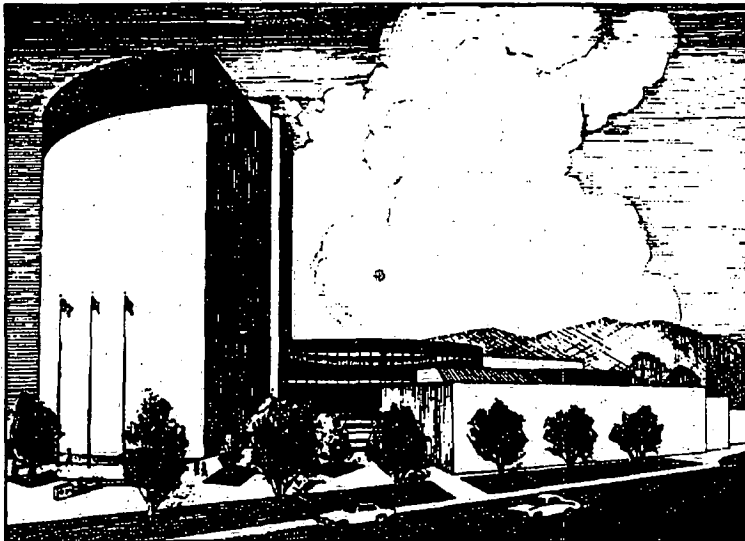




MINUTES

City of Las Vegas

CITY COUNCIL

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

MAY 27, 1997

INVOCATION: Pastor Thomas J. Unmacht, The Lakes Lutheran Church

PLEDGE OF ALLEGIANCE: Mayor Jones led the audience in the Pledge.

CITY COUNCIL

PRESENT ABSENT EXCUSED

MAYOR JAN LAVERTY JONES

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COUNCILMAN ARNIE ADAMSEN

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MAYOR PRO-TEM

COUNCILMAN MATTHEW Q. CALLISTER
(excused PM Session until 2:34 P.M.)

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COUNCILMAN MICHAEL J. McDONALD

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COUNCILMAN GARY REESE

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LARRY BARTON, CITY MANAGER

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BRADFORD R. JERBIC, CITY ATTORNEY (AM SESSION)

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VAL STEED, CHIEF DEPUTY CITY ATTORNEY, (PM SESSION)
INTERGOVERNMENTAL AFFAIRS

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BARBARA JO RONEMUS, CITY CLERK

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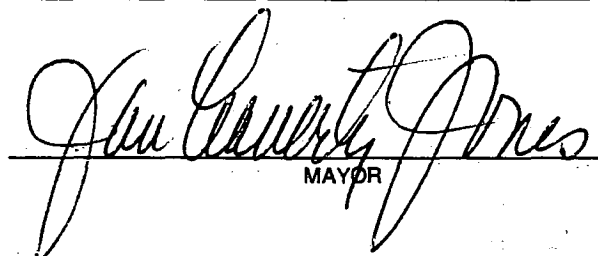
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APPROVED BY REFERENCE June 23, 1997

ATTEST:


CITY CLERK


MAYOR

**THIS MEETING
CONTAINS SOME
PAGE(S) THAT ARE
ILLEGIBLE/POOR
QUALITY**

AGENDA

City of Las Vegas

01

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.

MAY 27, 1997

CITY COUNCIL MINUTES

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

MAY 27 1997

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 ON THURSDAY 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 - Chaplain Mary Bredlau, Palm Mortuary
- PLEDGE OF ALLEGIANCE
- CHECK PRESENTATION TO THE ANIMAL FOUNDATION AND A PROCLAMATION PRESENTATION TO KVBC CH. 32.
- RECOGNITION OF THE 1997 CORPORATE CHALLENGE MEDAL WINNERS
- PRESENTATION TO TED SCHNOOR WHO HAS BEEN SELECTED MAY'S "EMPLOYEE OF THE MONTH".
- OATH OF OFFICE ADMINISTERED TO ELECTED OFFICIALS - Councilman, Ward 2, Municipal Judge, Department 2, Municipal Judge, Department 3

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 April 28, 1997.
3. Discussion and possible action to propose a petition to the registered voters of the City of Las Vegas pursuant to NRS 268.010 regarding the number of council wards in the City of Las Vegas.

CITY COUNCIL MINUTES

02

MAY 27 1997

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.

CITY ATTORNEY

4. Approval of Regional Transportation Commission Supplemental Cooperative Agreement No. 160a for Henry Road in Moapa, Nevada.
5. Approval of Regional Transportation Commission Supplemental Interlocal Contract No. 237a - Mojave Road between Stewart Avenue to Owens Avenue.
6. Approval of Regional Transportation Commission Supplemental Interlocal Contract No. 240a - Vegas Drive I between Rock Springs to Rampart Boulevard.
7. Approval of Regional Transportation Commission Supplemental Interlocal Contract No. 258a - Santiago Avenue Bridge Improvement Project at Pittman Wash in Henderson.

DEPARTMENT OF FINANCE & BUSINESS SERVICES

8. Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
9. Notice of Intent to Augment the Fiscal Year 1997 Annual Budget of the General Fund

CHILD CARE FACILITY APPLICATIONS (Approved by the Child Care Licensing Board on May 14, 1997)

Family Homes

10. SUSAN CHALFANT, 2820 North Jones, 3 children days/3 before & after school
11. ORLIA RICE, 1725 Canosa, 6 children days/5 nights/3 before & after school

SPECIAL EVENT LIQUOR LICENSES

12. CRAIG PLATT/ELMORE SPORTS, Location: Hills Park at Summerlin, Dates: June 14, 1997, Type: Special Event Beer/Wine/Cooler, Responsible Person in Charge: Craig Platt
13. KNPR-FM, NEVADA PUBLIC RADIO, Location: Hills Park at Summerlin, Dates: July 11, 1997 and August 23, 1997, Type: Special Event Beer/Wine/Cooler, Responsible Person in Charge: Cameron LiDestri

LIQUOR - New

14. BEER/WINE/COOLER OFF-SALE, SJOBA, INC., dba ARCO AM/PM #6303, 2000 North Rainbow Boulevard, Harsh S. Sidhu, 100%. Subject to the provisions of the fire codes and Health Department regulations

LIQUOR - Request to Allow Another Business on Premises

15. VALLEY VIEW RESTAURANTS, LLC, dba DOC HOLLIDAYS SALOON, 3540 West Sahara Avenue, #1, Requests approval for REBEL PIZZA, INC., dba REBEL'S HIDEOUT, William R. Butler, Pres, 50%, Richard A. Singer, Secy, Treas, 50%

LIQUOR - Change of Corporate/Business Name/Approval of Manager

16. TAVERN LICENSE, From: ARAMARK Leisure Services, Inc., dba ARAMARK Leisure Services, Inc., TO: ARAMARK SPORTS AND ENTERTAINMENT SERVICES, INC., dba ARAMARK SPORTS AND ENTERTAINMENT SERVICES, INC., 850 Las Vegas Boulevard North, Gregg A. Anderson, Gen Mgr

LIQUOR & GAMING - New

17. BEER/WINE/COOLER OFF-SALE LICENSE, RESTRICTED GAMING: 7 slots, BRACKIN, INC., dba THE CORNER MARKET, 4005 North Rancho Drive, James E. Brackin, Pres, 55%, Nancy K. Brackin, VP, Treas, 35%, Jami K. Brackin, VP, Secy, 10%, Subject to the provisions of the fire codes and Health Department regulations

CITY COUNCIL MINUTES

03

GAMING - New

MAY 27 1997

18. RESTRICTED GAMING: 15 slots, LONGS DRUG STORES CALIFORNIA, INC., dba RAINBOW DRUG #405, 4620 West Sahara Avenue, Suite 4, (Longs Drug Stores California, Inc. is a wholly owned subsidiary of Longs Drug Stores Corporation, a publicly traded corporation), Ronald A. Plomgren, Dir, SVP, CFO, Orlo D. Jones, Dir, SVP, Secy, Bill M. Brandon, Dir, SVP
19. RESTRICTED GAMING: 15 slots, LONGS DRUG STORES CALIFORNIA, INC., dba RAINBOW DRUG #406, 9430 Del Webb Boulevard, (Longs Drug Stores California, Inc. is a wholly owned subsidiary of Longs Drug Stores Corporation, a publicly traded corporation), Ronald A. Plomgren, Dir, SVP, CFO, Orlo D. Jones, Dir, SVP, Secy, Bill M. Brandon, Dir, SVP
20. RESTRICTED GAMING: 15 slots, LONGS DRUG STORES CALIFORNIA, INC., dba RAINBOW DRUG #407, 1725 South Rainbow Boulevard, Suite 1, (Longs Drug Stores California, Inc. is a wholly owned subsidiary of Longs Drug Stores Corporation, a publicly traded corporation), Ronald A. Plomgren, Dir, SVP, CFO, Orlo D. Jones, Dir, SVP, Secy, Bill M. Brandon, Dir, SVP
21. RESTRICTED GAMING: 15 slots, RESTAURANT ENTERPRISES, INC., dba VENETIAN RESTAURANT, 3713 West Sahara Avenue, Thomas D'Antonio, Dir, Pres, Secy, Treas, 100%
22. SLOT OPERATOR SPACE LEASE LOCATION, NONRESTRICTED GAMING: 16 slots, ANCHOR COIN, db at PIONEER CLUB, 23 East Fremont
23. SLOT OPERATOR SPACE LEASE LOCATION, RESTRICTED GAMING: 7 slots, E-T-T, INC., db at PEMO'S MINI MART & DELI, 2620 Regatta Drive, #106

BURGLAR ALARM LICENSE - Change of Location

24. IRONCO, INC., dba IRONCO SECURITY & ELECTRICAL CONTRACTORS, From: 2907 Meade Avenue, Las Vegas, Nevada 89102, TO: 1805 Vaccaro Place, Henderson, Nevada 89014, Kenneth Herman, Pres, Dir, 100%, Jay Herman, Secy, Treas

INDEPENDENT MASSAGE THERAPIST - Change of Location

25. MARIAN MCCABE, dba MARIAN MCCABE, From: 2800 West Sahara Avenue, Suite 8D, TO: 2400 South Jones Boulevard, Suite 14, Marian McCabe, 100%, Subject to the provisions of the fire codes

LOCKSMITH LICENSE - Change of Location

26. JOSEPH INGERSOLL, dba ALL AMERICAN LOCKSMITHS, From: 803 South 7th Street, TO: 4343 North Rancho Drive, Suite 118, Joseph Ingersoll, 100%

PSYCHIC ARTS AND SCIENCE LICENSES - New

27. PSYCHIC EYE BOOK SHOPS, INC., dba PSYCHIC EYE BOOK SHOP, 6848 West Charleston Boulevard, Robert G. Leysen, Chairman, Pres, 70%, Mary J. Karahallos, Secy, Treas, 30%, Subject to the provisions of the fire codes
28. RACHEL MYSTIAN MCCREA, dba RACHEL MYSTIAN MCCREA, 6848 West Charleston Boulevard, Rachel M. McCrea, 100%, Subject to the provisions of the fire codes

DEPARTMENT OF GENERAL SERVICES

AWARD OF BIDS/REJECTIONS/RENEWALS/TERMINATIONS

29. ABEYANCE ITEM - Ratification of Award for Bid Number 97.1730.20, Mlaml Tower Site Excavation - Department of Public Works - Award Recommended to: LARKIN PROPERTIES & CONSTRUCTION, INC. (\$298,200)
30. Pre-Approval of Bid Number 97.2600.5, Trees and Shrubs to the Lowest Responsive and Responsible Bidder - Department of Parks and Leisure Activities
31. Request for Assignment of Bid Number 98.JUL.1, Annual Contract to Provide Bulk Sodium Bisulfite - Department of Public Works - Award Recommended to: FARMINGTON CHEMICAL DISTRIBUTORS, L.L.C.
32. Award of Bid Number 96.1730.23, West Las Vegas Phase 5 & 6 - Department of Public Works - Award Recommended to: SOUTHERN NEVADA PAVING, INC. (\$712,379.24)

PURCHASE ORDER APPROVALS/SUPPLEMENTS

33. Purchase Order Approval for a Mobile Stage (Showmobile) - Department of Parks and Leisure Activities - Award Recommended to: WENGER CORPORATION (\$72,933)
34. Purchase Order Approval for Maintenance Management Software, Maintenance and Support - Department of Public Works - Award Recommended to: DATASTREAM SYSTEMS (\$54,305)

- 35. Purchase Order Approval for Additional Emulation Packages - Department of Information Technologies - Award Recommended to: VIRTUAL TECHNOLOGY, INC. (\$28,350)
- 36. Supplement to Annual Purchase Order A3082 for the Lease for the Municipal Court Traffic School Facility - Municipal Court - Award Recommended to: K-LAS VEGAS (\$24,447)
- 37. Purchase Order Approval for Admission to Wet N Wild Summer Program Field Trips - Department of Parks and Leisure Activities - Award Recommended to: WET N WILD (\$39,900)

APPROVAL OF AGREEMENTS/AUTHORIZATIONS

- 38. Authorization to Utilize Clark County RFP Number 448-96 for Detention Center Inmate Phone Service - Department of Detention and Enforcement - Award Recommended to: PEOPLES TELINK
- 39. Authorization to Utilize Clark County Bid Number 3326-94, Annual Requirements Contract for Automotive Parts - Department of General Services - Award Recommended to: CLARK COUNTY WHOLESALE, INC. (\$100,000)

CONTRACT MODIFICATIONS

- 40. Contract Modification Number One, Bid Number 97.1730.02, Sawtooth Street Improvements - Phase 5 - Department of Public Works - Award Recommended to: SOUTHERN NEVADA PAVING, INC. (\$35,000)

CITY COUNCIL MINUTES

DEPARTMENT OF HUMAN RESOURCES

MAY 27 1997

- 41. **REPORT OF NEW HIRES APRIL 14 - 28, 1997** - Development Project Officer (X), Neighborhood Services; Survey Technician I (X) (F) (Temporary), Public Works; Inspector (X), Planning & Development; Development Project Officer (X), City Manager; Clerk I, Planning & Development; Senior Clerk II, Planning & Development; Intern I (R), Public Works; Parks & Leisure Instructor I (2), Parks & Leisure Activities; Parks & Leisure Specialist I (R) (2), Parks & Leisure Activities; Intern I (R), Public Works.

DEPARTMENT OF PARKS & LEISURE ACTIVITIES

- 42. Approval of the Sixth Amendment to the management agreement at Angel Park Golf Course.
- 43. Approval of a service connection agreement No. 104188 with the Las Vegas Valley Water District, with conditional water commitment, for new water service installation for the Gowan Soccer Field complex.
- 44. Approval of a professional services agreement with J. W. Zunino & Associates for design of Childrens' Memorial Park Phase IV.

PLANNING AND DEVELOPMENT DEPARTMENT

- 45. Action To Approve A Fifth Amendment To The Agreement With Veltman Consulting Services To Develop A Plan For The Northwest Town Center.
- 46. Approval To Upgrade The Position Of Management Analyst I (A31) To Administrative Officer (A43).

DEPARTMENT OF PUBLIC WORKS

ACCEPTANCE OF RIGHT OF WAY ITEMS

GRANT DEEDS

- 47. From: STRATOSPHERE LAND CORPORATION, A NEVADA CORPORATION; To: City of Las Vegas; For: Portions of the Southeast Quarter (SE 1/4) of Section 4, T21S, R61E, M.D.M., for dedications of radii located at the southeast corner of Fairfield Avenue and Chicago Avenue; southwest corner of Commerce Street and Chicago Avenue; northwest corner of Commerce Street and Philadelphia Avenue and the northeast corner of Philadelphia Avenue and Fairfield Avenue (04-28-97) 162-04-710-026, 040, 056 & 059
- 48. From: WYOMING MAIN PARTNERS, A CALIFORNIA GENERAL PARTNERSHIP; To: City of Las Vegas; For: Portions of the Northwest Quarter (NW 1/4) of Section 3, T21S, R61E, M.D.M., for dedication of additional 5' right of way for a total one-half street width of 45' on Main Street and a 25' radius on the northeast corner of Main Street and Wyoming Street (04-14-97) 162-03-210-030 & 031

RIGHT OF WAY GRANTS FOR TRAFFIC PURPOSES

- 49. From: MICHAEL SHERMAN PAGE AND VENETIA ANNETTE PAGE, HUSBAND AND WIFE AS JOINT TENANTS; To: City of Las Vegas; For: Portion of the Southwest Quarter (SW 1/4) of Section 31, T20S, R62E, M.D.M., for a traffic easement located on the southwest corner of Stewart Avenue and Sandhill Road (05-05-97) 140-31-310-001

50. From: DONNA M. STUTTS, TRUSTEE OF THE DONNA M. STUTTS REVOCABLE TRUST DATED DECEMBER 5, 1991; To: City of Las Vegas; For: Portion of the Northwest Quarter (NW 1/4) of Section 31, T20S, R62E, M.D.M., for a traffic easement located on the northwest corner of Stewart Avenue and Sandhill Road (04-30-97) 140-31-211-025
51. From: NORTHSHORE PLAZA, LLC, A NEVADA LIMITED LIABILITY CORPORATION; To: City of Las Vegas; For: Portion of the Southwest Quarter (SW 1/4) of Section 9, T20S, R60E, M.D.M., for a traffic and sight visibility restriction easement located on the northwest corner of Cheyenne Avenue and Soaring Gulls Drive (05-07-97) 138-09-420-004

RIGHT OF WAY GRANT FOR DRAINAGE PURPOSES

52. From: RANCHO DEL MAR LLC, A NEVADA LIMITED LIABILITY COMPANY; To: City of Las Vegas; For: Portion of the Southwest Quarter (SW 1/4) of Section 12, T20S, R60E, M.D.M., for a drainage easement located on the east side of Rancho Drive, south of Gowan (05-05-97) 138-12-315-003

DECLARATIONS OF UTILIZATION

53. From: BUREAU OF LAND MANAGEMENT; To: City of Las Vegas; For: Portions of Government Lot 110 in Section 3, T21S, R60E, M.D.M., for 30' wide easement on Monte Cristo Way and O'Bannon Drive for roadway, sewer and storm drainage facilities 163-03-404-001
54. From: BUREAU OF LAND MANAGEMENT; To: City of Las Vegas; For: Portions of Government Lots 97, 98, and 99 in Section 4, T21S, R60E, M.D.M., for a 30' wide easement on Via Olivero Avenue for roadway, sewer and storm drainage facilities 163-04-805-001, 002 & 003
55. Request Permission To File A Right-Of-Way Application With The Bureau Of Land Management For Flood Control And Drainage Purposes On Portions Of Land Lying Within The Southeast Quarter (SE 1/4) Of Section 1, T20S, R59E, And The Northwest Quarter (NW 1/4) Of Section 7, T20S, R60E, M.D.M., Generally Located Between Craig Road And Gilmore Avenue
56. Request Permission To Amend Bureau Of Land Management Lease Application N-59025 For The Gowan Soccer Fields To Include An Easement For Water Facilities
57. Request Permission To Amend Bureau Of Land Management Right-Of-Way Grant N-59937 To Include Sewer Line Easements In Buckskin Avenue, West Of Hualapai Way And In Hualapai Way, North Of Buckskin Avenue

TRAFFIC AND PARKING ITEMS

58. Approval Of A Request To Establish A Speed Limit Of 30 MPH On Alta Drive Between Rampart Boulevard And Durango Drive

CITY COUNCIL MINUTES

REPORT/ACTION ITEMS

59. Approval Of A Sewer Refunding Agreement With American West Homes For Deer Springs Ranch
60. Approval Of A professional Services Agreement With Parsons Brinkerhoff Quade & Douglas Inc. For Design Of The I-15 Freeway Channel Utility Relocations
61. Approval Of The Fifth Supplemental Interlocal Contract For Short Term Traffic Transportation Improvement

MAY 27 1997

IV. RESOLUTIONS

62. **R-38-97** - Approval of Resolution to amend Schedule 25-I and 25-II in accord with Traffic & Parking Item 58.
63. **R-39-97** - Resolution Directing City Treasurer to Prepare Fourth Assessment Apportionment Report re: Special Improvement District No. 468 (W. Charleston Boulevard)
64. **R-40-97** - Resolution Approving Fourth Assessment Apportionment Report re: Special Improvement District No. 468 (W. Charleston Boulevard)

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

ADMINISTRATIVE**MAY 27 1997**

65. **TIME CERTAIN - 10:00 A.M.** - Update, discussion and possible action with respect to the City Council's position regarding pending State legislation.

BUSINESS DEVELOPMENT

66. Discussion And Possible Action To Approve The Second Amendment To The Disposition And Development Agreement By And Among The City Of Las Vegas Redevelopment Agency, City Of Las Vegas And Fourth And Lewis, L.C.

CITY ATTORNEY

67. Approval of Rescission of Denial of ZC-63-62(1) (Plot Plan Building Elevation Review on property located on the southeast corner of Alexander Road and Maverick Street) in settlement of a lawsuit filed against the City of Las Vegas in District Court, Department XV.
NOTE: THIS ITEM WILL NOT BE HEARD UNTIL 2:00 P.M.
68. **PUBLIC HEARING** - Approval of Revised ZC-63-62(1) (Plot Plan Building Elevation Review on property located on the southeast corner of Alexander Road and Maverick Street) in settlement of a lawsuit filed against the City of Las Vegas in the Clark County District Court, Department XV. **NOTE: THIS ITEM WILL NOT BE HEARD UNTIL 2:00 P.M.**
69. Discussion and Possible Action to Adopt an Amendment to the Real Estate Conveyance Agreement (Previously Approved on February 24, 1997) By and Amongst the City of Las Vegas, City of Las Vegas Redevelopment Agency and the United States of America Pertaining to Construction of a Federal Courthouse on the Real Property known as the "Minami Site" (APN 139-34-701-001)

DEPARTMENT OF FINANCE & BUSINESS SERVICES**LIQUOR - Change of Business Name**

70. TAVERN LICENSE, JIMCAR 8 INC. dba From: The Image, TO: CLUB THIRTY SOMETHING, 711-717 North Rancho Drive, James T. Long, Dir, Pres, 50%, Clarence C. Fenske, Dir, Secy, Treas, 50%

MUNICIPAL COURT

71. Discussion And Possible Action On A Request From The Municipal Court Judges To Offer An Early Retirement Program To Municipal Court Employees Affected By The Court Efficiency Plan

DEPARTMENT OF PUBLIC WORKS**TRAFFIC AND PARKING ITEMS**

72. Discussion And Possible Approval Of A Request To Install Speed Humps On Virgil Street Between Washington Avenue And Owens Avenue
73. Discussion And Possible Approval Of A Request To Establish A Truck Speed Limit Of 25 MPH On Lake Mead Boulevard West Of Rampart Boulevard

IV. RESOLUTIONS

74. **R-41-97** - Approval of Resolution to amend Schedule 25-VIII and 29-II in accord with Traffic & Parking Item 73.
75. **R-42-97** - Approval of resolution to initiate an intergovernmental collaborative planning effort.
76. **R-43-97** - Approval of a resolution in support of proposed state legislation allowing municipalities to form Business improvement Districts (BID's) upon petition by affected owners of commercial properties.

V. REPORTS FROM RECOMMENDING COMMITTEES

07

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

77. **Bill No. 97-32** -- Annexation No. A-24-96(A); Property Located: On the southeast corner of Deer Springs Way and Rancho Drive; Petitioned By: Pearl Corporation; Acreage: Approximately 36.92 Acres; Zoned: R-E (County Zoning) U (DR) (City Equivalent) Sponsored by: Councilman Matthew Callister
78. **Bill No. 97-33** -- Annexation No. A-2-97(A); Property Located: On the south side of Alexander Road, west of El Capitan Way; Petitioned By: Church of Jesus Christ of Latter Day Saints; Acreage: Approximately 2.7 acres; Zoned: R-E (County Zoning) U (L) and (ML) (City Equivalent) Sponsored by: Councilman Matthew Callister
79. **Bill No. 97-34** -- Amends the City's nuisance regulations to provide additional preventive remedies to abate dumping violations on vacant land. Sponsored by: Councilman Arnie Adamsen
80. **Bill 97-35** -- Permits the Use of Manmade Decorative Water Features Under Specific Conditions. Sponsored by: Mayor Jan Lavery Jones.

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

THERE IS NO PUBLIC COMMENT ON THESE ITEMS AND NO ACTION WILL BE TAKEN BY THE COUNCIL AT THIS MEETING. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.

81. **Bill No. 97-23** -- Adopts an amendment to LVMC 16.28 (Uniform Plumbing Code, 1994 Edition) to require hot water recirculation pumps in all new residential housing and other matters relating thereto. Sponsored by: Councilman Arnie Adamsen
82. **Bill No. 97-36** -- Annexation No. A-1-97(A); Property Located: On the south side of Hickam Avenue, between Grand Canyon Drive and Tee Pee Lane; Petitioned By: West Charleston Baptist Church; Acreage: Approximately 17.35 acres; Zoned: R-E (County Zoning) U (DR) (City Equivalent). Sponsored by: Councilman Matthew Callister
83. **Bill No. 97-37** -- Amends Title 19A, Chapter 14, of the Las Vegas Municipal Code to prohibit the advertising of tobacco products in certain areas, and other matters relating thereto. Sponsored by: Councilmen Matthew Callister and Arnie Adamsen

CITY COUNCIL MINUTES

VI. REPORTS FROM REAL ESTATE COMMITTEE

MAY 27 1997

84. Approval For Purchase Of Property Located At 1101 N. Decatur, Not To Exceed \$135,000.00.
85. Discussion and possible action directing the City Manager to enter into negotiations with a developer to design, construct and operate a golf course on City-owned land at Vegas Valley and Stephanie Street and to lease the land from the City.
86. Discussion And Action To Decide Whether The City Will Exercise its Option Of First Right Of Refusal To Purchase The Building At 731 S. Fourth Street Or Continue With Its Present Lease Agreement.

VII. BOARDS & COMMISSIONS

87. **TRAFFIC & PARKING COMMISSION** - Thomas Cameron - (Ward 4 - RESIGNED), Robert White - Term Expires 6/21/97 - (Ward 1 - Desires to be reappointed)
88. Appointments to be made to the City Centre Development Corporation, Inc. Board.

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.

89. **Bill No. 97-39** -- Under certain conditions, permits dogs and cats running at large to be returned to their owners without first being impounded, and authorizes the waiver of impound and boarding fees for certain impounded dogs and cats. Sponsored by: Mayor Jan Lavery Jones
90. **Bill No. 97-40** -- Amends the definition of the term "public board member" in the City's Ethics Code. Sponsored by: Mayor Jan Lavery Jones

2:00 P.M. – AFTERNOON SESSION

91. 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.

CITY COUNCIL MINUTES**IX. PUBLIC HEARING****MAY 27 1997**

92. Public Hearing To Discuss The List Of Delinquent Sewer Accounts For Sewer Service Charges Rendered Uncollectible And Due To Be Placed On The Clark County Treasurer's Tax Roll For The July 1, 1997 Tax Bill

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) All development shall be in conformance with 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) A landscaping plan must be submitted 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) All City Code requirements and design standards of all City departments must be satisfied. (7) Parking and driveway plans must be approved by the Traffic Engineer prior to the issuance of any permits. (8) All damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works. (9) Remove all substandard public street improvements and all unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City standards prior to occupancy of this site 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 occurs first. (11) A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures. (12) Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet to provide for transportation hazards. (13) Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated. (14) Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Planning and Development Department. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

VARIANCE AND SPECIAL USE PERMIT APPLICATIONS: (1) All development must be in conformance with the plot plan and elevations. (2) Landscaping and a permanent underground sprinkler system shall be provided as required by the Board of Zoning Adjustment 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) A landscaping plan must be submitted prior to or at the same time application is made for a building permit, 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. (5) City Code requirements and design standards of all City departments must be satisfied. (6) Parking and driveway plans must be approved by the Traffic Engineer prior to the issuance of any permits. (7) Any damage to the existing street improvements resulting from this development must be repaired 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. (9) Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Planning and Development Department. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

SUBDIVISION APPLICATIONS: Tentative Maps: (1) Approval of the Tentative Map shall be for no more than twelve (12) months. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within twelve (12) months of the approval of the Tentative Map, a new Tentative Map must be filed. (2) Street names must be provided in accord with the City's Street Naming Regulations. (3) All development is subject to the 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 recordation of a Final Map. (5) A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures. **Final Maps:** (1) Final Maps shall be in conformance with the approved Tentative Map. **Vacation Applications:** (1) Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. (2) All development shall be in conformance with code requirements and design standards of all City departments. (3) The Reconveyance shall not be recorded until all of the above conditions have been satisfied. (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

09

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

93. **Z-79-95(1) - NOVEX, A NEVADA GENERAL PARTNERSHIP** - Request for Reinstatement and Extension of Time on property located on the north side of Owens Avenue, east of Martin L. King Boulevard for a proposed 12,000 square foot office building, R-3 (Limited Multiple Residence) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 3 (Reese).

EXTENSION OF TIME

94. **U-30-95(2) - CARMINE AND ANN VENTO REVOCABLE FAMILY TRUST** - Request for an Extension of Time on an approved Special Use Permit on property located on the southeast corner of Rancho Drive and Gowan Road which allowed a tavern in conjunction with a proposed restaurant; and a waiver of the 1,500 foot distance separation requirement from another tavern and from a church, C-2 (General Commercial) Zone, Ward 4 (Callister).
95. **Z-33-95(2) - HORIZON INVESTMENTS, INC.** - Request for an Extension of Time on property located on the northwest corner of Tenaya Way and Sahara Avenue for a proposed commercial center, including a mini-storage facility and a professional office building, N-U (Non-Urban) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 1 (McDonald).

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

CITY COUNCIL MINUTES

MAY 27 1997

DISCUSSION/ACTION ITEMS

PLOT PLAN AND BUILDING ELEVATION REVIEW

96. **ABEYANCE ITEM - Z-100-64(164) - JAMES J. AND CAROL S. JIMMERSON** - Request for a Plot Plan and Building Elevation Review on property located at 519 South Casino Center and 215 Clark Avenue for a proposed two story, 21,887 square foot office building, R-4 (Apartment Residence) Zone under Resolution of Intent to C-2 (General Commercial), Ward 1 (McDonald).

SPECIAL USE PERMIT - PUBLIC HEARING

97. **ABEYANCE ITEM - U-16-97 - WILLIAM AND WANDA PECCOLE LIMITED FAMILY PARTNERSHIP** - Appeal filed by William and Wanda Peccole Limited Family Partnership from the Denial by the Board of Zoning Adjustment on a request for a Special Use Permit on property located on the south side of West Charleston Boulevard, west of Hualapai Way for a proposed 3,400 square foot tavern/restaurant in conjunction with a proposed two story 57,504 skating/multi-purpose facility; and a waiver of the 1,500 foot distance separation requirement, N-U (Non-Urban) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 2 (Adamsen).

STREET NAME CHANGE - PUBLIC HEARING

98. **SNC-3-97 - DENNIS F. NELSON AND NANCY A. NELSON FAMILY TRUST** - Request for a Street Name Change From: Lisa Dennis Court, To: Plantea Court on property located on the east side of Warbonnet Way, between Oakley Boulevard and El Parque Avenue, R-E (Residence Estates) Zone, Ward 1 (McDonald).

REZONING REQUEST - PUBLIC HEARING

99. **Z-32-97 - CITY OF LAS VEGAS** - Request for a Rezoning on property located on the southwest corner of Lake Mead Boulevard and Martin L. King Boulevard, From: R-E (Residence Estates) under Resolution of Intent to C-PB (Planned Business Park) To: C-1 (Limited Commercial), PROPOSED USE: COMMERCIAL CENTER, Ward 3 (Reese).

PLOT PLAN AND BUILDING ELEVATION REVIEW RELATED TO Z-32-97

100. **Z-32-97(1) - CITY OF LAS VEGAS** - Request for a Plot Plan and Building Elevation Review on property located on the southwest corner of Lake Mead Boulevard and Martin L. King Boulevard for a PROPOSED 4,307 SQUARE FOOT FAST FOOD RESTAURANT, R-E (Residence Estates) Zone under Resolution of Intent to C-PB (Planned Business Park) proposed C-1 (Limited Commercial), Ward 3 (Reese).

VACATION - PUBLIC HEARING

101. **VAC-15-97 - WILLIAM WATSON, ET AL** - Request to vacate a portion of the west half of Thorn Boulevard, north of Grand Teton Drive, Ward 4 (Callister).

102. VAC-16-97 - PAUL AND STACY BURN, ET AL - Request to vacate a portion of El Camino Avenue, west of Rancho Drive, Ward 1 (McDonald).

MAJOR MODIFICATION TO SUMMERLIN DEVELOPMENT STANDARDS - PUBLIC HEARING

103. SV-11-97 - HOWARD HUGHES PROPERTIES, LIMITED PARTNERSHIP - Request for a Major Modification to the Summerlin Development Standards to create a new land use destination SFSL (Single Family Small Lot), Ward 2 (Adamsen).

PLOT PLAN AND BUILDING ELEVATION REVIEW - PUBLIC HEARING

104. Z-108-63(29) - PASEO PARTNERS, LIMITED LIABILITY COMPANY (ABEYANCE ITEM) - Request for a Plot Plan and Building Elevation Review on property located at 2700 West Sahara Avenue for a PROPOSED 96,952 SQUARE FOOT TWO LEVEL PARKING GARAGE, R-1 (Single-Family Residence) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 1 (McDonald).
105. Z-140-93(2) - SCOTT BROWN TRUST - Request for a Plot Plan and Building Elevation Review on property located at 2047 West Charleston Boulevard for a PROPOSED 11,574 SQUARE FOOT ONE-STORY OFFICE BUILDING, C-D (Design Commercial) Zone, Ward 1 (McDonald).
106. Z-62-94(2) - GLENN PATERNOSTER - Request for a Plot Plan and Building Elevation Review on property located at 627 South Seventh Street for a PROPOSED TWO-STORY 1,200 SQUARE FOOT ADDITION TO AN EXISTING LAW OFFICE, R-1 (Single Family Residence) Zone under Resolution of Intent to P-R (Professional Offices and Parking), Ward 3 (Reese).

REQUIRED FIVE YEAR REVIEW - VARIANCE - PUBLIC HEARING

107. V-46-92(1) - OUTDOOR MEDIA GROUP ON BEHALF OF UNION PACIFIC RAILROAD COMPANY ON BEHALF OF OUTDOOR MEDIA GROUP - Appeal filed by Outdoor Media Group on behalf of Union Pacific Railroad Company on behalf of Outdoor Media Group from the Denial by the Board of Zoning Adjustment on a Required Five Year Review on an approved Variance on property located on the north side of the Oran K. Gragson highway (U.S. 95) between Bonanza Road and Grand Central Parkway, 150 feet west of the centerline of the Union Pacific Railroad Tracks which allowed a 14 foot x 48 foot off-premise advertising (billboard) sign 690 feet from an existing off-premise advertising (billboard) sign where 750 feet is required, M (Industrial) Zone, Ward 3 (Reese).

REQUIRED FIVE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING

108. U-314-91(1) - UNION PACIFIC RAILROAD COMPANY ON BEHALF OF TDI TRANSPORTATION DISPLAYS, INC. - Required Five Year Review on an approved Special Use Permit on property located on the east side of Interstate 15 approximately 2,200 feet north of Bonneville Avenue which allowed a 14 foot x 48 foot off-premise advertising (billboard) sign, M (Industrial) Zone, Ward 3 (Reese).
109. U-315-91(1) - UNION PACIFIC RAILROAD COMPANY ON BEHALF OF TDI TRANSPORTATION DISPLAYS INC. - Required Five Year Review on an approved Special Use Permit on property located on the east side of Interstate 15 approximately 1,270 feet north of Charleston Boulevard which allowed a 14 foot x 48 foot off-premise advertising (billboard) sign, M (Industrial) Zone, Ward 3 (Reese).
110. U-61-92(1) - ROBERT HAMMOND LIMITED LIABILITY COMPANY ON BEHALF OF MARTIN MEDIA - Required Five Year Review on an approved Special Use Permit on property located on the southwest corner of West Lake Mead Boulevard and the Oran K. Gragson highway (U.S. 95) which allowed a 14 foot x 48 foot off-premise advertising (billboard) sign, C-1 (Limited Commercial) Zone, Ward 2 (Adamsen).
111. U-65-92(1) - KUMMER KAEMPFER BONNER & RENSHAW ON BEHALF OF GES FAMILY LIMITED PARTNERSHIP ON BEHALF OF MARTIN MEDIA - Appeal filed by Kummer Kaempfer Bonner & Renshaw on behalf of GES Family Limited Partnership on behalf of Martin Media from the Denial by the Board of Zoning Adjustment on a Required Five Year Review on an approved Special Use Permit on property located on the west side of the Oran K. Gragson highway (U.S. 95), south of Vegas Drive which allowed a 55 foot high, 14 foot x 48 foot off-premise advertising (billboard) sign, U (Undeveloped) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 2 (Adamsen).
112. U-238-91(1) - UNION PACIFIC RAILROAD COMPANY ON BEHALF OF GENERAL OUTDOOR ADVERTISING - Required Five Year Review on an approved Special Use Permit on property located on the south side of the Oran K. Gragson highway (U.S. 95) between "F" Street and Main Street which allowed a 14 foot x 48 foot off-premise advertising (billboard) sign, M (Industrial) Zone, Ward 3 (Reese).

VARIANCE - PUBLIC HEARING

113. V-22-97 - M. JACK BOWMAN - Request for a Variance on property located at 6447 Tina Lane to allow an existing accessory building without a main residential building where such use is not allowed, R-E (Residence Estates) Zone, Ward 4 (Callister).

SPECIAL USE PERMIT - PUBLIC HEARING

114. ABEYANCE ITEM - U-11-97 - LAULE BECKER II ON BEHALF OF AMERICAN OUTDOOR ADVERTISING - Request for a Special Use Permit on property located at 421 South Decatur Boulevard for a 40 foot high, 14 foot x 48 foot off-premise advertising (billboard) sign, C-2 (General Commercial) Zone, Ward 1 (McDonald).

CITY COUNCIL MINUTES

115. **ABEYANCE ITEM - U-13-97 - CAROL DECKER** - Appeal filed by Carol Decker from the Approval by the Board of Zoning Adjustment on an application request by Mary Lee Coleman on behalf of Lincoln Vista Development on property located on the southwest corner of Washington Avenue and Marion Drive for a mobile home park, R-MHP (Residential Mobile Home Park) Zone, Ward 3 (Reese).
116. **ABEYANCE ITEM - U-25-97 - LENI SKAAR** - Appeal filed by Leni Skaar from the Approval by the Board of Zoning Adjustment on an application request by Theresa Hatcher for a Special Use Permit on property located at 1717 Ferrell Street for a proposed church, R-E (Residence Estates) Zone, Ward 3 (Reese).
117. **U-26-97 - SSP DESERT SHORE LIMITED PARTNERSHIP ON BEHALF OF SERVICE STATION MANAGEMENT** - Request for a Special Use Permit on property located at 7300 West Cheyenne Avenue for a proposed 499 gallon propane tank in conjunction with an existing Chevron station, C-1 (Limited Commercial) Zone, Ward 4 (Callister).
118. **U-27-97 - JAIME AND SYLVIA MARTINEZ** - Request for a Special Use Permit on property located at 2405 East Ogden Avenue for the off-premise sale of beer and wine in conjunction with a proposed food store (La Bonita Grocery Store and Meat Market), C-2 (General Commercial) Zone and R-3 (Medium Density Residential) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 3 (Reese).

REZONING REQUEST - PUBLIC HEARING

119. **Z-15-97 - KLAHOLZ, DUNN & SCHNEEHAGEN, LIMITED LIABILITY COMPANY** - Request for a Rezoning on property located on the north side of Cheyenne Avenue, approximately 300 feet west of Tenaya Way, From: N-U (Non-Urban) To: C-1 (Limited Commercial), PROPOSED USE: ONE-STORY, 52,000 SQUARE FOOT OFFICE DEVELOPMENT, Ward 4 (Callister).
120. **Z-18-97 - FIRST HEALTHCARE CORPORATION** - Request for a Rezoning on property located at 1701 South Torrey Pines Drive, From: R-E (Residence Estates) To: P-D (Planned Development) PROPOSED USE: 75,713 SQUARE FOOT BASEMENT AND ONE-STORY ADDITION TO A 36,400 SQUARE FOOT ONE-STORY CONVALESCENT CARE FACILITY/HOSPITAL, Ward 1 (McDonald).
121. **Z-27-97 - MANIJE DANESHFOROOZ** - Request for a Rezoning on property located at 2205 Paradise Road, From: P-R (Professional Offices and Parking) To: C-1 (Limited Commercial) PROPOSED USE: 1,609 SQUARE FOOT BEAUTY SALON, Ward 3 (Reese).
122. **Z-28-97 - CITY OF LAS VEGAS** - Request for a Rezoning on property located at 5000 Alta Drive, 98 South Martin L. King Boulevard and 322 South 7th Street, From: R-6 (High-Rise Apartment) To: R-5 (Apartment) PURPOSE: THE REVISED ZONING CODE OF THE CITY OF LAS VEGAS NO LONGER CONTAINS AN R-6 DISTRICT, Ward 1 (McDonald).
123. **Z-29-97 - CITY OF LAS VEGAS** - Request for a Rezoning on property located at 1096 and 1110 East Sahara Avenue, 3820, 3824, 3920 and 4000 West Sahara Avenue, and 2301 and 2408 Las Verdes Street, From: C-C (Neighborhood Commercial Center) To: C-1 (Limited Commercial) PURPOSE: THE REVISED ZONING CODE OF THE CITY OF LAS VEGAS NO LONGER HAS A C-C DISTRICT, Ward 1 (McDonald) and Ward 3 (Reese).
124. **Z-31-97 - GABRIEL AND ELAINE MARTINEZ, ET AL** - Request for a Rezoning on property located on the northeast corner of Jones Boulevard and Tropical Parkway, From: N-U (Non-Urban) Zone To: R-PD3 Residential Planned Development - 3 Units Per Acre), PROPOSED USE: 208 SINGLE FAMILY DWELLINGS, Ward 4 (Callister).

CITY COUNCIL MINUTES

GENERAL PLAN AMENDMENT - PUBLIC HEARING

MAY 27 1997

125. **GPA-11-97 - CITY OF LAS VEGAS** - Request by the City of Las Vegas to adopt the Las Vegas Medical District Plan on property located between the south side of Alta Drive and the north side of Charleston Boulevard, and the east side of Rancho Drive and the west side of Martin L. King Boulevard. The plan addresses such issues as land use designations which include Major Medical, Medical Support, Service Commercial, Professional Office, Retail Office and High Density Residential. In addition, design guidelines are included which deal with landscaping, parking, streetscaping and signage issues, Ward 1 (McDonald).

REZONING REQUEST RELATED TO GPA-11-97 - PUBLIC HEARING

126. **Z-20-97 - CITY OF LAS VEGAS** - Request by the City of Las Vegas for a Rezoning on properties located between the south side of Alta Drive and the north side of Charleston Boulevard, and the east side of Rancho Drive and the west side of Martin L. King Boulevard, From: R-1 (Single Family Residence), R-3 (Limited Multiple Residence), R-4 (Apartment Residence), R-5 (Downtown Apartment), R-E (Residence Estates), P-R (Professional Offices and Parking), C-1 (Limited Commercial), C-2 (General Commercial) and C-V (Civic) To: PD (Planned Development), NO SPECIFIC USES ARE PROPOSED AT THIS TIME, HOWEVER ANY PROPOSED USE MUST COMPLY WITH THE APPROPRIATE LAND USE DESIGNATION AS DEFINED IN THE LAS VEGAS MEDICAL DISTRICT PLAN AS FOLLOWS - MEDICAL SUPPORT, MAJOR MEDICAL, PROFESSIONAL OFFICE, RETAIL OFFICE, HIGH DENSITY RESIDENTIAL AND SERVICE COMMERCIAL, Ward 1 (McDonald).

SPECIAL USE PERMIT RELATED TO GPA-11-97 AND Z-20-97 - PUBLIC HEARING

127. **U-40-97 - KENNETH AND NANCY HOLLAND** - Request for a Special Use Permit to allow a legal services business in the MD-2 (Major Medical) District of the Las Vegas Medical District Neighborhood Plan on property located at 640 Kingsbury Lane, Ward 1 (McDonald).

GENERAL PLAN AMENDMENT - PUBLIC HEARING

128. **GPA-15-97 - DIANA J. BLASDELL** - Request to amend a portion of the Southwest Sector of the General Plan on property located at 6009 Evergreen Avenue, From: M (Medium Density Residential) To: O (Office), Ward 1 (McDonald).

REZONING REQUEST RELATED TO GPA-15-97 - PUBLIC HEARING

129. **Z-30-97 - DIANA J. BLASDELL** - Request for a Rezoning on property located at 6009 Evergreen Avenue, From: R-1 (Single Family Residence) To: P-R (Professional Offices and Parking) PROPOSED USE: 2,000 SQUARE FOOT ONE-STORY OFFICE BUILDING, Ward 1 (McDonald).

130. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION AND BOARD OF ZONING ADJUSTMENT MEETINGS AND DANGEROUS BUILDINGS OR NUISANCE/LITTER ABATEMENTS.

X. ADDENDUM

CITY COUNCIL MINUTES

XI. CITIZENS PARTICIPATION

MAY 27 1997

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



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

BARBARA JO (RONI) RONEMUS
 City Clerk

CITY COUNCIL MINUTES

AFFIDAVIT OF POSTING

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MAY 27 1997

(Posting required under the provisions of NRS Chapter 241)

STATE OF NEVADA)

) ss

COUNTY OF CLARK)

Linda Owens and Candy Williams, employees of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 21st day of May, 1997, 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 27th day of May, 1997 at 9:00 a.m., in the Council Chambers, 400 E. Stewart Ave., Las Vegas, Nevada; to be posted on Public Bulletin Boards at the following locations:

1. On the City Clerk's Bulletin Board at the Downtown Transportation Center;
2. Senior Center, 450 E. Bonanza;
3. 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);
4. 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);
5. Clark County Government Center, 500 S. Grand Central Parkway; (sent by fax to the County Manager's Office for posting);

Candy Williams, Linda Owens

SIGNATURE

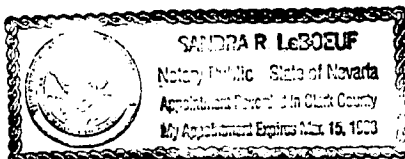
City Clerk
DEPARTMENT

Subscribed and sworn to before me

this 21st day of May, 1997

Sandra R. LeBoeuf

NOTARY PUBLIC in and for said County and State



CITY COUNCIL MINUTES

14

MAY 27 1997

AFFIDAVIT OF MAILING

(Mailing required under the provisions of NRS Chapter 241)

STATE OF NEVADA)

) ss

COUNTY OF CLARK)

Candy Williams, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 20th day of May, 1997, 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 27th day of May, 1997 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.

Candy Williams

SIGNATURE

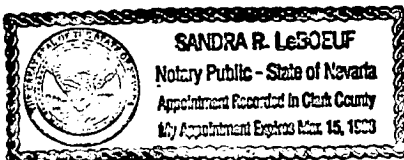
City Clerk

DEPARTMENT

Subscribed and sworn to before me this

20th day of May, 1997

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



CITY COUNCIL

MEETING OF

MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

Page 1

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 ON THURSDAY FOLLOWING EACH MEETING ON PRIME CABLE, CHANNEL 4, AT 7:00 P.M.

9:00 A.M. - CALL TO ORDER

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

INVOCATION

Pastor Thomas J. Unmacht
The Lakes Lutheran Church

PLEDGE OF ALLEGIANCE

OATH OF OFFICE ADMINISTERED TO ELECTED OFFICIALS

Councilman, Ward 2
Municipal Judge, Department 2
Municipal Judge, Department 3

ANNOUNCEMENT MADE.

PRESENT: MAYOR JONES, COUNCILMEN ADAMSEN, CALLISTER (excused from the PM Session until 2:34 PM), McDONALD, and REESE

Also Present: CITY MANAGER LARRY BARTON, CITY ATTORNEY BRAD JERBIC (A.M. Session), CHIEF DEPUTY ATTORNEY OF GOVERNMENTAL AFFAIRS VAL STEED (P.M. Session), and CITY CLERK BARBARA JO RONEMUS

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

(9:31 - 9:32)

Invocation given by PASTOR THOMAS J. UNMACHT, The Lakes Lutheran Church.

(9:32 - 9:33)

MAYOR JONES led the audience in the Pledge.

(9:33 - 9:34)

The Oath of Office was administered by MAYOR JONES to CITY COUNCILMAN ARNIE ADAMSEN and JUDGES SEYMORE H. BROWN and NANCY M. SAITTA who were elected in the May 6, 1997, Primary Election. They were presented with their Certificate of Election.

(9:34 - 9:39)

1-90

CITY COUNCIL

MEETING OF

MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

Page 2

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

I. CEREMONIAL

CHECK PRESENTATION TO THE ANIMAL FOUNDATION AND A PROCLAMATION PRESENTATION TO KVBC CH. 3

MAYOR JONES announced that recently a telethon was conducted with the help of Channel 3 to raise money for the Animal Foundation to help build the new shelter – almost \$67,000 was raised.

MARY HERRO thanked the Mayor and Council for leasing the land to the Foundation. She recognized Channel 3 because they let the community know how they could reach out and solve this problem. It is very moving to know that this community is going to build this shelter.

MAYOR JONES proclaimed May 26, 1997, as Channel 3 Day because without its help and support this goal would not have been accomplished.

(9:39 - 9:41)

1-230

RECOGNITION OF THE 1997 CORPORATE CHALLENGE MEDAL WINNERS

CITY MANAGER BARTON introduced CHRIS PETERSON, who was the Corporate Challenge Coordinator this year. It was her hard work and dedication that ensured the success of this year's Corporate Challenge.

MS. PETERSON recognized the Team Captains, Bronze medal winners, and Silver medal winners. Special recognition was given to the Gold medal winners: ELLEN COMEAU, Bike Race; KIM DRADSHAW, Archery and Track and Field; LEISA WESH, Archery; CHARLES DIXON, 10k Run; BILL BERK, Track & Field; JEFF CRAWFORD, Swimming.

MAYOR JONES and the Council members congratulated the participating employees.

(9:41 - 9:46)

1-310

PRESENTATION TO TED SCHNOOR WHO HAS BEEN SELECTED MAY'S "EMPLOYEE OF THE MONTH".

MAYOR JONES announced that TED SCHNOOR, Permits Supervisor at the Planning 7 Development Central Permits Division, was selected as May's employee of the month for playing a key role in planning the move to the Downtown Service and coordinating the operating procedures necessary for four departments to cooperatively and effectively serve our customers. In 1996, permits amounting to over \$1.4 billion in construction valuations were issued through MR. SCHNOOR's section - over \$40 million in revenues were collected.

MAYOR JONES and COUNCILMEN ADAMSEN, CALLISTER, McDONALD, and REESE congratulated MR. SCHNOOR.

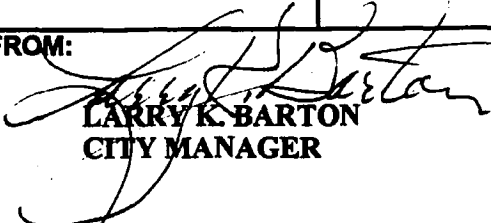
(9:46 - 9:55)

1-454

A short recess was taken from 9:49 a.m. to 9:55 a.m.

INTER-OFFICE MEMORANDUM MAY 27 1997

May 5, 1997

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
SUBJECT: MAY EMPLOYEE OF THE MONTH	COPIES TO: LYNN MACY STEVE HOUCHENS THERESA O'DONNELL NADIA WIGGINS RICK ANDERSON RONI RONEMUS CATHY HANSON JUDY TUTTLE ED FARLEY MARK BRAZILL

I am pleased to announce that May's Employee of the Month has been selected. He is Permits Ted Schnoor of the Central Permits Division of the Department of Planning & Development. His nomination comes from Central Permits Division Manager Ron La Bar.

Ted supervises a staff of twelve at the Development Services Center (DSC). They make up the Customer Assistance, Permitting, Permits Technicians, and Cashier functions. In 1996, permits amounting to over \$1.4 billion in construction valuations were issued through Ted's section--and over \$40 million in revenues were collected.

He played a key role in planning for the move to the DSC and was involved in planning every detail of the new operation procedures initiated since the move. This was challenging in that personnel from four City departments are sharing space and working together--often crossing traditional departmental boundaries--to best serve the customer. In addition, Ted worked closely with the Treasurer's office and Information Technologies to develop a new and customer friendly cashing procedure, including an automated citywide General Receipt computer program. This system enables the customer to pay for all transactions in one stop with one check or credit/debit cards. When the DSC facility was ready for occupancy, his team was set up and open for business in an astonishing TWO working days.

He also developed the procedures and trained the personnel for the customer assistance function--which now serves as the central directory and information center for all aspects of development at the DSC.

Ted Schnoor is an excellent supervisor and an innovative employee who always makes the interests of the customer as his top priority.

A presentation ceremony has been scheduled for 9 a.m. on Thursday, May 8th, at the Development Services Center, located at 731 S. Fourth Street. Your attendance would be greatly appreciated. If you have any questions, please feel free to call.

LKB:MB

CITY COUNCIL

MEETING OF

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City of Las Vegas

AGENDA & MINUTES

Page 3

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION / ACTION ITEMS

II. BUSINESS ITEMS

1

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

REESE - Motion to Hold Item 42 in ABEYANCE to 6/9/97 - UNANIMOUS with CALLISTER not voting

There was no discussion.

(9:55 - 9:56)

1-553

2

Approval of the Final Minutes by Reference of the Regular City Council Meeting of April 28, 1997.

REESE - APPROVED by Reference - UNANIMOUS with CALLISTER not voting

There was no discussion.

(9:56)

1-584

CITY COUNCIL

MEETING OF

MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION / ACTION ITEMS

II. BUSINESS ITEMS

3

Discussion and possible action to propose a petition to the registered voters of the City of Las Vegas pursuant to NRS 268.010 regarding the number of council wards in the City of Las Vegas.

ADAMSEN - Motion to approve the petition to the registered voters of the City of Las Vegas pursuant to NRS 268.010 regarding the number of Council Wards in the City of Las Vegas and that the City Council opposes SB-38 as amended by the State Assembly - UNANIMOUS

(9:56 - 10:03)

1-590

NOTE: A Verbatim Transcript is made part of the Final Minutes.

TO: City Council

FROM: Bradford R. Jerbic 
City Attorney

SUBJECT: Discussion and possible action to propose a petition to the registered voters of the City of Las Vegas pursuant to NRS 268.010 regarding the number of council wards in the City of Las Vegas.

PURPOSE/BACKGROUND

Nevada Revised Statute 268.010 and Section 5.060 of the Las Vegas City Charter allows for the amendment of the Charter Las Vegas by a vote of the people.

268.010 requires two events in order to amend the Charter by a vote of the people:

- 1) A majority of the City Council must propose and submit the Charter amendment to the registered voters of the City, and
- 2) The same Charter amendment must be submitted by the registered voters of the City equal to at least fifteen percent of the voters who voted at the last preceding general City election.

The number of wards in the City of Las Vegas is set at four by Section 1.130 of the Charter. In order to increase the number of wards in the City of Las Vegas from four to six, Section 1.130 and Section 1.140 must be amended. If all other condition of NRS 268.010 have been satisfied, such an amendment may be considered by the citizens of Las Vegas as soon in the primary election of September 1998.

If approved, such an increase in wards would necessarily require redistricting before an election. Official census numbers will not be available until the year 2000, however, in house demographers can produce estimated population numbers.

A petition to begin the process of placing the issue of ward expansion before the citizens for a vote is the first step under NRS 268.010 and is before the Council for your consideration today.

FISCAL IMPACT

Undetermined at this time.

RECOMMENDATIONS

It is recommended that the Council discuss and vote on the proposed petition.

MAY 27 1997

PETITION

Should the Charter of the City of Las Vegas be amended to increase the number of wards in the City of Las Vegas from four to six as follows:

Sec. 1.130 Wards: Creation: boundaries.

1. The city must be divided into [four] six wards, which must be as nearly equal in population as can conveniently be provided, and the territory which comprises each ward must be contiguous.
2. The boundaries of the wards must be established and changed by ordinance. The boundary of the wards must be changed whenever the population, as determined by the last preceding national census of the Bureau of the Census of the United States Department of Commerce, in any ward exceeds the population in any other ward by more than 5 percent. The boundaries of the wards may be changed to include territory which has been annexed and whenever the population in any ward exceeds the population in any other ward by more than 5 percent by any measure which is found to be reliable by the city council.

Sec. 1.140 Elective offices.

1. The elective officers of the city consist of:
 - (a) A mayor.
 - (b) [Four] Six councilmen.
 - (c) Municipal judges.
2. The terms of office of the mayor, councilmen and, except as is otherwise provided in subsection 3 of section 4.010 of this charter, municipal judges are 4 years.

Sec. 1.160 Elective offices: Vacancies.

1. A vacancy in the office of mayor, councilman or municipal judge must be filled by the majority vote of the entire city council within 30 days after the occurrence of that vacancy. However, any vacant seat created by an expansion of the number of wards in the City shall be filled by vote at the next succeeding municipal election. A person may be selected to fill a prospective vacancy in the city council before the vacancy occurs. In such case, each member of the council, except any member whose term of office expires before the occurrence of the vacancy, may participate in any action taken by the council

CITY COUNCIL MINUTES

MAY 27 1997

pursuant to this section. The appointee must have the same qualifications as are required of the elective official.

2. No appointment may extend beyond the first regular meeting of the city council which follows the next general municipal election, at which election the office must be filled for the remainder of the unexpired term, or beyond the first regular meeting of the city council after the Tuesday after the first Monday in the next succeeding June in an odd-numbered year, if no general municipal election is held in that year.

Sec. 2.010 General provisions.

1. The municipal government and the legislative power of the city is vested in a city council which consists of a mayor and [four] six councilmen.

2. Members of the city council may vote on any lease, contract or other agreement which extends beyond their respective terms of office.

Sec. 5.010 Primary municipal elections.

1. On the Tuesday after the first Monday in May [1985] 2001, and at each successive interval of 4 years, a primary municipal election must be held in the city at which time candidates for [two] three offices of councilman and for municipal judge, department 2, must be nominated.

2. On the Tuesday after the first Monday in May [1987] 2003, and at each successive interval of 4 years, a primary municipal election must be held in the city at which time candidates for mayor, for [two] three offices of councilman and for municipal judge, department 1, must be nominated. On the Tuesday after the first Monday in May 1999, a primary municipal election must be held in the city at which time candidates for mayor, two existing offices of councilman and two newly created offices of councilman and for municipal judge, department 2, must be nominated.

3. The candidates for councilman who are to be nominated as provided in subsections 1 and 2 must be nominated and voted for separately according to the respective wards. The candidates from wards [2 and 4] 2, 4, and 6 must be nominated as provided in subsection 1, and the candidates from wards [1 and 3] 1, 3, and 5 must be nominated as provided in subsection 2.

4. If the city council has established an additional department or departments of the municipal court pursuant to section 4.010 of this charter, and, as a result, more than one office of municipal judge is to be filled at any election, the candidates for those offices

MAY 27 1997

must be nominated and voted upon separately according to the respective departments.

5. Each candidate for the municipal offices which are provided for in subsections 1, 2 and 4 must file a declaration of candidacy with the city clerk not less than 30 days nor more than 40 days before the day of the primary election. If the last day for filing a declaration of candidacy falls on a Saturday, Sunday or legal holiday, the period for filing expires on the preceding business day at 5 p.m. The city clerk shall collect from each candidate, at the time of filing that candidate's declaration of candidacy, the filing fee which is prescribed by ordinance for that office. All of the filing fees which are collected by the city clerk must be paid into the city treasury.

6. If, at 5 p.m. on the last day for filing a declaration of candidacy, there is only one candidate for nomination for any office, that candidate must be declared elected for the term which commences on the day of the first regular meeting of the city council next succeeding the meeting at which the canvass of the returns is made, and no primary or general election need be held for that office.

7. If, in the primary election, regardless of the number of candidates for an office, one candidate receives a majority of votes which are cast in that election for the office for which he is a candidate, he must be declared elected for the term which commence on the day of the first regular meeting of the city council next succeeding the meeting at which the canvass of the returns is made, and no general election need be held for that office. If, in the primary election, no candidate receives a majority of votes which are cast in that election for the office for which he is a candidate, the names of the two candidates who receive the highest number of votes must be placed on the ballot for the general election.

24

**CITY COUNCIL MINUTES
MEETING OF
MAY 27, 1997**

Page 1

VERBATIM TRANSCRIPT - ITEM 3: DISCUSSION AND POSSIBLE ACTION TO PROPOSE A PETITION TO THE REGISTERED VOTERS OF THE CITY OF LAS VEGAS PURSUANT TO NRS 268.010 REGARDING THE NUMBER OF COUNCIL WARDS IN THE CITY OF LAS VEGAS

MAYOR JONES

Item 3 is discussion and possible action to propose a petition to the registered voters of the City of Las Vegas pursuant to NRS 268.010 regarding the number of council wards in the City of Las Vegas. Brad --

CITY ATTORNEY JERBIC

Thank you, Your Honor. Before you today is a petition which I have drafted which changes about five or six different sections of the City Charter which would need to be changed in order to increase the number of Wards in the City from four to six. The, those sections are contained in your back-up documentation under petition, and I believe that they accurately represent all the changes that need to be made to accomplish that goal.

The way I have written it, this could be presented to the voters as early as September of 1998, according to NRS 268.010. It can be in any election, primary or general, state or local. So the soonest will be the next primary election is September of 1998.

I would ask the Council to keep in mind, if you review the petition this morning, that if the, if 15 percent of the voters who voted in the last general election sign this petition, and that then qualifies it to go on the -- ballot for a vote. If the, if it receives a favorable vote of the citizens of the City of Las Vegas, the next action that would need to occur would be a redistricting because before those individuals could be appointed to the new council wards, there would have to be another redistricting of the City for that to occur.

This, as written, would have those appointment -- oh, excuse me -- those new positions being filled also by an act of the voters in May of 1999. That leaves about six months to redistrict the City, get the wards lined up, and then present it to the voters for -- election. That's the petition that's before you today.

And then afterwards we would have three council members be elected every other municipal election.

MAYOR JONES

And this would allow the City to actively collect those signatures, correct?

CITY ATTORNEY JERBIC

The City, during City time, cannot use City employees to do that. The City merely approves the petition and submits it to the voters. (inaudible) members of, who work for the City can do it on their own time. Certainly members of the City

CITY COUNCIL MINUTES
MEETING OF
MAY 27, 1997

Page 2

VERBATIM TRANSCRIPT - ITEM 3: DISCUSSION AND POSSIBLE ACTION TO PROPOSE A PETITION TO THE REGISTERED VOTERS OF THE CITY OF LAS VEGAS PURSUANT TO NRS 268.010 REGARDING THE NUMBER OF COUNCIL WARDS IN THE CITY OF LAS VEGAS

Council as elected officials can do it on their own. There would probably be a prohibition against political activities that would prohibit anybody from actually working on this during City time. But the City would now submit this to the voters. Citizens groups who wanted to present this and alike we could certainly assist them and --

MAYOR JONES

I'm talking about the collection of the City -- the signatures, Brad. If this Council is saying we want this to go to a vote of the people, we want two extra wards, but in order to change the Charter we need that --

CITY ATTORNEY JERBIC

Right.

MAYOR JONES

-- it would appear to me that it would be appropriate for the City to be allowed to work to collect the signatures to put it on the ballot for the voters' approval.

CITY ATTORNEY JERBIC

I think there are ways that we can do that; I just need to work with you on the parameters of that.

MAYOR JONES

Thank you.

COUNCILMAN ADAMSEN

Your Honor, if there's no questions or comments, I would move that the City Council direct the City Manager, City Clerk, and City Attorney prepare a petition to the registered voters of the City of Las Vegas pursuant to Nevada Revised Statutes 268.010 regarding the number of Council Wards in the City of Las Vegas and that also the City Councils oppose a Senate Bill 38 as amended by the State Assembly, which is mandating the Council add these two seats without a vote of the people.

CITY ATTORNEY JERBIC

Could -- I ask the maker of the motion just to amend it to approve the petition that's before you today and that way you won't have to have this back on your agenda again.

COUNCILMAN ADAMSEN

I'd be happy to accept that amendment.

MAYOR JONES

Vote on the motion. Post. Motion's approved. **(Motion carried unanimously.)**

(END OF DISCUSSION)

/gpb

CITY COUNCIL

MEETING OF
MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

Page 5

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

CONSENT AGENDA

CITY ATTORNEY

Approval of Regional Transportation Commission Supplemental Cooperative Agreement No. 160a for Henry Road in Moapa, Nevada.

ADAMSEN - Motion to APPROVE:

Items 4 - 35

Items 37 - 41

Items 43 - 64

carried **UNANIMOUSLY**

Item 36: **APPROVED** under separate action
(see individual item)

Item 42: **ABEYANCE** to 6/9/97
under separate action
(see individual item)

There was no discussion.

(10:00)
1-704

Approval of Regional Transportation Commission Supplemental Interlocal Contract No. 237a - Mojave Road between Stewart Avenue to Owens Avenue.

APPROVED - see above

Approval of Regional Transportation Commission Supplemental Interlocal Contract No. 240a - Vegas Drive I between Rock Springs to Rampart Boulevard.

APPROVED - see above

Approval of Regional Transportation Commission Supplemental Interlocal Contract No. 258a - Santiago Avenue Bridge Improvement Project at Pittman Wash in Henderson.

APPROVED - see above

TO:
CITY COUNCIL

FROM: Bradford R. Jerbic
City Attorney

SUBJECT: Approval of Regional Transportation Commission Supplemental Cooperative Agreement No. 160a
for Henry Road in Moapa, Nevada

PURPOSE/BACKGROUND

In a prior meeting, the Clark County Regional Transportation Commission approved funding for the project requested by Clark County which provides for the design and construction of right-of-way improvements to Henry Road in Moapa, Nevada in an amount not to exceed \$71,000. The project was completed at a final cost of \$69,411.69, resulting in a project savings of \$1,588.31. The Supplemental Cooperative Agreement attached hereto reduces the total amount of the contract and closes this project. At the April 10, 1996 meeting, the RTC approved the decrease in the budget for this project.

FISCAL IMPACT

None - To be funded by the Regional Transportation Commission.

RECOMMENDATIONS

It is recommended that the City Council approve the attached Supplemental Cooperative Agreement No. 160a and authorize the Mayor to execute the same on behalf of the City.

**SUPPLEMENTAL COOPERATIVE AGREEMENT
HENRY ROAD**

THIS SUPPLEMENTAL COOPERATIVE AGREEMENT made and entered into this 20th day of May, 1997, by and between County of Clark, a political subdivision of the State of Nevada, hereinafter referred to as "COUNTY" and the Clark County Regional Transportation Commission of Clark County, hereinafter referred to as "RTC", a funding agency,

W I T N E S S E T H

WHEREAS, the Moapa Town Advisory Board approved a project to construct Henry Road in Moapa, Nevada; and

WHEREAS, the construction of Henry Road is complete; and

WHEREAS, it is desirable to decrease the funding obligated to Henry Road and finalize the disbursement and accounting of funds.

NOW, THEREFORE, in consideration of the covenants, conditions, agreements and promises of the parties hereto, the RTC and the COUNTY supplement the cooperative agreement as follows:

SECTION II - PROJECT COSTS is changed to read as follows:

The RTC agrees to provide funding for the Project costs within the limits specified below:

1. To perform necessary work by COUNTY, such as reviewing plans, specifications, cost estimates, reviewing pay estimates and the Project during construction; and the final review of the completed improvements at a cost not to exceed \$411.69.
2. The cost of construction for the said Henry Road improvements shall not exceed \$69,000.00.
3. The total cost of this Agreement shall not exceed \$69,411.69, which includes all the items described in paragraphs 1 and 2 above.

The remainder of the cooperative agreement for Henry Road remains unchanged.

IN WITNESS WHEREOF, the parties have executed this supplemental cooperative agreement as of the date herein above set forth.

BOARD OF COUNTY COMMISSIONERS REGIONAL TRANSPORTATION COMMISSION

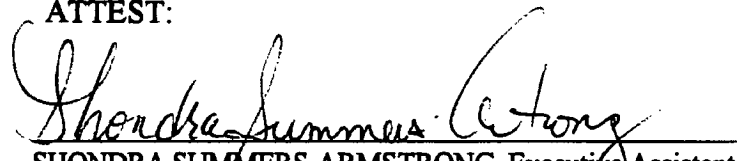

YVONNE ATKINSON GATES, Chair


BRUCE L. WOODBURY, Chairman

ATTEST:


LORETTA BOWMAN, County Clerk

ATTEST:


SHONDRA SUMMERS-ARMSTRONG, Executive Assistant

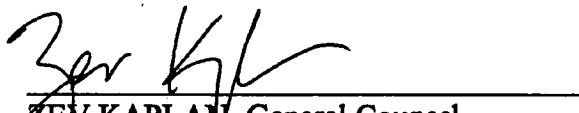
Date of Commission Action:

5/20/97

Date of Commission Action:

April 10, 1997

APPROVED AS TO FORM:


ZEV KAPLAN, General Counsel

CITY COUNCIL

MEETING OF

May 27, 1997

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AGENDA DOCUMENTATION**TO:**
CITY COUNCIL**FROM:** Bradford R. Jerbic
City Attorney**SUBJECT:** Approval of Regional Transportation Commission Supplemental Interlocal Contract No. 237a
Mojave Road between Stewart Avenue and Owens Avenue**PURPOSE/BACKGROUND**

At the April 10, 1997 meeting, the Clark County Regional Transportation Commission approved an increase in the funding for the project requested by the City of Las Vegas which provides for the construction of roadway improvements to Mojave Road between Stewart Avenue and Owens Avenue. The Supplemental Interlocal Contract attached hereto increases the budget for this project by \$1,373,000 making the new total budget for this project \$3,873,300. This increase has been accomplished by RTC reducing another City project by the same amount and reallocating this money to this project.

FISCAL IMPACT

None - To be funded by the Regional Transportation Commission.

RECOMMENDATIONS

It is recommended that the City Council approve the attached Supplemental Interlocal Contract No. 237a and authorize the Mayor to execute the same on behalf of the City.

Agenda Item

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SUPPLEMENTAL INTERLOCAL CONTRACT

MOJAVE ROAD -- STEWART AVENUE TO OWENS AVENUE

THIS SUPPLEMENTAL INTERLOCAL CONTRACT, made and entered into this 26th day of May, 1997 by and between the COUNTY OF CLARK, a political subdivision of the State of Nevada, the CITY OF LAS VEGAS, a municipal corporation, hereinafter referred to as the "CITY", the CITY OF HENDERSON, a municipal corporation, the CITY OF NORTH LAS VEGAS, a municipal corporation and the Regional Transportation Commission.

W I T N E S S E T H

WHEREAS, pursuant to Chapter 373 of the Nevada Revised Statutes, a project to design purchase right-of-way, perform construction inspection and construct roadway improvements for Mojave Road between Stewart Avenue to Owens Avenue, being wholly within the CITY, has been approved by the Regional Transportation Commission; and

WHEREAS, the parties have executed an Interlocal Contract dated August 1, 1995 for the design and construction of Mojave Road between Stewart Avenue and Owens Avenue.

WHEREAS, the CITY requests increased funding for Mojave Road between Stewart Avenue and Owens Avenue.

NOW, THEREFORE, in consideration of the covenants, conditions, agreements, and promises of the parties hereto, the RTC authorizes the CITY to proceed with the Project as it is mutually understood and agrees as follows:

SECTION II -- PROJECT COSTS is changed to the following:

The RTC agrees to provide funding for project costs according to Section 6.1 REIMBURSEMENT COSTS of the Policies and Procedures Manual of the RTC within the limits specified below:

MAY 27 1997

1. The total cost for engineering design, contract administration, surveying, inspection, testing, right-of-way engineering, right-of-way negotiations and acquisition, utility relocations and construction shall not exceed \$3,873,300 which includes all of the above items.
2. The CITY will be authorized to proceed as follows: Engineering, \$546,200; Right-of-Way Other, \$15,000; Right-Of-Way Acquisition, \$10,000; and Construction \$3,302,100.
3. A separate "Authorization to Proceed" is required to increase the total funding as specified in paragraph two above. No funds shall be considered encumbered or allocated and no reimbursement shall be made for any portion of the project until an "Authorization to Proceed" has been received from the Regional Transportation Commission. The "Authorization to Proceed" shall state a specific amount within the total estimated cost of the project, and upon approval by the Regional Transportation Commission, only that amount shall be encumbered and allocated.
4. RTC will reimburse the CITY for offsites next to the Golf Course and adjacent to CITY and public property. See Exhibit "A".
5. A written request must be made to the Regional Transportation Commission of Clark County and an additional supplemental interlocal contract approved to allow exceptions to the adopted Policies and Procedures of the Regional Transportation Commission or the Amount noted above prior to payment of any additional funds.

All other terms of the Interlocal Contract dated August 1, 1995 shall remain unchanged.

IN WITNESS WHEREOF, this INTERLOCAL CONTRACT is effective as of the date first set forth above.

Approved as to form:

APPROVED AS TO LEGALITY AND FORM:

Zer S. Kaplan
KAPLAN & TAYLOR, GENERAL COUNSEL

DATE OF COUNCIL ACTION:

May 27, 1997

ATTEST:

Barbara Jo Ronemus
BARBARA JO RONEMUS, CITY CLERK

DATE OF COMMISSION ACTION:

5/20/97

ATTEST:

Loretta Bowman
LORETTA BOWMAN, COUNTY CLERK

DATE OF COUNCIL ACTION:

May 20, 1997

ATTEST:

Susan Robison
SUSAN ROBISON, CITY CLERK

DATE OF COUNCIL ACTION:

MAY 21 1997

ATTEST

Eileen M. Seviery
EILEEN M. SEVIERY, CITY CLERK

DATE OF COMMISSION ACTION:

4/10/97

ATTEST

Shondra Summers-Armstrong
SHONDRA SUMMERS-ARMSTRONG
EXECUTIVE ASSISTANT.

