet, of the Nucleus Plaza Shopping Center from Nucleus Plaza, Inc. with a grant from the U. S. Economic Development Administration (EDA). When the vacant space, known as the "Light Industrial Facility", was eventually rented, the tenant improvements were funded by Community Development Block Grant (CDBG) funds. Subsequently, because all tenant improvements and renovations at the light industrial facility were funded by CDBG, the City has considered all rent income from tenants as CDBG program income.

The State of Nevada, Welfare Division, currently leases the City-owned portion of the shopping center, with a monthly lease payment of \$13,878. Since the City has a Security and Maintenance Agreement (SAM) with Nucleus Associates (the owner of Nucleus Plaza), its monthly payment is \$6,155.05. As a result, the net realized income to the City each month is \$7,722.95 or \$92,675.40 per year.

The net realized income of \$92,675.40 to the City is considered program income pursuant to Housing and Urban Development (HUD) Entitlement Grant Regulations 24 Code of Federal Regulations (CFR) Part 570.

The State of Nevada, Welfare Division, located at 1040 West Owens in Nucleus Plaza, has advised staff that the original carpet and linoleum has become damaged due to the age of the carpet and linoleum and high pedestrian traffic of the clientele that visit the Welfare office. Upon visual inspection by staff substantiating the condition of the carpet and linoleum, staff set out to rectify the situation.

Staff has solicited three bids for the carpet and linoleum replacement. The most responsive bidder submitted a bid for the project at \$33,975. This amount will be paid out of program income the City receives from Nevada State Welfare.

FISCAL IMPACT

The City will expend \$33,975 of CDBG program income.

RECOMMENDATIONS

The City Manager recommends that the expenditure of the CDBG program income be approved.

Agenda Item

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CITY COUNCIL

MEETING OF

NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number		
	<u>CONSENT AGENDA</u>	
	<u>DEPARTMENT OF PUBLIC WORKS</u>	ADAMSEN - APPROVED Consent Items 3 through 52 as recommended (Item 18 was STRICKEN) - UNANIMOUS
	<u>ACCEPTANCE OF RIGHT OF WAY ITEMS</u>	
	<u>GRANT DEED</u>	*****
39	From: RICHARD N. GUBLER, AS TO AN UNDIVIDED ONE-FOURTH (1/4) INTEREST; DAVID M. GUBLER, AS TO AN UNDIVIDED ONE-FOURTH (1/4) INTEREST; JAMES L. GUBLER, AS TO AN UNDIVIDED ONE-FOURTH (1/4) INTEREST; JOHN G. GUBLER, AS TO AN UNDIVIDED ONE-EIGHT (1/8) INTEREST; JOHN GRAY GUBLER, TRUSTEE OF "THE JOHN GRAY GUBLER TRUST" DATED JULY 25, 1986, AS AMENDED, AS TO AN UNDIVIDED ONE-EIGHT (1/8) INTEREST To: City of Las Vegas For: Portion of the Northwest Quarter (NW 1/4) of Section 3, T21S, R61E, M.D.M. for 10' of right of way along Las Vegas Boulevard for the Downtown Corridor Improvement Project (previously recorded in the Office of the Recorder, Clark County, Nevada in Book 951020 as Instrument Number 01317) (9-26-95) 162-03-210-060	There was no discussion. (9:33 - 9:34)

CITY COUNCIL

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number		
	<u>CONSENT AGENDA</u>	
	<u>DEPARTMENT OF PUBLIC WORKS</u>	
	<u>ACCEPTANCE OF RIGHT OF WAY ITEMS</u>	
	<u>TEMPORARY RIGHT OF WAY GRANT FOR SEWER PURPOSES</u>	
40	From: THOMAS SENIUR AND JEANNE SENIUR, HUSBAND AND WIFE AS JOINT TENANTS To: City of Las Vegas For: Portion of the Southwest Quarter (SW 1/4) of Section 35, T19S, R60E, M.D.M., for a temporary sewer easement located within the Mountain Gate Townhomes Unit 3 (10-18-95) 125-35-401-019	ADAMSEN - APPROVED Consent Items 3 through 52 as recommended (Item 18 was STRICKEN) - UNANIMOUS ***** There was no discussion. (9:33 - 9:34)
	<u>RIGHT OF WAY GRANT FOR SEWER PURPOSES</u>	
41	From: TRANSCOM PROPERTIES INC. To: City of Las Vegas For: Portion of the Southwest Quarter (SW 1/4) of Section 28, T20S, R60E, M.D.M., being Lot 1 in Block 2 and Common Lot B of Rodeo Drive Estates to provide sewer service to Melrose Park subdivision (10-13-95) 138-28-410-001 & 138-28-497-	APPROVED - See above

CITY COUNCIL

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NOVEMBER 15, 1995

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number		
	<u>CONSENT AGENDA</u>	
	<u>DEPARTMENT OF PUBLIC WORKS</u>	
	<u>ACCEPTANCE OF RIGHT OF WAY ITEMS</u>	
	<u>RIGHT OF WAY GRANT FOR DRAINAGE PURPOSES</u>	
42	From: FRIDAY ESTATES INC., A NEVADA CORPORATION To: City of Las Vegas For: Portion of the Southeast Quarter (SE 1/4) of Section 27, T19S, R60E, M.D.M., for a drainage easement located within Grand Entries - Phase 6 (10-17-95) 125-27-713-001	ADAMSEN - APPROVED Consent Items 3 through 52 as recommended (Item 18 was STRICKEN) - UNANIMOUS ***** There was no discussion. (9:33 - 9:34)
	<u>RIGHT OF WAY GRANT FOR INGRESS AND EGRESS PURPOSES</u>	
43	From: HOWARD HUGHES PROPERTIES, LIMITED PARTNERSHIP, A DELAWARE LIMITED PARTNERSHIP To: City of Las Vegas For: Portion of East Half (E 1/2) of Section 24, T20S, R59E, M.D.M, being that portion of Common Lot "O" of Summerlin Village 7 - The Trails - Unit 3 to provide access into Indian Hills Unit 5 (10-15-95) 137-24-697-010	APPROVED - See above

CITY COUNCIL

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

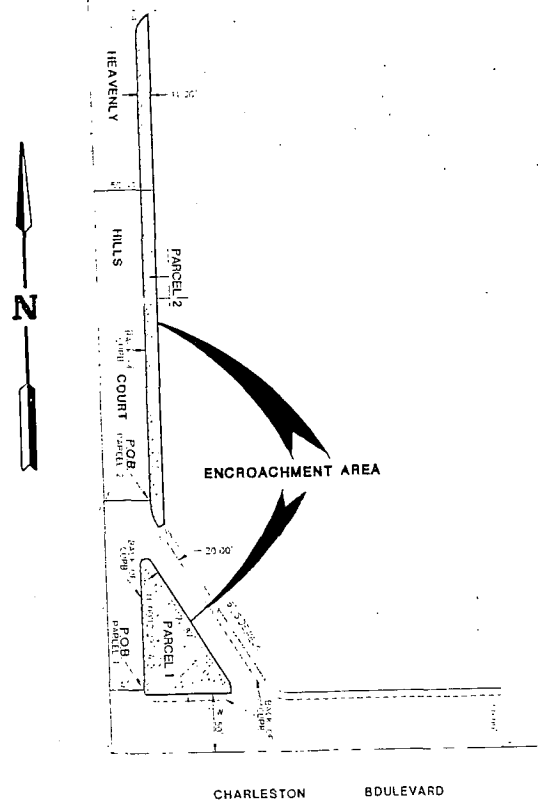
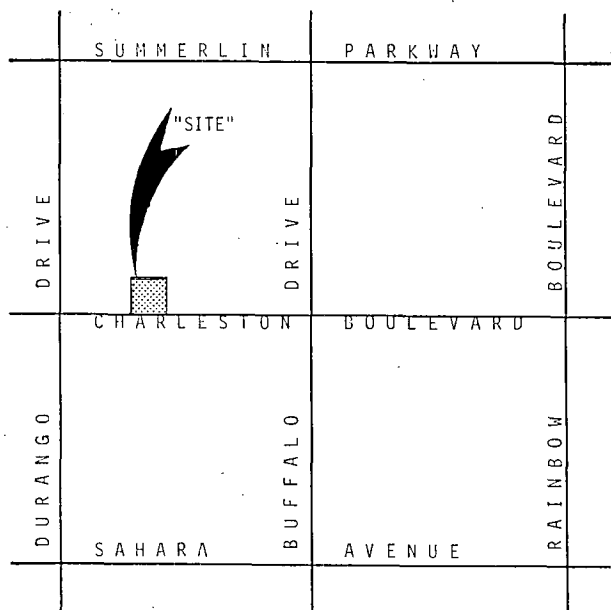
Item Number		
	<u>CONSENT AGENDA</u>	
	<u>DEPARTMENT OF PUBLIC WORKS</u>	
	<u>ACCEPTANCE OF RIGHT OF WAY ITEMS</u>	
	<u>RIGHT OF WAY GRANT FOR BUS STOP PADS</u>	
44	From: NEVADA-UTAH ASSOCIATION OF SEVENTH-DAY ADVENTISTS, A UTAH CORPORATION To: The City of Las Vegas For: Portion of Government Lot 60 in the Southwest Quarter (SW 1/4) of Section 1, T21S, R60E, M.D.M. for a bus stop pad easement located on the south side of Oakey Boulevard, east of Jones Boulevard, for the Oakey Project - Rainbow to Decatur. (10-18-95) 163-01-301-001	ADAMSEN - APPROVED Consent Items 3 through 52 as recommended (Item 18 was STRICKEN) - UNANIMOUS ***** There was no discussion. (9:33 - 9:34)
	<u>ENCROACHMENT REQUESTS</u>	
45	KALB CONSTRUCTION COMPANY ON BEHALF OF DURANGO MINI STORAGE, INC., <u>OWNER HEAVENLY HILLS COURT</u> Applicant proposes to encroach into the public right of way consisting of grass, sprinklers, boulders and palm trees at the northeast corner of Charleston Boulevard and Heavenly Hills Court. Staff Recommendation: APPROVAL, subject to conformance to all other City Codes and Department standards.	APPROVED - See above

TO:
City CouncilFROM: RICHARD D. GOECKE, DIRECTOR
DEPARTMENT OF PUBLIC WORKSSUBJECT: ENCROACHMENT REQUEST - KALB CONSTRUCTION COMPANY ON BEHALF
OF DURANGO MINI STORAGE, INC., OWNER
HEAVENLY HILLS COURTPURPOSE/BACKGROUND

The applicant proposes to encroach into the public right of way at the northeast corner of Charleston Boulevard and Heavenly Hills Court.

The encroachment would consist of grass, sprinklers, boulders, and palm trees.

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

CITY COUNCIL

MEETING OF

NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

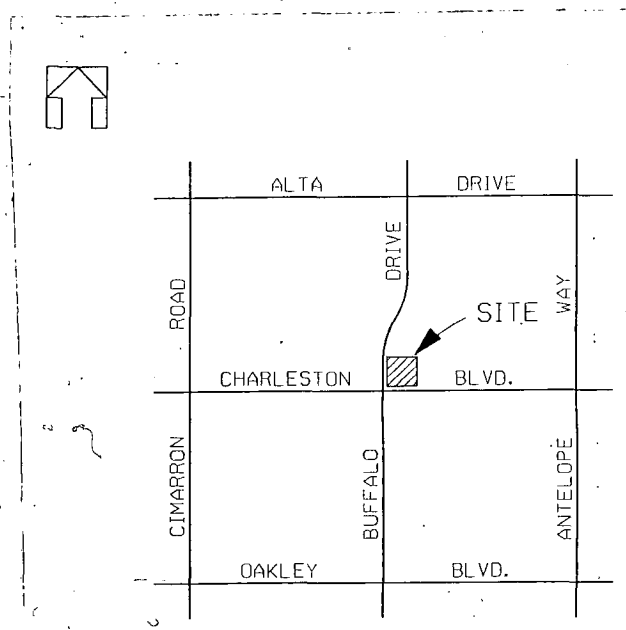
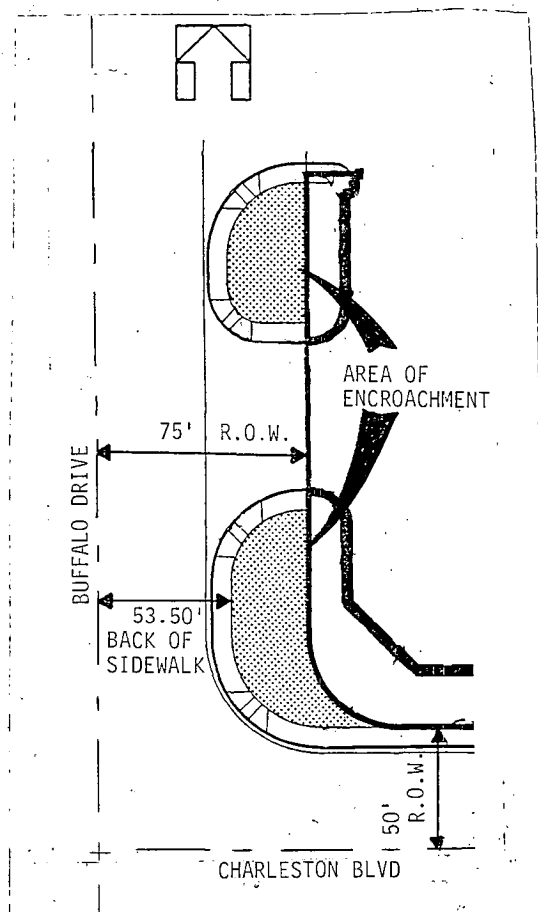
Item Number		
	<u>CONSENT AGENDA</u>	
	<u>DEPARTMENT OF PUBLIC WORKS</u>	ADAMSEN - APPROVED Consent Items 3 through 52 as recommended (Item 18 was STRICKEN) - UNANIMOUS
	<u>ENCROACHMENT REQUESTS</u>	*****
46	SOUTHLAND CORPORATION 7650 W. Charleston Boulevard Applicant proposes to encroach into the public right of way consisting of grass and a sprinkler system on the east side of Buffalo Drive, north of Charleston Boulevard to improve the aesthetics of the area. Staff Recommendation: APPROVAL, subject to conformance to all other City Codes and Department Standards.	There was no discussion. (9:33 - 9:34)
	<u>REQUEST TO CUT PAVEMENT</u>	APPROVED - See above
47	POST, BUCKLEY, SCHUH, AND JERNIGAN, INC., ON BEHALF OF THE LAS VEGAS VALLEY WATER DISTRICT (Gowan Road, Fort Apache Road to Decatur Boulevard) Applicant proposes to make several street cuts in areas of "five year no cut" pavement on Gowan Road from Fort Apache Road to Decatur Boulevard. Staff Recommendation: APPROVAL, subject to pavement replacement to be in accordance with Standard Drawing #504 and as required by the City Engineer. The limits of pavement replacement in all cases to coincide with travel lane limits.	

TO:
City CouncilFROM: RICHARD D. GOECKE, DIRECTOR
DEPARTMENT OF PUBLIC WORKSSUBJECT: ENCROACHMENT REQUEST - SOUTHLAND CORPORATION
7650 W. CHARLESTON BOULEVARDPURPOSE/BACKGROUND

The applicant proposes to encroach into the public right of way on the east side of Buffalo Drive, north of Charleston Boulevard to improve the aesthetics of the area.

The encroachment would consist of grass and a sprinkler system.

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

FISCAL IMPACT

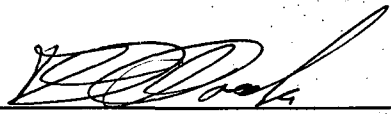
None

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

CITY COUNCIL

MEETING OF
November 15, 1995

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

SUBJECT: REQUEST TO CUT PAVEMENT - POST, BUCKLEY, SCHUH, AND JERNIGAN, INC., ON BEHALF
OF THE LAS VEGAS VALLEY WATER DISTRICT (Gowan Road,
Fort Apache Road to Decatur Boulevard)

PURPOSE/BACKGROUND

The applicant proposes to make several street cuts in areas of "five year no cut" pavement on Gowan Road from Fort Apache Road to Decatur Boulevard (see attached).

The street cuts are necessary to install a 48" water line which will provide future service to the west side of the valley.

A majority of the existing pavement along the proposed project alignment falls within the 5 year "no cut" moratorium.

FISCAL IMPACT

None

RECOMMENDATIONS

The Department of Public Works recommends APPROVAL, subject to pavement replacement to be in accordance with Standard Drawing #504 and as required by the City Engineer. The limits of pavement replacement in all cases to coincide with travel lane limits.

CONSENT

Agenda Item

CITY COUNCIL MINUTES

NOV 15 1995

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PROJECT NAME: CARLTON SQUARE 2538 ZONE PUMPING STATION
DISCHARGE PIPELINE

DESCRIPTION: This project consists of the installation of approximately 40,500 linear feet of 48-inch diameter pipeline. This pipeline will connect to the proposed Carlton Square 2538 Zone Pumping Station in the City of North Las Vegas at Simmons Street and Cole Avenue, extend westerly in Cole Avenue to Simmons Street, northerly in Simmons Street to Gowan Road, westerly in Gowan Road to Ft. Apache Road, and southerly in Ft. Apache Road to the existing 2538 Zone Reservoir in the City of Las Vegas. A map of the route is attached.

The majority of the pipeline from the connection at the 2538 Zone Reservoir in Ft. Apache Road to the City of North Las Vegas city boundary at Decatur Avenue is in the City of Las Vegas. However, there are a few areas of Clark County right-of-way:

- The north side of Gowan Road between Durango and Twinbreeze;
- The south side of Gowan Road between Twinbreeze and Warmbreeze
- The north side of Gowan Road between Quadrel Street and Buffalo Drive;
- The south side of Gowan Road from Buffalo Drive approximately 1020 feet east;
- The south side of Gowan Road between Torrey Pines and Jones Avenue;
- The north side of Gowan Road between Maverick Street and Edward Avenue.

Construction of the transmission pipeline, which is necessary to service the growing needs of the northwest portion of the valley, will necessitate trenching through areas that are under the City of Las Vegas' 5 year no cut moratorium.

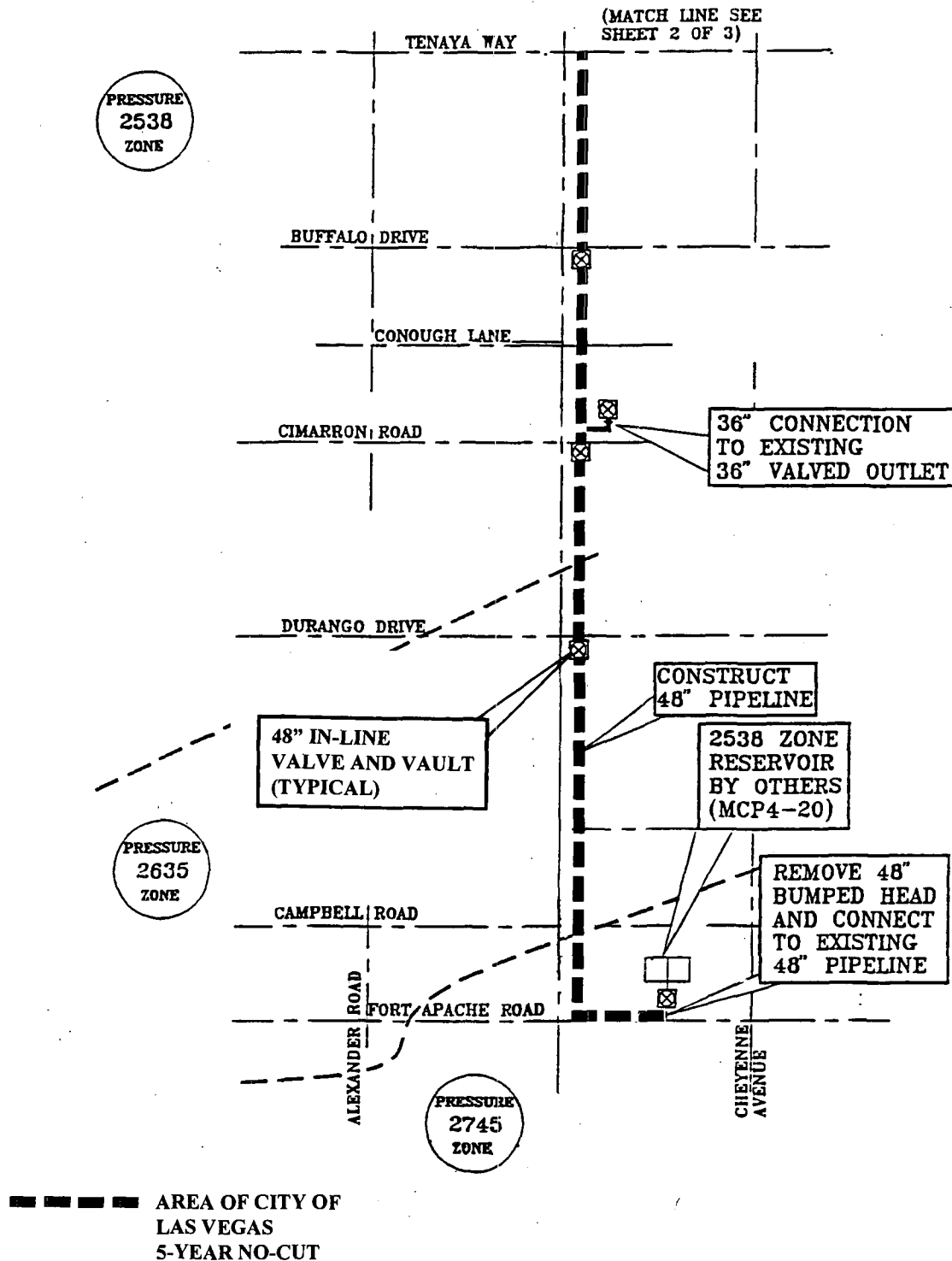
LAS VEGAS VALLEY WATER DISTRICT

CONTRACT NO. 764

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CITY COUNCIL MINUTES

NOV 15 1995



SHEET 1 OF 3

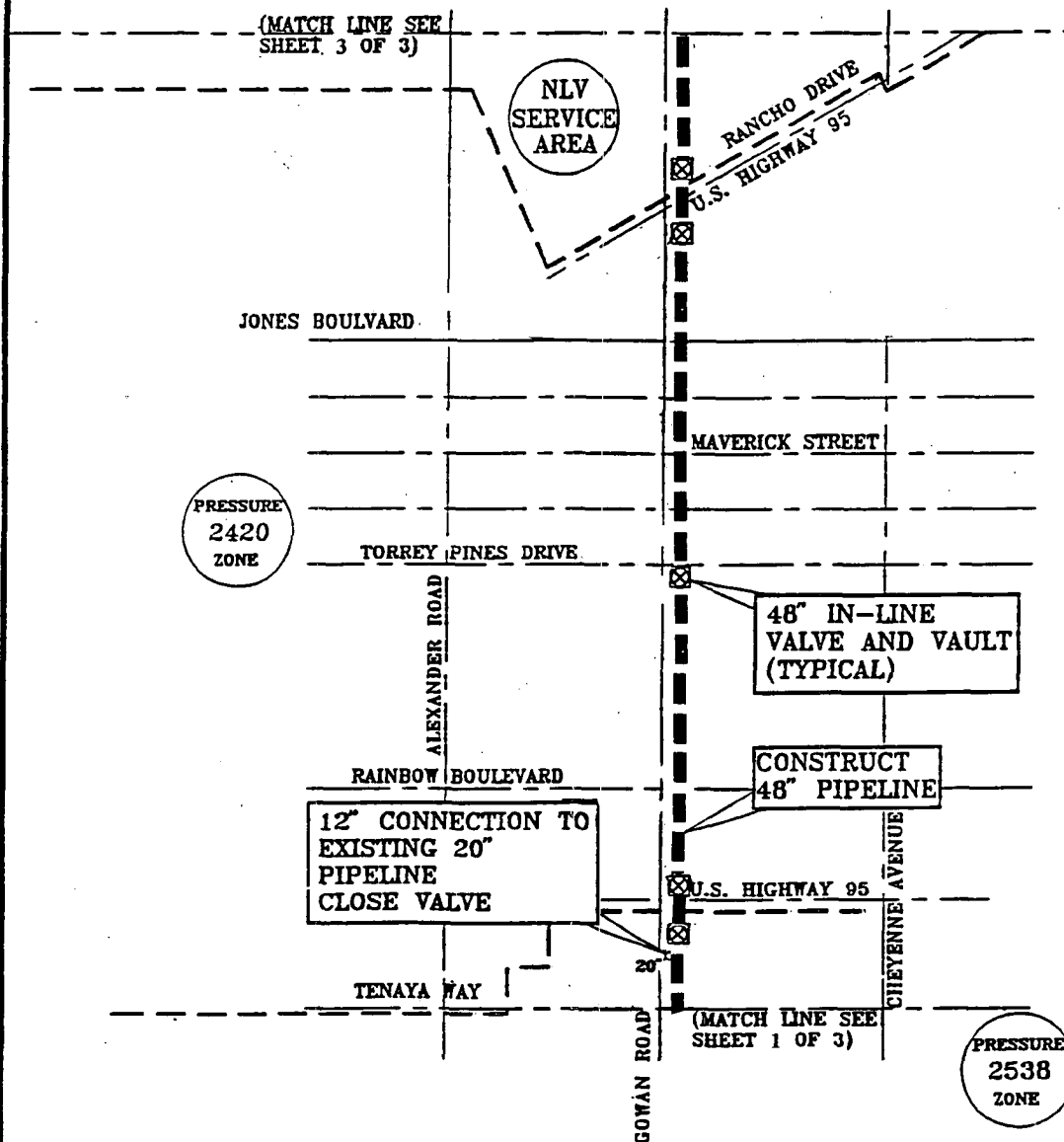
<i>Laura B. Jacobsen</i> 9233 4/4/95 LAURA B. JACOBSEN R.P.E. NO. DATE	LAS VEGAS VALLEY WATER DISTRICT MAJOR CONSTRUCTION PROGRAM CONCEPTUAL ROUTE MAP	DRAWN TLW DATE 021495
<i>Nick Braybrooke</i> 8230 4.5.95 NICK BRAYBROOKE R.P.E. NO. DATE	CARLTON SQUARE 2538 ZONE PUMPING STATION DISCHARGE PIPELINE	SCALE NONE MCP ITEM NO. 95-03

LAS VEGAS VALLEY WATER DISTRICT
CONTRACT NO. 764

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CITY COUNCIL MINUTES

NOV 15 1995



AREA OF CITY OF
LAS VEGAS
5-YEAR NO-CUT

SHEET 2 OF 3

<i>Laura B. Jacobsen</i> 9233 4/4/95 LAURA B. JACOBSEN R.P.E. NO. DATE	LAS VEGAS VALLEY WATER DISTRICT MAJOR CONSTRUCTION PROGRAM CONCEPTUAL ROUTE MAP	DRAWN TLW DATE 021495
<i>Nick Braybrooke</i> 8230 4.5.95 NICK BRAYBROOKE R.P.E. NO. DATE	CARLTON SQUARE 2538 ZONE PUMPING STATION DISCHARGE PIPELINE	SCALE NONE MCP ITEM NO. 95-03

LAS VEGAS VALLEY WATER DISTRICT
CONTRACT NO. 764

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CITY COUNCIL MINUTES

NOV 15 1995

PROPOSED
CARLTON SQUARE
2538 ZONE
PUMPING STATION
BY OTHERS
(MCP 95-02)

REMOVE 48"
BUMPED HEAD AND
CONNECT TO 48"
DISCHARGE PIPELINE

COLEMAN STREET

SIMMONS STREET

COLE AVENUE

48" IN-LINE
VALVE AND VAULT
(TYPICAL)

ALLEN LANE

ALEXANDER ROAD

GOWAN ROAD

VALLEY DRIVE

CONSTRUCT
48" DISCHARGE
PIPELINE

CITY OF NORTH
LAS VEGAS

DECATUR BOULEVARD

CITY OF
LAS VEGAS

NLV
SERVICE
AREA

CHEYENNE AVENUE

RANCHO DRIVE
U.S. HIGHWAY 95

PRESSURE
2420
ZONE

(MATCH LINE
SEE SHEET 2 OF 3)

AREA OF CITY OF
LAS VEGAS
5-YEAR NO-CUT

PORTION OF
WATERLINE TO BE
CONSTRUCTED IN
NORTH LAS VEGAS

SHEET 3 OF 3

Laura B. Jacobsen 9233 4/4/95
LAURA B. JACOBSEN R.P.E. NO. DATE

Nick Braybrooke 8230 4.5.95
NICK BRAYBROOKE R.P.E. NO. DATE

LAS VEGAS VALLEY WATER DISTRICT
MAJOR CONSTRUCTION PROGRAM
CONCEPTUAL ROUTE MAP

CARLTON SQUARE 2538
ZONE PUMPING STATION
DISCHARGE PIPELINE

DRAWN
TLW
DATE
021495
SCALE
NONE
MCP ITEM NO.
95-03

CITY COUNCIL

MEETING OF
NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	<u>CONSENT AGENDA</u>	
	<u>DEPARTMENT OF PUBLIC WORKS</u>	ADAMSEN - APPROVED Consent Items 3 through 52 as recommended (Item 18 was STRICKEN) - UNANIMOUS
	<u>REPORTS/ACTION ITEMS</u>	
48	Discussion And Possible Approval Of A Consultant Agreement With Harris & Associates To Provide Construction Management Services For The Oakey Boulevard Roadway Project: Rainbow Boulevard To Decatur Boulevard	***** There was no discussion. (9:33 - 9:34)
49	Discussion And Possible Approval Of Amendment 1 To The Agreement With Centennial Engineering, Inc. To Provide Engineering Design Services For The Cheyenne Avenue Improvement Project From Tenaya To Cimarron Drive	APPROVED - See above

TO:
City CouncilFROM: RICHARD D. GOECKE, DIRECTOR
DEPARTMENT OF PUBLIC WORKSSUBJECT: DISCUSSION AND POSSIBLE APPROVAL OF A CONSULTANT AGREEMENT WITH
HARRIS & ASSOCIATES TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES FOR THE
OAKEY BOULEVARD ROADWAY PROJECT; RAINBOW BOULEVARD TO DECATUR BOULEVARDPURPOSE/BACKGROUND

The Consultant Agreement provides the necessary construction management services for the Oakey Boulevard Roadway Project from Rainbow Boulevard to Decatur Boulevard.

The Department of Public Works has negotiated an agreement with the Consultant to provide construction management services for this project and is proposing that Harris and Associates be awarded this agreement. The City Attorney's office has reviewed the agreement and has found it to be in order.

FISCAL IMPACT

Funding for the consultant services to be performed under this agreement will be provided by the Regional Transportation Commission, the City of Las Vegas Sanitation Enterprise Fund and Clark County Special Improvement District No. 93. Total Fee: \$470,000.00

RECOMMENDATIONS

The Director of Public Works recommends that the City Council approve the Consultant Agreement with Harris and Associates.

CONSENT
Agenda Item

CITY COUNCIL MINUTES

NOV 15 1995

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**AGREEMENT FOR
CONSULTING SERVICES**

FOR

OAKEY BOULEVARD - PHASE II

RAINBOW BOULEVARD TO DECATUR BOULEVARD

THIS AGREEMENT, hereinafter referred to as "AGREEMENT," made and entered into this 15th day of NOVEMBER 1995, by and between the **CITY OF LAS VEGAS** hereinafter referred to as "CITY OF LAS VEGAS " or as "CLIENT" and **HARRIS & ASSOCIATES, INC.**, a California corporation, hereinafter referred to as "HARRIS" or as "CONSULTANT."

WITNESSETH:

WHEREAS, **CLIENT** desires **HARRIS** to undertake the Consulting Services as described by **AGREEMENT** relative to the **CLIENT'S** project hereinafter referred to as "**PROJECT**"

WHEREAS, **HARRIS** represents that it possesses the professional skills necessary to provide said services; and

WHEREAS, **CLIENT** and **HARRIS** desire to enter into an **AGREEMENT** whereby the foregoing may be accomplished.

NOW, THEREFORE, in consideration of the mutual covenants and **AGREEMENTS** hereinafter set forth, **HARRIS** agrees to perform all of the work hereinafter specified in this **AGREEMENT**, subject to and in accordance with all of the terms and conditions hereinafter set forth, and the parties hereto agree as follows:

ARTICLE 1

THE CONSULTANT'S TEAM

1.1 **HARRIS**, accepts the relationships of trust and confidence established between it and the **CLIENT** by this **AGREEMENT**. It covenants with **CLIENT** to furnish its skills and judgment in furthering the interests of the **CLIENT**. It agrees to furnish the Consulting Services authorized by **AGREEMENT** and to use its best effort to coordinate all activities so that the **PROJECT** will be completed in a manner consistent with the interest of the **CLIENT**.

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ARTICLE 2

CONSULTANT'S SERVICES

- 2.1 **HARRIS** shall perform Consulting Services described in Attachment No. 1 "Scope of Services" as requested by the **CLIENT**.
- 2.2 **HARRIS** shall perform such services requested by the **CLIENT** upon receipt of a fully executed **AGREEMENT** from the **CLIENT** signed by the appropriate **CLIENT** Representative.

ARTICLE 3

COMPENSATION FOR SERVICES

- 3.1 For work performed under this **AGREEMENT**, **HARRIS** shall be compensated on the basis of lump sum and hourly rates. Hourly rates to be charged for each service will be as set forth in Attachment No. 3. The rates include all indirect and direct charges, except as noted.
- 3.2 If **HARRIS** utilizes subconsultants, said consultant's services shall be invoiced at cost plus twelve percent (12%).

ARTICLE 4

FEES AND PAYMENT

- 4.1 As consideration for providing services, the **CLIENT** shall pay to **HARRIS** a fee that shall not exceed the total budgeted amount detailed in Attachment No. 2. **HARRIS** shall be under no obligation to provide continuing services when the fee reaches the total budgeted amount unless this **AGREEMENT** has been amended to increase the total budgeted amount or an amendment to the **AGREEMENT** for the continuation of services has been executed.
- 4.2 The actual compensation paid to **HARRIS** for providing the services required by this **AGREEMENT** shall be in accordance with Article 3 and Attachment No. 2.
- 4.3 Payments will be made monthly by the **CLIENT** for approved services within forty five (45) days from receipt of detailed invoice from **HARRIS**. Payments shall be for the invoiced amount, with no retention.
- 4.4 **HARRIS** reserves the right to assess a 1½% per month (18% per annum) service charge on all unpaid balances over 45 days.

4.5 In the event a dispute arises relating to the services performed, costs incurred or any other item related to compensation of **HARRIS**, such dispute will not delay compensation for those services and costs not in dispute. Any such dispute will be resolved by the parties through negotiations or, if not resolved, in accordance with Section XV "Arbitration" of Exhibit "A" Supplemental Terms.

ARTICLE 5

TIME OF COMPLETION

5.1 This **AGREEMENT** shall remain in force until such time as such services are no longer needed by **CLIENT** or until termination by **CLIENT**.

5.2 Given reasonable notice by **CLIENT**, all work shall be completed prior to January 31, 1997.

ARTICLE 6

CONSULTANT'S RESPONSIBILITY

6.1 **HARRIS** agrees that **HARRIS** shall use its professional efforts and that its services shall be performed with due diligence in accordance with generally accepted engineering practices, but makes no other warranty either expressed or implied.

6.2 **HARRIS** is employed to render professional services only, and payments made are compensation solely for such services.

6.3 **HARRIS** understands that the **CLIENT** may retain the services of other professional consultants to accomplish other requirements of the **PROJECT**.

ARTICLE 7

CLIENT'S RIGHT AND RESPONSIBILITIES

7.1 The **CLIENT** shall provide all reasonably available information including reports, preliminary plans, maps, surveys, and other related information regarding its requirements for the **PROJECT** upon written request to the **CLIENT**. **HARRIS** shall be entitled to reasonably rely on the accuracy and completeness of such information.

7.2 **CLIENT** will cooperate with **HARRIS** and provide reasonable access to the site and all records.

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ARTICLE 8

INSURANCE

8.1 **HARRIS** shall furnish to **CLIENT** evidence of and maintain throughout the term of this **AGREEMENT** the following insurance:

1. Commercial general liability insurance of at least **\$1,000,000** combined single limit per occurrence for bodily injury, personal injury, or property damage and **\$2,000,000** annual aggregate.

The policy shall contain, or be endorsed to contain the following provisions:

The **CLIENT**, its officers, officials, and employees are covered as additional insured as respects liability arising out of activities performed by or on behalf of **HARRIS**.

HARRIS' insurance coverage shall be primary insurance as respects the insured. Any insurance or self insurance maintained by the **CLIENT** or its insured shall be excess of **HARRIS'** insurance, and shall not contribute with it.

HARRIS' insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

2. Commercial automobile liability insurance of at least **\$1,000,000** combined single limit per accident, for bodily injury and property damage.
4. **Workers' Compensation and Employer's Liability Coverage.**

The limit for employers' liability is **\$2,000,000**.

8.2 Each insurance policy required by this article shall be endorsed to state that coverage shall not be canceled by **HARRIS** except after 30 days prior to written notice has been given to the **CLIENT**.

8.3 The **CLIENT** agrees to limit the liability of **HARRIS**, its subconsultants and all of its employees, agents and officers to the **CLIENT** and to all construction Contractors and Subcontractors on the project arising from **HARRIS'** negligent acts, errors or omissions or breach of contract, such that the total aggregate liability of **HARRIS** to all those named shall not exceed the total compensation received by **HARRIS** under this **AGREEMENT**.

8.4 **HARRIS** shall provide and maintain during the existence of this **AGREEMENT**, for the protection of **HARRIS** and the **CLIENT**, the following insurance coverages:

1. State Industrial Insurance System insurance covering its full liability under the State Industrial Insurance laws for the State of Nevada, as required by the State Industrial Commission, or equivalent coverage which is approved by the **CLIENT**.

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8.5 Prior to the commencement of this **AGREEMENT**, and as a condition precedent thereto, **HARRIS** will obtain the insurance coverages which are required hereunder and will furnish certificates of insurance to the **CLIENT** which demonstrate the procurement of such coverages.

8.6 The insurance coverage which is required herein must be written by a company or companies with a Best Rating of A-VI or better and which are acceptable to the **CLIENT** and must contain a clause to the effect that any cancellation shall not become effective until thirty (30) days after written notice of such cancellation is forwarded to the **CLIENT**.

In the event that any of the insurance coverages required hereunder are canceled, reduced or restricted, the **CLIENT** shall have the rights to terminate this agreement. Accordingly, it is the intent of the parties that no provisions in this **AGREEMENT** will operate to cancel the coverage of **HARRIS** by the insurance set forth above.

ARTICLE 9

NOTICES

9.1 Any notice provided for herein shall be given in writing and by personal delivery or prepaid first class, registered or certified mail, addressed as follows:

To CLIENT:

City of Las Vegas
Attention: Mr. David T. Seevers, P.E.
Assistant City Engineer
400 E. Stewart Avenue
Las Vegas, Nevada 89101

To HARRIS:

Harris & Associates
Attention: Mr. L. Carl HARRIS, President
220 Mason Circle
Concord, California 94520

ARTICLE 10

ARTICLE HEADINGS

10.1 Article, paragraph and subparagraph headings are used for convenience only and shall not be deemed to alter or modify the content or intent of the articles, paragraphs, or subparagraphs which they head.

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ARTICLE 11

MISCELLANEOUS PROVISIONS

11.1 **HARRIS** agrees that it will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. **HARRIS** agrees to take affirmative action to assure that applicants are employed or retained, and that employees are treated without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to, the following: recruitment or recruitment advertising; layoff or termination; rates of pay or other form of compensation and selection for training.

ARTICLE 12

ASSUMPTIONS

- 12.1 365 Calendar day construction period
- 12.2 Construction to start no later than December 1, 1995
- 12.3 Staffing is based on one contractor working one heading
- 12.4 Staffing is based on a five (5) day work week, with eight (8) hours per day
- 12.5 Staffing is based on no overtime
- 12.6 Training will be provided to **CLIENT** staff by **HARRIS** on site staff
- 12.7 Staffing increases shall be as directed by the **CLIENT** during periods of night work
- 12.8 Staffing is based on Oakey Boulevard being a stand alone contract

ARTICLE 13

ENTIRE AGREEMENT

13.1 The foregoing Article 1 through Article 13, along with Sections I through XIX of the Supplemental Terms (Exhibit A) and any other attached Exhibits constitute the entire **AGREEMENT** between the parties hereto with respect to the matters covered therein.

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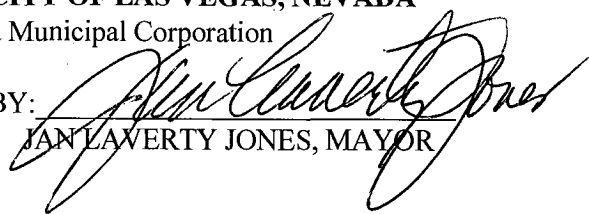
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IN WITNESS WHEREOF, the **CLIENT** has caused this **AGREEMENT** to be executed and **HARRIS** has caused this **AGREEMENT** to be executed, all as of the day and year first above written

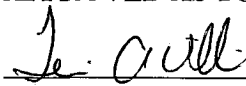
CITY OF LAS VEGAS, NEVADA

a Municipal Corporation

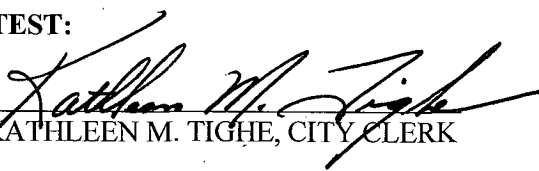
BY: 

JAN LAVERTY JONES, MAYOR

APPROVED AS TO FORM:

 11/7/95
DATE

ATTEST:

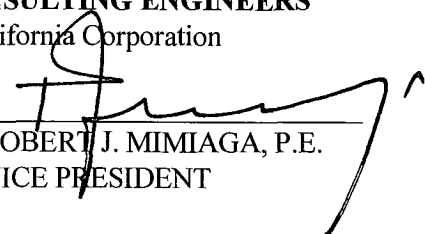
BY: 

KATHLEEN M. TIGHE, CITY CLERK

HARRIS & ASSOCIATES, INC.

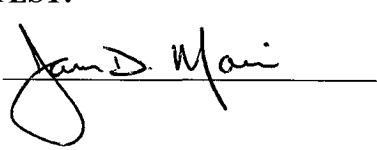
CONSULTING ENGINEERS

a California Corporation

BY: 

ROBERT J. MIMIAGA, P.E.
VICE PRESIDENT

ATTEST:

BY: 

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ATTACHMENT NO. 1

SCOPE OF SERVICES

CONSTRUCTION MANAGEMENT

BASIC SERVICES

1 PRE-CONSTRUCTION PHASE SERVICES

- 1.1 **Biddability and Constructability Review** - Review **PROJECT** bid documents and construction plans for ambiguous contract provisions and potential problem areas with bidding; constructability issues, errors and omissions, conflicts, etc.

Prepare a report addressing findings and provide recommendations for elimination or mitigation of issues.

- 1.2 **Pre-Construction Conference** - Attend oversee and record the pre-construction conference prior to the start of any field activities.

2 CONSTRUCTION PHASE SERVICES

- 2.1 **On-Site Management & Construction Phase Communication Procedures** - **HARRIS** shall provide and maintain a management team on the **PROJECT** site to provide contract administration as an agent of the **CLIENT**, and **HARRIS** shall establish and implement coordination and communication procedures among **CLIENT**, **HARRIS**, Engineer and Contractors.

- 2.2 **Construction Administration Procedures** - **HARRIS** shall establish and implement procedures for reviewing and processing request for clarifications and interpretations of the Contract Documents; shop drawings, samples and other submittals; contract schedule adjustments; change order proposals; written proposals for substitutions; payment applications; and the maintenance of logs. As the **CLIENT's** representative at the construction site, **HARRIS** shall be the party to whom all such information shall be submitted.

- 2.3 **Permits, Bonds and Insurance** - **HARRIS** shall verify that the required permits, bonds and insurance, have been obtained. Such action by **HARRIS** shall not relieve the Contractor of its responsibility to comply with the provisions of the Contract Documents.

- 2.4 **Review of Requests for Information, Shop Drawings, Samples & Other Submittals** - **HARRIS** shall review the Contractors' requests for information, shop drawings, samples and other submittals to determine the anticipated effect on compliance with the **PROJECT** requirements, the **PROJECT** and Construction Budget, and the Master Schedule. **HARRIS** shall coordinate and forward to the Engineer for review the request for clarification or interpretation, shop drawing, sample, or other submittal, along with **HARRIS'** comments.

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HARRIS' comments shall not relate to design considerations, but rather to matters of constructability, cost, sequencing, scheduling and time of construction, and clarity, consistency, and coordination in documentation. **HARRIS** shall receive from the Engineer, and transmit to the Contractor, all information so received from the Engineer.

- 2.5 **Change Order Preparation, Negotiation and Processing** - Establish, implement and coordinate systems for processing all contract change orders. Prepare independent cost estimate for all contract change orders. Assist in negotiation of all contract change orders. Make recommendations to the **CLIENT** regarding final approval of change orders.
- 2.6 **Change Order Report** - **HARRIS** shall periodically prepare and distribute Change Order Reports during the Construction Phase. The Report shall list all **CLIENT**-approved change orders by number, a brief description of the change order work, the cost established in the change order and percent of completion of the change order work.
- 2.7 **Minor Variations in the Work** - **HARRIS** may authorize minor variations in the Work from the requirements of the contract Documents that do not involve an adjustment in the contract price or the contract time and which are consistent with the overall intent of the Contract Documents. **CLIENT** shall provide to the Engineer copies of such authorizations.
- 2.8 **Contractor's Construction Schedule** - **HARRIS** shall review each Contractor's Construction Schedule and verify that the schedule is prepared in accordance with the requirements of the Contract Documents and that it establishes completion dates that comply with the requirements of the Master Schedule.
- 2.9 **Recovery Schedules** - **HARRIS** may require the Contractor to prepare and submit a Recovery Schedule, as specified in the Contract Documents.
- 2.10 **Maintain "As-Built" Schedule** - **HARRIS** shall maintain, on a printout of agreed upon schedule, a daily track of Contractor's efforts during construction.
- 2.11 **Progress Payments** - **HARRIS** shall review the payment applications submitted by the Contractor and determine whether the amount requested reflects the progress of the Contractor's work. **HARRIS** shall make appropriate adjustments to each payment application and shall prepare and forward to the **CLIENT** a Progress Payment Report. The Report shall state the total contract price, payments to date, current payment requested, retainage and actual amounts owed for the current period.
- 2.12 **Quality Review** - **HARRIS** shall establish and implement a program to monitor the quality of the construction. The purpose of the program shall be to assist in guarding the **CLIENT** against defects and deficiency in the Work of the Contractors. **HARRIS** shall reject Work and transmit to the **CLIENT** and Contractor a notice of nonconforming Work when it is the opinion of **HARRIS**, **CLIENT** or Engineer that the Work does not conform to the requirements of the Contract Documents. Except for minor variations, **HARRIS** is not authorized to change, revoke, alter, enlarge, relax or release any requirements of the Contract Documents or to approve or accept any portion of the work not performed in accordance with the Contract Documents. Communication between **HARRIS** and Contractor with regard to Quality

Review shall not in any way be construed as binding **CLIENT** or **HARRIS** as releasing the Contractor from the fulfillment of any of the terms of his Contract Documents. **HARRIS** will not be responsible for, nor does **HARRIS** control, the means, methods, techniques, sequences and procedures of construction for the **PROJECT**. It is understood that **HARRIS'** action in providing Quality Review as stated herein is a service to the **CLIENT** and by performing as provided herein, **HARRIS** is not acting in a manner so as to responsibility or liability, in whole or in part, for all or any part of the construction work for the **PROJECT**. No action taken by **HARRIS** shall relieve any or all of the Contractors from their obligation to perform their work in strict conformity with all other applicable laws, rules and regulations.

- 2.13 **Photographs and Videos** - **HARRIS** shall provide videotape and photographic documentation of **PROJECT** site prior to and during construction.
- 2.14 **Maintain "As-Built" Drawings** - **HARRIS** shall maintain one set of contract documents with up-to-date information regarding all addendum, substitutions, clarifications and change orders.
- 2.15 **Subsurface & Physical Conditions** - Whenever the Contractor notifies **HARRIS** that a surface or subsurface condition at or contiguous to the site is encountered that differs from what the Contractor is entitled to rely upon or from what is indicated or referred to in the Contract Documents, or that may require a change in the Contract Documents, **HARRIS** shall notify the Engineer. **HARRIS** shall receive from the Engineer and transmit to the Contractor all information necessary to reflect any design changes required to be responsive to the differing or changed condition and, if necessary, shall prepare a change order.
- 2.16 **Manage off-site Inspection Services** - Schedule and coordinate all off-site inspection services.
- 2.17 **Field Testing Services** - Provide, schedule and coordinate all field testing services.
- 2.18 **Laboratory Testing Services** - Provide, schedule and manage all laboratory testing services.
- 2.19 **Reports** - Prepare weekly summary reports of construction progress. Prepare any other reports related to field services.
- 2.20 **Resident Engineering** - Manage all field operations relating to **PROJECT** inspection, materials testing, measurement and payment, administration and conflict resolution.
- 2.21 **Field Office Assistance** - Provide engineering and technical support to the resident engineer in managing all field operations.
- 2.22 **Field Inspection** - Provide full-time detailed field inspection services to verify compliance with the contract documents.
- 2.23 **Off-site Inspection** - Provide inspection as required at any off-site location to verify compliance with contract documents.

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3 OVERTIME FIELD SERVICES

- 3.1 Overtime Field Inspection - Provide overtime field inspection services as authorized by **CLIENT**.

4 FINAL ACCEPTANCE/CLOSEOUT SERVICES

- 4.1 Meetings - Conduct and coordinate meetings with **CLIENT** and Contractor related to **PROJECT** completion. Prepare meeting notices and prepare and distribute meeting minutes.
- 4.2 Reports - Prepare any reports that may be required during the final acceptance and **PROJECT** closeout.
- 4.3 Final Inspection and Punchlist - Provide final inspection and prepare list of **PROJECT** construction deficiencies for resolution by Contractor.
- 4.4 Construction Approval/Acceptance - Make recommendations to **CLIENT** regarding final **PROJECT** approval and acceptance.
- 4.5 Final Payment - Make recommendations to **CLIENT** regarding Contractor's final progress payment request. Prepare final progress payment report for submission to **CLIENT**.
- 4.6 PROJECT Closeout - Prepare all documentation needed for **PROJECT** closeout. Deliver all **PROJECT** documentation to **CLIENT**.
- 4.7 Final Report - Provide **CLIENT** with a **PROJECT** final report that includes the following:

A financial summary of the construction contracts, change orders, design, services, **PROJECT** management services and direct purchase items.

A summary of **PROJECT** change orders.

A construction summary and schedule review.

A summary of final acceptance.

A review and report on the general contractor, subcontractors and major equipment suppliers.

5 TRAINING SERVICES

- 5.1 **HARRIS** shall provide construction management / inspection training to **CLIENT** staff on an hourly basis as directed by **CLIENT**. **HARRIS** shall provide all personnel, supplies and equipment necessary to support said training. **CLIENT** shall retain all training materials and equipment upon completion of training.

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6 **ADDITIONAL SERVICES**

- 6.1 **HARRIS** shall perform Additional Services only after the **CLIENT** and **HARRIS** have executed a written Amendment to this **AGREEMENT** providing such services. Additional Services may include:
 - 6.1.1 Services during the Construction Phases related to investigation, appraisal or evaluation of surface or subsurface conditions at or contiguous to the site, or other existing conditions, facilities, or equipment that differs from what is indicated in the Contract Documents, or determination of the accuracy of existing drawings or other information furnished by the **CLIENT**;
 - 6.1.2 Preparation of financial, accounting or MIS reports not provided under Basic Services;
 - 6.1.3 Services provided in respect of a dispute between the **CLIENT** and the Contractor.
 - 6.1.4 Performing warranty inspections during the warranty period of the **PROJECT**;
 - 6.1.5 Consultation regarding replacement of Work damaged by disaster and or other cause during construction and furnishing services in connection with the replacement of such work;
 - 6.1.6 Services made necessary by the default of the Contractor;
 - 6.1.7 Preparation for and serving as witness in connection with any public or private hearing or arbitration, mediation or legal proceeding.

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ATTACHMENT NO. 2

WORKHOUR AND COST ESTIMATE

PRECONSTRUCTION PHASE SERVICES:

Bidability/Constructability Review	Lump Sum	\$ 5,000
Preconstruction Conference	Lump Sum	\$ 2,000
	Subtotal	\$ 7,000

CONSTRUCTION PHASE SERVICES:

Construction Manager	830 Hours	\$ 83,000
Inspector	2,000 Hours	\$150,000
Office Engineer	1,200 Hours	\$ 60,000
	Subtotal	\$293,000

SUBCONSULTANT SERVICES:

Construction Testing	Lump Sum	\$ 41,000
Shop Drawing/ Submittal Review	Budget (NTE)	\$ 14,000
	Subtotal	\$ 55,000

TRAINING SERVICES:

Construction Management / Inspection Training	Budget (NTE)	\$ 50,000

OTHER:

Contingency Amount	Budget (NTE)	\$ 25,000

TOTAL "NOT TO EXCEED" (NTE) COST \$430,000

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ATTACHMENT NO. 3

RANGE OF HOURLY RATES

CONSTRUCTION MANAGEMENT

HOURLY RATE

Project Manager	\$95 - 150
Construction Managers	85 - 115
Resident Engineers	80 - 105
Construction Engineers	55 - 85
Inspectors	50 - 85
Administration	25 - 55

ENGINEERING DESIGN

Project Managers	\$95 - 125
Project Engineers	70 - 110
Technicians	50 - 60

LANDSCAPE DESIGN

Project Managers	\$80 - 95
Landscape Designers	70 - 95
Technicians	50 - 60

ARCHITECTURAL DESIGN

Project Managers	\$90 - 110
Project Architects	75 - 110
Technicians	50 - 60

NOTE: Except as specifically noted in the proposal, Harris & Associates' hourly rates are inclusive of direct costs such as vehicle usage and mileage, equipment usage (including computers), and printing and copying (except construction documents for bidding purposes).

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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 OF LAS VEGAS** reserves the right to terminate this **AGREEMENT** without cause or default on the part of the **CONSULTANT** with ten (10) days prior written notification to the **CONSULTANT**. Notification of the **CONSULTANT** is deemed to have occurred on that date that the **CONSULTANT** receives written notification which in no event is to exceed five (5) calendar days from the date the **CITY OF LAS VEGAS** deposits the written notification with the United States Postal Service, postage prepaid, and addressed to the party and location contained in the Section entitled Article 9 "Notices" of the **AGREEMENT** to which these Supplemental Terms are attached as Exhibit "A".

In the event of termination, without cause or default, the **CITY OF LAS VEGAS** 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 Article 4 "Fees and 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"):

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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 the judgment of the **CITY OF LAS VEGAS**, neglect to prosecute the work hereunder properly and with proper dispatch in accordance with the time schedule set forth in Article 5 "Time of Completion", of the **AGREEMENT**.

Then, if any such Event of Default continues for three (3) working days after written notice to the **CONSULTANT**, **CITY OF LAS VEGAS** 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 the **CONSULTANT** hereunder, finish the work by such means as the **CITY OF LAS VEGAS** may see fit, deduct from any balance due **CONSULTANT** the reasonable and necessary cost of finishing the work if the

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CITY OF LAS VEGAS 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 OF LAS VEGAS** within five (5) days of invoicing by the **CITY OF LAS VEGAS** 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 OF LAS VEGAS'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. It is expressly agreed that the **CITY OF LAS VEGAS** 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 OF LAS VEGAS** 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, studies and documents prepared or assembled by the **CONSULTANT** or any subconsultants which are related to the performance of this **AGREEMENT** are deemed to be the property of the **CITY OF LAS VEGAS**. In the event of completion or termination of this **AGREEMENT**,

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the **CITY OF LAS VEGAS** reserves the right to require delivery of any and all plans, drawings, specifications, studies and documents not in its possession. Any use of such completed documents for other projects and/or any use of uncompleted documents without specific written authorization from the **CONSULTANT** will be at the **CITY OF LAS VEGAS**'s sole risk.

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 OF LAS VEGAS**, its officers and employees from any and all claims, damages, losses, expenses, suits, actions, decrees, judgments, attorney fees and court costs which the **CITY OF LAS VEGAS**, its officers or employees may suffer, or which may be sought against, recovered from or obtainable against the **CITY OF LAS VEGAS**, its officers or employees as a result of, by reason of, or arising out of the negligent acts or omissions of the **CONSULTANT**, its subconsultants, or agents or anyone employed by the **CONSULTANT** or its subconsultants or agents, in fulfillment or performance of the terms, conditions or covenants of this **AGREEMENT**.

It is expressly agreed that the **CITY OF LAS VEGAS** and the **CONSULTANT** shall each initially pay their respective costs in defending themselves in any and all suits or actions which may be brought against them, their officers or employees because of, or by reason of, the negligent act or omission of either of them unless such suit or action is defended on their behalf by the **PROJECT** contractor. However, the parties hereto agree that in the event the suit or action is reduced to judgment then the cost of such defense shall be ultimately divided or distributed between the parties in the following manner:

- A. An adjudication by the court or trier of fact that neither the **CITY OF LAS VEGAS** nor the **CONSULTANT** is responsible or liable for the plaintiffs' injuries or damages, then each party shall bear its own costs and expenses of litigation.
- B. An adjudication by the court or trier of fact that the **CONSULTANT** is solely or partly responsible and liable for the plaintiffs' injuries or damages while the **CITY OF LAS VEGAS** is relieved of any responsibility and liability, then the **CONSULTANT** shall reimburse the **CITY OF LAS VEGAS** for all of its costs and expenses of litigation;
- C. An adjudication by the court or trier of fact that the **CITY OF LAS VEGAS** is solely or partly responsible and liable for the plaintiffs' injuries or damages while the **CONSULTANT** is relieved of any responsibility and liability, then the **CITY OF LAS VEGAS** shall reimburse the **CONSULTANT** for its costs and expenses of litigation;
- D. An adjudication by the court or trier of fact which determines responsibility and liability on a comparative basis between the parties, then the **CITY OF LAS VEGAS** and the **CONSULTANT** shall share in the total costs and expenses of litigation in that amount determined by multiplying the total percentage of fault or liability attributable to the respective parties by the total costs and expenses of litigation.

In the event that the suit or action is settled between the litigants, each party shall be responsible for all of its costs and expenses of litigation, unless the settlement **AGREEMENT** provides otherwise.

SECTION V: ASSIGNMENT

The **CITY OF LAS VEGAS** 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 OF LAS VEGAS** 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 OF LAS VEGAS** or the failure of the **CITY OF LAS VEGAS** 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 Public Works or his authorized representative is hereby designated as the **CITY OF LAS VEGAS'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 OF LAS VEGAS'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 OF LAS VEGAS** deems incompetent, careless or insubordinate, or whose continued employment on the work is deemed by the **CITY OF LAS VEGAS** to be contrary to the

public interest, the **CITY OF LAS VEGAS** 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 OF LAS VEGAS**.

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. In the event of a change in applicable laws, rules or regulations, subsequent to the effective date of this **AGREEMENT**, which will impact the **CONSULTANT's** services hereunder, such change will result in renegotiation of the impacted services. The **CONSULTANT** is entitled to cease the impacted services,

without liability arising out of doing so, until there is mutual **AGREEMENT** on how such impacted services will be handled.

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 OF LAS VEGAS** 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: 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, upon the **AGREEMENT** of the parties, be decided by arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association then

CITY COUNCIL MINUTES

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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** except by written consent which contains a specific reference to this **AGREEMENT** and which is signed by the **CITY OF LAS VEGAS** and the **CONSULTANT**. 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 OF LAS VEGAS** and the **CONSULTANT** shall be specifically enforceable under the prevailing arbitration law.

- B. It is further expressly agreed and understood between the parties that in the event either party is named as a party to any arbitration action arising out of, or resulting from, the **CONSULTANT's** services as defined in the **AGREEMENT** or the **PROJECT**, both parties agree and irrevocably consent, at the option of the other, to be joined as a party in the arbitration proceeding and to be bound by any decision resulting therefrom. Any joinder of either party hereunder is conditioned upon the handling of such arbitration in accordance with Construction Industry rules of the Nevada Arbitration Association or the American Arbitration Association.

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 either party from joining the other 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 OF LAS**

NOV 15 1995

VEGAS within sixty (60) days after the claim, dispute or other matter arises. In order for the CITY OF LAS VEGAS 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 given, 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.

CITY COUNCIL MINUTES

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- G. By mutual written consent, in addition to and prior to arbitration, the parties may endeavor to settle disputes by mediation in accordance with the Construction Industry Mediation Rules of the American Arbitration Association then existing. The sixty (60) day requirement for notice of arbitration shall be tolled between the dates of: (1) either party's receipt of a written request for mediation from the other party hereto; and (2) the requesting party's receipt of a written rejection of its request, or if not rejected, completion of the mediation itself.

SECTION XVI: CONFIDENTIALITY

CONSULTANT shall treat all information relating to the **PROJECT** and all information supplied to the **CONSULTANT** by the **CITY OF LAS VEGAS** as confidential and proprietary information of the **CITY OF LAS VEGAS** and shall not permit its release by **CONSULTANT**'s employees to other parties or make any public announcement or publicity release without the **CITY OF LAS VEGAS**'s written authorization. **CONSULTANT** shall also require subconsultants and vendors to comply with this requirement.

SECTION XVII: SITE INSPECTION

CONSULTANT represents that it has visited the location or locations of the **PROJECT** and has satisfied itself as to the general condition thereof and that the **CONSULTANT**'s compensation as provided for in Article 4 "Fees and Payment" of the **AGREEMENT** to which these Supplemental Terms are attached thereto as Exhibit "A", is just and reasonable compensation for performance hereunder including

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reasonably foreseen and foreseeable risks, hazards and difficulties in connection therewith based on such above-ground observations.

SECTION XVIII: 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:

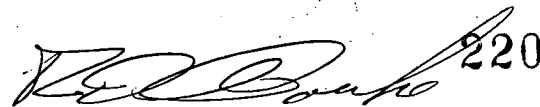
- A. A provision that **CONSULTANT** agrees to pay the subconsultant when paid for that portion of the work by the **CITY OF LAS VEGAS**, that no liability arises on the part of the **CONSULTANT** to the subconsultant for payment of the subcontracted work until payment has been made by the **CITY OF LAS VEGAS**, and that if the **CITY OF LAS VEGAS** has paid the **CONSULTANT** for said subcontracted work, the subconsultant's only recourse is against the **CONSULTANT** and not against the **CITY OF LAS VEGAS**, either through the institution of legal or equitable action or the attachment of any lien.
- B. A provision that the subconsultants have no more rights against the **CITY OF LAS VEGAS** than that of the **CONSULTANT**.
- C. A provision that the subconsultant agrees to be bound by all the terms, conditions and obligations of this **AGREEMENT** unless the **CITY OF LAS VEGAS** has approved any deviation, changes or modifications in writing.
- D. A provision that the subconsultant will obtain and maintain the insurance coverage in connection with the subcontracted work in an amount equal to that required of the **CONSULTANT** as provided in that section entitled Article 8 "Insurance" of this **AGREEMENT**.

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SECTION XIX: MODIFICATION

All modification or amendments to this **AGREEMENT** are null and void unless reduced to writing and signed by the parties hereto.

CITY COUNCIL

MEETING OF
November 15, 1995 220TO:
City CouncilFROM: RICHARD D. GOECKE, DIRECTOR
DEPARTMENT OF PUBLIC WORKSSUBJECT: DISCUSSION AND POSSIBLE APPROVAL OF AMENDMENT 1 TO THE AGREEMENT WITH
CENTENNIAL ENGINEERING, INC. TO PROVIDE ENGINEERING DESIGN SERVICES FOR THE
CHEYENNE AVENUE IMPROVEMENT PROJECT FROM TENAYA TO CIMARRON DRIVE.PURPOSE/BACKGROUND

The City desires to increase the total authorized compensation to the CONSULTANT for additional design services for the project related to additional drainage facilities requested by the City and approved by the Regional Transportation Commission.

FISCAL IMPACT

Funding for the additional engineering services to be performed under this amendment will be provided by the Regional Transportation Commission as approved at their September 14, 1995 Board meeting. Increase in fee: \$18,000.00, Total Fee: \$138,000.00

RECOMMENDATIONS

The Director of Public Works recommends that the City Council approve Amendment 1 to the Consultant Agreement with Centennial Engineering, Inc.

CONSENT
Agenda Item

CITY COUNCIL MINUTES

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AMENDMENT 1

AGREEMENT FOR CONSULTANT SERVICES FOR THE CHEYENNE IMPROVEMENT PROJECT FROM TENAYA WAY TO CIMARRON DRIVE

THIS AMENDMENT is made and entered into as of the 15th day of ~~NOVEMBER~~ 1995 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 CENTENNIAL ENGINEERING, INC. (Hereinafter referred to as the "CONSULTANT").

WITNESSETH:

WHEREAS, the CITY AND CONSULTANT are parties to an Agreement entitled "Consultant Agreement Cheyenne Improvement Project from Tenaya Way to Cimarron Drive" dated September 7, 1994 (hereinafter referred to as the "Agreement");

WHEREAS, the parties desire to amend the Agreement.

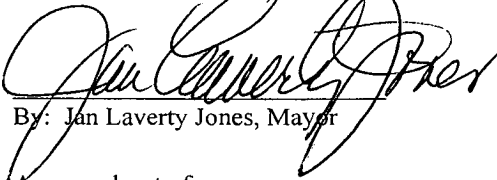
NOW, THEREFORE, the parties agree as follows:

Section IV - Compensation and Manner of Payment, paragraph B, on page 8 of the Agreement is amended to read as follows:

E. Compensation for additional work requested by the CITY shall be on a per task, hourly, or lump sum price basis as agreed to by the CITY and the CONSULTANT, based upon the description of the work by the CITY and the rates shown in Attachment 2 of the original Agreement. The total authorized compensation to the CONSULTANT for work under the terms of the AGREEMENT will not exceed One Hundred and Thirty-eight Thousand Dollars (\$138,000). The additional Eighteen Thousand Dollars (\$18,000) compensates CONSULTANT for additional engineering design services performed through July 28, 1995.

Except as expressly amended in this Amendment 1, all terms and conditions of the original Agreement shall remain unchanged and in full force and effect.

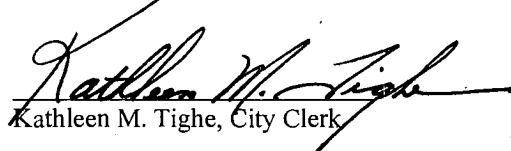
CITY OF LAS VEGAS, NEVADA


By: Jan Laverty Jones, Mayor

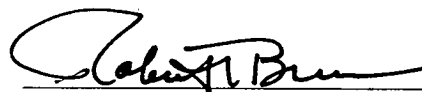
Approved as to form:


Date 10-19-95

ATTEST:

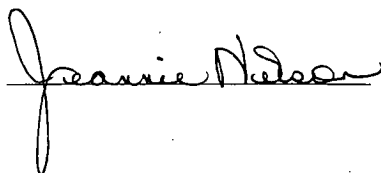

Kathleen M. Tighe, City Clerk

CENTENNIAL ENGINEERING, INC.


By: Robert L. Burns, P.E.

Vice President

ATTEST:


Jeanie Nelson

CITY COUNCIL

MEETING OF
NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	<u>CONSENT AGENDA</u>	
	<u>IV. RESOLUTIONS</u>	ADAMSEN - APPROVED Consent Items 3 through 52 as recommended (Item 18 was STRICKEN) - UNANIMOUS
	<u>ABEYANCE ITEM</u>	*****
50	R-112-95 - Resolution Amending Fee Schedule for LVMC Titles 18 and 19.	There was no discussion. (9:33 - 9:34)
51	R-114-95 - Approval Of Resolution Accepting Bids Re: Clark County Special Improvement District No. 93 (Oakey Boulevard) (City Contract)	APPROVED -See above
52	R-115-95 - A Resolution Of Intent, Proposing The Issuance Of, And Authorizing The Publication Of Notices Relating To General Obligation (Limited Tax) Redevelopment Projects Bonds (Additionally Secured By Pledged Revenues) For The Purpose Of Financing Redevelopment Projects For The City; Proving The Manner, Form And Contents Of The Notice Thereof; Ratifying Action Heretofore Taken Not Inconsistent Herewith; Providing Other Matters Properly Related Thereto; And Providing The Effective Date Hereof. Public Hearing date set for 12/6/95 at 2:00 P.M.	APPROVED - See above

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R-112-95

RESOLUTION OF THE CITY OF LAS VEGAS AMENDING
FEE SCHEDULE FOR LVMC TITLES 18 AND 19

WHEREAS, pursuant to Chapters 18.22 and 19.98 of the Las Vegas Municipal Code (LVMC), the City Council has adopted a fee schedule (the "Fee Schedule") applicable to land division, zoning and other applications described in Titles 18 and 19 of the Code; and

WHEREAS, the Fee Schedule may be amended from time to time by resolution of the City Council; and

WHEREAS, the City Council recently approved several new positions in the Planning and Development Department in response to improving customer service; and

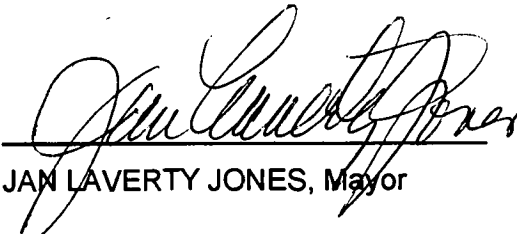
WHEREAS, in connection with the above-referenced Fee Schedule, the City Council desires to increase application fees based upon current volumes and the necessity to offset general operating costs.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS AS FOLLOWS:

The Fee Schedule is hereby amended to read as set forth in the attached document, which document shall replace and supersede the existing Fee Schedule.

PASSED, ADOPTED AND APPROVED this 15 day of NOVEMBER 1995.

CITY OF LAS VEGAS


JAN LAVERTY JONES, Mayor

ATTEST:


KATHLEEN M. TIGHE, City Clerk

APPROVED AS TO FORM:

10-26-95 
Date

Comparison of Fee Schedule Increase

APPLICATIONS	96 Projected		Revised	
	Existing Fees	Revenue	New Fees	96 Projected Revenue
Tentative Maps	400+2/lot	\$94,000	450+5/lot	\$147,000
Final Maps	400+2/lot	\$141,000	450+5/lot	\$198,500
Parcel Maps	200+5/lot	\$14,250	300	\$19,500
Vacations of public rights-of-way	200+75	\$5,500	250+125	\$7,500
Rezoning (sign posting)	400 plus 20/acre+125+75	\$160,000	450 plus 25/acre+250+125	\$190,000
Extension of time for Rezoning	200+2/acre	\$33,000	250	\$45,000
Administrative Variances	50	\$300	200	\$390
Temporary Commercial Permits	50	\$6,000	65	\$7,800
Review of Conditions (PC items)	100	\$1,200	200	\$2,400
Review of Conditions (PC public hearing)	200+75	\$1,650	250+125	\$2,250
Plot Plan Reviews (PC items)	100	\$4,300	200	\$8,600
Plot Plan Reviews (PC public hearing)	200+75	\$1,650	250+125	\$2,250
Aesthetic Reviews	100	\$2,000	200	\$4,000
Aesthetic Reviews (public hearing)	200+75	\$1,650	250+125	\$2,250
Variances	200+75	\$55,000	250+125	\$75,000
Special Use Permits	200+75	\$46,750	250+125	\$63,750
Special Use Permits (sign posting)	200+125+75	\$2,000	250+250+125	\$2,500
Home Occupation Permits	15	\$2,625	25	\$4,375
Home Occupation Permits (public hearing)	15+75	\$180	25+125	\$300
Review of Conditions (BZA items)	100	\$1,500	200	\$3,000
Review of Conditions (BZA public hearing)	200+75	\$1,650	250+125	\$2,250
Plot Plan Reviews (BZA items)	100	\$2,500	200	\$5,000
Plot Plan Reviews (BZA public hearing)	200+75	\$1,650	250+125	\$2,250
Street Name Changes	200+75	\$1,100	250+125	\$1,500
Development Plan Reviews	400+20/acre+75	\$40,950	450+25/acre+125	\$51,150
City Referral Group Site Plan Reviews	100	\$5,500	200	\$11,000
District Use Reviews	100	\$2,000	200	\$4,000
Minor Deviation Requests	50	\$1,500	65	\$1,950
Major Deviation Requests	200+75	\$1,375	250+125	\$1,875
General Plan Amendments	50	\$10,000	750+125	\$70,000
Zoning Verification Letters	30	\$3,600	35	\$4,200
Development Agreements	400+75	\$475	1000+125	\$1,125
Annexations	0	\$0	0	\$0
Address Changes	30	\$300	35	\$350
TOTALS		\$647,155		\$943,015



FEE SCHEDULE (LVMC Titles 18 and 19)

Effective: November 6, 1995

CITY COUNCIL MINUTES

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A. TITLE 18 (Subdivisions)

1. Tentative Maps	\$450 plus \$5/lot
2. Final Maps	\$450 plus \$5/lot
3. Parcel Maps	\$300
4. Appeals and Waivers	\$250 plus notification and advertising costs, if any
5. Vacation of rights-of-way, easements & patent reservations	\$250 plus notification and advertising costs
-

B. TITLE 19 (Zoning)

1. Rezoning	\$450 plus \$25/acre up to the first 100 acres, plus \$15/acre in excess of 100 acres up to and including 250 acres, plus \$7/acre in excess of 250 acres, plus notification and advertising costs, plus \$125 for sign posting
2. Extension of Time for Rezoning	\$250 plus \$5/acre
3. Administrative Variance	\$65
4. Temporary Commercial Permits	\$65
5. Review of Condition (Planning Commission items)	Non-public hearing: \$200 Public hearing: \$250 plus notification and advertising costs
6. Plot Plan Review (Planning Commission items)	Non-public hearing: \$200 Public hearing: \$250 plus notification and advertising costs
7. Aesthetic Review	Non-public hearing: \$200 Public hearing: \$250 plus notification and advertising costs
8. Variance	\$250 plus notification and advertising costs
9. Special Use Permit	\$250 plus notification and advertising costs, plus \$125 for sign posting (when applicable)
10. Home Occupations	\$25
11. Review of Condition (BZA items)	Non-public hearing: \$200 Public hearing: \$250 plus notification and advertising costs
12. Plot Plan Review (BZA items)	Non-public hearing: \$200 Public hearing: \$250 plus notification and advertising costs
13. Street Name Change	\$250 plus notification and advertising costs
14. All other Reviews and Applications (Satellite Parking Agreements)	\$200
-

C. PLANNED COMMUNITY DISTRICT REVIEWS (Summerlin)

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1. Development Plan Review	\$450 plus \$25/acre up to the first 100 acres, plus \$15/acre in excess of 100 acres up to and including 250 acres, plus \$7/acre in excess of 250 acres, plus notification and advertising costs, plus \$125 for sign posting
2. Site Plan Review	\$200
3. Minor Modification	\$65
4. Major Modification	\$250 plus notification and advertising costs, if any
5. Minor Deviation Requests	\$65
6. Major Deviation Requests	\$250 plus notification and advertising costs
7. Appeals	\$250 plus notification and advertising costs, if any
-

D. SIGN PERMITS

1. On-premises Signs	
a. If no sign certificate is required	No fee
b. If sign certificate is required	\$0.50 per square foot per sign
2. Off-premises Signs	\$0.50 per square foot per sign \$0.50 per square foot per sign for renewals
3. Special Event Signs	\$100 per event
4. Civic Event Signs	No fee
5. Political Signs	No fee
6. Development Entry Statement Signs	\$100 per entry
7. Community Interior Directional Signs	\$100 per sign
8. Subdivision Development Sale Signs	\$100 per sign
9. Subdivision Development Directional Signs	\$100 per sign
10. Weekend Directional Signs	\$5 per sign
11. Construction Signs	\$0.50 per square foot per sign
-

E. OTHER APPLICATION FEES

1. General Plan Amendments	\$750 plus notification and advertising costs
2. Verification and Confirmation Letters	\$35
3. Development Agreement Review	\$1,000 plus notification and advertising costs, if any
4. Annexations	No Fee
5. Address Changes	\$35
6. Amendments & Revisions	\$250 plus notification and advertising costs, if any
-

F. NOTIFICATION AND ADVERTISING COSTS

\$125

Note: For purposes of calculating fees, the number of acres will be determined by rounding to the nearest whole number using standard rounding procedures.

CITY COUNCIL
MEETING OF
November 15, 1995

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AGENDA DOCUMENTATION

TO:

City Council

FROM:

Bradford R. Jerbic

City Attorney

SUBJECT: A RESOLUTION ACCEPTING BIDS FOR THE FURNISHING OF LABOR, MATERIALS, TRANSPORTATION AND SERVICES IN CONNECTION WITH CLARK COUNTY, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 93.

PURPOSE/BACKGROUND

The improvement of Oakey Boulevard between Decatur Boulevard and Rainbow Boulevard is a Regional Transportation Commission Project that was approved and authorized for financing by the RTC in April, 1992. The contract that approved that project and authorized the financing thereof designated the City as the public body that would have the primary responsibility of administering the project and authorized the City and the County to decide between themselves which of them would create a special improvement district to construct the Off-Site Improvements that are usually constructed and installed in conjunction with RTC projects, but without RTC financing, by the local entities that are involved in the respective projects.

The City and the County, in December, 1994, entered into an interlocal agreement to implement the directions and authorizations that were set forth in the RTC's agreement, and it was agreed therein that, notwithstanding the fact that the City would be inviting bids for, awarding and administering the overall construction contract, the County should be the entity that creates and administers the special improvement district. The County has therefor created its Special Improvement District No. 93 for that purpose but, since the City has the responsibility for awarding and administering the overall construction contract, it is the proper entity to accept the bid for the construction and installation of the off-site improvements portion thereof.

The attached resolution, if it is approved, will award the off-site improvements portion of the overall construction contract to Wells Cargo, Inc., in the amount of \$265,699.00.

FISCAL IMPACT

None. The Regional Transportation Commission has agreed to advance the funds that are necessary to pay for the off-site improvements portion of the construction contract along with its payment for its portion of that contract.

RECOMMENDATIONS

It is recommended that the City Council approve the attached Resolution.

Agenda Item

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A RESOLUTION ACCEPTING BIDS FOR THE FURNISHING OF LABOR, MATERIALS, TRANSPORTATION AND SERVICES IN CONNECTION WITH CLARK COUNTY, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 93.

WHEREAS, the City of Las Vegas and the County of Clark (the "City" and the "County", respectively, herein) have entered into an interlocal agreement, pursuant to Section 271.330 of the Nevada Revised Statutes ("NRS" herein) that relates to the design and construction, under the auspices and through the financing of the Clark County Regional Transportation Commission (the "RTC" herein), of certain roadway and drainage improvements in that segment of Oakey Boulevard that extends from Decatur Boulevard, on the east, to Rainbow Boulevard, on the west (the "Project" herein), which segment lies partially within the unincorporated area of the County and partially within the corporate boundaries of the City; and

WHEREAS, the agreement pursuant to which the RTC approved the project and authorized the financing thereof designates the City as the public body that has the primary responsibility of administering the Project and authorizes certain ancillary basic improvements (the "Off-site Improvements" herein) to be constructed, installed and financed in conjunction with the Project by either the County or the City by way of a special improvement district; and

WHEREAS, the County has taken the requisite legal action that is preliminary to the construction and installation of the Off-site Improvements within certain areas of the County and the City, such improvements and such areas being designated as "Clark County, Nevada, Special Improvement District No. 93" (the "District" herein); and

WHEREAS, the City Clerk of the City has published, in the manner and for the period that are provided for in NRS Section 271.190 and Section 271.335, a proper notice that invited bids for the furnishing of all of the labor, materials, transportation and services that are anticipated

CITY COUNCIL MINUTES

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will be required in connection with the construction and installation of the Off-site Improvements that have been ordered to be constructed and installed in the District; and

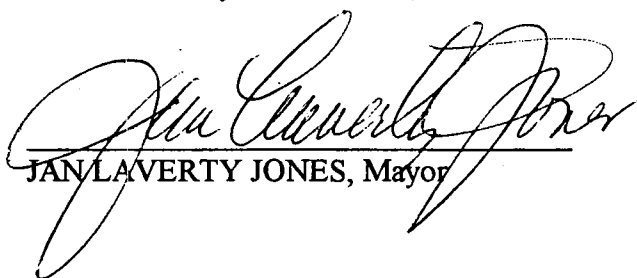
WHEREAS, such bids were received and opened on the 7th day of September, 1995, and the confirmation thereof was continued for the purposes of evaluating and tabulating the same and reporting the result of such evaluation and tabulation to the City Council; and

WHEREAS, the time has now arrived to award the construction contract with respect to the Off-site Improvements that have been ordered to be constructed and installed in the District, all in accordance with NRS Chapter 271;

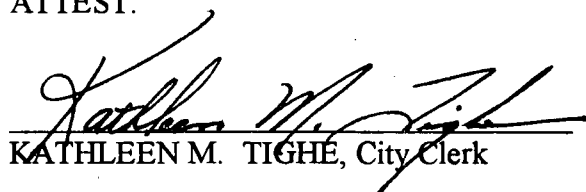
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Las Vegas, Nevada, at this regular meeting thereof that is being held on this 15th day of November, 1995, that the bid of WELLS CARGO, INC., in the amount of \$265,699.00, be, and the same hereby is, accepted.

BE IT FURTHER RESOLVED that the Mayor and City Clerk of the City be, and they hereby are, authorized, empowered and directed to execute any and all documents that may be necessary or appropriate in order to effectuate the purpose of this Resolution.

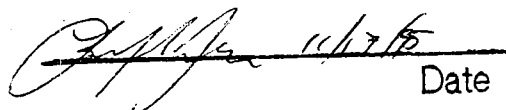
PASSED, ADOPTED and APPROVED this 15th day of November, 1995


JAN LAVERTY JONES, Mayor

ATTEST:


KATHLEEN M. TIGHE, City Clerk

Approved as to form:


Date

CITY COUNCIL MINUTES

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Summary - a resolution of intent to issue general obligation (limited tax) redevelopment projects bonds (additionally secured by pledged revenues).

RESOLUTION NO. R-115-95

A RESOLUTION OF INTENT, PROPOSING THE ISSUANCE OF, AND AUTHORIZING THE PUBLICATION OF NOTICES RELATING TO GENERAL OBLIGATION (LIMITED TAX) REDEVELOPMENT PROJECTS BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES) FOR THE PURPOSE OF FINANCING REDEVELOPMENT PROJECTS FOR THE CITY; PROVIDING THE MANNER, FORM AND CONTENTS OF THE NOTICE THEREOF; RATIFYING ACTION HERETOFORE TAKEN NOT INCONSISTENT HERewith; PROVIDING OTHER MATTERS PROPERLY RELATED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the City Council ("Council") of the City of Las Vegas of Clark County (the "City" and "County," respectively), Nevada proposes to issue up to \$10,250,000 of general obligation bonds of the City (the "Bonds"); and

WHEREAS, such Bonds will be additionally secured by a pledge of a portion of the City's Supplemental City/County Relief Sales and Use Tax Revenues (the "Pledged Revenues"); and

WHEREAS, based on the following revenue study prepared by the City's staff, the Council has determined and does hereby determine that the "Pledged Revenues" will at least equal the amount required in each year for the payment of interest and principal on such general obligation Bonds:

REVENUE STUDY

The following table illustrates the debt service requirements of the outstanding bonds secured by SCCRT revenues and the proposed bonds.

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Fiscal Year Ended July 1	Pro Forma Debt Service				Combined Total Debt Service
	Total Debt Service on Parity Lien Bonds	Principal	Interest ¹	Total	
1996	167,930	0	0	0	\$167,930
1997	164,605	865,000	446,368	1,311,368	1,475,973
1998	166,161	865,000	448,393	1,313,393	1,479,554
1999	167,480	905,000	412,495	1,317,495	1,484,975
2000	163,680	945,000	373,128	1,318,128	1,481,808
2001	164,761	985,000	330,603	1,315,603	1,480,364
2002	165,605	1,030,000	284,800	1,314,800	1,480,405
2003	166,211	1,080,000	235,360	1,315,360	1,481,571
2004	166,530	1,135,000	182,440	1,317,440	1,483,970
2005	166,506	1,190,000	125,690	1,315,690	1,482,196
2006	166,158	1,250,000	65,000	1,315,000	1,481,158
2007	165,446	0	0	0	165,446
2008	164,335	0	0	0	164,335
2009	162,873	0	0	0	162,873
2010	165,915	0	0	0	165,915
2011	163,490	0	0	0	163,490
2012	160,795	0	0	0	160,795
2013	162,695	0	0	0	162,695
2014	66,755	0	0	0	66,755
TOTAL	\$3,037,931	10,250,000	2,904,277	13,154,277	16,192,207

1/ Estimated.

SOURCE: Compiled by Howarth Montague & Associates

The following table illustrates the sufficiency of SCCRT Revenues.

SUFFICIENCY OF PLEDGED REVENUES LAS VEGAS, NEVADA

Fiscal Year Ending	SCCRT Revenues ¹	15% of SCCRT Revenues	Estimated Debt Service
1996	42,500,000	6,375,000	\$ 167,930
1997	42,500,000	6,375,000	1,475,973
1998	42,500,000	6,375,000	1,479,554
1999	42,500,000	6,375,000	1,484,975
2000	42,500,000	6,375,000	1,481,808
2001	42,500,000	6,375,000	1,480,364
2002	42,500,000	6,375,000	1,480,405
2003	42,500,000	6,375,000	1,481,571
2004	42,500,000	6,375,000	1,483,970
2005	42,500,000	6,375,000	1,482,196
2006	42,500,000	6,375,000	1,481,158
2007	42,500,000	6,375,000	165,446
2008	42,500,000	6,375,000	164,335
2009	42,500,000	6,375,000	162,873
2010	42,500,000	6,375,000	165,915
2011	42,500,000	6,375,000	163,490
2012	42,500,000	6,375,000	160,795
2013	42,500,000	6,375,000	162,695
2014	42,500,000	6,375,000	66,755
TOTAL			\$16,192,208

1/ 1996 estimate. Future growth is estimated at 0%.

2/ See prior table.

SOURCE: City of Las Vegas

WHEREAS, the Council proposes to incur this general obligation without an election unless a petition signed by the requisite number of registered voters of the City who together with any corporate petitioners represent the requisite assessed value of the taxable property of the City is presented to the Council requiring the Council to submit to the qualified electors of the City for their approval or disapproval the following proposal:

**GENERAL OBLIGATION REDEVELOPMENT PROJECTS
DEBT (ADDITIONALLY SECURED BY PLEDGED REVENUES)
PROPOSAL:**

Shall the City of Las Vegas, Nevada, be authorized to incur a general obligation debt, additionally secured by pledged supplemental city-county relief tax revenues in one series or more, in an aggregate principal amount of not exceeding \$10,250,000 to defray wholly or in part (through a loan to the Downtown Redevelopment Agency of the City of Las Vegas) the cost of acquiring, improving and equipping redevelopment projects (including, without limitation, land therefor) which the Agency is authorized to acquire, improve and equip, such debt to mature in installments commencing not later than five (5) years from the date or respective dates of the obligation and ending not later than thirty (30) years therefrom, to be payable from general (ad valorem) taxes (except to the extent other revenues, including the pledged supplemental city-county relief tax revenues, are available therefor), and to be issued and sold at, above, or below par at an effective interest rate (including any sale discount) not exceeding the statutory maximum rate, if any, as shall be determined at the time of the sale thereof, and otherwise to be issued in such manner, upon such terms and conditions, with such covenants and agreements, and with such detail as the City may determine, including at its option but not necessarily limited to provisions for the redemption of bonds prior to maturity without or with the payment of a premium?

(the "Proposal"); and

WHEREAS, pursuant to Sections 350.001 to 350.006, inclusive, Nevada Revised Statutes ("NRS"), the Council has submitted the Proposal to the Debt Management Commission of Clark County (the "Commission");

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WHEREAS, the Commission has heretofore approved the Proposal; and

WHEREAS, subsection 3 of NRS § 350.020 in effect provides that if the payment of a general obligation of the City is additionally secured by a pledge of the revenues of a project to be financed by its issue, and the governing body (i.e., the Council) determines that the pledged revenues will at least equal the amount required in each year for the payment of interest and principal, the City may incur the general obligation without an election, unless a petition requesting an election signed by 5% of the registered voters who, together with any corporate petitioners, own not less than 2% in assessed value of the taxable property in the City is presented to the Council within 60 days after the publication of a notice of the adoption of this resolution of intent; and

WHEREAS, Subsection 3 of NRS § 350.020 also requires that a public hearing be held before the Bonds are issued.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA:

Section 1. This resolution shall be known as and may be cited by the short title "Resolution of Intent to Issue Redevelopment Projects Bonds" (this "Resolution").

Section 2. All action heretofore taken (not inconsistent with the provisions of this Resolution) by the Council and the officers of the Council directed:

(a) Toward the project to be financed by the Bonds;

and

(b) Toward the issuance of the Bonds to defray, in part, the cost thereof,

be, and the same hereby is, ratified, approved and confirmed.

Section 3. The City and the officers of the City be, and they hereby are, authorized and directed to publish a notice of the adoption of the resolution of intent relating to the Council's proposal to issue the Bonds in a newspaper of general circulation in the City, at least once, such notice to be published in substantially the following form:

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(Form of Notice for Publication)

**NOTICE OF THE INTENT OF THE CITY COUNCIL OF THE
CITY OF LAS VEGAS, NEVADA, TO ISSUE GENERAL
OBLIGATION (LIMITED TAX) REDEVELOPMENT PROJECTS
BONDS OF THE CITY ADDITIONALLY SECURED BY
PLEDGED REVENUES**

NOTICE IS HEREBY GIVEN that the City Council of the City of Las Vegas (the "Council" and the "City") Nevada, by a resolution, passed, adopted and approved on the 15th day of November, 1995, and designated in Section 1 thereof by the short title "Resolution of Intent to Issue Redevelopment Projects Bonds" has proposed the issuance of the City's General Obligation (Limited Tax) Redevelopment Projects Bonds (Additionally Secured by Pledged Revenues) (the "Bonds") designated below, as follows:

**GENERAL OBLIGATION REDEVELOPMENT PROJECTS
DEBT (ADDITIONALLY SECURED BY PLEDGED REVENUES)
PROPOSAL:**

Shall the City of Las Vegas, Nevada, be authorized to incur a general obligation debt, additionally secured by pledged supplemental city-county relief tax revenues in one series or more, in an aggregate principal amount of not exceeding \$10,250,000 to defray wholly or in part (through a loan to the Downtown Redevelopment Agency of the City of Las Vegas) the cost of acquiring, improving and equipping redevelopment projects (including, without limitation, land therefor) which the Agency is authorized to acquire, improve and equip, such debt to mature in installments commencing not later than five (5) years from the date or respective dates of the obligation and ending not later than thirty (30) years therefrom, to be payable from general (ad valorem) taxes (except to the extent other revenues, including the pledged supplemental city-county relief tax revenues, are available therefor), and to be issued and sold at, above, or below par at an effective interest rate (including any sale discount) not exceeding the statutory maximum rate, if any, as shall be determined at the time of the sale thereof, and otherwise to be issued in such manner, upon such terms

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and conditions, with such covenants and agreements, and with such detail as the City may determine, including at its option but not necessarily limited to provisions for the redemption of bonds prior to maturity without or with the payment of a premium?

(the "Proposal").

The above Proposal was approved by the Debt Management Commission of Clark County, Nevada, at the meeting of the Commission held on November 6, 1995.

The Council has determined that the general obligation Bonds to be issued for the purpose of financing redevelopment projects for the City (as further described in the above Proposal) will be additionally secured by a pledge of the "pledged revenues," which include a portion of the City's Supplemental City/County Relief Sales and Use Tax Revenues. The Council has, in addition, determined, based upon a revenue study, that the pledged revenues will at least equal the amount required in each year for the payment of the interest on and the principal of the Bonds.

Based upon this determination, the Council intends to incur this general obligation as set forth above without an election as provided in subsection 3 of Section 350.020, Nevada Revised Statutes, unless within sixty (60) days after the publication of this notice a petition requesting an election is presented to the Council signed by not fewer than five percent (5%) of the registered voters of the City who, together with any corporate petitioners, own not less than two percent (2%) in assessed value of the taxable property in the City. The number of registered voters is to be determined as of the close of registration for the last preceding general election. The assessed values are to be determined from the next preceding final assessment roll of the City. An authorized corporate officer may sign such a petition whether or not he or she is a registered voter of the City.

At a meeting or meetings of the Council to be held not earlier than sixty (60) days after the publication of this notice, the Council shall proceed to adopt an ordinance or ordinances authorizing the issuance of the Bonds. Such ordinance or ordinances authorizing the issuance of the Bonds will be adopted unless prior to 5:00 p.m. on the 22nd day of January, 1996, a petition is presented to the Council asking for an election upon the question

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of whether or not the proposed general obligations shall be incurred. The petition for an election herein referred to may be presented to the Council at any time prior to the expiration of sixty (60) days after the publication of this notice. In the event such petition is presented, no such ordinance or ordinances shall be enacted except pursuant to an election called and held for such purpose and carried by a majority of the votes cast. In the event no such petition is presented, the Bonds will be authorized as described above. The ordinance or ordinances authorizing the Bonds will, in addition, contain provisions for additionally securing the payment of the general obligations by pledging the Pledged Revenues designated above and in the Proposal to the payment of the Bonds.

The authority to issue the Bonds if conferred at an election or if conferred by the fact no petition is presented to the Council requesting such an election within sixty (60) days of the date of publication hereof shall be deemed to be a continuing authority and the Council shall be authorized to sell the Bonds at such time or times and upon such terms and conditions as it deems proper in accordance with the provisions of the Proposal and the laws of the state.

All persons interested are hereby advised that further information regarding the project to be financed by the Bonds, the Bonds and the revenues to be pledged to the Bonds, and all proceedings in the premises, are on file in the office of the City Clerk, 400 East Stewart Avenue, Las Vegas, Nevada, and can be seen and examined by the interested persons during the regular office hours of the Clerk.

The determination by the Council that the Pledged Revenues will at least equal the amount required in each year for the payment of interest and principal on the Bonds becomes conclusive on the last day for filing the petition, i.e., on the 22nd day of January, 1996, at 5:00 p.m.

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BY ORDER of the City Council of City of Las Vegas, Nevada.

DATED this 15th day of November, 1995.

PUBLICATION DATE: November 21, 1995

Attest:

/s/ Jan Lavery Jones

Mayor

/s/ Kathleen Tighe

City Clerk

(End of Form of Notice)

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Section 4 The City Clerk is authorized and directed to publish once on or before November 25, 1995, (i.e., at least 10 days before the date of the public hearing described in the following notice) in a newspaper of general circulation in the City a notice of public hearing, at least as large as 5 inches high by 4 inches wide, in substantially the following form:

NOV 15 1995

(Form of Notice of Public Hearing)

**NOTICE OF PUBLIC HEARING ON THE
INTENT OF THE CITY COUNCIL OF THE
CITY OF LAS VEGAS IN CLARK COUNTY,
NEVADA, TO ISSUE GENERAL OBLIGATION
(LIMITED TAX) REDEVELOPMENT PROJECTS
PLEDGED REVENUES.**

NOTICE IS HEREBY GIVEN that the City Council (the "Council") of the City of Las Vegas (the "City"), Nevada, by a resolution, passed, adopted, signed and approved on November 15, 1995, and designated in Section 1 thereof by the short title "Resolution of Intent to Issue Redevelopment Projects Bonds" has proposed the issuance of the City's General Obligation (Limited Tax) Redevelopment Projects Bonds (Additionally Secured by Pledged Revenues) (the "Bonds") designated below, as follows:

**GENERAL OBLIGATION REDEVELOPMENT PROJECTS
DEBT (ADDITIONALLY SECURED BY PLEDGED REVENUES)
PROPOSAL:**

Shall the City of Las Vegas, Nevada, be authorized to incur a general obligation debt, additionally secured by pledged supplemental city-county relief tax revenues in one series or more, in an aggregate principal amount of not exceeding \$10,250,000 to defray wholly or in part (through a loan to the Downtown Redevelopment Agency of the City of Las Vegas) the cost of acquiring, improving and equipping redevelopment projects (including, without limitation, land therefor) which the Agency is authorized to acquire, improve and equip, such debt to mature in installments commencing not later than five (5) years from the date or respective dates of the obligation and ending not later than thirty (30) years therefrom, to be payable from general (ad valorem) taxes (except to the extent other revenues, including the pledged supplemental city-county relief tax revenues, are available therefor), and to be issued and sold at, above, or below par at an effective interest rate (including any sale discount) not exceeding the statutory maximum rate, if any, as shall be determined at the time of the sale thereof, and otherwise to be issued in such manner, upon such terms and conditions, with such covenants and agreements, and with such detail as the City may determine, including at its option but not necessarily limited to provisions for the redemption of

CITY COUNCIL MINUTES

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bonds prior to maturity without or with the payment of a premium?

(the "Proposal"); and

The above Proposal was previously approved by the Debt Management Commission of Clark County, Nevada.

The City has determined that the Bonds to be issued for the purpose of financing redevelopment projects as further described in the above Proposal, will be additionally secured by a pledge of revenues as described in the Proposal (the "Pledged Revenues"). The City has, in addition, determined that the Pledged Revenues will at least equal the amount required in each year for the payment of the interest on and the principal of the Bonds.

All persons interested are hereby advised that the Council will hold a public hearing on the Proposal on December 6, 1995 at 2:00 p.m. at the Council Chambers, City Hall Complex, 400 East Stewart, Las Vegas, Nevada. All persons are invited to attend and to be heard regarding the Proposal. Further information regarding the Proposal, the Project to be financed by the Bonds, the Bonds and the revenues to be pledged to the Bonds, and all proceedings, are on file in the Office of the City Clerk, Las Vegas, Nevada, and can be seen and examined by the interested persons during the regular office hours of the City.

BY ORDER of the City Council, City of Las Vegas, Nevada.

DATED this November 15, 1995.

/s/ Kathleen Tighe
City Clerk
City of Las Vegas, Nevada

(End of Form of Notice of Public Hearing)

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Section 5. A public hearing on the Bonds is hereby ordered to be held before the Council at the time, date and place specified in the Notice set forth in Section 4 hereof.

Section 6. The Bonds, in the event no petition is filed during the period allowed by NRS § 350.020(2), shall be authorized by an ordinance or ordinances to be enacted by the Council after the expiration of the above specified period of publication.

Section 7. The authority to issue the Bonds designated in the Proposal set forth in the notice shall be deemed and considered a continuing authority to issue and deliver the Bonds designated in such Proposal at one time or from time to time, in one series or in more than one series, all as ordered by the Council. Neither the partial exercise of the authority so conferred nor the lapse of time shall be considered as exhausting or limiting the full authority so conferred.

Section 8. The City Treasurer or his designee is hereby authorized to arrange for the issuance and sale of the Bonds in a total aggregate principal amount of not more than \$10,250,000.

Section 9. The City Treasurer or his designee is authorized to specify the terms of the Bonds, the method of their sale, the final principal amount of the Bonds (not in excess of \$10,250,000), the terms of their repayment and security therefor, and other details of the Bonds, and if deemed appropriate by the City Treasurer or his designee, to advertise the Bonds for sale, subject to the ratification by the Council by the adoption of a bond ordinance specifying the Bond terms and details and approving their sale.

Section 10. The officers of the Council be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

Section 11. All resolutions, or parts thereof, in conflict with the provisions of this resolution, are hereby repealed to the extent only of such inconsistency. This repealer shall not be constructed to revive any resolution, or part thereof, heretofore repealed.

Section 12. If any section, paragraph, clause or other provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or

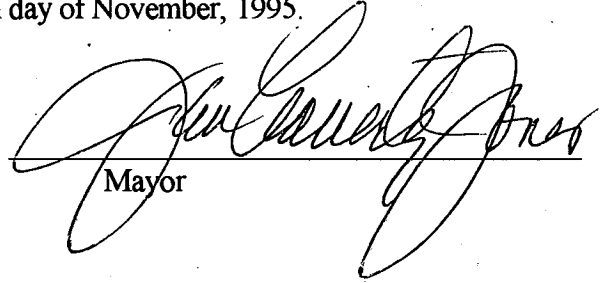
CITY COUNCIL MINUTES

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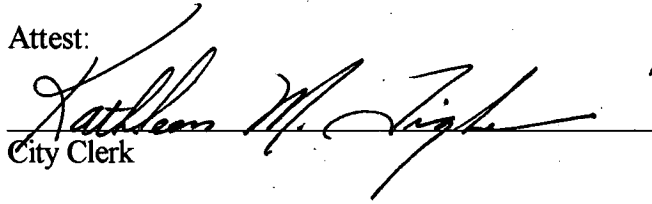
Section 13. This resolution shall become effective and be in force immediately upon its adoption.

PASSED AND APPROVED this 15th day of November, 1995.