Val Steel 6-24-97

Date

CITY OF LAS VEGAS

By:

Jan Lavery Jones
JAN LAVERTY JONES, MAYOR

COUNTY OF CLARK

By:

Yvonne Atkinson Gates
YVONNE ATKINSON GATES, CHAIR
BOARD OF COUNTY COMMISSIONERS

CITY OF HENDERSON

By:

Robert A. Groesbeck
ROBERT A. GROESBECK, MAYOR

CITY OF NORTH LAS VEGAS

By:

Michael L. Montandon
MICHAEL L. MONTANDON, Mayor

REGIONAL TRANSPORTATION COMMISSION

By:

Bruce Woodbury
BRUCE WOODBURY, CHAIRMAN

MAY 27 1997

LEGEND

- (1) FREEDOM PARK**
- (2) ANIMAL CONTROL (LEASED FROM C.L.V.)**
- (3) C.L.V. MAINTENANCE**
- (5) C.L.V. MUNICIPAL GOLF COURSE**
- (6) C.L.V. DETENTION CENTER**
- (7) C.L.V. LAND**
- (8) STATE OF NEVADA**
- (9) MUNICIPAL GOLF COURSE MAINTENANCE**
- (11) NON-PROFIT (LEASED FROM C.L.V.)**
- (12) CATHOLIC SERVICES NON PROFIT**
- (14) C.L.V. FIRE DEPT. TRAINING CENTER**
- (15) C.L.V LAND**

FIRST SUPPLEMENTAL INTERLOCAL CONTRACT

BRIDGE STRUCTURE ACROSS PITTMAN WASH AT SANTIAGO DRIVE

THIS INTERLOCAL CONTRACT, made and entered into this 20th day of May, 1997, by and between the CITY OF HENDERSON, a municipal corporation hereinafter called the "CITY", the CITY OF LAS VEGAS, a municipal corporation, the CITY OF NORTH LAS VEGAS, a municipal corporation, the COUNTY OF CLARK, a political subdivision of the State of Nevada, and the REGIONAL TRANSPORTATION COMMISSION of Clark County, organized pursuant to Chapter 373 of the Nevada Revised Statutes and Chapter 4.04 of the Clark County Code..

W I T N E S S E T H

WHEREAS, pursuant to Chapter 373 of the Nevada Revised Statutes, a Project to design, purchase right-of-way, perform construction inspection and construct a bridge structure across Pittman Wash and roadway improvements for Santiago Drive adjacent to bridge structure, being wholly within the CITY, has been approved by the Regional Transportation Commission (RTC); and

WHEREAS, the existing interlocal contract for the design, right-of-way acquisition, construction inspection and construction of the project was entered into in April 1996; and

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

SECTION II - PROJECT COST shall be changed as follows: Paragraph 1 is to be deleted and replaced with:

1. The total cost for preliminary engineering, design, contract administration, surveying, inspection, testing, right-of-way negotiation and acquisition, utility relocation and construction shall not exceed \$925,000.00 which includes all of the above items.

The remainder of the existing contract remains unchanged.

.....
.....
.....

.....

IN WITNESS WHEREOF, this SUPPLEMENTAL INTERLOCAL CONTRACT is effective as of the date first set forth above.

APPROVED AS TO LEGALITY AND FORM:

[Signature]
Kaplan & Taylor, General Counsel

DATE OF COUNCIL ACTION:

May 20, 1997

ATTEST: [Signature]
Susan Robison, City Clerk

DATE OF COMMISSION ACTION:

5/20/97

ATTEST: [Signature]
Loretta Bowman, County Clerk

CITY OF HENDERSON
BY: [Signature]
Robert A. Groesbeck, Mayor

CLARK COUNTY
BY: [Signature]
Yvonne Atkinson Gates, Chair

DATE OF COUNCIL ACTION: Approved as to form:

May 27, 1997

ATTEST: [Signature]
Barbara Jo Ronemus, City Clerk

CITY OF LAS VEGAS
BY: [Signature]
Jan Laverty Jones, Mayor

Val Steed 6-24-97
Date

DATE OF COUNCIL ACTION:

MAY 21 1997

ATTEST: [Signature]
Eileen Sevigny, City Clerk

CITY OF NORTH LAS VEGAS
BY: [Signature]
Michael L. Montandon
Mayor

DATE OF COMMISSION ACTION: 4/12/97

[Signature]
Shondra Summers-Armstrong, Executive Assistant

BY: [Signature]
Bruce Woodbury, Commissioner

CITY COUNCILMEETING OF
May 27, 1997

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AGENDA DOCUMENTATION**TO:**
CITY COUNCIL**FROM:** Bradford R. Jerbic
City Attorney**SUBJECT:** Approval of Regional Transportation Commission Supplemental Interlocal Contract No. 240a
Vegas Drive I Between Rock Springs to Rampart Boulevard**PURPOSE/BACKGROUND**

At its April 10, 1997 meeting, the Clark County Regional Transportation Commission approved an increase in the funding for the project requested by the City of Las Vegas which provides for the construction of roadway improvements to Vegas Drive I between Rock Springs and Rampart Boulevard. The City has requested a change in the scope of that project to delete therefrom the section of Vegas Drive between Decatur Boulevard and Rock Springs. The Supplemental Interlocal Contract attached hereto revises the original scope of this project to delete this section from the project.

FISCAL IMPACT

None - To be funded by the Regional Transportation Commission.

RECOMMENDATIONS

It is recommended that the City Council approve the attached Supplemental Interlocal Contract No. 240a and authorize the Mayor to execute the same on behalf of the City.

Agenda Item

6

SUPPLEMENTAL INTERLOCAL CONTRACT

VEGAS I -- ROCK SPRINGS TO RAMPART BOULEVARD

THIS SUPPLEMENTAL INTERLOCAL CONTRACT, made and entered into this 20th day of May, 1997 by and between the COUNTY OF CLARK, a political subdivision of the State of Nevada, the CITY OF LAS VEGAS, a municipal corporation, hereinafter referred to as the "CITY", the CITY OF HENDERSON, a municipal corporation, the CITY OF NORTH LAS VEGAS, a municipal corporation and the Regional Transportation Commission.

W I T N E S S E T H

WHEREAS, pursuant to Chapter 373 of the Nevada Revised Statutes, a project to design purchase right-of-way, perform construction inspection and construct roadway improvements for Vegas 1 between Rock Springs and Rampart Boulevard being wholly within the CITY, has been approved by the Regional Transportation Commission; and

WHEREAS, the parties have executed an Interlocal Contract dated August 1, 1995 for the design and construction of Vegas 1 between Decatur Boulevard to Rampart

WHEREAS, the CITY request a change in scope of work to delete the section between Decatur and Rock Springs.

NOW, THEREFORE, in consideration of the covenants, conditions, agreements, and promises of the parties hereto, the RTC authorizes the CITY to proceed with the Project as it is mutually understood and agrees as follows:

SECTION I -- SCOPE OF PROJECT is changed to the following:

This Interlocal Contract applies to improvements associated with Vegas Drive I between Rock Springs and Rampart Boulevard. The basic improvements made will

result in full roadway improvements, drainage improvements, traffic signals, median islands and/or median access according to adjacent land use, pavement markings and signing. Other basic improvements such as curb and gutter, sidewalks and streetlights may be funded by the CITY with a proposed Special Improvement District.

SECTION II -- PROJECT COSTS is changed to the following:

The RTC agrees to provide funding for project costs according to Section 6.1 REIMBURSEMENT COSTS of the Policies and Procedures Manual of the RTC within the limits specified below:

1. The total cost for engineering design, contract administration, surveying, inspection, testing, right-of-way engineering, right-of-way negotiations and acquisition, utility relocations and construction shall not exceed \$3,129,000 which includes all of the above items.
2. The CITY will be authorized to proceed as follows: Engineering, \$378,000; Right-of-Way Other, \$32,000; Right-Of-Way Acquisition, \$345,000; and Construction \$1,700,000.
3. A separate "Authorization to Proceed" is required to increase the total funding as specified in paragraph two above. No funds shall be considered encumbered or allocated and no reimbursement shall be made for any portion of the project until an "Authorization to Proceed" has been received from the Regional Transportation Commission. The "Authorization to Proceed" shall state a specific amount within the total estimated cost of the project, and upon approval by the Regional Transportation Commission, only that amount shall be encumbered and allocated.

4. RTC will reimburse the CITY for offsites adjacent to CITY property.
See Exhibit "A".

5. A written request must be made to the Regional Transportation Commission of Clark County and an additional supplemental interlocal contract approved to allow exceptions to the adopted Policies and Procedures of the Regional Transportation Commission or the Amount noted above prior to payment of any additional funds.

All other terms of the Interlocal Contract dated July 13, 1995 shall remain unchanged.

IN WITNESS WHEREOF, this INTERLOCAL CONTRACT is effective as of the date first set forth above.

[illegible]

Approved as to form:

APPROVED AS TO LEGALITY AND FORM:

Zpr E K/L
KAPLAN & TAYLOR, GENERAL COUNSEL

DATE OF COUNCIL ACTION:

May 27, 1997
ATTEST:

Barbara Jo Ronemus
BARBARA JO RÖNEMUS, CITY CLERK

DATE OF COMMISSION ACTION:

5/20/97
ATTEST:

Loretta Bowman
LORETTA BOWMAN, COUNTY CLERK

DATE OF COUNCIL ACTION:

May 20, 1997
ATTEST:

Susan Robison
SUSAN ROBISON, CITY CLERK

DATE OF COUNCIL ACTION:

MAY 21 1997
ATTEST

Eileen M. Sevigny
EILEEN M. SEVIGNY, CITY CLERK

DATE OF COMMISSION ACTION:

4/10/97
ATTEST
Shondra Summers-Armstrong
SHONDRA SUMMERS-ARMSTRONG
EXECUTIVE ASSISTANT.

p:vegasIsI.doc

Robert S. Spain 7-22-97
Darius City Attorney Date
City of Las Vegas

CITY OF LAS VEGAS

By: Jan Laverty Jones
JAN LAVERTY JONES, MAYOR

COUNTY OF CLARK

By: Yvonne Atkinson Gates
YVONNE ATKINSON GATES, CHAIR
BOARD OF COUNTY COMMISSIONERS

CITY OF HENDERSON

By: Robert A. Groesbeck
ROBERT A. GROESBECK, MAYOR

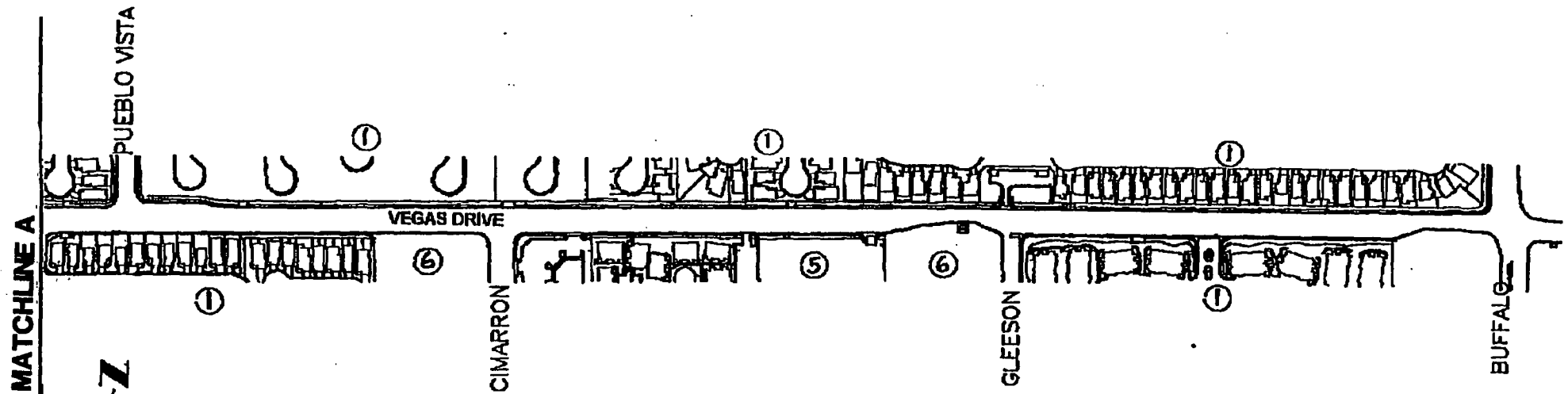
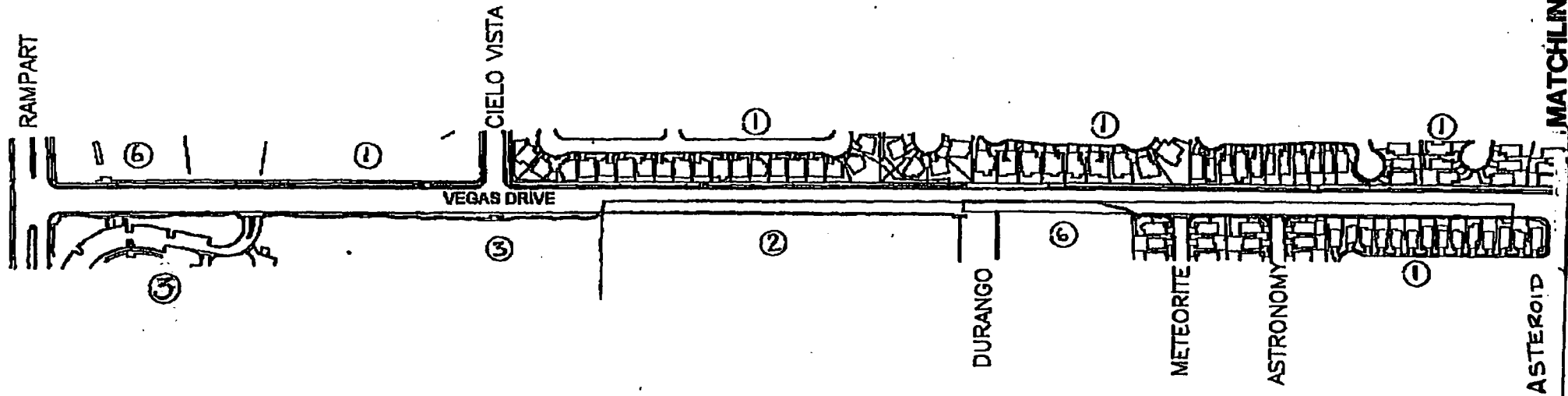
CITY OF NORTH LAS VEGAS

By: James Seastrand
JAMES SEASTRAND, MAYOR

REGIONAL TRANSPORTATION COMMISSION

By: Bruce Woodbury
BRUCE WOODBURY, CHAIRMAN

EXHIBIT A



Approximate Scale:
1" = 400'

Legend

- ① Private Developed Land
- ② COLV Land
- ③ City Park (Bruce Trent Park)
- ④ Commercial Property
- ⑤ Water District Property
- ⑥ Private Undeveloped Land

VEGAS DRIVE STREET IMPROVEMENTS

CITY COUNCIL

MEETING OF

May 27, 1997

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AGENDA DOCUMENTATION**TO:**
CITY COUNCIL**FROM:** Bradford R. Jerbic
City Attorney**SUBJECT:** Approval of Regional Transportation Commission Supplemental Interlocal Contract No.258a
Santiago Avenue Bridge Improvement Project at Pittman Wash in Henderson**PURPOSE/BACKGROUND**

In April, 1996, the Clark County Regional Transportation Commission approved an increase in the funding for the project requested by the City of Henderson which provides for the design and construction of bridge improvements across the Pittman Wash and roadway improvements for Santiago Drive adjacent thereto in the amount of \$500,000. In November, 1996, the RTC's Capital Improvement Program was revised to allow a \$300,000 increase in the budget for this project. At the April 10, 1996 meeting, the RTC again approved an increase in the budget for this project in the amount of \$125,000. The attached Supplemental Increases increase the original budget from \$500,000 to \$925,000 to take into account those approved increases.

FISCAL IMPACT

None - To be funded by the Regional Transportation Commission.

RECOMMENDATIONS

It is recommended that the City Council approve the attached Supplemental Interlocal Contract No. 258a and authorize the Mayor to execute the same on behalf of the City.

Agenda Item

7

FIRST SUPPLEMENTAL INTERLOCAL CONTRACT

BRIDGE STRUCTURE ACROSS PITTMAN WASH AT SANTIAGO DRIVE

THIS INTERLOCAL CONTRACT, made and entered into this 20th day of May, 1997, by and between the CITY OF HENDERSON, a municipal corporation hereinafter called the "CITY", the CITY OF LAS VEGAS, a municipal corporation, the CITY OF NORTH LAS VEGAS, a municipal corporation, the COUNTY OF CLARK, a political subdivision of the State of Nevada, and the REGIONAL TRANSPORTATION COMMISSION of Clark County, organized pursuant to Chapter 373 of the Nevada Revised Statutes and Chapter 4.04 of the Clark County Code..

W I T N E S S E T H

WHEREAS, pursuant to Chapter 373 of the Nevada Revised Statutes, a Project to design, purchase right-of-way, perform construction inspection and construct a bridge structure across Pittman Wash and roadway improvements for Santiago Drive adjacent to bridge structure, being wholly within the CITY, has been approved by the Regional Transportation Commission (RTC); and

WHEREAS, the existing interlocal contract for the design, right-of-way acquisition, construction inspection and construction of the project was entered into in April 1996; and

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

SECTION II - PROJECT COST shall be changed as follows: Paragraph 1 is to be deleted and replaced with:

1. The total cost for preliminary engineering, design, contract administration, surveying, inspection, testing, right-of-way negotiation and acquisition, utility relocation and construction shall not exceed \$925,000.00 which includes all of the above items.

The remainder of the existing contract remains unchanged.

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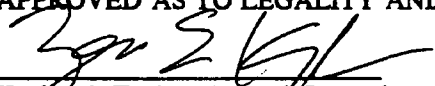
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IN WITNESS WHEREOF, this SUPPLEMENTAL INTERLOCAL CONTRACT is effective as of the date

first set forth above.

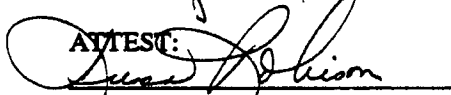
APPROVED AS TO LEGALITY AND FORM:


Kapan & Taylor, General Counsel

DATE OF COUNCIL ACTION:

May 20, 1997

ATTEST:


Susan Robison, City Clerk

DATE OF COMMISSION ACTION:

5/20/97

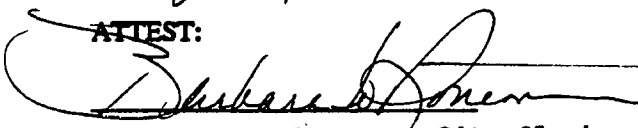
ATTEST:


Loretta Bowman, County Clerk

DATE OF COUNCIL ACTION: Approved as to form:

May 27, 1997

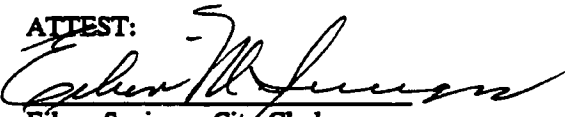
ATTEST:


Barbara Jo Ronemus, City Clerk

DATE OF COUNCIL ACTION:

MAY 21 1997

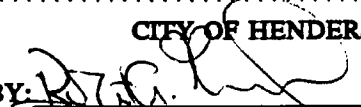
ATTEST:


Eileen Sevigny, City Clerk

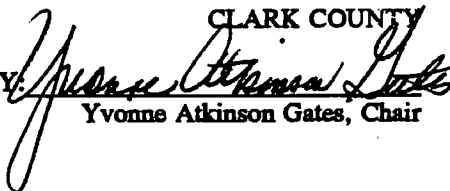
DATE OF COMMISSION ACTION: 4/10/97


Shondra Summers-Armstrong, Executive Assistant

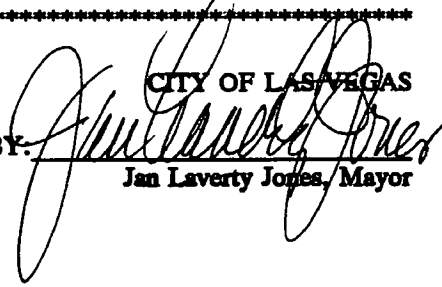
CITY OF HENDERSON

BY: 
Robert A. Grosbeck, Mayor

CLARK COUNTY

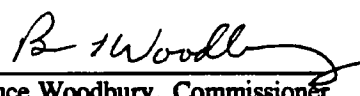
BY: 
Yvonne Atkinson Gates, Chair

CITY OF LAS VEGAS

BY: 
Jan Laverty Jones, Mayor

CITY OF NORTH LAS VEGAS

BY: 
Michael L. Montandon, Mayor

BY: 
Bruce Woodbury, Commissioner

CITY COUNCIL

MEETING OF
MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

8	CONSENT AGENDA DEPARTMENT OF FINANCE & BUSINESS SERVICES Service and Material Checks In the amount of \$ 9,992,672.86 Payroll Checks In the amount of \$ 3,530,353.28 Wire Transfers In the amount of \$15,331,327.27 Other Checks and Investments In the amount of \$ 145,173.45	ADAMSEN - Motion to APPROVE: Items 4 - 35 Items 37 - 41 Items 43 - 64 carried UNANIMOUSLY Item 36: APPROVED under separate action (see individual item) Item 42: ABEYANCE to 6/9/97 under separate action (see individual item) ***** There was no discussion. (10:00) 1-704
9	Notice of Intent to Augment the Fiscal Year 1997 Annual Budget of the General Fund	APPROVED - see above
10	CHILD CARE FACILITY APPLICATIONS (Approved by the Child Care Licensing Board on May 14, 1997) <u>Family Homes</u> SUSAN CHALFANT 2820 North Jones 3 children days/3 before & after school	APPROVED - see above
11	ORLIA RICE 1725 Canosa 6 children days/5 nights/3 before & after school	APPROVED - see above

ATTEST:

CITY COUNCIL

MEETING OF

May 27, 1997

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AGENDA DOCUMENTATION

TO:

City Council

FROM:

G.W.S. / G.W.S.

George W. Stevens,

Director, Finance and Business Services

SUBJECT:

NOTICE OF INTENT TO AUGMENT THE FISCAL YEAR 1997 ANNUAL BUDGET OF THE
GENERAL FUND

PURPOSE/BACKGROUND

The resources of the General Fund of the City of Las Vegas are currently estimated to be \$255,479,040, \$11,356,757 higher than the revised General Fund budget amount of \$244,122,283. It is recommended that the City Council consider augmenting the FY 1997 budget in the amount of \$7,860,368, to allow for the transfer of funds to the City Facilities Capital Projects Funds and City of Las Vegas Debt Service Fund, to meet the added costs of operations, and to realign appropriations. The majority of the augmentation will provide funding for Capital Improvements.

Nevada Revised Statutes 354.616 requires the governing body to publish notice of its intent to augment the budget of a fund to which ad valorem taxes are allocated as a revenue source. A resolution authorizing the augmentation will be presented for Council approval at its June 9, 1997, meeting.

FISCAL IMPACT

None by this action.

RECOMMENDATIONS

It is recommended that the City Council authorize the City Clerk to publish notice of the City's intention to augment the budget in a newspaper of general circulation at least three (3) days prior to the City Council acting on the resolution.

Agenda Item

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MAY 27 1997

**CITY OF LAS VEGAS
NOTICE OF INTENTION TO ACT
ON RESOLUTION TO AUGMENT
AND AMEND THE GENERAL FUND BUDGET**

NOTICE IS HEREBY GIVEN, that the City Council of the City of Las Vegas, State of Nevada, will act on a resolution to augment the General Fund budget for fiscal year 1996-97 in the amount of \$7,860,368 in order to effect an increase in appropriations, pursuant to NRS 354.615, at a meeting to be held in the Council Chambers June 9, 1997, at the hour of 9:00 a.m. at which time all persons may attend and be heard. Prior to the meeting, written comments may be filed with Barbara Jo Ronemus, City Clerk, and will be considered.

JAN LAVERTY JONES
Mayor
City of Las Vegas, Nevada

CITY COUNCIL

MEETING OF

MAY 27, 1997

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

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION**

12	CONSENT AGENDA DEPARTMENT OF FINANCE & BUSINESS SERVICES <u>SPECIAL EVENT LIQUOR LICENSES</u> CRAIG PLATT/ELMORE SPORTS Location: Hills Park at Summerlin Dates: June 14, 1997 Type: Special Event Beer/Wine/Cooler Responsible Person in Charge: Craig Platt	ADAMSEN - Motion to APPROVE: Items 4 - 35 Items 37 - 41 Items 43 - 64 carried UNANIMOUSLY Item 36: APPROVED under separate action (see individual item) Item 42: ABEYANCE to 6/9/97 under separate action (see individual item)
13	KNPR-FM, NEVADA PUBLIC RADIO Location: Hills Park at Summerlin Dates: July 11, 1997 and August 23, 1997 Type: Special Event Beer/Wine/Cooler Responsible Person in Charge: Cameron LiDestri	***** There was no discussion. (10:00) 1-704 APPROVED - see above
14	<u>LIQUOR - New</u> BEER/WINE/COOLER OFF-SALE SJOBA, INC. dba ARCO AM/PM #6303 2000 North Rainbow Boulevard Harsh S. Sidhu, 100% Subject to the provisions of the fire codes and Health Department regulations	APPROVED - see above

CITY COUNCIL

MEETING OF
MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

Page 8

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

CONSENT AGENDA

DEPARTMENT OF FINANCE & BUSINESS SERVICES

LIQUOR - Request to Allow Another Business on Premises

VALLEY VIEW RESTAURANTS, LLC
dba
DOC HOLLIDAYS SALOON
3540 West Sahara Avenue, #1

Requests approval for

REBEL PIZZA, INC.
dba
REBEL'S HIDEOUT

William R. Butler, Pres, 50%
Richard A. Singer, Secy, Treas, 50%

ADAMSEN - Motion to APPROVE:

Items 4 - 35

Items 37 - 41

Items 43 - 64

carried UNANIMOUSLY

Item 36: **APPROVED under separate action**
(see individual item)

Item 42: **ABEYANCE to 6/9/97**
under separate action
(see individual item)

There was no discussion.

(10:00)
1-704

LIQUOR - Change of Corporate/Business Name/Approval of Manager

TAVERN LICENSE

From: ARAMARK Leisure Services, Inc.
dba
ARAMARK Leisure Services, Inc.

TO: ARAMARK SPORTS AND
ENTERTAINMENT SERVICES, INC.
dba
ARAMARK SPORTS AND
ENTERTAINMENT SERVICES, INC.
850 Las Vegas Boulevard North

Gregg A. Anderson, Gen Mgr

APPROVED - see above

CITY COUNCIL

MEETING OF
MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

17	CONSENT AGENDA DEPARTMENT OF FINANCE & BUSINESS SERVICES <u>LIQUOR & GAMING - New</u> BEER/WINE/COOLER OFF-SALE LICENSE RESTRICTED GAMING: 7 slots BRACKIN, INC. dba THE CORNER MARKET 4005 North Rancho Drive James E. Brackin, Pres, 55% Nancy K. Brackin, VP, Treas, 35% Jami K. Brackin, VP, Secy, 10% Subject to the provisions of the fire codes and Health Department regulations	ADAMSEN - Motion to APPROVE: Items 4 - 35 Items 37 - 41 Items 43 - 64 carried UNANIMOUSLY Item 36: APPROVED under separate action (see individual item) Item 42: ABEYANCE to 6/9/97 under separate action (see individual item) ***** There was no discussion. (10:00) 1-704 APPROVED - see above
18	<u>GAMING - New</u> RESTRICTED GAMING: 15 slots LONGS DRUG STORES CALIFORNIA, INC. dba RAINBOW DRUG #405 4620 West Sahara Avenue, Suite 4 (Longs Drug Stores California, Inc. is a wholly owned subsidiary of Longs Drug Stores Corporation, a publicly traded corporation) Ronald A. Plomgren, Dir, SVP, CFO Orlo D. Jones, Dir, SVP, Secy Bill M. Brandon, Dir, SVP	

CITY COUNCIL**52**MEETING OF
MAY 27, 1997*City of Las Vegas***AGENDA & MINUTES**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****CONSENT AGENDA****DEPARTMENT OF FINANCE & BUSINESS SERVICES****GAMING - New**

RESTRICTED GAMING: 15 slots

LONGS DRUG STORES CALIFORNIA, INC.
dbaRAINBOW DRUG #406
9430 Del Webb Boulevard(Longs Drug Stores California, Inc. is a wholly
owned subsidiary of Longs Drug Stores
Corporation, a publicly traded corporation)Ronald A. Plomgren, Dir, SVP, CFO
Orlo D. Jones, Dir, SVP, Secy
Bill M. Brandon, Dir, SVP**ADAMSEN - Motion to APPROVE:**

Items 4 - 35

Items 37 - 41

Items 43 - 64

carried **UNANIMOUSLY**

Item 36:

APPROVED under separate action
(see individual item)

Item 42:

ABEYANCE to 6/9/97
under separate action
(see individual item)

There was no discussion.

(10:00)
1-704**GAMING - New**

RESTRICTED GAMING: 15 slots

LONGS DRUG STORES CALIFORNIA, INC.
dbaRAINBOW DRUG #407
1725 South Rainbow Boulevard, Suite 1(Longs Drug Stores California, Inc. is a wholly
owned subsidiary of Longs Drug Stores
Corporation, a publicly traded corporation)Ronald A. Plomgren, Dir, SVP, CFO
Orlo D. Jones, Dir, SVP, Secy
Bill M. Brandon, Dir, SVP**APPROVED - see above**

CITY COUNCIL

MEETING OF
MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

	CONSENT AGENDA	
	DEPARTMENT OF FINANCE & BUSINESS SERVICES	
21	<u>GAMING - New</u> RESTRICTED GAMING: 15 slots RESTAURANT ENTERPRISES, INC. dba VENETIAN RESTAURANT 3713 West Sahara Avenue Thomas D'Antonio, Dir, Pres, Secy, Treas, 100%	ADAMSEN - Motion to APPROVE: Items 4 - 35 Items 37 - 41 Items 43 - 64 carried UNANIMOUSLY Item 36: APPROVED under separate action (see individual item) Item 42: ABEYANCE to 6/9/97 under separate action (see individual item) ***** There was no discussion. (10:00) 1-704
22	<u>GAMING - New</u> SLOT OPERATOR SPACE LEASE LOCATION NONRESTRICTED GAMING: 16 slots ANCHOR COIN db at PIONEER CLUB 23 East Fremont	APPROVED - see above
23	<u>GAMING - New</u> SLOT OPERATOR SPACE LEASE LOCATION RESTRICTED GAMING: 7 slots E-T-T, INC. db at PEMO'S MINI MART & DELI 2620 Regatta Drive, #106	APPROVED - see above

CITY COUNCIL

MEETING OF
MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

24	CONSENT AGENDA DEPARTMENT OF FINANCE & BUSINESS SERVICES <u>BURGLAR ALARM LICENSE - Change of Location</u> IRONCO, INC. dba IRONCO SECURITY & ELECTRICAL CONTRACTORS From: 2907 Meade Avenue Las Vegas, Nevada 89102 TO: 1805 Vaccaro Place Henderson, Nevada 89014 Kenneth Herman, Pres, Dir, 100% Jay Herman, Secy, Treas	ADAMSEN - Motion to APPROVE: Items 4 - 35 Items 37 - 41 Items 43 - 64 carried UNANIMOUSLY Item 36: APPROVED under separate action (see individual item) Item 42: ABEYANCE to 6/9/97 under separate action (see individual item) ***** There was no discussion. (10:00) 1-704
25	<u>INDEPENDENT MASSAGE THERAPIST - Change of Location</u> MARIAN MCCABE dba MARIAN MCCABE From: 2800 West Sahara Avenue, Suite 8D TO: 2400 South Jones Boulevard, Suite 14 Marian McCabe, 100% Subject to the provisions of the fire codes	APPROVED - see above

CITY COUNCIL

MEETING OF
MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

26	CONSENT AGENDA DEPARTMENT OF FINANCE & BUSINESS SERVICES <u>LOCKSMITH LICENSE - Change of Location</u> JOSEPH INGERSOLL dba ALL AMERICAN LOCKSMITHS From: 803 South 7th Street TO: 4343 North Rancho Drive, Suite 118 Joseph Ingersoll, 100%	ADAMSEN - Motion to APPROVE: Items 4 - 35 Items 37 - 41 Items 43 - 64 carried UNANIMOUSLY Item 36: APPROVED under separate action (see individual item) Item 42: ABEYANCE to 6/9/97 under separate action (see individual item) ***** There was no discussion. (10:00) 1-704 APPROVED - see above
27	<u>PSYCHIC ARTS AND SCIENCE LICENSE - New</u> PSYCHIC EYE BOOK SHOPS, INC. dba PSYCHIC EYE BOOK SHOP 6848 West Charleston Boulevard Robert G. Leysen, Chairman, Pres, 70% Mary J. Karahalios, Secy, Treas, 30% Subject to the provisions of the fire codes	APPROVED - see above
28	<u>PSYCHIC ARTS AND SCIENCE LICENSE - New</u> RACHEL MYSTIAN MCCREA dba RACHEL MYSTIAN MCCREA 6848 West Charleston Boulevard Rachel M. McCrea, 100% Subject to the provisions of the fire codes	APPROVED - see above

CITY COUNCIL

MEETING OF
MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

	CONSENT AGENDA DEPARTMENT OF GENERAL SERVICES <u>AWARD OF BIDS/REJECTIONS/RENEWALS/TERMINATIONS</u> <u>ABEYANCE ITEM</u> Ratification of Award for Bid Number 97.1730.20, Minami Tower Site Excavation Department of Public Works Award Recommended to: LARKIN PROPERTIES & CONSTRUCTION, INC. (\$298,200) 30 Pre-Approval of Bid Number 97.2600.5, Trees and Shrubs to the Lowest Responsive and Responsible Bidder Department of Parks and Leisure Activities 31 Request for Assignment of Bid Number 98.JUL.1, Annual Contract to Provide Bulk Sodium Bisulfite Department of Public Works Award Recommended to: FARMINGTON CHEMICAL DISTRIBUTORS, L.L.C. 32 Award of Bid Number 96.1730.23, West Las Vegas Phase 5 & 6 Department of Public Works Award Recommended to: SOUTHERN NEVADA PAVING, INC. (\$712,379.24)	ADAMSEN - Motion to APPROVE: Items 4 - 35 Items 37 - 41 Items 43 - 64 carried UNANIMOUSLY Item 36: APPROVED under separate action (see individual item) Item 42: ABEYANCE to 6/9/97 under separate action (see individual item) ***** There was no discussion. (10:00) 1-704 APPROVED - see above APPROVED - see above APPROVED - see above

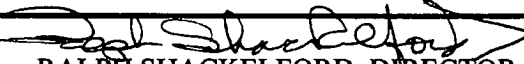
CITY COUNCIL

MEETING OF
May 27, 1997

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AGENDA DOCUMENTATION

TO:
CITY COUNCIL

FROM: 
RALPH SHACKELFORD, DIRECTOR
GENERAL SERVICES DEPARTMENT

SUBJECT: ABEYANCE ITEM - RATIFICATION OF AWARD FOR BID NUMBER 97.1730.20, MINAMI
TOWER SITE EXCAVATION

PURPOSE/BACKGROUND

THE PROJECT IS LOCATED AT 401 LAS VEGAS BOULEVARD SOUTH, THE FORMER MINAMI TOWER SITE, AND IS THE PROPOSED LOCATION OF THE NEW FEDERAL COURTHOUSE BUILDING. THE WORK CONSISTS OF REMOVAL AND DISPOSAL OF UNCONTROLLED FILL MATERIAL, INCLUDING CONCRETE, WOOD AND OTHER DEBRIS, FROM THE SITE TO A DEPTH OF NINE (9) FEET BELOW THE FINISH GRADE OF SIXTH STREET AND REPLACING WITH TYPE II AGGREGATE BASE MATERIAL TO THE FINISH GRADE OF SIXTH STREET, THE POSSIBLE INSTALLATION OF GEOTEXTILE FABRICS OVER SATURATED SOILS AND THE POSSIBLE REMOVAL AND DISPOSAL OF PETROLEUM FUEL HYDROCARBON CONTAMINATED SOILS.

THE LOW BIDDER, SOUTHWEST POOLS AND LANDSCAPE, CANNOT BE AWARDED THIS PROJECT AS THEY DID NOT SIGN THEIR BID AND THEY ARE DISPLACED AS THE LOW BIDDER BECAUSE THEIR BID IS WITHIN 5% OF THE SECOND LOW BIDDER AND THEIR COMPANY DOES NOT QUALIFY FOR THE BEST BID PREFERENCE ALLOWED BY NRS 338.147. THE SECOND LOW BIDDER, SOUTHWEST PAVING AND GRADING, INC., CANNOT BE AWARDED THE BID AS THEY SUBMITTED AN UNSIGNED AFFIDAVIT OF CERTIFIED PUBLIC ACCOUNTANT WHICH IS REQUIRED AT THE TIME OF BID AS PROOF OF BIDDER'S COMPLIANCE WITH THE PROVISIONS OF NRS 338.147.

THEREFORE, STAFF REQUESTS THE COUNCIL RATIFY THE AWARD OF THIS BID TO LARKIN PROPERTIES AND CONSTRUCTION. THIS REQUEST HAS BEEN REVIEWED BY THE CITY ATTORNEY'S OFFICE.

FISCAL IMPACT

FUNDING IS AVAILABLE IN THE CAPITAL PROJECTS FUND.

RECOMMENDATIONS

THAT THE CITY COUNCIL RATIFY THE AWARD OF BID NUMBER 97.1730.20, MINAMI TOWER SITE EXCAVATION, TO LARKIN PROPERTIES AND CONSTRUCTION, IN THE AMOUNT OF \$298,200.

PREPARED BY

LUCILLE CARRUTHERS

AGENDA ITEM

29

CITY COUNCIL

MEETING OF
MAY 27, 1997

58

AGENDA DOCUMENTATION

TO:
CITY COUNCIL

FROM: 
RALPH SHACKELFORD, DIRECTOR
GENERAL SERVICES DEPARTMENT

SUBJECT: PRE-APPROVAL OF BID NUMBER 97.2600.5, TREES AND SHRUBS TO THE LOWEST
RESPONSIVE AND RESPONSIBLE BIDDER.

PURPOSE/BACKGROUND

THIS REQUEST WILL PROVIDE TREES AND SHRUBS FOR THE WEST LAS VEGAS ENTRY CORRIDOR AND
RAINBOW PARK. THIS PRE-APPROVAL IS REQUESTED TO ENSURE A TIMELY DELIVERY.

FISCAL IMPACT

PARKS AND LEISURE CAPITAL PROJECT FUND AND GENERAL FUNDS.

RECOMMENDATIONS

THAT THE CITY COUNCIL PRE-APPROVE THE AWARD OF BID NUMBER 97.2600.5, TREES AND SHRUBS, TO THE
LOWEST RESPONSIVE AND RESPONSIBLE BIDDER

PREPARED BY

 TONY GREEN

AGENDA ITEM

30

CITY COUNCIL

MEETING OF
May 27, 1997

59

AGENDA DOCUMENTATION

TO:

CITY COUNCIL

FROM:


RALPH SHACKELFORD, DIRECTOR
GENERAL SERVICES DEPARTMENT

SUBJECT: REQUEST FOR ASSIGNMENT OF BID NUMBER 98.JUL.1, ANNUAL CONTRACT TO PROVIDE BULK SODIUM BISULFITE

PURPOSE/BACKGROUND

THE CONTRACT VENDOR, CHEMICAL DISTRIBUTORS, INC., HAS REQUESTED ASSIGNMENT OF THIS BID AWARD IN FULL TO FARMINGTON CHEMICAL DISTRIBUTORS, L.L.C. CHEMICAL DISTRIBUTORS, INC. HAS REQUESTED THE ASSIGNMENT AS A RESULT OF SELLING THEIR COMPANY TO FARMINGTON CHEMICAL DISTRIBUTORS, L.L.C. FARMINGTON CHEMICAL DISTRIBUTORS, L.L.C. HAS AGREED TO ACCEPT THE ASSIGNMENT OF BID NUMBER 98.JUL.1, AND AGREES TO BE BOUND BY ALL THE TERMS AND CONDITIONS OF THE CONTRACT AND PERFORM ALL DUTIES OF CHEMICAL DISTRIBUTORS, INC. UNDER THE CONTRACT. THIS CONTRACT IS VALID THROUGH JUNE 30, 1998.

FISCAL IMPACT

THIS REQUEST FOR ASSIGNMENT HAS NO FISCAL IMPACT.

RECOMMENDATIONS

THAT THE CITY COUNCIL APPROVE THE REQUESTED ASSIGNMENT OF BID NUMBER 98.JUL.1, ANNUAL CONTRACT TO PROVIDE BULK SODIUM BISULFITE, TO FARMINGTON CHEMICAL DISTRIBUTORS, L.L.C.

PREPARED BY

DAVID RAWSKI

AGENDA ITEM

CITY COUNCIL**MEETING OF
May 27, 1997****60****AGENDA DOCUMENTATION****TO:**
CITY COUNCIL**FROM:** 
**RALPH SHACKELFORD, DIRECTOR
GENERAL SERVICES DEPARTMENT****SUBJECT: AWARD OF BID NUMBER 96.1730.23, WEST LAS VEGAS PHASE 5 & 6****PURPOSE/BACKGROUND**

THIS CONTRACT GENERALLY CONSISTS OF RECONSTRUCTION OF PAVEMENT, CURB AND GUTTER, SIDEWALK, AND DRIVEWAYS; INSTALLATION OF STREETLIGHT CONDUITS, RECONSTRUCTION OF SECTIONS OF SEWER MAIN AND OTHER RELATED ITEMS OF WORK. THE WORK WILL BE PERFORMED ON "J" STREET FROM OWENS AVENUE TO LAKE MEAD BLVD; ADAMS AVENUE FROM "E" STREET TO "D" STREET; AND AT THE INTERSECTION OF "J" STREET AND OWENS AVENUE.

BID ABSTRACT SUMMARY

SOUTHERN NEVADA PAVING, INC.	LAS VEGAS, NV	\$ 712,379.24
LARKIN PROPERTIES AND CONSTRUCTION, INC.	LAS VEGAS, NV	\$ 731,944.65 *
LAS VEGAS PAVING CORPORATION	LAS VEGAS, NV	\$ 775,788.60
GRANITE CONSTRUCTION COMPANY	WATSONVILLE, CA	\$ 899,899.00
WELLS CARGO, INC.	LAS VEGAS, NV	\$ 973,332.00
RICHARDSON CONSTRUCTION INC. **	NO. LAS VEGAS, NV	\$1,009,102.85 *

* corrected total

** MBE

FISCAL IMPACT

FUNDS ARE AVAILABLE IN THE PUBLIC WORKS CAPITAL PROJECT FUND.

RECOMMENDATIONS

THAT THE CITY COUNCIL AWARD BID NUMBER 96.1730.23, WEST LAS VEGAS PHASE 5 & 6, TO SOUTHERN NEVADA PAVING, INC. IN THE AMOUNT OF \$712,379.24.

PREPARED BY

REGINA R. HEILMAN

AGENDA ITEM

CITY COUNCIL

MEETING OF
MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

CONSENT AGENDA

DEPARTMENT OF GENERAL SERVICES

33

PURCHASE ORDER APPROVALS/ SUPPLEMENTS

Purchase Order Approval for a Mobile Stage
(Showmobile)
Department of Parks and Leisure Activities

Award Recommended to:
WENGER CORPORATION (\$72,933)

ADAMSEN - Motion to APPROVE:

Items 4 - 35

Items 37 - 41

Items 43 - 64

carried **UNANIMOUSLY**

Item 36:

APPROVED under separate action
(see individual item)

Item 42:

ABEYANCE to 6/9/97
under separate action
(see individual item)

There was no discussion.

(10:00)
1-704

34

Purchase Order Approval for Maintenance
Management Software, Maintenance and
Support
Department of Public Works

Award Recommended to:
DATASTREAM SYSTEMS (\$54,305)

APPROVED - see above

35

Purchase Order Approval for Additional
Emulation Packages
Department of Information Technologies

Award Recommended to:
VIRTUAL TECHNOLOGY, INC. (\$28,350)

APPROVED - see above

36

Supplement to Annual Purchase Order A3082 for
the Lease for the Municipal Court Traffic School
Facility - Municipal Court

Award Recommended to:
K-LAS VEGAS (\$24,447)

ADAMSEN - APPROVED the revised amount of \$27,605.40
- **UNANIMOUS**

RALPH SHACKELFORD, Director, General Services,
requested the revised amount of \$27,605.40 be approved.

There was no further discussion.

(10:00 - 10:03)
1-724

CITY COUNCIL

MEETING OF
May 27, 1997

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AGENDA DOCUMENTATION

TO:
CITY COUNCIL

FROM: 
RALPH SHACKELFORD, DIRECTOR
GENERAL SERVICES DEPARTMENT

SUBJECT: PURCHASE ORDER APPROVAL FOR A MOBILE STAGE (SHOWMOBILE)

PURPOSE/BACKGROUND

THIS REQUEST WILL PROVIDE FOR A MOBILE STAGE (SHOWMOBILE) FOR USE BY THE CULTURAL & COMMUNITY AFFAIRS DIVISION OF THE PARKS & LEISURE ACTIVITIES DEPARTMENT.

NRS 332.115.1.(A), PROVIDES FOR NON-COMPETITIVE SELECTION OF A VENDOR WHEN ITEMS MAY ONLY BE CONTRACTED FROM A SOLE SOURCE. THIS AWARD IS EXEMPT FROM COMPETITIVE BIDDING REQUIREMENTS SINCE ONLY THE MOBILE STAGE OFFERED BY THE WENGER CORPORATION MEETS THE REQUIREMENTS IDENTIFIED BY THE CULTURAL & COMMUNITY AFFAIRS DIVISION.

FISCAL IMPACT

FUNDS ARE AVAILABLE IN THE VEHICLE ACQUISITION INTERNAL SERVICE FUND.

RECOMMENDATIONS

THAT THE CITY COUNCIL APPROVE THE ISSUANCE OF A PURCHASE ORDER TO THE WENGER CORPORATION FOR A MOBILE STAGE IN THE AMOUNT OF \$72,933.

PREPARED BY

 TERESA BOWMAN

CITY COUNCIL

MEETING OF
May 27, 1997

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AGENDA DOCUMENTATION

TO:
CITY COUNCIL

FROM: 
RALPH SHACKELFORD, DIRECTOR
GENERAL SERVICES DEPARTMENT

SUBJECT: PURCHASE ORDER APPROVAL FOR MAINTENANCE MANAGEMENT SOFTWARE,
MAINTENANCE AND SUPPORT

PURPOSE/BACKGROUND

THIS REQUEST WILL PROVIDE FOR MAINTENANCE MANAGEMENT SOFTWARE, INSTALLATION, DATA ENTRY AND TRAINING FOR THE WATER POLLUTION CONTROL FACILITY. THIS SOFTWARE INCLUDES EQUIPMENT MANAGEMENT, WORK ORDER MANAGEMENT, INVENTORY MANAGEMENT, PURCHASING MANAGEMENT, AND SCHEDULES MULTIPLE PROJECTS.

IN ACCORDANCE WITH NRS 332.115.1.(G), SOFTWARE FOR COMPUTERS IS EXEMPT FROM THE COMPETITIVE BIDDING PROCESS.

FISCAL IMPACT

FUNDS ARE AVAILABLE IN THE SANITATION ENTERPRISE FUND.

RECOMMENDATIONS

THAT THE CITY COUNCIL APPROVE THE AWARD OF A PURCHASE ORDER TO DATASTREAM SYSTEMS FOR SOFTWARE, INSTALLATION, DATA ENTRY, AND TRAINING, IN THE AMOUNT OF \$54,305.

PREPARED BY

 TERESA J. BOWMAN

CITY COUNCIL

MEETING OF
May 27, 1997

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AGENDA DOCUMENTATION

TO:
CITY COUNCIL

FROM: 
RALPH SHACKELFORD, DIRECTOR
GENERAL SERVICES DEPARTMENT

SUBJECT: PURCHASE ORDER APPROVAL FOR ADDITIONAL EMULATION PACKAGES

PURPOSE/BACKGROUND

THIS REQUEST WILL PROVIDE FOR SEVENTY-FIVE (75) ADDITIONAL EMULATION PACKAGES WHICH ALLOW MAINFRAME ACCESS FROM PERSONAL COMPUTERS, FOR USE BY VARIOUS DEPARTMENTS.

NRS 332.115.1(D), PROVIDES FOR NON-COMPETITIVE SELECTION OF A VENDOR WHEN ITEMS MUST BE COMPATIBLE WITH EXISTING SYSTEMS. THIS AWARD IS EXEMPT FROM COMPETITIVE BIDDING REQUIREMENTS SINCE THE EMULATION PACKAGES HAVE BEEN ESTABLISHED AS A STANDARD TO BE USED BY THE CITY OF LAS VEGAS AND MUST BE COMPATIBLE WITH EXISTING SYSTEMS.

FISCAL IMPACT

FUNDS ARE AVAILABLE IN THE GENERAL FUND.

RECOMMENDATIONS

THAT THE CITY COUNCIL APPROVE THE ISSUANCE OF A PURCHASE ORDER TO VIRTUAL TECHNOLOGY INC. (ROCHESTER HILLS, MI) FOR SEVENTY-FIVE (75) ADDITIONAL EMULATION PACKAGES IN THE AMOUNT OF \$28,350.

PREPARED BY

 TERESA BOWMAN

CITY COUNCIL

MEETING OF
May 27, 1997

65**AGENDA DOCUMENTATION****TO:****CITY COUNCIL****FROM:**


RALPH SHACKELFORD, DIRECTOR
GENERAL SERVICES DEPARTMENT

**SUBJECT: SUPPLEMENT TO ANNUAL PURCHASE ORDER A-3082 FOR THE LEASE FOR THE
MUNICIPAL COURT TRAFFIC SCHOOL FACILITY**

PURPOSE/BACKGROUND

THIS SUPPLEMENT TO PURCHASE ORDER NUMBER A-3082 PROVIDES FOR A NINETY (90) DAY INTERIM LEASE EXTENSION FOR THE MUNICIPAL COURT TRAFFIC SCHOOL FROM APRIL 1, 1997 THROUGH JUNE 30, 1997. THIS LEASE HAS BEEN CARRIED OVER ON A MONTH TO MONTH BASIS AT THE SAME TERMS AND CONDITIONS OF THE ORIGINAL LEASE AGREEMENT. THIS EXTENSION WILL ALLOW STAFF TO COMPLETE NEGOTIATIONS AND FINALIZE A NEW LEASE AGREEMENT.

FISCAL IMPACT

FUNDS ARE AVAILABLE IN THE ALTERNATIVE SENTENCING ENTERPRISE FUND.

RECOMMENDATIONS

THAT THE CITY COUNCIL APPROVE THE ISSUANCE OF A SUPPLEMENT TO ANNUAL PURCHASE ORDER A-3082, TRAFFIC SCHOOL FACILITY LEASE, K-LAS VEGAS, IN THE AMOUNT OF \$24,447.

PREPARED BY

REGINA R. HEILMAN

CITY COUNCIL

MEETING OF
MAY 27, 1997

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

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION**

	CONSENT AGENDA DEPARTMENT OF GENERAL SERVICES PURCHASE ORDER APPROVALS/ SUPPLEMENTS Purchase Order Approval for Admission to Wet N Wild Summer Program Field Trips Department of Parks and Leisure Activities Award Recommended to: WET N WILD (\$39,900) APPROVAL OF AGREEMENTS/ AUTHORIZATIONS Authorization to Utilize Clark County RFP Number 448-96 for Detention Center Inmate Phone Service Department of Detention and Enforcement Award Recommended to: PEOPLES TELINK Authorization to Utilize Clark County Bid Number 3326-94, Annual Requirements Contract for Automotive Parts Department of General Services Award Recommended to: CLARK COUNTY WHOLESALE, INC. (\$100,000) CONTRACT MODIFICATIONS Contract Modification Number One, Bid Number 97.1730.02, Sawtooth Street Improvements - Phase 5 Department of Public Works Award Recommended to: SOUTHERN NEVADA PAVING, INC. (\$35,000)	ADAMSEN - Motion to APPROVE: Items 4 - 35 Items 37 - 41 Items 43 - 64 carried UNANIMOUSLY Item 36: APPROVED under separate action (see individual item) Item 42: ABEYANCE to 6/9/97 under separate action (see individual item) ***** There was no discussion. (10:00) 1-704 APPROVED - see above APPROVED - see above APPROVED - see above
37		
38		
39		
40		

CITY COUNCILMEETING OF
May 27, 1997

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AGENDA DOCUMENTATION**TO:****CITY COUNCIL****FROM:**
RALPH SHACKELFORD, DIRECTOR
GENERAL SERVICES DEPARTMENT**SUBJECT: PURCHASE ORDER APPROVAL FOR ADMISSION TO WET N WILD SUMMER PROGRAM
FIELD TRIPS****PURPOSE/BACKGROUND**

THIS REQUEST WILL PROVIDE FOR ADMISSION TO WET N WILD SUMMER PROGRAM FIELD TRIPS FOR THE DEPARTMENT OF PARKS AND LEISURE ACTIVITIES.

NRS 332.115(A) PROVIDES FOR NON-COMPETITIVE SELECTION OF A VENDOR WHEN ITEMS MAY ONLY BE CONTRACTED FROM A SOLE SOURCE.

FISCAL IMPACT

FUNDS ARE AVAILABLE IN THE SPECIAL REVENUE FUND

RECOMMENDATIONS

THAT THE CITY COUNCIL APPROVE THE AWARD OF A PURCHASE ORDER TO WET N WILD TO PROVIDE ADMISSION FOR SUMMER PROGRAM FIELD TRIPS, IN THE ESTIMATED AMOUNT OF \$39,900.

PREPARED BY TONY GREEN

AGENDA ITEM

37

CITY COUNCILMEETING OF
May 27, 1997

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AGENDA DOCUMENTATION**TO:**
CITY COUNCIL**FROM:** 
RALPH SHACKELFORD, DIRECTOR
GENERAL SERVICES DEPARTMENT**SUBJECT: AUTHORIZATION TO UTILIZE CLARK COUNTY RFP NUMBER 448-96 FOR DETENTION
CENTER INMATE PHONE SERVICE****PURPOSE/BACKGROUND**

THIS REQUEST PROVIDES FOR THE DETENTION CENTER'S INMATE PHONE SERVICE FOR THE PERIOD JUNE 1, 1997 THROUGH MAY 31, 2000 AND INCLUDES TWO (2) ONE YEAR OPTIONS TO RENEW.

THIS ITEM IS EXEMPT FROM COMPETITIVE BIDDING REQUIREMENTS PURSUANT TO NRS 332.195, WHICH ALLOWS LOCAL GOVERNMENTS TO USE THE CONTRACTS OF OTHER LOCAL GOVERNMENTS.

FISCAL IMPACT

REVENUE IS:	Dates	Percentage	Minimum Annual Cash Payment to City 6/1/97 - 5/31/00
	6/1/97-5/31/98	31%	\$60,000
	6/1/98 - 5/31/99	31%	\$62,500
	6/1/99 - 5/31/00	31%	\$65,000

RECOMMENDATIONS

THAT THE CITY COUNCIL AUTHORIZE THE JOINDER TO CLARK COUNTY RFP NUMBER 448-96 TO PEOPLES TELINK, FOR DETENTION CENTER INMATE PHONE SERVICE.

PREPARED BY

KEN FALLINE

CITY COUNCILMEETING OF
May 27, 1997

69

AGENDA DOCUMENTATION**TO:****CITY COUNCIL****FROM:**
RALPH SHACKELFORD, DIRECTOR
GENERAL SERVICES DEPARTMENT**SUBJECT: AUTHORIZATION TO UTILIZE CLARK COUNTY BID NUMBER 3326-94, ANNUAL REQUIREMENTS CONTRACT FOR AUTOMOTIVE PARTS****PURPOSE/BACKGROUND**

THIS REQUEST WILL PROVIDE FOR AUTOMOTIVE PARTS FOR USE BY THE VEHICLES SERVICES DIVISION OF THE GENERAL SERVICES DEPARTMENT, FOR THE PERIOD FROM JUNE 1, 1997 THROUGH AUGUST 31, 1997. DURING THIS PERIOD, A FORMAL BID WILL BE ISSUED TO ESTABLISH AN ANNUAL CONTRACT.

THIS ITEM IS EXEMPT FROM COMPETITIVE BIDDING REQUIREMENTS PURSUANT TO NRS 332.195, WHICH ALLOWS LOCAL GOVERNMENTS TO USE THE CONTRACTS OF OTHER LOCAL GOVERNMENTS.

FISCAL IMPACT

FUNDS ARE AVAILABLE IN THE AUTOMOTIVE OPERATIONS INTERNAL SERVICES FUND.

RECOMMENDATIONS

THAT THE CITY COUNCIL AUTHORIZE THE JOINDER TO CLARK COUNTY BID NO. 3326-94, ANNUAL REQUIREMENTS CONTRACT FOR AUTOMOTIVE PARTS, TO CLARK COUNTY WHOLESALE INC., FOR THE PERIOD FROM JUNE 1, 1997 THROUGH AUGUST 31, 1997 IN THE ESTIMATED AMOUNT OF \$100,000.

PREPARED BY TERESA J. BOWMAN

CITY COUNCIL

MEETING OF
May 27, 1997

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AGENDA DOCUMENTATION

TO:
CITY COUNCIL

FROM: 
RALPH SHACKELFORD, DIRECTOR
GENERAL SERVICES DEPARTMENT

SUBJECT: CONTRACT MODIFICATION NUMBER ONE, BID NUMBER 97.1730.02, SAWTOOTH STREET IMPROVEMENTS - PHASE 5

PURPOSE/BACKGROUND

ON DECEMBER 4, 1996, THE CITY COUNCIL APPROVED THE AWARD OF BID NUMBER 97.1730.02, SAWTOOTH STREET IMPROVEMENTS - PHASE 5, TO SOUTHERN NEVADA PAVING, INC., IN THE AMOUNT OF \$515,176.68. CONTRACT MODIFICATION NUMBER ONE REPRESENTS THE CONSTRUCTION OF IMPROVEMENTS THAT CREATE THE CLOSURE OF DEL AMO DRIVE TO THROUGH TRAFFIC AND PROVIDES EMERGENCY ACCESS FROM CHARLESTON BOULEVARD. THIS MODIFICATION WILL BRING THE CONTRACT TOTAL TO \$550,176.68.

FISCAL IMPACT

FUNDS ARE AVAILABLE IN THE TRAFFIC IMPROVEMENT CAPITAL PROJECT FUND.

RECOMMENDATIONS

THAT THE CITY COUNCIL APPROVE CONTRACT MODIFICATION NUMBER ONE, BID NUMBER 97.1730.02, SAWTOOTH STREET IMPROVEMENTS - PHASE 5, TO SOUTHERN NEVADA PAVING, INC. IN THE AMOUNT OF \$35,000.

PREPARED BY

REGINA R. HEILMAN

AGENDA ITEM

40

CITY COUNCIL

MEETING OF

MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

41

CONSENT AGENDA

DEPARTMENT OF HUMAN RESOURCES

REPORT OF NEW HIRES

April 28 - May 12, 1997

POSITION(S) GENERAL FUND	DEPARTMENT	MONTHLY RANGE

Senior Executive Assistant	Office of the Mayor	\$2,960-4,573

Animal Control Officer I (X)	Detention & Enforcement	\$2,368-3,173

Control Room Operator	Detention & Enforcement	\$2,486-3,332

Firefighter/ EMT-P (Paramedic) (9)	Fire Services	\$3,197-4,516

Development Project Officer (X) (2)	Neighborhood Services	\$2,949-3,952

ENTERPRISE FUNDS

Plant Operator I (X)	Public Works	\$2,548-3,414

POSITION(S) GENERAL FUND	DEPARTMENT	HOURLY RATE

Senior Clerk III	Finance & Business Services	\$10.50

ADAMSEN - Motion to APPROVE:

Items 4 - 35

Items 37 - 41

Items 43 - 64

carried UNANIMOUSLY

Item 36: APPROVED under separate action
(see individual item)

Item 42: ABEYANCE to 6/9/97
under separate action
(see individual item)

There was no discussion.

(10:00)
1-704

CITY COUNCIL

MEETING OF
MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

CONSENT AGENDA

DEPARTMENT OF PARKS AND LEISURE ACTIVITIES

42

Approval of the Sixth Amendment to the management agreement at Angel Park Golf Course.

REESE - Motion to Hold Item 42 in ABEYANCE to 6/9/97 - UNANIMOUS with CALLISTER not voting

6/9/97 Agenda

There was no discussion.

(9:55 - 9:56)

1-553

43

Approval of a service connection agreement No. 104188 with the Las Vegas Valley Water District, with conditional water commitment, for new water service installation for the Gowan Soccer Field complex.

ADAMSEN - Motion to APPROVE:

Items 4 - 35

Items 37 - 41

Items 43 - 64

carried UNANIMOUSLY

Estimated costs: \$145,713 - funded by Park Impact Fee

Item 36:

APPROVED under separate action
(see individual item)

Item 42:

ABEYANCE to 6/9/97
under separate action
(see individual item)

There was no discussion.

(10:00)

1-704

44

Approval of a professional services agreement with J. W. Zunino & Associates for design of Children's' Memorial Park Phase IV.

APPROVED - see above Item 43

\$223,845 - design service

\$25,155 (11%) - contingency for additional services if authorized by Director of Parks & Leisure Activities

CITY COUNCIL

MEETING OF

May 27, 1997

73

AGENDA DOCUMENTATION

TO:

City Council

FROM:


DAVE KUIPER, DIRECTOR
PARKS & LEISURE ACTIVITIES

SUBJECT:

APPROVAL OF THE SIXTH AMENDMENT TO THE MANAGEMENT AGREEMENT AT ANGEL PARK GOLF COURSE

PURPOSE/BACKGROUND

Angel Park, LLC, a Delaware limited liability company and a subsidiary of O.B. Sports, LLC, a Delaware limited liability company, is requesting a sixth amendment to the Angel Park Golf Course management agreement. This amendment would permit them to change their financing company from First Bank National Association to Pacific Mutual Life Insurance Company.

There would be no management, operation, or fee changes associated with this amendment. It would have no fiscal impact on the City.

John Redlein, Deputy City Attorney, reviewed the amendment request and subsequently requested that language be inserted in the amendment which would remove First Bank National Association from having any further interests or rights in this agreement and that more financial and company information be provided on Pacific Mutual Life Insurance Company so that a recommendation on the soundness of the company could be made.

The sixth amendment request has been reviewed and approved by the City Attorney's office.

FISCAL IMPACT

NONE

RECOMMENDATIONS

The Department of Parks and Leisure Activities recommends City Council approval.

Agenda Item

42

CITY COUNCIL

74

AGENDA DOCUMENTATION

MEETING OF
May 27, 1997

TO:

City Council

FROM:


DAVE KUIPER, DIRECTOR
PARKS & LEISURE ACTIVITIES

SUBJECT:

APPROVAL OF A SERVICE CONNECTION AGREEMENT NO. 104188 WITH THE LAS VEGAS VALLEY WATER DISTRICT, WITH CONDITIONAL WATER COMMITMENT, FOR NEW WATER SERVICE INSTALLATION FOR THE GOWAN SOCCER FIELD COMPLEX.

PURPOSE/BACKGROUND

A necessary part of this project is the installation of a 6" and 1" water service to provide irrigation and potable water for the Gowan Soccer Field Complex. Before the Las Vegas Valley Water District will sign the connection documents and allow the City to install the water service, the Service Connection Agreement with conditional water commitment must be executed.

This Agreement has been reviewed by the City Attorney's Office for legal form and content.

FISCAL IMPACT

\$145,713.00 Estimated Costs. Funding provided by Park Impact Fee.

RECOMMENDATIONS

The Director of Parks & Leisure Activities recommends that the City Council approve the Service Connection Agreement with the Las Vegas Valley Water District.

Agenda Item

43

CITY COUNCIL MINUTES

75

MAY 27 1997

Agreement No. 104188

INTERLOCAL AGREEMENT FOR GOWAN SOCCER FIELD COMPLEX BID NO. 98.1739.02

THIS AGREEMENT made and entered into by and between the CITY OF LAS VEGAS, a political subdivision of the State of Nevada, hereinafter called "CITY", and the LAS VEGAS VALLEY WATER DISTRICT, a quasi-municipal corporation of the State of Nevada, hereinafter called "DISTRICT".

RECITALS

WHEREAS, the DISTRICT is engaged in the business of distributing potable water in the City of Las Vegas, Nevada, and portions of the County of Clark, Nevada; and

WHEREAS, the CITY is engaged in the development of real property generally located on Pioneer Way between Buckskin Avenue and Gowan Road, further described as Clark County Assessors Parcel Number 138-10-302-005, has submitted plans for a soccer field complex, is desirous of receiving potable water from the District, and has made application for water service to said project; and

WHEREAS, the CITY has approved the development of the real property as a public recreation facility, and has authorized a distribution of water to the property for this development subject to the District's Service Rules; and

WHEREAS, the DISTRICT is willing to serve said real property with water pursuant to its Service Rules as adopted by its Board of Directors and subject to the CITY performing all of the terms, conditions and provisions hereinafter set forth and required of the CITY; and

WHEREAS, the CITY is willing to construct at its sole cost and expense the required water service connections and appurtenances for the purpose of providing water service of adequate pressure and quantity to said real property; and

WHEREAS, both the CITY and the DISTRICT are authorized to enter into interlocal agreements pursuant to NRS 277.180.

NOW, this Agreement WITNESSETH:

ARTICLE I

CITY AGREES:

- A. At CITY'S sole cost and expense to furnish all necessary materials, labor, and equipment for the construction of the service connections and appurtenances which may include, but not be limited to, the connections to the main and the lateral pipe, meters, meter boxes or vaults, valves, and backflow prevention assemblies hereinafter called "SERVICE CONNECTIONS", from a DISTRICT main, to the point where the water being delivered leaves the piping owned by the DISTRICT. The location and type of said SERVICE CONNECTIONS are identified on the plan entitled:

DEPARTMENT OF PUBLIC WORKS
GOWAN SOCCER FIELD COMPLEX
Utility Plan

MAY 27 1997

Agreement No. 104188

- B. That said SERVICE CONNECTIONS shall be constructed in the locations shown, and in accordance with the above-mentioned plan, as approved by the DISTRICT, and in conformance with DISTRICT specifications.
- C. That all work shall be subject to inspection and approval by an authorized representative of the DISTRICT and the DISTRICT shall be notified a minimum of 48 hours in advance of actual construction start and 24 hours prior to an inspection of any part of the work, in order that necessary inspection can be arranged.
- D. To comply with the DISTRICT'S Service Rules that are in force on the effective date of this Agreement including those sections pertaining to the water commitment process and construction of the SERVICE CONNECTIONS identified in Article I, paragraph A above.
- E. At CITY'S sole cost and expense, to perform all survey work necessary to ensure installation of the SERVICE CONNECTIONS to the location and grades called for in the plans.
- F. At CITY'S sole cost and expense, to disinfect and pressure test the SERVICE CONNECTIONS to the satisfaction of the DISTRICT and the health authorities having jurisdiction.
- G. That connections to existing mains shall be made only in the presence of an authorized representative of the DISTRICT and at the times specified by the DISTRICT.
- H. That all SERVICE CONNECTIONS shall be located outside of driveways, driveway approaches, or other areas subject to vehicular traffic. In the event any SERVICE CONNECTIONS are located within those areas either inadvertently or otherwise, the CITY shall cause such SERVICE CONNECTIONS to be relocated outside of the driveways, driveway approaches or other areas described above, in accordance with DISTRICT's requirements, or shall reimburse the DISTRICT for the cost of relocating said SERVICE CONNECTIONS. If extraordinary conditions exist that would prevent compliance with this requirement, CITY may submit to the DISTRICT a written request for a waiver of this requirement pursuant to the DISTRICT's Service Rules.
- I. To furnish to the DISTRICT easements, in a form satisfactory to the DISTRICT, where SERVICE CONNECTIONS are approved to be installed in other than dedicated street or alleys. Said easements to be not less than twenty (20) feet in width and perpetual. The conditions of said easements shall be such that no buildings, structures, trees, shrubs, or other improvements which would interfere with its use by DISTRICT can be placed upon it, that DISTRICT will have the right to operate, maintain, repair, replace, and/or change the size and/or number of SERVICE CONNECTIONS; and that proper access to all parts of the easement by DISTRICT forces and equipment is provided. The conditions of said easements shall further provide that the property owner agrees to pay any and all costs incurred by the DISTRICT to make and/or maintain said easements accessible to the DISTRICT. It may be provided that other utility lines can be installed in said easement, so long as they do not interfere with its use by DISTRICT, and are in compliance with state laws and regulations.
- J. Should any defective material or workmanship affecting the SERVICE CONNECTIONS installed by the CITY be disclosed within one (1) year of the date of completion and acceptance of the SERVICE CONNECTIONS by the DISTRICT, CITY shall immediately cause the defect to be corrected, or shall reimburse DISTRICT for its cost to correct said defect. For the purpose of this Agreement, failures including, but not limited to, any leak or break in the SERVICE CONNECTIONS, or any pavement settlement, shall be considered conclusive evidence of defective materials and/or workmanship.
- K. That upon completion of construction of the work and acceptance of the work by the DISTRICT, the CITY will provide final acceptance of all work associated with the project and the final acceptance shall include providing the DISTRICT with all its right, title, and interest, in and to the SERVICE

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CONNECTIONS. The CITY will warrant at the time of said final acceptance that there are no encumbrances for material and labor claims.

- L. That all water will be taken through metered service connections, in accordance with DISTRICT'S Service Rules. The CITY will require its contractor to install the meters in a timely manner.
- M. To require its contractor to protect all existing water facilities during construction and to promptly undertake the repair of damaged facilities upon authorization of the DISTRICT.

ARTICLE II**DISTRICT AGREES:**

- A. That upon completion of construction of the SERVICE CONNECTIONS, acceptance of same by the DISTRICT, and fulfillment by the CITY of all requirements of this Agreement, to supply water to and to thereafter operate and maintain the SERVICE CONNECTIONS installed pursuant to this Agreement in accordance with the DISTRICT'S Service Rules as the same are established and amended.

ARTICLE III**IT IS MUTUALLY AGREED:**

- A. That all SERVICE CONNECTIONS installed under this Agreement shall be and remain the exclusive property of the DISTRICT, and shall become a part of the DISTRICT'S general water distribution system after acceptance by the DISTRICT.
- B. That construction water shall only be provided through metered fire hydrants and/or metered service connections in accordance with the DISTRICT'S Service Rules.
- C. That if this Agreement terminates in accordance with its terms, right, title and interest of all or any portion of the SERVICE CONNECTIONS installed, as determined solely and exclusively by the DISTRICT, shall become the exclusive property of the DISTRICT for the DISTRICT to use, modify, or to dispose of as the DISTRICT deems appropriate.
- D. That noncompliance or violation of the DISTRICT'S Service Rules or any provision of this Agreement by CITY or its officers, employees, agents, contractors, licensees or invitees shall be cause for the DISTRICT, at its sole discretion, to discontinue water service to CITY'S project without challenge by CITY and without liability for any damages caused by said discontinuation.
- E. That the CITY will be responsible for any loss, damage, liability, cost or expense, except those exempted by law, caused by the actions or inactions of its employees, consultants, contractors, or agents arising under this Agreement. The CITY shall protect, indemnify, and hold the DISTRICT, its officers, employees, and agents harmless from and against any and all claims, damages, losses, expenses, suits, actions, judgements, and awards including attorney's fees and court costs which may be brought against it or them as a result of or by reason of or arising out of or as a consequence of the construction of the SERVICE CONNECTIONS contemplated in this Agreement.
- F. That this Agreement shall not be deemed to be for the benefit of any entity or person who is not a party hereto, and is not a commitment for water service, and neither this Agreement, nor any interest therein, may be assigned without the prior written consent of the non-assigning party.

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- G. That this Agreement represents the entire understanding of the CITY and the DISTRICT relative to the installation of the SERVICE CONNECTIONS in conjunction with the CITY'S project.
- H. That should any part of this Agreement be rendered void, invalid, or unenforceable by any court of law, for any reason, such determination shall not render void, invalid, or unenforceable, any other part of this Agreement.
- I. That the laws of the State of Nevada will govern as to the interpretation, validity, and effect of this Agreement.

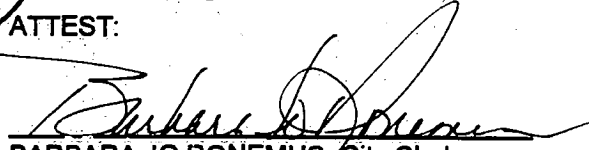
IN WITNESS WHEREOF, the parties hereto have entered into this Interlocal Agreement on the 20th day of May, 1997.

APPROVED:


City Attorney

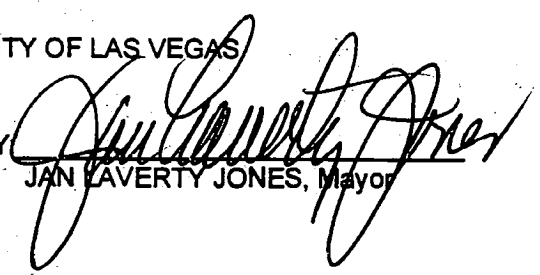
5-24-97

ATTEST:

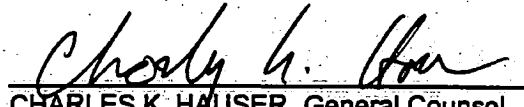

BARBARA JO RONEMUS, City Clerk

CITY OF LAS VEGAS

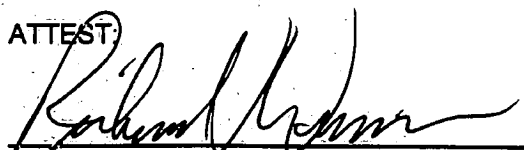
BY:


JAN LAVERTY JONES, Mayor

APPROVED:

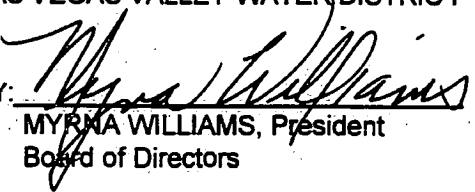

CHARLES K. HAUSER, General Counsel

ATTEST:


for PATRICIA MULROY, Secretary
Las Vegas Valley Water District

LAS VEGAS VALLEY WATER DISTRICT

BY:


MYRNA WILLIAMS, President
Board of Directors

AGENDA DOCUMENTATION**CITY COUNCIL**
MEETING OF
MAY 27, 1997

TO:

CITY COUNCIL

FROM:


DAVID L. KUIPER, DIRECTOR
PARKS & LEISURE ACTIVITIES**SUBJECT: APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH J.W. ZUNINO & ASSOCIATES
FOR DESIGN OF CHILDRENS' MEMORIAL PARK PHASE IV****PURPOSE/BACKGROUND**

The City of Las Vegas desires to construct Phase IV improvements at Childrens' Memorial Park. This construction would complete the build-out of the park. Site improvements to include parking lots, tot lots, soccer fields, roller hockey court, volley ball, tennis courts, jogging track, picnic shelters, restroom facilities, and park lighting. This new phase would compliment the current park facilities and provide additional amenities for the citizens of Las Vegas.

J.W. Zunino & Associates is a landscape architectural firm specializing in park development and was the landscape architect of record for the previous phases of the park. They bring many years of experience to the project and will provide the design services required for new phase improvements.

FISCAL IMPACT

The professional fee necessary to provide the design service for the project is \$223,845.00. The agreement also includes a contingency of \$25,155.00 (11%) for additional services if authorized by the Director of Parks & Leisure Activities. Monies are available for the project from Park Impact Fees.

RECOMMENDATION

The Director of Parks & Leisure Activities recommends approval of the professional services agreement with J.W. Zunino & Associates for design services.

AGENDA ITEM

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PROFESSIONAL SERVICES AGREEMENT Children's Memorial Park Phase IV

THIS AGREEMENT, made and entered into as of the 27th day of MAY, 1997, by and between the CITY OF LAS VEGAS, a municipal corporation and political subdivision of the State of Nevada, (hereinafter referred to as "CITY"), and J.W. Zunino & Associates, Inc., (hereinafter referred to as "CONSULTANT").

WITNESSETH:

WHEREAS, the CITY intends to complete construction of Children's Memorial Park Phase IV (hereinafter referred to as the "PROJECT"); and

WHEREAS, the CITY desires to obtain quality professional services of the CONSULTANT to perform design and preparation of contract bid documents for the construction of the PROJECT; and

WHEREAS, the CONSULTANT is properly registered and qualified in accordance with the Nevada Revised Statutes and has the personnel and facilities necessary to perform such services within the required time; and

WHEREAS, the CONSULTANT has previously provided valuable design services for other phases of construction of the Project site and approximately 15 acres of the Project remain uncompleted and the City desires to engage the services of the CONSULTANT to complete that design in Phase IV of the ongoing park project and;

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WHEREAS, the CONSULTANT's scope of service and compensation have been arrived at after meaningful negotiations between the CITY and the CONSULTANT.

NOW THEREFORE, in consideration of the premises contained herein, the parties hereto agree to the following terms, conditions and covenants set forth in Section I through XI hereof;

**SECTION I
RESPONSIBILITY OF CONSULTANT**

- A. The CONSULTANT shall be responsible for the professional quality, technical accuracy, timely completion, and coordination of all services furnished by the CONSULTANT, its subcontractors and consultants and its and their principals, officers, employees and agents under this AGREEMENT. In performing the specified services, CONSULTANT shall follow practices consistent with generally accepted professional technical engineering standards.
- B. It shall be the duty of CONSULTANT to assure that all products of its effort are technically sound and in conformance with all pertinent federal, State, and local statutes, codes, ordinances, resolutions and other regulations. CONSULTANT shall not produce a design which violates or infringes on any patent rights. The CONSULTANT shall without additional compensation, correct or revise any error or deficiencies in its design, drawings, specifications, reports and other services. The

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CONSULTANT shall pay all damages, costs and expenses caused by, resulting from, or arising out of CONSULTANT's negligent performance in its design, drawings, specifications, reports and other services.

Permitted or required approval by the CITY of any products or services furnished by CONSULTANT shall not in any way relieve the CONSULTANT of responsibility for the professional and technical accuracy of its services.

CITY review, approval, acceptance, or payment for any of CONSULTANT's services herein shall not be construed to operate as a waiver of any rights enjoyed by the City under this AGREEMENT or of any cause or action arising out of the performance of this AGREEMENT, and CONSULTANT shall be and remain liable in accordance with the terms of this AGREEMENT and applicable law for all damages to CITY caused by CONSULTANT's negligent acts, errors or omissions in performance of this AGREEMENT.

- C. CONSULTANT shall assign Jack Zunino, ASLA, to manage the PROJECT. All of the services specified by this AGREEMENT shall be performed by the Project Manager, or by CONSULTANT's associates and employees identified in the CONSULTANT's proposal under the personal supervision of the Project Manager. All employees identified in the CONSULTANT's cost proposal shall be subject to approval by CITY's

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representative. Should the Project Manager, or any key employee of CONSULTANT be unable to complete his or her responsibility for any reason, the CONSULTANT will replace him or her with a qualified person whom the CITY's representative finds satisfactory. If CONSULTANT fails to make a required replacement within 30 days, CITY may terminate this AGREEMENT for default.

- D. The CONSULTANT shall not produce a design or specification which would be in violation of NRS Chapter 338 entitled "Public Works Projects".
- E. CONSULTANT shall furnish CITY's representative copies of all correspondence to regulatory agencies for approval and review prior to mailing such correspondence.
- F. The CONSULTANT agrees that its officers, partners and employees will cooperate with the CITY in the performance of services under this AGREEMENT and will be available for consultation with CITY at such reasonable times with advance notice as to not conflict with their other responsibilities.
- G. The rights and remedies of the CITY provided for under this section are in addition to any other rights and remedies provided by law or under other sections of this AGREEMENT.

**SECTION II
RESPONSIBILITY OF CITY**

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- A. The CITY agrees that its officers and employees will cooperate with CONSULTANT in the performance of services under this AGREEMENT and will be available for consultation with CONSULTANT at such reasonable times with advance notice as to not conflict with their other responsibilities.
- B. The services to be performed by CONSULTANT under this AGREEMENT shall be subject to periodic review by CITY's representative. The review comments of CITY's representative shall be reported in writing to CONSULTANT by CITY's representative. To prevent an unreasonable delay in CONSULTANT's work, the CITY's representative will endeavor to examine all reports, drawings, specifications, and other documents and will respond in writing to the CONSULTANT within 5-10 working days of receipt of such documents. It is understood that CITY's representative's review comments do not relieve CONSULTANT from the responsibility for the professional and technical accuracy of all work delivered under this AGREEMENT.
- C. CITY shall, without charge, furnish to or make available for examination or use by CONSULTANT as it may request, any data which CITY has available, including as examples only and not as a limitation:
1. Copies of reports, maps, plans, surveys, records, and other

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documents pertinent to streets, traffic, utilities, public properties, property developments and other physical features.

2. Copies of previously prepared reports, maps, plans, specifications, surveys, records, ordinances, codes, regulations, other documents, and information related to the services specified by this AGREEMENT.

- D. CITY shall assist CONSULTANT in obtaining data and documents from public officers or agencies and from private citizens and business firms whenever the CITY determines that such material is necessary for the completion of the services specified by this AGREEMENT.

SCOPE OF SERVICES

Services to be performed by the CONSULTANT shall consist of the services described in Exhibit A of this AGREEMENT.

SECTION IV CHANGES TO SCOPE OF SERVICES

- A. The CITY may at any time, by written order, make changes within the general scope of his AGREEMENT and in the services or work to be performed. If such changes cause an increase or decrease in the CONSULTANT's cost or time required for performance of any services under this AGREEMENT, an equitable adjustment shall be made and this AGREEMENT shall be modified in writing accordingly. Any claim of the

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CONSULTANT for adjustment under this clause must be asserted in writing within 30 days from the date of receipt by the CONSULTANT of notification of change unless the CITY grants in writing a further period of time before the date of final payment under this AGREEMENT.

- B. No services due to a change in scope for which additional compensation will be charged by the CONSULTANT shall be furnished without the written authorization of the CITY.

**SECTION V
ADDITIONAL SERVICES OF CONSULTANT**

- A. Additional services will be provided only as specifically authorized in writing by the CITY's representative and consist of the work described in Exhibit B. Any other work determined by CITY as essential to efficient and timely completion of the project shall require formal amendment to this AGREEMENT.
- B. The CONSULTANT shall notify CITY in advance of any additional costs which may be incurred prior to attending such meetings or public hearings as may be necessary to clarify the interpretation of the work performed by CONSULTANT under this AGREEMENT.

**SECTION VI
SUBCONTRACTS**

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

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following:

- A. A provision that CONSULTANT agrees to pay the subcontractor when paid for that portion of the work by the CITY, that no liability arises on the part of the CONSULTANT to the subcontractor for payment of the subcontracted work until payment has been made by the CITY, and that if the CITY has paid the CONSULTANT for said subcontracted work, the subcontractor's only recourse is against the CONSULTANT and not against the CITY, either through the institution of legal or equitable action or the attachment of any lien.
- B. A provision that the subcontractors have no more rights against the CITY than that of the CONSULTANT.
- C. A provision that the subcontractor agrees to be bound by all the terms, conditions and obligations of this AGREEMENT unless the CITY has approved any deviation, changes or modifications in writing.
- D. A provision that the subcontractor will obtain and maintain professional Errors and Omissions Insurance coverage in connection with the subcontracted work in an amount equal to that required of the CONSULTANT as provided in that Section entitled "Insurance" of this AGREEMENT.

**SECTION VII
TERM OF AGREEMENT**

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This AGREEMENT shall be in force and effect from and after the day on which the CITY gives notice to the CONSULTANT to begin work under this AGREEMENT. This shall remain in effect until one (1) year has elapsed after the final payment for services under this AGREEMENT is made. This section shall not be construed to relieve either party of its obligations to perform under this AGREEMENT while the AGREEMENT is in effect. Termination of this AGREEMENT shall not release either party from any of its continuing obligations hereunder. This section shall not be construed to change any disputes arising out of this AGREEMENT or in connection with the subject matter hereof, nor shall this section be construed to change the date or the time on which a cause of action arising out of this AGREEMENT or the subject matter hereof, would otherwise accrue under the statutes of limitations or doctrines of law.

SECTION VIII

COMPENSATION AND TERMS OF PAYMENT

A. General

Progress Payments: Once each month, the CITY shall pay the CONSULTANT for services performed under Section entitled "Scope of Services" of this Agreement.

B. Compensation and Method of Payment for Engineering and Landscape Architectural Services:

1. The CITY shall pay the CONSULTANT for services identified in that Section entitled "Scope of Services", an amount not to exceed \$223,845.00 Dollars. The CONSULTANT shall prepare monthly

and submit to CITY's representative in writing a complete statement of costs which includes actual work completed.

2. Payment shall be due within 60 days after the date of receipt and approval by CITY's representative of monthly invoices describing the work performed during the preceding month.
3. The CITY agrees to pay CONSULTANT for any services described in Section entitled "Additional Services of Consultant", only if the services are requested in writing by the CITY's representative. Payment will be in accordance with paragraphs 1 and 2 of this section for additional services rendered in connection with Exhibit B. An amount up to, but not exceeding \$25,155.00 may be authorized for service performed under Section entitled "Additional Services of Consultant". The total amount of this entire AGREEMENT shall not exceed \$249,000.00.
4. Billings shall be submitted during the last week of each month for work performed during that month with an original and one copy to the CITY'S representative in the format attached as Exhibit "F".
5. Upon approval of such billings by CITY's representative, payment shall be made to CONSULTANT of ninety-five percent (95%) of the amount determined above, less all previous payments. The remaining five percent (5%) shall be retained as noted in paragraph

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7 below.

6. CITY's representative shall subtract from any payment made to CONSULTANT all damages, costs and expenses caused by, resulting from or arising out of negligent errors or deficiencies in CONSULTANT's designs, drawings, specifications, reports and other services which have not previously been paid by CONSULTANT.
7. Upon satisfactory completion by CONSULTANT of the services called for under the terms of the AGREEMENT, and upon acceptance of such work by CITY, which acceptance will not be unreasonably withheld, CONSULTANT will, within sixty (60) days of CITY's receipt of such request, be paid the unpaid balance of any money due for such work, including the retained percentages.

**SECTION IX
TIME OF PERFORMANCE**

CONSULTANT's project schedule for performance of services required to complete project milestones are indicated in Exhibit E. This schedule shall set forth not more than 241 calendar days for Tasks 1 through 12, as a period of time which may reasonably be required to complete the services identified in Exhibit A. The format of the schedule for performance of services shall be based on a cost-loaded, task-oriented diagram. In preparing the

project schedule, the CONSULTANT will provide a 5-10 working day allowance for each CITY review period. If the CONSULTANT's performance of services is delayed or if the CONSULTANT's sequence of tasks is changed, he shall notify the CITY's representative in writing of the reasons for the delay. The CONSULTANT shall then prepare a revised schedule for performance of services and submit the revised schedule to the CITY's representative. The CONSULTANT shall perform and complete the work according to the schedule furnished to CITY's representative. If the CONSULTANT is delayed by conditions within his control, as determined by CITY after consultation with the CONSULTANT, CITY shall have the right to increase the percentage withheld from monthly payments under Section entitled "Compensation and Terms of Payment" of this AGREEMENT up to ten percent (10%) until such time as the CONSULTANT has complied with the schedule requirement or presented an acceptable plan for such compliance.

SECTION X
AUDIT: ACCESS TO RECORDS

- A. The CONSULTANT shall maintain books, records, documents and other evidence directly pertinent to performance under this AGREEMENT in accordance with generally accepted accounting principles and practices consistently applied. The CONSULTANT shall also maintain the financial information and data used by the CONSULTANT in the preparation or support of the cost submission and a copy of the cost summary submitted to the CITY. The CITY, or any of their duly

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authorized representatives shall have access to such books, records, documents and other evidence for the purpose of inspection, audit and copying. The CONSULTANT will provide proper facilities for such access and inspection. Negotiated fixed rates will not change due to an audit.

- B. The CONSULTANT agrees to include paragraphs A through E of this Section in all his contracts and all their subcontracts directly related to performance of services specified in this AGREEMENT which are in excess of \$10,000.
- C. Audits conducted pursuant to this provision shall be in accordance with generally accepted auditing standards and established procedures and guidelines of the reviewing or audit agency(ies).
- D. The CONSULTANT agrees to the disclosure of all information and reports resulting from access to records pursuant to paragraphs A and B above, to any of the agencies referred to in paragraph A above, provided that the CONSULTANT is afforded the opportunity for an audit entrance and exit conference and an opportunity to comment and submit any supporting documentation on the pertinent portions of the draft audit report, and that the final audit report will include written comments, if any, of the CONSULTANT.
- E. Records under paragraphs A and B above shall be maintained and made

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available during performance under this AGREEMENT and until three years from date of final payment for the project. In addition, those records which relate to any arbitration appeal, or litigation, or the settlement of claims arising out of such performance, or costs or items to which an audit exception has been taken, shall be maintained and made available until three years after the date of resolution, litigation, claim or exception.

**SECTION XI
MISCELLANEOUS PROVISIONS**

A. SUSPENSION:

City may suspend performance by CONSULTANT under this AGREEMENT for such period of time as CITY, in its sole discretion, may prescribe by providing written notice to CONSULTANT at least ten working days prior to the date on which CITY wishes to suspend. Upon such suspension, CITY shall pay CONSULTANT its compensation, based on percentage of project completion, earned until the effective date of suspension less all previous payments in the event the CITY is satisfied with the services provided up to that time. CONSULTANT shall not perform further work under this AGREEMENT after the effective date of suspension until receipt of written notice from CITY to resume performance. In the event the CITY suspends performance by CONSULTANT for any cause other than the error or omission of the CONSULTANT for an aggregate period in excess of thirty days, CONSULTANT shall be entitled to an equitable adjustment of the compensation payable to CONSULTANT under this AGREEMENT to reimburse CONSULTANT for additional costs occasioned as a result of such

suspension of performance by CITY. In no event will the CITY be liable to the CONSULTANT for more than \$1,000.

B. TERMINATION:

The CITY 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 with the United States Postal Service, postage prepaid, and addressed to the party and location contained in the Section entitled "Notice" of the AGREEMENT.

In the event of termination, without cause or default, the CITY agrees to pay to the CONSULTANT the reasonable value for all work and services performed to the date of termination in accordance with the section entitled "Compensation and Terms of Payment" of this AGREEMENT.

C. DEFAULT

1. The occurrence of any of the following events shall be a default by CONSULTANT hereunder (hereinafter called "Events of Default"):
 - a. If CONSULTANT shall default in the due observance and performance of any term, condition or covenant contained herein.
 - b. 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 to 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;

- c. 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
- d. If CONSULTANT should, in the judgment of the CITY, neglect to prosecute the work hereunder properly or with proper dispatch in accordance with the time schedule set forth in the Section entitled "Time of Performance" of the AGREEMENT.

Then, if any such Event of Default continues for three (3)

working days after written notice to the CONSULTANT, CITY may, without prejudice to any other remedy it may have, at law or in equity, (a) terminate this AGREEMENT, suspend payment of all pending invoices otherwise due to the CONSULTANT hereunder and finish the work by such means as the CITY may see fit.

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

D. OWNERSHIP OF DOCUMENTS

All plans, drawings, specifications, studies and documents specifically to include magnetic media prepared or assembled by the CONSULTANT or any subcontractors which are related to the performance of this AGREEMENT are deemed to be the property of the CITY. In the event of completion or termination of this AGREEMENT, the CITY reserves the right to require delivery of any and all plans, drawings, specifications, studies and documents not in its possession. Any use of such completed documents for other projects and/or any use of incomplete documents without specific written authorization from the CONSULTANT will be at the CITY's sole risk. The CONSULTANT shall be entitled to a reproducible copy of all work products furnished to the CITY.

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E. INSURANCE

CONSULTANT shall procure and maintain, at its own expense, during the entire term of this AGREEMENT, the following insurances:

1. Nevada State Industrial Insurance System (SIIS). Such insurance will protect CONSULTANT and CITY from employee claims based on job related sickness, disease, or accident.
2. Comprehensive general liability (bodily injury and property damage) insurance with respect to CONSULTANT's agents and vehicles assigned to the prosecution of work under this AGREEMENT in a policy limit of not less than \$500,000. CONSULTANT's general liability insurance policies shall be endorsed to include the CITY as additional insured.
3. Professional liability insurance, for the protection from claims arising out of performance of professional services caused by a negligent act, error, or omission for which the insured is legally liable; such professional liability insurance will provide for coverage in an amount of not less than \$1,000,000 for the period of time covered by this AGREEMENT.
4. The CONSULTANT's Comprehensive General Liability and Professional Liability insurance policies shall be endorsed to cover CONSULTANT's contractual liability to CITY to waive

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subrogation against CITY, its officers, agents, servants and employees; and to provide that CITY will be given thirty days' notice in writing of any cancellation of, or material change in, the policies.

5. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer and licensed by the State of Nevada. All deductibles and self-insured retentions shall be fully disclosed in the Certificate of Insurance. No deductible or self-insured retention may exceed \$5,000 without the written approval of CITY.
6. Certificates indicating that such insurance is in effect shall be delivered to the CITY before work is begun under this AGREEMENT. If the CONSULTANT is underwritten on a claims made basis, the retroactive date shall be prior to or coincident with the date of this contract and the Certificate of Insurance shall state that coverage is claims made and the retroactive date. Upon availability, the CONSULTANT shall maintain coverage for the duration of this contract and for two years following the completion of this contract. The CONSULTANT shall provide the CITY annually a Certificate of Insurance as evidence of such insurance. It is further agreed that

the CONSULTANT and/or Insurance Carrier shall provide the CITY with 30-day advance notice of policy cancellation.

F. INDEMNITY

Notwithstanding any of the insurance requirements hereinabove set forth or limits of liability set forth therein, CONSULTANT shall protect, indemnify and hold harmless the CITY, its officers and employees from any and all claims, damages, losses, expenses, suits, actions, decrees, judgments, attorney fees and court costs which the CITY suffers, its officers or employees suffer as a result of, or arising out of the negligent acts or omissions of the CONSULTANT, its subcontractors, or agents or anyone employed by the CONSULTANT or its subcontractors or agents, in fulfillment or performance of the terms, conditions or covenants of this AGREEMENT.

G. ASSIGNMENT

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

H. WAIVER

No consent or waiver, express or implied, by either party to this AGREEMENT or

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of any breach or default by the other in the performance of any obligations hereunder shall be deemed or construed to be a consent or waiver of any other breach or default by such party hereunder. Failure on the part of any party hereto to complain of any act or failure to act of the other party or to declare that other party in default hereunder, irrespective of how long such failure continues, shall not constitute a waiver of the rights of such party hereunder. Inspection, payment, or tentative approval or acceptance by the CITY or the failure of the CITY to perform any inspection hereunder, shall not constitute a final acceptance of the work or any part thereof and shall not release CONSULTANT of any of its obligations hereunder.

I. DESIGNATION OF REPRESENTATIVE

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

J. CONSULTANT WARRANTIES

CONSULTANT represents and warrants:

1. 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

MAY 27 1997

AGREEMENT, and that it is qualified to do the work herein and is authorized to do business in the State of Nevada.

2. 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.

K. CONSULTANT'S EMPLOYEES

The CONSULTANT shall be responsible for maintaining satisfactory standards of employee competency, conduct and integrity, and shall be responsible for taking such disciplinary action with respect to its employees as may be necessary. In the event the CONSULTANT fails to remove any employee from the contract work whom the CITY deems incompetent, careless or insubordinate, or whose continued employment on the work is deemed by the CITY to be contrary to the public interest, the CITY reserves the right to require such removal as a condition for the continuation of this AGREEMENT.

L. 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.

M. APPLICABLE LAW

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

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N. 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.

O. 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.

P. PROHIBITION AGAINST CONTINGENT FEES

The CONSULTANT warrants that no person or entity has been employed or retained to solicit or secure this AGREEMENT upon an agreement or understanding for a commission, percentage, brokerage or contingent fee. For breach or violation of this warranty, the CITY shall have the right to annul this AGREEMENT without liability or, in its discretion, to deduct from the contract price or consideration, or otherwise recover, the full amount of such commission, percentage, brokerage or contingent fee.

Q. ARBITRATION

1. 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 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 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 and the CONSULTANT shall be specifically enforceable under the prevailing arbitration law.

2. 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 3 and 4 apply to the joinder rights provided herein in such a way as to preclude 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.

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

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dispute or other matter.

4. 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.
5. 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 Procedure.
6. 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.
7. By mutual written consent, in addition to and prior to arbitration,

MAY 27 1997

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.

R. CONFIDENTIALITY

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

S. 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 the AGREEMENT is just and reasonable compensation for performance hereunder including reasonably foreseen and foreseeable risks, hazards and difficulties in connection therewith based on such above-ground observations.

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T. MODIFICATION

All modification or amendments to this AGREEMENT are null and void unless reduced to writing and signed by the parties hereto.

CITY COUNCIL MINUTES

U. NOTICE

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Any notice required to be given hereunder shall be deemed to have been given when received by the party to whom it is directed by personal service, hand delivery or U.S. mail at the following addresses:

TO CITY:

Department of Public Works
400 E. Stewart Avenue
Las Vegas, NV 89101

TO CONSULTANT:

J.W. Zunino & Associates, Inc.
3305 W. Spring Mountain Road, Suite 90
Las Vegas, NV 89102

IN WITNESS WHEREOF, the parties have caused this AGREEMENT to be executed the day and year first above written.

CITY OF LAS VEGAS

By

JAN LAVERTY JONES, Mayor

"City"

ATTEST:


BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:


Date

J.W. ZUNINO & ASSOCIATES, INC.

By

JACK W. ZUNINO, President

"Consultant"

MAY 27 1997

EXHIBITS

- EXHIBIT A - Scope of Services
- EXHIBIT B - Additional Services
- EXHIBIT C - Manpower Task Breakdown
- EXHIBIT D - Cost Derivation
- EXHIBIT E - Schedule
- EXHIBIT F - Invoice Format

MAY 27 1997**SCOPE OF SERVICES REQUIRED FOR THE PROFESSIONAL SERVICE AGREEMENT FOR CHILDREN'S MEMORIAL PARK PHASE IV****EXHIBIT A**

The services which are described in the following paragraphs 1 to 15, inclusive, are services included in the scope of work. They shall be provided by the Consultant and paid for by the City as provided in this agreement.

DESIGN

- 1) Verify City's provided topographic and other pertinent survey information; perform field surveys as necessary to supplement and confirm existing data; perform potholing for verifying the location of existing utilities as required.
- 2) Perform a complete soils investigation of the project site, including boring and trench logs. Number of borings will be determined by the Soil Engineer and the City based on the type of improvements. Discuss these findings with the City and make recommendations on the investigation.
- 3) Update the current Master Plan based on the City's program requirements. Once the Master Plan has been approved, provide the City with an opinion of probable construction costs for the project.
- 4) Provide the City with a rendered (colored) Master Plan illustrating the ball field and other required program elements.
- 5) Prepare Construction Drawings from the approved Master Plan. The plans shall consist of the following sheets, but are not limited to:
 - a) Cover Sheet
 - b) Sheet Index, Location Map, General Notes, Abbreviations
 - c) Horizontal Control, Layout and Dimensioning
 - d) Vertical Control, Grading and Drainage
 - e) Utility Plan
 - f) Architectural Plan, Details, Schedules (Provided by CLV)
 - g) Site Details
 - h) Irrigation Plan, Details, Schedules
 - i) Landscape Plan, Details, Schedules
 - j) Plumbing Plan (Provided by CLV)
 - k) Electrical Plan, Details, Schedules-(Provide lighting designs for Soccer Fields, Parking Lots, Pathways and Security)

MAY 27 1997

- 6) Provide the City with six (6) blue-line sets of Plans and Specifications at the 50%, 90% and 100% milestones for City design review. City to provide the Consultant with written review comments summarizing the input from all City Departments associated with the project at each submittal level.
- 7) Include an updated opinion of probable construction cost at each submittal level.
- 8) Prepare Construction Drawings to include additive bid items based on the opinion of probable construction costs if required.
- 9) Submit Construction Drawings to the different Utility Companies, coordinate their design, review, and obtain signature approval.
- 10) Submit three (3) sets of sealed Construction Drawings and Structural Calculations to the City of Las Vegas Planning and Development Department for Building and Safety Plan Review.
- 11) Submit two (2) sets of sealed Construction Drawings to the City of Las Vegas Public Works Department Land Development Section for Off-Site Review and Permitting.
- 12) Furnish the City with a mylar set of 24"x 36" Construction Drawings drawn on cad and a original set of Specifications. Specifications shall be in a CSI format, 8.5"x 11". (City will provide front-end boiler plate and bid form) All drawing sheets and specifications shall be sealed by the registered professional responsible for their preparation. The City will be responsible for printing and distribution.

POST DESIGN

- 13) Participate during the bidding process by answering questions and preparing addenda as required. Attend the Pre-Bid and Pre-Construction Meetings.
- 14) During construction of the project, review contract submittals, shop drawings, change orders and render decisions as requested by the City. Review close-out documents and approved record "As-Built" drawings prepared by the contractor.
- 15) Visit the project site eight (8) times during construction. Of the eight (8) visits, two (2) specific visits are required by the City. One (1) of these visits will be to perform irrigation coverage testing, and the other will be to determine substantial completion. At the substantial completion walk-thru, assist the City in preparing a punch-list. Submit a status report on the other visits, report on the progress and quality of work, and determine if the work is proceeding according to the contract documents. The City will be responsible for the day to day construction review and coordination with the contractor and agencies.

MAY 27 1997**ADDITIONAL SERVICES REQUIRED FOR THE PROFESSIONAL SERVICE AGREEMENT FOR CHILDREN'S MEMORIAL PARK PHASE IV****EXHIBIT B**

The services which are described in the following paragraphs 1 to 8, inclusive, are not service included in the scope of work. They shall be provided, if authorized in writing by the City, and, if so authorized, they shall be paid for by the City as provided in this agreement, in addition to the compensation for the services performed within the scope of work.

- 1) Preparing separate documents for sequential bidding; phasing of bids; or providing extra services in connection with the bidding, negotiations, or construction prior to the completion of the construction contract documents phase; when such services are requested by the City, and are in addition to those required by the scope of work specified in Exhibit A.
- 2) Providing services after the issuance to the City of the final certificate for payment, or, in the absence of a final certificate for payment, providing services more than sixty (60) days after the date which is determined by the Owner to be the date of substantial completion of the work.
- 3) Preparing to serve or serving as an expert witness in connection with any public hearing, arbitration proceeding, or legal proceeding other than City of Las Vegas Council Meeting(s) when requested by the City; and such other meeting(s) as a result of the Landscape Architect's failure to comply with the document requirements as specified in Exhibit A.
- 4) Making revisions to the drawings, specifications, or other documents in situations in which such revisions are inconsistent with the written approvals or instructions which were previously given, or are required by the enactment or revision of codes, laws, or regulations subsequent to the preparation of such documents; or are due to other causes which are not within the control of the Landscape Architect.
- 5) Providing consultation concerning the replacement of any work which may be damaged by fire or other cause during construction. Furnishing such services as may be required in connection with the replacement of such work.
- 6) Providing services which are made necessary:
 - a. By the default of the contractor;
 - b. By any major defect or deficiency in the work of the contractor;
 - c. When the City and the Landscape Architect agree that the contractor has failed to properly carry out the work thereby requiring additional services on the part of the Landscape Architect.

CITY COUNCIL MINUTES

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- 7) Providing any other service which is not otherwise included in the agreement or is not customarily furnished in accordance with generally accepted landscape architectural practices beyond those required under the scope of work specified in Exhibit A.
- 8) Providing detailed estimated of construction costs, detailed quantity surveys, or inventories of materials, equipment, and labor, beyond those required under the scope of work specified in Exhibit A.

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**MANPOWER TASK BREAKDOWN FOR THE PROFESSIONAL SERVICE
AGREEMENT FOR CHILDREN'S MEMORIAL PARK PHASE IV**

EXHIBIT C

Task Description	Prin. Hrs.	Proj. Mgr. Hrs.	Staff Hrs.	Cleric. Hrs.	Field Crew Hrs.
Preliminary and General Items					
*Kickoff Meeting	4	6			
*Data and site review	4	10	2	2	
*Define scope of Topographic Survey and soils investigation required		2			
Topographic Survey					
*Verify topo survey as required for accurate base plans; show other physical elements and utilities		4			7
Soils Investigation					
*Prepare soils investigation including boring and trench logs		2	5	5.5	
*Prepare recommendations as required	2	5			
Master Plan					
*Update current Master Plan utilizing CLV input	12	20	40	2	
*Prepare opinion of probable construction cost	6	8	12	1	
*Prepare colored Master Plan once approved		6	6		
Construction Documents					
*Prepare 50% Plans and Specifications	22	160	632	20	
*Prepare 90% Plans and Specifications	53.5	252	766	37.5	
*Prepare 100% Plans and Specifications	31	59	366	36	
*Prepare opinion of probable construction cost for each submittal level	2	34	80	19	
*Assist CLV in preparing bid documents and schedule utilizing CLV boilerplate and bid form	2	22		2	
Submittals					
*Submit CD's to utility companies as required and obtain signature approvals		2	9	6	
*Submit CD's to CLV Planning and Dev. Dept. for Building and Safety plan review	1		4		
*Submit CD's to CLV Public Works Dept. Land Dev. Section for Off-Site review and permitting			9		
Bidding					
*Answer questions, prepare addenda as required	3	8	14		
*Attend Pre-Bid and Pre-Construction meetings	6	10			
Construction					
*Review and approve shop drawings, submittals and change orders	4	46	42	10	
*Visit project site 8 times during construction, including irrigation coverage testing and substantial completion walk-through	4	64	19	8	
*Prepare punch list from substantial completion walk-through		10	2	4	

MAY 27 1997

*Review approved contractor-prepared "As-Built" drawings		10	10		

Note: Hours listed for each task under a particular professional job classification include hours for all consultant team members.

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**COST DERIVATION FOR THE PROFESSIONAL SERVICE AGREEMENT FOR
CHILDREN'S MEMORIAL PARK PHASE IV**

EXHIBIT D

A. COST SUMMARY

<u>Classifications</u>	<u>Projected Hours</u>	<u>Hourly Rate</u>	<u>Costs</u>
Principal	96	\$105/Hr.	\$10,080.00
Senior Staff/Proj. Manager	598	\$85/Hr.	\$50,830.00
Staff Landscape Architect	1366	\$65/Hr.	\$88,790.00
Clerical	89	\$40/Hr.	\$3,560.00
Subtotal Direct Labor Hours: 2149			
Total Direct Fees:			\$153,260.00

B. SUBCONSULTANTS:

<u>Discipline</u>	<u>Firm</u>	<u>Projected Fee</u>
Civil	PBS&J	\$49,045.00
Electrical	TJ Krob	\$19,080.00
Irrigation	(Included in above Costs)	
Architect	(CLV)	\$0.00
Soils	Terracon	\$2,460.00
Total Subconsultant Fees:		\$70,585.00
TOTAL ESTIMATED FEES:		\$223,845.00

Note: Above Fees include Reimbursable Expenses.

(Construction Cost Estimate \$2,713,241.00)

MAY 27 1997

**DESIGN SCHEDULE FOR THE PROFESSIONAL SERVICE AGREEMENT FOR
CHILDREN'S MEMORIAL PARK PHASE IV****EXHIBIT E**

City Council approval of negotiated A/E Contract	May 27, 1997
Begin work to update current Master Plan, verify topographic survey, and conduct soils investigation	May 28, 1997
Master Plan Submittal Due	July 2, 1997
Review and Approval of Master Plan	July 9, 1997
Begin work on 50% Design Submittal	July 10, 1997
50% Design Submittal Due	Aug. 28, 1997
Review and Approval of 50% Design Submittal	Sept. 11, 1997
Begin work on 90% Design Submittal	Sept. 12, 1997
90% Design Submittal Due	Nov. 21, 1997
Review and Approval of 90% Design Submittal	Dec. 5, 1997
Submit 90% Design Drawings to Utility Companies	Dec. 5, 1997
Begin work on 100% Design Submittal	Dec. 8, 1997
100% Design Submittal Due	Dec. 24, 1997
Construction Drawings Submitted to Building and Safety	Dec. 24, 1997
Construction Drawings Submitted to Land Development	Dec. 24, 1997
Review and Approval of 100% Design Submittal	Jan. 7, 1998
Finalize Construction Documents for Bidding	Jan. 23, 1998

**CITY OF LAS VEGAS
PROFESSIONAL SERVICES CONTRACT PAYMENT REQUEST**

CITY COUNCIL MINUTES

DEPARTMENT _____

MAY 27 1997



CONTRACTOR: _____

PAYMENT NUMBER _____ OF _____

PURCHASE ORDER NUMBER: _____

DATE: _____

CONTRACT DESCRIPTION: _____

TOTAL AMOUNT OF ORIGINAL CONTRACT\$ _____

APPROVED CONTRACT MODIFICATIONS\$ _____

TOTAL CONTRACT AMOUNT\$ _____

TOTAL PAID PREVIOUSLY\$ _____

AMOUNT OF THIS INVOICE\$ _____

TOTAL REMAINING ON CONTRACT AFTER THIS PAYMENT\$ _____

PERCENT OF CONTRACT PAID: _____

PERCENT OF WORK COMPLETED: _____

STATUS OF WORK PERFORMED: _____

FUND/ORG	ACCT	TASK	OPT	ACTV/WA	AMOUNT

DIVISION CHIEF/CONTRACT MANAGER: _____ DATE: _____

DEPARTMENT DIRECTOR: _____ DATE: _____

CITY COUNCIL

MEETING OF
MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

CONSENT AGENDA

PLANNING & DEVELOPMENT DEPARTMENT

45

Action To Approve A Fifth Amendment To The Agreement With Veltman Consulting Services To Develop A Plan For The Northwest Town Center.

ADAMSEN - Motion to APPROVE:

Items 4 - 35

Items 37 - 41

Items 43 - 64

carried UNANIMOUSLY

Item 36:

APPROVED under separate action
(see individual item)

Item 42:

ABEYANCE to 6/9/97
under separate action
(see individual item)

There was no discussion.

(10:00)
1-704

46

Approval To Upgrade The Position Of Management Analyst I (A31) To Administrative Officer (A43).

Impact to FY97 General Fund - \$7,491
Annualized Impact - \$14,981

APPROVED - see above

AGENDA DOCUMENTATION

TO:
THE CITY COUNCIL

FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ACTION TO APPROVE A FIFTH AMENDMENT TO THE AGREEMENT WITH VELTMAN CONSULTING SERVICES TO DEVELOP A PLAN FOR THE NORTHWEST TOWN CENTER

PURPOSE/BACKGROUND

PURPOSE/BACKGROUND

The City continues to use Veltman Consulting Services to develop the master plan for the area designated as the Northwest Town Center. This contract amendment will cover the following:

- Incorporating major infrastructure needs into the Town Center Master Development Plan;
- Assuring that the land use plan balances with transportation recommendations;
- Making final recommendations on the internal road network;
- Creating the final Master Development Plan;
- Creating Development Standards appropriate for the Master Development; and
- Presenting the Plan and Standards to the Planning Commission and City Council.

The contract total is for \$35,000. This work is expected to be completed by August 15, 1997.

FISCAL IMPACT

There is no fiscal impact on the City. This contract will be paid from a special account of funds donated to the City for the Northwest Area Master Plan.

RECOMMENDATIONS

Approval of this amended agreement.

Agenda Item

45

MAY 27 1997

**FIFTH AMENDMENT TO AGREEMENT
NORTHWEST AREA MASTER PLAN**

This fifth amendment, entered into this 27th day of MAY, 1997, modifies the agreement made and entered into December 6, 1995 (the "Original Agreement"), by and between the CITY OF LAS VEGAS (the "City") and JAMES A. VELTMAN dba VELTMAN CONSULTING SERVICES, a sole proprietorship, (the "Contractor"), for the performance of services for the City.

WITNESSETH

WHEREAS, the City desires to modify the scope of services of the Original Agreement, for the compensation and upon the terms and conditions that are contained within the Original Agreement as amended, to perform certain services relating to the Northwest Area Master Plan;

WHEREAS, the Contractor is willing to perform such services for the compensation and upon the terms and conditions that are set forth within the Original Agreement as amended; and

NOW, THEREFORE, for and in consideration of the premises, of the mutual promises and agreements that are contained within this amendment and the Original Agreement, as previously amended, and for other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged by each of the parties hereto, said parties do hereby agree as follows:

45

SCOPE OF SERVICES

1. The following services shall be added to the scope of services of the Original Agreement:

A. Based on Las Vegas Valley Water District plans and schedules, the Contractor shall incorporate the extension of water service into the Town Center Master Development Plan.

B. The Contractor shall incorporate into the Town Center Master Development Plan an easement for the regional drainage facility that is proposed west of and parallel to US95 and establish design standards for development within the easement.

C. The Contractor shall revise the Town Center land use plan to balance land use with the City's transportation recommendations.

D. The Contractor shall finalize the internal road network based on the revised land use plan and regional road system.

E. The Contractor shall finalize the Town Center Master Development Plan (in GIS format).

F. The Contractor shall revise the proposed Design Standards to reflect the final Town Center Master Development Plan.

G. The Contractor shall present the Master Development Plan and the Design Standards to the Planning Commission and City Council in the form of a Planned Development District.

SCHEDULE

2. These services shall be undertaken and completed by the Contractor by August 15, 1997. The City may modify this schedule when unforeseen circumstances prevent the Contractor from meeting a deadline.

CITY COUNCIL MINUTES

MAY 27 1997

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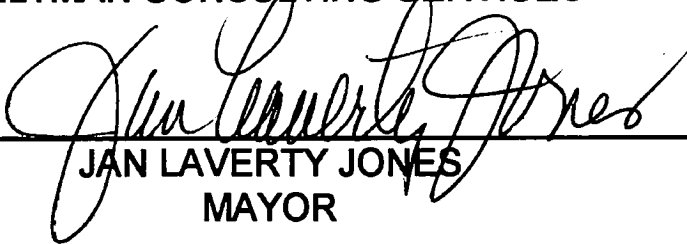
COMPENSATION

3. The maximum compensation for work under this fifth amendment, including expenses, shall be \$35,000.

4. All provisions of the Original Agreement, as amended, that are not inconsistent with this amendment shall remain in full force and effect.



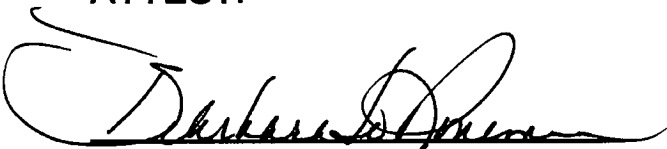
JAMES A. VELTMAN, AIA, ASLA, NCARB
VELTMAN CONSULTING SERVICES



JAN LAVERTY JONES
MAYOR

ATTEST:

Approved as to form:



Barbara Jo Ronemus, City Clerk

 5-13-97

Date

CITY COUNCIL

MEETING OF

May 27, 1997

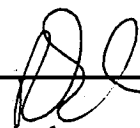
124

AGENDA DOCUMENTATION

TO:

City Council

FROM:


Rick Anderson, Director
Human Resources Department

SUBJECT:

**APPROVAL TO UPGRADE THE POSITION OF MANAGEMENT ANALYST I (A31) TO
ADMINISTRATIVE OFFICER (A43), DEPARTMENT OF PLANNING & DEVELOPMENT**

PURPOSE/BACKGROUND

The scope of work for this position and the duties assigned require a greater degree of complexity than that which falls under the scope of the Management Analyst I classification. Duties have greatly expanded and areas of responsibility are extremely complex and warrant the upgrade to the Administrative Officer category. In addition, the transfer of this function to the Planning & Development Department and its responsibilities under the scope of the "Livable Las Vegas" program further warrant the upgrade of this classification.

FISCAL IMPACT

The impact to the General Fund for FY97 will be \$7,491. The annualized impact will be \$14,981.

RECOMMENDATIONS

It is recommended that the proposed upgrade of this position be approved.

Agenda Item

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POSITION CREATION OR UPGRADE REQUEST FORM

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To be used outside budget process

Requesting Dept:	Planning & Development		Date Initiated:	5/12/97
Contact Person:				
Extension:			Target Agenda Date:	5/27/97
Type of Request: (choose one only)	☒ Upgrade existing position	☐ Create temporary pos'n		
	☐ Convert hourly to regular position	☐ Create contract position		
PCN	2860-1476-3185		Duration:	
Current Class:	Mgmt Analyst I, gr A31		Hrs/week:	
	☐ Create regular position	☐ Create hourly pos'n		
> Classification:	Administrative Officer		Fill Date:	Retro to
Proposed >	Grade:	A43		
>	Funding Source:	☒ General Fund	☐ Special Revenue	
		☐ Enterprise	☐ Internal Service	

Justification: Please explain briefly, but thoroughly, why this request is needed.

Upgrade requested to reflect scope of work and responsibilities attached to the position.

CITY COUNCIL MINUTES

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FORWARD TO HUMAN RESOURCES

Dept. Director Signature & Date

Human Resources Section

Identified Classification:

Administrative Officer

Grade: **A43**

If new/revised classification, date approved by:

Civil Service Board:

Director, HR:

Notes:

HR approval to proceed with request:

Date: 5-13-97

FORWARD TO FINANCE

Finance Section

Fiscal impact of salary plus benefits:

Current fiscal year \$ 7491.

Annualized \$ 14,981

Calculated by:

PER Antonio Bermudez RA

Date 5-13-97

RETURN TO HUMAN RESOURCES

City Manager's Office Section

Annualized fiscal impact is less than or equal to \$5000; request is approved; City Council approval is not required.

Annualized fiscal impact is more than \$5000; app this position request on the City Council agenda is

Signature

Lynn Macy

Date

5/14/97

RETURN TO HUMAN RESOURCES

A copy of this form, with all information and signatures completed, must accompany the agenda documentation sent to the City Clerk's Office no later than the agenda due date. If this date cannot be met, the item will be deferred to the following Council meeting.

CITY COUNCIL

MEETING OF
MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

CONSENT AGENDA

DEPARTMENT OF PUBLIC WORKS

ACCEPTANCE OF RIGHT OF WAY ITEMS

47

GRANT DEEDS

From: STRATOSPHERE LAND
CORPORATION, A NEVADA
CORPORATION

To: City of Las Vegas

For: Portions of the Southeast Quarter
(SE 1/4) of Section 4, T21S, R61E,
M.D.M., for dedications of radii located at
the southeast corner of Fairfield Avenue
and Chicago Avenue; southwest corner
of Commerce Street and Chicago
Avenue; northwest corner of Commerce
Street and Philadelphia Avenue and the
northeast corner of Philadelphia Avenue
and Fairfield Avenue (04-28-97) 162-
04-710-026, 040, 056 & 059

ADAMSEN - Motion to APPROVE:

Items 4 - 35

Items 37 - 41

Items 43 - 64

carried UNANIMOUSLY

Item 36:

APPROVED under separate action
(see individual item)

Item 42:

ABEYANCE to 6/9/97
under separate action
(see individual item)

There was no discussion.

(10:00)

1-704

48

From: WYOMING MAIN PARTNERS, A
CALIFORNIA GENERAL
PARTNERSHIP

To: City of Las Vegas

For: Portions of the Northwest Quarter (NW
1/4) of Section 3, T21S, R61E, M.D.M.,
for dedication of additional 5' right of way
for a total one-half street width of 45' on
Main Street and a 25' radius on the
northeast corner of Main Street and
Wyoming Street
(04-14-97) 162-03-210-030 & 031

APPROVED - see above

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49	CONSENT AGENDA DEPARTMENT OF PUBLIC WORKS <u>ACCEPTANCE OF RIGHT OF WAY ITEMS</u> <u>RIGHT OF WAY GRANTS FOR TRAFFIC PURPOSES</u> From: MICHAEL SHERMAN PAGE AND VENETIA ANNETTE PAGE, HUSBAND AND WIFE AS JOINT TENANTS To: City of Las Vegas For: Portion of the Southwest Quarter (SW 1/4) of Section 31, T20S, R62E, M.D.M., for a traffic easement located on the southwest corner of Stewart Avenue and Sandhill Road (05-05-97) 140-31-310-001	ADAMSEN - Motion to APPROVE: Items 4 - 35 Items 37 - 41 Items 43 - 64 carried UNANIMOUSLY Item 36: APPROVED under separate action (see individual item) Item 42: ABEYANCE to 6/9/97 under separate action (see individual item) ***** There was no discussion. (10:00) 1-704
50	From: DONNA M. STUTTS, TRUSTEE OF THE DONNA M. STUTTS REVOCABLE TRUST DATED DECEMBER 5, 1991 To: City of Las Vegas For: Portion of the Northwest Quarter (NW 1/4) of Section 31, T20S, R62E, M.D.M., for a traffic easement located on the northwest corner of Stewart Avenue and Sandhill Road (04-30-97) 140-31-211-025	APPROVED - see above

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CONSENT AGENDA

DEPARTMENT OF PUBLIC WORKS

ACCEPTANCE OF RIGHT OF WAY ITEMS

RIGHT OF WAY GRANTS FOR TRAFFIC PURPOSES

From: NORTSHORE PLAZA, LLC, A
NEVADA LIMITED LIABILITY
CORPORATION

To: City of Las Vegas

For: Portion of the Southwest Quarter (SW
1/4) of Section 9, T20S, R60E, M.D.M.,
for a traffic and sight visibility restriction
easement located on the northwest
corner of Cheyenne Avenue and Soaring
Gulls Drive
(05-07-97) 138-09-420-004

ADAMSEN - Motion to APPROVE:

Items 4 - 35

Items 37 - 41

Items 43 - 64

carried UNANIMOUSLY

Item 36: **APPROVED** under separate action
(see individual item)

Item 42: **ABEYANCE** to 6/9/97
under separate action
(see individual item)

There was no discussion.

(10:00)
1-704

RIGHT OF WAY GRANT FOR DRAINAGE PURPOSES

From: RANCHO DEL MAR LLC, A NEVADA
LIMITED LIABILITY COMPANY

To: City of Las Vegas

For: Portion of the Southwest Quarter
(SW 1/4) of Section 12, T20S, R60E,
M.D.M., for a drainage easement located
on the east side of Rancho Drive, south
of Gowan
(05-05-97) 138-12-315-003

APPROVED - see above

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53	CONSENT AGENDA	
	DEPARTMENT OF PUBLIC WORKS	
	ACCEPTANCE OF RIGHT OF WAY ITEMS	
	DECLARATIONS OF UTILIZATION	
	From: BUREAU OF LAND MANAGEMENT	
	To: City of Las Vegas	
	For: Portions of Government Lot 110 in Section 3, T21S, R60E, M.D.M., for 30' wide easement on Monte Cristo Way and O'Bannon Drive for roadway, sewer and storm drainage facilities 163-03-404-001	ADAMSEN - Motion to APPROVE: Items 4 - 35 Items 37 - 41 Items 43 - 64 carried UNANIMOUSLY
		Item 36: APPROVED under separate action (see individual item)
		Item 42: ABEYANCE to 6/9/97 under separate action (see individual item)

		There was no discussion. (10:00) 1-704
54	From: BUREAU OF LAND MANAGEMENT	APPROVED - see above
	To: City of Las Vegas	
	For: Portions of Government Lots 97, 98, and 99 in Section 4, T21S, R60E, M.D.M., for a 30' wide easement on Via Olivero Avenue for roadway, sewer and storm drainage facilities 163-04-805-001, 002 & 003	
55	Request Permission To File A Right-Of-Way Application With The Bureau Of Land Management For Flood Control And Drainage Purposes On Portions Of Land Lying Within The Southeast Quarter (SE 1/4) Of Section 1, T20S, R59E, And The Northwest Quarter (NW 1/4) Of Section 7, T20S, R60E, M.D.M., Generally Located Between Craig Road And Gilmore Avenue	APPROVED - see above

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56	CONSENT AGENDA DEPARTMENT OF PUBLIC WORKS <u>ACCEPTANCE OF RIGHT OF WAY ITEMS</u> <u>DECLARATIONS OF UTILIZATION</u> Request Permission To Amend Bureau Of Land Management Lease Application N-59025 For The Gowan Soccer Fields To Include An Easement For Water Facilities	ADAMSEN - Motion to APPROVE: Items 4 - 35 Items 37 - 41 Items 43 - 64 carried UNANIMOUSLY Item 36: APPROVED under separate action (see individual item) Item 42: ABEYANCE to 6/9/97 under separate action (see individual item) ***** There was no discussion. (10:00) 1-704
57	Request Permission To Amend Bureau Of Land Management Right-Of-Way Grant N-59937 To Include Sewer Line Easements In Buckskin Avenue, West Of Hualapai Way And In Hualapai Way, North Of Buckskin Avenue	APPROVED - see above
58	<u>TRAFFIC AND PARKING ITEMS</u> Approval Of A Request To Establish A Speed Limit Of 30 MPH On Alta Drive Between Rampart Boulevard And Durango Drive <u>T&P Commission Recommendation:</u> Approval <u>Staff Recommendation:</u> Approval	APPROVED - see above

CITY COUNCIL

MEETING OF
MAY 27, 1997AGENDA DOCUMENTATION

TO:

CITY COUNCIL

FROM:

RICHARD D. GOECKE, DIRECTOR
DEPARTMENT OF PUBLIC WORKS

SUBJECT: APPROVAL OF A REQUEST TO ESTABLISH A SPEED LIMIT OF 30 MPH ON ALTA DRIVE
BETWEEN RAMPART BOULEVARD AND DURANGO DRIVE

PURPOSE/BACKGROUND

City staff is requesting ratification of the newly installed speed limit of 30 mph on Alta Drive between Rampart Boulevard and Durango Drive. The portions of Alta Drive between Rampart Boulevard and Durango Drive are undeveloped with other portions developed with homes behind screening walls. Alta Drive is a fully improved roadway with 1 lane in each direction. Currently, the speed limit on Alta Drive between Durango Drive and Rampart Boulevard is also 30 mph.

Speed and volume studies were conducted on Alta Drive, with the following results:

Between Rampart and Durango
(335' West of Soso St.)

85th percentile speed
47 mph

Alta Drive has very few cross streets in this section, is mostly fully improved with 1 lane in each direction, and has block walls on both sides for the majority of the roadway. The speed data reflects that drivers exceed the present speed limit due to these conditions.

FISCAL IMPACTRECOMMENDATION

TRAFFIC & PARKING COMMISSION RECOMMENDATION: Approval.

STAFF RECOMMENDATION: Approval.

AGENDA ITEM

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CONSENT AGENDA

DEPARTMENT OF PUBLIC WORKS

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REPORT/ACTION ITEMS

Approval Of A Sewer Refunding Agreement With
American West Homes For Deer Springs Ranch

Recommendation: Approval

Sanitation Fund net cost to the City \$430,949

ADAMSEN - Motion to APPROVE:

Items 4 - 35

Items 37 - 41

Items 43 - 64

carried UNANIMOUSLY

Item 36:

APPROVED under separate action
(see individual item)

Item 42:

ABEYANCE to 6/9/97
under separate action
(see individual item)

There was no discussion.

(10:00)
1-704

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Approval Of A professional Services Agreement
With Parsons Brinkerhoff Quade & Douglas Inc.
For Design Of The I-15 Freeway Channel Utility
Relocations

Recommendation: Approval

\$40,455 - funded by CCRFCD

APPROVED - see above

61

Approval Of The Fifth Supplemental Interlocal
Contract For Short Term Traffic Transportation
Improvement

APPROVED - see above

AGENDA DOCUMENTATION

CITY COUNCIL
MEETING OF
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TO:

CITY COUNCIL

FROM:

RICHARD D. GOECKE, DIRECTOR
DEPARTMENT OF PUBLIC WORKS

SUBJECT: APPROVAL OF A SEWER REFUNDING AGREEMENT WITH AMERICAN WEST HOMES FOR DEER SPRINGS RANCH

PURPOSE/BACKGROUND

This agreement is for the extension by the Developer of a sewer trunk line to Deer Springs Ranch and the construction and installation of such extension at a size which is in excess of the size that would otherwise be required to serve the Development.

FISCAL IMPACT

Sanitation Fund net cost to the City \$430,949.

RECOMMENDATION

The Director of Public Works recommends approval of the Sewer Refunding Agreement with American West Homes for Deer Springs Ranch.

AGENDA ITEM

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American West Homes

2700 E. Sunset Road, Suite 5 • Las Vegas, NV 89120 • (702) 736-6434 • FAX 736-7970

May 8, 1997

City of Las Vegas
Public Works
Attn: Charlie Kajkowski
731 S. 4th Street
Las Vegas, NV 89101

Subject: Deer Springs Sewer Refunding Agreement

Dear Charlie,

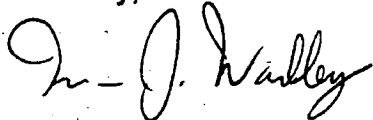
Thanks for your help on this very important project. We are returning the refunding agreements and ask that they be put on an agenda as soon as possible.

We thought it should be noted that the City of Las Vegas agreed to an exception to paragraph V111.A.4. We understood that you will allow a building to be built over the sewer line if the freeway alignment changed and the line is properly concrete encased.

Besides that everything looks great and we hope to get the sewer line built as soon as possible.

Thanks again.

Sincerely,



William J. Wadley, Sr.
Vice President of Land Development



CITY COUNCIL MINUTES

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SEWER REFUNDING AGREEMENT

(Sewer Trunk Extension and Oversizing)

THIS AGREEMENT, made and entered into this 27th day of MAY, 1997, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada (hereinafter referred to as the "City"), and American West Homes (hereinafter referred to as to "Developer"),

W I T N E S S E T H:

WHEREAS, the City is the governmental entity to which is delegated the responsibility of providing sewer service to persons who reside within its corporate boundaries; and

WHEREAS, the Developer is engaged in the development of that certain parcel of real property which is known as "Deer Springs Ranch" (the "Development" herein), which Development has been approved by the City; and

WHEREAS, the limited financial resources of the City prevent the immediate expansion of its municipal sewer system to the Development; and

WHEREAS, the Plumbing Code of the City permits the expansion of such municipal sewer system through the use of private funds at the discretion of the City; and

WHEREAS, said Code further provides that the City may reimburse a developer who extends the City's municipal sewer system to his development or constructs, at the request of the City, a sewer trunk

CITY COUNCIL MINUTES

MAY 27 1997

1 line of a size which is in excess of the size that would otherwise be
2 required to serve its development, or both so extends and oversizes, for
3 a portion of the costs which such developer incurs in extending such
4 sewer system or in constructing such oversized sewer trunk line, or
5 both; and

6 WHEREAS, it is the intent of the Parties hereto to provide for:

7 (a) The extension by the Developer of a sewer trunk line to
8 the Development and the construction and installation
9 of such extension at a size which is in excess of the
10 size that would otherwise be required to serve the
11 Development (the "Project" herein); and

12 (b) The reimbursement to the Developer of (i) the costs
13 which the Developer will incur in constructing and
14 installing the Project at a size required by the
15 Developer, excluding the costs which are attributable
16 to the installation of the first two hundred (200) feet
17 thereof to, but not beyond, the boundary of the
18 Development which is nearest to the terminal point of
19 the City's existing municipal sewer system and (ii)
20 that portion of the costs of the entire Project that
21 are attributable to constructing and installing it at a
22 size which is in excess of the size that would
23 otherwise be required to serve the Development;

CITY COUNCIL MINUTES

MAY 27 1997

1 NOW, THEREFORE, for and in consideration of the premises and of
2 the mutual promises and agreements which are hereinafter set forth, the
3 parties hereto agree as follows:

SECTION I - DEFINITIONS

- 4
- 5 A. "Connection fee" means the fee or charge which is imposed by
6 the City upon an owner of property for the privilege of
7 connecting such property onto the City's municipal sewer
8 system.
- 9 B. "Extension" means that portion of the Project that commences
10 two hundred (200) feet from the terminal point of the City's
11 existing municipal sewer system and terminates at the
12 boundary of the Development which is nearest to such terminal
13 point.
- 14 C. "Oversizing" means the difference between the diameter of the
15 Project, had the Project been constructed and installed at
16 the size which would otherwise be required to serve the
17 Development, and the diameter of the Project, at the request
18 of the City, that is actually constructed and installed.
- 19 D. "Plans and specifications" means the engineering designs,
20 drawings and specifications which give a detailed description
21 of the complete construction and installation of the Project,
22 including the oversizing, which plans and specifications have
23 heretofore been submitted to, and approved by, the City.

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1 Copies of the plans and specifications are on file with the
2 City's Department of Public Works.

- 3 E. "Uniform Standard Specifications" means those publications
4 entitled, "Uniform Standard Specifications for Public Works
5 Construction, Off-Site Improvements, Clark County Area,
6 Nevada, Third Edition" adopted by the City of Las Vegas, June
7 16, 1993, and "Design and Construction Standards for
8 Wastewater Collection Systems, 1991" adopted by the City of
9 Las Vegas, August 21, 1991.

10 SECTION II - OBLIGATIONS OF DEVELOPER

11 A. Covenant of Installation:

- 12 1. The Developer hereby agrees to construct and install
13 the entire Project, in accordance with the plans and
14 specifications, at its sole cost and expense, subject
15 to the right of the City to designate the type of
16 appurtenances and any other relevant matter which it
17 considers is necessary for the construction of its
18 municipal sewer system provided, however, that the City
19 agrees to reimburse the Developer (i) for the costs
20 which the Developer incurs in constructing and
21 installing the extension, excluding the first 200 feet,
22 as provided in this Agreement, and (ii) for the costs
23 which the Developer incurs in the oversizing as
24 provided herein. In this connection, it is

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1 acknowledged that the limits of the Project are
2 designated on Exhibit "A" which is attached hereto and
3 by this reference made a part hereof.

4 2. The Project shall include all materials and equipment,
5 such as sewer lines, manholes, lateral stub-outs and
6 other appurtenances which are constructed and installed
7 between the boundary of the Development which is
8 nearest to the terminal point of the City's existing
9 sewer system and such terminal point as is more
10 particularly shown on Exhibit "A".

11 3. The Developer agrees to perform all survey and design
12 work which is necessary for the construction and
13 installation of the Project, in accordance with the
14 plans and specifications, at its sole cost and expense
15 without any right of reimbursement from the City.

16 B. Basis for Estimated Costs:

17 It is acknowledged that the estimated costs for which the
18 Developer is entitled to reimbursement for constructing and
19 installing the extension and for the oversizing which are
20 provided for in Section IV hereof are based upon written bids
21 for the installation of the Project which the Developer has
22 obtained from at least three (3) contractors who are duly
23 licensed by the State of Nevada and are acceptable to the
24 City. (The City may waive the requirement of written bids if

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1 good cause for such waiver is shown by the Developer, in
2 which event the estimated costs of the oversizing will be
3 established in a manner which is mutually acceptable to the
4 City and to the Developer.)

5 C. Installation Standards:

6 The Developer agrees that the Project will be installed in a
7 good and workmanlike manner according to the plans and
8 specifications, the Uniform Standard Specifications and the
9 Design and Construction Standards for Wastewater Collection
10 Systems.

11 SECTION III - RIGHT OF REIMBURSEMENT

12 It is understood and agreed by the Parties hereto that the
13 Developer shall be reimbursed for the costs which it incurs in
14 constructing and installing the project, subject to the
15 limitations which are contained in Section VII hereof. It is
16 specifically understood, however, that all of the costs and
17 expenses which are attributable to constructing and installing the
18 first two hundred (200) feet of the Project at a size required by
19 the Developer, and all of the costs and expenses of installing a
20 sewer system within the Development are the sole responsibility of
21 the Developer without any right of reimbursement from the City.

22 SECTION IV - COSTS OF EXTENSION AND OVERSIZING

23 AND AMOUNT REFUNDABLE

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1 A. It is agreed by the Parties hereto that the costs of the
2 construction and installation of the extension and oversizing
3 which are subject to reimbursement under the terms of this
4 Agreement have been determined pursuant to the calculations
5 set forth on Exhibit "B" which is attached hereto and by this
6 reference made a part hereof.

7 B. It is acknowledged that the estimated costs of the
8 construction and installation of the extension and the
9 oversizing which are set forth on Exhibit "B" are based upon
10 estimates which have been obtained by the Developer and
11 approved by the City and represent, subject to the
12 limitations which are contained in Section VII hereof, the
13 maximum amount to which the Developer will be entitled to
14 reimbursement for the construction and installation of the
15 Project. All other costs and expenses which the Developer
16 incurs in connection with the Project shall be the
17 responsibility of the Developer. Additionally, if the actual
18 costs of the construction and installation of the extension
19 are less than the estimated costs thereof, the Developer
20 shall be entitled to reimbursement only for such actual
21 costs, subject to the limitations which are contained in
22 Section VII hereof.

23 SECTION V - OBLIGATIONS OF CITY

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- 1 A. On each anniversary of the City's acceptance of the Project,
2 within the period for reimbursement which is provided in
3 Section VI hereof, an amount which is equal to the aggregate
4 of the connection fees that the City has received during the
5 preceding 12-month period with respect to properties, other
6 than property which belongs to the Developer at the time of
7 this agreement, which were connected to the Project during
8 such period, will be reimbursed to the Developer.
- 9 B. Additionally, the City will reimburse the Developer, within
10 thirty (30) calendar days after the City's acceptance of the
11 Project, for that portion of the costs thereof which are
12 attributable to the oversizing, as the same is determined in
13 accordance with Section IV above.
- 14 C. As a condition precedent to any such reimbursement, the
15 Developer must submit to the City a written request for
16 payment, a statement of completion of the Project (per plans
17 and specifications), a lien release from the Developer's
18 contractor(s) and materials suppliers for all materials and
19 labor, a statement from all subcontractors affirming that
20 they have received payment in full, an itemized invoice
21 reflecting actual costs paid and a bill of sale transferring
22 the ownership of the sewer line and appurtenances to the
23 City.

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1 D. The City agrees, by its acceptance of the Project, to be
2 responsible for the operation and maintenance thereof, except
3 as is otherwise provided in Section X hereof which pertains
4 to repairs that are necessitated by any defective material or
5 faulty workmanship in the construction and installation of
6 the Project or the faulty design thereof.

7 SECTION VI - TIME OF PERFORMANCE

8 This Agreement shall become effective upon the execution hereof
9 and the right of the Developer to reimbursement hereunder shall
10 cease and terminate (i) with respect to the construction and
11 installation of the extension, when the Developer has received
12 full reimbursement of the amount which is determined in accordance
13 with Section IV above or ten (10) years after the date of the
14 City's acceptance of the Project, whichever first occurs, and (ii)
15 with respect to the oversizing, when the Developer has received
16 full reimbursement of the costs which are incurred therefor.

17 SECTION VII - LIMITATION ON AMOUNT OF REIMBURSEMENT

18 A. The right of reimbursement for constructing and installing
19 the extension shall be limited:

- 20 1. To ninety-five percent (95%) of the estimated costs
21 which are set forth on Exhibit "B" or ninety-five
22 percent (95%) of the actual direct costs which are
23 attributable to the construction and installation of
24 the extension, whichever is the lesser; and

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1 2. By, and subject to, the right of the City to deduct
2 from each of the connection fees that it receives with
3 respect to the properties which are connected to the
4 Project an amount which is equal to the total of that
5 portion, if any, of all connection fees that it is then
6 allocating to sewer bond debt service plus that
7 portion, if any, of all connection fees that it is then
8 reserving for the future expansion of its sewage
9 treatment plant.

10 B. The right of reimbursement for the oversizing shall be
11 limited to the estimated costs of the oversizing which are
12 set forth on Exhibit "B" or the actual direct costs which are
13 attributable to the oversizing, whichever is the lesser.

SECTION VIII - GUARANTEE OF RIGHT OF ACCESS

14 A. In order to guarantee that the City will have access to any
15 and all portions of the Project for the purpose of
16 maintaining and repairing the same, the Developer hereby
17 agrees that:

18 1. Except as is otherwise provided in Paragraph 3 hereof
19 the Developer will dedicate to the City an easement
20 over and across, or fee title to, as requested by the
21 City, a strip of land which is twenty (20) feet in
22 width, extending the length of the Project, and which
23 contains the Project;
24

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2. If the Project is installed on privately owned lands, other than lands which are owned by the Developer, the Developer will obtain and dedicate to the City an easement over and across, or fee title to, as requested by the City, a strip of land which is twenty (20) feet in width, extending the length of the Project, and which contains the Project;
3. If the land in which the Project is installed will become part of a street which will be dedicated for public use, as a part of the Development, the right of access shall be included in the dedication of that street; and
4. Any such dedication shall provide therein that no building, structure, tree, shrub or other improvement or obstacle may be placed in or near the area which is dedicated thereby in such a manner as to interfere with the use of such strip of land in accordance with the provisions hereof, and any easement which is conveyed to the City shall additionally provide for the right of the City to operate, maintain, repair, replace or relocate the Project or to alter the size, number of pipelines or other appurtenances which are installed therein.

SECTION IX - RIGHT OF INSPECTION

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1 The City shall have the right, but not the obligation, at any time
2 and from time to time to inspect the construction and installation
3 of any part of the Project. The Developer agrees that any
4 inspection of the installation of the Project which is conducted
5 by the City hereunder or the City's subsequent acceptance of the
6 Project shall not relieve or release the Developer from its
7 responsibility to correct any defective material or faulty
8 workmanship, or both, in the construction and installation of the
9 Project or any problem which results from the negligent design
10 thereof as provided in Section X hereof.

11 SECTION X - CORRECTION OF DEFECTIVE MATERIALS,

12 FAULTY WORKMANSHIP AND NEGLIGENT DESIGN

13 The Developer hereby accepts full responsibility for the quality
14 of the materials and workmanship in the construction and
15 installation of the Project and for the design thereof and
16 covenants and agrees, for a period of one (1) year after the
17 City's acceptance of the Project and upon notification by the
18 City, to correct any defective material or faulty workmanship, or
19 both, in the construction and installation of the Project and any
20 problem which results from the negligent design of the Project.

21 In the event that the Developer fails or refuses to make any such
22 correction, the City shall have the right, but not the obligation,
23 to repair the Project and the Developer hereby agrees to reimburse
24 the City for the costs which it incurs in so doing.

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SECTION XI: INDEMNITY

Notwithstanding any of the insurance requirements hereinabove set forth or limits of liability set forth therein, Developer shall protect, indemnify and hold harmless the City, its officers and employees from any and all claims, damages, losses, expenses, suits, actions, decrees, judgments, attorney fees and court costs which the City, its officer or employees may suffer, or which may be sought against, recovered from or obtainable against the City, its officers or employees as a result of, by reason of, or arising out of the negligent acts or omissions of the Developer, its subcontractors, or agents or anyone employed by the Developer or its subcontractors or agents, in fulfillment or performance of the terms, conditions or covenants of this AGREEMENT.

It is expressly agreed that the City and the Developer 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:

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1 A. An adjudication by the court or trier of fact that neither
2 the City nor the Developer is responsible or liable for the
3 plaintiffs' injuries or damages, then each party shall bear
4 its own costs and expenses of litigation.

5 B. An adjudication by the court or trier of fact that the
6 Developer is solely or partly responsible and liable for the
7 plaintiffs' injuries or damages while the City is relieved of
8 any responsibility and liability, then the Developer shall
9 reimburse the City for all of its costs and expenses of
10 litigation;

11 C. An adjudication by the court or trier of fact that the City
12 is solely or partly responsible for the plaintiffs' injuries
13 or damages while the Developer is relieved of any
14 responsibility and liability, then the City shall reimburse
15 the Developer for its costs and expenses of the litigation;

16 D. An adjudication by the court or trier of fact which
17 determines responsibility and liability on a comparative
18 basis between the parties, then the City and the Developer
19 shall share in the total costs and expenses of litigation in
20 that amount determined by multiplying the total percentage of
21 fault or liability attributable to the respective parties by
22 the total costs and expenses of litigation.

23 In the event that the suit or action is settled between the
24 litigants, each party shall be responsible for all of its costs

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1 and expenses of litigation, unless the settlement agreement
2 provides otherwise.

SECTION XII - OWNERSHIP OF PROJECT

3
4 A. Upon the completion of the Project, and as a condition
5 precedent to the acceptance thereof by the City, the
6 Developer agrees to furnish to the City a good and sufficient
7 Bill of Sale which (i) includes all of the sewer lines and
8 appurtenances which are components of the Project, (ii)
9 attests to the fact that all of such components are free and
10 clear of all liens and other encumbrances and (iii) conveys
11 to the City all right, title and interest in and to the
12 Project.

13 B. It is understood and agreed that the Project shall
14 thereafter, upon its acceptance by the City, become and
15 remain the exclusive property of the City.

SECTION XIII - RIGHT OF TERMINATION

16
17 A. Except for the obligation of the City which is provided for
18 in subsection B of this Section XIII, the City shall have the
19 right to terminate this Agreement at any time, with or
20 without cause, upon thirty (30) days' prior written notice to
21 the Developer. Such notice shall be deemed to have been
22 given on the date on which it is delivered in person to a
23 representative of the Developer or is deposited with the
24 United States Postal Service, postage prepaid and certified -

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1 return receipt requested, and addressed to the Developer at
2 2700 E. Sunset Road, Suite 5, Las Vegas, Nevada, 89120 or
3 such other address as the Developer may hereafter, from time
4 to time, designate to the City in writing.

5 B. Any funds which have been expended by or on behalf of the
6 Developer for the construction and installation of the
7 Project as of the date of the Developer's receipt of such
8 written notice shall be reimbursed to the Developer as
9 hereinabove provided.

10 SECTION XIV - ASSIGNMENT

11 This Agreement shall be binding upon, and shall inure to the
12 benefit of, the Parties hereto and their respective successors, legal
13 representatives and assigns.
14
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22

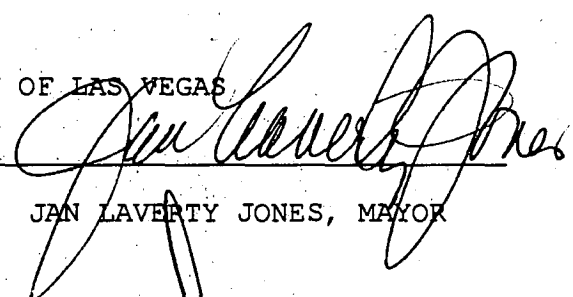
CITY COUNCIL MINUTES

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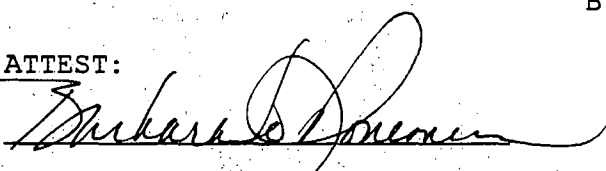
1 IN WITNESS WHEREOF, the Parties hereto have caused this Agreement
2 to be executed by their duly authorized representatives the day and year
3 first above written.