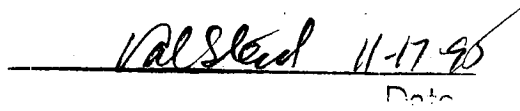

Mayor

(SEAL)

Attest:


City Clerk

Approved as to form:


Date

CITY COUNCIL MINUTES

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STATE OF NEVADA**NOV 15 1995****COUNTY OF CLARK**

) ss.

CITY OF LAS VEGAS

I, Kathleen Tighe, am the duly chosen and qualified City Clerk of the City of Las Vegas, and in the performance of my duties as City Clerk do hereby certify:

1. The foregoing pages numbered -1- to -15-, inclusive, are a full and correct copy of the record of proceedings of the Council taken at a regular meeting thereof held on November 15, 1995, so far as such minutes relate to a resolution, a copy of which is therein set forth; and the copy of such resolution contained in such minutes is a true, correct, compared copy of the original proposed at such meeting.

2. All members of the Council were given due and proper notice of such meeting, and the members of the Council were present and voted upon such resolution as follows:

Those Voting Aye:

Jan Laverty Jones

Arnie Adamsen

Matthew Q. Callister

Michael J. McDonald

Gary Reese

Those Voting Nay:

None

Those Absent:

None

3. Public notice of such meeting was given and such meeting was held and conducted in full compliance with the provisions of NRS § 241.020. A copy of the notice of meeting and excerpts from the agenda for the meeting relating to the resolution, as posted at least 3 working days in advance of the meeting, not later than 9:00 a.m., at:

CITY COUNCIL MINUTES

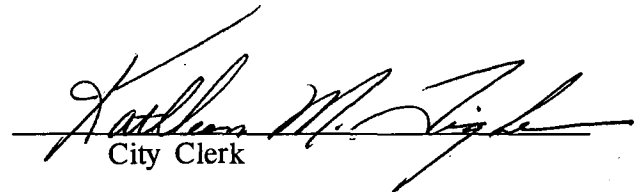
NOV 15 1995

- (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

is attached as Exhibit "A".

4. Prior to 9:00 a.m. at least 3 working days before such meeting, such notice was delivered to each member of the Council and mailed to each person, if any, who has requested notice of meetings of the Council in the same manner in which notice is required to be mailed to a member of the Council.

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of November, 1995.


City Clerk

(SEAL)

CITY COUNCIL MINUTES

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EXHIBIT "A"

(Attach Copy of Notice of Meeting)

REPORTS/ACTION ITEMS

NOV 15 1995

- 48. Discussion And Possible Approval Of A Consultant Agreement With Harris & Associates To Provide Construction Management Services For The Oakey Boulevard Roadway Project: Rainbow Boulevard To Decatur Boulevard
- 49. Discussion And Possible Approval Of Amendment 1 To The Agreement With Centennial Engineering, Inc. To Provide Engineering Design Services For The Cheyenne Avenue Improvement Project From Tenaya To Cimarron Drive

IV. RESOLUTIONS

- 50. ABEYANCE ITEM R-112-95 - Resolution Amending Fee Schedule for LVMC Titles 18 and 19.
- 51. R-114-95 - Approval Of Resolution Accepting Bids Re: Clark County Special Improvement District No. 93 (Oakey Boulevard) (City Contract)
- 52. R-115-95 - A Resolution Of Intent, Proposing The Issuance Of, And Authorizing The Publication Of Notices Relating To General Obligation (Limited Tax) Redevelopment Projects Bonds (Additionally Secured By Pledged Revenues) For The Purpose Of Financing Redevelopment Projects For The City; Proving The Manner, Form And Contents Of The Notice Thereof; Ratifying Action Heretofore Taken Not Inconsistent Herewith; Providing Other Matters Properly Related Thereto; And Providing The Effective Date Hereof.

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

DISCUSSION / ACTION ITEMSADMINISTRATIVE

- 53. ABEYANCE ITEM - Discussion and possible action to approve a lease agreement for the historic Fifth Street School located at 400 Las Vegas Boulevard between the City of Las Vegas and Clark County
- 54. ABEYANCE ITEM - Discussion and possible action to approve a sublease agreement for approximately 10,000 square feet of the historic Fifth Street School located at 400 Las Vegas Boulevard between the City of Las Vegas and the Metropolitan Police Department for the purpose of temporarily locating a police substation at the site
- 55. Discussion and possible action to approve a strategic plan for Citywide automation which has been formulated by the City's Information Systems Inner Look Team and their consultant ThirdWave, Inc.

CITY ATTORNEY

- 56. Appeal of Work Card Denial: Mr. Mike Hawes, 2103 Fallsburg Way, Henderson, NV 89015
- 57. Appeal of Work Card Denial: Mr. Wilbur Hines, 2008 West Lake Mead Avenue, Las Vegas, NV 89030
- 58. Appeal of Work Card Denial: Mr. Raymond G. Walker, 2665 South Bruce, #160, Las Vegas, NV 89109

DEPARTMENT OF FINANCE & BUSINESS SERVICESGaming – Request for Preliminary Approval of Reclassification

- 59. From: Nonrestricted Limited (35 slots), TO: Nonrestricted, in connection with a proposed hotel/casino at 4747 Faircenter Parkway, SES Gaming, Inc., Sheldon E. Stunkel, Sr., COB, 51%, Robert V. Stunkel, Pres., 14%, Bradley B. Stunkel, Dir., 14%, Sheldon E. Stunkel, Jr., Dir., 14%, Lee A. Shapiro, VP, Sect., Treas., 7%

APPEAL OF DENIAL OF SOLICITOR PERMIT

- 60. RAYFORD WILSON db at DASH MARKETING, 1799 N. Decatur, #140

CITY COUNCIL MINUTES

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EXHIBIT "B"

(Attach Affidavit of Publication of Notice of Adoption of Resolution)

AFFIDAVIT OF PUBLICATION

CITY COUNCIL MINUTES

NOV 15 1995

PAST

IE

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

JENNY WEIST

, 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 NOVEMBER 21, 1995 to NOVEMBER 21, 1995, on the following days:

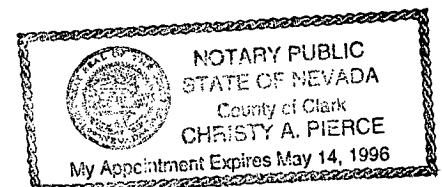
NOVEMBER 21, 1995

Signed: Jenny Weist

Subscribed and sworn to before me this

22 day of November, 19 95

Christy A. Pierce
Notary Public



NOTICE OF INTENT OF THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA, TO ISSUE GENERAL OBLIGATION (LIMITED TAX) REDEVELOPMENT PROJECTS BONDS OF THE CITY ADDITIONALLY SECURED BY PLEDGED REVENUES

NOTICE IS HEREBY GIVEN that the City Council of the City of Las Vegas (the "Council" and the "City") Nevada, by a resolution, passed, adopted and approved on the 15th day of November, 1995, and designated in Section I thereof by the short title "Resolution of Intent to Issue Redevelopment Projects Bonds" has proposed the issuance of the City's General Obligation (Limited Tax) Redevelopment Projects Bonds (Additionally Secured by Pledged Revenues) (the "Bonds") designated below, as follows:

GENERAL OBLIGATION REDEVELOPMENT PROJECTS DEBT (ADDITIONALLY SECURED BY PLEDGED REVENUES) PROPOSAL:

Shall the City of Las Vegas, Nevada, be authorized to incur a general obligation debt, additionally secured by pledged supplemental city-county relief tax revenues in one series or more, in an aggregate principal amount of not exceeding \$10,250,000 to deliver wholly or in part (through a loan to the Downtown Redevelopment Agency of the City of Las Vegas) the cost of acquiring, improving, and equipping redevelopment projects (including, without limitation, land therefor) which the Agency is authorized to acquire, improve and equip, such debt to mature in installments commencing not later than five (5) years from the date of respective dates of the obligation and ending not later than thirty (30) years thereafter; to be payable from general (ad valorem) taxes (except to the extent other revenues, including the pledged supplemental city-county relief tax revenues, are available therefor); and to be issued and sold at, above, or below par at an effective interest rate (including any sole discount) not exceeding the statutory maximum rate, if any, as shall be determined at the time of the sale thereof; and otherwise to be issued in such manner, upon such terms and conditions, with such covenants and agreements, and with such detail as the City may determine, including at its option but not necessarily limited to provisions for the redemption of bonds prior to maturity without or with the payment of a premium?

(The "Proposal"). The above Proposal was approved by the Debt Management Commission of Clark County, Nevada, at the meeting of the Commission held on November 6, 1995.

The Council has determined that the general obligation Bonds to be issued for the purpose of financing redevelopment projects for the City (as further described in the above Proposal) will be additionally secured by a pledge of the "pledged revenues," which include a portion of the City's Supplemental City-County Relief Sales and Use Tax Revenues. The Council has, in addition, determined, based upon a revenue study, that the pledged revenues will of least equal the amount required in each year for the payment of the interest on and the principal of the Bonds.

Based upon this determination, the Council intends to incur this general obligation as set forth above without an election as provided in subsection 3 of Section 330.020, Nevada Revised Statutes, unless, within sixty (60) days after the publication of this notice a petition requesting an election is presented to the Council signed by not fewer than five percent (5%) of the registered voters of the City who, together with any corporate petitioners, own not less than two percent (2%) in assessed value of the taxable property in the City.

The number of registered voters is to be determined as of the close of registration for the last preceding general election. The assessed values are to be determined from the next preceding final assessment roll of the City. An authorized corporate officer may sign such a petition whether or not he or she is a registered voter of the City.

At a meeting or meetings of the Council to be held earlier than sixty (60) days after the publication of this notice, the Council shall proceed to adopt an ordinance or ordinances authorizing the issuance of the Bonds. Such ordinance or ordinances authorizing the issuance of the Bonds will be adopted unless prior to 5:00 p.m. on the 22nd day of January, 1996, a petition is presented to the Council asking for an election upon the question of whether or not the proposed general obligations shall be incurred. The petition for an election herein referred to may be presented to the Council at any time prior to the expiration of sixty (60) days after the publication of this notice. In the event such petition is presented, no such ordinance or ordinances shall be enacted except pursuant to an election called and held for such purpose and carried by a majority of the votes cast. In the event no such petition is presented, the Bonds will be authorized as described above. The ordinance or ordinances authorizing the Bonds will, in addition, contain provisions for additionally securing the payment of the general obligations by pledging the Pledged Revenues designated above and in the Proposal to the payment of the Bonds.

The authority to issue the Bonds if conferred at an election or if conferred by the fact no petition is presented to the Council requesting such an election within sixty (60) days of the date of publication hereof shall be deemed to be a continuing authority and the Council shall be authorized to sell the Bonds at such time or times and upon such terms and conditions as it deems proper in accordance with the provisions of the Proposal and the laws of the state.

All persons interested are hereby advised that further information regarding the project to be financed by the Bonds, the Bonds and the revenues to be pledged to the Bonds, and all proceedings in the premises, are on file in the office of the City Clerk, 400 East Stewart Avenue, Las Vegas, Nevada, and can be seen and examined by the interested persons during the regular office hours of the Clerk.

The determination by the Council that the Pledged Revenues will at least equal the amount required in each year for the payment of interest and principal on the Bonds becomes conclusive on the last day for filing the petition, i.e., on the 22nd day of January, 1996, at 5:00 p.m. BY ORDER of the City Council of City of Las Vegas, Nevada.

DATED this 15th day of November, 1995.
Jan Laverly Jones, Mayor
Attest:
Kathleen Tighe
City Clerk
PUB: November 21, 1995
Las Vegas Review-Journal

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EXHIBIT "C"

(Attach Affidavit of Publication of Notice of Hearing)

g:\wp\docs\02204077\intent.res

AFFIDAVIT OF PUBLICATION

CITY COUNCIL MINUTES

NOV 15 1995

NOTICE OF PUBLIC HEARING ON THE INTENT OF THE CITY COUNCIL OF THE CITY OF LAS VEGAS

IN CLARK COUNTY, NEVADA, TO ISSUE GENERAL OBLIGATION (LIMITED TAX) REDEVELOPMENT

PROJECTS PLEDGED REVENUES.

NOTICE IS HEREBY GIVEN that the City Council (the "Council") of the City of Las Vegas (the "City"), Nevada, by a resolution, passed, adopted, signed and approved on November 15, 1995, and designated in Section 1 thereof by the short title "Resolution of Intent to Issue Redevelopment Projects Bonds" has proposed the issuance of the City's General Obligation (Limited Tax) Redevelopment Projects Bonds (Additionally Secured by Pledged Revenues) (the "Bonds") designated below, as follows:

GENERAL OBLIGATION REDEVELOPMENT PROJECTS DEBT (ADDITIONALLY SECURED BY PLEDGED REVENUES) PROPOSAL:

Shall the City of Las Vegas, Nevada, be authorized to incur a general obligation debt, additionally secured by pledged supplemental city-county relief tax revenues in one series or more, in an aggregate principal amount of not exceeding \$10,250,000 to defray wholly or in part (through a loan to the Downtown Redevelopment Agency of the City of Las Vegas) the cost of acquiring, improving and equipping redevelopment projects (including, without limitation, land therefor) which the Agency is authorized to acquire, improve and equip, such debt to mature in installments commencing not later than five (5) years from the date or respective dates of the obligation and ending not later than thirty (30) years therefrom, to be payable from general (ad valorem) taxes (except to the extent other revenues, including the pledged supplemental city-county relief tax revenues, are available therefor), and to be issued and sold at, above, or below par at an effective interest rate (including any sale discount) not exceeding the statutory maximum rate, if any, as shall be determined at the time of the sale thereof, and otherwise to be issued in such manner, upon such terms and conditions, with such covenants and agreements, and with such detail as the City may determine, including at its option but not necessarily limited to provisions for the redemption of bonds prior to maturity without or with the payment of a premium?

(the "Proposal"); and

The above Proposal was previously approved by the Debt Management Commission of Clark County, Nevada.

The City has determined that the Bonds to be issued for the purpose of financing redevelopment projects as further described in the above proposal, will be additionally secured by a pledge of revenues as described in the Proposal (the "Pledged Revenues"). The City has, in addition, determined that the Pledged Revenues will at least equal the amount required in each year for the payment of the interest on and the principal of the Bonds.

All persons interested are hereby advised that the Council will hold a public hearing on the Proposal on December 6, 1995 at 2:00 p.m. at the Council Chambers, City Hall Complex, 400 East Stewart, Las Vegas, Nevada. All persons are invited to attend and to be heard regarding the Proposal. Further information regarding the Proposal, the Project to be financed by the Bonds, the Bonds and the revenues to be pledged to the Bonds, and all proceedings, are on file in the Office of the City Clerk, Las Vegas, Nevada, and can be seen and examined by the interested persons during the regular office hours of the City.

BY ORDER of the City Council, City of Las Vegas, Nevada.

DATED this November 15, 1995.

/s/ Kathleen Tighe

City Clerk

City of Las Vegas, Nevada

PUB: November 21, 1995 Las Vegas Review-Journal

SS:

_____, being first duly
says:

I, _____, legal clerk for the LAS VEGAS
and THE LAS VEGAS SUN,
regularly issued, published and
of Las Vegas, County of
a, and that the
copy of which is attached,
published in the LAS VEGAS
for THE LAS VEGAS SUN for a

insertions

NOVEMBER 21, 1995

1995, on the following

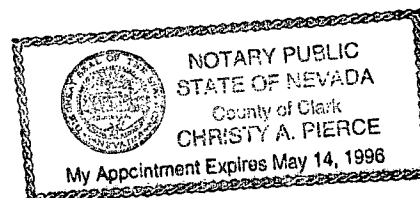
1995

Kathleen Tighe

on to before me this

day of November, 19 95

Christy A. Pierce
Notary Public



CITY COUNCIL

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	DISCUSSION / ACTION ITEMS	ACTION
<u>Item Number</u>		
	ADMINISTRATIVE AGENDA <u>ABEYANCE ITEM</u> 53 Discussion and possible action to approve a lease agreement for the historic Fifth Street School located at 400 Las Vegas Boulevard between the City of Las Vegas and Clark County	ADAMSEN - ABEYANCE of Items 53 and 54 to 12/6/95 - UNANIMOUS 12/6/95 Agenda ***** CITY MANAGER BARTON asked that items 53 and 54 be held in abeyance until the next meeting. Final stages of negotiations are going on between the City, Clark County and the Metropolitan Police Department. They are putting together an Interlocal Lease Agreement which will address the Fifth Street School and future detention facilities and space requirements for both the City and Metro which will provide a downtown Metropolitan Police Substation and additional space for the City's administrative uses. Everyone will be able to benefit from this type of a situation. COUNCILMAN CALLISTER asked about the bike patrol going into the new substation. He appreciated everyone's efforts in this matter. COUNCILMAN McDONALD said it will be a full scale substation. DEPUTY CITY MANAGER BARTON said if an agreement is reached shortly, Metro's full operation will be in the new substation by the end of January, 1996. This is beneficial to everyone involved. He commended the City staff who have been working on this matter. (9:34 - 9:38)
	<u>ABEYANCE ITEM</u> 54 Discussion and possible action to approve a sublease agreement for approximately 10,000 square feet of the historic Fifth Street School located at 400 Las Vegas Boulevard between the City of Las Vegas and the Metropolitan Police Department for the purpose of temporarily locating a police substation at the site	ABEYANCE - see above 12/6/95 Agenda

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item
Number

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE AGENDA

55

Discussion and possible action to approve a strategic plan for Citywide automation which has been formulated by the City's Information Systems Inner Look Team and their consultant ThirdWave, Inc.

ADAMSEN - ACCEPTED THE REPORT AND APPROVED STAFF TO NEGOTIATE AND PROCEED WITH IMPLEMENTATION - UNANIMOUS

CITY MANAGER BARTON said at the City Council Strategic Retreat there was a request for the employees to improve customer service. The Council has received a report from five of the six Inner Look Teams.

MICHAELA MEZO acknowledged members of the Inner Look Teams in the audience. She advised that over the past six months the Teams have been meeting.

ROY HERNANDEZ, ThirdWave, Inc., explained they have been looking at four issues of this type of automation:

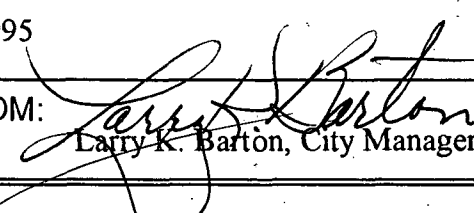
1. Findings/Benefits - Staff has limited resources, technology and training. The first three years are the most critical in costs, but the savings thereafter can be redirected to fire, parks, infrastructure, streets, etc.
2. Compelling Opportunities - To allow persons applying for permits to do so from their offices, PC centers, etc. The City has an opportunity to reduce costs and move towards a paperless environment by 2000. After three years the City will be saving approximately \$500,000 to \$800,000 a year.
3. Implementation Plan - This is a logical, sound Implementation Plan. It is a complex plan, but with proper planning and preparation success can be extremely high.
4. Recommendations - There is a need to develop network communication infrastructure, PC installation, file servers, City' staff training, enterprise imaging system, etc.

FINANCE AND BUSINESS SERVICES DIRECTOR HOUCHENS stated there are five concepts that need to happen: 1. Strategic Plan; 2. Resources consisting of dollars and time; 3. Communication; 4. Plan focus; and 5. Compelling business purpose.

COUNCILMAN CALLISTER cautioned to make sure in each step the City is really saving dollars and time by automating.

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

TO:
City Council

FROM: 
Larry K. Barton, City Manager

SUBJECT: DISCUSSION AND POSSIBLE ACTION TO APPROVE A STRATEGIC PLAN FOR CITYWIDE AUTOMATION WHICH HAS BEEN FORMULATED BY THE CITY'S INFORMATION SYSTEMS INNER LOOK TEAM AND THEIR CONSULTANT THIRDWAVE, INC.

PURPOSE/BACKGROUND

In late 1994, the City Council empowered the City Manager to embark on a number of "reengineering" projects which became known as the "Inner Look". Teams were created in a number of functional areas to critically look at how effectively the City provided services and conducted its business.

In March of this year, an Information Systems (IS) "Inner Look" Team was created to assist in the reengineering of areas of information technology, also known as information or computer services. The Team determined that the City was not taking full advantage of technology in today's local government environment due to a combination of limited or obsolete equipment and systems.

The Team determined that the City would benefit from the expertise and experience of a third party in developing four critical products: (1) an analysis of where the City currently was, technologically speaking; (2) an analysis of the needs of system users; (3) meaningful and cost effective solutions to those needs; and (4) a long-term plan to implement those solutions. Various firms were interviewed and the City Council approved a contract with ThirdWave Corporation ("ThirdWave"), a computer systems and integration firm headquartered in Los Angeles. Our contract with ThirdWave stipulated the four critical products listed above. Over the past six months, the IS Inner Look Team and ThirdWave have collaborated in the recognition of a series of user needs and correspondingly, development of the most effective means to address and resolve these needs. This review has involved over 70 team members representing every City department. The result is a series of user needs (both citizen and staff), coupled with recommended solutions applied across a Citywide environment.

Implementation of these recommendations will:

1. Provide modern electronic tools to citizens and staff, which will
2. Increase ease of access to City Hall services, thereby creating discretionary time for citizens.
3. These tools will also increase staff efficiency and effectiveness.
4. Reduce ongoing costs of operations and maintenance.
5. Initiate the movement to a paperless office.
6. Create a Citywide, interactive network.

FISCAL IMPACT

Approximately half of the funding for this project has been accumulated in a capital "Inner Look" fund. The entire project will require an investment of approximately \$4.5 million over 3 years.

RECOMMENDATIONS

The Team and City Manager request that the Council approve the Information Systems Strategic Plan, "Vision Las Vegas" and direct staff to proceed with implementing it's goals.

MISSION**NOV 15 1995**

The Mission of the IS Inner Look Team is:

"To collaboratively develop a long-term plan for the development and acquisition of current proven information and communication technology which (a) identifies significant needs, (b) provides for efficient and effective solutions, and (c) establishes implementation priorities, while providing increased, ongoing customer service."

The IS Inner Look Team was divided into five sub-teams. Those are:

- Land Based Services
- Public Services
- Support Services
- Document Storage and Retrieval
- Administration.

Members of the team are listed on Exhibit A.

Each sub-team was given two tasks:

1. To identify automation or technology needs as they relate to individuals, functions or series of functions, and/or divisions and departments.
2. To consider and identify common data bases and common technology opportunities which transcend organizational lines.

The sub-teams were actively involved with ThirdWave in the development of workflows and the corresponding creation of the user needs analysis.

VISION AND STRATEGIES

The ThirdWave analysis was based on a number of objectives. These included:

- Provision of high quality customer service through information technology
- Provision of leadership in addressing and implementing the delivery of cost effective services.
- Utilizing productive problem-solving skills in working with City staff.
- Promoting employee innovation through proactive training.
- Promoting a positive and progressive public image of Las Vegas to its citizens and customers.

With these goals in the background, ThirdWave and the Inner Look team dissected many of the functions City departments perform with questions of why, when, how, and how much. Those questions were being asked not only on a functional level, but also on a City-wide level. For example, how does the information I enter into the computer at my workstation differ from that entered in at another workstation in another department. Why does the entry need to be duplicated? What is the best way to get the information into the system, and to effectively share the information from that point forth?

At the conclusion of the user needs analysis, a number of solutions were developed by the Team. With the aid of ThirdWave, those solutions were developed into a "vision". The strategies essential to the fulfillment of that vision follow:

1. The information technology process needs to be reengineered based on whole system thinking and teamwork.
2. A well planned systems implementation program must be devised and followed.
3. An enterprise-wide (Citywide) infrastructure must be installed.
4. The plan must implement current and appropriate technology.
5. The City needs to establish an adequate information technology support structure, including a formal help desk.
6. The geographic information systems ("GIS") must be fully leveraged and utilized.
7. The City needs to develop and provide systems and end user training.
8. A City-wide electronic document management system ("imaging") must be developed and implemented.

THE PLAN

Given the above strategies, the Inner Look Team collaborated with ThirdWave to develop a three-year information technology implementation plan. The plan addresses each of the strategic considerations, including infrastructure development; network, microcomputer, and server installation, systems and end user training; migration of data from existing systems; acquisition and development of new applications; and installation and application of imaging technology.

The plan calls for an investment of approximately \$4.5 million over the three-year duration. This amount represents the City's investment in the redesign and reengineering of its technological foundation. Included in the amount is the cost of new hardware and software, establishing the network and network infrastructure, professional integration services, system and user training, imaging development and implementation, and other professional support.

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The return on investment can be measured in two ways: by efficiency savings and by hard dollar savings. It is estimated that efficiency savings could amount to as much as \$3 million per year by the third year of implementation. Savings such as these represent employee effort and support currently engaged in onerous manual or duplicative tasks which will be unnecessary under the plan.

For example, the electronic transmission and duplication of maps will eliminate the need for staff to make multiple trips from satellite offices to City Hall, not to mention providing the customer with same day and, indeed, same visit response. Another example might be the elimination of paper in the employee timekeeping process, currently burdening the employee, timekeeper, supervisor, manager, etc. An automated timecard would eliminate numerous repetitive steps and reams of paper.

Under our analysis, we anticipate reaching a break-even point under efficiency savings early in the third year of the implementation of this plan.

The second return on investment deals with hard equipment acquisition, operation and maintenance dollars -- in relation to the costs of acquisition, operation, and maintenance of existing systems. Under the plan, the City will save approximately \$500,000 per year in hard costs. This savings will result in a break-even point of 7 to 8 years for new systems, without any consideration of efficiency savings.

The break-even point is likely shorter since proprietary hardware currently in place is subject to significantly higher price increases than the more generalized systems the City will be installing.

RECOMMENDATION

This report represents the first step of a significant process -- that being a complete overhaul of the City's information systems and structures. This effort will require a commitment of resources, of City staff, and of management over the next 3 years. To assist us in this task, we will require a third-party systems integrator. Our recommendation is to negotiate with ThirdWave in the provision of these services. The role of the "integrator" is invaluable in this process and to date, ThirdWave has demonstrated the ability and capability to succeed in this role.

As a matter of record, I would like to thank the members of the Information Systems Inner Look Team and their co-team leaders Michaela Mezo and Steve Houchens. I would also express my appreciation to staff and management for their past and future support of this initiative.

INFORMATION SYSTEMS AND COMMUNICATIONS INNER LOOK TEAM

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ADMINISTRATION		
BUNCH	JUDITH	6046
DARLING	BARBARA	6708
ETHERIDGE	ANN	6828
FALLINE	KEN	6231
FLOYD	GARY	2343
HERNANDEZ	VIRGINIA	6890
HOUGEN	MIKE	6218
MARTIN	DAVE	2979
MARTINA	MIKE	2003 TEAM LEADER
MAYES	COREY	6281
MRAZ	CINDI	6837
NGUYEN	QUOI	2134
PARKER	LINDA	6231
RICHARDS	BARB	6815
ROBERTS	CAROL	6954
ROMERO	JERRY	6889
ROSS	TOM	6877
SALTZ	EYLINE	6470
SPENDLOVE	GENE	6832
WATKINS	BILL	6291
WELLS	RICHARD	6301
WOOD	BOB	2242
ZAMMITO	DIANE	2020

As of 6/7/95

f:\infotms.xls

EXHIBIT A

INFORMATION SYSTEMS AND COMMUNICATIONS INNER LOOK TEAM²⁵⁸

DOCUMENT STORAGE & RETRIEVAL		
ASHWORTH	MARY LYNN	6773
AGNEW	BOB	6049
BUNCH	JUDITH	6046
CANTRELL	RICK	6042
CARR	LOUIS	6366
MARTINA	MIKE	2003 TEAM LEADER
MAYES	COREY	
MERKLEY	BRENT	6834
NGUYEN	QUOI	2134
RICHARDS	BARB	6815
SALTZ	EYLINE	6470
SMITH	SUSAN	6840
WATKINS	BILL	6291
WILLIAMS	ERIN	6845
YOUNG	BILL	O302

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INFORMATION SYSTEMS AND COMMUNICATIONS INNER LOOK TEAM

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LAND BASED SERVICES		
AGNEW	BOB	6049
ASHWORTH	MARY LYNN	6773 TEAM LEADER
BARRETT	MIKE	2139
DOBOSH	MELANIE	O273
FLOYD	GARY	2343
LEWIS	JASON	2075
MERKLEY	BRENT	6834
NEAL	CHARLES	6830
NGUYEN	QUOI	2134
PATEL	SHITAL	6906
ROMERO	JERRY	6889
SALTZ	EYLINE	6470
THOMPSON	MIKE	6544
WELLS	RICHARD	6301
YOUNG	KIP	6546
YOUNG	BILL	O323

PUBLIC SERVICES		
ALLSTEADT	THOMAS	2416 TEAM LEADER
BIRD	JANE	6857
CALE	LYNN	6843
CARR	LOUIS	6866
CARRUTHERS	LUCILLE	6193
DARLING	BARBARA	6708
DOBOSH	MELANIE	0273
FIFE	CAROL	2979
HOGAN	MAGGIE	6838
HOYOS	IVAN	6841
HUGHES	RON	6134
KUOPOS	KARL	6291
MACOMBER	ANNIE	6370
MRAZ	CINDI	6837
PATEL	SHITAL	6906
SCHROEDER	AL	2497
VYENIELO	KEITH	2478
YOUNG	KIP	6546
ZAMITTO	DIANE	2020 TEAM LEADER

CITY COUNCIL MINUTES

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INFORMATION SYSTEMS AND COMMUNICATIONS INNER LOOK TEAM

CITY COUNCIL MINUTES

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SUPPORT SERVICES		
AGNEW	BOB	6049
ALLSTEADT	THOMAS	2416
CANTRELL	RICK	6042
DISALVIO	DAVE	2456
ETHERIDGE	ANN	6828
FALLINE	KEN	6231
HESTER	STEVE	6291
HOUGEN	MIKE	6218
HYDE	DAN	6971
KUOPUS	KARL	6291
LINDMEIER	MICHELE	6680
MESSINA	JACKIE	6291
MRAZ	CINDI	6837
MURRELL	MARY LEE	0324
OSBORNE	LEE	4738
PARKER	LINDA	6231
PATEL	SHITAL	6906
PHILLIPS	CRAIG	6842
RICHARDS	BARB	6815
ROMERO	JERRY	6889 TEAM LEADER
ROSS	TOM	6877
SALTZ	EYLINE	6470
SMITH	SUSAN	6840
SPENDLOVE	GENE	6832
THOMPSON	TOM	6291
ZAMMITO	DIANE	2020

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VERBATIM TRANSCRIPT - ITEM 55 - Discussion and Possible Action to Approve the Strategic Plan for Citywide Automation Which Has Been Formulated by the City's Information System's Inner Look Team and Their Consultant ThirdWave, Inc

MAYOR JONES

Item 55 is Discussion and Possible Action to Approve the Strategic Plan for Citywide Automation Which Has Been Formulated by the City's Information System's Inner Look Team and Their Consultant ThirdWave, Inc.

CITY MANAGER BARTON

Your Honor, at the Council's Strategic Retreat for this year you had asked that the City empower employees to bring forth ideas and recommendations of how we can improve customer service and efficiencies within City Hall. You have received reports from the five of the six Inner Look Teams that have been formed. This morning we have the sixth team, the Information and Communications Inner Look Team, and the team co-chairs are Steve Houchens and Michaela Mezo. We also have a report from the work that they have done with our consultant; and at this time I'll turn it over to Michaela to introduce.

MICHAELA MEZO

Thanks, Boss. Mayor and Council, before we begin the presentation, I'd like to recognize all the seventy members of this Information Inner Look Team. For the past six months these folks have been attending sometimes gruelingly long meetings. They've been editing and reviewing novel length documents and they've been flow-charting work processes until their fingers cramped, so they have really been putting in lots of time and lots of effort. Throughout this time they've been conscientious about their work, enthusiastic and very positive about charting the course of the Information Systems for the City of Las Vegas. So at this time I'd like for them to stand. (Applause)

It was both through the efforts of this team that the Strategic Plan was formed, Vision Las Vegas, and briefing the highlights of that plan today is Roy Hernandez, who is President of ThirdWave Corporation. ThirdWave has acted as our technical advisors, guardian angels and tour guides through this technical maze throughout the process. And with that, break a leg, Roy.

ROY HERNANDEZ

Very good. Thank you. Good morning. How are you all doing today? Your Honor, Councilmen, it's a pleasure to be here. This morning we're going to take an opportunity and discuss the work that we've done in the last four months and I'd like to preface this presentation by saying that what we will present here this morning are basically the salient points of all the work that has been done by the Inner Look Team and – and the City of Las Vegas staff. We're going to look at some very specific issues that highlight again our findings of the study and will be presenting them this

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VERBATIM TRANSCRIPT - ITEM 55 - Discussion and Possible Action to Approve the Strategic Plan for Citywide Automation Which Has Been Formulated by the City's Information System's Inner Look Team and Their Consultant ThirdWave, Inc

morning to you over the next ten minutes.

First of all, we're going to look at the findings and benefits of what we call the Vision Las Vegas Plan; and, secondly, we're going to be sharing some compelling opportunities and these are opportunities for the citizens of Las Vegas; for the City of Las Vegas and private industry. The last thing we'll be discussing with you this morning will be a formal Implementation Plan which is a detailed plan. And lastly, Mr. Steve Houchens will be giving the recommendations to the presentation and the study.

In general, over the last four months we've found that the City of Las Vegas staff are doing a tremendous job in responding to the needs of what is the fastest growing city in the country today. We were really quite impressed. They've done a phenomenal job. However, they are doing so with limited resources, obsolete and very limited technology; and in some cases, they have no technology. They have limited education in technical training and, as a result, I guess we can call it the bad news, but, as a result, the City does have tremendous opportunities and a very compelling business case to improve the way things are. For instance, in the area of operational --internal operations, we feel that there is fantastic opportunities to enhance the way the City does business. Subsequently, this will result in very significant benefits to the community that the City provides services to.

The City has an opportunity to reduce costs and invest that money into the community directly. Furthermore, through the Vision Las Vegas Plan we also have an opportunity to move the City towards a paperless environment by the year 2000, which is a stated objective of the City Manager.

And last but not least, we have an opportunity here. I feel like Judge Ito. Whose pager is that? It's mine.

COUNCILMAN ADAMSEN

Somebody get that for him and turn it off, please.

ROY HERNANDEZ

In any event, last but not least, we have an opportunity to provide convenience and a user friendly environment for the citizens of Las Vegas through on-line services.

This diagram here illustrates the, what we call the compelling business case as identified by the City's Inner Look teams and -- the, we have two things here. On the left,

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VERBATIM TRANSCRIPT - ITEM 55 - Discussion and Possible Action to Approve the Strategic Plan for Citywide Automation Which Has Been Formulated by the City's Information System's Inner Look Team and Their Consultant ThirdWave, Inc

we have a series of numbers and these numbers indicate dollars in millions. Along the bottom you'll see numbers 1 through 6. These represent years. And although the – the plan initially looks at the first three years as being the most critical, we did take a long term view of technology within the realm of the City of Las Vegas.

The savings curve that you see here is the compelling business case that was identified with the Inner Look teams and this represents efficiency savings that would be – that would result by making technology available to City staff. The cost curve that you see here in red indicates the investment in technology and this includes hardware, software, the development and implementation of a networking communications system for the City, integration services and training for City staff. And clearly if you look at this chart we see a compelling business case. The savings clearly outweigh the costs and we feel that the investment in technology is warranted.

It is estimated that by the third year the City will be saving in the realm of about \$3 million a year. By year six we believe that the City would actually, in efficiency savings, would be saving what might reach about \$7 million. If we took that money and we stacked it up – if we took hundred dollar bills and stacked it up just one bill on top of the other -- it would take two stacks of one hundred dollar bills as high as the tenth floor of City Hall to equate to \$3 million a year, so we're talking about a substantial amount of money.

We believe very strongly that that money could be redirected back into the community and into other areas. For example, the City could invest that money in fire and police services, parks, senior citizen centers, community centers, the City's infrastructure, streets, paving, sewer systems, etc. And this is what this little diagram here is meant to illustrate.

This image that's coming up here represents what we found, in general, throughout the City, a lot of paper, boxes, files, to some extent clutter, desks that had a lot of stuff all around it, basically hard copy. And this is what we're looking for in terms of the future – a clean desk, an environment where information is accessed via a computer terminal, not a set of files or boxes.

Another area of opportunity for the future that we see is the ability to make interaction with the City of Las Vegas a convenient and a user friendly experience. Two years from

**CITY COUNCIL MINUTES
MEETING OF
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VERBATIM TRANSCRIPT - ITEM 55 - Discussion and Possible Action to Approve the Strategic Plan for Citywide Automation Which Has Been Formulated by the City's Information System's Inner Look Team and Their Consultant ThirdWave, Inc

now, for example, anybody applying for a City license, for example, will have the capability to do it from home, to do it from the office, or perhaps to do it from a community service center with PC's provided by the City. And we believe that this level of convenience will have several benefits. For example, it will save money on commuting, time, commute time, miles, smog, parking structures, parking fees; and, in general, it will save the citizens a tremendous amount of time, having to come down to City Hall to do business. You'll be able to do your interactions from your computer via a remote access.

This - chart here illustrates a second area of opportunity regarding Information Systems within the City. What we see here once again is another diagram with dollars being shown on the left in millions and once again we have the years at the bottom. And the line that you see going across this chart, kind of at a slight incline, represents the ongoing costs, the operation and maintenance, of the City's existing computer systems. Now what we're talking about here are purely Information Systems costs and once again that incline line represents the City's current costs over the, and anticipated costs over the next several years.

The boxes or the bars that you see on the left for years one, two and three in green basically represents the monies that the Vision Las Vegas Plan is seeking to fund this plan. And so, for years one, two and three, there is an investment. However, if you look beyond year three, where you see the blue bars going down, that is going to be, what we anticipate, would be the actual costs of maintaining and operating the City's Information Systems.

So basically, after year three, by implementing this Plan, the City will save approximately 500 to 800 hundred thousand dollars a year. And this is just in the costs of maintaining and operating your computer systems. This does not include the efficiency savings that was identified by the City's Inner Look teams. Once again, we have a fantastic opportunity here.

And, last but not least, Vision Las Vegas obviously had to deal with a strategy and a plan. And as a company we do this for a living and we've been doing this for twenty years and we're very good. We're very good planners. We're very good strategists. And what we have here is a logical, sound Implementation Plan. What you see here represents all of the components for a successful Information Systems Implementation program and basically what we're talking

**CITY COUNCIL MINUTES
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about is overhauling the City's Information Systems. This is a project of scale. It's a program of complexity. However, we feel with proper planning and preparation the likelihood for success is extremely high and based on the cooperation that we've had with the Inner Look Teams and Steve and Michaela, we are very excited and very confident in the ability of this program to be an overwhelming success.

What we have here basically, and I'll just run down a couple of these items here. Initially we need to develop a networking communications infrastructure. One of the things that we heard from the Inner Look Teams is the inability to communicate with each other, to send e-mail, to access information, to send data from one group to another. So the first thing we need to do is establish that foundation. Secondly, we want to move forward very quickly and provide automation, put PC's into the hands of staff, provide file service so that data can be shared across this network.

Furthermore, we found that City staff required training. It does not do a lot of good if you buy technology, if you make the investment, and the folks that you give the technology to don't know how to use it. And we found this and we heard this from the Inner Look Teams and we feel this is a critical component.

Furthermore, the City has existing applications that have been developed over the years on the mainframe and obviously we will not want to take all of those legacy systems and convert them over to the new architecture, but clearly some of those applications should be migrated on to the new architecture and so we've made allowances for that to happen.

Furthermore, we submit to the City that not every application that the City needs needs to be developed in-house and today there are very good commercial packages and the acronym that you see here, COTS, stands for Commercial Off the Shelf applications and we would recommend to the City that you not invent everything here; that wherever possible you purchase it and you modify it because the maintenance costs are significantly lower in buying commercial software than it is in inventing your own and maintaining it by yourself. Microsoft has a lot of people up north doing that for you.

Furthermore, we also recognize that if the City is to move to the paperless environment, you need some new technologies to do that. We believe very strongly that an

**CITY COUNCIL MINUTES
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imaging system, an enterprise-wide imaging system, is a key component to the plan and we'll be looking at implementing such a system at the City of Las Vegas.

Furthermore, the City has made a significant investment in your Geographic Information System. We look to making that and turning that into an enterprise-wide system where information – where that graphic information, that spatial data, can be accessed by anyone who needs it.

And, last but not least, as we move away from the mainframe environment that the City currently has to the client server architecture, which is basically something that's called Distributed Information Systems, basically what it means is we take information and we distribute it across the City as an enterprise. We also recognize that new applications will need to be developed and that's very exciting, too, because the development tools today are very good. They're very fast and they're very cost effective.

So basically what we have here is a logical implementation program. It's comprehensive in its scope. However, it is also – we've broken it up to be easily manageable, easy to monitor and – we have identified the critical milestones that will allow the City staff to monitor the success and the progress of the program.

So basically that concludes my presentation. That is the vision for the City of Las Vegas and your Information Systems and at this point I'd like to turn over the presentation to Steve Houchens. Thank you very much for your time.

STEVE HOUCHENS, DIRECTOR,
FINANCE AND BUSINESS
SERVICES

Thank you, Roy. I really look at this with some mixed feelings because I realize that after watching this presentation, my graphs are never going to be the same again.

COUNCILMAN ADAMSEN

Now they can be entered (Inaudible)

STEVE HOUCHENS, DIRECTOR,
FINANCE AND BUSINESS
SERVICES

I'm going to have to work on that.

COUNCILMAN ADAMSEN

(inaudible) quite proficient in computer (inaudible).

MAYOR JONES

Mr. Hernandez wants to know what happens to computers (inaudible) and saving information.

CITY COUNCIL MINUTES
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VERBATIM TRANSCRIPT - ITEM 55 - Discussion and Possible Action to Approve the Strategic Plan for Citywide Automation Which Has Been Formulated by the City's Information System's Inner Look Team and Their Consultant ThirdWave, Inc

COUNCILMAN ADAMSEN

(inaudible)

ROY HERNANDEZ

(inaudible) yeah, absolutely; oh, yeah, but thank you for the compliment.

COUNCILMAN ADAMSEN

Nice job.

STEVE HOUCHENS, DIRECTOR,
FINANCE AND BUSINESS
SERVICES

We're excited about this study. We're also excited about what the future holds for the City in terms of Information Technology. We're really looking at five concepts or five precepts we have to embrace during the next three years to make this happen.

We need to, first, have a Strategic Vision and a Plan and that's what's before you today. That's the first step.

We need to have resources. There is an investment involved here both in terms of dollars and in terms of time. Staff is going to have to put the time in to make this happen.

We need Communication. The Inner Look Team that is here today is going to continue. The sub-teams are going to continue. We're going to continue to use those very functionally in developing system solutions. In addition, we'll be developing a steering – a policy level steering group, which can look at the big picture of information technology in the City.

The fourth area is Commitment and I guess that relates to resources, but really we need to stay focused on the plan. We need to stay focused on the concept, the concept of paperless environment, the concept of a totally interactive networking system.

And then fifth, Roy brought it up and it's a term that he has used frequently and I'm beginning to use it a lot too, because I really like it. That is a Compelling Business Purpose. What we're doing today has a compelling business purpose behind it in terms of hard dollar savings and in terms of soft dollar savings, or efficiency savings. What we do in the future will also need to have a Compelling Business Purpose. We're not going to automate something for the sake of automating it. We're going to automate something that will help us do our job better, be more efficient, be able to provide more resources to the public, to service delivery and less to pushing paper and bureaucratic process.

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VERBATIM TRANSCRIPT - ITEM 55 - Discussion and Possible Action to Approve the Strategic Plan for Citywide Automation Which Has Been Formulated by the City's Information System's Inner Look Team and Their Consultant ThirdWave, Inc

COUNCILMAN CALLISTER

Steve, let me just interrupt for a second. I think that (inaudible) for those of us who have in the private sector life (inaudible) technology over the last ten or twelve years. Over the long haul everything I did in my office was ultimately successful but we sure misspent some dollars (inaudible) from A to B, so I would hope that that becomes not just (inaudible) for us but everybody's (inaudible) rather than saying, okay, we really saved dollars and time by automating and keywriting this (inaudible).

MICHAELA MEZO

Not true. Not true.

COUNCILMAN CALLISTER

(inaudible)

COUNCILMAN ADAMSEN

(inaudible) system up and running (inaudible)

ROY HERNANDEZ

Yeah, I appreciate that. Major --

COUNCILMAN ADAMSEN

(inaudible) and get this system up and running (inaudible) now eight years later we are eventually becoming totally automated after we speed up the process (inaudible) So, Your Honor, unless there's questions or comments I believe it would be appropriate that we accept and approve the Information Systems Inner Look Team Report and staff's request to enter into negotiations with ThirdWave staff to implement a (inaudible) Information Systems Strategic Plan known as Vision Las Vegas and direct staff to proceed with the implementation of Vision Las Vegas.

MAYOR JONES

Further comments from the Board? Thank you (inaudible)

ROY HERNANDEZ

Thank you very much.

MAYOR JONES

Post. Motion's approved

ROY HERNANDEZ

Thank you.

STEVE HOUCHENS, DIRECTOR,
FINANCE AND BUSINESS
SERVICES

Thank you, Your Honor, and I'd be remiss if I didn't thank also the Inner Look Team. I know Michaela did, but that I appreciated their efforts. They've been working hard and long for the last six months to help bring this into fruition, along with ThirdWave, so I'd like to give them my thanks.

MAYOR JONES

(inaudible) Thank you very much.

**CITY COUNCIL MINUTES
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VERBATIM TRANSCRIPT - ITEM 55 - Discussion and Possible Action to Approve the Strategic Plan for Citywide Automation Which Has Been Formulated by the City's Information System's Inner Look Team and Their Consultant ThirdWave, Inc

STEVE HOUCHENS, DIRECTOR,
FINANCE AND BUSINESS
SERVICES

That's great.

(END OF DISCUSSION)

/cmp

CITY COUNCIL

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NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	COUNCIL CHAMBERS • 400 EAST STEWART AVENUE	ACTION
<u>Item Number</u>	<u>DISCUSSION / ACTION ITEMS</u>	
	CITY ATTORNEY	
56	Appeal of Work Card Denial: Mr. Mike Hawes 2103 Fallsburg Way Henderson, NV 89015	ADAMSEN - APPROVED Appeal - Motion carried with McDONALD voting NO Clerk to notify ***** LT. CAVAGNARO, Metropolitan Police Department, appeared. The work card was denied to the appellant because of a conviction for grand theft auto in 1989 in California. Since this is a crime of moral turpitude, the appellant does not qualify for a work card to work for a security company under N.R.S. The appellant was present. MAYOR JONES advised there is a State Statute which the City Council believes should be changed to allow someone of record in a security position. Therefore, the State would prevent the security company from employing him. COUNCILMAN ADAMSEN felt it would be possible for the appellant to obtain work inside a casino. (9:57 - 10:01)
57	Appeal of Work Card Denial: Mr. Wilbur Hines 2008 West Lake Mead Avenue Las Vegas, NV 89030	ADAMSEN - DENIED Appeal - UNANIMOUS Clerk to notify ***** LT. CAVAGNARO, Metro, was present. The appellant was not present. There was no discussion. (10:01)
58	Appeal of Work Card Denial: Mr. Raymond G. Walker 2665 South Bruce, #160 Las Vegas, NV 89109	ADAMSEN - DENIED Appeal - UNANIMOUS Clerk to notify ***** LT. CAVAGNARO, Metro, was present. The appellant was not present. There was no discussion. (10:01)

CITY COUNCIL MINUTES

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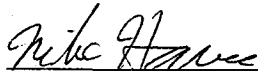
October 30, 1995

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,



Mike Hawes
2103 Fallsburg Way
Henderson, Nevada 89015

CITY COUNCIL MINUTES

NOV 15 1995

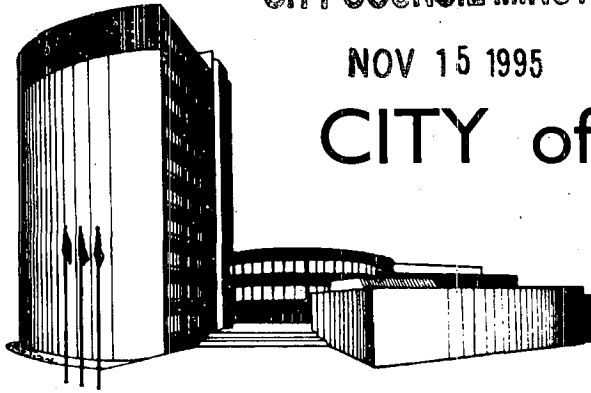
264

CITY of LAS VEGAS

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MATTHEW Q. CALLISTER
MICHAEL J. McDONALD
GARY REESE

CITY MANAGER
LARRY K. BARTON



October 30, 1995

Mr. Mike Hawes
2103 Fallsburg Way
Henderson, Nevada 89015

Re: **WORK CARD APPEAL**

Dear Mr. Hawes:

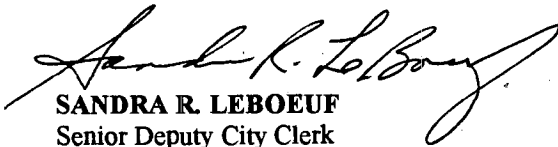
I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting on November 15 1995, in the Council Chambers at 400 E. Stewart Avenue, Las Vegas, Nevada.

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
Senior Deputy City Clerk

/cmp

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB



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CITY COUNCIL MINUTES

NOV 15 1995

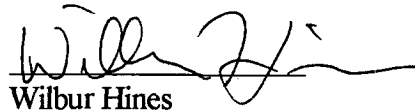
October 25, 1995

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,



Wilbur Hines
2008 W. Lake Mead Ave.
Las Vegas, Nevada, 89030

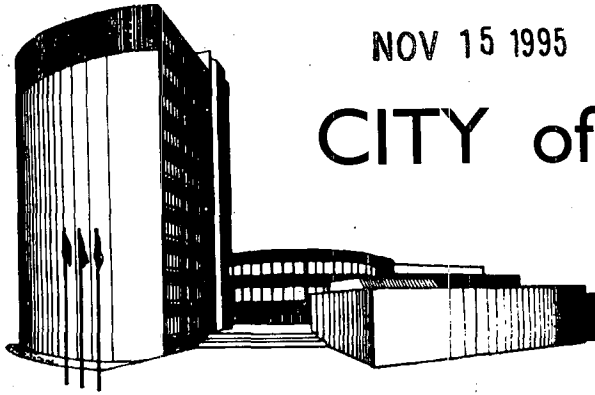
NOV 15 1995

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MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MATTHEW Q. CALLISTER
MICHAEL J. McDONALD
GARY REESE

CITY MANAGER
LARRY K. BARTON



CITY of LAS VEGAS

October 25, 1995

Wilbur Hines
2008 West Lake Mead Ave.
Las Vegas, NV 89030

Re: **WORK CARD APPEAL**

Dear Mr. Hines:

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 November 15, 1995, in the Council Chambers at 400 E. Stewart Avenue, Las Vegas, Nevada.

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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 LE BOEUF
Chief Deputy City Clerk

/vb

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB



CITY COUNCIL MINUTES

NOV 15 1995

October 30, 1995

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,

Raymond Walker
Raymond G. Walker
2665 South Bruce #160
Las Vegas, Nevada 89109

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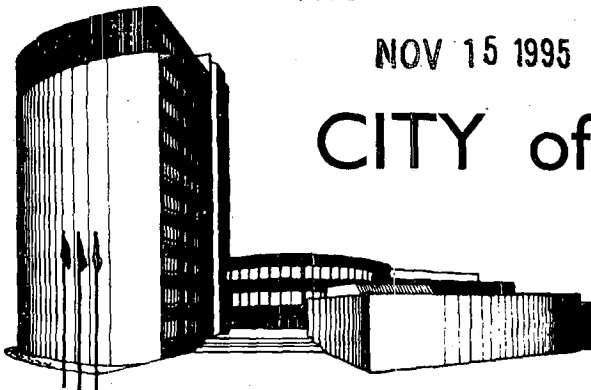
NOV 15 1995

CITY of LAS VEGAS

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MATTHEW Q. CALLISTER
MICHAEL J. McDONALD
GARY REESE

CITY MANAGER
LARRY K. BARTON



October 30, 1995

Mr. Raymond G. Walker
2665 South Bruce, #160
Las Vegas, Nevada 89109

Re: **WORK CARD APPEAL**

Dear Mr. Walker:

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 November 15, 1995, 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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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,

A handwritten signature in cursive script, reading "Sandra R. LeBoeuf".

SANDRA R. LEBOEUF
Senior Deputy City Clerk

/gpb

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB



CITY COUNCIL

MEETING OF
NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM,

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
59	DEPARTMENT OF FINANCE & BUSINESS SERVICES Gaming -- Request for Preliminary Approval of <u>Reclassification</u> From: Nonrestricted Limited (35 slots) TO: Nonrestricted, in connection with a proposed hotel/casino at 4747 Faircenter Parkway SES Gaming, Inc. Sheldon E. Stunkel, Sr., COB, 51% Robert V. Stunkel, Pres., 14% Bradley B. Stunkel, Dir., 14% Sheldon E. Stunkel, Jr., Dir., 14% Lee A. Shapiro, VP, Sect., Treas., 7%	ADAMSEN - HOLD IN ABEYANCE ITEM 59 until 12/6/95 and STRIKE CONSENT ITEM 18 - UNANIMOUS with CALLISTER not voting ***** There was no discussion (9:32-9:33)
60	APPEAL OF DENIAL OF SOLICITOR PERMIT RAYFORD WILSON db at DASH MARKETING 1799 N. Decatur, #140	ADAMSEN - ABEYANCE to 12/6/95 - UNANIMOUS ***** JIM DIFIORE, Finance & Business Services, stated he was unable to contact Rayford Wilson and requested an abeyance until the next meeting. (10:02 - 10:03)

CITY COUNCIL

MEETING OF
NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	PLANNING & DEVELOPMENT	
61	Discussion And Possible Action Concerning The Traffic And Pedestrian Safety Plan And The Fremont Street Experience Design Criteria Manual TRAFFIC AND PEDESTRIAN SAFETY PLAN and FREMONT STREET EXPERIENCE DESIGN CRITERIA MANUAL filed under separate cover	ADAMSEN - APPROVED SAFETY PLAN AND DESIGN CRITERIA MANUAL WITH CHANGES IN MAPS TO REFLECT PROPER STATE OF OWNERSHIP AND AIR RIGHTS LANGUAGE TO BE INCLUDED UNANIMOUS ***** <u>APPEARANCES:</u> DONNA KRISTAPONIS, Director, Planning and Development Department DON SNYDER, President, Fremont Street Experience KATHILYNN CARPENTER, Marketing, Fremont Street Experience CARMEN GONZALEZ, Mall Manager DAVID ROGERS, Jerde Organization REVEREND CHESTER RICHARDSON ATTORNEY DON SCHLESINGER, 2980 S. Rainbow Blvd. ATTORNEY KRISTIN McMILLAN REVEREND JAMES ROGERS JOANNA WESLEY, 1318 D Street JOE MAVIGLIA NOTE: A Verbatim Transcript made a part of the Final Minutes. (10:03 - 11:20)
62	Discussion And Possible Action To Rescind The CDBG Hud 108 Application In The Amount Of \$9.5 Million For The Moulin Rouge Hotel And Casino And To Search For Other Sources Of Financing.	ABEYANCE ***** 12/6/95 Agenda CITY ATTORNEY JERBIC requested this item be held in abeyance because the Citizens Agenda did not indicate this item was a Public Hearing. <u>APPEARANCES</u> JIM BLAIR, Planning and Development Department JAMES WALKER, President, Moulin Rouge Hotel and Casino REVEREND JAMES ROGERS REVEREND CHESTER RICHARDSON PATRICIA BROWN, Unified Tenants Assoc., 1216 Down Way JOE MAVIGLIA MR. DARNELL NOTE: A Verbatim Transcript made a part of the Final Minutes NOTE: COUNCILMAN CALLISTER requested staff to find cities where the 108 loan has been utilized to capitalize private business ventures and how it was done. (11:20 - 12:16)

CITY COUNCIL MINUTES

MEETING OF

NOVEMBER 15, 1995

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City of Las Vegas

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT <i>DLK</i>
SUBJECT: Discussion and Possible Action Approving the Fremont Street Experience Design Criteria Manual for the Buildings and Structures Adjoining the Pedestrian Mall and the Streetscape Lying Therein and the Fremont Street Experience Traffic and Pedestrian Safety Plan	

The opening of the Fremont Street Experience Pedestrian Mall, which is scheduled for the end of November, 1995, is rapidly approaching. Prior to the completion of construction of the Pedestrian Mall, the Fremont Street Experience Limited Liability Company (FSELLC) is required, by ordinance, to submit a plan to the City which details (1) the architectural theme and design standards in effect for the facade of the buildings and structures adjoining the Pedestrian Mall and the streetscape lying therein, (2) the time and days of operation of the Fremont Street Experience, (3) the location of any traffic control devices within the Pedestrian Mall, (4) the manner in which access shall be preserved to businesses during the occurrence of any special events requiring closure of all or a portion of the Pedestrian Mall to the public, (5) the manner in which access will be assured into and onto the Pedestrian Mall by emergency vehicles, (6) the days and hours special permit vehicles will be allowed access into and onto the Pedestrian Mall, and (7) the manner and times in which all or a portion of the Pedestrian Mall may be closed to pedestrian traffic for special events or activities. Section 12 of the Pedestrian Mall Ordinance (Ordinance No. 3747).

The architectural design standards which the FSELLC propose to be in effect for buildings, structures and streetscape located in the Pedestrian Mall are contained in the document attached hereto as Exhibit "A" and entitled, to wit: Fremont Street Experience Design Criteria Manual. This document has been submitted to satisfy FSELLC's obligation under (1) above.

As to the requirements set forth as (2) through (6) above, FSELLC has submitted the document attached hereto as Exhibit "B" and entitled to wit: The Traffic and Pedestrian Safety Plan ("Traffic Plan").

Some of the more significant points of the Traffic Plan are as follows:

1. The light and sound show, ranging from seven to ten minutes in length, will be operational 365 days per year. The show will start on the hour from dusk to 11:00 p.m. each evening.
2. Traffic traveling north and south on Casino Center Boulevard will be informed when the light and sound show is in progress by flashing lights. During the first few months of operation (at least), Casino Center will be closed from Ogden Avenue to Carson Avenue during the light show.

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3. For special events, FSELLC will implement similar traffic control procedures as described in paragraph 2 above, but may involve more extensive street closures for a longer duration. The existing procedures for permitting and coordinating special events will be utilized each time.

4. During the occurrence of any special event, pedestrian access will be preserved to the businesses located within the Pedestrian Mall. Interlocking bike racks will be used as barricades encircling the special event area. For those businesses affected by the special event, a minimum 12 foot passageway for use by pedestrians will be maintained between the store front of each business and the barricades.

5. No vehicles are permitted onto the Pedestrian Mall except emergency vehicles and special permit vehicles. Special permits will be issued for vehicles having a need to enter upon the Pedestrian Mall, such as to do maintenance work for business located within the Pedestrian Mall. However, the special permit will normally allow access onto the Pedestrian Mall only between the hours of 12:00 midnight and 10:00 a.m. unless there exists an emergency.

The Traffic Plan has been reviewed, amended and agreed upon by City staff in Public Works, Planning and Development, Fire Services, and the City Attorney's offices as well as the Las Vegas Metropolitan Police Department. It represents an acceptable starting point of show operations, and will undoubtedly be fine tuned once the FSELLC show is operational. Only two Metro officers will be added to the downtown area police presence for traffic control; all other traffic operations will be handled by FSELLC's own security staff.

RECOMMENDATION:

It is recommended that the City Council approve the Fremont Street Experience Design Criteria Manual and the Fremont Street Experience Traffic and Pedestrian Safety Plan.

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MAYOR JONES

Item 61 is discussion and possible action concerning the traffic and the Pedestrian Safety Plan and the Fremont Street Experience Design Criteria Manual.

DONNA KRISTAPONIS,
PLANNING & DEVELOPMENT

Mayor, members of the Council, students, Donna Kristaponis for the Planning & Development Department. I'm here with Don Snyder from the street -- Fremont Street Experience. The ordinance previously approved required that the criteria manual for architectural design come back for your approval as well as the traffic opportunities in the area to move people into parking and to make sure that certain access points were denied during the Fremont Street Experience show.

There is a unified recommendation to you. We've worked with Don and his staff. We also want to use this time as Don's quarterly report and update to you, so he would like to bring you up to date on many of the details. But we do recommend this action to you. Appreciate the cooperation we've received from FSE folks. Thanks.

DON SNYDER, FREMONT
STREET EXPERIENCE

Thanks, Donna. Mayor and City Council, I'm Don Snyder. I'm the president of the Fremont Street Experience. I'm talking through a cough drop this morning, so I apologize if I stumble on my words this morning.

We have provided updates in -- on several occasions to the City Council, and we'd like to do that briefly today. In the past we have talked about what we refer to as the three elements of the Fremont Street Experience as a way of updating Council with regard to where we are. Then we talked about the schedule. So, I'd like to talk through those just very briefly and say that the physical changes that are very much underway on the street are nearing completion, so we're not going to talk too much about that. I think all of you have had a chance to see those changes recently, and they're very much on schedule to be completed by December.

The second element of the project is the must see attraction, the light show and the sound show that we're very much excited about particularly now as we start to test the technology that we have built in to the Fremont Street Experience, and we've had an opportunity to share that with, not only all of you, but a lot of the public, and we're pleased that the press, particularly the television stations,

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have focused on that and some of the testing that we've done just in the last few days. And so that also is very much on schedule. We're very much in the process of now developing three shows, there are three shows under development that will be phased in during the course of December and then into January. But I think the people are going to be very impressed by what they see for those people that haven't already seen some of the testing that we have done.

The third aspect of the Fremont Street Experience is the operational aspects, taking advantage of the physical environment and the technology that we put in to create an overall experience, and that's our primary focus of the update here today and some of the actions that you're being requested to approve today.

And the operations really fall into two different parts: The mall operations, Carmen Gonzalez, someone that you haven't had a chance to meet as much as the rest of us, has joined us within the last three months to have full responsibility for all the operational aspects of the operation of the mall.

And then the second part of operations is the, what we're going to do to take advantage of the technology in the urban theater that we've created here. And that is the marketing and the special events and all the programming that will take place, and Kathilynn Carpenter is here to talk about that as well. In fact, we're going to start with Kathilynn giving you that particular update, and we have a short video that she is going to show you that I think will help to facilitate that.

The final thing that I will say, and I'll ask Kathilynn to come forward right now, is that we are very much on schedule for our grand opening, December 13th. We're excited about that. We have a lot of balls up in the air, but they are all moving in the right direction, and we feel very comfortable that things are very much on schedule and we're pleased to report that.

But with that, I think Kathilynn is someone that probably doesn't deserve -- doesn't -- certainly deserves, but doesn't need a lot of introduction because she, over the course of the last three plus years, has appeared very often before the City Council with me and without me, as we move this

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project forward. Kathilynn.

KATHILYNN CARPENTER

Great. This is kind of fun because usually I'm before you on very complicated ordinances and things and now I get to talk to you about what I was hired to do, which is to implement and develop the marketing and special events program for the Fremont Street Experience, so, which we find to be pretty exciting.

On a general marketing note, just thought I'd give you a general idea of the direction we're going. Really, as you know, we're ten brands, the ten hotel/casinos that make up the Fremont Street Experience, becoming one brand, the Fremont Street Experience, and so our marketing focus is really going to be on building equity in that new brand creating awareness for a new and exciting destination downtown, again, called the Fremont Street Experience.

One of the ways that we'll do that is through a very aggressive and exciting special events program. I just want to show you a real brief video of the things that we've already done downtown. From the very beginning, gosh three years ago, we always talked about this project as creating urban theater downtown, and I think you'll see that really we've already accomplished that to a great extent, and, of course, we're going to take that even further.

Oh, is the video playing?

DON SNYDER

It's being (inaudible).

KATHILYNN CARPENTER

Even as I speak. This is an event we did in early October called a "Rocktoberfest."

DON SNYDER

We have 540,000 watts of power on the street, this is not using that.

CITY MANAGER BARTON

We have one watt here in the City Council.

KATHILYNN CARPENTER

This is an event we spent really very little money, but we really got a big bang for a buck, and it really drew a large crowd and people just really had a good time.

DON SNYDER

They had about 12 cars on the street; now, they really did a nice job of creating some energy in addition to the entertainment.

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KATHILYNN CARPENTER

This is the Chamber Symphony that came down also in October.

DON SNYDER

They did about a two and a half hour concert; during the intermission we had a test of the light show, and I'll tell you the whole environment was well received, the entertainment was well received as well the show, the test.

KATHILYNN CARPENTER

This is the Las Vegas Invitational, and we did the opening reception on this street. We had about 800 amateur golfers and other participants in the tournament. I think this really shows the versatility of the street. The ability for us to have a food and beverage service, interactive golf game as well as entertainment. This was covered by ESPN. We had a really nice pre-taped segment that they showed that night.

DON SNYDER

I think the ESPN coverage is a good example of the type of energy this project is creating. It's very photogenic, and the publicity that we got during the golf tournament was really very positive. The feedback in this event was sensational, both from the people that were inside the area that was cordoned off, but also the people that were outside just participating from outside the event but taking advantage of everything that was there.

KATHILYNN CARPENTER

And this is just a short little clip of just a little bit of the -- preview of a test show that we showed that evening.

DON SNYDER

Actually, when you look the whole length of the street, there are seven of these experience banners. And so you're only seeing two, maybe three. So it gives you a sense of the depth of this -- experience. It's great. There you can see three of the seven -- panels. So it really does have a tremendous amount of depth and that creates, I think, a lot of excitement when people see the technology being used.

Those of you who have been out there when we do this -- portion of the test know that the sound system works because you can feel the jets fly by when the sound system is fully activated.

KATHILYNN CARPENTER

It's hard to get a feel, I realize, from a video but having seen the test several times, I no longer watch the show, I now watch just faces in the crowd and there isn't a lot in this town that makes your jaw drop. And people literally stand out there with their jaws dropped and clapping and cheering

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and I've just yet to see a negative reaction to the show or to the environment in general out there. That's just a little taste of what we have done in a construction environment. So of course we have a lot of opportunity coming up.

In December, I think you're really going to see a little of, more of what we can really do with this environment, starting with the Downtown Hoedown on November 30th. All of you know that we do that every year. This is our ninth annual. It's really the only satellite National Finals Rodeo event, which always surprises me. There's nothing else in town except what takes -- place out at Thomas & Mack. So we really leveraged that and take advantage of it.

And this year we are doing a four block long event. We started with a one block and moved into two blocks, and now we're expanding it. Ultimately it will be a multi-day, week long event. Even with live coverage of the rodeo out on the mall and really enabling people who can't get a ticket, and there certainly are thousands and thousands of people who can't, a way to experience the rodeo Downtown.

From there, we move into a holiday chamber mixer for the Chamber of Commerce and our Grand Opening on December 13th. The reason that we chose December 13th --

MAYOR JONES

Kathilynn, --

KATHILYNN CARPENTER

Yes?

MAYOR JONES

-- the question was asked up here. The grand opening, will anybody be able to attend that, as many as you can get on the street, or is it invitation only? How is that?

KATHILYNN CARPENTER

It's an invitation only. It's meant to be, you know, very much when, you know, Luxor and the MGM and the other properties opened. So it will be a private, invitation only event over the four blocks of the mall, just for three hours on one evening, December 13th. Where it's meant to be a media event as well. The LVCVA will be rolling a VNR, which will be really helpful and get us some national coverage.

The reason that we did it this time was primarily because we thought if we're going to get all this national attention, which we already are getting. We get a phenomenal amount of

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press. I have volumes and volumes of clippings from Chicago, Orlando, Ft. Worth, Dallas on stories that have been written about the project. And we said if we're going to get this kind of press, let's go out with our best foot forward, fully dressed in \$1.2 million worth of a Christmas festival which we premier the following day on the 14th. So the idea really was to show the world what Las Vegas can do. And so we really will be dressed to the hilt.

COUNCILMAN CALLISTER

Kathy, so the performance on the 14th is -- will be the first public premiere of the Christmas musical --

KATHILYNN CARPENTER

Right.

COUNCILMAN CALLISTER

I mean, I don't know what you call them, performances on video, I guess. And have we already created one unique for the cowboy (inaudible) tradition?

KATHILYNN CARPENTER

Yes.

COUNCILMAN CALLISTER

So, actually, we have three programs --

DON SNYDER

-- under development right now.

KATHILYNN CARPENTER

Yes. Under development, right.

COUNCILMAN CALLISTER

-- that will all be completed by the time of the rodeo? The one that I've seen, the premiere event, I've seen videos of, Holiday as well as the --

KATHILYNN CARPENTER

The -- Americana, we're showing at rodeo, calling it; right.

DON SNYDER

But -- we're on a very tight time schedule to get all of those done before the first of December. Realistically we obviously have to have the cowboy show, the western show, ready to go by November 30th and it certainly will be. The Christmas show, which we've been testing in the street the last couple of days, is getting very close to being completed as well. And that obviously has to be ready for the holiday festival.

COUNCILMAN CALLISTER

Out of curiosity, who and where are those created? When you see the video -- I mean, I don't know who's doing that. I don't want to --

DON SNYDER

We have -- two separate creative entities working on those

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two shows that I just referred to. Jeremy Railton and Associates is doing the Christmas, the holiday show and Bear Animation is doing the cowboy show. These are people that have just tremendous credibility and experience working with all different types of visual medium.

COUNCILMAN CALLISTER

It would seem to me, and I had some artist, I guess, the City had considered some consulting here, and he kind of visited with me, and I -- There's a lot of excitement about the opportunity to use this device.

DON SNYDER

Yes.

COUNCILMAN CALLISTER

And I didn't know if we were -- obviously, at first we were controlling that, but it's fascinating to me how much interest, because there's not another one of them, so people who deal in that media don't really have the opportunity to go any place other than (inaudible).

DON SNYDER

Well, -- if you go back to some of the early comments that John Jerde made. He said that this technology is very much like a musical instrument. The more you practice with it, the more you work with it, the better you're going to get at taking full advantage of the technology. And the technology, as we stand here today, is more advanced than we expected it to be when we -- started this project. And that's a nice problem to have.

MAYOR JONES

As they said, one of the things they really do now, they're finding that they're using Disney animators up to that level that the capacity and technology allows the graphics to go far beyond what you could have imagined --

COUNCILMAN CALLISTER

If I remember, there was a bit of a sneak performance for some of the folks at Comdex, and the, very positive feedback, again, from those in the industry that weren't aware that there was an opportunity or a venue for this kind of massive graphic and light, visual light.

DON SNYDER

We expect that. As we get into next year and as we become operational, we're going to get a lot of experience with this, and the other thing that the Jerde organization has said is that they really feel this technology lends itself to competition or some creative energy being applied to it from some outside forces. So we expect to do that as we get into the practice.

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COUNCILMAN CALLISTER

Sounds like you're hard at work.

KATHILYNN CARPENTER

So anyway. So, on the 14th we do move into a holiday festival, which we run for about two weeks. And I know I've talked to a lot of you individually, and you know that we'll be having a 50 foot Christmas tree. All Rockefeller Center and one area of the mall will have a quite a large ice skating rink. And another area of the mall, which will only be available for public skating, but also will be showing shows, ice shows, that will be produced here locally with local dancers and local producers that we'll show on two or three times a day. And then banners in the street, so all the, you know, the festive decor. But we also wanted to animate and populate and bring the street level to life and so we've created, or should say ordered, a series of characters. They're eight foot high costume characters. These costumes are \$8,000 a piece. They're very technologically advanced. They include motors that blow them up, they're called cold air inflatables, and there will be a series of toy soldiers and other holiday characters that will perform throughout the mall.

And then we've just kind of sent out a general request in the community, which has been answered quite strongly by all the different community groups for choral groups and bell ringers and -- the Durango High Magical Singers and the Hebrew Academy of Singers and various different groups to come down and perform during the two-week period, and we're just getting a tremendous amount of response there.

We'll also have a 20 foot high very nicely created, that Yesco's creating, menorah in the mall area and menorah lighting ceremonies during Hanukkah. And on December 21st Nancy Kerrigan will be performing two shows on our ice skating rink.

So we really do have a lot of fun stuff planned for the holiday. We think it's really, really something the local community is hungry for here. We're going to do -- We're doing some things with Opportunity Village, doing some cross promoting and doing some things together with their magical forest and with our holiday festival.

And then finally we cap the year off with New Year's Eve and I'm really happy to say that this year we're going to take some really bold steps to make sure that we have and

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provide a managed, secure and safe environment. We're going to take steps to protect our \$70 million investment, and we are going to provide a controlled environment during New Year's Eve. We have negotiated with a company that'll be doing an up-link during New Year's Eve for a remote broadcast. They also will be broadcasting live at the same time Seattle, Hollywood, Reno and San Francisco. We'll be a part of that and a very large part of that up-link will be taking place at the Fremont Street Experience as well as the Treasure Island and Mirage and our honorary talent for that is Downtown Julie Brown. So, there will be a lot of exciting stuff happening. Thank you.

DON SNYDER

There really -- This really is the fun stuff, and there's a lot of exciting things planned, and as we roll into 1996, the experience that we gain over the next few weeks is going to help us to do even more of an elaborate set of programs on the street. But that's clearly an important part of what the Fremont Street Experience is all about, is bringing the urban theater alive and populating it with energy and activity and, most importantly, people.

I'd like to ask Carmen Gonzalez and Kristin McMillan and David Rogers to come up now. They're going to talk about the mall operations and the specific things you're being requested to act on today.

The ordinances, the pedestrian mall ordinance and agreements that we have between the Fremont Street Experience and the City and the Redevelopment Agency define certain obligations of the Fremont Street Experience as we move to become fully operational. And those are the things that we're here to discuss today and to seek your approval of.

We worked -- Our staff has worked very well with your staff in putting together a plan and a document that we think answers the issues and deals with the obligations that are covered under the ordinance and the agreement.

Carmen Gonzalez, I mentioned before, is the manager of our mall. She has tremendous experience that she brings to the table. Most recently she managed the expansion of the Boulevard Mall, and so, has a -- set of, tremendous experience that helps us in doing the things that we have to as we become operational.

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Kristin McMillan is an attorney with Hale, Lane, Peek, Dennison and Howard. She has also worked with us for a long time on this project covering a variety of different issues, going way back to when the pedestrian mall was first put together and clearly has a sense of what the obligations are and what the issues are.

And then David Rogers represents JPI, Nevada, the Jerde organization, that again has been involved clearly from the outset and has a real perspective as to what we were trying to do aesthetically as we created the Fremont Street Experience. But importantly, said that the Fremont Street Experience is meant to be the beginning and not the end of, certainly from a revitalization point of view and from a redevelopment point of view. So, with that, I'll turn it over to Carmen Gonzalez.

CARMEN GONZALEZ

Thank you. As Don indicated we have eight aspects of the plan -- all of you received the plan. What I'm going to discuss first is going to be the smaller plan and that's the -- it addresses the ordinances that are required for us to outline.

And what we've done is I'd like to introduce those, but before I do, I'd like you to know that this is a census plan that was developed with professional input from the City's Traffic Engineering, staff, Metro, the Fire Department, and to summarize it in terms of the operations, the light and sound show, it is planned for 365 days a year. It's seven to ten minutes in length. It will begin 30 minutes after dusk, and it will generally operate 'til about 11:00 o'clock at night.

We have a --- There are numerous devices that we planned, you know, to make it, and other mechanisms and procedures that will be utilized during the time that we use a show. And what I'd like to do is just walk you through an example of a show on a map and some of the devices and mechanisms that will be used.

(Referring to the map.) Okay to begin with, we have two signs that are 12 foot X 3 foot, these illuminated signs. They will be backlit and will be flashing during the time of operation. They will say Fremont Street Show in progress, and then with arrows which will direct people to the detour around. Then we have --

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COUNCILMAN CALLISTER

Where are those located? If you could show me on a map, so you don't have to keep showing it, or just tell me --

CARMEN GONZALEZ

Okay. I do have another map. I'd like to show you the first two signs, and then we'll go into the map.

These are the other set of signs that will be utilized. They're 24 X 30. We'll have forty-five, and they will be outlined, and I'll show you that map.

COUNCILMAN CALLISTER

Okay.

CARMEN GONZALEZ

(Referring to another map.) The green outlines, first of all, the Fremont Street Experience boundary that goes the five block area. And I also want to draw attention that we are close to vehicular traffic on First and Third Street. And during the light show, on advice by the Metropolitan Police Department and the Fire Department, we will be closing Casino Center. The purple marks right here indicate the two --

COUNCILMAN CALLISTER

How do you do that? How do you just close Casino Center for 30 minutes at a time, whatever it is?

CARMEN GONZALEZ

I'd like -- If you -- I will address all those if you -- as I go through this. These two are the large sings, illuminated signs. They will be on a sign bridge, right in here. And then a new bridge -- will be installed at this other location, just outside of Fremont Street.

Ten minutes prior to a show, what we will do is we will send, our show control room will send a signal to Alvac and Alvac will at that time start the cycling of all the signs, of all the street lights, so that they'll start synchronizing and start the detour route. The detour route goes around the perimeter. Those are the 45 inch -- the 45 smaller middle signs that are going to be utilized just giving people directions with arrows of where to go around the Fremont Street.

We will then, two minutes prior to show time, another signal is activated from our control show room to Alvac. That signal will electrify the two large signs. They'll start flashing --

DON SNYDER

And you just -- You pointed to the wrong signs. The signs are the green here and here. Just back.

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CARMEN GONZALEZ

Thank you, Don.

DON SNYDER

Carson Street on this side and just back from Ogden Street just past Stewart, coming the other way.

COUNCILMAN CALLISTER

So you do divert the traffic.

DON SNYDER

Right.

COUNCILMAN CALLISTER

Councilman McDonald raised the issue and I think it's an appropriate issue. Now, people, obviously trying to bring them up Fourth Street and get into this and cabbies are going to be one of the principle means of that conveyance. The other route we'll certainly use is come off the freeway and then turn south, back down Casino Center. So, I'm trying to get a handle on how that diversion will occur, because you're going to have a bunch of non-natives trying to access it, and it's going to be a bit of a learning curb, I would think.

DON SNYDER

Well, first of all, coming from, getting off at Casino Center as you approach Stewart, that sign is very large and very visible, so before they get to Stewart, they will see that sign that there's a show in progress. The green signs shown in green here, so they have the first decision that they can make here at Stewart to divert around the area. They then have a second chance when they get to -- Ogden. And so Ogden will be for local access only. There will be signage that shows that so if you have a reason to get either to the Horseshoe or to the Fremont, you can do it. But that becomes a second choice, and then with adequate signage so the detour signs that Carmen mentioned providing a lot of direction, a lot of signals with regard to where you should go.

CARMEN GONZALEZ

Okay. Thank you, Don.

The purple ones are barricades that will be utilized and they'll go across the street, two minutes prior to the show we will have security, our FSE security that will put them in place. We will for the first 90 days we will have Metro that will -- I'm sorry, for the first 30 days Metro will be out there with us on a nightly basis so that we can monitor, address any concerns and tweak the system as we need be. We will also have a second set of barricades and that is for out

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bound traffic from the casinos. They will be right at the edge of the medians on Casino Center so that out bound traffic from the casinos will not cross into the Fremont Street Experience during the show.

At the time -- We will also have Metro and two of our security officers at these barricade locations so that we can allow traffic into the hotels, allow them access into the hotels, and yet detour the other --

COUNCILMAN CALLISTER

What are the barricade device?

CARMEN GONZALEZ

The barricades are -- they're the bike racks that we currently have out there. I'm sure most of you that have been out there have seen them. They're a metal -- a metal --

COUNCILMAN CALLISTER

Somebody picks them up and sets them down (inaudible) --

CARMEN GONZALEZ

That's correct. Yes, Sir.

DON SNYDER

With signage on it that says local access only. And that's important to both the visitor that's driving his own car that needs to get into one of those hotels, but also the taxis that you alluded to.

CARMEN GONZALEZ

Okay. Two minutes prior to, when that second signal is activated, these signs -- are flashing. We then have our security officers that will go position themselves as they're indicated in blue, we will have them along Main Street, Casino Center, Fourth Street and then two on Las Vegas Boulevard. And the purpose for them again is for just added to traffic control.

DON SNYDER

We've really seen that people need some encouragement to look before they walk across some of these live -- intersections. And so the signage that we have has been enhanced, the "walk", "don't walk" signs, but also putting more people there to serve as a reminder. We think it's important.

CARMEN GONZALEZ

In addition, we have some other security devices and ballards. We have -- they are forty-two inches in height, six inches in diameter, they are removable, they're indicated in the corral around the cul-de-sacs' Main Street, right on Fremont Street, again, cul-de-sacs down on Third, Fourth and then on Las Vegas Boulevard. These ballards are

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removable, so we will allow access for emergency vehicles.

The other devices that we have are more signage that we will, you know, in directing because the pedestrians. We have new pead heads that are being installed right now right on Casino that are a little more visible. And -- What else?

DON SNYDER

(inaudible)

CARMEN GONZALEZ

(inaudible)

CITY MANAGER BARTON

Your Honor, I think probably the best thing to say is staff has worked very closely with Fremont Street traffic study, and we have tried to anticipate the problems that are going to happen. We realize that there are certainly going to be things that we didn't either anticipate and provide for or maybe we over provided. But this is the way we plan on implementing for safety purposes, and if we erred, we have erred on the side of safety to begin with.

As the Fremont Street Show becomes standard and the traffic patterns become established where they're predictable, there's very probable changes that will be made. I would also like to state that we're looking at a, an inter-active type of parking arrangement signage so that the various hotels, when people come off of the freeway, primarily they're going to be looking for a place to park, and we can direct them to those places to park even if the show is in progress. They will know which garages have space, how much space is available and the signage will direct them to it. It's much like the, we anticipate the subway system in Paris or London. You just follow a color to a particular garage. If you want to go to the Nugget garage, you follow that color to it. And it tells you how many spaces are available in the garage at that time. It's -- real timed.

So, we have done everything we can to provide for the safety and the actual control of traffic in the downtown area during the show times. And so, yes, we may change it, but we want to try it first.

CARMEN GONZALEZ

Okay. The -- first section of the pedestrian mall ordinance addresses architectural theme and design standards. I've had a conversation, which is this document right here. I've had a conversation with Don Schlesinger last night who represents L & M, Inc., and Shift Enterprises and requested some changes in the design -- manual, which we've agreed

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to. I'd like to briefly outline -- them.

First of all, there are revision maps on Pages 8, 10, 13, 22, 26, 33 and 45. Those maps will be revised to incorporate quote, unquote individual owners in the map. On Page 21 we'll be adding the verbiage, which is "agreements have been executed between," we will be adding "some of the," end of quote. And he also wanted us to clarify that this document applies only to new construction. It does indicate in the plan, but we just want to verbally verify that with everyone here.

He also had questions in regard to guidelines used, to revise proposals on new construction. Currently, those are under development stages, and we will provide a copy to everyone when they are completed.

At this time if anyone has any questions regarding the technical requirements, I'd like to introduce David Rogers with the Jerde Group; he can address those. Thank you.

DAVID ROGERS

I think our big job was to nurture the magical ambiance of the street, and that's where we see the document in front of you going. It's really a verbal master plan to help road map the future with the maximum amount of creativity coming with the least amount of -- height delineation. It's really open, really open to creativity. It's very much open to the development of this part of the City, and hopefully with the ripple affect, that often happens, and we intend to happen here, (inaudible).

COUNCILMAN CALLISTER

In that sense, you know, I spent a little time over the weekend again in L. A. and had a chance to visit the Third Street promenade area, and there seems not be identical, but some similarities to both the ripple affect that obviously we're attempting to achieve. And I also noticed that they use some different kinds of technical responses to diversion of traffic. They have kind of a in the street, kind of a system of pneumatic lifts that basically raise some barriers so that you can't pass that way at certain times as opposed to a more manual device, like it's discussed here.

I'm certain as we proceed with this, they'll be all kinds of evolutionary options and we'll have a chance to reconsider, and I'm sure that what we have to do has to be fairly flexible because -- certainly new ground for all of us. But I think it's a good start, and I want to state publicly I appreciate the

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efforts of the experience to try to accommodate some of the concerns of others or perhaps smaller property holders who certainly still have significant property rights themselves that need to be protected and preserved through this whole process. So I would urge that continued kind of dialogue, and I appreciate your efforts with Mr. Schlesinger and others to accommodate that.

COUNCILMAN ADAMSEN

As it relates to the celestial vault, given the fact that we're going to see increases in technology, and I personally believe a tremendous great deal of support regarding the tourists and locals. How easily is this system, in terms of the celestial vault, expanded, upgraded?

DON SNYDER

In terms of the physical structure itself? It has been built entirely with -- the thought in mind that we want to expand at some point in time. I think, as you may recall, the agreements that we have in place facilitate that philosophy, both state that philosophy but also facilitate the means for doing that. But we think it is something that needs to happen, it is built to happen. It is not cheap but it is something that needs to be done at some point in time.

DAVID ROGERS

And we've further, in the criteria, identified areas of development within the street pending the media affect of the criteria at Main Street, at Las Vegas Boulevard and Fremont and Fourth Street Corridor and the streets going north, the north/south corridors, where development needs to take place from an -- urban design. So there's a play back and forth on that for future --

DON SNYDER

There are really two aspects behind -- your question that I think are important. One is something we've talked about a lot is that we want the Fremont Street Experience to be the beginning and not the end. And so the whole project has been constructed that way and philosophically that's the mind set that is behind it.

These architectural -- and then the influence zones that David Rogers just talked about is part of that too. Is to identify those areas where both the extension of the mall and the vault and the technology can happen, but also then the environment in which these architectural standards sit are a part of that too. That as part of being the beginning and not the end is to say that the Fremont Street Experience really is meant to be the catalyst for future revitalization and redevelopment. And I think that the

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facades that we would hope will -- change over time, will change in a manner that is consistent with the design standards that have been established here. And that was really the purpose. So that it's a centerjistic type of development that we move forward with.

DAVID ROGERS

Right.

DON SNYDER

Any other questions?

COUNCILMAN ADAMSEN

Unless there's questions or comments, Your Honor, I believe it would be appropriate at this time to move for approval of the Safety Plan and the Fremont Street Experience Design Criteria Manual.

REV. CHESTER RICHARDSON

Excuse me. Your Honor, members of Council, Reverend Chester Richardson. You know, I'm really surprised at -- looking at this Fremont Street Experience, it seems like the only role that African-Americans have is that they can come downtown and spend their money. In this contract that you have here, between the Fremont Street Experience project and the City, you know, in here you say -- You had a matter of involving minorities and women-owned businesses but yet we see no report of where African-Americans have benefited at all from this project.

As a matter of fact, even in hearing the entertainment that's being planned, the invitations that went out to the different choral groups and to participate in a grand opening, there was no African-American invitees that were allowed to participate. We also see that you plan programs for New Year's and for Christmas but yet Martin Luther King holiday is coming up but you've made no plans to provide any kind of a program from the Fremont Street Experience that would allow to enhance that program.

I think that you -- you know, there seems to be a limit here on who is benefiting from this project and African-American community certainly doesn't seem to be benefiting at all. Thank you.

CITY MANAGER BARTON

Your Honor? Your Honor, on this morning's agenda item, I asked Fremont Street Experience to cover through the end of this year. Certainly, they plan on having special events throughout all of the year for all of the holidays. And we just haven't gotten that far yet.

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MAYOR JONES

Thank you, Larry.

CITY MANAGER BARTON

I -- think -- it's not proper to characterize that it is not going to happen when we stopped the discussion this morning at the end of this year.

ATTY. DON SCHLESINGER

Mayor Jones, members of the -- Council, my name is Don Schlesinger. My business address is 2980 South Rainbow Boulevard and I'm here today representing L&M Enterprises, L&M, Inc., John and Eddie Bruce Morris and Shift Enterprises of Las Vegas. And I appreciate some of the representations that have been made this morning by Ms. Gonzales referencing a conversation that we had yesterday. And I think that's very helpful and I agree with Councilman Callister. It really helps when the various parties which have interests here can get together before hand and resolve any concerns they may have.

On behalf of my clients, we want to express in concept a great deal of support for this kind of proposal before you today. We think it's long overdue downtown and we're looking forward to participating with it actively. And to that end, we took up Councilman Adamsen's suggestion at the last meeting and have scheduled for tomorrow afternoon a meeting with the City Manager and suggested that representatives of the Fremont Street Experience and the Redevelopment Agency attend that meeting because we look forward to presenting with, to you folks, within the next few months, a major facade redevelopment for many of the businesses on the block on Fremont Street between Third and Fourth. So hopefully this effect is going to spill out throughout the Fremont Street area.

Having said that, I wanted to express some -- questions and perhaps some concerns on some of the language that's contained in the items that are before you today. And I think perhaps many of these concerns can be addressed with I anticipate little opposition from those that created these documents.

Previously there had been reference to some changes to maps. There was an omission with respect to page seven that also needs to be adjusted similar to the other pages and we'd request that in a motion for approval, that be incorporated. Specifically, those maps had a certain hotel casino on the south side of Fremont between Third and

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Fourth Street expending, spanning the entirety of the block and that certainly does reflect the current state of property ownership nor we anticipate the future state of property ownership therein. So we would request that those maps be changed as well as that any changes necessary on the Fremont Street Experience Plan to satisfy the requirements of the Pedestrian Mall Ordinance as well. That's our first comment and I would request that be incorporated.

We do agree and appreciate that the record was clarified that this only applies to new construction and new remodeling and wouldn't have a retroactive effect. Again, it's our hope that we're going to move forward and change the look for the street anyway. We also agree with the change with respect to air rights and suggested that.

Two other concerns with respect to the Fremont Street Experience Design Criteria Manual. First is a procedural one and the other is a design criteria concern. First the design criteria concern. My clients have reviewed this and believe that the design criteria in general is fair and reasonable and sets a worthy goal. There is however one item that does give us some pause for concern and that is a requirement of a 40 foot height minimum for new facades. We think that is an inappropriate minimum height requirement.

As an example, many of you are familiar with one of the facade redevelopments that was done recently by Mr. Lenetti and Mr. Morris on the Old El Portal Theater and many have held that up as an excellent example of the small business person spending, in this case, close to a million dollars to try and improve the facade at his shop. The height of that is only 27 feet and we think that most of those shops, given their store frontage, it's not going to be feasible or reasonable to request that. We would ask that perhaps the Council consider making that height minimum a criteria for major structures, hotel/casinos and consider an alternate height minimum, if any height minimum, for smaller shops that will compliment the larger structures downtown. That's our sole concern relative to the design criteria.

With respect to the procedures. When guidelines or rules or procedures are drafted by the Fremont Street Experience Limited Liability Company and they become in effect kind of a quasi advisory board to this Council, we would request several things. First that those guidelines or rules are

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subject to a review and approval by this body. And second that when we go before or anybody goes before that private entity, that they have the ability to appeal or have some regress once they get before you, the elected officials. That's not currently spelled out in here. We think it would make a better procedure for that to occur and insure ultimate accountability to the public body, yourselves.

Those are our comments relative to the Fremont Street Experience Design Criteria Manual and we would hope that those comments then could form the basis of an amendment to the motion that was made by Councilman Adamsen so that it would incorporate those concerns in your motion for approval.

With that said, we only had one question on the Fremont Street Experience plan to satisfy the requirements for the Pedestrian Mall Ordinance and that was on Page 6 of that document and since we just got these documents late yesterday afternoon, we've been in somewhat of a rush to try and review this to give you timely input. But I believe on Page 6, that it dealt with aspects of closing the Pedestrian Mall for perhaps up to a month, if not longer, at times. And we kind of wanted clarification from the drafters of that to indicate what their underlying intention was. If I can cite the exact passage:

During special events and other activities, all or portions of the mall may be closed to pedestrian traffic. This closure could be for a period of a few hours up to possibly several weeks, depending upon the event, at the discretion of the FSELLC.

We think there is some concern for that kind of substantial closure. Certainly we all want to encourage special events and activities. But we simply have a question with respect to the underlying intention behind that, but no real comment beyond that at this time. Perhaps the drafters of that could address our inquiry?

ATTY. KRISTIN McMILLAN

Kristin McMillan on behalf of Fremont Street Experience Company. I'd like to respond to some of the comments made by Mr. Schlesinger. First one, the first one I'll address the traffic, the change, the suggested change to the traffic plan. We're willing to be somewhat flexible on that. It certainly was not our intention that the mall would be closed for several weeks. That was something that was an

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exception to the rule and certainly not something that would be anticipated. There's nothing at this point that's specifically anticipated. We just wanted to include maximum flexibility within this document so we did not necessarily have to go back and get City Manager's approval. At this point I can represent that there is nothing planned in the future that would shut the mall down, close the mall down for that period of time. If Council feels that we need to have that flexibility, we'd like to have that included in the document, but again, we're -- willing to work with Mr. Schlesinger on that issue.

CITY ATTORNEY JERBIC

If I could, Ms. McMillan, it's my understanding too, that even during these periods of closure, that there would be access maintained to the local businesses such as those represented by Mr. Schlesinger?

ATTY. KRISTIN McMILLAN

Absolutely. I think Ms. Gonzales attested to the fact that that access would be preserved to the businesses during any closure period.

In terms -- of Mr. Schlesinger's comments on the design criteria manual, he -- had a comment regarding the 40 foot height for the facades. There was a rationale for including that in the manual. We can have, certainly have Mr. Rogers speak to that rationale, if you'd like, but I'd like just to indicate that this document was meant to be a set of standards, a set of guidelines, that would not preclude Mr. Schlesinger or his clients from coming forward and asking for relief because of special circumstances or different circumstances under which his clients operate as compared to other businesses along the mall.

So again, we need to have certain standards set forth in the manual. We have to have those standards. But certainly I don't believe the Company's intent was to be inflexible in terms of those who are seeking variances and to taking those special circumstances into consideration.

COUNCILMAN CALLISTER

Okay. Let me -- just address in particular one of the issues that he mentioned and that is the variable height requirement. And I -- you know, it's the first time I've heard the issue. I don't know that you've had a chance at Fremont Street Experience to really consider how crucial it is to have that mandatory 40 foot requirement along the entire area, but I guess what I'm hearing you say is you're envisioning this as a set of standard guidelines that he could come on a

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case-by-case variance or any individual could and say look, we think that 40 foot minimum standard really is not applicable to us for these reasons. And -- then we could entertain it. But is there -- who do they come to?

And that brings us to a second issue which is if who he comes to is the Fremont Street Experience and they say no, that's our guideline; is there an appellate protocol that gets him back to the City? Is that built into the system? So those two questions I'd like to have a response.

DON SNYDER

First of all, with regard to the philosophy of why the -- 40 foot standard was put in place, the thing that we have seen -
- First of all, it relates to new construction and not -- to remodels.

COUNCILMAN CALLISTER

I -- Okay.

DON SNYDER

And I think that's an important point. But what we have seen, architecturally and visually is the more the vault structure comes down and meets or wraps around the building, it creates a better visual impression, both for the business that's affected by it but also for the production of the show. So we think it's in everybody's best interests. But it really is meant to relate to new construction. And so from that point of view, we don't -- think it's particularly onerous. If there were some special circumstances, clearly there's room for dialogue on those type of things.

ATTY. DON SCHLESINGER

Well, let me just read from Page 53. It says new exterior building improvements include without limitation building facades, marquees, overhangs, etc., will review the submittal in accordance with procedures which will be made available to members of the public upon their request. But in this document, and I -- Okay, it says any person proposing to make new building exterior improvements to property which adjoins and faces the Pedestrian Mall --

COUNCILMAN CALLISTER

Where are you reading?

ATTY. DON SCHLESINGER

Bottom 52 -- is required to submit to the Fremont Street Experience Limited Liability Company documents which illustrate the intended construction in compliance with the criteria defined in this document. So I appreciate Mr. Snyder's reference that remodeling will not be held to that 40 foot height minimum, but on Page 52 it says just the opposite. So, perhaps that could be clarified by simply

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taking his statement and incorporating that in your motion for approval.

DON SNYDER

Yeah, I wouldn't have a problem clarifying along those lines. I think that clearly the intent is the same even for remodels, but I think the circumstances are a bit different and so there needs to be some flexibility with regard to just remodeling existing facades. And we'd be happy to amend it accordingly.

ATTY. DON SCHLESINGER

Okay. So I think that would alleviate some of our concerns with respect to the --

COUNCILMAN CALLISTER

What about the appellate protocol?

DON SNYDER

Yeah.

ATTY. KRISTIN McMILLAN

And maybe I can just address that for a moment. First of all, Mr. Schlesinger indicated that the Fremont Street Experience is a quasi advisory board. It is clearly not. And I think if you went back and you looked at the contract documents, if you looked at the Pedestrian Mall legislation, if you looked at the Pedestrian Mall ordinance, it would be very clear that we are not an advisory body. It made a lot of sense to Council in 1993 when they implemented the Pedestrian Mall ordinance to assign the task of developing these standards to the Fremont Street Experience Company and to review the standards too.

So the company took on that responsibility at the request of the Council and with the assistance of the Jerde Organization, which of course, was the original company which designed the concept of the Fremont Street Experience, went forward and devised these standards. We are certainly the party that understands the environment, understands the ambiance, understands the physical changes and the evolution of Fremont Street in what is, what will be and what is the Fremont Street Experience Pedestrian Mall.

So I think it made a lot of sense for us to devise these standards. Also it was contemplated at that time that the company would be the entity which would actually review new construction to determine whether or not those standards would be met. In that manner, the company would not be acting in an advisory capacity to the Council, in any way. The company, as Ms. Gonzales indicated, is in

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the process of developing written guidelines which would recover, which would cover the review of proposer's applications, if you will, for new construction and that is for only those facades which adjoin and face the Pedestrian Mall areas.

We don't believe that it's necessary for Council to see those or approve those procedures. Council has delegated a number of activities to the Fremont Street Experience. We're certainly responsible for many activities, virtually all the activities that occur within the Pedestrian Mall in terms of the commercial nature and entertainment nature of the Mall. This is one of those things that the company does have control over. We have plans in other areas, guidelines in other areas that we've not submitted to Council for review and approval. These are internal guidelines that will be used by the Fremont Street Experience Limited Liability Company to review these new proposals.

Now certainly, at that point in time, if a proposer has a grievance, they can take that grievance to City Council and whatever -- appellate procedures or whatever procedures you have in place today, in our mind, would give Mr. Schlesinger or his clients the ability to -- seek any further action. And whatever -- procedures are in place today, those are the procedures I would suspect -- Certainly, we're not trying to --

COUNCILMAN CALLISTER

Let me ask my counsel what those procedures are, because I'm unfamiliar, some of this predates me coming here --

CITY ATTORNEY JERBIC

You know, all -- Certainly all building permits and -- go through our Building Department. Anything that would require a variance would go through the normal variance procedures (inaudible)

COUNCILMAN CALLISTER

Essentially, if somebody says I want to build a 30 foot, not a 40 foot --

CITY ATTORNEY JERBIC

Right.

COUNCILMAN CALLISTER

-- and they say no -- No, we insist it go to 40 feet; what happens next?

CITY ATTORNEY JERBIC

Right. If they say no, the individual can come to the Board of Zoning Adjustment. They will know that the Fremont Street Experience Corporation has weighed in. We had a

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similar situation on --

COUNCILMAN CALLISTER

But essentially it's -- just a typical variance protocol?

CITY ATTORNEY JERBIC

That's correct.

COUNCILMAN CALLISTER

Is that satisfactory to you, Mr. Schlesinger?

ATTY. DON SCHLESINGER

In two weeks from now, after you introduce today the ordinance on -- underlying this, and I'd have to read the language again because once again we just got this stuff late yesterday. My recollection however was that there's language in there that all plans shall comply with the standards in this and that there must, and that you must have approval from the Fremont Street Company. And there's nothing in that ordinance that then gives you that appellate process. And I would suggest that perhaps the ordinance be revised to expressly provide for such an appellate process to this Board.

COUNCILMAN CALLISTER

Yeah, but the point, I think the point my counsel is making and I'm glad you corrected me is that they don't grant you the building permit; we do. And so if they say no, you can still come down and ask for a variance from their no because their ability to say no to them was created as a matter of --

ATTY. DON SCHLESINGER

As long as it had to -- as long as that's the opinion of the City Attorney of Las Vegas, I'm just looking at language in an ordinance that you might be passing in a couple of weeks that mandate that we must get review and approval by this private entity and I'm saying that --

COUNCILMAN ADAMSEN

Understood, Counselor. I know you're concerned but nothing in any of those documents by any stretch of the imagination arbitrarily waives our right to conduct the business of the City of Las Vegas, which is the issuance of permits. We have the same problem all of the time in the CC&R agreements which are agreements between private parties. But they come in front of us that we issue a building permit which then causes a conflict between the private parties in the CC&Rs and they have a City of Las Vegas building permit and we have historically always said that this is the guidelines that the City of Las Vegas operates by. If you have a private disagreement, then you either resolve it or you litigate it.

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ATTY. DON SCHLESINGER

So -- the bottomline in the City Attorney's judgment that the Council will be following then is that notwithstanding any final decision that may be rendered by this private company, clients that I represent or are similarly situated would have an absolute right to come before this body for a review of that -- of their private decision and for the opportunity to be heard and to have its decision rendered by this body; is that correct?