4 CITY OF LAS VEGAS

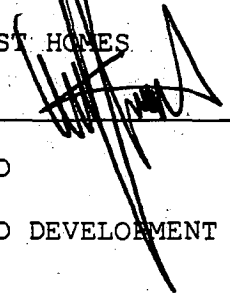
5 BY: 

JAN LAVERTY JONES, MAYOR

6 ATTEST:

7 
8 BARBARA JO RONEMUS, CITY CLERK

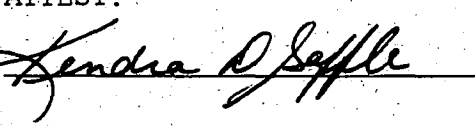
9 AMERICAN WEST HOMES

10 BY: 

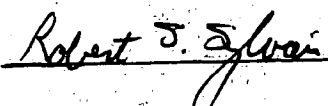
11 FRANK STRAND

12 MANAGER LAND DEVELOPMENT

13 ATTEST:

14 
15

16 Approved as to form:
17
18
19
20
21
22

 4-26-97
Date

0&emastr.doc

Exhibit A

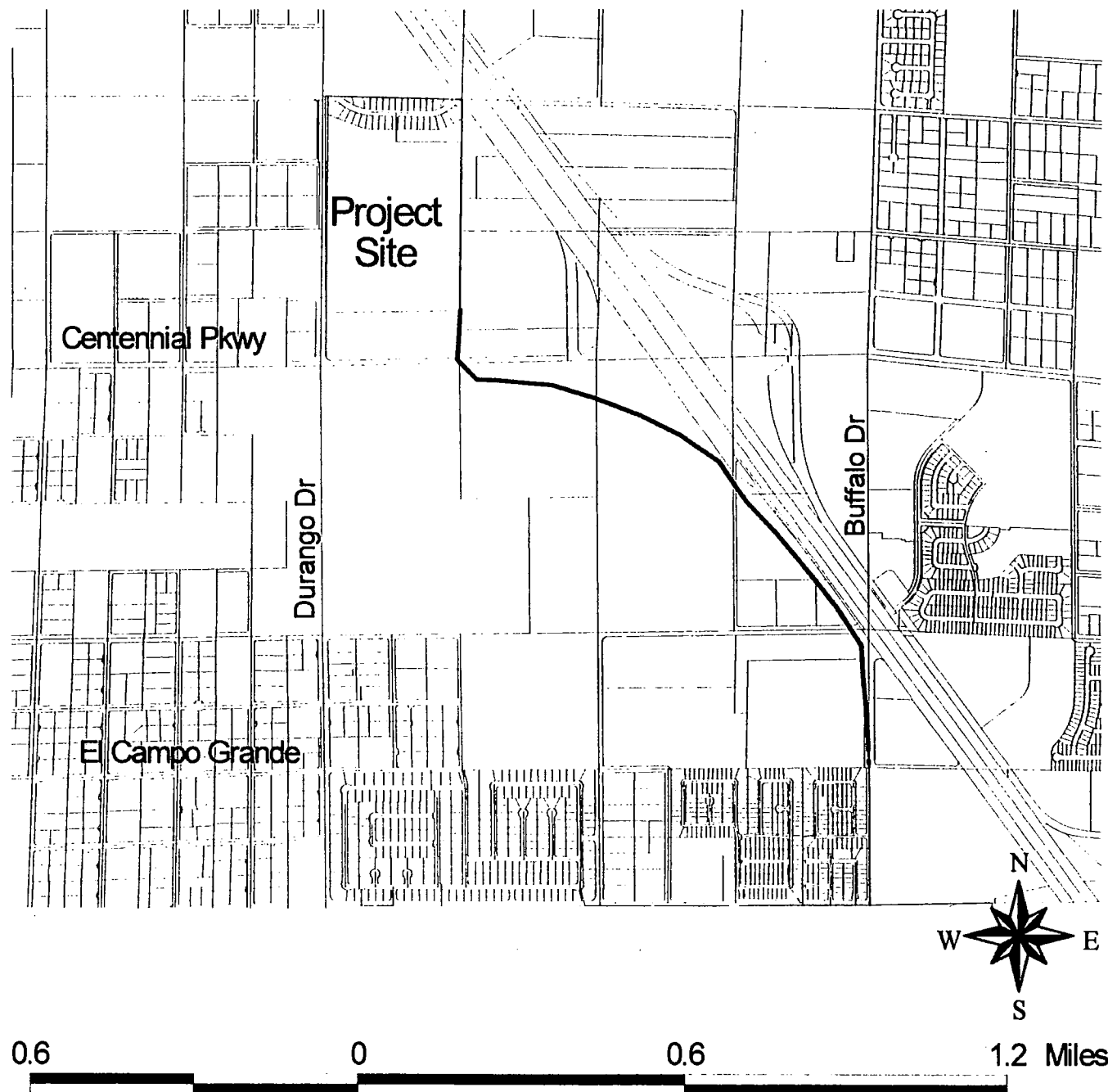
Deer Springs Ranch Oversizing and Extension Agreement

— Oversize
and
Extension
- - - 200 ft
Exclusion

CITY COUNCIL MINUTES

MAY 27 1997

City of Las Vegas
Engineering Planning
April 1997



MAY 27 1997

EXHIBIT "B"
COST OF CONSTRUCTION

Project Without Oversizing - El Campo Grande to North of Centennial Parkway

6423 feet - 8 inch diameter sewer @ \$12 per ft. =	\$77,076
0 feet - 15 inch diameter sewer @ \$42 per ft. =	
0 feet - 18 inch diameter sewer @ \$52 per ft. =	
17 each - 48 inch diameter sewer manholes @ \$1,200 =	\$20,400
0 each - 48 inch diameter sewer manholes (deepened) @ \$1,600 =	
0 each - 60 inch diameter sewer manholes @ \$2,000 =	
0 each - remove existing 48 inch diameter sewer manholes @ \$500 =	
0 feet - removal of existing 8 inch diameter sewer @ n/c	
LS - Bore & jack under roadway at NDOT crossing =	\$40,000
LS - Remove existing CMP =	\$2,000
4000 feet - caliche removal @ \$4 per ft. =	\$16,000
LS - NDOT traffic control =	\$2,500
LS - NDOT temporary road installation and removal =	\$10,000
5850 sf - Asphalt removal and replacement @ \$3.00 per sf =	\$17,550
0 cy - Import (select fill) @ \$3.00 per cy =	
Total Cost	\$185,526

Oversizing Reimbursable Amount

(Project Costs with Oversizing - Project Costs without Oversizing)

\$430,949 - \$185,526 =	\$245,423

Extension Portion of the Project - Reimbursable cost for 8 inch line extension

Normally, the first 200 ft of a sewer line extension is exempt from reimbursement. However, because of the changes brought about by the beltway alignment, removal of 275 ft of 8-inch line was required for the oversizing portion of this agreement. Therefore, the extension portion of this agreement is based on the full project cost without oversizing.

Maximum Amount of Reimbursement for Extension (95%)

\$185,526 X .95 =	\$176,250

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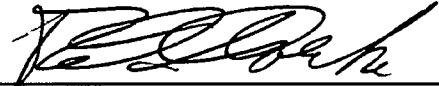
EXHIBIT "B" COST OF CONSTRUCTION

1. Developer: American West Homes
2700 E. Sunset Road, Suite 5
Las Vegas, Nevada 89120
2. Development: Deer Springs Ranch - Phase II Off-Site Sewer
3. Engineer: VTN Nevada
2727 South Rainbow Boulevard
Las Vegas, Nevada 89102-5148
4. Basis for Estimated Costs - Prices for this agreement are based on the unit price schedule submitted by the successful low bidder:

Western States Companies
2810 North Nellis Blvd.
Las Vegas, Nevada 89115
5. Estimated Costs of the Project:

Oversizing Portion of the Project - El Campo Grande to North of Centennial Parkway

25 feet - 8 inch diameter sewer @ \$15 per ft. =	\$375
5065 feet - 15 inch diameter sewer @ \$42 per ft. =	\$212,730
1628 feet - 18 inch diameter sewer @ \$52 per ft. =	\$84,656
6 each - 48 inch diameter sewer manholes @ \$1,300 =	\$7,800
7 each - 48 inch diameter sewer manholes (deepened) @ \$1,600 =	\$11,200
5 each - 60 inch diameter sewer manholes @ \$2,000 =	\$10,000
2 each - remove existing 48 inch diameter sewer manholes @ \$500 =	\$1,000
273 feet - removal of existing 8 inch diameter sewer @ n/c	
LS - Bore & jack under roadway at NDOT crossing =	\$44,000
LS - Remove existing CMP @ n/c	
4000 feet - caliche removal @ \$5 per ft. =	\$20,000
LS - NDOT traffic control =	\$4,000
LS - NDOT temporary road installation and removal =	\$16,100
5850 sf - Asphalt removal and replacement @ \$2.75 per sf =	\$16,088
1000 cy - Import (select fill) @ \$3.00 per cy =	\$3,000
Total Cost	\$430,949



TO:

CITY COUNCIL

FROM:

RICHARD D. GOECKE, DIRECTOR
DEPARTMENT OF PUBLIC WORKS

SUBJECT: APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH PARSONS BRINKERHOFF
QUADE & DOUGLAS INC. FOR DESIGN OF THE I-15 FREEWAY CHANNEL UTILITY
RELOCATIONS

PURPOSE/BACKGROUND

This agreement will secure the engineering services of Parsons Brinkerhoff Quade & Douglas Inc. for design and preparation of contract bid documents for the construction of the I-15 Freeway Utility Relocations project.

Approved funding for the engineering services cost for this project is \$40,455.

FISCAL IMPACT

\$40,455 to be funded by the Clark County Regional Flood Control District.

RECOMMENDATION

The Department of Public Works recommends APPROVAL of the Professional Services Agreement with Parsons Brinkerhoff Quade & Douglas, Inc..

AGENDA ITEM

60

CITY COUNCIL MINUTES

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**PROFESSIONAL SERVICES AGREEMENT
I-15 FREEWAY CHANNEL - UTILITY RELOCATIONS**

THIS AGREEMENT, made and entered into as of the 27th day of MAY, 1997, by and between the CITY OF LAS VEGAS, a municipal corporation and political subdivision of the State of Nevada, hereinafter referred to as "CITY" and Parsons Brinckerhoff Quade & Douglas, Inc., (hereinafter referred to as "CONSULTANT")

WITNESSETH:

WHEREAS, the CITY intends to construct I-15 Freeway Channel Utility Relocations (hereinafter referred to as the "PROJECT"); and

WHEREAS, the CITY desires to obtain quality professional services of the CONSULTANT to perform design and preparation of contract bid documents for the construction of the PROJECT; and

WHEREAS, the CONSULTANT is properly registered and qualified in accordance with the Nevada Revised Statutes and has the personnel and facilities necessary to perform such services within the required time; and

WHEREAS, the CONSULTANT's scope of service and compensation have been arrived at after meaningful negotiations between the CITY and the CONSULTANT.

NOW THEREFORE, in consideration of the premises contained herein, the parties hereto agree to the following terms, conditions and covenants set forth in Section I through XI hereof;

CITY COUNCIL MINUTES**MAY 27 1997****SECTION I
RESPONSIBILITY OF CONSULTANT**

- A. The CONSULTANT shall be responsible for the professional quality, technical accuracy, timely completion, and coordination of all services furnished by the CONSULTANT, its subcontractors and consultants and its and their principals, officers, employees and agents under this AGREEMENT. In performing the specified services, CONSULTANT shall follow practices consistent with generally accepted professional technical engineering standards.
- B. It shall be the duty of CONSULTANT to assure that all products of its effort are technically sound and in conformance with all pertinent federal, state and local statutes, codes, ordinances, resolutions and other regulations, that are applicable at the time the CONSULTANT rendered the service. CONSULTANT shall not produce a design which violates or infringes on any patent rights. The CONSULTANT shall without additional compensation, correct or revise any error or deficiencies in its design, drawings, specifications, reports and other services. The CONSULTANT shall pay all damages, costs and expenses caused by, resulting from, or arising out of CONSULTANT's negligent performance in its design, drawings, specification, reports and other services. The CONSULTANT shall pay all damages, costs and expenses caused by, resulting from, or arising out of CONSULTANT's negligent performance in its design,

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drawings, specifications, reports and other services. Permitted or required approval by the CITY of any products or services furnished by CONSULTANT shall not in any way relieve the CONSULTANT of responsibility for the professional and technical accuracy of its services. CITY review, approval, acceptance, or payment for any of CONSULTANT's services herein shall not be construed to operate as a waiver of any rights enjoyed by the CITY under this AGREEMENT or of any cause or action arising out of the performance of the AGREEMENT, and CONSULTANT shall be and remain liable in accordance with the terms of this AGREEMENT and applicable law for all damages to CITY caused by CONSULTANT's negligent acts, errors or omissions in performance of this AGREEMENT.

- C. CONSULTANT shall assign John D. Goodin, Jr., to manage the PROJECT. All of the services specified by this AGREEMENT shall be performed by the Project Manager, or by CONSULTANT's associates and employees identified in the CONSULTANT's proposal under the personal supervision of the Project Manager. All employees identified in the CONSULTANT's cost proposal shall be subject to approval by CITY's representative. Should the project Manager, or any key employee of CONSULTANT's be unable to complete his or her responsibility for any reason, the CONSULTANT will replace him or her with a qualified person whom the CITY's representative finds satisfactory. If

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CONSULTANT fails to make a required replacement within 30 days, CITY may terminate this AGREEMENT for default.

- D. The CONSULTANT shall not produce a design or specification which would be in violation of NRS Chapter 338 entitled "Public Works Projects".
- E. CONSULTANT shall furnish CITY's representative copies of all correspondence to regulatory agencies for approval and review prior to mailing such correspondence.
- F. The CONSULTANT agrees that its officers, partners and employees will cooperate with the CITY in the performance of services under this AGREEMENT and will be available for consultation with CITY at such reasonable times with advance notice as to not conflict with their other responsibilities.
- G. The rights and remedies of the CITY provided for under this section are in addition to any other rights and remedies provided by law or under other section of this AGREEMENT.

SECTION II RESPONSIBILITY OF CITY

- A. The CITY agrees that its officers and employees will cooperate with CONSULTANT in the performance of services under this AGREEMENT and will be available for consultation with CONSULTANT at such reasonable times with advance notice as to not conflict with their other responsibilities.

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- B. The services to be performed by CONSULTANT under this AGREEMENT shall be subject to periodic review by CITY's representative. The review comments of CITY's representative shall be reported in writing to CONSULTANT by CITY's representative. To prevent an unreasonable delay in CONSULTANT's work, the CITY's representative will endeavor to examine all reports, drawings, specifications, and other documents and will respond in writing to the CONSULTANT within 15 working days of receipt of such documents. It is understood that CITY's representative's review comments do not relieve CONSULTANT from the responsibility for the professional and technical accuracy of all work delivered under this AGREEMENT.
- C. CITY shall, without charge, furnish to or make available for examination or use by CONSULTANT as it may request, any data which CITY has available, including as examples only and not as a limitation
1. Copies of reports maps, plans, surveys, records, and other documents pertinent to streets, traffic, utilities, public properties, property developments and other physical features.
 2. Copies of previously prepared reports, maps, plans, specifications, surveys, records, ordinances, codes, regulations, other documents, and information related to the services specified by this AGREEMENT.

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- D. CITY shall assist CONSULTANT in obtaining data and documents from public officers or agencies and from private citizens and business firms whenever the CITY determines that such material is necessary for the completion of the services specified by this AGREEMENT.

**SECTION III
SCOPE OF SERVICES**

Services to be performed by the CONSULTANT shall consist of the services described in Exhibit A of this AGREEMENT.

**SECTION IV
CHANGES TO SCOPE OF SERVICES**

- A. The CITY may at any time, by written order, make changes within the general scope of this AGREEMENT and in the services or work to be performed. If such changes cause an increase or decrease in the CONSULTANT's cost or time required for performance of any services under this AGREEMENT, an equitable adjustment shall be made and this AGREEMENT shall be modified in writing accordingly. Any claim of the CONSULTANT for adjustment under this clause must be asserted in writing within 30 days from the date of receipt by the CONSULTANT of notification of change unless the CITY grants in writing a further period of time before the date of final payment under this AGREEMENT.

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- B. No services due to a change in scope for which additional compensation will be charged by the CONSULTANT shall be furnished without the written authorization of the CITY.

**SECTION V
ADDITIONAL SERVICES OF CONSULTANT**

- A. Additional services will be provided only as specifically authorized in writing by the CITY's representative and consist of the work described in Exhibit B. Any other work determined by the CITY as essential to efficient and timely completion of the project shall require formal amendment to this AGREEMENT.
- B. The CONSULTANT shall notify CITY in advance of any additional costs which may be incurred prior to attending such meetings or public hearings as may be necessary to clarify the interpretation of the work performed by CONSULTANT under this AGREEMENT.

**SECTION VI
SUBCONTRACTS**

CONSULTANT agrees to include in all professional engineering subcontracts in connection with performance of the terms and obligations imposed under this AGREEMENT the following

- A. A provision that CONSULTANT agrees to pay the subcontractor when paid for that portion of the work by the CITY, that no liability arises on the part of the

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CONSULTANT to the subcontractor for payment of the subcontracted work until payment has been made by the CITY, and that if the CITY has paid the CONSULTANT for said subcontracted work, the subcontractor's only recourse is against the CONSULTANT and not against the CITY, either through the institution of legal or equitable action or the attachment of any lien.

- B. A provision that the subcontractors have no more rights against the CITY than that of the CONSULTANT.
- C. A provision that the subcontractor agrees to be bound by all the terms, conditions and obligations of the AGREEMENT unless the CITY has approved any deviation, change or modification in writing.
- D. A provision that the subcontractor will obtain and maintain professional Errors and Omissions Insurance coverage in connection with the subcontracted work in an amount equal to that required of the CONSULTANT as provided in that Section entitled "Insurance" of this AGREEMENT.

SECTION VII TERM OF AGREEMENT

This AGREEMENT shall be in force and effect from and after the day on which the CITY gives notice to the CONSULTANT to begin work under this AGREEMENT. This shall remain in effect until one (1) year has elapsed after the final payment for services under this AGREEMENT is made. This section shall not be construed to relieve either party of its obligations to perform under this AGREEMENT while the AGREEMENT is in effect.

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Termination of this AGREEMENT shall not release either party from any of its continuing obligations hereunder. This section shall not be construed to change any disputes arising out of this AGREEMENT or in connection with the subject matter hereof, nor shall this section be construed to change the date or the time on which a cause of action arising out of this AGREEMENT or the subject matter hereof, would otherwise accrue under the statutes of limitations or doctrines of law.

**SECTION VIII
COMPENSATION AND TERMS OF PAYMENT**

A. General

Progress Payments: Once each month, the CITY shall pay the CONSULTANT for services performed under Section entitled "Scope of Services" of this AGREEMENT

B. Compensation and Method of Payment for Engineering services:

1. The CITY shall pay the CONSULTANT for services identified in that Section entitled "Scope of Services", an amount not to exceed \$40,455 Dollars. The CONSULTANT shall prepare monthly and submit to CITY's representative in writing a complete statement of costs which includes actual work completed.
2. Payment shall be due within 60 days after the date of receipt and approval by CITY's representative of monthly invoices describing the work performed during the preceding month.

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3. The CITY agrees to pay CONSULTANT for any services described in Section entitled "Additional Services of Consultant", only if the services are requested in writing by the CITY's representative. Payment will be in accordance with paragraphs 1 and 2 of this section for additional services rendered in connection with Exhibit B. An amount up to, but not exceeding \$0.00 may be authorized for service performed under Section entitled "Additional Services of Consultant". The total amount of this entire AGREEMENT shall not exceed \$40,455.
4. Billings shall be submitted during the last week of each month with an original and one copy to the CITY's representative, in the format attached as Exhibit "F".
5. Upon approval of such billings by CITY's representative, payment shall be made to CONSULTANT of 95% of the amount determined above, less all previous payments.
6. CITY's representative shall subtract from any payment made to CONSULTANT all damages, costs and expenses caused by, resulting from or arising out of negligent errors or deficiencies in CONSULTANT's designs, drawings, specifications, reports and other services which have not previously been paid by CONSULTANT.

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7. Upon satisfactory completion by CONSULTANT of the services called for under the terms of the AGREEMENT, and upon acceptance of such work by CITY, which acceptance will not be unreasonably withheld, CONSULTANT will, within thirty (30) days of CITY's receipt of such request, be paid the unpaid balance of any money due for such work, including the retained percentages.

SECTION IX TIME OF PERFORMANCE

CONSULTANT shall furnish CITY's representatives a schedule for performance of services not later than 30 calendar days after CONSULTANT receives written notice to proceed from CITY's representative. The schedule shall set forth not more than 360 calendar days for Tasks I through XII, as a period of time which may reasonably be required to complete services identified in Exhibit A. The format of the schedule for performance of services shall be based on cost-loaded, task-oriented diagram. In preparing the project schedule, the CONSULTANT will provide a 15 working day allowance for each CITY review period. If the CONSULTANT's performance of services is delayed or if the CONSULTANT's sequence of tasks is changed, he shall notify the CITY's representative in writing of the reasons for the delay. The CONSULTANT shall then prepare a revised schedule for performance of services and submit the revised schedule to the CITY's representative. The CONSULTANT shall perform and complete work according to the schedule furnished to CITY's representative. If the CONSULTANT is delayed by conditions within his control, as determined by CITY after

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consultation with the CONSULTANT, CITY shall have the right to increase the percentage withheld from monthly payments under Section entitled "Compensation and Terms of Payment" of this AGREEMENT up to ten percent(10%) until such time as the CONSULTANT has complied with the schedule requirement or presented an acceptable plan for such compliance.

SECTION X
AUDIT: ACCESS TO RECORDS

- A. CONSULTANT shall maintain books, records, documents and other evidence directly pertinent to performance under this AGREEMENT in accordance with generally accepted accounting principles and practices consistently applied. The CONSULTANT shall also maintain the financial information and data used by the CONSULTANT in the preparation or support of the cost submission and a copy of the cost summary submitted to the CITY. The CITY, or any of their duly authorized representatives shall have access to such books, records, documents and other evidence for the purpose of inspection, audit and copying. The CONSULTANT will provide proper facilities for such access and inspection. Negotiated fixed rates will not change due to an audit.
- B. The CONSULTANT agrees to include paragraphs A through E of this section in all his contracts and all their subcontracts directly related to performance of services specified in this AGREEMENT which are in excess of \$10,000.

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- C. Audits conducted pursuant to this provision shall be in accordance with generally accepted auditing standards and established procedures and guidelines of the reviewing or audit agency(ies).
- D. The CONSULTANT agrees to the disclosure of all information and reports resulting from access to records pursuant to paragraphs A and B above, to any of the agencies referred to in paragraph A above, provided that the CONSULTANT is afforded the opportunity for an audit entrance and exit conference and an opportunity to comment and submit any supporting documentation on the pertinent portions of the draft audit report, and that the final audit report will include written comments, if any, of the CONSULTANT.
- E. Records under paragraphs A and B above shall be maintained and made available during performance under this AGREEMENT and until three years from date of final payment for the project. In addition, those records which relate to any arbitration appeal, or litigation, or the settlement of claims arising out of such performance, or costs or items to which an audit exception has been taken, shall be maintained and made available until three years after the date of resolution, litigation, claim or exception.

**SECTION XI
MISCELLANEOUS PROVISIONS**

- A. SUSPENSION:

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CITY may suspend performance by CONSULTANT under this AGREEMENT for such period of time as CITY, in its sole discretion, may prescribe by providing written notice to CONSULTANT at least ten working days prior to the date on which CITY wishes to suspend. Upon such suspension, CITY shall pay CONSULTANT its compensation, based on percentage of project completion, earned until the effective date of suspension less all previous payments. CONSULTANT shall not perform further work under this AGREEMENT after the effective date of suspension until receipt of written notice from CITY to resume performance. In the event the CITY suspends performance by CONSULTANT for any cause other than the error or omission of the CONSULTANT for an aggregate period in excess of thirty days, CONSULTANT shall be entitled to an equitable adjustment of the compensation payable to CONSULTANT under this AGREEMENT to reimburse CONSULTANT for additional costs occasioned as a result of such suspension of performance by CITY. In no event will the CITY be liable to the CONSULTANT for more than \$1,000.

B. TERMINATION:

The CITY reserves the right to terminate this AGREEMENT without cause or default on the part of the CONSULTANT within 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 with the United States Postal Service, postage prepaid, and addressed to the party and location contained in the Section entitled "Notice" of the AGREEMENT.

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In the event of termination, without cause or default, the CITY agrees to pay to the CONSULTANT the reasonable value for all work and services performed to the date of termination in accordance with the section entitled "Compensation and Terms of Payment" of this AGREEMENT.

C. DEFAULT

1. The occurrence of any of the following events shall be a default by CONSULTANT hereunder (hereinafter called "Events of Default")
 - a) If CONSULTANT shall default in the due observance and performance of any term, condition or covenant contained herein.
 - b) 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 to 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;

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- c) 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
- d) If CONSULTANT should, in the judgment of the CITY, neglect to prosecute the work hereunder properly and with proper dispatch in accordance with the time schedule set forth in the Section entitled "Time of Performance" of the AGREEMENT.

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

CITY COUNCIL MINUTES

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to the CITY within five (5) days of invoicing by the CITY or (b) terminate this AGREEMENT and all the obligations imposed hereunder including the obligation of any further payment for the services of the CONSULTANT except for the reasonable value for all work and services performed to the date of termination. The costs and expenses of completing the work of CONSULTANT shall be computed and audited by the CITY's designated representative. The audit shall be made in accordance with generally accepted accounting principles and the CONSULTANT shall pay all costs of such audit.

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

D. OWNERSHIP OF DOCUMENTS

All plans, drawings, specifications, studies and documents specifically to include magnetic media prepared or assembled by the CONSULTANT or any subcontractors which are related to the performance of this AGREEMENT are deemed to be the property of the CITY. In the event of

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completion or termination of this AGREEMENT, the CITY 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 incomplete documents without specific written authorization from the CONSULTANT will be at the CITY's sole risk. The CONSULTANT shall be entitled to a reproducible copy of all work products furnished to the CITY.

E. INSURANCE

CONSULTANT shall procure and maintain, at its own expense, during the entire term of this AGREEMENT, the following insurances:

1. Nevada State Industrial Insurance System (SIIS). Such insurance will protect CONSULTANT and CITY from employee claims based on job related sickness, disease, or accident.
2. Comprehensive general liability (bodily injury and property damage) insurance with respect to CONSULTANT's agents and vehicles assigned to the prosecution of work under this AGREEMENT in a policy limit of not less than \$1,000,000. CONSULTANT's general liability insurance policies shall be endorsed to include the CITY as additional insured.
3. Professional liability insurance, for the protection from claims arising out of performance of professional services caused by a negligent act, error, or omission for which the insured is legally liable; such professional liability

CITY COUNCIL MINUTES**MAY 27 1997**

insurance will provide for coverage in an amount of not less than \$1,000,000 for the period of time covered by this AGREEMENT.

4. The CONSULTANT's Comprehensive General Liability and Professional Liability insurance policies shall be endorsed to recognize specifically CONSULTANT's contractual liability to CITY to waive subrogation against CITY, its officers, agents, servants and employees; and to provide that CITY will be given thirty days' notice in writing of any cancellation of, or material change in, the policies.
5. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer and licensed by the State of Nevada. All deductibles and self-insured retention's shall be fully disclosed in the Certificate of Insurance. No deductible or self-insured retention may exceed \$5,000 without the written approval of CITY.
6. Certificates indicating that such insurance is in effect shall be delivered to the CITY before work is begun under this AGREEMENT. If the CONSULTANT is underwritten on a claims made basis, the retroactive date shall be prior to or coincident with the date of this contract and the Certificate of Insurance shall state that coverage is claims made and the retroactive date. Upon availability, the CONSULTANT shall maintain coverage for the duration of this agreement and for two years following

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the completion of this agreement. The CONSULTANT shall provide the CITY annually a Certificate of Insurance as evidence of such insurance. It is further agreed that the CONSULTANT and/or Insurance Carrier shall provide the CITY with 30-day advance notice of policy cancellation.

F. INDEMNITY

Notwithstanding any of the insurance requirements hereinabove set forth or limits of liability set forth therein, CONSULTANT shall protect, indemnify and hold harmless the CITY, its officers and employees from any and all claims, damages, losses, expenses, suits, actions, decrees, judgments, attorney fees and court costs which the CITY suffers, its officers or employees suffer as a result of, or arising out of the negligent acts or omissions of the CONSULTANT, its subcontractors, or agents or anyone employed by the CONSULTANT or its subcontractor or agents, in fulfillment or performance of the terms, conditions or covenants of this AGREEMENT.

G. ASSIGNMENT

The CITY and the CONSULTANT each bind itself and its partners, successors, administrators and assigns to the other party of this AGREEMENT and to the partners, successors, executors, administrators and assigns of such other party in respect to all covenants of this AGREEMENT, except neither the CITY nor the CONSULTANT shall assign, sublet or

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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.

H. WAIVER

No consent or waiver, express or implied, by either party to this AGREEMENT or of any breach or default by the other in the performance of any obligations hereunder shall be deemed or construed to be a consent or waiver of any other breach or default by such party hereunder. Failure on the part of any party hereto to complain of any act or failure to act of the other party or to declare that other party in default hereunder, irrespective of how long such failure continues, shall not constitute a waiver of the rights of such party hereunder. Inspection, payment, or tentative approval or acceptance by the CITY or the failure of the CITY to perform any inspection hereunder, shall not constitute a final acceptance of the work or any part thereof and shall not release CONSULTANT of any of its obligations hereunder.

I. DESIGNATION OF REPRESENTATIVE

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

J. CONSULTANT WARRANTIES

MAY 27 1997

CONSULTANT represents and warrants:

1. That it is financial 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.
2. 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.

K. CONSULTANT EMPLOYEES

The CONSULTANT shall be responsible for maintaining satisfactory standards of employee competency, conduct and integrity, and shall be responsible for taking such disciplinary action with respect to its employees as may be necessary. In the event the CONSULTANT fails to remove any employee from the contract work whom the CITY deems incompetent, careless or insubordinate, or whose continued employment on the work is deemed by the CITY to be contrary to the public interest, the CITY reserves the right to require such removal as a condition for the continuation of this AGREEMENT.

L. INDEPENDENT CONTRACTOR

MAY 27 1997

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.

M. APPLICABLE LAW

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

N. 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.

O. SEVERABILITY

In the event that any provision 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.

P. 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 warrant, the CITY shall

MAY 27 1997

have the right to annul this AGREEMENT without liability or, in its discretion, to deduct from contract price or consideration, or otherwise recover, the full amount of such commission, percentage, brokerage or contingent fee.

Q. ARBITRATION

1. 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 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 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 and the CONSULTANT shall be specifically enforceable under the prevailing arbitration law.

MAY 27 1997

2. 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 3 and 4 apply to the joinder rights provided herein in such a way as to preclude 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.

3. In order for the CONSULTANT to be able to arbitrate any claim, dispute or other matter in question between the parties, written notice must be given to the CITY within sixty (60) days after the claim, dispute or other matter arises. In order for the CITY to be able to arbitrate any claim, dispute or other matter in question between the parties, written

MAY 27 1997

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.

4. 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.
5. In the event of arbitration, it is agreed by the parties 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

MAY 27 1997

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 Procedure.

6. 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.
7. 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.

R. CONFIDENTIALITY

CONSULTANT shall treat all information relating to the project and all information supplied to the CONSULTANT by the CITY as confidential and proprietary information of the CITY and shall not permit its release by CONSULTANT's employees to other parties or make any public announcement or publicity release without the CITY's written authorization.

CITY COUNCIL MINUTES

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CONSULTANT shall also require subcontractors and vendors to comply with this requirement.

S. 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 the AGREEMENT is just and reasonable compensation for performance hereunder including reasonably foreseen and foreseeable risks, hazards and difficulties in connection therewith based on such above-ground observations.

T. MODIFICATION

All modification or amendments to this AGREEMENT are null and void unless reduced to writing and signed by the parties hereto.

U. NOTICE

Any notice required to be given hereunder shall be deemed to have been given when received by the party to whom it is directed by personal service, hand delivery or US mail at the following addresses:

TO CITY:

Richard D. Goecko
Director of Public Works
400 East Stewart Ave.
Las Vegas, NV 89101

TO CONSULTANT:

Samuel W. Tso, PE
Vice President
Parsons, Brinckerhoff, Quade & Douglas, Inc.
3930 Howard Hughes Pkwy., Suite 300
Las Vegas, NV 89109

CITY COUNCIL MINUTES

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~~188~~

MAY 27 1997

following addresses:

TO CITY:

Richard D. Goecko
Director of Public Works
400 East Stewart Ave
Las Vegas, NV 89101

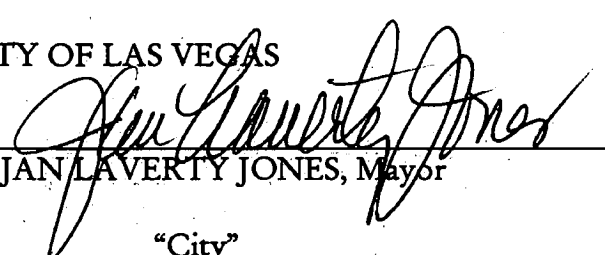
TO CONSULTANT:

Samuel W. Tso, PE
Vice President
Parsons, Brinckerhoff, Quade & Douglas, Inc
3930 Howard Hughes Pkwy., Suite 300
Las Vegas, NV 89109

IN WITNESS WHEREOF, the parties have caused this AGREEMENT to be executed
the day and year first above written.

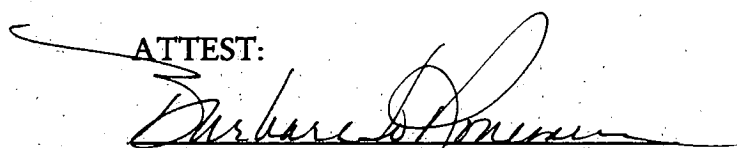
CITY OF LAS VEGAS

By


JAN LAVERTY JONES, Mayor

"City"

ATTEST:

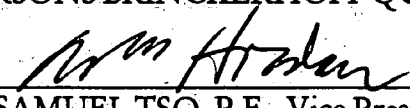

BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Robert S. Zwaan 4-14-97
Date

PARSONS BRINCKERHOFF QUADE & DOUGLAS, INC.

By:

 Engineering Manager
For SAMUEL TSO, P.E., Vice President

"Consultant"

EXHIBITS

CITY COUNCIL MINUTES

MAY 27 1997

- EXHIBIT A - Scope of Services
- EXHIBIT B - Additional Services
- EXHIBIT C - Manpower Task Breakdown
- EXHIBIT D - Cost Derivation
- EXHIBIT E - Schedule
- EXHIBIT F - Invoice Format

MAY 27 1997**EXHIBIT A****SCOPE OF SERVICES****SCOPE OF WORK:**

1. Provide project administration and management during the project. A project summary design schedule will be prepared, and up-dated monthly to accompany the progress report and billings.
2. Prepare final design plans for 1640 feet of 30-inch water line and 2000 feet of temporary 24-inch water line. This work includes analysis of three (3) alignments and recommendation for the most cost effective solution for the 30-inch water line; design of the 30-inch and temporary 24-inch waterlines; structural design of valve vaults and thrust blocks; conversion of LVVWD standard details into metric; development of special provisions in NDOT format; and coordination with NDOT and LVVWD on design and plan format.
3. Prepare final design plans for relocated sanitary sewer at F Street. This work includes the location survey of the existing sanitary manholes; design of the 10-inch sanitary sewer; reconstruction plans for F Street and Mesquite Street; traffic control plans for F Street and Mesquite Street determination of right-of-way requirements for F Street and Mesquite Street; development of special provisions in NDOT format; coordination with CLV staff; and preparation of UPRR permitting documents for jacking pipe under the railroad.
4. Perform additional Geotechnical Investigation of on-site material consisted of excavating four test pits along the alignment of the triple box culvert to better define the geotechnical characteristics of the material and determine the suitability of the material for use as roadway embankment for the I-15/US95, stage 2 project..

CITY COUNCIL MINUTES

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EXHIBIT B

ADDITIONAL SCOPE OF SERVICES

(NONE)

Exhibit C **Manpower Task Breakdown**

Date: 02/06/97

Prepared for: I-15 Freeway Channel

Prepared by: Dan Goodin

Description	PIC	SM	PM	SE	Engr	Cadd	Admin	Total
Project Management								
Management	2		4					6
Administration							20	20
Subtotal	2	0	4	0	0	0	20	26
Water Line Design								
Plan/profile sheets (8)					30	40		70
Construction notes (4)					16	13		29
Detail Sheets (11)				13	20	30		63
Special Provisions				24			20	44
Estimates				12	16			28
Quality Control Review								0
Coordination with LVVWD	4			16				20
Subtotal (23)	4	0	0	65	82	83	20	254
Sanitary Sewer Design								
Plan/profile & Detail Sheets (5)					20	30		50
Reconstruction Plans (1)					12	15		27
Traffic control plans (1)					8	30		38
Special Provisions							8	8
Coordination with CLV			4	12	8			24
Subtotal (7)	0	0	4	12	48	75	8	147
TOTAL	6	0	8	77	130	158	48	427

CITY COUNCIL MINUTES
MAY 27 1997

Exhibit D Cost Derivation

CITY COUNCIL MINUTES

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Date: 02/06/97

Prepared for: I-15 Freeway Channel

PB Project No.: 13064A

Prepared by: Dan Goodin

DESCRIPTION	DETAILS			
	Estimated Hours	Rate \$/hrs	Estimated Cost	Total Cost
1. Direct Labor				
Principal-in-Charge	6	45.00	270	
Structral Manager	0	35.00	-	
Project Manager	8	30.00	240	
Senior Engineer	77	30.00	2,310	
Design Engineer	130	24.00	3,120	
Cadd Technician	158	19.00	3,002	
Administrative/Clerical	48	17.00	816	
Subtotal	427			
TOTAL Direct Labor				9,758
2. Labor Overhead	OH Rate	Base \$	Estimated Cost	Total
Office rate of 151.8%	1.518	9,758	14,813	
TOTAL Labor Overhead				14,813
TOTAL DIRECT LABOR & OVERHEAD (BURDENED)				24,571
3. Direct Expenses				
Cadd	400	15	6,000	
Computer	102	5	510	
TOTAL Direct Expenses				6,510
4. Subconsultants				
3.C. Wallace (Surveying and Mapping)			1,800	
Kleinfelder (Geotechnical)			4,320	
TOTAL Subconsultants				6,120
5. Margin	%	Base	Extension	Total
Labor & Overhead	12.0%	24,571	2,948	
Direct Expenses		6,510	-	
Subconsultants	5.0%	6,120	306	
TOTAL Margin				3,254
TOTAL ESTIMATED COST				40,455

EXHIBIT E
SCHEDULE

CITY COUNCIL MINUTES
MAY 27 1997

1. 60% plans - October 15, 1996
2. 90% plans - December 15, 1996
3. 95% plans - February 15, 1997
4. Bid plans - July 17, 1997

Invoice Format

MAY 27 1997

June 6, 1996

Invoice RA#
REF: 13064A

Randy Fultz, PE
CITY OF LAS VEGAS - DEPT. OF PUBLIC WORKS
400 E. Stewart Avenue
Las Vegas, Nevada 89101-2986

RE: I-15 Freeway Channel

For professional and technical engineering services rendered for the above referenced project through June 7, 1996:

Total Invoice Amount	\$2,598.10

I certify that the hours and salary rates charged in this invoice are correct and are the actual hours and charges paid.

Approval:

John D. (Dan) Goodin, PE
Project Manager

If you have any questions regarding this invoice, please contact Sara Heuston at (702) 697-8101. Please include the invoice payment and a copy of the cover letter in the enclosed pre-printed envelope to:

* Parsons Brinckerhoff Quade & Douglas, Inc.
File 54517
Los Angeles, CA 90074-4517

* Note Lock Box Address

PARSONS BRINCKERHOFF QUADE & DOUGLAS, INC.

I-15 Freeway Channel

Invoice RA#

For the 4-Week Period Ended: June 07, 1996

June 6, 1996

MAY 27 1997

INVOICE SUMMARY

LABOR	COSTS THIS PERIOD	BILLED PREVIOUSLY	TOTAL COST TO DATE	BUDGET	-OVER + UNDER	% COMPLETE
LABOR HOURS	35.5	0.0	35.5	0.0	(35.5)	0.00%
DIRECT LABOR	920.53	0.00	920.53	0.00	(920.53)	0.00%
OVERHEAD @ 152%	1,399.20	0.00	1,399.20	0.00	(1,399.20)	0.00%
TOTAL LABOR	2,319.73	0.00	2,319.73	0.00	(2,319.73)	0.00%
DIRECT EXPENSES						
EXPENSES	0.00	0.00	0.00	0.00	0.00	0.00%
TOTAL DIRECT EXPENSES	0.00	0.00	0.00	0.00	0.00	0.00%
SUBCONSULTANTS						
G. C. WALLACE	0.00	0.00	0.00	0.00	0.00	0.00%
KLEINFELDER, INC.	0.00	0.00	0.00	0.00	0.00	0.00%
TOTAL SUBCONSULTANTS	0.00	0.00	0.00	0.00	0.00	0.00%
SUMMARY						
LABOR HOURS	35.5	0.0	35.5	0.0	(35.5)	0.00%
DIRECT LABOR	920.53	0.00	920.53	0.00	(920.53)	0.00%
OVERHEAD @ 152%	1,399.20	0.00	1,399.20	0.00	(1,399.20)	0.00%
DIRECT EXPENSES	0.00	0.00	0.00	0.00	0.00	0.00%
SUBCONSULTANTS	0.00	0.00	0.00	0.00	0.00	0.00%
TOTAL LESS FEE	2,319.73	0.00	2,319.73	0.00	(2,319.73)	0.00%
FEE @ 12% OF DL & OH	278.37	0.00	278.37	0.00	(278.37)	0.00%
FEE @ 5% OF SUBCONSULTANTS	0.00	0.00	0.00	0.00	0.00	0.00%
TOTAL AMOUNT DUE	2,598.10	0.00	2,598.10	0.00	(2,598.10)	0.00%

Exhibit F
Invoice Format

PARSONS BRINCKERHOFF

Invoice Review

Page: 1

Project Organization: 5558 LAS VEGAS
 Project Member: GOODIN JR., Mr. DAN J
 Project Number: 13064A
 Project Name: I-15 FREEWAY CHANNEL

Role Type: Project Manager
 Description: I-15 FREEWAY CHANNEL

-- Project Summary --

Budget Revenue:	5,000.00	Total Invoiced:	Unbilled Receivable:	2,301.33
Total Revenue:	2,301.33	Retentions:		
Write On:	.00	Invoiced:		
Write Off:	.00			

-- Invoice Information --

Customer Name:	CITY OF LAS VEGAS - DEPT OF PUBLIC WORKS	Customer Number:	LVDPW
Billing Contact:	FULTZ, RANDY	Billing Contribution:	100%
Billing Address:	400 E. STEWART AVENUE LAS VEGAS, NV US 89101-2986	Work Site Address:	400 E. STEWART AVENUE LAS VEGAS, NV US 89101-2986
Agreement Number:	13064	Payment Terms:	30 NET
Invoice Comment:		Invoice Status:	Unapproved

Invoice Number: 1
 Bill Through Date: 07-JUN-96
 Invoice Amount: 2,598.10

Credit Off:
 Invoice Date:
 RA Invoice Number:

Line Invoice Item Description

Taxable Amount

1	FULMER, MS. ROBIN L	1.00 HOURS	No	26.81
2	GOODIN JR., Mr. DAN J	32.00 HOURS	No	2,461.13
3	HOFFMANN, Ms. DONNA J	2.00 HOURS	No	94.64
4	KILUK, MS. LINDA A	.50 HOURS	No	15.52

Invoice Totals: 2,598.10

-- Invoice Line Details --

LI	Sta	Employee/ Vendor	Number	Grade	Incd Cost Cntr	Expenditure Group	Expenditure Cat	Type	Task Number	Billing Title	Vendor Number	Vendor Invoice Number	Trans Date	Hrs	Rate	Raw Amount	Rate	Bill Amount
1		FULMER, MS. ROBIN	553-81	T-04	5558	9605245558T1	ST	REGULAR	HRS 1	ENGINEERING AIDE			24-MAY-96	1	9.500	9.50		26.81
																Total for Line 1:	9.58	26.81
2		GOODIN JR., Mr. D	225-90	P-11	5558	9605245558T1	ST	REGULAR	HRS 1	LEAD ENGINEER			24-MAY-96	32	27.250	872.00		2,461.13
																Total for Line 2:	872.00	2,461.13
3		HOFFMANN, Ms. DONNA	546-86	P-08	5558	9605245558T1	ST	REGULAR	HRS 1	PROJECT ADMIN I			24-MAY-96	2	16.763	33.53		94.64
																Total for Line 3:	33.53	94.64
4		KILUK, MS. LINDA A	015-80	A-06	5558	9605245558T1	ST	REGULAR	HRS 1	OFFICE ASST II			24-MAY-96	.5	11.000	5.50		15.52
																Total for Line 4:	5.50	15.52
																Invoice Totals:	920.53	2,598.10

CITY COUNCIL MINUTES

MAY 27 1997

Exhibit F
Invoice Format

TO:

CITY COUNCIL

FROM:

RICHARD D. GOECKE, DIRECTOR
DEPARTMENT OF PUBLIC WORKS

SUBJECT: APPROVAL OF THE FIFTH SUPPLEMENTAL INTERLOCAL CONTRACT FOR SHORT TERM
TRAFFIC TRANSPORTATION IMPROVEMENT

PURPOSE/BACKGROUND

This Fifth Supplemental Interlocal Contract was approved by RTC on May 8, 1997. It will be on the next Clark County Commission Agenda. This agreement is for improvements associated with Durango Drive between Cheyenne Avenue and Lone Mountain Road and preliminary design for streets, roads and freeway overcrossings associated with US-95.

FISCAL IMPACT

\$593,000 available in bond funds..

RECOMMENDATION

The Department of Public Works recommends APPROVAL be given to Supplemental Contract No. 5 for Short Term Traffic.

AGENDA ITEM

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CITY COUNCIL MINUTES

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FIFTH SUPPLEMENTAL INTERLOCAL CONTRACT

SHORT-TERM TRANSPORTATION IMPROVEMENT BOND PROJECT

THIS FIFTH SUPPLEMENTAL INTERLOCAL CONTRACT, made and entered into as of this 17th day of June, 1997 by and between the County of Clark, a political subdivision of the State of Nevada, hereinafter referred to as "COUNTY", the City of Las Vegas, a municipal corporation, hereinafter referred to as "CITY", and the Regional Transportation Commission.

WITNESSETH

WHEREAS, an Interlocal Contract dated January 22, 1991, a Supplemental Interlocal Contract dated January 21, 1992, a Second Supplemental Interlocal Contract dated July 7, 1992, a Third Supplemental Interlocal Contract dated January 6, 1993 and a Fourth Supplemental Contract dated November 2, 1993 were entered into by the CITY and COUNTY to construct certain traffic improvements funded through the issue of County bonds; and

WHEREAS, available funding from the bond issue has increased from original estimates; and

WHEREAS, it is the desire of the CITY and COUNTY to increase the funding allocated by means of this Contract in addition to increasing the scope of work.

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

SECTION I -- SCOPE OF PROJECT

The following paragraph shall be added to this section:

CITY COUNCIL MINUTES

MAY 27 1997

6. A) This Interlocal Contract applies to improvements associated with Durango Drive between Cheyenne Avenue and Lone Mountain Road. The basic improvements made will result in full roadway improvements, drainage improvements, traffic signals, median islands and/or median access according to adjacent land use, pavement markings and signing. Other basic improvements such as curb and gutter, sidewalks and streetlights may be funded by the CITY with a proposed Special improvement District.
- B) Preliminary design for the regional street crossings and access around the proposed US-95 Beltway System to System Interchange. The preliminary design will be for the following streets, frontage roads and freeway overcrossings:
- ◆ Tropical over US-95
 - ◆ Elkhorn over US-95
 - ◆ Deer Springs over US-95
 - ◆ The frontage road/access roads in the southeast quadrant of the interchange.

SECTION II -- PROJECT COSTS

Paragraph one (1) and six (6) shall be deleted and replaced with the following;

1. Preliminary engineering, design, appraisals or title reports, right-of-way negotiations, right-of-way acquisition, escrow, contract administration, construction engineering testing and inspection, and construction costs not to exceed \$12,741,675.

CITY COUNCIL MINUTES

MAY 27 1997

6. The maximum amount to be funded by the COUNTY pursuant to this Interlocal Contract shall not exceed the sum of \$12,741,675.

a. Fifth Supplemental Contract shall be funded as follows:

\$453,006 Engineering Design -- Durango Road

25,000 -- Right-of-Way Other

114,994 -- Preliminary Design -- US-95/Beltway Crossings & Access

\$593,000 Total

SECTION IV -- OTHER PROVISIONS

Paragraph ten (10) shall be deleted in its entirety and replaced with the following:

10. In the event the items covered herein have not been completed to the satisfaction of the COUNTY prior to June 30, 1999, the COUNTY may at any time thereafter terminate this Contract and the CITY agrees to repay all funds advanced therefor.

All other sections of the Interlocal Contract dated January 22, 1991, the Supplemental Interlocal Contract dated January 21, 1992, the Second Supplemental Interlocal Contract dated July 7, 1992, the Third Supplemental Interlocal Contract dated January 6, 1993 and the Fourth Supplemental Contract dated November 2, 1997 remain unchanged.

IN WITNESS WHEREOF, this Fifth Supplemental Interlocal Contract is

. . .

. . .

. . .

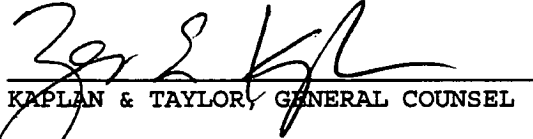
. . .

CITY COUNCIL MINUTES

MAY 27 1997

executed as of the date first set forth above.

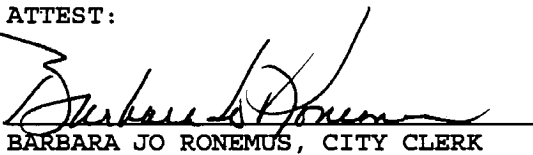
APPROVED AS TO LEGALITY AND FORM:


 KAPLAN & TAYLOR, GENERAL COUNSEL

DATE OF COUNCIL ACTION:

²⁷
 May 8, 1997

ATTEST:


 BARBARA JO RONEMUS, CITY CLERK

CITY OF LAS VEGAS

By:


 JAN LAVERTY JONES, MAYOR

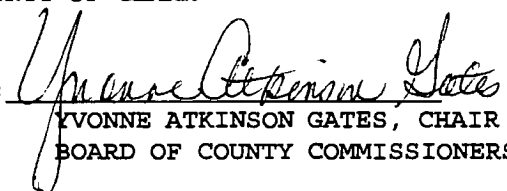
DATE OF COMMISSION ACTION:

6/17/97
 ATTEST:

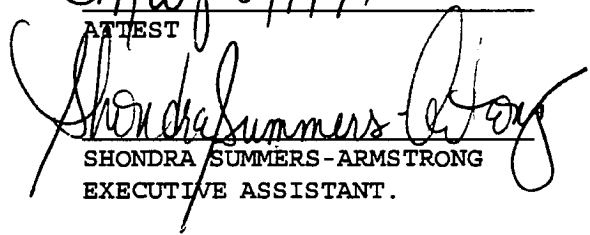

 LORETTA BOWMAN, COUNTY CLERK

COUNTY OF CLARK

By:


 YVONNE ATKINSON GATES, CHAIR
 BOARD OF COUNTY COMMISSIONERS

DATE OF COMMISSION ACTION:

May 8, 1997
 ATTEST

 SHONDRA SUMMERS-ARMSTRONG
 EXECUTIVE ASSISTANT.

REGIONAL TRANSPORTATION COMMISSION

By:


 BRUCE WOODBURY, CHAIRMAN

CITY COUNCIL

MEETING OF
MAY 27, 1997

200

City of Las Vegas

AGENDA & MINUTES

Page 26

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

CONSENT AGENDA

IV. RESOLUTIONS

62

R-38-97 - Approval of Resolution to amend Schedule 25-I and 25-II in accord with Traffic & Parking Item 58.

ADAMSEN - Motion to APPROVE:

Items 4 - 35

Items 37 - 41

Items 43 - 64

carried UNANIMOUSLY

Item 36:

APPROVED under separate action
(see individual item)

Item 42:

ABEYANCE to 6/9/97
under separate action
(see individual item)

There was no discussion.

(10:00)
1-704

63

R-39-97 - Resolution Directing City Treasurer to Prepare Fourth Assessment Apportionment Report re: Special Improvement District No. 468 (W. Charleston Boulevard)

APPROVED - see above

64

R-40-97 - Resolution Approving Fourth Assessment Apportionment Report re: Special Improvement District No. 468 (W. Charleston Boulevard)

APPROVED - see above

MAY 27 1997

R-38-97

RESOLUTION

WHEREAS, various sections of TITLE 11 of the Las Vegas Municipal Code allow for additions to and corrections of the schedules which are established in the respective sections to be effected by Resolution; and

WHEREAS, it has been determined and recommended by the Traffic and Parking Commission and the Traffic Engineer that the following additions and corrections be made in said schedules;

NOW, THEREFORE, be it resolved by the City Council of the City of Las Vegas, Nevada, that the following schedules pertaining to TITLE 11 of the City Code be amended as follows:

Schedule 25-I be amended to delete the following 30 MPH Speed Limit Zone:

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>SIDE</u>
Alta Dr	Durango Dr	Martin L King Blvd	B

Schedule 25-II be amended to delete the following 35 MPH Speed Limit Zone:

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>SIDE</u>
Alta Dr	Martin L King Blvd	Grand Central Pkwy	B

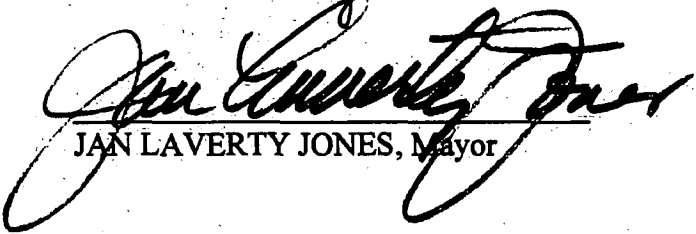
Schedule 25-I be amended to include the following 30 MPH Speed Limit Zone:

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>SIDE</u>
Alta Dr	Rampart Blvd	I-15 Overpass	B

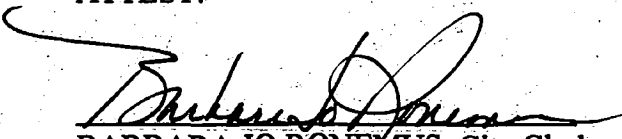
Schedule 25-II be amended to include the following 35 MPH Speed Limit Zone:

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>SIDE</u>
Alta Dr	I-15 Overpass	Grand Central Pkwy	B

PASSED, ADOPTED, AND APPROVED this 27th day of May, 1997.


JAN LAVERTY JONES, Mayor

ATTEST:


BARBARA JO RONEMUS, City Clerk

CITY COUNCIL
MEETING OF
May 27, 1997

202

AGENDA DOCUMENTATION

TO:

City Council

FROM:

Bradford R. Jerbic
City Attorney

SUBJECT:

Resolution Directing City Treasurer to Prepare Fourth Assessment Apportionment Report re: Special Improvement District No. 468 (W. Charleston Boulevard).

PURPOSE/BACKGROUND

S.I.D. NO: 468

STEP: Resolution directing the City Treasurer to prepare the Fourth Assessment Apportionment Report.

IMPROVEMENT: Installation of street paving, "L" Type curb and gutter, sidewalk, driveway approaches, streetlights, sewer laterals, water laterals and water distribution main.

LOCATION: Antelope to Durango

FISCAL IMPACT

None. This Resolution relates only to the apportionment, among the various lots and parcels into which certain larger parcels of property within the District have been divided, of the assessment that was previously levied upon each of those larger parcels.

RECOMMENDATIONS

It is recommended that the City Council adopt this Resolution.

Agenda Item

63

MAY 27 1997

R-39-97

RESOLUTION

1 A RESOLUTION DIRECTING THE CITY TREASURER OF THE CITY OF LAS VEGAS TO
2 APPORTION THE UNCOLLECTED AMOUNT OF THE SPECIAL ASSESSMENT AGAINST
3 ANY LOT OR PARCEL OF PROPERTY WITHIN CITY OF LAS VEGAS, NEVADA,
4 SPECIAL IMPROVEMENT DISTRICT NO. 468 THAT HAS BEEN DIVIDED SINCE SUCH
5 SPECIAL ASSESSMENT WAS LEVIED THEREAGAINST AMONG THE SEVERAL PARTS
6 INTO WHICH SUCH LOT OR PARCEL HAS BEEN DIVIDED AND TO PREPARE, SUBMIT
7 AND FILE WITH THE CITY CLERK OF SAID CITY A REPORT OF SUCH
8 APPORTIONMENT.
9

10
11 WHEREAS, the City of Las Vegas (the "City" herein), in the County of Clark and
12 State of Nevada, is organized and operating pursuant to the provisions of Chapter 517,
13 Statutes of Nevada 1983, as the same have been amended to the date hereof, and the
14 general laws of said State; and
15

16 WHEREAS, by Ordinance No. 3424 that was duly passed, adopted and approved by
17 the City Council of the City (the "City Council" herein) on the 5th day of April, 1989, the City
18 Council created "City of Las Vegas, Nevada, Special Improvement District No. 468" (the
19 "District" herein) for the purposes of providing for the installation of street paving, "L" type
20 curb and gutter, sidewalk, driveway approaches, streetlights, sewer laterals, water laterals,
21 and water distribution main (the "Project" herein), and of defraying the entire costs and
22 expenses thereof by special assessments against the assessable lots and parcels of
23 property within each assessment unit of the District according to the benefits that were
24 anticipated would be derived from the Project by the respective lots and parcels that were to
25 be so assessed, all in accordance with the provisions of Chapter 271, et seq. of the Nevada
26 Revised Statutes ("NRS" herein) that provide therefor; and

27 WHEREAS, by Ordinance No. 3564 that was duly passed, adopted and approved by
28 the City Council on the 17th day of April, 1991, the City Council assessed all of the costs

1 and expenses of constructing and installing the Project against the assessable lots and
2 parcels of property within the District that were benefited by the Project; and

3 WHEREAS, NRS 271.425 provides that, if any lot or parcel of property within a
4 special improvement district that has been created by a municipality in said State is divided
5 after a special assessment thereupon has been levied and divided into installments and
6 before the collection of all of such installments, the governing body of such municipality may
7 require the municipal treasurer to apportion the uncollected amount of such special
8 assessment among the several parts into which such lot or parcel has been divided; and

9 WHEREAS, one of the lots and parcels of property, to-wit, that certain lot or parcel
10 that is identified by the Clark County, Nevada, County Assessor's parcel number as Parcel
11 440-570-009, and is situate within the District has been divided after the special
12 assessments thereupon were levied and divided into installments, and not all of such
13 installments have been collected; and

14 WHEREAS, the City Council desires, by this Resolution, to direct the City Treasurer
15 of the City (the "City Treasurer" herein) to apportion the uncollected amounts of the special
16 assessments that have been levied upon the above-described lot and parcel of property
17 among the several parts into which such lot and parcel, respectively, has been divided;

18 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City, at this
19 regular meeting thereof that is being held on this 27th day of May, 1997, as follows:

20 SECTION 1. That the City Treasurer be, and he hereby is, authorized, empowered
21 and directed to apportion, on an equitable basis, the uncollected amounts of the special
22 assessments that were heretofore, by virtue of the adoption by the City Council of said
23 Ordinance No. 3564, levied upon that certain lot and parcel of property that is situate within

CITY COUNCIL MINUTES

MAY 27 1997

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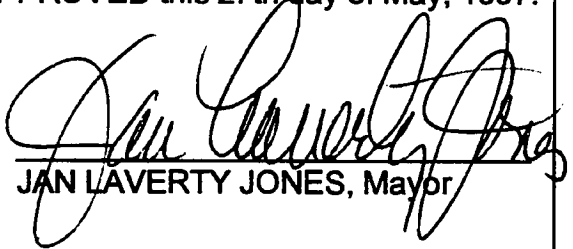
the District and is identified by the Clark County, Nevada, County Assessor's parcel number as Parcel 440-570-009, among the several parts into which said Parcel 440-570-009, has been divided.

SECTION 2. That the City Treasurer be, and he hereby is, further authorized, empowered and directed to prepare, submit and file with the City Clerk of the City (the "City Clerk" herein) a report of the apportionment that is required by Section 1 of this Resolution.

SECTION 3. That the City Clerk be, and she hereby is, authorized, empowered and directed to furnish a copy of this Resolution to the City Treasurer.

SECTION 4. That all resolutions, or parts thereof, that are in conflict with the provisions of this Resolution be, and they hereby are, repealed.

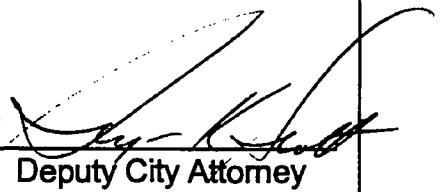
PASSED, ADOPTED AND APPROVED this 27th day of May, 1997.


JAN LAVERTY JONES, Mayor

ATTEST:

Approved as to form:


BARBARA JO RONEMUS, City Clerk

5/27/97 
Date Deputy City Attorney

CITY COUNCIL
MEETING OF
May 27, 1997

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AGENDA DOCUMENTATION

TO:

City Council

FROM:

Bradford R. Jerbic
City Attorney

SUBJECT:

Resolution Approving Fourth Assessment Apportionment Report re: Special Improvement District No. 468 (W. Charleston Boulevard).

PURPOSE/BACKGROUND

S.I.D. NO: 468

STEP: Resolution approving the Fourth Assessment Apportionment Report.

IMPROVEMENT: Installation of street paving, "L" Type curb and gutter, sidewalk, driveway approaches, streetlights, sewer laterals, water laterals, and water distribution main.

LOCATION: Antelope to Durango

FISCAL IMPACT

None. This Resolution relates only to the apportionment, among the various lots and parcels into which certain larger parcels of property within the District have been divided, of the assessment that was previously levied upon each of those larger parcels.

RECOMMENDATIONS

It is recommended that the City Council adopt this Resolution.

Agenda Item

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MAY 27 1997

R-40-97
RESOLUTION

1
2
3 A RESOLUTION RELATING TO CITY OF LAS VEGAS, NEVADA, SPECIAL
4 IMPROVEMENT DISTRICT NO. 468; APPROVING THE FOURTH ASSESSMENT
5 APPORTIONMENT REPORT WITH RESPECT TO CERTAIN LOTS AND PARCELS OF
6 PROPERTY WITHIN SAID DISTRICT; AND DIRECTING THE RECORDATION OF SAID
7 REPORT.

8
9 WHEREAS, the City Council of the City of Las Vegas (the "City Council" and the
10 "City", respectively, herein), in the County of Clark and State of Nevada, has taken the
11 requisite legal action that is preliminary to and in the creation of "City of Las Vegas,
12 Nevada, Special Improvement District No. 468" (the "District" herein), consisting of nine
13 (9) separate and distinct assessment units, for the purposes of providing for the
14 installation of street paving, "L" type curb and gutter, sidewalk, driveway approaches,
15 streetlights, sewer laterals, water laterals, and water distribution main (the "Project"
16 herein), and of defraying the entire costs and expenses thereof by special assessments
17 against the assessable lots and parcels of property within each assessment unit of the
18 District according to the benefits that were anticipated would be derived from the Project
19 by the respective lots and parcels that were to be so assessed, all in accordance with the
20 provision of Chapter 271, et seq. of the Nevada Revised Statutes ("NRS" herein) that
21 provide therefor; and

22 WHEREAS, the City Council, pursuant to NRS 271.425, has directed the City
23 Treasurer of the City (the "City Treasurer" herein) to apportion, upon an equitable basis,
24 the uncollected amounts of the special assessments that were heretofore levied upon that
25 certain lot and parcel of property that is situate within the District and is identified by the
26 Clark County, Nevada, County Assessor's parcel number as Parcel 440-570-009 among
27 the several parts into which such lot and parcel, has been divided and to prepare, submit

64

CITY COUNCIL MINUTES

MAY 27 1997

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1 and file with the City Clerk of the City (the "City Clerk" herein) a report of such
2 apportionment; and

3 WHEREAS, the City Treasurer, on the 27th day of May, 1997, filed with the City
4 Clerk a copy of his report of such apportionment that is entitled "Fourth Assessment
5 Apportionment Report for City of Las Vegas, Nevada, Special Improvement District No.
6 468"; and

7 WHEREAS, the City Council has reviewed said Report and has found the same, in
8 all respects, to be satisfactory;

9 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City, at this
10 regular meeting thereof that is being held on this 27th day of May, 1997, as follows:

11 SECTION 1. That that certain document entitled "Fourth Assessment
12 Apportionment Report for City of Las Vegas, Nevada, Special Improvement District No.
13 468", a copy of which is attached as Exhibit "A" hereto, is hereby approved and adopted
14 as and for the City's plan for the apportionment of the uncollected amounts of the special
15 assessments that were heretofore levied upon that certain lot and parcel of property that
16 is situate within the District and is identified by the Clark County, Nevada, County
17 Assessor's parcel number as Parcel 440-570-009 among the several parts into which
18 such lot and parcel, has been divided.

19 SECTION 2. That the City Clerk is hereby authorized, empowered and directed to
20 record in the Office of the County Recorder of Clark County, Nevada, a copy of said
21 Report, together with a statement that the current payment status of any of the
22 assessments that are shown thereon may be obtained from the City Treasurer.

CITY COUNCIL MINUTES

MAY 27 1997

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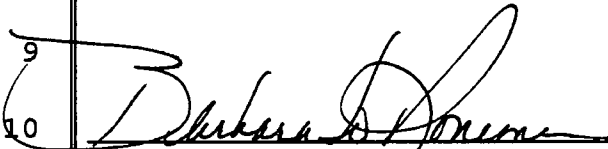
1 SECTION 3. That all resolutions, or parts thereof, that are in conflict with the
2 provisions of this Resolution be, and they hereby are, repealed.

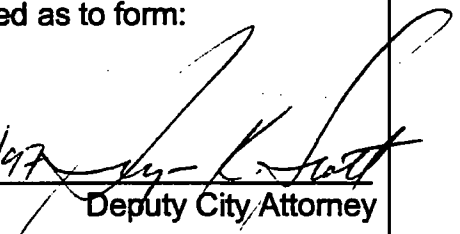
3 PASSED, ADOPTED AND APPROVED this 27th day of May, 1997.

4
5 
6 JAN LAVERTY JONES, Mayor

7
8 ATTEST:

Approved as to form:

9 
10
11 BARBARA JO RONEMUS, City Clerk


5/27/97
Date Deputy City Attorney

CITY COUNCIL MINUTES

MAY 27 1997

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**City of Las Vegas, Nevada
Special Improvement District No. 468
(W. Charleston Boulevard)**

**FOURTH ASSESSMENT LIEN APPORTIONMENT REPORT
(May 27, 1997)**

RETURN TO:

**City of Las Vegas
Special Improvement District
400 E. Stewart Avenue
Las Vegas, Nevada 89101**

EXHIBIT "A"

CITY COUNCIL MINUTES**211****MAY 27 1997****FOURTH ASSESSMENT APPORTIONMENT
REPORT BY A.P.N.**

A. The assessment that has heretofore been levied against that certain parcel of property that is identified by the Clark County, Nevada, County Assessor's parcel number as Parcel 440-570-009 in the original amount of \$51,583.46, of which the amount of \$23,212.53 remains unpaid, is hereby apportioned among the lots and parcels into which said parcel has been divided as follows:

APN	%	PER PARCEL ASSESSMENT
163-04-118-001	4.42	\$ 1,025.99
163-04-118-002	4.42	1,025.99
163-04-118-003	4.42	1,025.99
163-04-118-004	4.42	1,025.99
163-04-118-005	4.42	1,025.99
163-04-118-006	4.42	1,025.99
163-04-118-007	4.42	1,025.99
163-04-118-008	4.42	1,025.99
163-04-118-009	4.42	1,025.99
163-04-118-010	4.42	1,025.99
163-04-118-011	4.42	1,025.99
163-04-118-012	4.42	1,025.99
163-04-118-013	4.42	1,025.99
163-04-118-014	4.42	1,025.99
163-04-118-015	4.42	1,025.99
163-04-118-016	4.42	1,025.99
163-04-118-017	4.42	1,025.99
163-04-118-018	4.42	1,025.99
163-04-118-019	20.44	4,744.71
		\$ 23,212.53

CITY COUNCIL MINUTES

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MAY 27 1997

Legal Description:

Being all of lots 1 through 19 inclusive of Charleston Place as shown in Book 76 of Plats

Page 14 recorded in the office of the County Recorder, Clark County, NEVADA.

DATED This _____ day of _____, 1997.

Respectfully submitted,

MICHAEL K. OLSON, City Treasurer

THE CURRENT PAYMENT STATUS OF ANY OF THE FOREGOING ASSESSMENTS
MAY BE OBTAINED FROM THE OFFICE OF THE CITY TREASURER OF LAS VEGAS,
NEVADA.

CITY COUNCIL

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

65

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE

TIME CERTAIN - 10:00 A.M.

Update, discussion and possible action with respect to the City Council's position regarding pending State legislation.

REPORT GIVEN

The number 1-800-992-0973 was displayed for those persons wishing to contact the legislature regarding AB-517, AB-399, SB-383, and AB-409.

It was also announced that there would be a public hearing held on SB-208 regarding limitations on neighborhood casinos on Thursday, May 29, 1997 at 5:30 p.m. via teleconference at the State Building on Washington and Las Vegas Boulevard.

(10:03 - 10:22)

1-806

NOTE: A Verbatim Transcript is made part of the Final Minutes.

Public Nuisance
Assembly Bill 517
Owners of buildings
where Drugs are sold,
Trash Collects or
Crime Takes Place
have to fix or tear
down. *If owner won't,*
City will, and charge
the owner. Assembly Government
Affairs **1-800-992-0973**

City Council Expansion Senate Bill 38

*Assembly version requires
expansion of City Council by
two seats.*

*Senate version allows expansion
by ordinance, vote of the people.*

1-800-992-0973

Regional Planning Bills

AB 399—Creates Regional Planning Board and Commission.

SB 383—Creates Planning Authority to study Southern Nevada needs. Reports to Legislature in 1999.

AB 490—Puts growth limitation ring around Las Vegas Valley.

1-800-992-0973

MAY 27 1997

Regional Planning Bill Assembly 399

**Creates Regional
Planning Commission
and governing board for
Southern Nevada.**

Assembly Government Affairs

1-800-992-0973

VERBATIM TRANSCRIPT - ITEM 65: UPDATE, DISCUSSION AND POSSIBLE ACTION WITH RESPECT TO THE CITY COUNCIL'S POSITION REGARDING PENDING STATE LEGISLATION

MAYOR JONES

Under Administrative, we have an update, discussion, and possible action with respect to the City Council's position regarding pending State legislation.

ROBERT HASEGAWA

Good morning, Your Honor, members of the Council. Bob Hasegawa. Could we have the overhead, please? Could you pull in tighter? Okay. The first item of interest is the Public Nuisance Bill, Assembly Bill 517. Basically it strengthens the State law which whereby the owners of the building will be held responsible in the instances where drugs are being sold or where trash or debris collects, or generally crime takes place. And also influences the persons who are associated with a building, sort of hanging out there and using it as a crack house or some other things.

It would allow the, make the owner either fix the, abate the nuisance and fix the problem or tear it down. And if the owner doesn't do it, then the City will, and Mr. McDonald was instrumental in having this Bill introduced. And perhaps you'd like to go into some of the reasons for it.

COUNCILMAN McDONALD

Yes, I would. Thank you, Mr. Hasegawa. Your Honor, on this Bill, what we have is a problem in Councilman Reese's and my, Councilman Reese's Ward and also my Ward where owners are no longer responsible. We have out-of-state landlords. We have owners that may live in other upscale neighborhoods, but tend to take the buildings and rent them to drug dealers or prostitution. This would allow us to take a stand. It has been exercised in other counties and cities across the United States. We've been trying to put this together for the last year. We had Assemblyman Lee stepped up to the Legislature for us. And I would like to see if we can now so endorse it by the Council here today, to say this is something that we need in the City of Las Vegas and maybe take a stand on this crime.

COUNCILMAN REESE

I think, Your Honor, if I might just take a moment here to second Councilman - excuse me - Councilman McDonald's words. This is very important, I think, to, especially Ward 1 and Ward 3. I appreciate, I guess, something like this coming out of the Legislature because it's so frustrating to be able to go out and talk to these people and try to get them to do what we need to have done and they just look at you and laugh. And we need something that will put a little, I think, fear into them that they will clean up their - properties. There are a lot of properties that need to be torn down, but they are crack houses and stuff, so - I do - I think that we

**CITY COUNCIL MINUTES
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**VERBATIM TRANSCRIPT - ITEM 65: UPDATE, DISCUSSION AND POSSIBLE ACTION WITH RESPECT TO
THE CITY COUNCIL'S POSITION REGARDING PENDING STATE LEGISLATION**

do need to send this to our legislators with a definite do pass on it.

COUNCILMAN McDONALD

This will also apply to buildings that are no longer – that are nuisance, eyesores, not just the drug houses. The City of Reno has a bill up there right now that would, I don't know if they combined them yet, that would, they were going after crack houses. This is both. This is a trash house –

ROBERT HASEGAWA

– and a crack house –

COUNCILMAN McDONALD

– and a crack house. Al?

AL GALLEGOS

Yes, can I talk on this subject?

MAYOR JONES

Yes.

AL GALLEGOS

I just came – from a seminar in Albany, New York, and these are what some of the cities in the United States are doing. They're putting up a sign saying that that property is a slum – slum or needs fixing up, and the city puts up the sign right on the property line. And the city says it's working real, real good. It's embarrassing the owner to do work on their house and put it where – This, the general public knows, finds out who owns this property, and it's working out real good. I think it's a great idea. I think that the City of Las Vegas should do something like this.

MAYOR JONES

I think it is a good idea.

AL GALLEGOS

Thank you.

MAYOR JONES

Thank you, Al.

COUNCILMAN CALLISTER

Let me just take a moment and applaud Councilman McDonald for this proposal. I think it's long overdue, and in an odd way it's just another type of authorization of home rule, authorizing the City to clean out the City, to take care of its own problems.

JOE MAVIGLIA

Joe Maviglia. What this does is scares me, Mr. McDonald. I can see the reason behind it, and I can see the need for it. But my concern is if Your Honor and a few of you Councilmen got a bug up your nose and decided that you wanted to get rid of an individual. It would be very, very – the line would be very, very thin on your actions in regards to this Bill. I would simply add a little caution in regards to the rights of individuals, especially individuals that are out of State.

CITY COUNCIL MINUTES
MEETING OF
MAY 27, 1997

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VERBATIM TRANSCRIPT - ITEM 65: UPDATE, DISCUSSION AND POSSIBLE ACTION WITH RESPECT TO
THE CITY COUNCIL'S POSITION REGARDING PENDING STATE LEGISLATION

I think that if you're going to go forward with this thing, and I think it's appropriate, I think that ample warning should be given and a certain length of time should be put on this particular issue to make sure that the owner has every opportunity to make the necessary corrections. To arbitrarily and capriciously put a bill like this and give you the strength, that creates a danger in regards to the public good. And I would ask you to put a little caution in there.

MAYOR JONES

Thank you, Joe.

COUNCILMAN McDONALD

That's something we would always do. You remember my campaign office, remember the building right across the street? It's - we've been notifying them. That's ample time - two years.

JOE MAVIGLIA

I know. Listen, I appreciate that, and I think it's an important thing, and I think if we're ever going to get a handle on drugs and getting, cleaning up the City, I think you're moving in the right direction. I'm not opposed to what you're doing.

COUNCILMAN McDONALD

I appreciate that.

JOE MAVIGLIA

Okay? And I think it's a hell of a good idea. It's about time that somebody's taking the action, and I thank you for it, but still, you know, I've got to bring forward the little bit of worry that I have. If it is used under the table to - You know, you know where I'm coming from.

COUNCILMAN McDONALD

I know exactly where you're coming from.

ROBERT HASEGAWA

Your Honor, those matters are contained in the Bill, provided for, and also by Ordinance any measures to protect the rights of the property owner could be incorporated.

JOE MAVIGLIA

Thank you.

ROBERT HASEGAWA

Pull down a little closer. Overhead. Thank you. Next there are three regional planning bills of some significance to the Southern Nevada area. The first one is AB-399, which creates a regional planning - board and commission. SB-383, which is Senator Porter's Bill, creates a planning authority to study Southern Nevada problems and needs and would report back to the Legislature in the next session in 1999. And the third Bill of a regional nature is AB-490, which is basically, puts a growth and limitation ring around

**CITY COUNCIL MINUTES
MEETING OF
MAY 27, 1997**

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**VERBATIM TRANSCRIPT - ITEM 65: UPDATE, DISCUSSION AND POSSIBLE ACTION WITH RESPECT TO
THE CITY COUNCIL'S POSITION REGARDING PENDING STATE LEGISLATION**

the Las Vegas Valley, and Councilman Adamsen had testified about that in Carson City.

MAYOR JONES

I think one of the things, and maybe this Council needs to take a more concrete position on these three Bills. There was an article in the paper this morning on regional planning and, although I wouldn't say it mischaracterized my position because I do believe that staff needs to take the lead in putting together and gathering the information to bring back to the elected officials - We need, once that information is in place, a body that can act on that information, whether it's standardization of policy and procedure on a Valley-wide basis, whether it's the creation of a regional planning board, maybe not exactly the configuration is called for in AB-399. I really believe at this time putting a growth limitation ring around the Valley is not in anyone's best interest unless we fully understand what the impacts are going to be.

And one of these bills, it appears, will come out of the Legislature, and this Council, I think, would be prudent to decide what we support and make sure our voice is heard.

COUNCILMAN CALLISTER

Well, part of the difficulty with the AB-490 is that in many instances, in my Ward, growth is far beyond the ring that's been drawn, so I'm troubled of how inflexible that is. But I think we all share in the intent of the Bill, which is to try to find a way to use some - to implement some regional thinking about growth. And from my point of view, I think AB-399 compels that. I'm not certain that 383 does not also do so.

But if you try and look at them all thematically, they're all suggesting that there needs to be a dialogue created to discuss growth and to then manage growth. And I - think that's accurate. You look at how much growth is occasioned by new casino construction, and yet you don't always see the development patterns follow the location where the growth is occurring.

And that's what's troubling me. I think the fragmentation of our jurisdictions has allowed that to occur. I think that's what a regional commission will allow you to do, you've got a place where you'd sit down and say, okay, if this governmental entity is going to create 10,000 new jobs, what are those jobs going to be? What's the nature of the housing, the recreation, the schools that they're going to need? And what is that government doing to help pay for the housing, the jobs, or creating the opportunity for that? Opportunity for those jobs.

VERBATIM TRANSCRIPT - ITEM 65: UPDATE, DISCUSSION AND POSSIBLE ACTION WITH RESPECT TO THE CITY COUNCIL'S POSITION REGARDING PENDING STATE LEGISLATION

MAYOR JONES

Well, I think, that if you look at these three Bills, that the Resolution that was approved by the County Commission that encourages all the Planning Departments in the City, the County, Henderson, North Las Vegas, and Boulder City to continue gathering the information. It does make some sense that that information when gathered would go to a planning authority similar to that called for in SB-383, which is a composite group of elected officials, industry leaders to determine what makes sense, and then go to some kind of regional planning board for implementation so some of this may just be how we put it in place.

COUNCILMAN CALLISTER

(inaudible)

MAYOR JONES

The limitation – and we've discussed this before. When you looked at San Diego, that we could actually build in incentives to encourage developers to pursue infill –

COUNCILMAN CALLISTER

Right.

MAYOR JONES

– development rather than just putting an artificial ring that says, you can't go outside this, which I think makes a lot more sense.

COUNCILMAN ADAMSEN

Yes, Your Honor, Councilman Callister's comments were my comments that I put into the record when I testified on 490 and for the record here I would inform the infrastructure committee that I was appearing personally, and that in concept I supported this because it would begin the discussion regarding growth management and guidance. And I brought up many of the points that, Councilman Callister, you just brought out that the mega-resorts are building on the South Strip, and that the housing for them, because of the affordability factor, was in the west and the northwest in our Wards. And whether or not this would create some kind of artificial increase in land value inside the ring was something that needed to be addressed.

Those were all salient comments, and I did put on the record that I was not appearing representing the Las Vegas City Council because we had not discussed this Bill, nor had we given any indication as to our support or objection to this Bill.

MAYOR JONES

And I think there's no question that if you put an artificial ring around the Valley, you take certain land values and you render them virtually valueless and you take others and significantly increase the value, and I think putting together

**VERBATIM TRANSCRIPT - ITEM 65: UPDATE, DISCUSSION AND POSSIBLE ACTION WITH RESPECT TO
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incentives that encourage infill development is much better public policy.

COUNCILMAN CALLISTER

As Councilman Reese will recall when we visited with San Diego City and County Planners, they experienced much of the same pattern about ten or fifteen years ago, where because new jobs were being created, and many of their new jobs were also in the tourist sector and many of those new jobs tended to be either downtown in their gaslight district, which was under renovation when the redevelopment was going on, or out of the Mission Bay area. Nevertheless, much of the housing was going out on the periphery and indeed much of the new entry level housing was going on in the periphery. And they had the same problem with the lack of infill near where the jobs were being created, and that they had to induce that using their redevelopment powers. They had to essentially adopt a prohibition against multi-family in the periphery, and then turn around and encourage it on the interior.

That's the kind of dialogue I would hope that the Legislature fosters. Instead of trying to reinvent the wheel, that's worked very well for the City of San Diego. Now today there are thousands of new housing units, both multi-family and otherwise of all shades of the spectrum that have been built from SRO's, to market value apartments, to a quarter-million dollar condominiums, and they're all in the downtown area, which is where you want it, which is pedestrian friendly to jobs, to shopping, to work, and also at the same time, of course, cuts down on your traffic problems which benefits your air.

That's the kind of dialogue that I would hope comes out of this 383, if in fact that's what occurs. But they then had to adopt a planning board and commission to enforce those regulations over the years. And so it's -- a funny highbred of how they use both redevelopment to foster residential development in their inner-city areas and then prohibit apartment and multi-family development on the periphery.

COUNCILMAN ADAMSEN

Well, I hope as part --

COUNCILMAN CALLISTER

(inaudible) different --

COUNCILMAN ADAMSEN

of this process that we would forward with something here locally that is currently within our jurisdiction. And that is to coordinate the sequence of construction events. Nothing infuriates our constituents more than having two east/west arterials, or north/south arterials in the same approximate

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VERBATIM TRANSCRIPT - ITEM 65: UPDATE, DISCUSSION AND POSSIBLE ACTION WITH RESPECT TO
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area tom up at the same time, and there's two, three, four, and five different jurisdictions in Southern Nevada providing infrastructure. We need to coordinate the sequence of these events so that we do not inconvenience and frustrate our constituents by these capital improvement projects and by road construction.

COUNCILMAN CALLISTER

Absolutely. How many times does a street get tom up first by the Water District, then by the Power Company, then by the -- City and then/or by the County.

MAYOR JONES

Nothing a little consolidation wouldn't fix.

JOE MAVIGLIA

I -- maybe this is my day; I don't know. But I sit and I try to analyze what you people up here are doing, what the Legislature is doing. And I certainly do as much study as the next man, and I'm not always right, just like you.

But I do have a question that I'd like to propose to you and that is, in the realm of free enterprise where individuals have bought acreage, for example, from the BLM with the hopes of making a profit on that investment, you're messing with private enterprise at the highest level in regards to control. Under any law, legislative or local, that's a danger that you're taking again rights away from the individual people that are trying to advance themselves using real estate. The real estate market is one of the fastest growing markets in the country where individuals bought property that was farms and now they're cities, and it's been a natural process of people and it scares me --

COUNCILMAN ADAMSEN

Yeah. Well, Joe, that's the discussion that they're currently having on AB-490, and there'll be more --

JOE MAVIGLIA

How are you going to overcome that?

COUNCILMAN ADAMSEN

Well, --

MAYOR JONES

Well, Joe, that's why we gave this number where you can call the Legislature and --

COUNCILMAN ADAMSEN

Exactly. And there will be hearings on it that will be teleconferenced to the Bradley Building down here at Washington and Las Vegas Boulevard, and I would encourage you to participate in that debate.

JOE MAVIGLIA

What? Doesn't common sense tell you that you're stretching -- attempting to stretch controls of the people for God sakes?

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**VERBATIM TRANSCRIPT - ITEM 65: UPDATE, DISCUSSION AND POSSIBLE ACTION WITH RESPECT TO
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COUNCILMAN CALLISTER

I think the public is demanding that we find ways to control growth. I don't think it's something we're doing. I'd like to tell you that elected officials are always out there leading. Usually, they take their directions from their constituencies, and I know that my constituency is just fed up with run away growth and are looking for some – tools to try to manage it. I think we've been presented with three potential tools, and I think the Mayor's right, we have to give our input into those -

JOE MAVIGLIA

I certainly can't argue against your philosophy. I'm not saying that it's wrong. But what I'm saying is, are you going to pay out of the City coffers and the State coffers the value that you're going to diminish in regards to the control to the people? How are you going to handle that? Think about it.

MAYOR JONES

Use your voice.

COUNCILMAN ADAMSEN

Call that number, Joe.

MAYOR JONES

Thank you. Do we have any other --

ROBERT HASEGAWA

The last item is basically an announcement that a, the neighborhood casino bill, Senate Bill 208, which puts limitations on the location of neighborhood casinos and includes several other items. The hearing is scheduled for Thursday, May 29th, 5:30 p.m. at the Grant Sawyer State Building which is at Washington and Las Vegas Boulevard. And that way – the hearing is in Carson City. It will be telecast, teleconferenced to the State Building next Thursday.

COUNCILMAN CALLISTER

Thank you.

ROBERT HASEGAWA

Thank you.

COUNCILMAN ADAMSEN

The debate on that Bill should be interesting.

MAYOR JONES

What's to debate?

COUNCILMAN ADAMSEN

Exactly.

(END OF DISCUSSION)

/gpb

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

66

DISCUSSION / ACTION ITEMS

BUSINESS DEVELOPMENT

Discussion And Possible Action To Approve The Second Amendment To The Disposition And Development Agreement By And Among The City Of Las Vegas Redevelopment Agency, City Of Las Vegas And Fourth And Lewis, L.C.

(The RDA will be paid \$300,000 upon conveyance of the site.)

(Note: This item was trailed to the end of the discussion portion of the a.m. agenda.)

ADAMSEN - APPROVED the second amendment as recommended - UNANIMOUS with CALLISTER abstaining to avoid any possible conflict because he has previously represented Nevada State Bank

JEFFREY MARESH, Office of Business Development Director, stated that in consideration of the Redevelopment Agency (RDA) accepting responsibility for up to \$200,000 worth of hazardous material abatement at the Bank's existing property and provided the RDA ultimately purchased said property, Fourth and Lewis, L.C. has agreed to pay the RDA \$300,000 upon conveyance of the site for the construction of the new Nevada State Bank headquarters.

As part of this change, staff has agreed to amend the purchase and sale agreement previously approved by the City Council on May 12, 1997. This item will be heard as Item D under the 5/27/97 City of Las Vegas Redevelopment Agency agenda. He recommended approval.

There was no further discussion.

(9:55/11:16 - 11:18)

1-1473/2-249

(See Items C and D under the 5/27/97 Redevelopment Agency Agenda for related discussion.)

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AGENDA DOCUMENTATION

TO:

CITY COUNCIL

FROM:

JEFFREY L. MARESH, DIRECTOR
OFFICE OF BUSINESS DEVELOPMENT

SUBJECT:

DISCUSSION AND POSSIBLE ACTION TO APPROVE THE SECOND AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT BY AND AMONG THE CITY OF LAS VEGAS REDEVELOPMENT AGENCY, CITY OF LAS VEGAS AND FOURTH AND LEWIS, L.C.

PURPOSE/BACKGROUND

On February 5, 1997, the City of Las Vegas and the City of Las Vegas Redevelopment Agency approved the Development and Disposition Agreement for the proposed Nevada State Bank Headquarters. Included in the Development and Disposition Agreement is the provision that the developer will pay the Agency ten dollars (\$10.00) (The "Purchase Price") upon conveyance of the site to the developer.

It has been agreed by all parties that the Development and Disposition Agreement be amended to provide that the developer pay the Agency three hundred thousand dollars (\$300,000.00) (the "Purchase Price") upon conveyance of the site to the developer. The back-up information attached hereto outlines the proposed amended Sections of the Development and Disposition Agreement.

FISCAL IMPACT

The City of Las Vegas Redevelopment Agency will be paid \$300,000.00 upon conveyance of the site.

RECOMMENDATIONS

It is the recommendation of the Director of the Office of Business Development that the City Council approve the amendment to the agreement.

Agenda Item

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MAY 27 1997

SECOND AMENDMENT TO
DISPOSITION AND DEVELOPMENT AGREEMENT

This Second Amendment to Disposition and Development Agreement (the "Amendment") is made and entered into by, between, and among the City of Las Vegas Redevelopment Agency (the "Agency"), the City of Las Vegas (the "City"), and Fourth and Lewis, L.C. (the "Developer").

RECITALS

A. The City, Agency, and Developer entered into a Disposition and Development Agreement dated February 5, 1997 regarding the development of a commercial office building in Las Vegas, Nevada (the "Original Agreement").

B. The City, Agency, and Developer entered into an Amendment to Disposition and Development Agreement dated March 31, 1997 whereby the parties to the Original Agreement agreed, among other things, to amend certain deadlines provided for in the Original Agreement (the "First Amendment"). The Original Agreement and the First Amendment are collectively referred to as the "Agreement".

C. The Agreement provided for Nevada State Bank and the Agency to enter into an agreement regarding the purchase and sale of the main office of Nevada State Bank in Las Vegas, Nevada. Nevada State Bank and the Agency have now entered into Purchase Agreement and Escrow Instructions dated May 27, 1997 and a condition to entering into the Purchase Agreement is amendment of the Agreement as set forth in this Amendment.

AGREEMENT

In exchange for good and valuable consideration, the sufficiency and receipt of which are hereby acknowledged, the Agency, City and Developer agree as follows:

1. Amendments to Agreement. The Agreement is amended as follows:

a. The last sentence of Section 2.1.3 of the Agreement is amended and replaced by the following:

Developer will pay the Agency three hundred thousand dollars (\$300,000.00) for the Site (the "Purchase

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Price"), as such amount may be reduced by an amount equal to Remedial Work Costs, as such term is defined in this Agreement.

b. The last sentence of the first paragraph of Section 2.3 of the Agreement is amended and replaced by the following:

If construction financing does not close within nine (9) business days of the conveyance, the Developer shall convey the Site to the Agency by quit claim deed upon the payment by the Agency to the Developer of an amount equal to the Purchase Price in cash or certified funds.

c. Section 2.7 of the Agreement is amended and replaced by the following:

The Developer shall deposit the Purchase Price for the Site with the Escrow Agent and the Escrow Agent shall deposit the funds in an interest bearing escrow account at Nevada State Bank (the "Escrow Account") prior to the date for conveyance of the Site, provided that the Escrow Agent shall have notified the Developer in writing that the Deed, properly executed and acknowledged by the Agency has been delivered to the Escrow Agent and that title is in condition to be conveyed in conformity with the provisions of Section 2.5 of this Agreement. Upon the close of escrow, the Escrow Agent shall file the Deed for recordation among the land records of the Office of the County Recorder of Clark County, Nevada, and shall deliver to the Developer a title insurance policy insuring title in conformity with Section 2.8 of this Agreement.

Notwithstanding recordation of the Deed, Escrow Agent shall retain in the Escrow Account the funds representing the Purchase Price upon the following terms and conditions:

i) If, at any time prior to Closing, as such term is defined in the Purchase Agreement and Escrow Instructions dated May 27, 1997 and entered into between Nevada State Bank and the City of Las Vegas Redevelopment Agency (the "Purchase Agreement"), Nevada State Bank is obligated to perform or cause to be performed any Remedial Work as such term is

MAY 27 1997

defined in the Purchase Agreement, pursuant to any Environmental Laws, as such term is defined in the Purchase Agreement, then the amount paid and/or incurred by Nevada State Bank in connection with such Remedial Work shall be subtracted from the Purchase Price (the "Remedial Work Costs").

ii) Nevada State Bank may from time-to-time and at any time, withdraw from the Escrow Account, and Escrow Agent shall immediately withdraw from the Escrow Account and pay to Nevada State Bank, an amount equal to the Remedial Work Costs, either to pay such amounts to a third party or to reimburse Nevada State Bank for costs which it incurred. Escrow Agent shall deliver notice of any withdrawals to the Agency.

iii) The Purchase Price shall be reduced by an amount equal to the Remedial Work Costs incurred or paid on or before Closing, as such term is defined in the Purchase Agreement. All costs of Remedial Work paid or incurred after Closing, as such term is defined in the Purchase Agreement, shall be paid by the Agency.

iv) If the Property, as such term is defined in the Purchase Agreement, is sold to a party other than the Agency pursuant to the terms and conditions of Section 1.7 of the Purchase Agreement, the Purchase Price shall be reduced to \$10.00. In such event, Escrow Agent shall pay to Developer all funds held in the Escrow Account within five (5) days of the closing of the sale of the Property, as such term is defined in the Purchase Agreement to the party other than the Agency.

v) Within five (5) days after Closing, as such term is defined in the Purchase Agreement, Escrow Agent shall withdraw from the Escrow Account the then-remaining funds and pay such funds to the Agency. The Purchase Price shall be an amount equal to the then-remaining funds in the Escrow Account paid to the Agency.

.d. The first two sentences of Section 3.6 of the Agreement are amended and replaced by the following:

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The Developer shall not sell, transfer, convey, assign or lease the whole or any part of the Site or the buildings or improvements thereon, except for tenant leases in the ordinary course of business, to any entity not controlled by the Developer or by any member or members of the Developer, without the prior written approval of the Agency. This prohibition shall not apply subsequent to the issuance of the Certificate of Completion with respect to the Site, the Building, and any other improvements on the Site (and shall not affect the rights of the Agency under Section 8 of this Agreement).

e. The first sentence of the third paragraph of Section 5 of the Agreement is amended and replaced by the following:

The total cost of the Building for purposes of determining whether there will be any refund paid to the Agency will be determined on the earlier of when the Building is ninety percent (90%) leased or twenty-four (24) months after the final Certificate of Occupancy (the "Settlement Date").

f. The first sentence of Section 6.6.1 is amended and replaced by the following:

In the event that (a) the Agency fails to comply with the deadlines set forth in the Amendment to Disposition and Development Agreement dated March 31, 1997, or (b) prior to the commencement of construction of the Building, excluding Site Preparation, (i) economic conditions, including, but not limited to pre-leasing the Building and the availability of financing acceptable to the Developer, are such that in the Developer's sole discretion, construction and operation of the Building is economically unfeasible, or (ii) the Purchase Agreement is terminated for any reason, or (c) at any time, the Purchase Agreement is terminated, except for termination based upon Nevada State Bank's material default of the Purchase Agreement, or (d) at any time, if the conveyance of the Property, as such term is defined in the Purchase Agreement, fails to occur under the Purchase Agreement or the Property, as such term is defined in the Purchase Agreement is not sold to a party other than the Agency pursuant to the terms and conditions

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of Section 1.7 of the Purchase Agreement, and such failure to close is not based upon a material breach of Nevada State Bank, this Agreement may, at the option of the Developer, be terminated by written notice thereof to the Agency. If this Agreement is terminated by the Developer based upon a termination of the Purchase Agreement, Developer shall deliver the notice of termination of this Agreement within sixty (60) days of the date of termination of the Purchase Agreement.

g. The second sentence of the second paragraph of Section 9.5 is amended and replaced by the following:

Notice of the approval or non-approval of Nevada State Bank's Board of Directors shall be provided to the Agency on or before June 30, 1997.

2. No Other Amendments. Except as expressly amended by this Amendment, the Agreement shall remain in full force and effect.

3. Third Party Beneficiary. Nevada State Bank is a third party beneficiary and may enforce the terms and conditions of this Agreement relating to Nevada State Bank.

4. Counterparts. This Amendment may be executed in counterparts, each of which shall be deemed effective as an original after the Amendment has been fully executed.

Dated: May 27th, 1997.

"AGENCY"

CITY OF LAS VEGAS
REDEVELOPMENT AGENCY

By Arnie Adamsen
Arnie Adamsen, Vice Chairperson

ATTEST:

Barbara Jo Ronemus
Barbara Jo Ronemus
Secretary

CITY COUNCIL MINUTES

MAY 27 1997

APPROVED AS TO FORM

J. Portacello 6/11/97
Date

"CITY"

THE CITY OF LAS VEGAS

By Arnie Adamsen
ARNIE ADAMSEN, MAYOR PRO-TEM

ATTEST:

Barbara Jo Ronemus
Barbara Jo Ronemus
City Clerk

APPROVED AS TO FORM

J. Portacello 6/11/97
Date

FOURTH AND LEWIS, L.C.

By Nevada State Bank, its Manager

By George E. Hoffmann
George E. Hoffmann
Its President and
Chief Executive Officer

CITY COUNCIL MINUTES

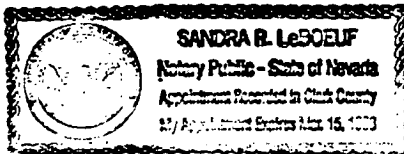
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ACKNOWLEDGEMENTS

STATE OF NEVADA)
) ss.
 COUNTY OF CLARK)

The foregoing instrument was acknowledged before me this 12th
 day of ~~May~~ ^{JUNE}, 1997, by Arnie Adamsen, Vice Chairperson of the
 City of Las Vegas Redevelopment Agency.



My Commission Expires:

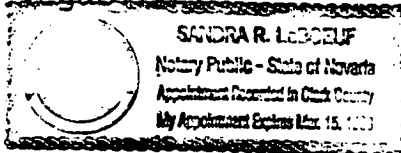
3-15-98

Sandra R. LeBoeuf
 NOTARY PUBLIC

Residing At: _____

STATE OF NEVADA)
) ss.
 COUNTY OF CLARK)

The foregoing instrument was acknowledged before me this 12th
 day of ~~May~~ ^{JUNE}, 1997, by Arnie Adamsen, Mayor Pro Tem of the City of
 Las Vegas



My Commission Expires:

3-15-98

Sandra R. LeBoeuf
 NOTARY PUBLIC

Residing At: _____

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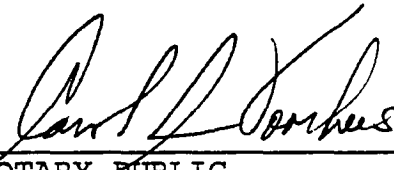
MAY 27 1997

STATE OF NEVADA

COUNTY OF CLARK

) ss.

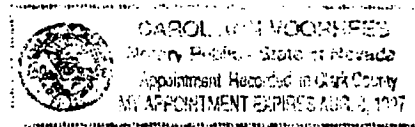
On this ^{9th}~~X2~~ day of ^{July}~~May~~ 1997, before me, the undersigned, a Notary Public in and for the County of Clark, State of Nevada, duly commissioned and sworn, personally appeared George B. Hofmann, President of Nevada State Bank, the Manager of Fourth and Lewis, L.C., and who acknowledged to me that he executed the same freely and voluntarily and for the uses and purposes therein mentioned.


NOTARY PUBLIC

My Commission Expires:

August 8, 1997

Residing At:

1799 N. Decatur, Las Vegas, NV

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION / ACTION ITEMS

CITY ATTORNEY

67

Approval of Rescission of Denial of ZC-63-62(1) (Plot Plan Building Elevation Review on property located on the southeast corner of Alexander Road and Maverick Street) in settlement of a lawsuit filed against the City of Las Vegas in District Court, Department XV.

NOTE: THIS ITEM WILL NOT BE HEARD UNTIL 2:00 P.M.

ADAMSEN - APPROVAL - UNANIMOUS with Callister excused

NOTE: A Combined Verbatim Transcript of Items 67 and 68 are made a part of the Final Minutes under Item 68.

(2:26)
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68

PUBLIC HEARING

Approval of Revised ZC-63-62(1) (Plot Plan Building Elevation Review on property located on the southeast corner of Alexander Road and Maverick Street) in settlement of a lawsuit filed against the City of Las Vegas in the Clark County District Court, Department XV.

NOTE: THIS ITEM WILL NOT BE HEARD UNTIL 2:00 P.M.

ADAMSEN - APPROVAL subject to conditions - UNANIMOUS with Callister excused

NOTE: A Combined Verbatim Transcript of Items 67 and 68 are made a part of the Final Minutes under Item 68.

(2:26)
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CITY COUNCIL

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AGENDA DOCUMENTATION**TO:**
City Council**FROM:** Bradford R. Jerbic
City Attorney**SUBJECT:** Approval of Rescission of Denial of ZC-63-62(1) (Plot Plan Building Elevation Review on property located on the southeast corner of Alexander Road and Maverick Street) in settlement of a lawsuit filed against the City of Las Vegas in District Court, Department XV.**PURPOSE/BACKGROUND**

On October 16, 1996, the City Council denied ZC-63-62(1), which was a request submitted by Toby Lamuraglia, et al., for a Plot Plan Building Elevation Review of a proposed condominium project. The subject property is located on the southeast corner of Alexander Road and Maverick Street and was zoned R-3 in 1962. The applicant was seeking approval of a Plot Plan Building Elevation Review to construct the proposed condominium project. Shortly after the City Council denied the application for a Plot Plan Building Elevation Review, the applicant, through its attorneys Kummer Kaempfer Bonner & Renshaw, filed its lawsuit against the City in the Clark County District Court. Thereafter, the applicant and the neighbors met in an attempt to resolve the impact the proposed project would have on the existing neighborhood. At such time, the neighbors and the applicant have come to a resolution of the issues, and the applicant has submitted a revised Plot Plan and Building Elevation for the Council's review.

In order for the Council to be able to approve item ZC-63-62(1), which is described in the agenda item that follows, it will be necessary for the Council to rescind its previous vote to deny ZC-63-62(1).

FISCAL IMPACT

NONE

RECOMMENDATIONS

The City Attorney's Office recommends that the City Council rescind its previous denial of ZC-63-62(1).

Agenda Item

67

**COMBINED VERBATIM TRANSCRIPT - ITEM 67: RESCISSION OF DENIAL OF ZC-63-62(1) and ITEM 68:
APPROVAL OF REVISED ZC-63-62(1)**

MAYOR JONES

Item 67, these were time certain; correct? 67 and 68? 67 is the approval of the rescission of denial of ZC-63-62(1) - Plot Plan Building Elevation Review on the property located on the southeast corner of Alexander Road and Maverick Street in settlement of a lawsuit filed against the City of Las Vegas in District Court, Department XV.

CHIEF DEPUTY ATTORNEY OF
GOVERNMENT AFFAIRS STEED

Yeah, Mayor Jones, if you recall, the Council denied a Plot Plan Review earlier on this - parcel. It went to court. There's been an attempt to resolve this matter. There's been a proposal that has received support from both the property owner and the neighbors in the area. So these are companion items. You would, if you were inclined to listen to the settlement, you would make a motion, someone would make a motion to rescind the denial, as Item No. 67, and if that is approved, then you would proceed with Item 68, which is the new Plot Plan. The applicant is here and I think there may be representatives of the neighbors who might also be heard on this.

MAYOR JONES

Okay. So the neighbors and the applicant have agreed on a resolution.

ATTY MARK FIORENTINO

Yes, Your Honor.

CHIEF DEPUTY ATTORNEY OF
GOVERNMENT AFFAIRS STEED

Yeah. So if you - want to hear this item, someone would make a motion to rescind the denial of ZC-63-62(1) and then proceed with Item No. 68.

MAYOR JONES

Is there a neighbor here or anyone who I could - This is just so we can, the rescission is just so that we can hear it again? Vote on the motion to rescind.

COUNCILMAN ADAMSEN

All right. Your Honor, with that, if there's no questions or comments, I would **move for approval of Item No. 67.**

MAYOR JONES

Post. Motion's approved. **(Motion carried unanimously with Callister excused)**

I just wanted to hear from the neighbors that in fact you're now comfortable -

RICK PERCELL

Yes. We have been working with the developer for some time now and have put together an agreement with them that satisfies both parties, I believe.

COUNCILMAN ADAMSEN

Could we get your name for the record, please?

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**COMBINED VERBATIM TRANSCRIPT - ITEM 67: RESCISSION OF DENIAL OF ZC-63-62(1) and ITEM 68:
APPROVAL OF REVISED ZC-63-62(1)**

RICK PERCELL

My name's Rick Percell, 6148 Foxcroft.

ATTY MARK FIORENTINO

Your Honor, and for the record, Mark Fiorentino from Kummer, Kaempfer, Bonner & Renshaw, representing the applicant. I wanted to take the time, if you would allow me, to thank the neighbors and my client, Councilman Callister's office and the City Attorney's office, in particular Steve George. They spent an awful lot of time working on a solution and we're happy to bring you a solution. We're always happy to be able to do that and they put in an awful lot of time to get there. So I wanted to make sure that I thanked them for that and gave you an opportunity to thank them, because they have worked pretty hard on it.

MAYOR JONES

This time too, I would like to, on Item 68, which is related. It's approval of the revised ZC-63-62(1) - Plot Plan Building Elevation Review for the property on the southeast corner of Alexander Road and Maverick in this lawsuit filed against the City in Clark County District Court XV. Open the public hearing so anyone else wishing to be heard on this item would have the opportunity to do so at this time.

COUNCILMAN ADAMSEN

Did you want to put the high points of the agreement into the record, Mark?

ATTY MARK FIORENTINO

I can if you want to, but they're incorporated in your staff report. So the staff report contains all of the conditions we agreed on.

COUNCILMAN ADAMSEN

And, Rick, those are okay?

RICK PERCELL

Yes, they are.

COUNCILMAN ADAMSEN

Okay.

MAYOR JONES

In that case, thank you for coming to a resolution.

COUNCILMAN ADAMSEN

If no one else – wishes to be heard – Rick, thank you – Your Honor, I'd **move for approval of Item 68, ZC-63-62(1).**

MAYOR JONES

And I'd close – the public hearing.

CHIEF DEPUTY ATTORNEY OF
GOVERNMENT AFFAIRS STEED

Mayor Jones, just to make sure, although it's not going to be a condition of the zoning, we wanted to make sure that it was understood that – the lawsuit pending would be dismissed before any building permits would be issued.

CITY COUNCIL MINUTES
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COMBINED VERBATIM TRANSCRIPT - ITEM 67: RESCISSION OF DENIAL OF ZC-63-62(1) and ITEM 68:
APPROVAL OF REVISED ZC-63-62(1)

ATTY MARK FIORENTINO

That's correct. We'll – write up a stipulation and get it to your office for your review.

MAYOR JONES

Vote on the motion. Post. Motion's approved. **(Motion carried unanimously with Callister excused)**

ATTY MARK FIORENTINO

Thank you.

MAYOR JONES

Thank you.

(END OF DISCUSSION)

/vwd

CITY COUNCIL

MEETING OF

May 27, 1997

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AGENDA DOCUMENTATION**TO:**
City Council**FROM:** Bradford R. Jerbic
City Attorney**SUBJECT:** Approval of Revised ZC-63-62(1) (Plot Plan Building Elevation Review on property located on the southeast corner of Alexander Road and Maverick Street) in settlement of a lawsuit filed against the City of Las Vegas in the Clark County District Court, Department XV.**PURPOSE/BACKGROUND**

On October 16, 1996, the City Council denied ZC-63-62(1), which was a request submitted by Toby Lamuraglia, et al., for a Plot Plan Building Elevation Review of a proposed condominium project. The subject property is located on the southeast corner of Alexander Road and Maverick Street and was zoned R-3 in 1962. The applicant was seeking approval of a Plot Plan Building Elevation Review to construct the proposed condominium project. Shortly after the City Council denied the application for a Plot Plan Building Elevation Review, the applicant, through its attorneys Kummer Kaempfer Bonner & Renshaw, filed its lawsuit against the City in the Clark County District Court, Department XV. Thereafter, the applicant and the neighbors met in an attempt to resolve the impact the proposed project would have on the existing neighborhood. At such time, the neighbors and the applicant have come to a resolution of the issues, and the applicant has submitted a revised Plot Plan and Building Elevation for the Council's review.

In order for the Council to be able to consider the revised plan described in this agenda item, it is necessary for the Council to rescind its previous vote to deny ZC-63-62(1). The item to rescind that vote is the previous item on this agenda. If that item is approved, the Council may proceed with consideration of this item.

Notice of the revised plan has been sent out by the City Clerk's office, and this item will be heard as a public hearing item. It is believed that the revised plan will be more acceptable to the neighborhood. Staff's report and recommendations concerning the revised plan are attached.

FISCAL IMPACT

NONE

RECOMMENDATIONS

The City Attorney's office recommends that the City Council consider the revised proposal, together with the staff's recommendations, and approve the proposal as a resolution to the pending litigation if the Council finds the proposal to be appropriate as a land-use decision.

Agenda Item

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REVISED PLOT PLAN AND ELEVATION REVIEW - ZC-63-62(1) - TOBY LAMURAGLIA, ET AL**PURPOSE/BACKGROUND****APPLICATION REQUEST:**

This request is for a proposed 248 unit, one and two story condominium complex on a 13 acre site located on the southeast corner of Alexander Road and Maverick Street. The proposed density of the project is 19.08 units per acre.

BACKGROUND DATA:

- 1962 The Board of County Commissioners approved R-3 (Limited Multiple Residence) zoning for this site as part of a larger request (ZC-63-62).
- 8/22/96 The Planning Commission held this item in abeyance until September 12, 1996 so this item could be heard as a public hearing to allow the abutting property owners input into the design of the project.
- 9/12/96 The Planning Commission held this item in abeyance until September 26, 1996 to allow the applicant time to meet with the neighborhood.
- 10/1/97 The Planning Commission approved a request for a Plot Plan and Elevation Review for a proposed 248 unit apartment complex.
- 10/16/97 The City Council denied a request for a Plot Plan and Building Elevation Review for a proposed 248 unit apartment complex.

DETAILS OF APPLICATION REQUEST:

Site Area	13.00	Acres
No. of Units	248	
Overall Density	19.08	Units per Acre
Building Height	34	Feet
Parking Required	434	Spaces
Parking Provided	527	Spaces

Agenda Item

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REVISED PLOT PLAN AND ELEVATION REVIEW - ZC-63-62(1) - TOBY LAMURAGLIA, ET AL

PURPOSE/BACKGROUND

The plot plan indicates 248 condominium units will be constructed within 28 two story, eight-plex buildings and 4 one and two story six-plex buildings located on a 13 acre parcel. The four, one story buildings are located in the south portion of the property and face south toward Foxcroft Avenue. The remaining buildings are all two stories.

Vehicular access is provided via a gated two-way divided driveway from Alexander Road with an emergency crash gate access to Maverick Street located in the southwest corner of the site. The on-site parking is located throughout the complex which includes 132 covered spaces and 122 spaces with garages. The private driveways loop around the perimeter of the complex leading to open and covered parking spaces.

The applicant indicated the floor plans will show two model units. The revised site plan indicate there will be one swimming pool, one spas, a picnic and barbecue area, and a recreation building. The development will be enclosed by a six foot decorative block wall on the north, east and west sides and an existing block wall to the south. In addition, a minimum 10 foot wide landscape planter is shown along the Maverick Street and that portion of Alexander Road owned by the applicant (approximately 350 feet). Six trash enclosure areas are shown throughout the complex on the revised site plan. The applicant indicates the building exteriors will consist of tile roofs with stucco exteriors.

FINDINGS:

Staff has no objection to the development of the condominiums complex which complies with the M (Medium Density Residential) category of the Northwest General Plan Amendment to the General Plan and is a permitted use in the R-3 (Limited Multiple Residence) district. In addition, the proposed conditions of approval will also make the development compatible with the surrounding residential development. Those conditions include:

- requiring the condominium complex to be a " For Sale Only Project ;"
- one story building heights for the four 6-plex buildings facing the south property line; and
- a minimum setback of 70 feet for all condominiums along Maverick Street and the south property line.

Agenda Item

AGENDA DOCUMENTATION

TO:
THE CITY COUNCIL

FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REVISED PLOT PLAN AND ELEVATION REVIEW - ZC-63-62(1) - TOBY LAMURAGLIA, ET AL

PURPOSE/BACKGROUND

STAFF RECOMMENDATION: Based on the findings of the back-up report, staff has NO OBJECTION to this request. If APPROVED, subject to:

1. The setback for condominium buildings along Maverick Street and the south property line shall be 70 feet.
2. The garages along the south property line shall be setback a minimum of six feet and the garages along the west property line shall be setback 20 feet.
3. The setback along that portion of Alexander Road that is owned by the applicant (approximately 350 feet) and the east property line shall be 20 feet. The setback along that portion of the north property line which is not adjacent to Alexander Road (approximately 510 feet) shall be six feet.
4. A nominal six foot high decorative split-faced block wall shall be installed along the north, east, and west property lines as required by the Planning and Development Department.. Any additional fence that is erected along the south property line shall match the height and style of the existing fence.
5. Provide a minimum 10 foot wide landscape planter along Maverick Street and the portion of Alexander Road that is owned by the applicant (approximately 350 feet) and install 36 and 24 inch box trees(on a rotating basis) 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.
6. Provide a minimum 20 foot wide landscape planter along the east property line of the site 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.
7. The condominium complex shall be a "for sale only" development with a homeowners association.
8. The condominium complex shall consist of two bedroom units only.

Agenda Item

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REVISED PLOT PLAN AND ELEVATION REVIEW - ZC-63-62(1) - TOBY LAMURAGLIA, ET AL

PURPOSE/BACKGROUND

9. The finished floor height of the six buildings that face the south property line shall not be greater than the finished floor heights of the homes that adjoin the south property line.
10. All external stairwells shall be enclosed.
11. The Four buildings indicated on the attached site plan with "B" shall be six-plexes. They shall have no second story facing the south (toward Foxcroft Avenue). However, these building may have a second story that faces north.
12. All buildings within the complex shall have concrete tile roofs.
13. The condominium complex shall be a gated community.
14. An emergency crash gate shall be located in the southwest corner of the complex adjacent to Maverick Street as shown on the revised site plan.
15. The main entrance into the development will be at least 250 feet east of the west property line.
16. When existing the complex, a right turn only onto Alexander Road shall be allowed as required by the Department of Public Works. The applicant agrees to comply with any conditions imposed by the Department of Public Works.
17. Dedicate 30 feet of right-of-way adjacent to this site for Maverick Street and a 25 foot radius on the southeast corner of Alexander Road and Maverick Street prior to the issuance of any permits as required by the Department of Public Works.
18. Construct half-street improvements on Maverick Street and all incomplete half-street improvements on Alexander Road adjacent to this site concurrent with development of this site as required by the Department of Public Works. In addition, extend sidewalk along Maverick Street from the south edge of this site to the intersection of Maverick Street and Foxcroft Avenue, terminating in a wheelchair ramp on the northeast corner of the intersection as required by the Department of Public Works.

Agenda Item

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REVISED PLOT PLAN AND ELEVATION REVIEW - ZC-63-62(1) - TOBY LAMURAGLIA, ET AL**PURPOSE/BACKGROUND**

19. 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. The Traffic Impact Analysis shall determine traffic signal contribution requirements and shall also include a section addressing Standard Drawings #201.1, #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. 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.
20. Gated access drives shall be designed, located and constructed to meet the intent of Standard Drawing #222a as required by the Department of Public Works.
21. Provide public sewer easements for all public sewers not located within public street rights-of-way, including such easement as is necessary from this site to provide a total of 20 feet centered on the existing public sewer line adjacent to the north edge of this site prior to the issuance of any off-site permits as required by the Department of Public Works.
22. Record a parcel map separating this site from the overall legal parcel of which this site plan is a part prior to any development on this site as required by the Department of Public Works. The required 20 foot public sewer easement referenced in Condition No. 12 above may be granted on the parcel map.
23. A Drainage Plan and Technical Drainage Study encompassing the entire legal parcel of which this site is a part must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, whichever may occur first, as required by the Department of Public Works.
24. Conformance to the plot plan as amended by the above conditions.
25. Conformance to the building elevations.
26. Standard Condition Nos. 3 - 9, 11 and 12.

Agenda Item

CITY COUNCIL MINUTES

MAY 27 1997

May 12, 1997

RE: ZC-63-62-1

The outcome of the April 30th meeting regarding the 256 condominiums to be built on the southeast corner of Alexander and Maverick is as follows:

- Project must build roofs consisting of concrete tile.
- Project proposed garages must be a minimum of 10 feet from property wall. (Agreed to 6 feet).
- Residents of project must have a right turn only exit on to Alexander and a left turn only entrance from Alexander. (Median will be needed.)
- Setbacks on the projects' northeast corner which consists of two eight-plex units to have a minimum of 70' setbacks from the north wall, preventing a line of sight to neighbors on Alexander. (Current setbacks agreed).
- Setbacks along Maverick Street and Foxcroft will have 75' setbacks from the projects buildings to the projected garages, preventing a line of sight into existing homes along Maverick and Foxcroft. (Current setbacks agreed).
- Units along Foxcroft (south end of project) to have single story units.
The projects fence along Foxcroft shall match height of existing fence.
- The projects fence must consist of decorative split base material.
- Units will be For Sale only, with an association established.
- Units to be consisting of 2-bedroom units only.
- The elevation of the property must be the same as, or lower than existing homes surrounding the project.
- Crash gate, (emergency exit, entrance) to be located along Maverick Street.
- The Main entrance to the project must be as far east on Alexander Road as possible.
- The Stairwells must be suspended enclosed.
- Landscaping along the outside of the fence along Alexander and Maverick must consist of at least 10 feet from outside of project wall to sidewalk. (The sidewalk will be installed upon completion of project which is a City Public Works requirement).
- Trees planted within the landscaping along the outside of the fence should consist of 36" box trees, planted a minimum of 20' on center, along with a mixture of 24" box trees planted a minimum 20' on center. Smaller trees of different types shall also be planted as "fill". 48" box trees will be an option.
- The project shall be a gated community.

These items are the minimum requirements requested by the projects' surrounding neighbors. These items have been discussed and agreed with Peter Witt of Nevada First Realty who is the project Realtor.
Following is a list of signatures of the neighbors that are in agreement of the proposed requests.

Please sign this form if you agree to the above requests regarding ZC-63-62-1.

#	Name	Address	Phone #	Signature

	Karen Hansen	4009 Rhonda Dr	655-8181	Karen Hansen
	Pichia Paecl	6148 Foxcroft	656-0707	Pichia Paecl
	Gay Battaglia	6172 Foxcroft	655-2373	Gay Battaglia
	Walter J. Thon	4000 Jory Twp. 2	645-6112	Walter J. Thon

ARTHUR J THON 4001 RHONDA DR 645-3201 Arthur J Thon

Bruce S. & Charlene W. Littlejohn
3821 Maverick Street
Las Vegas, Nevada 89108
Ph. 702 / 658-4429

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CITY COUNCIL MINUTES

MAY 27 1997

May 20, 1997

City of Las Vegas
Office of The City Clerk
1st Floor, City Hall
400 East Stewart Avenue
Las Vegas, Nevada 89101-2986

MAY 22 10 54 AM '97

RECEIVED
CITY CLERK

Re: ZC-63-62(1)

Dear City Clerk, Barbara Jo Ronemus:

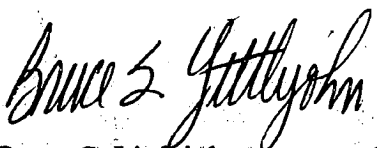
We are writing in **opposition** to the above referenced zoning request. We just built and moved into our \$300,000. home on the corner of Maverick and Foxcroft, which is adjacent to the subject property. All the relative homes surrounding ours, are in the same price range.

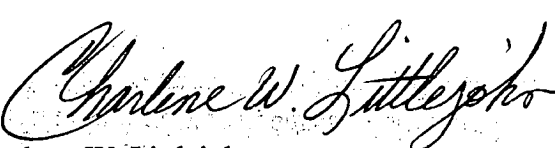
According to our purchase agreement and papers with our builder, Amstar Homes, Inc., the subject property was zoned for single family residences of similar size and value with only a small strip of the property fronting Rancho Dr. and Jones Blvd. zoned light commercial. We feel that anything to the contrary would be **extremely detrimental** to our property value as well as our surrounding neighbors.

In additional support of our argument, we feel at the present time there is more than adequate multi-family residences in the immediate area from the corner of Jones and Rancho, south on Rancho past Cheyenne and also west on Cheyenne. As you are more than aware (and probably tired of being reminded), the infrastructure, roads, schools and etc. are being used beyond their intended design limits.

Last but not least, need we remind all interested parties, the surrounding homeowners have legal rights also. Do not let an intimidation tactic run the City of Las Vegas.

Respectfully Submitted,


Bruce S. Littlejohn


Charlene W. Littlejohn

enc:

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NOTICE OF PUBLIC HEARING**PLOT PLAN AND BUILDING ELEVATION REVIEW****CITY COUNCIL MINUTES**

MEETING: CITY COUNCIL
DATE: MAY 27, 1997
TIME: 2:00 P.M.
LOCATION: COUNCIL CHAMBERS, CITY HALL
400 STEWART AVENUE
LAS VEGAS, NEVADA

MAY 27 1997

ZC-63-62(1)

REVISED REQUEST BY TOBY LAMURAGLIA, ET AL, FOR PROPOSED SETTLEMENT OF LAWSUIT FILED IN THE DISTRICT COURT AGAINST THE CITY OF LAS VEGAS, FOR A PLOT PLAN AND BUILDING ELEVATION REVIEW ON PROPERTY LOCATED ON THE SOUTHEAST CORNER OF ALEXANDER ROAD AND MAVERICK STREET FOR A PROPOSED 248 UNIT, ONE AND TWO-STORY CONDOMINIUM COMPLEX, APPROVED FOR R-3 (LIMITED MULTIPLE RESIDENCE) SIZE: 13.0 ACRES, WARD 4 (CALLISTER), PARCEL NUMBER: A PORTION OF 138-11-502-001.

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 11, 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, 1st Floor, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, 89101.



BARBARA JO RONEMUS
CITY CLERK

SEE LOCATION MAP ON REVERSE SIDE



NOTICE OF ZONING DESIGNATION CITY COUNCIL MINUTES

MAY 27 1997

The home you are purchasing is located on Lot 51, Block 2, Phase _____ of the Community known as:

The Pines

The land adjoining the above referenced Subdivision is zoned as follows:

- 1. North RE (Residential Estates 20,000 Sq. Ft. Min. Size)
- 2. South RD (Single Family Restricted District 11,000 Sq. Ft. Min. Size)
- 3. East RE (Residential Estates 20,000 Sq. Ft. Min. Size)
- 4. West RD (Single Family Restricted District 11,000 Sq. Ft. Min. Size)

Please be advised that master plan and zoning ordinances are subject to change. If you desire additional or more current information concerning these zoning designations you may contact:

CITY OF LAS VEGAS
CURRENT PLANNING DIVISION — ZONING
400 STEWART AVENUE
LAS VEGAS, NEVADA
(702) 229-6301

COUNTY OF CLARK
PLANNING — ZONING DIVISION
401 SOUTH FOURTH STREET
LAS VEGAS, NEVADA
(702) 455-4314

NOTE: When requesting current zoning information, you must supply your street address and your assessor's tax parcel number. You can contact any local title company to obtain the assessor's tax parcel number.

Receipt of a copy of this Notice of Zoning Designation is hereby acknowledged this _____ day of _____, 19____.

ESCROW NO. 157150-DDM

Bruce S. Littlejohn
Purchaser's Signature BRUCE S. LITTLEJOHN Date _____
Charlene W. Littlejohn
Purchaser's Signature CHARLENE LITTLEJOHN Date _____

CITY COUNCIL

MEETING OF
MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

Page 30

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION / ACTION ITEMS

CITY ATTORNEY

Discussion and Possible Action to Adopt an Amendment to the Real Estate Conveyance Agreement (Previously Approved on February 24, 1997) By and Amongst the City of Las Vegas, City of Las Vegas Redevelopment Agency and the United States of America Pertaining to Construction of a Federal Courthouse on the Real Property known as the "Minami Site" (APN 139-34-701-001)

NOTE: SEE 6/9/97 CITY COUNCIL MEETING ITEM WAS PUT BACK ON AGENDA.

ADAMSEN - APPROVED as amended - UNANIMOUS

CITY ATTORNEY JERBIC indicated that since the Council last approved the conveyance and remediation agreement, the State of Nevada has given closure to the environmental issue on the site that was caused by the gasoline leak from the former Rebel Station. As a result of this closure, the amended subject agreement is being submitted which requires the City still contribute \$50,000 towards the clean-up of the gasoline site; however, the City will not have to expend the money that was expected to purchase the insurance policy to protect the City. According to the agreement, the City will also agree to contractually guarantee for up to five years up to \$300,000 of additional remediation if the State of Nevada reopens closure on the site. If it is reopened by the State, the City will be allowed to submit reimbursement vouchers to the State Petroleum Fund as it has done in the past.

He requested the following language on Page 8 of the agreement be stricken: "The Agency's and the City's obligations hereunder are not dependent on the State Petroleum Fund approval or reimbursement."

There was no further discussion.

(10:22 - 10:24)

1-1499

(See Items A and B under the 5/27/97 Redevelopment Agency Agenda for related discussion.)

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CITY COUNCILMEETING OF
May 27, 1997

252

AGENDA DOCUMENTATIONTO:
City CouncilFROM: Bradford R. Jerbic
City Attorney

SUBJECT: Discussion and Possible Action to Adopt an Amendment to the Real Estate Conveyance Agreement (Previously Approved on February 24, 1997) by and Amongst the City of Las Vegas, City of Las Vegas Redevelopment Agency and the United States of America Pertaining to Construction of a Federal Courthouse on the Real Property Commonly Known as the "Minami Site" (APN 139-34-701-001).

PURPOSE/BACKGROUND

On February 24, 1997, the City of Las Vegas Redevelopment Agency and the City of Las Vegas approved the Real Estate Conveyance Agreement which transferred the real property commonly known as the "Minami Site" (the "Site") to the United States for the purpose of building a new federal courthouse. The Site was the subject of a pending hydrocarbon contamination remediation project under the jurisdiction of the Nevada Division of Environmental Protection ("NDEP"). As part of the Conveyance Agreement, the Agency entered into the Remediation Agreement with the United States and NDEP which obligated the Agency to conduct further testing at the Site (Phase I) and, if so agreed to by all of the parties, to proceed with the soil excavation of an identified portion of the Site (Phase II). If required by NDEP, the Agency was obligated to perform monitoring or enhanced bioremediation (Phase III).

Subsequent to the completion of Phase I, but prior to the parties agreeing to proceed with Phase II, NDEP, in a letter dated May 9, 1997, granted closure to the Agency of the pending environmental remediation action subject to certain conditions stated therein. However, despite this closure, the Agency and the United States have agreed to proceed with Phase II and possibly Phase III as set forth in the Remediation Agreement and modified by Addendum One thereto, to reduce the likelihood that future conditions might lead to NDEP re-opening this matter. This decision was the result of very extensive negotiations between the Agency, NDEP and the United States which has resulted in the need to amend the Conveyance Agreement approved by the Agency on February 24, 1997.

FISCAL IMPACT

The Agency will pay up to \$50,000 towards the cleanup of the BTEX contamination which was previously approved in February, 1997, and \$300,000 contractual contingent liability for no more than five years from the date of completion of Phase II.

RECOMMENDATIONS

It is the recommendation of the Executive Director that the Agency Board approve Addendum A and authorize its execution by the Chairperson, and any and all documents necessary to implement the Addendum A.

SUBJECT: Discussion and Possible Action to Adopt an Amendment to the Real Estate Conveyance Agreement (Previously Approved on February 24, 1997) By and Amongst the City of Las Vegas, City of Las Vegas Redevelopment Agency and the United States of America Pertaining to Construction of a Federal Courthouse on the Real Property Commonly Known as the "Minami Site" (APN 139-34-701-001).

PAGE: 2

Attached hereto is Addendum A which modifies the Conveyance Agreement. Some of the more significant provisions of Addendum A are as follows:

1. Future Remediation. Although it granted closure to the Agency of the pending hydrocarbon remediation action, NDEP reserved the right to request further information, data and remediation. In the event of a re-opening of the action, the Agency and the City, jointly and severally, guarantee to comply with the requests of NDEP for further information, data and remediation. However, this guarantee terminates one year after the completion of the federal courthouse or five years after completion of Phase II, whichever occurs first. The Agency and/or City shall be entitled to apply for reimbursement under the State Petroleum Fund as indicated in Addendum One to the Remediation Agreement. To the extent that the costs of the NDEP's requirements exceed, in the aggregate, the \$300,000 or occur past the term of the guarantee, then in that case the Agency and the City of Las Vegas may assert any good faith, legitimate defenses, to the extent any exist, which they may have to further contributions towards NDEP requests or requirements. However, this aggregate shall not be applied to voluntary remediation or other actions by the Agency or the City of Las Vegas, without the agreement of the United States.

2. Remediation Equipment. The Agency is installing four screen monitoring wells four inches in diameter after the areas to be excavated under Addendum One to the Remediation Agreement have been backfilled. Prior to close of Escrow, the Agency shall transfer ownership thereto if so requested by the United States.

3. Title and Escrow Agents. National Title Company has been identified as the title company and escrow agent under the Conveyance Agreement.

4. Survey. Although a survey has been performed on the Site, the United States reserves the right to request supplemental information on the survey.

5. Environmental Analysis. The United States reserves the right to conduct additional contamination assessments of the Site despite the environmental test and assessment that have been conducted to date.

6. Closing Procedure. Although there are other provisions which might cause an earlier or later closing date, the June 30, 1997 closing date has been changed to September 30, 1997. The previous "drop dead" date of September 30, 1997, has been changed to December 31, 1997.

7. Removal of the Uncertified Fill. The dates for the start and completion of the uncertified fill have been changed. The Agency and City shall have awarded the excavation contract by May 28, 1997, and issued the Notice to Proceed by June 6, 1997. The excavation of the dirt fill shall be completed by July 11, 1997.

CITY COUNCIL

MEETING OF

MAY 27, 1997

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

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION**

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DISCUSSION / ACTION ITEMS**DEPARTMENT OF FINANCE & BUSINESS SERVICES****LIQUOR - Change of Business Name****TAVERN LICENSE**JIMCAR 8 INC.
dba

From: The Image

TO: CLUB THIRTY SOMETHING
711-717 North Rancho DriveJames T. Long, Dir, Pres, 50%
Clarence C. Fenske, Dir, Secy, Treas, 50%**McDONALD - Held In ABEYANCE to 7/14/97 to allow Mr. James Long six weeks to comply with liquor and business license requirements - UNANIMOUS with CALLISTER not voting****7/14/97 Agenda**

JIM DiFIORE, Finance & Business Services, indicated that this item appears before the Council due to the fact that a notice letter was sent to Mr. LONG and MR. FENSKE in the fall of 1996 regarding a change of business name that was discovered by the Metropolitan Police Department. There was no response to the certified letter, and subsequent to that, on February 28th, Business License Officers inspected the location and found violations to the liquor code, for which five citations were issued for having no work cards, no alcohol awareness cards, and non-payment of restaurant fees for the facility. These items have been heard in Municipal Court; however, they were continued until June 19, 1997, and he felt it was better to bring these concerns forward to the Council's attention.

COUNCILMAN McDONALD suggested the matter be brought back after it is resolved by Municipal Court.

MAYOR JONES requested an explanation from MR. LONG. MR. LONG explained that his partner, Clarence Fenske, was involved with handling the administrative details. However, Mr. Fenske is presently out of the State. In April of last year he assumed all the responsibilities, and he is now trying to get everything straightened out.

MR. DiFIORE interjected that there may also be a possible change of ownership in the operation. MR. LONG explained that prior to his taking over the responsibilities, his partner had been in the process of negotiating a sale of the business, but the sale had never been culminated. He indicated that he does not have a sale or purchase agreement, and he cannot obtain the records from his partner who is in Louisiana. He further stated that a gentleman by the name of BILL MILLER is currently operating the location, and he and MR. MILLER's attorney are trying to clear up everything so that there can be a sale and that the business and liquor license can be transferred over to MR. MILLER.

MAY 27, 1997

City of Las Vegas

AGENDA & MINUTES

Page 32

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION / ACTION ITEMSDEPARTMENT OF FINANCE & BUSINESS SERVICESLIQUOR - Change of Business Name
(Continued)

TAVERN LICENSE

JIMCAR 8 INC.
dba

From: The Image

TO: CLUB THIRTY SOMETHING
711-717 North Rancho DriveJames T. Long, Dir, Pres, 50%
Clarence C. Fenske, Dir, Secy, Treas, 50%

COUNCILMAN McDONALD expressed a serious concern about MR. LONG's lack of responsibility, especially since he is 50 percent owner, and his failure to respond to the City's notice. He advised MR. LONG to take responsibility and stop blaming it all on his partner. MR. LONG explained that prior to April of last year he was under the impression that the business was sold; however, he later found that no paperwork was finalized. He indicated that he received a letter from MR. EDDIE RAINES of Business Services informing him of this meeting, and he is willing to talk to whomever it would be necessary to resolve the matter.

COUNCILMAN ADAMSEN asked why the business is not in compliance with liquor and license requirements. MR. LONG reiterated that he was under the impression that the business was sold and it was no longer his responsibility to handle those details. He indicated that he is not fully aware of the status of permits and licenses for the establishment.

MR. DiFIORE recommended that the establishment be reviewed in six months, and that MR. LONG and the entity, JIMCAR 8, be on the premises and totally responsible for the operations of the business, pending a change of ownership filed before the Department and approved by Council. COUNCILMAN ADAMSEN felt that six months was too long of a period.

MAYOR JONES suggested MR. LONG be given four to eight weeks to be in complete compliance. COUNCILMAN McDONALD suggested the first Council meeting in July.

COUNCILMAN ADAMSEN confirmed with MR. DiFIORE that six weeks is a reasonable amount of time.

There was no further discussion.

(10:24 - 10:33)

1-1566

CITY COUNCIL**256**

MEETING OF

AGENDA DOCUMENTATION**MAY 27, 1997**

TO:

City CouncilFROM: *George W. Stevens*

GEORGE W. STEVENS, DIRECTOR

DEPT. OF FINANCE & BUSINESS SERVICES

SUBJECT:

**DEPT. OF FINANCE & BUSINESS SERVICES - MAY 27, 1997 CITY COUNCIL AGENDA
LIQUOR - Change of Business Name****PURPOSE/BACKGROUND**

Appearing on the Department of Finance & Business Services portion of the agenda is a change of business name on the tavern license issued to Jimcar 8 Inc., James T. Long, Director and President and Clarence C. Fenske, Director, Secretary and Treasurer, dba The Image, 711-717 North Rancho Drive. Jimcar 8 Inc. is requesting approval of the business name Club Thirty Something.

Please reference the attached copy of this department's certified letter dated September 16, 1996 requesting an application for change of business name. Also attached is a copy of an interoffice memorandum detailing the issuance of five citations to William R. Miller, Manager, on February 28, 1997, for change of business name prior to approval, sale of alcoholic beverages without a work card, sale of alcoholic beverages without an alcohol awareness card, failure to maintain employee list and operating a business on an expired business license. These citations are scheduled for pre-trial on May 22, 1997.

Another concern of this department is the possible ownership of this business by Chomoton, Inc., composed of William R. Miller as evidenced by the attached Certificate of Business Fictitious Firm Name file stamped June 6, 1996. Although a change of ownership has been denied by Mr. Long and Mr. Miller, the attached certificate casts doubt on this denial.

FISCAL IMPACT**RECOMMENDATIONS**

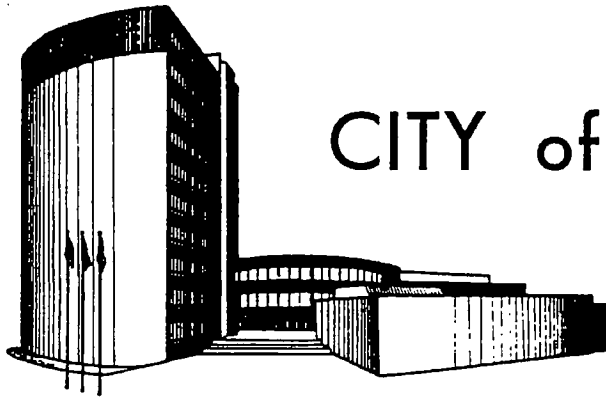
Agenda Item

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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

46-219-4-706

CITY COUNCIL MINUTES

MAY 27 1997

CERTIFIED MAIL

September 16, 1996

Mr. James Long, President
JIMCAR 8, Inc.
537 East Sahara Avenue, Suite 206
Las Vegas, Nevada 89104

RE: The Image
717 North Rancho Drive

Dear Mr. Long:

This Department has been advised by the Las Vegas Metropolitan Police Department, Special/Privileged Investigations Section that the above referenced business is operating under the name Club 30 Something +.

The City Council must approve the business name of all businesses holding a privileged license. In order to place this change before the Council for approval, please complete the attached business license supplement and return to this office with a copy of the certificate of business fictitious firm name and a check to the City of Las Vegas for \$30.00.

Your response within ten days of receipt of this letter would be appreciated.

Sincerely,

Eddie Raines
License Officer

cc: Las Vegas Metropolitan Police Department
Special/Privileged Investigations Section



INTER - OFFICE MEMORANDUM

March 3, 1997

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CITY COUNCIL MINUTES

TO:

Jim Difiore, Manager
Business Services Division
Department of Finance & Business Services

MAY 27 1997

FROM:

 Eddie Raines, License Officer II
Lon Grasmick, License Officer II
Business Services Division

SUBJECT:

Citation No. 1000581229A, 1-00581229B, 1-00581230A, 1-00581230B & 1-01180259A
William R. Miller, Manager, Club 30 Something

COPIES TO:

Ben Little, Chief Deputy City Attorney,
Criminal Division
Don Meyer, Senior License Officer

On Friday, February 28, 1997, at approximately 3:00 p.m., License Officer Lon Grasmick and I visited Club 30 Something, 717 North Rancho Drive. The purpose of our visit was to determine why this business was using the name Club 30 Something when it is licensed by the city as The Image, tavern license number L16-00219-4-000706, restaurant license number R09-00545-6-044113 and amusement machine license number C08-01488-2-044113. These licenses are issued to Jimcar 8, Inc. with James Long as President, 50% stockholder and Clarence Fenske as Secretary/Treasurer, 50% stockholder.

Upon entering the facility, we asked to speak with the owner or manager. Mr. Miller identified himself as the manager and escorted us into his office. There we asked to see his business licenses, list of employees, his own work card and his own alcohol awareness card. Mr. Miller was unable to produce any of these documents.

We asked Mr. Miller to contact Mr. Long and have him come to the business. Mr. Miller was unable to find Mr. Long so we advised Mr. Miller that we would be issuing citations to him for violations of Las Vegas Municipal Code.

LVMC 6.06.210 Changes - Approval required when, states "Prior approval must be obtained from the City Council for a licensee or a holder of approval for suitability to do any of the following acts:...Change the name of the business operating under a license..." This Department notified Mr. Long by certified mail on September 16, 1996 to apply for a change of business name. As of February 28, 1997 the change of business name application had not been filed. Mr. Miller was cited for noncompliance with this code in Citation No. 1-00581229A.

LVMC 6.50.370 Work cards for employees, states "It is unlawful for any person to be employed in the retail sales of alcoholic beverages for on or off premises consumption without having in his possession a valid work card for alcoholic beverages pursuant to LVMC 6.86. This includes bartenders, cashiers, checkers, greeters, security guards, waiters, waitresses and managers, or their functional equivalents." Mr. Miller was cited for noncompliance with this code in Citation No. 1-00581229B.

MAY 27 1997

LVMC 6.50.560 Alcohol awareness certification - Acts constituting unlawful employment, states "...It is unlawful for any person required to be certified for alcohol awareness pursuant to this Chapter to be employed by a licensee under this Chapter unless the person is so certified..." Mr. Miller was cited for noncompliance with this code in Citation No. 1-00581230A.

LVMC 6.86.180 Employers - Duties states "Employers of persons who are required to have work cards shall: (A) Maintain and make available for inspection, during normal business hours, by the Metropolitan Police Department of the Department or Business Activity a list of all employees who have been employed in capacities that require a work card. The list must include the employee's name, work card number and date of expiration. The list must include all current employees and all those employed during the three years next preceding..." Mr. Miller was cited for noncompliance with this code in Citation No. 1-00581230B.

LVMC 6.02.060 Business license required states, "It is unlawful for any person to: (A) Commence, carry, engage in or continue in the City any business without a valid unexpired license issued pursuant to this Code..." The December 1, 1996 license fees for the restaurant license number R09-00545-6-044113 were unpaid as of February 28, 1997. As a result, this portion of the business was operating on an expired license. Mr. Miller was cited for noncompliance with this code in Citation No. 1-01180259A.

Arraignment is set for 1:00 p.m. on Tuesday, March 11, 1997.

MAY 27 1997

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Certificate of Business: Fictitious Firm Name

FILED

JUN 6 8 52 AM '96

THE UNDERSIGNED does hereby certify that ~~CHOMOTON, INC.~~ ^{CLERK} is conducting a LOUNGE/NIGHTCLUB business at 717 NORTH RANCHO, LAS VEGAS, NEVADA, 89106, under the fictitious firm name of CLUB THIRTYSOMETHING and that said firm is composed of the following person whose name and address is as follows, to wit:

WILLIAM R. MILLER

720 LANGTRY DRIVE
LAS VEGAS, NV 89107WITNESS my hand this 5 day of June, 1996.

William R. Miller

WILLIAM R. MILLER

STATE OF NEVADA)

) ss:

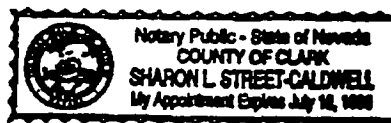
COUNTY OF CLARK)

On this 5 day of June, A.D., 1996, before me, SHARON L. STREET-CALDWELL, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared WILLIAM R. MILLER, known to me to be the person whose name is subscribed to the within Instrument, and acknowledged to me that he executed the same freely and voluntarily and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this Certificate first above written.

Sharon L. Street-Caldwell

Notary Public in and for said County and State.



CITY COUNCIL

MEETING OF
MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION / ACTION ITEMS

MUNICIPAL COURT

Discussion And Possible Action On A Request From The Municipal Court Judges To Offer An Early Retirement Program To Municipal Court Employees Affected By The Court Efficiency Plan

Not to exceed \$500,000

JONES - APPROVED to offer the early retirement program as a last resort, directing that staff first look closely into filling current available vacant positions - **UNANIMOUS** with **ADAMSEN** not voting

MIKE HAVEMANN, Municipal Court Administrator, explained that the subject proposal is basically the final piece that is being looked at for the court efficiency study. The benefit of offering an early retirement buy-out for certain senior level employees is obvious in the sense that under normal reduction in force procedure the least senior people are moved out of the organization. In this case by offering an early retirement buy-out to the most senior people the actual expenditure reduction per employee is significantly greater - anywhere from 30 to 50 percent. He recommended staff be given the authority to begin the process and then come back to Council with an actual dollar figure, however, no more than \$500,000 is recommended to be provided. He advised that the negotiations would be handled by DEPUTY CITY MANAGER HOUCHENS, HUMAN RESOURCES DIRECTOR RICK ANDERSON, and himself.

NOTE: MAYOR JONES stressed that she does not have a problem with the Court efficiency plan, but directed that before resorting to a buy-out, staff take a closer look and do everything possible to first place the staff in currently funded vacant positions. MR. HAVEMANN indicated that it is the intent of staff to do what is most fiscally prudent for the City, not simply to offer gifts by offering early retirement.

COUNCILMAN CALLISTER expressed appreciation to Municipal Court for its commitment to achieve cost efficiency. COUNCILMAN McDONALD commended MR. HAVEMANN for a job well done.

There was no further discussion.

(10:33 - 10:37)

1-1919

CITY COUNCIL

MEETING OF

May 27, 1997

262

AGENDA DOCUMENTATION

TO:

City Council

FROM:

Michael Havemann, Court Administrator
Municipal Court



SUBJECT:

DISCUSSION AND POSSIBLE ACTION ON A REQUEST FROM THE MUNICIPAL JUDGES TO
OFFER AN EARLY RETIREMENT PROGRAM TO MUNICIPAL COURT EMPLOYEES
AFFECTED BY THE COURT EFFICIENCY PLAN

PURPOSE/BACKGROUND

The Municipal Court Judges are requesting an early retirement program to be offered solely to employees of the court so as to help the court to attempt to meet its efficiency and savings goals as outlined in the FY98 Budget Workshop. The early retirement program will allow a reduction in numbers of positions to occur and will be offset by the savings generated from these positions. While the final number of applications for this program will indicate the total savings, it is anticipated that as a result of the initial survey of employees who are affected, and who are interested in an early retirement program, potential savings in salaries could be \$485,754 in the first year. A summary of positions and savings is attached. The total cost of the early retirement program will not exceed \$500,000. The scope of the early retirement program is as follows:

1. Classified and appointive employees will be eligible to have up to two years of PERS credit purchased for them by the City.
2. To be eligible, classified and appointive employees must have at least ten years of PERS service credit.
3. The application period ends July 25, 1997.
4. Applications to participate in the early retirement program will be reviewed by the Municipal Court Administrator, the Human Resources Department, and will be subject to final approval by the City Manager, who has the sole discretion to approve applications for this program.

FISCAL IMPACT

Budgeted, not to exceed \$500,000.

RECOMMENDATIONS

It is recommended that the proposed early retirement program for Municipal Court employees be approved.

Agenda Item

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CITY COUNCIL MINUTES

Las Vegas Municipal Court
Estimated Savings from Efficiency Plan
Early Retirement Program Cost Analysis

MAY 27 1997

5/19/97

First Year Savings from Early Retirement Program: \$ 485,754

Total Savings in FY 98 from Program/Position Reductions: \$ 1,407,464

Cost for Buyout (Not to Exceed \$500,000): (\$500,000)

Net Savings to City in FY 98: \$ 907,464

FY 99 Value of Total Savings from FY 98 Program/Position Reductions: \$ 2,064,443

May 19, 1997

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INTER-OFFICE MEMORANDUM

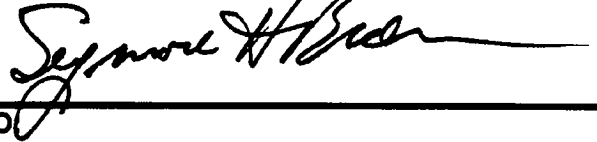
CITY COUNCIL MINUTES

TO:

Mayor Jan Lavery Jones MAY 27 1997
Councilman Arnie Adamsen
Councilman Matthew Q. Callister
Councilman Michael J. McDonald
Councilman Gary Reese

FROM:

Chief Judge Seymore H. Brown



SUBJECT:

Early Retirement Program for Municipal Court
Employees

COPIES TO

Municipal Court Judges
Mike Havemann

As you know, the Municipal Court is implementing a cost efficiency plan which will result in the elimination of 35 full time positions in FY 98. As we move through this process of service reduction, it is our fervent wish to do everything possible to avoid lay-offs of Court employees. The Human Resources Department has already done an outstanding job of working with us to do everything possible to minimize the impact on our employees.

Our strategy to avoid lay-offs is to transfer our employees to other City Departments, and to conduct an early retirement program for Court staff. The Human Resources Department has analyzed the potential financial effect of the early retirement program, and indicates that potential savings in salaries could be \$485,754 in the first year.

We, the Judges of the Las Vegas Municipal Court, hope that you will join with us in trying to make this transition as easy as possible for our staff, and approve the proposed early retirement program for our Municipal Court employees.

CITY COUNCIL

MEETING OF
MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

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DISCUSSION / ACTION ITEMS

DEPARTMENT OF PUBLIC WORKS

TRAFFIC AND PARKING ITEMS

Discussion And Possible Approval Of A Request To Install Speed Humps On Virgil Street Between Washington Avenue And Owens Avenue

T&P Commission Recommendation: Denial

Staff Recommendation: Approval

73

Discussion And Possible Approval Of A Request To Establish A Truck Speed Limit Of 25 MPH On Lake Mead Boulevard West Of Rampart Boulevard

T&P Commission Recommendation: Denial

Staff Recommendation: Denial

REESE - APPROVED the installation of the speed humps - UNANIMOUS

RICHARD GOECKE, Public Works Director, indicated the area does meet warrants for speed humps to be installed, therefore, recommended approval and stated it is in order. COUNCILMAN REESE stated Virgil is definitely a cut-through street for traffic.

COUNCILMAN McDONALD asked why the Traffic and Parking Commission recommended denial. MR. GOECKE responded that the Commission pretty much denies all requests for speed humps whether they meet warrants or not because they have a different opinion on speed humps. COUNCILMAN REESE stated the City does not have the personnel to enforce the speed limit and monitor the traffic, therefore, the speed humps are necessary to slow down traffic.

DORIS HUNTER, 1517 Virgil Street, expressed her support of installing the speed humps because they are greatly needed, especially now that a new school is going to be built in the area.

There was no further discussion.

(10:37 - 10:39)

1-2061

ADAMSEN - Held in ABEYANCE to 6/9/97 - UNANIMOUS with JONES not voting

6/9/97 Agenda

APPEARANCES:

AL GALLEGGO, 610 N. Fourth Street

NOTE: COUNCILMAN CALLISTER directed that MR. GOECKE get an exact date on the opening of the Gravel Haul Route.

NOTE: COUNCILMAN ADAMSEN directed that MR. GOECKE explore different options to prevent gravel trucks from using Lake Mead to haul gravel to the nearby plant from other parts of the Valley.

(10:39 - 10:46)

1-2176

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

CITY COUNCIL

MEETING OF
MAY 27, 1997

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AGENDA DOCUMENTATION

TO:

CITY COUNCIL

FROM:

RICHARD D. GOECKE, DIRECTOR
DEPARTMENT OF PUBLIC WORKSSUBJECT: DISCUSSION AND POSSIBLE APPROVAL OF A REQUEST TO INSTALL SPEED HUMPS ON
VIRGIL STREET BETWEEN WASHINGTON AVENUE AND OWENS AVENUEPURPOSE/BACKGROUND

Mrs. Kerry Linton has submitted to the City a request for speed humps on Virgil Street between Washington Avenue and Owens Avenue. Mrs. Linton feels there is a high volume of traffic on this roadway and that the traffic is speeding.

Virgil Street is a minor arterial roadway with a 60-foot right-of-way. From Washington Avenue and Owens Avenue there is parking on both sides of the street with a single travel lane in each direction. Houses face the street on both sides. The street is posted as a 25 mph roadway.