CITY ATTORNEY JERBIC

I think we're saying the same thing but let me just refine that. Those matters which would normally go before a public body, those are Board of Zoning Adjustment items, Planning Commission items and City Council items, would still go before those bodies. And the flip side of this argument is if you needed a variance and the Fremont Street said yes, you know, we go along with your variance, that would still have to go before the Board of Zoning Adjustment.

ATTY. DON SCHLESINGER

Okay, but they couldn't act -- as a veto essentially?

CITY ATTORNEY JERBIC

They wouldn't be the final authority.

ATTY. DON SCHLESINGER

They couldn't act as a veto authority, holding up the ability for us to come before this Board; is that correct?

CITY ATTORNEY JERBIC

The -- if you wanted to appeal something that you would normally have the right to appeal before this Board, you could; that's correct.

ATTY. DON SCHLESINGER

Okay.

CITY ATTORNEY JERBIC

If it's something that would not normally come before this Board, you would not come before this Board.

ATTY. DON SCHLESINGER

But if it's an item we want to move forward on something, we will be able to, notwithstanding any action of private entities, come before this body; is that correct?

CITY ATTORNEY JERBIC

Right. Again, if it's something like a building permit; building permits do not come before this body. Building permits go before, you know, the Department of Building -- Now, it's the Department of Planning & Development. You would deal with the Department of Planning & Development on that. If it were a sign, if it were a variance or something that

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	Council approval, you would come before this body or the appropriate lower body.
ATTY. DON SCHLESINGER	Okay. Fair enough. I appreciate that.
ATTY. KRISTIN McMILLAN	I believe I addressed all of Mr. Schlesinger's comments?
COUNCILMAN CALLISTER	Let me just state for the record, I appreciate the dialogue. I think it's important to have it. At the same time, it would be remiss of me to say other than this. I would suspect these are going to get adopted and I suspect that's because everybody sitting on this side of the table thinks it's for the best interests of everyone on Fremont Street, whether you are big, little or inbetween, to try to cooperatively enhance the environment to maximize the benefit of \$70 million worth of improvements, taxpayer improvements. And so we would really urge, irrespective of size, all of the property owners to attempt to achieve an accord within these guidelines, which I for one, having reviewed them and with what familiarity I have, strongly support as being in the best interest of a downtown that's desperately in need of everybody's best efforts. So --
ATTY. DON SCHLESINGER	Councilman Callister, I agree. It's just the history of this whole thing is such that when you get a document 24 hours before a meeting that has a material impact on your clients, you have no choice but to try to go through the process. It's a two-way street. Unfortunately, the little guys keep, the little guys unfortunately are oftentimes given short shrift in this process. At any rate, I --
COUNCILMAN CALLISTER	I would disagree vehemently with that statement.
COUNCILMAN ADAMSEN	And, Counselor, some of your clients are not little guys; okay?
COUNCILMAN CALLISTER	I would suggest to you that this is a process in which the little guys have had more than their day in court, Don.
ATTY. DON SCHLESINGER	Well, the little guys have had their only protection because they've had a day in court.
COUNCILMAN CALLISTER	Oh. Then don't bother to come down here.
ATTY. DON SCHLESINGER	Well, we have to make -- we have to attempt to work it out as best we can.

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COUNCILMAN CALLISTER Fine, very hard to do so. I'm urging everybody's cooperative assistance and we're trying not to end up in court.

ATTY. DON SCHLESINGER And, Councilman Callister, because of the cooperative venture, we now have an agreement with respect to language changes --

COUNCILMAN CALLISTER Thank you.

ATTY. DON SCHLESINGER -- that we're asking you to incorporate in your motion for approval today.

COUNCILMAN CALLISTER And I appreciate your efforts.

ATTY. DON SCHLESINGER Okay. And so with that, we would request, Councilman Adamsen, in your motion for approval if you would amend it to include those items that we, both sides before you today privately have concurred would be appropriate for you to include in your motion. Namely, the changes in the maps to reflect the proper state of ownership; that the air rights item be changed to include the language some of the; and finally, that the 40 foot minimum height guideline not be applicable to remodeling --. And with those changes and with the discussion we've had, otherwise we can accept everything else. As we said, we're very comfortable with the balance of what's here.

COUNCILMAN CALLISTER My understanding is that on the 40 feet, we're not changing it. We're simply saying you can utilize, on a case-by-case basis the variance protocol that would be available to any property owner anywhere.

MAYOR JONES And I have to tell you, Counselor, I'd have some concern with changing that language. Saying that it only applies to remodeling. There will be extensive remodeling on that street. And I'd be happy to consider it on a case-by-case basis and grant a variance, but I would be uncomfortable including language that only limited the 40 foot to new construction. I -- think maintaining the streetscape, particularly when streetscape I'm looking at, remodeling of existing buildings to preserve the integrity of this new environment is very important. I know there are always going to be exceptions, as there are in anything. I think this body, or any City body would be willing to consider those exceptions, and as long as the language insures that any

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property owner has the right to come forward and present their case --

ATTY. DON SCHLESINGER

I think (inaudible) the 40 foot is going to be totally impractical for all but major hotel casinos and I wanted the Council's attention to turn the Pedestrian Mall into exclusively hotel casinos, then I just think it's impractical. But ultimately you make the judgment call. We just offer the input and hopefully whether you accept it or not today, that input will be helpful downstream when you have to consider use coming back before you. I'm just doing my job in representing my clients.

COUNCILMAN CALLISTER

I think you're doing an excellent job. I would share the same concerns as the Mayor. I think we're happy to -- state for the record that there's a variance procedure available to you, as there is with anybody else, but I -- don't want to vary from the standards, quite candidly, in terms of our adoption of them. I think the standards are appropriate. I support them. But at the same time, everybody has the right to come forward and say I deserve a variance and here's the reasons why.

ATTY. DON SCHLESINGER

That's all (inaudible)

COUNCILMAN ADAMSEN

And I -- would concur with that. The real question I have as it relates to Map 7, do we in fact have an agreement between the parties here before I include that as an amendment to the motion?

ATTY. KRISTIN McMILLAN

Yes, we do.

COUNCILMAN ADAMSEN

So, Your Honor, I would restate the **motion** then for approval with the additional amendment that we have agreement on Map 7.

MAYOR JONES

Before -- Reverend Rogers has a comment.

REV. JAMES ROGERS

Thank you, Your Honor and Council. I want to say, state for the record, it is quite clear that the African-American community supports the Fremont Street Experience. Our main concern is that when it comes to the substances of this great Experience, African-Americans don't get the experience. In regards to the City Manager, we understand that there's some stages in the process that has not yet come to fruition. However, that's our concern. Usually most

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all things are already on the drawing board and they're getting things underway before we get any participation at all. I do believe at some point down the road, there would be some participation. But we want to be -- we are concerned with the fact is we don't get the initial participation. We understand there's going to be some other little things out in the mall area that we are concerned about participation, and certainly it's going to happen. However, such things as the grand opening. Certain individual's going to be invited. Now, I understand this project entails not only private contributions but also public funding. And -- we -- what we, our only appeal is to this Council our insurance of adequate participation. So we are asking of this Council to seriously consider African-American's involvement in the process of all that is going on. And I'm just about through with my comments.

Secondly, when I looked at this Council voting to pass the information system that was brought before this Council earlier, the information system and inner -- Innerlook team, I observed the way we do business. Out of all the group that was there and presently involved in this participation, only one African-American. In this whole process, with Fremont Street Experience basically, I've looked for African-Americans. I'm not -- I understand the word minority and they usually misuse, we are usually even excluded in that. I'm specifically concerned with African-American participation, whether it be male or female. And that's my concern so I'm asking really this Council to really, seriously take control of this and insure that we participate in the process of \$70 million project and that's a lot of money, especially when it comes to a project of this nature. And we want adequate, not only representation, but also participation. Thank you, Council.

DON SNYDER

I'd like to perhaps comment in response -- to those comments, as well as Pastor Richardson's comments. Speaking for the Fremont Street Experience, we absolutely feel this is a community project that should benefit and will benefit the entire community. I -- we have worked exclusively, extensively with Nevada Partners and Moujaheed Ramadam to -- facilitate the hiring of a large number of the people that we are hiring for the Fremont Street Experience. And I think that if Moujaheed were here, he would talk about the positive efforts and the positive relationship that has been developed between his organization and our's as we've reached out to -- the, to all

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minority communities, including the African-American community. And we're absolutely committed to doing that. The comment about the people that will participate in the holiday festival, this is a holiday festival for the whole community, and our reach out into the community for participation in terms of choir groups was meant to be a reach to the entire community. If we haven't touched as much into the community as we want, I absolutely, positively welcome the people that are here today and anybody that would like to come up afterwards and say that they have community groups that they would like to see be part of the Fremont Street Experience -- Holiday Festival.

As a former chairman of the United Way here in Southern Nevada and as currently a member of its Executive Committee, I work throughout this community in a lot of different ways. And I was at a function just about a month ago, in fact it was a function that was held during the golf tournament while it was in town, and we had a group that came out of the African-American community, a group of young kids that sang. I came up to them afterwards, I gave the leader of that group my card, asked them to contact me because I was so impressed with the quality of the people and the quality of the entertainment that I heard at that -- function. I unfortunately don't remember the name of that group. I've been struggling here as I stood here. I haven't received a call but if somebody knows who that group is, I will make the -- call. I asked for a business card of the person that I talked with that evening and they didn't have one but said that they would call me when I gave the card.

Our intent is absolutely clear in terms of our hiring policies, in terms of reaching out to all aspects of the community. I think that the grand opening event is going to be an event that while we have a limited ability, in terms of the total numbers of people we can accommodate for a VIP event, I think that you will see when the invitations go out that it's a broad cross section of this community that's being invited to that VIP, that grand opening event.

You go back to the initial construction, we had many conversations with staff and the Council as we put in place guidelines for hiring minority owned and women owned businesses. And I don't have those numbers on the top of my head, but when we complete this project, we'll have a complete recap for what kind of minority owned and women owned involvement there was in the construction of this

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project. And I think that you will find that it exceeds any standards that has been experienced by this -- City Council before. So we have absolutely the right intent and I would be pleased to meet with anybody that's here today to talk through some very specific issues that will get us moving together together.

JOANNA WESLEY

Joanna Wesley, 1318 D Street, Wesley's Barber Shop. I have a couple of questions that I need to get answers from the Council or the Fremont Experience --

MAYOR JONES

No, Don. If she has a question for you, she can come up here and right now, Ms. Wesley has the mike.

JOANNA WESLEY

I understand that the Fremont Experience started at \$63 million or -- and now it's \$70 million. I heard when the Fremont Experience team first came up that they were talking about a new grant; is that included in the \$70 million or are they asking for additional money?

MAYOR JONES

I think we should go back through originally the project was \$63 million; \$18 million of that was in cash up front by the property owner on Fremont Street; \$20 million was in a bond, the debt service was met by an increase, voluntary increase in the room tax again by those property owners on and off Fremont Street; \$22 million came from the City to build a parking garage, street improvements. It was not taxpayer money in that it did not come out of your taxes. With redevelopment --

JOANNA WESLEY

Okay.

MAYOR JONES

-- funds, those funds come from an incremental tax by the property owners within that district. The increases came from the private sector. It did not come from the public sector--

JOANNA WESLEY

Okay.

MAYOR JONES

And all of the operating costs for the Experience, which are estimated to be anywhere from \$9 to \$11 million a year, are paid by the private sector. The important thing to recognize is that money, there's 15 to 22,000 jobs currently downtown. A significant portion of those jobs are held by African-Americans. Without protecting that economic base, we run a very real risk of those employees losing their jobs because downtown gaming was experiencing such a drop in gaming

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revenues. Right now, you had very few who were generating a profit. Without providing an experience to bring additional people into the downtown core, you risk 15 to 22,000 dollars in jobs, over a half a billion dollars in payroll, \$77 million in revenues that then go to the State and come back to fund programs in the City, and more importantly, what downtown redevelopment accomplishes by creating critical mass in upping your incremental tax, we will have additional redevelopment dollars which can go into other redevelopment areas, which include West Las Vegas and expanding our projects in that core, down in the Hispanic community and in the entire downtown core.

This project, unless you bring people to the economic engine, which is gaming which is Fremont Street, 10 years from now, 5 years from now, 2 years from now, there will be no redevelopment money to invest in areas to insure that the entire Valley benefits.

JOANNA WESLEY

Okay. Good answer to that question. The other question I have is the video that we were shown earlier, when they first came up; is that something that's going to go nationwide or is it something you put together just for today with the Council?

DON SNYDER

That -- video was put together for this purpose as well as for some internal promotional purposes. It's not meant to be nationwide.

JOANNA WESLEY

Okay, I have a problem with your video because it's plain that the Council represents all the communities throughout the Las Vegas area; okay? I think I saw one African-American woman there that I didn't recognize. But still there was only one in the whole video that you showed. I need to know from you, do you have any Afro-Americans on your staff with this Fremont Experience your putting together from the groundwork that it does?

DON SNYDER

Yes, we do. I'd be -- I'm very proud of the ethnic diversity of our staff.

JOANNA WESLEY

Oh, it's okay. I just need to know if you do because, and in deed, if you do, I'd like to know why none of us were really included in the videos. And if you plan to do any video type promotions in the future, will you make sure that we are represented to the point that it shows all of us, not just the white sector or other minorities that I saw on the video. That

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all of us are included?

KATHILYNN CARPENTER

Let me -- address that this way, this is an internal video that was done for this group and we did not control who came down for the event. The Las Vegas Invitational was an event that all we did was provide a venue for. And so you really have to talk to the Founders Club, I suppose, about the attendance at their event.

The other event was a Rocktoberfest and again we didn't control who the producers of the Rocktoberfest brought down. We do have African-American employees. Our video documentarian who did this video is an African-American, Fabian Benson, and his brother Francis, as you know.

JOANNA WESLEY

Okay.

KATHILYNN CARPENTER

My Administrative Assistant is Black and we do have several --

COUNCILMAN ADAMSEN

And, Kathilynn, that's probably a conversation that could take place other than --

JOANNA WESLEY

Right. I just needed my question answered.

KATHILYNN CARPENTER

Exactly. But I'm -- happy to meet with businesses and I have done several. And I would be happy to continue to do.

JOANNA WESLEY

I'm -- just going by what I see. I've come to the meeting and I can only ask questions on what's here and now for me.

COUNCILMAN ADAMSEN

Thank you.

MAYOR JONES

I really think any more comments on this, unless it has specifically to do with the design standards of Fremont Street Experience will be left to public participation.

JOANNA WESLEY

Thank you.

MAYOR JONES

So, Joe, unless you're talking about design standards on the street --

JOANNA WESLEY

No, my -- question's answered. I'm okay now.

MAYOR JONES

-- I'm not going to address the topic. If you want to --

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JOE MAVIGLIA

Your Honor, I just want to come up here and say something nice about you.

MAYOR JONES

Oh, come on, Joe.

COUNCILMAN ADAMSEN

That's not on the agenda either.

JOE MAVIGLIA

The thought crossed my mind as I was sitting there listening to your explanation. And that is too often us people out here, we don't know exactly what's going on. And I think it would be advantageous not only to the Black community, the White community, and the community as a whole, that when something as the nature of the Fremont Street Experience is taking place, I think a -- information packet to the public of how it benefits and who it benefits, in the long run, so that the people out there that get in their mind that they are not being included would be rest assured that they are included in more ways than they don't understand. So I think an information package when you have an entity such as you have is made available and printed and -- disbursed in the Council's and in the news media, then we'd all have a better understanding. Because I'm learning and trying to have a better understanding myself. I'm not -- I'm a little -- I stop myself in jumping the gun. I'm doing a little more thinking; all right? And there are a lot of things that are happening that my mind is changing. And because of my thinking about it and I think it would be an excellent idea to start informing the public of who benefits, when, where, how and why and we'll all be better off for it.

MAYOR JONES

Thank you, Joe. Yeah, we need a -- We have a motion on the floor?

COUNCILMAN ADAMSEN

Yes. Yes, Your Honor, we do.

MAYOR JONES

Vote on the motion.

ATTY. DON SCHLESINGER

Mayor, before the vote, I wanted to make sure that the amendment included the map changes and -- of both guides and the language change that's agreed upon with respect to air rights.

COUNCILMAN ADAMSEN

It did. It did.

ATTY. DON SCHLESSINGER

Thank you. Just wanted to make it clear for the record.

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COUNCILMAN CALLISTER

Thank you.

MAYOR JONES

Vote on the motion. Post. Motion's approved. **(Motion carried unanimously)** Thank you.

DON SNYDER

Thank you.

KATHILYNN CARPENTER

Thank you very much.

(* END OF DISCUSSION ***)**

/gpb

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AGENDA DOCUMENTATION

TO:

City Council

FROM:

Donna H. Kristaponis, Director
Planning and Development Department

SUBJECT:

DISCUSSION AND POSSIBLE ACTION TO RESCIND THE CDBG HUD 108 APPLICATION IN THE AMOUNT OF \$9.5 MILLION FOR THE MOULIN ROUGE HOTEL AND CASINO AND TO SEARCH FOR OTHER SOURCES OF FINANCING

PURPOSE/BACKGROUND

On May 3, 1995, the City Council authorized staff to submit an application to the U. S. Department of Housing and Urban Development (HUD) for a Community Development Block Grant (CDBG) 108 loan in the amount of \$9.5 million. The loan was subject to 16 conditions and to the approval of an Economic Development Initiative (EDI) grant in the amount of \$1.8 million. Without the EDI grant, staff felt the 108 loan would not be feasible. The EDI grant had been sent to HUD in Washington D. C. on April 26 to meet an April 28 deadline.

On June 19, the City was advised by the HUD San Francisco office that the EDI grant to the City had not been approved. Although most of the conditions had still not been met at the time, staff continued to work with the owners of the Moulin Rouge Hotel and Casino (Applicant) to find a method of rehabilitating the hotel and/or casino. The Applicant and staff looked at several different loan amounts, all less than the previously requested \$9.5 million. The reason that staff is concerned about the Applicant's ability to repay the loan is significant because it is a component of the loan application that the City Council must pledge its future CDBG allocations to repay the loan in case of a default. Since current and future CDBG allocations are to provide needed capital improvements and public services in the three targeted neighborhoods to nearly 60,000 persons with low and moderate incomes, we must have confidence that any loan application can be repaid by the Applicant.

Staff has continuously worked with the Applicant and continues to do so at this time. Since the historical importance of the Moulin Rouge renovation transcends city lines (because of its placement on both State and Federal registers), staff believes that the financing should be shared by other municipalities or a joint venture with another partner should be explored.

FISCAL IMPACT

The City will not apply for a CDBG HUD 108 loan application in the amount of \$9.5 million, but will continue to work with Applicant to find other financial solutions.

RECOMMENDATIONS

The City Manager recommends that the City Council rescind the previous approval of the CDBG HUD 108 loan application due to the fact that the \$1.8 million EDI was not approved.

Agenda Item

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MAYOR JONES

Item 62 is discussion and possible action to rescind the CDBG HUD 108 application in the amount of \$9.5 million for the Moulin Rouge Hotel and Casino and to search for other sources of financing.

CITY ATTORNEY JERBIC

Mayor, before we begin this, this has been noticed in the newspaper correctly as a public hearing, and it is indeed a public hearing, and so when you call this item, I'm going to ask you to open it as a public hearing. However, when the citizens agenda was published, it was not published with a notice public hearing next to it. For that reason, what I'm advising is that you take any comments anybody wishes to make today under public hearing, but that we re-notice and post this for the December 6th meeting with a citizens agenda correctly noticing this as a public hearing so that any person who relied on a citizens agenda absence of a public hearing can --

MAYOR JONES

As only an attorney can do, what exactly does that mean, Brad? Do I open this as a public hearing, or --

CITY ATTORNEY JERBIC

Yes. You open this as a public hearing and at the next meeting we'll take additional comments that the people don't wish to make today.

MAYOR JONES

Okay. I would open this then as a public hearing.

JIM BLAIR

Good morning, Mayor, Council. On May 3rd, 1995, the City Council authorized staff to submit an application to the United States Department of Housing and Urban Development for a Community Development Block Grant Section 108 Loan in the amount of 9.5 million for the Moulin Rouge Hotel and Casino. The loan was subject to 16 conditions, specifically the most important condition was the approval of an economic development initiative grant in the amount of 1.8 million. Without the EDI Grant, staff felt the 108 loan would be more difficult.

On June 19th, the City was advised by HUD, San Francisco Office, that the EDI Grant to the City had not been approved. Because the 16 conditions, all but about three of those 16 conditions were tied to this EDI Grant, which was the number one condition, we felt that we had no recourse but to come back, and that being approved on May the 3rd, we needed to rescind the action taken on May the 3rd.

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However, staff continually is working with the applicant, Mr. -- Walker, and continues to do so at this time. What we're recommending is rescission of the action taken on May the 3rd since the 16 conditions that were tied to that action were not met and cannot be met with the disapproval of the EDI Loan.

We will continue to work with applicant of the Moulin Rouge to find other ways to finance this in the best interest, because this again is a facility that is on both federal and state historical registers, and we feel we need to do everything possible to help salvage the Moulin Rouge. And with that, -- Yes, Sir?

COUNCILMAN CALLISTER

If we could, Your Honor, I'd like to know why -- if we were given a reason for the HUD, EDI denial?

JIM BLAIR

No, Sir. We were not given a reason.

COUNCILMAN CALLISTER

No reason. They just denied.

JIM BLAIR

They just denied it. They give so many grants, and evidently our grant did not meet the criteria that they were looking for when they did the grant. They did not come back with reasons.

MAYOR JONES

They're not required to?

JIM BLAIR

No, Ma'am.

And with that again, the City is recommending rescission of the action taken on May the 3rd, and we will continue to work with the applicant to find other financial solutions for the Moulin Rouge Hotel and Casino.

MAYOR JONES

Thank you. Mr. Walker?

JAMES WALKER

Good morning, Mayor and Councilmen. My name is James Walker. I'm from the Moulin Rouge, address 900 West Bonanza Road. I'm here to recommend -- I don't want to get hung up in semantics about the rescission of this. But I would like to ask that whatever you do, that you would send a message to staff and to the community that you want to do the Moulin Rouge.

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There a number of things that have happened since we made this application. First of all, we have gone back to the private sector, and they have had an attitude change about this project. They have indicated, and staff is aware, that they very, may very well finance part of the Moulin Rouge. The project now is a six and a half million dollar project. We're trying to give definite numbers as close as we can, but, as you know, it's a remodeling project.

What we would like to ask this Council for, is that the amount of money from the City of Las Vegas through the CDBG fund, 108 Loan Guarantee, would be no more than \$3 million. The other part would come from the equipment manufacturers and the bank and private sector. We think that this is what the City was initially looking for, in the first place, was participation from the private sector.

We have had studies done. I started this before most of this Council was here. But we've had studies done, and all of those studies have come to the same conclusion. That this was a viable project. There have been other individuals, which I have demonstrated to some of you, who are in this business that are highly respected by at least myself and a lot of other people I -- in my opinion. They think that this is a viable project that has tremendous opportunity for success. Another thing would be indicative of that chance for success is the fact that it has broad-base support in the African-American community. So that should demonstrate to this Council that the prospects for success are certainly enhanced as opposed to maybe some other projects.

The Moulin Rouge would provide 125 to 150 permanent jobs, probably somewhere in 50 to 75 temporary jobs during the construction. A lot of the other money would obviously be in equipment and so forth, but indirectly that still helps for employment in other areas.

It was interesting to listen to your philosophy about the Fremont Street Experience. Once again, I would say that I as an individual support the Fremont Street Experience. I recognize the fact that what it does for all of its citizens. It could probably be improved from an African-American standpoint, but I would like to see that same type of philosophy applied to the Moulin Rouge.

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This project has been languishing for quite some time, and I don't really know the answer to that, but what you can do here today -- I guess you're not going to vote on anything -- but you could instruct staff to where we could put all of this stuff on paper, because they are aware of this. These -- things that we're talking about. We have all of the work done, it's just a matter of assembling it. And I think that the banks are going to take some kind of lead role in this, because they, in my opinion, probably have a little more expertise than City staff about making these kind of loans. And I would hope that staff would be willing to work with the lending institutions and follow their lead.

There are a number of things that have changed where there was concerns before about this project, and if you have any questions about that, this project, I would like for you to -- ask me, and I would be glad to attempt to answer them.

COUNCILMAN CALLISTER

Well, if I could, Your Honor? Mr. Walker, I appreciate your candor. I think it's -- your being more than gracious when you acknowledge that City staff has never been in the casino business before. I think you're also very accurate. Obviously, we're all terribly disappointed that the -- source of the loan, the lender has said no. And I wish -- I'm still a little bit troubled that we don't get an answer as to why they say no so that you can't come back and ask again. But obviously we don't control the federal government --

JAMES WALKER

Let me --

COUNCILMAN CALLISTER

You've made some proposals that I think might be worth looking into, but it sounds like it's not terribly unlike what staff is proposing here today, which is, for example, when you speak of the Fremont Street Experience, the source of the loan there is the Convention Center Authority --

JAMES WALKER

Oh, but there's -- a huge difference in what you're saying and what has actually occurred. The source of the loan has not been denied, because first of all, the loan has never been presented to HUD. When I -- HUD did not deny the loan. The loan is almost automatic. The loan had a -- the City attached the condition with an EDI Grant. That was turned down, and as all grants, HUD has a certain amount of money that's awarded all over the country for these

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grants. And they saw fit, for whatever reason, not to give those -- the grant to Las Vegas. And probably political, as you well know that in California, Florida, Texas got most of the money, and there's a limited amount of that, where there's no limit to the 108 Loan Guarantee, and that's what we're talking about here today.

As you know, the loan guarantee you are probably entitled to somewhere around five times your annual allocation, which is twenty some million dollars for the City of Las Vegas. We're asking for \$3 million, which is guaranteed by your CDBG block grant funds. And keep in mind that this is not a gift to the Moulin Rouge. It is a loan guarantee and HUD could do this probably within 60 days from when you submit an application. But there was no loan application even though this Council was mandated to do so. It was never submitted. So what you're saying is that they turned it down and that is not accurate.

COUNCILMAN CALLISTER

They did not deny the grant. I apologize if I misspoke.

JAMES WALKER

That is not accurate.

COUNCILMAN CALLISTER

They did not deny the grant?

JAMES WALKER

No, they denied the grant.

COUNCILMAN CALLISTER

That's what I'm saying. I -- (inaudible)

JAMES WALKER

But they never, they didn't turn down a loan because no loan application --

COUNCILMAN CALLISTER

Was not the grant contingent of -- the loan? (inaudible)

JAMES WALKER

No, the loan was contingent upon the grant. That was the thing that was induced by this Council, not by HUD.

COUNCILMAN CALLISTER

No, I understand that. And I appreciate it. All I'm suggesting is I think you're right when you say the City staff doesn't know perhaps as much as the lending industry does about how you package and finance a casino.

JAMES WALKER

Well, I really didn't say that, but --

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COUNCILMAN CALLISTER

Well, I -- thought that was what you were saying, and I apologize if I misunderstood you. I think what staff is suggesting here today is not such a bad idea. And that is that we broaden the base in terms of seeking public support. The City, as you well know, doesn't have quite the coffers that perhaps other entities do. And certainly that includes the Convention Center Authority whose been active in the Fremont Street financing. The County which has significantly larger reserves than we do. I think all that I'm hearing staff say here today is that we go back and start the search over again for how we come up with a way to preserve this historic facility and try to find a way to do it -- a combination --

JAMES WALKER

I went to the Convention also.

COUNCILMAN CALLISTER

-- of banks and/or other public (inaudible)

JAMES WALKER

First of all, by the law, the County cannot do a 108 Loan Guarantee by law. The Convention Authority, it's not likely that they're going to have any funds for the Moulin Rouge because of some kind of logic they have with the promotion of tourism at large rather than any specific business.

So what we're talking about here now is the money is available through a 108 Loan Guarantee. I don't think that that's ever been done in the State of Nevada, but it's being used all over America. This money is guaranteed back to HUD, and it's almost automatic approval from HUD. The intent of this program was designed by the Federal Government so that you would not have to piecemeal a project such as the Moulin Rouge. What they are saying to you is you can come to us and borrow against your future allocations of Block Grant money in the amount of five times your annual allocation so that you can get a project done. So approval from HUD is almost automatic, as far as the loan guarantee.

The reason why it was, the grant was not an automatic thing because that means that HUD is giving you some money.

COUNCILMAN CALLISTER

I understand.

JAMES WALKER

So that is not automatic. But a 108 Loan Guarantee is 99%

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automatic, and it is guaranteed by CDBG money. For those that would argue that that would jeopardize those funds, first of all, you're talking about you have a ten-year repayment plan, and assuming this project did not work, you're talking about \$300,000 a year that you would have committed to the Moulin Rouge plus interest on that loan.

In my mind, this is the most appropriate use for Block Grant Funds. This is what they were designed to do. It is the highest and best use for these funds because it stimulates economic development and that's what the Block Grant Funds were originally intended to do. Somehow through the passage of, from the Federal Government to local government they wound up primarily most of them go to civic organizations. And admittedly, those civic organizations provide a service to large segments of the community, but that is not unlike what the Moulin Rouge will do.

The Moulin Rouge will provide the same type of service to the community because it creates jobs. It also has another strong symbolic act to African-Americans, and to other people outside of African-Americans because the Moulin Rouge has, it means a lot to various people who come here

--

COUNCILMAN CALLISTER

I think all Southern Nevadans.

JAMES WALKER

Yeah, because -- true. Now, so therefore, I think that not only is it an appropriate use of those funds, that it is a -- the highest and best use, and not only that, keep in mind it is not a grant at this point to the Moulin Rouge because it will be paid back, under that scenario, those dollars can be recycled to -- the groups, it also will greatly increase the City coffers with the taxes that we would pay for licensing of our gaming devices and all other sorts and the City is needing money. That's what I hear you say all the time. So I think it's a win-win proposition for everyone concerned.

And all I'm that asking is that you take some strong steps to make this project really move. Because when you, some of those alternatives that you've suggested, we have explored those and they're not workable. We have a plan here that may be workable and it's contingent upon the private sector coming in and City's risk here is only 35 or 40% of the entire project.

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COUNCILMAN CALLISTER What's the (inaudible) of that private sector involvement?

JAMES WALKER There are packaging -- we're starting to package it. But they really would like to have a clear message from this body. So it's like, they don't want to waste all their time and then we come down here and finally the City says no, we're not going to do it.

COUNCILMAN CALLISTER How much financing are you seeking from them?

JAMES WALKER The banks want to provide \$2 million. There would be another \$1.5 million from primarily equipment manufacturers and so forth, you know, the slot machines and so forth. And the rest would come from the City. And like I say, it's going to be in the area of -- it could go as low as 2.5 million, it would not exceed \$3 million because there is some discrepancy between the lending community and some members of staff as to how much the interest costs would be.

COUNCILMAN CALLISTER But essentially, if I understand you correctly and I'm not as familiar with the project as I should be, it sounds like you're seeking \$3 million in City funds or CDBG funds and \$3 million in private lender funds (inaudible)

JAMES WALKER Three and a half million in private funds.

COUNCILMAN CALLISTER And I -- appreciate what you're saying which is the 50% or more of the total amount hence coming from the private sector is looking for some signal from us that, that's what I'm hearing you say; correct?

JAMES WALKER Well, the -- bankers are.

COUNCILMAN CALLISTER Yeah.

JAMES WALKER The equipment people, I mean they don't -- you know, they're glad to do it because they want to sell the equipment.

COUNCILMAN CALLISTER I guess I'm saying I'd like to have the same kind of signal from them, quite frankly, that they're committed to their three and a half million.

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JAMES WALKER

Well, there -- that's what the problem has been. I mean everybody's saying that who's going to go first.

COUNCILMAN CALLISTER

Yeah, it's a problem in terms of financing any kind of facility, and I'm familiar with it in my day job as an attorney and trying to help clients sometimes with their businesses. But you can appreciate the concern. The City felt like obviously the last time this was approved that they'd be strengthened by knowing that there was a million aid in Federal grant monies. And that contingency has not been met. That was the vote, that was a contingency of the vote. I think that's the anxiety that it brings us today is that there's no grant money apparently and, at least, today as I'm sitting here having a dialogue with you, I'm looking for some evidence that the banks have signed on the line yeah, we're ready to give you three and a half million.

JAMES WALKER

Well, they -- obviously, they have not done that. But at the same time -- You know, you're saying that the City talked about the grant as being something that this project needed. That was something that I never agreed with or even the package itself.

COUNCILMAN CALLISTER

I understand.

JAMES WALKER

It was staff's recommendation. Now, you're telling me on one hand that staff not, does not necessarily have the ability to evaluate this kind of circumstance. Now the lenders, --

COUNCILMAN CALLISTER

No, that's not what I said.

JAMES WALKER

-- the lenders would be able, the banks are saying that they would not do this if they didn't think that this project can carry the total amount of debt, no matter what party subordinated it.

MAYOR JONES

Mr. Walker, can I ask you? Because I know in the original grant, there were 16 requirements in terms of conditions both for the 108 and the grant that had to be met. And maybe Jim can refresh our memory, before any money transferred. And I don't know whether those same conditions are applying to the bank loan and as we go on this.

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JAMES WALKER

No. Because a lot of the conditions that was there, the bank does not like.

JIM BLAIR

No, and you're right, Your Honor. There were 16 conditions. The -- foremost condition was receiving of the EDI Grant. The reason for that is because recognize the original way we were trying to do this, it was a \$9.5 million loan and that's the reason the EDI Grant was so important to it because it brought the first year -- operating revenue to the facility, which allowed us to get through the full 9.5.

Now, as Mr. Walker is saying, and they've worked very hard on this, they've got it down to about six million. Where they're coming from, they're working with the banks to do that. We have met. We've also told him the same thing. Please bring back the information from the bank because if we can get that information then perhaps we can put something together that we can bring back to you that may be more plausible to present. All we were doing today is rescinding an action that is moot because the grant was denied. And we're more than willing to come back and open up and we're doing that.

What Mr. Walker is saying is he wants it emphatic enough to have us continue to do that and we will. Because we need to work it as hard as we can to try and find things. What we're looking for is the bank involvement because, as he says, you know, if you go for a Section 108 Loan, it is almost automatic. As Mr. Walker is aware, there is one contingency here that makes this non-automatic that he's trying to work to resolve so that we can even bring it back to you.

So there are some, even some conditions that -- we're working out as he continues to work with the financial institutions and others that we're trying to find to bring something back.

JAMES WALKER

Well, I think the -- issue that he mentioned that the one obstacle would be that the note holder for the Moulin Rouge is, I think that HUD does not want to do any direct business with him.

MAYOR JONES

Well, what HUD had said they will not agree to approve any money as long as he's still involved.

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JAMES WALKER

But that's a non-issue because the bank is going to do the part where they take him out and there would be monies left to --

MAYOR JONES

But again, Mr. Walker, that's what Mr. Callister is saying. We need that message from the bank because the 108 is not automatic as long as that individual is involved. HUD will not do business with him and they will not give loan guarantees. So the bank needs to move to take that note holder out of the deal before we can actually move forward.

JAMES WALKER

Well, yeah. But they're not going to move to do anything until the City has this application before HUD and until HUD approves it because they're saying that -- you know, that's like the City may not ever do anything. And they could move in and do all this. They want to do like a simultaneous kind of thing whereas all the money that would come from HUD would go into development of the property. The banks would pay off the existing note and there would be monies left from that for them to actually contribute to the project.

I suspect that the bank would probably want to have control over the working capital also because that's a large amount of money and they want to establish some control. And that was discussed with staff, but with the banks, I personally believe that they could do that better and they would like to have some control over that. But that would eliminate that problem.

MAYOR JONES

Larry?

CITY MANAGER BARTON

Your Honor, if maybe I could ask two things? One, we're preclude -- staff is precluded from proceeding any further on the original direction from Council because one of the conditions is not met. What we would ask today, and the purpose of this agenda item, is to back us out of that. We want to continue to work with Mr. Walker and the Moulin Rouge and we believe that maybe some of the conditions that originally were placed have been overcome in -- the interim and work that has been done.

We would like to ask that the Council, one, vote to rescind the previous action. It doesn't mean that we are not going to in the future apply for a HUD grant. It just means that we don't have to go for the one specific one which was denied

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us. And so that backs us out of that. We will bring back a package that puts together approximately a \$6 million renovation and new project, because there were other conditions that were in the process that have not been met either. Some of these can be discarded at this point in time because I think we're past those.

So that's -- what our request is today. I certainly understand Mr. Walker's concern of the City signaling that we are still interested in pursuing this. In essence, the HUD grant makes us a co-signer. We are pledging CDBG future monies to pay that loan from the bank if we do not, if the payments and debt service are not made. So it is a definite service to the financial community that we are standing with the Moulin Rouge and the feasibility study that says that it should be done.

So we would like to bring back a revised package to you, and I think it's just more than we can handle in a verbal conversation this morning.

JAMES WALKER

Well, --

COUNCILMAN ADAMSEN

And that's my concern is that we do not create a Catch-22 whereby with the rescission, which given my understanding of it and I'll ask the City Attorney regarding this particular agenda item, as far as the discussion of any future grant, that we do not create a Catch-22 in the rescission by saying well, we'll go if the banks go and then the banks are saying well, we'll go if the City goes. That has no benefits for anyone. The Moulin Rouge, the City, the Historic District itself, and any other redevelopment project we're trying to do in, within the entire Redevelopment area.

So, if we're to continue this process, what are the other sources that you're going to be looking at? We've got limited CDBG dollars. Give me an idea of what we're looking at in terms of where we'd be able to meet or match the City and the private sector's contribution and how this would in fact then be forwarded to HUD.

JIM BLAIR

As far as coming from the City, Sir, the Section 108 is the best way for the City to input into this process. What we have been trying to work with Mr. Walker, and he has so cooperatively agreed, is to work with private financial institutions. Another thing we will look at is Enterprise

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monies that might become available. We haven't even explored that option. We've also talked about is there an interest in getting with another private firm, you know, to bring some dollars into this.

So, we're just looking at all viable options to bring back. The proposal that we come back to you, Sir, is -- you know, it may not be tied to financial institutions. Certainly, if he can do that, we would add that to the package. It may be that we come back and say there is no private financial institutions. We'll still come back and say we need to apply for a \$6 million Section 108 Loan.

COUNCILMAN CALLISTER

Let me -- tell you one thing I'd like, and in conjunction with what Councilman Adamsen's asking, that I'd like some information on. Because there's a bit of a disparity (inaudible) Mr. Walker saying and the evidence or whatever is that I've seen here before me.

I am relatively naive about the use of 108 funds, admittedly. I would like to know from staff where else other municipalities have used this kind of funding device to capitalize any kind of business, private business venture. If that occurs with the kind of frequency that I'm being told it does, I'd like to have some background on where that's occurred. We don't need to invent the wheel here. We need to find another municipality that has done this. We need to find out how they did this using 108 guaranteed funds, and we need to see what's the kind of proportionate mix that they've used in those areas. Is it 50/50, is it 2/3rds, 1/3rd? What has been done else where.

I mean, I think he's right to this extent, we should be looking for opportunities to creatively maximize the use of those funds in a fashion that helps spur job creation, etc. And certainly here in this community, casino job creation is the likeliest animal out there. So I'm interested, but I'd like to have staff go back and tell me here's a model to look at, here's a model to look at, here's where it's been done and maybe we can cut through all this nonsense and get to some proposal that, as Councilman Adamsen indicates, the banks will have enough interest in that they will step up to the plate and say yes, we will fund X dollars if the City will agree to participate to X percentage. That's what we need. Okay?

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COUNCILMAN ADAMSEN And what kind of time line are we looking at, Jim?

JAMES WALKER Well, time is of the essence because --

COUNCILMAN ADAMSEN Understood. Understood. I'm asking a commitment from them.

JIM BLAIR Sir, we're try to -- since this automatically comes back from a vote standpoint and a public hearing, at the next Council agenda, we will try to bring back some information to this vein from other communities to answer Councilman Callister's questions. And then, perhaps, we will have a better idea also as far as a time line of moving. The Section 108 itself, Sir, we can move very fast, and I believe that's what Mr. Walker was fixing to allude to. We can move very fast within, I believe, within a 30 to 60 day time frame on the Section 108.

COUNCILMAN REESE Your Honor, if I might ask a question, please. Since I've been on the City Council, say in the last six months, how much money has been spent on redevelopment or City money or grant money at the Moulin Rouge and what has been accomplished by the money that we have spent? Staff?

JIM BLAIR Sir, I am not aware of any grant money that has been spent on the Moulin Rouge. There was some grant money that was spent to the adjacent homeowner apartments and that was about four or five years ago. But nothing for the Moulin Rouge in my mind.

COUNCILMAN REESE I -- guess my question is when I was first on the City Council there was \$200,000 that was spent and I'd just like to know what that was, what it was spent for.

REV. CHESTER RICHARDSON \$265,000.

CITY MANAGER BARTON Councilman, that was from Redevelopment Agency funds to do the feasibility study and the business plan and a conceptual remodeling plan. It received money to take the first step and say, is this feasible to continue on? And that was funded out of Redevelopment Agency funds.

COUNCILMAN REESE And what was the results of the study of that?

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CITY MANAGER BARTON

The results of the study were that Coopers and Lybrand's study that said it is financially feasible, given the conditions, the assumptions in the study.

REV. JAMES ROGERS

I'd like to apologize for not introducing myself earlier when I spoke. I'm Reverend James Rogers. Once again, on this particular issue, and I think it has been stated here that it's a viable issue. Coopers and Lybrand did the study. They went back and did another little short study. And both of these studies have come back and stated it's a viable (inaudible). Our concern is -- the money. We know that the gaming industry in -- Las Vegas in particular, it's -- the number one industry. So there's -- no -- problem with knowing it's a viable business to -- go into.

Secondly, Las Vegas is the hub of gambling. It is shown that there is some great deal of finance that has been gained from -- this entity. This particular City Council, I think it ought to take -- very seriously about doing this project and finding some very creative ways. I have seen this Council come up with whatever kind of funding they want to fund if they want to fund a project. And our problem is that at the outset of this we did get the, this Council did approve to go forward for this particular 108 grant. However, there hasn't been very much from my standpoint from doing the studies with this, that the Council have done very much of anything else to try to insure the success of this possible venture.

With Mr. Walker along with some of us, we have been talking to some of the financial institutions and the word has come back and we have sat down and talked with different private sectors there. They want to do the project but they want to know where the City stands on this particular issue. And we believe that this can go off and we do know that it can go off if we really get some active participation from the City in this -- endeavor.

We know that there are certain conditions that is placed on here, but I think the City Manager said earlier that most of these conditions have been met. Mr. Walker and his staff have scaled down this project tremendously. When this went back to some of the private entities for this funding, they are willing to go forward. And I think some of the staff, some of your staff have had contact with some of these private sources who wants to do it; but I want to thank you,

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Councilman Adamsen, for speaking about this well, if you do it, I'll do it. If they don't do it, then I won't do it. Well, we need to get -- we need to cut through the chase and get right to the issue so we can get this thing done. I have no doubt with the way the City is growing, it is going to be a successful project.

And going back to another area here, very briefly, out of all of the gaming industries that's around the country, Las Vegas is the hub. There is not one black owned and operated entity of substantial business anywhere other than Las Vegas. If the City's so caught up in doing the right thing, and we're talking about the right thing, would do -- would be to do is to insure that this project become a successful venture.

There are some other properties that these particular local gaming properties are going out of state to formulate. And at least some of them out of state, at least one of them have at least put an African-American with 51% ownership into one of the gaming industries. And here, right here in Las Vegas, where all of the gaming is, there's not one that has been given support like it ought to give support. Here is the same properties going out of state making big investment, making African-Americans a viable part and right here, we're sitting right here, with a property that is owned by African-Americans and there seems to be some dragging of our feet on trying to make this a successful property.

And I think it has come to the point it's becoming very appalling that we don't do this. We dump in millions of dollars to where we want to but no one want to dump not one million into this Moulin Rouge project. Even everyone is saying well, we know it's a good things, we ought to be do -- excuse me -- we ought to be doing this, but we're not really putting forth the efforts that we really need to make it viable. If we can spend and get in on a partnership with a \$70 million project for somebody's big toy which might draw in some other businesses, and I understand that and I have no problem, I support the it, the Fremont Street Experience. But there's been substantial monies placed into this operation. And I want to see, from the African-American standpoint the same kind of participation in the West Las Vegas area with the Moulin Rouge project as we're doing here with this Fremont Street Experience.

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So, I think we can do this and we're talking about race relationship, we want to bridge those gaps. We'll do it all of us together and all this kind of stuff. It's only in words until we actually put the dollars where it makes the difference. Until we substantially invest dollars in the African-American community, it's not going to get any better with the race relationship. I can guarantee you that. Dollars, economics makes a difference in how people think and interact with each other.

So again, without going on hashing over the last project here with Mr. Snow or dealing with the Vegas Valley Food Distributors and all this kind of thing, with the million of dollars placed in this community, which was basically white owned and white operated, here's a black owned and black operated. We're asking for the City to really seriously take into consideration this project and support Mr. Walker and his staff in doing so. And be creative and find some funding for ways that we could overcome some of these obstacles. You can kill anything you want to with certain stipulations. But you know it's going to make it very difficult for individuals to achieve. Thank you, Mayor. Thank you, Council, for this time.

AUDIENCE

Disruptive comment and applause.

REV. CHESTER RICHARDSON

Your Honor and members of this distinguished Council, Reverend Chester Richardson. Let me say and I -- that I believe that there has been a lack of leadership shown here. Now I mean no disrespect to staff but there's been a lot of misinformation, and you've touched on some of those things and they need to be cleared up.

For the first part, when you put the condition as one of the 16 conditions that there be the EDI loan, the Economic Development Initiative loan, that was not necessary in order for you to use or to apply for the 108 Loan. You didn't need the grant to apply for the loan. Let's get that fact out there on the table. What you, but staff recommended that you apply for the grant because they had no confidence that the Moulin Rouge would be able to make their payments.

Now you had, you commissioned this study to be done, this feasibility study to be done here by Coopers and Lybrand. You --set aside nearly \$200,000 in, for one study and then

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you set aside, and then you spent another 60 some thousand dollars which you -- I don't know if you paid them on that. And both those studies have shown in their findings that the Moulin Rouge is projected to have enough income to pay off the loan. But yet staff, which has really no experience in determining whether or not an entity of this nature will be able to pay back a loan, made the determination we're not going to go with the experts. In our own opinion, maybe based on somebody who they've talked to, we don't feel that the Moulin Rouge is a good investment. We want some security. So that's where this grant came in.

The second thing of which you speak, what we've been speaking about here is saying that we don't have a lot of money to spend on this project. You're not spending any money. The Block Grant money is not going to be expended here. It is only in case of a default. So you're not losing anything here. You're not -- It's only in case the Moulin Rouge defaults and the study that you commissioned says that they, this is a viable project.

And also, getting funds from other sources, it's not going to happen. Go visit -- The Las Vegas Convention Authority isn't going to give a dime to this project. The County isn't going to give a dime to this project. And you have a very good point when Councilman Adamsen says well, what is the City going to do as far as what are the banks going to do? You could do a very simple MOU or memorandum of understanding as far as with this -- debarred person with HUD. That this person will be paid off before you go into spending any of HUD's money. I mean, so that should not be a hold up. You need to revisit the 16 conditions that you put on. I don't believe that you should dismiss this application but in fact that maybe it should be amended. But you should not dismiss it.

And cutting it down from the original \$9 million down now to \$6 million, well, what are you losing in that process? Are the hotels going to be redone? Are they going to be able to purchase the slot machines? What are you losing in the process? You're not losing. The City -- this is an investment that the City can make and they should go forth. And staff has not had adequate leadership in this area. You shouldn't dismiss this application, you should go forward with it and you should trust the experts of the study that you

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commissioned. If you don't trust the study, then go hire another firm to come back and give you a study.

You know, I can see staff all running off to say good bye to these Hispanic children. But you don't have any black children up here and if they were, they would be embarrassed and ashamed that this Council hasn't shown enough decency or respect to insure that a project of this nature has the support. Now there's no reason why this project can't go forth even with the original \$9 million that was requested because the City isn't going to lose one dime unless they default. You need to get a true education, Councilman, because you're right. Councilman McDonald, you met with Mr. Walker shortly after you were elected and you haven't met with him since. I think you need to pay him a one-on-one visit -- now and see what's really going on here.

But there's -- we know that there's some resistance to the Moulin Rouge. Maybe there are some casinos downtown that don't want the competition of the Moulin Rouge, but economic development -- The Moulin Rouge is in the Redevelopment area. It is in the area targeted for Block Grant money and there should be no resistance because you're not losing one penny. Not one social agency's going to lose one dime.

So I urge you not to withdraw this application, but to get the facts and, if necessary, send it forth or to remodify it. And that debarred HUD thing is only an excuse. A simple memorandum of agreement will change that, with an understanding that we will, that the banks will pay that off. Thank you.

PATRICIA BROWN

Patricia Brown -- Unified Tenants Association, Las Vegas, Nevada. My address is 1216 Down Way. In lieu of the fact that, as you know, we don't have any gaming industry located in our community. The Moulin Rouge is one hotel that provides all the knots and bruises of -- having their machines shut down and all types of different things. And they do hire from the community. You're constantly telling us that we need to provide for ourselves, provide jobs, provide recreation and activities for ourselves and here's a hotel that's here begging you to allow them to move forward, get some money of their own and provide just these things.

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And second of all, when I looked on this agenda and I saw where you gave \$30,000 to Nevada State Welfare of this Community Block Grant money to put down floor, metal linoleum floor and property, it makes me feel that you think that it's all right to put something for somebody to walk on and nothing over there for us to utilize and use in order to have a nice place to go. These people work -- hard over there at that place, that they hire from the community. The Welfare office, what -- really, \$30,000 for some floor and linoleum? I think that's a waste of our Block Grant money. I think this would be justified if you allowed them to have that funding to go forward and do something for themselves. You're constantly saying that nobody over there wants to do anything. Who's fighting this plan for them to get a casino and a hotel going? Why are they stifling it? It's not going to take anything from them, but it may add to our community.

I don't see how our Councilman could vote against anything that would economically upraise our community. I don't see how this could even happen. And to rescind this order now, instead of allowing them adjustment for some time on it or to sit down and go over it again would only defeat the purpose of what we're trying to do over there in our community and that is to economic uplift ourselves.

MAYOR JONES

As we could say one more time for the record, they are not rescinding any interest in working with the Moulin Rouge. If we don't rescind this grant, staff cannot do anything else. It takes a rescission to allow staff to move forward and come back with another proposal on how to fund. So --

JOE MAVIGLIA

My name is Joe Maviglia --

MAYOR JONES

Oh, I hear forever you, Chester.

JOE MAVIGLIA

I was initially unsupportive of this project. Matter of fact, I came up and spoke in opposition. And the reason I spoke in opposition was simply that I did not want to see \$9 million of Federal funds go down the tube. I thought that the project would be, the money would be spent and the project would not succeed and then there would be Federal dollars wasted. I do have some concerns as far as the guaranteeing of the loan, I think that you're concept is misunderstood in regards to rescinding the existing situation

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in order to evaluate a better situation.

I think the fact that the banks are leaning on the edge of assisting in this project, I think that any project, I don't care, even down the road if it fails, it should be brought forward and an effort should be made to better the community in the Westside or anywhere. It's essential that we try our damndest to break the African-American/White barrier and become all Americans. That is the day when we are all going to come forward and meet our maker and do better things for our community, both in the White, Hispanic and Asian and Black communities.

I want to see someday the Black community become independent of the White community, and it would be so important that the confrontation of murder and drugs and gangs would fall by the wayside and we'd become a community of togetherness in all the human race. I know I sound like a preacher, but believe it or not, that's my vision. That's what I would like to see. That's why for many years I've been fighting a program to get the disadvantaged off the street, my employment program. And I'll continue to do that until some day I knock down the walls of Jericho and I guarantee you I will.

But in the interim, when something happens, and I don't care what it is, and I don't care if it's in the Black community or the White community, I don't care if it's the Fremont Street Experience. I frankly don't give a damn what it is. But whatever it is, when it comes before this Council and comes before the County Commission or comes before the Governor or comes before this State, I want to see the fairness doctrine applied. I want to see fairness, and I want to see -- that \$65,000 that was illegally obtained for that feasibility study, I want to see it refunded. That was a violation. The Council and the Mayor did not have approval, did not give approval on that money, and I want you to take legal action, if necessary, to get that \$65,000 back. I think that's what you should do.

But more important, the fact that now this project becomes a community project, hopefully with the banks and private enterprise, I am 100%, 150% supportive of this project. I wish it well. I hope it puts people to work. I hope it's successful. I hope out of that project, another one develops, and I hope they have a high-rise casino over on

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the Westside that'll be second to none. That will draw the people from all over the world.

The bottomline, and my last comment, and that's this: I really don't care at this point because of the outset, from day one, in 1977, that far back, I decided that the only solution to help the Black community and the White community and the communities as a whole is equality in employment. Employment where a person can take home a paycheck so that they can pay their bills, feed their family and take care of their kids and prepare them for the future. That's not happening in our society. We went lopsided somewhere. Whether it was the unions or the hate or the prejudice or -- dog-eat-dog society mentality. I frankly don't give damn no more. But what I am concerned about and will be concerned about tomorrow, next week, next month, next year, until the day I get the hell off this world, I'm going to fight for the equality of the people. And that's the action. I don't want to hear no more Black America. I don't want to hear no more White America. And I come forward and I say that I am a man of color. I am. My color's white. But inside, pull off the white, and I ain't no different than any Black man walking the Earth. We're all the same under God's eyes. We're all the same children. What the hell is the matter with our mentality? Because we are a profit-marking individual that you're make good money, Your Honor, and you're comfortable. And you come up here a couple times a month and you do you're best for the City. Beautiful. I think it's wonderful. Same with Arnie Adamsen and the same with these new Councilmen. You all want to do good for the community. We all want the fairness doctrine, and we all must fight for the rights of each other to live decently on this planet. We don't have that now, when people are homeless and people are hungry and people are sick and people are scratching in garbage cans. And nobody is going to stop sex, pal. We're going to multiple and in 30 years from now when some of us are gone and off this Earth, what the hell we are going to do with all the people? We better start planning now to take care of our, each other. Because if we don't, we're all going to hell in a bread basket. And if you don't get that message from little old winemaker me, who the hell am I? I'm the messenger. That's all I am. I want to see what's going on done in this community and I want to see it throughout the United States. And don't stop me, Your Honor, I want to see it happen. Now, when I see it happen, and I see prejudice disappear and when I can walk in the Westside at night and not fear to get killed because I'm white or because of the action that's going on there, and I see drugs eradicated, and I see one day once and for all. We start closing the prisons in America because we got no prisoners to put in there, then brother, that's the ultimate

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in the Westside at night and not fear to get killed because I'm white or because of the action that's going on there, and I see drugs eradicated, and I see one day once and for all. We start closing the prisons in America because we got no prisoners to put in there, then brother, that's the ultimate goal. Your Honor, let's get it on and let's do it, and let's help these people even if the damn thing fails. At least we've given them a shot to pull themselves up by their own bootstraps, and I commend this guy for busting his whatever it is to keep trying. Okay?

MAYOR JONES

Yes? You have a comment, Sir?

DONELL

Yes, Madam Mayor. My name is Donell and I was born and raised here in Las Vegas. And the Moulin Rouge to me is a magical place. I remember 1968, I came to the Moulin Rouge and I met Jane Fonda. I performed with the Checkmates there. I was on stage with Samuels Vere. The Moulin Rouge has always been a haven for me, to practice my craft. My family used to go there. We need that place for the community, for the Black community. All I ask is you just help us help ourselves. We really need it. Thank you.

COUNCILMAN CALLISTER

Thank you.

REV. CHESTER RICHARDSON

Mr. Mayor -- Oh, Mr. Mayor. Let me say. I just want to ask one -- just to show good faith -- No, he's sitting right up here.

MAYOR PRO TEM ADAMSEN

Pro Tem. Continue.

REV. CHESTER RICHARDSON

Just as a sign of good faith, now I have the strong inclination, belief, and maybe because I'm a bit of a prophet, and when we come back here for our next item, and you have it on for the agenda that you're going to go ahead and approve this item agenda and then direct staff. But I would ask that -- you make a commitment that before you approve dismissing this 108 application, that you also have on the agenda the alternative plan to be voted on for discussion and possible action. And that if you can't do it within the two week time limit, then that you'd still not take action until you have an alternative plan available that when you dismiss one, you've got one ready to put in place. Is that a reasonable request?

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- MAYOR PRO TEM ADAMSEN Thank you. Joanne?
- REV. CHESTER RICHARDSON No, I didn't under -- I didn't get an answer.
- MAYOR PRO TEM ADAMSEN I have no idea what the vote's going to be.
- REV. CHESTER RICHARDSON No, no, no --
- MAYOR PRO TEM ADAMSEN I understand your request. But your asking a request in the absence of a motion.
- REV. CHESTER RICHARDSON Well, the motion is already on the table, so --
- MAYOR PRO TEM ADAMSEN There is no motion.
- MAYOR JONES There is no motion.
- REV. CHESTER RICHARDSON Well, the suggestion of a motion is on the table. Because you, Madam Mayor, have said that you can't do anything until you get rid of the 108 application.
- MAYOR JONES No, Reverend Richardson, I have reiterated what staff has said, which is we cannot move forward until we have, and this is not rescinding the 108 application. It is rescinding the grant from HUD which was denied. It was a grant --
- REV. CHESTER RICHARDSON (inaudible)
- MAYOR JONES -- attached to the 108 which HUD denied. If we do not rescind that grant application, we cannot move forward with the 108 application which has nothing to do with the grant. Which is what staff has said at least three or four times on the record. I think we're debating an issue where everyone on the Council has said we agree with what you're saying. We would like to move forward. We would like to find a way to participate. We would like to find a way to facilitate the improvements at the Moulin Rouge, and yet we keep discussing an issue that if we don't take an action to rescind, we will be discussing it forever.
- REV. CHESTER RICHARDSON Okay. That's where the confusion is coming in. Madam, you're not talking --

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MAYOR JONES There's not any confusion except with you.

REV. CHESTER RICHARDSON Well, no. The confusion is because of -- you know, you didn't show leadership in the first place. Are you saying that you're talking about rescinding putting it as one of the 16 conditions? Now see, this is the rudeness. Now I sit here and I listen to you and you don't have the decency to listen to -- to help me out with the clarification.

MAYOR JONES I listen to you for hours.

REV. CHESTER RICHARDSON Well, I listen to you for hours too, but I don't want to get into the petty argument with you. I just want to ask one clarification and then I will sit down.

MAYOR JONES Sit down, Pat.

REV. CHESTER RICHARDSON I want just one clarification and then I will sit down. Just give me that decent --

MAYOR JONES One clarification, Mr. Richardson.

REV. CHESTER RICHARDSON Thank you, Miss Jones. Now, are you saying that the item on this agenda is to withdraw the grant application as one of the 16 conditions and not to withdraw the actual 108 application?

MAYOR JONES There was never a 108 application. There was a grant application in conjunction, for \$1.8 million that had 16 conditions. It was denied by the Federal Government.

REV. CHESTER RICHARDSON (inaudible) Goodman wasn't aware of the 16 conditions. I'm just saying that it is still the City's intention to apply for the 108?

MAYOR JONES That's what staff's trying to come back with.

REV. CHESTER RICHARDSON Okay. I (inaudible) --

MAYOR JONES We can't do it without a rescission. We can discuss it for a few more hours, if you'd like.

REV. CHESTER RICHARDSON Well, I just want to get the facts straight and get clear. Because you, obvious because if -- I'm not the only one

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confused or else these two Councilmen, Councilman Reese and Councilman Callister, wouldn't be asking questions themselves for clarification. So if you're the only one who seems to know all the answers then maybe you need to talk to your colleagues.

MAYOR JONES

Well, I think they understood perfectly well.

COUNCILMAN CALLISTER

I'll tell you what, I'll make the **motion**.

MAYOR JONES

Yes, there we go.

COUNCILMAN CALLISTER

Here's the motion. Make the motion to rescind and move that we rescind the CDBG HUD 108 application because of its failure to meet one of the qualifications. In the same motion, I urge staff to do as we've earlier asked them to do, provide me with a model elsewhere utilized, successfully, to use HUD CDBG funds with city participation to successfully capitalize a private business venture, where one's been approved. Let's find where one's been approved. That's the motion, to rescind this and come back with some other proposals. I'm not going to put a time frame on it because it might take more than two weeks. But I can tell you that we're going to move as quickly as we can. That's all the motion does.

MAYOR JONES

And I think it --

REV. CHESTER RICHARDSON

I appreciate the decency and the straightforwardness of that response.

MAYOR JONES

Thank you. One of the things that I think is important for the group here to understand as well is, as the City Attorney said, when anything comes back, it will be a public hearing so there'd be ample opportunity to be heard.

COUNCILMAN CALLISTER

(inaudible)

MAYOR JONES

Right.

CITY ATTORNEY JERBIC

You -- I'd just advise that you should not take a motion and vote at this point in time because you do have to continue this for three weeks because of the error in noticing the Citizens Agenda as a public hearing. So while you can take any official comments you wish to today, the motion can't

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occur until the next meeting.

JOANNA WESLEY

Due to the time, I'll just save my comments for the next meeting.

COUNCILMAN CALLISTER

Thank you.

JOANNA WESLEY

Thank you.

MAYOR JONES

Thank you, Joanna.

COUNCILMAN CALLISTER

Give that woman an extra minute at the next meeting.

(** * END OF DISCUSSION * **)

/gpb/vwd

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	<u>DEPARTMENT OF PUBLIC WORKS</u> <u>TRAFFIC & PARKING ITEM</u> 63 Discussion And Possible Approval Of A Change In The Speed Limit On Torrey Pines Drive Between Sahara Avenue And Oakey Boulevard From 35 Mph To 25 Mph	ADAMSEN - APPROVED 25 Mph Speed Limit - Motion carried with CALLISTER not voting ***** COUNCILMAN ADAMSEN said the 25 Mph speed limit would standardize the speed limit until the neighbors decide what to do. CARL BURROWS appeared objecting to the 25 Mph speed limit because this portion of Torrey Pines is in a walled canyon. COUNCILMAN ADAMSEN pointed out that motorists are driving into the walls. The majority of the residents abutting this portion of Torrey Pines are in approval. He recently received requests from his constituents to reduce the speed limit to 25 Mph. (12:16 - 12:22)
	<u>REPORTS/ACTION ITEM</u> 64 Discussion And Feedback Regarding Alternative Public Transportation Routes In The City Of Las Vegas As Per The Ongoing Major Investment Study	Report Given RICHARD GOECKE, Director, Public Works, said this item is only informational. The Study is looking at identifying ways and means of identifying some of the transportation problems in the resort corridor, which is: Washington Avenue, Windmill, Maryland Parkway and Valley View. DON SNYDER, President, Fremont Street Experience, felt it was important the Alternative Routes come all the way downtown which will be a benefit to the Fremont Street Experience. He noted that 18,000 persons ride the monorail that is currently on the Strip. MAYOR JONES said they are also looking at a monorail to move people in the long range. (12:22 - 12:28)

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AGENDA DOCUMENTATION

November 15, 1995

TO:
City Council**FROM:** RICHARD D. GOECKE, DIRECTOR
DEPARTMENT OF PUBLIC WORKS**SUBJECT:** DISCUSSION AND POSSIBLE APPROVAL OF A CHANGE IN THE SPEED LIMIT
ON TORREY PINES DRIVE BETWEEN SAHARA AVENUE AND OAKLEY BOULEVARD
FROM 35 MPH TO 25 MPH**PURPOSE/BACKGROUND**

In 1993, Staff brought before Council a request to set the speed limit on Torrey Pines Drive at 35 mph for much of its length in the City (Sahara to Craig). The City Council approved the action, and at Councilman Adamsen's request, staff was directed to NOT post the 35 mph speed limit where only half-street improvements were in place. Therefore, between Sahara and Charleston, where much of the length had only half street improvements, the posted speed limit was left at 25 mph.

In 1994, construction of the Oakley Detention Basin was completed, along with abutting half-street improvements. Since a full half-mile of Torrey Pines was now completed with full improvements, staff felt that the Council-mandated 35 mph speed limit could now be implemented. Coincident with this decision, a petition signed by 85 abutting and nearby residents was received (see attached) from Mr. Carl E. Burrows which also asked for the street to be posted for 35 mph.

On September 27, the Traffic Engineer directed that the speed limit signs be changed out. Since the 35 mph speed limit posting, Councilman Adamsen has received several phone calls from constituents asking that the speed limit be reduced back to 25 mph. At Councilman Adamsen's request, this item has been placed on the Council agenda for review and decision.

Notice of this agenda item was sent to Mr. Carl E. Burrows (principal advocate for 35 mph) and Mr. Dick Maudlin (principal advocate for 25 mph).

The 85th percentile speeds on Torrey Pines would indicate that 35 mph is the more appropriate speed limit. Setting speed limits more than 5 mph below the 85th percentile speed does not result in lowering speeds, but rather turns a great majority of the traffic stream into outlaws. Courts have routinely found that speed limits which are set artificially low, and/or which are set lower than what would be reasonable based on an engineering study, are not enforced; citations issued in such zones are not upheld by the Courts.

FISCAL IMPACT

City personnel can install the necessary signage. Funds are available in the current budget.

RECOMMENDATIONS

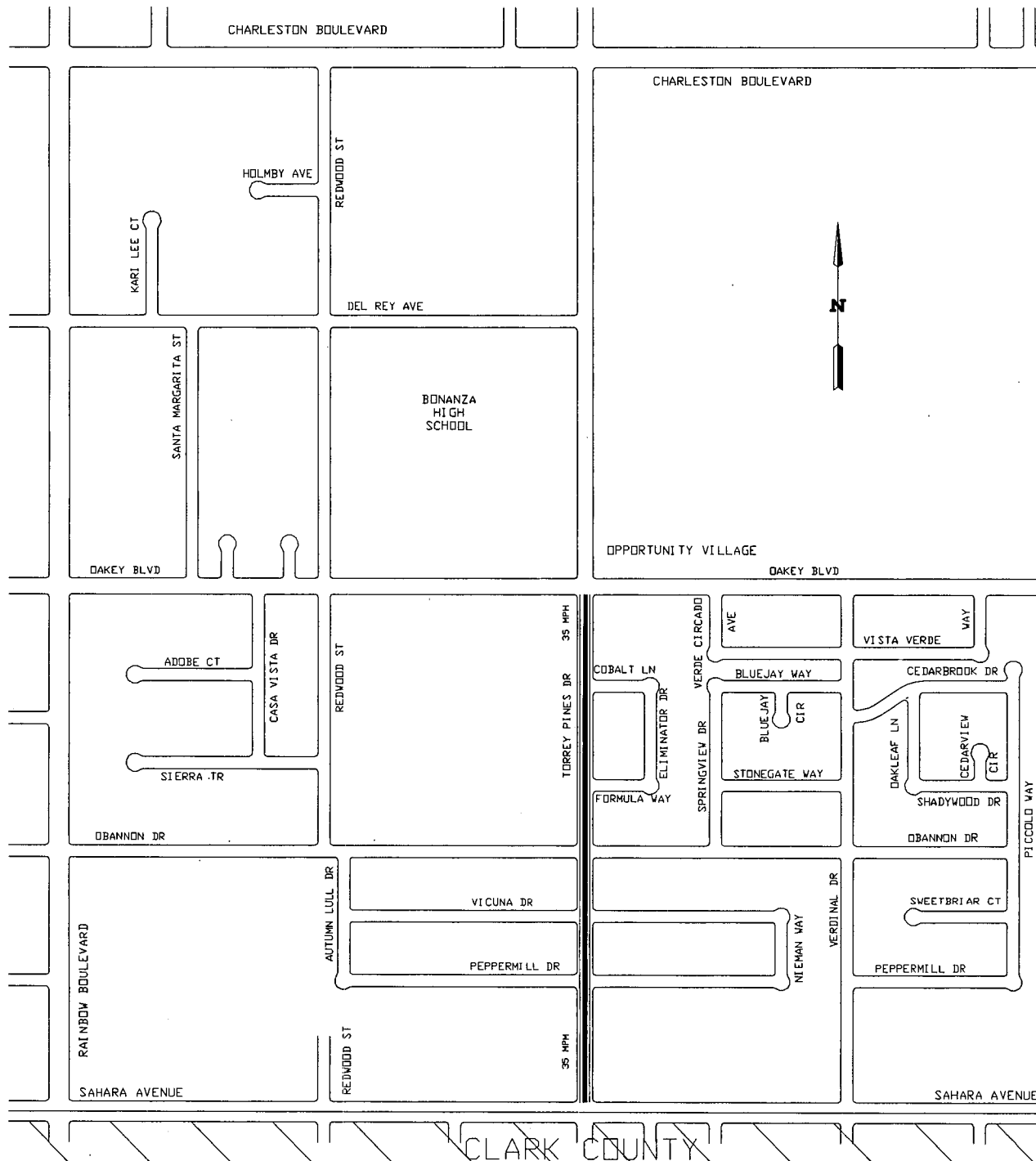
STAFF RECOMMENDATION: Retain the 35 mph speed limit.

Agenda Item

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— 35 MPH SPEED LIMIT (25-11)

==== AREA FOR PROPOSED SPEED LIMIT CHANGE TO 25 MPH

Within recent weeks the area of Torrey Pines between Sahara and Oakley has been reduced in speed limit from 35 mph to 25 mph. This has resulted in a generous distribution of traffic tickets to drivers unaware of the change including neighborhood residents. Common sense dictates a 35 mph speed with a potential for four lanes. Traffic Engineering concurs.

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Since this change was a strictly political move, we the undersigned request a return of this segment of Torrey Pines to its original 35 mph speed. We would expect Traffic Engineering to decide the number of traffic lanes appropriate.

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Name

Address

Carl E Burrows	6517 Vicuna Dr
Norman S. Burrows	6517 Vicuna Dr.
Norma Jean Kertcher	6601 Vicuna Dr.
Robert S. Kertcher	6601 Vicuna Dr.
Earl S. Saff	6605 VICUNA DR
Star Garcia	6605 VICUNA DR.
Wendell W. Hoag	6521 Vicuna Drive
Melody D. McHenry	6521 W VICUNA PRIVE
Russell Georgiano	6613 Vicuna Drive
Fel T. Eggen	1919 Sunland Ave
Judy Gimmig	6604 Vicuna Dr.
Beth Pope	6606 Vicuna Dr.
Ann L. Smith	6512 Vicuna Dr.
Steven Smith	6512 VICUNA DR.
Paul Carpenter	6508 Vicuna Dr
Beverly Carpenter	6508 Vicuna Dr.
Douglas H. Atkinson	6500 Vicuna Dr.
Judith H. Atkinson	6500 Vicuna Dr.
Marcy Granellette	6412 Vicuna Dr.
Bob Granellette	6412 W. Vicuna Dr
Samuel Gre	6408 Vicuna Dr
Lein C. M.	6408 " "
Stephane Marchin	6404 " "
Gay Balys	3990 AVOCADO DR.

CITY COUNCIL

MEETING OF

AGENDA DOCUMENTATION

November 15, 1995

341

TO:
City Council

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

SUBJECT: DISCUSSION AND FEEDBACK REGARDING ALTERNATIVE PUBLIC
TRANSPORTATION ROUTES IN THE CITY OF LAS VEGAS AS PER THE
ONGOING MAJOR INVESTMENT STUDY

PURPOSE/BACKGROUND

The Resort Corridor Major Investment Study is developing alternatives to serve the transportation needs of the area bounded by Washington, Valley View, Windmill and Maryland Parkway. In March of 1996, the Regional Transportation Commission will be identifying a limited number (4-6) of alternative alignments and technologies. The selected systems will then be evaluated in detail.

The purpose of the Resort Corridor Major Investment Study is to identify and evaluate alternative programs and/or infrastructure improvements that can accommodate increased tripmaking demands that will occur by 2015 such that levels of congestion and mobility opportunities do not deteriorate below the conditions experienced in 1995. Further, it is the stated intent of the MIS participants that the mobility opportunities for residents and visitors to Las Vegas be enhanced.

Roadway improvements alone will not meet the demand for travel in the Corridor. It is estimated that to solve the problems with just streets would require 20 additional east-west lanes and 18 more north-south lanes. Almost 2/3rds of the trips in the Corridor begin or end outside the Corridor, for example, people going to and from work. A bus only solution would require the expansion of the CAT system, from its current 150 busses in the peak hour to more than 700 busses. That number of busses entering and leaving the area will significantly affect the capacities of the existing roadways. If people do not ride the CAT, then the congestion level still grows. Therefore, the solution should be a combination of roadway improvements, CAT system expansions, implementation of Transportation Demand Management measures and the development of a fixed guideway transportation system.

The Study Team has identified the Downtown Transportation Center and the Stratosphere Tower as two key points in the system for the transfer of passengers between the Resort Corridor Fixed Guideway System and the systems which will be used to bring people in and out of the Corridor. The Stratosphere node will be connected to the hotels on Las Vegas Boulevard and the line serving the Convention Center, UNLV and the Airport. The transfer node will take 5 to 10 acres of land.

(continued on next page)

FISCAL IMPACT

Not known at this time.

RECOMMENDATIONS

STAFF RECOMMENDATION: None of the alternatives be rejected. The fixed guideway system should be extended to the Cashman Field Complex.

Agenda Item

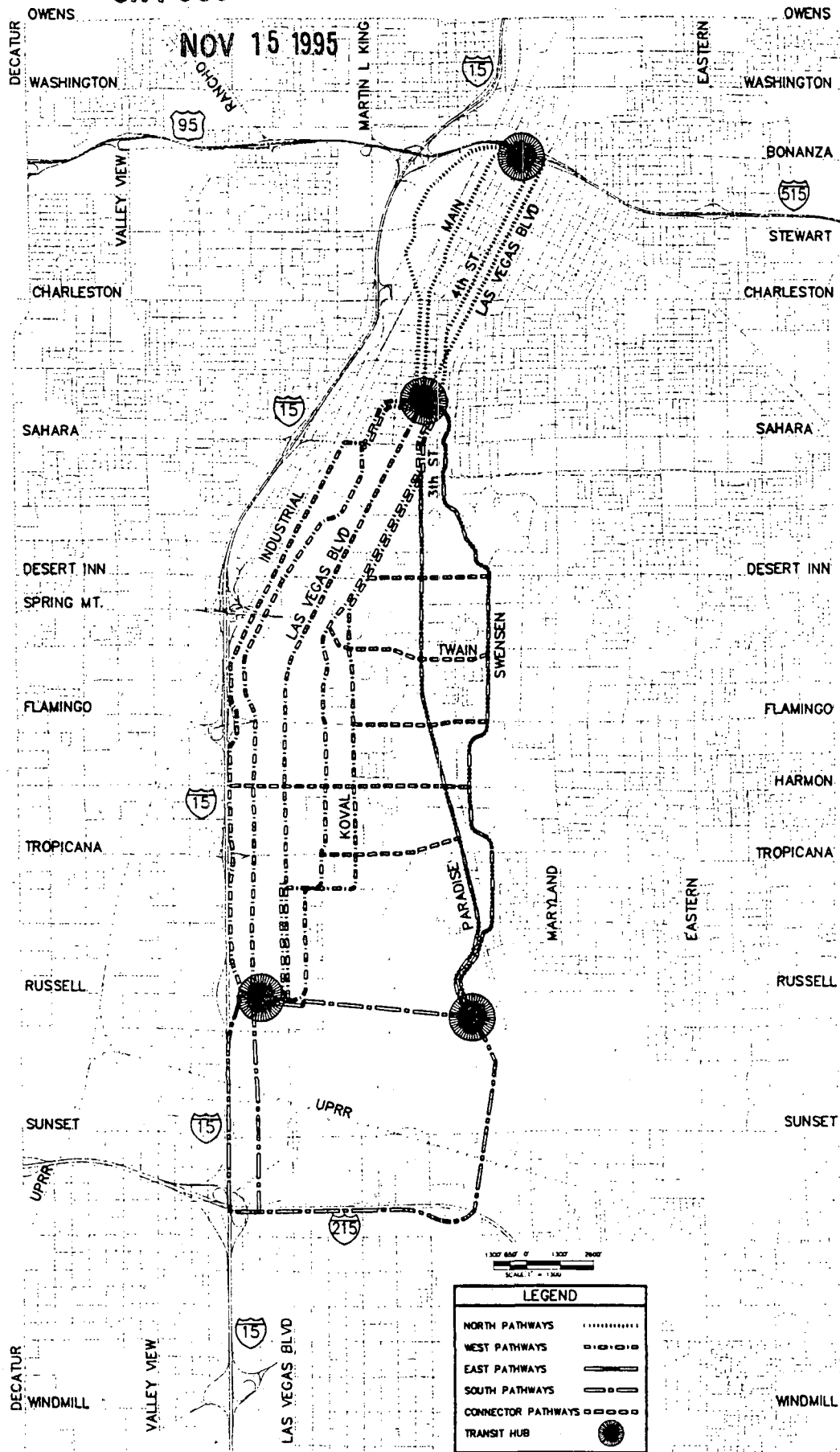
NOV 15 1995

Alternatives have been developed to connect the DTC and Stratosphere. They are:

1. A two-way line along Las Vegas Boulevard
2. A two-way line along Fourth Street
3. A two-way line along Main Street
4. A one-way line along Las Vegas Boulevard or Fourth which then passes through the Union Pacific Property before returning to the Stratosphere node
5. A two-way loop using Las Vegas Boulevard or Fourth which then passes through the Union Pacific Property before returning to the Stratosphere node

An additional issue is the importance of extending the system to serve the Cashman Field Complex.

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MAJOR
INVESTMENT
STUDY

RESORT CORRIDOR

UNIVERSE OF PATHWAYS

INITIAL SCREENING AS OF NOV 2, 1995

REGIONAL TRANSPORTATION COMMISSION OF CLARK COUNTY

CITY COUNCIL

MEETING OF
NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

Page 34

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	<u>DISCUSSION / ACTION ITEMS</u>	
	IV. RESOLUTION	
65	R-116-95 - Approval of Resolution to amend Schedule 25-II in accord with Traffic & Parking Item 63.	ADAMSEN - APPROVED Resolution - Motion carried with CALLISTER not voting ***** There was no discussion. (12:28 - 12:29)

CITY COUNCIL MINUTES

NOV 15 1995

R-116-95

345

R E S O L U T I O N

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

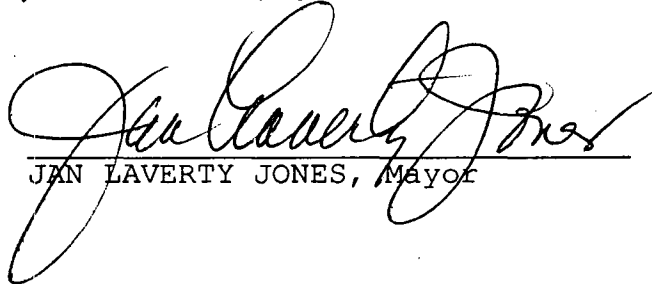
WHEREAS, it has been determined and recommended by the Traffic and Parking Commission and the Traffic Engineer that the following additions and corrections be made in said schedules;

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:

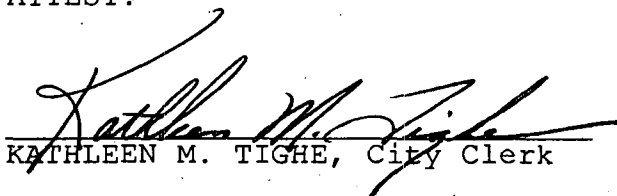
Schedule 25-II be amended to delete the following 35 MPH Speed Limit Zones:

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>SIDE</u>
Torrey Pines Drive	Sahara Avenue	Oakey Boulevard	B

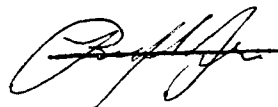
PASSED, ADOPTED, AND APPROVED this 15th day of NOVEMBER, 1995.


JAN LAVERTY JONES, Mayor

ATTEST:


KATHLEEN M. TIGHE, City Clerk

Approved as to form:

 11/13/95
Date

CITY COUNCIL

MEETING OF
NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
66	<u>V. REPORTS FROM RECOMMENDING COMMITTEES</u>	
	BILL ELIGIBLE FOR ADOPTION AT THIS MEETING Bill No. 95-73 -- Amends Title 2, Chapter 44, Section 10 of the Las Vegas Municipal Code of the City of Las Vegas, 1983 Edition, to delete a provision prohibiting members of the Planning Commission from holding other public office and other matters relating thereto. Committee: Councilmen Reese and McDonald First Reading - 11/1/95 First Publication - R-J - 11/4/95 <u>Recommending Committee</u> - 11/13/95 ADOPTION at the 11/15/95 City Council meeting as recommended.	REESE - Second Reading and BILL ADOPTED as recommended - Motion carried with CALLISTER not voting ***** There was no discussion. (12:29)

CITY COUNCIL**CITY COUNCIL MINUTES**

MEETING OF

AGENDA DOCUMENTATION

November 1, 1995

NOV 15 1995

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TO:
City Council

FROM: Bradford R. Jerbic
City Attorney

SUBJECT: Bill No. 95-73 Amends Title 2, Chapter 44, Section 10 of the LVMC of the City of Las Vegas, 1983 Edition, to delete a provision prohibiting members of the Planning Commission from holding other public office and other matters relating thereto.

PURPOSE/BACKGROUND

Bill 95-73 amends Title 2, Chapter 44, Section 10 of the Las Vegas Municipal Code of the City of Las Vegas, 1983 Edition, to delete a provision prohibiting members of the Planning Commission from holding other public office and other matters relating thereto.

Several years ago, the Legislature changed the provisions of the Nevada Revised Statutes so that members of the local Planning Commission could hold other public office except for a position on the board to which the Planning Commission reports, in this case, the Las Vegas City Council. The changes contained in this Bill are consistent with the Nevada Revised Statutes, and state law would be the only law limiting the type of public office a member of the Planning Commission could hold. A separate provision exists in Title 19 of the Las Vegas Municipal Code which requires that at least one member of the Board of Zoning Adjustment also be a member of the Planning Commission, and therefore, the elimination of a similar provision in this Section will not change the requirement that at least one member of the Board of Zoning Adjustment be a member of the Planning Commission.

FISCAL IMPACT

None

RECOMMENDATIONS

It is recommended that Bill 96-73 be submitted to a recommending committee and to Council for final discussion and action.

CITY COUNCIL

MEETING OF
NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item
Number

DISCUSSION / ACTION ITEMS

V. REPORTS FROM RECOMMENDING COMMITTEES

BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING

Bill No. 95-69 -- Amends Title 2, Chapter 51 of the Las Vegas Municipal Code, 1983 Edition, relating to the Ethics Review Board and financial disclosure.

Committee: Full Council

First Reading - 10/3/95

Recommending Committee - 10/16/95

TABLED to 10/30/95 Recommending Committee meeting

NOTE: Subsequent to the meeting, the 10/30/95 Recommending Committee Meeting was cancelled. Thereby, this item will be heard on the 11/13/95 Recommending Committee meeting.

City Council - 10/18/95

NO ACTION WAS TAKEN

City Council - 11/1/95

NO ACTION TAKEN

Recommending Committee - 11/13/95

ABEYANCE until the 11/27/95 Recommending Committee

RECOMMENDATION NOTED

**11/27/95 Recommending Committee
12/6/95 Agenda**

There was no discussion.

(12:29)

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CITY COUNCIL

MEETING OF
NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	DISCUSSION / ACTION ITEMS	ACTION
Item Number 68	VI. REPORTS FROM REAL ESTATE COMMITTEE REAL ESTATE COMMITTEE - COUNCILMEN ADAMSEN AND REESE Discussion and possible action authorizing staff to begin negotiations with the Horn Company for the acquisition of 7.11 acres of property located at the southeast corner of Simmons and Holly. <u>Real Estate Committee - 11/13/95</u> APPROVED as recommended	ADAMSEN - APPROVED to begin negotiations as recommended - Motion carried with CALLISTER not voting ***** COUNCILMAN ADAMSEN said the Real Estate Committee is recommending that staff begin negotiations with the Horn Company for the acquisition of this property for a potential park site. (12:29 - 12:30)
69	Discussion and possible action authorizing staff to enter into negotiations for the sale of real property located at the southwest corner of Charleston Boulevard and Eighth Street -- AKA "Mary Dutton Park." <u>Real Estate Committee - 11/13/95</u> APPROVED as recommended	ADAMSEN - APPROVED STAFF TO ENTER INTO NEGOTIATIONS as recommended - Motion carried with CALLISTER not voting ***** COUNCILMAN ADAMSEN said the neighborhood is in favor of this park being closed. It will facilitate the expansion of parking for an adjacent business. There will be a monument placed there in memory of Mary Dutton. (12:30 - 12:31)

NOV 15 1995

November 3, 1995

INTER-OFFICE MEMORANDUM

350

TO:

REAL ESTATE COMMITTEE

FROM:

L. McDonald
LYNETTE BOGGS MCDONALD
ASSISTANT CITY MANAGER

SUBJECT:

DISCUSSION AND POSSIBLE ACTION
AUTHORIZING STAFF TO BEGIN
NEGOTIATIONS WITH THE HORN
COMPANY FOR THE ACQUISITION OF 7.11
ACRES OF PROPERTY LOCATED AT THE
SOUTHEAST CORNER OF SIMMONS AND
HOLLY

COPIES TO:

MAYOR JAN LAVERTY JONES
COUNCILMAN MATTHEW Q. CALLISTER
COUNCILMAN MICHAEL J. MCDONALD
LARRY BARTON
LYNN MACY
DAVE KUIPER

Background

Horn Company has made contact with City staff regarding the potential sale of 7.11 acres of property located at the southeast corner of Simmons Street and Holly Avenue in Ward 1. Representatives of the Horn Company have held preliminary discussions with the Department of Parks and Leisure Activities regarding this property as a potential park site. The land is currently zoned Resolution of Intent to RCL (Residential Compact Lot).

Fiscal Impact

None at this time.

Recommendation

It is recommended that staff be authorized to have an appraisal prepared on this parcel and to formally proceed with negotiations with the Horn Company for potential acquisition of the site.

Attachments



CIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.

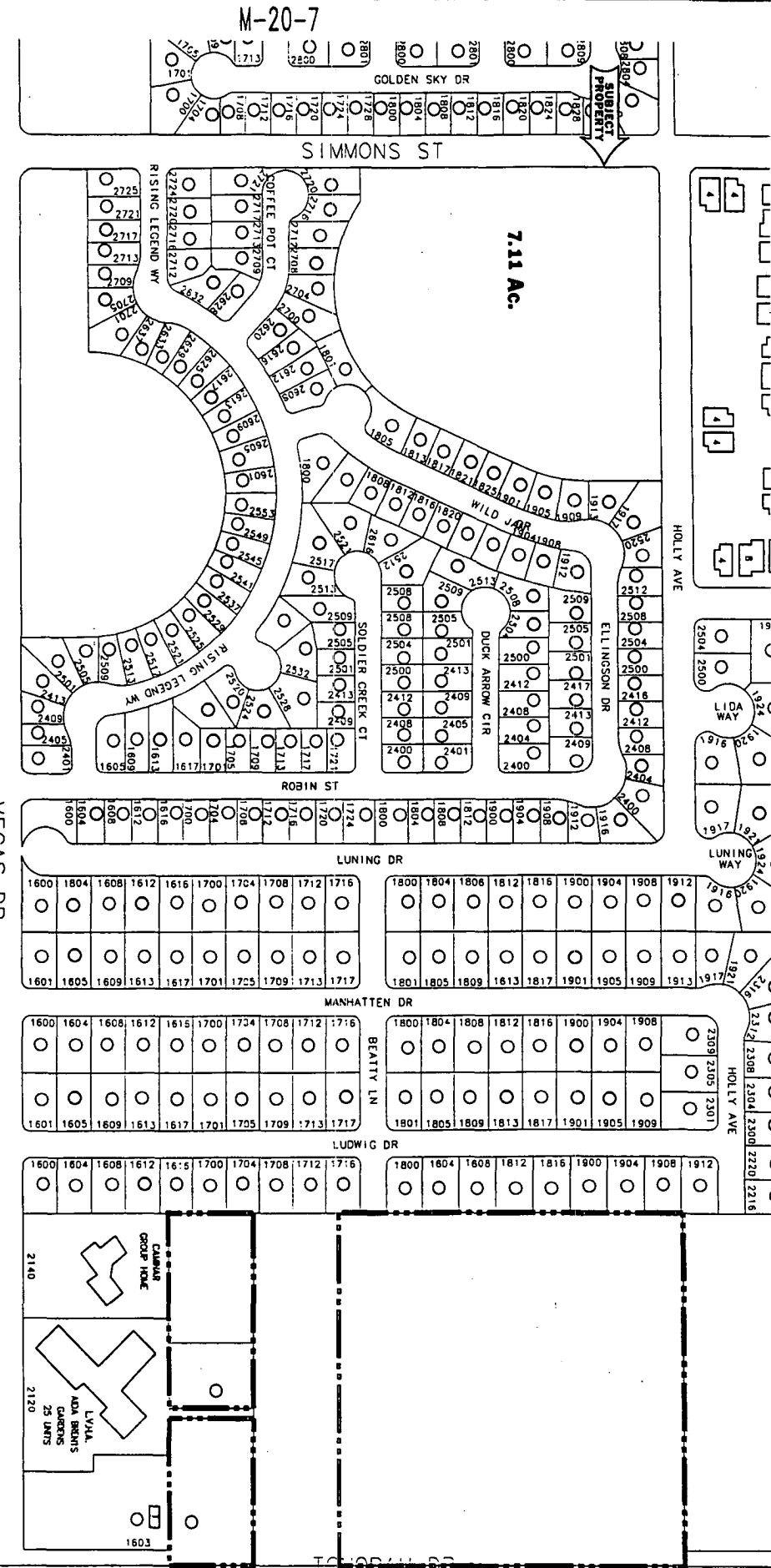
Geographic Information System

DATE: 25 September 1995
S 1/2 SE 1/4 SEC 20
T 20 S R 61 E
ASSESSOR MAP 139-20-8
LAND USE MAP M-20-8

M-29-2

351

VEGAS DR



NOV 15 1995

CITY COUNCIL MINUTES

M-21-7

INTER-OFFICE MEMORANDUM

NOV 15 1995

October 30, 1995

352

TO:

REAL ESTATE COMMITTEE
COUNCILMAN ARNIE ADAMSEN
COUNCILMAN GARY REESE

FROM:

AB McDonald
LYNETTE BOGGS MCDONALD
ASSISTANT CITY MANAGER

SUBJECT:

DISCUSSION AND POSSIBLE ACTION
AUTHORIZING STAFF TO ENTER INTO
NEGOTIATIONS FOR THE SALE OF REAL
PROPERTY LOCATED AT THE
SOUTHWEST CORNER OF CHARLESTON
BOULEVARD AND EIGHTH STREET - AKA
"MARY DUTTON PARK"

COPIES TO:

MAYOR JAN LAVERTY JONES
COUNCILMAN MATTHEW Q. CALLISTER
COUNCILMAN MICHAEL J. MCDONALD
LARRY K. BARTON
LYNN MACY
DAVE KUIPER

Western Funding Incorporated, which property abuts Mary Dutton Park, has requested that the City sell the above subject property to their firm. Western Funding intends to turn the park into a parking lot to accommodate their parking needs (see attached draft of site plan).

The park is triangular in shape and contains approximately .36 acres (15.693 net square feet) of property.

The pros and cons of the sale of the property are as follows:

Pros

Property will be on tax roles

Eliminate costs of maintenance

Provide needed parking for business

Low utilization by neighborhood

Cons

None

Parks and Leisure Activities held a meeting with the neighborhood residents last year to discuss the closure of the park; the neighborhood residents were in favor of the closure.

Western Funding agrees to build a monument in memory of Mary Dutton. The Las Vegas Historic Preservation Committee lends its support in favor of closing the park and building a monument in memory of Mary Dutton by dedicating the monument as a historic landmark.

If it is the direction of the City Council to proceed with the sale of this property, staff will begin negotiations with the owner and will start by ordering an independent appraisal of the property. The cost of the appraisal will be split on a 50 - 50 basis between the City and Western Funding. Upon coming to an agreeable sales price, the Agreement for Purchase and Sale of real property will be brought back to you and the City Council for approval.

CITY COUNCIL MINUTES

TO: REAL ESTATE COMMITTEE
COUNCILMAN ARNIE ADAMSEN
COUNCILMAN GARY REESE

NOV 15 1995

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RE: DISCUSSION AND POSSIBLE ACTION AUTHORIZING STAFF TO ENTER INTO
NEGOTIATIONS FOR THE SALE OF REAL PROPERTY LOCATED AT THE SOUTHWEST
CORNER OF CHARLESTON BOULEVARD AND EIGHTH STREET - AKA "MARY DUTTON
PARK"

Page 2

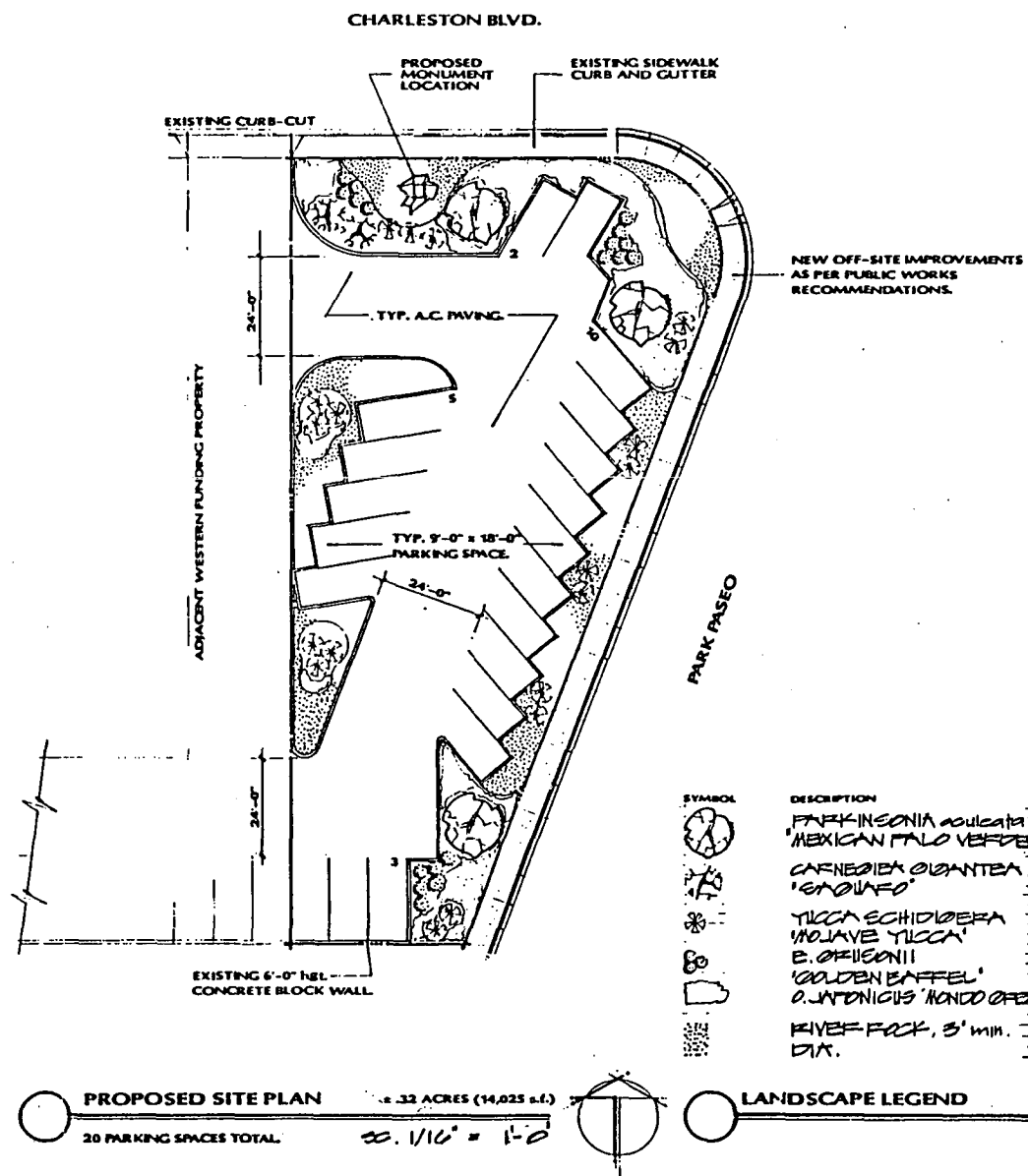
Thank you for your consideration of this item.

LBM:OS:ch
Attachment
orlando\restate.doc

CITY COUNCIL MINUTES

NOV 15 1995

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PROPOSED SITE DEVELOPMENT PLAN FOR:
WESTERN FUNDING INC.
LOCATED AT CHARLESTON AND PARK PASEO



762-362-4114

1100 West Charleston Blvd.
Las Vegas, Nevada 89102

SITE / LANDSCAPE PLAN

Date: 9-1-95
Scale:
Drawn: JAB
Job:
Sheet:
A-1
Of: 1 Sheet

MEETING OF

NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM		ACTION
Item Number	DISCUSSION / ACTION ITEMS	
70	VI. REPORTS FROM REAL ESTATE COMMITTEE Discussion and possible action to approve a real property lessee settlement between the City of Las Vegas and Obren and Janet Pantic, Lessees for property located at 1426 Las Vegas Blvd. South. <u>Real Estate Committee - 11/13/95</u> APPROVED as recommended	ADAMSEN - APPROVED \$42,350 as recommended - Motion carried with CALLISTER not voting ***** COUNCILMAN ADAMSEN said this property was left out of the Fourth Street Downtown Corridor Improvement Project because the City was unable to effectuate a settlement until recently with Obren and Janet Pantic for their property which contains a gas station. There has been a minor adjustment to the sales price. (12:31)
71	Discussion and possible action to approve an agreement for the purchase of real property between the City of Las Vegas and the Moreland Corporation previously designated by the City Council in the Las Vegas Enterprise Park for the new Veterans Administration Ambulatory Hospital. <u>Real Estate Committee - 11/13/95</u> APPROVED as recommended	ADAMSEN - APPROVED as amended - UNANIMOUS ***** CITY ATTORNEY JERBIC referred to page 3, section 5B, stating the first sentence should be reworded as follows: "To utilize the Site for the purpose of constructing an ambulatory facility and office facility of approximately 140,000 square feet to be used by the Veterans Administration." There is a fine line between office facility and ambulatory facility. MIKE MAJEWSKI, City of Las Vegas, said the applicant is in approval of the amended language change. Representatives from the Veterans Administration were present stating they are looking forward to doing business with the City. (12:31 - 12:33)

**CITY OF LAS VEGAS
INTER - OFFICE MEMORANDUM**

DATE 356

November 6, 1995

TO:

COUNCILMAN ARNIE ADAMSEN
COUNCILMAN GARY REESE

FROM:

Lynette Boggs McDonald
LYNETTE BOGGS MCDONALD
ASSISTANT CITY MANAGER

SUBJECT:

11/13/95 REAL ESTATE COMMITTEE
AGENDA ITEM - APPROVAL OF REAL
PROPERTY LEASE SETTLEMENT
1426 LAS VEGAS BOULEVARD SOUTH

COPIES TO:

CITY COUNCIL MINUTES

MAYOR AND COUNCIL NOV 15 1995
LARRY BARTON
LYNN MACY

Issue:

On August 2, 1995, the City Council approved a settlement in the amount of \$54,700 with Obren and Janet Pantic, and Phillip Mayfield, the tenants of the gas station located at 1426 Las Vegas Boulevard South as the value of their tenant improvements and bonus value of their lease. This property is the last property which has to be acquired by the City as part of Downtown Corridor Improvements Project. The Pantics and Mr. Mayfield signed a letter dated March 31, 1995, accepting the City's proposed offer of settlement which was conditioned on the City settling with the property owners. It was their understanding at that time that the City's settlement with the property owners would transpire within a short period of time.

The City, however, was not able, for various reasons, to effectuate a settlement with the property owners until approximately four to five months later. During that period of time, the Pantics continued to pay the rent of \$1,700 per month even though they no longer occupied the property. As a result of this delay in closing, the Pantics refused to sign the escrow instructions in August which would allow the conveyance of their leasehold interest to the City. The Pantics claim that they signed the March 31st letter agreement based upon a misrepresentation by the City (presumably that a settlement with the property owners was imminent). Moreover, the Pantics claim (1) that the City's appraiser failed to value a vapor recovery system purchased and installed by the tenants at a cost of approximately \$9,000, and (2) that the bonus value of their lease was substantially more than determined by the appraiser. The Pantics were initially seeking a settlement in the amount of approximately \$65,000 over the original settlement.