Virgil was studied as a part of the Neighborhood Traffic Management Program (NTMP). Counts were performed with the following results:

<u>Street</u>	<u>Location</u>	<u>Volume</u>	<u>85% Speed</u>	<u>% > 30 mph</u>	<u># of points</u>
1205 Virgil	310' N. of Chevy Chase	1776	36	40	44

A minimum of 40 points is required for eligibility to this program. The NTMP was developed to allocate resources based on the needs of all of the neighborhoods in the City. The approximate cost to install 1 speed hump is \$3,000. Approximately 3 speed humps could be installed on Virgil Street between Washington Avenue and Owens Avenue for a total cost of \$9,000.

Notices of the proposed change were:

- sent to 103 nearby property owners, and
- received back from 43 with responses of...
 - ...39 in favor of the requested change, and
 - ... 4 opposed to the requested change.

FISCAL IMPACTRECOMMENDATION

TRAFFIC & PARKING COMMISSION RECOMMENDATION: Denial.

STAFF RECOMMENDATION: Approval.

AGENDA ITEM

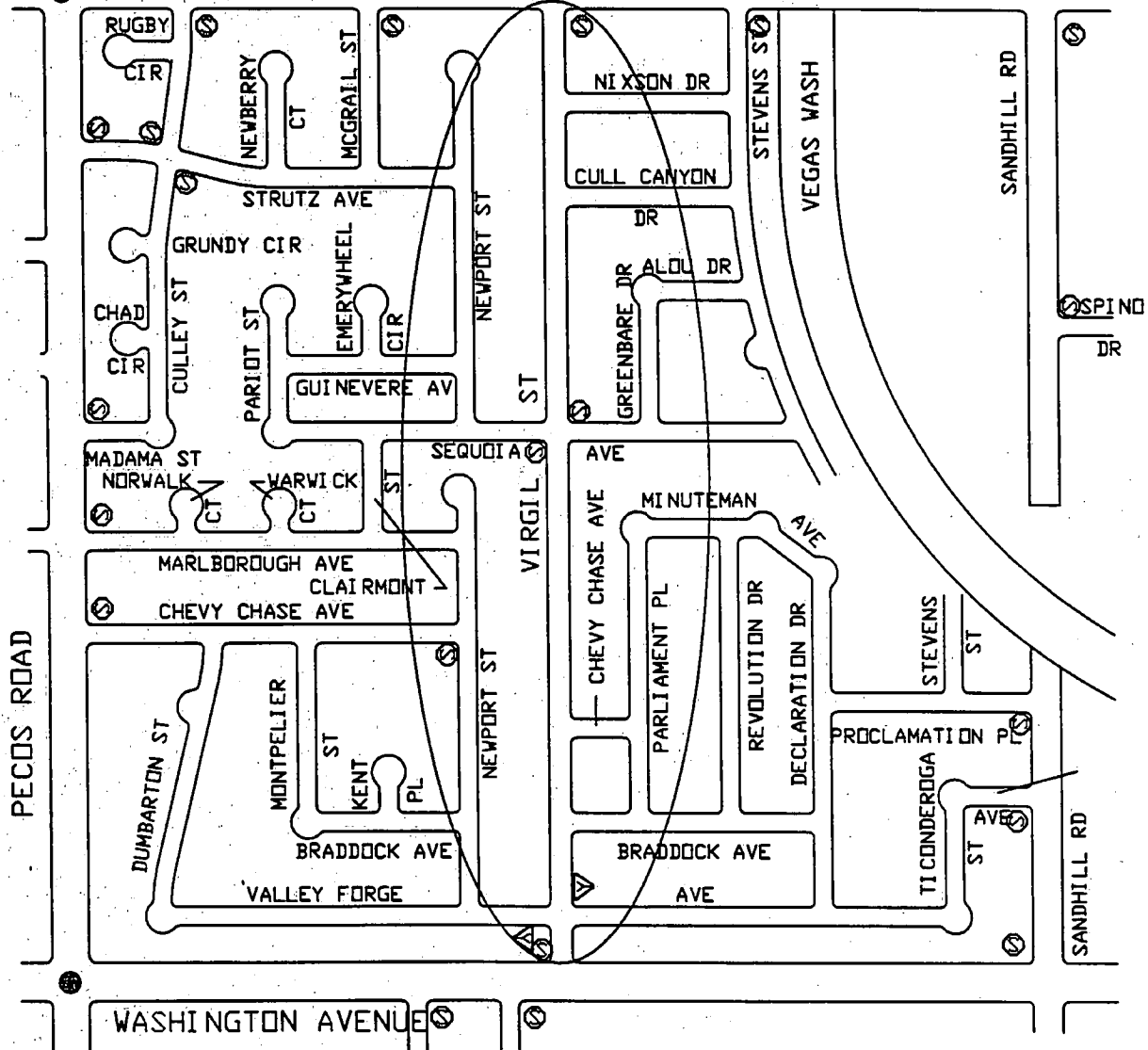
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CITY COUNCIL MINUTES

MAY 27 1997

CLARK COUNTY

OWENS AVENUE



STOP SIGNS (14-II)

YIELD SIGNS (14-III)



TRAFFIC SIGNAL



PROPOSED SPEED HUMPS AREA

CITY COUNCILMEETING OF
MAY 27, 1997**268****AGENDA DOCUMENTATION**

TO:

CITY COUNCIL

FROM:

RICHARD D. GOECKE, DIRECTOR
DEPARTMENT OF PUBLIC WORKS

SUBJECT: DISCUSSION AND POSSIBLE APPROVAL OF A REQUEST TO ESTABLISH A TRUCK
SPEED LIMIT OF 25 MPH ON LAKE MEAD BOULEVARD WEST OF RAMPART
BOULEVARD

PURPOSE/BACKGROUND

A citizen is requesting a truck speed limit of 25 mph on Lake Mead Boulevard west of Rampart Boulevard. The portions of Lake Mead Boulevard west of Rampart Boulevard are developed with homes on both sides of the roadway. Homes are located behind subdivision screening walls on both sides with developed commercial properties near Rampart Boulevard. Lake Mead Boulevard is a fully improved roadway with 3 lanes in each direction east of Sun City Boulevard. Lake Mead Boulevard is a fully improved roadway with 2 lanes in each direction west of Sun City Boulevard. Lake Mead Boulevard between Thomas Ryan and the beltway is not a fully improved roadway. Lake Mead Boulevard is 35 mph for all vehicles west of Sun City Boulevard and 45 east of Sun City Boulevard.

Lake Mead Boulevard is a designated truck route. Per city ordinance 11.16.110, designated truck routes cannot have a truck speed limit of 25 mph. Staff is recommending denial since the request would be in violation of city ordinance.

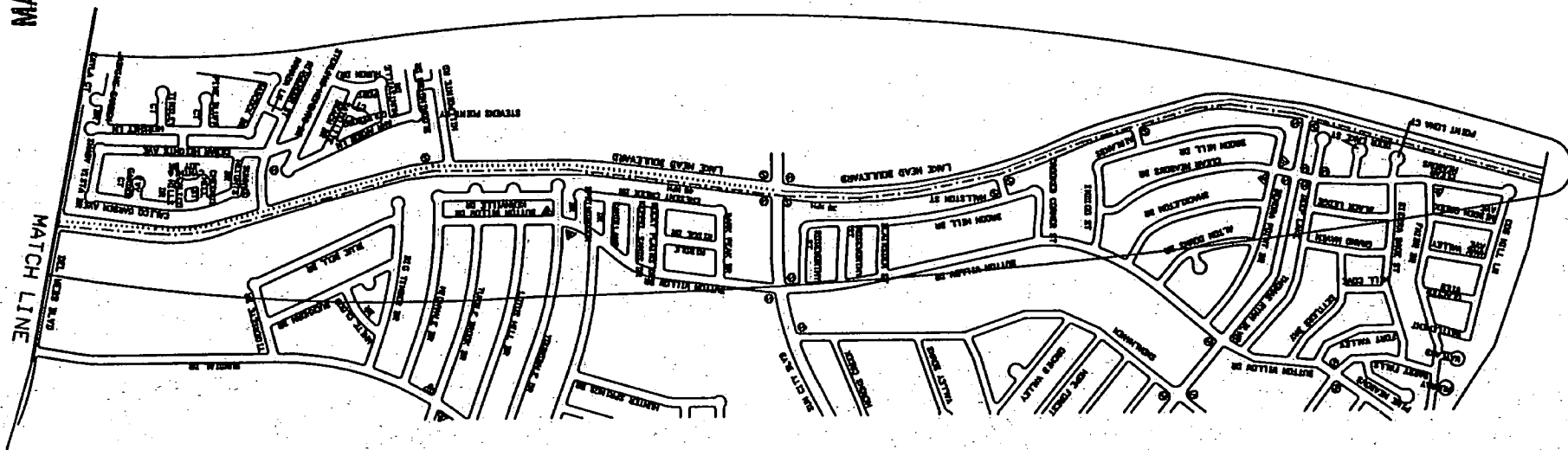
FISCAL IMPACT**RECOMMENDATION**

TRAFFIC & PARKING COMMISSION RECOMMENDATION: Denial.

STAFF RECOMMENDATION: Denial.

AGENDA ITEM**73**

MAY 27 1997



- PROPOSED TRUCK SPEED LIMIT AREA
- DESIGNATED TRUCK ROUTE (29-11)
- 45 MPH SPEED LIMIT (29-1V)
- 35 MPH SPEED LIMIT (29-11)
- ▲ YIELD SIGNS (14-111)
- ⊕ STOP SIGNS (14-11)

VERBATIM TRANSCRIPT - ITEM 73: DISCUSSION AND POSSIBLE APPROVAL OF A REQUEST TO ESTABLISH A TRUCK SPEED LIMIT OF 25 MPH ON LAKE MEAD BOULEVARD WEST OF RAMPART BOULEVARD

MAYOR JONES

Item 73 is discussion and possible approval of a request to establish a truck speed limit of 25 miles per hour on Lake Mead Boulevard West of Rampart.

RICHARD GOECKE, DIRECTOR OF
PUBLIC WORKS

Yes, Your Honor, the recommendation is for denial. It is a truck route and ordinance requires that speed limits on truck routes be 35 miles per hour or greater.

MAYOR JONES

I would agree with that. And this is sort of non-related, but lately all of those trucks that are coming down, not only are they way exceeding the speed limit, they're not covering their loads. There is gravel going into windshields all the way down US-95 --

COUNCILMAN ADAMSEN

Yes, Your Honor --

MAYOR JONES

We need to look for some kind of enforcement because it's ridiculous.

COUNCILMAN ADAMSEN

Yes, Your Honor. And this was brought to my attention by my constituents who live on both sides of Lake Mead, east and west. And with the gravel operation that seemed to have sprung up in Ward 2 that parallels those closely there in Ward 4; Dick, the question I have for you is we were able to establish a 25 mile speed limit on Alexander when that was a truck route because of safety concerns. With the grade of this particular slope coming down and the fact that many of these trucks are using their engine as a breaking mechanism there's a tremendous impact on the quality of life in addition to the dust, to the noise, and the fact that it was a 24-hour operation. Now, we've been successful in getting the contractor, Your Honor and members of the Council, not to run this operation 24-hours a day up and down Lake Mead. At night time they're trying to find a different route. But, Dick, what options do we have available in terms of the problem that we have with this gravel haul route and the people that live along Lake Mead?

RICHARD GOECKE, DIRECTOR OF
PUBLIC WORKS

I think we have attempted to exercise many of the options. We've had meetings with the developers. We've had meetings with builders. A request from Metro. We've gone through some of those -- actions and activities.

COUNCILMAN ADAMSEN

I just wanted to put those on the record because this is becoming an issue equally, if not greater than, the Alexander Route.

**CITY COUNCIL MINUTES
MEETING OF
MAY 27, 1997**

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VERBATIM TRANSCRIPT - ITEM 73: DISCUSSION AND POSSIBLE APPROVAL OF A REQUEST TO ESTABLISH A TRUCK SPEED LIMIT OF 25 MPH ON LAKE MEAD BOULEVARD WEST OF RAMPART BOULEVARD

COUNCILMAN CALLISTER When did this become a gravel haul road?

COUNCILMAN ADAMSEN In 1991.

RICHARD GOECKE, DIRECTOR OF PUBLIC WORKS It's not – a gravel haul road; it's a truck route, but that doesn't preclude a truck that's hauling gravel or anything else from using Lake Mead. So it had –

COUNCILMAN CALLISTER Well, it has to be – Dick, we should only be using Lake Mead to haul gravel if you were going to some localized site.

RICHARD GOECKE, DIRECTOR OF PUBLIC WORKS Oh, no, it's going all over the Valley.

COUNCILMAN CALLISTER Well, I thought that the gravel haul trucks, my understanding, were to use only Alexander until the new road is opened up, which a memo came from the County last week and says it's now scheduled for late summer/early fall, unless – the gravel haul trucks are going to a localized destination in that immediate area and looking for they're hauling gravel to a construction site in the area along West Lake Mead. But you're telling me they can haul just as much gravel on Lake Mead as they can on Alexander?

RICHARD GOECKE, DIRECTOR OF PUBLIC WORKS I think the Gravel Haul Road designation on Alexander, Councilman, simply became a – it was a name given to it because the gravel haulers actually built the road, so they called it the Gravel Haul Road. And although Lake Mead wasn't built by the, by any of the gravel haulers, you can find gravel trucks on Lake Mead, Craig, you know, where ever they have the designation. Certainly, they have the requirements to apply, you know, the weight limits and covering the loads, that sort of thing, but there's nothing to prevent them from using Lake Mead. We maybe want to sit down and discuss that in more detail and maybe there's options that I can get with the legal department. I've not sat down with the legal department, Your Honor, and talked to them about options beyond what we've already done, but I'd be certainly more than happy to do so.

COUNCILMAN ADAMSEN Dick, we need to explore our options, because not only are they coming down Lake Mead from the vats, but, Your Honor, members of the Council, they're bringing gravel into this vats plant from other parts of the Valley to have it processed and then bring it back down again.

COUNCILMAN CALLISTER (inaudible)

CITY COUNCIL MINUTES
MEETING OF
MAY 27, 1997

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VERBATIM TRANSCRIPT - ITEM 73: DISCUSSION AND POSSIBLE APPROVAL OF A REQUEST TO ESTABLISH A TRUCK SPEED LIMIT OF 25 MPH ON LAKE MEAD BOULEVARD WEST OF RAMPART BOULEVARD

RICHARD GOECKE, DIRECTOR OF
PUBLIC WORKS

Perhaps, Mayor, having not sat down with our legal department, perhaps, because it would be of, seem to me it would be a violation of City Ordinance, we may want to hold this in abeyance for two weeks. I'll do that, bring it back on the agenda, and maybe have some more information at that time.

MAYOR JONES

Let's do that.

COUNCILMAN CALLISTER

Maybe we can get a formal update to, if you request it from the County, as to exactly when the ever-changing opening date for the new gravel haul road will be. That opening, I think, will help not just on Lone Mountain, but also this location, because they'll now have a road that is theoretically designated for their use exclusively, and hopefully that'll be an attraction for them as opposed to trying to find ways to sneak through residential neighborhoods.

COUNCILMAN ADAMSEN

Well, let me give you one indication of the volume. One of my constituents called me after having spent an hour in her backyard; she counted in excess of 110 trucks on Lake Mead in a 60 minute period.

MAYOR JONES

(inaudible)

RICHARD GOECKE, DIRECTOR OF
PUBLIC WORKS

No, I -- there no question the activity has occurred. And I'll attempt to get another exact date. I've had several.

COUNCILMAN CALLISTER

Yeah, another exact date.

COUNCILMAN ADAMSEN

Mr. Gallegos (sic)?

AL GALLEGO

Yes, Al Gallego. I -- was up in that area awhile back and right where the curb is, from Lone Mountain down to Alexander, they have built a dirt road that goes over toward Lake Mead, and a lot of the trucks are going in that direction. I shouldn't be talking about trucks because I was around trucks all my life. One of the ordinance that I wish they would had here in Las Vegas, in this City properties doubles and triples. It, they are ruining our roads. The loads are too heavy. We're using, ruining our roads by having these big trucks come in residential areas and in City -- streets. I think that we should have an ordinance that tells us that we can only use, carry half of the load instead of the loads that we're carrying now. Thank you.

CITY COUNCIL MINUTES
MEETING OF
MAY 27, 1997

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VERBATIM TRANSCRIPT - ITEM 73: DISCUSSION AND POSSIBLE APPROVAL OF A REQUEST TO ESTABLISH A TRUCK SPEED LIMIT OF 25 MPH ON LAKE MEAD BOULEVARD WEST OF RAMPART BOULEVARD

COUNCILMAN ADAMSEN

Thank you. No questions or comments, I'd move to follow the recommendation of the Executive Director of Public Works. Comments from the Board? Cast your votes. Post. Motion's approved. (Motion carried with JONES not voting.)

(END OF DISCUSSION)

/gpb

CITY COUNCIL

MEETING OF

MAY 27, 1997

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

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****DISCUSSION / ACTION ITEMS****IV. RESOLUTIONS**

74

R-41-97 - Approval of Resolution to amend Schedule 25-VII and 29-II in accord with Traffic & Parking Item 73.

ADAMSEN - Held in **ABEYANCE** to 6/9/97 - motion carried with **JONES** and **CALLISTER** not voting

6/9/97 Agenda

There was no discussion.

(10:46)

1-2462

75

R-42-97 - Approval Of Resolution To Initiate An Intergovernmental Collaborative Planning Effort.

ADAMSEN - **APPROVED R-42-97** - **UNANIMOUS** with **CALLISTER** not voting

(10:46 - 10:54)

1-2485

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: RESOLUTION TO INITIATE INTER-GOVERNMENTAL COLLABORATIVE PLANNING

PURPOSE/BACKGROUND

At the Council's strategic planning workshop in January of this year, the Mayor directed the Planning and Development Department and Neighborhood Services Department to initiate a planning program known as Livable Las Vegas. The first step in this process was to develop a collaborative planning effort that included all the jurisdictions within the valley. This first goal has been accomplished. On May 13, 1997, the Planning Directors of all the entities within the valley presented a resolution that reflected this effort to the Southern Nevada Government Efficiency Committee. The Committee has endorsed that proposed resolution and staff is now bringing it forward for consideration by the City Council. Attached is a copy of the memo sent to the Southern Nevada Government Efficiency Committee, a copy of the resolution endorsed by that committee and a graphic illustrating the conceptual program that the staff has developed to proceed with in this effort.

MAY 27 1997

Memorandum

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To: Mayors, City Councils and County Commissioners in the Las Vegas Valley
From: Staff
RE: Community Planning Collaboration
Date: April 1997

The Las Vegas Valley has experienced phenomenal and unprecedented growth over the last decade. Numerous measures have been enacted, both collectively and individually, by the local governing bodies to address the impacts of that growth, including the adoption of plans, utility extension policies, regulations, and tax measures.

Recent news articles as well as proposals before the Legislature have focused renewed attention on the issues of growth and cooperation among the various local governments coexisting in the Las Vegas Valley. In April, the staff of the planning departments of Clark County, the City of Boulder City, the City of Henderson, the City of Las Vegas, and the City of North Las Vegas, along with the Lied Institute at the University of Nevada, Las Vegas and the Nevada Test Site Development Corporation began informal discussions regarding planning collaboration among the jurisdictions with private sector involvement.

We found that although each of the local governing bodies have separately addressed the issues of growth within their jurisdiction, many of the issues require a cooperative effort to be resolved. While all of the jurisdictions desire to retain local decision making authority, we could all benefit from a collaborative forum which addresses the larger, common issues impacting our area. To be most effective, such a forum should be designed by the community to meet the unique needs of Southern Nevada. As a result of the staff dialogue, a community-wide collaboration process is recommended to generate the best solutions for Southern Nevada's future.

The proposed community collaboration is a process involving the entire Southern Nevada area that addresses:

- **What do we want to be?** -- a vision for the Las Vegas Valley, and
- **How do we want to get there?** -- a framework and set of strategies to achieve the vision.

The goals of the process include:

- generating a comprehensive dialogue about the growth issues facing the community,
- involving all community interests, and
- providing a regional framework of information that respects local decision making.

The collaborative process would engage the community in determining our common values and a vision for the future. The process would begin with a forum of key community leaders, followed by advice from an outside panel of experts, and a long term "community visioning" process which would allow for and solicit advice from all community interests.

This process would develop both short-term, quick actions and long-term strategies to guide our community's future growth. It would define community performance indicators or benchmarks to measure our progress toward achieving our vision. And, it would provide a system for ongoing citizen involvement.

The first step in moving forward through this process is for all local governments to consider the attached resolution endorsing the proposed collaborative approach. It is requested that the representatives on the Southern Nevada Government Efficiency Committee endorse this proposal and present it to their respective board or council for consideration.

CITY COUNCIL MINUTES

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MAY 27 1997

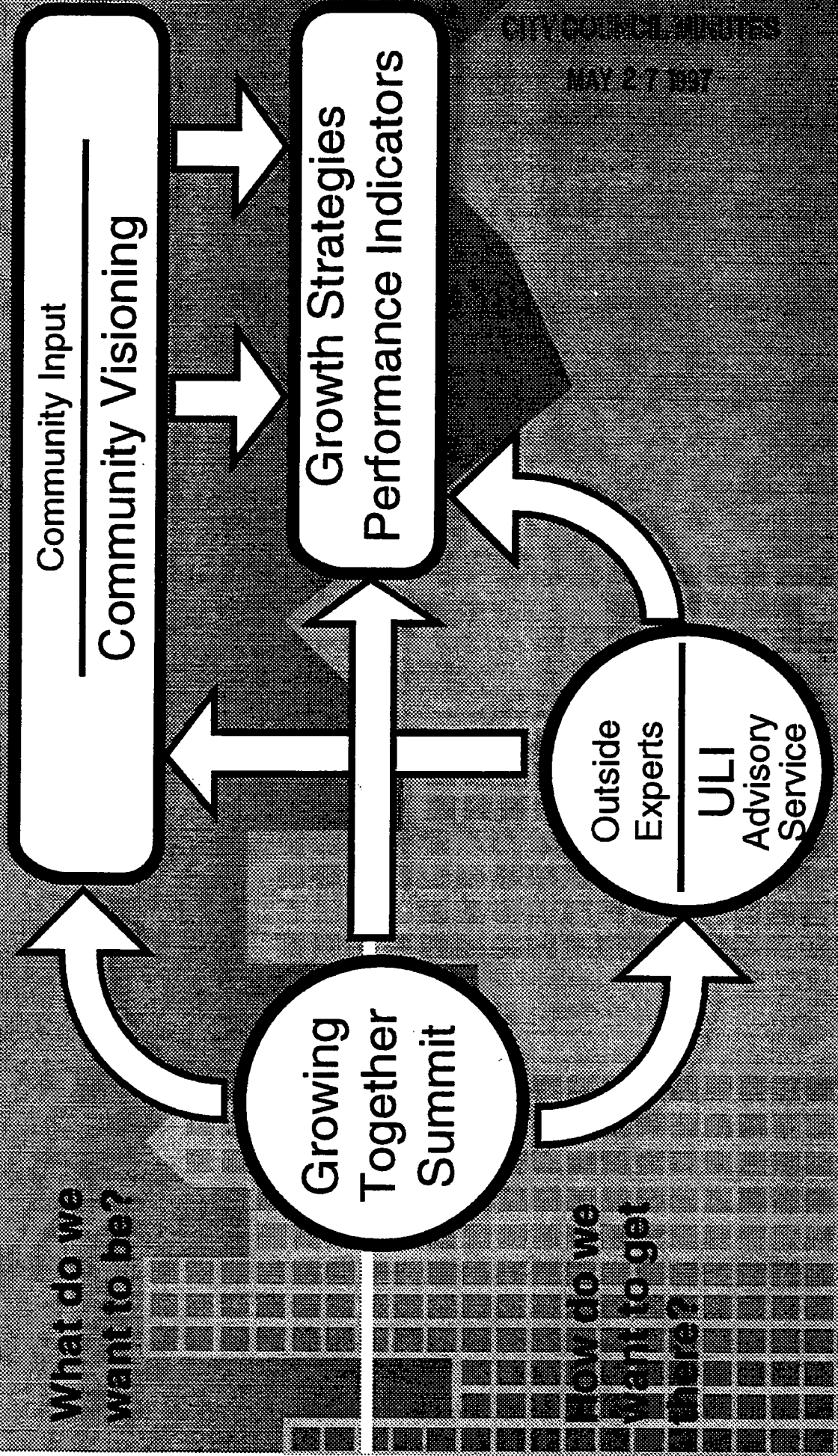
WHEREAS,

- the Las Vegas Valley continues to be the nation's fastest growing region;
- unprecedented growth creates tremendous challenges for local government to maintain an ongoing equilibrium between demands for public services generated by growth and supply of revenues to finance those demands;
- failure to meet these challenges will adversely impact such basic quality of life elements as economic prosperity, public safety, education, transportation, recreation and culture, the natural environment, and health care;
- these challenges transcend governmental jurisdictional boundaries;
- it is essential to preserve the unique qualities of individual communities as we continue to grow and develop;
- intergovernmental collaboration has proven to be an efficient and effective approach to address many of these challenges;
- it is of utmost importance to preserve and enhance the quality of life for the citizens and future generations of the Las Vegas Valley;

Therefore be it resolved that the local governments within the Las Vegas Valley will initiate an intergovernmental collaborative planning effort to meet these challenges.

COMMUNITY COLLABORATION FOR THE LAS VEGAS VALLEY

CITY COUNCIL MINUTES
MAY 27 1997



R-42-97
RESOLUTION

MAY 27 1997

WHEREAS, the Las Vegas Valley continues to be the nation's fastest growing region;

WHEREAS, unprecedented growth creates tremendous challenges for local government to maintain an ongoing equilibrium between demands for public services generated by growth and supply of revenues to finance those demands;

WHEREAS, failure to meet these challenges will adversely impact such basic quality of life elements as economic prosperity, public safety, education, transportation, recreation and culture, the natural environment and health care;

WHEREAS, these challenges transcend governmental jurisdictional boundaries;

WHEREAS, it is essential to preserve the unique qualities of individual communities as we continue to grow and develop;

WHEREAS, intergovernmental collaboration has proven to be an efficient and effective approach to address many of these challenges;

WHEREAS, it is of utmost importance to preserve and enhance the quality of life for the citizens and future generations of the Las Vegas Valley.

NOW, THEREFORE, be it resolved that the local governments within the Las Vegas Valley will initiate an intergovernmental collaborative planning effort to meet these challenges.

PASSED, ADOPTED and APPROVED this 27th day of MAY, 1997.

APPROVED:

By:


JAN LAVERTY JONES, MAYOR

ATTEST:

By:


BARBARA JO RONEMUS, CITY CLERK

Approved as to form:


5-29-97
Date

VERBATIM TRANSCRIPT - ITEM 75: R-42-97 - APPROVAL OF RESOLUTION TO INITIATE AN INTERGOVERNMENTAL COLLABORATIVE PLANNING EFFORT

MAYOR PRO TEM ADAMSEN

Item 75 is Resolution 42-97 - Approval of a resolution to initiate an intergovernmental collaborative planning effort. Theresa?

THERESA O'DONNELL, PLANNING & DEVELOPMENT DIRECTOR

Thank you, Councilman. You have before you today a resolution that supports the collaborative effort for regional planning to study the issues of growth and quality of life in the Las Vegas Valley.

COUNCILMAN McDONALD

Go to the overhead, please.

THERESA O'DONNELL, PLANNING & DEVELOPMENT DIRECTOR

You can go to the overhead. This is a copy, I believe you have it in your back-up, but this is a copy for the citizens to take a look at.

As you'll recall, back in January of this year the Mayor and Commissioner Yvonne Atkinson-Gates denounced the Livable Las Vegas project at your Annual Strategic Planning Session. At that time our staff was directed to work jointly with the County staff to address this problem, or the issue of growth and quality of life in the Valley, and we've done that. This resolution before you today is the first step in that process. Our staff has worked along with the County planners, with planners at North Las Vegas, Henderson, and Boulder City to come up with a – process, and I can walk through that with you really quickly, to address these issues; however, the first step in this process is the endorsement of this resolution. It's already gone before the boards of the County and all the other cities in the Valley, and so we're asking for your consideration of that item today.

What we, what this team of planners, known as the Pizza Group –

COUNCILMAN ADAMSEN

– Pizza Group. Thank you. I wanted to have that put on the record.

THERESA O'DONNELL, PLANNING & DEVELOPMENT DIRECTOR

We have been working towards, is really to come up with a process that addresses two things primarily. 1) That the timely the adequate provision of public services throughout the Valley; and 2) the ability to ensure the autonomy, the authority, and the responsibilities of all the individual jurisdictions. And so, with those goals in mind, what we've come up with – and this actual process isn't before you today for your action. This is just kind – We still have a lot of work to do on this and cost estimating and get some times in nailing down the specifics of these procedures. However,

VERBATIM TRANSCRIPT - ITEM 75: R-42-97 - APPROVAL OF RESOLUTION TO INITIATE AN INTERGOVERNMENTAL COLLABORATIVE PLANNING EFFORT

we did want to give you an idea of kind of where we're going conceptually with this process. Like I say, we still have a lot of work to do.

But what this effort involves is actually three particular events to address these questions of quality of life. First, we'd start off with a – kick-off meeting just to introduce the concept to the residents of the Valley, followed by a very short-term, strategic intense planning effort, and then also coupled with a long-term, a visioning effort. The County is particularly interested in doing a lot of survey work and developing some quality of life indicators for the Valley.

So, all these, all three of these things wouldn't necessarily happen one at a time, but they all kind of happen at the same time. Tom is going to talk to you a little bit more about the, this (pointing to the display on the overhead), which the City will take the primary lead on this effort, is an effort put on by the Urban Land Institute, and Tom Perrigo is going give you a little more detail about that.

TOM PERRIGO, PLANNING &
DEVELOPMENT

Your Honor, Council, the Urban Land Institute has been recognized as a leading expert in urban planning, growth management, and development for some time. They've been doing the advisory service for probably about 30 years now, when they met quite a bit of success with this. The way the process works is we identify the issues that we want them to look at, and then, based on those issues, they develop a list of leading experts from around the country and, in fact, around the world to look at those issues. They then work with us to make sure that the – final panel that is put together is – as objective as can be and has no ties to the community. They then convene the panel, they come to town, they interview upwards of a hundred people from the community, elected officials and from the private sector. At the end of the week they present us a presentation, a report on – some implementable alternative strategies to deal with the issues that we've asked them to look at.

THERESA O'DONNELL, PLANNING &
DEVELOPMENT DIRECTOR

Those solutions that they also bring to us do include the financial solutions, which we feel is a key part of that.

So, like I said, we're not asking you to sign off on this today; we've still got some more work. We will bring this back to you after we have this flushed out a little bit better in terms of time frame and cost. All we're asking for today is for your consideration of the resolution.

MAYOR JONES

Absolutely. And I'd like once again to commend not only our

VERBATIM TRANSCRIPT - ITEM 75: R-42-97 - APPROVAL OF RESOLUTION TO INITIATE AN INTERGOVERNMENTAL COLLABORATIVE PLANNING EFFORT

staff, but the staff of all of the other jurisdictions because it's this kind of collaborative gathering that I think is essential if we're going to come up with actually implementable recommendations.

COUNCILMAN ADAMSEN

One quick question, Theresa. Earlier in this meeting and at subsequent meetings we're going to be talking about this master plan of sequence of events for construction projects. How can we tie that process into this so that we just have one comprehensive process?

THERESA O'DONNELL, PLANNING & DEVELOPMENT DIRECTOR

Well, one of the things that we would be looking at, Sir, is not only the planning, but also planning for the infrastructure elements, so we will, that will be an integral part. You really can't plan land use without looking at infrastructure and transportation and all those related needs.

COUNCILMAN ADAMSEN

So we could bring all providers' infrastructure to the same table at the same time and looking at the same overlay so that we don't get this conflict in capital improvement in road construction projects?

THERESA O'DONNELL, PLANNING & DEVELOPMENT DIRECTOR

Um, hum, we can build that into the process.

COUNCILMAN ADAMSEN

I love it. How quick can we do it?

THERESA O'DONNELL, PLANNING & DEVELOPMENT DIRECTOR

Well, the Urban Land Institute, we are ready to make application for that. It's about a three months time frame. We've talked to them and gotten on their calendar for the end of September. It takes about three months to prepare the background work and for them to do enough study for us to --

MAYOR JONES

John Porter's, no, because it doesn't have all of the planning groups. Absolutely not --

THERESA O'DONNELL, PLANNING & DEVELOPMENT DIRECTOR

-- for them to address, come and put on their symposium here.

MAYOR JONES

And I think it's important to, and again, I think that some of the legislation that's being proposed in Carson City can ducktail into this process, but the process has to begin at the local level. All of the jurisdictions are involved in this process. The Urban Land Institute component allows the recommendations for implementation and it's then up to the local entities to give recommendations to the legislature how we want to proceed in terms of making sure that the recommendations move forward.

VERBATIM TRANSCRIPT - ITEM 75: R-42-97 - APPROVAL OF RESOLUTION TO INITIATE AN INTERGOVERNMENTAL COLLABORATIVE PLANNING EFFORT

THERESA O'DONNELL, PLANNING &
DEVELOPMENT DIRECTOR

There are – hundreds of different ways to approach these problems. What one thing that we're looking, doing is – some research into model cities right now to see which of those ways best fit Las Vegas and what can be most beneficial to us and that's the type of thing that the Urban Land Institute will focus in on.

COUNCILMAN ADAMSEN

Some interesting and exciting possibilities in concept. Unless there's other questions or comments, Your Honor, I **would move for the adoption of R-42-97.**

COUNCILMAN REESE

Well, I want to make just a couple of comments. I feel like that, you know, what we're trying to do is very, very good for the City of Las Vegas. But I want to, I guess, make myself clear that, you know, if we have developers that want to spend money and we kind of curtail their growth a little bit that we have plenty of infill property down in Ward 3 that needs to have something nice built.

MAYOR JONES

Does that mean you're, you're – I'm available. Sign the dot.

COUNCILMAN ADAMSEN

That's a good commercial, Councilman Reese.

COUNCILMAN McDONALD

And I'm on the record as supporting the Mayor. I definitely support your movement.

MAYOR JONES

We have a motion on the floor to approve R-42-97. Vote on the motion. Post. Motion's approved. **(Motion carried with CALLISTER not voting.)**

(END OF DISCUSSION)

/gpb

CITY COUNCIL

MEETING OF
MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION / ACTION ITEMS

IV. RESOLUTIONS

76

R-43-97 - Approval of a resolution in support of proposed state legislation allowing municipalities to form Business Improvement Districts (BID's) upon petition by affected owners of commercial properties.

ADAMSEN - APPROVED R-43-97 - UNANIMOUS with CALLISTER not voting

COUNCILMAN ADAMSEN stated this is an excellent piece of legislation.

There was no further discussion.

(10:54)

1-2860

TO: City Council

FROM: Larry K. Barton
City Manager

SUBJECT: Approval of a resolution in support of proposed state legislation allowing municipalities to form Business Improvement Districts (BID's) upon petition by affected owners of commercial properties.

PURPOSE/BACKGROUND

Today there are over 1000 Business Improvement Districts (BID's) throughout Canada and the United States. The Downtown Las Vegas Partnership is proposing state legislation that would allow municipalities in Nevada to form BIDs upon petition by affected property owners. This concept, modeled after laws which are on the books in more than 40 states, allows property owners to vote to levy assessments against themselves to fund services which are enhancements to those generally provided by government such as: special events, marketing programs, additional security, litter abatement, sidewalk cleaning, or any number of other business friendly activities. In most cities, the BID funds day-to-day operations, but in some cities the BID funds major infrastructure improvements for street/sidewalk improvements, street lighting, landscaping and street furniture.

The BID would be formed by ordinance upon the creation of a Management District Plan and after a petition to the Mayor and Council signed by property owners representing more than 50% of the assessment to be levied, but only after two public hearings.

The Management District Plan would determine the boundaries of the district and how the collected funds would be spent. The petition drive would be initiated and promoted by the private property owners. The Council would create a committee to advise it on prioritizing the expenditures and the manner of collecting assessments, with a majority of the committee members being made up of those property owners who would pay the assessments. A public hearing would have to be conducted prior to adopting a budget for the district or collecting any of the special assessments. The City then would contract with a private, nonprofit Management District Association, as specified in the Management District Plan, to provide the services identified in the plan.

For a 30-day period each year following adoption of the BID, property owners who pay more than 50 percent of the assessments of the BID may petition the Mayor and Council to dissolve the BID, which may be dissolved only after a public hearing. As proposed the BID provision could be implemented anywhere in the City by commercial owners.

Although the details would need to be worked out as the bill is considered, in general, it is staff's recommendation that the City supports its adoption.

FISCAL IMPACT

Minimal, but unknown at this time

RECOMMENDATIONS

The City Manager recommends that the Mayor and Council by motion adopt the attached resolution

Agenda Item

76

R-47-97

**RESOLUTION TO AUGMENT
THE INDUSTRIAL DEVELOPMENT SPECIAL REVENUE FUND
FY 1996-97 BUDGET OF THE CITY OF LAS VEGAS**

WHEREAS, the resources of the Industrial Development Special Revenue Fund of the City of Las Vegas, Nevada, were estimated to be \$13,591,445 on July 1, 1996; and

WHEREAS, the resources of the above funds are now determined to be \$14,888,088 as itemized in Exhibit A and attached hereto; and

WHEREAS, the City Council of said City desires by this Resolution to Augment and Amend the FY 1996-97 Budget of the City of Las Vegas, Nevada pursuant to NRS 354.615 for the purpose of effecting an increase in appropriations and adjust appropriations between functions for land purchases,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Las Vegas, Nevada, at a regular meeting thereof held on the 9th day of June, 1997, that the FY 1996-97 Budget for the Industrial Development Special Revenue Fund be increased from \$13,591,445 to \$14,888,088 as itemized in Exhibit A, which is attached hereto and incorporated therein, and adjusted to the amounts listed, and

BE IT FURTHER RESOLVED that said Augmentation and Amendment shall become effective upon delivery of a certified copy of this Resolution to the Nevada Department of Taxation.

PASSED and ADOPTED this 9th day of June, 1997, by the following vote:

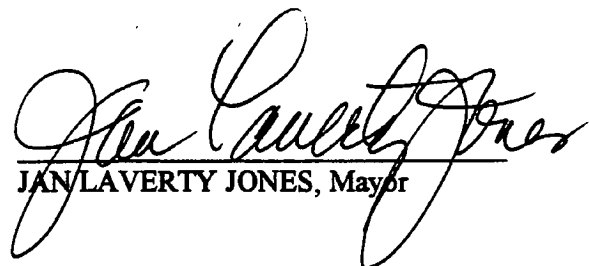
Ayes: 4

Nays: 0

Absent: 1

ATTEST:


BARBARA JO RONEMUS, City Clerk


JAN LAVERTY JONES, Mayor

CITY OF LAS VEGAS
FISCAL YEAR 1997
BUDGET AUGMENTATION
INDUSTRIAL DEVELOPMENT SPECIAL REVENUE FUND

	<u>Final Budget</u>	<u>Adjustment</u>	<u>Augmented Budget</u>
<u>REVENUES</u>			
Miscellaneous	\$ 27,456	\$ 3,321	\$ 30,777
Sale of Fixed Assets	1,169,996	2,109,305	3,279,301
Beginning Fund Balance	<u>12,393,993</u>	<u>(815,983)</u>	<u>11,578,010</u>
TOTAL RESOURCES	\$ <u>13,591,445</u>	\$ <u>1,296,643</u>	\$ <u>14,888,088</u>
<u>EXPENDITURES</u>			
Economic Development and Assistance	\$ 3,895,263	\$ 1,262,843	\$ 5,158,106
Transfers Out	688,195	33,800	721,995
Ending Fund Balance	<u>9,007,987</u>		<u>9,007,987</u>
TOTAL	\$ <u>13,591,445</u>	\$ <u>1,296,643</u>	\$ <u>14,888,088</u>

CITY COUNCIL

MEETING OF
MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION / ACTION ITEMS

V. REPORTS FROM RECOMMENDING COMMITTEES

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

Bill No. 97-32 -- Annexation No. A-24-96(A);
Property Located: On the southeast corner of
Deer Springs Way and Rancho Drive; Petitioned
By: Pearl Corporation; Acreage: Approximately
36.92 Acres; Zoned: R-E (County Zoning) U (DR)
(City Equivalent)

Committee: Councilmen Adamsen and Reese

Sponsored by: Councilman Matthew Callister

First Reading - 4/28/97

Recommending Committee - 5/5/97

**ADOPTION at the 5/27/97 City Council
meeting.**

First publication - R-J - 5/15/97

City Council - 5/12/97

NO ACTION TAKEN

**ADAMSEN - Second Reading and ADOPTED as
recommended as Ordinance No. 4083 - UNANIMOUS with
CALLISTER not voting**

Clerk to proceed with second publication

There was no discussion.

(10:54 - 10:55)

1-2889

Bill No. 97-33 -- Annexation No. A-2-97(A);
Property Located: On the south side of Alexander
Road, west of El Capitan Way; Petitioned By:
Church of Jesus Christ of Latter Day Saints;
Acreage: Approximately 2.7 acres; Zoned: R-E
(County Zoning) U (L) and (ML) (City Equivalent)

Committee: Councilmen Adamsen and Reese

Sponsored by: Councilman Matthew Callister

First Reading - 4/28/97

Recommending Committee - 5/5/97

**ADOPTION at the 5/27/97 City Council
meeting.**

First publication - R-J - 5/15/97

City Council - 5/12/97

NO ACTION TAKEN

**ADAMSEN - Second Reading and ADOPTED as
recommended as Ordinance No. 4084 - UNANIMOUS with
CALLISTER not voting**

Clerk to proceed with second publication

There was no discussion.

(10:55 - 10:56)

1-2925

MAY 27 1997

TO:
City CouncilFROM: Bradford R. Jerbic
City AttorneySUBJECT: Bill No. 97-32
Annexation No. A-24-96(A)**PURPOSE/BACKGROUND**

The proposed ordinance annexes certain real property located on the southeast corner of Deer Springs Way and Rancho Drive. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (June 6, 1997) is set by this ordinance.

The following is pertinent information:

Annexation No.:	A-24-96(A)
Property Located:	On the southeast corner of Deer Springs Way and Rancho Drive
Petitioned By:	Pearl Corporation c/o Rossum Realty Company 3875 S. Jones Boulevard Las Vegas, Nevada 89103
Acreage:	Approximately 36.92 acres
Zoned:	R-E (County Zoning) U (DR) (City Equivalent)

FISCAL IMPACT

NONE

RECOMMENDATIONS

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

MAY 27 1997

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TO:
City CouncilFROM: Bradford R. Jerbic
City AttorneySUBJECT: Bill No. 97-33
Annexation No. A-2-97(A)**PURPOSE/BACKGROUND**

The proposed ordinance annexes certain real property located on the south side of Alexander Road, west of El Capitan Way. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (June 6, 1997) is set by this ordinance.

The following is pertinent information:

Annexation No.:	A-2-97(A)
Property Located:	On the south side of Alexander Road, west of El Capitan Way
Petitioned By:	Church of Jesus Christ of Latter Day Saints C.O.B. 4WW, 50 E. N. Temple Street Salt Lake City, Utah 84150
Acreage:	Approximately 2.7 acres
Zoned:	R-E (County Zoning) U (L) and U (ML) (City Equivalents)

FISCAL IMPACT

NONE

RECOMMENDATIONS

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

CITY COUNCIL

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MAY 27, 1997

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION / ACTION ITEMS

V. REPORTS FROM RECOMMENDING COMMITTEES

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

Bill No. 97-34 -- Amends the City's nuisance regulations to provide additional preventive remedies to abate dumping violations on vacant land.

Committee: Councilmen Adamsen and Reese

Sponsored by: Councilman Arnie Adamsen

First Reading - 4/28/97

Recommending Committee - 5/5/97

ADOPTION at the 5/27/97 City Council meeting.

First publication - R-J - 5/15/97

City Council - 5/12/97
NO ACTION TAKEN

ADAMSEN - Second Reading and ADOPTED as recommended as Ordinance No. 4085 - UNANIMOUS

Clerk to proceed with second publication

COUNCILMAN ADAMSEN stated this ordinance allows the City to prevent the public from recreating the problems of trash and debris on vacant properties.

COUNCILMAN McDONALD asked if the owner will be required to work with the City. COUNCILMAN ADAMSEN responded that liens would be attached to the property and the City would be paid when the properties are sold.

There was no further discussion.

(10:56 - 10:57)

1-2956

Bill 97-35 -- Permits the Use of Manmade Decorative Water Features Under Specific Conditions.

Committee: Councilmen Adamsen and Reese

Sponsored by: Mayor Jan Lavery Jones.

First Reading - 4/28/97

Recommending Committee - 5/5/97

ADOPTION at the 5/27/97 City Council meeting.

First publication - R-J - 5/15/97

City Council - 5/12/97
NO ACTION TAKEN

ADAMSEN - Second Reading and ADOPTED as recommended as Ordinance No. 4086 - UNANIMOUS

Clerk to proceed with second publication

COUNCILMAN ADAMSEN stated that passage of the ordinance would bring the City into coordination with the County and there will be no impact to water usage.

There was no further discussion.

(10:57 - 10:58)

1-3015

TO:
City Council**FROM:** Bradford R. Jerbic
City Attorney**SUBJECT:** Bill No. 97-34 -- Amends the City's nuisance regulations to provide additional preventative remedies to abate dumping violations on vacant land.**PURPOSE/BACKGROUND**

This amendment to the City's nuisance regulations will provide Neighborhood Services with additional remedies for dumping on vacant land. Specifically, the new remedies will give the City the ability to construct a berm or fence on vacant land that has been abated and then been allowed to accumulate additional dumped debris. These new remedies will avoid ongoing future blight and dumping violations at the same location.

FISCAL IMPACT

None

RECOMMENDATIONS

This Bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

MAY 27 1997

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TO:
CITY COUNCIL

FROM: *Bj* Bradford R. Jerbic
City Attorney

SUBJECT: Bill No. 97-35 -- Permits the use of manmade decorative water features under specified conditions.

PURPOSE/BACKGROUND

Bill No. 97-35, if adopted, will retain the prohibition on manmade lakes but allows certain types of decorative water features under specified conditions. Allowable water features must recirculate water and may not occupy more than a very small portion (0.2%) of a development site.

FISCAL IMPACT

None

RECOMMENDATIONS

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

CITY COUNCIL

MEETING OF
MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

81

DISCUSSION / ACTION ITEMS

V. REPORTS FROM RECOMMENDING COMMITTEES

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

Bill No 97-23 – Adopts an amendment to LVMC 16.28 (Uniform Plumbing Code, 1994 Edition) to require hot water recirculation pumps in all new residential housing and other matters relating thereto.

Committee: Mayor Jones and
Councilman Adamsen

Sponsored by: Councilman Arnie Adamsen

First Reading - 3/24/97

Recommending Committee - 3/31/97

ABEYANCE until the 4/21/97 Recommending Committee meeting.

City Council - 4/14/97
NO ACTION TAKEN

Recommending Committee - 4/21/97

ABEYANCE until the 5/5/97 Recommending Committee meeting.

Council Meeting - 4/28/97
NO ACTION TAKEN

Recommending Committee - 5/5/97

ABEYANCE until the 5/19/97 Recommending Committee meeting.

City Council - 5/12/97
NO ACTION TAKEN

Recommending Committee - 5/19/97
TABLED

RECOMMENDATION NOTED

6/9/97 Council Agenda

MAYOR JONES asked why there was no action taken on this Bill. COUNCILMAN ADAMSEN responded that there is a Technical Subcommittee comprised of City staff and members of the plumbing industry, and the Recommending Committee would also like to involve the Building Division to address the Uniform Building Code at the same time. Some systems requiring hot-water circulation pumps do not work; therefore, it is necessary to acquire accurate information before the pumps are mandated in the Code.

MAYOR JONES stated this is a huge issue and she is also aware that the developers are not very keen on the issue because of the cost, but she wants action on this Bill. She asked when the City might receive the information. COUNCILMAN CALLISTER agreed that it is a big issue. His constituents are questioning why the legislature is considering an increase in sales tax to fund water infrastructure, yet they do not require installation of re-circulation pumps. MAYOR JONES said it takes ten minutes for people to get hot water.

JOE MAVIGLIA suggested that there is a very inexpensive system on the market that can be put under the sink at the farthest sink in the house and will generate instant hot water throughout the house. COUNCILMAN ADAMSEN indicated that Summerlin residents are experiencing problems with some of these systems because they are causing the pipes to burst due to the electrolysis process and are causing their energy costs to increase. MR. MAVIGLIA suggested using brass nipples.

MAYOR JONES said that other jurisdictions have found a way to put these requirements in place; surely the City can find a re-circulation pump to require.

NOTE: MAYOR JONES directed the item be brought back in two weeks.

There was no further discussion.

(10:58 - 11:03)

1-3088

CITY COUNCIL

MEETING OF

MAY 27, 1997

295

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

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****DISCUSSION / ACTION ITEMS****V. REPORTS FROM RECOMMENDING COMMITTEES****BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING**

Bill No. 97-36 – Annexation No. A-1-97(A); Property Located: On the south side of Hickam Avenue, between Grand Canyon Drive and Tee Pee Lane; Petitioned By: West Charleston Baptist Church; Acreage: Approximately 17.35 acres; Zoned: R-E (County Zoning) U (DR) (City Equivalent).

Committee: Councilmen Adamsen and Reese

Sponsored by: Councilman Matthew Callister

First Reading - 5/12/97

Recommending Committee - 5/19/97

ADOPTION at the 6/9/97 City Council meeting as recommended.

First Publication - R-J - 5/29/97

RECOMMENDATION NOTED

6/9/97 Council Agenda

(10:58 - 11:03)
1-3088

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Bill No. 97-37 – Amends Title 19A, Chapter 14, of the Las Vegas Municipal Code to prohibit the advertising of tobacco products in certain areas, and other matters relating thereto.

Committee: Councilmen Adamsen and Reese

Sponsored by: Councilmen Matthew Callister and Arnie Adamsen

First Reading - 5/12/97

Recommending Committee - 5/19/97

ADOPTION at the 6/9/97 City Council meeting as recommended.

First Publication - R-J - 5/29/97

RECOMMENDATION NOTED

6/9/97 Council Agenda

(10:58 - 11:03)
1-3088

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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

DISCUSSION / ACTION ITEMS

VI. REPORTS FROM REAL ESTATE COMMITTEE

REAL ESTATE COMMITTEE - COUNCILMEN ADAMSEN AND REESE

Approval For Purchase Of Property Located At
1101 N. Decatur, Not To Exceed \$135,000.00.

Real Estate Committee - 5/23/97
APPROVED as recommended.

ADAMSEN - APPROVED as recommended - UNANIMOUS

COUNCILMAN ADAMSEN reported that the Real Estate Committee recommended approval of the purchase. This will provide tremendous programming opportunities as well as activities for seniors.

There was no further discussion.

(11:03 - 11:04)

1-3347

Discussion and possible action directing the City Manager to enter into negotiations with a developer to design, construct and operate a golf course on City-owned land at Vegas Valley and Stephanie Street and to lease the land from the City.

Real Estate Committee - 5/23/97
HELD IN ABEYANCE until the 6/4/97 Real Estate Committee meeting.

ADAMSEN - Held in ABEYANCE to 6/9/97 - UNANIMOUS

COUNCILMAN ADAMSEN reported that the Real Estate Committee recommended it be held in abeyance to 6/4/97 because only one bid was submitted.

JOE MAVIGLIA stated that he came to the meeting to voice his concerns on this item and now it is being held in abeyance. He complained about the rates being offered to senior citizens and stated that they destroy his desire to play golf. He indicated that the only place that offers reasonable rates is the Municipal Golf Course. MAYOR JONES agreed that it is cheap, but not one penny has been invested into the course in several years to improve it.

COUNCILMAN ADAMSEN indicated that MR. MAVIGLIA's comments would be made part of the Real Estate minutes of 6/4/97 regarding this item.

There was no further discussion.

(11:04 - 11:07)

1-3575

CITY COUNCIL

MEETING OF
May 27 1997

AGENDA DOCUMENTATION

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TO:
CITY COUNCIL

FROM: *DR*
DAVID ROARK, MANAGER
REAL ESTATE & ASSET MANAGEMENT
DIVISION

SUBJECT: APPROVAL FOR PURCHASE OF PROPERTY LOCATED AT 1101 N. DECATUR, NOT TO EXCEED \$135,000.00.

BACKGROUND:

This item is a request to allow the Real Estate and Asset Management Division to purchase land and a building located at 1101 N. Decatur, across from the municipal golf course.

This property's intended use has been designated for senior citizen programs as a branch from the overcrowded situation at Lorenzi Park. Structurally, the building is in fairly good condition. The property is located in a redevelopment zone and for approximately \$20,000.00, the building can be restored to make it attractively appealing and enhance the surrounding area's appearance.

Presently, the City has an offer made of \$123,000.00 for a cash sell. The property appraised in its current state at \$135,000.00.

The property is presently held by a trust and any sale must be approved by a probate court judge to settle the deceased owner's estate. Another party can make an offer on the property and each party may raise the offer, much like an auction. It is the decision of the probate judge on the award of the sale price.

The process takes approximately three to four weeks, which includes a two week notification process for publication in the local paper. We have agreed upon a sale price of \$123,000.00, but due to the notification process and court proceedings, this price could go up by a competitive bid process. I have placed a self imposed limitation of the purchase price not to exceed the current appraised value.

I was originally given verbal approval not to exceed \$175,000.00 in total costs from our designated funding source for purchasing the property and making necessary remodeling renovations. Based on the preliminary estimates I presently have for basic renovation expense, the appraisal, and the current purchase price offered, I am requesting total funding not to exceed \$155,000.00 from the designated funding source. If more complex remodeling is to be performed on the structure, I recommend it be paid out of a Parks & Recreation approved operating or capital budget fund.

It is believed that the purchase of this property will be strategically important to the City and economically valuable to the community. In addition to the economic benefit, this property should carry with it intangible benefits by expanding our services to the senior community.

FISCAL IMPACT:

The Industrial Development Special Revenue Fund has been identified as the funding source.

Purchase not to exceed \$135,000.00.

Total purchase price and remodel not to exceed \$155,000.00 from the above referenced fund.

STAFF RECOMMENDATION:

Staff recommends approval.

AGENDA
ITEM

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CITY COUNCIL MINUTES

EXHIBIT A

MAY 27 1997

Lot 1 in Block 10 of Golfridge Terrace, Unit #2, on file in Plat Book 5, Page 70, and a portion of Lot 2, Block 10, of Golfridge Terrace, Unit #5, on file in Plat Book 6, Page 10 of Clark County, Nevada, Records.

A.P.N. 138-25-617-051
(1101 N. Decatur Blvd.)

1101decaturlegal

WESTMORELAND

4818 4809 4805

4924 4920 4918 4912 4908 4904 4900 4816 4812 4808 4804

ELMHURST

4925 4921 4917 4913 4909 4905 4901 4817 4813 4809 4805

4924 4920 4918 4912 4908 4904 4900 4816 4812 4808 4804

APAWANA

4925 4921 4917 4913 4909 4905 4901 4817 4813 4809 4805

4920 4916 4912 4908 4904 4900 4816 4812 4808 4804

CARMEN

25 4921 4917 4913 4909 4905 1013 1012 1013

4920 4916 4912 4908 4904 1009 1008 1009

4900 1004 1005

1001 1001

1000 921 917

4919 4915 909 916 912 918 920 924

905 908 904 4820 4816 4812 4808 4804

916 4912 901 4825 900 4821 4817 4813 4809 901

CANNON

4800

Selected Parcel 1101 N Decatur Blvd

DECATUR

WASHINGTON

CITY COUNCIL MINUTES

MAY 27 1997

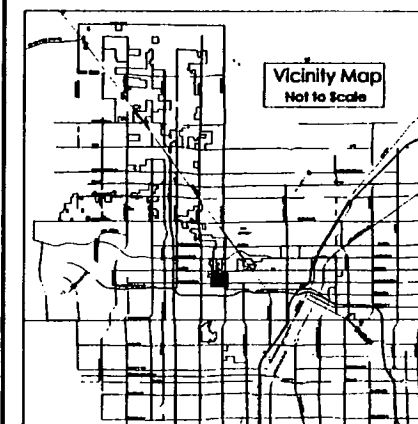
**Contact:
Rocky
477-8463
Americana Group
796-7777**

DECATUR

CITY COUNCIL MINUTES

MAY 27 1997

WASHINGTON



Real Estate & Asset Management

CITY COUNCIL

MEETING OF
MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

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DISCUSSION / ACTION ITEMS

VI. REPORTS FROM REAL ESTATE COMMITTEE

Discussion And Action To Decide Whether The City Will Exercise Its Option Of First Right Of Refusal To Purchase The Building At 731 S. Fourth Street Or Continue With Its Present Lease Agreement.

Real Estate Committee - 5/23/97
APPROVED as recommended.

ADAMSEN - APPROVED as recommended to continue with the present lease - **UNANIMOUS** with CALLISTER not voting

APPEARANCES:

JOHN RESTREPO, Coopers & Lybrand

(11:07 - 11:14)
1-3575/2-1

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

TO:
CITY COUNCIL

FROM: *D.R.*
DAVID ROARK, MANAGER
REAL ESTATE & ASSET MGMT. DIVISION

SUBJECT: DISCUSSION AND ACTION TO DECIDE WHETHER THE CITY WILL EXERCISE ITS
OPTION OF FIRST RIGHT OF REFUSAL TO PURCHASE THE BUILDING AT 731 S.
FOURTH STREET OR CONTINUE WITH ITS PRESENT LEASE AGREEMENT.

BACKGROUND:

In May 1996, the City of Las Vegas entered into a lease agreement for a building and adjacent property located at 731 S. Fourth Street. The term of the lease is for a five year period with an option for another five year renewal period. In September 1996, the City made the first monthly payment to the owner of the property, 730 LTD, located at 516 S. Sixth Street, Suite 400, Las Vegas, NV 89101. The principle owners of 730 LTD have been identified to the City Attorney's Office as Dave Mason, Kevin Buckley, and Michael Mines.

On April 21, 1997, the City Manager's Office received notification from 730 LTD that they had received an offer to sell the property from a Manning J. Post, located at 1400 Laurel Way, Beverly Hills, California. Within the text of our lease agreement, the City has an option that in the event the owner does receive an offer for sale from a third party, the City has the Right of First Refusal. This simply means that the City may match the offer made and purchase the subject property for the same price offered.

Prior to this offer being made, City staff had just begun to gather data necessary in determining a fair purchase price and evaluating whether or not the City should go forth with purchasing the property or continuing with the existing lease.

The purchase price has now been established for us through a third party offer. Considering this circumstance, the City has obtained the services of Coopers & Lybrand to perform an independent appraisal and conduct an analytical analysis of all pertinent data comparing a purchase versus a lease. In performing this analysis, it should establish a prudent financial standard of measures by which the City can make a well informed, educated decision in determining whether it is financially advantageous to purchase the property or to continue with a lease.

Under the current lease agreement, the City has thirty (30) days to make a decision. We have obtained in writing an additional ten (10) days in order to complete the analysis and allow this agenda item to be discussed and decided upon at the May 27, 1997, City Council meeting.

As back up to this memo you will find the preliminary report giving us:

1. An analysis of the current lease.
2. A discounted cash flow analysis providing the basis for the market value of the subject property; subject to the existing lease and show a "lease fee value."
3. A comparison of the leased fee value to the existing purchase offer; and
4. Coopers and Lybrand's recommendations concerning the City's potential purchase.

Due to the short time frame we are working under, all supporting documentation support papers, field work notes, etc., can not be physically put together in a final report form before the May 27, 1997, Council meeting. A summary report will be available with pertinent supporting statements in order to make a decision.

FISCAL IMPACT:

N/A

RECOMMENDATION:

N/A

CITY COUNCIL MINUTES

MAY 27 1997

730 LTD.

516 South 6th Street - Suite 400
Las Vegas, Nevada 89101
Telephone: (702) 386-8686 - Fax: (702) 386-9839

LC Lyon 302
Stone
Deal
Cathy H

April 30, 1997

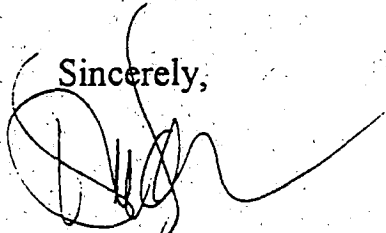
Mr. Larry Barton, City Manager
City of Las Vegas
400 East Stewart Avenue
Las Vegas, Nevada 89101-2986

RE: 731 South 4th Street Lease

Dear Mr. Barton,

In accordance with our conversation regarding the request by the purchaser to extend his due diligence period 10 days, I have enclosed for you a copy of the document authorizing said extension. As you can see, it also extends your right of first refusal period and an additional 10 days.

Sincerely,



Dave Mason
Managing Member
730 Limited

RECEIVED
MAY 1 1997

CITY COUNCIL MINUTES

MAY 27 1997

730 LTD.

516 South 6th Street - Suite 400
Las Vegas, Nevada 89101
Telephone: (702) 386-8686 - Fax: (702) 386-9839

April 28, 1997

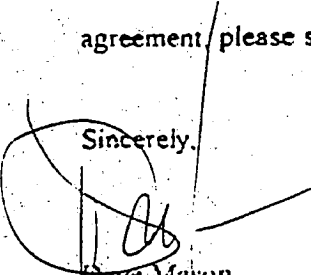
Mr. Manning Post
1400 Laurel Way
Beverly Hills, California 90210

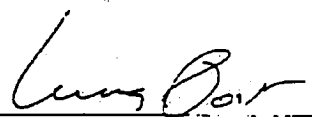
RE: Purchase Agreement for Property at 731 South 4th Street, Las Vegas, NV 89101

Dear Mr. Post,

This letter is in response to your request to extend your due diligence period on the above referenced purchase agreement for an additional 10 days. The seller is in agreement to extend the due diligence period with the understanding that it will extend the time period for the same number of days the City of Las Vegas has to exercise their first right of refusal. If this is in agreement, please sign on the appropriate signature line and return Federal Express

Sincerely,


Dave Mason
Managing Member
730 Limited


Manning Post

4-29-97
Date

730 LTD.

516 South 6th Street - Suite 400
Las Vegas, Nevada 89101
Telephone: (702) 386-8686 - Fax: (702) 3886-9839

CITY COUNCIL MINUTES**MAY 27 1997**

April 21, 1997

Mr. Larry Barton, City Manager
City of Las Vegas
400 East Stewart Avenue
Las Vegas, Nevada 89101-2986

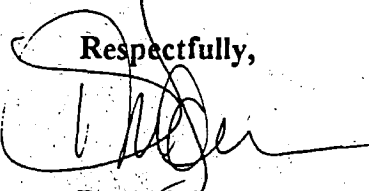
RE: 731 South 4th Street Lease

Dear Mr. Barton,

Since our lease of the above referenced building to the City of Las Vegas, we have had a number of inquires of entities interested in purchasing our building. Because of these inquires we decided to have a local appraiser, Shelli Lowe, appraise the building. The value of her appraisal based on the existing lease was \$5,000,000. Her value based on Market rent was \$5,500,000. As you can see, the lease as we worked out gave the City a minimum, in the opinion of Shelli Lowe, a \$500,000 benefit in rent. This is meaningless except as a tool for those who are still trying to make it appear that possibly the City didn't make a good deal.

More directly, the reason for the letter and enclosures is that we have received an offer to buy the building for \$4,985,000. It is from a bona fide entity and in accordance with paragraph 21.9 of our lease, we are hereby, giving written notice from the landlord of this offer. The City in accordance with our lease has the right of first refusal. I have enclosed for your reference a copy of the offer and an original of our appraisal. Should the City decide not to exercise their first right of refusal then I would appreciate having the appraisal report returned. I hope this letter finds you well and look forward to talking to you soon.

Respectfully,



David Mason
Managing Member
730 LTD.

MAY 27 1997

STANDARD PURCHASE AGREEMENT AND EARNEST MONEY RECEIPT

TO BE RECEIVED from Manning Post or Nominee or Assignee
as Buyer, the sum of Fifty Thousand DOLLARS
(\$50,000.00) the receipt of which will be acknowledged in the form of cash , personal check X,
other , (explain) as earnest money to be deposited into (1) Trust Account of Fidelity National
Title /X/Escrow //other (explain) at the end of the due diligence, and to be applied to the
purchase price for real property located in the City of Las Vegas, County of Clark,
Nevada, described as: 731 South 4th Street, Las Vegas, Nevada 89101
THE TOTAL PURCHASE PRICE SHALL BE: Four Million Nine Hundred Eight-Five Thousand
(\$4,985,000.00). The balance of the purchase price shall be paid as follows:

TERMS: All cash at close of escrow

DUE DILIGENCE: Buyer shall have a thirty-five day due diligence period during which time buyer may cancel escrow. At the end of the due diligence period buyer shall deposit \$50,000.00 which shall be considered non refundable, shall pass thorough escrow to the seller and shall apply to the purchase price.

Buyer is aware that the tenant in the building is the City of Las Vegas and said tenant shall have the right of first refusal to purchase the property referenced herein. The City of Las Vegas will have 30 days to purchase the property or give up said right to do so. Buyer shall during the same 30 day period complete his due diligence. Should the City decide to exercise their right of first refusal to purchase the property then seller agrees to reimburse buyer the out-of-pocket expenses incurred during the due diligence period, not to exceed \$5,000.00.

Buyer is aware that Kevin Buckley of First Commercial Real Estate and David Mason of Dave Mason Realty, Inc. are licensed Real Estate Brokers in the State of Nevada and are principals in this transaction.

Seller agrees to cooperate with buyer at no cost to seller and buyer agrees to cooperate with seller at no cost to buyer in a 1031 tax deferred exchange.

The above purchase price includes the following personal property free of encumbrance: NONE

1. Title conveyed is to be subject to encumbrances, easements, rights of way, restrictions, conditions and covenants of record as shown on a current preliminary title report to be furnished at Seller's expense. Buyer shall have 15 days following receipt of said report to approve the condition of title, which approval shall not be unreasonably withheld; provided that if written disapproval is not received within said period, Buyer shall be deemed to have accepted the condition of title. Seller agrees to deliver at his expense, good and merchantable title as evidenced by a policy of title insurance to the Buyer. The Buyer at his option may terminate this offer to purchase and his earnest money shall be returned if the Seller fails to deliver as herein provided, or, if the improvements on said property are substantially destroyed or materially damaged prior to transfer of title then this agreement between

MAY 27 1997

Buyer and Seller shall have no further affect except that the Seller will be obligated to pay all expenses incurred in connection with the examination of title to the above described property.

2. Upon acceptance of this offer an escrow shall be expeditiously opened with Fidelity National Title/Ron Bloecker who shall act as escrow agent. All necessary funds and instruments shall be deposited into escrow from time to time as required. At the request of the escrow agent the Buyer and Seller shall execute escrow instructions not inconsistent with this instrument. Costs of escrow, title insurance and necessary recording fees and document and transfer taxes shall be paid by the parties as follows: As is customary at Fidelity National Title.

3. If Buyer defaults in his performance under this contract, Seller may elect to retain the deposit as reasonable liquidated damages for such default, and as a penalty or forfeiture.

4. Premiums on insurance policies (acceptable to the Buyer) property taxes, sewer use fees, rents and interest shall be prorated in escrow on the basis of a 30 day month to C.O.E.

5. Special assessments, if any, shall be // assumed by the Buyer and prorated, / X /by the Seller.

6. Close of escrow (COE) shall be on 30 days after the end of the due diligence period and date of possession shall be AT C.O.E. Any rental prior to or after the close of escrow, by either Buyer or Seller, shall be by separate agreement.

7. Unless otherwise designated in escrow instructions, title shall be vested in To Be Determined In Escrow, or nominee. The manner in which a title is vested can have major legal and tax affects and therefore the Buyer is advised to obtain either the advice of his attorney or tax accountant.

8. Unless the Seller's acceptance of this offer to purchase is delivered to the Selling agent or the Buyer by: Date: April 22, 1997 Time: 4:00 p.m. this offer shall be deemed revoked and the above earnest money shall be returned to the Buyer herein on demand.

9. The undersigned AGENT(s) shall not be held responsible by the parties hereto for any failure by either the Buyer or Seller to comply with any or all of the terms of this purchase agreement.

10. It is understood that time is of the essence of this agreement.

11. The foregoing constitutes the entire agreement between the parties and no verbal statements made by any party are a part hereof unless incorporated in writing. In the event either party shall prevail in any legal action commenced to enforce this agreement, he shall be entitled to all costs incurred in such action including attorney's fees. When approved by Buyer and Seller this agreement shall be binding upon their respective heirs, executors and assigns.

Seller's Agent Dave Mason Realty, Inc. Phone (702) 386-8686

By Dave Mason

In cooperation with NONE Phone

CITY COUNCIL MINUTES

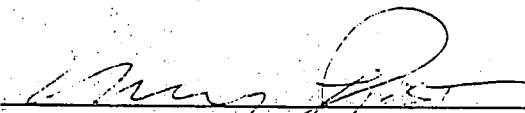
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The undersigned Buyer, having inspected the above described property and its appurtenances, offers and agrees to purchase said property on the terms and conditions herein stated and acknowledges receipt of a copy of this agreement from the AGENT named above.

Date 4-19-97 Time 4 PM.

Buyer:


MANNING G. POST

Address:

1400 LAUREL WAY
BEVERLY HILLS, CA. 90210

MAY 27 1997

AGENCY DISCLOSURE

Seller's AGENT / X / Dave Mason Realty, Inc.

Obligations to the Seller: (a) A fiduciary duty of utmost care, integrity, honesty, and loyalty in dealings with the Seller. To the Buyer: (a) Diligent exercise of reasonable skill and care in performance of the agent's duties. (b) A duty of honest and fair dealing and good faith. (c) A duty to disclose all facts known to the agent materially affecting the value or desirability of the property that are not known to, or within the diligent attention and observation of the parties. An agent is not obligated to reveal to either party any confidential information obtained from the other party which does not involve the affirmative duties set forth above.

Buyer's AGENT // NONE

Obligations to the Buyer: (a) A fiduciary duty of utmost care, integrity, honest, and loyalty in dealings with the Buyer. To the Buyer and Seller: (a) Diligent exercise of reasonable skill and care in performance of the agent's duties. (b) A duty of honest and fair dealing and good faith. (c) A duty to disclose all facts known to the agent materially affecting the value of desirability of the property that are not known to, or within the diligent attention and observation of the parties. An agent is not obligated to reveal to either party any confidential information obtained from the other party which does not involve the affirmative duties set forth above.

ACCEPTANCE OF OFFER TO PURCHASE

The undersigned Seller(s) accepts the foregoing offer to purchase and agrees to sell the property described above on the terms and conditions as stated herein, and acknowledges receipt of a copy of this agreement. Said Seller(s) further agrees to pay 5% of the selling price to Dave Mason Realty, Inc. or one-half of the above earnest money deposits should the Seller retain said deposit provided one-half of said earnest money shall not exceed the full amount of the Agent(s) fee(s).

Date: 4-19-97 Time 4P M.Seller: [Signature]Name MANAGING MEMBER 730 LTDAddress: 516 S 6TH ST #400
LV NV 89101

Seller: _____

WHEN PROPERLY COMPLETED, THIS IS A BINDING CONTRACT. IF NOT FULLY UNDERSTOOD, SEEK COMPETENT COUNSEL.

MAY 27 1997

DUTIES OWED BY A NEVADA REAL ESTATE LICENSEE

In Nevada, a real estate licensee can 1.) act for only one party to a real estate transaction, 2.) act for more than one party to a real estate transaction with written consent of each party, or 3.) if licensed as a broker, assign different licensees affiliated with the broker's company to separate parties to a real estate transaction. A licensee, acting as an agent, must act in one of the above capacities in every real estate transaction. If this form is used for a lease, the term Seller shall mean Landlord/Lessor and the term Buyer means Tenant/Lessee.

Licensee: The licensee in the real estate transaction is David Mason whose
license number is 21802 The licensee is acting for 730 Limited
Broker: The broker in the real estate transaction is David Mason ("Broker"), whose
company is Dave Mason Realty, Inc. ("Company").

A Nevada Real Estate licensee in a real estate transaction shall:

1. Disclose to each party to the real estate transaction as soon as is practicable:
 - a.) Any material and relevant facts, data or information which Licensee knows, or which by the exercise of reasonable care and diligence licensee should have known, relating to the property which is the subject of the real estate transaction.
 - b.) Each source from which Licensee will receive compensation as a result of the transaction.
 - c.) That Licensee is a principal to the transaction or has an interest in a principal to the transaction.
 - d.) Any changes in Licensee's relationship to a party to the real estate transaction.
2. Disclose, if applicable, that Licensee is acting for more than one party to the transaction. Upon making such a disclosure the Licensee must obtain the written consent of each party to the transaction for whom Licensee is acting before Licensee may continue to act in Licensee's capacity as an agent.
3. Exercise reasonable skill and care with respect to all parties to the real estate transaction.
4. Provide to each party to the real estate transaction this form.
5. Not disclose, except to the Broker, confidential information relating to the client.
6. Exercise reasonable skill and care to carry out the terms of the brokerage agreement and to carry out Licensee's duties pursuant to the terms of the brokerage agreement.
7. Not disclose confidential information relating to a client for 1 year after the revocation or termination of the brokerage agreement, unless Licensee is required to do so by order of the court. Confidential information includes, but is not limited to the client's motivation to purchase, sell or trade and other information of a personal nature.
8. Promote the interest of his client by:
 - a.) Seeking a sale, lease or property at the price and terms stated in the brokerage agreement or at a price acceptable to the client.
 - b.) Presenting all offers made to or by the client as soon as is practicable.
 - c.) Disclosing to the client material facts of which the licensee has knowledge concerning the transaction.
 - d.) Advising the client to obtain advice from an expert relating to matters which are beyond the expertise of the licensee.

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c.) Accounting for all money and property Licensee receives in which the client may have an interest as soon as is practicable.

9. Not deal with any party to a real estate transaction in a manner which is deceitful, fraudulent or dishonest.

10. Abide by all duties, responsibilities and obligations required of Licensee in chapters 119, 119A, 119B, 645, 645A, and 645C of the NRS.

In the event any party to a real estate transaction is also represented by a licensee who is affiliated with the same Company, the Broker may assign another Licensee to act for that party. The above Licensee will continue to act for you. As set forth above, no confidential information will be disclosed.