The City was able to implement its original settlement with Mr. Mayfield for his 50% interest in the property. Since August, however, the City Attorney's office has been negotiating with the Pantics as to a new settlement on their 50% interest in the property. Within the last ten days, the City Attorney's office has reached a proposed settlement with the Pantics in the amount of \$42,350 which represents a payment of an additional \$15,000. Regardless of whether or not the allegations of the Pantics are true (i.e. misrepresentations by the City, greater bonus value on their leasehold interest, etc.) the savings in time and costs involved in litigation, and the fact that this acquisition will close out this Project with respect to acquiring all of the right-of-way needed by the City, the City Attorney's office and the Department of Public Works are recommending approval of this settlement.

Fiscal Impact:

Additional \$15,000 from Downtown Corridor Improvements project costs.

Staff Recommendation:

It is recommended that City Council approve this proposed settlement and authorize the Mayor to sign any amended escrow instructions, if requested by Nevada Title Co.

LBM:EB\cs

G:\...Ed\Memos\Boggs6.Nov

CITY OF LAS VEGAS

CITY COUNCIL MINUTES

NOV 15 1995

Date

November 6, 1995

Agenda Documentation

TO:

CITY COUNCIL

FROM:

Doug Dickerson
DOUG DICKERSON
DIRECTOR OF THE DEPARTMENT OF
BUSINESS DEVELOPMENT

SUBJECT:

DISCUSSION AND POSSIBLE ACTION TO
APPROVE AN AGREEMENT FOR THE
PURCHASE OF REAL PROPERTY
BETWEEN THE CITY OF LAS VEGAS AND
THE MORELAND CORPORATION
PREVIOUSLY DESIGNATED BY THE CITY
COUNCIL IN THE LAS VEGAS
ENTERPRISE PARK FOR THE NEW
VETERANS ADMINISTRATION
AMBULATORY HOSPITAL

COPIES TO:

Purpose/Background

Attached is the final copy of the Real Property Purchase and Sale Agreement for the Purchase of Real Property for approximately 12.5 +/- acres of land located in the Las Vegas Enterprise Park between the City of Las Vegas and the Moreland Corporation. This agreement is to develop the Real Property for the purposes of the Veterans Administration Ambulatory Hospital as designated by the City Council December 7, 1994, resolution 136-94.

The Ambulatory Hospital will be constructed on the northwest corner of Vegas Drive and Martin Luther King Blvd., in the Las Vegas Enterprise Park. The facilities will consist of approximately 148,000 square feet of hospital/clinic use and be two stories high. The Veterans Administration will be sole tenant and long term leasee of the facilities. The construction and maintenance of the project will conform to the procedures and limitation contained in the City's zoning regulations,

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Covenants, Conditions and Restrictions (CC&R's), and conditions of any and all other governmental entities necessary to develop the site.

The major points of the Agreement are as follows:

The site will contain approximately 12.5 acres of real property (544,500 square feet).

The purchase price for the real property is based on \$2.50 per square foot (approximately \$1,361,250.)

Purchase contract period extends until April, 1996.

Waiver and Release of the Seller from any an all claims which exist or may herein arise or result from the Seller's meeting on Jan. 19, 1995 whereas the staff was authorized to negotiate land/lease agreement for real property with Real Estate Technical Advisors, Inc., and the meeting Feb. 1, 1995 where the authorization to negotiate with Real Estate Technical Advisors, Inc., was rescinded.

Right of Entry on the Real Property to conduct soils testing and other reports and the Purchaser agrees to indemnify Seller harmless from and against any liability or claims arising from such entry.

Fiscal Impact

This action will eventually result in the sale of Real Property for approximately \$1,361,250. to the City of Las Vegas.

CITY COUNCIL MINUTES

NOV 15 1995

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Recommendations

It is the recommendation of the Director of the Department of Business Development that the City Council approve the attached Real Property Purchase and Sale Agreement and authorize the Mayor to execute the same and any and all relevant documents attached hereto and any such documents necessary to carry out the intent of the attached agreement.

CITY COUNCIL MINUTES

NOV 15 1995

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REAL PROPERTY PURCHASE AND SALE AGREEMENT AND PURCHASE OPTION

THIS AGREEMENT, entered into this 15th day of NOVEMBER, 1995, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada (hereinafter the "City") and MORELAND CORPORATION (hereinafter the "Developer").

WITNESSETH:

WHEREAS, the City owns certain real property that is located within what is known as the Las Vegas Enterprise Park (hereinafter the "Enterprise Park"); and

WHEREAS, the Enterprise Park is comprised of approximately 75 (seventy-five) acres that is bounded by Martin Luther King Boulevard on the east, Lake Mead Boulevard on the north, and Vegas Drive on the south; and

WHEREAS, the City desires to sell to the Developer or its nominee, and the Developer desires that it or its nominee purchase from the City, a portion of said City-owned property, that portion being referred to hereinafter as the "Site;" and

WHEREAS, the parties desire to set forth in this Agreement the terms and conditions of the purchase and sale of the Site.

CITY COUNCIL MINUTES

NOV 15 1995

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NOW, THEREFORE, in consideration of the foregoing and of the covenants and conditions contained herein, the parties agree as follows:

1. PURPOSE OF AGREEMENT

The purpose of this Agreement is to accomplish the sale to and purchase by the Developer of the Site as hereinafter described. As used hereinafter, the "Developer" refers to the Developer, or its nominee or assignee, subject to the provisions of Section 22.

2. THE SITE

The Site consists of approximately 12.5 (twelve and one-half) acres, is depicted generally in Exhibit A, and is described more particularly in Exhibit B. Exhibits A and B are attached hereto and incorporated herein by this reference. The Site consists of unimproved land to which the utilities and infrastructure and all off-site improvements (excluding sidewalks and driveways) are available. It is the sole responsibility of the Developer to obtain and connect the necessary services from the local utility companies.

3. GENERAL SCOPE OF ACQUISITION

By executing this Agreement, the City agrees to sell to the Developer, and the Developer agrees to purchase, the Site as described above.

4. ACQUISITION OF SITE

The purchase price (the "Purchase Price") for the Site is \$2.50 (Two Dollars and Fifty Cents) per square foot for a total of \$1,361,250 (One

NOV 15 1995

Million Three Hundred Sixty-One Thousand Two Hundred Fifty Dollars.) The entire purchase price for the Site is due and payable at or before the close of escrow. For purposes of determining the purchase price, the area of the Site shall not include dedicated rights-of-way or any public or utility easement that is not available for use for buildings, parking or landscaping.

5. SITE DEVELOPMENT

The Developer agrees that:

a. Any and all development on the Site will conform to the procedures and limitations contained in the City's zoning regulations and the CC&R's;

b. To utilize the Site for the purpose of constructing an office facility and ambulatory care facility of approximately 148,000 square feet to be used by the Veterans Administration. The Developer agrees to develop the entire Site within the time schedule set forth in Section c.

c. Within 12 (twelve) months after the acquisition of the Site, the Developer will begin construction and will complete such construction within 18 (eighteen) months after commencement thereof, or within such additional time as corresponds to the extent of any delay that is caused by material shortages, labor disputes, fire, civil riots, unforeseen acts of government, acts of God or other events reasonably beyond the Developer's control. The construction of improvements upon the Site will be considered completed for purposes of this Agreement at the time that the City issues a Certificate of Completion.

NOV 15 1995

d. The Developer will be responsible for the installation, at its expense, of all sidewalks and driveways and on-site utilities, sewer lines, and other on-site improvements.

Failure on the part of the Developer, after acquisition of the Site, to comply with the provisions of this Section 5. shall entitle the City, in its sole discretion, to exercise its rights under Section 25.

6. GENERAL REPRESENTATIONS

The City and the Developer each represent and warrant that:

a. This Agreement and all agreements, instruments and documents herein provided to be executed are duly executed and binding on the parties;

b. The execution, consent or acknowledgment of no other party is necessary to effect the obligations of the City or the Developer as provided in this Agreement;

c. This Agreement does not now or shall not hereafter breach, invalidate, cancel, make inoperative or interfere with any contract, agreement, instrument, mortgage, deed of trust, promissory note, lease, bank loan or credit agreement.

7. EARNEST MONEY DEPOSIT

Concurrently with its execution of this Agreement, the Developer has delivered to the City a deposit (the "Earnest Money Deposit") in the form

NOV 15 1995

of either cash or a cashier's check in the amount of \$10,000 (Ten Thousand Dollars). Prior to the City's execution of this Agreement, any attempt on the part of the Developer to revoke its offer to enter into this Agreement or to materially modify the terms hereof without the City's consent shall entitle the City to retain the Earnest Money Deposit.

Upon fulfillment of all conditions necessary to enable escrow to close with respect to the Site, the Earnest Money Deposit shall be applied toward the purchase of the Site.

8. ACQUISITION AND CONVEYANCE

In accordance with and subject to all the terms, covenants and conditions of this Agreement, the City agrees to convey to the Developer the Site in accordance with this Agreement. Except as otherwise specifically provided, all closing and escrow costs related to the conveyance of the Site to the Developer shall be borne by the parties in equal shares.

9. ESCROW

The Developer agrees to open an escrow with a mutually agreed upon local title company, or some other title insurance company satisfactory to the City and the Developer having equal or greater financial responsibility (the "Title Company"), as escrow agent (the "Escrow Agent"), in Clark County, Nevada, within 90 (ninety) days after the effective date of this Agreement. This Agreement constitutes the joint escrow instructions of the City and the Developer, and a duplicate original of this Agreement shall be delivered to the Escrow Agent upon the opening of escrow. The City and the Developer shall provide such additional escrow instructions as shall be necessary and

CITY COUNCIL MINUTES

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consistent with this Agreement. Unless otherwise specified in any supplemental escrow instructions, the terms of this Agreement shall prevail in the case of any conflict between this Agreement and such instructions. The Escrow Agent hereby is empowered to act under this Agreement, and, upon indicating its acceptance of the provisions of this Section 9 in writing, delivered to the City and to the Developer within 5 (five) days after the opening of the escrow, shall carry out its duties as Escrow Agent hereunder.

The City shall timely and properly execute, acknowledge and deliver to the Escrow Agent a deed conveying to the Developer title to the Site in accordance with this Agreement.

Upon delivery of the deed to the Escrow Agent by the City and upon tender by the Developer of the Purchase Price (less the Earnest Money Deposit) pursuant to this Agreement, the Escrow Agent shall record such deed when title can be vested in the Developer and title insurance as required by Section 15 hereof can be provided in accordance with the terms and provisions of this Agreement. The Escrow Agent shall buy, affix and cancel any transfer stamps required by law and pay any transfer tax required by law.

The Escrow Agent is authorized and instructed to:

a. Expeditiously obtain a preliminary title report ("PTR") for the Site and deliver a copy to each party. Thereafter, the Developer shall have 10 (ten) working days in which to accept, reject or request modification of the PTR. The Developer's failure to object to the PTR within 10 (ten) working days after delivery shall be deemed to represent the Developer's approval of the PTR.

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b. Charge the parties obligated hereunder, and to pay to the persons entitled thereto, any fees, charges and costs payable under this Section 9 and related solely to the acquisition and transfer to the Developer of the Site. Before such payments are made, the Escrow Agent shall notify the City and the Developer of the fees, charges and costs necessary to clear title and close the escrow;

c. Deliver the deed and other documents to the parties entitled thereto when the conditions of this escrow have been fulfilled by the City and the Developer;

d. Disburse the Purchase Price to the City at the time of the recordation of the Deed, except that the Escrow Agent is authorized to deduct from the Purchase Price an amount equal to the estimated cost to construct the off-site improvements depicted in Exhibit F attached hereto and incorporated herein, and to be held in an interest bearing escrow account by the Escrow Agent until completion of the aforementioned off-site improvements by the City. With the completion of the off-site improvements the funds in such account, including the interest accrued thereof, shall be disbursed to the City.

e. Obtain and charge each of the parties one-half of the cost of a title insurance policy insuring title to the Site in conformance with the requirements of Section 15 of this Agreement. The additional cost of an ALTA survey policy if desired by the Developer shall be borne entirely by the Developer.

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f. Record any instruments delivered through this escrow, if necessary or proper, to vest title in the Developer in accordance with the terms and provisions of this Agreement.

All funds received in this escrow may be deposited by the Escrow Agent with other escrow funds of the Escrow Agent in a general interest bearing escrow account or accounts with any state or national bank doing business in the State of Nevada. Such funds may be transferred to any other such general interest bearing escrow account or accounts. All disbursements shall be made by check of the Escrow Agent. All adjustments shall be made on the basis of a 30 (thirty) day month. Any interest that is earned on funds deposited under this paragraph shall be for the benefit of the party responsible for depositing those funds with the Escrow Agent.

If this escrow is not in condition to close before the time for the conveyance of the Site as established in this Agreement, either Party who then shall have fully performed the acts to be performed before the conveyance of title may, in writing, terminate this Agreement and demand the return of its money, papers or documents. Thereupon all obligations and liabilities of the Parties shall cease and terminate, except that the Party who has not fully performed shall be solely responsible for any escrow cancellation charges. If neither the City nor the Developer shall have fully performed the acts to be performed by it on or before the time for the conveyance of the Site as established in this Agreement, no termination or demand for return shall be recognized until 10 (ten) days after the Escrow Agent shall have mailed copies of such demand to the other party or parties at the address of its or their principal place or places of business. If any objections are raised within the 10 (ten) day period, the Escrow Agent is authorized to hold all money, papers and documents with respect to the Site until instructed in writing by

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both the City and the Developer or, upon failure thereof, by a court of competent jurisdiction. If no such demands are made, the escrow shall be closed as soon as possible. Nothing in this Section 9 shall be construed to impair or affect the rights or obligations of the City or the Developer to specific performance.

The Escrow Agent shall not be obligated to return any such money, papers or documents except upon the written instructions of both the City and the Developer or until the party entitled thereto has been determined by a final decision of a court of competent jurisdiction.

Any amendment of these escrow instructions shall be in writing and signed by both the City and the Developer. At the time of any amendment, the Escrow Agent shall agree to carry out its duties as Escrow Agent under such amendment.

All communications from the Escrow Agent to the City or the Developer shall be directed to the addresses and in the manner established in Section 31 of this Agreement for notices, demands and communications between the City and the Developer.

The liability of the Escrow Agent under this Agreement is limited to performance of the obligations imposed upon it under Sections 9 to 15, inclusive, of this Agreement.

Neither the City nor the Developer shall be liable for any real estate commissions or brokerage fees which may arise herefrom, and the City and the Developer each represent that neither has engaged any other broker, agent or finder in connection with this transaction.

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10. CONVEYANCE OF TITLE AND DELIVERY OF POSSESSION

a. Provided that the Developer is not in material default under this Agreement and all conditions precedent to such conveyance have occurred, and subject to any mutually agreed upon extensions of time, conveyance to the Developer of title to the Site shall be completed on or prior to 180 (one hundred eighty) days from the effective date of the Agreement. The City and the Developer agree to perform all acts necessary to conveyance of title in sufficient time for title to be conveyed in accordance with the foregoing provision.

b. Notwithstanding any other provision of this Agreement, the Developer shall have no obligation to proceed with the acquisition of the Site if, by the one hundred eightieth (180th) day following the effective date of this Agreement:

(1.) The Developer's development plans for the Site have not been approved pursuant to LVMC Chapter 19.47 and the CC&R's; or

(2.) The Developer has not approved the preliminary title report in accordance with Section 9 of this Agreement.

In either such case, the Developer, upon request, shall be entitled to the return of its Earnest Money Deposit.

c. Possession shall be delivered to the Developer concurrently with the conveyance of title, except that limited access shall be permitted before conveyance of title as permitted in Section 20 of this

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Agreement. The Developer shall accept title and possession on or before the dates described in this Section 10.

11. FORM OF DEED

The City shall convey to the Developer or to its nominee fee simple title to the Site in the condition provided in Section 12 of this Agreement by a grant, bargain and sale deed in a form that is consistent with Exhibit C to this Agreement.

12. CONDITION OF TITLE

The City shall convey title to the Site free and clear of all recorded liens, encumbrances, assessments, taxes, and other defects except those acceptable to the Developer.

13. CONDITIONS PRECEDENT TO CLOSING

In order for escrow to close with respect to the Site, the City must have deposited with the Escrow Agent the appropriate deed and the Developer must have deposited with the Escrow Agent the purchase price.

14. CLOSE OF ESCROW

Upon the fulfillment of the conditions described in Section 13, the Escrow Agent shall file the deed for recordation among the land records in the Office of the County Recorder of Clark County and shall deliver to the Developer a title insurance policy insuring title in conformity with Section

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15 of the Agreement. The recordation of the deed shall constitute the close of escrow.

15. TITLE INSURANCE

Concurrently with recordation of any deed, the Title Company shall provide and deliver to the Developer a title insurance policy issued by the Title Company insuring that the title to the property is vested in the Developer in the condition required by Section 12 of this Agreement. The Title Company shall provide the City with a copy of the title insurance policy and the title insurance policy shall be in the amount of the acquisition cost of the property.

16. TAXES, ASSESSMENTS, ENCUMBRANCES AND LIENS

The Developer shall be responsible for the payment of all real estate taxes and assessments assessed and levied on the Site for any period subsequent to conveyance of title thereto. Prior to conveyance of title, the Developer shall not place or allow to be placed on the Site (or portion thereof) any encumbrance or lien.

17. CONVEYANCE FREE OF POSSESSION

The Site shall be conveyed free of any possession or right of possession by any person except that of the Developer.

18. ZONING OF THE SITE NOV 15 1995

The City represents that the City of Las Vegas General Plan and zoning ordinances permit the development and construction on the Site of facilities for an ambulatory clinic.

19. "AS IS" SALE

Prior to the close of escrow, the Developer and its representatives will have been afforded the opportunity to make such inspections of the Site and matters related thereto as the Developer and its representatives may desire. The Developer acknowledges and agrees that the Site is to be sold and conveyed to and accepted by the Developer in an "as is" condition with, if any, all faults and defects. Except as otherwise specifically stated in this Agreement, the City makes no representations or warranties of any kind whatsoever, either expressed or implied, with respect to the Site or any of such related matters; in particular, but without limitation, the City makes no representations or warranties with respect to the use, condition, title (except as provided by the deed to be delivered by the City to the Developer as set forth in Section 11,) occupation or management of the Site, compliance with applicable statutes, laws, codes, ordinances, regulations or requirements relating to leasing, zoning, subdividing, planning, building, fire, safety, health or environmental matters, compliance with covenants, conditions and restrictions (whether or not of record,) other local, municipal, regional, state or federal requirements, or other statutes, laws, codes, ordinances, regulations or requirements affecting or relating to the Site. The Developer acknowledges that notwithstanding any prior or contemporaneous oral or written representations, statements, documents or understandings, this Agreement

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constitutes the entire understanding of the parties with respect to the subject matter hereof and the purchase and sale of the Site and supersedes any such prior or contemporaneous oral or written representations, statements, documents or understandings.

20. INSPECTION BY THE DEVELOPER

Commencing with the first date set forth above and extending for a period of 30 (thirty) days thereafter, or 10 (ten) days prior to the close of escrow, whichever occurs sooner, (the "Inspection Period"), the Developer and its representative shall have the right to enter upon and inspect the Site at all reasonable times for the purpose of conducting such boundary and topographical surveys, surface and subsurface soil and engineering tests and environmental assessments as the Developer may reasonably require, but such surveys, tests and assessments shall not damage the Site. The Developer shall indemnify, defend and hold the City harmless for any personal injury, death or property damage, including costs and attorney's fees, arising out of any activity by the Developer or its agents, employees or contractors pursuant to this Section. The Developer shall have access to all data and information on the Site available to the City, but without warranty or representation by the City as to the completeness, correctness or validity of such data and information.

Any entry upon and inspection of the Site by the Developer prior to conveyance of title thereto shall be done only after written consent of the City Manager (which consent shall not be unreasonably withheld) and at the sole expense of the Developer. The Developer shall save and protect the City against any claims resulting from each and every entry upon and inspection of the Site and execute such documents as are customarily required for entry onto

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public property. The City Manager is authorized to execute such documents for the Developer's entry onto public property without further action by the City.

Copies of data, surveys and tests obtained or made by the Developer on the Site shall be filed with the City. Any preliminary work by the Developer shall be undertaken only after securing any necessary permits from the appropriate governmental agencies.

Notwithstanding any other provision of this Agreement, the Developer shall have the right to terminate this Agreement. Prior to expiration of the Inspection Period, if inspection of the Site reveals soil or similar conditions that, in the Developer's reasonable judgment, make development impossible or impractical. Upon its exercise of said right to terminate, the Developer shall be entitled to the return of the Earnest Money Deposit.

21. GOVERNMENTAL PERMITS

Nothing in this Agreement shall affect the responsibility of the Developer to seek, obtain and comply with the conditions of any and all permits and governmental authorizations necessary to develop the Site or any portion thereof. However, the City agrees to cooperate with the Developer in facilitating the obtaining of such permits and authorizations. The Developer shall be responsible for the payment of permit fees, which shall be limited to those fees that are authorized by ordinance.

22. ASSIGNMENT

The Developer hereby represents and warrants that the Site is being acquired for the purpose of development in accordance with the

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provisions of Section 5, and is not for speculative purposes. The Developer shall not assign any interest in or delegate any obligation under this Agreement, or sell or transfer the Site or any portion thereof, without the written consent of the City.

23. TIME OF ESSENCE

Time is of the essence of this Agreement and every obligation hereunder.

24. DEFAULT AND REMEDIES

If the Developer fails to fulfill its obligations with respect to the purchase of the Site, where such failure is not based upon defective title or is not otherwise excused specifically under this Agreement, the City shall be entitled to terminate this Agreement and retain the Earnest Money Deposit.

Additionally, either party may avail itself of any legal or equitable remedy for breach. No such remedy shall be available unless and until:

- a. Written notice of default is provided to the party in default; and
- b. Within 20 (twenty) days after receipt of such notice, such default has not been cured to the reasonable satisfaction of the party giving notice.

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25. RIGHT TO REPURCHASE, REENTER AND REPOSSESS

In addition to and independent of any other remedy available to it, the City shall have the additional right at its option to repurchase, reenter and take possession of the Site with all improvements thereon if, after conveyance of title thereto and prior to the issuance of all certificates of occupancy therefor, the Developer does any of the following:

- a. Fails to complete construction of the improvements as required by this Agreement under Section 5.c. as evidenced by issuance of a Certificate of Completion by the City;
- b. Transfers the Site or any part thereof in violation of this Agreement;
- c. Fails or refuses to comply with or to cure the default of any provision of Section 5 for a period of 30 (thirty) days after written notice thereof from the City. If the Developer has taken reasonable steps to cure, but cannot reasonably cure such default within the 30 (thirty) day period, it shall have a reasonable time thereafter to effectuate such cure.

The right to repurchase, reenter and repossess to the extent provided in this Agreement, shall be subordinate, subject to, be limited by and shall not defeat, render invalid or limit any mortgage, deed of trust, sale and leaseback or other security instrument or conveyance for financing permitted by this Agreement.

To exercise its right to repurchase, reenter and take possession of the Site, the City, or its nominee, shall pay to the Developer the Purchase

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Price set forth in Section 4 minus the amount needed to repay any liens, encumbrances or other security instruments held against the Site for the purpose of financing the construction improvements thereon so as to enable the City to receive title to the Site free and clear of any such liens, encumbrances or other security instruments.

For the purpose of implementing the provision of this Section, at the time of conveyance of the Site, the Developer will deliver to the Escrow Agent an executed and acknowledged Quitclaim Deed in the form of Attachment "D" hereto. The deposit of this deed will be accompanied by irrevocable escrow instructions in the form of Attachment "E" hereto directed to the Escrow Agent and signed by the Developer and the City. If any of the events authorizing the City to repurchase, reenter and take possession of the Site as provided in this Section occur, the City may, without limiting its remedies under this Agreement, direct the Escrow Agent, upon at least 20 (twenty) days' prior notice to the Developer, to record the Quitclaim Deed to the Site. If the Developer completes construction on or before the time set forth in Section 5.c., the City agrees to join with the Developer in instructing the Escrow Agent to return the Quitclaim Deed to the Developer.

26. **WAIVER AND RELEASE**

In consideration for the conveyance of the Site, the Developer hereby waives and releases any and all claims which exist now, or may hereinafter arise, which the Developer may have against the City, its officers, employees and agents, arising out of, resulting from, or as a consequence of, (i) the execution of this Agreement, (ii) the acts or omissions of the City at its meeting of December 7, 1994, including, but not necessarily limited to, the adoption of Resolution 136-94, (iii) the acts or omission of the City at

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its meeting of January 19, 1995, including, but not necessarily limited to, the authorization of staff to negotiate a land/lease or purchase agreement for the Site with Real Estate Technical Advisors, Inc., (iv) the acts or omissions of the City at its meeting of February 1, 1995, including, but not necessarily limited to, the rescission of its previous authorization of staff concerning negotiations with Real Estate Technical Advisors, Inc., and (v) any and all other acts or omissions of the City in connection with the development of the Site.

27. INDEMNIFICATION

In considering for the conveyance of the Site, the Developer hereby agrees to defend, indemnify and hold the City, its officers, employees and agents harmless from and against any and all claims, demands, actions, liabilities, losses, damages, judgments, costs, expenses, including, without limitation, attorney and expert witness fees, which in any manner arise out of, result from, or are a consequence of (i) the execution of this Agreement, (ii) the acts or omissions of the City at its meeting of December 7, 1994, including, but not necessarily limited to, the adoption of Resolution 136-94, (iii) the acts or omission of the City at its meeting of January 19, 1995, including, but not necessarily limited to, the authorization of staff to negotiate a land/lease or purchase agreement for the Site with Real Estate Technical Advisors, Inc., (iv) the acts or omissions of the City at its meeting of February 1, 1995, including, but not necessarily limited to, the rescission of its previous authorization of staff concerning negotiations with Real Estate Technical Advisors, Inc., and (v) any and all other acts or omissions of the City in connection with the location of the development of the Site.

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28. **SURVIVAL**

The representations and warranties contained in this Agreement, and the covenants that extend beyond the conveyance of title, including, without limitation, the covenants of Sections 26 and 27, shall survive the recordation of any deed and shall not be deemed merged into such deed.

29. **SUCCESSORS AND ASSIGNS**

This Agreement shall enure to the benefit of and bind the successors and assigns of the respective parties hereto, subject to the provisions of this Agreement regarding assignment.

30. **NONLIABILITY OF CITY OFFICIALS AND EMPLOYEES**

No official or employee of the City shall be personally liable to the Developer for any default or breach by the City, for any amount which may become due to the Developer or for any obligation of the City under the terms of this Agreement.

31. **NOTICES, DEMANDS AND COMMUNICATIONS**

Formal notices, demands and communications between the City and the Developer shall be sufficiently given if made in writing and dispatched by registered or certified mail, postage prepaid, return receipt requested or by personal delivery, to the principal offices of the City and the Developer as set forth in this Section 31. Such written notices, demands and communications may be sent in the same manner to such other addresses as

CITY COUNCIL MINUTES

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either party may from time to time designate in writing.

If to the City:

City Manager's Office
City of Las Vegas
400 East Stewart Avenue
Las Vegas, Nevada 89101

If to the Developer:

Mr. Terry Moreland
Moreland Corporation
5555 Business Park South, Suite 100
Bakersfield, California 93309

32. ENTIRE AGREEMENT, WAIVERS AND AMENDMENTS

This Agreement is executed in two duplicate originals, each of which is deemed to be an original. This Agreement comprises pages 1 through 23, inclusive, and Exhibits A, B, C, D, E and F attached hereto and incorporated herein by reference, all of which constitute the entire understanding and agreement of the parties.

This Agreement integrates all of the terms and conditions mentioned herein or incidental hereto, and supersedes all negotiations or previous agreements between the parties with respect to all or any part of the subject matter hereof.

All waivers of the provisions of this Agreement must be in writing and signed by the appropriate authorities of the City and the Developer and no waiver of one provision shall be construed as a waiver of that provision in the future or as a waiver of any other provision.

All amendments hereto must be in writing and signed by the appropriate authorities of the City and the Developer.

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33. SEVERABILITY

Whenever possible, each provision of this Agreement shall be interpreted in such a manner as to be valid under applicable law, but if any provision shall be invalidated, it shall be deemed to be severed from this Agreement and the remaining provisions shall remain in full force and effect.

34. GOVERNING LAW

The interpretation and enforcement of this Agreement shall be governed in all respects by the laws of the State of Nevada.

35. CAPTIONS

The captions contained in this Agreement are for the convenience of the parties and shall not be construed so as to alter the meaning of the provisions of the Agreement.

36. TIME FOR ACCEPTANCE OF AGREEMENT BY CITY

This Agreement, when executed by the Developer and delivered to the City, must be approved by the City Council, executed and delivered by the City within 60 (sixty) days or this Agreement shall be void, except to the extent that the Developer shall consent in writing to further extensions of time for the authorization, execution and delivery of this Agreement. By executing this Agreement and submitting it to the City, the Developer is making an irrevocable offer to enter into this Agreement, which offer shall continue for the period of time specified above. Any attempted revocation of such offer or material modification of the terms hereof without the consent of

CITY COUNCIL MINUTES

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the City shall entitle the City to retain the Developer's Good Faith Deposit.
The effective date of this Agreement shall be the date when this Agreement has
been signed by the City. This Agreement may be recorded in the Office of the
County Recorder, Clark County, Nevada.

Date of City Council Approval:

NOVEMBER 15, 1995

CITY OF LAS VEGAS

By

JAN LAVERTY JONES, Mayor

Approved as to form:

Robert J. Zwaan

11-13-85
Date

ATTEST:

KATHLEEN M. TIGHE, City Clerk

_____, 199__

MORELAND CORPORATION

By

Jerry L. Moreland

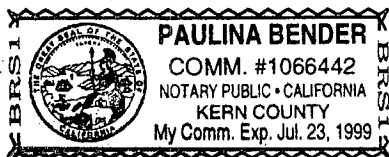
NOV 15 1995

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

● of CALIFORNIA
 County of Kern } SS.

On November 3, 1995 before me,
Paulina Bender
 personally appeared Terry L. Moreland

(This area for official seal)



personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
 WITNESS my hand and official seal.

Signature Paulina Bender

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent use of this certificate to another document.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

Title or Type of Document Real Property Purchase & Sale Agreement
 Number of Pages 23 Date of Document 11-3-95
 Signer(s) Other Than Named Above _____

MAP OF SITE

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Exhibit A

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REAL PROPERTY PURCHASE AND SALE AGREEMENT
LEGAL DESCRIPTION

Exhibit B

Recording Requested by:

NOV 15 1995

City of Las Vegas, Nevada

After Recordation, Mail to:

Department of Economic and Urban Development
City of Las Vegas, Nevada
400 East Stewart Avenue, 8th Floor
Las Vegas, Nevada 89101

GRANT, BARGAIN AND SALE DEED

For valuable consideration, the receipt of which is hereby acknowledged, the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada (herein the "Grantor"), hereby grants, bargains and sells to _____, a _____ corporation (herein the "Grantee"), all right, title and interest in the real property (the "Property") legally described in the document attached hereto as Exhibit A and incorporated herein by this reference, which Property also known as APN _____.

1. The Property is conveyed pursuant to an agreement for purchase and sale (the "Agreement") of the Property entered into by and between Grantor and Grantee and dated _____. The conveyance herein is subject to the terms, covenants and conditions set forth in the Agreement.

2. The Agreement provides, among other things, that Grantee's use, occupation and development of the Property is subject to compliance with certain covenants, restrictions and obligations and that Grantee's failure to perform thereunder may result in Grantor's exercising its rights to repurchase, re-enter and repossess as set forth in said Agreement, provided, however, that Grantor's exercise of such rights shall not defeat, render invalid or limit any mortgage, deed of trust or other security instrument permitted by the Agreement.

3. The absence from this Deed of the covenants, restrictions and obligations contained in the Agreement shall not work as a merger thereof into this Deed to the exclusion of said covenants, restrictions and obligations.

4. The conditions set forth in the foregoing paragraphs shall remain in effect until a Certificate of

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Completion for the improvements constructed on the Property is issued by Grantor.

5. The Property is conveyed subject to restrictions, reservations, conditions, rights-of-way, easements and other encumbrances of record.

IN WITNESS WHEREOF, the Grantor and Grantee have caused this instrument to be executed this _____ day of _____, 1995.

CITY OF LAS VEGAS

JAN LAVERTY JONES, Mayor

"Grantor"

Approved as to form:

ATTEST:

Date

KATHLEEN M. TIGHE, City Clerk

ACCEPTANCE

The provisions of this Grant, Bargain and Sale Deed are hereby approved and accepted.

A _____ Corporation

, President

"Grantee"

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ACKNOWLEDGEMENTS

State of Nevada)
) :ss
County of Clark)

 This instrument was acknowledged before me, a notary
public, on this _____ day of _____, 1995 by JAN
LAVERTY JONES, Grantor.

Notary Public

State of Nevada)
) :ss
County of Clark)

 This instrument was acknowledged before me, a notary
public, on this _____ day of _____, 1995 by _____
_____, Grantee.

Notary Public

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**GRANT DEED
LEGAL DESCRIPTION**

Exhibit A

CITY COUNCIL MINUTES

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FORM OF QUITCLAIM DEED

Recorded at the Request of:

City of Las Vegas
400 East Stewart Avenue
Las Vegas, NV 89101

When Recorded, Return to:

City Attorney's Office
City of Las Vegas
400 East Stewart Avenue, 9th Floor
Las Vegas, NV 89101

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, _____, a _____ corporation, does hereby REMISE, RELEASE AND QUITCLAIM to the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada, the real property in the city of Las Vegas, County of Clark, State of Nevada, described on Exhibit "A" attached hereto.

DATED this _____ day of _____, 1995.

By _____, President

ACKNOWLEDGEMENT

State of Nevada)
) :ss
County of Clark)

This instrument was acknowledged before me, a notary public, on this _____ day of _____, 1995 by _____.

Notary Public

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**QUITCLAIM DEED
LEGAL DESCRIPTION**

Exhibit A

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ESCROW INSTRUCTIONS FOR QUITCLAIM DEED

_____, 1995

Re: Escrow No. _____

Gentlemen:

(the "Developer"), one of the undersigned, has entered into that certain real property Purchase and Sale Agreement dated _____, 1995, with the City of Las Vegas (the "City"), the other party to these instructions, providing for conveyance of a certain parcel of real property (the "Site").

The Site is the subject of this escrow and is described in the accompanying quitclaim deed (the "Quitclaim Deed").

Section 25 of the Agreement provides that at the time of conveyance of the Site, the Quitclaim Deed will be delivered to you together with irrevocable escrow instructions and is for the purpose of instructing you as to the disposition of the accompanying Quitclaim Deed.

In the event that you receive from the City notice certifying that a copy of it has been delivered concurrently to the Developer and stating that the City has given notice of the exercise of the City's remedy in Section 25 of the Agreement with respect to the Site and accompanied by satisfactory evidence that any mortgage existing thereon has been discharged or by funds sufficient to discharge such mortgage, you shall at the end of 20 (twenty) days after receipt of said notice record the Quitclaim Deed.

The undersigned, jointly and severally, and each of us to the extent that we may lawfully do so and to the extent of unencumbered budgeted appropriations, hereby agrees to defend, indemnify and hold you harmless from any liability whatsoever, including attorneys' fees arising out of your carrying out these instructions.

In the event that you receive notice from the Developer certifying that a copy of the notice has been delivered

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concurrently to the City and stating that the Developer has completed the construction as provided in the Agreement, you shall at the end of 30 (thirty) days after receipt of said notice return the Quitclaim Deed to the Developer, unless during the 30 (thirty) day period, the City objects on the basis that construction has not been completed pursuant to the Agreement.

In the event that you are advised by both parties hereto that the City's power of termination with respect to the Site has ended, you will forthwith return the Quitclaim Deed to the Developer.

These instructions may not be withdrawn or in any way amended, modified or waived without the prior written consent of both of the parties hereto.

Please indicate your acceptance of and agreement to carry out these instructions as indicated below.

CITY OF LAS VEGAS

By: _____

JAN LAVERTY JONES, Mayor

Approved as to form:

Date

Attest:

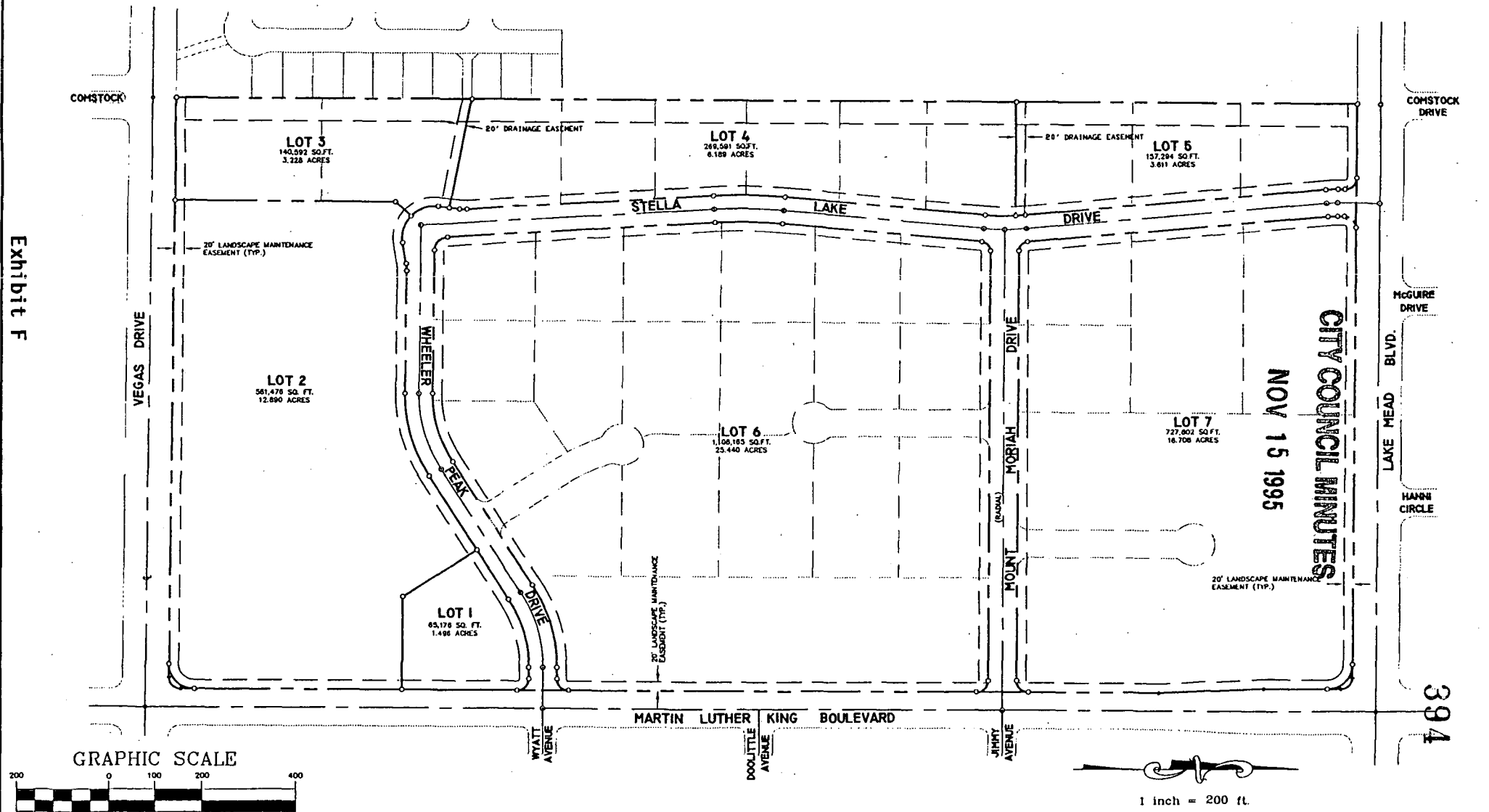
KATHLEEN M. TIGHE, City Clerk

_____ hereby accepts and agrees to
carry out these escrow instructions.

By: _____

LAS VEGAS ENTERPRISE PARK

Exhibit F



CITY COUNCIL MINUTES
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CITY COUNCIL

MEETING OF
NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	VI. REPORTS FROM REAL ESTATE COMMITTEE Discussion and possible action authorizing execution of sixty (60) day option to purchase or lease the real property located at 333 South Sixth Street and authorizing the City Manager at the end of the sixty (60) day period to execute a purchase and sale agreement or five (5) year lease agreement. <u>Real Estate Committee - 11/13/95</u> TABLED - to be brought back at the discretion of staff.	ADAMSEN - TABLED as recommended - UNANIMOUS ***** COUNCILMAN ADAMSEN said this item should be tabled as recommended by the Real Estate Committee. (12:33)

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CITY COUNCIL

MEETING OF
NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	VII. BOARDS & COMMISSIONS	
	<u>ABEYANCE ITEM</u>	
	<u>TRAFFIC & PARKING COMMISSION</u>	
73	Debbie Nelson - (Moved out of Ward and must be replaced by resident of Ward 3)	REESE - Motion to appoint: Kathy Johnson 721 Effinger Street Las Vegas, Nevada 89101 - carried UNANIMOUSLY Clerk to notify ***** (12:33 - 12:34)
	<u>ABEYANCE ITEM</u>	
	<u>SENIOR CITIZENS LAW PROJECT ADVISORY BOARD</u>	
74	Raymond Gibson - Term Expires 11/1/95 (Not eligible for reappointment - Must be replaced by someone from a Senior Organization)	ADAMSEN - ABEYANCE Items 74 and 75 to 12/6/95 - UNANIMOUS 12/6/95 Agenda *****
		COUNCILMAN CALLISTER requested these items be held in abeyance until the next meeting. (12:34)
	<u>SENIOR CITIZENS ADVISORY COMMITTEE</u>	
75	Emma Lou Stampley - Term Expires 3/3/96 (RESIGNED)	ABEYANCE - See above 12/6/95 Agenda

INTER-OFFICE MEMORANDUM

October 19, 1995

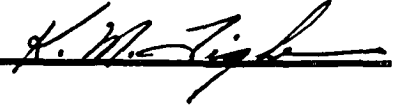
CITY COUNCIL MINUTES

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TO:

MAYOR JAN LAVERTY JONES

FROM: NOV 15 1995

KATHLEEN M. TIGHE
CITY CLERK

SUBJECT:

TRAFFIC & PARKING COMMISSION
AGENDA ITEM - NOVEMBER 1, 1995

COPIES TO:

COUNCILMAN ARNIE ADAMSEN
COUNCILMAN MATTHEW Q. CALLISTER
COUNCILMAN MICHAEL J. McDONALD
COUNCILMAN GARY REESE
RICHARD GOECKE
GLENN GRAYSON
W. GORDON DERR

DEBBIE NELSON recently moved out of the city limits and is no longer a resident of Ward 3. NRS 2.48.010(3) specifies that one member shall reside in and be representative of each of the four Council Wards.

Ms. Nelson was appointed as the resident representative of Ward 3. Because she no longer resides within the City limits or Ward 3, she no longer meets the residency requirement for membership and ***must be replaced by a resident from Councilman Reese's Ward.***

Specifics related to this committee are:

- Members are appointed by the Mayor and confirmed by the City Council.
- Appointments must be made such that one member resides in and is representative of each of the four wards with one member representing the City as a whole.
- Terms of office are four-years.
- No limit to the number of terms which may be served.
- No requirement to fill unexpired portions of terms (but terms are to be staggered).
- No financial disclosure requirement.

A current membership listing is attached for your review. This item will be on the Council agenda November 1, 1995, for consideration.

Attachments

CITY COUNCIL MINUTES

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5/9/95

NOV 15 1995

TRAFFIC & PARKING COMMISSION

<u>MEMBERS</u>	<u>ADDRESS</u>	<u>ZIP CODE</u>	<u>ORIGINAL APPT.</u>	<u>TERM EXPIRES</u>
1.* WHITE, ROBERT (Hawkins recommendation)	6244 McAllister Ave. (Resident of Ward 1)	07	6-21-89	6-21-97
2. GHOLSON, TOM (no residential address per request for confidentiality) (Adamsen recommendation)	P.O. BOX 1897 (Resident of Ward 2)	25	eff: 4-5-93 appt: 3-17-93	4-5-97
3. CAMERON, THOMAS (Higginson recommendation)	7324 Atwood (Resident of Ward 4)	129	8-18-93	8-18-97
4. NELSON, DEBBIE (Brass recommendation)	1917 Walnut Avenue (Resident of Ward 3)	01	1-17-90	1-17-98
5. LEE, JOHN J. (Mayor Jones, City-wide appt.)	4201 Del Rey Avenue (Resident of Ward 2)	02	5-3-95	5-3-99

(The Sheriff, or his designee, and the Director of Public Works, or his designee, are also voting members.)

- * Mr. White was a resident of Ward 4 until the ward boundaries were changed in 1991 which placed him in Ward 1.

AUTHORITY: L.V.M.C. 2.48

TERM: 4 years. No limit to number of terms. No requirement to fill unexpired portions of terms.

MEMBERS: 7 voting members - 5 members of the public, the Sheriff, & Public Works Director. (Bill #89-72 adopted 1-3-90 increased from 3 to 5 the public members. 5 public members appointed by the Mayor and confirmed by the City Council such that one member shall reside in and be representative of each of the four Council Wards with one member representing the City as a whole. Ex-Officio (non-voting) - Traffic Engineer, City Attorney, Fire Chief, Director of Community Planning & Development or their designees and other staff members that the City Manager may designate.

NOTES: MUST BE CITY OF LAS VEGAS RESIDENT, Ord. 3527.
No financial disclosure required.

MEETINGS: Meets 4th Thursday of each month, 2 p.m., City Hall Council Chambers.

INTER-OFFICE MEMORANDUM

October 20, 1995

TO: MAYOR JAN LAVERTY JONES
COUNCILMAN ARNIE ADAMSEN
COUNCILMAN MATTHEW Q. CALLISTER
COUNCILMAN MICHAEL J. McDONALD
COUNCILMAN GARY REESE

FROM: KATHLEEN M. TIGHE
CITY CLERK

SUBJECT:

SENIOR CITIZENS LAW PROJECT
ADVISORY BOARD
November 1, 1995 Council Agenda

COPIES TO:

Dave Kuiper
Sheri Cane Vogel

CITY COUNCIL MINUTES

NOV 15 1995

The three-year term of office for **Thelma Grable** and **Raymond W. Gibson** will expire on November 1, 1995. According to the Bylaws for the Senior Citizens Law Project Advisory Board, members are limited to two terms in office.

Thelma Grable was appointed to fill an unexpired term in December of 1994 and, therefore, is **eligible** for reappointment if the Council so desires. I have been informed that Ms. Grable wishes to continue serving on this board.

Mr. Gibson has served two terms and is **not eligible** for reappointment. His replacement must be a member of a senior organization. Sheri Cane Vogel has indicated she will meet with the committee members and submit any replacement recommendations they may have to the Council.

Specifics for appointment to the Senior Citizen Law Project Advisory Board are:

- Members appointed by the City Council.
- Nine (9) members with at least 2 to be over the age of 60.
- Appointees must represent specific categories. There must be at least:
 - 2 - members of senior organizations
 - 2 - senior service providers
 - 2 - private citizens
 - 2 - members of the Nevada State Bar
- Must fill unexpired terms if appropriate.
- No City residency requirement.
- No Financial Disclosure Requirement.

A current membership listing is attached. I have placed this item on your **November 1, 1995, Agenda** for consideration.

11-3-95

SENIOR CITIZEN LAW PROJECT ADVISORY BOARD

CITY COUNCIL MINUTES

<u>MEMBERS</u>	<u>ADDRESS</u>	<u>NOV 15 1995</u>	<u>ZIP CODE</u>	<u>ORIGINAL APPT</u>	<u>TERM EXPIRES</u>
1. GRABLE, THELMA (Private Citizen)	2766 Rungsted Street (County)		22	12-21-94	11-1-98
2. LEIGH, THOMAS (President, AARP) Rep. senior orgs.	327 Santa Monica Drive Henderson (serves on other boards related to senior orgs)		014	4-4-90 (Eff. 4-18-90)	4-18-96
3. GIBBONS, MARK (Member State Bar)	501 S. Rancho Dr. (Ward 2)		06	7-19-95	7-19-98
4. HINTON, VIVIAN (Private Citizen)	7916 Canoe Lane (Ward 2)		28	11-17-93	11-17-96
5. GREENLEE, MARY JO (Senior Services Provider) EOB Hollyhock Adult Day Care	Hm: 4923 Sawyer Ave. (County) 380 N. Maryland Pkwy.		08 01	11-18-90	11-18-96
6. CARNEVALE, PAMELA (Senior Services Provider) Wk: Humana Seniors Assoc.	6305 Stonegate Way (Ward 2) 3101 Maryland Parkway #314		02	12-18-91	12-18-97
7. GIBSON, RAYMOND W. Sr. (Senior Organization)	1972 Canterbury Dr. (County)		19	11-18-87	11-1-95
8. SHEARING, MIRIAM (Supreme Court Justice)	NV Supreme Court, Capitol Complex 201 S. Carson Street Carson City, Nevada		710	4-18-91	4-18-97
9. SUGAR, ALAN (Private Citizen)	10400 Villa Ridge Dr. (Ward 2)		34	7-5-95	7-5-98

AUTHORITY:

Resolution adopted 11-1-78.

TERM:

By-laws: Latest Revision 10-28-91

MEMBERS:

3 years. Limited to 2 terms

9 members (at least 2 over 60 years of age)

2 members to be members of senior organizations.

2 from senior service providers

2 private citizens

2 members of the Nevada State Bar

APPOINTED:

Appointment by the City Council; Must fill unexpired terms

NOTES:

NO CITY RESIDENCY REQUIREMENT - NO FINANCIAL DISCLOSURE REQUIREMENT

Sheri Cane Vogel, Project Director, Sn. Cit. Law Project

MEETINGS: Quarterly (Jan, Apr, July, Oct) 4th Monday, 4 p.m., Howard Cannon Center, 340 N. 11th Street.

CITY COUNCIL MINUTES

CITY OF LAS VEGAS

NOV 15 1995

Date

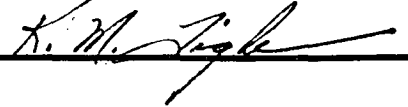
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INTER-OFFICE MEMORANDUM

November 1, 1995

TO: MAYOR JAN LAVERTY JONES
COUNCILMAN ARNIE ADAMSEN
COUNCILMAN MATTHEW Q. CALLISTER
COUNCILMAN MICHAEL J. McDONALD
COUNCILMAN GARY REESE

FROM: KATHLEEN M. TIGHE
CITY CLERK



SUBJECT: Vacancy - Senior Citizen Advisory
Committee - November 15, 1995 Agenda

COPIES TO: Dave Kuiper
Sydell MacKay

MS. EMMA LOU STAMPLEY recently resigned as a member of the Senior Citizen Advisory Board. Her term of office is not due to expire until March 3, 1996, and her replacement must fill the unexpired portion of this term.

Specifics for appointment to this board are:

- 11 members appointed by the City Council (excluding City, County, and Honorary reps.)
- 3 year terms - must fill unexpired portions of terms if appropriate.
- Limited to two terms in office.
- Must be registered voter.
- No financial disclosure requirement.
- It is not required that all members appointed to this board be City residents; however, the City Code does require that a majority of the total membership be from within the City.

A copy of Ms. Stampley's letter of resignation is attached along with a current membership listing.

This matter will be on your November 15, 1995, City Council Agenda for consideration.

Attachments

CITY COUNCIL MINUTES

NOV 15 1995

October 1, 1995

Attention: Senior Citizen Advisory Board of Directors

I, Emma Stampley, would like to present my formal resignation as a member of the Senior Citizen Advisory Board of Las Vegas.

My decision to take such an action is due to health reasons.

I would also like to state that as a representative of the Advisory Board, I have found it to be a rewarding and educational experience.

I would like to thank all of you who have worked beside me and with me in an effort to accomplish and fulfill our set goals as an organization.

I give up my position knowing that whomever should succeed me, will be entering into an organization that will offer impeccable organizational skills, training and an opportunity to excel and improve our community for a more stronger and stable future.

Sincerely,

Emma Stampley

CITY COUNCIL MINUTES

7-20-95

NOV 15 1995

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SENIOR CITIZENS ADVISORY BOARD

	<u>MEMBERS</u>	<u>ADDRESS</u>	<u>ZIP CODE</u>	<u>ORIGINAL APPT.</u>	<u>TERM EXPIRES</u>
1.	OVERBEY, FRANK (Adamsen's recommendation)	3001 Golf Links Dr. (Ward 2)	34	7-19-95	3-4-97
2.	DAZZIO, ANTHONY P. (Adamsen recommendation)	9420 Cedar Heights Ave. (Ward 2)	134	3-4-94	3-4-97
3.	DEEG, JEANNIE (Brass recommendation)	1515 S. Mojave Rd, #100 (County)	04	6-15-94	5-4-97
4.	MILLER, JANICE (Higginson recommendation)	116 Princeton (Ward 1)	07	3-4-91	3-4-97
5.	STAMPLEY, EMMA LOU (Hawkins recommendation)	814 N. I Street (Ward 1)	06	9-2-92	3-3-96
6.	MEIER, RITA (Jones' recommendation)	8604 Alfano Court (Ward 2)	117	6-7-95	6-20-96
7.	LITTLE, EARL (Higginson recommendation per P.J. Christensen)	9204 Evergreen Canyon Dr. (Ward 2)	134	3-3-93	3-3-96
8.	CLARK, MICHAEL (Jones recommendation)	3100 W Sahara Ave., #207 County	102	3-3-93	3-3-96
9.	ZWECK, ROBERT (Adamsen recommendation)	2520 Lotus Hill Drive (Ward 2)	134	4-5-95	4-5-98
10.	GAY, CLONIE (Brass recommendation)	239 N. Bruce Street (Ward 2)	101	3-15-95	3-15-98
11.	SPARKS, SAMUEL (Hawkins Jr. recommendation)	6999 Stoker Court	117	4-19-95	4-19-98
12.	MCDONALD, MICHAEL J. (Councilman)	400 E. Stewart Ave.	01	6-21-95	6-21-98
15.	REESE, GARY (Councilman) - (Alternate)	" "	"	6-21-95	6-21-98
13.	WILLIAMS, MYRNA (County Commissioner)	500 S. Grand Central Pkwy.	01	1-95 (Appt. by County)	
14.	McNEIL, KEITH (Hon. Member) (County)	4299 Cartegena Way	21	11-15-78	

AUTHORITY: LVMC 2.46

By-Laws: April 11, 1985

MEMBERS: 11 members appointed by the Council. - (excludes City and County reps and Honorary)

TERM: 3 years (Limited to 2 terms) - Must fill unexpired terms, if appropriate.

NOTES: MUST BE REGISTERED VOTER

EACH MEMBER NEED NOT BE A CITY RESIDENT; HOWEVER, A MAJORITY OF THE TOTAL MEMBERSHIP MUST BE FROM WITHIN THE CITY.

NO FINANCIAL DISCLOSURE REQUIREMENT

MEETINGS: 2nd Thursday of each month, except August, 3 p.m, Dula, 450 E. Bonanza.

CITY COUNCIL

MEETING OF
NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	VIII. NEW BILLS	
76	Bill No. 95-74 -- Annexation No. A-17-95(A); Property Located: on the southeast corner of Alexander Road and Cimarron Road; Petitioned by: Joseph Weiss, et al.; Acreage: Approximately 2.65 acres; Zoned: R-E (County Zoning) N-U (City Equivalent). Sponsored by: Councilman Matthew Q. Callister	First Reading - Referred - COUNCILMAN CALLISTER AND MAYOR JONES 11/27/95 Recommending Committee 12/6/95 Agenda (12:34 - 12:36)
77	Bill No. 95-75 -- Annexation No. A-18-95(A); Property Located: on the northeast corner of Gilmore Avenue and Quadrel Street; Petitioned by: Serob Hocharian; Acreage: Approximately 2.47 acres; Zoned: R-E (County Zoning) N-U (City Equivalent). Sponsored by: Councilman Matthew Q. Callister	First Reading - Referred - COUNCILMAN CALLISTER AND MAYOR JONES 11/27/95 Recommending Committee 12/6/95 Agenda (12:34 - 12:36)
78	Bill No. 95-76 -- Adopts Volumes 1 and 2 of the Uniform Fire Code, 1994 Edition, together with the Supplemental Document providing for the deletions and additions thereto. Sponsored by: Councilman Arnie Adamsen	First Reading - Referred - COUNCILMAN CALLISTER AND MAYOR JONES 12/18/95 Recommending Committee 12/20/95 Agenda (12:34 - 12:36)
79	Bill No. 95-77 -- Amends Ordinance No. 3747 and 3924 (Pedestrian Mall Ordinance) to prohibit certain types of beverage containers within the Mall, adopting architectural standards and a traffic and pedestrian safety plan, adding new terms and definitions, and other matters related thereto. Sponsored by: Councilman Arnie Adamsen	First Reading - Referred - COUNCILMAN CALLISTER AND MAYOR JONES 11/27/95 Recommending Committee 12/6/95 Agenda (12:34 - 12:36)
		MORNING SESSION RECESSED AT 12:36 PM.

CITY COUNCIL

MEETING OF

NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	<u>DISCUSSION / ACTION ITEMS</u>	
80	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.	ADAMSEN - Accepting the WITHDRAWAL of Item 98 and ABEYANCE of Items 87, 91, 110 and 111 to 12/6/95 - UNANIMOUS ***** COUNCILMAN ADAMSEN stated for the record that the application of Item 98 was being withdrawn. It was represented by the applicant's attorney that the proposed project will not be built at this location. There was no further discussion. NOTE: COUNCILMAN ADAMSEN instructed Planning staff to draw up a new category in the zoning ordinance for wedding reception facilities inclusive of a 1500 foot distance separation requirement from a religious establishment, park, school and daycare center. (2:32 - 2:34)

CITY COUNCIL

MEETING OF
NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	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: <u>ZONING APPLICATIONS:</u> - Resolution of Intent with a twelve month time limit. - Conformance to the plot plan and building elevations. - 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. - 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. - All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).	INDEX PAGE ONE CONSENT AGENDA <u>REINSTATEMENT AND EXTENSION OF TIME</u> 81 U-101-94(1) - Magoo Enterprises, Inc. 82 Z-53-94(2) - Oasis Residential, Inc. <u>EXTENSION OF TIME</u> 83 U-194-93(2) - Rock Springs Vista Development 84 Z-23-92(4) - Edna Rose Crane Family Trust DISCUSSION/ACTION ITEMS <u>SPECIAL USE PERMIT - PUBLIC HEARING</u> 85 ABEYANCE ITEM - U-67-95 - Lionel Sawyer & Collins on behalf of Bivins Construction <u>ZONING RECLASSIFICATION - PUBLIC HEARING</u> 86 ABEYANCE ITEM - Z-71-95 - David and Janet Meyers <u>REVIEW OF CONDITION</u> 87 ABEYANCE ITEM - Z-80-77(2) - Israel Kunin <u>AESTHETIC REVIEW</u> 88 AR-16-94(1) - Stratosphere Corporation

CITY COUNCIL

MEETING OF
NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	<u>DISCUSSION / ACTION ITEMS</u>	
	<u>PLANNING AND DEVELOPMENT</u>	<u>INDEX</u> <u>PAGE TWO</u>
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.	89 90
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.	91
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 Planning and Development.	92 93 94 95
	<u>VARIANCE AND SPECIAL USE PERMIT APPLICATIONS:</u>	
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.	96 97
		<u>PLOT PLAN AND BUILDING ELEVATION REVIEW</u>
		Z-100-64(161) - Duane D. Williams Z-26-91(5) - Georgia James
		<u>REVIEW OF CONDITION - PUBLIC HEARING</u>
		<u>ABEYANCE ITEM - Z-43-78(1) - V A Associates</u>
		<u>AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS - PUBLIC HEARING</u>
		<u>MSH-2-95 - Hunsaker & Associates</u>
		<u>VARIANCE - PUBLIC HEARING</u>
		93 <u>ABEYANCE ITEM - V-136-95 - Nevada Outdoor Systems, Inc., on behalf of Beard Family Trust on behalf of Southland Equities</u> 94 <u>V-142-95 - Stephen Wong, Et Al, on behalf of Nancy Weinstein</u> 95 <u>V-147-95 - Gary Fisher and Joan Neagle on behalf of Rose Bowe</u>
		<u>SPECIAL USE PERMIT - PUBLIC HEARING</u>
		96 <u>ABEYANCE ITEM - U-117-95 - Kryfam Limited Partnership</u> 97 <u>U-125-95 - Cheyenne Investment Limited Liability Partnership Company</u>

CITY COUNCIL

MEETING OF
NOVEMBER 15, 1995

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	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. 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.	
	<u>SUBDIVISION APPLICATIONS:</u>	
	<u>Tentative Maps:</u>	
	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 PAGE THREE <u>SPECIAL USE PERMIT - PUBLIC HEARING</u> 98 U-126-95 - Kummer, Kaempfer, Bonner & Renshaw on behalf of Horizon Investments, Inc. 99 U-127-95 - Decatur Shopping Center Associates 100 U-128-95 - Southern Nevada Zoological Park 101 U-130-95 - Vegas Outdoor on behalf of Southland Corporation 102 U-131-95 - William and Wanda Peccole Family Limited Partnership on behalf of Senior Tour Players Development <u>ZONING RECLASSIFICATION - PUBLIC HEARING</u> 103 Z-79-95 - Novex 104 Z-80-95 - Donald and Rose Wren 105 Z-81-95 - Property Holding Corporation <u>GENERAL PLAN AMENDMENT - PUBLIC HEARING</u> 106 ABEYANCE ITEM - GPA-41-95 - International Church of the Foursquare Gospel <u>ZONING RECLASSIFICATION RELATED TO GPA-41-95 - PUBLIC HEARING</u> 107 ABEYANCE ITEM - Z-74-95 - International Church of the Foursquare Gospel

CITY COUNCIL

MEETING OF
NOVEMBER 15, 1995

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	<u>DISCUSSION / ACTION ITEMS</u>	INDEX PAGE FOUR	
	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.		
	<u>Final Maps:</u>		
	1. Conformance with the Tentative Map.	108	<u>GENERAL PLAN AMENDMENT - PUBLIC HEARING</u> GPA-44-95 - Ernest E. and Doris L. Soady <u>ZONING RECLASSIFICATION RELATED TO GPA-44-95 - PUBLIC HEARING</u>
	<u>Vacation Applications:</u>		
	1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom.	109	Z-77-95 - Ernest E. and Doris L. Soady <u>GENERAL PLAN AMENDMENT - PUBLIC HEARING</u>
	2. Conformance to code requirements and design standards of all City departments.	110	GPA-45-95 - Charleston-Tenaya Partnership, Et Al <u>ZONING RECLASSIFICATION RELATED TO GPA-45-95 - PUBLIC HEARING</u>
	3. The Reconveyance shall not be recorded until all of the above conditions have been met.	111	Z-82-95 - Charleston-Tenaya Partnership, Et Al
	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.	112	SET DATE FOR PUBLIC HEARING ON ANY ITEM REQUIRING A PUBLIC HEARING THAT WAS ACTED UPON BY THE CITY PLANNING COMMISSION
		113	SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE BOARD OF ZONING ADJUSTMENT MEETING.
		114	SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS ON ANY DANGEROUS BUILDINGS OR NUISANCE/LITTER ABATEMENTS.

CITY COUNCIL

MEETING OF

NOVEMBER 15, 1995

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	ITEM	ACTION
	<u>CONSENT AGENDA</u> PLANNING AND DEVELOPMENT <u>REINSTATEMENT AND EXTENSION OF TIME</u> 81 <u>U-101-94(1) - Magoo Enterprises, Inc.</u> Request for a Reinstatement and Extension of Time on an approved Special Use Permit which allowed a tavern, on property located on the north side of Cheyenne Avenue between Buffalo Drive and Tenaya Way, C-1 Zone, Ward 4 (Callister) Board of Zoning Adjustment (5-0 vote) and Staff Recommendation: APPROVAL, subject to: 1. Conformance to the conditions of approval of U-101-94. 2. This Extension of Time shall expire on November 15, 1996.	ADAMSEN - APPROVAL of Items 81 through 84 subject to conditions - UNANIMOUS ***** There was no discussion. (2:34)
	82 <u>Z-53-94(2) - Oasis Residential, Inc.</u> Request for a Reinstatement and Extension of Time for proposed apartments on property located on the southwest corner of Torrey Pines Drive and Vegas Drive, N-U Zone (under Resolution of Intent to R-PD18). Ward 4 (Callister) Planning Commission (6-0 vote) and staff recommended APPROVAL, subject to: 1. This Extension of Time shall expire on November 15, 1996. 2. Conformance to all ordinance amendments enacted subsequent to the original approval.	ADAMSEN - APPROVAL of Items 81 through 84 subject to conditions - UNANIMOUS ***** There was no discussion. (2:34)

TO:

THE CITY COUNCIL

FROM: DONNA H. KRISTAPONIS, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - U-101-94(1) - Magoo Enterprises, Inc.

PURPOSE/BACKGROUND

This is a request for a Reinstatement and Extension of Time on an approved Special Use Permit which allowed a tavern.

07/19/89 The City Council approved a zoning reclassification for this property from N-U (Non-Urban) to C-1 (Limited Commercial) as part of a larger request (Z-61-89).

07/20/94 The City Council approved a Special Use Permit for a tavern in conjunction with a proposed restaurant (U-101-94).

DETAILS OF APPLICATION REQUEST:

The applicant has applied for building permits and is ready to begin construction of the restaurant.

FINDINGS:

This use remains compatible with the surrounding properties, which are zoned C-1 (Limited Commercial) and C-V (Civic) and designated SC (Service Commercial) and PF (Public Facilities) in the General Plan. The adjacent land uses include a plant nursery to the east, a hardware store to the north, Palm Mortuary to the west, and a Flood Control Detention Pond to the south.

Board of Zoning Adjustment (5-0 vote) and Staff Recommendation: APPROVAL

SEE ATTACHED LOCATION MAP

Agenda Item

81

CITY LIMITS

412

CITY COUNCIL MINUTES
NOV 15 1996

CITY LIMITS

DETHEN POND

PROPOSED TAVERN
C-V

DETHEN POND

U-101-94(1)

U-101-94(1)

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REINSTATEMENT AND EXTENSION OF TIME - Z-53-94(2) - Oasis Residential, Inc.

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This is the applicant's first request for a Reinstatement and Extension of Time for property zoned to allow apartments. The applicant indicates that additional time is needed due to an oversight that allowed the zoning to expire.

BACKGROUND DATA:

7/20/94	The City Council approved a reclassification from N-U (Non-Urban) to R-PD18 (Residential Planned Development) for this property (Z-53-94).
3/23/95	The Planning Commission approved a Plot Plan and Building Elevation Review for apartments [Z-53-94(1)].

FINDINGS:

The R-PD18 zoning remains appropriate for this area, therefore staff has no objection to the request.

Planning Commission Recommendation: APPROVAL (6-0 vote)

Staff Recommendation: APPROVAL

SEE ATTACHED LOCATION MAP

Agenda Item

82

414

NOV 15 1995

R-PD:14

084 R-1 657

R-1

BIRDROCK APARTMENTS
368 UNITS

R-PD20

ROI
-PD14

N-L

ROLL
R-PD18



Z-53-94(2)

ROI
R-PD18

RCL

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2437 RCL 14

LEMAN PARK

~~SECRET~~

CITY COUNCIL

MEETING OF

NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	CONSENT AGENDA	
	PLANNING AND DEVELOPMENT	
	<u>EXTENSION OF TIME</u>	
	<u>U-194-93(2) - Rock Springs Vista Development</u>	
83	Request for an Extension of Time on an approved Special Use Permit which allowed the off-premise sale of beer and wine in conjunction with a convenience store; and a tavern in conjunction with a restaurant, on property located on the northwest corner of Washington Avenue and Buffalo Drive, N-U Zone (under Resolution of Intent to C-1), Ward 2 (Adamsen) Board of Zoning Adjustment (5-0 vote) and Staff Recommendation: APPROVAL, subject to: 1. Conformance to the conditions of approval of U-194-93. 2. This Extension of Time shall expire on November 15, 1996.	ADAMSEN - APPROVAL of Items 81 through 84 subject to conditions - UNANIMOUS ***** There was no discussion. (2:34)
84	<u>Z-23-92(4) - Edna Rose Crane Family Trust</u> Request for an Extension of Time for proposed condominiums on property located on the east side of Painted Mirage Road, south of Ann Road, R-E and C-2 Zones (under Resolution of Intent to R-PD5). Ward 4 (Callister) Planning Commission (6-0 vote) and staff recommended APPROVAL, subject to: 1. This Extension of Time shall expire on October 6, 1996. 2. Conformance with all ordinance amendments enacted subsequent to the original approval.	ADAMSEN - APPROVAL of Items 81 through 84 subject to conditions - UNANIMOUS ***** There was no discussion. (2:34)

AGENDA DOCUMENTATION**TO:**

THE CITY COUNCIL

**FROM: DONNA H. KRISTAPONIS, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT****SUBJECT: SPECIAL USE PERMIT - U-194-93(2) - Rock Springs Vista Development****PURPOSE/BACKGROUND**

This is a request for an Extension of Time on an approved Special Use Permit which allowed the off-premise sale of beer and wine in conjunction with a convenience store; and a tavern in conjunction with a restaurant.

BACKGROUND DATA:

- 03/18/87 The City Council approved a zoning reclassification for this site from N-U (Non-Urban) to C-1 (Limited Commercial) (Z-10-87).
- 06/10/93 The City Council approved a Plot Plan and Building Elevation Review of a proposed retail shopping center for this location (Z-10-87[3]). The convenience store and restaurant/tavern were part of this approval.
- 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 (U-194-93).
- 10/19/94 The City Council approved a request for an Extension of Time of U-194-93.

DETAILS OF APPLICATION REQUEST:

This is the applicants second request for an extension of time. The applicant indicates that additional time is needed while the Buffalo Drive Special Improvement District is completed.

FINDINGS:

This use remains compatible with the surrounding properties, which are zoned C-1 (Limited Commercial), C-V (Civic), and R-CL (Single Family Compact Lot) and designated SC (Service Commercial), M (Medium Density Residential) and ML (Medium Low Density Residential) in the General Plan. Adjacent land uses include vacant commercial property to the north and east, single family dwellings to the west, and a Water District well site to the south.

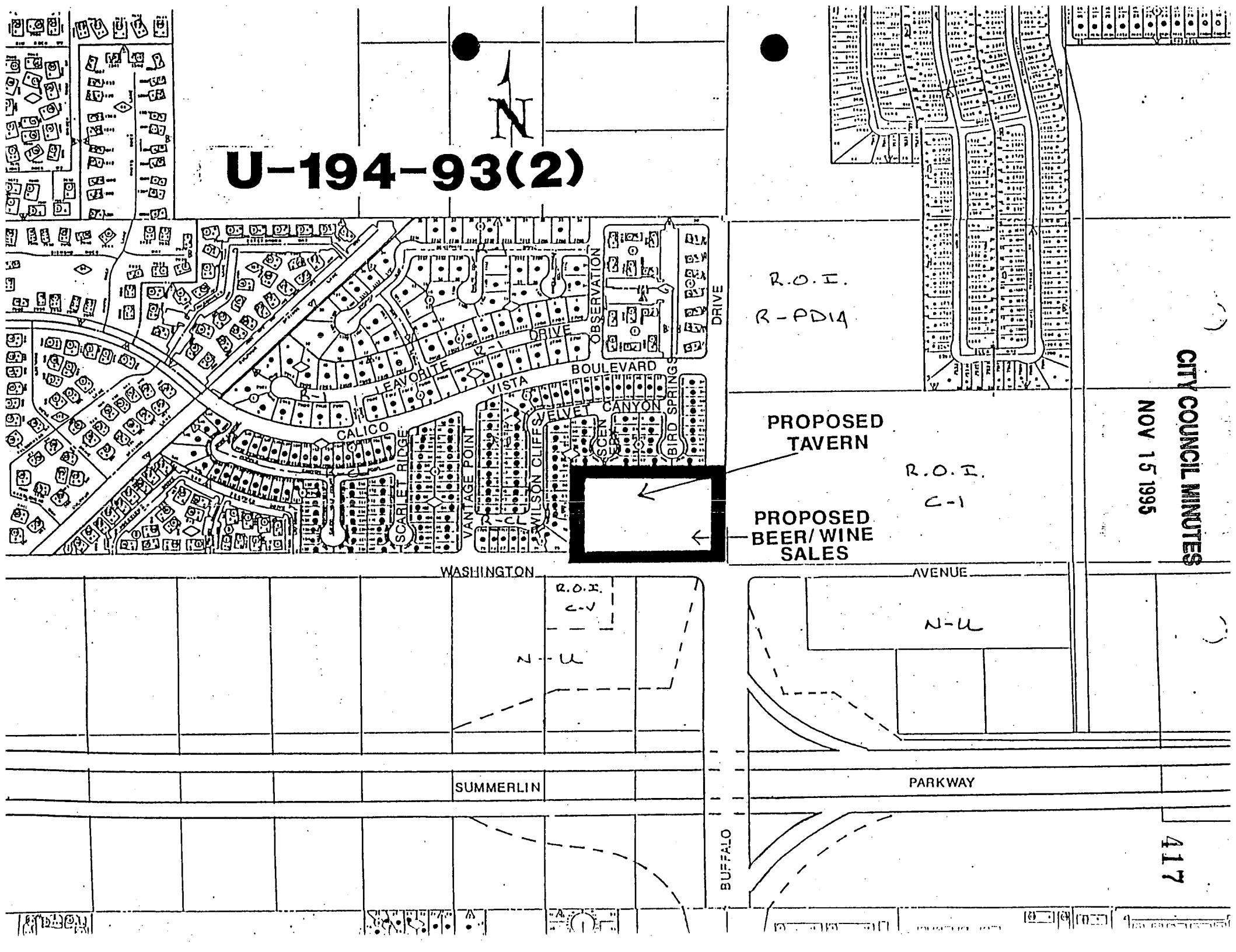
Board of Zoning Adjustment (5-0 vote) and Staff Recommendation: APPROVAL

SEE ATTACHED LOCATION MAP

Agenda Item

83

U-194-93(2)



CITY COUNCIL MINUTES

NOV 15 1995

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: EXTENSION OF TIME - Z-23-92(4) - Edna Rose Crane Family Trust

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This is the applicant's third request for an Extension of Time for property zoned to allow condominiums. The applicant indicates that additional time is needed due to design and condemnation issues related to the proposed interchange in the area.

BACKGROUND DATA:

8/05/92	The City Council approved a reclassification from R-E (Residence Estates) and C-2 (General Commercial) to R-PD5 (Residential Planned Development) for the property (Z-23-92).
4/07/93	The City Council approved a request for a Plot Plan and Building Elevation Review for condominiums on this site [Z-23-92(1)].
10/06/93	The City Council approved a Reinstatement and Extension of Time which expired on 10/06/94 [Z-23-92(2)].
12/07/94	The City Council approved a second Extension of Time which expired on 10/06/95 [Z-23-92(3)].

FINDINGS:

The R-PD5 zoning remains appropriate for this property, therefore staff has no objection to the request.

Planning Commission Recommendation: APPROVAL (6-0 vote)

Staff Recommendation: APPROVAL

SEE ATTACHED LOCATION MAP

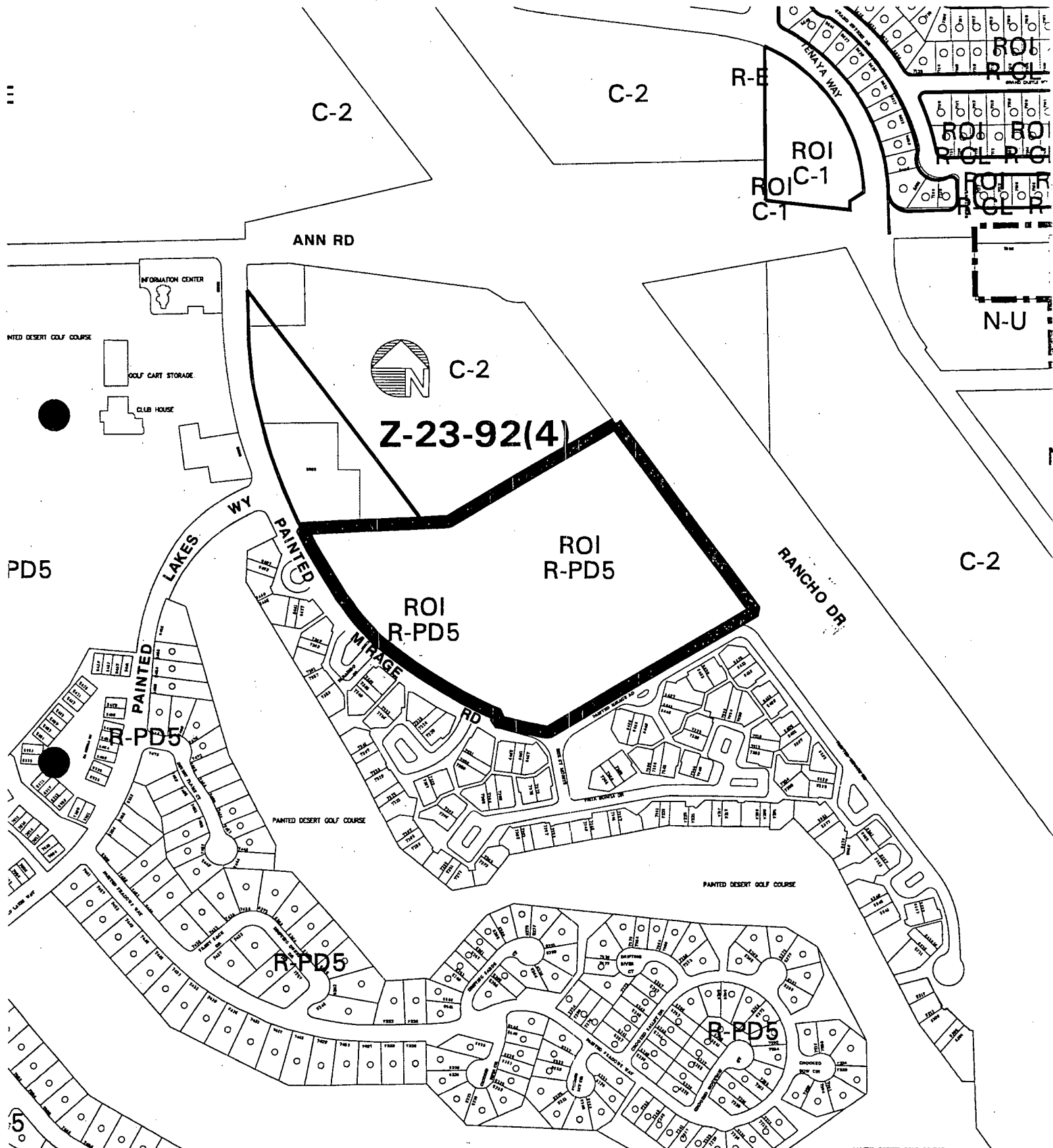
Agenda Item

84

CITY COUNCIL MINUTES

NOV 15 1995

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CITY COUNCIL

MEETING OF

NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	PLANNING AND DEVELOPMENT	
	<u>SPECIAL USE PERMIT - PUBLIC HEARING</u>	
85	<u>ABEYANCE ITEM - U-67-95 Lionel Sawyer & Collins on behalf of Bivins Construction Company, Inc.</u> Appeal filed by Lionel Sawyer & Collins on behalf of Bivins Construction Company, Inc. for the on-premise sale of beer and wine in conjunction with an approved convenience store with gasoline sales; and for a tavern in conjunction with an approved restaurant, on property located on the southwest corner of Vegas Drive and Cimarron Road, N-U Zone (under Resolution of Intent to C-1). PROTESTS: 918 (200 at both meetings, 134 phone calls, 14 letters, 725 signatures on 5 petitions representing 570 properties - no verification made of numerous duplications) APPROVALS: 1 (letter) Ward 2 (Adamsen) Board of Zoning Adjustment (3-1 vote) DENIED this request. Staff Recommendation: APPROVAL, subject to: 1. This action does not constitute approval of a liquor license. 2. Standard Conditions 1 and 5.	ADAMSEN - ACCEPTING THE WITHDRAWAL WITH PREJUDICE of the tavern license and GRANTING the Appeal, thereby APPROVING of the Special Use Permit for off-premise sale of beer and wine subject to conditions and added conditions that the withdrawal with prejudice of the Tavern license shall not be appealed to the District Court, install 24 inch box evergreen trees a minimum of 20 feet on center and in the 5 foot landscape planter - UNANIMOUS ***** MAYOR JONES declared the Public Hearing open. COUNCILMAN ADAMSEN requested a brief recess to discuss a potential compromise with the representatives of the adjacent residents. After the recess, he stated for the record that a compromise had been obtained in which the off-premise sale of beer and wine in conjunction with an approved convenience store with gasoline sales would be approved subject to conditions. In exchange for that approval, the applicant has agreed to withdraw the tavern license portion of the application with prejudice and guaranteed that no appeal therefor will be filed with the District Court. Although the neighbors are still opposed to the sale of alcohol on this parcel, they are agreeable to the compromise reached. ATTORNEY MARK FIORENTINO, 3800 Howard Hughes Parkway, and GREG BORGEL, 300 S. Fourth, appeared on behalf of the applicant. They pointed out that the convenience store is not adjacent to the homes or the related recreational facilities. It is separated by a block wall, a 12 foot driveway and RV parking and then another wall. In addition to the tavern condition, MR. BORGEL suggested that a greater buffer be included and offered 24 inch box evergreen trees no less than 20 feet on center. This type of tree would supply a larger canopy for immediate buffering while limiting the foliage which might get into the neighbors' properties and complex swimming pool. COUNCILMAN ADAMSEN questioned whether a condition should be included for a traffic signal contribution. MR. FIORENTINO responded that the applicant has already paid a \$30,000 contribution for a signal at this intersection in conjunction with the zoning application. ATTORNEY MARK HUTCHISON, 8805 Summer Ridge, urged that the same concern be given to the quality of the trees as to the distance and size. Other than that one remaining area of concern, he consented to the compromise proposed.

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	PLANNING AND DEVELOPMENT <u>ABEYANCE ITEM - U-67-95 Lionel Sawyer & Collins on behalf of Bivins Construction Company, Inc. - Continued</u>	BARRY GREEN, 8048 Celestial #201, questioned whether the restaurant use would remain given the withdrawal of the proposed alcohol sales, placement of the dumpsters, and the possible raising of the block wall separating this project from their subdivision. ROD ALLISON, Planning & Development, responded that the placement of the dumpsters was a condition imposed during the zoning application. MR. FIORENTINO and MR. BORDEL added that there is an existing block wall which is approximately 8 feet high from the residents' side, then a driveway and RV parking, and then another block wall approximately 12 feet high. They introduced photographs of the walls. In addition, the trash area is proposed for the front of the center and not adjacent to the rear property line. F. O. BOWLES, 7968 Terrace, also complained about the dumpsters and the 4:30 to 5:00 a.m. pickup times across the street at the Green Valley Grocery. He requested that the same situation not be allowed to happen on this site and that the Council help him force Silver State to correct the problem across the street. COUNCILMAN ADAMSEN indicated he would be willing to speak with STEVE KALISH of Silver State who can also be reached at 735-5151. BARBARA ANDERSEN, 8116 Sickle Lane, pointed out that the parcel is large enough for other buildings and questioned what uses would go there and their hours of operations. The neighbors would oppose any type of 24-hour facility. COUNCILMAN ADAMSEN explained that the Council cannot restrict hours of operation unless the use fell within a privileged category. However, any type of restaurant which might be developed would not have alcohol and would be very unlikely to operate 24-hours. MAYOR JONES confirmed that the withdrawal of the tavern license application would not prevent the applicant from filing for a supper club use permit. MR. BORDEL assured the Council that such was not the intent of the applicant. COUNCILMAN ADAMSEN pointed out that any type of alcohol service would require a use permit with public hearings which he and the neighbors would vehemently oppose. MAYOR JONES declared the Public Hearing closed. (2:34 - 2:35/2:47 - 3:01) NOTE: Numerous exhibits provided by applicant and protest documentation filed under separate cover.

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - U-67-95 Lionel Sawyer & Collins on behalf of Bivins Construction Company, Inc.

PURPOSE/BACKGROUND

THIS ITEM WAS HELD IN ABEYANCE FROM THE SEPTEMBER 20 CITY COUNCIL MEETING IN ORDER FOR THE APPLICANT TO CONDUCT A MEETING WITH THE CONCERNED SURROUNDING PROPERTY OWNERS.

This is an appeal to the denial action of the Board of Zoning Adjustment for a Special Use Permit for the on-premise sale of beer and wine in conjunction with an approved convenience store with gasoline sales; and for a tavern in conjunction with an approved restaurant, in an N-U Zone (under Resolution of Intent to C-1). The Board of Zoning Adjustment felt the use was not compatible with residential uses in the area and had concerns about the proliferation of alcohol sales damaging the family character of the area.

BACKGROUND DATA:

- 6/27/95 The Board of Zoning Adjustment held this item in ABEYANCE to renotify surrounding property owners.
- 9/20/95 The City Council held this item in ABEYANCE.

DETAILS OF APPLICATION REQUEST:

The applicant proposes to operate a tavern in conjunction with a 2,987 square foot restaurant and a 3,061 square foot convenience store that would sell beer and wine. Both businesses would be located within a shopping center that accesses from Cimarron Road and Vegas Drive.

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - U-67-95 Lionel Sawyer & Collins on behalf of Bivins Construction Company, Inc.

PURPOSE/BACKGROUND

FINDINGS:

The proposed uses are compatible with the surrounding properties, which are zoned PC (Planned Community), R-PD 16 (Residential Planned Development) and N-U (Non-Urban) under resolution of intent to C-1 (Limited Commercial) and designated ML (Medium Low Density Residential), M (Medium Density Residential) and SC (Service Commercial) in the General Plan. Adjacent uses of property include a convenience store and condominiums to the east and undevelopment residential property to the north, west and south.

Board of Zoning Adjustment (3-1 vote) Decision: DENIAL

Staff Recommendation: APPROVAL

PROTESTS: 918 (200 at both meetings, 134 phone calls, 14 letters, 725 signatures on 5 petitions representing 570 properties - **no verification made of numerous duplications**). (The protesters had concerns about the additional traffic the proposed use will generate. Also, this use is not compatible with the adjacent residential uses.)

APPROVALS: 1 letter

NOTICES MAILED: 733

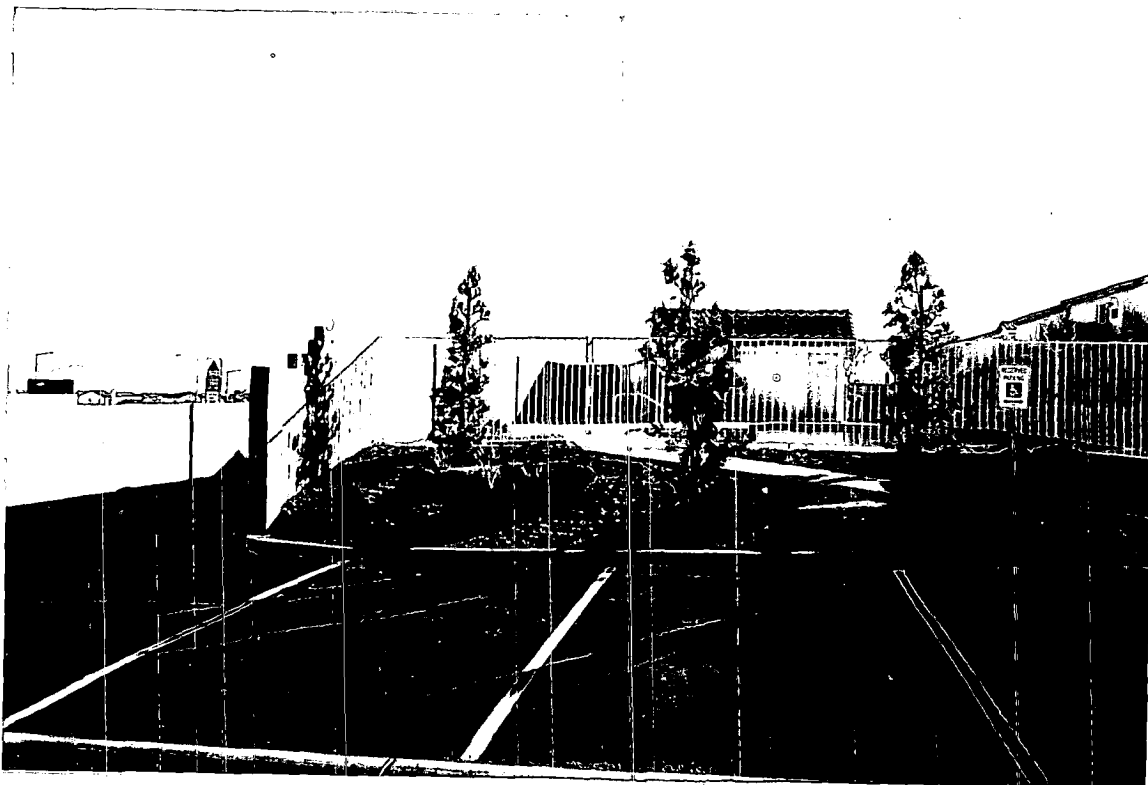
SEE ATTACHED LOCATION MAPS

Agenda Item

CITY COUNCIL MINUTES

NOV 15 1995

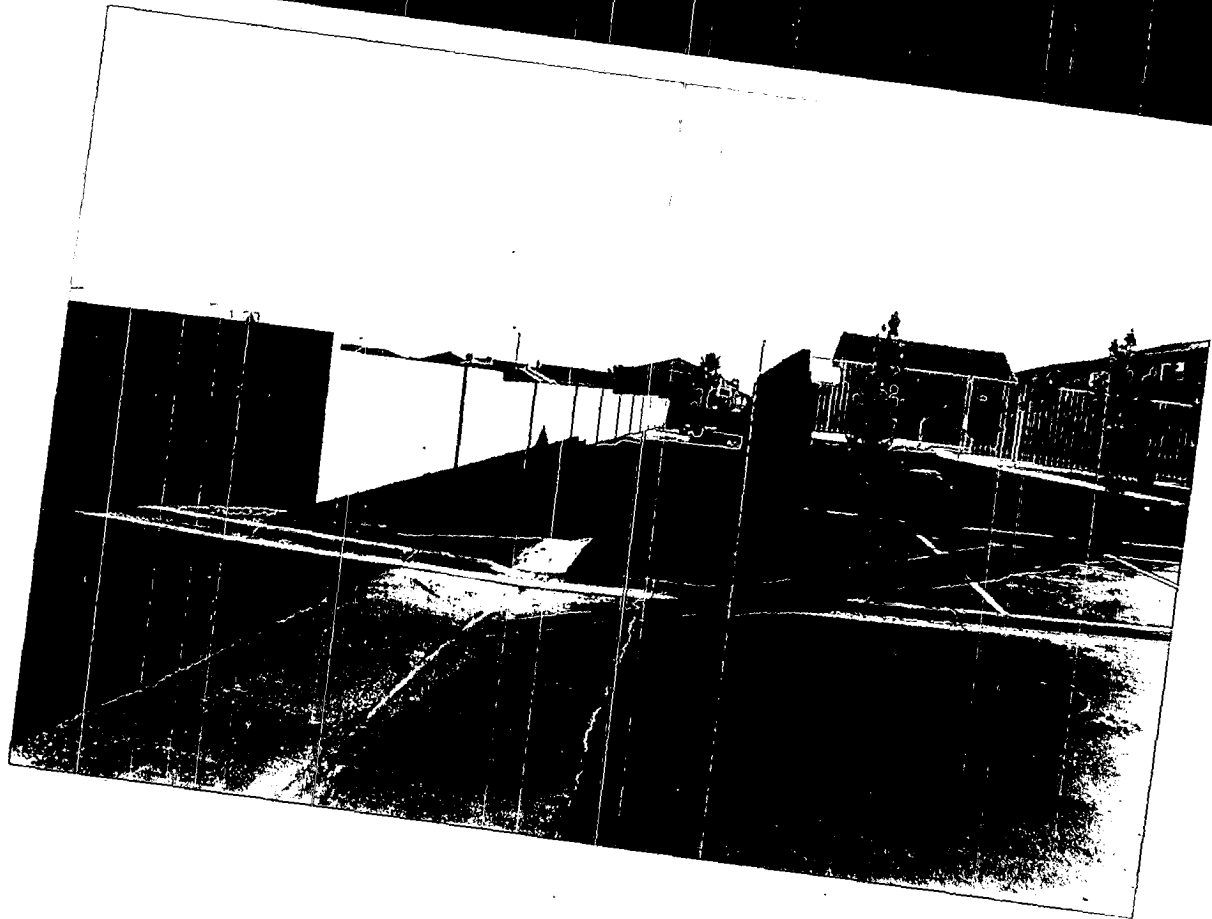
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CITY COUNCIL MINUTES

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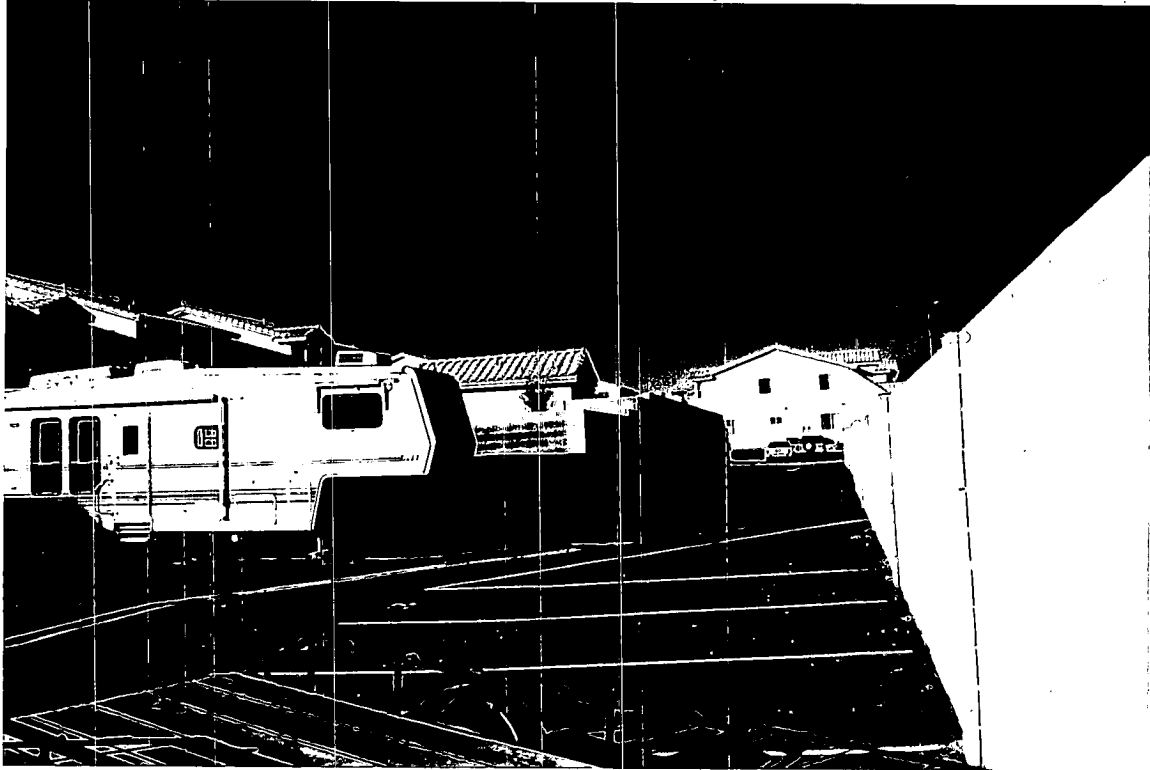
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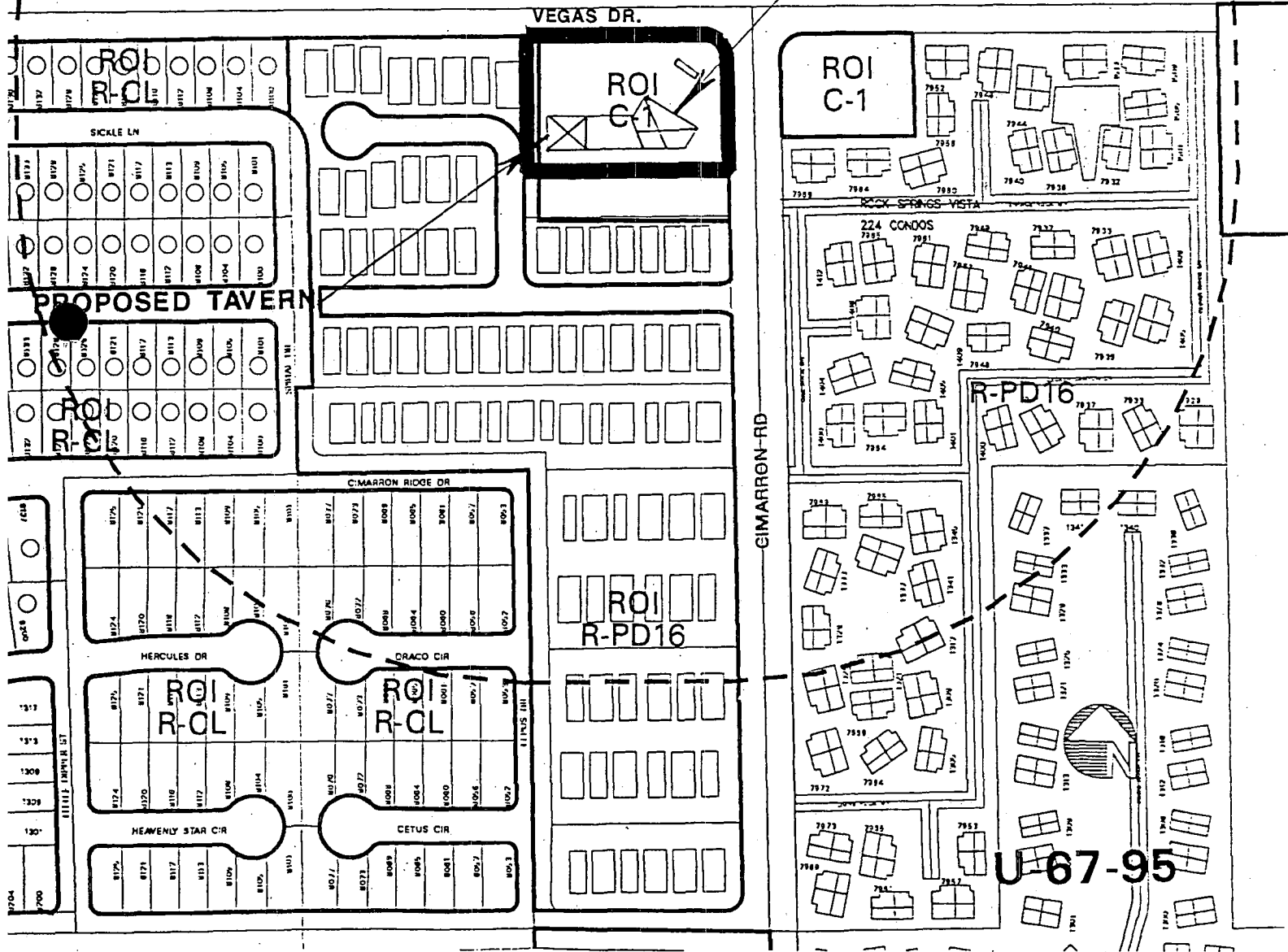


CITY COUNCIL MINUTES

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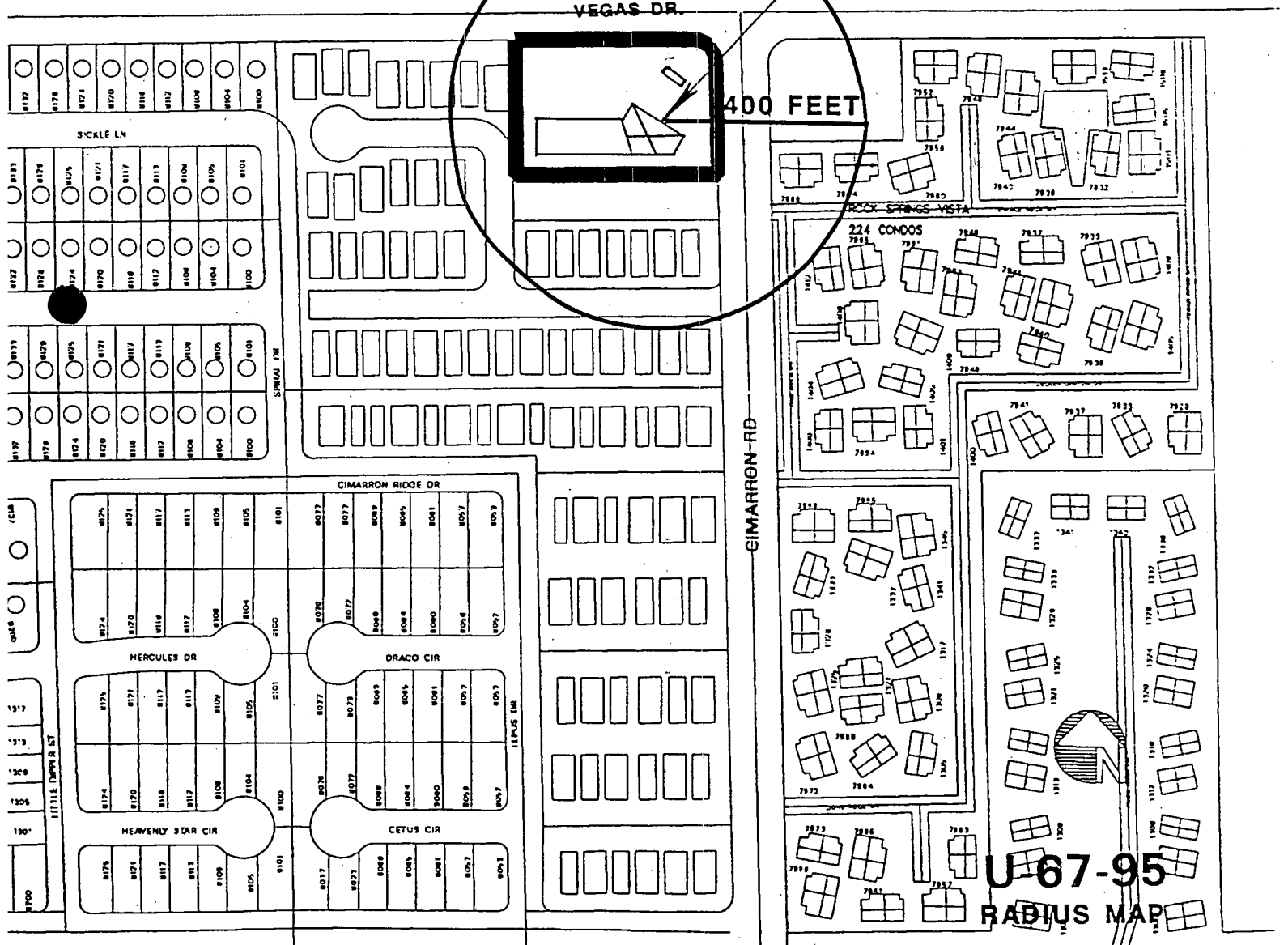
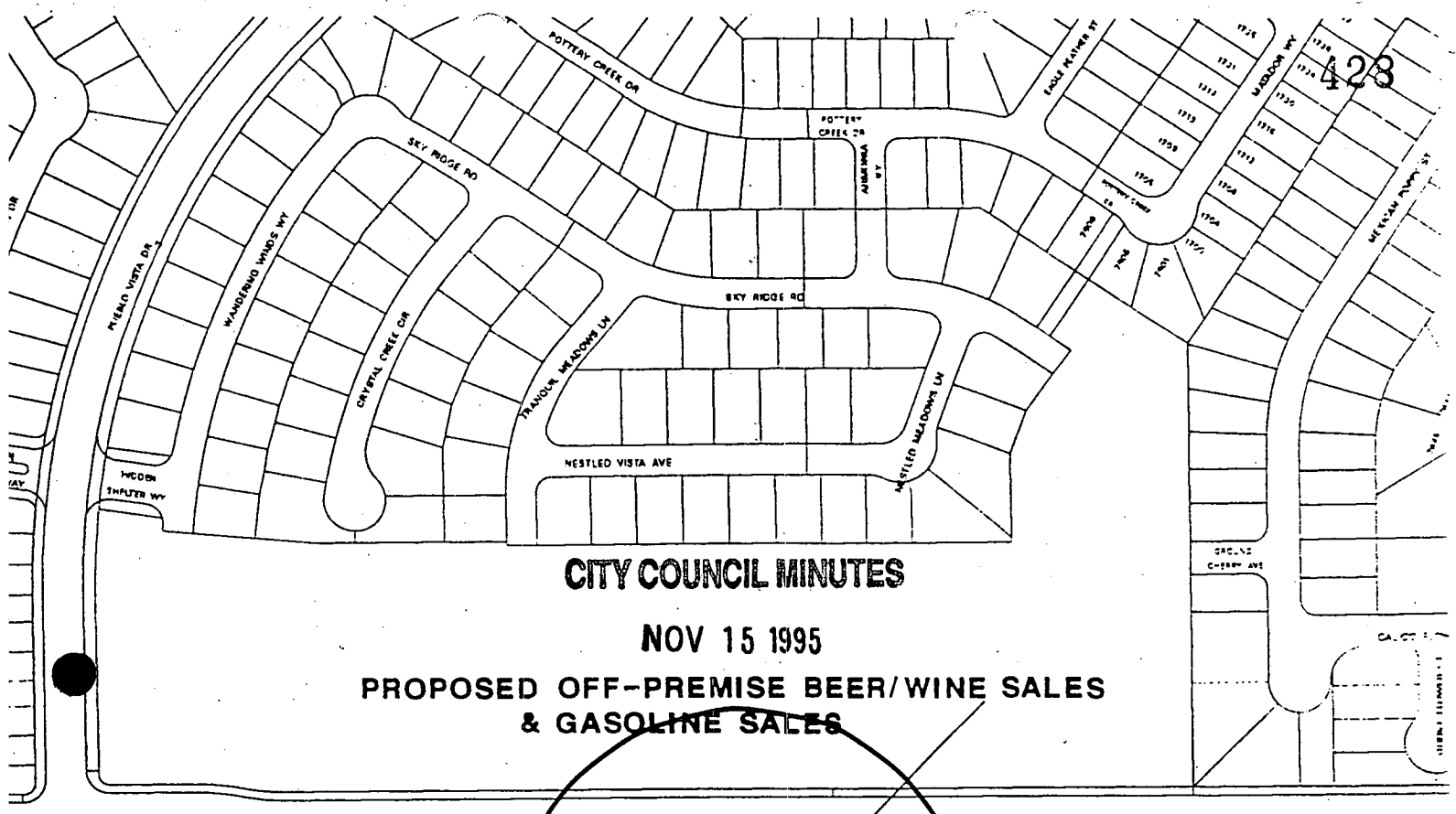




CITY COUNCIL MINUTES

NOV 15 1995

**PROPOSED OFF-PREMISE BEER/WINE SALES
& GASOLINE SALES**



**U-67-95
RADIUS MAP**

CITY COUNCIL

MEETING OF

NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	PLANNING AND DEVELOPMENT	
	<u>ZONING RECLASSIFICATION - PUBLIC HEARING</u>	
86	<u>ABEYANCE ITEM - Z-71-95 - David and Janet Meyers</u>	McDONALD - APPROVAL, subject to conditions and an added condition for a 12 foot block wall along the west property line - UNANIMOUS
	Request for reclassification of property located at 1729 West Bonanza Road.	*****
	From: R-E (Residence Estates)	MAYOR JONES declared the Public Hearing open.
	To: C-2 (General Commercial)	
	Proposed Use: OUTDOOR LANDSCAPE SUPPLY AND STORAGE	DAVID TURNER, Baughman & Turner, 1210 Hinson, appeared on behalf of and with DON WOLBRIGHT, Rock City, 1729 W. Bonanza, and KAREN RYAN, 4447 Honeydew. MR. TURNER outlined the efforts made by Rock City to reduce dust by using the sprinklers more, installing a temporary spray bar pending installation of a more sophisticated system, insuring that all Rock City trucks use tarp covers and posting a sign for all other trucks requesting that they do the same. MR. WOLBRIGHT held a neighborhood meeting with a very small turnout and then canvassed the area obtaining 85 signatures in support of the expansion from residents, businesses and the Water District within the radius shown on the public hearing map. A memo has been sent to all Rock City drivers regarding the use of their horns. Research reflected that the application has never been for a nursery. Although greater dust comes from the vacant parcel on which he intends to expand, they agreed not to show the 13 minute video in an effort to save time. This is consistent with the area, existing uses and transitional zoning. They urged approval.
	PROTESTS: 39 (1 Letter; 33 Petition 5 at Meeting)	
	APPROVALS: 1 (Letter)	
	Ward 1 (McDonald)	
	Staff Recommendation: APPROVAL, subject to the following additional condition:	
	1. The applicant shall provide an overhead misting system in at least two loading areas on site, as required by the Planning and Development Department.	
	Planning Commission (4-2 vote) recommended APPROVAL, subject to:	AL GALLEG0, 610 N. Fourth, supported approval but urged that something be done about the dirt being tracked into the street in both directions from this business. COUNCILMAN McDONALD responded that the dirt was a result of the spray bar.
	1. Provide a minimum ten foot wide landscape planter along Bonanza Road and install 24 inch box trees 40 feet on center with shrubs and ground cover as required by the Planning and Development Department. The use of drought tolerant landscaping is encouraged.	PHIL and JOSEPHINE BOZEMAN, 1825 W. Bonanza; and JACQUELYN MILLER, 1812 W. Bonanza, opposed expansion of what is already a real EPA problem. The use never belonged within the City or a residential area in the first place or should have had conditions imposed to reduce the resulting nuisances it creates. There may be dust on windy days from the vacant land, but it is not worse than the dust from this commercial business which operates five to six days per week. There must have been some confusion because the people apparently signed both petitions in support and in opposition. It is not fair because the Rock City people leave at the end of

CITY COUNCIL
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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

**Item
Number**

DISCUSSION / ACTION ITEMS

PLANNING AND DEVELOPMENT

Z-71-95 - David and Janet Meyers

2. Construct all incomplete half-street improvements (sidewalk) on Bonanza Road adjacent to this site as required by the Department of Public Works. Also, if necessary and as required, remove all substandard public street improvements adjacent to this site and replace with new improvements meeting current City Standards.

3. All new driveways or modifications to existing driveways providing access to this parcel shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.

4. Landscape and maintain all unimproved public right-of-way on Bonanza Road adjacent to this site as required by the Department of Public Works.

5. Obtain an Encroachment Agreement/Occupancy Permit for all landscaping and private improvements in the Bonanza Road public right-of-way adjacent to this site prior to occupancy of this site as required by the Department of Public Works.

6. Approval of a Plot Plan and Building Elevation Review by the Planning Commission prior to the construction of any structures on the site.

7. Standard Condition Nos. 1 - 12.

the day and go to their homes away from the dust problem they have created. If it is approved over their objections, they urged that a high block wall be required.

DON AHERN, 1785 W. Bonanza, and DAVE WOOTEN, 829 Clarkway, urged approval. Rock City has been a good neighbor and draws business into the transitioning area. Development of vacant property in the area cuts down on problems with vagrants, fires and other nuisance difficulties. A business which prospers should be permitted to grow.

MS. RYAN advised that Rock City business is seasonal and the 10 to 15% reduction in business has not been deliberate in an attempt to gain approval on this application.

COUNCILMAN ADAMSEN and McDONALD thanked the residents and MR. WOLBRIGHT for their efforts to resolve the issues raised. COUNCILMAN McDONALD added that MR. WOLBRIGHT has done everything and more asked of him so far. It is always difficult when businesses and homes come together. He confirmed that MR. WOLBRIGHT would agree to construct a 12 foot block wall separating his property from that of MR. BOZEMAN'S.

MAYOR JONES declared the Public Hearing closed.

There was no further discussion.

(3:01 - 3:24)

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - ZONING RECLASSIFICATION - PUBLIC HEARING - Z-71-95 - David and Janet Meyers

PURPOSE/BACKGROUND

THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 1, 1995 CITY COUNCIL MEETING TO ALLOW THE APPLICANT TO DEVELOP AN ADEQUATE DUST ABATEMENT SYSTEM.

APPLICATION REQUEST:

This request is for outdoor storage of landscape supplies on a 1 acre parcel located at 1729 West Bonanza Road. This is an expansion of the existing desert/rock landscape business on the adjacent parcel to the east.

BACKGROUND DATA:

There is no previous zoning history for this site.

DETAILS OF APPLICATION REQUEST:

Site Area 0.87 Acres

The plot plan indicates that the existing mobile home and shed will be removed from the property. No new structures are proposed. Access to the site is via the existing driveway to Bonanza Road. A six foot high chain link fence is proposed along the west property line. No other walls or landscaping are shown.

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	R-3	Apartments
South		Oran K. Gragson Highway
East	C-2	Commercial
West	R-E	Single Family

Agenda Item

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - ZONING RECLASSIFICATION - PUBLIC HEARING - Z-71-95 - David and Janet Meyers

PURPOSE/BACKGROUND

FINDINGS:

GENERAL PLAN:

This site is designated GC (Service Commercial) on the Future Land Use Map of the West Las Vegas Plan. This designation allows those uses permitted in the C-2 zoning district.

REZONING:

Staff finds that the request is in conformance with the West Las Vegas Plan and is compatible with the surrounding zoning and land use patterns which have experienced a conversion to commercial uses along the south side of Bonanza Road between Martin Luther King Boulevard and Rancho Drive.

PLOT PLAN:

Other properties along Bonanza Road which have been rezoned for commercial uses were required to provide a ten foot wide landscape planter along Bonanza Road. Staff believes that this property should meet the same requirement.

(Staff met with the applicant regarding dust abatement. The applicant submitted a revised plot plan indicating a misting system to be placed in at least two loading areas to alleviate any excess dust from truck traffic. Staff recommends approval subject to this additional condition:

THE APPLICANT SHALL PROVIDE AN OVERHEAD MISTING SYSTEM IN AT LEAST TWO LOADING AREAS ON SITE, AS REQUIRED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.)

Agenda Item

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - ZONING RECLASSIFICATION - PUBLIC HEARING - Z-71-95 - David and Janet Meyers

PURPOSE/BACKGROUND

Planning Commission Recommendation: APPROVAL (4-2 vote)

Staff Recommendation: APPROVAL

PROTESTS: 39 (1 Letter; 33 Petition 5 at Meeting) (The protesters at the meeting expressed concerns regarding the operation of the existing business and increased dust and noise.)

APPROVALS: 1 (Letter)

NOTICES MAILED: 144

SEE ATTACHED LOCATION MAP

Agenda Item

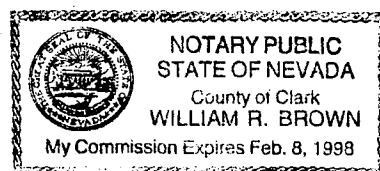
NOV 15 1995

To whom it may concern.

I live in the smaller trailer
at 1729 W. Bonanza and I have
personally noticed a decrease in
the amount of dust in the area
over the last 5 to 6 months
I also noticed effort on behalf of
Rock City in this coal use of which is
a water and tarp sys. to collect
and reduce dust

11-5-95

GERALD PORTER
Gerald Porter



William R. Brown
11-5-95

86

CITY COUNCIL MINUTES

435

NOV 15 1995

We, as neighbors of Rock City do hereby acknowledge that we have had no problems with their business whatsoever and feel that their expansion would only serve the community and improve West Bonanza. We fully support them in their bid to rezone the property at 1729 W. Bonanza from RE to Commercial.

NAME

ADDRESS

PHONE NO.

Moises Garcia Jr.	1527 W. Bonanza Rd.	702 646-3052
Zarquis L. Garcia	1527 W. Bonanza Rd.	702 646-0575
Moises Garcia P.	1527 W. Bonanza Rd.	702 646-7255
Victor Arceiz	1722 W. Bonanza Rd.	
Thom Hutchings	18 Shadow Ln. L.V. NV.	382-6163
Palencia Crawford	11 Shadow Ln	384-3901
Mazzarelle, Lisa	10 Shadow Ln	385-3476
Charles L. Comstock	15 Shadow Ln.	382-7536
Sydney Macaulay	19 Shadow Ln.	383-1057
MARY MCGOWN	1720 W. BONANZA OFFICE	646-0671
Charmyonda Napier	1720 W. Bonanza Rd.	
Harry Moore	" " " "	
Jill M. M. M.	1750 Bonanza	127
Robert Williams	1720 W. Bonanza	#131
Colin Dan	1720 W. Bonanza	#133
Susan Jones	1720 W. Bonanza	#137
Ruffel Ruffel	172 W. BONANZA	#140
Shirley Brown	1720 W Bonanza	141
Stan L. L.	1720 W Bonanza	155
Beatrice Dunlap	1720 W. Bonanza	#185
John Davenport	1720 W. Bonanza	#186
Phil L.	1720 W Bonanza	#188

CITY COUNCIL MINUTES

NOV 15 1995

We, as neighbors of Rock City do hereby acknowledge that we have had no problems with their business whatsoever and feel that their expansion would only serve the community and improve West Bonanza. We fully support them in their bid to rezone the property at 1729 W. Bonanza from RE to Commercial.

NAME	ADDRESS	PHONE NO.
Oscar Zurita Torres	W. Bonanza 1790 Unit 187	651-9350

DAVID MORENO	1720 W. BONANZA #158	

Jammi Barner	1720 W BONANZA #183	

GENE HONENMAKER	1720 W BONANZA #180	

Shirley Ingemire	1720 W Bonanza #179	-

Wayne	1720 W BANAZA #177	

Lo-Kela Harris	1720 W. Bonanza #174	

Victor McHour	1720 W Bonanza 173	

MANUEL BONZALS	177	

Steven T. Gold	1720 W. Bonanza #171	

Mary Meslin	1720 W Bonanza 168	

Joe Chris Sappero	1720 W. Bonanza #169	

Patricia Scott	1720 W. Bonanza #165	

Lupe Osorio	1720 W. Bonanza #160	

David Earl Holloway	1720 W. BONANZA R.D. APT #153	

Regina Graham	1720 W Bonanza #152	

Albert Goldstein	1718 Bonanza Rd	

Johannette Hawkins	1722 W. BONANZA APT 7	

Carmel West Cap	1722 W. Bonanza #7	

CITY COUNCIL MINUTES

437

NOV 15 1995

We, as neighbors of Rock City do hereby acknowledge that we have had no problems with their business whatsoever and feel that their expansion would only serve the community and improve West Bonanza. We fully support them in their bid to rezone the property at 1729 W. Bonanza from RE to Commercial.

NAME

ADDRESS

PHONE NO.

Victoria Erickson 1920 Bonanza Rd 648-7899

Desiree Russell 1920 Bonanza Rd 648-7899

11-8-95 ~~Desiree Russell~~ 1808 BONANZA 646-6767

Michael E. Conley 1804 W BONANZA

Eunice Rudolph 1804 W. Bonanza #9

Nina D. Tracy " " #12

Alan McPhee #13

Merrill J. Mahoney 1804 W. Bonanza owner

Richard Hagelbad 1804 W Bonanza Rd #35 Tenant.

Joe R. Jones 1804 W. BONANZA #15

Wm. A. Jones #16

J. R. Kline #11

J. M. 1804 W. BONANZA #19

Karen Anderson 1804 W. BONANZA #19

Joan J. Haffner 1804 WEST BONANZA #39

Spanish " " #20

Alice Amaro 1804 West Bonanza #21

Harold E. Rohoff #26 1804 W. BONANZA

Dale J. J. #27

Dominic J. Riccardi #28

Marilyn Riccardi #28

CITY COUNCIL MINUTES

438

NOV 15 1995

We, as neighbors of Rock City do hereby acknowledge that we have had no problems with their business whatsoever and feel that their expansion would only serve the community and improve West Bonanza. We fully support them in their bid to rezone the property at 1729 W. Bonanza from RE to Commercial.

NAME

ADDRESS

PHONE NO.

Spring W. Horna 1808 W BONANZA 646-6767

Donald Porter ^{Butch} 1729 W. Bonanza 384-5375

John 316 Cook 1909 W Bonanza 641-8536

Pat Lampo No digging for Rocks (Commercial)
2020 W. Bonanza RD. 89106 Support Expansion

Judy Wilkey 27 Jade Cir.
23 Jade Cr.
No digging for Rocks (yard + gravel pit)

Betty Mikkelsen 22 Jade Circle

Pat - 34 Jade Cir LV 474-9410

Pat Wooder 35 Diamond Cir Lv 89106

Peggy D. Dypherson 15 Diamond Cr Lv 89106

Janine Wells 14 DIAMOND CR LV 89106 383-9994

John - 22 DIAMOND CIRCLE 89106 366-0590

Virginia Hedge 22 Diamond Circle 89106 366-0590

Billie Rice 30 Diamond Circle 89106

11-12-95

NOV 15 1995

439

TO WHOM IT MAY CONCERN:

I REED JENNS HAVE LIVED AT 1428 W. DEMARK SINCE 1939, I WAS A CLOSE FRIEND TO MR. CROW THE OWNER OF FARMER'S ROCK CITY - IT WAS HERE WHEN MR. CROW DIED AND HIS WIFE HAD BEEN SOLD TO ROCK CITY. I HAVE HAD A GREAT RELATIONSHIP WITH ROCK CITY OF ROCK CITY - AS NO TIME HAVE I HAD ANYTHING TO COMPLAIN ABOUT. THE ONLY ASSESSMENT HAS BEEN CAUSED WITH ANY PROBLEMS

Tracy

AL JENNS

FRANK FERRIS

CITY COUNCIL MINUTES

440

NOV 15 1995

We, as neighbors of Rock City do hereby acknowledge that we have had no problems with their business whatsoever and feel that their expansion would only serve the community and improve West Bonanza. We fully support them in their bid to rezone the property at 1729 W. Bonanza from RE to Commercial.

NAME

ADDRESS

PHONE NO.

E. Larason	828 Clarkway	631-0303
S. Wooten	829 Clarkway Dr	646-2696
Paul Wooten	829 Clarkway	646-2696
Edward P. Goyer	1724 W Bonanza Rd	648-8226
Paula P. Goyer	833 Clarkway Dr	648-8226
Robin M. Heck	805 Clarkway Dr	648-4685
Kimberly Baader	820 Clarkway Dr	647-5709

7921 Waterfalls Avenue -- Las Vegas, Nevada 89128 -- Telephone (702) 256-0150, FAX (702) 228-5445

*Merrill
Keith
Molsberry*⁴⁴¹

CITY COUNCIL MINUTES

November 10, 1995

NOV 15 1995

Planning Dept.
City of Las Vegas
400 E. Stewart
Las Vegas, NV 89101

Gentlemen:

Re: Rezoning of Rock City property
1721 - 1801 W. Bonanza Rd., Las Vegas

As Mahill L.L.C., we are the owners of Rancho Arms Apartments -- the 40 apartments and house across the street from Rock City Landscaping business.

We wish to go on records as being in favor of business zoning for this property. We believe that this should be approved and we urge that this and all properties on Bonanza between Martin Luther King and Rancho be zoned for business uses.

The property on the north side of Bonanza Avenue can best be used for apartments. The property at 1726 Bonanza should be zoned for new apartments rather than to have a transient- and weed-infested lot.

The south side of Bonanza can best be used for service businesses. A drive past these areas will easily attest to this growing fact. These are the highest and best uses for these properties.

Sincerely,

Merrill K. Molsberry

Frances D. Molsberry
Frances D. Molsberry

Haycock

Petroleum
Distributing

CITY COUNCIL MINUTES

NOV 15 1995

442

October 31, 1995

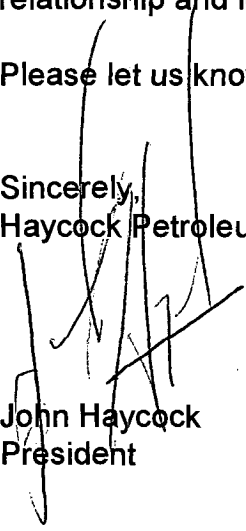
Mr. Don Woolbright
Rock City Co.
1721 W. Bonanza Rd.
Las Vegas, NV 89106

Dear Don,

We understand that you're planning an expansion of your business and we'd like to offer our best wishes for your continued success. We've enjoyed our business relationship and look forward to growing with you.

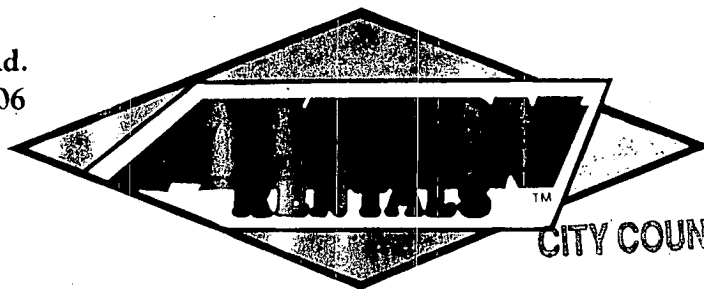
Please let us know if we can be of help during your transition period.

Sincerely,
Haycock Petroleum Distributing Co.


John Haycock
President

1785 W. Bonanza Rd.
Las Vegas, NV 89106

Telephone: 702-648-6212
FAX: 702-648-9412



CITY COUNCIL MINUTES

NOV 15 1995

September 28, 1995



To whom it may concern:

We have been neighbors to Rock City for several years now. Don Woolbright and his crew have made desert landscaping and water conservation efforts easy to accomplish by supplying the community with a complete desert landscape center. We encourage him to expand his business and support him in all his efforts.

Respectfully,

Allen Holland
General Manager

Over 40 Years of Service · 10 Convenient Locations To Serve You · Your High Reach Specialist

(Near Whitney Ranch Road) Henderson, NV 702 454-7368	W. Sahara Las Vegas, NV 702 364-8600	W. Bonanza Rd. Las Vegas, NV 702 648-6212	South Arville St. Las Vegas, NV 702 362-1800	Valley Boulevard Bloomington, CA 909 877-0126	Kirkham Court Poway, CA 619 748-9218	Lockwood Street Oxnard, CA 805 988-9840	So. Chelle Ave. Santa Fe Springs, CA 310 698-9937	(In St. George) Washington, UT 801 628-4100	Ahern Party Rentals W. Bonanza Rd. Las Vegas, NV 702 648-9447



STANDARD WHOLESALE SUPPLY CO.

YOUR FULL LINE DISTRIBUTOR
ELECTRICAL • PLUMBING • WATERWORKS
CITY COUNCIL MINUTES



FAMILY OWNED
SINCE 1939

444

NOV 15 1995

October 18, 1995

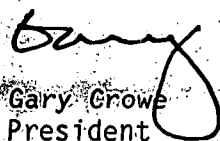
Don Woolbright
Rock City
1721 W. Bonanza Rd.
Las Vegas, NV 89106

Dear Don,

I was pleased to hear that Rock City is doing well and has some plans for expansion into the adjoining parcel to your west. I think that your company has been good for our area here on Bonanza Road, and wish you well on your new growth plans.

I look forward to seeing you again soon.

Sincerely,


Gary Crowe
President

FAX NO's. (702) 382-5083, (702) 386-6749

855 WEST BONANZA ROAD • P.O. BOX 4157 • LAS VEGAS, NEVADA 89127-0157 • PHONE 382-6930



NOV 15 1995

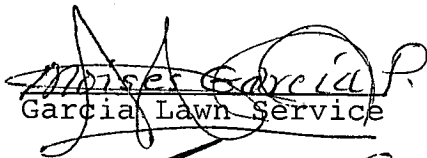
Garcia Lawn Service

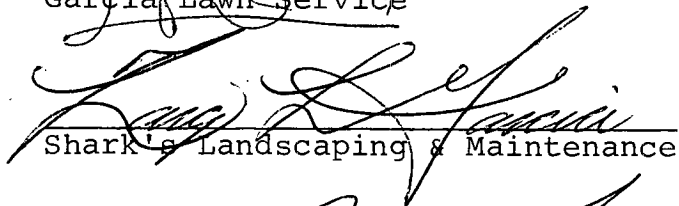
LICENSED

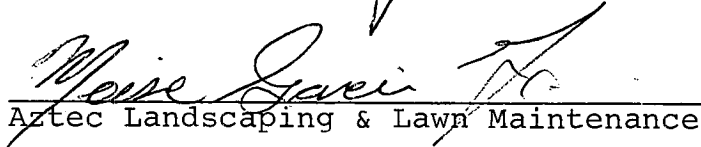
November 9, 1995

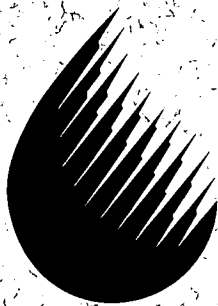
To Whom It May Concern:

We, the undersigned, being neighbors at 1527 W. Bonanza Road do not oppose the rezoning for expansion of Rock City. We have never experienced problems with noise or dust by this company. In fact we consider it an asset to have this kind of business at such a convenient location.


Moses Garcia
Garcia Lawn Service


Larry L. Garcia
Shark's Landscaping & Maintenance


Meise Garcia
Aztec Landscaping & Lawn Maintenance



SOUTHERN NEVADA
WATER AUTHORITY

October 9, 1995

Mr. Don Albright
Rock City
1729 W. Bonanza Rd.
Las Vegas, NV 89106

Dear Mr. Albright:

The Southern Nevada Water Authority (SNWA) is proud to host the sixth annual *Day With the Experts* to be held on Saturday, October 21, from 9 a.m. to 1 p.m. at the Desert Demonstration Gardens, located at 3701 W. Alta Drive. This event, the only one of its kind in Southern Nevada, brings all types of gardening, irrigation and landscape experts together to help educate the public. More than 300 Southern Nevadans enjoyed last years educational event and this year promises to be even bigger and better.

As a non-profit public agency, our resources for purchasing giveaways and prizes are limited. Taking this into consideration, the SNWA is interested in offering Rock City a type of underwriting or sponsorship opportunity. We would be willing to acknowledge your involvement in press releases, public service announcements and on-the-air during a live remote by Sunny 106.5. This type of exposure would be in exchange for any gift certificate donations to be raffled off at *Day With the Experts*.

The exposure you will receive will be very beneficial as you are hitting your target audience. Because of your support in the past, we would like to offer you the opportunity to participate as an exhibitor at *Day With the Experts*. Please contact Nicole Johnson, *Day With the Experts* event coordinator as soon as possible, no later than 10/7, at 258-7183. Thank you and we hope to hear from you soon.

Sincerely,

Peter F. Duncombe

Pete Duncombe
Southern Nevada Water Authority

BOARD OF DIRECTORS

Paul Christensen, Chairman
County Commissioner

Jay Bingham
County Commissioner

Arnie Adamsen
Las Vegas Councilman

Mary Kincaid
North Las Vegas Councilman

Patricia Mulroy
General Manager

Robert A. Groesbeck
Mayor, Henderson

Eric L. Lundgaard, Vice Chairman
Mayor, Boulder City

Bruce L. Woodbury
County Commissioner

Administrative Office
1001 S. Valley View Blvd.
Las Vegas, Nevada 89153
Telephone: (702) 258-3939
Fax: (702) 258-3268

446

Project Office

1850 E. Flamingo, Ste. 234
Las Vegas, Nevada 89119
Telephone: (702) 732-1982
Fax: (702) 732-2565

Reminded Don
on NOV 15 1995
10-19-95
About the
Day with the Experts

Send the
Gift Certificate
10-11-95

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CITY COUNCIL MINUTES

ROCK CITY
1721 W. BONANZA RD.
LAS VEGAS, NV. 89106
(702)648-2400

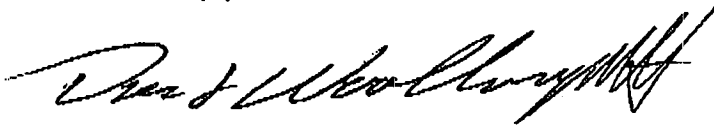
NOV 15 1995

Dear Neighbor,

We would like to invite you to an informal meeting of neighborhood residents to be held at Rock City on November 11, 1995. The purpose of this meetings to discuss and gather information regarding any problems such as dust or noise or ect. that may have been created accidentally by Rock City or its employees.

We are in the process of buying the land next to us for expansion and we would appreciate your input regarding how we may be better neighbors. We hope you can attend Saturday November 11, 1995 at 11:00 am, if you cannot attend but wish to participate, please send your comments to the above address.

Sincerely,



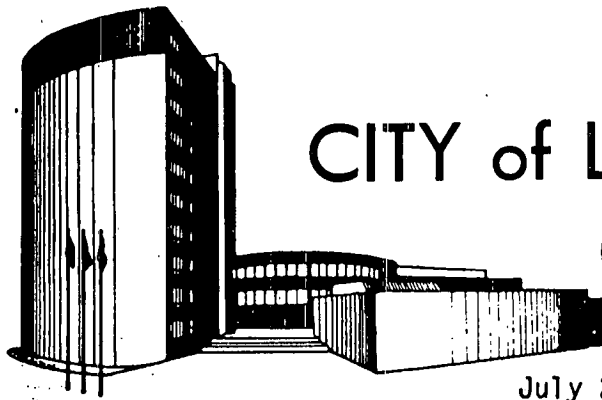
Don L. Woolbright and Family

#86

MAYOR RON LURIE

COUNCILMEN
BOB NOLEN
STEVE MILLER
ARNIE ADAMSEN
SCOTT HIGGINSON

CITY MANAGER
ASHLEY HALL



CITY of LAS VEGAS 448

CITY COUNCIL MINUTES

NOV 15 1995

July 27, 1990

Mr. Cecil M. Crowe
c/o Mr. Don Woolbright
1551 North Winwood Street
Las Vegas, Nevada 89108

RE: Z-82-90 - ZONING RECLASSIFICATION

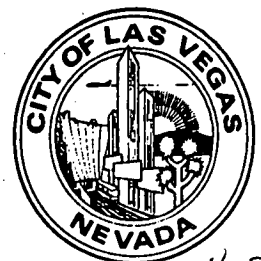
Gentlemen:

Your request for reclassification of property located at 1721 W. Bonanza Road, from R-E Zone to C-2 and C-M Zones, was considered by the Planning Commission on July 24, 1990.

The Planning Commission unanimously voted to recommend APPROVAL, subject to the following:

1. Install 24 inch box Arizona Cypress trees 25 feet on center along the freeway frontage as required by the Department of Community Planning and Development.
2. Install a minimum 10 foot wide landscape planter on this site containing 24 inch box trees 40 feet on center with ground cover along Bonanza Road and install and maintain landscaping in the unimproved portion of the Bonanza Road right-of-way adjacent to this site (approximately 15 feet wide) as required by the Department of Community Planning and Development. The use of drought tolerant landscaping is encouraged.
3. Obtain approval of an Encroachment Agreement from the Nevada Department of Transportation for any proposed landscaping in the public right-of-way along Bonanza Road as required by the Department of Public Works.
4. Relocate the driveways onto Bonanza Road a minimum of seven feet from the side property lines as required by the Department of Public Works.

- Continued -



#86

CITY COUNCIL MINUTES

NOV 15 1995

STATE OF NEVADA
OFFICE OF THE SECRETARY OF STATE

Carson City, Nevada

(702) 687-5203

OFFICE USE ONLY

Date Reg. _____

Vol. _____ Page _____

Expires _____

MARK REGISTRATION

449

IMPORTANT: PLEASE READ INSTRUCTIONS ON REVERSE SIDE BEFORE COMPLETING FORM

1. Please designate ONE: TRADEMARK ☐ TRADE NAME ☒ SERVICE MARK ☐
2. Mark to be registered (If mark includes design, attach drawing or facsimile):
Name of Business: ROCK CITY
3. Classification number (See reverse side of this form) (101) Advertising and Business.
4. Applicant is: Individual ☐ Partnership ☐ Corporation ☒ Association ☐ Other ☐
5. Name of applicant (From question 4) Aquarius Landscape & Sprinkler Co., DBA: Rock City
Business address 1721 W. Bonanza Road - Las Vegas, Nevada 89106
6. (a) If a corporation, give state where incorporated Nevada
(b) If a partnership, list names of general partners _____
7. Date mark was first used by applicant in Nevada (See NRS 600.320) 12/07/90
8. Date mark was first used by applicant anywhere 12/07/90
9. If mark used by predecessor in business, give its name, address and date of first use by predecessor:
Not applicable.
10. State specific goods or services in connection with which the mark is used landscape rocks, boulders, railroad ties, arid-type landscape materials (i.e.) cactus, desert trees, & shrubs. Desert-type landscape decorations and any related items.
11. (a) If a trademark, check how the mark is used. By applying it: directly to the goods _____, directly to the containers for the goods _____, to tags or labels affixed to the goods _____, to tags or labels affixed to the containers for the goods _____. By displaying it: in physical association with the goods in the sale or distribution thereof _____, in advertising _____.
(b) If a service mark, check how the mark is used. By displaying it: in advertisements of the service _____, on documents, wrappers, or articles delivered in connection with the service rendered _____, in other fashion _____, if so, (Specify): _____
- (c) If trade name, state the general nature of the business and how the mark is used Used for advertising to distinguish our supply business from other supply businesses. And as a general recognition of our goods and services. Also, to protect costs of advertising and promotions.

STATE OF Nevada
COUNTY OF Clark } ss.

DON L. WOOLBRIGHT being first duly sworn, deposes and says that he is
PRESIDENT of ROCK CITY, the applicant herein,
and makes this affidavit in his behalf; that he has read the above application and that the statements and facts set out therein are true
that the mark is currently in use by applicant; that to the best of his knowledge and belief the applicant is the owner of the mark sought to be registered and
no other person has the right in the State of Nevada to use such mark either in the identical form set forth in the application or in such near resemblance to
it as might, when applied to the goods or services of such other person, cause confusion or cause mistake or be calculated to deceive.

Don L. Woolbright
SignaturePRESIDENT
Official CapacitySubscribed and sworn to before me this 14th day of December, 1990

(See instructions on reverse side)

SECRETARY OF STATE
State Capitol Complex
Carson City, Nevada 89710Jannette K. Cox
Notary Public



NOV 15 1995

386-6281

BUSINESS LICENSE APPLICATION

All Questions Must Be Answered. Please Print In Black Ink Or Have Typed.

This application is submitted to the Planning and Fire Departments for approval. A Use Permit or Variance may be required based upon the location of the business. Other conditions may be imposed before an application can be considered for approval.

450

Purpose of Application: CHECK APPROPRIATE BOXES		DATE BUSINESS TO BEGIN:		License No.	
NEW BUSINESS ☒		01/01/91 - Approximate		-	
REINSTATEMENT ☐				License No.	
CHANGE OF NAME ☐ Former Name				-	
CHANGE IN OWNERSHIP ☐ Former Owner(s)				License No.	
CHANGE IN LOCATION ☐ Former Location				-	
CHANGE IN MAILING ADDRESS ☐ Former Address				License No.	
CHANGE IN CORP. OFFICERS ☐ Former Officer(s)				Business Phone Nos.:	
Corporate Name (If Applicable): AQUARIUS LANDSCAPE & SPRINKLER CO., INC.					
Doing Business As (DBA): ROCK CITY					
Street Number	Direction	Street Name	Suite#	Zip	
1721	West	Bonanza - Las Vegas,	Nevada	89106	
Mailing Address				Zip	
1721	West	Bonanza - Las Vegas,	Nevada	89106	
Type And Concise Description Of How Business Will Be Conducted (Including Storage Of Merchandise Or Equipment):					
X Supply desert and draught tolerant landscape materials including: Decorative rock & boulders.					
Railroad Ties & logs, topsoil & mulch, plant fertilizer, cactus, desert; trees, shrubs & flowers and all related landscape materials. Also, some antique items; wagon wheels, buck-boards, hand water-pumps and related items.					
Description Of Business Address: New Construction ☐ Remodeled ☒ Existing Structure ☒ License Hang ☐					
Nevada State License:		Nevada Sales Tax Permit No.		C.C. Health Permit No.:	
				N/A	
Applicant Is: ☐ Sole Proprietor ☒ Corporation ☐ Partnership ☐ Association		Other Licenses: ☐ Federal — N/A ☐ Local — N/A			
Owner/Principal Name:		Title:		Date Of Birth:	
DON L. WOOLBRIGHT		PRESIDENT		11/26/36	
Residence:				Residence Phone	
1551 N. Winwood Street				702-648-2400	
City:		State:		Zip:	
Las Vegas,		Nevada		89108	
Owner/Principal Name:		Title:		Date Of Birth:	
MARY ANN M. WOOLBRIGHT		VICE-PRESIDENT		03/28/37	
Residence:				Residence Phone	
1551 N. Winwood Street				702-648-2400	
City:		State:		Zip:	
Las Vegas,		Nevada		89108	
Owner/Principal Name:		Title:		Date Of Birth:	
Mary Ann M. WOOLBRIGHT		SECTY./TREASURER		03/28/37	
Residence:				Residence Phone	
1551 N. Winwood Street				648-2400	
City:		State:		Zip:	
Las Vegas,		Nevada		89108	
Local Manager (If Applicable) Name:				Date Of Birth:	
Residence:				Residence Phone	
City:		State:		Zip:	

Telephone Number To Be Contacted For Preliminary Inspections: 702-648-2400 ☒ Call For Appointment

LICENSE HANG CERTIFICATION: Applicant(s) declares that no employees will be dispatched from his/her residence and will park no more than one business vehicle at applicant's residence (not to exceed one and one-half tons). Applicant further declares all Business will be conducted from License Hang.

Signature

CERTIFICATION: I the undersigned have answered all questions in this application and to the best of my knowledge all answers are true and correct. I further understand that disclosure of any false, misleading or incorrect answers could result in the denial of the License. The filing of an Application does not authorize the conducting of any Business for which a License is required, and any carrying on of such Business before a License is issued may also be grounds for denial of a License.

Signature

Date

Dept. Signature

Date



DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT

APPLICATION FOR ZONING RECLASSIFICATION OF PROPERTY

451

Pursuant to Chapter 19.92, Title 19, of the Las Vegas City Code, as amended, the undersigned owner(s) of record of the property hereinafter described, hereby present(s) this application requesting that certain property be reclassified from the RE Use District to a C-2 & M-2 Use District, as established by Chapter 19.06, Title 19, of the Las Vegas City Code, as amended. Also accompanying this application is the prescribed fee of \$ 200.00.

The property hereinbefore referred to, and in relation to which said changes are hereby applied for, is legally described as follows, to wit:

See Exhibit "A" Attached hereto

CITY COUNCIL MINUTES

NOV 15 1995

Assessor's Parcel Number: 010-620-014

OWNER'S AFFIDAVIT

(owner shall mean owner(s) of record only)

(STATE OF NEVADA)
(COUNTY OF CLARK)

(I, We), Cecile M. Crowe, Trustee of the "Crowe 1982 Trust"

the undersigned, being duly sworn, depose and say that (I am, we are) the (owner, owners) of record of the property involved in this application, that the information on the attached map and all plans, drawings, and sketches attached hereto and all statements and answers contained herein are in all respects true and correct to the best of (my, our) knowledge and belief.

C/O Aquarius Landscape & Sprinkler Co., I:

(SIGNATURE)

1551 North Winwood Street
MAILING ADDRESS

702-648-1113
PHONE NUMBER

Las Vegas, Nevada 89109
CITY STATE ZIP

Cecile M. Crowe
SIGNATURE OF OWNER OF RECORD

7566 Spanish Bay Dr.
MAILING ADDRESS

876-7887
PHONE NUMBER

Las Vegas, NV. 89113
CITY STATE ZIP

Subscribed and sworn to before me this 21st day of June, 19 90

Jacquelin Risner
Notary Public in and for said County and State.

6-6-93
My Commission Expires

(Seal)



NOTARY PUBLIC
STATE OF NEVADA
County of Clark
JACQUELIN RISNER

My Appointment Expires June 6, 1993

****FOR DEPARTMENT USE ONLY****

This is to certify that the foregoing has been inspected by me and was filed with the office of the Secretary of the Board of zoning Adjustment in accordance with the provisions of Chapter 19.88, Title 19, of the Las Vegas City Code.

Filing Fee: \$ _____
Receipt No.: _____

Case No. _____
Meeting Date _____

Received by: _____
Date: _____

CITY COUNCIL MINUTES

452

NOV 15 1995

Sent certified mail

ROCK CITY
1721 W. BONANZA
LAS VEGAS, NV. 89106
OFFICE (702)648-2400 FAX (702)648-8051

October 19, 1995

Dear Neighbor,

Hello my name is Karen Ryan, I would like take this opportunity to introduce myself as the manager of Rock City and invite you to visit us at your leisure so that we can show you first hand the efforts that we are taking to keep the dust problems at a very minimum. I also want to make you aware that I am always available to take any calls, and encourage you to call me any time the dust or noise becomes a nuisance to you. Our business hours are 7:00am to 5:00pm Monday thru Friday and Saturday 8:00am to 4:00pm. Please feel free to call us or stop by and see us any time with any concerns you have about our operations. We really want to continue to be a good neighbor. Thank You for your time.

Sincerely,

Karen M. Ryan

P 998 602 050

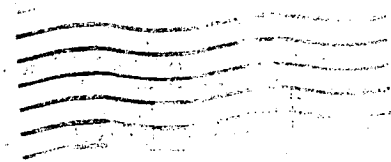
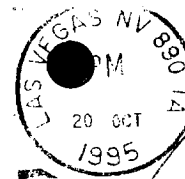


**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to Edward Grover	
Street and No. 1724 W Bonanza	
P.O., State and ZIP Code Las Vegas, NV 89106	
Postage	\$ 32
Certified Fee	1.10
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	\$ 2.42
Postmark or Date 10-20-95	

PS Form 3800, June 1991



Edward P. Grover or Current owner/resident
1724 W Bonanza
Las Vegas, NV 89106

UAC

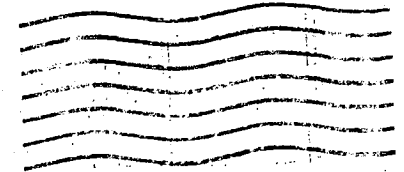
669 1

NOV 15 1995

CITY COUNCIL MINUTES

Rock City
1721 W. Bonanza
Las Vegas, NV 89106
(702) 648-2400

P 310517037



RETURNED TO SENDER

REASON CHECKED

Unclaimed ☒ Refused ☐

Attempted-Not known ☐

Insufficient Address ☐

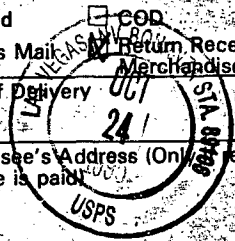
No such street number ☐

No such office in state ☐

Do not remail in this envelope

Owner or Resident
1821 W. Bonanza
Las Vegas, NV 89106

1881
10-21
10-26
11-5

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: Joseph Argier or Current Res. 1905 W Bonanza LAS VEGAS, NV 89106		4a. Article Number P 310 577 030				
5. Signature (Addressee) A.L. Argier		4b. Service Type ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☒ Return Receipt for Merchandise				
6. Signature (Agent)		7. Date of Delivery 24				
8. Addressee's Address (Only if requested and fee is paid)						
PS Form 3811, December 1991 ★U.S. GPO: 1993-352-714 DOMESTIC RETURN RECEIPT						
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; padding: 5px;">TOTAL Postage & Fees</td> <td style="width: 70%; padding: 5px; text-align: center; font-size: 1.5em;">\$ 2.42</td> </tr> <tr> <td colspan="2" style="padding: 5px;"> Postmark or Date 10-20-92 </td> </tr> </table>			TOTAL Postage & Fees	\$ 2.42	Postmark or Date 10-20-92	
TOTAL Postage & Fees	\$ 2.42					
Postmark or Date 10-20-92						
CITY COUNCIL NOV 1						

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): ☐ Addressee's Address ☐ Restricted Delivery Consult postmaster for fee.
3. Article Addressed to: Josephine or Phillip Roseman 1825 W Bonanza Las Vegas, NV 89106	4a. Article Number P 998 602 047
5. Signature (Addressee)	4b. Service Type ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☒ Return Receipt for Merchandise
6. Signature (Agent)	7. Date of Delivery DEC 23 8. Addressee's Address (Only if requested and fee is paid)

PS Form **3811**, December 1991 ★U.S. GPO: 1993-550-750

& Fees	Postmark or Date
\$ 2.42	16-20-95

PS Form **3800**, June 1991

Postage	Certified Fee	Special Delivery Fee	Restricted Delivery Fee	Return Receipt Showing to Whom & Date Delivered	Return Receipt Showing to Whom, Date, and Addressee's Address	TOTAL Postage & Fees	Postmark or Date
\$.32						\$ 2.42	16-20-95
	1.16			1.00			

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):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
 Jacqueline Miller
 1812 W Bonanza
 LAS VEGAS, NV 89106

4a. Article Number
 P 998 602 051

4b. Service Type
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery
 OCT 24 1995

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)
[Signature]

6. Signature (Agent)

PS Form 3811, December 1991 *U.S. GPO: 1993-352-714

Thank you for using Return Receipt Service.

CITY COUNCIL MINUTES

NOV 15 1995

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):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
 Molsberry or Current Res.
 1808 W Bonanza
 LAS VEGAS, NV 89106

4a. Article Number
 P 998 602 048

4b. Service Type
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☒ Return Receipt for Merchandise

7. Date of Delivery
 10/23/95

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)
[Signature]

6. Signature (Agent)

PS Form 3811, December 1991 *U.S. GPO: 1993-352-714

Thank you for using Return Receipt Service.

PS Form 3800, June 1991

Postmark or Date
 10-20-95

TOTAL Postage & Fees
 \$2.42

Postmark or Date	TOTAL Postage & Fees	Return Receipt Showing to Whom, Date, and Addressee's Address	Restricted Delivery Fee	Special Delivery Fee	Certified Fee	Postage	P.O. State and ZIP Code	Street and No.	Sent to
10-20-95	\$2.42		1.00		1.10	\$1.32	LAS VEGAS, NV 89106	1821 W Bonanza	Owner or Resident

Receipt for Certified Mail

No insurance coverage provided. Do not use for international mail (See Reverse)

PS Form 3800, 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:
 Merrill or Frances Molsberry
 1804 W Bonanza
 LAS VEGAS, NV 89106

4a. Article Number
 P310577031
 4b. Service Type
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☒ Return Receipt for Merchandise

5. Signature (Addressee)
F. Molsberry

7. Date of Delivery
 10-26-95

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991 ★U.S. GPO: 1993-352-714 **DOMESTIC RETURN RECEIPT**

& Fees \$2.42
 Postmark or Date
 10-20-95

CITY COUNCIL MINUTES

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Thank you for using Return Receipt Service.

PS Form 3800, 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:
 Henry or Darlene Moore
 or Current Owner
 1722 W Bonanza
 LAS VEGAS, NV 89106

4a. Article Number
 P310577022
 4b. Service Type
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☒ Return Receipt for Merchandise

5. Signature (Addressee)
H. Moore

7. Date of Delivery
 10-22-95

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991 ★U.S. GPO: 1993-352-714 **DOMESTIC RETURN RECEIPT**

TOTAL Postage & Fees \$2.42
 Postmark or Date
 10-20-95

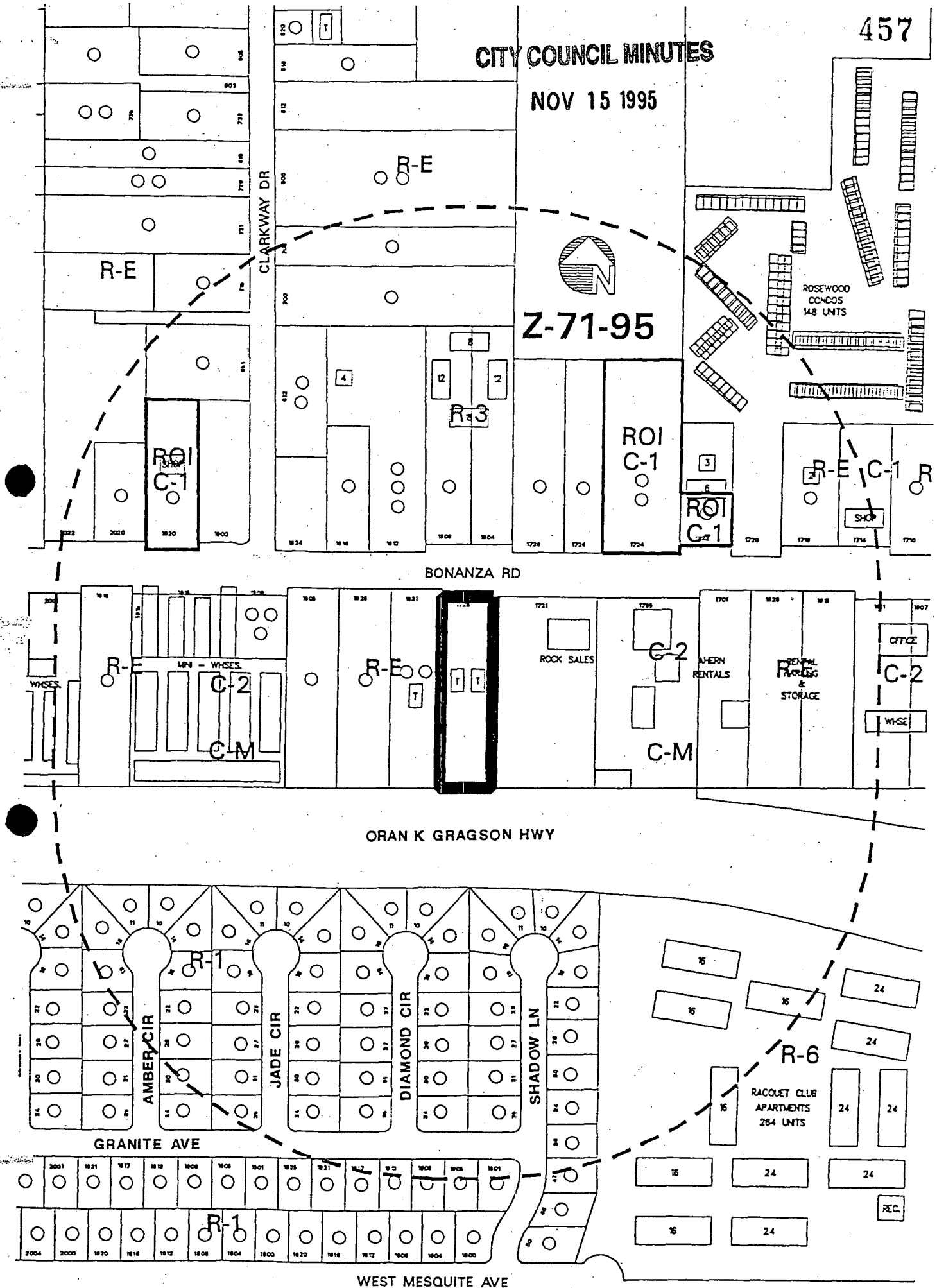
Thank you for using Return Receipt Service.

CITY COUNCIL MINUTES

NOV 15 1995

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Z-71-95



CITY COUNCIL

MEETING OF

NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	PLANNING AND DEVELOPMENT	
	<u>REVIEW OF CONDITION</u>	
87	<u>ABEYANCE ITEM - Z-80-77(2) - Israel Kunin</u> Request to decrease the length of the required median on Pecos Road adjacent to the applicant's property and to delete the requirement to construct sidewalk on Bonanza Road between the applicant's property and Reef Drive, C-1 Zone. Ward 3 (Reese) Staff Recommendation: DENIAL. If APPROVED, subject to: 1. Conformance to all other original applicable Conditions of Approval for PM-53-94, Z-80-77 and Z-80-77(1).	ADAMSEN - Accepting the WITHDRAWAL of Item 98 and ABEYANCE of Items 87, 91, 110 and 111 to 12/6/95 - UNANIMOUS ***** There was no related discussion. (2:32 - 2:34)

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - REVIEW OF CONDITIONS - Z-80-77(2) - Israel Kunin

PURPOSE/BACKGROUND

THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 1, 1995 CITY COUNCIL MEETING BECAUSE THE APPLICANT HAD NOT BEEN NOTIFIED.

APPLICATION REQUEST:

This request is to delete certain Public Works conditions placed on the applicant's project that apply to other portions of the overall site recorded as PM-53-94. Specifically, the applicant is requesting that the length of the median to be installed on Pecos Road be reduced from a length of 100 feet to 30 feet at a 4 foot width, and that Condition No. 4 of the Plot Plan and Building Elevation Review [Z-80-77(1)] be modified to delete the portion of the condition requiring sidewalk on Bonanza Road from the applicant's east property line easterly to Reef Drive.

The applicant has indicated that he purchased his property from the original owner who agreed to the requirements for the entire eight acre parcel but did not fulfill his commitment. The applicant is therefore seeking relief from placing improvements adjacent to property he does not own.

BACKGROUND DATA:

- 11/2/77 The City Council approved a Reclassification from R-3 (Limited Multiple Residence) to C-1 (Limited Commercial) zoning for this site as a part of a larger request (Z-80-77).
- 5/25/95 The Planning Commission approved a request for a Plot Plan and Building Elevation Review for a proposed shopping center on the south side of Bonanza Road and the east side of Pecos Road [Z-80-77(1)].

Agenda Item

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - REVIEW OF CONDITIONS - Z-80-77(2) - Israel Kunin

PURPOSE/BACKGROUND

FINDINGS:

Pertaining to the request to decrease the length of the required median on Pecos Road:

Public Works' staff originally required that the parcel map applicant and property owner (Kenney Family Trust) complete a Traffic Impact Analysis for the overall parcel prior to its division. The applicant and his consultants contested this requirement because he did not have sufficient time to complete the TIA prior to the closing of escrow. Staff initially did not want to modify the requirements because of follow-up problems such as the one currently being considered. However, to accommodate the situation, Staff did modify the original condition to require that "a *Traffic Impact Analysis ... be submitted to and approved by the Department of Public Works prior to the issuance of any permits for either of the lots created with the recordation of the parcel map*". The applicant agreed with the revised condition and the parcel map was recorded. Subsequently, the buyer of one of the parcels created submitted a TIA which was approved on August 31, 1995, by the Traffic Engineer. Condition No. 1 of the TIA's approval letter requires "*the median islands on Bonanza and Pecos Road to be extended as per the plans included with the report*". Staff believes everything in regard to the Traffic Impact Analysis and its requirements has been properly documented in writing and that these issues should have been disclosed and resolved between the seller and buyer.

Pertaining to the request to eliminate the condition requiring sidewalk adjacent to the entire parcel map site:

As explained above, certain originally recommended conditions of approval for the parcel map that created this site were modified to accommodate the seller. The original condition required the seller to construct or bond for sidewalk along the parcel map's entire frontage on Bonanza Road; as modified, the condition required "*also, concurrent with the first phase of development on either lot, sidewalk shall be installed on Bonanza Road the full length of this parcel map site*". As before, staff believes everything in regard to the sidewalk requirements has been properly documented in writing and that these issues should have been disclosed and resolved between the seller and buyer.

Therefore, staff recommends denial of the submitted Review of Condition request.

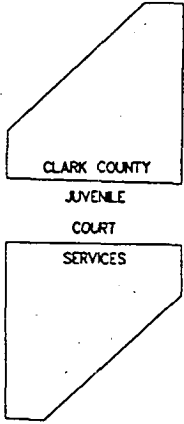
Staff Recommendation: DENIAL

SEE ATTACHED LOCATION MAP

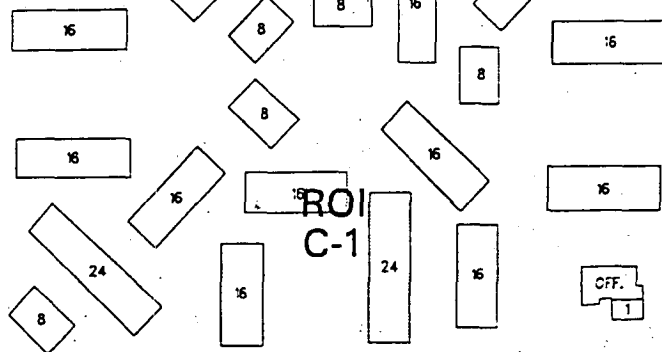
Agenda Item

CITY COUNCIL MINUTES

NOV 15 1995



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ROI C-1

ROI C-1

PRICE RIGHT

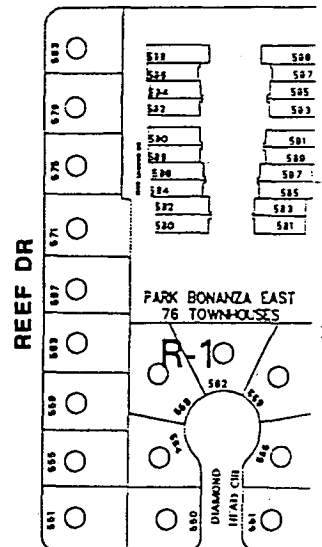
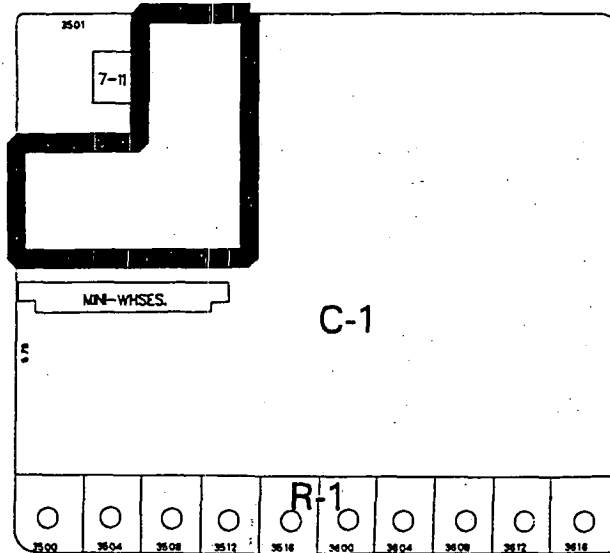
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BONANZA RD

3601

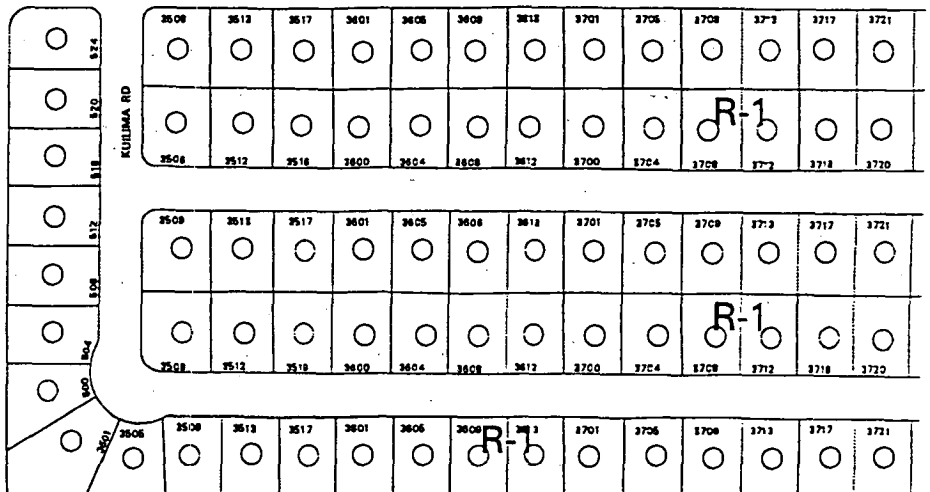


Z-80-77(2)



PECOS RD

DIAMOND HEAD DR



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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	PLANNING AND DEVELOPMENT	
	<u>AESTHETIC REVIEW</u>	
88	<u>AR-16-94(1) - Stratosphere Corporation</u> Request for a Plot Plan and Building Elevation Review for Phase II to include an aquarium, an entertainment area, retail shops and a pool/recreation area, on property located on the northeast corner of Baltimore Avenue and Fairfield Avenue, R-4 Zone (under Resolution of Intent to C-2). Ward 1 (McDonald) Planning Commission (6-0 vote) and staff recommended APPROVAL, subject to: 1. An update to the previous 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. 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. 2. Construct all incomplete half-street improvements adjacent to the overall Stratosphere Corporation site as required by the Department of Public Works. Also, if necessary and as required, remove all substandard public street improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards.	ADAMSEN - APPROVAL, subject to conditions and amending Condition #1 to require submittal of the updated Traffic Impact Study before 8/31/96 - UNANIMOUS with Callister not voting ***** ANDREW BLUMEN, Executive Vice President and Counsel for Stratosphere Corporation, concurred with all but Condition #1 which he requested be amended for a submittal date of 8/31/96. He displayed a rendering of the project and pointed to the portion involved in Phase II for retail and aquarium space. In addition, Stratosphere Corporation is currently making an equity offering to obtain funding for the next phase which involves 1,000 more rooms. If that funding is obtained on schedule, they anticipate seeking the architectural review, pulling permits and completing that segment by November 1996. That will bring the total investment to approximately \$500,000,000. COUNCILMAN CALLISTER expressed a concern regarding access and people movement around the Tower. MR. BLUMEN stressed that congestion would mean that the project is a success but would not enhance visitors' overall experience. Therefore, Stratosphere Corporation is investigating every avenue to facilitate vehicular and pedestrian ingress/egress. They are entering escrow on a 3.5 acre site across the street for an additional 1,000 parking spaces. MR. BLUMEN and COUNCILMAN ADAMSEN discussed the station included in the northern portion of the Tower for any type of people mover which may be developed. Although they do not have the four acres needed to house a maglev, they are working to provide stations for all forms of mass transit, including a maglev and buses. COUNCILMAN CALLISTER commented on how encouraged he is that after years of talking about a people mover system, the right people are finally coming together. MAYOR JONES added that government is finally moving quickly on an issue and with the private support and funding now being looked at, some type of system should be developed in the lifetime of this Board. TOM MCGOWAN, 720 S. Casino Center #5, stressed that the key to mass transportation is mass, not transportation. He

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

**Item
Number**

DISCUSSION / ACTION ITEMS

PLANNING AND DEVELOPMENT

AR-16-94(1) - Stratosphere Corporation

3. Development of this site shall continue to be in accordance with all previously imposed and applicable conditions of approval for the original Aesthetic Review AR-16-94, Zoning Applications Z-19-84 and Z-167-94, Vacation Application VAC-42-94, Reversionary Map RM-7-94 and all subsequent site-related actions connected with the overall Stratosphere Corporation development site.

4. Standard Condition Nos. 2, 5 - 7 and 11.

urged the Council to look at the automobile. The Stratosphere Tower is an attractive project but he offered his connections with a well-known treasure hunter as well as his services as a musician to make it an internationally acclaimed destination. He would be available to make a formal presentation to representatives of the City, Stratosphere Tower and COUNCILMAN McDONALD upon request. He complimented MR. BLUMEN for what has been done but urged him to finish the project the way it should be done. He stressed that this development shows what BOB STUPAK can and still may do for the City of Las Vegas.

No one appeared in opposition.

There was no further discussion.

(3:24 - 3:39)

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: AESTHETIC REVIEW - AR-16-94(1) - Stratosphere CorporationPURPOSE/BACKGROUNDAPPLICATION REQUEST:

This request is for a Plot Plan and Building Elevation Review for a proposed aquarium, entertainment and recreation area, and retail shops on property adjacent to the Stratosphere Tower.

BACKGROUND DATA:

4/18/90	The City Council approved an Aesthetic Review for the Stratosphere Tower (AR-5-90).
6/21/94	The City Council approved a revised Aesthetic Review for the Stratosphere Tower and amusement ride which is adjacent to this site (AR-5-90).
2/1/95	The City Council approved an Aesthetic Review for a proposed hotel/casino expansion and parking garage (AR-16-94).

DETAILS OF APPLICATION REQUEST:New Building Area:

Aquarium	62,534 Square Feet
Entertainment Area	29,697 Square Feet
Retail Shops	70,834 Square Feet
Pool & Recreation Area	53,500 Square Feet
Health Club	10,700 Square Feet

Access to the overall site is via two drives along Baltimore Avenue, one drive along Fairfield Avenue, one drive along Las Vegas Boulevard and one drive along Main Street. The plan indicates additional amenities and attractions for the Stratosphere Tower complex including a 62,534 square foot aquarium, a 29,697 square foot entertainment area that will have lounges with live shows, and a 53,500 square foot pool and recreation area. Also proposed are 70,834 square feet of retail shops and a 10,700 square foot health club. The office areas indicated are associated with the aquarium, no office lease space is proposed.

Agenda Item

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: AESTHETIC REVIEW - AR-16-94(1) - Stratosphere Corporation

PURPOSE/BACKGROUND

The elevations depict a stucco exterior with a modulating wall with signage and decorative features such as a raised wall with the Stratosphere Tower emblem above the driveway entrance. The overall elevation theme is that of a world's fair with pennant replicas of numerous countries. Also proposed as a part of this request is a new 110 foot pylon marquee sign. The sign will be situated along the Las Vegas Boulevard entrance and will feature animated displays, the Stratosphere Tower entrance emblem and a series of world flags.

FINDINGS:

The amenities and attractions proposed are compatible with the area and the overall development plan for the Stratosphere property. Staff feels that the aesthetics of the proposed aquarium and retail shops will enhance the overall surrounding area. Staff has no objection to the proposed 110 foot marquee sign. Section 19.91.080 exempts any on-premise sign located within the Gaming Enterprise District from height and size restrictions unless a review is required by the City Council.

The Department of Public Works has no objection to the Plot Plan and Building Elevation Review request.

Planning Commission Recommendation: APPROVAL (6-0 vote)

Staff Recommendation: APPROVAL

SEE ATTACHED LOCATION MAP

Agenda Item



SAHARA AVE

CITY COUNCIL

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	PLANNING AND DEVELOPMENT <u>PLOT PLAN AND BUILDING ELEVATION REVIEW</u> 89 <u>Z-100-64(161) - Duane D. Williams</u> Request for a Plot Plan and Building Elevation Review for a proposed wedding chapel on property located at 800 and 810 South Fourth Street, R-4 Zone (under Resolution of Intent to C-2). Ward 1 (McDonald) Planning Commission (6-0 vote) and staff recommended APPROVAL, subject to: 1. Provide minimum 24 inch box trees 30 feet on center with ground cover, shrubs and boulders in all landscape areas as required by the Planning and Development Department. The use of drought tolerant landscaping is encouraged. 2. Dedicate a 10 foot radius on the southwest corner of Gass Avenue and Fourth Street prior to the issuance of any permits as required by the Department of Public Works. Also, if applicable and prior to the issuance of any permits, dedicate public sidewalk easements for all public sidewalks adjacent to this site not located within existing public street right-of-ways. 3. Construct all incomplete half-street improvements (such as missing sidewalk sections and missing/substandard handicap ramps at the abutting street intersection and along the adjacent alley) on Gass Avenue, on Fourth Street and on the abutting alley adjacent to this site as required by the Department of Public Works. Also, if necessary and as required, remove all substandard public street and alley improvements and all unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards.	McDONALD - APPROVAL, subject to conditions - UNANIMOUS with Jones and Callister not voting ***** DAVE WILSON, CRS Engineers, 4290 S. Maryland, appeared on behalf of the applicant who concurred with the conditions. COUNCILMAN ADAMSEN agreed that Fourth Street will be a major corridor and an appropriate location for the chapel. No one appeared in opposition. There was no further discussion. (3:39 - 3:40)

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

**Item
Number**

DISCUSSION / ACTION ITEMS

PLANNING AND DEVELOPMENT

Z-100-64(161) - Duane D. Williams

4. Construct full-width alley paving adjacent to this site (where such does not presently exist) and construct full-width alley paving between the south edge of this site and the nearest existing alley paving improvements south of this site as required by the Department of Public Works.

5. Meet with the Traffic Engineer for assistance in redesigning the proposed driveway and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. All new driveways and modifications to existing driveways should be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.

6. Site development to also comply with all applicable conditions of approval for the original Zoning Application Z-100-64 and all subsequent site-related actions as required by the Department of Public Works.

7. Standard Condition Nos. 2 - 8 and 11.

APPROVAL

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: PLOT PLAN AND BUILDING ELEVATION REVIEW - Z-100-64(161) - Duane D. Williams

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for a plot plan and building elevation review for a wedding chapel on a 0.4 acre site.

BACKGROUND DATA:

This site was part of a reclassification initiated by the City Council in 1964.

DETAILS OF APPLICATION REQUEST:

Site Area	0.4 Acre
Building Area	3,922 Square Feet
Parking Required	12 Spaces
Parking Provided	13 Spaces

Access to the site is via one drive along Gass Avenue, one drive along Fourth Street and an alleyway. The plan indicates a 3,922 square foot building with a wedding chapel and ancillary uses such as tuxedo rentals, a drive-through window and florist shop. Thirteen parking spaces are also indicated on the site. Landscaping is provided along the Gass Avenue and Fourth Street frontages.

The elevations depict a single story building with a steeple and gazebo. The building appears to have a wood panel exterior.

FINDINGS:

The project site is located within the Redevelopment Area of downtown. The area is currently being studied for possible designation as a office corridor. However, a wedding chapel is a permitted use in the C-2 (General Commercial) zoning district. Therefore, staff has no objection to the request.

Planning Commission Recommendation: APPROVAL (6-0 vote)

Staff Recommendation: APPROVAL

SEE ATTACHED LOCATION MAP

Agenda Item

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CHARLESTON BLVD

CITY COUNCIL

MEETING OF

NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	PLANNING AND DEVELOPMENT	
	<u>PLOT PLAN AND BUILDING ELEVATION</u>	
	<u>REVIEW</u>	
90	<u>Z-26-91(5) - Georgia James</u>	McDONALD - APPROVAL, subject to conditions -
		UNANIMOUS with Adamsen not voting
	Request for a Plot Plan and Building Elevation	
	Review for a proposed professional office on	
	property located at 112 South Jones Boulevard,	
	R-1 Zone (under Resolution of Intent to P-R).	
	Ward 1 (McDonald)	
	Planning Commission (6-0 vote) and staff	
	recommended APPROVAL, subject to:	
	1. The requirement to provide a minimum	
	of six parking spaces is temporarily waived. The	
	applicant shall provide a minimum of three	
	additional parking spaces in the rear of the	
	property at the time of conversion to office use of	
	the properties directly abutting the site on the north	
	and/or south as required by the Planning and	
	Development Department.	
	2. Provide a minimum 10 foot x 48 foot	
	planter along the Jones Boulevard frontage with	
	desert landscaping including shrubs, boulders and	
	ground cover. If a parking waiver is not approved	
	then said planter shall be 10 feet x 36 feet along	
	Jones Boulevard as required by the Planning and	
	Development Department.	
	3. Provide minimum five foot wide planters	
	along the north and south property lines with	
	minimum 24 inch box trees 30 feet on center with	
	shrubs, ground cover and boulders as required by	
	the Planning and Development Department (if a	
	parking waiver is approved). The use of drought	
	tolerant landscaping is encouraged.	

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	<u>DISCUSSION / ACTION ITEMS</u>	
	PLANNING AND DEVELOPMENT	
	<u>Z-26-91(5) - Georgia James</u>	APPROVAL
	4. Meet with the Traffic Engineer for assistance in redesigning the proposed driveway and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. All new driveways or modifications to existing driveways, if any are proposed, shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works. Final design of the on-site parking layout shall provide for appropriate turnaround space so that vehicles exiting this site are not required to back out onto Jones Boulevard.	
	5. The applicant shall submit a Joint Access and Parking Agreement between this parcel and the parcel to the south of this site when the property to the south converts to Professional Office as required by the Planning and Development Department.	
	6. Contribute \$1785.71 to partially fund a traffic signal system at the intersection of Jones Boulevard and Evergreen Avenue prior to the issuance of building or off-site permits or the issuance of a business license, whichever may occur first, as required by the Department of Public Works.	
	7. If on-street parking is not already prohibited adjacent to this site, submit a written request to the Traffic and Parking Commission to eliminate parking on Jones Boulevard adjacent to this site prior to the issuance of building or off-site permits or the issuance of a business license, whichever may occur first, as required by the Department of Public Works.	

CITY COUNCIL

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	PLANNING AND DEVELOPMENT <u>Z-26-91(5) - Georgia James</u> 8. Hard surface (if allowed by Planning and Development) and/or landscape all unimproved public right-of-way, if any, on Jones Boulevard adjacent to this site prior to the issuance of a business license as required by the Department of Public Works. Maintain all such improvements in perpetuity. All required landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting public street intersections if such is a corner property. 9. If applicable, submit a request for an Encroachment Agreement for all landscaping and private improvements located in the Jones Boulevard public right-of-way adjacent to this site prior to the issuance any permits or the issuance of a business license, whichever may occur first, as required by the Department of Public Works. 10. Remove all substandard sidewalk and curb and gutter, if any, adjacent to this site and replace with new improvements meeting current City Standards prior to the issuance of a business license as required by the Department of Public Works. 11. Remove all unused driveway cuts adjacent to this site, if any, and replace with new 'L' curb and sidewalk meeting current City Standards prior to the issuance of a business license as required by the Department of Public Works. 12. Site development to comply with all applicable original conditions of approval for Zoning Application Z-26-91 and with all subsequent site-related actions as required by the Department of Public Works. 13. Conformance to the plot plan as amended by the above conditions. 14. Conformance to the building elevations. 15. Standard Condition Nos. 3 - 8 and 11.	APPROVAL

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: PLOT PLAN AND BUILDING ELEVATION REVIEW - Z-26-91(5) - Georgia James

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for a Plot Plan and Building Elevation Review to allow the conversion of a single family residence into a professional office.

BACKGROUND DATA:

5/01/91 The City Council approved a reclassification from R-1 (Single Family Residence) to P-R (Professional Offices and Parking) for this site as part of a larger request (Z-26-91).

DETAILS OF APPLICATION REQUEST:

Site Area	7,401 Square Feet
Building Area	1,800 Square Feet

Access to the site is via one drive along Jones Boulevard. The plan indicates a single family home with an attached one car garage. The dwelling will be converted into approximately 1,800 square feet of professional office space. Parking is proposed in the front and rear of the site. Access to the rear parking is via two proposed 12 foot wide access drives that extend into the properties to the south and north of the site. A portion of the existing landscaping will be removed from the front of the dwelling as will a mature tree in the rear. No floor plans were provided.

The elevations depict a single story dwelling with a wood panel exterior and a asphalt shingle roof. No exterior alterations are proposed to the existing structure.

Agenda Item

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: PLOT PLAN AND BUILDING ELEVATION REVIEW - Z-26-91(5) - Georgia James**PURPOSE/BACKGROUND****FINDINGS:**

The applicant has indicated that the building will be a two-person office. The applicant also indicated that a joint access agreement has been obtained with the property owners abutting the project site. The proposed accessway/driveways overlap onto the residential properties on the north and south. Section 19.38.060 of the Municipal Code requires a six foot high wall between property zoned and utilized for residential purposes adjacent to P-R zoned property. If the drive were placed on the adjacent property, the fence requirement would have to be waived or a fence would have to be placed on property the applicant does not actually own.

Since this is a two-person office with little or no commercial traffic, then a parking waiver would be preferable to joint access driveways at this point. The Planning Commission has the authority under the code to waive the requirement for a minimum of six parking spaces. The applicant should be allowed to provide the three spaces shown at the front of the site and be required to provide an additional three spaces at the time the properties to the north and/or south are converted to professional offices.

Also, additional landscaping should be provided on the site. If the parking waiver is approved, then landscaping should be provided in the areas designated as drives and along the Jones Boulevard frontage. However, if the waiver is not approved, additional landscaping should be provided behind the sidewalk along Jones Boulevard with a planter a minimum of 10 feet wide.

The Department of Public Works notes that vehicles utilizing the parking shown in the front yard area may try to back out onto Jones Boulevard. To ensure that vehicles will not back directly out onto Jones Boulevard, the Department of Public Works has recommended that the applicant meet with the Traffic Engineer.

Planning Commission Recommendation: APPROVAL (6-0 vote)

Staff Recommendation: APPROVAL

SEE ATTACHED LOCATION MAP

Agenda Item

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	PLANNING AND DEVELOPMENT <u>REVIEW OF CONDITION - PUBLIC HEARING</u> <u>ABEYANCE ITEM - Z-43-78(1) - V A Associates</u> Request for a Review of Condition to allow a partial demolition of the required block wall along Shadow Lane for the purpose of installing a driveway for vehicular access on property located at 1707 W. Charleston Boulevard, C-1 and P-R Zones. PROTESTS: 56 (51 Petition , 5 at Meeting) APPROVALS: 1 (at Meeting) Ward 1 (McDonald) Staff Recommendation: NO OBJECTION Planning Commission (5-0 vote) recommended APPROVAL, subject to: 1. Original Condition No. 2 shall be amended to add the following: "One point of vehicular access is permitted to Shadow Lane. This driveway shall be designated 'Right Turn Only'". 2. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any demolition, building or off-site permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to use of the new driveway to Shadow Lane. 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.	ADAMSEN - Accepting the WITHDRAWAL of Item 98 and ABEYANCE of Items 87, 91, 110 and 111 to 12/6/95 - UNANIMOUS ***** There was no related discussion. (2:32 - 2:34)

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

<u>Item Number</u>	<u>DISCUSSION / ACTION ITEMS</u>	
	PLANNING AND DEVELOPMENT <u>ABEYANCE ITEM - Z-43-78(1) - V A Associates</u> 3. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works. 4. Remove all substandard public street improvements and unused driveway cuts, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities as required by the Department of Public Works. 5. Repair all damage to existing public improvements resulting from the demolition and construction of this access drive as required by the Department of Public Works. 6. Conformance to all other original Conditions of Approval for Z-43-78 and other site related actions as required by the Department of Community Planning and Development and the Department of Public Works. 7. This action shall be reviewed by the Planning Commission eighteen months from this date. The eighteen month review shall be advertised as a public hearing. 8. Standard Condition Nos. 2, 6 and 7.	ABEYANCE to 12/6/95

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT
SUBJECT: ABEYANCE ITEM - REVIEW OF CONDITION - PUBLIC HEARING - Z-43-78(1) - V A Associates	

PURPOSE/BACKGROUND

THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 1, 1995 CITY COUNCIL MEETING TO GIVE THE APPLICANT ADDITIONAL TIME REQUESTED.

APPLICATION REQUEST:

Condition No. 2 of the original rezoning approval states:

"...A six foot block wall to be constructed along Shadow Lane and a six foot decorative wall to be constructed along Ellis Avenue."

The applicant is requesting a review of this condition to permit a driveway for vehicular access to Shadow Lane. In the justification letter, the applicant states that the access is necessary due to the increased traffic on Charleston Boulevard, and because the drive-through access to Charleston Boulevard from the Wendy's restaurant has created a traffic hazard. The applicant has indicated that the driveway to Shadow Lane would be marked right turn only.

BACKGROUND DATA:

6/21/78

The City Council approved a rezoning to C-1 (Limited Commercial) for the parcel that fronts on Charleston Boulevard and P-R (Professional Offices and Parking) for the parcel on Shadow Lane which is the subject of this request (Z-43-78).

Agenda Item

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - REVIEW OF CONDITION - PUBLIC HEARING - Z-43-78(1) - V A Associates

PURPOSE/BACKGROUND

FINDINGS:

The minutes of the rezoning action indicate that access to Shadow Lane was a concern of nearby residents. Since 1978, however, the amount of traffic and the number of driveways to Charleston Boulevard has increased. Also, other offices on both the east and west sides of Shadow Lane have access to that street. If this request is approved, staff feels that the traffic flow should be limited to right turn only to prevent an increase in traffic in the residential areas to the south of Ellis Avenue.

The Department of Public Works recommends that the applicant be required to submit a Traffic Impact Analysis for approval prior to the issuance of permits and that all driveways conform to City standards.

Planning Commission Recommendation: APPROVAL (5-0 vote) (The Planning Commission added a condition requiring a public hearing 18 months from the date of approval at which time the driveway could be required to be closed.)

Staff Recommendation: NO OBJECTION

PROTESTS: 56 (5 at Meeting, 51 Petition) (Several speakers expressed concerns regarding the increase in traffic on Shadow Lane and that the Veterans Administration is vacating the site.)

APPROVALS: 1 (at Meeting)

NOTICES MAILED: 152

SEE ATTACHED LOCATION MAP

Agenda Item



DEPARTMENT OF VETERANS AFFAIRS

Medical Center

1703 West Charleston Boulevard
Las Vegas NV 89102

CITY COUNCIL MINUTES

November 14, 1995

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RECEIVED
CITY CLERK

In Reply Refer To:

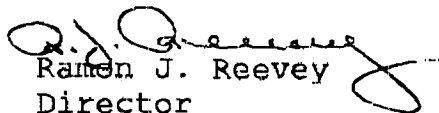
- Kathy Tighe
City Clerk
400 E. Stewart Ave.
Las Vegas, NV 89101

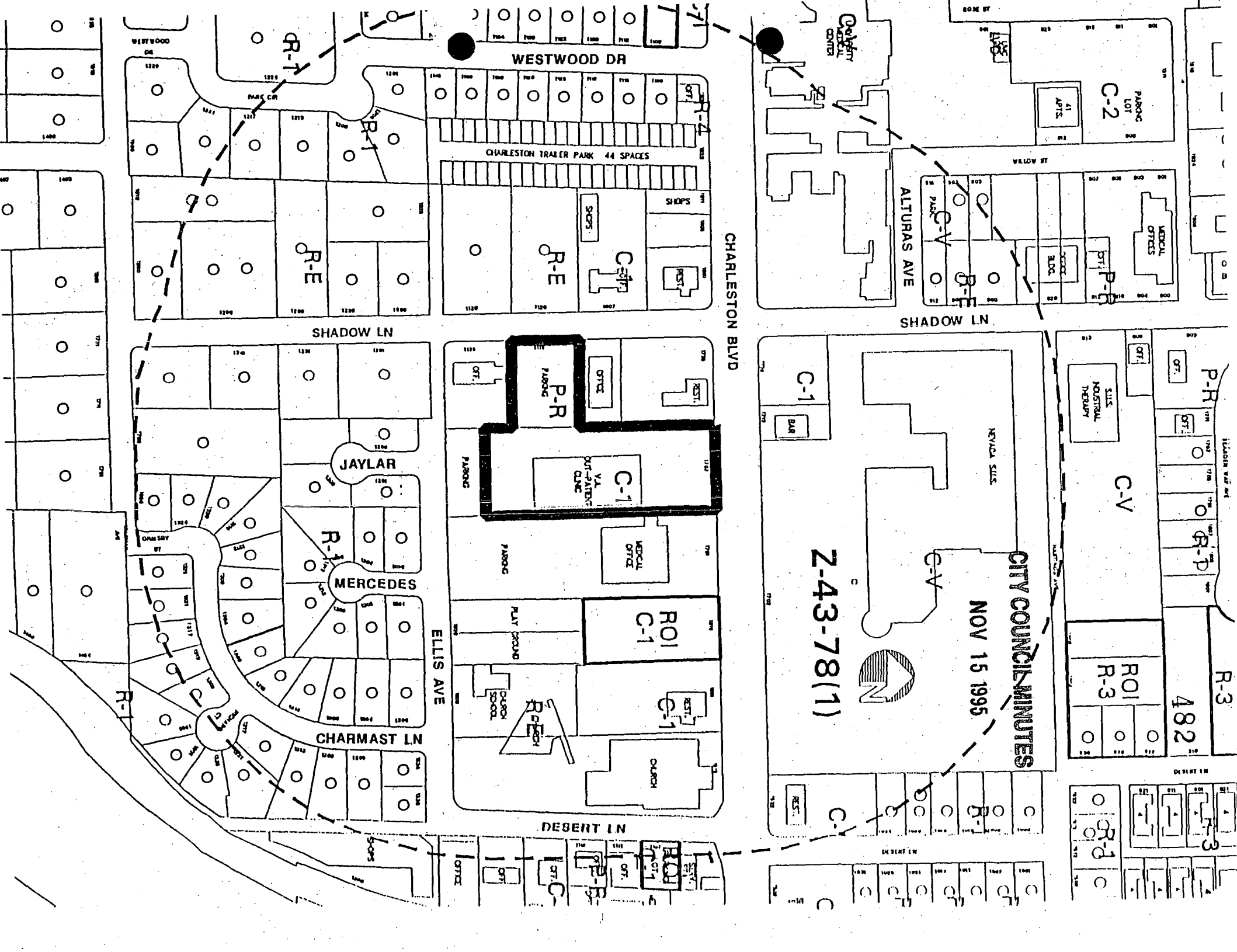
Dear Ms. Tighe:

Both the VA Medical Center and VA Clinic associates request the absence of Item 91, Egress onto Shadow Lane, until the Council meets in December.

This further delay is necessitated by the absence of the VAMC representative who suffered a recent accident but will be available the next time the City Council meets.

Sincerely,


Ramon J. Reevey
Director



WESTWOOD DR

CHARLESTON TRAILER PARK 44 SPACES

CHARLESTON BLVD

SHADOW LN

JAYLAR

MERCEDES

CHARMAST LN

ELLIS AVE

DESERT LN

SHADOW LN

CITY COUNCIL MINUTES

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Z-43-78(1)



C-2

ALTURAS AVE

C-V

R-E

P-R

OFF.

R-3

OFF.

R-3

OFF.

R-3

OFF.

R-3

OFF.

R-3

C-V

INDUSTRIAL

THEATRE

R-3

OFF.

OFF.

OFF.

OFF.

OFF.

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CITY COUNCIL
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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	<u>DISCUSSION / ACTION ITEMS</u>	
	PLANNING AND DEVELOPMENT <u>AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS - PUBLIC HEARING</u> 92 <u>MSH-2-95 - Hunsaker & Associates</u> Request for an Amendment to the Master Plan of Streets and Highways to add Gowan Road, an 80 foot wide secondary street from a point (Jensen Street), approximately 660 feet west of the centerline of Grand Canyon Drive, westerly 4,104.42 feet, and from a point 2,421.34 feet west of the centerline of Hualapai Way westerly 691.72 feet; Borden Road, an 80 foot wide secondary street, between the centerline of Cheyenne Avenue and the centerline of Gowan Road; and Hualapai Way, a 100 foot wide primary street, from a point 670.09 feet north of the centerline of Cheyenne Avenue northerly 1,342.08 feet, and between the centerline of Gowan Road and the centerline of Alexander Road, curving northeasterly as shown on the drawing of project no. 1503-1 submitted by Hunsaker and Associates. PROTESTS: 0 Ward 4 (Callister) Planning Commission (6-0 vote) and staff recommended APPROVAL, subject to: 1. City Staff is empowered to modify this application, if necessary, because of technical concerns or because of other related review actions as long as current City requirements are still complied with and the intent of the submitted Master Plan of Streets and Highways Amendment is not changed.	CALLISTER - APPROVAL, subject to condition - UNANIMOUS with Jones and McDonald not voting ***** MAYOR JONES declared the Public Hearing open. JOHN RITTER, 7310 Smoke Ranch, appeared on behalf of the applicant and concurred with the conditions. No one appeared in opposition. MAYOR PRO TEM ADAMSEN declared the Public Hearing closed. There was no further discussion. (3:41 - 3:43)

AGENDA DOCUMENTATION

NOV 15 1995

TO:
THE CITY COUNCIL

FROM: DONNA H. KRISTAPONIS, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS - PUBLIC HEARING -
MSH-2-95 - Hunsaker & Associates

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is to amend the Master Plan of Streets and Highways by adding portions of Gowan Road, Hualapai Way and Borden Road through properties recently annexed.

BACKGROUND DATA:

9/16/94 All of the properties west of Hualapai Way were annexed into the City of Las Vegas [A-6-94(A)].

5/12/95 All of the properties east of Hualapai Way were annexed into the City of Las Vegas [A-6-95(A)].

FINDINGS:

Hualapai Way is a 100 foot wide primary street that begins at Cheyenne Avenue and goes northward. The proposal is to curve the right-of-way easterly north of Gowan Road to run along the west side of the Lone Mountain Detention Basin. This alignment will allow the street to continue in a northerly direction while skirting the easterly edge of Lone Mountain.

Gowan Road and Borden Road are 80 foot wide secondary streets. At this time it is anticipated that Gowan Road will be needed to provide access to future development on the west side of the proposed beltway due to physical barriers at other locations.

Staff has no objection to this request and we anticipate additional amendments as other properties are annexed.

Planning Commission Recommendation: APPROVAL (6-0 vote)

Staff Recommendation: APPROVAL

PROTESTS: 0

NOTICES MAILED: 92

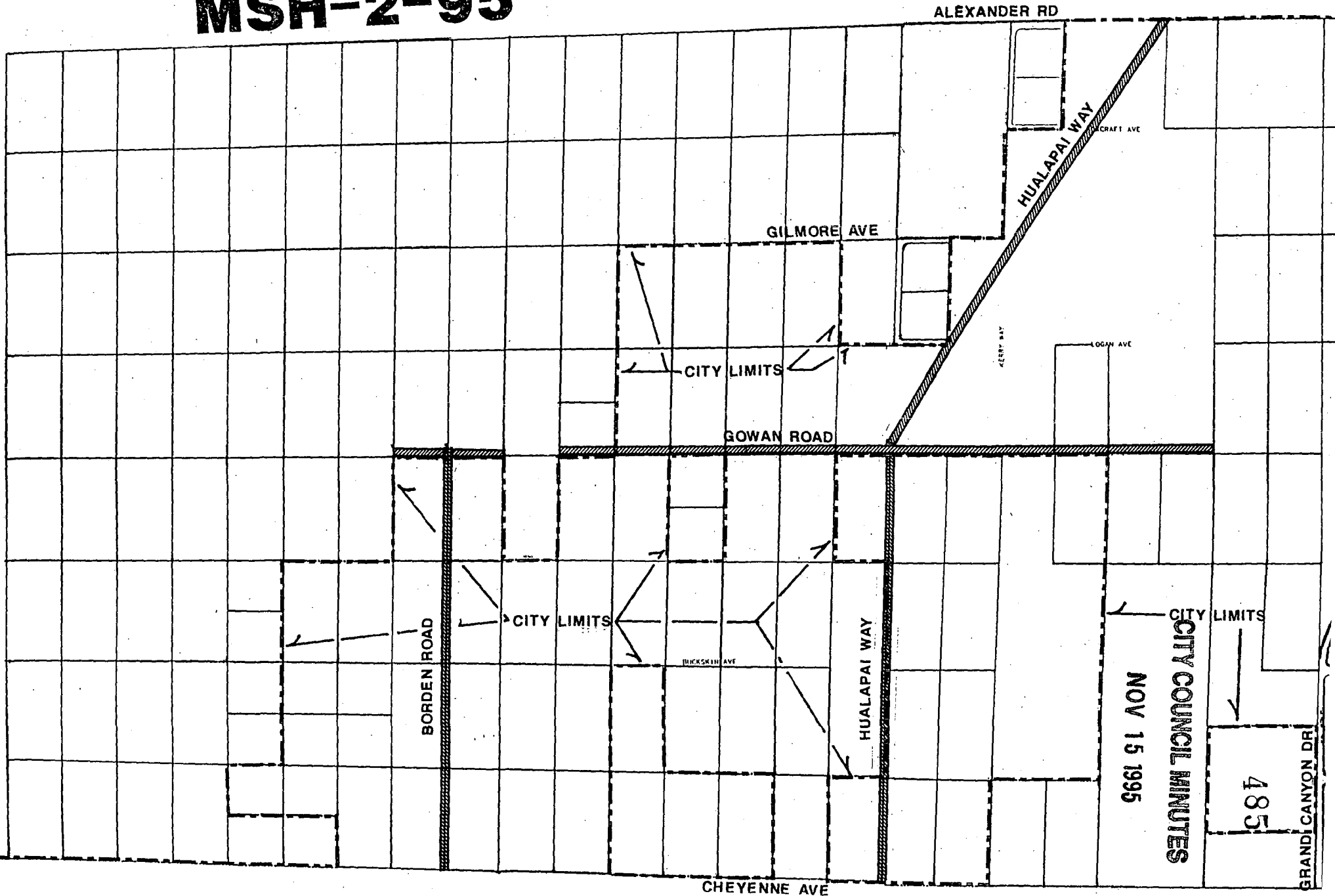
SEE ATTACHED LOCATION MAP

Agenda Item

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MSH-2-95



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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	PLANNING AND DEVELOPMENT	
	<u>VARIANCE - PUBLIC HEARING</u>	
93	<u>ABEYANCE ITEM - V-136-95 - Nevada Outdoor Systems, Inc., on behalf of Beard Family Trust on behalf of Southland Equities</u> Appeal filed by Nevada Outdoor Systems, Inc., on behalf of Beard Family Trust on behalf of Southland Equities for a Variance to allow a 14 foot x 48 foot off-premise advertising (billboard) sign where such use is not permitted, on property located at 3920 West Sahara Avenue, C-C Zone. PROTESTS: 5 letters Ward 2 (Adamsen) Board of Zoning Adjustment (4-0) vote) and Staff Recommendation: DENIAL If approved, subject to: 1. The Board shall review this use in five years at a public hearing and may require the sign to be removed. 2. The applicant obtain an off-premise sign certificate from the Department of Community Planning and Development prior to issuance of a building permit. 3. Standard Conditions 1 and 5.	ADAMSEN - GRANTING the Appeal; thereby APPROVING the Variance, subject to conditions - UNANIMOUS ***** MAYOR JONES declared the Public Hearing open. ATTORNEY MARK FIORENTINO, 3800 Howard Hughes Parkway, and GREG BORGEL, 300 S. Fourth Street, appeared on behalf of the applicant and outlined the unique circumstances. The sign complies fully with all requirements of the sign ordinance but does not comply with the outdated zoning designation C-C on this corner which was not rezoned with the balance of the large commercial shopping center. Staff's position is that the sign is not a permitted use even though the zoning ordinance states that all permitted uses for C-1 are also permitted on C-C. ATTORNEY FIORENTINO introduced photographs depicting the proposed sign to prove that the billboard would not obstruct any on-premise signs or the Q Lube building. ATTORNEY PETER MORTENSEN, 2300 W. Sahara #870, appeared on behalf of Q Lube. There is no hardship to justify the variance and the application carries denial recommendations from both the Board of Zoning Adjustment and staff because it is not compatible with existing zoning on the parcel. Q Lube patronage is either repeat or impulse customers. Blockage of their sign and building from westbound traffic would significantly impact the business. PAUL ROBARTS protested that the negative aesthetics of the sign would adversely impact his property across the street. There are enough signs in the area and he urged denial. GEARY LOWERY, 5870 Cory Place, opposed the sign which is not harmonious or compatible with the area, does not comply with existing zoning, and is not consistent with efforts to enhance Sahara. Signs draw graffiti and other nuisances. COUNCILMAN ADAMSEN and CALLISTER stressed that the sign would comply with the sign ordinance recently adopted by the City had the corner parcels been rezoned with the balance of the property as they should have been. If the City is going to ever have a sign ordinance that works, it must follow that ordinance regardless of the outcome.

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item
Number

DISCUSSION / ACTION ITEMS

PLANNING AND DEVELOPMENT

ABEYANCE ITEM - V-136-95 - Nevada
Outdoor Systems, Inc., on behalf of Beard Family
Trust on behalf of Southland Equities - Continued

CHIEF DEPUTY CITY ATTORNEY STEED explained that every permitted use in C-1 being permitted in C-C does not include uses permitted only subject to a special use permit. The zoning designation C-C may be outdated, but there are code provisions regarding the protections the designation was designed to provide on those parcels still zoned C-C.

MAYOR JONES declared the Public Hearing closed.

There was no further discussion.

(3:42 - 4:02)

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - V-136-95 Nevada Outdoor Systems, Inc., on behalf of Beard Family Trust on behalf of Southland Equities

PURPOSE/BACKGROUND

THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 1 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

This is an appeal filed by Nevada Outdoor Systems, Inc., on behalf of Beard Family Trust on behalf of Southland Equities for a Variance to allow a 14 foot x 48 foot off-premise advertising (billboard) sign where such use is not permitted.

DETAILS OF APPLICATION REQUEST:

The applicant proposes to construct a 672 square foot billboard in the southeast portion of this .55 acre parcel, which is developed with a minor auto repair facility. The sign would be 40 feet high and oriented toward the east and west bound traffic of Sahara Avenue.

FINDINGS:

The use of an off-premise sign is excluded from the C-C (Neighborhood Commercial Center) zoning district. An off-premise sign is first permitted in a C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

Any allowance that enables billboards to be constructed in zone districts where they are not permitted invites competition among sign companies and results in other businesses applying for similar variances. In addition, staff has no basis to support this application because there does not appear to be exceptional or extraordinary circumstances applicable to this property to warrant the granting of the requested use variance.