I/We acknowledge receipt of a copy of this list of licensee duties, and have read and understand this disclosure.
 Buyer [Signature] Date 4-19-97 Time 4 PM
 Seller [Signature] Date _____ Time _____

CONFIRMATION REGARDING REAL ESTATE AGENT RELATIONSHIP
 731 S 4th Street, Las Vegas, NV

Property Address: _____

I/We confirm the duties of a real estate licensee of which has been presented and explained to me/us. My/our representative's relationship is:

Dave Mason, an Agent of Seller is the Agent of ☒ Seller Exclusively** ☐ Both Buyer & Seller*
 NONE is the Agent of ☐ Buyer Exclusively** ☐ Seller Exclusively** ☐ Both
 Buyer and Seller*

* IF LICENSEE IS ACTING FOR MORE THAN ONE PARTY IN THIS TRANSACTION, you will be provided a Consent to Act form for your review, consideration and approval or rejection. A licensee can legally represent both the Buyer and Seller in a transaction, but ONLY with the knowledge and written consent of BOTH the Seller and Buyer.

** A licensee who is acting for the Seller exclusively, is not representing the Buyer and has no duty to advocate or negotiate for the Buyer.

*** A licensee who is acting for the Buyer exclusively, is not representing the Seller and has no duty to advocate or negotiate for the Seller.

Dave Mason Realty, Inc. _____ NONE _____
 Listing Company Buyer's Company Date

b. _____ by _____
 Licensed Real Estate Agent Date Licensed Real Estate Agent Date

Seller [Signature] Date _____ Buyer [Signature] Date 4-19-97

Seller _____ Date _____ Buyer _____ Date _____

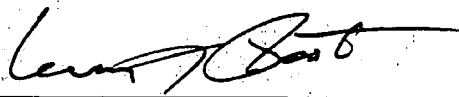
MAY 27 1997

The City of Las Vegas, pursuant to a five year lease executed on May 15, 1996 occupies, as tenant, the premises located at 731 South Fourth Street in Las Vegas, Nevada. The lease provides for a five year extension at the option of the City. The owner/lessor of the premises is a limited liability company known as 730 Ltd.

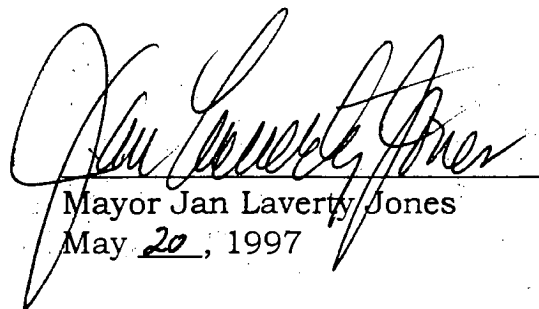
The lease terms grant the lessee City a right of first refusal for the purchase of the property. An offer to purchase from Manning Post, dated April 19, 1997 has activated that right to purchase on the part of the City. The City has requested that Manning Post agree that, in the event the City declines to exercise its right to purchase the property and that Manning Post thereafter purchases the property, he will assume and honor all current responsibilities of 730 Ltd. as lessor pursuant to the May 15, 1997 lease agreement.

In consideration of Manning Post's pledge to honor the existing lease, the City consents to an attornment of all rights and responsibilities under the lease to him as owner/lessor. It is understood by the parties that the City cannot make, and will not make, a decision to exercise its right of first refusal until the Las Vegas City Council convenes to consider the matter at a public meeting to be conducted on May 27, 1997. The purpose of this agreement is to clarify, for the parties, the result of a decision by the City Council to decline to purchase the property and to assure that a change in ownership resulting from such declination does not change any rights or obligations set forth in the current lease. By signing, the parties agree to a continuation of the existing lease.

IT IS SO AGREED:



Manning Post
May 19, 1997

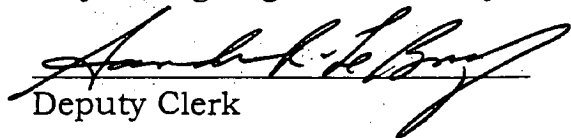


Mayor Jan Lavery Jones
May 20, 1997

Drafted and approved by
John Redlein, Chief Deputy
City Attorney



Mayor's signing attested to by


Deputy Clerk

CITY COUNCIL MINUTES

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MAY 27 1997

May 23, 1997

Mr. David Roark, Manager
Real Estate & Asset Management Division
City of Las Vegas
314 Las Vegas Boulevard North
Las Vegas, Nevada 89101

Re: *Restricted Appraisal Report/Limited Appraisal of the office building located at 731 South 4th Street, Las Vegas, Nevada ("Subject," "Property," "Subject Property")*

Dear Mr. Roark:

In accordance with your request, we have appraised the retrospective market value as of the commencement date of the existing lease of the Subject Property, considering only the Income Approach to value. Accordingly, we have prepared a Limited Appraisal in a Restricted Appraisal Report.

A Restricted Appraisal Report is intended to comply with the reporting requirements set forth under Standards Rule 2-2(c) of the Uniform Standards of Professional Appraisal Practice for a Restricted Appraisal Report. As such, it presents no discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated below. The appraiser is not responsible for unauthorized use of this report.

Furthermore, in accordance with prior agreement between the City and C&L, this report is the result of a limited appraisal process in that certain allowable departures from specific guidelines of the Uniform Standards of Professional Appraisal Practice were invoked. The intended user of this report is warned that the reliability of the value conclusion provided may be impacted to the degree there is departure from specific guidelines of USPAP.

Mr. David Roark
May 23, 1997
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CITY COUNCIL MINUTES
MAY 27, 1997

The information and analyses provided to you in presentation and/or report form are intended for your internal planning purposes, and for subsequent presentations to the Las Vegas City Council. However, you may not edit or change the final report. C&L will not be responsible for statements or interpretations made by the City of Las Vegas related to our final report.

Our report is based on assumptions, estimates, and other information developed from our analyses of the Las Vegas real estate market, and from the other information sources noted above. Because our analyses are based on assumptions that are subject to uncertainty and variation, we will not represent them as results that will actually be achieved. Future events are subject to a broad range of forces that may or may not be within the control of management. Furthermore, even if the assumptions were to occur, there will usually be differences between the projected and actual results because events and circumstances frequently do not occur as expected and such differences may be material.

CLIENT: Mr. David Roark, Manager
Real Estate & Asset Management Division
City of Las Vegas
Las Vegas Boulevard North
Las Vegas, Nevada 89101

APPRAISERS: Ed McDonough, Thomas A. Kabat & Kendal J. Britton
Coopers & Lybrand L.L.P.

**ENGAGEMENT
DIRECTOR:** John Restrepo
Coopers & Lybrand L.L.P.

SUBJECT: Office Building
731 South Fourth Street
Las Vegas, Nevada

PURPOSE OF THE APPRAISAL: To estimate the retrospective market values of the Subject's fee simple and leasehold interests. A leased fee estate analysis was also conducted for informational purposes. The development of retrospective market value estimates for the Subject was at the direction of the City of Las Vegas.

INTENDED USE OF REPORT: We understand that the report is to be used for the intent of analyzing the potential purchase of the Subject by the City of Las Vegas. In the event you desire to share the report with a third party lender, such lender, prior to receiving the appraisal must deliver to C&L the "Agreement Regarding Third Party Distribution" as noted in Exhibit 5.

INTERESTS VALUED: Fee simple and leasehold. (Leased fee for informational purposes only.)

Mr. David Roark
May 23, 1997
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MAY 27 1997

INTENDED USE OF REPORT: We understand that the report is to be used for the intent of analyzing the potential purchase of the Subject by the City of Las Vegas. In the event you desire to share the report with a third party lender, such lender, prior to receiving the appraisal must deliver to C&L the "Agreement Regarding Third Party Distribution" as noted in Exhibit 5.

INTERESTS VALUED: Fee simple, leasehold, and leased fee (for informational purposes only).

RETROSPECTIVE DATE OF VALUE: September 15, 1996.

DATE OF REPORT: May 22, 1997

APPRAISAL DEVELOPMENT AND REPORTING PROCESS: For the purposes of this assignment, Coopers & Lybrand L.L.P. ("C&L") has analyzed the current lease of the Subject, performed research on the potential market lease rate for the Subject, used a discounted cash flow analysis to provide the basis for the retrospective market value of the fee simple and leasehold interests of the Property, evaluated the existing purchase offer, and analyzed the potential purchase of the Subject by the City of Las Vegas. The retrospective market value of the landlord's leased fee interest has also been included for informational purposes, and is not used in our final value estimate. Definitions of these interests are located in Exhibit 1 to this letter. These tasks provided the basis for our recommendation regarding the potential purchase of the Property.

Our tasks for this engagement focused on estimating the fee simple and leasehold estates of the Subject, utilizing the Income Approach to value only. Summaries of these analyses are illustrated in Exhibit 3 to this letter. For the purposes of this assignment, a low and a high scenario for each interest is presented. The variables used to estimate the two scenarios are the discount rates, which convert future cash flows to a present value. The present value of future cash flows takes into consideration the interest that can be earned over that time period. For example, if one required \$10,000 in 10 years, how much money would be required now to reach that amount, if you can expect an interest rate of 12 percent. The amount that would be required today to attain \$10,000 in 10 years, achieving a 12 percent interest rate, is \$3,220. The interest rate is related to the discount rate and the higher the discount rate the riskier the investment, and vice versa. To summarize, a future cash flow is worth less in today's dollars because of the interest you can earn on that money in the interim.

Our selection of discount rates for the various analyses in this report were estimated using a number of published real estate investor surveys indicating ranges of typical Internal Rates of Return (Discount Rates). Sources used for our estimates of the discount rate include Korpacz Real Estate Investor Survey, CB Commercial National Investor Survey, and Valuation International Ltd.

Our retrospective value estimates are effective as of September 15, 1996 and subject to the Statement of Assumptions and Limiting Conditions located in Exhibit 4 of this letter.

Mr. David Roark
May 23, 1997
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REAL ESTATE APPRAISED: The Subject is a 40,019-square-foot, two-story office building, currently being leased to the City of Las Vegas for its Development Services Center.

The City currently leases the Subject Property and utilizes the site for its Planning, Engineering, and Fire Services Departments. The City is in Year 1 of a 63-month lease which commenced in September of 1996. There is one 5-year option period following the initial term. The lease is at below market rents and indicates a leasehold benefit to the tenant. There is a termination fee of \$350,000 if the City does not extend the lease into the 5-year option period. A major assumption in our analysis is that the City will extend the lease through the 5-year option period. The City also has the Right of First Refusal as the tenant during the first two years of the lease.

Under the conditions of the lease, the purchase offer must be a bona fide, written offer to purchase the Subject. We have not been provided with a copy of the purchase agreement; however, we are assuming it to be a legitimate offer. The current purchase offer is for \$4,985,000. Our evaluation and subsequent recommendation to the City analyzes the purchase price that it would have to pay, plus any additional benefits or burdens that it would incur due to its acquisition of the Property.

Also considered were the real estate tax implications relating to the potential purchase of the Subject by the City of Las Vegas. Under the conditions of the current lease, the City reimburses the landlord for all of the property taxes associated with the Property. In examining property tax records, approximately 52 percent of the real estate taxes are paid back to the City of Las Vegas for a variety of uses. Therefore, the remaining 48 percent are paid to other entities such as the State of Nevada, Clark County, etc. If the City were to purchase the Subject, it would not pay any real estate taxes. Therefore, the City would not have the burden of paying the 48 percent of real estate taxes for the Subject. Current property taxes for the Subject are \$19,168.14. Assuming a property tax growth rate of 3 percent, indicates a total dollar amount saved over the term of the existing lease of approximately \$100,000. This figure was not discounted to a present value but indicates the total dollars saved over 10 years. Therefore, the City would release approximately \$100,000 of property tax liability by purchasing the Property.

HIGHEST AND BEST USE:

Highest and best use as though vacant. Development of an office building.

Highest and best use as improved. Continued use as an office building.

Mr. David Roark
May 23, 1997
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CONCLUDED RETROSPECTIVE VALUES:

Fee Simple Estate	\$5,200,000 to \$5,500,000
Leasehold Estate	\$1,050,000 to \$1,120,000
Leased Fee Estate	\$4,520,000 to \$4,570,000 (for informational purposes only)

This is a Limited Appraisal because it relies solely on the Income Approach.

INDICATED EXPOSURE TIME: About 12 months.

ESTIMATED MARKETING TIME: About 12 months.

RECOMMENDATION OF EXISTING PURCHASE OFFER: To arrive at our recommendation, we estimated the financial burdens and benefits that the City would incur if it purchased the Property for the current purchase offer. The burdens include the purchase price plus the leasehold value of the below-market lease, and the benefits include the release of property tax liability. As shown in the leasehold analysis, attached to this report, the City has a benefit of \$1,050,000 to \$1,120,000. These figures relate to the City's benefit of renting the Subject under the terms and conditions of the existing lease. As indicated previously in this report, the real estate tax benefit of purchasing the Property is approximately \$100,000. If it were to purchase the Property, the City would lose the benefit of its current leasehold position and gain the property tax benefit of owning the Subject.

Adding the leasehold interest to the current purchase offer of \$4,985,000 and subtracting the tax benefit, indicates an economic impact to the City of \$5,935,000 to \$6,005,000, assuming a 3 percent rate of growth in the contract rents starting in Year 4. This range is compared to the value of the fee simple estate of the Subject, which is the City's interest if it purchased the Property. The fee simple interest of the Subject is estimated to be in the range of \$5,200,000 to \$5,500,000.

The above retrospective market value comparisons indicate that the City's financial burden to achieve a fee simple interest in the Property exceeds the retrospective market value of the fee simple estate. **Therefore, it is our recommendation that the City not purchase the Property at the current purchase offer.** A summary of the value conclusions is illustrated in Exhibit 2 of this letter.

If you would like further clarification or have questions regarding our analysis, please call John Restrepo at (702) 691-5402.

Sincerely,

JMR/rs

CITY COUNCIL MINUTES**MAY 27 1997****EXHIBIT 1**

DEFINITIONS

MAY 27 1997

DEFINITIONS

Discount rate—A yield rate used to convert future payments or receipts into present value. See also risk rate; safe rate; yield rate (Y).

Discounted cash flow (DCF)—The procedure in which a discount rate is applied to a set of projected income streams and a reversion. The analyst specifies the quantity, variability, timing, and duration of the income streams as well as the quantity and timing of the reversion and discounts each to its present value at a specified yield rate. DCF analysis can be applied with any yield capitalization technique and may be performed on either a lease-by-lease or aggregate basis.

Exposure—1. The time a property remains on the market. 2. The estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective estimate based upon an analysis of past events assuming a competitive and open market. Exposure time is always presumed to occur prior to the effective date of the appraisal. The overall concept of reasonable exposure encompasses not only adequate, sufficient and reasonable time, but also adequate, sufficient and reasonable effort. Exposure time is different for various types of real estate and value ranges and under various market conditions. (Appraisal Standards Board of The Appraisal Foundation. *Statement on Appraisal Standards No. 6. "Reasonable Exposure Time in Market Value Estimates."* October 1992) See also marketing period.

Fee simple estate—Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.

Income capitalization approach—A set of procedures through which an appraiser derives a value indication for an income-producing property by converting its anticipated benefits (cash flows and reversion) into property value. This conversion can be accomplished in two ways. One year's income expectancy can be capitalized at a market-derived capitalization rate or at a capitalization rate that reflects a specified income pattern, return on investment, and change in the value of the investment. Alternatively, the annual cash flows for the holding period and the reversion can be discounted at a specified yield rate.

Leased fee estate—An ownership interest held by a landlord with the rights of use and occupancy conveyed by lease to others. The rights of the lessor (the leased fee owner) and the leased fee are specified by contract terms contained within the lease.

Leasehold estate—The interest held by the lessee (the tenant or renter) through a lease conveying the rights of use and occupancy for a stated term under certain conditions.

Marketing time—See marketing period.

Marketing period—1. The time it takes an interest in real property to sell on the market subsequent to the date of an appraisal. 2. Reasonable marketing time is an estimate of the amount of time it might take to sell an interest in real property at its estimated market value during the period immediately after the effective date of the appraisal; the anticipated time required to expose the property to a pool of prospective purchasers and to allow appropriate time for negotiation, the exercise of due diligence, and the consummation of a sale at a price supportable by concurrent market conditions. Marketing time

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differs from exposure time, which is always presumed to precede the effective date of the appraisal. (*Advisory Opinion G-7* of the Appraisal Foundation and *Statement on Appraisal Standards No. 6*, "Reasonable Exposure Time in Market Value Estimates" address the determination of reasonable exposure and marketing time.)

Market Value estimates imply that an adequate marketing effort and reasonable time for exposure occurred prior to the effective date of the appraisal. In the case of disposition value, the time frame allowed for marketing the property rights is somewhat limited, but the marketing effort is orderly and adequate. With liquidation value, the time frame for marketing the property rights is so severely limited that an adequate marketing program cannot be implemented. (*The Report of the Appraisal Institute Special Task Force on Value Definitions* qualifies marketing time in terms of the three abovementioned values.) *See also* exposure.

Present value (PV)—The value of a future payment or series of future payments discounted to the current date or to time period zero.

Replacement allowance—An allowance that provides for the periodic replacement of building components that wear out more rapidly than the building itself and must be replaced during the building's economic life.

Reserve for replacements—*See* replacement allowance.

Reversion—A lump-sum benefit that an investor receives or expects to receive at the termination of an investment; also called *reversionary benefit*.

Terminal capitalization rate—The rate used to convert income, e.g., *NOI*, cash flow, into an indication of the anticipated value of the subject real property at the end of the holding period. The terminal capitalization rate is used to estimate the resale value of the property. Also called *residual capitalization rate*.

Source: *The Dictionary of Real Estate Appraisal*. Third Edition 1993.

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EXHIBIT 2

CONCLUSION SUMMARY

MAY 27 1997

Conclusion Summary

731 South Fourth Street Building

	Scenario	
	Low	High
Fee Simple Estate	\$5,200,000	to \$5,500,000
Leasehold Estate (3.00% Rent Growth)	\$1,050,000	to \$1,120,000
Purchase Offer	\$4,985,000	to \$4,985,000
Less: Property Tax Benefit	\$100,000	to \$100,000
City's Price to achieve a Fee Simple Interest	\$5,935,000	to \$6,005,000
Leased Fee Estate (1)	\$4,520,000	to \$4,570,000

	Scenario	
	Low	High
Fee Simple Estate	\$5,200,000	to \$5,500,000
Leasehold Estate (4.00% Rent Growth)	\$1,120,000	to \$1,200,000
Purchase Price	\$4,985,000	to \$4,985,000
Less: Property Tax Benefit	\$100,000	to \$100,000
City's Price to achieve a Fee Simple Interest	\$6,005,000	to \$6,085,000
Leased Fee Estate (1)	\$4,520,000	to \$4,570,000

(1) Presented for Informational Purposes Only.

MAY 27 1997

EXHIBIT 3

**DISCOUNTED CASH FLOW
VALUATION ANALYSES**

FEE SIMPLE ANALYSIS-Low Scenario
731 South Fourth Street Building

Year		1	2	3	4	5	6	7	8	9	10	10
Rental Payments												Reversion
Income												
Rentable Square Feet		40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019
Market Rent per Square Foot per Month		\$1.25	\$1.29	\$1.33	\$1.37	\$1.41	\$1.45	\$1.49	\$1.54	\$1.58	\$1.63	\$1.63
Market Rent Growth Rate			3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	
Market Rent per Month		\$50,024	\$51,524	\$53,070	\$54,662	\$56,302	\$57,991	\$59,731	\$61,523	\$63,369	\$65,270	\$65,270
Annualized Gross Potential Income		\$600,285	\$618,294	\$636,842	\$655,948	\$675,626	\$695,895	\$716,772	\$738,275	\$760,423	\$783,236	\$783,236
Less: Vacancy and Collection Loss @	5.00%	\$30,014	\$30,915	\$31,842	\$32,797	\$33,781	\$34,795	\$35,839	\$36,914	\$38,021	\$39,162	\$39,162
Effective Gross Income		\$570,271	\$587,379	\$605,000	\$623,150	\$641,845	\$661,100	\$680,933	\$701,361	\$722,402	\$744,074	\$744,074
Expenses												
Administrative/Management @	3.00%	\$17,108	\$17,621	\$18,150	\$18,695	\$19,255	\$19,833	\$20,428	\$21,041	\$21,672	\$22,322	\$22,322
Reserves for Replacement @ (1)	10.00%	\$57,027	\$58,738	\$60,500	\$62,315	\$64,184	\$66,110	\$68,093	\$70,136	\$72,240	\$74,407	\$74,407
Total Department Expenses		\$74,135	\$78,359	\$78,650	\$81,010	\$83,440	\$85,943	\$88,521	\$91,177	\$93,912	\$96,730	\$96,730
Net Operating Income		\$496,136	\$511,020	\$526,350	\$542,141	\$558,405	\$575,157	\$592,412	\$610,184	\$628,490	\$647,344	\$647,344
NOI Discount Rate (2)	13.00%											
Reversion Discount Rate (3)	13.00%											
Terminal Cap Rate (4)	10.00%											\$6,473,444
Selling Costs at Reversion	2.50%											\$161,836
												\$6,311,808
Present Value Factor (5)		0.94072	0.83250	0.73672	0.65197	0.57696	0.51059	0.45185	0.39986	0.35386	0.31315	0.31315
Present Value of Cash Flows		\$466,725	\$425,422	\$387,774	\$353,458	\$322,178	\$293,667	\$267,679	\$243,990	\$222,398	\$202,717	\$1,976,491
Present Value of Lease Payments		\$3,186,008										
Present Value of Reversion		\$1,976,491										
		\$5,162,499										
Rounded to		\$5,200,000										
Per SF		\$129.94										

- (1) Reserves for Replacement pertains to the money the building owner would set aside for any rehabilitation at the end of the term of the lease.
(2) Used to discount rental payments to a present value.
(3) Used to discount the reversion to a present value.
(4) Used to convert the net operating income in Year 11 to estimate the future value of the reversion.
(5) Calculated at mid-year in each period of our analysis.

CITY COUNCIL MINUTES
MAY 27 1997

FEE SIMPLE ANALYSIS-High Scenario
731 South Fourth Street Building

Year		1	2	3	4	5	6	7	8	9	10	10
		Rental Payments										Reversion
Income												
Rentable Square Feet		40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019
Market Rent per Square Foot per Month		\$1.25	\$1.29	\$1.33	\$1.37	\$1.41	\$1.45	\$1.49	\$1.54	\$1.58	\$1.63	\$1.63
Market Rent Growth Rate			3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	
Rent per Month		\$50,024	\$51,524	\$53,070	\$54,662	\$56,302	\$57,991	\$59,731	\$61,523	\$63,369	\$65,270	\$65,270
Annualized Gross Potential Income		\$800,285	\$818,294	\$838,842	\$855,948	\$875,626	\$895,895	\$916,772	\$938,275	\$960,423	\$983,236	\$983,236
Less: Vacancy and Collection Loss @	5.00%	\$30,014	\$30,915	\$31,842	\$32,797	\$33,781	\$34,795	\$35,839	\$36,914	\$38,021	\$39,162	\$39,162
Effective Gross Income		\$570,271	\$587,379	\$605,000	\$623,150	\$641,845	\$661,100	\$680,933	\$701,361	\$722,402	\$744,074	\$744,074
Expenses												
Administrative/Management @	3.00%	\$17,108	\$17,621	\$18,150	\$18,695	\$19,255	\$19,833	\$20,428	\$21,041	\$21,672	\$22,322	\$22,322
Reserves for Replacement @ (1)	10.00%	\$57,027	\$58,738	\$60,500	\$62,315	\$64,184	\$66,110	\$68,093	\$70,136	\$72,240	\$74,407	\$74,407
Total Department Expenses		\$74,135	\$76,359	\$78,650	\$81,010	\$83,440	\$85,943	\$88,521	\$91,177	\$93,912	\$96,730	\$96,730
Net Operating Income		\$496,136	\$511,020	\$526,350	\$542,141	\$558,405	\$575,157	\$592,412	\$610,184	\$628,490	\$647,344	\$647,344
NOI Discount Rate (2)	12.00%											
Reversion Discount Rate (3)	12.00%											
Terminal Cap Rate (4)	10.00%											\$6,473,444
Selling Costs at Reversion	2.50%											\$161,836
												\$6,311,608
Present Value Factor (5)		0.94491	0.84367	0.75328	0.67257	0.60051	0.53617	0.47872	0.42743	0.38163	0.34074	0.34074
Present Value of Cash Flows		\$468,804	\$431,132	\$396,488	\$364,627	\$335,327	\$308,381	\$283,600	\$260,811	\$239,853	\$220,579	\$2,150,645
Present Value of Lease Payments		\$3,309,602										
Present Value of Reversion		\$2,150,645										
		\$5,460,247										
Rounded to		\$5,500,000										
Per SF		\$137.43										

- (1) Reserves for Replacement pertains to the money the building owner would set aside for any rehabilitation at the end of the term of the lease.
(2) Used to discount rental payments to a present value.
(3) Used to discount the reversion to a present value.
(4) Used to convert the net operating income in Year 11 to estimate the future value of the reversion.
(5) Calculated at mid-year in each period of our analysis.

CITY COUNCIL MINUTES
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**LEASEHOLD ANALYSIS-Low Scenario/3.00% Contract and Market Rent Growth Rate
731 South Fourth Street Building**

Year	1	2	3	4	5	6	7	8	9	10	11 (3 mos.)
Income											
Rentable Square Feet	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019
Contract Rent per Square Foot per Month	\$0.70	\$0.85	\$1.00	\$1.03	\$1.06	\$1.09	\$1.13	\$1.16	\$1.19	\$1.23	\$1.27
Contract Rent Growth Rate	(1)	(1)	(1)	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
Market Rent per Square Foot per Month	\$1.25	\$1.29	\$1.33	\$1.37	\$1.41	\$1.45	\$1.49	\$1.54	\$1.58	\$1.63	\$1.68
Market Rent Growth Rate		3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
Rent Benefit to Tenant	\$0.55	\$0.44	\$0.33	\$0.34	\$0.35	\$0.36	\$0.37	\$0.38	\$0.39	\$0.40	\$0.41
Rent Benefit to Tenant per Month	\$22,010	\$17,508	\$13,051	\$13,443	\$13,846	\$14,261	\$14,689	\$15,130	\$15,584	\$16,051	\$16,533
Annualized Rent Benefit to Tenant	\$264,125	\$210,100	\$156,614	\$161,313	\$166,152	\$171,137	\$176,271	\$181,559	\$187,006	\$192,616	\$198,599
Discount Rate	15.00%										
Present Value Factor	0.93250	0.81087	0.70511	0.61314	0.53316	0.46362	0.40315	0.35056	0.30484	0.26508	0.23050
Present Value of Rent Benefit	\$246,298	\$170,364	\$110,430	\$98,907	\$88,586	\$79,342	\$71,063	\$63,648	\$57,006	\$51,058	\$45,433
Present Value of Rent Benefit to Tenant	\$1,048,136										
Rounded to	\$1,050,000										
Per SF	\$26.24										

(1) These rents are stated within the lease and are not subject to adjustments.

CITY COUNCIL MINUTES
MAY 27 1997

**LEASEHOLD ANALYSIS-High Scenario/3.00% Contract and Market Rent Growth Rate
731 South Fourth Street Building**

Year	1	2	3	4	5	6	7	8	9	10	11 (3 mos.)
Income											
Rentable Square Feet	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019
Contract Rent per Square Foot per Month	\$0.70	\$0.85	\$1.00	\$1.03	\$1.06	\$1.09	\$1.13	\$1.16	\$1.19	\$1.23	\$1.27
Contract Rent Growth Rate	(1)	(1)	(1)	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
Market Rent per Square Foot per Month	\$1.25	\$1.29	\$1.33	\$1.37	\$1.41	\$1.45	\$1.49	\$1.54	\$1.58	\$1.63	\$1.68
Market Rent Growth Rate		3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
Rent Benefit to Tenant	\$0.55	\$0.44	\$0.33	\$0.34	\$0.35	\$0.36	\$0.37	\$0.38	\$0.39	\$0.40	\$0.41
Rent Benefit to Tenant per Month	\$22,010	\$17,508	\$13,051	\$13,443	\$13,846	\$14,261	\$14,689	\$15,130	\$15,584	\$16,051	\$16,533
Annualized Rent Benefit to Tenant	\$264,125	\$210,100	\$156,614	\$161,313	\$166,152	\$171,137	\$176,271	\$181,559	\$187,008	\$192,616	\$49,599
Discount Rate	13.00%										
Present Value Factor	0.94072	0.83250	0.73672	0.65197	0.57696	0.51059	0.45185	0.39986	0.35386	0.31315	0.27713
Present Value of Rent Benefit	\$248,468	\$174,907	\$115,381	\$105,171	\$95,863	\$87,380	\$79,647	\$72,599	\$66,174	\$60,318	\$13,745
Present Value of Rent Benefit to Tenant	\$1,119,654										
Rounded to	\$1,120,000										
Per SF	\$27.99										

(1) These rents are stated within the lease and are not subject to adjustments.

CITY COUNCIL MINUTES
MAY 27 1997

LEASEHOLD ANALYSIS-Low Scenario 4.00% Contract and Market Rent Growth Rate
731 South Fourth Street Building

Year	1	2	3	4	5	6	7	8	9	10	11 (3 mos.)
Income											
Rentable Square Feet	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019
Contract Rent per Square Foot per Month	\$0.70	\$0.85	\$1.00	\$1.04	\$1.08	\$1.12	\$1.17	\$1.22	\$1.27	\$1.32	\$1.37
Contract Rent Growth Rate	(1)	(1)	(1)	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%
Market Rent per Square Foot per Month	\$1.25	\$1.30	\$1.35	\$1.41	\$1.46	\$1.52	\$1.58	\$1.64	\$1.71	\$1.78	\$1.85
Market Rent Growth Rate		4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%
Rent Benefit to Tenant	\$0.55	\$0.45	\$0.35	\$0.37	\$0.38	\$0.40	\$0.41	\$0.43	\$0.45	\$0.46	\$0.48
Rent Benefit to Tenant per Month	\$22,010	\$18,009	\$14,087	\$14,650	\$15,236	\$15,846	\$16,479	\$17,139	\$17,824	\$18,537	\$19,279
Annualized Rent Benefit to Tenant	\$264,125	\$216,103	\$169,040	\$175,802	\$182,834	\$190,147	\$197,753	\$205,663	\$213,890	\$222,445	\$230,838
Discount Rate	15.00%										
Present Value Factor	0.93250	0.81087	0.70511	0.61314	0.53316	0.46362	0.40315	0.35058	0.30484	0.26508	0.23050
Present Value of Rent Benefit	\$246,298	\$175,232	\$119,192	\$107,791	\$97,480	\$88,156	\$79,724	\$72,098	\$65,202	\$58,965	\$53,331
Present Value of Rent Benefit to Tenant	\$1,123,468										
Rounded to	\$1,120,000										
Per SF	\$27.99										

(1) These rents are stated within the lease and are not subject to adjustments.

CITY COUNCIL MINUTES
MAY 27 1997

**LEASEHOLD ANALYSIS-High Scenario/4.00% Contract and Market Rent Growth Rate
731 South Fourth Street Building**

Year	1	2	3	4	5	6	7	8	9	10	11 (3 mos.)
Income											
Rentable Square Feet	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019
Contract Rent per Square Foot per Month	\$0.70	\$0.85	\$1.00	\$1.04	\$1.08	\$1.12	\$1.17	\$1.22	\$1.27	\$1.32	\$1.37
Contract Rent Growth Rate	(1)	(1)	(1)	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%
Market Rent per Square Foot per Month	\$1.25	\$1.30	\$1.35	\$1.41	\$1.46	\$1.52	\$1.58	\$1.64	\$1.71	\$1.78	\$1.85
Market Rent Growth Rate		4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%
Rent Benefit to Tenant	\$0.55	\$0.45	\$0.35	\$0.37	\$0.38	\$0.40	\$0.41	\$0.43	\$0.45	\$0.46	\$0.48
Rent Benefit to Tenant per Month	\$22,010	\$18,009	\$14,087	\$14,650	\$15,236	\$15,846	\$16,479	\$17,139	\$17,824	\$18,537	\$19,279
Annualized Rent Benefit to Tenant	\$264,125	\$216,103	\$169,040	\$175,802	\$182,834	\$190,147	\$197,753	\$205,663	\$213,890	\$222,445	\$57,836
Discount Rate	13.00%										
Present Value Factor	0.94072	0.83250	0.73672	0.65197	0.57696	0.51059	0.45185	0.39986	0.35386	0.31315	0.27713
Present Value of Rent Benefit	\$248,468	\$179,905	\$124,536	\$114,617	\$105,488	\$97,086	\$89,354	\$82,237	\$75,687	\$69,659	\$16,028
Present Value of Rent Benefit to Tenant	\$1,203,066										
Rounded to	\$1,200,000										
Per SF	\$29.99										

(1) These rents are stated within the lease and are not subject to adjustments.

CITY COUNCIL MINUTES
MAY 27 1997

LEASED FEE ANALYSIS-Low Scenario
731 South Fourth Street Building

Year		1	2	3	4	5	6	7	8	9	10	11 (3 mos.)	11
Rental Payments													Reversion
Income													
Rentable Square Feet		40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019
Contract Rent per Square Foot per Month		\$0.70	\$0.85	\$1.00	\$1.03	\$1.06	\$1.09	\$1.13	\$1.16	\$1.19	\$1.23	\$1.27	
Contract Rent Growth Rate		(1)	(1)	(1)	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	
Market Rent per Square Foot per Month		\$1.25	\$1.29	\$1.33	\$1.37	\$1.41	\$1.45	\$1.49	\$1.54	\$1.58	\$1.63	\$1.68	\$1.66
Market Rent Growth Rate			3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	
Rent per Month (2)		\$28,013	\$34,016	\$40,019	\$41,220	\$42,456	\$43,730	\$45,042	\$46,393	\$47,785	\$49,218	\$50,695	\$67,228
Annualized Gross Potential Income		\$336,180	\$408,194	\$480,228	\$494,635	\$509,474	\$524,758	\$540,501	\$556,716	\$573,417	\$590,820	\$152,085	\$808,733
Less: Vacancy and Collection Loss @ (3)	1.50%	\$5,042	\$6,123	\$7,203	\$7,420	\$7,642	\$7,871	\$8,108	\$8,351	\$8,601	\$8,859	\$2,281	
Less: Vacancy and Collection Loss @ (4)	5.00%												\$40,337
Effective Gross Income		\$331,117	\$402,071	\$473,025	\$487,215	\$501,832	\$516,887	\$532,393	\$548,365	\$564,816	\$581,761	\$149,803	\$766,396
Expenses													
Administrative/Management @	3.00%	\$9,934	\$12,082	\$14,191	\$14,616	\$15,055	\$15,507	\$15,972	\$16,451	\$16,944	\$17,453	\$4,494	\$22,992
Reserves for Replacement @ (5)	10.00%	\$33,112	\$40,207	\$47,302	\$48,722	\$50,183	\$51,689	\$53,239	\$54,837	\$56,482	\$58,178	\$14,980	\$78,840
Total Department Expenses		\$43,045	\$52,269	\$61,493	\$63,338	\$65,238	\$67,195	\$69,211	\$71,287	\$73,426	\$75,629	\$19,474	\$99,832
Net Operating Income		\$288,072	\$349,802	\$411,531	\$423,877	\$436,594	\$449,691	\$463,182	\$477,078	\$491,390	\$506,132	\$130,329	\$666,765
NOI Discount Rate (6)	11.50%												
Reversion Discount Rate (7)	12.00%												
Terminal Cap Rate (8)	10.00%												\$8,667,647
Selling Costs at Reversion	2.50%												\$188,881
													\$8,500,956
Present Value Factor (9)		0.94703	0.84935	0.78175	0.68318	0.61272	0.54953	0.49285	0.44202	0.39643	0.35554	0.31887	0.30424
Present Value of Cash Flows		\$272,812	\$297,105	\$313,464	\$289,586	\$267,510	\$247,117	\$228,279	\$210,876	\$194,800	\$179,950	\$41,558	\$1,977,826
Present Value of Lease Payments		\$2,543,078											
Present Value of Reversion		\$1,977,826											
		\$4,520,904											
Rounded to		\$4,520,000											
Per SF		\$112.95											

- (1) These rents are stated within the lease and are not subject to adjustments.
(2) Estimated using the contract rent except, in the reversion estimate in which the market rent is used.
(3) During the term of the lease.
(4) At the expiration of the lease.
(5) Reserves for Replacement pertains to the money the building owner would set aside for any rehabilitation at the end of the term of the lease.
(6) Used to discount rental payments to a present value.
(7) Used to discount the reversion to a present value.
(8) Used to convert the net operating income in Year 11 to estimate the future value of the reversion.
(9) Calculated at mid-year in each period of our analysis.

LEASED FEE ANALYSIS-High Scenario
731 South Fourth Street Building

Year		1	2	3	4	5	6	7	8	9	10 11 (3 mos.)	11
Rental Payments												Reversion
Income												
Rentable Square Feet		40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019	40,019
Contract Rent per Square Foot per Month		\$0.70	\$0.85	\$1.00	\$1.03	\$1.06	\$1.09	\$1.13	\$1.16	\$1.19	\$1.23	\$1.27
Contract Rent Growth Rate		(1)	(1)	(1)	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
Market Rent per Square Foot per Month		\$1.25	\$1.29	\$1.33	\$1.37	\$1.41	\$1.45	\$1.49	\$1.54	\$1.58	\$1.63	\$1.68
Market Rent Growth Rate			3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
Rent per Month (2)		\$28,013	\$34,016	\$40,019	\$41,220	\$42,456	\$43,730	\$45,042	\$46,393	\$47,785	\$49,218	\$50,695
Annualized Gross Potential Income		\$338,160	\$408,194	\$480,228	\$494,835	\$509,474	\$524,758	\$540,501	\$556,718	\$573,417	\$590,620	\$152,085
Less: Vacancy and Collection Loss @ (3)	1.50%	\$5,042	\$6,123	\$7,203	\$7,420	\$7,642	\$7,871	\$8,108	\$8,351	\$8,601	\$8,859	\$2,261
Less: Vacancy and Collection Loss @ (4)	5.00%											\$40,337
Effective Gross Income		\$331,117	\$402,071	\$473,025	\$487,215	\$501,832	\$516,887	\$532,393	\$548,365	\$564,818	\$581,761	\$149,803
Expenses												
Administrative/Management @	3.00%	\$9,934	\$12,082	\$14,191	\$14,616	\$15,055	\$15,507	\$15,972	\$16,451	\$16,944	\$17,453	\$4,484
Reserves for Replacement @ (5)	10.00%	\$33,112	\$40,207	\$47,302	\$48,722	\$50,183	\$51,689	\$53,239	\$54,837	\$56,482	\$58,176	\$14,980
Total Department Expenses		\$43,046	\$52,289	\$61,493	\$63,338	\$65,238	\$67,195	\$69,211	\$71,287	\$73,426	\$75,629	\$19,474
Net Operating Income		\$288,072	\$349,802	\$411,531	\$423,877	\$436,594	\$449,691	\$463,182	\$477,076	\$491,390	\$506,132	\$130,329
NOI Discount Rate (6)	11.00%											
Reversion Discount Rate (7)	12.00%											
Terminal Cap Rate (8)	10.00%											\$6,667,647
Selling Costs at Reversion	2.50%											\$188,891
												\$6,500,958
Present Value Factor (9)		0.94916	0.85510	0.77036	0.69402	0.62524	0.56328	0.50746	0.45717	0.41186	0.37105	0.33428
Present Value of Cash Flows		\$273,426	\$299,114	\$317,026	\$294,178	\$272,976	\$253,302	\$235,046	\$216,106	\$202,386	\$187,800	\$43,586
Present Value of Lease Payments		\$2,598,926										
Present Value of Reversion		\$1,977,826										
		\$4,574,751										
Rounded to		\$4,570,000										
Per SF		\$114.20										

(1) These rents are stated within the lease and are not subject to adjustments.

(2) Estimated using the contract rent except, in the reversion estimate in which the market rent is used.

(3) During the term of the lease.

(4) At the expiration of the lease.

(5) Reserves for Replacement pertains to the money the building owner would set aside for any rehabilitation at the end of the term of the lease.

(6) Used to discount rental payments to a present value.

(7) Used to discount the reversion to a present value.

(8) Used to convert the net operating income in Year 11 to estimate the future value of the reversion.

(9) Calculated at mid-year in each period of our analysis.

CITY COUNCIL MINUTES
MAY 27 1997

CITY COUNCIL MINUTES**MAY 27 1997****EXHIBIT 4**

**STANDARD ASSUMPTIONS AND
LIMITING CONDITIONS**

MAY 27 1997

STANDARD ASSUMPTIONS AND LIMITING CONDITIONS

The standard assumptions and limiting conditions pertaining to the value estimate conclusions to be stated in the subject report are summarized below. If applicable, "special assumptions" are cited elsewhere in this report.

1. To the best of our knowledge and belief, the statements of facts contained in the appraisal report, on which the analysis and conclusions expressed are based, are true and correct. Information, estimates and opinions furnished to us and contained in the report or utilized in the formation of the value conclusions were obtained from sources considered reliable and believed to be true and correct. However, no representation, liability or warranty for the accuracy of such items is assumed by or imposed on us, and is subject to corrections, errors, omissions and withdrawal without notice.
2. The legal description of the appraised property, if exhibited in the report, is assumed correct.
3. The valuation may not be used in conjunction with any other appraisal or study. The value conclusion stated in this appraisal is based on the program of utilization described in the report, and may not be separated into parts. The appraisal was prepared solely for the purpose, function and party so identified in the report. The appraisal report may not be reproduced, in whole or in part, and the findings of the report may not be utilized by a third party for any purpose, without the prior express written consent of Coopers & Lybrand L.L.P..
4. No change of any item in any of the appraisal report shall be made by anyone other than Coopers & Lybrand L.L.P. and we shall have no responsibility for any such unauthorized change.
5. The property has been appraised as though free and clear of mortgages, liens, leases, servitude and encumbrances, except as may be described in the appraisal.
6. We are not required to give testimony or be in attendance at any court or administrative proceeding with reference to the property appraised unless additional compensation is agreed to and prior arrangements have been made.
7. The working papers for this engagement are being retained in our files and are available for your reference. We would be available to support our valuation conclusions as required. Those services would be performed for an additional fee.
8. Unless specifically stated, the value conclusions contained in the appraisal applies to the real estate only, and does not include personal property, machinery and equipment, trade fixtures, business value, goodwill or other non-realty items. Income tax considerations have not been included or valued unless so specified in the appraisal. We make no representations as to the value changes which may be attributed to such considerations.

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9. Neither all nor any part of the contents of the report shall be disseminated or referred to the public through advertising, public relations, news or sales media, or any other public means of communication or referenced in any publication, including any private or public offerings including but not limited to those filed with Securities and Exchange Commission or other governmental agency, without the prior written consent and approval of and review by Coopers & Lybrand L.L.P.
10. In completing the appraisal, it is understood and agreed that the report is not now intended to be, and will not be used in connection with, a real estate syndication.
11. Good and marketable title to the interest being appraised is assumed. We are not qualified to render an "opinion of title," and no responsibility is assumed or accepted for matters of a legal nature affecting the property being appraised. No formal investigation of legal title was made, and we render no opinion as to ownership of the property or condition of its title.
12. Unless otherwise noted in the appraisal report, it is assumed that there are no encroachments, zoning, building, fire or safety code violations, or restrictions of any type affecting the subject property. It is assumed that the property is in full compliance with all applicable federal, state, local and private codes, laws, consents, licenses and regulations, and that all licenses, permits, certificates, approvals, franchises, etc. have been secured and can be freely renewed and/or transferred to a purchaser.
13. It is assumed that the utilization of the land and any improvements are within the boundaries or property lines of the property described, and that there are no encroachments, easements, trespass, unless noted within the report. We have not made a survey of the property, and no responsibility is assumed in connection with any matter that may be disclosed by a proper survey. If a subsequent survey should reflect a differing land area and/or frontages, we reserve the right to review our final value estimate.
14. All maps, plats, building diagrams, site plans, floor plans or photographs incorporated into the appraisal are for illustrative purposes only, to assist the reader in visualizing the property, but are not guaranteed to be exact. Dimensions and descriptions are based on public records and/or information furnished by others and are not meant to be used as a reference in legal matters of survey.
15. Management is assumed to be competent, and the ownership to be in responsible hands. The quality of property management can have a direct effect on a property's economic viability and value. The prospective financial analyses contained in the appraisal assume both responsible ownership and competent management unless noted otherwise. Any variance from this assumption could have a significant impact on the final value estimate.
16. We assume that there are no hidden or unapparent conditions of the property's soil, subsoil or structures which would render them more or less valuable. No responsibility is assumed for such conditions, or for engineering which might be required to discover such factors. Detailed soil studies were not made available to us, accordingly, statements regarding soil qualities, if made in the report, are not conclusive but have been considered consistent with information available to us and provided by others. In addition, unless stated otherwise in the appraisal report, the land

- and soil of the area under appraisal appears firm and solid, but the appraisal does not warrant this condition.
17. The appraisal report covering the subject property is limited to surface rights only, and does not include any inherent subsurface or mineral rights.
 18. The appraisal report is made for valuation purposes only. It is not intended nor to be construed to be an engineering report. We are not qualified as structural or environmental engineers, therefore we are not qualified to judge the structural or environmental integrity of the improvements, if any. Consequently, no warranty or representations are made nor any liability assumed for the structural soundness, quality, adequacy or capacities of said improvements and utility services, including the construction materials, particularly the roof, foundations, and equipment, including the HVAC systems, if applicable. Should there be any question concerning same, it is strongly recommended that an engineering, construction and/or environmental inspection be obtained. The value estimates stated in this appraisal, unless noted otherwise, is predicated on the assumption that all improvements, equipment and building services, if any, are structurally sound and suffer no concealed or latent defects or inadequacies other than those noted in the appraisal.
 19. The Americans with Disabilities Act ("ADA") became effective January 26, 1992. We have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative effect upon the value of the property. Since we have no direct evidence relating to this issue, we did not consider possible non-compliance with the requirements of ADA in estimating the value of the property.
 20. Any proposed construction or rehabilitation referred to in the appraisal report is assumed to be completed within a reasonable time and in a workmanlike manner according to or exceeding currently accepted standards of design and methods of construction.
 21. Any areas or inaccessible portions of the property or improvements not inspected are assumed to be as reported or similar to the areas which were inspected.
 22. Unless specifically stated in the report, we found no obvious evidence of insect infestation or damage, dry or wet rot. Since a thorough inspection by a competent inspector was not performed for us, the subject improvements, if any, are assumed to be free of existing insect infestation, wet rot, dry rot, and any structural damage which may have been caused by pre-existing infestation or rot which was subsequently treated.
 23. In the appraisal assignment, the existence of potentially hazardous material used in the construction, maintenance or servicing of the improvements, such as the presence of urea-formaldehyde foam insulation, asbestos, lead paint, toxic waste, underground tanks, radon and/or any other prohibited material or chemical which may or may not be present on or in the subject property, was, unless specifically indicated in the report, not observed by us, nor do we have any knowledge of the existence of such materials on or in the property. We, however, are not qualified to detect such substances. The existence of these potentially hazardous materials may have a significant effect on the value of the property. The client is urged to retain an expert

in this field, if desired. The value conclusions assumes the property is "clean" and free of any of these adverse conditions unless we have been notified to the contrary in writing.

24. Unless otherwise stated, no effort has been made to determine the possible effect, if any, on the subject property of energy shortage or future Federal, state or local legislation, including any environmental or ecological matters or interpretations thereof.
25. We take no responsibility for any events, conditions or circumstances affecting the subject property or its value, that take place subsequent to either the effective date of value cited in the appraisal or the date of our field inspection, which ever occurs first.
26. The estimate of value stated in this appraisal applies only to the effective date of value stated in the report. Value is affected by many related and unrelated economic conditions within a local, regional, national, and/or world context, which might necessarily affect the prospective value of the property. We assume no liability for an unforeseen change in the economy, or at the subject property, or, if applicable, the inability to find a buyer.
27. This valuation is based on historical and prospective financial information. Some assumptions or estimates inevitably will not materialize and unanticipated events and circumstances may occur during the forecast period. These could include major changes in the economic environs: significant increases or decreases in current mortgage interest rates and/or terms or availability of financing altogether; property assessment; and/or major revisions in current state and/or federal tax or regulatory laws. Therefore, the actual results achieved during the assumed holding period and investor requirements relative to anticipated annual returns and overall yields could vary from the estimates. Thus, variations could be material and have an impact on the value conclusions stated herein.
28. We have not performed an audit, review or examination or any other attest function (as defined by the AICPA) regarding any of the historical or prospective financial information used or included in the appraisal, and therefore Coopers & Lybrand L.L.P. does not express any opinion or any other form of assurance with regard to the same, in the context of this appraisal.

MAY 27 1997

EXHIBIT 5

**AGREEMENT REGARDING
THIRD PARTY DISTRIBUTION**

MAY 27 1997

AGREEMENT REGARDING THIRD PARTY DISTRIBUTION

Gentlemen:

It is our understanding that you have requested a copy of the appraisal report prepared by Coopers & Lybrand L.L.P. ("C&L") regarding the office building located at 731 South 4th Street/730 Las Vegas Boulevard South, Las Vegas, Nevada dated _____, 1997 (the "Report"). The Report was prepared at the request of the City of Las Vegas.

As a condition to our agreement that you be provided with a copy of the Report, you expressly waive, release and relinquish any and all rights to claim against or otherwise impose liability upon C&L, its partners, principals, and employees for damages, injuries, losses or expenses of any kind which arise out of or are in any way related to conclusions reached in the Report. You also agree not to distribute or describe our Report or conclusions to any other party for any purpose without our express prior written approval.

The Report, which was performed solely for the internal use of the City of Las Vegas, was based on historical and prospective market and financial information. This information has not been subjected to any auditing or verification procedure and we express no assurance of any kind on it. We have considered the data provided to us by the City of Las Vegas to be accurate, and we have assumed that no information known to them conflicts with the resulting use of such data in the Report. Further, because events and circumstances frequently do not occur as expected, there will usually be differences between C&L's estimates and actual results, and those differences may be material. Accordingly, to the extent that any of the information requires adjustment, the resulting conclusion(s) would be different.

You agree that you will not rely solely on the conclusions reached in the Report to the exclusion of other information in making any investment, or other decisions in connection with the office building located at 731 South 4th Street/730 Las Vegas Boulevard South, Las Vegas, Nevada.

MAY 27 1997

EXHIBIT 6

CERTIFICATION

MAY 27 1997

CERTIFICATION:

We certify that, to the best of our knowledge and belief:

- The statements of fact contained in the accompanying report prepared for the City of Las Vegas, concerning the market value of the 731 South Fourth Street Building in Las Vegas, Nevada, are true and correct.
- The reported analyses and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal, unbiased professional analyses and conclusions.
- We have no present or prospective interest in the Property that is the subject this report, and have no personal interest or bias with respect to the parties involved.
- The appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.
- Our compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
- Our analyses and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Ethics and the Uniform Standards of Professional Appraisal Practice as promulgated by the Appraisal Standards Board of the Appraisal Foundation.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- As of the date of this report, Thomas E. Kabat, MAI has completed the requirements of the continuing education program of the Appraisal Institute.
- Kendal J. Britton personally inspected the Property that is the subject of this report on May 7, 1997. Thomas E. Kabat, MAI and Edward M. McDonough, did not inspect the Property that is the subject of this report.
- Edward M. McDonough is a Certified General Real Estate Appraiser in the State of Nevada (No. 00565). Kendal J. Britton is a Certified General Real Estate Appraiser in the State of Nevada (No. 01993).
- The appraisal personnel involved in this engagement have both the knowledge and experience necessary to perform the appraisal service competently.

MAY 27 1997

Except for Thomas E. Kabat, MAI, Edward M. McDonough, and Kendal J. Britton of Coopers & Lybrand L.L.P., whose professional assistance is hereby acknowledged, no one else provided significant professional assistance to the undersigned.

Edward M. McDonough
Partner, Financial Advisory Services
Nevada Certification #00565

Kendal J. Britton
Senior Associate, Financial Advisory Services
Nevada Certification #01993

Conclusion Summary

CITY COUNCIL MINUTES 731 South Fourth Street Building

MAY 27 1997

Scenario

	Low		High
Fee Simple Estate	\$5,200,000	to	\$5,500,000
Leasehold Estate (3.00% Rent Growth)	\$1,050,000	to	\$1,120,000
Purchase Offer	\$4,985,000	to	\$4,985,000
Less: Property Tax Benefit	\$100,000	to	\$100,000
City's Price to achieve a Fee Simple Interest	\$5,935,000	to	\$6,005,000
 Leased Fee Estate (1)	 \$4,520,000	 to	 \$4,570,000

Scenario

	Low		High
Fee Simple Estate	\$5,200,000	to	\$5,500,000
Leasehold Estate (4.00% Rent Growth)	\$1,120,000	to	\$1,200,000
Purchase Price	\$4,985,000	to	\$4,985,000
Less: Property Tax Benefit	\$100,000	to	\$100,000
City's Price to achieve a Fee Simple Interest	\$6,005,000	to	\$6,085,000
 Leased Fee Estate (1)	 \$4,520,000	 to	 \$4,570,000

(1) Presented for Informational Purposes Only.

Looking at this Scenario in Reverse

You could conclude that our offer to buy should not exceed

	Low		High
Value of Property	\$5,200,000	to	\$5,500,000
Recoup our Favorable Lease Position	\$1,050,000	to	\$1,050,000
City Offer Should Not Exceed	\$4,150,000	to	\$4,450,000

CITY COUNCIL MINUTES

MAY 27 1997

Conclusion Summary

731 South Fourth Street Building

Scenario

	Low		High
Fee Simple Estate	\$5,200,000	to	\$5,500,000
Leasehold Estate (3.00% Rent Growth)	\$1,050,000	to	\$1,120,000
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Scenario

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City Offer Should Not Exceed	\$4,150,000	to	\$4,450,000

**CITY COUNCIL MINUTES
MEETING OF
MAY 27, 1997**

Page 1

VERBATIM TRANSCRIPT - ITEM 86: DISCUSSION AND ACTION TO DECIDE WHETHER THE CITY WILL EXERCISE ITS OPTION OF FIRST RIGHT OF REFUSAL TO PURCHASE THE BUILDING AT 731 S. FOURTH STREET OR CONTINUE WITH ITS PRESENT LEASE AGREEMENT

MAYOR JONES

Item 86 is discussion and action to decide whether the City will exercise its option of first right to purchase the building at 731 South Fourth Street or continue with its present lease agreement.

COUNCILMAN ADAMSEN

Yes, Your Honor, Mr. Roark is going to give us just a very brief report there. We also have a Financial Feasibility and Impact Study from Coopers and Lybrand, John Restrepo. But to be very honest with you I can sum this up very succinctly in that the City of Las Vegas was so successful in negotiating its lease rates for the lease of this building in that we started out at 70 cents a square foot the first year, went to 85 cents the second year, a dollar the third year, and then CPI with a four percent cap the following years. It would effectively cost the City of Las Vegas a million dollars in increased costs to buy the building because we did such a good job of negotiating the lease rates, and I'll let the technical experts tell you how we got there. But the end results going to be, the recommendation to continue with our lease and not exercise our purchase option. Mr. Roark?

DAVID ROARK, REAL ESTATE AND
ASSET MANAGER

Thank you, Council. Good morning, Mayor and Council, I'm Dave Roark. I'm the manager of the Real Estate and Asset Division. We're here today to give you an analysis of whether we should obviously extend our option to purchase the building since there's a third party that's come in or continue with our lease. Staff has made a analysis to conclude the purchase price, the lease agreement that we presently have and then compare the two; come up with a conclusion.

I'd like to pass out some summary sheets to each of you. Essentially what you have in front of you here is showing what the fee simple estate is and that's analysis in your background. We have it in detail as to how we arrived at that. This arrives at a purchase value of the property, or value of the property at present day of 5.2 on the low end, 5.5 on the high end. We also go into our leasehold estate, showing a 3 percent growth. We also give you a 4 percent growth, as we're bound by their existing contract to have CPI charges up to a maximum of 4 percent.

The present value of the lease, in present value dollars, not in real dollars, to us is a million fifty on the low end up to a million two on the high end.

We've also done a lease fee estate analysis in your back-

**CITY COUNCIL MINUTES
MEETING OF
MAY 27, 1997**

Page 2

VERBATIM TRANSCRIPT - ITEM 86: DISCUSSION AND ACTION TO DECIDE WHETHER THE CITY WILL EXERCISE ITS OPTION OF FIRST RIGHT OF REFUSAL TO PURCHASE THE BUILDING AT 731 S. FOURTH STREET OR CONTINUE WITH ITS PRESENT LEASE AGREEMENT

up, which shows a comparison of the existing lease that we have to the purchase price, and we also give an analysis of what the future value of that building will be ten years thus. And it comes up with a present value of what the building would be worth to us of 4.5 to 4.57 million. You turn that into the reverse and simply apply what the value of the building is now, take away our advantageous lease agreement that we have now, and that building would be worth to us the purchase for a cash price of 1.15 million or 1.45 million.

I have with me John Restrepo with Coopers and Lybrand, who have we have brought in to run a test analysis and do their own evaluation independently of staff's, and I'd like to turn over the mike to him and let them go over what they have done. Thank you.

JOHN RESTREPO

Good morning, Your Honor, City Council. Can you guys see the – Is it clear to you guys on the screen? Hopefully, I'll put it the right way. Good morning, my name is John Restrepo. I'm the director of Real Estate Advisory Services with Coopers and Lybrand here in Las Vegas. Our offices are located at 3800 Howard Hughes Parkway, Suite 550.

Yes, we were retained by the City to essentially test their analysis and have come up with basically the same conclusions. Our analysis show that the City's cost to own the building, taking into consideration the – offering price, rebate on property taxes, you wouldn't have to pay, not if you're owning it, plus the present value of your interest in the lease. It's anywhere between 5.9 million to 6 million, \$85,000 (sic). That's the range.

Further, our analysis show – Let me back up. That evaluation we did is as of the beginning of the lease term, which is September 15th, 1996, and assumes a ten-year lease period. That came into our analysis. Anyway, we compare that 5.9 to \$6 million to the 5.2, the \$5.5 million and we determined it was a fair market value on the lease based on market rents. And it showed that there's a differential between 580 – \$585,000 to \$785,000 additional cost for you to – for the City to convert from being a tenant to an owner. Accordingly, our recommendation to – the City is that you continue being a renter and a tenant of the building as opposed to being a landowner in the context of current lease terms. And that's very important to note here. And the fact that would, we have assumed that you would be leasing the building for the full ten years of the lease,

VERBATIM TRANSCRIPT - ITEM 86: DISCUSSION AND ACTION TO DECIDE WHETHER THE CITY WILL EXERCISE ITS OPTION OF FIRST RIGHT OF REFUSAL TO PURCHASE THE BUILDING AT 731 S. FOURTH STREET OR CONTINUE WITH ITS PRESENT LEASE AGREEMENT

which is first a five-year primary period, then another five-year option.

The rest of the information's in the back-up and if you have any questions for me, I'm here to answer any, anything that you may have.

COUNCILMAN ADAMSEN

I would just like to point out for the record, Your Honor, they used as an analysis, a very reasonable rate of \$1.25 a square foot and staff looked and they weren't able to find any buildings of this size to be leased for \$1.25 a square foot. The higher the rent goes, of course, the greater the savings to the City of Las Vegas. And we were very astute in our fiduciary responsibility of getting the lease rates that we've got. And I'd move to follow the recommendation of the Real Estate Committee unless there's questions or comments.

MAYOR JONES

Vote on the motion. Post. Motion's approved. (Motion carried with CALLISTER not voting.) Thank you.

DAVID ROARK

Thank you.

(END OF DISCUSSION)

/gpb

CITY COUNCIL

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MEETING OF
MAY 27, 1997

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

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****DISCUSSION / ACTION ITEMS****VII. BOARDS AND COMMISSIONS****TRAFFIC & PARKING COMMISSION**

Thomas Cameron - (Ward 4- RESIGNED)

Robert White - Term Expires 6/21/97
(Ward 1 - Desires to be reappointed)**McDONALD - Motion to reappoint:****Robert White (McDonald's appointment)**
- carried UNANIMOUSLY with CALLISTER not voting
and**CALLISTER - Motion to appoint:****Ted Carry (Callister's appointment)**
1900 Stonehaven Drive (replaces Thomas Cameron)
Las Vegas, Nevada 89108
- carried UNANIMOUSLY

Clerk to notify

NOTE: A previous motion by ADAMSEN to reconsider the
appointment of MR. CAMERON's replacement carried
unanimously.NOTE: A previous motion by ADAMSEN to hold the
appointment of MR. CAMERON's replacement carried with
CALLISTER not voting.

(11:14/11:15)

2-192

87

88

Appointments to be made to the City Centre
Development Corporation, Inc. Board.**JONES - Held In ABEYANCE to 6/9/97 - UNANIMOUS with**
CALLISTER not voting

There was no discussion.

(11:14 - 11:15)

2-212

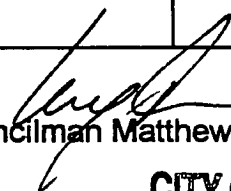
INTER-OFFICE MEMORANDUM

May 27, 1997

TO:

Mayor Jan Lavery Jones
Councilman Arnie Adamsen
Councilman Michael J. McDonald
Councilman Gary Reese

FROM:


Councilman Matthew Q. Callister

CITY COUNCIL MINUTES

MAY 27 1997

SUBJECT:

Traffic & Parking Commission Board

COPIES TO:

Barbara Jo Ronemus, City Clerk

I would like to recommend Mr. Theodore (Ted) Carry to the City of Las Vegas Traffic and Parking Commission Board. Mr. Carry has expressed a desire to serve the City of Las Vegas and I have attached a copy of his resume for your review.

I appreciate your consideration in appointing Mr. Carry to serve on the Traffic and Parking Commission Board.

MQC:bv
Attachment

cc: Mr. Ted Carry
1900 Stonehaven Drive
Las Vegas, Nevada 89108
631-9866

RECEIVED
CITY CLERK
May 27 4 03 PM '97

CITY COUNCIL MINUTES

MAY 27 1997

1900 Stonehaven Drive
Las Vegas, Nevada 89108
August 2, 1996

Matthew Q. Callister, Esq.
Councilman, City of Las Vegas
400 E. Stewart Avenue
Las Vegas, Nevada 89101

Dear Councilman Callister:

Contingent upon a vacancy, your consideration and support for an appointment to the Traffic and Parking Commission is requested. I trust the enclosed resume meets your approval as to qualifications.

Since moving here over two years ago I have observed that there appears to be a dire need for improvement in the traffic milieu. Often it seems that there are incongruent anomalies that defy common sense in traffic control matters.

A prime example would be speed control adjacent to schools. Upon multiple enquiries I have found it impossible to determine which agency has prime jurisdiction for setting such limits. Another would be some rather unrealistic speeds on streets whereas some are too fast for conditions and others too slow. The problem seems to be tri-level governmental control within a single city coupled with a lack of timely and comprehensive traffic engineering inputs. Policy-wise, I recently observed an accident scene with four police officers (three traffic and one patrol). One traffic officer was writing and the other three were watching. Traffic was backed up in two directions for three blocks. The question: why didn't at least one or possibly two of these officers direct traffic to clear up the obvious back-up?

As a commissioner I believe that I would be able to offer some innovative, cost-effective, and practical input for some degree of remedy. Working within the governmental structure would appear to be the proper forum.

I would welcome personally discussing other specifics with you at your convenience.

Respectfully submitted,

Encl: Resume



Theodore J. (Ted) Carry

THEODORE J. (TED) CARRY
1900 Stonehaven Drive
Las Vegas, Nevada 89108

CITY COUNCIL MINUTES

MAY 27 1997

RESUME OF QUALIFICATIONS

Telephone: (702) 631-9866

OBJECTIVE:

To secure a responsible and challenging position in management where there is emphasis on administrative problem solving to achieve organizational objectives.

EDUCATION:

California State University: San Bernardino, California
Master of Public Administration (1978)
Bachelor of Arts, Administration (1975)

EXPERIENCE:

1978-1994

City of San Bernardino, California

SENIOR CENTER MANAGER. COMMUNITY RESOURCE AND DEVELOPMENT SUPERVISOR.

Served on San Bernardino City Unified School District School Attendance Review Board for over 12 years.

1978

John Wayne/Orange County Airport - Santa Ana, California
OPERATIONS ASSISTANT.

Direct representation of the airport manager during non-business hours, weekends and holidays.

1975-1976

San Bernardino Valley College - San Bernardino, California
PROGRAM COORDINATOR.

Served as Program Coordinator for disadvantaged students (EOPS - Extended Opportunity and Program Services).

1973

Sear's, Roebuck & Co. - San Bernardino, California
SERVICE TECHNICIAN (Management Trainee).

1969-1973

United States Air Force

Held rating of Command Pilot and retired with rank of Major.

Intrinsically involved in all aspects of personnel supervision and staff administration, maintenance management and control, supply and logistics, aircraft and airport operations, surface transportation, flying and ground safety.

Utilizing an ability to transfer/adapt knowledge from one field to another - specialized responsibilities in management included: Senior Maintenance/Logistics Advisor, Joint Services Staff - Korea: Chief, Industrial Material Branch: Was responsible for the supply of and maintenance of industrial and engineering supplies and equipment for all services. Provided management/technical assistance to Korean Air Force field units. Advised military officers of all services at the Ministry of National Defense level.

(continued)

CITY COUNCIL MINUTES

MAY 27 1997

350

Norton Air Force Base - California

SPECIAL ASSISTANCE TO THE CHIEF OF MAINTENANCE.

Responsible for advising the chief executive officer on the quality, efficiency, capabilities and limitations of the aircraft maintenance function. Assisted in planning, developing and implementing sound maintenance policies and procedures for the effective administration, supervision and operation of a 2000 personnel complex. Prior to this position, directly supervised 365 personnel in the flight line maintenance of 45 C-141 aircraft.

OFFICER-IN-CHARGE MAINTENANCE CONTROL ROOM.

Directed and coordinated a civilian and military staff of 40 in the control of aircraft maintenance activities.

AIRCRAFT MAINTENANCE SPECIALIST TECHNICIAN DISPATCH.

Participated extensively in maintenance flight test and quality control for aircraft undergoing major fleet modifications and upgrades in contract maintenance status.

1951-1969

Primarily served as a line and instructor pilot, world-wide, flying tanker, bomber and transport-type aircraft. During this period, additional duties were: Maintenance/Material Supervisor, F-105 aircraft; Maintenance Member, Aircraft Accident Investigation Boards; President, Enlisted Personnel Promotion Boards; Special Investigations Officer; Member of Flying Evaluation and Court-Martial Boards; Officer-in-Charge, Field Maintenance Shops; Nuclear Defense and Capabilities Officer; Base Motor Transportation Officer, Security Patrol Officer, and Unit Flying/Ground Safety Officer.

MEMBERSHIPS:

Former Airport Commissioner - City of Rialto, California

LICENSES:

FAA Commercial Pilot License (#1260373) with instrument and type ratings, single and multi-engine land, piston and jet.

Nevada Driver License (#334253195730).

PERSONAL DATA:

Birthdate: June 8, 1930

Excellent health

Social Security number: 371-26-5978

Willing to travel.

REFERENCES:

Furnished upon request.

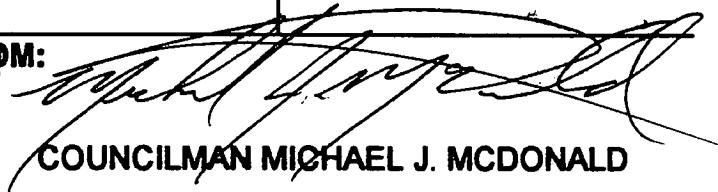
May 20, 1997

TO:

MAYOR JONES
COUNCILMAN ADAMSEN
COUNCILMAN CALLISTER
COUNCILMAN REESE

May 23 2 22 PM '97

FROM:


COUNCILMAN MICHAEL J. MCDONALD

SUBJECT:

TRAFFIC & PARKING COMMISSION

COPIES TO:

RONI RONEMUS, CITY CLERK
CITY COUNCIL MINUTES

MAY 27 1997

Please let this memo serve as my support of Mr. Robert White for appointment to a second term on the Traffic & Parking Commission. I feel Mr. White will continue to be an excellent representative on this board. Thank you.

INTER-OFFICE MEMORANDUM

May 12, 1997

TO:

MAYOR JAN LAVERTY JONES

CITY COUNCIL MINUTES

MAY 27 1997

FROM:

BARBARA JO (RONI) RONEMUS
CITY CLERK

SUBJECT:

TRAFFIC & PARKING COMMISSION
AGENDA ITEM - MAY 27, 1997.

COPIES TO:

COUNCILMAN ARNIE ADAMSEN
COUNCILMAN MATTHEW Q. CALLISTER
COUNCILMAN MICHAEL J. McDONALD
COUNCILMAN GARY REESE
RICHARD GOECKE
W. GORDON DERR

I understand that **TOM CAMERON**, who was the appointed resident representative for Ward 4, has resigned from the Traffic & Parking Commission. Attached, please find his letter of resignation. LVMC 2.48.010(3) specifies that one member shall reside in and be representative of each of the four Council Wards. The replacement for Mr. Cameron ***must be a resident from Councilman Callister's Ward.***

In addition, the term of office for **ROBERT WHITE**, Ward 1 representative, will be expiring on June 21, 1997. Attached is a memo from Gordon Derr, Assistant City Traffic Engineer, indicating that Mr. White wishes to be reappointed. He has an excellent attendance record.

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 **May 27, 1997 City Council agenda**, for your consideration.

Attachments

boards.ltr/p87

CITY COUNCIL MINUTES

MAY 27 1997

Tom Cameron
8056 Romine Ct.
Las Vegas, NV 89129

April 23, 1997

Matt Callister
Las Vegas City Council
400 E. Stewart Ave.
Las Vegas, NV

Dear Councilmen Callister:

While it has been my distinct privilege to serve as Traffic and Parking Commissioner for the city of Las Vegas, I am sorry to inform you that I will not be able to fulfill the term of my post. It has been some three to four years of active service on this commission, and a very interesting and fulfilling tenure. However, due to employment conflicts with regularly scheduled client meetings, I will no longer be able to attend the monthly traffic and parking meetings.

Thank You for your attention to this matter, and I wish you well on your up-coming election battle with Mr. Brown.

Sincerely,



Tom Cameron
Las Vegas City Traffic and Parking Commissioner

RECEIVED
CITY CLERK
APR 28 2 12 PM '97

CITY OF LAS VEGAS

MAY 27 1997

Date

INTER-OFFICE MEMORANDUM

April 30, 1997

TO:

BARBARA JO RONEMUS
CITY CLERK

FROM:

W. Gordon Derr
W. GORDON DERR, P.E.
ASSISTANT CITY TRAFFIC ENGINEER

SUBJECT:

EXPIRATION OF ROBERT WHITE'S TERM
ON TRAFFIC AND PARKING COMMISSION

COPIES TO:

RICHARD D. GOECKE

Mr. Robert White's term on the Traffic and Parking Commission expires on June 21, 1997. He wishes to serve another term. Mr. White has attended every meeting in the last 12 months.

WGD:ps

RECEIVED
CITY CLERK
MAY 1 3 37 PM '97

5/15/96

MAY 27 1997

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. ESBIN, MARTIN (Adamsen's recommendation)	9329 Lotus Elan Dr. (Resident of Ward 2)	17	2-21-96	2-21-2000
3. CAMERON, THOMAS (Higginson recommendation)	7324 Atwood (Resident of Ward 4)	129	8-18-93	8-18-97
4. HOBAN, ROBERT (Reese's recommendation)	1929 Ballard Drive (Resident of Ward 3)	04	12-20-95	12-20-99
5. LEE, JOHN J. (Mayor Jones, City-wide appt.)	4201 Del Rey Avenue (Resident of Ward 1)	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.

CITY COUNCIL

MEETING OF
MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION / ACTION ITEMS

VIII. NEW BILLS:

89

Bill No. 97-39 – Under certain conditions, permits dogs and cats running at large to be returned to their owners without first being impounded, and authorizes the waiver of impound and boarding fees for certain impounded dogs and cats.

Sponsored by: Mayor Jan Laverty Jones

NOTE: NEW BILLS WILL BE HEARD AT THE RECOMMENDING COMMITTEE MEETING ON WEDNESDAY, JUNE 4, 1997

First Reading - Referred - MAYOR JONES and COUNCILMAN ADAMSEN

**6/4/97 Recommending Committee
6/9/97 Council Agenda**

(11:15 - 11:16)
2-220

90

Bill No. 97-40 – Amends the definition of the term "public board member" in the City's Ethics Code.

Sponsored by: Mayor Jan Laverty Jones

First Reading - Referred - MAYOR JONES and COUNCILMAN ADAMSEN

**6/4/97 Recommending Committee
6/9/97 Council Agenda**

(11:15 - 11:16)
2-220

MORNING SESSION RECESSED AT 11:18 A.M.

CITY COUNCIL

MEETING OF
MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION / ACTION ITEMS

91

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 - Motion to bring forward and hold in ABEYANCE Item 97 [U-16-97] as the first item on the 6/9/97 Planning and Development Department PM Session discussion agenda and Item 102 [VAC-16-97] to 6/9/97 - UNANIMOUS with Caillister excused

MAYOR JONES indicated that she would like to hear Item 97 at this time since the issue is the bar and she has received information on the profitability of other ice skating rinks. She questioned the benefit of future discussion.

COUNCILMAN ADAMSEN responded that during his meeting with the two sides, substantial progress was made and they agreed to another meeting to examine leeway whereby one or two events may eliminate the protest factor in its entirety. Therefore, all the parties present at the meeting agreed to hold the item for another two weeks.

MAYOR JONES stated that she would agree to the abeyance but requested that COUNCILMAN ADAMSEN make it clear to everyone at his next meeting that she will not support a bar or tavern in this type of a public facility, next to a school, when it is not required for profitability.

COUNCILMAN REESE requested that Item 115 [U-13-97] be trailed to approximately 4:00 p.m.

There was no further discussion.

NOTE: Subsequent to the motion, MAYOR JONES instructed that comments by LILLIE and AL HYMAN, 2309 El Camino, be placed on the record regarding Item 102 [VAC-16-97] and a Verbatim Excerpt is made a part of the Final Minutes.