Staff Recommendation and Board of Zoning Adjustment Decision: DENIAL (unanimous 4-0 vote)

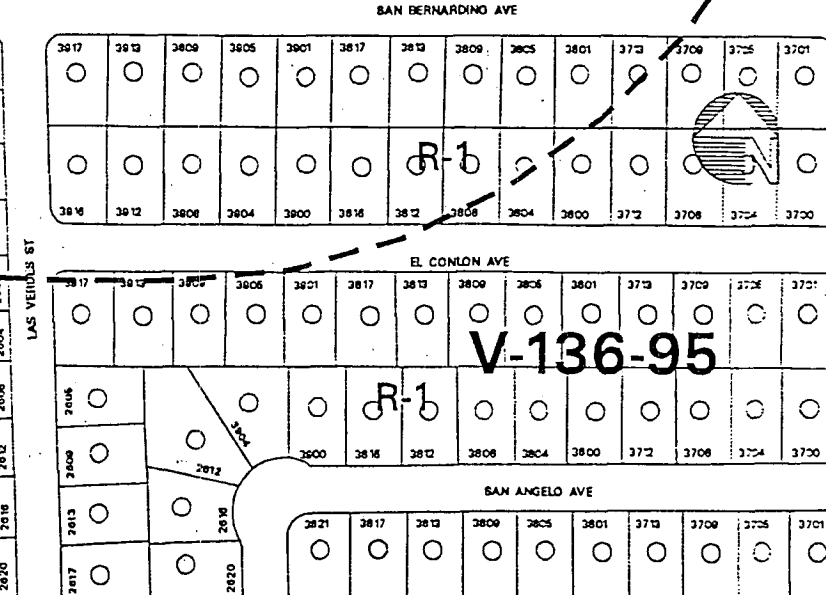
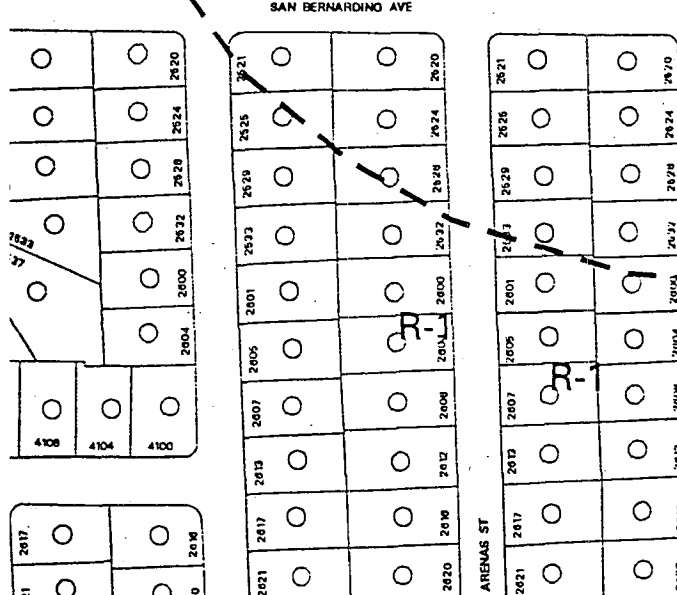
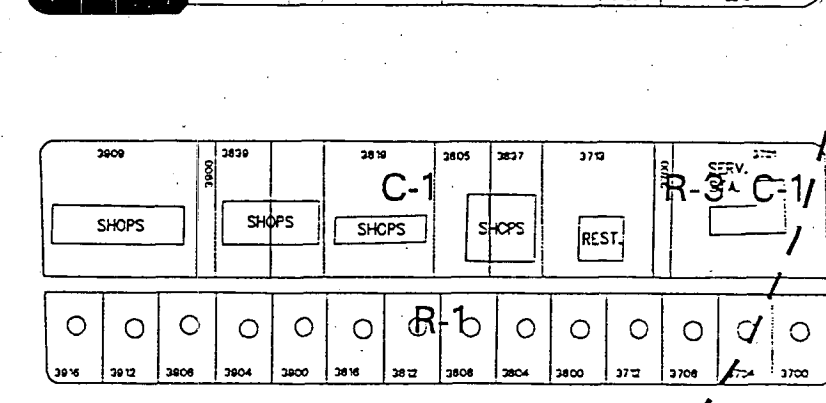
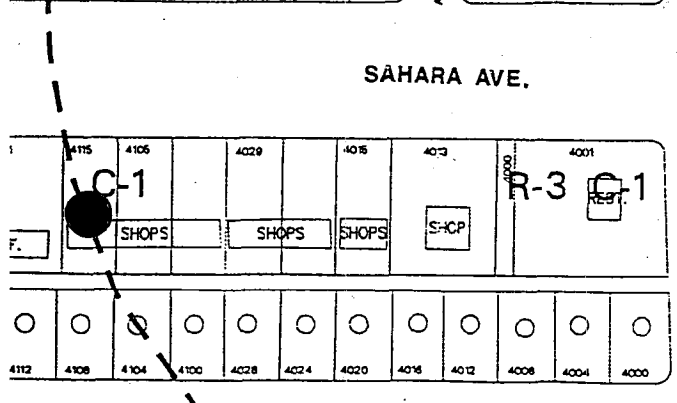
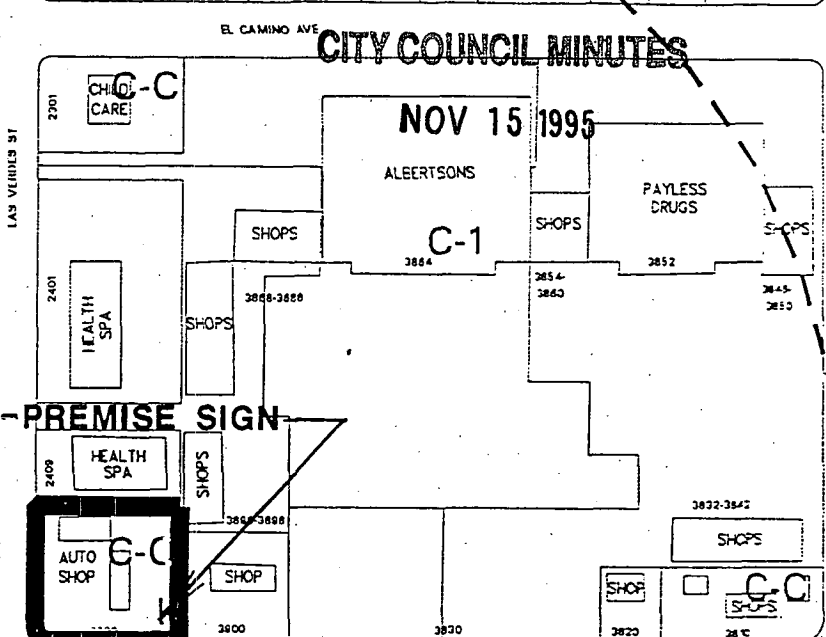
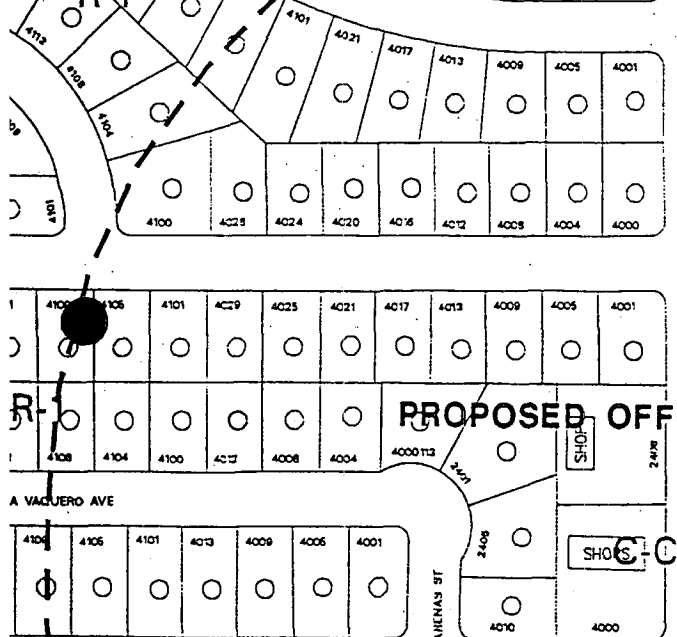
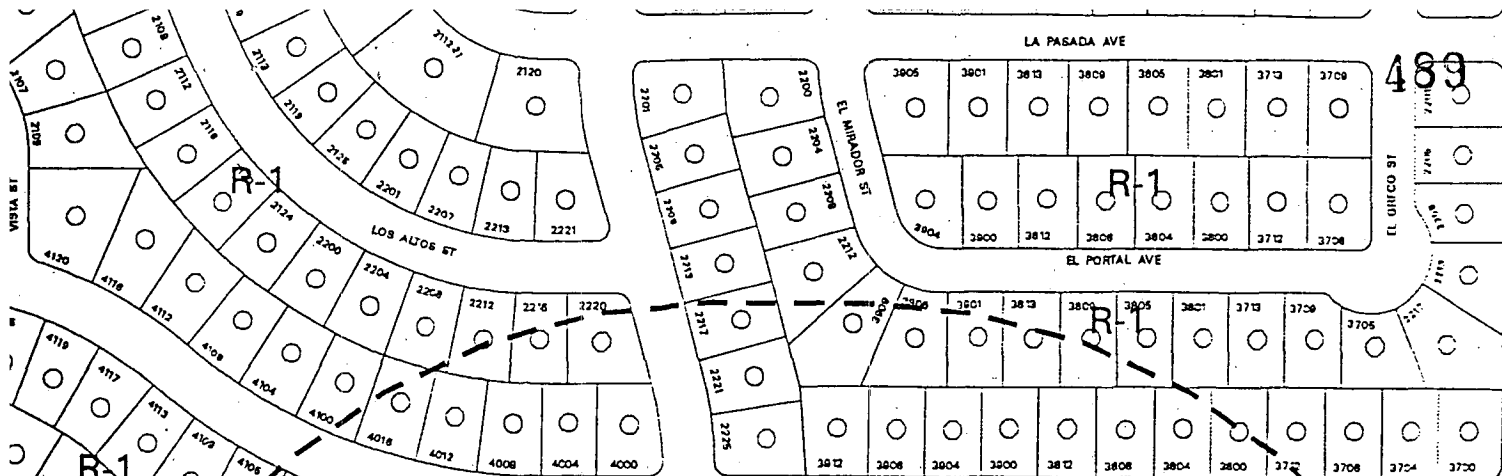
PROTESTS: 5 letters (Property managers and property owners in this neighborhood believe this sign is not consistent with the neighborhood and the surrounding shopping center. The property owner at 3900 West Sahara is concerned that the billboard will obscure his property.)

NOTICES MAILED: 254

SEE ATTACHED LOCATION MAP

Agenda Item

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CITY COUNCIL MINUTES

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PROPOSED OFF-PREMISE SIGN

V-136-95

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ACTION

Item Number	DISCUSSION / ACTION ITEMS	
94	PLANNING AND DEVELOPMENT <u>VARIANCE - PUBLIC HEARING</u> <u>V-142-95 - Stephen Wong, Et Al, on behalf of Nancy Weinstein</u> Request for a Variance to allow a proposed pawn shop where such use is not allowed, on property located at 328 West Sahara Avenue, C-1 Zone. PROTESTS: 0 Ward 1 (McDonald) Staff Recommendation: DENIAL Board of Zoning Adjustment (4-0-1 vote) Recommendation: APPROVAL, subject to: 1. Standard Conditions 1 and 5.	McDONALD - DENIAL - UNANIMOUS ***** <u>APPEARANCES:</u> ATTORNEY CHARLES THOMPSON, 703 S. Eighth Street NANCY & JACK WEINSTEIN, 328 W. Sahara Avenue GREG BORGEL, 300 S. Fourth Street NOTE: A Verbatim Transcript is made a part of the Final Minutes. (4:06 - 4:30)

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: VARIANCE - PUBLIC HEARING - V-142-95 - Stephen Wong, Et Al, on behalf of Nancy Weinstein

PURPOSE/BACKGROUND

This is a request for a Variance to allow a proposed pawn shop where such use is not allowed.

DETAILS OF APPLICATION REQUEST:

The applicant proposes to operate a 1,943 square foot pawn shop within a suite of an existing shopping center. Access to the property is from Sahara Avenue.

FINDINGS:

Pawnshops are first permitted in the C-2 (General Commercial) zoning district subject to securing a special use permit. There does not appear to be exceptional or extraordinary circumstances applicable to this property to warrant the granting of the requested use variance.

The Downtown Redevelopment Agency recommends denial of this request because it does not conform to the redevelopment plan for the area.

Board of Zoning Adjustment (4-1-0 vote) Recommended: APPROVAL. The Board felt that this was an appropriate location for a pawnshop.

Staff Recommendation: DENIAL

PROTESTS: 0

NOTICES MAILED: 77

SEE ATTACHED LOCATION MAP

Agenda Item

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CITY OF LAS VEGAS

CITY CLERKS OFFICE

CITY COUNCILMEN

NOV 14 4 02 PM '95 11-14-95

Brown Derby Apts.
212 W. Cincinnati
Las Vegas, NV 89102
(702) 384-7877

RE: ITEM V142-95 11-15-95 AGENDA
PROPOSED PAWN SHOP 328 W. SAHARA

DEAR SIRs - I WILL NOT BE ABLE TO ATTEND TOMORROW'S MEETING TO PROTEST THIS ISSUE, SO I AM DOING IT IN WRITING. I'VE OWNED THE BROWN DERBY APTS AT 212 W. CINCINNATI FOR 24 YEARS, AND PAWN SHOPS ARE A DIRECT OUTLET FOR PETTY THIEVES. ONE OF MY TENANTS HAD HIS COMPUTER + TV STOLEN FROM HIS APT. JUST RECENTLY. THERE ARE TOO MANY PAWN SHOPS IN THE AREA ALREADY, AND THAT IS NOT WHAT TOURISTS IN THE BIG HOTEL BILL BENNETT WILL BUILD ACROSS THE STREET WANT TO SEE. MIKE MAC DONALD FINALLY GOT THE CRACK HOUSE NEXT DOOR TO ME BULLDOZED, (AFTER 10 YEARS!). PLEASE DON'T PUT A PAWN SHOP IN FRONT OF ME NOW! THERE ISN'T ONE GOOD REASON THIS SHOULD BE ALLOWED, I AM SURE YOU FEEL THE SAME WAY.

VERY TRULY YOURS

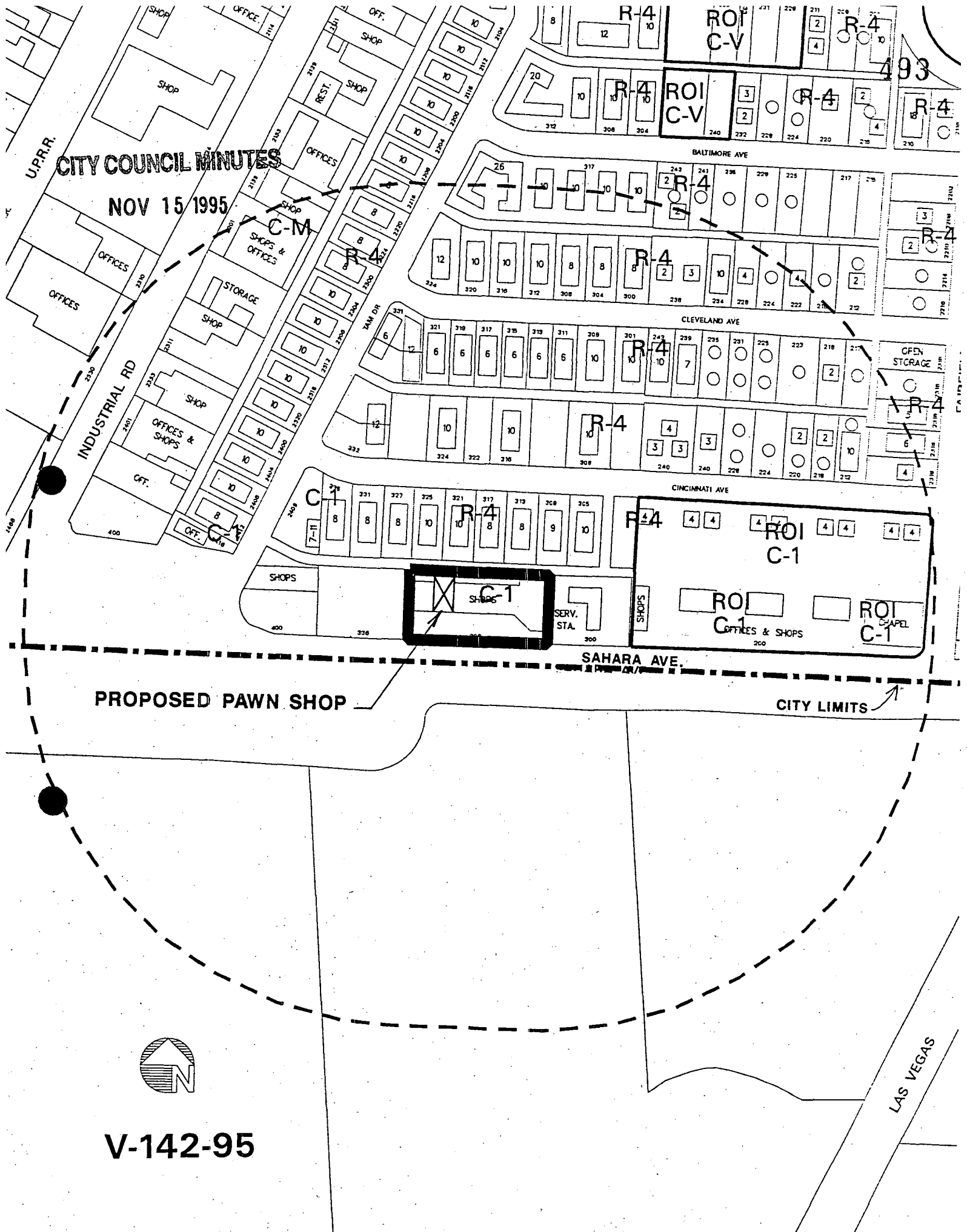
Andrea Banks

ANDREA BANKS

Post-It™ brand Transmittal memo 7671	# of pages ▶
To: County Clerk	From: Andrea Banks
Co.	Co.
Dept.	Phone #
Fax #	Fax #

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**VERBATIM TRANSCRIPT - ITEM 94: V-142-95 - STEPHEN WONG
ET AL, ON BEHALF OF NANCY WEINSTEIN**

MAYOR JONES

Item 94 is V-142-95. It's Stephen Wong et al on behalf of Nancy Weinstein. It's a request for a variance to allow a proposed pawn shop where such use is not allowed on the property located at 328 West Sahara in C-1 zone. There are no protests. Staff recommends denial. Board of Zoning Adjustment recommends approval.

ATTY CHARLES THOMPSON

Good afternoon, Madam Mayor, members of the Council. My name's Charles Thompson, on behalf of the applicant, Nancy Weinstein. My address is 703 South Eighth Street. To my left is Nancy Weinstein. I'd like to put this application, just take a minute or so and put it in the context of the applicants and then Mr. Borgel, to our left, will have some more specific comments upon the application itself.

Ms. Weinstein and her husband Jack Weinstein are, I believe, well known in the community. They're the, they are the Tower of Jewels. Mr. Weinstein's been in the community 35 years, been in business in the community. He and Nancy have been in business in Tower of Jewels. Presently, they have ten stores; eight of which are Tower of Jewels. Between them, they've had pawn licenses for a period in excess of 20 years without any complaints or objections in the community. They plan on continuing that high status and high quality of business in this establishment, if we are able to obtain approval. It'll be an upscale establishment. And -- I want you to know that you are dealing with substantial business people in this regard and this application.

Mr. Borgel will have more specific to say about the location.

GREG BORGEL

Your Honor and members of the Board, Greg Borgel, 300 South Fourth Street. There are, I think, two trends taking place that kind of converge and make this a particularly appropriate use for your consideration.

The first thing is that, as you've probably been aware, in the community and -- really in other communities generally, that the pawn shop activities have taken on far more of a character of a normal retail use from what they may have been in the past. They're better accepted in normal retail locations. They really have become simply another -- Well, the good ones like Mrs. Weinstein operates, have become accepted in the community in normal commercial locations and they really are becoming places where people are able to shop for goods that happen to have been placed in pawn.

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So the character of the industry is changing.

At the same time, Mrs. Weinstein has -- been made aware that you all are looking at a need to disperse the pawn shop activities and in particular we've been told that it's your intention in the future to minimize these uses on the entry roads to the City, which is to say Las Vegas Boulevard and Fourth Street. They currently have a facility on Las Vegas Boulevard. They're trying to be proactive by establishing this use on Sahara in a very intense commercial use where they think they're appropriate and fit in with the neighborhood. In -- regard for that day that they know is coming when you'll be asking for the abatement or mitigation or amortization of secondhand stores or pawn shops in other locations, one of which as I said they have on Las Vegas Boulevard. And they want to maintain their presence in this general area of the community.

They do have another license they'll be able to put at this location to get open. And therefore, be proactive rather than reactive to the City's changing view of these uses and also we think moving into a general commercial area where the well operated pawn shops, which we think you're aware Mrs. Weinstein's facilities are and would be, are appropriate.

So we think those two uses converge here to tell you that this is an appropriate location for their use. We have a parcel in question that's currently designed as a shopping center. It's been recently upgraded. It's very wide and narrow with limited development opportunity but this use fits on it. We think there's enough circumstances here to warrant your approval as a variance.

MAYOR JONES

This is a public hearing. Do others wish to be heard on this item?

TOM McGOWAN

My name is Tom McGowan and I first arrived in this town in 1954. In my personal experience, Jack Weinstein's Tower of Jewels ranks easily among the most superlative, most professional, unblemished jewelry operations this town or any other town has ever seen. Whatever the variance is, I believe you would do this City a great service and an honor by furthering his interest in service commercially and professionally. I really mean this. Jewelers come and go, pawn shops come and go. Genuine honest men are few and far between, and their wives.

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MAYOR JONES

Thank you. Do others wish to be heard? Then I will close the public hearing.

COUNCILMAN McDONALD

Thank you, Your Honor. Question of staff, for recommending denial -- Stop it. Recommended denial, what was your basis?

ROD ALLISON, PLANNING &
DEVELOPMENT

Well, this is a C-1, Limited Commercial, zone district. Pawn shops are first allowed in a C-2, General Commercial, zone district with a special use permit approval. And that was our reason for recommending denial.

COUNCILMAN McDONALD

Mr. Borgel, you know the situation that we're in right now. Councilman Callister and myself, we've been looking to try and improve the district we're looking at right now. Mr. Weinstein and his wife are the best, I would say, in the business that they're in right now. But I'm going with staff's recommendation.

If we do open this up, we're opening up ourselves up to set a precedent. I would, if anything I'd love to have them in there but I don't want to start setting the precedents and we start getting the pawn shops where we -- want them into our entry -- streets. And Councilman Callister and myself have been looking, trying to find a way to correct the problem so there is an area, so there is a location they can go in without impacting the area that we're, they're looking at right now for the improvement.

GREG BORGEL

Well, Councilman, if I could offer some thoughts on that point.

COUNCILMAN McDONALD

Go ahead.

GREG BORGEL

Obviously, they could have applied for the C-2 zoning with the use permit. This argument is something like the argument you heard in the prior item. A technical argument as to whether it's better for the City to be under a variance here or under a zone change with a use permit. It was our belief, and remains our belief that the C-1 zoning is fine and that the changing character of the pawn shop use, particularly the kind that Mrs. Weinstein operates is appropriate in a general commercial area.

And we know that you're looking at your current ordinance to reclassify uses. And it's our thought that in all probability you will be looking at allowing this use with a use permit in

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other districts than C-2 in the future because of the changing character of the use. But we didn't want to change the zoning district for you and make it permanent. We thought that a variance was an appropriate response and we thought it was consistent with what Councilman Callister and the others have told us is the City's view so that she would be set up in this position when circumstances change.

Now I haven't discussed this with the applicant and, so it's not in the character of an offer, but I'll point out to you that you have the ability to put a time limit on a variance to make sure that it's no problems, to see how the area changes and potentially the code would change or potentially, if you prefer, we'd apply for the zone change to regularize the technical defect. But as staff has pointed out here, it's purely a technical defect. They're objection was not to the character of the use, the location of the use, they claim no issue of compatibility. It is, in a word, a clean application. It is only a case where a variance seemed to be a superior form of application for you and the City.

And I, again, I don't speak for the applicant as to whether a time limit would be a problem for them but -- I see head shaking that it's no problem. If you're concerned that things might change, you want to look at it after you adopt the ordinance on amortization; then you could approve this with a time limit of five years for review and you -- won't have a problem with potentially a precedent or an area.

To send us back to do a zone change and a use permit, I think invites a different and a worse problem for you. So we understand your concern. We think we've responded to it.

COUNCILMAN McDONALD

(inaudible) We have a half a billion dollar product going in around the corner. If I -- They're -- the best in the business. But what, where I become prejudice where I start letting, because they're the best and, you know, Jim Jones down the street wants to come in not quite to their standards, that'd be using prejudice against me.

And the concerns that we have, we're working with staff and trying to find a place where these are welcome. I mean, this is a thriving industry. We're not trying to put you out of business, by any means. But in the same, we still have to protect the investment of the whole City.

GREG BORGEL

And that's why I'm suggesting to you that the variance form

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of application is appropriate. That's your way of insuring, especially if you put a time limit on it, that this development is favorable to the area. And I'll point out to you there's no protest, the decision of the BZA, as I recall, was unanimous, that they thought it was appropriate. And frankly, the only issue is this highly technical question and the prejudice to you, if anything, would have been with the zone change which we avoided. We've protected the City by applying in this manner. And so, I guess, our request would be we be approved and if you need a time limit to protect yourself, obviously we would defer to that. And I know other Councilmen have felt, I think, the same way.

COUNCILMAN ADAMSEN

Could you give me an idea, staff, of what we're looking at in traffic volumes up and down Sahara? It's almost the same dilemma we faced on the billboard a couple of agenda items ago. And we approve them, we approve them for five years, but we say to you, well, we don't want you in this area but when you go to apply for somewhere else, if you need a small variance or have a small wrinkle, all of sudden then we're going to subject you to denial again, which is patently unfair. And I know that the volumes have to be significant on Sahara. Gordon, could you give me an idea what we're looking at?

**GORDON DERR, TRAFFIC
ENGINEER**

Gordon Derr, Traffic Engineer. I don't know an exact number but we're probably talking 60,000 cars a day or so.

COUNCILMAN ADAMSEN

On West Sahara? I would say that would be conservative.

**GORDON DERR, TRAFFIC
ENGINEER**

Well, that's --

COUNCILMAN ADAMSEN

We've got 63,000 cars going up and down Jones and we had 68,000 cars at Westcliff and Rainbow.

**GORDON DERR, TRAFFIC
ENGINEER**

It's probably 60 to 80 (inaudible)

COUNCILMAN ADAMSEN

I would say conservatively. Yeah. I understand your concern, Councilman McDonald, in terms of what may or may not happen in the future. The offer of a five year limit probably a good compromise so that it would give us a chance to review this or another Board to review it in the future. And, while it is your district, I think that that's probably an agreeable and amenable compromise.

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GREG BORGEL

And on the precedent issue, a variance is never a precedent, Councilman. A variance is always specific to the site. And so, you're really defended on the basis we're offering. You would have been weaker the other way. And so we've done it the way that protects the City.

COUNCILMAN McDONALD

Okay. Well, I still go on staff's recommendation. Sticking to the point where they brought it up, we're still trying to -- I understand where you're coming from as far as with you going for the zone change and carry it own. But protecting the investment of everybody else in the City is what I'm looking at also.

GREG BORGEL

Well, I suppose we've made our case. We thought we were being consistent with your policies and desires and we'll -- I think Mr. Weinstein may want to say a word, but I am done.

JACK WEINSTEIN

Jack Weinstein, 953 East Sahara. The kind of store we're going to have, although it's called a pawn shop is very similar to what Super Pawn has opened on Decatur and Sahara. Up class. Not we have -- take motorcycles in. I want to sell jewelry. That's my business. We're going to have carpet on the floors, beautiful cases, beautiful windows.

I know what a pawn shop sounds like. It's not even going to be called a pawn shop. It's going to be called Tower Loan and Jewelry for that reason. Because pawn has the connotation of, well, not very nice. Well, Super Pawns, all their stores are beautiful. And the advertising and the feeling that the public has taken on in the form of pawn shops is way past what people think a pawn shop is. And it's a very important object. If someone doesn't have money and they need money and they can't get it; well, they're liable to get it some place. I think if you give us this, you'll be very proud of the Tower Loan and Jewelry. Thank you.

COUNCILMAN CALLISTER

Let me -- just make one quick comment, and I don't want to impose upon the Councilman (inaudible) scheduled it here, but part of it -- and I've heard my name bandied about through it. There is, there's an ongoing dialouge, for want of a better term, with an un -- incomplete resolution. And the dialouge revolves around, within City limits, what is the proper future for a growth industry called the pawn industry, the loan in -- whatever the component is. And that, as long as that dialouge is going on, I think it is treacherous for us to send mixed signals. To say one thing to one applicant and

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something to somebody else. And we've maintained a fairly consistent pattern for the past few months of simply saying we're not saying yes, we're not saying no at this location; wait until we come back with a proposal, with an overall master plan for where we will welcome these uses and in what context we will welcome these uses. And in the middle of that proposal I just don't want to do something unjust. And so I appreciate that some of the concern that -- Councilman for the Ward has indicated. It's not a reflection even on the industry. It's simply a reflection of kind of -- an evolution of the City's policy on -- how we interact with this particular industry. And nothing further. And I really don't want it to be misconstrued. Appreciate your presence.

MAYOR JONES

And I would just like to add to that too. This has all been, and unfortunately in this location it ties into part of the Downtown Redevelopment area. And there are specific uses that we're looking at grandfathering, moving. Our concerns, and I think everyone on this Board has the greatest respect for both the applicants, but if we make a determination that, well, it's all right in this instance because we believe they are very reputable operators, if it comes to court that's not going to be a reason why we could indiscriminately approve one and not the other. I don't know if we can disapprove this without prejudice, giving us time to finish the study so you can then come back.

COUNCILMAN CALLISTER

And that's really all we're asking for --

MAYOR JONES

Is -- time.

COUNCILMAN CALLISTER

-- is just time. Could you withdraw it until we get a resolution of this very difficult issue?

ATTY CHARLES THOMPSON

The problem with that is that the lease that's being entered into has a requirement, a contingency in it concerning being able to obtain a zoning. So the lease would be lost in that regard.

COUNCILMAN CALLISTER

Is this a lease a premises that you're already occupying and you converting to a different use?

ATTY CHARLES THOMPSON

No, no, no.

COUNCILMAN CALLISTER

Okay. Then I really do feel sorry and I apologize for that difficulty. But I also -- I think the best we could tell you is we got a brand new Planning Director trying very hard to achieve a policy that -- affects two of our Councilmen's

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Wards and City Center for all of us and we're just trying to put together a policy. And we aren't quite done with it yet. It's a difficult, thorny issues. All we can do is -- Certainly we'll vote. I can't support it at this location and I don't mean to say no to the industry or this applicant at this site because --

MAYOR JONES

It's only at this time.

COUNCILMAN CALLISTER

-- months from now I might be willing to say yeah, this is the right place. This is where we'd like to have them be. And so in that context, I'd ask (inaudible)

ATTY CHARLES THOMPSON

Yeah, but I also, what I also hear you say is in a few months you might be able to say no, this is not where you want one also. Never

COUNCILMAN CALLISTER

Certainly. We could just say no today, too, but it's --

MAYOR JONES

But we can't say yes today because we favor the applicant and we know they're going to do a first class facility because then we've opened the door for every other applicant. And we can't discriminate based on who we perceive to be the classier operator.

ATTY CHARLES THOMPSON

If I give an impression that I think this should just be approved because Mr. and Mr. (sic) Weinstein are who they are, then I gave a misimpression. In discussion with Mr. Borgel, and in the BZA meeting, there was a lot of talk about the nature of this neighborhood, the fact that you are bordered on one side by freeway, a railroad track, what you have behind it. The fact there is no applicants. This is a neighborhood that is very high, very high traffic area. I don't know what you plan on putting in there, but right now in this shopping center you have a lounge, a couple vacant stores. I mean, it's a -- there's a pawn shop right down around the corner in this area on -- what's the name of this --

NANCY WEINSTEIN

Tam.

ATTY CHARLES THOMPSON

On Tam. So we're not talking about an area here that is a -- you know, an area that is going to be imposed upon or impinged upon or -- negatively affected by this application. And as Mr. Borgel said, granting this application I do not believe would be any type, or could be used as any type of precedent in this regard --

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MAYOR JONES

Mr. -- Thompson, I don't know if you've been, and I'm -- there's really no reason you've been watching City Council, but within that entire core in Redevelopment area, we have put almost a moratorium on approval of any applications of these kind until we can actually redraw borders. And I think you're probably correct, that at the culmination of that study, you know, this area because of where it is, may be outside the moratorium area. But until we actually have that plan in front of us for approval, we set a precedent by arbitrarily determining where the boundaries will be before we know. That's -- our only concern.

COUNCILMAN CALLISTER

Indeed, if the final determination is to, is that there should be a central area for many of these uses in the future, and this is not one of those areas, we'd be doing you an enormous disservice by approving something on a temporary basis which may occasion you entering into a long-term lease when in fact the use might, the development pattern and the future of this industry might be relocated elsewhere.

ATTY CHARLES THOMPSON

Well, as I see it, that's a misunderstanding of myself. I thought there was an effort and a desire to disperse these business around town as opposed to putting them all in one area and localizing them.

COUNCILMAN CALLISTER

We've tried that for years and you know what? For some crazy reason, most of the new applications don't tend to be in Spring Valley or Northwest Las Vegas or Southeast Las Vegas. They all tend to be right along Fremont Street and Sahara and the -- Strip and -- Doggone, I don't know why that is if it's such a wonderful industry for the community, but that's what keeps happening.

GREG BORGEL

Councilman, I just want to reiterate, don't mean to belabor the issue. What the applicant's trying to do is position himself so he doesn't have to maintain, in the future, the shop on Las Vegas Boulevard, which clearly will be in the area where the City is developing a policy not to cluster these uses. He's trying to position himself here so he can in fact, as a marketing matter, accommodate the City's desire in the future to amortize on the entryway of Las Vegas Boulevard. If you don't give him the opportunity to relocate in that manner, at least with a time limit, he's in a position where the only way he can maintain his position in the market is by doing every thing he can to stay where he is. And instead of being a cooperator with the City, which is

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what he's trying to do. He's trying to be proactive, to be ready with the City policy when it changes and is willing to accept a time limit to let -- you have the handle on the question. If you don't let him do that, you put him in the position, an adversarial position of -- instead of a cooperative position.

COUNCILMAN CALLISTER

No, if you place him in an adversarial position, then that's your choice. I hope that's not the case.

GREG BORGEL

I have nothing to say about it, of course.

COUNCILMAN CALLISTER

Well, I think you just characterized it for the first time today, unfortunately, as adversarial. That's not our desire. I appreciate your candor. We've had this dialogue publicly and privately. I'm not even certain of all that we can do. But we're trying to find out a way to maintain an industry at the same time maintain some property values on major City arterials. On entry and exit ways to a Las Vegas that will be far different, irrespective of whether you're in the County or City side, in the next 100 years than it has been in the last 100. And certainly Sahara will be one of those, as will be Las Vegas Boulevard, as will be Fourth Street, probably as will be Main. So there're some tough decisions about long-term land use that I think you can respect we need to make. That's all we're asking for is an opportunity to do that. And in the middle of this, I don't want to have us sending --

COUNCILMAN McDONALD

Mixed signals.

COUNCILMAN CALLISTER

-- mixed signals. Thank you. That's all.

JACK WEINSTEIN

Could we have it for a year, two years?

GREG BORGEL

The problem is he will lose his right to be at this site if he doesn't get a grant of some period of time. And I don't see where the City is prejudiced with a period of time for review when we've stipulated we understand the rules are changing. He can't -- he has to get an approval to close the lease and he's willing to -- Well, I suggested five years, if a short term time limit is better, you've heard Mr. Weinstein say that works. And if at the end of that time, you've changed your policy, you don't renew the time limit.

COUNCILMAN CALLISTER

All right. Again, everything you say, I understand and I appreciate the difficulty. All I can tell you is that I would guess, sitting here today, and I'll defer to the Councilman of

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the area, that if this is approved for one year, we'll have five more within the very near future. Others looking for similar approvals.

JACK WEINSTEIN

How can you have five more? There aren't five licenses.

COUNCILMAN CALLISTER

There are variations that I think you're well aware on on how you can buy and sell and lend against property.

JACK WEINSTEIN

There are no other licenses.

COUNCILMAN CALLISTER

Won't be called a pawn, it'll be called a buy/sell or it'll be a jewelry with a secondhand component but primarily secondhand jewelry. It'll be a variety. Look up and down Fifth Street where you are at present, you know there's a variety of them. We both know that.

JACK WEINSTEIN

And that's why I'm trying to get out of there, so we're away from everything.

COUNCILMAN CALLISTER

And I don't know that being on Sahara is necessarily away from everything. I think it's probably a good location. I'm just not certain it's where ultimately the City Planners will indicate is the best place for this industry going forward. I don't know how else I can explain it any more cleanly than I have.

JACK WEINSTEIN

I would like to say I don't think it's very fair. That's my opinion.

COUNCILMAN McDONALD

There's a motion. Motion for denial, Your Honor.

MAYOR JONES

Vote on the motion. Post. **(Motion carried unanimously)**

GREG BORGEL

Thank you for your time.

ATTY CHARLES THOMPSON

Thank you.

(*** END OF DISCUSSION ***)

/vwd

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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	PLANNING AND DEVELOPMENT	
	<u>VARIANCE - PUBLIC HEARING</u>	
95	<u>V-147-95 - Gary Fisher and Joan Neagle on behalf of Rose Bowe</u> Request for a Variance to allow a secondhand dealership for the buying and selling of used hubcaps; and to allow the wholesale storage of hubcaps, where such uses are not allowed, on property located at 2112 East Charleston Boulevard, C-2 Zone. PROTESTS: 1 letter APPROVALS: 1 letter (with no outside storage) Ward 3 (Reese) Staff Recommendation: DENIAL Board of Zoning Adjustment (5-0 vote) APPROVED, subject to: - Construct all incomplete half-street improvements (if any) on Eastern Avenue and Charleston Boulevard adjacent to this site and construct all incomplete full-width alley improvements (handicap ramps needed at alley) adjacent to this site as required by the Department of Public Works. Also, if necessary and as required, remove all substandard public street and alley improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards. - There shall be no outdoor storage or display of merchandise and no outdoor installation of hub caps conducted on this property. - Standard Conditions 1 through 8.	REESE - APPROVAL, subject to conditions - UNANIMOUS with Jones and McDonald not voting ***** MAYOR PRO TEM ADAMSEN declared the Public Hearing open. DAVID HARRIS, 2835 S. Jones, and ROSE BOWE, 2112 E. Charleston, appeared and explained that the applicants are seeking to relocate their existing new and used hub cap retail business approximately half a mile from East Charleston to this new site. The use is compatible with the narrow commercial shopping center tenants consisting of two pawn shops, a motorcycle business and a vacant building. They introduced photographs of the existing vacant building and renderings of the proposed replacement building. Although they cannot improve the rest of the shopping center, the new building should have a positive impact on the area. They concurred with the conditions and urged approval. COUNCILMAN REESE asked why the business was being relocated. MS. BOWE responded that the lease on the existing site expires in June 1996 and they need a larger building. COUNCILMAN REESE commented that many of his customers are customers of the applicants at their current location. That business has always been well run and well maintained. It is compatible with existing uses and its success may help the entire corridor. No one appeared in opposition. MAYOR PRO TEM ADAMSEN declared the Public Hearing closed. There was no further discussion. (4:30 - 4:36)

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT
SUBJECT: <u>VARIANCE - PUBLIC HEARING - V-147-95 - Gary Fisher and Joan Naegle on behalf of Rose Bowe</u>	

PURPOSE/BACKGROUND

This is a request for a Variance to allow a secondhand dealership for the buying and selling of used hubcaps; and to allow the wholesale storage of hubcaps.

DETAILS OF APPLICATION REQUEST:

The applicant proposes to move the existing "Hubcap Annies", located at 1602 East Charleston Boulevard, into a new building located at the southeast corner of Charleston Boulevard and Eastern Avenue. They intend to demolish a portion of the existing shopping center and construct the new 3,329 square foot building. The site plan indicates that landscaping will be provided along the Eastern Avenue and Charleston Boulevard frontages. The elevations show that the building will have a decorative exterior that includes fluted and smooth-finished concrete masonry and stucco. The building will be 17 feet 6 inches in height.

FINDINGS:

A secondhand business is first permitted in a C-M (Commercial-Industrial) zoning district. Staff has no basis to support this application because there does not appear to be exceptional or extraordinary circumstances applicable to this property to warrant the granting of the requested use variance.

The Downtown Redevelopment Agency recommends denial of this request because it does not conform to the redevelopment plan for the area.

Board of Zoning Adjustment Recommendation (5-0 vote): APPROVAL. The Board felt the new building would benefit the area.

Staff Recommendation: DENIAL

PROTESTS: 1 (letter) (A residential property owner in the area is against the secondhand dealership.)

APPROVALS: 1 (letter in favor if there is no outside storage)

NOTICES MAILED: 135

SEE ATTACHED LOCATION MAP

Agenda Item

95

RECEIVED
CITY CLERK

CITY COUNCIL MINUTES

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NOV 15 1995

Nov 14 10 35 AM '95

2275 Jackson Street, Apt. 2
San Francisco, CA 94115

November 8, 1995

Ms Kathleen M. Tighe
City Clerk, City Council
City Hall - 5th Floor
400 East Stewart Avenue
Las Vegas, NV 89101

Re: V-147-95

Dear Ms. Tighe:

I am writing to you on behalf of myself and Ronald Grover, as co-owners of property at 2040 Peyton Drive, to strenuously object to the Variance Request described in the attached Notice of Hearing received from your office.

To permit a business such as described in the Variance Request would immediately downgrade the area and cause property values to severely depreciate. Therefore, we are firmly opposed to granting the Variance requested.

Yours very truly,

Bernice Paul
Bernice Paul

enc.

copy: Ronald G. Grover

95

CITY COUNCIL MINUTES

508

NOV 15 1995

RECEIVED
CITY CLERK

Las Vegas, Nevada
November 4, 1995

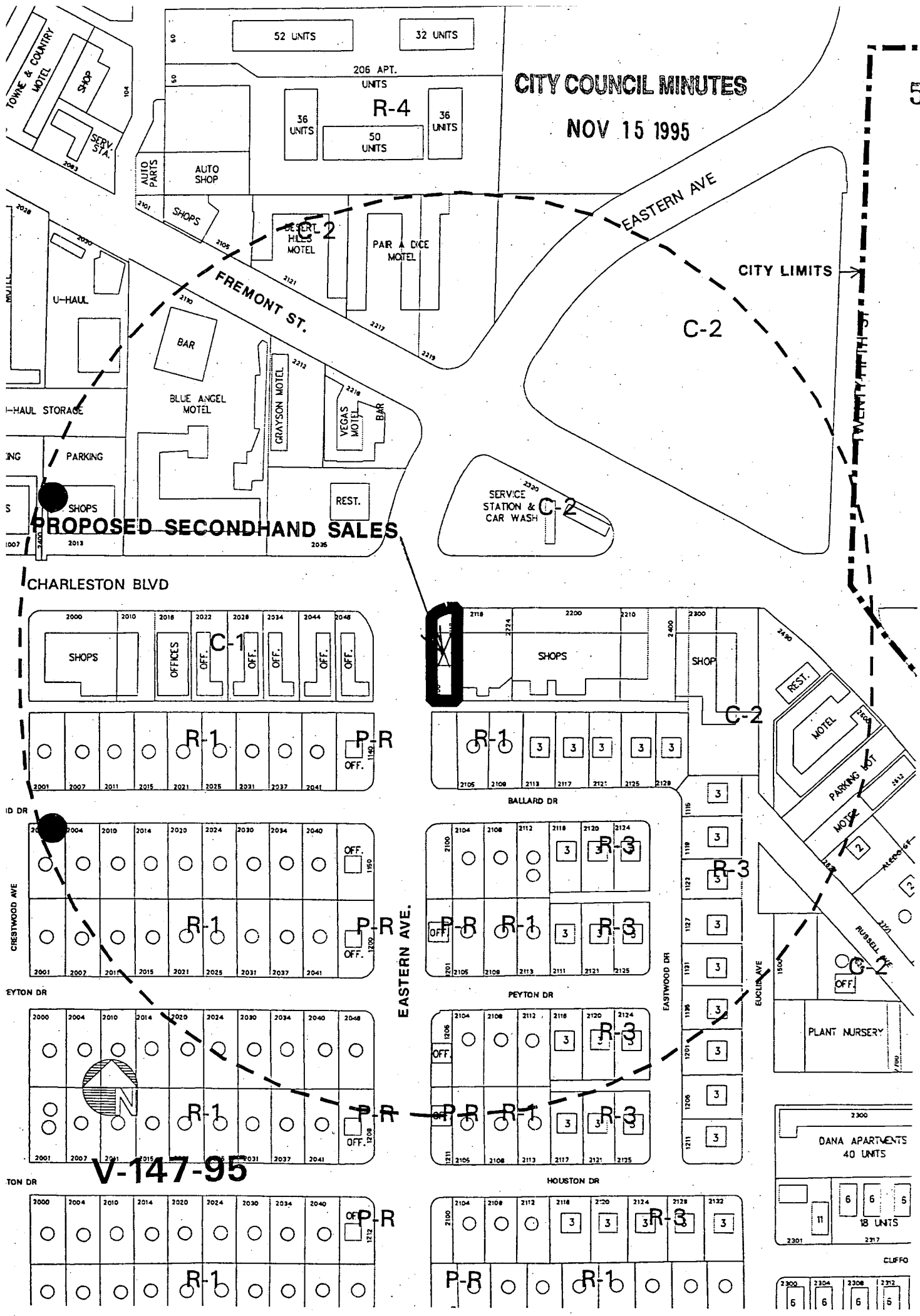
For City Council Meeting at Council Chambers
at City Hall November 15, 1995 at 2:00 PM.
Case # V-147-95

Regarding variance request to allow
a second hand dealership for allowing
The buying and selling of used hubcaps,
And to allow the wholesale storage of
hubcaps, where such uses are not
allowed - (please, do not start allow-
ing such uses) ^{perhaps} leading to a junk
dump? If your home was 3 ^{blocks} blocks
from such a possibility, would you
allow it? Again I beseech you
do not allow the variance request
in Case # V-147-95. You have
my "thank-you" in advance

Truly yours,
Barbara L. Merrell
2025 Houston Dr,
Las Vegas, NV 89104

CITY COUNCIL MINUTES
NOV 15 1995

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CITY COUNCIL
MEETING OF
NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	PLANNING AND DEVELOPMENT	
	<u>SPECIAL USE PERMIT - PUBLIC HEARING</u>	
96	<u>ABEYANCE ITEM - U-117-95 - Kryfam Limited Partnership</u> Request for a Special Use Permit for a tavern in conjunction with a proposed restaurant, on property located north of Ann Road and East of Rancho Drive, C-2, R-E, and N-U Zones (Proposed C-1). PROTESTS: 9 (1 letter, 5 phone calls, 3 at meeting) APPROVALS: 1 letter Ward 4 (Callister) Board of Zoning Adjustment (4-0 vote) and Staff Recommendation: APPROVAL, subject to: 1. Approval of and conformance to the conditions of approval of zoning reclassification Z-64-95. 2. This action does not constitute approval of a liquor license. 3. Where new water mains are extended along streets and where hydrants are not needed for protection of structures, fire hydrants shall be spaced a maximum of 1,000 feet apart to prevent transportation hazards as required by the Department of Fire Services. 4. Conformance to the submitted floor plan. 5. The partition separating the lounge and restaurant shall be a minimum of 6 feet in height. 6. Standard Conditions 1 through 8.	CALLISTER - APPROVAL , subject to staff's conditions and added conditions agreed upon by the developer in the attached letter (on page 68A) dated 11/14/95 which also establishes that any change in the floor plan shall be subject to a voluntary design review at a public hearing before the City Council with notification to all Grand Entries subdivision residents as well as all other applicable property owners. - UNANIMOUS with Adamsen not voting ***** MAYOR PRO TEM ADAMSEN declared the Public Hearing open. ATTORNEY MARK FIORENTINO , 3800 Howard Hughes Parkway, and GREG BORGEL , 300 S. Fourth Street, appeared on behalf of the applicant and outlined the original C-2 zoning for this parcel which abuts the freeway. On 10/3/95, the City Council down zoned the property at the applicant's request to C-1. The rezoning application conditions imposed required a six foot block wall between the mini-storage facility and this restaurant as well as deep landscaping. The southwest architecture of the proposed restaurant is compatible with the surrounding residential community. The floor plan separates the entrance and restaurant from the lounge area which represents 23% of the space and 36% of overall seating. The full kitchen can only be supported by a restaurant. They submitted a letter outlining the additional conditions to be imposed regarding conformance to the floor plan, a design review of any alterations to the floor plan at public hearing before the Council with notification to all residents of Grand Entries and commitment to a restaurant facility only. COUNCILMAN CALLISTER thanked everyone for their efforts to address and resolve all of the concerns raised. MR. FIORENTINO advised that the meetings and resolutions were the work of the neighborhood and the developer. No one appeared in opposition. MAYOR JONES declared the Public Hearing closed. NOTE: COUNCILMAN CALLISTER instructed that any change in the floor plan shall be subject to a voluntary design review at a public hearing before the City Council with notification to all Grand Entries subdivision residents as well as all other applicable property owners. (4:36 - 4:44)

CITY COUNCIL MINUTES

NOV 15 1995

PAGE 68A

511

November 14, 1995

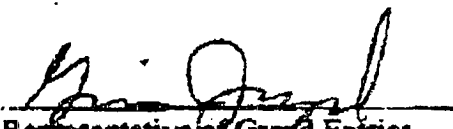
Chet Nichols
Amland Development, Inc.
1253 South Arville Street
Las Vegas, NV 89102

Re: U-117-95

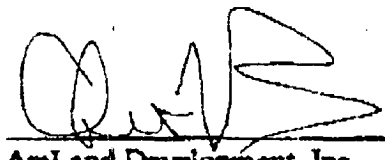
Dear Mr. Nichols:

As you are aware, numerous homeowners of Grand Entries recently delivered a petition to City Council protesting a proposed tavern use permit known as U-117-95. The developer has met with some of the homeowners to discuss the use permit and project. The developer has stated that the proposed facility will conform completely to the floor plans and elevations submitted. The developer has further stated that this facility is intended to be primarily a restaurant and not solely a pub or bar type of facility. The developer expressly agrees that if the floor plan submitted with the application is to be altered the developer willingly and voluntarily consents to a "design review" to assure that any proposed changes in the facility do not conflict with the developer's stated intentions as set forth above. The foregoing "design review" will be heard by the City Council at a public hearing for which all the residents of the Grand Entries subdivision will be notified.

Based upon the above, the homeowners who initiated the protest petition have agreed to withdraw their objections.

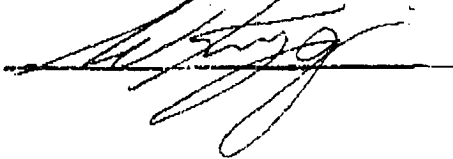
By: 

Representative of Grand Entries
Residents who initiated petition

By: 

AmLand Development, Inc.

Kryfam Limited Partnership

By: 

AGENDA DOCUMENTATION

TO:

THE CITY COUNCIL

FROM: DONNA H. KRISTAPONIS, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - U-117-95 - Kryfam Limited Partnership

PURPOSE/BACKGROUND

THIS ITEM WAS HELD IN ABEYANCE FROM THE OCTOBER 18 CITY COUNCIL MEETING IN ORDER TO CONDUCT A NEIGHBORHOOD MEETING TO DISCUSS THE APPLICANTS PROJECT.

This is a request for a Special Use Permit for a tavern in conjunction with a proposed restaurant, on property located north of Ann Road and East of Rancho Drive, C-2, R-E, and N-U Zones (Proposed C-1).

BACKGROUND DATA:

09/14/95 The Planning Commission recommended APPROVAL of a zoning reclassification for this property from C-2 (General Commercial), R-E (Residential Estates) and N-U (Non-Urban) to C-1 (Limited Commercial). The plot plan and elevations for the restaurant/tavern was considered as part of this request. The City Council will consider the application on October 3, 1995, (Z-64-95).

09/26/95 The Board of Zoning Adjustment considered a variance to allow 10 rental trucks in conjunction with the mini-storage facility that is also proposed for this site (V-123-95).

DETAILS OF APPLICATION REQUEST:

The applicant proposes to operate a 6,000 square foot restaurant that will include a 1,386 square foot lounge.

Agenda Item

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-117-95 - Kryfam Limited Partnership

PURPOSE/BACKGROUND

FINDINGS:

The proposed tavern is in compliance with the alcoholic beverage business location restrictions of the City Code and the use is compatible with surrounding properties. Surrounding properties are zoned C-2 (General Commercial) and R-E (Residential Estates) and designated SC (Service Commercial) in the General Plan. The surrounding properties are vacant.

Board of Zoning Adjustment (4-0 vote) and Staff Recommendation: APPROVAL

PROTESTS: 9 (1 letter, 5 phone calls, 3 at meeting) (Homeowners east of Tenaya Way objected to a tavern license at this location. The Board of Zoning Adjustment and applicant discussed and agreed upon conditions 4 and 5 which helped mitigate some of the property owners concerns. These conditions addressed a specific floor plan and separating the lounge from the restaurant. At the City Council meeting on October 18, concerns about the sale of alcohol, additional traffic, and the close proximity of a potential 24 hour operation were expressed by the neighborhood.)

APPROVALS: 1 letter

NOTICES MAILED: 389

SEE ATTACHED LOCATION MAP

Agenda Item

CITY COUNCIL MINUTES

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NOV 15 1995

September 22, 1995

Department of Community Planning and Development
 400 East Stewart Avenue
 Las Vegas, NV 89101

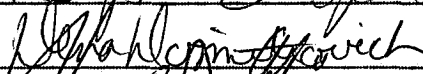
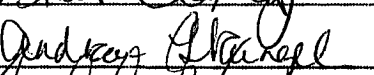
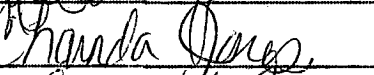
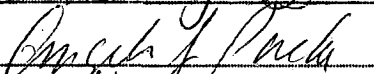
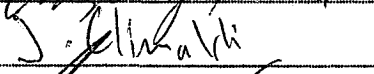
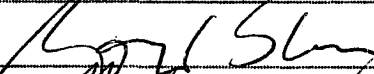
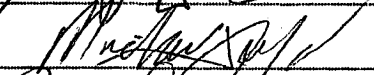
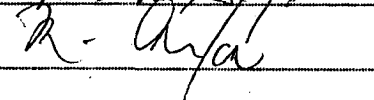
To Whom It May Concern:

We are writing this letter in response to the special use permit request by Kryfam Limited Partnership to erect and run a tavern in conjunction with a proposed restaurant located north of Ann Road and east of Rancho Drive (Case No. U-117-95).

We do not support the proposed zoning changes and do not want a tavern in our community. We feel that having such an establishment so close to our homes presents a threat to our families because of the potential for drunk driving accidents to happen and intoxicated people to enter our neighborhood. We do not object to the restaurant but strongly oppose the presence of a tavern so close to our homes. We feel that other establishments such as a grocery store, etc. would better serve the needs of our community.

We appreciate your consideration on this matter and strongly urge you to not approve the proposed zoning change.

Sincerely,

1.		7117 DRAMATIC WAY
2.		5009 Grand Entries Way
3.		5701 " " "
4.		5645 GRAND ENTRIES
5.		5705 Grand Entries Dr
6.		5713 GRAND ENTRIES
7.		5721 Grand Entries Dr.
8.		5725 GRAND ENTRIES
9.		5723 Grand Entries
10.		5741 GRAND ENTRIES
11.		7228 Royal Guard
12.		7224 Royal Guard Ave

NOV 15 1995

35. *Adolph & Maria and Paul (Mrs)* 3756
34. *Alfred & Janet* 5748
33. *Donna & Harry* 5744
32. *Donna & Harry* 5740
31. *James & Mary* 5732 Tay Mohal Dr.
30. *Bonnie & KATHY D. Holland* 5732 TAYMATH DR.
29. *Lydia & Maria* 5728 Tay Mohal Dr.
28. *Kimberly & John* 5724 Tay Mohal Dr.
27. *James & Mary* 5708 TAYMATH DR. AT NW 29130
26. *James & Mary* 7201 Sublime Ave
25. *James & Mary* 7205 Sublime Ave
24. *James & Mary* 7209 Sublime Ave
23. *Victoria & Benjamin* 7217 Sublime Ave
22. *James & Mary* 7205 Sublime Ave
21. *James & Mary* 7209 Sublime Ave
20. *James & Mary* 7212 Sublime Ave
19. *James & Mary* 7212 Sublime Ave
18. *James & Mary* 7212 Sublime Ave
17. *James & Mary* 7212 Sublime Ave
16. *James & Mary* 7212 Sublime Ave
15. *James & Mary* 7212 Sublime Ave
14. *James & Mary* 7212 Sublime Ave
13. *James & Mary* 7212 Sublime Ave
12. *James & Mary* 7212 Sublime Ave
11. *James & Mary* 7212 Sublime Ave
10. *James & Mary* 7212 Sublime Ave
9. *James & Mary* 7212 Sublime Ave
8. *James & Mary* 7212 Sublime Ave
7. *James & Mary* 7212 Sublime Ave
6. *James & Mary* 7212 Sublime Ave
5. *James & Mary* 7212 Sublime Ave
4. *James & Mary* 7212 Sublime Ave
3. *James & Mary* 7212 Sublime Ave
2. *James & Mary* 7212 Sublime Ave
1. *James & Mary* 7212 Sublime Ave

CITY COUNCIL MINUTES

NOV 15 1995

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36. Robert [Signature] 7208 RAYAL GUARD
37. [Signature] 7209 Royal Guards
38. [Signature] 7217 ROYAL GUARD
39. Lynn Schenk 5028 Hummmond Rd.
40. Jerry Jufford 7229 Royal Guard Ave
41. [Signature] 5716 Grand Entries Dr.
42. Mr Mrs R. Costan 5712 Grand Entries Dr
43. Julie Bendo 5636 Grand Entries Dr
44. Mirna Stone 5632 Grand Entries Dr.
45. [Signature] 5628 GRAND ENTRIES DR
46. Carrie Zarloff 5624 Grand Entries
47. Byron Zarloff 5624 Grand Entries
48. Ruth Bolla 7120 Dramatic Way
49. Nancy Mallory 7005 Ellis Island Ct.
50. [Signature] 7012 Resplendent Ct.
51. [Signature] 5712 Emperor Way
52. Regan Orr 5616 Emperor Way
53. LONNIE? EUNA WILBORN 5604 EMPEROR WAY
54. [Signature] Mrs Russell R. Dawson 5600 Emperor Way
55. [Signature] 7005 DRAMATIC WAY
56. [Signature] 7005 ELLIS ISLAND Ct
57. [Signature] 7009 Glass Slipper Ct
58. Petla Acoua/Samy Acoua 7013 GLASS SLIPPER Ct
59. [Signature] 7012 Glass Slipper Ct.
60. [Signature] 7009 Glass Slipper CT
61. [Signature] 7009 Resplendent Ct.
62. [Signature] 7001 Resplendent Ct.

CITY COUNCIL MINUTES

NOV 15 1995

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63. ~~Wesley Allen~~ ~~Elson Ruess~~ 5521 Goldrush
 64. ~~LAS 129 NV 89130~~
65. ~~Lucio Greenwood~~ 5242 Goldrush 89130
 66. ~~Julia Ann~~ 5404 Rose Thicket 89130
 67. ~~Maude Czech~~ 5400 Rose Thicket 89130
 68. ~~Donnie Jacob~~ 5401 Rose Thicket 89130
 69. ~~Jeff Jacob~~ 5401 Rose Thicket 89130
 70. ~~Louis Luján~~ 5417 Rose Thicket St 89130
 71. ~~Jeffrey~~ 5501 Green Willow St 89130
 72. ~~Allen Hornaglo~~ 5505 Green Willow St 89130
 73. ~~Ted Hornaglo~~ 5505 Green Willow St 89130
 74. ~~Melissa Dullens~~ 5517 Green Willow 89130
 75. ~~Jeanne Rodgers~~ 5517 Green Willow 89130
 76. ~~Judy Firth~~ 5521 Green Willow 89130
 77. ~~Barbara Firth~~ 5521 Green Willow 89130
 78. ~~Dorothy Velarde~~ 5528 Green Willow 89130
 79. ~~Carlos Velarde~~ 5528 Green Willow 89130
 80. ~~Adria Farnell~~ 5524 Green Willow 89130
 81. ~~Sharon Patrick~~ 5520 Green Willow 89130
 82. ~~John Patrick~~ 5520 Green Willow 89130
 83. ~~George Wong~~ 5816 GREEN willow 89130
 84. ~~Ann Schwa~~ 6824 Rose Petal 89130
 85. ~~Laurel Goben~~ 6824 Rose Petal St 89130
 86. ~~Nancy L. Howe~~ 6812 Rose Petal 89130
 87. ~~DJ Howe~~ 6812 Rose Petal 89130
 88. ~~Chris J. J. master~~ 1712 Tina Lane 89130
 89. ~~Denise Caroline~~ 2816 Alcoa Ave 89102

CITY COUNCIL MINUTES

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90. Pam Terhune 4640 Bradman Dr 89130
91. Mike Terhune 4640 Bradman Dr 89130
92. Marc J. De Luca 5512 Fox Thicket St 89130
93. C. J. Vidum 5524 Gold Birch St. 89130
94. Betty J. Wittmiff 5520 Goldenrod St 89130
95. Tom Stephens 5516 Goldcrest St 89130
96. Jim Jozak 5512 Goldcrest St 89130
97. Terrence Harlow 6800 Rose Petal Ave. 89130
98. Janet L. Snow 85213 White Coyote Pl 89130
99. Debbie Ririe 5345 Standing Rock Pl 89130
100. Cheryl Crouther 10329 Wacklun 89130
101. Don Woda 6611 Welcome 89130

CITY COUNCIL MINUTES

519

NOV 15 1995

5736 Taj Mahal Drive
Las Vegas, NV 89130
September 22, 1995

Department of Community Planning and Development
400 East Stewart Avenue
Las Vegas, NV 89101

To Whom It May Concern:

We are writing this letter in response to the special use permit request by Kryfam Limited Partnership to erect and run a tavern in conjunction with a proposed restaurant located north of Ann Road and East of Rancho Drive (Case No. U-117-95).

We do not support the proposed zoning changes and do not want a tavern in our community. We feel that having such an establishment so close to our homes presents a threat to our families because of the potential for drunk driving accidents to happen and intoxicated people to enter our neighborhood. We do not object to the restaurant but strongly oppose the presence of a tavern so close to our homes. We feel that other establishments such as a grocery store, etc. would better serve the needs of our community.

We appreciate your consideration on this matter and strongly urge you to not approve the proposed zoning change.

Sincerely,

102. Derek & Melanie Hall & family 5736 Taj Mahal Drive Las Vegas, NV 89130
103. Janet & Wendy Benfield & family 7216 Royal Guard Ave. LV, 89130
104. NELSON & SONIA HOLMES 7908 DRAMATIC WAY LV 89130
105. Donald & Susan Jensen 7221 Royal Guard Ave LV. 89130
106. Paul & Kimberly Appen 7228 Sublime Ave LV 89130
107. Steve & Lise Marchant 7109 Dramatic Way LV 89130
108. Annette Simons, James 5885 Mustang St LV 89130
109. Jim & Brenda Katten 5704 Taj Mahal Dr LV 89130
110. Pat Reed 5424 Goldbrush Ln 89130
111. Rena DeLuca 6817 Bottle Sage
112. Colleen Simpson 5408 Rose Thicket St 89130
113. Rex Simpson 5408 Rose Thicket St 89130

CITY COUNCIL MINUTES

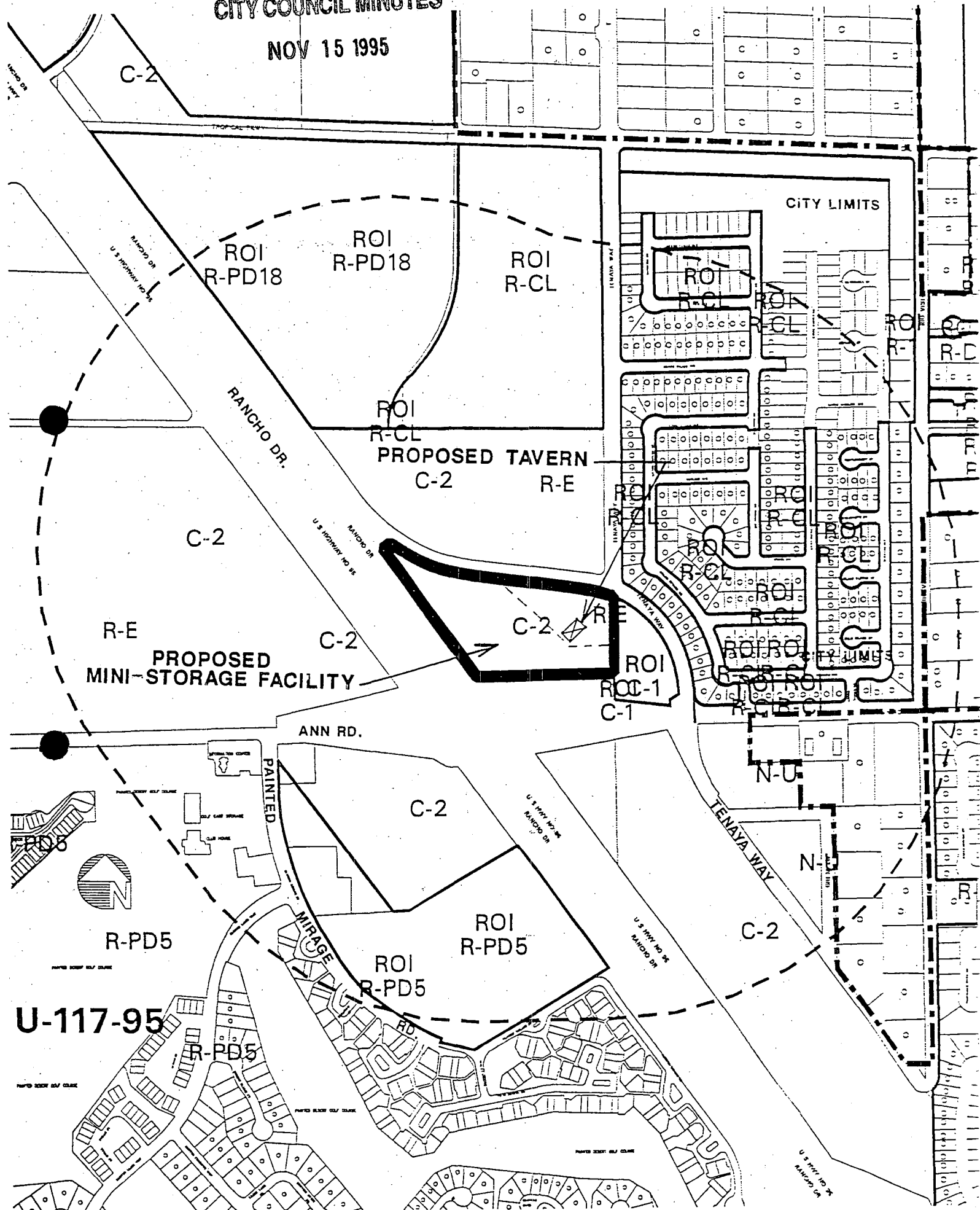
520

NOV 15 1995

114. Sophie Romans 5428 N. Greta 6452863
115. Herbert Roman
116. Iris M. Meres 5600 Royal Castle Ln
117. Rineet Dabson 5604 Royal Castle Ln
118. DARREN & KAREN LETCHWORTH 5608 ROYAL CASTLE LN.
119. Jim & MARCELLA CAREY 5620 Royal Castle Ln.
120. Karen + Matt Hagenow 5732 Royal Castle Ln
121. Marvin Dyshane 5628 Royal Castle Ln
122. Buford 5700 Royal Castle Ln
123. [unclear] 5724 Royal Castle Ln
124. Andrew Henson 5737 Royal Castle Ln
125. Bill Gresh 5636 Royal Castle Ln
126. Denise Windham 5708 Royal Castle Ln
127. Rebecca Hannon 5736 Royal Castle Ln
128. Ray Cohen 5740 Royal Castle Ln
129. J. M. Mow 5728 Royal Castle Ln
130. Spilley D. Peters 5729 Royal Castle Lane LV
131. Linda Borland 7005 Resplendent Ct LV
132. Thom Wertsbaugh 7008 Resplendent Ct LV
133. Debra J. Iverson
134. Marie E. Santos 7209 Grand Palace Ave.
135. Ken Robert DeSantis 7229 Grand Palace Ave
136. J. L. Singh 7233 Grand Palace Ave. 89130
137. Jennifer Willborn 7237 Grand Palace 89130
138. Gloria HARDY 7245 Grand Palace 89130
139. Jack Willborn 7237 GRAND PALACE LN. 89130
140. Carolyn Sue Currier 7204 GRAND PALACE LN. 89130

NOV 15 1995

141. Jh. Sanyato 7117 UTOPIA WAY
142. Richard P. Berg 7205 Utopia Way
143. J. R. C. 7209 UTOPIA WAY
144. J. M. C. 7213 UTOPIA WAY
145. Kathleen Beck 7217 Utopia Way
146. M. M. Hernandez 7221 Utopia Way
147. M. M. Beyer 7225 Utopia Way
148. Pat Velardo 7212 Utopia Way
149. Renetta J. Rogers 7105 Dramatic Way 658-6229
150. ANTHONY & KARE GRASSO 7101 DRAMATIC WAY
151. Emily Silvey 7109 Grand Castle
152. M. M. C. 7113 Grand Castle
153. M. M. C. 7121 GRAND CASTLE WAY
154. J. M. C. 7120 GRAND CASTLE WAY
155. Tammalin Baumgart 7112 Grand Castle Way
156. Deanne Wallace 7104 Grand Castle Way
157. Karl Fields 7100 Grand Castle Way
158. Valerie & Phil Calenzo 7109 Utopia Way
159. Jones & Sue Dunn 7201 UTOPIA WAY



CITY COUNCIL MINUTES

NOV 15 1995

CITY LIMITS

PROPOSED TAVERN

PROPOSED
MINI-STORAGE FACILITY

1500 FEET

CITY LIMITS

ANN RD.

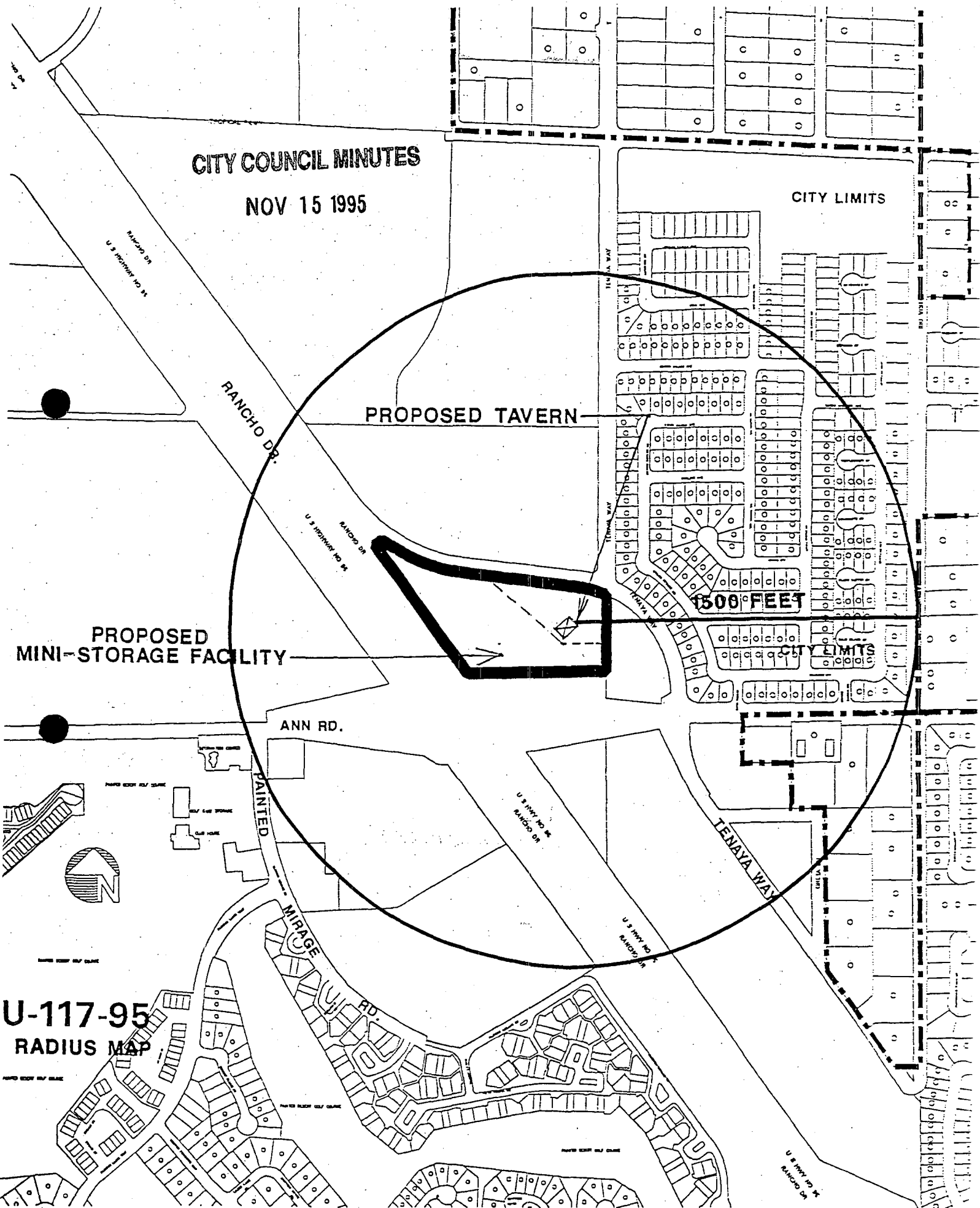
PAINTED

MIRAGE

RD.

TENAYA WAY

U-117-95
RADIUS MAP



CITY COUNCIL

MEETING OF

NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	PLANNING AND DEVELOPMENT <u>SPECIAL USE PERMIT - PUBLIC HEARING</u> <u>U-125-95 - Cheyenne Investment Limited Liability Partnership Company</u> Request for a Special Use Permit for a tavern, on property located north of Cheyenne Avenue and west of Soaring Gulls Drive, N-U Zone (under Resolution of Intent to C-1). PROTESTS: 10 (6 letters, 1 phone call, 3 at meeting)) Ward 4 (Callister) Board of Zoning Adjustment (5-0 vote) and Staff Recommendation: APPROVAL, subject to: 1. Site development to comply with all applicable conditions of approval for Zoning Application Z-7-94 and all subsequent site-related actions such as the recent Plot Plan and Building Elevation Review Z-7-94(3). 2. This constitutes approval of a Plot Plan and Building Elevation Review as required by Condition Number three of Z-7-94 (3). 3. Conformance to conditions 1, 2 and 4 through 11 of Z-7-94 (3) and to all conditions of Z-7-94. 4. This action does not constitute approval of a liquor license. 5. Standard Conditions 1 through 8.	CALLISTER - APPROVAL, subject to conditions and based on conformance to the floor plan submitted - UNANIMOUS ***** ATTORNEYS CHRIS KAEMPFER and STEVE GEORGE, 3800 Howard Hughes Parkway, and GREG BORGEL, 300 S. Fourth Street, appeared on behalf of the applicant and concurred with the conditions as well as an added condition requiring conformance with the floor plan submitted. ATTORNEY KAEMPFER advised that the use is compatible within the large commercial center with anchor tenants of Lucky's, Sav-On and Sears. Properties to the north, east and west are also zoned commercial with apartments to the south. The entrance, restaurant and restrooms are separate from the lounge area although there is a separate access to the lounge as well. The application carries recommendations for approval from the Board of Zoning Adjustment and staff. They urged the Council to approve the application as well. COUNCILMAN CALLISTER thanked the parties involved because their efforts have resolved the problems and resulted in neighborhood support for the project. COUNCILMAN ADAMSEN commented on ATTORNEY FIORENTINO'S offer to review the County supper club license and zoning designation with the City. MAYOR JONES commented on gaming implications and other concerns she had with the County's ordinance. COUNCILMAN CALLISTER stressed that the County ordinance seems simple but becomes very complex and can even penalize businesses like the Hard Rock Cafe who become successful at more than just selling food. MR. BORGEL responded that the suggestion was only to review the County ordinance, not to necessarily copy it. No one appeared in opposition. MAYOR JONES closed the Public Hearing. There was no further discussion. (4:45 - 4:54)

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-125-95 Cheyenne Investment Limited Liability Partnership Company

PURPOSE/BACKGROUND

This is a request for a Special Use Permit for a tavern.

BACKGROUND DATA:

- 03/16/94 The City Council approved a zoning reclassification for this property from N-U (Non-Urban) to C-1 (Limited Commercial) as part of a larger request (Z-7-94). There were no conditions of approval that prohibited a tavern from being placed within the shopping center.
- 09/14/95 The Planning Commission approved a request for a Plot Plan and Building Elevation Review of a proposed shopping center at this location (Z-7-94 [3]).

DETAILS OF APPLICATION REQUEST:

The applicant proposes to operate a tavern within a community shopping center. The site plan shows the tavern would be located in a 5,000 square foot suite on building pad C. Building pad C is located in the southwest portion of this shopping center.

The submitted elevations show a single story structure with a maximum height of 22 feet. A stucco exterior with ceramic tile inserts, painted metal trim, and storefront windows is depicted and will match the approved shopping center elevations.

Access to the shopping center is from Cheyenne Avenue and Soaring Gulls Drive. When the tavern use is considered with the other uses proposed for this site, a parking requirement for 503 spaces is created. The site plan indicates that 586 spaces are provided for the shopping center.

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-125-95 Cheyenne Investment Limited Liability Partnership Company

PURPOSE/BACKGROUND

FINDINGS:

This use is compatible with the surrounding properties which are zoned C-1 (Limited Commercial) and R-PD (Residential Planned Development) and designated SC (Service Commercial) and L (Low Density Residential) in the General Plan. Adjacent land uses include undeveloped commercial property to the east, north and west and an apartment complex to the south.

Board of Zoning Adjustment (5-0 vote) and Staff Recommendation: APPROVAL

PROTESTS: 10 (6 letters, 1 phone call, 3 at meeting) (The neighborhood has concerns about saturating a residential area with too many taverns which will create additional traffic problems and lower the quality of life for this area.)

NOTICES MAILED: 248

SEE ATTACHED LOCATION MAP

Agenda Item

RECEIVED
CITY CLERK

527

Nov 7 10 32 AM '95

November 4, 1995

CITY COUNCIL MINUTES

NOV 15 1995

City of Las Vegas
City Clerk
5th Floor
City Hall
400 East Stewart Avenue
Las Vegas, NV 89101

Re: Special Use Permit
U-125-95

City Clerk,

I would like to express the fact that I am in favor of the granting of a special use permit for a tavern at Cheyenne and Soaring Gulls.

My mailing address is 8332 Surfs Up Drive, Las Vegas, Nevada, 89128.

Sincerely,



Daniel R. Adamson

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CITY CLERK

Nov 14 10 39 AM '95

528

CITY COUNCIL MINUTES

NOV 15 1995

November 8, 1995

Kathleen Tighe, City Clerk
5th Floor
City Hall
400 East Stewart Ave.
Las Vegas, NV 89101

CASE NO: U-125-95
Requesting Tavern Permit
Zone N-U (appx. corner of Cheyenne/
Rampart/Soaring Gulls)

Dear City Council:

Enclosed are neighbors' names that are against the building of a tavern in Zone N-U. Many of these neighbors did not receive the notice to public hearing which clearly indicates the type of intent this tavern owner is using to get their permit passed. We strongly urge you not to build any tavern in that zone due to A) this is entirely surrounded by residential communities and B) no tavern should be built so close to schools!!

NOT TO MENTION TAVERN BEING NEAR SCHOOLS
FROM THE SAME

NAME	ADDRESS	PHONE
1 Annis Robison	8312 Opal Cove Drive	255-7020
2 Mary Russell	3070 Half Shell Way	284-8603
3 Karen Andersen	2928 Sterling Cove Dr.	242-9472
4 Cindy Stevin	8421 Dyster Dr.	341-8092
5 Shocks Dole	8313 Opal Cove	255-0864
6 Nina Shoen	8313 Slate Harbor	254-4025
7 Yanna Taylor	8317 Slate Harbor	228-2823
8 DAN SHIOBE	2832 Sterling Cove	228-2871
9 Andrea Siegel	8304 Opal Cove Dr.	363-5323
10 Donna Aguilera	2929 Sterling Cove Dr.	228-3930
11 Chuck Aguilera	2929 Sterling Cove Dr.	228-3930
12 Marshall Johnson	2928 Sterling Cove	242-9472
13 Sarah Kahn	2928 Sterling Cove	242-4472

14

15

16

NOTICE OF PUBLIC HEARING

SPECIAL USE PERMIT REQUEST

CITY COUNCIL MINUTES

MEETING: CITY COUNCIL
 DATE: NOVEMBER 15, 1995 NOV 15 1995
 TIME: 2:00 P.M.
 LOCATION: COUNCIL CHAMBERS, CITY HALL
 400 EAST STEWART AVENUE
 LAS VEGAS, NEVADA

NOV 13 11 24 AM '95

RECEIVED

APPLICANT: Cheyenne investment Limited Liability Partnership Company

CASE NO.: U-125-95

REQUEST: Special Use Permit for a tavern

PROPERTY LOCATION: North of Cheyenne Avenue, west of Soaring Gulls Drive

ZONING: N-U (under Resolution of Intent to C-1)

LEGAL DESCRIPTION: A PORTION OF THE SOUTH HALF (S½) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 9, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.B.&M.

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 5th Floor, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, 89101.



KATHLEEN M. TIGHE
 CITY CLERK

SEE LOCATION MAP ON REVERSE SIDE

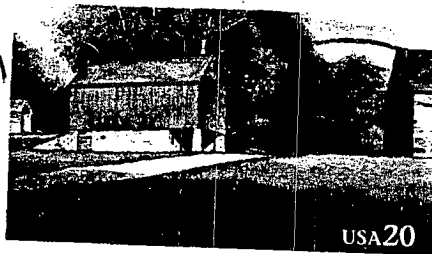
re: above - opposition to it

There's no need for another bar in an essentially residential area. The only ones to benefit are the owners. Rampart Blvd. is becoming another speedway despite the 45 m.p.h. limit, all we need are more drunken speeders added to it. With so little police traffic enforcement available, it's asking for more accidents.

*Joan Quinn
 3016 Lindview Dr
 Las Vegas, N.V. 89134*

99

GAS NV 890
FM
14



USA20

530

City Clerk

5th Floor

City Hall

400 East Stewart Ave.

Las Vegas, NV 89101

NOV 13 11 17 AM '95

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CITY CLERK

CITY COUNCIL MINUTES

NOV 15 1995

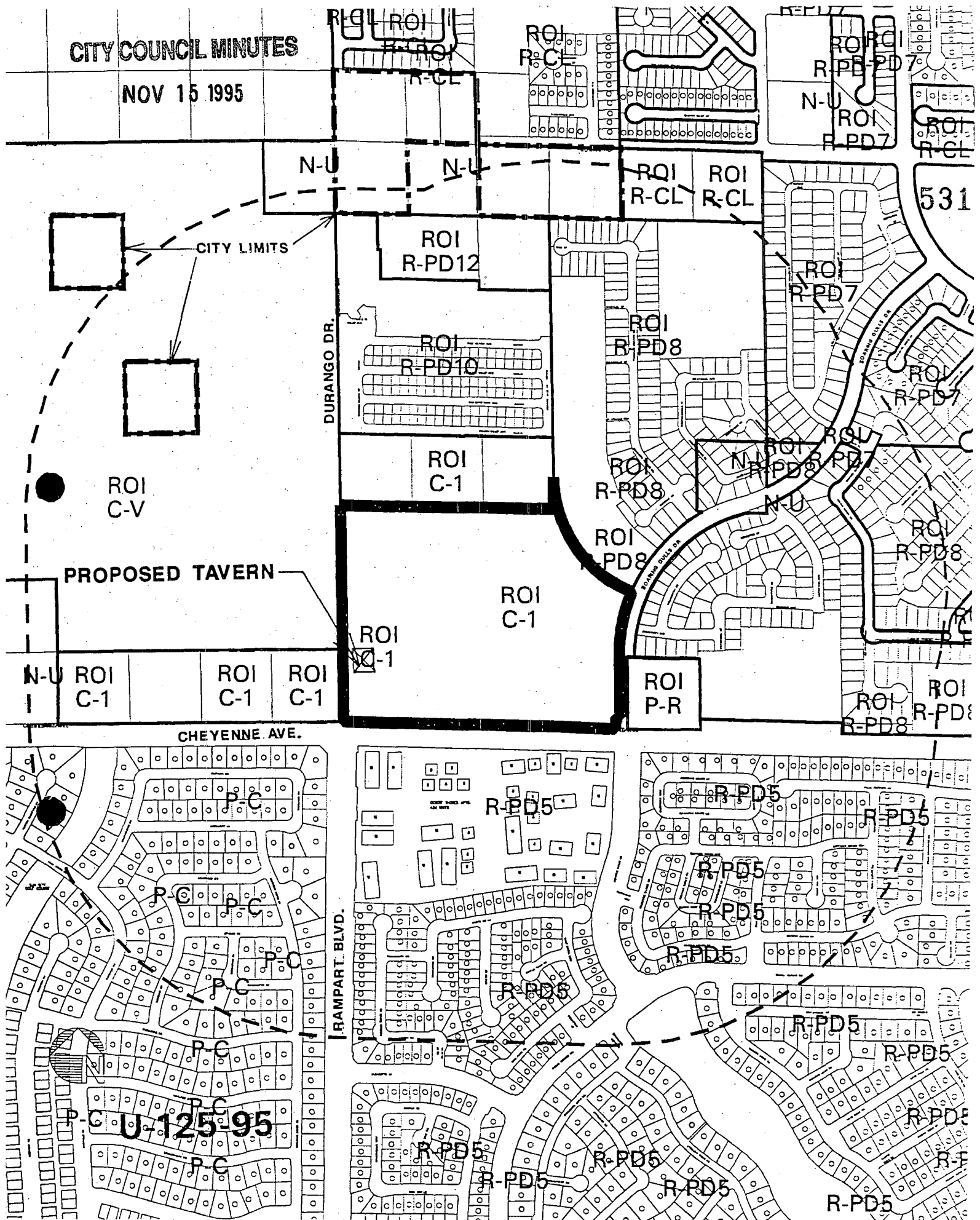
RE: CHEYENNE INVESTMENT LTD 11/8/95
LIABILITY PARTNERSHIP CO. U-125-95
SPECIAL USE PERMIT FOR A TAVERN
No of CHEYENNE AVE, WEST of SOARING
ZONING N-U FULLS DUE

SIRS: AS A HOMEOWNER IN DESERT SHORES,
I OBJECT TO THE OPENING OF A
"TAVERN" SO CLOSE TO OUR BEAUTIFUL
DEVELOPMENT. TO BE FAIR, I DO NOT
QUITE KNOW WHAT THAT DESCRIPTION
IMPLIES. IF IT MEANS "BAR" AND/OR "SALOON",
I DO OBJECT. Phyllis Aug Siegel

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CITY CLERK

CITY COUNCIL MINUTES

NOV 15 1995



532

CITY COUNCIL MINUTES

NOV 15 1995

CITY LIMITS

DURANGO DR.

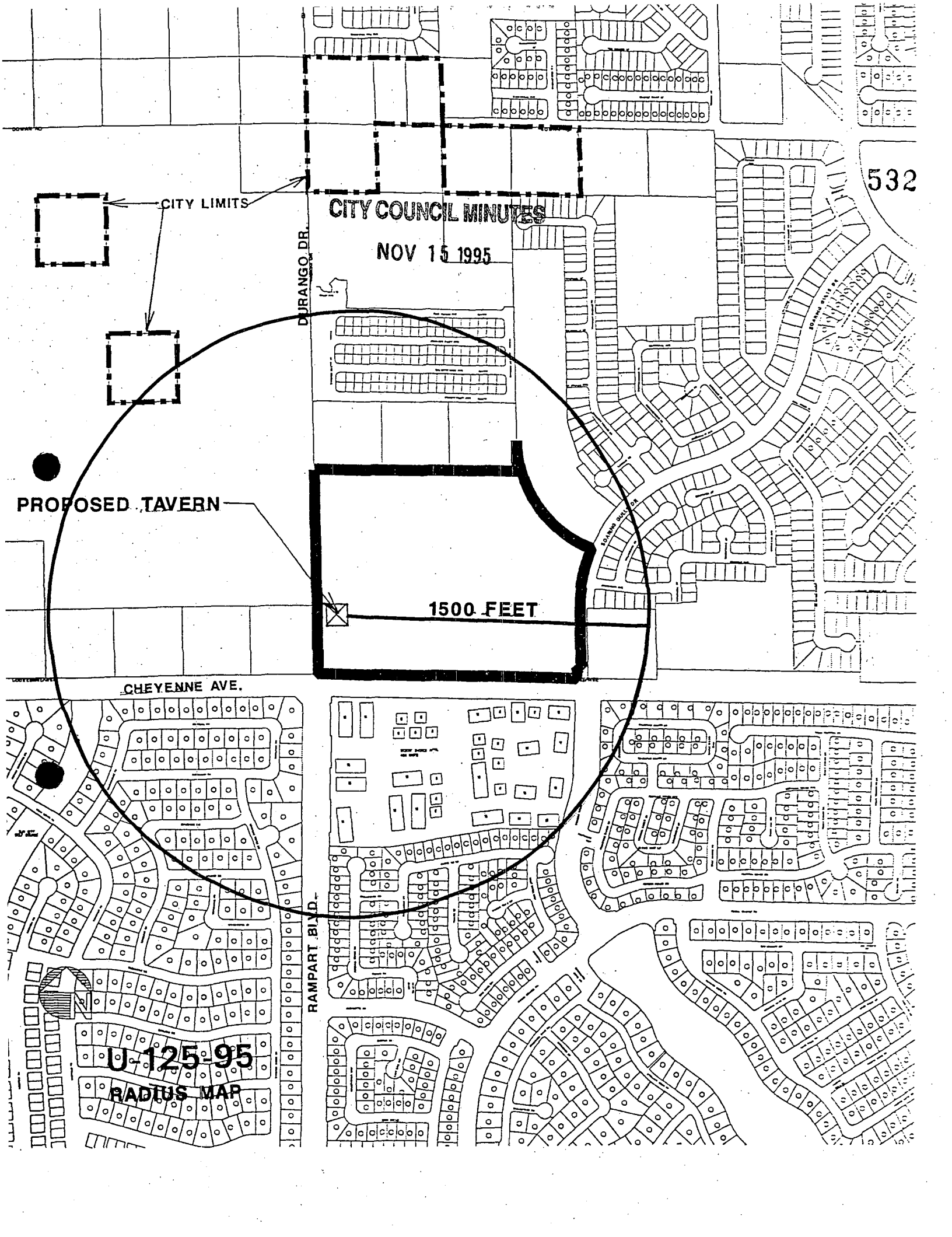
PROPOSED TAVERN

1500 FEET

CHEYENNE AVE.

RAMPART BLVD.

U-125-95
RADIUS MAP



533

Page 70

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	PLANNING AND DEVELOPMENT <u>SPECIAL USE PERMIT - PUBLIC HEARING</u> <u>U-126-95 - Kummer, Kaempfer, Bonner & Renshaw on behalf of Horizon Investments, Inc.</u> Appeal filed by Kummer, Kaempfer, Bonner & Renshaw on behalf of Horizon Investments, Inc., for a Special Use Permit for a tavern in conjunction with an approved wedding chapel and reception center; and a request for a waiver of the 1,500 foot separation distance from a church, on property located on the north side of Sahara Avenue, west of Tenaya Way, N-U Zone (under Resolution of Intent to C-1). PROTESTS: 1,827 (4 letters, 51 phone calls, 53 signature petition representing 45 properties, 93 at meeting w/8 speakers, 1,634 signature petition submitted at meeting. This number was not verified and there are many noticeable property duplications) Ward 2 (Adamsen) Board of Zoning Adjustment (5-0 vote) and Staff Recommendation: DENIAL If approved, subject to: 1. Zoning Application Z-33-95 Condition No. 13 shall be expanded to include the following additional sentence: Also, construct two lanes of temporary "Goecke" paving on Tenaya Way between the west edge of this site and the nearest street improvements to the west. 2. Site development to comply with all original and modified conditions of approval for Zoning Application Z-33-95. 3. This action does not constitute approval of a liquor license. 4. Standard Conditions 1, 5 and 8.	ADAMSEN - Accepting the WITHDRAWAL of Item 98 and ABEYANCE of Items 87, 91, 110 and 111 to 12/6/95 - UNANIMOUS ***** COUNCILMAN ADAMSEN stated for the record that the application of Item 98 was being withdrawn. It was represented by the applicant's attorney that the proposed project will not be built at this location. There was no further discussion. NOTE: COUNCILMAN ADAMSEN instructed Planning staff to draw up a new category in the zoning ordinance for wedding reception facilities inclusive of a 1500 foot distance separation requirement from a religious establishment, park, school and daycare center. (2:32 - 2:34)
98		

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-126-95 - Kummer, Kaempfer, Bonner & Renshaw on behalf of Horizon Investments, Inc.

PURPOSE/BACKGROUND

This is an appeal to the denial action of the Board of Zoning Adjustment for a Special Use Permit for a tavern in conjunction with an approved wedding chapel and reception center; and a request for a waiver of the 1,500 foot separation distance from a church.

BACKGROUND DATA:

06/21/95 The City Council approved a zoning reclassification for this property from N-U (Non-Urban) to C-1 (Limited Commercial) (Z-33-95).

06/27/95 The Board of Zoning Adjustment approved a variance to allow a wedding chapel on this property (V-72-95).

DETAILS OF APPLICATION REQUEST:

The applicant proposes to sell alcoholic beverages at the wedding chapel/reception facility approved on this property. The reception facility will occupy a 15,000 square foot building to be located on this 6.16 acre parcel.

FINDINGS:

The primary entrance of the St. Joseph Husband of Mary Catholic Church is located approximately 410 feet east of the primary entrance of the wedding chapel and reception facility. The applicant states a waiver of the distance separation requirement is warranted because alcoholic beverages will only be served in conjunction with events held at the wedding reception facility, with no service available to the general public

AGENDA DOCUMENTATION

TO:

THE CITY COUNCIL

FROM: DONNA H. KRISTAPONIS, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-126-95 - Kummer, Kaempfer, Bonner & Renshaw on behalf of Horizon Investments, Inc.

PURPOSE/BACKGROUND

The Zoning Ordinance contains a stipulation by City Council declaring 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 churches. The ordinance also requires the applicant to show by "convincing and substantial evidence" that a waiver of said distance requirement will not compromise the objective of the City Council.

Board of Zoning Adjustment decision (5-0 vote) and Staff Recommendation: DENIAL

PROTESTS: 1,827 (4 letters, 51 phone calls, 53 signature petition representing 45 properties, 93 at meeting w/8 speakers, 1,634 signature petition submitted at meeting. This number was not verified and there are many noticeable property duplications) Officials of the church located approximately 410 feet east of the wedding chapel are against the tavern license. The church has a number of activities and services throughout the week for children and adults and there is concern for their safety (especially on Tenaya Way).

NOTICES MAILED: 282

SEE ATTACHED LOCATION MAP

Agenda Item

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CITY CLERK

KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW

536

JOHN C. RENSHAW
THOMAS F. KUMMER
CHRISTOPHER L. KAEMPFER
MARTHA J. ASHCRAFT
MICHAEL J. BONNER
JOHN N. BREWER
VON S. HEINZ
GERALD D. WAITE
ELLIOTT R. EISNER

OCT 26 10 43 AM '95

SEVENTH FLOOR
3800 HOWARD HUGHES PARKWAY
LAS VEGAS, NEVADA 89109

CITY COUNCIL MINUTES

(702) 792-7000
FAX (702) 796-7181

NOV 15 1995

October 25, 1995

SHARI CASSIN PATTERSON
GEORLEN K. SPANGLER
SHERWOOD N. COOK
DAUREAN G. SLOAN
ANTHONY A. ZMAILA
JOHN C. JEPSEN
P. BLAKE ALLEN
L. JOE COPPEDGE
DAVID A. BARKSDALE
GEORGE J. CLASEMAN
DENNIS M. PRINCE
JENNIFER M. SETTLES
JEFFREY W. RAY*
STEPHEN L. GEORGE

*LICENSED IN RHODE ISLAND ONLY

OF COUNSEL
H. GREGORY NASKY

VIA FACSIMILE

Ms. Kathleen Tighe, City Clerk
City of Las Vegas
400 East Stewart Avenue
Las Vegas, NV 89101

Re: Appeal Of Item U-126-95
Request for a Special Use Permit
Horizon Investments, Inc.

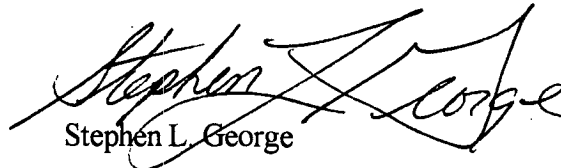
Dear Ms. Tighe:

Please be advised that we wish to appeal to the Las Vegas City Council item U-126-95, Horizon Investments, Inc.'s request for a Special Use Permit for a tavern in conjunction with an approved wedding chapel and reception center, which item was heard and denied by the City of Las Vegas Board of Zoning Adjustment on October 24, 1995.

We make this appeal on the grounds that facts and circumstances are present which were not given appropriate consideration by the Board of Zoning Adjustment. If it is possible we would like this item to be heard by the City Council on November 15, 1995. Thank you for your consideration in this matter.

Sincerely,

KUMMER, KAEMPFER, BONNER & RENSHAW


Stephen L. George

SLG/ll

cc: Howard Mann
Chris Kaempfer
Greg Borgel

S:\SLG\LETTERS\HORIZON.APL

98

**RECEIVED
CITY CLERK**

537

Nov 14 4 02 PM '95

LAW OFFICES OF

ROBERT L. BOLICK, LTD.
A PROFESSIONAL CORPORATIONROBERT L. BOLICK*
STEWART A. GOLLMER
TIMOTHY A. BODILY**

SUITE B

3216 WEST CHARLESTON BOULEVARD
LAS VEGAS, NEVADA 89102AREA CODE 702
TELEPHONE 384-0080
FAX 388-8284OF COUNSEL
GEORGE F. HOLMAN****ALSO LICENSED IN UTAH & ARIZONA
**ALSO LICENSED IN UTAH
***LICENSED IN SOUTH CAROLINA ONLY

November 14, 1995

CITY COUNCIL MINUTES

NOV 15 1995

Via Facsimile 382-4803City Council
c/o City Clerk
5th Floor, City Hall
400 E. Stewart Avenue
Las Vegas, NV 89101

RE: Case No: U-126-95

Dear Sirs:

I own a home within two blocks of the proposed tavern. Please be advised that I support the prior action of the Board of Zoning Adjustment, in denying a special use permit to allow a tavern to be built in the proposed location. I am very pleased to have the Catholic Church on Tenaya and Sahara. It is certainly compatible with the neighborhood. I object in the strongest terms possible to allowing a tavern in that location.

I urge the City Council to approve the action of the Board of Zoning Adjustment and to deny the appeal of Kummer, Kaempfer, Bonner & Renshaw on behalf of Horizon Investments, Inc.

Very truly yours,

ROBERT L. BOLICK, LTD.
A Professional Corporation

Robert L. Bolick

RLB:sda

f:\files\sandy\misc\zoning.ltr

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CITY CLERK

538

Nov 16 7 52 AM '95

CITY COUNCIL MINUTES

NOV 15 1995

City Clerk
5th Floor, City Hall
400 East Stewart Avenue
Las Vegas, Nevada 89101

To Whom it May Concern,

Please accept this letter as a strong objection to the proposed tavern on the North side of Sahara Avenue, Case No: U-126-95. My objection comes from a number of fronts.

First, having two small children ages four and six, I fear that the increased traffic in the area unduly puts them at an increased risk of injury. Many times they are on their bikes using the roads that will be accessed by tavern patrons. One of the reasons we bought in the neighborhood for the very reason of little traffic.

Second, the chances of an intoxicated driver leaving the tavern increases the risk to my whole family. We use the roads to go to work, school and other activities and the tavern increases the chance of one of my family or neighbors family being exposed to a drunk driver causing me great concerns..

Third, I do not believe the residents of the area need a tavern in the community. We bought based on the land values and a tavern not only doesn't help, but in the opinion of a number of realtors, would potentially bring values down.

Please deny the appeal and let us keep our neighborhood safe, respectable and free from the elements that detract from an area.

Respectfully submitted,

Bryce W. Harding
2270 Shaw Circle
Las Vegas, Nevada 89117

RECEIVED
KUMMER KAEMPFER BONNER & RENSHAW
 ATTORNEYS AT LAW
CITY CLERK

539

JOHN C. RENSHAW
 THOMAS F. KUMMER
 CHRISTOPHER L. KAEMPFER
 MARTHA J. ASHCRAFT
 MICHAEL J. BONNER
 JOHN N. BREWER
 VON S. HEINZ
 GERALD D. WAITE
 ELLIOTT R. FISHER

SEVENTH FLOOR
 3800 HOWARD HUGHES PARKWAY
 LAS VEGAS, NEVADA 89109

Nov 14 12 52 PM '95

SHARI CASSIN PATTERSON
 GEORLEN K. SPANGLER
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 JENNIFER M. SEITLES
 JEFFREY W. RAY
 STEPHEN L. GEORGE

CITY COUNCIL MINUTES

(702) 792-7000
 FAX (702) 796-7181

NOV 15 1995

November 14, 1995

OF COUNSEL
 H. GREGORY NASKY

VIA FACSIMILE

*LICENSED IN RHODE ISLAND ONLY

Dave Clapsaddle, Senior Planner
 City of Las Vegas Planning Department
 400 East Stewart Avenue
 Las Vegas, NV 89101

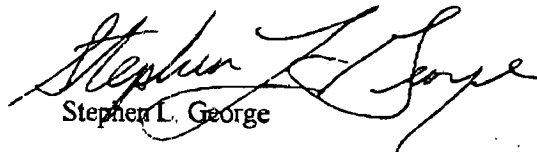
Re: Withdrawal of Appeal of Item U-126-95
 Horizon Investments, Inc.
 Sahara and Tenaya

Dear Dave:

In confirmation of your telephone conversation of last week with Chris Kaempfer of this office, please be advised that our appeal filed on October 25, 1995 has been withdrawn. If you have any questions, please give me a call. As always, thank you for your cooperation.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW


 Stephen L. George

cc: Kathleen Tighe, City Clerk (via fax)
 Howard Mann
 Christopher L. Kaempfer
 Grcg Borgel

NOTICE OF PUBLIC HEARING**SPECIAL USE PERMIT REQUEST****CITY COUNCIL MINUTES**

MEETING: CITY COUNCIL
 DATE: NOVEMBER 15, 1995 NOV 15 1995
 TIME: 2:00 P.M.
 LOCATION: COUNCIL CHAMBERS, CITY HALL
 400 EAST STEWART AVENUE
 LAS VEGAS, NEVADA

NOV 7 10 32 AM '95

RECEIVED

APPELLANT: Kummer, Kaempfer, Bonner & Renshaw on behalf of Horizon Investments, Inc.

CASE NO.: U-126-95

APPEAL: From the denial of the Board of Zoning Adjustment of a Special Use Permit for a tavern in conjunction with an approved wedding chapel and reception center; and a request for a waiver of the 1,500 foot distance separation from a church

PROPERTY LOCATION: North side of Sahara Avenue, west of Tenaya Way

ZONING: N-U (under Resolution of Intent to C-1)

LEGAL DESCRIPTION: A PORTION OF THE SOUTHEAST QUARTER (SE¼) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 3, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.B.&M.

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 5th Floor, City Hall, 400 East Stewart Avenue Las Vegas, Nevada, 89101.



NO, NO, NO!

KATHLEEN M. TIGHE
 CITY CLERK

SEE LOCATION MAP ON REVERSE SIDE

16303403007

U-126-95

COLLINS ROBERT & LANI
 2320 S PIONEER WY
 LAS VEGAS NV 89117

**NO TAVERN,
 PERIOD!**

NOTICE OF PUBLIC HEARING

541

SPECIAL USE PERMIT REQUEST

CITY COUNCIL MINUTES

MEETING: CITY COUNCIL
DATE: NOVEMBER 15, 1995 NOV 15 1995
TIME: 2:00 P.M.
LOCATION: COUNCIL CHAMBERS, CITY HALL
400 EAST STEWART AVENUE
LAS VEGAS, NEVADA

NOV 7 10 32 AM '95

RECEIVED
CITY CLERK

APPELLANT: Kummer, Kaempfer, Bonner & Renshaw on behalf of Horizon Investments, Inc.

CASE NO.: U-126-95

APPEAL: From the denial of the Board of Zoning Adjustment of a Special Use Permit for a tavern in conjunction with an approved wedding chapel and reception center; and a request for a waiver of the 1,500 foot distance separation from a church

PROPERTY LOCATION: North side of Sahara Avenue, west of Tenaya Way

ZONING: N-U (under Resolution of Intent to C-1)

LEGAL DESCRIPTION: A PORTION OF THE SOUTHEAST QUARTER (SE¼) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 3, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.B.&M.

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 5th Floor, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, 89101.



I Carl Harrison am against this permit. Please count my vote against. Thank you.
KATHLEEN M. TIGHE
CITY CLERK

SEE LOCATION MAP ON REVERSE SIDE

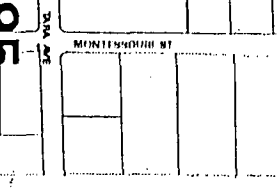
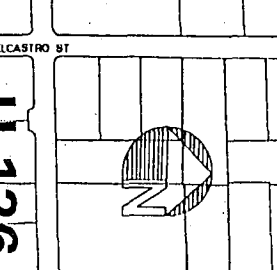
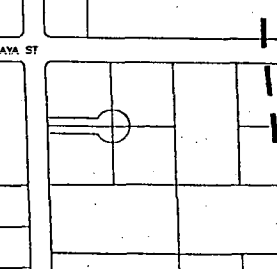
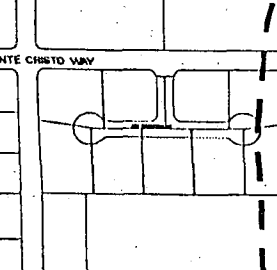
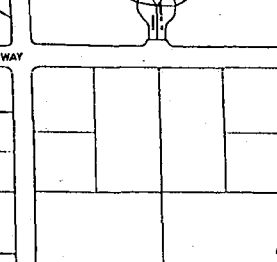
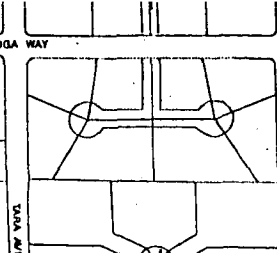
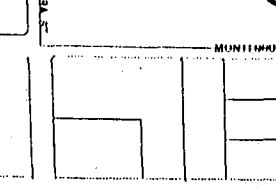
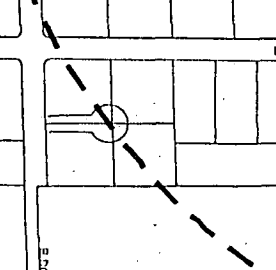
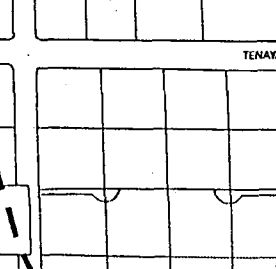
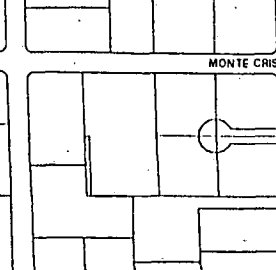
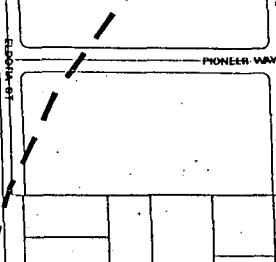
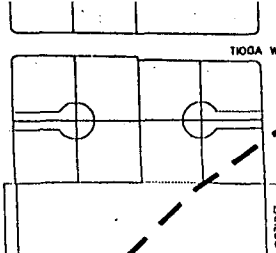
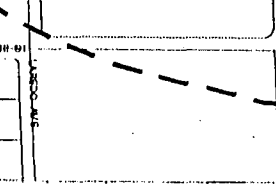
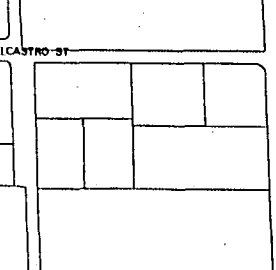
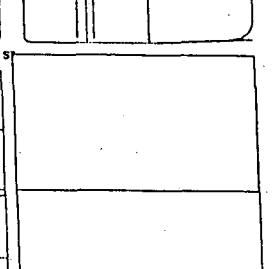
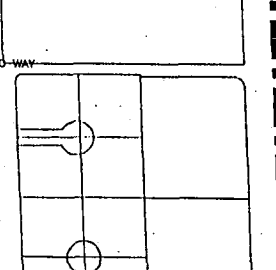
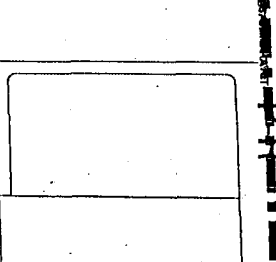
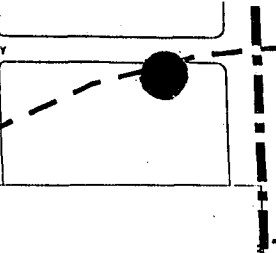
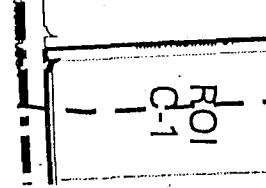
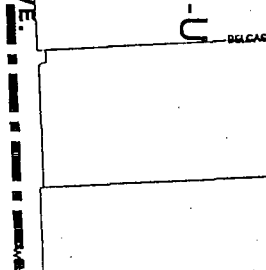
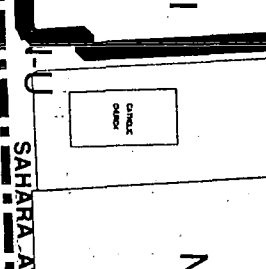
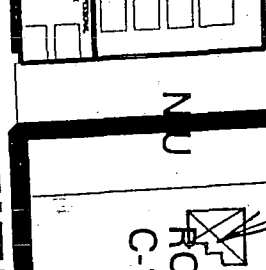
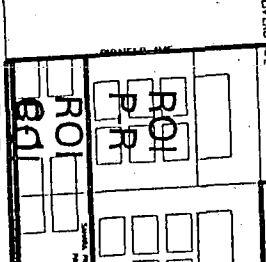
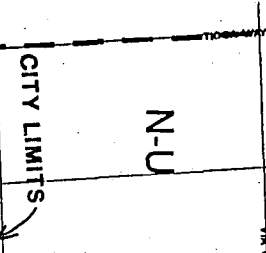
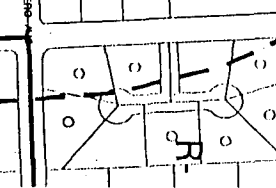
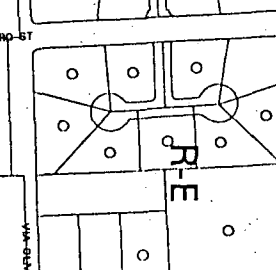
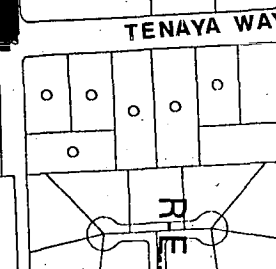
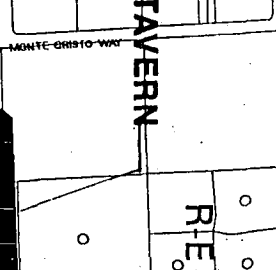
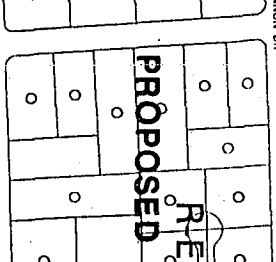
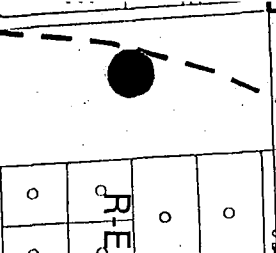
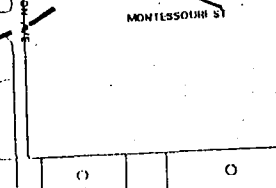
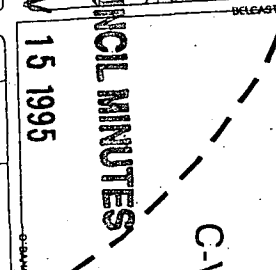
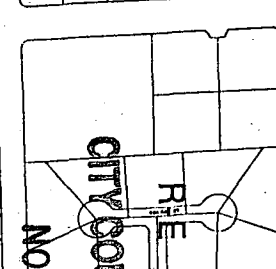
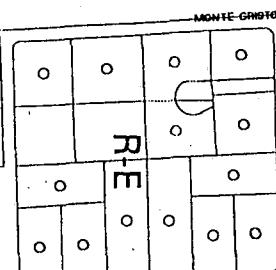
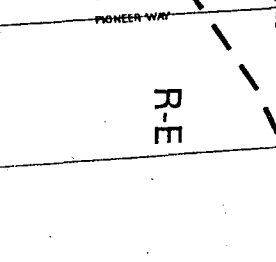
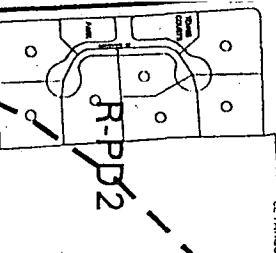
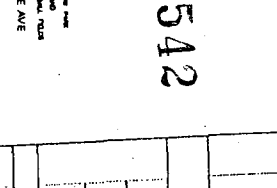
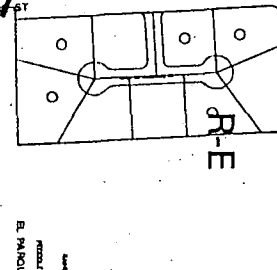
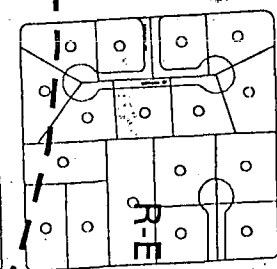
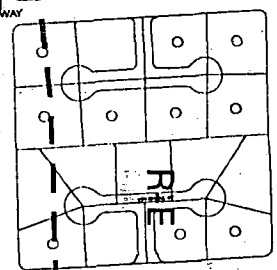
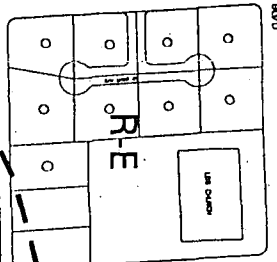
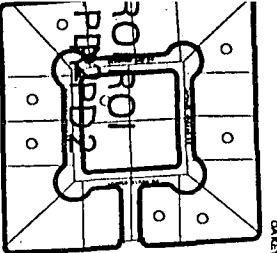
Carl Harrison
2221 S. Pioneer Way
Las Vegas, Nev. 89117

98

SALEY RD

SECTION 24

CHART 1007



SALEY RD
AND
MONTESQUIU ST
E. PARKWAY AVE

542

CITY COUNCIL MINUTES

NOV 15 1995

PROPOSED TAVERN

N-U

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CITY LIMITS

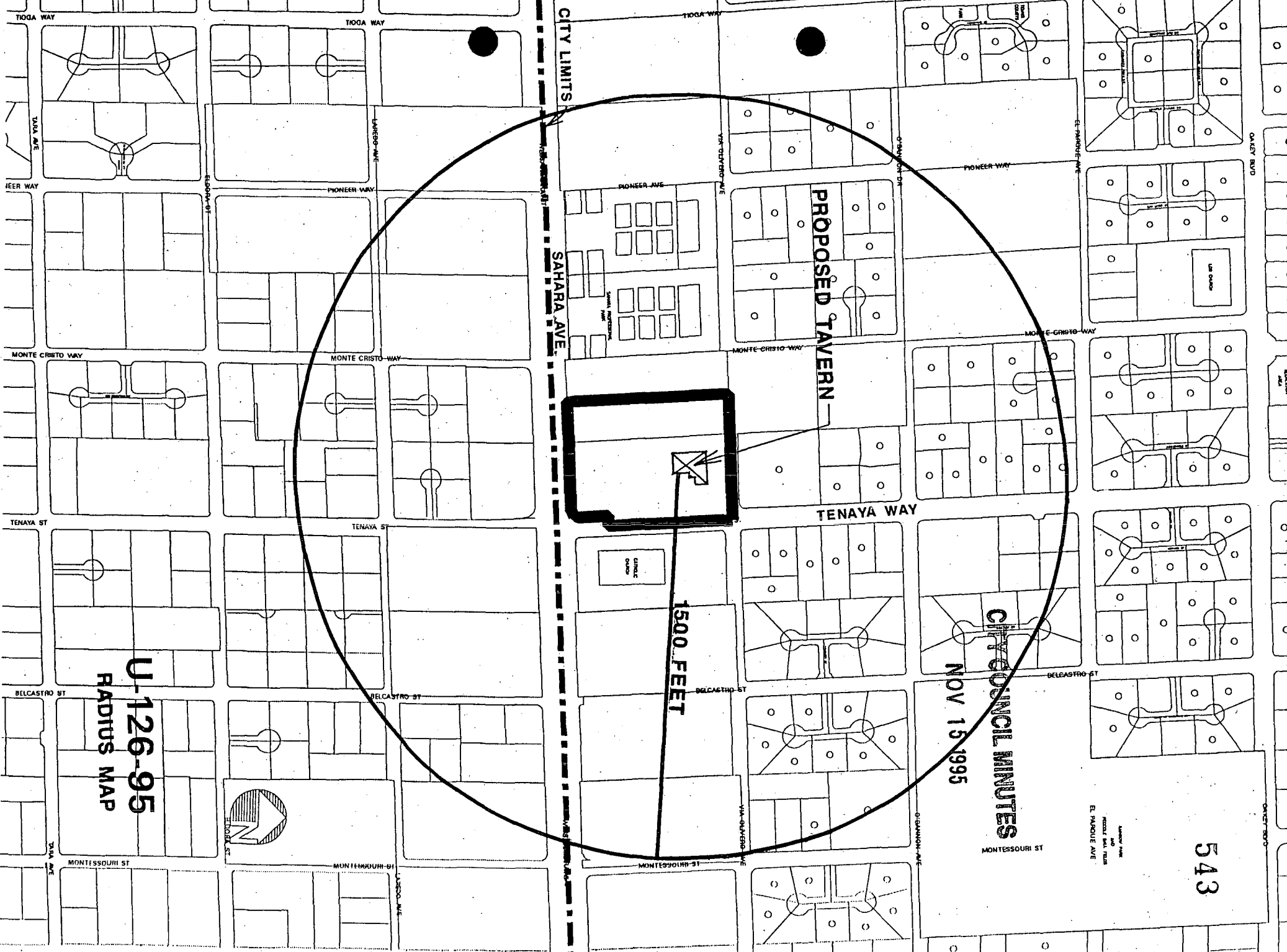
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U-126-95



CITY LIMITS

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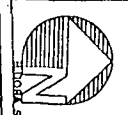
PROPOSED TAVERN

1500 FEET

CITY COUNCIL MINUTES
NOV 15 1995

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U-126-95
RADIUS MAP



Montclair
City Council
Nov 15 1995

CITY COUNCIL

MEETING OF

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item
Number

DISCUSSION / ACTION ITEMS

PLANNING AND DEVELOPMENT

SPECIAL USE PERMIT - PUBLIC HEARING

U-127-95 - Decatur Shopping Center
Associates

99

Request for a Special Use Permit for the sale of beer and wine in conjunction with a proposed billiard parlor, on property located at 1401 North Decatur Boulevard, C-1 Zone.

PROTESTS: 2 (1 phone call, 1 at meeting)

Ward 1 (McDonald)

Board of Zoning Adjustment (5-0 vote) and Staff Recommendation: APPROVAL, subject to:

1. This action does not constitute approval of a liquor license.
2. Standard Conditions 1 and 5.

McDONALD - ABEYANCE to 12/6/95 - UNANIMOUS

MAYOR JONES declared the Public Hearing open.

JEFF SATERLEE, 3245 A Palm Center Drive, and owner/occupant BILL JANKOWSKI, were present and concurred with the conditions.

COUNCILMAN McDONALD summarized the concerns of the area residents regarding gang activity, devaluation of property and a survey he is conducting for additional input. COUNCILMAN REESE commented that his business has been next to a billiard parlor for approximately 25 years. The billiard parlor draws business to a shopping center so long as the operator exercises appropriate and sufficient controls. COUNCILMAN McDONALD explained that he has seen other places get out of control with a lot of gang, drug and prostitution activity. Those activities terrify the neighbors.

MR. SATERLEE discussed his client's desire to be part of the process of resolving any concerns. The owner of this parcel within the shopping center, which has lost three major tenants and slid into a state of disrepair, has spent approximately \$100,000 on improvements and MR. JANKOWSKI and his partner anticipate an additional investment of \$200,000. The character of billiard parlors have changed over the years. This will be an upscale facility with on-site security guards. The impact of this business would be substantially better than a vacant, abandoned building. An ability to serve alcohol would attract an older crowd in which gangs would be less comfortable. MR. JANKOWSKI added that he has another location and therefore has a good understanding of the potential problems and concerns.

No one appeared in opposition.

MAYOR JONES declared the Public Hearing closed.

There was no further discussion.

(4:54 - 5:00)

AGENDA DOCUMENTATION

TO:

THE CITY COUNCIL

FROM: DONNA H. KRISTAPONIS, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-127-95 Decatur Shopping Center Associates

PURPOSE/BACKGROUND

This is a request for a Special Use Permit for the sale of beer and wine in conjunction with a proposed billiard parlor.

DETAILS OF APPLICATION REQUEST:

The applicant proposes to sell beer and wine in conjunction with a proposed billiard parlor. The parlor will occupy an existing 22,400 square foot building within the Decatur Shopping Center.

FINDINGS:

The proposed use is compatible with the surrounding properties which are zoned C-1 (Limited Commercial) and R-3 (Limited Multiple Residence District) and designated SC (Service Commercial) and M (Medium Density Residential) in the General Plan. Adjacent land uses include a retail shopping center to the north and east and apartments to the west and south.

Board of Zoning Adjustment (5-0 vote) and Staff Recommendation: APPROVAL

PROTESTS: 2 (1 phone call, 1 at meeting) (A neighborhood homeowner in attendance expressed concern about the deteriorated condition of the shopping center. Specifically, he was concerned about trash piling up behind the buildings on the west side of the shopping center.)

NOTICES MAILED: 248

SEE ATTACHED LOCATION MAP

Agenda Item

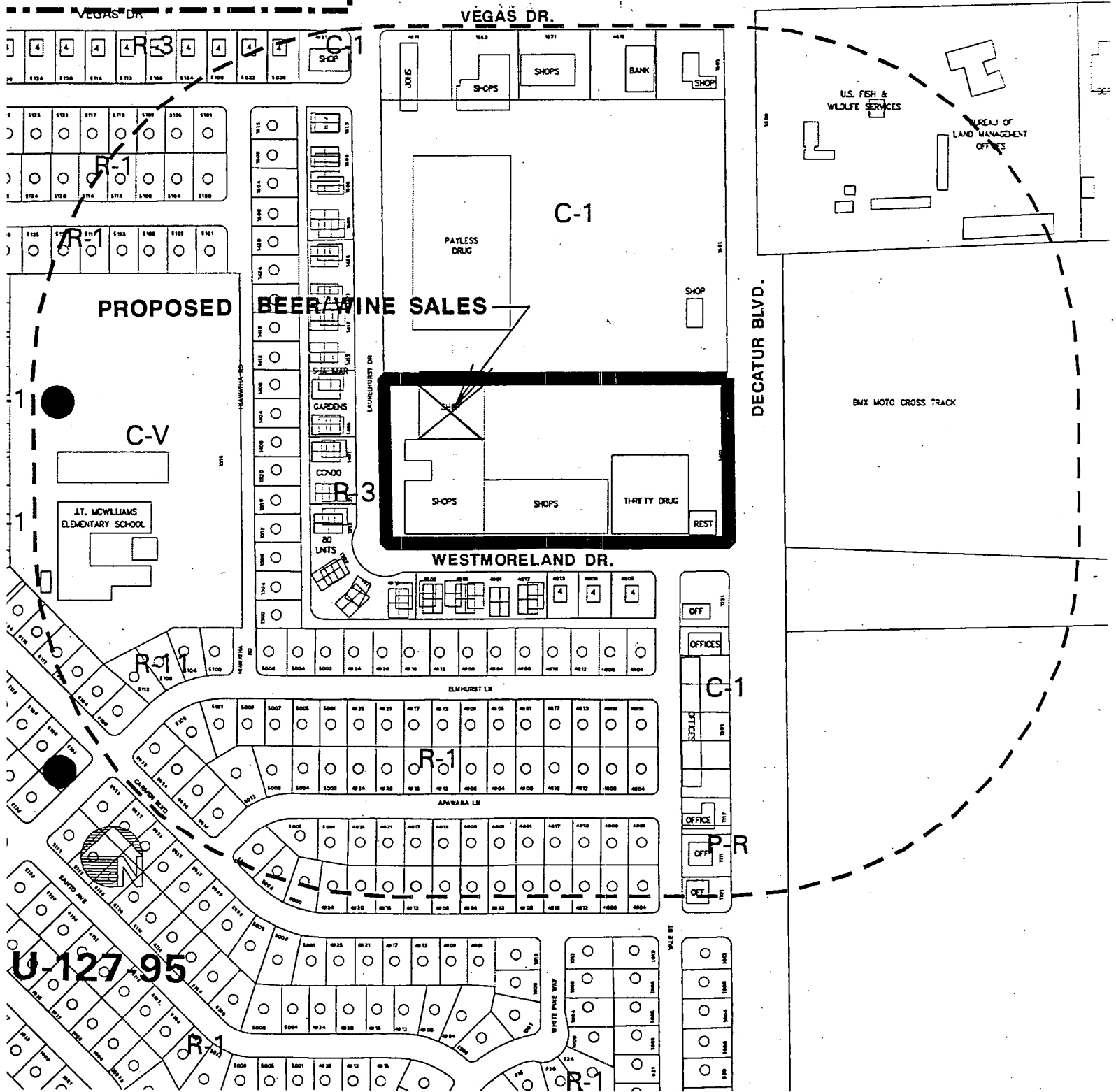
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CITY LIMITS

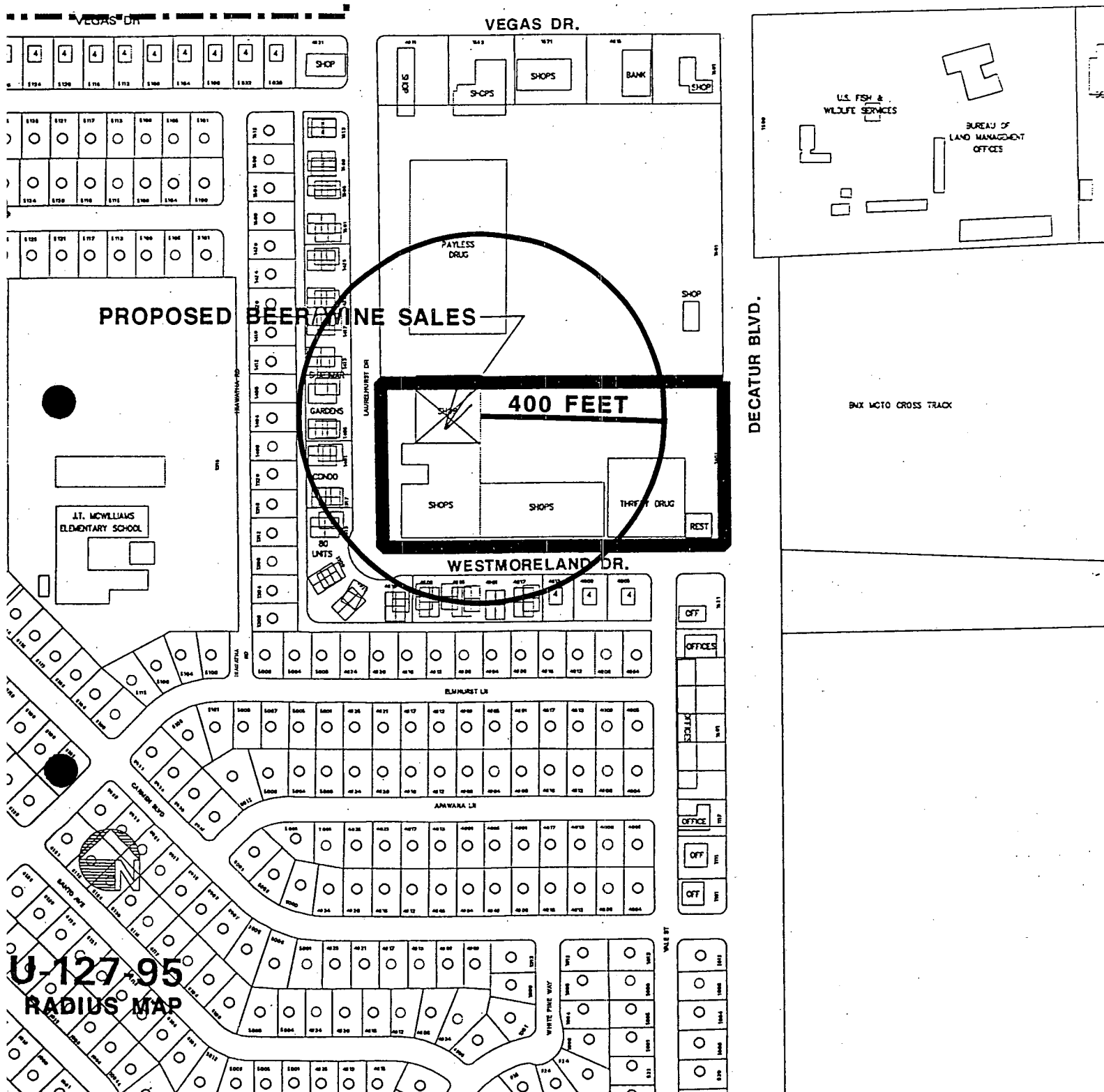
CITY COUNCIL MINUTES

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NOV 15 1995



NOV 15 1995



CITY COUNCIL

MEETING OF

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NOVEMBER 15, 1995

City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item
NumberDISCUSSION / ACTION ITEMS**PLANNING AND DEVELOPMENT**SPECIAL USE PERMIT - PUBLIC HEARING

100

U-128-95 - Southern Nevada Zoological Park

Request for a Special Use Permit for the off-premise sale of package liquor (reduced to beer and wine); and for the sale of propane gas in conjunction with a proposed convenience store; on property located at 1801 North Rancho Drive, C-2 Zone.

PROTESTS: 5 (1 letter, 1 phone call, 3 at meeting)

Ward 4 (Callister)

Board of Zoning Adjustment (3-2 vote) and Staff Recommendation: APPROVAL, subject to:

1. This application is amended to the off-premise sale of beer and wine.

2. Dedicate a 25-foot radius on the northwest corner of Rancho Drive and Melody Lane prior to the issuance of any permits as required by the Department of Public Works.

3. Construct all incomplete half-street improvements on Melody Lane and Rancho Drive adjacent to this site as required by the Department of Public Works. Also, if necessary and as required, remove all substandard public street improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards.

CALLISTER - ABEYANCE to 12/6/95 - UNANIMOUS with Adamsen not voting

MAYOR JONES declared the Public Hearing open.

COUNCILMAN CALLISTER apologized for not returning MR. DINGLE'S call or holding a neighborhood meeting prior to this Council meeting. He requested an abeyance in order to discuss the application with MR. DINGLE as well as the protesters.

PAT DINGLE, Southern Nevada Zoological Park, agreed to hold the item until 12/6/95.

DAWN HAHN, 1911 Catalpa Trail, and BERNADETTA ROBECK, 1746 Primrose, appeared in opposition to the application and confirmed that COUNCILMAN CALLISTER would contact them regarding the neighborhood meeting.

MAYOR JONES declared the Public Hearing closed.

There was no further discussion.

(5:00 - 5:03)

CITY COUNCIL

MEETING OF

NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	PLANNING AND DEVELOPMENT <u>U-128-95 - Southern Nevada Zoological Park</u> 4. 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. 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. 5. Landscape and maintain all unimproved right(s)-of-way on Rancho Drive and Melody Lane adjacent to this site as required by the Department of Public Works. 6. Submit appropriate documentation requesting an Occupancy Permit and/or an Encroachment Agreement, as applicable, for all landscaping and private improvements in the Rancho Drive and Melody Lane (if necessary) public right-of-way adjacent to this site prior to the issuance of any permits for this site as required by the Department of Public Works. 7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to issuance of a building or grading permit, whichever may occur first. 8. Meet with the Traffic Engineer for assistance in redesigning the proposed driveway and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.	ABEYANCE to 12/6/95

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	PLANNING AND DEVELOPMENT	
	<u>U-128-95 - Southern Nevada Zoological Park</u>	ABEYANCE to 12/6/95
	9. This constitutes approval of that portion of the site where the convenience store is proposed. A Plot Plan and Building Elevation Review will be required for the future retail building and the balance of the site.	
	10. No outdoor public address system shall be allowed.	
	11. All exterior lighting shall be directed away from the residential properties to the west with no ray of light shining directly onto any residential lot.	
	12. This action does not constitute approval of a liquor license.	
	13. Conformance to the plot plans, elevations, and landscaping plans as amended by the above conditions.	
	14. Prior to the City Council meeting, the applicant shall prepare and submit to the Planning and Development Department a parking analysis for on-site parking for the zoo.	
	15. Standard Conditions 2 through 8.	

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-128-95 Southern Nevada Zoological Park

PURPOSE/BACKGROUND

This is a request for a Special Use Permit for the off-premise sale of package liquor (reduced to beer and wine); and for the sale of propane gas in conjunction with a proposed convenience store.

BACKGROUND DATA:

- 07/25/95 The Board of Zoning Adjustment denied a Variance to allow an automotive body and paint shop at this location (V-101-95).
- 09/27/90 The Board of Zoning Adjustment approved a Special Use Permit for a used car lot at this location (U-199-90).

DETAILS OF APPLICATION REQUEST:

The applicant proposes to construct 9,584 square foot convenience store in the east portion of this 1.40 acre site. The propane tank is proposed to be located in the northeast corner of the parcel.

Access to the property is via two driveways on Rancho Drive and one on Melody Lane. The parking requirement for this facility is 15 parking spaces. The submitted site plan shows that 17 spaces are provided.

A 1,200 square foot customer operated car wash building is located on the west side of the convenience store. Gasoline would be dispensed from four pump islands located south of the convenience store. The car wash and the sale of gasoline are permitted uses in the C-2 (General Commercial) district.

The submitted elevations show the building will have a glass window store front with stucco exteriors and trim and a flat roof. The site plan shows a maximum building height of 20 feet. The site plan shows landscaping along Rancho Drive and Melody Lane.

The submitted plot plan indicates that a building containing retail shops is proposed for the west portion of this site. A Plot Plan and Building Elevation Review for that portion of the site will be required prior to development.

Agenda Item

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-128-95 Southern Nevada Zoological Park

PURPOSE/BACKGROUND

FINDINGS:

This use is compatible with the surrounding properties which are zoned C-2 (General Commercial) and designated GC (General Commercial) in the General Plan. The surrounding land uses include single family dwellings to the west, a zoo to the south, a minor automotive repair shop to the north, and Rancho Drive to the east.

Board of Zoning Adjustment (3-2 vote) and Staff Recommendation: APPROVAL

PROTESTS: 5 (1 letter, 1 phone call, 3 at meeting) (An area homeowner opposed the sale of propane. Other residents were opposed to another convenience store selling alcohol in this area.)

NOTICES MAILED: 186

SEE ATTACHED LOCATION MAP

Agenda Item

NOV 15 1995

CITY LIMITS

**PROPOSED OFF-PREMISE PACKAGE LIQUOR
& PROPANE GAS SALES**

400 FEET

~~CITY LIMITS~~

U-128-95
RADIUS MAP

US HIGHWAY NO 99
RAICHO DR

CITY COUNCIL

MEETING OF

NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item
Number

DISCUSSION / ACTION ITEMS

PLANNING AND DEVELOPMENT

SPECIAL USE PERMIT - PUBLIC HEARING

101

U-130-95 - Vegas Outdoor on behalf of Southland Corporation

Appeal of Vegas Outdoor on behalf of Southland Corporation for a Special Use Permit for a 14 foot x 48 foot double-faced off-premise advertising (billboard) sign, on property located at 1624 South Decatur Boulevard, C-1 Zone.

PROTESTS: 0

Ward 2 (Adamsen)

Board of Zoning Adjustment (4-1 vote) Decision: DENIAL

Staff Recommendation: APPROVAL, subject to:

1. The Board shall review this use in five years at a public hearing and may require the sign to be removed.
2. The applicant obtain an off-premise sign certificate from the Planning and Development Department prior to issuance of a building permit.
3. Standard Conditions 1 and 5.

ADAMSEN - GRANTING the Appeal; thereby APPROVING the Special Use Permit, subject to conditions - UNANIMOUS

MAYOR JONES declared the Public Hearing open.

R. VAN NOSTRAND, Vegas Outdoor, 339 N. 13th Street, appeared on behalf of the applicant and concurred with the conditions. The protest was apparently that there were too many signs along Decatur but he stressed that this sign absolutely complies with code.

NORMAN KATZ, 1825 S. Decatur, protested that the sign would obstruct his property and impact his income. He introduced articles from the Los Angeles Times regarding the adverse impression caused by billboards on the perceived quality of life as well as a possible tendency to cause speeding. The sign could also pose a traffic hazard because it is adjacent to a stop sign. He urged denial.

MR. VAN NOSTRAND responded that the stop sign would discourage speeding. The proposed sign will have no impact on any on-premise signs as a result of the considerable setback.

VERBATIM EXCERPT:

"COUNCILMAN ADAMSEN: Staff, this meets all the other conditions of the newly enacted sign ordinance?"

ROD ALLISON, Planning & Development: Yes, it does.

COUNCILMAN ADAMSEN: And the Board of Zoning Adjustment's basis for its recommendation of denial was?

ROD ALLISON, Planning & Development: They felt that billboards were not appropriate -- in, on internal major streets. Felt they were more appropriate on highway locations.

COUNCILMAN ADAMSEN: It does comply with the ordinance, Your Honor, I'd move for approval subject to conditions.

MAYOR JONES: I'm -- a little concerned at a time when the Board of Zoning makes those kind of determinations, particularly given there's no precedent, there's ordinances on books; but yet it sends a mixed message. And I wouldn't think

CITY COUNCIL

MEETING OF

NOVEMBER 15, 1995

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item
Number

DISCUSSION / ACTION ITEMS

PLANNING AND DEVELOPMENT

U-130-95 - Vegas Outdoor on behalf of
Southland Corporation - Continued

we really have any reason to deny when you have an application that meets all of the criteria (inaudible).

CHIEF DEPUTY CIVIL CITY ATTORNEY STEED: One of the criteria is obviously the distance limitation, another is the character of the neighborhood. I think the Board of Zoning Adjustment calling Decatur an interior street, and I don't know what that means, but I suspect that means they didn't want to approve the billboard. I think -- it's certainly in character with the area.

MAYOR JONES: How do they explain the Arizona Charlie's sign? Vote on the motion. (Inaudible) Vote on the motion. Post. Motion's approved. **(Motion carried unanimously)**

R. VAN NOSTRAND: Thank you very much."

(5:04 - 5:08)

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-130-95 - Vegas Outdoor on behalf of Southland Corporation

PURPOSE/BACKGROUND

This is an appeal filed by Vegas Outdoor on behalf of Southland Corporation to the denial action of the Board of Zoning Adjustment for a Special Use Permit for a 14 foot x 48 foot double-faced off-premise advertising (billboard) sign.

The Board felt there are too many billboards in the area and they are opposed to billboards on interior streets such as Decatur Boulevard.

DETAILS OF APPLICATION REQUEST:

The applicant proposes to construct a billboard, 672 square feet in size and 40 feet in height in the south portion of this .40 acre site, which is developed with a convenience store. The sign would be oriented towards the north and south bound traffic on Decatur Boulevard.

FINDINGS:

This billboard complies with the Sign Ordinance and is compatible with the adjacent properties zoned C-1 (Limited Commercial) and designated SC (Service Commercial) in the General Plan. The surrounding properties are developed with retail uses.

Board of Zoning Adjustment Decision (4-1 vote): DENIAL

Staff Recommendation: APPROVAL

PROTESTS: 0

NOTICES MAILED: 103

SEE ATTACHED LOCATION MAP

Agenda Item

101

RECEIVED
CITY CLERK

558



OCT 25 10 15 AM '95

CITY COUNCIL MINUTES

NOV 15 1995

October 25, 1995

City of Las Vegas

Attn: Mayor Jones & Las Vegas City Council

400 East Stewart

Las Vegas, Nevada 89109

Dear Mayor Jones,

This letter will act as Vegas Outdoor Advertising's intent to appeal the decision of the Board of Zoning Adjustment in its denial of U-130-95, item D-7, on the October 24, 1995 agenda.

We would appreciate this item to be heard by the you and the City Council at its earliest convenience.

THANKING YOU IN ADVANCE,

R. "VAN" Nostrand
VEGAS OUTDOOR

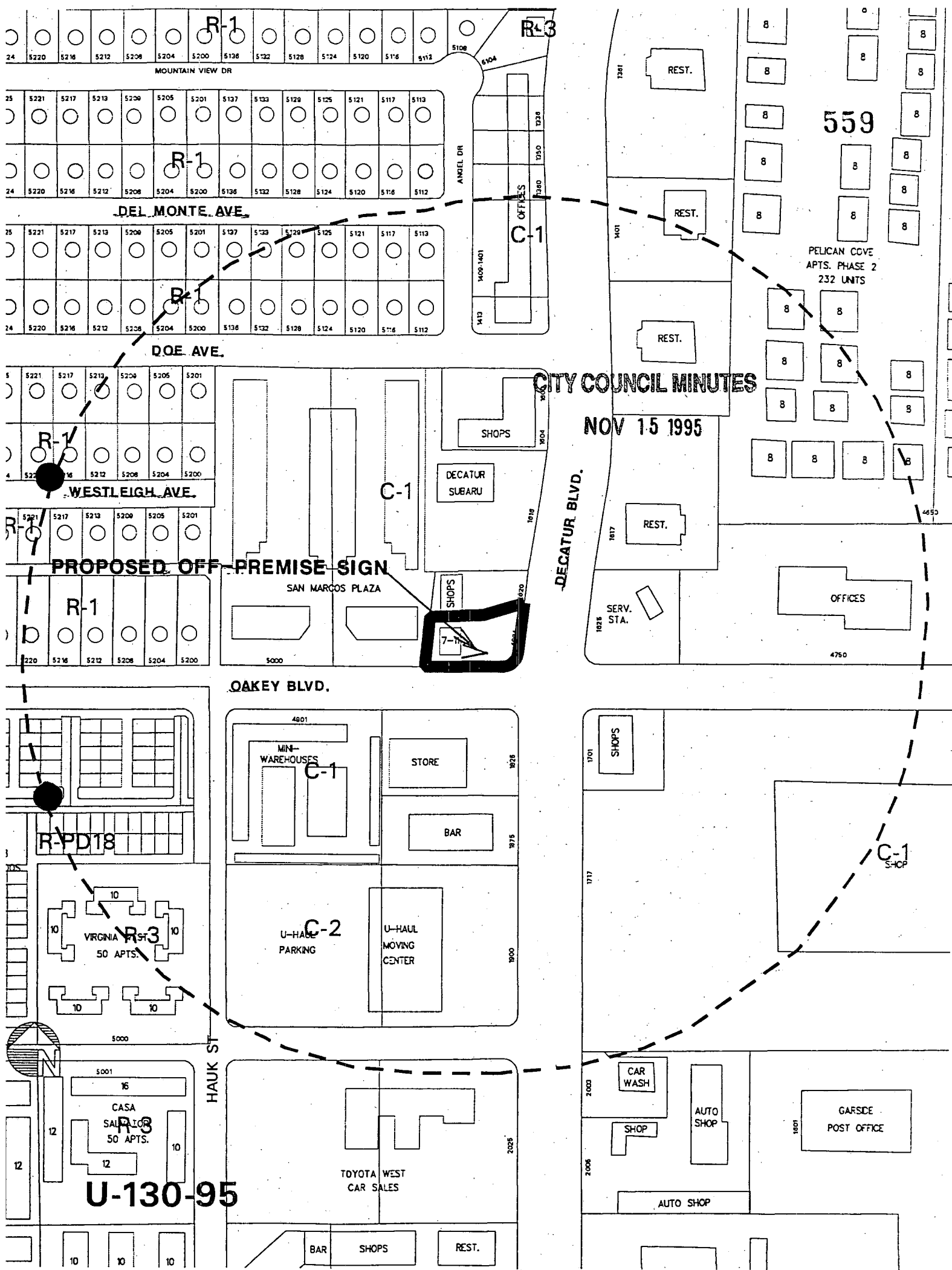
**VEGAS
OUTDOOR**

339 North
13th Street
Las Vegas, NV
89101
1-800-840-3004
702 382-1191
Fax 382-8609

PLANNING AND
DEVELOPMENT

OCT 25 9 40 AM '95

RECEIVED



CITY COUNCIL MINUTES
NOV 15 1995

U-130-95

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ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	PLANNING AND DEVELOPMENT	
	<u>SPECIAL USE PERMIT - PUBLIC HEARING</u>	
102	<u>U-131-95 - William and Wanda Peccole Family Limited Partnership on behalf of Senior Tour Players Development</u> Request for a Special Use Permit for a tavern in conjunction with a golf course clubhouse, on property located at 9119 Alta Drive, N-U (under Resolution of Intent to C-1). PROTESTS: 0 Ward 2 (Adamsen) Board of Zoning Adjustment (5-0 vote) and Staff Recommendation: APPROVAL, subject to: 1. This action does not constitute approval of a liquor license. 2. Standard Conditions 1 and 5.	ADAMSEN - APPROVAL, subject to conditions - UNANIMOUS ***** MAYOR JONES declared the Public Hearing open. DICK ROGERS, Senior Tour Players, 8600 W. Charleston #1204, appeared on behalf of the applicant and concurred with the conditions. No one appeared in opposition. MAYOR JONES declared the Public Hearing closed. There was no further discussion. (5:08 - 5:09)

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-131-95 - William and Wanda Peccole Family Limited Partnership on behalf of Senior Tour Players Development

PURPOSE/BACKGROUND

This is a request for a Special Use Permit for a tavern in conjunction with a golf course clubhouse.

DETAILS OF APPLICATION REQUEST:

The applicant proposes to operate a tavern within the clubhouse of the proposed "Badlands" golf course.

FINDINGS:

This use is common to golf courses and it will be compatible with the surrounding properties.

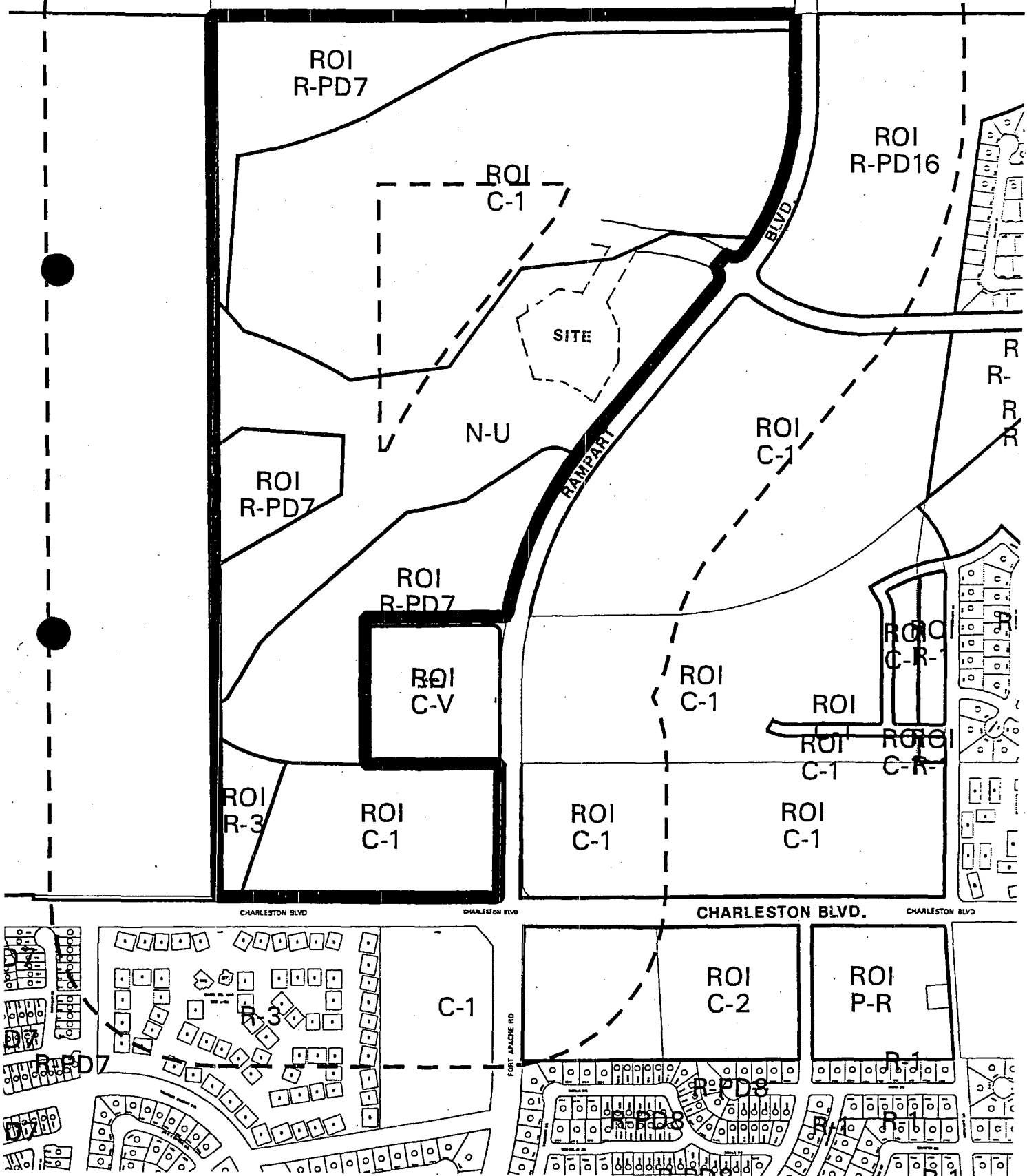
Board of Zoning Adjustment (5-0 vote) and Staff Recommendation: APPROVAL

PROTESTS: 0

NOTICES MAILED: 167

SEE ATTACHED LOCATION MAP

NOV 15 1995

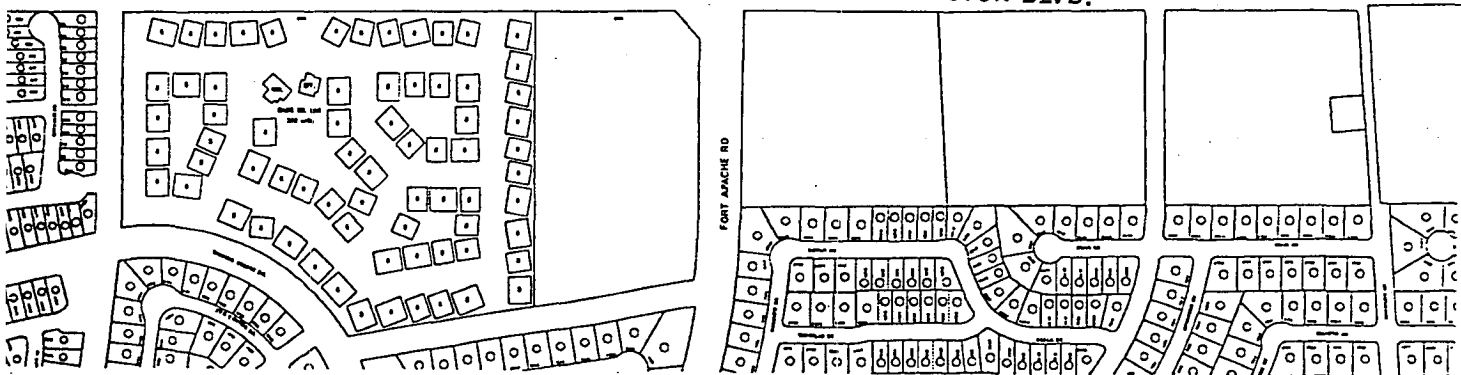
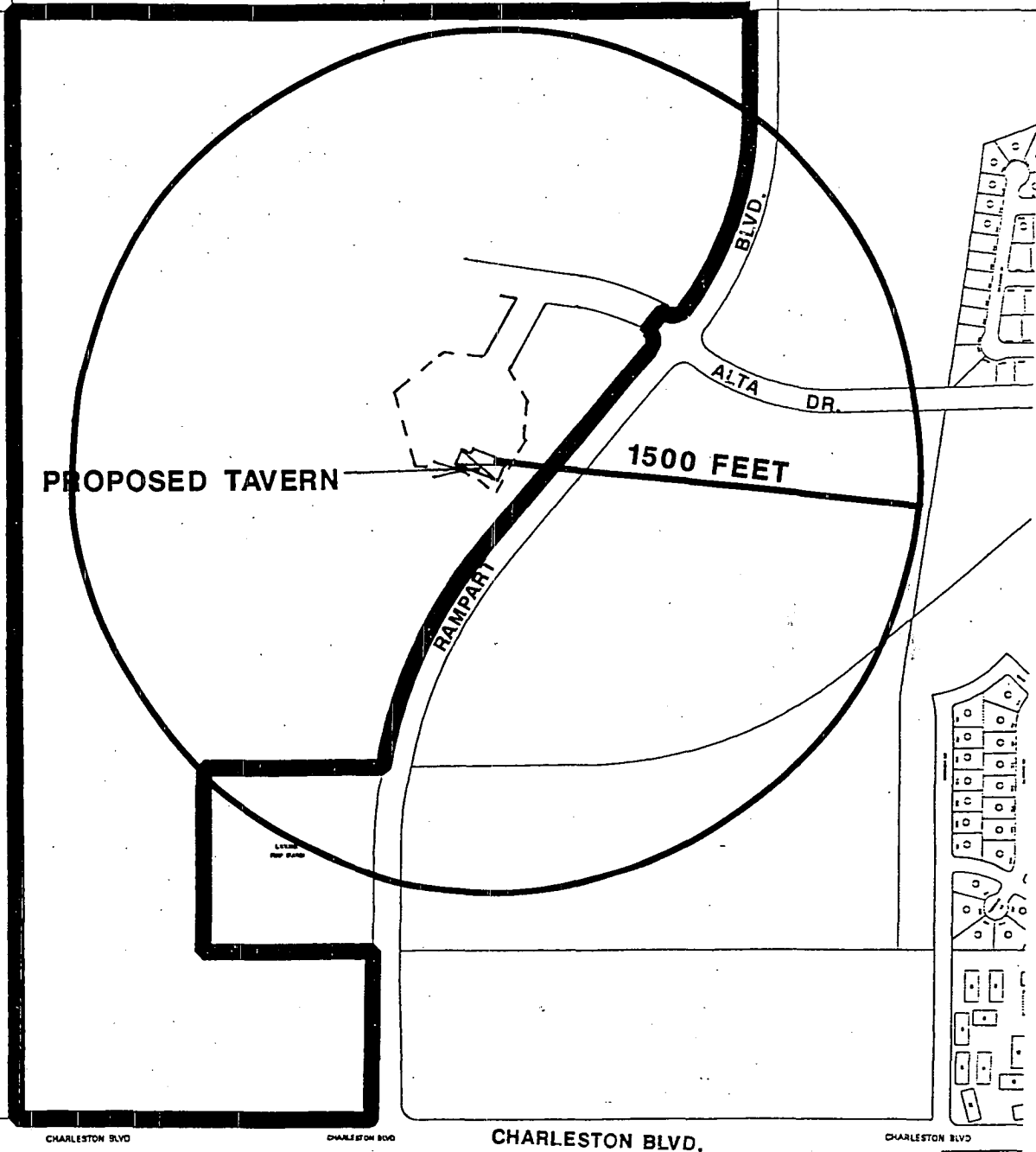


U-131-95
RADIUS MAP



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CITY COUNCIL
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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	<u>DISCUSSION / ACTION ITEMS</u>	
	PLANNING AND DEVELOPMENT	
	<u>ZONING RECLASSIFICATION - PUBLIC HEARING</u>	
103	<u>Z-79-95 - Novex</u> Request for reclassification of property located on the north side of Owens Avenue, approximately 267 feet east of Martin L. King Boulevard. From: R-3 (Limited Multiple Residence) To: C-1 (Limited Commercial) Proposed Use: 12,000 SQUARE FOOT OFFICE BUILDING PROTESTS: 0 Ward 1 (McDonald) Planning Commission (6-0 vote) and staff recommended APPROVAL, subject to: 1. Construct a nominal six foot high decorative wall along the north property line as required by the Planning and Development Department. 2. Provide a minimum 8 foot wide landscape planter inside the wall along the north property line and install 24 inch box trees a minimum of 20 feet on center with shrubs and ground cover as required by the Planning and Development Department. The use of drought tolerant landscaping is encouraged. 3. Provide a 10 foot wide landscape planter along Owens Avenue and install 24 inch box trees a minimum of 40 feet on center with shrubs and ground cover as required by the Planning and Development Department. The use of drought tolerant landscaping is encouraged.	McDONALD - APPROVAL, subject to conditions - UNANIMOUS ***** MAYOR JONES declared the Public Hearing open. MICHELLE GRAY, Jim Saxton, Inc., 5420 W. Sahara Avenue, appeared on behalf of the applicant and concurred with the conditions. No one appeared in opposition. MAYOR JONES declared the Public Hearing closed. There was no further discussion. (5:09 - 5:10)

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

**Item
Number**

DISCUSSION / ACTION ITEMS

PLANNING AND DEVELOPMENT

Z-79-95 - Novex

4. Provide a five foot wide landscape planter along the east property line and install 24 inch box trees a minimum of 40 feet on center as required by the Planning and Development Department. The use of drought tolerant landscaping is encouraged.

5. All exterior lighting shall be directed so that light falls only on the subject site.

6. Construct all incomplete half-street improvements, if any, on Owens Avenue adjacent to this site as required by the Department of Public Works. Also, if necessary and as required, remove all substandard public street improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards.

7. All new driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.

8. Provide a ADA (handicap) access corridor from the sidewalk on Owens Avenue adjacent to this site to the walkway areas adjacent to the front of the proposed building complex as required by the Department of Public Works.

9. Conformance to the plot plan as amended by the above conditions.

10. Conformance to the building elevations.

11. Standard Condition Nos. 1, 3 - 9, 11 and 12.

APPROVAL

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ZONING RECLASSIFICATION - PUBLIC HEARING - Z-79-95 - Novex

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for 12,024 square feet of office space on a 46,584 square foot parcel on the north side of Owens Avenue, approximately 260 feet east of Martin L King Boulevard.

BACKGROUND DATA:

5/18/94 The City Council approved C-1 (Limited Commercial) zoning for the property directly west of this site (Z-5-94).

DETAILS OF APPLICATION REQUEST:

Site Area	46,584	Square Feet
Building Area	12,024	Square Feet
Floor Area Ratio	0.26	
Parking Required	30	Spaces
Parking Provided	57	Spaces
Building Height	26	Feet

Access to the site is via two existing driveways to Owens Avenue and one connection to the shopping center to the west of this site. Landscaping is indicated along the north, east and south sides of the site. Two trash enclosures are shown, one near the southeast corner of the site and the other along the west property line. The elevations depict stucco exteriors with aluminum storefront windows and a concrete tile roof.

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	R-1	Single Family
South	C-1	Shops and Commercial
East	C-V	Child Care Facility
West	C-1	Commercial

Agenda Item

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ZONING RECLASSIFICATION - PUBLIC HEARING - Z-79-95 - Novex

PURPOSE/BACKGROUND

FINDINGS:

GENERAL PLAN:

This site is designated SC (Service Commercial) on the Downtown Development Plan. This designation permits those uses allowed in the C-1 (Limited Commercial) zoning district.

REZONING:

Staff finds that the request is in conformance with the General Plan and is compatible with other previously approved commercial developments along the north and south sides of Owens Avenue.

PLOT PLAN:

Staff's main concern regarding the plot plan is the lack of landscaping along the north property line. The commercial property to the west was required to construct a six foot high decorative wall along the north property line and provide a minimum 8 foot wide landscape planter inside the wall with 24 inch box evergreen trees a minimum 20 feet on center. A 10 foot wide landscape planter should be required along Owens Avenue, with 24 inch box trees 40 feet on center. All lighting should be directed so that light falls only on this site and does not pose a nuisance to the abutting residential properties to the north.

Planning Commission Recommendation: APPROVAL (6-0 vote)

Staff Recommendation: APPROVAL

PROTESTS: 0

NOTICES MAILED: 181

SEE ATTACHED LOCATION MAP

Agenda Item

CITY COUNCIL MINUTES

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MARTIN L KING BLVD

WYATT ST

FREEMAN AVE

LEONARD AVE

OWENS AVE

Z-79-95

R-E

R-1

ROI
C-V

ROI
C-V

CHURCH

R-4

R-1

R-4

20 UNITS

C-V

R-3

ROI
C-1

SHOPS
C-1

ROI
C-1

ROI
C-1

R-E

N ST

GOLD AVE

VAN BUREN AVE

JACKSON AVE

MARTIN L KING BLVD

R-E

C-1

ROI
R-1
ROI
R-1
ROI

ROI
C-1

CHURCH

R-1

R-1

C-1

VILLA C.
APARTME
60 UN

C-1

12

CITY COUNCIL

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	PLANNING AND DEVELOPMENT <u>ZONING RECLASSIFICATION - PUBLIC HEARING</u> 104 <u>Z-80-95 - Donald and Rose Wren</u> Request for reclassification of property located at 6761 Holmby Avenue. From: N-U (Non-Urban) To: R-3 (Limited Multiple Residence) Proposed Use: 10 TWO-STORY APARTMENT UNITS PROTESTS: 0 Ward 2 (Adamsen) Planning Commission (6-0 vote) and staff recommended APPROVAL, subject to: - Construct cul-de-sac improvements on the southwest quadrant of the proposed cul-de-sac dead-ending Holmby Avenue west of Redwood Street as required by the Department of Public Works. Normal public street improvement standards shall be waived along this section of Holmby Avenue because the corridor services only a single parcel and private maintenance of the corridor may occur. - Construct two lanes of "Goecke" paving along the Holmby Avenue corridor between this site and Redwood Street prior to occupancy of any new buildings proposed with this development as required by the Department of Public Works. - Additional improvements may be permitted within the Holmby Avenue public right-of-way adjacent to this site and between this site and Redwood Street subject to approval of the Director of Public Works and approval of an Encroachment Agreement by the City Council to allow such additional improvements.	ADAMSEN - APPROVAL, subject to conditions - UNANIMOUS with Callister not voting ***** MAYOR JONES declared the Public Hearing open. RICHARD BAINES, 6761 W. Holmby, appeared on behalf of the applicant and concurred with the conditions. No one appeared in opposition. MAYOR JONES declared the Public Hearing closed. There was no further discussion. (5:10 - 5:12)

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ACTION

Item
Number

DISCUSSION / ACTION ITEMS

PLANNING AND DEVELOPMENT

Z-80-95 - Donald and Rose Wren

APPROVAL

4. The overall on-site and off-site access and parking plan must be approved by the Traffic Engineer and the City Engineer prior to the approval of off-site construction plans for this development proposal.

5. The existing driveway cut on Redwood Street (presently providing access to this parcel) may remain as is and will be allowed to be utilized in the future so that the relocation of the existing power pole adjacent to Redwood Street will not have to be relocated as required by the Department of Public Works.

6. Obtain City Council approval of an Encroachment Agreement for any private improvements in the Holmby Avenue public right-of-way adjacent to this site and between this site and Redwood Street as required by the Department of Public Works.

7. Conformance to the plot plan as amended by the above conditions.

8. Conformance to the building elevations.

9. Standard Condition Nos. 1, 3 - 9 and 11.

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ZONING RECLASSIFICATION - PUBLIC HEARING - Z-80-95 - Donald and Rose Wren

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for an existing single family residence which will be converted into an apartment-like unit and nine, two-story apartment units on a 26,000 square foot parcel at a residential density of 16.9 units per acre.

BACKGROUND DATA:

There is no previous zoning history to this parcel.

DETAILS OF APPLICATION REQUEST:

Site Area	26,000	Square Feet
Number of Units	10	Apartments
Density	16.9	Units per Acre
<u>Building Type A:</u>		
Square Footage	1,053	
Bedrooms/Baths	2/2	
Parking Required	20	Spaces
Parking Provided	21	Spaces
Building Height	2	Stories

The plot plan indicates that there is an existing single family residence on the site and two apartment buildings are proposed. Access to the site is via one driveway to Holmby Avenue. There is an existing six foot high wall along the perimeter of the site. Landscaping is shown along the north, east and south property lines and between the buildings. No recreational amenities are proposed. One trash enclosure is provided adjacent to the driveway to Holmby Avenue. All of the parking stalls are covered. The elevations depict stucco exteriors with tile roofs.

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	R-PD21	Condominiums
South	R-PD20	Condominiums
East	R-3	Apartments
West	R-PD20	Condominiums

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ZONING RECLASSIFICATION - PUBLIC HEARING - Z-80-95 - Donald and Rose Wren

PURPOSE/BACKGROUND

FINDINGS:

GENERAL PLAN:

This site is designated M (Medium Density Residential) on the Southwest Sector Map of the General Plan. This designation permits a maximum density of 20 units per acre for multi-family residential development.

REZONING:

Staff finds that the request is in conformance with the General Plan and is compatible with the surrounding area which is developed as multi-family residential.

PLOT PLAN:

Staff has no objections to the plot plan. The landscaping inside the wall along the property lines should consist of 24 inch box trees a minimum of 40 feet on center with shrubs and ground cover.

The Department of Public Works feels that the applicant should aesthetically enhance the Holmby Avenue corridor between this site and Redwood Street. The Department may authorize non-standard improvements along this corridor to eliminate the need to relocate any existing power poles and assist in minimizing future public involvement and maintenance of this dead end right-of-way.

Planning Commission Recommendation: APPROVAL (6-0 vote) (The Planning Commission deleted a condition requiring a landscape planter along the perimeter of the property.

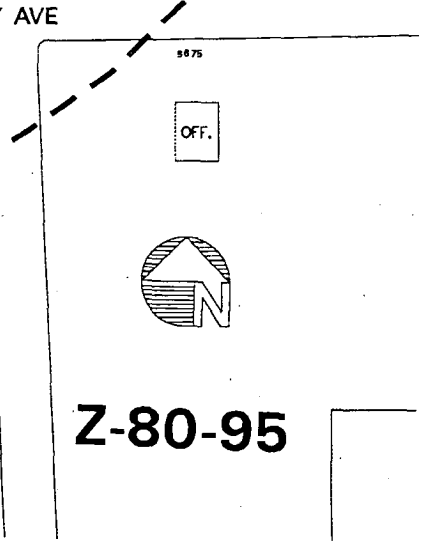
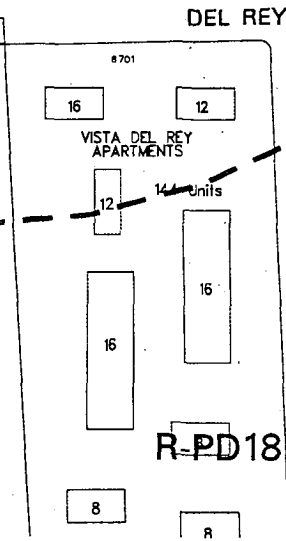
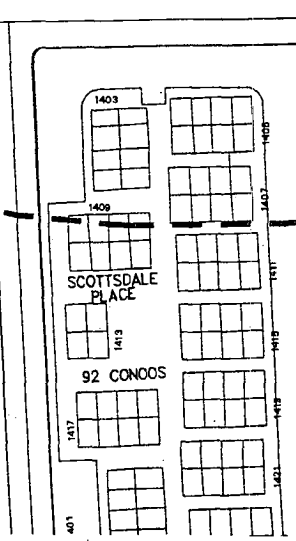
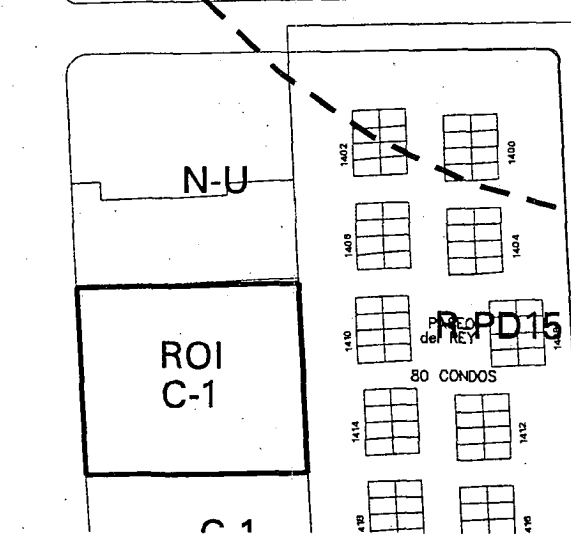
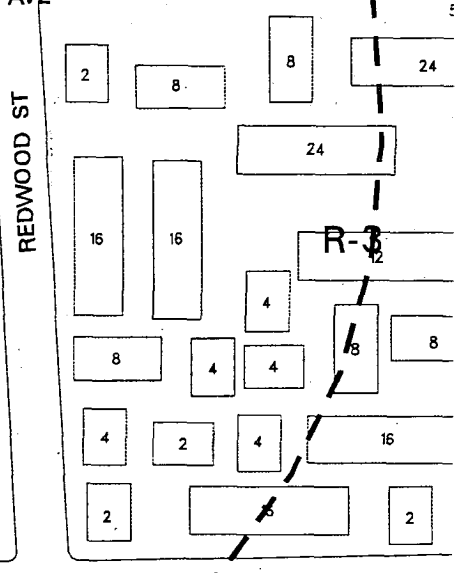
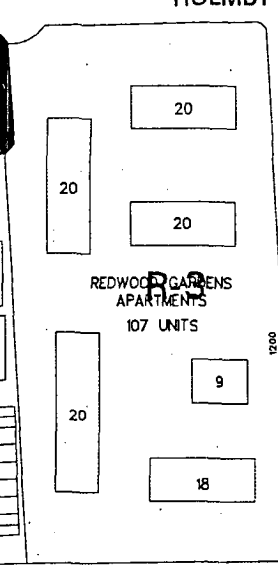
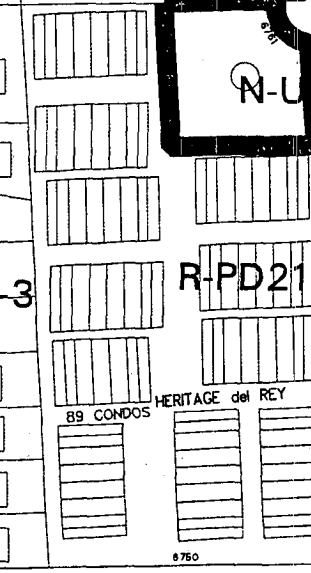
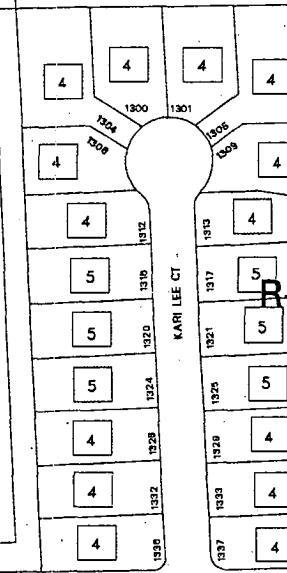
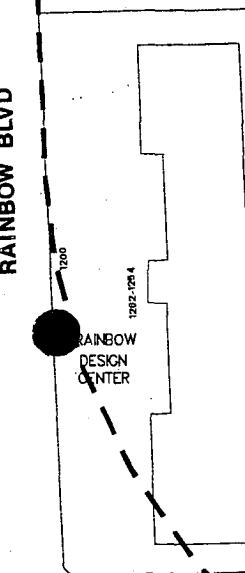
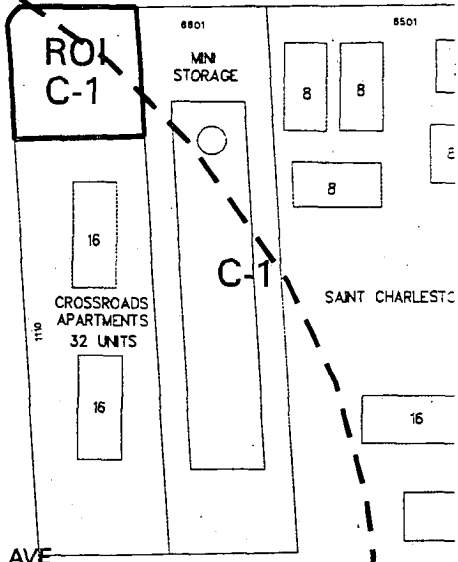
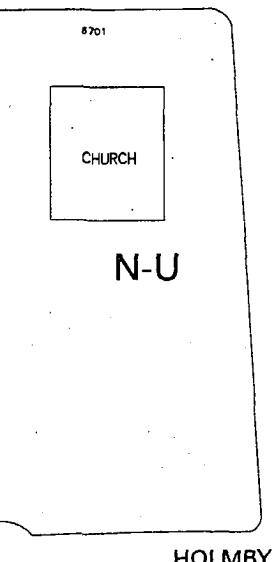
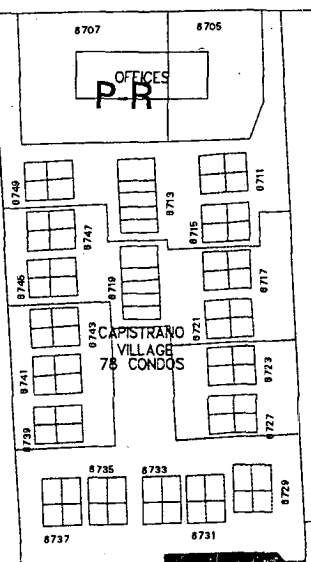
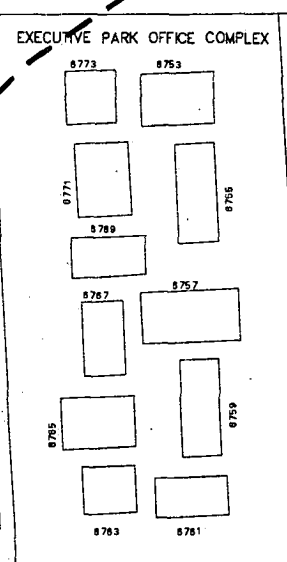
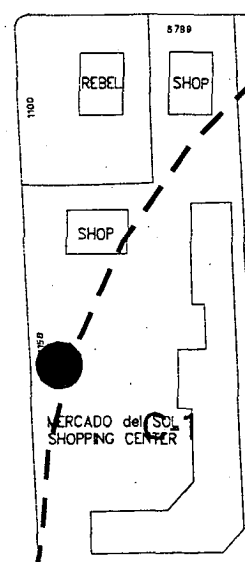
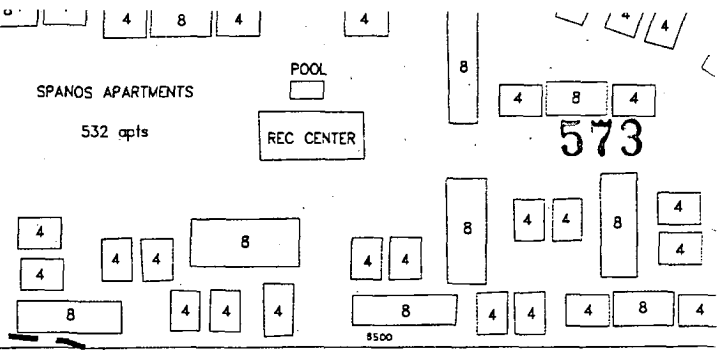
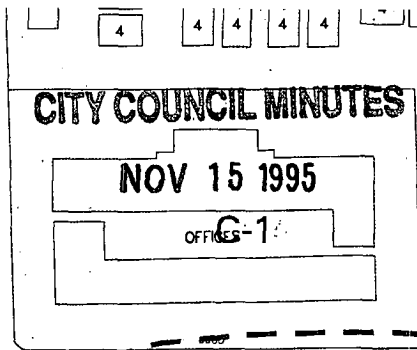
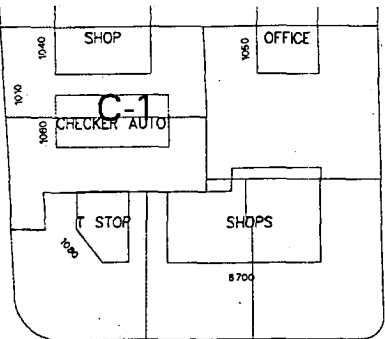
Staff Recommendation: APPROVAL

PROTESTS: 0

NOTICES MAILED: 37

SEE ATTACHED LOCATION MAP

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	PLANNING AND DEVELOPMENT	
	<u>ZONING RECLASSIFICATION - PUBLIC HEARING</u>	
105	<u>Z-81-95 - Property Holding Corporation</u> Request for reclassification of property located on the west side of Shadow Lane, north of Pinto Lane. From: R-1 (Single Family Residence) To: P-R (Professional Offices and Parking) Proposed Use: 209 SPACE PARKING LOT EXPANSION PROTESTS: 0 APPROVALS: 1 (at Meeting) Ward 1 (McDonald) Planning Commission (6-0 vote) and staff recommended APPROVAL, subject to: 1. Construct a nominal six foot high decorative wall along the north and west sides of the site where abutting single family residences as required by the Planning and Development Department. 2. Provide a minimum five foot wide landscaped planter area inside the wall along the north and west sides of the site and install 24 inch box trees 25 feet on center with shrubs and ground cover as required by the Planning and Development Department. The use of drought tolerant landscaping is encouraged. 3. Provide a 10 foot wide landscaped planter area along Shadow Lane and install 24 inch box trees 40 feet on center with shrubs and ground cover as required by the Planning and Development Department. The use of drought tolerant landscaping is encouraged.	McDONALD - APPROVAL, subject to conditions - UNANIMOUS with Callister not voting ***** MAYOR JONES declared the Public Hearing open. JEAN DONAHOE, 4795 Sandhill Road, appeared on behalf of the applicant, stated that this project is a logical expansion for the existing parking, is compatible with the area and zoning designation of medical support, and the applicant has concurred with the conditions. MAYOR JONES commented on the number of calls she has received wondering what is happening. She also urged that the City look at moving the entrance way. MS. DONAHOE responded that the access has been limited to Shadow Lane. COUNCILMAN McDONALD added that he is trying to work with Planning Commission Chairwoman MARILYN MORAN to ensure that upcoming zoning applications comply with Books I and II of the UMC Plan. No one appeared in opposition. MAYOR JONES declared the Public Hearing closed. There was no further discussion. (5:12 - 5:14)

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ACTION

Item Number	<u>DISCUSSION / ACTION ITEMS</u>	
	PLANNING AND DEVELOPMENT	
	<u>Z-81-95 - Property Holding Corporation</u>	APPROVAL
	4. Provide landscaped planter fingers every eight lineal parking spaces as required by the Planning and Development Department.	
	5. Where new water mains are extended along streets and where hydrants are not needed for protection of structures, fire hydrants shall be spaced a maximum of 1,000 feet apart to prevent transportation hazards as required by the Department of Fire Services.	
	6. Construct all incomplete half-street improvements (streetlighting) on Shadow Lane adjacent to this site as required by the Department of Public Works.	
	7. Meet with the Traffic Engineer for assistance in redesigning the proposed driveway and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. All driveways and modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.	
	8. Landscape and maintain all unimproved right-of-way, if any, on Shadow Lane adjacent to this site prior to occupancy as required by the Department of Public Works.	
	9. If necessary, submit an Encroachment Agreement for all landscaping and private improvements located in the Shadow Lane public right-of-way adjacent to this site prior to the issuance of any permits for this site as required by the Department of Public Works.	
	10. Conformance to the plot plan as amended by the above conditions.	
	11. Standard Condition Nos. 1, 3 - 9, 11 and 12.	

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ZONING RECLASSIFICATION - PUBLIC HEARING - Z-81-95 - Property Holding Corporation

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is to add 209 additional parking spaces to the existing Valley Hospital parking lot located at the northwest corner of Pinto Lane and Shadow Lane. The expanded parking lot will contain a total of 411 parking spaces.

BACKGROUND DATA:

There is no previous zoning history for this property.

8/5/92	The City Council approved a rezoning to P-R (Professional Offices and Parking) for the existing parking lot directly south of this site (Z-49-92).
4/5/95	The City Council approved a rezoning to P-R (Professional Offices and Parking) for the property west of the existing parking lot (Z-13-95).

DETAILS OF APPLICATION REQUEST:

Site Area	1.5 Acres
Existing Parking	221 Spaces
Proposed Parking	209 Spaces

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	R-1	Single Family Residence
South	P-R	Existing Valley Hospital Parking
East	R-1	Single Family Residence
West	R-1	Single Family Residence

Agenda Item

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ZONING RECLASSIFICATION - PUBLIC HEARING - Z-81-95 - Property Holding Corporation

PURPOSE/BACKGROUND

Access to the expanded parking area is via two driveways to Shadow Lane and two connections to the existing parking lot. A new six foot high block wall is proposed along the north and west sides of the site. Landscaping is indicated at the ends of the rows of parking stalls and inside the walls along the north and west sides of the site.

FINDINGS:

GENERAL PLAN:

This site is designated MD-1 (Medical Support District) on the University Medical Center/Valley Hospital Neighborhood Plan. This designation permits parking for medical uses.

REZONING:

Staff has no objection to the request. It is a reasonable expansion of the existing parking lot for Valley Hospital. The request can be compatible with the surrounding area with substantive buffering and landscaping.

PLOT PLAN:

Staff has no objections to the plot plan. The landscaping inside the walls along the north and west sides of the site should consist of 24 inch box trees 25 feet on center with shrubs and ground cover. The landscaping along the exterior street frontages should contain 24 inch box trees 40 feet on center. In the parking lot, landscaped planter fingers should be placed every eight lineal parking spaces to break up the long rows of parking stalls.

Planning Commission Recommendation: APPROVAL (6-0 vote)

Staff Recommendation: APPROVAL

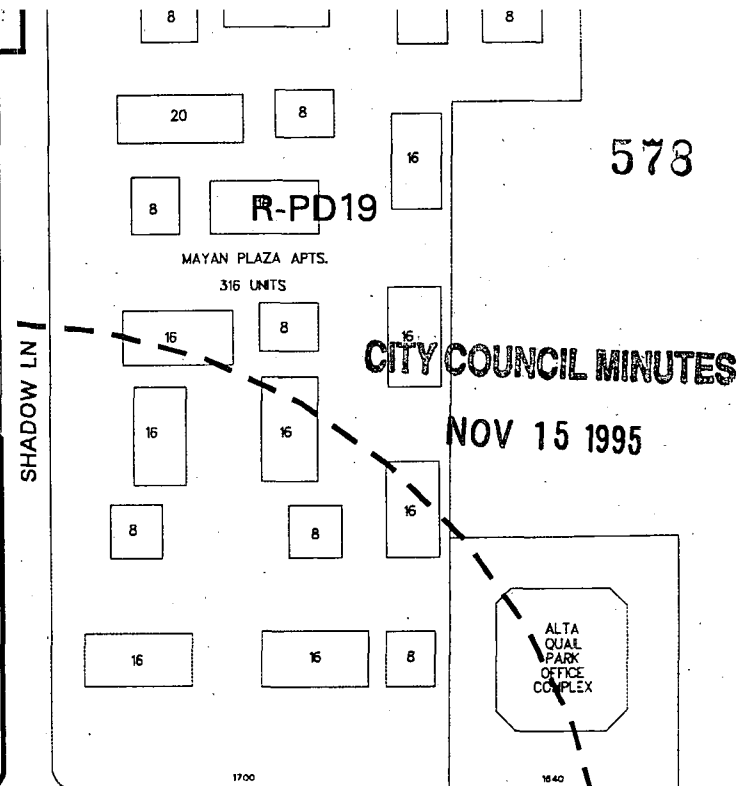
PROTESTS: 0

APPROVALS: 1 (at Meeting)

NOTICES MAILED: 162

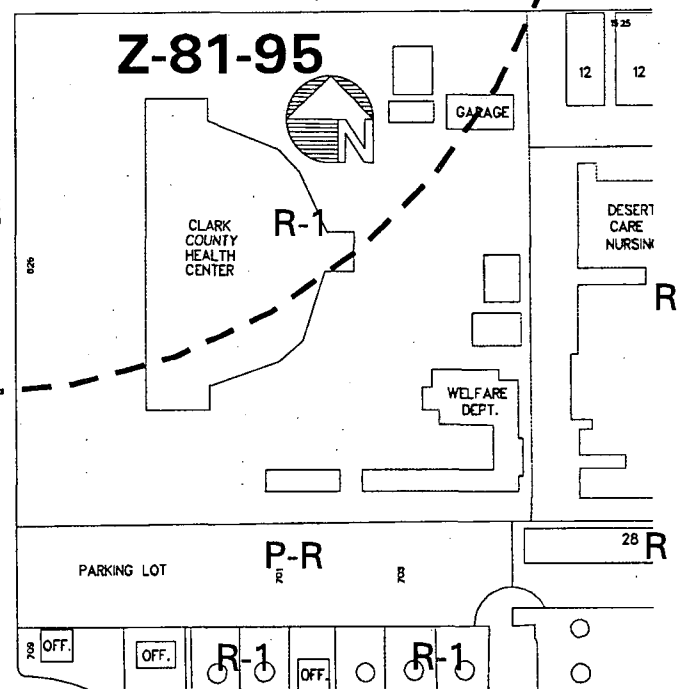
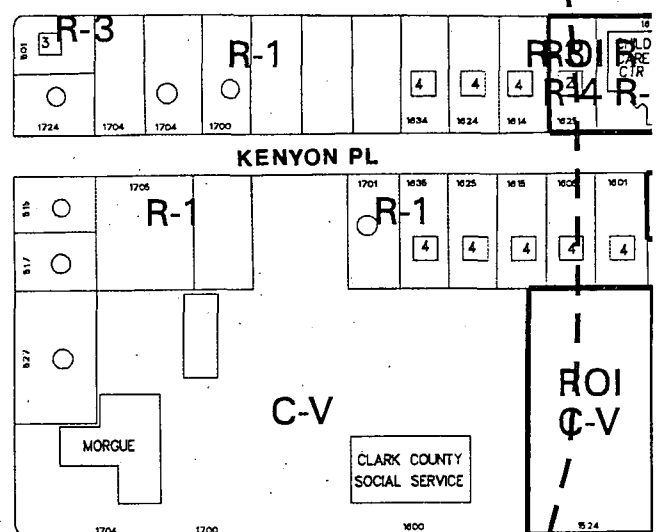
SEE ATTACHED LOCATION MAP

Agenda Item

[illegible]

The site plan shows the layout of the Valley Hospital campus. Key features include:

- Buildings and Labels:**
 - R-1:** Located in the top left, top center, and bottom center.
 - P-R:** Located in the top left, top right, and bottom left.
 - OFF.:** Multiple locations, including a large one in the top right and a small one in the center.
 - DAY CARE:** Located in the top right.
 - VALLEY HOSPITAL:** A large building in the center right.
 - OFFICES:** A building in the bottom left.
 - MED. OFF. BLDG.:** Located in the bottom left corner.
 - WOMEN'S CENTER:** Located in the bottom left corner.
- Streets and Roads:**
 - ROSE ST:** A vertical street on the left side.
 - KINGSBURY WY:** A vertical street in the center.
- Dimensions and Lot Numbers:**
 - Top left: 17, 2013, 2011, 2005, 2001.
 - Top center: 1821, 1815.
 - Top right: 1801, 1829, 1800.
 - Center: 621, 640, 628, 718, 720, 731, 630, 650.
 - Bottom left: 2000.
 - Bottom right: 700.
- Other Features:**
 - A dashed line runs diagonally from the top left towards the center.
 - A curved line separates the top center from the center.



CITY COUNCIL
MEETING OF
NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	PLANNING AND DEVELOPMENT	
	<u>GENERAL PLAN AMENDMENT - PUBLIC HEARING</u>	
106	<u>ABEYANCE ITEM - GPA-41-95 - International Church of the Foursquare Gospel</u>	CALLISTER - APPROVAL - UNANIMOUS with McDonald not voting ***** MAYOR JONES declared the Public Hearing open.
	Request to amend a portion of the Northwest Sector of the General Plan on property located on the south side of Alexander Road, east of Cimarron Road.	CLIFTON MARSHAL, 4820 Alpine Place, summarized a neighborhood meeting 11/8/95 and his belief that their concerns have been addressed. The neighbors were advised that over 200 members of the congregation reside within the area. The majority of the people attending that meeting now support the project based on the church's agreement to eliminate any daycare or school facility, reservation of the undeveloped portion of the site for phased parking as needed, use of code minimum lighting around the church and in the parking areas, and relocating of the parking entrance away from Poppy Fields to a distance to be determined by Public Works. He expressed his appreciation to COUNCILMAN CALLISTER and staff for their outstanding job in regard to this project. The church is happy that it will now be welcomed by the neighbors and he urged approval.
	From: L (Low Density Residential) and ML (Medium - Low Density Residential)	
	To: PF (Public Facilities)	
	PROTESTS: 52 (36 Letters, 16 at Meeting)	
	Ward 4 (Callister)	
	Planning Commission (6-0 vote) and staff recommended APPROVAL.	TONY BRIDGES, 4009 Poppy Fields, spoke on behalf of the neighbors and added his thanks for COUNCILMAN CALLISTER'S efforts. The compromise reached is acceptable and the distance pursuant to JOHN McNELLIS, Public Works, for the parking entrance from Poppy Fields is to be 220 feet. The pastor has also agreed to tow anyone who parks in front of the homes of the neighborhood.
		COUNCILMAN CALLISTER responded that the credit for the compromise goes to the neighbors and the church who worked out the problems associated with this intensive use. He confirmed with MR. MARSHAL that the original 138 parking spaces will be increased by 180 to 190 additional spaces per congregation increase of 250 members and that the undeveloped portion of the property will be reserved for that purpose.
		CHIEF DEPUTY CITY ATTORNEY STEED confirmed with MR. MARSHAL that the church has also agreed to the condition requiring a contribution for a traffic signal in the area.
		No one appeared in opposition.
		MAYOR JONES declared the Public Hearing closed. (5:14 - 5:20)

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-41-95 - International Church of the Foursquare Gospel

PURPOSE/BACKGROUND

THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 1, 1995 CITY COUNCIL MEETING TO ALLOW THE APPLICANT TIME TO MEET WITH RESIDENTS.

APPLICATION REQUEST:

This request to amend a portion of the Northwest Sector Map of the General Plan from L (Low Density Residential) and ML (Medium-Low Density Residential) to PF (Public Facilities) was filed in conjunction with a request for reclassification from N-U (Non-Urban District) to C-V (Civic District) for the purpose of constructing a church on the site. The applicant's justification letter states that the church would address the general welfare of the area due to it's rapid residential growth.

BACKGROUND DATA:

10/12/95 The Planning Commission recommended approval of a request for reclassification to C-V (Civic) on this site as item C-12 on this agenda (Z-74-95).

DETAILS OF APPLICATION REQUEST:

Site Area 5.3 Acres

GENERAL PLAN DESIGNATIONS DEVELOPMENT OF ADJACENT PROPERTIES:

North	L	Single Family Residential
South	L	Vacant, Single Family Residential
East	L	Vacant
West	L	Vacant

Agenda Item

106

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-41-95 -
International Church of the Foursquare Gospel

PURPOSE/BACKGROUND**FINDINGS:**

Staff has no objection to this request. The site is located in an area of the city that is not bound by an adopted Neighborhood Plan. Currently, there are no churches adjacent to or within 600 feet of this site. Staff believes that the approval of this request will further the specific goal of the General Plan which is to "Develop and adopt a future land use plan which promotes the provision of orderly development with adequate community facilities and services". The proposed church facility would provide a needed service to an area of the city that has seen a large residential influx, as of late, and needs to balance out this growth with non-residential uses.

It should also be noted that churches are listed as a local supporting use in both the low and medium-low land use categories. The PF category is needed in order to approve C-V zoning which staff believes is the more proper classification for a church use.

Planning Commission Recommendation: APPROVAL (6-0 vote)

Staff Recommendation: APPROVAL

PROTESTS: 52 (36 Letters, 16 at Meeting) (The protesters would like to see this site remain residential. They are concerned about safety because Alexander Road continues to be used as the gravel haul route. They also felt that the 35 foot height of the structure would be out of character with the neighborhood and this use would bring additional noise into the neighborhood.)

NOTICES MAILED: 285

SEE ATTACHED LOCATION MAP

Agenda Item

**SITE
PHASE I**

NOV 15 1995

GPA-41-95



EMBARCADERO AVE

CONSTANTINOPLE AVE

CITY LIMITS

QUADREL ST

GILMORE AVE

CITY COUNCIL

MEETING OF

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	PLANNING AND DEVELOPMENT <u>ZONING RECLASSIFICATION RELATED TO GPA-41-95 - PUBLIC HEARING</u> 107 <u>ABEYANCE ITEM - Z-74-95 - International Church of the Foursquare Gospel</u> Request for reclassification of property located on the south side of Alexander Road, east of Cimarron Road. From: N-U (Non-Urban) To: C-V (Civic) Proposed Use: 20,000 SQUARE FOOT CHURCH PROTESTS: 52 (36 Letters, 16 at Meeting) Ward 4 (Callister) Planning Commission (6-0 vote) and staff recommended APPROVAL, subject to: 1. Approval of a General Plan Amendment to make the proposed zoning consistent with the plan. 2. Provide a minimum 10 foot wide landscape planter area along Alexander Road and install 24 inch box trees 30 feet on center with shrubs, ground cover, and boulders as required by the Department of Planning and Development. The use of drought tolerant landscaping is encouraged. 3. Provide minimum 24 inch box trees with shrubs, boulders and ground cover in all on-site planter islands shown in the parking area as required by the Department of Planning and Development. The use of drought tolerant landscaping is encouraged.	CALLISTER - APPROVAL, subject to conditions and added conditions eliminating any daycare or school facility, reserving the undeveloped portion of the parcel for future phased parking of 180 to 190 additional spaces per 250 member increase of the congregation, use of code minimum lighting around the church and in the parking areas and the relocation of the parking entrance away from Poppy Fields a distance to be determined by Public Works - UNANIMOUS ***** MAYOR JONES declared the Public Hearing open. CLIFTON MARSHAL, 4820 Alpine Place, was present on behalf of the applicant. TONY BRIDGES, 4009 Poppy Fields, was present in support. No one appeared in opposition. MAYOR JONES declared the Public Hearing closed. There was no further discussion. NOTE: All discussion took place under the related Item 106 (GPA-41-95). (5:20)

CITY COUNCIL
MEETING OF
NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	<u>DISCUSSION / ACTION ITEMS</u>	
	PLANNING AND DEVELOPMENT <u>ABEYANCE ITEM - Z-74-95 - International Church of the Foursquare Gospel</u> 4. The size and location of all trash enclosures shall be subject to approval by the Department of Planning and Development prior to the issuance of any permits. 5. Provide a nominal six foot high decorative block wall along the south and east property lines as required by the Department of Planning and Development. 6. All lighting shall be directed on this site with no ray of light shining directly onto any abutting residential lot. 7. Where new water mains are extended along streets and where hydrants are not needed for protection of structures, fire hydrants shall be spaced at 1,000 foot maximum to provide for transportation hazards. 8. Dedicate 50 feet of public street right-of-way adjacent to this site for Alexander Road as required by the Department of Public Works. 9. Modify the submitted rezoning plan to eliminate the north/south street along the east edge of this site as required by the Department of Public Works. 10. Dedicate a twenty foot wide public sewer easement centered over the existing north/south public sewer located along the east edge of this site prior to the issuance of any permits or the approval of construction plans, whichever may occur first, as required by the Department of Public Works.	APPROVAL

CITY COUNCIL

MEETING OF

NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	PLANNING AND DEVELOPMENT <u>ABEYANCE ITEM - Z-74-95 - International Church of the Foursquare Gospel</u> 11. Dedicate the south sixty feet of this site as a public drainage easement/right-of-way in accordance with the adopted Regional Flood District Master Plan prior to the issuance of any permits or the approval of construction plans, whichever may occur first, as required by the Department of Public Works. 12. Construct half-street improvements on Alexander Road adjacent to this site as required by the Department of Public Works. Construct all required street improvements adjacent to the entire rezoning site concurrent with the first phase of development that constructs a driveway access to Alexander Road of this site as required by the Department of Public Works. 13. Contribute \$2,500 to partially fund a traffic signal system at the intersection of Alexander Road and Cimarron Road prior to the issuance of building or off-site permits as required by the Department of Public Works. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. 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. The City reserves the right to request additional traffic signal contribution monies in the future depending on the type of development eventually proposed on the west portion of this site or if this site is divided and sold for a non-church purpose.	APPROVAL

CITY COUNCIL
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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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Item
Number

DISCUSSION / ACTION ITEMS

PLANNING AND DEVELOPMENT

ABEYANCE ITEM - Z-74-95 - International
Church of the Foursquare Gospel

14. Submit an application for Plot Plan and Building Elevation Review for the Phase Two portion of the site for approval by the Planning Commission prior to any permits being issued for that portion of the site as required by the Department of Planning and Development.

15. A detailed plot plan for Phase One shall be presented to the Planning Commission for approval at a public hearing. The plot plan is to include aligning the main entry with Poppy Fields Drive.

16. Conformance to the building elevations.

17. Standard Condition Nos. 1, 3 - 8 and 10
- 12.

APPROVAL

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - ZONING RECLASSIFICATION RELATED TO GPA-41-95 - PUBLIC HEARING - Z-74-95 - International Church of the Foursquare Gospel

PURPOSE/BACKGROUND

THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 1, 1995 CITY COUNCIL MEETING TO ALLOW THE APPLICANT TIME TO MEET WITH RESIDENTS.

APPLICATION REQUEST:

This request is for reclassification from N-U (Non-Urban) to C-V (Civic) to allow an approximately 20,177 square foot church on a 5.3 acre site.

BACKGROUND DATA:

10/12/95 The Planning Commission recommended approval of a request for a General Plan Amendment for this site (GPA-41-95).

DETAILS OF APPLICATION REQUEST:

Site Area	5.3 Acres
Building Area	20,177 Square Feet
Parking Required	92 Spaces
Parking Provided	132 Spaces

Access to the site is via one drive along Alexander Road and one drive along a proposed new street along the east property line. The plan indicates a church with a 8,276.66 square foot sanctuary and classrooms, a nursery and other accessory rooms. Landscaping is provided throughout the site.

The elevations depict a 35 foot high building with a stucco exterior, glass block accents, decorative archways, a concrete tile roof and a freestanding 35 foot high cross in the front of the building.

Agenda Item

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - ZONING RECLASSIFICATION RELATED TO GPA-41-95 - PUBLIC HEARING - Z-74-95 - International Church of the Foursquare Gospel

PURPOSE/BACKGROUND

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	R-1, Single Family Dwellings
South	R-CL, Vacant and Single Family Dwellings
East	Vacant
West	Vacant

FINDINGS:

GENERAL PLAN:

The property is designated L (Low Density Residential) and ML (Medium-Low Density Residential) on the Northwest Sector General Plan map. Staff has recommended approval of a General Plan Amendment to PF (Public Facilities).

REZONING:

Staff finds that the C-V (Civic) zoning designation is compatible with the surrounding single family residential zonings and future land use patterns of the area.

PLOT PLAN:

The size and location of any trash enclosures must be added to the plot plan for approval by the Department of Planning and Development prior to the issuance of any permits. No trash enclosure should be located closer than 50 feet to the nearest residentially zoned parcel. Landscaping should be provided in the parking area in the islands shown on the plan. No block walls are indicated on the plans. The site abuts residentially zoned property, therefore, some type of buffer should be provided. The applicant should be required to provide block walls on the south and east property lines at this time.

Agenda Item

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - ZONING RECLASSIFICATION RELATED TO GPA-41-95 - PUBLIC HEARING - Z-74-95 - International Church of the Foursquare Gospel

PURPOSE/BACKGROUND

The Department of Public Works has indicated that the proposed street along the east edge of the site is not desired for a public street because it dead-ends into the future Gowan North drainage facility which will be located along the south edge of this site. Also, Public Works has noted that this site may be required to contribute monies to partially fund the development of the Lone Mountain Detention Basin and appurtenant outfall facilities.

The plans also indicate a Phase Two development for the site. When Phase Two is developed an additional block wall may be necessary. However, Phase Two is not a part of this review and should require a separate Plot Plan and Building Elevation Review by the Planning Commission prior to development.

Planning Commission Recommendation: APPROVAL (6-0 vote)

Staff Recommendation: APPROVAL

PROTESTS: 52 (36 Letters, 16 at Meeting) (The protesters would like to see this site remain residential. They are concerned about safety because Alexander Road continues to be used as the gravel haul route. They also felt that the 35 foot height of the structure would be out of character with the neighborhood and this use would bring additional noise into the neighborhood.)

NOTICES MAILED: 285

SEE ATTACHED LOCATION MAP

Agenda Item

Item #104
Church

No Telephone numbers
given

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CITY COUNCIL MINUTES

PROPERTY OWNERS

NOV 15 1995

PROTESTS:

APPROVALS:

1. Henrietta & Jim Fatalaki _____
2. Homeowner in Mt. Shadows Estates _____
3. Homeowner on corner of poppy Fields and Alexander _____
4. Jesse & Jerry Lichlensten _____
5. Darch Flores, 7712 Four Seasons Drive _____
6. Stephen P. Dorecrt, 7701 Four Seasons Drive _____
7. Richard & Debra King, 7709 Four Seasons Drive _____
8. Michael & Janice Gerrity, 7717 Four Seasons Drive _____
9. Karen Ellingwood, 7716 Four Seasons Drive _____
10. George Lion, 4001 Poppy Field Drive _____
11. Jerlin Allen, 4001 PlppyField Drive _____
12. Gerry & Margaret Barnes, 7629 Crenshaw Way _____
13. Michael & Lana Curtis _____
14. Ernst & Rita Biemann, 7728 Four Seasons Drive _____
15. Doug & Patsy Smith, 4020 Joy Glen Road _____
16. Robert Law, 7700 Four Seasons Drive _____
17. Tom McKinley, 7708 Four Seasons Drive _____
18. Patricia Connelly, 7705 Four Seasons Drive _____
19. _____
20. _____

FILE NO.: Z-74-95

PROPERTY OWNERS

CITY COUNCIL MINUTES

PROTESTS:

APPROVALS:

NOV 15 1995

1. Fred Thomas, 7801 Safari Lane
2. Ray & Carol Spurrie, 7905 Safari Lane
3. Theodore M. & Pauline J. Harven, 8000 Safari Lane
4. McKinley & Gwenn Phillips, 4104 Rimgate Dr.
5. Kenneth W. & Margaret K. Mason, 4124 Wheatstone Ct.
6. Anthony & Ethel Bruges, 4009 Poppyfield Drive
7. Earl & Lynda Herman, 4112 Wheatstone Court
8. David M. & Crestom George, 4121 Wheatstone Ct.
9. Stanley G. Grant, 4116 Wheatstone Ct.
10. Phyllis & Norman Simon, 7745 Safari Lane
11. Keith Chausee, 4117 Wheatstone Ct.
12. Louis Cipriani, 7737 Safari Lane
13. Ronaby E. Stinson, 7805 Safari Lane
14. Tom & Corrine Brennan, 7808 Four Seasons Dr.
15. Donald & Ailynn Jones, 7813 Safari Lane
16. Judith Fan, Mt. Shadows Estates
17. Paul & Muriel Seright, 8016 Wedlock Lane
18. _____
19. _____
20. _____

FILE NO:

2-74-95

93- OCT. 1995

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CITY COUNCIL MINUTES

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PETITION

NOV 15 1995

We the undersigned oppose case #GPA 41-95 and case #Z74-95 which would allow the Four Square Gospel Church to rezone land and erect buildings on this property.

Mr. & Mrs. Louis Cipriani
7737 Safari Lane
Las Vegas, Nev. 89129

Mr. & Mrs. Fred Thomas
7801 Safari Ln
Las Vegas NV 89129

Mr. & Mrs. Thomas W. Brennan
1808 FOUR SEASONS DR.
LAS VEGAS, NV. 89129

Ed Hill
7812 Four Seasons Dr
Las Vegas NV 89129

Mr & Mrs Ken Schmitz
7816 FOUR SEASONS DR
LAS VEGAS, NV 89129

Mr. & Mrs. Christensen
7900 Four Seasons Dr.
Las Vegas, NV. 89129

George & Dale Furukawa
7904 FOUR SEASONS DR
LAS VEGAS, NV 89129

Richard Swift
4021 Crooked Path
Las Vegas NV 89129

Donald Sylvers
7916 Four Sylvers
Las Vegas, 89129

Mr & Mrs Joseph DeRose
8000 Four Seasons
LV NV 89129

Deloral Chalco
4021 Bliss Canyon Ct
LV, NV 89129

David Mc Donough
4016 Bliss Canyon
LV. NV. 89129

Karen Loros
4020 Bliss Canyon Ct
Las Vegas, NV 89129

Keith Hendrickson
8012 Four Seasons Dr
Las Vegas NV 89129

EDWARD SCHAUB
7800 FOUR SEASONS DR
LAS VEGAS NV 89129

Marg & A. Shearen
4013 Hazel Brooke Rd
Las Vegas, NV 89129

Mark McDuffey
4007 HAZEL BROOK RD
LAS VEGAS 89129

James Jatalski
4005 POPPY FIELDS
LAS VEGAS

Chuck & Wanda Howe
4117 Tea Garden Dr.
Las Vegas, NV 89129

Norman & Sybil Simon
7745 Safari Dr
Las Vegas, NV. 89129

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~~104~~

NOV 15 1995

PETITION

We the undersigned oppose case #GPA 41-95 and case #Z74-95 which would allow the Four Square Gospel Church to rezone land and erect buildings on this property.

Arturo Santarnieri
Anna Santarnieri

Angie Cook

ED Cook

Joe D'Antonio

Antonietta D'Antonio

John D'Antonio

Tanya Parks

Paula

Shawn Ciccarella

Shawn Ciccarella

Mike Darry

Patsy Smith

Kim Law

DK Prince

Patty Knowles

Greg Knowles

Tom McKimley

Nike, Mary Farenia

Ron & Betty Coakley

7741 CRENSHAW WAY

LAS VEGAS, NV. 89129

Bob & Linda Tyne

7724 Crenshaw Way

Las Vegas, NV. 89129

7733 CRENSHAW WAY

7733 CRENSHAW WAY

7721 Crenshaw Way

722. Crenshaw Way

7700 Crenshaw Way

7700 Crenshaw Way

7705 Crenshaw Way

7633 Crenshaw Way

7633 Crenshaw Way

4008 Joy Glen Road

4008 Joy Glen Road

4012 Joy Glen Road

4020 Joy Glen Rd

7700 FOUR SEASONS DR

7701 FOUR SEASONS DR

7705 FOUR SEASONS DR.

7705 FOUR SEASONS DR.

7708 FOUR SEASONS DR.

7737 Crenshaw Dr

Las Vegas, NV 89129

Jill & John Oaks

7920 Safari Ln

Las Vegas NV 89129

Jak & Karen Tamura

7909 Safari Lane

Las Vegas, NV 89129

PETITION NOV 15 1995

We the undersigned oppose case #GPA 41-95 and case #Z74-95 which would allow the Four Square Gospel Church to rezone land and erect buildings on this property.

LINDA GALLANT

4909 CONSTANTINOPLE

LV NV 89129

4012 Forest Knoll Ln
Las Vegas, NV

Cheri DiMartino

7625 Crenshaw Way
Las Vegas, NV 89129

Joseph R. Martin
7625 Crenshaw Way
Las Vegas, NV

Brian K. Jackson
4009 Forest Knoll
Las Vegas, NV

Steve Jones
4013 Forest Knoll
Las Vegas, NV

Roy W. Zerk
4017 Forest Knoll
Las Vegas, NV

CARL A. VRZALCA
4021 Forest Knoll Ln
LV NV 89129

Vonda Clarke
4029 Forest Knoll
LV NV 89129

George & Shirley Whitney
4117 Slatmist
Las Vegas, NV 89129

Nikki Schueler
4128 Slatmist Ct.
Las Vegas, NV 89129

Shirley Raperio
4021 Featherstone Ln
Las Vegas, NV 89129

Zed Foppal
4020 Featherstone Ln
LV NV 89129

Carol Garcia
4128 Slatmist Ct.
Las Vegas, NV 89129

Robert J. Garcia
4128 Slatmist Ct.
Las Vegas, NV 89129

Cindy & Nick Lombardo
4005 Featherstone Ln
Las Vegas, NV 89129

Henrietta Jatalobi
4005 Poppy Fields Dr.
Las Vegas, NV 89129

GEORGE LIEURANCE
4001 Poppyfield Dr
Las Vegas, NV 89129

JACK A. LIEURANCE
4001 Poppyfield Dr
LV NV 89129

Mr. Mrs. E. McGuire
4013 Poppy Fields Dr.
Las Vegas, NV 89129

NOV 15 1995

PETITION

We the undersigned oppose case #GPA 41-95 and case #Z74-95 which would allow the Four Square Gospel Church to rezone land and erect buildings on this property.

Thel G. Briggs
4009 Poppy Fields Dr.
LAS VEGAS, NV. 89129

Kevin Plant
4017 Poppy Fields Dr
Las Vegas NV 89129

Rondi Rowland
4004 Hazel Brooks
LV NV 89129

Betty R. Kilmer
7870 Holly Knoll Ave
LV NV 89129

Donald D. Dineen
7901 Holly Knoll
LV NV 89129

Jeff + Diane Mark
7913 Holly Knoll Ave
LV NV 89129

LES + SHARON LANE
8001 HOLLY KNOLL AVE
LV NV 89129

Dennis + JoAnn Feldkirchner
8009 Holly Knoll Ave
LV NV 89129

Dan + Staci Lucas
4001 Wake Forest Dr
LV NV 89129

Bonnie + Michael Manion
4016 WAKE FOREST DR.
LAS VEGAS NV. 89129

Patricia A. Brigham
4012 Wake Forest Dr.
Las Vegas, Nevada 89129

Martha J. Brigham
4012 Wake Forest Dr.
Las Vegas, NV 89129

Linda K Collins
4004 WAKE FOREST DR
LAS VEGAS NV 89129

Rebeka Furey

KRYZMA L Bednoch
8017 W. SAFARI LN.
L.V. NV. 89129

DAN McLAUGHLIN
4125 WAKE FOREST DR
LAS VEGAS NV 89129

Kathy Wheeler
8020 Safari Ln
LV NV 89129

STAN YUMAS
8008 SAFARI LN
L.V. NV. 89129

Marianne Yumas
8008 Safari Ln.
L.V. NV. 89129

Kevin Fowler
8001 Safari Lane
Las Vegas, NV. 89129

PETITION

NOV 15 1995

We the undersigned oppose case #GPA 41-95 and case #Z74-95 which would allow the Four Square Gospel Church to rezone land and erect buildings on this property.

Ruth Dziadosz
4121 Tea Garden Dr.
Las Vegas, NV 89129

Donna M. Jim & Lynn S. Jim
7813 Safari Lane
Las Vegas NV 89129

Lawrence A. Delbony
4128 Wheatstone Ct
Las Vegas NV 89129

Deddie Ann Poyge
4125 Ringate Dr.
Las Vegas NV 89129

Deborah A. Jordan
4116 Ringate Dr.
Las Vegas NV 89129

Joe L. Lott
4108 Ringate Dr.
Las Vegas NV 89129

McKenzie Phillips
4104 Ringate Dr.
Las Vegas, NV

Jeanie & John Shumovich
4113 Tea Garden Dr.
Las Vegas, NV 89129

Arila, Martin Wilcox
4120 TEA GARDEN
LV NV 89129

Larry Grossman
7709 Gatewood Dr
Las Vegas NV

Carole Schmidt
7705 Gatewood Terrace Dr
Las Vegas, NV 89129

George Schmidt
7705 Gatewood Ter
Las Vegas NV 89129

Cathi Ward
7701 Gatewood Terr.
Las Vegas, NV 89129

Robert J. Marques
7701 Wedlock Dr
Las Vegas, NV 89129

Jean Nieman
7733 Wedlock
Las Vegas, NV 89129

Denise Deeter
7744 Wedlock Lane
Las Vegas NV 89129

Larry Foster
4120 Ringate Dr
Las Vegas, NV 89129

Edward & Barbara Brooks
7625 Gatewood Terrace Lane
Las Vegas, Nevada 89129

Jeffrey M. Pyc
4101 Sineer Ct.
Las Vegas NV 89129-5449.

Ryan S. Sineer
4101 Sineer Ct
LV 89129

CITY COUNCIL MINUTES

NOV 15 1995

PETITION

We the undersigned oppose case #GPA 41-95 and case #Z74-95 which would allow the Four Square Gospel Church to rezone land and erect buildings on this property.

Laurel Whit
3925 Quadrel St
LV 89129

A.C. Goetz
3920 Quadrel
L.V. 89129

Euler Toddley
3865 Quadrel
LAS VEGAS, NEVADA
89129
John Proumy
7995 CONSTANTINOPLE AVE
LOS VEGAS, N.V. 89129

Clarence Richard Penduck
7964 Embarcadero Ave
Las Vegas, NV 89129

Clifford Christel
7813 WEDLOCK LN
L.V. NV 89129

Carolyn Christel
7813 Wedlock Ln.
L.V. NV. 89129

Erin Swanson
7909 Wedlock Lane
LV NV 89129

Vern Zair
4101 WAKE FOREST DR.
LAS VEGAS, NV 89129

Wm C Winkler
4109 Wake Forest Dr
Las Vegas, NV 89129

Carla Marler
8008 Wedlock Ln
LV NV 89129

Carole Spurrer
7905 Safari Ln
LV, NV 89129

P.J. Harven
8000 Safari Ln
Las Vegas, NV. 89129

Marshall Harrison
7912 Wedlock Ln
Las Vegas, NV 89129

Randy Hollister
7912 WEDLOCK
LV, NV 89129

GERI ABRUZZO
7804 WEDLOCK LN
LAS VEGAS 89129

Carol Hyde
7744 Wedlock Ln.
Las Vegas 89129

Carol Altman
7740 Wedlock Ln.
Las Vegas, NV 89129

Carol A. King
7700 Wedlock Lane
Las Vegas, NV 89129

Robert Rhodes
4020 Forest Knolls Dr.
Las Vegas, NV 89129

NOV 15 1995

PETITION

We the undersigned oppose case #GPA 41-95 and case #Z74-95 which would allow the Four Square Gospel Church to rezone land and erect buildings on this property.

Raymond J. Davis
7917 Safari Ln
Las Vegas NV 89129

Theresa Mott
7916 SAFARI LN
89129

Brent H. Vann
7912 Safari Ln
89129

Mr & Mrs.
Nicholas K. Hagan
4125 Purple Ridge
89129

Richard E. Vachell
4128 PURPLE RIDGE CT,
LAS VEGAS, NV, 89129

Mildred Michaelich
4120 Purple Ridge Ct
LV

Norma H. Hagan
7817 Safari Ln
LV NV 89129

Dorothy Armstrong
7809 Safari Ln
LV, NV 89129

Kith Chausse
4117 WHEATSTONE CT.
L.V. NEVADA 89129

Sandra Wolf
4117 Wheatstone Ct
LV NV 89129

Raymond A. Canuso
4113 WHEATSTONE CT.
LAS VEGAS NV 89129

Richard K. Wolf
4117 WHEATSTONE CT
LV, NV 89129

Lynnda L. Herman
4112 Wheatstone Ct
Las Vegas, NV 89129

Earl E. Herman Jr.
4112 Wheatstone Ct
LV, NV 89129

Mr. & Mrs. Stanley G. Grant
4116 Wheatstone Ct
Las Vegas, NV 89129

Griffith F. Bridges
4009 Poppy Hill Dr
LV 89129

NOV 15 1995

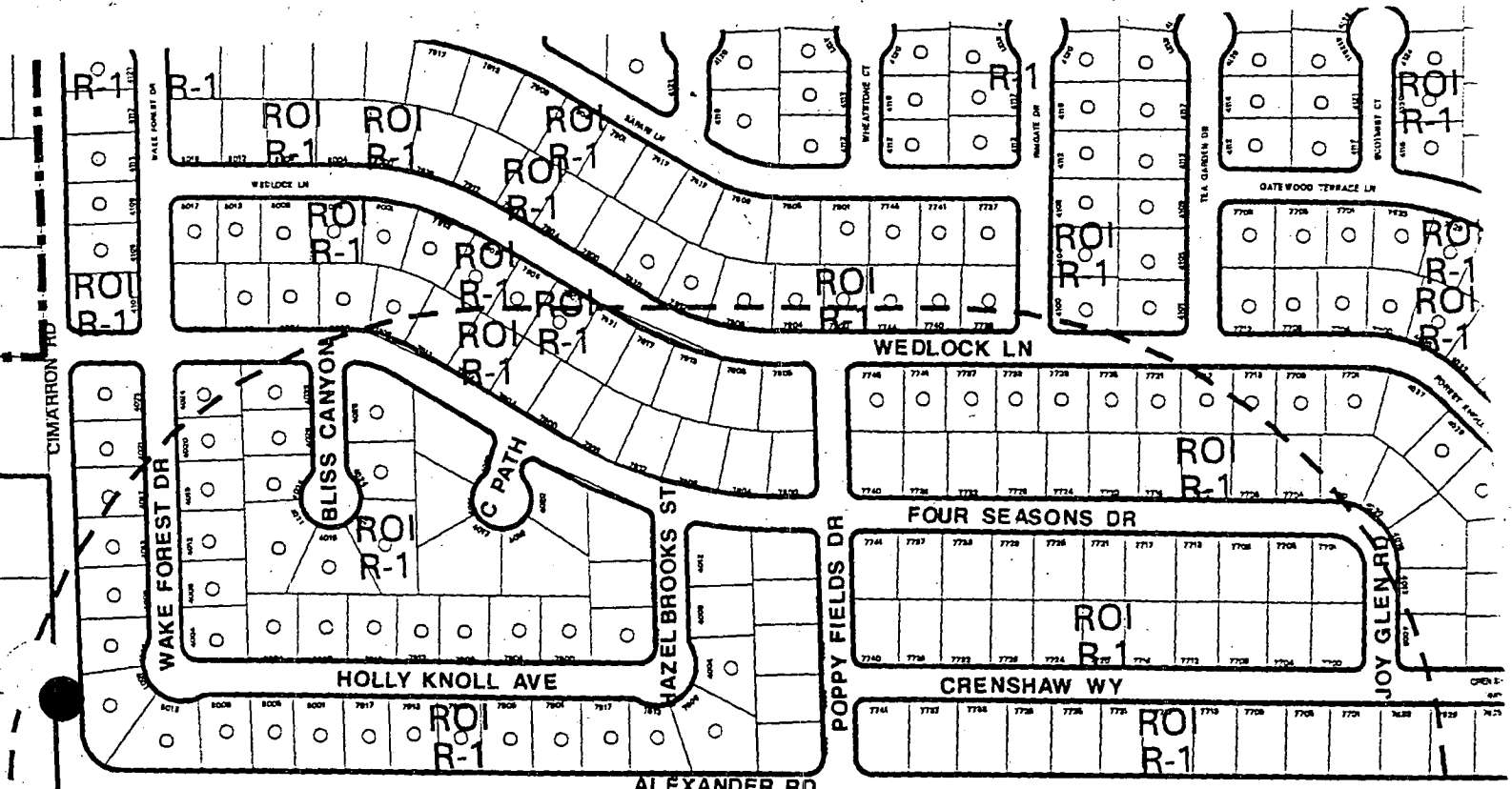
PETITION

We the undersigned oppose case #GPA 41-95 and case #Z74-95 which would allow the Four Square Gospel Church to rezone land and erect buildings on this property.

Katherine Wright
Arthur Wright
4117 SINEW CT
LV 89129

Michael Rina
4132 SINEW CT.

Kevin L. Johnson
4008 Featherstone Lane
Las Vegas, NV.



FUTURE
PHASE II

SITE
PHASE I

N-U

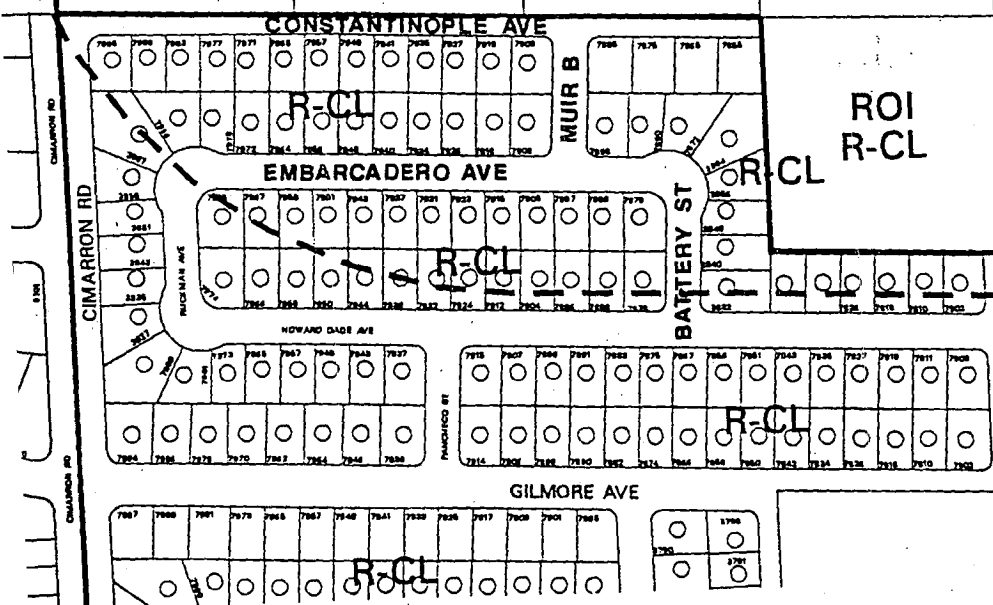
CITY COUNCIL MINUTES
NOV 15 1995

CITY LIMITS

Z-74-95

ROI
R-CL

ROI
R-CL



CITY LIMITS

CONSTANTINOPLE AVE

QUADREL ST

CITY COUNCIL
MEETING OF
NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	<u>DISCUSSION / ACTION ITEMS</u>	
	PLANNING AND DEVELOPMENT <u>GENERAL PLAN AMENDMENT - PUBLIC HEARING</u> 108 <u>GPA-44-95 - Ernest E. and Doris L. Soady</u> Request to amend a portion of the Southwest Sector of the General Plan, on property located on the east side of Jones Boulevard and the west side of Mallard Street, south of Evergreen Avenue. From: M (Medium Density Residential) To: O (Office) PROTESTS: 2 (at Meeting) Ward 1 (McDonald) Planning Commission (6-0 vote) and staff recommended APPROVAL of the westerly 0.54 acre parcel and DENIAL of the easterly 0.32 acre parcel.	McDONALD - ABEYANCE to 12/6/95 - UNANIMOUS NOTE: A motion by McDonald to bring Item 108 forward carried unanimously ***** MAYOR JONES declared the Public Hearing open. ATTORNEY ANDRAS F. BABERO, 3737 Pecos-McLeod 3101, appeared on behalf of the applicant and requested that Items 108 and 109 be held in abeyance so that a neighborhood meeting could be held to address the concerns raised by the residents. GEARY LOWERY, 5870 Cory Place, protested that there have been approximately three neighborhood meetings. This application carries denial recommendations by the Planning Commission and staff and all of the neighbors are opposed to the intrusion of this office use on their residential community. MR. BABERO responded that he has spoken with a number of residents who support the abeyance request. His client is willing to blanket the neighborhood with signs posted for a time certain meeting in order to meet with everyone involved. COUNCILMAN McDONALD indicated that he supported the abeyance request. MAYOR JONES declared the Public Hearing closed. There was no further discussion. (4:02 - 4:06)

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-44-95 - Ernest E. and Doris L. Soady

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request to amend a portion of the Southwest Sector Map of the General Plan from M (Medium Density Residential) to O (Office) was filed in conjunction with a request to rezone the property from R-1 (Single Family Residence - under Resolution of Intent to P-R) and R-1 (Single Family Residence) to P-R (Professional Offices and Parking) for the purpose of constructing a 10,000 square foot professional office complex on the site. The applicant's letter of justification indicates that it is their belief that these vacant parcels can never be developed efficiently for residential due to the existing apartment complex to the south and the fact that the majority of parcels on the east side of Jones Boulevard, between Charleston Boulevard and the Oran K. Gragson Highway, have been approved for office development.

BACKGROUND DATA:

- 4/3/91 The City Council approved a reclassification from R-1 (Single Family Residence) to P-R (Professional Office and Parking) for the portion of the site which fronts Jones Boulevard as part of a larger request (Z-18-91).
- 10/12/95 The Planning Commission unanimously voted to hold this request in abeyance so the applicant can meet with the surrounding property owners.

DETAILS OF APPLICATION REQUEST:

Site Area 0.80 Acres

GENERAL PLAN DESIGNATIONS AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	M	Single Family Dwellings
South	M	Apartments
East	M	Single Family Dwellings
West	L	Single Family Dwellings

Agenda Item

108

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-44-95 - Ernest E. and Doris L. Soady

PURPOSE/BACKGROUND

FINDINGS:

This site is located in an area of the city that is not bound by an adopted Neighborhood Plan. Staff has no objection to the amendment of the westerly .54 acre parcel along Jones Boulevard; however, staff cannot support changing the designation for the easterly .32 acre parcel. Staff is of the opinion that approval of a General Plan amendment for the parcel fronting Mallard Street would adversely affect the established residential neighborhood to the east. Mallard Street is a small residential cul-de-sac with traffic generation limited to the few residences existing along the street. The apartment project located to the south of this site was prohibited from having access to Mallard to protect the integrity of the neighborhood.

Planning Commission Recommendation: APPROVAL (6-0 vote)

Staff Recommendation: APPROVAL of the westerly 0.54 acre parcel, and DENIAL of the easterly 0.32 acre parcel.

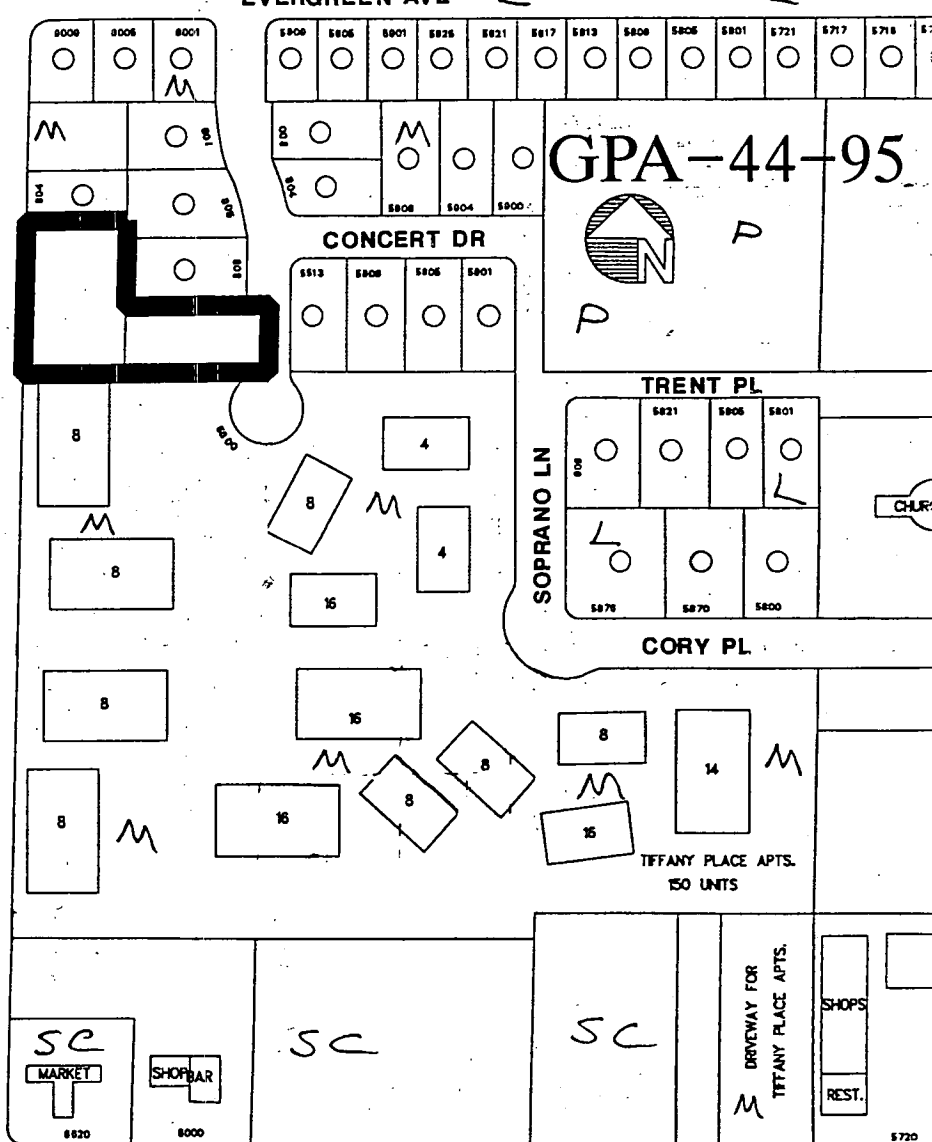
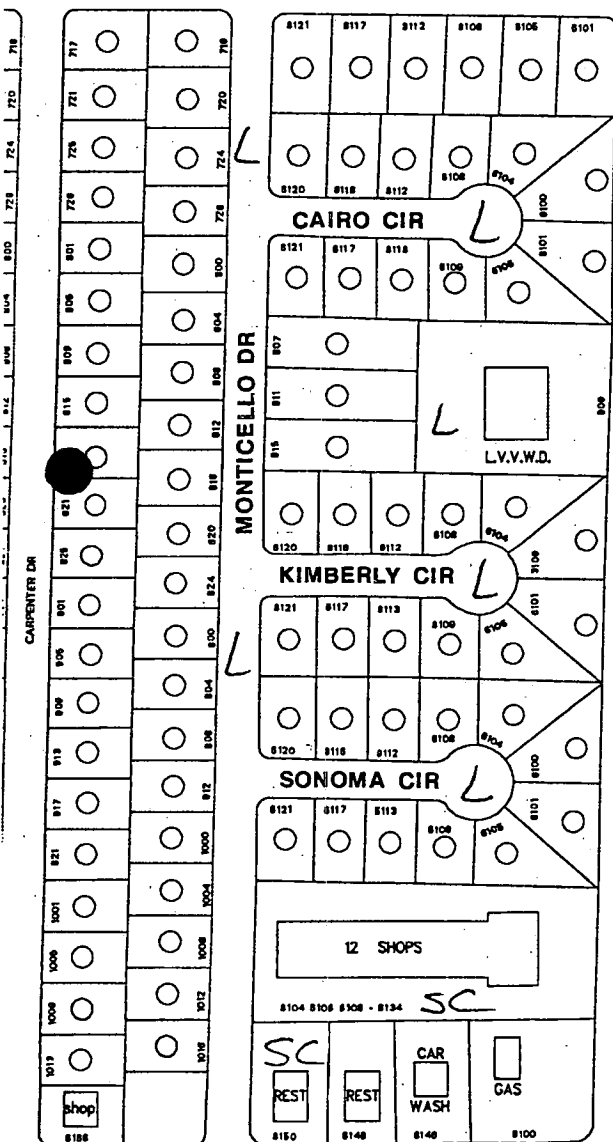
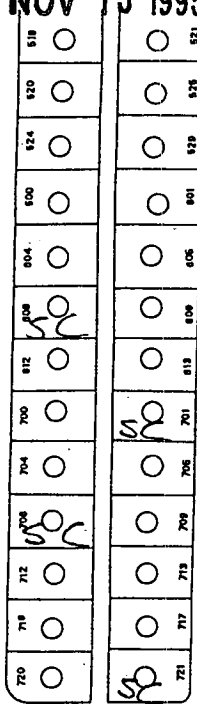
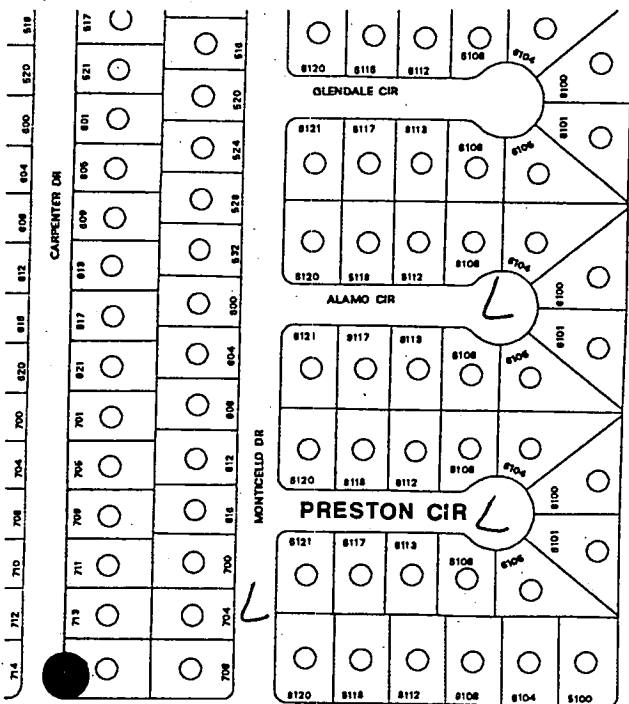
PROTESTS: 2 (at Meeting)

NOTICES MAILED: 298

SEE ATTACHED LOCATION MAP

Agenda Item

NOV 15 1995



CHARLETON BLVD

CITY COUNCIL
MEETING OF
NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	<u>DISCUSSION / ACTION ITEMS</u>	
	PLANNING AND DEVELOPMENT <u>ZONING RECLASSIFICATION RELATED TO GPA-44-95 - PUBLIC HEARING</u> 109 <u>Z-77-95 - Ernest E. and Doris L. Soady</u> Request for reclassification of property located on the east side of Jones Boulevard and the west side of Mallard Street, south of Evergreen Avenue. From: R-1 (Single Family Residence)(under Resolution of Intent to P-R) and R-1 (Single Family Residence) To: P-R (Professional Offices and Parking) Proposed Use: 10,000 SQUARE FOOT PROFESSIONAL OFFICE COMPLEX PROTESTS: 2 (at Meeting) Ward 1 (McDonald) Planning Commission (6-0 vote) and staff recommended DENIAL, if approved, subject to: 1. Approval of General Plan Amendment to make the proposed zoning consistent with the plan. 2. Redesign the plot plan to provide internal access to the rear of the site from the Jones Boulevard frontage as required by the Planning and Development Department. Emergency access only shall be allowed from Mallard Street. 3. Construct nominal six foot high block walls along the north, south and east property lines where such do not currently exist as required by the Planning and Development Department.	McDONALD - ABEYANCE to 12/6/95 - UNANIMOUS NOTE: A motion by Adamsen to bring Item 109 forward carried unanimously ***** ATTORNEY ANDRAS F. BABERO, 3737 Pecos-McLeod #101, was present. GEARY LOWERY, 5870 Cory Place, was present in opposition. There was no discussion. (4:06)

CITY COUNCIL

MEETING OF

NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item
Number

DISCUSSION / ACTION ITEMS

PLANNING AND DEVELOPMENT

Z-77-95 - Ernest E. and Doris L. Soady

ABEYANCE to 12/6/95

4 Construct a nominal six foot high decorative block wall along Mallard Street to match the existing wall on the multi-family property to the south as required by the Planning and Development Department.

5. Install 24 inch box drought tolerant trees 25 feet on center along all property lines adjacent to residentially zoned properties as required by the Planning and Development Department.

6. Install minimum 24 inch box trees 40 feet on center with shrubs, boulders and ground cover in the planter areas along Jones Boulevard as required by the Planning and Development Department. The use of drought tolerant landscaping is encouraged.

7. Provide a landscape planter outside the wall along Mallard street to match the existing planter on the property to the south as required by the Planning and Development Department

8. Relocate the trash enclosure to be a minimum of 50 feet away from any residentially zoned property as required by the Planning and Development Department.

9. Redesign the building elevations to provide a discernible residential character as required by the zoning code.

10. Dedicate 25.5 feet of right-of-way adjacent to this site for Mallard Street prior to the issuance of any permits or the issuance of a business license, whichever may occur first, as required by the Department of Public Works.

CITY COUNCIL

MEETING OF

NOVEMBER 15, 1995

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	PLANNING AND DEVELOPMENT <u>Z-77-95 - Ernest E. and Doris L. Soady</u> 11. Construct all incomplete half-street improvements, if any, on Jones Boulevard adjacent to this site and construct all incomplete half-street improvements on Mallard Street adjacent to this site prior to occupancy of this site or the issuance of a business license, whichever may occur first, as required by the Department of Public Works. Also, if needed and as required, remove all unused driveway cuts and all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards. 12. Contribute \$3,571.43 to partially fund a traffic signal system at the intersection of Jones Boulevard and Evergreen Avenue prior to the issuance of any permits or the issuance of a business license, whichever may occur first, as required by the Department of Public Works. (Contribution amount as per Condition No. 10 of Zoning Application Z-18-91). 13. If on-street parking is not already prohibited adjacent to this site, submit a written request to the Traffic and Parking Commission to eliminate parking on Jones Boulevard adjacent to this site prior to the issuance of any permits or the issuance of a business license, whichever may occur first, as required by the Department of Public Works. 14. Hard surface and/or landscape all unimproved public right-of-way, if any, on Jones Boulevard adjacent to this site prior to the issuance of a business license as required by the Department of Public Works. All required landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives.	ABEYANCE to 12/6/95

CITY COUNCIL

MEETING OF

NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	PLANNING AND DEVELOPMENT <u>Z-77-95 - Ernest E. and Doris L. Soady</u> 15. If unimproved Jones Boulevard public right-of-way exists adjacent to this site, obtain an Encroachment Agreement for all landscaping and private improvements located in such unimproved area prior to the issuance of a business license as required by the Department of Public Works. 16. All new driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works. Final design of the on-site parking layout shall provide for appropriate turnaround space so that vehicles exiting this site are not required to back out onto Jones Boulevard. Meet with the Traffic Engineer for assistance in redesigning the proposed driveway and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. 17. A detailed plot plan and building elevations reflecting the above conditions shall be submitted to the Planning Commission for approval prior to the issuance of any building permits. 18. The underlying Resolution of Intent on the westerly portion of this site shall be expunged upon approval of this request. 19. Standard Condition Nos. 1, 3 - 9, 11 and 12.	ABEYANCE to 12/6/95

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ZONING RECLASSIFICATION - PUBLIC HEARING - Z-77-95 - Ernest E. and Doris L. Soady

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for rezoning from R-1 (Single Family Residence) and R-1 (Single Family Residence - under Resolution of Intent to P-R) to P-R (Professional Offices and Parking) for the purpose of constructing two office buildings which total 10,000 square feet on two parcels totaling 0.80 acre.

BACKGROUND DATA:

4/03/91	The City Council approved a reclassification from R-1 (Single Family Residence) to P-R (Professional Offices and Parking) for the westerly portion of the site as part of a larger request (Z-18-91).
10/12/95	The Planning Commission unanimously voted to hold this request in abeyance so the applicant could meet with the surrounding property owners.

DETAILS OF APPLICATION REQUEST:

Site Area:

Parcel 007 (Mallard)	12,094	Square Feet
Parcel 005 (Jones)	22,921	Square Feet

Building Area:

Building 1	4,000	Square Feet
Building 2	6,000	Square Feet
Floor Area Ratio	0.28	
Parking Required	25	Spaces
Parking Provided	40	Spaces
Maximum Height	28	Feet

Agenda Item

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ZONING RECLASSIFICATION - PUBLIC HEARING - Z-77-95 - Ernest E. and Doris L. Soady

PURPOSE/BACKGROUND

Access to the site is via two driveways to a parking lot along Jones Boulevard and one driveway to a parking lot off of Mallard Street. The plan indicates that the two office buildings are attached by a courtyard area. The buildings contain 4,000 and 6,000 square feet, respectively. Landscaping is shown along Jones Boulevard and appears to be shown around the rear parking lot and adjacent to the buildings. A trash enclosure is proposed in the southeast corner of the site. The elevations depict two single story buildings with stucco exteriors and concrete tile roofs.

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	R-1	Single Family Dwelling
South	R-PD14	Apartments
East	R-1 & C-1	Single Family Dwellings
West	R-1	Single Family Dwellings

FINDINGS:

GENERAL PLAN:

The property is designated M (Medium Density Residential) on the Southwest Sector Map of the General Plan. Staff has recommended approval of a General Plan Amendment for the westerly portion of the property and denial of an amendment for the easterly portion of the property.

REZONING:

The parcel having frontage along Jones Boulevard is currently under a Resolution of Intent to P-R which would allow office uses. Staff cannot support the rezoning of the remaining parcel with frontage along Mallard Street because it is a local residential street and not appropriate for commercial traffic. Staff firmly believes that approval of this parcel would have a detrimental long term effect on the adjacent residential neighborhood.

Agenda Item

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ZONING RECLASSIFICATION - PUBLIC HEARING - Z-77-95 - Ernest E. and Doris L. Soady

PURPOSE/BACKGROUND

PLOT PLAN:

The plot plan, as submitted, indicates that all of the access to the rear parking lot is from Mallard Street. Staff is of the opinion that if this request is approved the plot plan should be redesigned to provide internal access to the rear of the site from the Jones Boulevard frontage and that any driveway allowed to Mallard Street should be for emergency purposes only. In addition, the existing block wall around the bulb of the cul-de-sac should be extended along this property and a matching landscape planter should be provided. The trash enclosure should be relocated to be a minimum of 50 feet away from any residentially zoned property. Also, the building elevations should be revised to fit the "residential character" requirement for P-R zoned properties.

Planning Commission Recommendation: DENIAL (6-0 vote) (The Resolution of Intent on the westerly 0.54 acre parcel remains in effect.)

Staff Recommendation: DENIAL

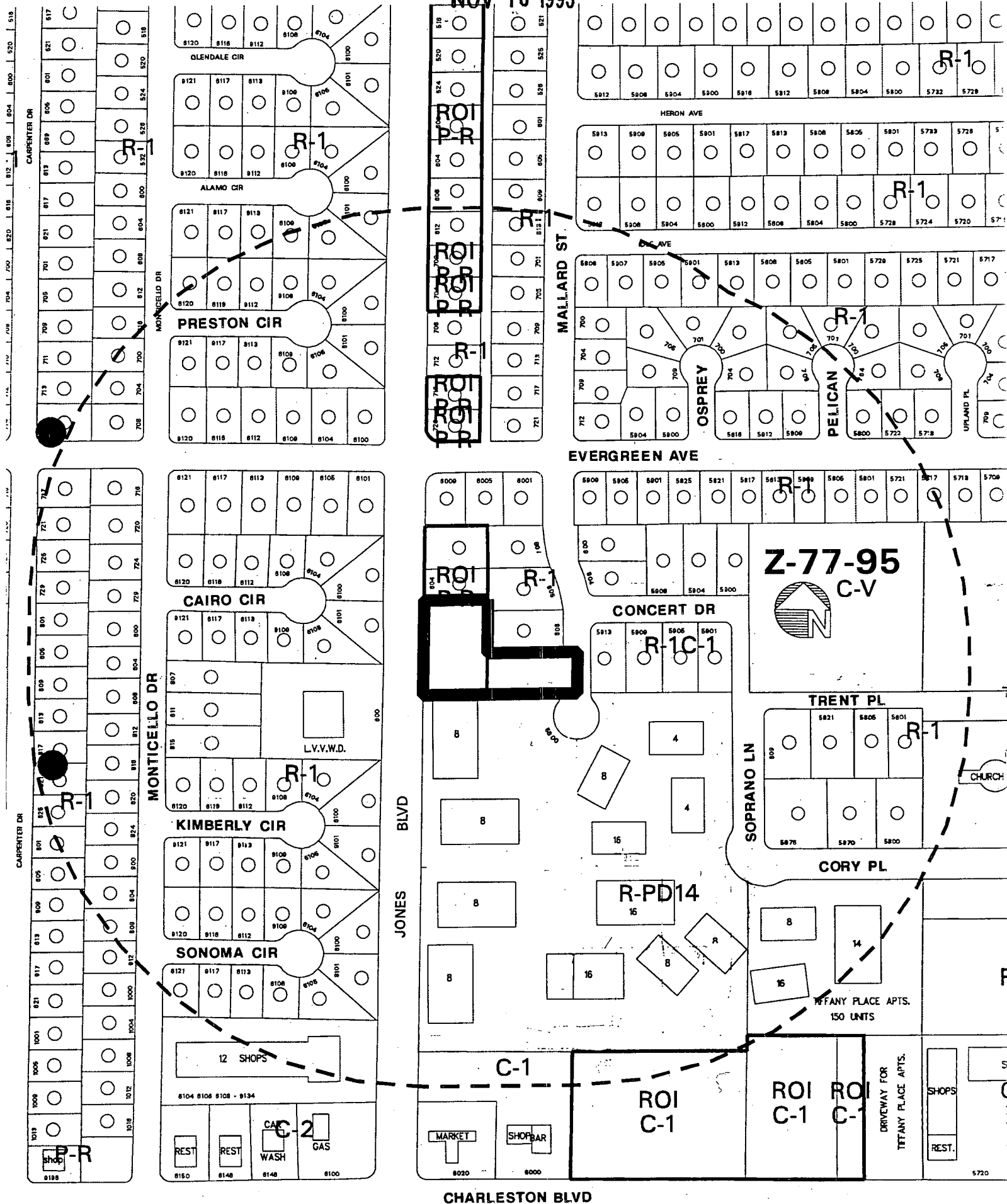
PROTESTS: 2 (at Meeting)

NOTICES MAILED: 298

SEE ATTACHED LOCATION MAP

Agenda Item

612



CHARLESTON BLVD

CITY COUNCIL
MEETING OF
NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	PLANNING AND DEVELOPMENT <u>GENERAL PLAN AMENDMENT - PUBLIC HEARING</u> 110 <u>GPA-45-95 - Charleston-Tenaya Partnership, Et Al</u> Request to amend a portion of the Southwest Sector of the General Plan on property located south of Charleston Boulevard and east of Tenaya Way. From: ML (Medium-Low Density Residential) To: SC (Service Commercial) PROTESTS: 0 APPROVALS: 1 (at Meeting) Ward 2 (Adamsen) Planning Commission (6-0 vote) and staff recommended APPROVAL.	ADAMSEN - Accepting the WITHDRAWAL of Item 98 and ABEYANCE of Items 87, 91, 110 and 111 to 12/6/95 - UNANIMOUS ***** There was no related discussion. (2:32 - 2:34)

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-45-95 - Charleston-Tenaya Partnership, Et Al

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request to amend a 2.58 acre parcel located in the Southwest Sector Map of the General Plan was filed in conjunction with a rezoning request to C-1 (Limited Commercial). The justification letter states that the request is appropriate since this site will be part of a 10 acre master planned development which will include the five acres directly west, and that Belcastro Street does not go through to Charleston Boulevard. Therefore, the adjacent residential property to the south will not be impacted by increased commercial traffic.

BACKGROUND DATA:

8/16/89 The City Council denied a request for R-3 (Limited Multiple Residence) on the west five acre parcel of this site (Z-75-89).

6/20/90 The City Council approved C-1 (Limited Commercial) zoning on the west five acre parcel of this site (Z-60-90).

DETAILS OF APPLICATION REQUEST:

Site Area 2.58 Acres

GENERAL PLAN DESIGNATIONS AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	SC	Vacant
South	R	Single Family
East	ML	Vacant
West	SC	Vacant

Agenda Item

110

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-45-95 - Charleston-Tenaya Partnership, Et Al

PURPOSE/BACKGROUND

FINDINGS:

Staff has no objections to the request. The parcels directly to the north and west are designated Service Commercial. The Holmby Drainage Alignment provides a buffer from the residential areas to the south. Staff believes that this request will not create any future land use conflicts for the surrounding area.

Planning Commission Recommendation: APPROVAL (6-0 vote)

Staff Recommendation: APPROVAL

PROTESTS: 0

APPROVALS: 1 (at Meeting)

NOTICES MAILED: 259

SEE ATTACHED LOCATION MAP

Agenda Item



THE
ROMANO
GROUP

CITY COUNCIL MINUTES

NOV 15 1995

616

November 14, 1995

Mayor Jan Lavery Jones
City of Las Vegas
400 E. Stewart Avenue
Las Vegas, NV 89101

**RE: Z-82-95 - Zoning Reclassification
GPA-45-95 - General Plan Amendment**

Honorable Mayor:

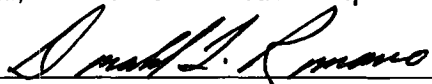
It is respectfully requested that the two captioned matters presently set for hearing before the Las Vegas City Council on November 15, 1995 be held in abeyance until the December 6, 1995 meeting of the Las Vegas City Council.

The reason for this request is to permit the applicant to have its Traffic Engineer conduct appropriate surveys and studies to determine if an entrance to the proposed project on Tenaya Way would be feasible, as is more specifically set forth in item #13 of the Planning Commission's recommendation.

Your cooperation in granting this continuance is appreciated.

Very truly yours,

Char/Ten Limited Partnership


Donald T. Romano, General Partner

DTR/drb

cc: City Clerk

RECEIVED
CITY CLERK
NOV 14 3 28 PM '95

110 & 111

CITY COUNCIL
MEETING OF
NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	<u>DISCUSSION / ACTION ITEMS</u>	
	PLANNING AND DEVELOPMENT <u>ZONING RECLASSIFICATION RELATED TO</u> <u>GPA-45-95 - PUBLIC HEARING</u> 111 <u>Z-82-95 - Charleston-Tenaya Partnership, Et Al</u> Request for reclassification of property located on the southeast corner of Charleston Boulevard and Tenaya Way. From: N-U (Non-Urban) and N-U (Non-Urban)(under Resolution of Intent to C-1) To: C-1 (Limited Commercial) Proposed Use: 101,000 SQUARE FOOT OFFICE COMPLEX PROTESTS: 0 APPROVALS: 1 (at Meeting) Ward 2 (Adamsen) Planning Commission (6-0 vote) and staff recommended APPROVAL, subject to: 1. Approval of a General Plan Amendment to make the zoning on the southeast portion of the site consistent with the plan. 2. Only single story structures shall be permitted on the south half of this site. 3. Construct a nominal eight foot high decorative wall from the existing grade, along the south property line as required by the Planning and Development Department. 4. Provide minimum five foot wide landscape planter areas along the south and east property lines and install 24 inch box trees 25 feet on center as required by the Planning and Development Department. The use of drought tolerant landscaping is encouraged.	ADAMSEN - Accepting the WITHDRAWAL of Item 98 and ABEYANCE of Items 87, 91, 110 and 111 to 12/6/95 - UNANIMOUS ***** There was no related discussion. (2:32 - 2:34)

CITY COUNCIL
MEETING OF
NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

**Item
Number**

DISCUSSION / ACTION ITEMS

PLANNING AND DEVELOPMENT

Z-82-95 - Charleston-Tenaya Partnership, Et Al

ABEYANCE to 12/6/95

5. Provide minimum 10 foot wide landscape planters along Charleston Boulevard and Tenaya Way and install 24 inch box trees 40 feet on center with shrubs and ground cover as required by the Planning and Development Department. The use of drought tolerant landscaping is encouraged.

6. Provide landscaped planter fingers every eight lineal parking spaces in the open parking areas as required by the Planning and Development Department.

7. Where new water mains are extended along streets and where hydrants are not needed for protection of structures, fire hydrants shall be spaced a maximum of 1,000 feet apart to prevent transportation hazards as required by the Department of Fire Services.

8. All trash enclosures shall be located a minimum of 200 feet from the south property line.

9. Lighting shall be provided in the covered parking stall areas.

10. Dedicate 40 feet of right-of-way adjacent to this site for Tenaya Way and an additional 29 feet of right-of-way for a total radius of 54 feet at the southeast corner of Charleston Boulevard and Tenaya Way as required by the Department of Public Works. The Traffic Engineer may also require additional right-of-way dedications to meet the intent of Standard Drawings #201.1, #234.1 and #234.2 which relate to turn lanes at major intersections and bus stop areas. In addition, the applicant shall also dedicate the south 20 feet of this site for the Holmby Alignment Drainageway.

CITY COUNCIL

MEETING OF

NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	PLANNING AND DEVELOPMENT	
	<u>Z-82-95 - Charleston-Tenaya Partnership, Et Al</u>	ABEYANCE to 12/6/95
	11. Construct half-street improvements on Tenaya Way adjacent to this site and all incomplete half-street improvements, if any, on Charleston Boulevard adjacent to this site as required by the Department of Public Works.	
	12. Contribute a total of \$30,000 to partially fund a future traffic signal system at the intersection of Charleston Boulevard and Tenaya Way; if traffic signal modifications of the existing traffic signal system at the intersection of Charleston Boulevard and Antelope Way are necessary because of this proposal, the applicant shall also be responsible for those costs; payments and/or commitments for all traffic-related requirements shall be made prior to the issuance of building or off-site permits or the recordation of any map further dividing this rezoning site as required by the Department of Public Works. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. 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.	
	13. Meet with the Traffic Engineer for final approval of the proposed driveway (including locations) and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works. The entrance to Tenaya Way shall be permitted if found to be required by the Traffic Engineer and the Department of Fire Services.	

CITY COUNCIL

MEETING OF

NOVEMBER 15, 1995

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	PLANNING AND DEVELOPMENT <u>Z-82-95 - Charleston-Tenaya Partnership, Et Al</u> 14. Remove all substandard public street and drainage corridor improvements, if any, and unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities as required by the Department of Public Works. 15. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to issuance of a building or grading permit, whichever may occur first. Construct all recommended drainageway improvements adjacent to this site concurrent with development, or, if allowed by the City Engineer, contribute cash monies in lieu of such improvements as required by the Department of Public Works. 16. Provide the Planning and Development Department with an amended plot plan indicating the location of the trash enclosures and loading areas for approval prior to development of the site. 17. Conformance to the plot plan as amended by the above conditions. 18. Conformance to the building elevations. 19. Standard Condition Nos. 1, 3 - 8, 11 and 12.	ABEYANCE to 12/6/95

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ZONING RECLASSIFICATION RELATED TO GPA-45-95 - PUBLIC HEARING - Z-82-95 -
Charleston-Tenaya Partnership, Et Al

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for a 101,248 square foot office complex on a 10.38 acre parcel located on the southeast corner of Charleston Boulevard and Tenaya Way.

BACKGROUND DATA:

8/16/89 The City Council denied a request for R-3 (Limited Multiple Residence) on the west five acre parcel of this site (Z-75-89).

6/20/90 The City Council approved C-1 (Limited Commercial) zoning on the west 5 acre parcel of this site (Z-60-90).

DETAILS OF APPLICATION REQUEST:

Site Area	10.38 Acres
Building Area	101,248 Square Feet
Floor Area Ratio	0.22
Parking Required	253 Spaces
Parking Provided	538
Building Height	25 Feet

The plot plan shows a total of 18 single story buildings on the site. The building sizes range from 3,864 square feet to 6,720 square feet. Access to the site is via two driveways to Charleston Boulevard and one to Tenaya Way. An eight foot high wall is indicated along the south and east sides of the property and along the south half along Tenaya Way. The landscaping plan shows a planter area along the perimeter of the site, between all of the buildings and in the parking areas as well. The parking stalls along the east and south property lines are covered spaces. No trash enclosures or loading areas are indicated. The elevations depict stucco exteriors with concrete tile roofs.

Agenda Item

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ZONING RECLASSIFICATION RELATED TO GPA-45-95 - PUBLIC HEARING - Z-82-95 - Charleston-Tenaya Partnership, Et Al

PURPOSE/BACKGROUND

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	C-1, R-1	Commercial, Single Family
South	R-E	Single Family
East	C-1	Restaurant
West	P-R	Vacant

FINDINGS:

GENERAL PLAN:

The southeast corner of this site is currently designated ML (Medium-Low Density Residential) which permits a maximum density of 11.49 units per acre for multi-family development. The remainder of the site is designated SC (Service Commercial). Staff has recommenced approval of a General Plan Amendment to designate the southeast portion of this site to SC (Service Commercial) as well.

REZONING:

Staff finds that the request furthers the goals, objectives and policies of the General Plan and is compatible with the surrounding area. The site is located at the intersection of two major streets, where commercial and office uses are generally encouraged.

PLOT PLAN:

The previously approved commercial rezoning contained a condition requiring all buildings along the south half of the site to be restricted to single story. Staff believes this condition should be applied to this application as well.

Agenda Item

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: DONNA H. KRISTAPONIS, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ZONING RECLASSIFICATION RELATED TO GPA-45-95 - PUBLIC HEARING - Z-82-95 -
Charleston-Tenaya Partnership, Et Al

PURPOSE/BACKGROUND

Minimum 10 foot wide landscape planters should be provided along both Charleston Boulevard and Tenaya Way, with 24 inch box trees planted 30 feet on center. Minimum five foot wide planters should be installed inside the walls along the east and south sides of the site, with 24 inch box trees planted 25 feet on center.

Also, prior to the issuance of permits, the applicant should provide the locations of the trash enclosures and loading areas to the Planning and Development Department. Staff has no other objections to the plot plan.

Planning Commission Recommendation: APPROVAL (6-0 vote) (The Planning Commission modified Condition No. 10 to make the width of the Holmby Alignment Drainageway dedication dependent upon the Drainage Study, and Condition No. 13 to make the entrance to Tenaya Way subject to the approval of the Traffic Engineer and the Department of Fire Services.)

Staff Recommendation: APPROVAL

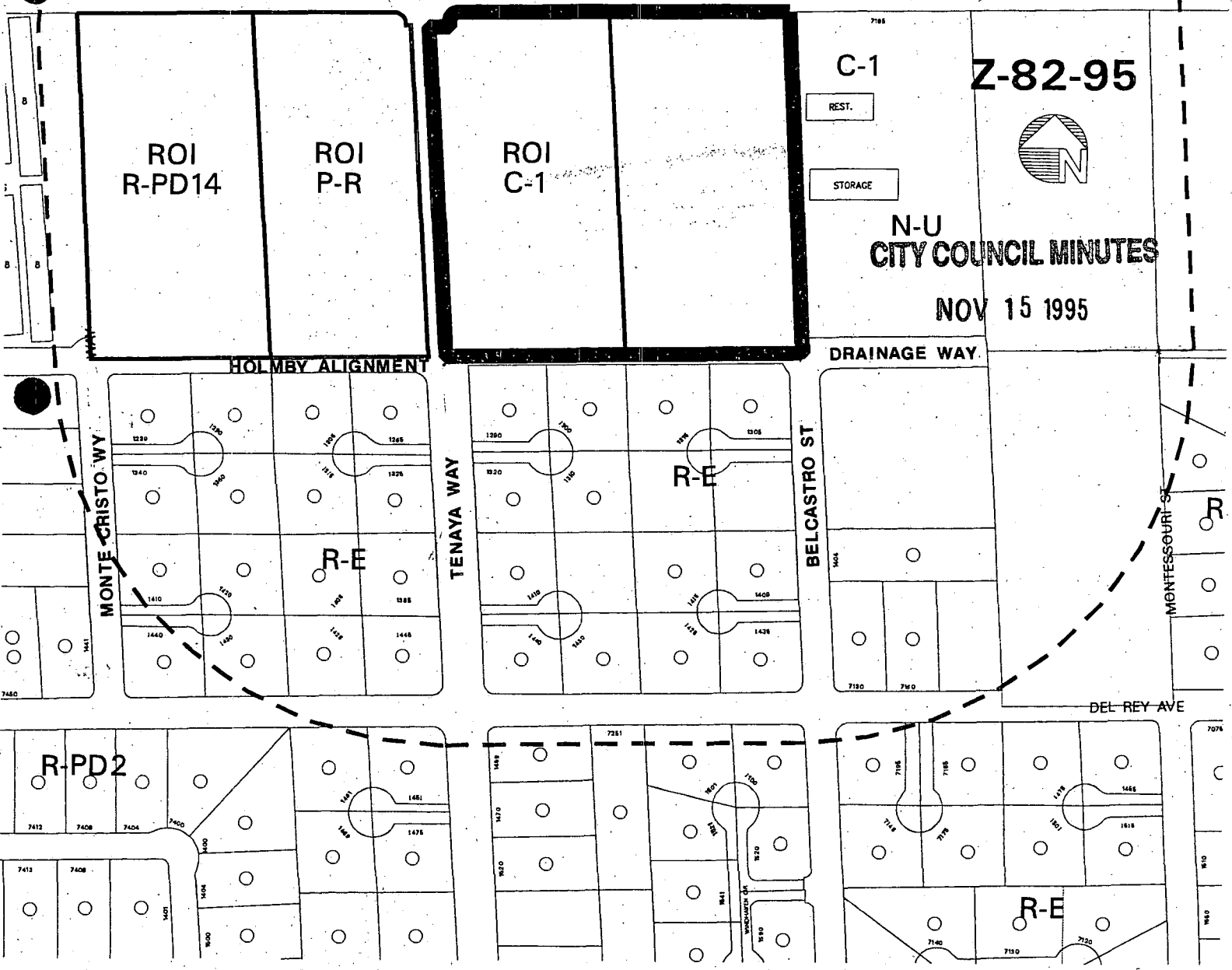
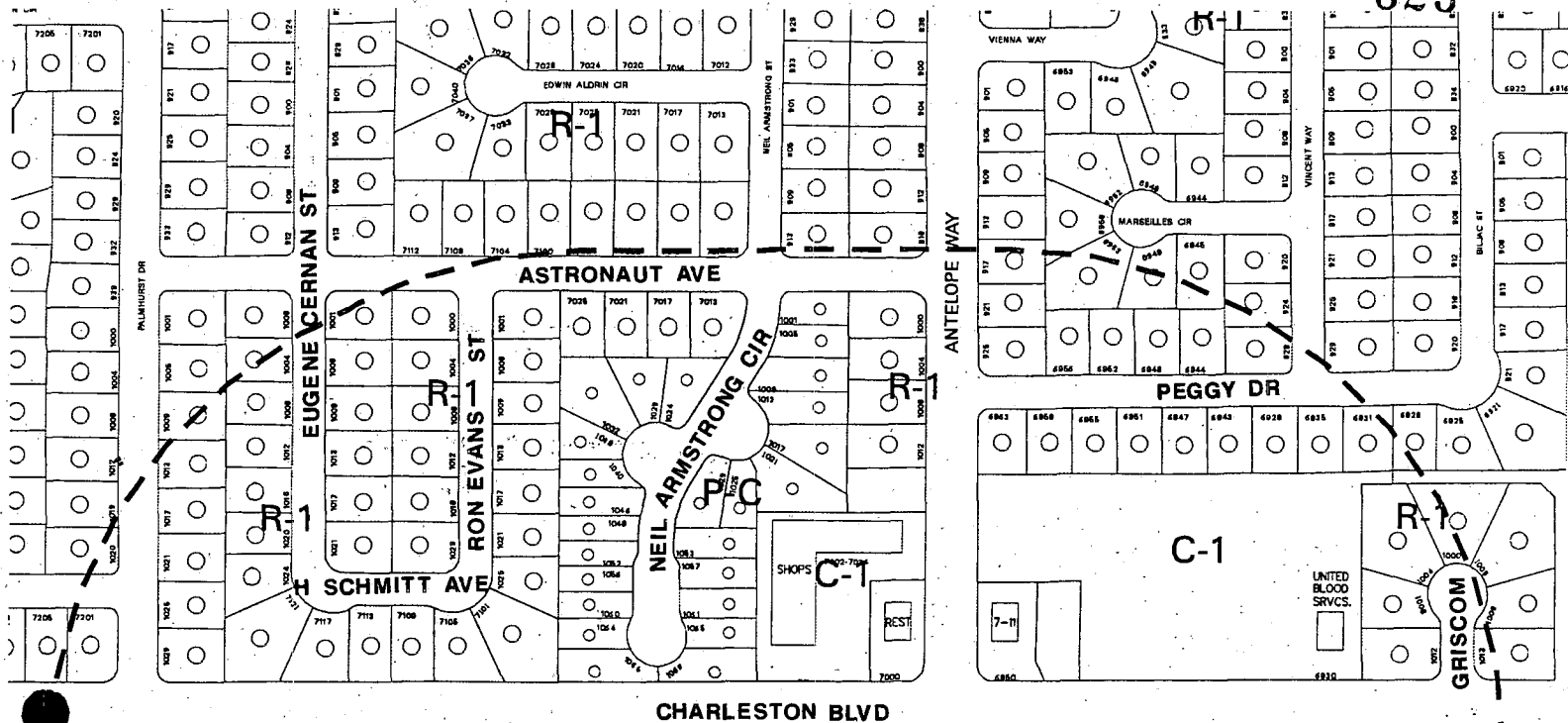
PROTESTS: 0

APPROVALS: 1 (at Meeting)

NOTICES MAILED: 259

SEE ATTACHED LOCATION MAP

Agenda Item



CITY COUNCIL

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Item Number	DISCUSSION / ACTION ITEMS	
	PLANNING AND DEVELOPMENT	
112	SET DATE FOR PUBLIC HEARING ON ANY ITEM REQUIRING A PUBLIC HEARING THAT WAS ACTED UPON BY THE CITY PLANNING COMMISSION	VAC-44-95, VAC-45-95, VAC-46-95 -- 12/6/95 AGENDA
113	SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE BOARD OF ZONING ADJUSTMENT	U-176-90(1), V-144-95, V-154-95 -- 12/6/95 AGENDA
114	SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS ON ANY DANGEROUS BUILDINGS OR NUISANCE/LITTER ABATEMENTS.	NONE.

CITY COUNCIL

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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DISCUSSION / ACTION ITEMS

X. ADDENDUM

NONE.

CITY COUNCIL

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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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.

GENE COLLINS, 1101 Eleanor Avenue, urged the Council's help in preserving the baseball program established two years ago to provide alternative activity for at risk boys and girls in West Las Vegas. He requested that COUNCILMAN McDONALD send a letter to DAVE KUIPER, Director of Parks & Leisure Activities, about a month ago but nothing has happened yet. MR. KUIPER has advised that the Parks Department will be taking over the program. MAYOR JONES instructed CITY MANAGER BARTON to speak with MR. COLLINS.

(5:21 - 5:24)

TOM MCGOWAN, 720 S. Casino Center #5, commented on the absence of non-essential personnel, including the City Manager for part of the afternoon session. He protested that the proposal presented to the RTC/MIS committee meeting recently was targeted at the gaming corridor and ignored the greater community. Maglev projects were investigated and dismissed as feasible 20 years ago in California. Las Vegas should not consider a similar project, especially one which uses any public funds. He suggested that the unwanted of the urban wards should be used to create a Ward 5 for which he would agree to act as the Councilman.

MAYOR JONES responded that the recently submitted proposal was actually an investment study and, if adopted, would be predominantly funded with private monies in an attempt to move the congestion to, from and around gaming facilities. As for mass transportation, after only four years the Valley is one of the only thriving bus systems in the country and has just received additional Federal funding to purchase more buses. MR. MCGOWAN suggested that the gaming industry should then be made financially responsible for the entire resort corridor transit system funding.

(5:24 - 5:31)

GREG AIKEN, 633 McWilliams, explained that he is leaving the City and his position as Neighborhood Liaison in West Las Vegas. He wanted to use this forum to advise the Council of the desperate need to continue programs which are being terminated to encourage necessary public issues such as individual morality, values, ethics and the elimination of violence. His ability to express himself was frequently suppressed before of his former position with the City but it is essential that someone care about the six murders this week in Las Vegas if we are going to prevent the rude awakening the City is currently facing. He urged the Council to rethink funding decisions, particularly with regard to job training and placement for at risk individuals.

CITY COUNCIL

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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MAYOR JONES thanked MR. AIKEN for his efforts on behalf of the City and wished him luck in his new job. COUNCILMAN ADAMSEN concurred with the MAYOR and offered his name as a reference in the future.

(5:31- 5:40)

AL GALLEG0, 610 N. Fourth Street, protested the racial comments of the Reverend during the AM Session. Such comments are inappropriate at any time and the Council should not let it happen again. He also complained about the rude behavior of people sitting in the third row during today's session and stated that if the MAYOR did not have them removed in the future, he would do so.

MAYOR JONES agreed with MR. GALLEG0'S comment regarding the Reverend. COUNCILMAN ADAMSEN added that he had apologized to the Latin Chamber Youth Council students and COUNCILMAN REESE had spoken to the Reverend regarding his inappropriate comments. It will not happen again.

(5:41 - 5:44)

MEETING ADJOURNED: 5:44 P.M.

CITY COUNCIL

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

NOTES AND COMMENTS:

COUNCILMAN ADAMSEN instructed Planning staff to draw up a new category in the zoning ordinance for wedding reception facilities inclusive of a 1500 foot distance separation requirement from a religious establishment, park, school and daycare center.

(11:20-12:16)

COUNCILMAN CALLISTER requested staff to find cities where the 108 loan has been utilized to capitalize private business ventures and how it was done.

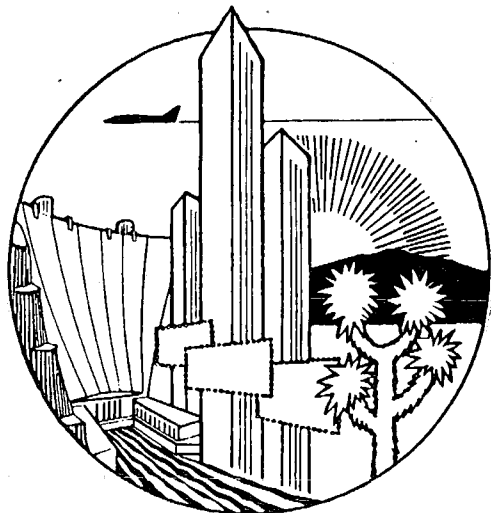
(2:32 - 2:34)

COUNCILMAN CALLISTER instructed that any change in the floor plan shall be subject to a voluntary design review at a public hearing before the City Council with notification to all Grand Entries subdivision residents as well as all other applicable property owners.

(4:36 - 4:44)

City of Las Vegas

400 E. STEWART AVE.
LAS VEGAS, NV 89101



AGENDA

POSTMASTER:
CONTAINS DATED MATERIAL
REQUESTED BY ADDRESSEE

TO:

AGENDA

City of Las Vegas

CITY COUNCIL

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE • PHONE 229-6011

JAN LAVERTY JONES, MAYOR • COUNCILMEN: ARNIE ADAMSEN, MATT CALLISTER, MICHAEL J. McDONALD, GARY REESE

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.

NOVEMBER 15, 1995

**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 -Reverend Larry G. Hansmeier, First Christian Church
- PLEDGE OF ALLEGIANCE
- PRESENTATION TO LARRY SEITZ FOR BEING SELECTED EMPLOYEE OF THE MONTH FOR THE MONTH OF NOVEMBER

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 9/20/95.

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.

ADMINISTRATIVE

3. Action to approve contract with Facility Technics for Phase II of a comprehensive long-range facility master plan for the City of Las Vegas

CITY ATTORNEY

4. Approval of Regional Flood Control District Third Supplemental Interlocal Contract – Buffalo Channel – Summerlin Parkway to Vegas Drive.
5. Approval of Regional Flood Control District Second Supplemental Interlocal Contract - Oakey Boulevard Detention Basin and Collection System - Phase II.
6. Approval of Regional Flood Control District Fifth Supplemental Interlocal Contract – Oakey Boulevard Detention and Conveyance System.

DEPARTMENT OF ECONOMIC AND URBAN DEVELOPMENT

7. Action To Approve And Issue To Lewis Properties, Inc. A Certificate Of Completion And Quitclaim Of Interest For Certain Real Property Situated In The Spectrum Of Las Vegas
8. Action Approving A Grant Deed For The Sale Of A Portion Of City-Owned Property To Sierra Health Service, Inc. At The Las Vegas Technology Center

DEPARTMENT OF FINANCE & BUSINESS SERVICES

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

LIQUOR - Change of Ownership/Change of Business Name

10. TAVERN LICENSE, From: Charles Baby Grand, Inc., dba Patricia's Lounge, (Nonoperational) TO: GO'S VEGAS, INC., dba GO'S WEST, 208 East Sahara, John G. Gamoke, Dir, Pres, Secy, Treas, 100%

LIQUOR & GAMING - Approval of Manager

11. TAVERN LICENSE/RESTRICTED GAMING: 15 slots, P.T. CORPORATION, dba PT'S PUB, 4604 West Sahara #10, Donald O. Homberg, Manager, Approved by the Nevada Gaming Commission on July 27, 1995

LIQUOR & GAMING - Change of Business Name

12. TAVERN LICENSE/RESTRICTED GAMING: 15 slots, LARRY'S OLD RANCH, INC., dba From: Old Ranch House, TO: LARRY'S HIDE-AWAY, 3369 Thom Boulevard, Lawrence A. LaPenta, Dir, Pres, Secy, Treas, Lawrence A. LaPenta Family Trust, 100%, Lawrence A. LaPenta, Trustee

LIQUOR - Reclassification

13. From: Beer/Wine/Cooler Off-Sale License, TO: PACKAGE LIQUOR LICENSE, SAM E. HAMIKA, dba KWIKY MINI MART, 732 North Eastern, Sam E. Hamika, 100%

MESSAGE ESTABLISHMENT – New

14. CHRISTL NAUBEREIT, dba NEUROMUSCULAR THERAPY, 3170 West Sahara #D-16, Christl E. Naubereit, 100%

MARTIAL ARTS LICENSE – New

15. HARRY COTTO, dba TWO DRAGONS, 1103 North Nellis, Harry Cotto, 100%

MARTIAL ARTS LICENSE – Change of Ownership/Change of Business Name

16. From: Mark Lawrence, dba A LAWRENCE INSTITUTE OF KENPO KARATE, TO: MONICA LAWRENCE, dba LAWRENCE KENPO KARATE, 3120-3122 North Rainbow, Monica L. Lawrence, 100%

SECONDHAND DEALER LICENSE – Approval of Manager

17. CLASS III-A, JAMES R. AUGUST, dba DIAMOND AND GOLD STORE, 806 Las Vegas Boulevard South, Kendrick N. Burt, Manager

TEENAGE NIGHTCLUB - New

18. T.G. ACTIVITY CENTER, dba T.G. ACTIVITY CENTER, 3000 South Highland #D, George T. Glanville, Dir, Pres, Secy, Treas, 100%, Subject to the provisions of the fire codes

DEPARTMENT OF GENERAL SERVICES

AWARD/RENEWAL OF BIDS/REJECTIONS

19. Award of Bid Number 96.Dec.01, Annual Contract for Rental of Employee Uniforms and Laundry Service - Various Departments - Award Recommended to: PRUDENTIAL OVERALL SUPPLY (\$194,867.28)
20. Award of Bid Number 96.Nov.06, Annual Contract for Traffic Controllers with Cabinets Department of Public Works - Award Recommended to: SOUTHWEST TRAFFIC SYSTEMS, INC. (\$138,750)
21. Award of Bid Number 96.Nov.9, Annual Office Supplies Contract - Department of General Services - Award Recommended to: OFFICE DEPOT BUSINESS SERVICES (\$45,951.34)
22. Award of Bid Number 96.Jul.09, Annual Requirements Contract for Thermoplastic Striping Material, Flexible Pavement Marker Adhesive and Loop Detector Sealant - Department of Public Works - Award Recommended to: ITEM 1 - PAVE-MARK CORPORATION (\$1,770) ITEM 2 - CATAPHOTE, INC. (\$20,110) ITEM 3 - CRACKFILLER MFG. CORP. (\$2,300)
23. Award of Bid Number 96.Nov.03, Annual Contract for Sign Posts and Sign Mounting Material - Department of Public Works - Award Recommended to: LOT I SIGN POSTS HIGHWAY RENTALS, INC. (\$19,976) LOT II SIGN MOUNTING - WEBER INDUSTRIES, INC. (\$23,969)
24. Award of Bid Number 95.2610.15, Remodel of Chuck Minker Sports Office - Department of Parks and Leisure Activities - Award Recommended to: EDDIE GENERAL CONSTRUCTION (\$33,740)
25. Award of Bid Number 96.1770.03, Conflict (Fail Safe) Monitors - Department of Public Works - Award Recommended to: INTERSECTION DEVELOPMENT CORPORATION (\$29,120)
26. Rejection of Bidders and Award of Bid Number 96.1770.01, Traffic Masts and Poles; Various Signal Assemblies and Replacement Parts - Department of Public Works - Award Recommended to: LOT I - GRAYBAR ELECTRIC COMPANY (\$181,401) LOT II AND III - MCCAIN TRAFFIC SUPPLY (\$63,462) LOT IV - ECONOLITE CONTROL PRODUCTS (23,349.97)
27. Rejection of Bidder and Award of Bid Number 96.Oct.01, Annual Contract for Custodial Paper Products - Various Departments - Award Recommended to: LOT I - UNISOURCE (\$82,296.41), LOT II - WAXIE (\$35,178.60), LOT III - BRADY (\$3,362.60), LOT IV - UNISOURCE (\$4,127.76)
28. Rejection of Bidder and Award of Bid Number 96.Oct.02, Annual Contract for Laboratory Supplies and Chemicals - Department of Public Works - Award Recommended to: VWR SCIENTIFIC PRODUCTS (\$67,945.24)

PURCHASE ORDER APPROVALS/SUPPLEMENTS

29. Supplement to Purchase Order Number 65732, Modular Furniture System - City Manager's Office - Award Recommended to: HAWORTH, C/O FACILITEC (\$2,691.05)

CONTRACT MODIFICATIONS

30. Contract Modification Two - Bid Number 93.1730.07, Ogden Underpass - Phase II - Department of Public Works - KIEWIT WESTERN JOINT VENTURE (\$353,711.83)
31. Contract Modification Number 3, Bid Number 95.6325.02, Building Rehabilitation of the Bel-Aire Apartments - Department of Planning and Development - MACK COMPANY (\$200,000)

DEPARTMENT OF HUMAN RESOURCES

32. Approval To Create Two Inspector Supervisor Positions, Planning & Development
33. Approval To Create A Temporary Senior Development Project Officer Position, Public Works
34. REPORT OF NEW HIRES - OCTOBER 18 - NOVEMBER 1, 1995 - Deputy City Attorney, City Attorney; Collections Officer, Municipal Court; Office Specialist I, Municipal Court; Leisure Activities Attendant, Parks & Leisure Activities; Code Enforcement Officer I (X), Planning & Development; Planning Technician, Planning & Development; Civil Engineer I (X), Public Works; Office Specialist II, Municipal Court; Leisure Instructor I (R), Parks & Leisure Activities; Lifeguard/WSI, Parks & Leisure Activities; Leisure Instructor I (2), Parks & Leisure Activities; Lifeguard/WSI, Parks & Leisure Activities.

DEPARTMENT OF PARKS & LEISURE ACTIVITIES

35. Approval of Lease Agreement with the Las Vegas Natural History Museum (Lessee) to lease building at 900 Las Vegas Boulevard North.

PLANNING & DEVELOPMENT

36. Action To Authorize The Mayor To Sign The Loan Documents To Ray & Ross Transport, Inc. For A Loan In The Amount Of \$150,000.
37. Action To Modify The Amount Of The U. S. Department Of Housing & Urban Development (Hud) Emergency Shelter Grant (Esg) Funds To Catholic Community Services Of Nevada From \$13,000 To \$13,146.87.
38. Action To Approve An Expenditure Of \$33,975 Of Community Development Block Grant (CDBG) Program Income For Carpet And Linoleum Replacement For The City Of Las Vegas Lessee, Nevada State Welfare, Which Is Located At 1040 West Owens.

DEPARTMENT OF PUBLIC WORKS

ACCEPTANCE OF RIGHT OF WAY ITEMS

GRANT DEED

39. From: RICHARD N. GUBLER, AS TO AN UNDIVIDED ONE-FOURTH (1/4) INTEREST; DAVID M. GUBLER, AS TO AN UNDIVIDED ONE-FOURTH (1/4) INTEREST; JAMES L. GUBLER, AS TO AN UNDIVIDED ONE-FOURTH (1/4) INTEREST; JOHN G. GUBLER, AS TO AN UNDIVIDED ONE-EIGHT (1/8) INTEREST; JOHN GRAY GUBLER, TRUSTEE OF "THE JOHN GRAY GUBLER TRUST" DATED JULY 25, 1986, AS AMENDED, AS TO AN UNDIVIDED ONE-EIGHT (1/8) INTEREST, To: City of Las Vegas, For: Portion of the Northwest Quarter (NW 1/4) of Section 3, T21S, R61E, M.D.M. for 10' of right of way along Las Vegas Boulevard for the Downtown Corridor Improvement Project (previously recorded in the Office of the Recorder, Clark County, Nevada in Book 951020 as Instrument Number 01317) (9-26-95) 162-03-210-060

TEMPORARY RIGHT OF WAY GRANT FOR SEWER PURPOSES

40. From: THOMAS SENIUR AND JEANNE SENIUR, HUSBAND AND WIFE AS JOINT TENANTS, To: City of Las Vegas, For: Portion of the Southwest Quarter (SW 1/4) of Section 35, T19S, R60E, M.D.M., for a temporary sewer easement located within the Mountain Gate Townhomes Unit 3 (10-18-95) 125-35-401-019

RIGHT OF WAY GRANT FOR SEWER PURPOSES

41. From: TRANSCOM PROPERTIES INC., To: City of Las Vegas, For: Portion of the Southwest Quarter (SW 1/4) of Section 28, T20S, R60E, M.D.M., being Lot 1 in Block 2 and Common Lot B of Rodeo Drive Estates to provide sewer service to Melrose Park subdivision (10-13-95) 138-28-410-001 & 138-28-497

RIGHT OF WAY GRANT FOR DRAINAGE PURPOSES

42. From: FRIDAY ESTATES INC., A NEVADA CORPORATION, To: City of Las Vegas, For: Portion of the Southeast Quarter (SE 1/4) of Section 27, T19S, R60E, M.D.M., for a drainage easement located within Grand Entries - Phase 6 (10-17-95) 125-27-713-001

RIGHT OF WAY GRANT FOR INGRESS AND EGRESS PURPOSES

43. From: HOWARD HUGHES PROPERTIES, LIMITED PARTNERSHIP, A DELAWARE LIMITED PARTNERSHIP, To: City of Las Vegas, For: Portion of East Half (E 1/2) of Section 24, T20S, R59E, M.D.M, being that portion of Common Lot "O" of Summerlin Village 7 - The Trails - Unit 3 to provide access into Indian Hills Unit 5 (10-15-95) 137-24-697-010

RIGHT OF WAY GRANT FOR BUS STOP PADS

44. From: NEVADA-UTAH ASSOCIATION OF SEVENTH-DAY ADVENTISTS, A UTAH CORPORATION, To: The City of Las Vegas, For: Portion of Government Lot 60 in the Southwest Quarter (SW 1/4) of Section 1, T21S, R60E, M.D.M. for a bus stop pad easement located on the south side of Oakey Boulevard, east of Jones Boulevard, for the Oakey Project - Rainbow to Decatur. (10-18-95) 163-01-301-001

ENCROACHMENT REQUESTS

45. KALB CONSTRUCTION COMPANY ON BEHALF OF DURANGO MINI STORAGE, INC., OWNER HEAVENLY HILLS COURT - Applicant proposes to encroach into the public right of way consisting of grass, sprinklers, boulders and palm trees at the northeast corner of Charleston Boulevard and Heavenly Hills Court.
46. SOUTHLAND CORPORATION, 7650 W. Charleston Boulevard - Applicant proposes to encroach into the public right of way consisting of grass and a sprinkler system on the east side of Buffalo Drive, north of Charleston Boulevard to improve the aesthetics of the area.

REQUEST TO CUT PAVEMENT

47. POST, BUCKLEY, SCHUH, AND JERNIGAN, INC., ON BEHALF OF THE LAS VEGAS VALLEY WATER DISTRICT (Gowan Road, Fort Apache Road to Decatur Boulevard) - Applicant proposes to make several street cuts in areas of "five year no cut" pavement on Gowan Road from Fort Apache Road to Decatur Boulevard.

REPORTS/ACTION ITEMS

- 48. Discussion And Possible Approval Of A Consultant Agreement With Harris & Associates To Provide Construction Management Services For The Oakey Boulevard Roadway Project: Rainbow Boulevard To Decatur Boulevard
- 49. Discussion And Possible Approval Of Amendment 1 To The Agreement With Centennial Engineering, Inc. To Provide Engineering Design Services For The Cheyenne Avenue Improvement Project From Tenaya To Cimarron Drive

IV. RESOLUTIONS

- 50. **ABEYANCE ITEM R-112-95** - Resolution Amending Fee Schedule for LVMC Titles 18 and 19.
- 51. **R-114-95** - Approval Of Resolution Accepting Bids Re: Clark County Special Improvement District No. 93 (Oakey Boulevard) (City Contract)
- 52. **R-115-95** - A Resolution Of Intent, Proposing The Issuance Of, And Authorizing The Publication Of Notices Relating To General Obligation (Limited Tax) Redevelopment Projects Bonds (Additionally Secured By Pledged Revenues) For The Purpose Of Financing Redevelopment Projects For The City; Proving The Manner, Form And Contents Of The Notice Thereof; Ratifying Action Heretofore Taken Not Inconsistent Herewith; Providing Other Matters Properly Related Thereto; And Providing The Effective Date Hereof.

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

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE

- 53. **ABEYANCE ITEM** - Discussion and possible action to approve a lease agreement for the historic Fifth Street School located at 400 Las Vegas Boulevard between the City of Las Vegas and Clark County
- 54. **ABEYANCE ITEM** - Discussion and possible action to approve a sublease agreement for approximately 10,000 square feet of the historic Fifth Street School located at 400 Las Vegas Boulevard between the City of Las Vegas and the Metropolitan Police Department for the purpose of temporarily locating a police substation at the site
- 55. Discussion and possible action to approve a strategic plan for Citywide automation which has been formulated by the City's Information Systems Inner Look Team and their consultant ThirdWave, Inc.

CITY ATTORNEY

- 56. Appeal of Work Card Denial: Mr. Mike Hawes, 2103 Fallsburg Way, Henderson, NV 89015
- 57. Appeal of Work Card Denial: Mr. Wilbur Hines, 2008 West Lake Mead Avenue, Las Vegas, NV 89030
- 58. Appeal of Work Card Denial: Mr. Raymond G. Walker, 2665 South Bruce, #160, Las Vegas, NV 89109

DEPARTMENT OF FINANCE & BUSINESS SERVICES

Gaming -- Request for Preliminary Approval of Reclassification

- 59. From: Nonrestricted Limited (35 slots), TO: Nonrestricted, in connection with a proposed hotel/casino at 4747 Faircenter Parkway, SES Gaming, Inc., Sheldon E. Stunkel, Sr., COB, 51%, Robert V. Stunkel, Pres., 14%, Bradley B. Stunkel, Dir., 14%, Sheldon E. Stunkel, Jr., Dir., 14%, Lee A. Shapiro, VP, Sect., Treas., 7%

APPEAL OF DENIAL OF SOLICITOR PERMIT

- 60. RAYFORD WILSON db at DASH MARKETING, 1799 N. Decatur, #140

PLANNING & DEVELOPMENT

61. Discussion And Possible Action Concerning The Traffic And Pedestrian Safety Plan And The Fremont Street Experience Design Criteria Manual
62. Discussion And Possible Action To Rescind The CDBG Hud 108 Application In The Amount Of \$9.5 Million For The Moulin Rouge Hotel And Casino And To Search For Other Sources Of Financing.

DEPARTMENT OF PUBLIC WORKS

TRAFFIC & PARKING ITEM

63. Discussion And Possible Approval Of A Change In The Speed Limit On Torrey Pines Drive Between Sahara Avenue And Oakey Boulevard From 35 Mph To 25 Mph

REPORTS/ACTION ITEM

64. Discussion And Feedback Regarding Alternative Public Transportation Routes In The City Of Las Vegas As Per The Ongoing Major Investment Study

IV. RESOLUTIONS

65. R-116-95 - Approval of Resolution to amend Schedule 25-II in accord with Traffic & Parking Item 63.

V. REPORTS FROM RECOMMENDING COMMITTEES

BILL ELIGIBLE FOR ADOPTION AT THIS MEETING

66. Bill No. 95-73 – Amends Title 2, Chapter 44, Section 10 of the Las Vegas Municipal Code of the City of Las Vegas, 1983 Edition, to delete a provision prohibiting members of the Planning Commission from holding other public office and other matters relating thereto.

BILL 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.

67. Bill No. 95-69 - Amends Title 2, Chapter 51 of the Las Vegas Municipal Code, 1983 Edition, relating to the Ethics Review Board and financial disclosure.

VI. REPORTS FROM REAL ESTATE COMMITTEE

68. Discussion and possible action authorizing staff to begin negotiations with the Horn Company for the acquisition of 7.11 acres of property located at the southwest corner of Simmons and Holly.
69. Discussion and possible action authorizing staff to enter into negotiations for the sale of real property located at the southwest corner of Charleston Boulevard and Eighth Street – AKA "Mary Dutton Park."
70. Discussion and possible action to approve a real property lessee settlement between the City of Las Vegas and Obren and Janet Pantic, Lessees for property located at 1426 Las Vegas Blvd. South.
71. Discussion and possible action to approve an agreement for the purchase of real property between the City of Las Vegas and the Moreland Corporation previously designated by the City Council in the Las Vegas Enterprise Park for the new Veterans Administration Ambulatory Hospital.
72. Discussion and possible action authorizing execution of sixty (60) day option to purchase or lease the real property located at 333 South Sixth Street and authorizing the City Manager at the end of the sixty (60) day period to execute a purchase and sale agreement or five (5) year lease agreement.

VII. BOARDS & COMMISSIONS

73. ABEYANCE ITEM - TRAFFIC & PARKING COMMISSION - Debbie Nelson - (Moved out of Ward and must be replaced by resident of Ward 3)
74. ABEYANCE ITEM - SENIOR CITIZENS LAW PROJECT ADVISORY BOARD - Raymond Gibson - Term Expires 11/1/95 (Not eligible for reappointment - Must be replaced by someone from a Senior Organization)
75. SENIOR CITIZENS ADVISORY COMMITTEE - Emma Lou Stampely - Term Expires 3/3/96 (RESIGNED)

VIII. 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.

76. **Bill No. 95-74** -- Annexation No. A-17-95(A); Property Located: on the southeast corner of Alexander Road and Cimarron Road; Petitioned by: Joseph Weiss, et al.; Acreage: Approximately 2.65 acres; Zoned: R-E (County Zoning) N-U (City Equivalent).
77. **Bill No. 95-75** -- Annexation No. A-18-95(A); Property Located: on the northeast corner of Gilmore Avenue and Quadrel Street; Petitioned by: Serob Hocharian; Acreage: Approximately 2.47 acres; Zoned: R-E (County Zoning) N-U (City Equivalent).
78. **Bill No. 95-76** -- Adopts Volumes 1 and 2 of the Uniform Fire Code, 1994 Edition, together with the Supplemental Document providing for the deletions and additions thereto.
79. **Bill No. 95-77** -- Amends Ordinance No. 3747 and 3924 (Pedestrian Mall Ordinance) to prohibit certain types of beverage containers within the Mall, adopting architectural standards and a traffic and pedestrian safety plan, adding new terms and definitions, and other matters related thereto.

2:00 P.M. - AFTERNOON SESSION

80. 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.

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) 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. (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) 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, 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. (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.

CONSENT AGENDA

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.

REINSTATEMENT AND EXTENSION OF TIME

81. **U-101-94(1) - Magoo Enterprises, Inc.** - Request for a Reinstatement and Extension of Time on an approved Special Use Permit which allowed a tavern, on property located on the north side of Cheyenne Avenue between Buffalo Drive and Tenaya Way, C-1 Zone.
82. **Z-53-94(2) - Oasis Residential, Inc.** - Request for a Reinstatement and Extension of Time for proposed apartments on property located on the southwest corner of Torrey Pines Drive and Vegas Drive, N-U Zone (under Resolution of Intent to R-PD18).

EXTENSION OF TIME

83. **U-194-93(2) - Rock Springs Vista Development** - Request for an Extension of Time on an approved Special Use Permit which allowed the off-premise sale of beer and wine in conjunction with a convenience store; and a tavern in conjunction with a restaurant, on property located on the northwest corner of Washington Avenue and Buffalo Drive, N-U Zone (under Resolution of Intent to C-1).
84. **Z-23-92(4) - Edna Rose Crane Family Trust** - Request for an Extension of Time for proposed condominiums on property located on the east side of Painted Mirage Road, south of Ann Road, R-E and C-2 Zones (under Resolution of Intent to R-PD5).

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

DISCUSSION/ACTION ITEMS

SPECIAL USE PERMIT - PUBLIC HEARING

85. **ABEYANCE ITEM - U-67-95 Lionel Sawyer & Collins on behalf of Bivins Construction Company, Inc.** - Appeal filed by Lionel Sawyer & Collins on behalf of Bivins Construction Company, Inc. for the on-premise sale of beer and wine in conjunction with an approved convenience store with gasoline sales; and for a tavern in conjunction with an approved restaurant, on property located on the southwest corner of Vegas Drive and Cimarron Road, N-U Zone (under Resolution of Intent to C-1).

ZONING RECLASSIFICATION - PUBLIC HEARING

86. **ABEYANCE ITEM - Z-71-95 - David and Janet Meyers** - Request for reclassification of property located at 1729 West Bonanza Road. From: R-E (Residence Estates), To: C-2 (General Commercial), Proposed Use: OUTDOOR LANDSCAPE SUPPLY AND STORAGE

REVIEW OF CONDITION

87. **ABEYANCE ITEM - Z-80-77(2) - Israel Kunin** - Request to decrease the length of the required median on Pecos Road adjacent to the applicant's property and to delete the requirement to construct sidewalk on Bonanza Road between the applicant's property and Reef Drive, C-1 Zone.

AESTHETIC REVIEW

88. **AR-16-94(1) - Stratosphere Corporation** - Request for a Plot Plan and Building Elevation Review for Phase II to include an aquarium, an entertainment area, retail shops and a pool/recreation area, on property located on the northeast corner of Baltimore Avenue and Fairfield Avenue, R-4 Zone (under Resolution of Intent to C-2).

PLOT PLAN AND BUILDING ELEVATION REVIEW

89. **Z-100-64(161) - Duane D. Williams** - Request for a Plot Plan and Building Elevation Review for a proposed wedding chapel on property located at 800 and 810 South Fourth Street, R-4 Zone (under Resolution of Intent to C-2).
90. **Z-26-91(5) - Georgia James** - Request for a Plot Plan and Building Elevation Review for a proposed professional office on property located at 112 South Jones Boulevard, R-1 Zone (under Resolution of Intent to P-R).

REVIEW OF CONDITION - PUBLIC HEARING

91. **ABEYANCE ITEM - Z-43-78(1) - V A Associates** - Request for a Review of Condition to allow a partial demolition of the required block wall along Shadow Lane for the purpose of installing a driveway for vehicular access on property located at 1707 W. Charleston Boulevard, C-1 and P-R Zones.

AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS - PUBLIC HEARING

92. **MSH-2-95 - Hunsaker & Associates** - Request for an Amendment to the Master Plan of Streets and Highways to add Gowan Road, an 80 foot wide secondary street from a point (Jensen Street), approximately 660 feet west of the centerline of Grand Canyon Drive, westerly 4,104.42 feet, and from a point 2,421.34 feet west of the centerline of Hualapai Way westerly 691.72 feet; Borden Road, an 80 foot wide secondary street, between the centerline of Cheyenne Avenue and the centerline of Gowan Road; and Hualapai Way, a 100 foot wide primary street, from a point 670.09 feet north of the centerline of Cheyenne Avenue northerly 1,342.08 feet, and between the centerline of Gowan Road and the centerline of Alexander Road, curving northeasterly as shown on the drawing of project no. 1503-1 submitted by Hunsaker and Associates.

VARIANCE - PUBLIC HEARING

93. **ABEYANCE ITEM - V-136-95 - Nevada Outdoor Systems, Inc., on behalf of Beard Family Trust on behalf of Southland Equities** - Appeal filed by Nevada Outdoor Systems, Inc., on behalf of Beard Family Trust on behalf of Southland Equities for a Variance to allow a 14 foot x 48 foot off-premise advertising (billboard) sign where such use is not permitted, on property located at 3920 West Sahara Avenue, C-C Zone.
94. **V-142-95 - Stephen Wong, Et Al, on behalf of Nancy Weinstein** - Request for a Variance to allow a proposed pawn shop where such use is not allowed, on property located at 328 West Sahara Avenue, C-1 Zone.
95. **V-147-95 - Gary Fisher and Joan Neagle on behalf of Rose Bowe** - Request for a Variance to allow a secondhand dealership for the buying and selling of used hubcaps; and to allow the wholesale storage of hubcaps, where such uses are not allowed, on property located at 2112 East Charleston Boulevard, C-2 Zone.

SPECIAL USE PERMIT - PUBLIC HEARING

96. **ABEYANCE ITEM - U-117-95 - Kryfam Limited Partnership** - Request for a Special Use Permit for a tavern in conjunction with a proposed restaurant, on property located north of Ann Road and East of Rancho Drive, C-2, R-E, and N-U Zones (Proposed C-1).
97. **U-125-95 - Cheyenne Investment Limited Liability Partnership Company** - Request for a Special Use Permit for a tavern, on property located north of Cheyenne Avenue and west of Soaring Gulls Drive, N-U Zone (under Resolution of Intent to C-1).
98. **U-126-95 - Kummer, Kaempfer, Bonner & Renshaw on behalf of Horizon Investments, Inc.** - Appeal filed by Kummer, Kaempfer, Bonner & Renshaw on behalf of Horizon Investments, Inc., for a Special Use Permit for a tavern in conjunction with an approved wedding chapel and reception center; and a request for a waiver of the 1,500 foot separation distance from a church, on property located on the north side of Sahara Avenue, west of Tenaya Way, N-U Zone (under Resolution of Intent to C-1).
99. **U-127-95 - Decatur Shopping Center Associates** - Request for a Special Use Permit for the sale of beer and wine in conjunction with a proposed billiard parlor, on property located at 1401 North Decatur Boulevard, C-1 Zone.
100. **U-128-95 - Southern Nevada Zoological Park** - Request for a Special Use Permit for the off-premise sale of package liquor (reduced to beer and wine); and for the sale of propane gas in conjunction with a proposed convenience store; on property located at 1801 North Rancho Drive, C-2 Zone.
101. **U-130-95 - Vegas Outdoor on behalf of Southland Corporation** - Appeal of Vegas Outdoor on behalf of Southland Corporation for a Special Use Permit for a 14 foot x 48 foot double-faced off-premise advertising (billboard) sign, on property located at 1624 South Decatur Boulevard, C-1 Zone.

102. U-131-95 - William and Wanda Peccole Family Limited Partnership on behalf of Senior Tour Players Development - Request for a Special Use Permit for a tavern in conjunction with a golf course clubhouse, on property located at 9119 Alta Drive, N-U (under Resolution of Intent to C-1).

ZONING RECLASSIFICATION - PUBLIC HEARING

103. Z-79-95 - Novex - Request for reclassification of property located on the north side of Owens Avenue, approximately 267 feet east of Martin L. King Boulevard. From: R-3 (Limited Multiple Residence), To: C-1 (Limited Commercial), Proposed Use: 12,000 SQUARE FOOT OFFICE BUILDING
104. Z-80-95 - Donald and Rose Wren - Request for reclassification of property located at 6761 Holmby Avenue. From: N-U (Non-Urban), To: R-3 (Limited Multiple Residence), Proposed Use: 10 TWO-STORY APARTMENT UNITS
105. Z-81-95 - Property Holding Corporation - Request for reclassification of property located on the west side of Shadow Lane, north of Pinto Lane. From: R-1 (Single Family Residence), To: P-R (Professional Offices and Parking), Proposed Use: 209 SPACE PARKING LOT EXPANSION

GENERAL PLAN AMENDMENT - PUBLIC HEARING

106. ABEYANCE ITEM - GPA-41-95 - International Church of the Foursquare Gospel - Request to amend a portion of the Northwest Sector of the General Plan on property located on the south side of Alexander Road, east of Cimarron Road. From: L (Low Density Residential) and ML (Medium - Low Density Residential), To: PF (Public Facilities)

ZONING RECLASSIFICATION RELATED TO GPA-41-95 - PUBLIC HEARING

107. ABEYANCE ITEM - Z-74-95 - International Church of the Foursquare Gospel - Request for reclassification of property located on the south side of Alexander Road, east of Cimarron Road. From: N-U (Non-Urban), To: C-V (Civic), Proposed Use: 20,000 SQUARE FOOT CHURCH

GENERAL PLAN AMENDMENT - PUBLIC HEARING

108. GPA-44-95 - Ernest E. and Doris L. Soady - Request to amend a portion of the Southwest Sector of the General Plan, on property located on the east side of Jones Boulevard and the west side of Mallard Street, south of Evergreen Avenue. From: M (Medium Density Residential), To: O (Office)

ZONING RECLASSIFICATION RELATED TO GPA-44-95 - PUBLIC HEARING

109. Z-77-95 - Ernest E. and Doris L. Soady - Request for reclassification of property located on the east side of Jones Boulevard and the west side of Mallard Street, south of Evergreen Avenue. From: R-1 (Single Family Residence)(under Resolution of Intent to P-R) and R-1 (Single Family Residence), To: P-R (Professional Offices and Parking), Proposed Use: 10,000 SQUARE FOOT PROFESSIONAL OFFICE COMPLEX

GENERAL PLAN AMENDMENT - PUBLIC HEARING

110. GPA-45-95 - Charleston-Tenaya Partnership, Et Al - Request to amend a portion of the Southwest Sector of the General Plan on property located south of Charleston Boulevard and east of Tenaya Way. From: ML (Medium-Low Density Residential), To: SC (Service Commercial)

ZONING RECLASSIFICATION RELATED TO GPA-45-95 - PUBLIC HEARING

111. Z-82-95 - Charleston-Tenaya Partnership, Et Al - Request for reclassification of property located on the southeast corner of Charleston Boulevard and Tenaya Way. From: N-U (Non-Urban) and N-U (Non-Urban)(under Resolution of Intent to C-1), To: C-1 (Limited Commercial), Proposed Use: 101,000 SQUARE FOOT OFFICE COMPLEX
112. SET DATE FOR PUBLIC HEARING ON ANY ITEM REQUIRING A PUBLIC HEARING THAT WAS ACTED UPON BY THE CITY PLANNING COMMISSION.
113. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE BOARD OF ZONING ADJUSTMENT MEETING.
114. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS ON ANY DANGEROUS BUILDINGS OR NUISANCE/LITTER ABATEMENTS.

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
Clark County Government Center, 500 S. Grand Central Parkway
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
MICHAEL J. McDONALD
WARD 1
Central Area of the City



Councilman
ARNIE ADAMSEN
WARD 2
Southwest Area of the City



Councilman
GARY REESE
WARD 3
Eastern Area of the City



Councilman
MATTHEW Q. CALLISTER
WARD 4
Northwest Area of the City