(2:30 - 2:32/2:42)

3 - 120/500

CITY COUNCIL

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION / ACTION ITEMS

IX. PUBLIC HEARINGS

92

Public Hearing To Discuss The List Of Delinquent Sewer Accounts For Sewer Service Charges Rendered Uncollectible And Due To Be Placed On The Clark County Treasurer's Tax Roll For The July 1, 1997 Tax Bill

REPORT GIVEN – NO ACTION REQUIRED

MAYOR JONES declared the Public Hearing open.

JIM DiFIORE, Finance & Business Services, explained that the 1995 Legislature amended Nevada Revised Statutes to permit the City to collect delinquent sewer accounts by means of the tax roll. Last year the City sent over 2,100 delinquent accounts totaling \$1.5 million and has collected \$1.2 million of those delinquent accounts. The City is now sending approximately 3,000 accounts totaling \$1 million. There is no action necessary at this time.

No one from the public appeared to make comment.

There was no further discussion.

MAYOR JONES declared the Public Hearing closed.

(2:33 - 2:34)

3 - 219

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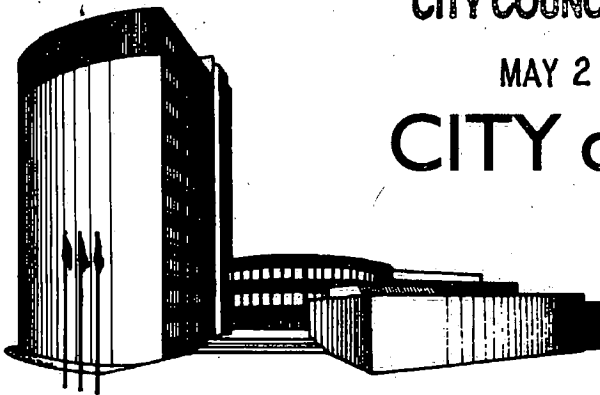
359

CITY of LAS VEGAS

**MAYOR
JAN LAVERTY JONES**

**COUNCILMEN
ARNIE ADAMSEN
MATTHEW Q. CALLISTER
MICHAEL J. McDONALD
GARY REESE**

**CITY MANAGER
LARRY K. BARTON**



May 2, 1997

NOTICE

May 27, 1997

Notice is hereby given that on May 27, 1997, at 2:00 p.m. in the Council Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, the City Council will hear the following:

A PUBLIC HEARING TO DISCUSS THE LIST OF DELINQUENT SEWER ACCOUNTS FOR SEWER SERVICE CHARGES RENDERED UNCOLLECTIBLE AND DUE TO BE PLACED ON THE CLARK COUNTY TREASURER'S TAX ROLL FOR THE JULY 1, 1997 TAX BILL. THIS DOCUMENT MAY BE EXAMINED IN THE OFFICE OF THE CITY CLERK, 400 STEWART AVENUE, FIRST FLOOR, BETWEEN THE HOURS OF 8:00 A.M. AND 5:00 P.M., MONDAY THROUGH FRIDAY, COMMENCING MAY 12, 1997.

Any and all interested persons may appear before the City Council either in person or by representative and object to or express approval; or may, prior to this meeting, file with the City Clerk, written objection thereto or approval thereof.

Barbara Jo Ronemus
City Clerk

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



CITY COUNCILMEETING OF
MAY 27, 1997

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM**ACTION****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:

ZONING APPLICATIONS:

1. Resolution of Intent with a twelve month time limit.
2. All development shall be in conformance with 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. A landscaping plan must be submitted 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. All City Code requirements and design standards of all City departments must be satisfied.
7. Parking and driveway plans must be approved by the Traffic Engineer prior to the issuance of any permits.

**INDEX
PAGE ONE****CONSENT AGENDA****REINSTATEMENT AND EXTENSION OF TIME**93 **Z-79-95(1)** - Novex, A Nevada General Partnership**EXTENSION OF TIME**

94 **U-30-95(2)** - Carmine and Ann Vento Revocable Family Trust
95 **Z-33-95(2)** - Horizon Investments, Inc.

DISCUSSION/ACTION ITEMS**PLOT PLAN AND BUILDING ELEVATION REVIEW**96 **ABEYANCE ITEM - Z-100-64(164)** - James J. and Carol S. Jimmerson**SPECIAL USE PERMIT - PUBLIC HEARING**97 **ABEYANCE ITEM - U-16-97** - Wanda and William Peccole Limited Family Partnership**STREET NAME CHANGE - PUBLIC HEARING**98 **SNC-3-97** - Dennis F. Nelson and Nancy A. Nelson Family Trust**REZONING REQUEST - PUBLIC HEARING**99 **Z-32-97** - City of Las Vegas**PLOT PLAN AND BUILDING ELEVATION REVIEW
RELATED TO Z-32-97**100 **Z-32-97(1)** - City of Las Vegas

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION / ACTION ITEMSPLANNING AND DEVELOPMENT

8. All damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works.
9. Remove all substandard public street improvements and all unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City standards prior to occupancy of this site 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 occurs first.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet to provide for transportation hazards.
13. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
14. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Planning and Development Department. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

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VACATION - PUBLIC HEARING

- 101 VAC-15-97 - William Watson, Et Al
102 VAC-16-97 - Paul and Stacy Bum, Et Al

MAJOR MODIFICATION TO THE SUMMERLIN DEVELOPMENT STANDARDS - PUBLIC HEARING

- 103 SV-11-97 - Howard Hughes Properties, Limited Partnership

PLOT PLAN AND BUILDING ELEVATION REVIEW - PUBLIC HEARING

- 104 Z-108-63(29) - Paseo Partners, Limited Liability Company
105 Z-140-93(2) - Scott Brown Trust
106 Z-62-94(2) - Glenn Patemoster

REQUIRED FIVE YEAR REVIEW - PUBLIC HEARING

- 107 V-46-92(1) - Outdoor Media Group on behalf of Union Pacific Railroad Company on behalf of Outdoor Media Group
108 U-314-91(1) - Union Pacific Railroad Company on behalf of TDI Transportation Displays, Inc.
109 U-315-91(1) - Union Pacific Railroad Company on behalf of TDI Transportation Displays, Inc.
110 U-61-92(1) - Robert Hammond Limited Liability Company on behalf of Martin Media
111 U-65-92(1) - Kummer Kaempfer Bonner & Renshaw on behalf of GES Family Limited Partnership on behalf of General Outdoor Advertising
112 U-238-91(1) - Union Pacific Railroad Company on behalf of General Outdoor Advertising

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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DISCUSSION / ACTION ITEMSPLANNING AND DEVELOPMENTVARIANCE AND SPECIAL USE PERMIT APPLICATIONS:

1. All development must be in conformance with the plot plan and elevations.

2. Landscaping and a permanent underground sprinkler system shall be provided as required by the Board of Zoning Adjustment 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. A landscaping plan must be submitted prior to or at the same time application is made for a building permit, 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.

5. City Code requirements and design standards of all City departments must be satisfied.

(6) Parking and driveway plans must be approved by the Traffic Engineer prior to the issuance of any permits.

(7) All damage to the existing street improvements resulting from this development must be repaired 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.

(9) Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Planning and Development Department. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

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VARIANCE - PUBLIC HEARING

113 V-22-97 - M. Jack Bowman

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114 ABEYANCE ITEM - U-11-97 - Laule Becker II on behalf of American Outdoor Advertising

115 ABEYANCE ITEM - U-13-97 - Carol Decker

116 ABEYANCE ITEM - U-25-97 - Leni Skaar

117 U-26-97 - SSP Desert Shore Limited Partnership on behalf of Service Station Management

118 U-27-97 - Jaime and Sylvia Martinez

REZONING REQUEST - PUBLIC HEARING

119 Z-15-97 - Klaholz, Dunn & Schneehagen, Limited Liability Company

120 Z-18-97 - First Healthcare Corporation

121 Z-27-97 - Manijhe Daneshforooz

122 Z-28-97 - City of Las Vegas

123 Z-29-97 - City of Las Vegas

124 Z-31-97 - Gabriel and Elaine Martinez, Et Al

GENERAL PLAN AMENDMENT - PUBLIC HEARING

125 GPA-11-97 - City of Las Vegas

REZONING REQUEST RELATED TO GPA-11-96 - PUBLIC HEARING

126 Z-20-97 - City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION / ACTION ITEMS

PLANNING AND DEVELOPMENT

SUBDIVISION APPLICATIONS:

Tentative Maps:

1. Approval of the Tentative Map shall be for no more than twelve (12) months. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within twelve (12) months of the approval of the Tentative Map, a new Tentative Map must be filed.

2. Street names must be provided in accord with the City's Street Naming Regulations.

3. All development is subject to the 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 recordation of a Final Map.

5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Final Maps:

1. Final Maps shall be in conformance with the approved Tentative Map.

Vacation Applications:

1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.

2. All development shall be in conformance with code requirements and design standards of all City departments.

3. The Reconveyance shall not be recorded until all of the above conditions have been satisfied.

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.

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SPECIAL USE PERMIT RELATED TO GPA-11-97 AND Z-20-97 - PUBLIC HEARING

127 U-40-97 - Kenneth and Nancy Holland

GENERAL PLAN AMENDMENT - PUBLIC HEARING

128 GPA-15-97 - Diana J. Blasdel

REZONING REQUEST RELATED TO GPA-15-97 - PUBLIC HEARING

129 Z-30-97 - Diana J. Blasdel

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

93

CONSENT AGENDA

PLANNING AND DEVELOPMENT

REINSTATEMENT AND EXTENSION OF TIME

Z-79-95(1) - NOVEX, A NEVADA GENERAL PARTNERSHIP

Request for Reinstatement and Extension of Time on property located on the north side of Owens Avenue, east of Martin L. King Boulevard for a proposed 12,000 square foot office building, R-3 (Limited Multiple Residence) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 3 (Reese).

Planning Commission (7-0 vote) and staff recommended APPROVAL, subject to:

1. This Extension of Time shall expire on May 27, 1998.

2. Conformance with all applicable original Conditions of Approval and all Ordinance Amendments enacted subsequent to the original approval.

ADAMSEN - APPROVED Items 93 through 95 subject to conditions - **UNANIMOUS**

There was no discussion.

(2:34)

3 - 254

AGENDA DOCUMENTATION

TO:
THE CITY COUNCIL

FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REINSTATEMENT AND EXTENSION OF TIME - Z-79-95(1) - NOVEX, A NEVADA GENERAL PARTNERSHIP

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for a Reinstatement and first Extension of Time for property zoned to allow a 12,000 square foot office building. The applicant has indicated that additional time is needed to obtain building permits.

BACKGROUND DATA:

11/15/95 The City Council approved C-1 (Limited Commercial) zoning for this site (Z-79-95).

FINDINGS:

This request meets the criteria of the Municipal Code for granting Extensions of Time. Staff believes the zoning remains appropriate for this location, therefore we have no objection to this request.

Planning Commission Recommendation: APPROVAL (7-0 vote)

Staff Recommendation: APPROVAL

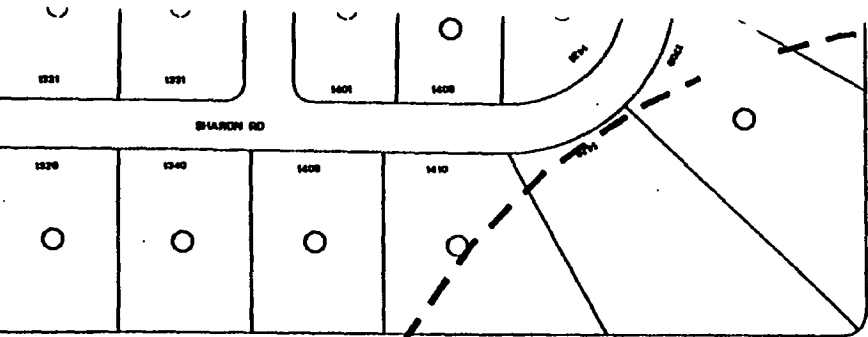
SEE ATTACHED LOCATION MAP

CITY COUNCIL MINUTES

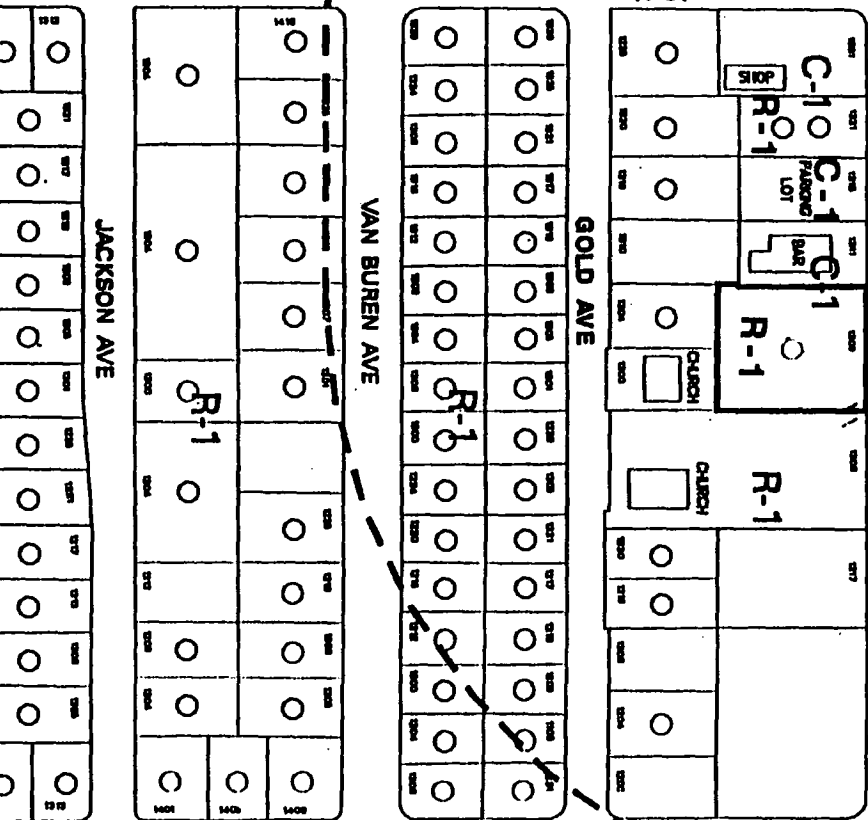
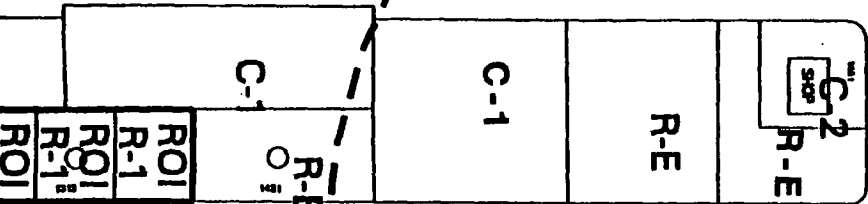
MAY 27 1997



Z-79-95(1)



MARTIN L KING BLVD



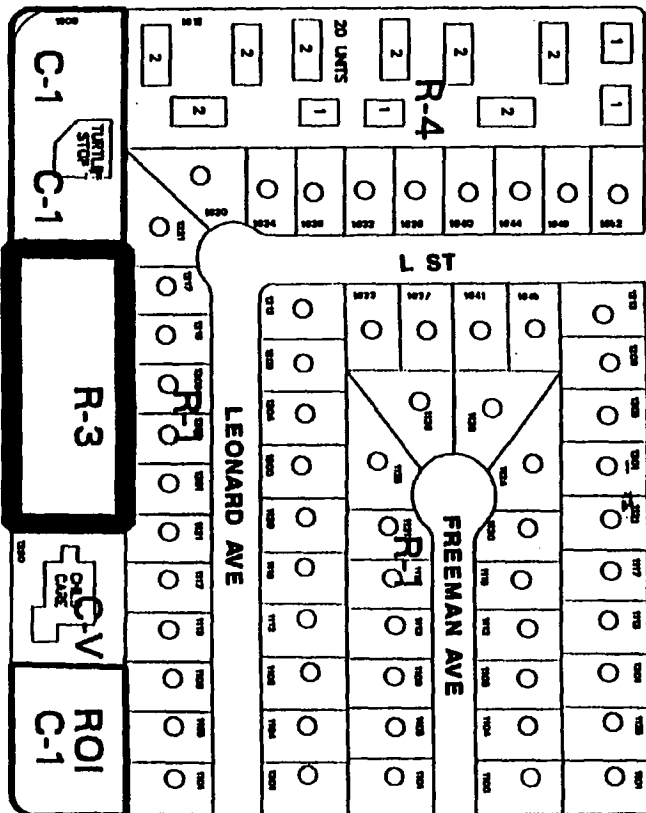
JACKSON AVE

VAN BUREN AVE

GOLD AVE

OWENS AVE

MARTIN L KING BLVD

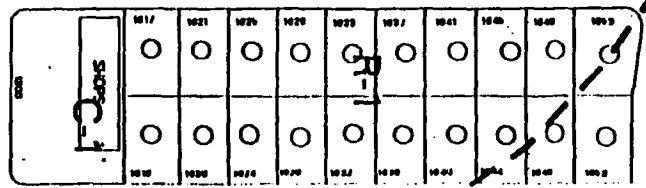


LEONARD AVE

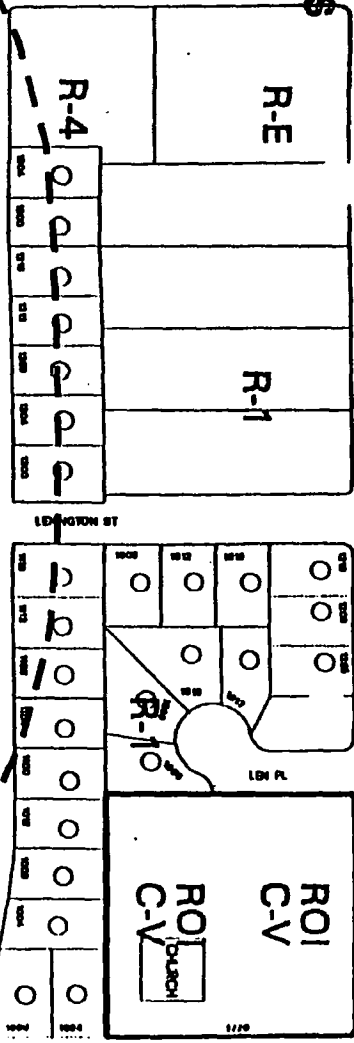
L ST

FREEMAN AVE

K ST



WYATT ST



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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

CONSENT AGENDA

PLANNING AND DEVELOPMENT

EXTENSION OF TIME - SPECIAL USE PERMIT

94

U-30-95(2) - CARMINE AND ANN VENTO REVOCABLE FAMILY TRUST

Request for an Extension of Time on an approved Special Use Permit on property located on the southeast corner of Rancho Drive and Gowan Road which allowed a tavern in conjunction with a proposed restaurant; and a waiver of the 1,500 foot distance separation requirement from another tavern and from a church, C-2 (General Commercial) Zone.

PROTESTS: N/A

Ward 4 (Callister)

The Board of Zoning Adjustment (4-0 vote) recommended APPROVAL.

Based on the findings of the back-up report, staff has NO OBJECTION to this request. If APPROVED, subject to:

1. Conformance to Conditions of Approval for U-30-95.

ADAMSEN - APPROVED Items 93 through 95 subject to conditions - UNANIMOUS

There was no discussion.

(2:34)
3 - 254

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: EXTENSION OF TIME - SPECIAL USE PERMIT - U-30-95(2) - CARMINE AND ANN VENTO
REVOCABLE FAMILY TRUST

PURPOSE/BACKGROUND

APPLICATION:

The applicant is requesting an Extension of Time for an approved Special Use Permit which allowed a tavern in conjunction with a proposed restaurant and allowed a waiver of the 1,500 foot requirement from another tavern and a church.

BACKGROUND DATA:

- 4/19/95 The City Council approved a Special Use Permit which allowed a tavern in conjunction with a proposed restaurant and allowed a waiver of the 1,500 foot requirement from another tavern and a church (U-30-95).
- 5/15/96 The City Council approved an Extension of Time on a Special Use Permit which allowed a tavern in conjunction with a proposed restaurant; and allowed a waiver of the 1,500 foot requirement from another tavern and a church which expired on April 19, 1997 (U-30-95[1]).
- 5/6/97 The Board of Zoning Adjustment approved an Extension of Time on an approved Special Use Permit which allowed a tavern in conjunction with a proposed restaurant and allowed a waiver of the 1,500 foot requirement from another tavern and a church (U-30-95[2]).

SITE DETAILS:

Site Area: 3.11 Acres
Tavern Size: 6,000 Square Feet

Agenda Item

94

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT
SUBJECT: <u>EXTENSION OF TIME - SPECIAL USE PERMIT - U-30-95(2) - CARMINE AND ANN VENTO REVOCABLE FAMILY TRUST</u>	

PURPOSE/BACKGROUND

ANALYSIS:

This is the applicant's second request for an Extension of Time. The applicant indicates that they need additional time to finalize plans and obtain financing for the commercial project.

FINDINGS:

According to the City of Las Vegas Zoning Ordinance, Extensions of Time on Special Use Permits may be granted upon a showing of good cause. Staff finds that the applicant's reasoning for requesting the Extension of Time shows good cause and the applicant is progressing toward acquiring building permits. The newly adopted Zoning Ordinance no longer requires Extensions of Time for Special Use Permits. Therefore, staff has no objection to this request.

The Board of Zoning Adjustment (4-0 vote) recommended **APPROVAL**.

Staff Recommendation: **NO OBJECTION**.

PROTESTS: N/A

NOTICES MAILED: N/A

SEE ATTACHED LOCATION MAP

Agenda Item

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C-2

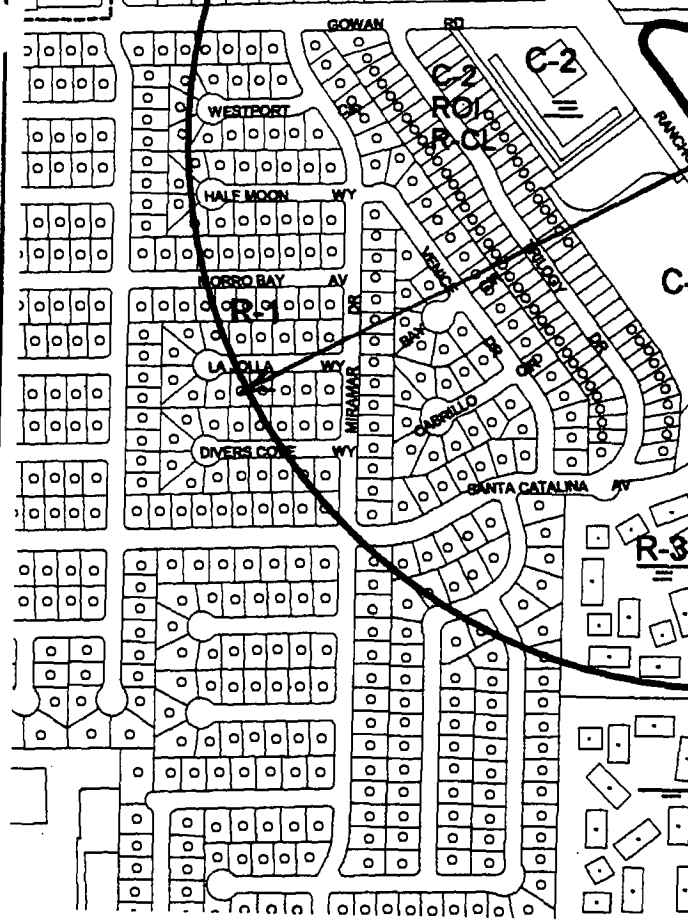
SUBJECT
PROPERTYR-E
ROI
C-2

R-E

R-E

APPROVED
TAVERN
LOCATIONEXISTING
CHURCH

C-2



Case: U-30-95(2)

RADIUS: 1500 FT

PLANNING &
DEVELOPMENT400 STEWART AVE.
LAS VEGAS, NV
89101

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ITEM

ACTION

95

CONSENT AGENDA

PLANNING AND DEVELOPMENT

EXTENSION OF TIME

Z-33-95(2) - HORIZON INVESTMENTS, INC.

Request for an Extension of Time on property located on the northwest corner of Tenaya Way and Sahara Avenue for a proposed commercial center, including a mini-storage facility and a professional office building, N-U (Non-Urban) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 1 (McDonald).

Planning Commission (7-0 vote) and staff recommended APPROVAL, subject to:

1. This Extension of Time shall expire on June 21, 1998.
2. Conformance with all applicable original Conditions of Approval and all Ordinance Amendments enacted subsequent to the original approval.

ADAMSEN - APPROVED Items 93 through 95 subject to conditions - UNANIMOUS

There was no discussion.

(2:34)
3 - 254

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: EXTENSION OF TIME - Z-33-95(2) - HORIZON INVESTMENTS, INC.

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This is the applicant's second request for an Extension of Time for property zoned to allow a commercial center, including a mini-storage facility and a professional office building. The applicant has indicated that additional time is needed to complete the final plans.

BACKGROUND DATA:

- 06/21/95 The City Council approved C-1 (Limited Commercial) zoning for this site (Z-33-95).
- 08/07/96 The City Council approved an Extension of Time which will expire on June 21, 1997 [Z-33-95(1)].

FINDINGS:

This request meets the criteria of the Municipal Code for granting Extensions of Time. Staff believes the zoning remains appropriate for this location, therefore we have no objection to this request.

Planning Commission Recommendation: APPROVAL (7-0 vote)

Staff Recommendation: APPROVAL

SEE ATTACHED LOCATION MAP

Agenda Item

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R-E

R-E

R-E

373

CITY COUNCIL MINUTES
MAY 27 1997

O'BANNON AVE

R-E

R-E

R-E

MONTI CRISTO WY

TENAYA WY

BELCASTRO ST

VIA OLIVERO AVE

SUBJECT PROPERTY

N-U

ROI
C-1

Z-33-95(2)

ROI
P-R

N-U

ROI
P-R

ROI
C-1

ROI
C-1

CATHOLIC
CHURCH

CITY LIMITS

SAHARA AVE

COUNTY

LAREDO AVE

PIONEER WY

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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DISCUSSION/ACTION ITEMSPLANNING AND DEVELOPMENTPLOT PLAN AND BUILDING ELEVATION
REVIEW

96

ABEYANCE ITEM - Z-100-64(164) - JAMES J.
AND CAROL S. JIMMERSON

Request for a Plot Plan and Building Elevation Review on property located at 519 South Casino Center and 215 Clark Avenue for a proposed two story, 21,887 square foot office building, R-4 (Apartment Residence) Zone under Resolution of Intent to C-2 (General Commercial).

Ward 1 (McDonald)

Planning Commission (7-0 vote) and staff recommended APPROVAL, subject to:

1. The site shall be developed as a zero lot line project along Casino Center Boulevard and Clark Avenue.
2. The project shall be developed with 100 per cent frontage along Clark Avenue as required by the Planning and Development Department.
3. The building elevations shall depict a continuous, uninterrupted pedestrian arcade system along Clark Avenue as required by the Planning and Development Department.
4. Provide 60 per cent clear glazing at the ground floor to accommodate future retail uses as required by the Planning and Development Department.
5. Install landscaping along Casino Center Boulevard in the form of palm trees 25 feet on center and a sidewalk constructed in accordance with the Urban Design Master Plan as required by the Planning and Development Department.

JONES - APPROVED subject to conditions and amending Conditions 3, 4, 5, and 7 as follows:

3. The applicant shall, in collaboration with the Planning and Development Department, design a continuous, uninterrupted pedestrian arcade along Clark Avenue, adjacent to their site. The applicant shall prepare the design and the Planning and Development Department will review for compliance with the Downtown Urban Design guidelines. The City and the applicant agree to share equally the costs of design and construction of the arcade, up to a maximum total cost of \$75,000, in accordance with a mutually agreed upon design.
4. The applicant shall provide tinted glazing that does not exceed ten percent opaqueness for the ground floor windows, as required by the Planning and Development Department.
5. Install landscaping along Casino Center Boulevard in the form of palm trees 25 feet on center and a sidewalk constructed in accordance with the Urban Design Master Plan, as required by the Planning and Development Department. The City agrees to share equally with the applicant the costs of this installation, up to a maximum cost to the City of \$5,000.
7. The applicant shall provide a parking screen along Casino Center Boulevard in accordance with a design provided by the City. The proposed three-foot high CMU wall shall be deleted from the project. The City and the applicant agree to share equally the costs of construction of the parking screen, up to a maximum total cost of \$15,000, in accordance with a mutually agreed upon design - UNANIMOUS with Callister not voting

JAMES JIMMERSON and LYNN HANSEN were present.

JOHN SCHLEGEL, Planning & Development, advised that a resolution had been reached with the applicant and submitted revised Conditions 3, 4, 5 and 7. MR. JIMMERSON confirmed

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ITEM

ACTION

DISCUSSION/ACTION ITEMS**PLANNING AND DEVELOPMENT****ABEYANCE ITEM - Z-100-64(164) - JAMES J. AND CAROL S. JIMMERSON**

6. Install landscaping along Clark Avenue in the form of shade trees 25 feet on center and a sidewalk constructed in accordance with the Urban Design Master Plan as required by the Planning and Development Department.

7. Provide a parking screen along Casino Center Boulevard, with a design pattern in accordance with the Urban Design Master Plan as required by the Planning and Development Department. The proposed three foot high CMU wall shall be deleted from the project.

8. Install landscaping in the surface area parking lot in accordance with the City of Las Vegas Landscape Wall and Buffer Standards.

9. Provide an articulated roof line with the use of cornices as recommended by the Urban Design Master Plan as required by the Planning and Development Department.

10. Design the main entry using a canopy, jamb, address field and tenant name with signage in accordance with the Urban Design Master Plan as required by the Planning and Development Department.

11. Dedicate a 10 foot radius on the southeast corner of Casino Center Boulevard and Clark Avenue prior to the issuance of any permits as required by the Department of Public Works.

12. Construct all incomplete half-street improvements (sidewalk) on Casino Center Boulevard and Clark Avenue adjacent to this site concurrent with development of this site as required by the Department of Public Works.

that the revised Conditions were acceptable with the clarification that the costs identified in Condition 3 would include both design and hard construction costs. MR. SCHLEGEL agreed that the clarification was reasonable.

MR. JIMMERSON verified that the conditions would not preclude the issuance of the building permits after working drawings have been completed and approved by the City.

MS. HANSEN thanked the Mayor and staff for the extra time to work this out.

No one appeared in opposition.

There was no further discussion.

(2:35 - 2:37)

3 - 370

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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APPROVED

PLANNING AND DEVELOPMENT

ABEYANCE ITEM - Z-100-64(164) - JAMES J. AND CAROL S. JIMMERSON

13. Construct a handicap ramp on the southeast corner of Casino Center Boulevard and Clark Avenue concurrent with development of this site as required by the Department of Public Works.

14. Construct full-width alley improvements adjacent to this site (where such do not exist) and extending northeasterly to Clark Avenue and southwesterly to Bonneville Avenue concurrent with development of this site as required by the Department of Public Works. Also, remove all substandard public alley improvements and replace with new improvements meeting current City Standards as required by the Department of Public Works.

15. Meet with the Traffic Engineer for assistance in the possible redesign of the proposed driveway access, on site circulation 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.

16. 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. The Traffic Impact Analysis shall determine traffic signal contribution requirements and shall also include a section addressing Standard Drawings #201.1, #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by

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APPROVED

PLANNING AND DEVELOPMENT

ABEYANCE ITEM - Z-100-64(164) - JAMES J. AND CAROL S. JIMMERSON

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.

17. Landscape and maintain all unimproved rights-of-way on Casino Center Boulevard and on Clark Avenue adjacent to this site as required by the Department of Public Works.

18. Submit an Encroachment Agreement for all landscaping and private improvements located in the Casino Center Boulevard and Clark Avenue public rights-of-way adjacent to this site prior to occupancy of this site as required by the Department of Public Works.

19. Standard Condition Nos. 2 - 9 and 11 - 14.

20. Approval of a revised plot plan reflecting the above conditions of approval by the Planning and Development Department prior to the issuance of any permits for the project.

AGENDA DOCUMENTATION

TO:
THE CITY COUNCIL

FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: PLOT PLAN AND BUILDING ELEVATION REVIEW - Z-100-64(164) - JAMES J. AND CAROL S. JIMMERSON

PURPOSE/BACKGROUND

THE CITY COUNCIL HELD THIS ITEM IN ABEYANCE FROM THE MAY 12, 1997 MEETING TO ALLOW ADDITIONAL TIME TO MEET WITH STAFF TO CONFER REGARDING THE DOWNTOWN URBAN DESIGN GUIDELINES.

APPLICATION REQUEST:

This request is for Plot Plan and Building Elevation Review of a two-story 21,887 square foot office building at the southeast corner of Clark Avenue and Casino Center Boulevard. The applicant's justification letter states that the building will be used by a law firm and other professional tenants, which will stimulate commercial expansion in the area. The review of this project was based on the revised plot plan submitted by the applicant subsequent to the original submittal of the application.

BACKGROUND DATA:

- 1964 The City Council approved C-2 (General Commercial) zoning for this site as part of a larger request. (Z-110-64).
- 9/96 The City Council approved the Urban Design Master Plan for the downtown area.

DETAILS OF APPLICATION REQUEST:

Site Area	0.80	Acres
Building Area	21,887	Square Feet
Floor Area Ratio	0.62	
Parking Required	54	Spaces
Parking Provided	70	Spaces
Building Height	36' 8"	

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AGENDA DOCUMENTATION

TO:
THE CITY COUNCILFROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENTSUBJECT: PLOT PLAN AND BUILDING ELEVATION REVIEW - Z-100-64(164) - JAMES J. AND CAROL S. JIMMERSONPURPOSE/BACKGROUND

Access to the building will be via one driveway to Casino Center Boulevard and two driveways to the alley along the rear of the site. All of the parking is at surface level; there will be no parking under the building. Twelve of the stalls will have direct access to the alley. A three foot high CMU buffer wall is proposed along the parking area along Casino Center Boulevard. Landscaped pockets are provided along Casino Center Boulevard and Clark Avenue. Additional landscaping is provided around the building and the parking lot. One trash enclosure is shown along the alley. The elevations depict a two-story building with a stucco finish with stone veneer, tinted glass and a tile mansard roof.

FINDINGS:

This site is within the Office Core of the Redevelopment Area of the City. It therefore falls under the Urban Design Master Plan recently adopted by the City Council. The Urban Design Master Plan contains development standards relating to building height, floor area ratio, landscaping and the design of any building proposed within the Office Core area.

Staff and the applicant have met on several occasions to review various site development plans for this attorney's office. On April 18th, City staff notified the applicant that the following requirements of the Downtown Urban Design Master Plan were not met:

1. The minimum lot size standard: Required: 45,000 square feet, Proposed: 35,000 square feet.
2. The minimum floor area ratio: Required: 3.0 FAR, or 135,000 net square feet, Proposed: 0.62 FAR, or 21,887 net square feet.
3. The minimum building height: Required: 50 feet, Proposed 36 feet.
4. The ground floor use standard: Required: Retail Uses, Proposed: Office Uses.

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AGENDA DOCUMENTATION

TO:
THE CITY COUNCIL

FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: PLOT PLAN AND BUILDING ELEVATION REVIEW - Z-100-64(164) - JAMES J. AND CAROL S. JIMMERSON

PURPOSE/BACKGROUND

The notification given to the applicant also stated that the following items would be suggested as conditions of approval:

1. The building would need to be developed as a zero lot line development along Casino Center Boulevard and Clark Avenue.
2. 100% frontage along Clark Avenue.
3. Provision of a continuous, uninterrupted pedestrian arcade system along Clark Avenue.
4. The ground floor of the building would provide 60% clear glazing to accommodate future retail uses.
5. Install landscaping along Casino Center Boulevard in the form of palm trees 25 feet on center with a sidewalk provided in accordance with the Urban Design Master Plan.
6. Install landscaping along Clark Avenue in the form of shade trees 25 feet on center with a sidewalk provided in accordance with the Urban Design Master Plan.
7. Provide a parking screen along Casino Center Boulevard with a design pattern in accordance with the Urban Design Master Plan.
8. Install landscaping in the parking areas in accordance with the City of Las Vegas Landscape, Wall and Buffer Standards.
9. Provide an articulated roof line with the use of cornices as recommended by the Urban Design Master Plan.
10. Provide a designed main entry (canopy, jamb, address field, and tenant names) with signage provided at the proper height.

Agenda Item

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: PLOT PLAN AND BUILDING ELEVATION REVIEW - Z-100-64(164) - JAMES J. AND CAROL S. JIMMERSON

PURPOSE/BACKGROUND

Staff and the applicant met regarding the revised plan submitted for the April 24th Planning Commission meeting. Staff and the applicant are in agreement that the building elevations should be revised so that the arcade runs the full length of the building and the landscaping should be changed to meet the conditions of staff. Staff would prefer that a combination of comices and a gabled roof be constructed in lieu of a mansard roof. Staff also recommends that the proposed three foot high CMU buffer wall along the parking area along Casino Center Boulevard be deleted from the plot plan and replaced with a designed parking screen. Therefore, subject to meeting the conditions of approval, staff has no objection to approval of the proposed plot plan and building elevations.

Planning Commission Recommendation: APPROVAL (7-0 vote) (After substantial discussion, the Planning Commission approved the request with the understanding that the applicant and staff would continue to meet to resolve remaining issues prior to the City Council meeting.)

Staff Recommendation: APPROVAL

SEE ATTACHED LOCATION MAP

Agenda Item

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**RECOMMENDED REVISIONS TO CONDITIONS FOR
Z-100-64(164). JAMES J. AND CAROL S. JIMMERSON**

3. The applicant shall, in collaboration with the Planning and Development Department, design a continuous, uninterrupted pedestrian arcade along Clark Avenue, adjacent to their site. The applicant shall prepare the design and the Planning and Development Department will review for compliance with the Downtown urban design guidelines. The City and the applicant agree to share equally the costs of construction of the arcade, up to a maximum total cost of \$75,000, in accordance with a mutually agreed upon design.
4. The applicant shall provide tinted glazing that does not exceed ten percent opaqueness for the ground floor windows, as required by the Planning and Development Department.
5. Install landscaping along Casino Center Boulevard in the form of palm trees 25 feet on center and a sidewalk constructed in accordance with the Urban Design Master Plan, as required by the Planning and Development Department. The City agrees to share equally with the applicant the costs of this installation, up to a maximum cost to the City of \$5,000.
7. The applicant shall provide a parking screen along Casino Center Boulevard in accordance with a design provided by the City. The proposed three-foot high CMU wall shall be deleted from the project. The City and the applicant agree to share equally the costs of construction of the parking screen, up to a maximum total cost of \$15,000, in accordance with a mutually agreed upon design.

MAY 27 1997**RECOMMENDED REVISIONS TO CONDITIONS FOR
Z-100-64(164). JAMES J. AND CAROL S. JIMMERSON**

3. The applicant shall, in collaboration with the Planning and Development Department, design a continuous, uninterrupted pedestrian arcade along Clark Avenue, adjacent to their site. The applicant shall prepare the design and the Planning and Development Department will review for compliance with the Downtown urban design guidelines. The City and the applicant agree to share equally the costs of construction of the arcade, up to a maximum total cost of \$75,000, in accordance with a mutually agreed upon design.
4. The applicant shall provide tinted glazing that does not exceed ten percent opaqueness for the ground floor windows, as required by the Planning and Development Department.
5. Install landscaping along Casino Center Boulevard in the form of palm trees 25 feet on center and a sidewalk constructed in accordance with the Urban Design Master Plan, as required by the Planning and Development Department. The City agrees to share equally with the applicant the costs of this installation, up to a maximum cost to the City of \$5,000.
7. The applicant shall provide a parking screen along Casino Center Boulevard in accordance with a design provided by the City. The proposed three-foot high CMU wall shall be deleted from the project. The City and the applicant agree to share equally the costs of construction of the parking screen, up to a maximum total cost of \$15,000, in accordance with a mutually agreed upon design.

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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DISCUSSION/ACTION ITEMS

PLANNING AND DEVELOPMENT

SPECIAL USE PERMIT - PUBLIC HEARING

ABEYANCE ITEM - U-16-97 - WILLIAM AND WANDA PECCOLE LIMITED FAMILY PARTNERSHIP

Appeal filed by William and Wanda Peccole Limited Family Partnership from the Denial by the Board of Zoning Adjustment on a request for a Special Use Permit on property located on the south side of West Charleston Boulevard, west of Hualapai Way for a proposed 3,400 square foot tavern/restaurant in conjunction with a proposed two story 57,504 skating/multi-purpose facility; and a waiver of the 1,500 foot distance separation requirement, N-U (Non-Urban) Zone under Resolution of Intent to C-1 (Limited Commercial).

PROTESTS: 89 Phone
26 at meeting w/4 Speakers
115 Total

APPROVALS: 1 at meeting

Ward 2 (Adamsen)

The Board of Zoning Adjustment (4-0 vote) recommended DENIAL.

Based on the findings of the back-up report, staff recommends APPROVAL, subject to:

1. Applicant shall submit a detailed revised floor plan indicating the size and location of signs which shall include but not be limited to the following statements: "No Children Allowed Unless Accompanied By An Adult" in the restaurant area, "No One Under 21 Allowed" in the tavern area and "No Alcohol Allowed Outside The Restaurant Area" at both the tavern and restaurant entrances, prior to the issuance of any permits as required by the Planning and Development Department.

ADAMSEN - Motion to bring forward and hold in ABEYANCE Item 97 [U-16-97] as the first item on the 6/9/97 Planning and Development Department PM Session discussion agenda and Item 102 [VAC-16-97] to 6/9/97 - UNANIMOUS with Callister excused

There was no related discussion.

(2:30 - 2:32)
3 - 120

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PLANNING AND DEVELOPMENT

ABEYANCE ITEM - U-16-97 - WILLIAM AND
WANDA PECCOLE LIMITED FAMILY
PARTNERSHIP

2. Conformance to all Conditions of Approval of the original zoning case Z-17-90 and the approved Plan and Building Elevation Review Z-17-90(18).

3. Standard Condition Nos. 1 and 5.

ABEYANCE to 6/9/97

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - U-16-97 - WILLIAM AND WANDA PECCOLE LIMITED LIABILITY COMPANY

PURPOSE/BACKGROUND**APPLICATION:**

This is an appeal of the Denial the Board of Zoning Adjustment on a request for a Special Use Permit for a tavern in conjunction with a proposed restaurant and skating/multi-purpose facility and a waiver of the minimum 1,500 foot distance separation requirement.

BACKGROUND DATA:

- 04/04/90 The City Council approved a Rezoning on this property from N-U (Non-Urban) to C-1 (Limited Commercial) as part of a larger request (Z-17-90).
- 02/27/97 The Planning Commission approved a Plot Plan and Building Elevation review for a proposed skating/multi-purpose facility (Z-17-90 [18]).
- 04/01/97 The Board of Zoning Adjustment denied a request for a Special Use Permit for a tavern in conjunction with a proposed restaurant and skating/multi-purpose facility and a waiver of the minimum 1,500 foot distance separation requirement (U-16-97).
- 05/12/97 The City Council voted to hold this item in abeyance to the May 27, 1997 meeting in an effort to allow the protesters to meet with the developers (U-16-97).

SITE DETAILS:

Site Area:	6.04	Acres
Total Building Area:	61,000	Square Feet
Proposed Restaurant/Tavern:	3,400	Square Feet
Parking Required:	279	Spaces
Parking Provided:	296	Spaces

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - U-16-97 - WILLIAM AND WANDA PECCOLE LIMITED LIABILITY COMPANY

PURPOSE/BACKGROUND**ANALYSIS:**

The applicant proposes to construct a two-story 61,000 square foot building which includes an ice skating rink, retail shops, concession stands, business offices, video game arcade and a proposed 3,400 square foot restaurant/tavern. Access to the site is via a 34 foot and a 40 foot wide driveway from Hualapai Way. The submitted floor plan indicates that the proposed restaurant will be located on the second story mezzanine with two entrances, one from the interior and one from the exterior of the building. The entire restaurant/tavern will be completely enclosed in plexi-glass with signs posted at entrance points in both the restaurant and bar area prohibiting minors. The applicant has indicated that the floor plan could be revised for the restaurant/tavern to meet the standards and criteria of a supperclub with a barrier separating the tavern from the restaurant use. The applicant would prefer submitting a detailed floor plan at a later time, but prior to the issuance of any building permits, provided the use is approved.

On March 20, 1997 the Clark County Planning Commission approved a Special Use Permit for a proposed 114,000 square foot private school. Subsequent to the Board of Zoning Adjustment meeting the applicant had an engineering firm do a survey on the site to certify the distance between the ice skating rink's primary entrance and the proposed school's primary entrance. It has been certified by Pentacore Engineering that the primary entrances are in fact 1,541 feet apart. Therefore the proposed ice rink facility is in conformance with the City of Las Vegas Municipal Code which required a minimum distance separation requirement of 1,500 feet.

FINDINGS:

Pursuant to Section 19.90.085 of the Las Vegas Municipal Code, no tavern license shall be located within one thousand five hundred feet of any church, synagogue, school, child care facility, City park or comparable establishments unless it can be shown by convincing and substantial evidence by the applicant that a waiver of such distance requirements will not compromise the objective of the City Council in safeguarding the interest of the citizens of the City.

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - U-16-97 - WILLIAM AND WANDA PECCOLE LIMITED LIABILITY COMPANY

PURPOSE/BACKGROUND

The applicant has submitted a certified engineering report that verifies that the proposed ice skating rink facility is outside of the 1,500 foot distance separation. Staff is of the opinion that the restaurant/tavern and skating rink could be a compatible use in the area. There is a full concession stand available on the first floor for patrons using the rink. Therefore there would be no reason for minors to loiter in or near the tavern/restaurant area. There are similar establishments operating in the City such as the one proposed. It should also be noted that were the applicant to amend this application to a supperclub rather than tavern it would not be subject to the 1500 foot distance separation requirement. A supperclub would only require a 400 foot separation.

Staff met with the applicant to discuss the need for a detailed floor plan and sign posting for the bar and restaurant areas. Staff recommends modifications be made to the floor plans to reduce the possibility of unaccompanied minors entering the restaurant/tavern area. The applicant stated that no alcohol would be allowed outside the restaurant/tavern area. Staff suggests signs stating the restrictions of the tavern and restaurant facility. The signs should include but shall not be limited to "**No Children Allowed Unless Accompanied By An Adult**" in the restaurant area, "**No One Under 21 Allowed**" in the tavern area and "**No Alcohol Allowed Outside The Restaurant Area**" at both the tavern and restaurant entrances. An additional suggestion by staff is to discuss the floor plan with the Crime Prevention Through Environmental Design (CPTED) representative with the Metro Police Department and provide staff with a detailed floor plan for review and approval prior to the issuance of any building permits.

Based on the certified engineering report, staff has no objection to this request because it is in conformance with the Code. Staff amends their recommendation to approval.

The Board of Zoning Adjustment (4-0 vote) recommended **DENIAL**.

Staff Recommended: NO OBJECTION at BZA Staff recommends **APPROVAL**.

PROTESTS: 115 (64 Phone, 25 Phone Received Late, 26 at Meeting with 4 Speakers)

APPROVALS: 1 Speaker at Meeting

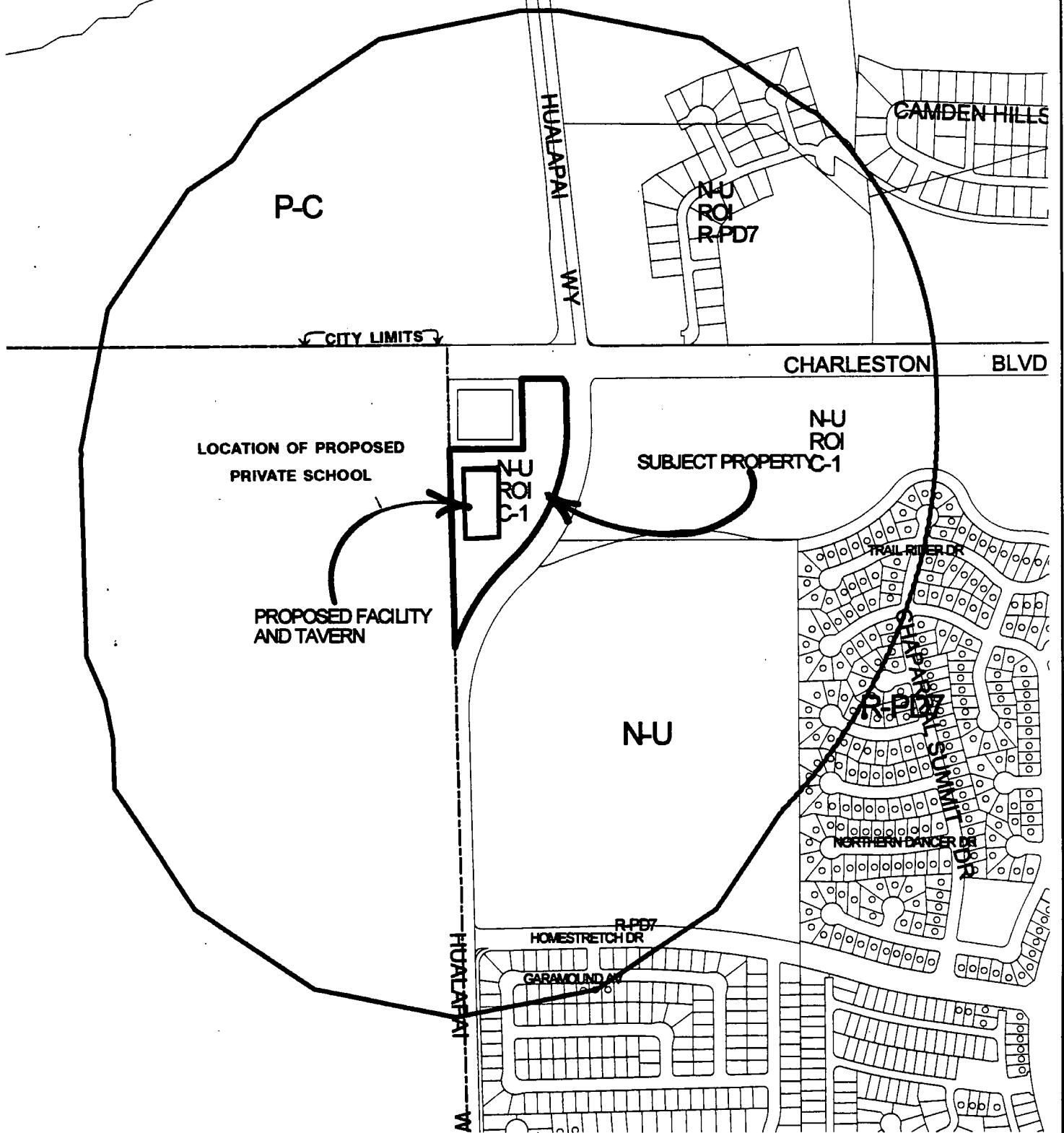
NOTICES MAILED: 66

SEE ATTACHED LOCATION MAP

Agenda Item



MAY 27 1997



Case: U-16-97

Radius: 1500 ft



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DISCUSSION/ACTION ITEMS

PLANNING AND DEVELOPMENT

STREET NAME CHANGE - PUBLIC HEARING

SNC-3-97 - DENNIS F. NELSON AND NANCY A. NELSON FAMILY TRUST

Request for a Street Name Change From: Lisa Dennis Court, To: Plantea Court on property located on the east side of Warbonnet Way, between Oakey Boulevard and El Parque Avenue, R-E (Residence Estates) Zone.

PROTESTS: 0

Ward 1 (McDonald)

Planning Commission (7-0 vote) and staff recommended APPROVAL, subject to:

1. Conformance to the adopted Address Ordinance.
2. The applicant is responsible for notification of all utilities and affected public agencies.

**McDONALD - APPROVED subject to conditions -
UNANIMOUS with Callister not voting**

MAYOR JONES declared the Public Hearing open.

The applicant was not present and no one appeared in opposition.

There was no further discussion.

MAYOR JONES declared the Public Hearing closed.

(2:38 - 2:39)
3 - 350

AGENDA DOCUMENTATION

TO:
THE CITY COUNCIL

FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: STREET NAME CHANGE - PUBLIC HEARING - SNC-3-97 - DENNIS F. NELSON AND NANCY A. NELSON FAMILY TRUST

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for the approval of a Street Name Change for a recorded Final Map. The applicant is proposing to change the one street name within this subdivision.

BACKGROUND DATA:

01/14/93 The Planning Commission approved the Final Map for Westlake Oakey Estates 2 which was subsequently recorded (FM-117-92).

FINDINGS:

Staff has no objection to this request provided the applicant conforms to the requirements of the City's Addressing Ordinance. The proposed name, Plantea Court, has been approved by the Fire Department.

Planning Commission Recommendation: APPROVAL (7-0 vote)

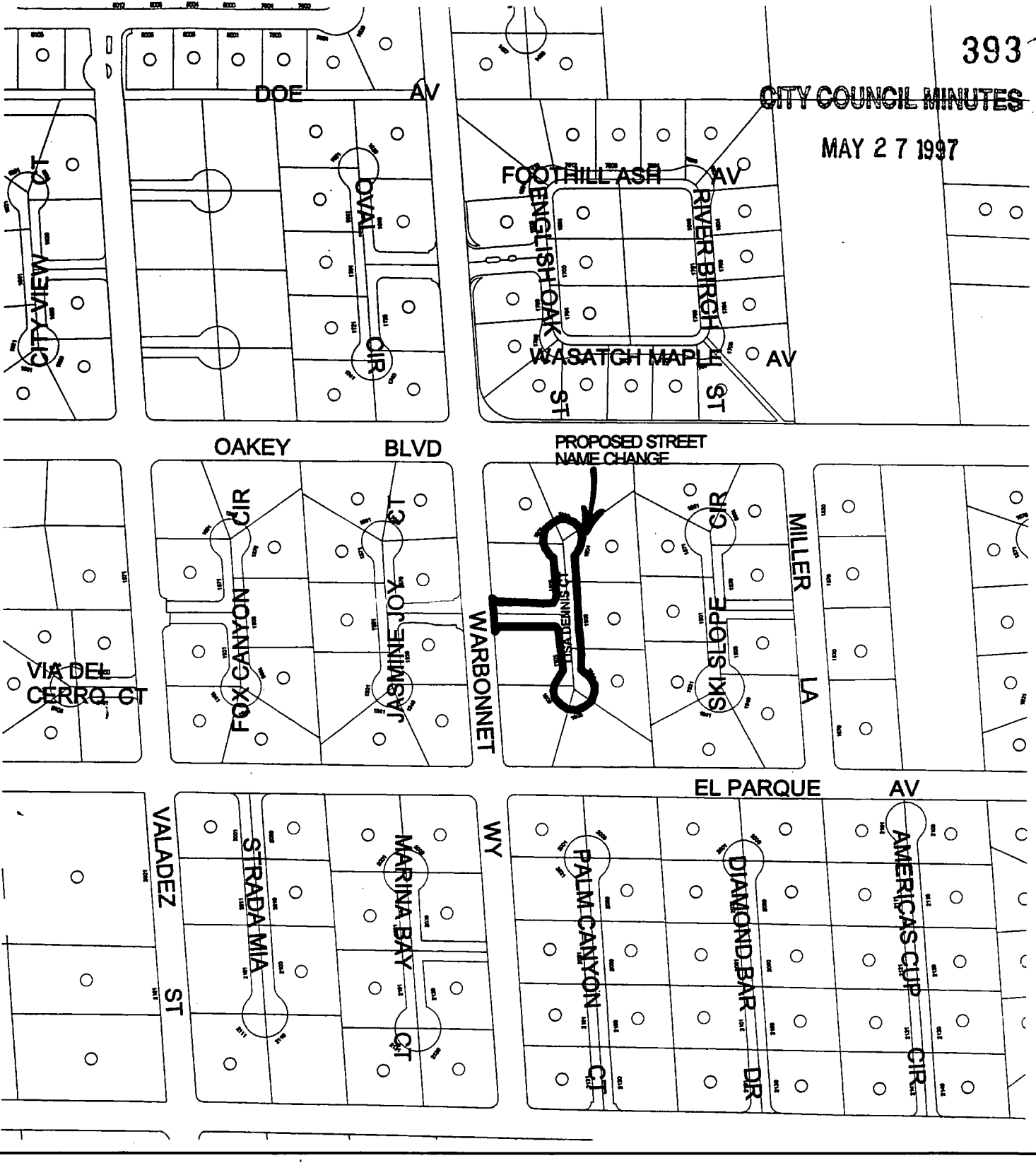
Staff Recommendation: APPROVAL

PROTESTS: 0

NOTICES MAILED: 5

SEE ATTACHED LOCATION MAP

MAY 27 1997



Case: SNC-3-97



PLANNING & DEVELOPMENT



400 STEWART AVE.
LAS VEGAS, NV
89101
702-229-6381

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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DISCUSSION/ACTION ITEMS

PLANNING AND DEVELOPMENT

REZONING REQUEST - PUBLIC HEARING

Z-32-97 - CITY OF LAS VEGAS

Request for a Rezoning on property located on the southwest corner of Lake Mead Boulevard and Martin L. King Boulevard.

From: R-E (Residence Estates) under Resolution of Intent to C-PB (Planned Business Park)

To: C-1 (Limited Commercial)

PROPOSED USE: COMMERCIAL CENTER

PROTESTS: 0

Ward 3 (Reese)

Planning Commission (7-0 vote) and staff recommended APPROVAL, subject to:

1. An overall Master Plan for this site shall be approved by the City Council upon the recommendation of the Planning Commission. In addition, each development within the site shall be required to submit a Plot Plan and Building Elevation Review for approval by the Planning Commission prior to this issuance of any building permits.

2. Development of the site shall be in accordance with the CC&R's of the business park and all other site related actions.

3. Standard Condition Nos. 1, 5 - 7 and 11 - 14.

REESE - APPROVED subject to conditions - UNANIMOUS with Callister not voting

MAYOR JONES declared the Public Hearing open.

No one appeared in opposition.

There was no further discussion.

MAYOR JONES declared the Public Hearing closed.

(2:39)

3 - 388

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REZONING REQUEST - PUBLIC HEARING - Z-32-97 - CITY OF LAS VEGAS

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for Rezoning from C-PB (Planned Business Park) to C-1 (Limited Commercial) on a ten acre parcel located on the southwest corner of Lake Mead Boulevard and Martin L. King Boulevard. This property is within the boundaries of the City of Las Vegas Enterprise Park. The application was initiated by the City of Las Vegas to provide more flexibility of land uses and design for future uses on this part of the property.

BACKGROUND DATA:

- 12/21/94 The City Council approved C-PB (Planned Business Park) zoning on this site as part of a larger request (Z-136-94).
- 10/3/95 The City Council approved a Plot Plan and Building Elevation Review to establish the Development Plan for the business park [Z-136-94(1)].
- 02/7/96 The City Council approved a Plot Plan and Building Elevation Review for the VA Ambulatory Care Center on the northwest corner of Martin L. King Boulevard and West Owens Avenue [Z-136-94(2)].
- 09/4/96 The City Council approved a Plot Plan and Building Elevation Review for an office/warehouse on the south side of Lake Mead Boulevard, approximately 1,130 feet west of Martin L. King Boulevard [Z-136-94(4)].

DETAILS OF APPLICATION REQUEST:

Site Area 10 Acres

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL

FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REZONING REQUEST - PUBLIC HEARING - Z-32-97 - CITY OF LAS VEGAS

PURPOSE/BACKGROUND

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	R-3	Multi-Family Residential
South	C-PB	Vacant
East	C-1, R-1	Commercial, Single family residential
West	C-PB	Vacant

FINDINGS:

GENERAL PLAN:

This site is designated for Mixed Use on the West Las Vegas Plan. This designation allows those permitted uses of the C-1 (Limited Commercial) zoning designation.

REZONING:

Staff has no objection to the rezoning since it is in conformance with the West Las Vegas Plan and is compatible with the surrounding area. The City of Las Vegas Office of Business Development has indicated that the CC & R's of the Enterprise Park will contain a section of standards for the C-1 (Limited Commercial) parcels of the park.

PLOT PLAN:

No overall development plan was submitted with the application. Staff suggests a condition be imposed requiring an overall master plan for site and individual plot plan and building elevation reviews for each development within the property prior to the issuance of permits.

Planning Commission Recommendation: APPROVAL (7-0 vote)

Staff Recommendation: APPROVAL

PROTESTS: 0

NOTICES MAILED: 81

SEE ATTACHED LOCATION MAP

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DISCUSSION/ACTION ITEMSPLANNING AND DEVELOPMENTPLOT PLAN AND BUILDING ELEVATION
REVIEW

100

Z-32-97(1) - CITY OF LAS VEGAS

Request for a Plot Plan and Building Elevation Review on property located on the southwest corner of Lake Mead Boulevard and Martin L. King Boulevard for a PROPOSED 4,307 SQUARE FOOT FAST FOOD RESTAURANT, R-E (Residence Estates) Zone under Resolution of Intent to C-PB (Planned Business Park) proposed C-1 (Limited Commercial).

Ward 3 (Reese)

Planning Commission (7-0 vote) and staff recommended APPROVAL, subject to:

1. Provide a minimum 20 foot wide landscape planter with 24 inch box trees 30 feet on center with shrubs and ground cover along Lake Mead Boulevard and Martin L. King Boulevard as required by the Planning and Development Department. The use of drought tolerant landscaping is encouraged.
2. Provide a minimum of two landscape planters with 24 inch box trees with shrubs and ground cover in the parking area as required by the Planning and Development Department. The use of drought tolerant landscaping is encouraged.
3. Construct all incomplete half-street improvements (sidewalk) on Martin L. King Boulevard adjacent to this site concurrent with development of this site as required by the Department of Public Works.

REESE - APPROVED subject to conditions - UNANIMOUS with Callister not voting

MAYOR JONES declared the Public Hearing open.

COUNCILMAN REESE advised that this is the McDonald's site in the City's Enterprise Park. He expressed his appreciation to MR. TRUESDALE for agreeing to hire area people.

RICK TRUESDALE thanked the City for doing an excellent job in bringing new businesses to the area.

No one appeared in opposition.

There was no further discussion.

MAYOR JONES declared the Public Hearing closed.

(2:39 - 2:40)

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DISCUSSION/ACTION ITEMS

APPROVED

PLANNING AND DEVELOPMENT

Z-32-97(1) - CITY OF LAS VEGAS

4. Construct full-width access drives and appropriate on-site paving to allow two way traffic circulation from the public street system to and from this site prior to occupancy of this site as required by the Department of Public Works. Construct the entire full-width driveway access to Martin L. King Boulevard, including the radius returns, within the property boundaries of the proposed parcel. Additional secondary paved access drives shall also be constructed if on-site traffic circulation patterns so require as determined by the Traffic Engineer.

5. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation 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.

6. Submit an Encroachment Agreement for all landscaping and private improvements located in the Martin L. King Boulevard and Lake Mead Boulevard public right-of-ways adjacent to this site prior to occupancy of this site as required by the Department of Public Works.

7. Landscape and maintain all unimproved rights-of-way on Martin L. King Boulevard and Lake Mead Boulevard adjacent to this site as required by the Department of Public Works.

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MAY 27, 1997

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City of Las Vegas

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ITEM

ACTION

DISCUSSION/ACTION ITEMS

APPROVED

PLANNING AND DEVELOPMENT

Z-32-97(1) - CITY OF LAS VEGAS

8. An addendum to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, whichever may occur first, as required by the Department of Public Works.

9. Approval of and conformance to all applicable Conditions of Approval for Zoning Application Z-32-97.

10. Conformance to the Conditions of Approval for the Las Vegas Enterprise Park Commercial Subdivision.

11. Standard Condition Nos. 2 - 9 and 11 - 14.

AGENDA DOCUMENTATION

TO:
THE CITY COUNCIL

FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: PLOT PLAN AND BUILDING ELEVATION REVIEW RELATED TO Z-32-97 - Z-32-97(1) - CITY OF LAS VEGAS

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for the approval of a Plot Plan and Building Elevation Review for a proposed 4,307 square foot fast food restaurant. This site is located in the existing Las Vegas Enterprise Park development.

BACKGROUND DATA:

- 12/21/94 The City Council approved C-PB (Planned Business Park) zoning on this site as part of a larger request (Z-136-94).
- 10/3/95 The City Council approved a Plot Plan and Building Elevation Review to establish the Development Plan for the business park [Z-136-94(1)].
- 2/7/96 The City Council approved a Plot Plan and Building Elevation Review for the VA Ambulatory Care Center on the northwest corner of Martin L. King Boulevard and West Owens Avenue [Z-136-94(2)].
- 9/4/96 The City Council approved a Plot Plan and Building Elevation Review for an office/warehouse on the south side of Lake Mead Boulevard, approximately 1,130 feet west of Martin L. King Boulevard [Z-136-94(4)].

DETAILS OF APPLICATION REQUEST:

Site Area	0.80	Acres
Proposed Square Footage	4,307	Square Feet
Parking Required	37	Spaces
Parking Provided	37	Spaces
Building Height	One Story	

Agenda Item

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AGENDA DOCUMENTATION

TO:
THE CITY COUNCIL

FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: PLOT PLAN AND BUILDING ELEVATION REVIEW RELATED TO Z-32-97 - Z-32-97(1) - CITY OF LAS VEGAS

PURPOSE/BACKGROUND

Access to this site is via one 26 foot wide driveway from Lake Mead Boulevard and one 30 foot wide driveway from Martin L. King Boulevard. Parking is located on the west side of the site and is oriented at 90 degrees with minimum 24 foot wide drive isles. Landscaping is shown in a 20 foot wide landscape planter along both street frontages, around the proposed building and in two landscape planters located in the parking lot. The Building Elevations depict a stucco exterior with a flat roof and tile accents.

FINDINGS:

Staff has no objection to the proposed development. The landscaping is adequate and should consist of 24 inch box trees 30 feet on center in the 20 foot wide landscape planter along both street frontages. The two landscape planters in the parking lot should each contain a minimum of one 24 inch box tree. The proposed parking is adequate.

Planning Commission Recommendation: APPROVAL (7-0 vote)

Staff Recommendation: APPROVAL

SEE ATTACHED LOCATION MAP

Agenda Item

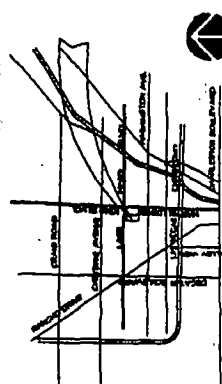
CITY COUNCIL MINUTES

MAY 27 1997

PROJECT DATA

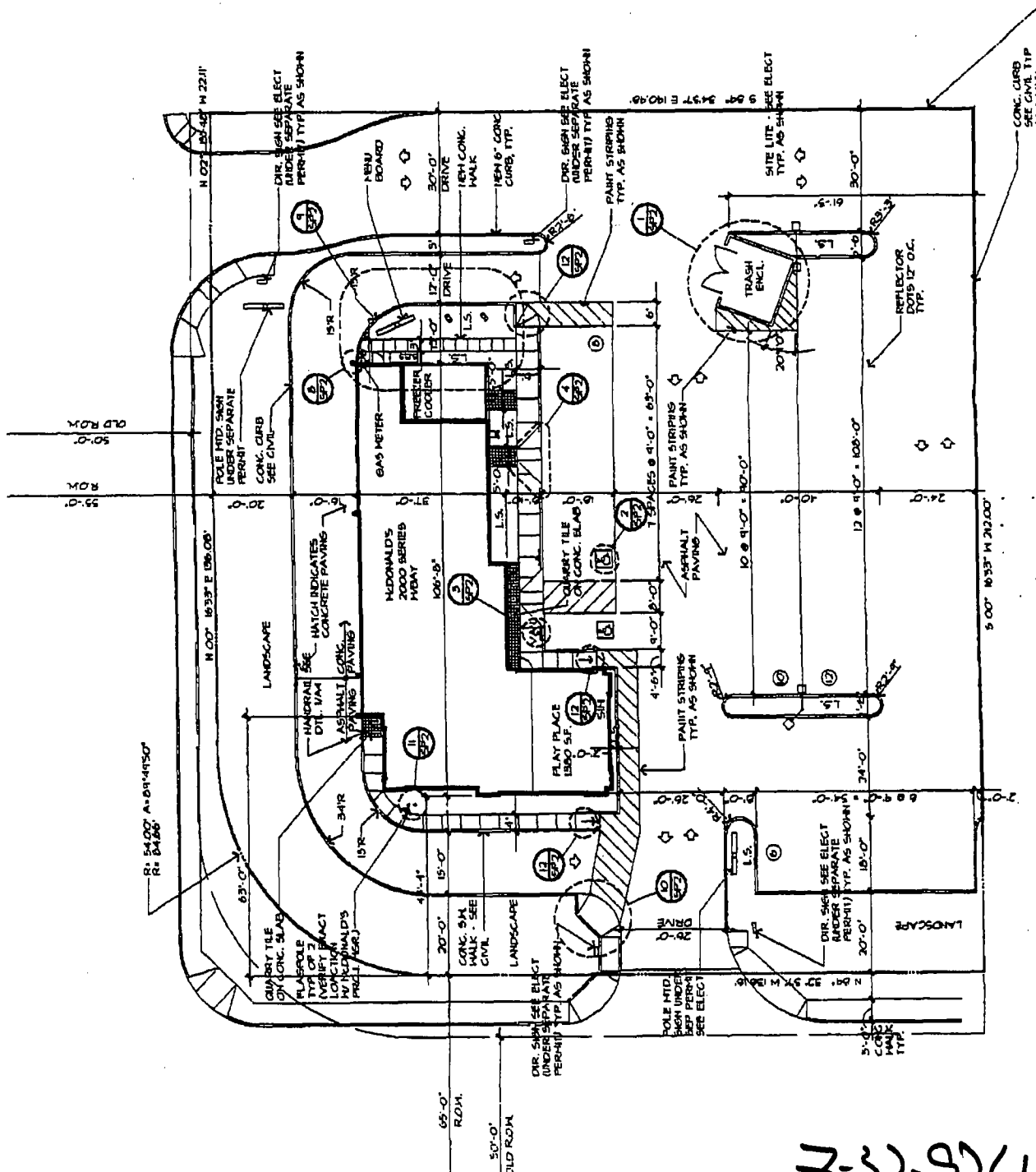
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VICINITY MAP



SITE PLAN

“100”

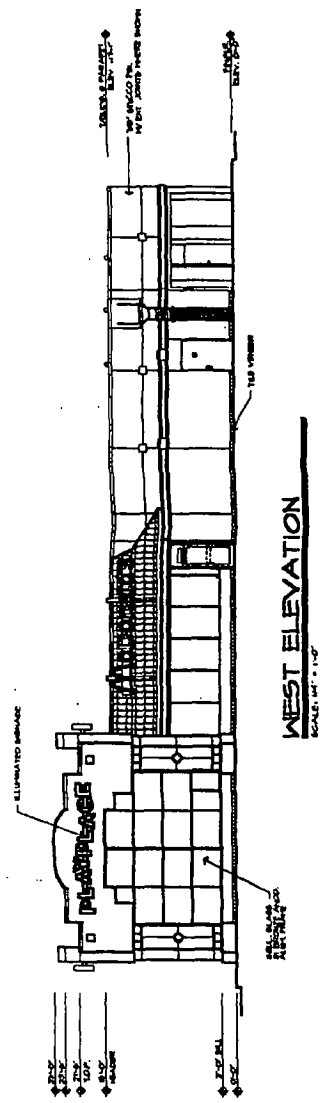


Z-32-97(1)

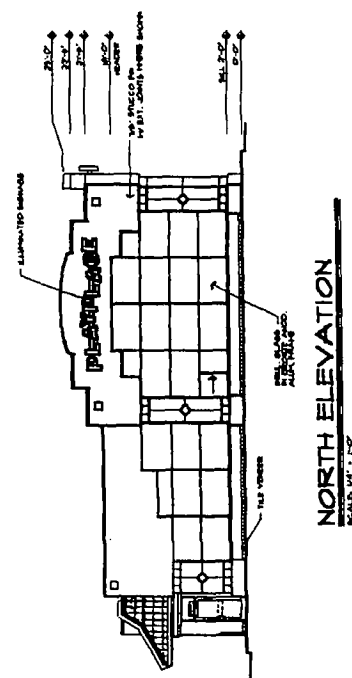
CITY COUNCIL MINUTES

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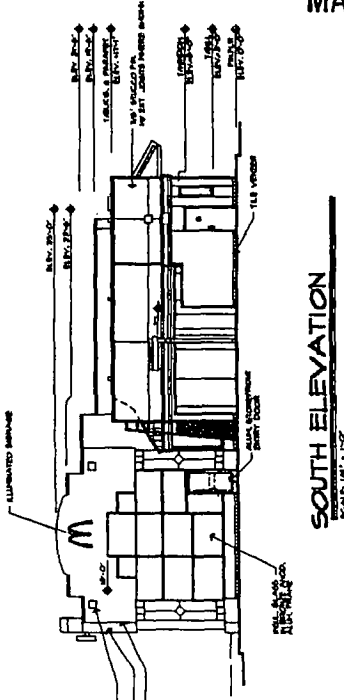
MAY 27 1997



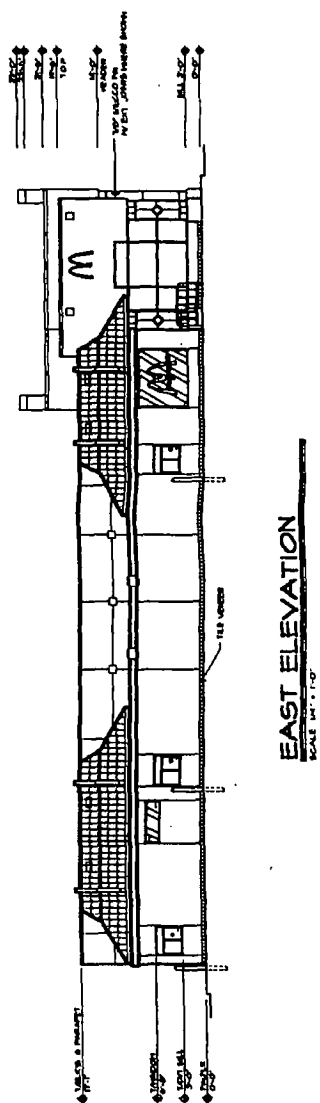
WEST ELEVATION
SCALE: 1/4" = 1'-0"



NORTH ELEVATION
SCALE: 1/4" = 1'-0"

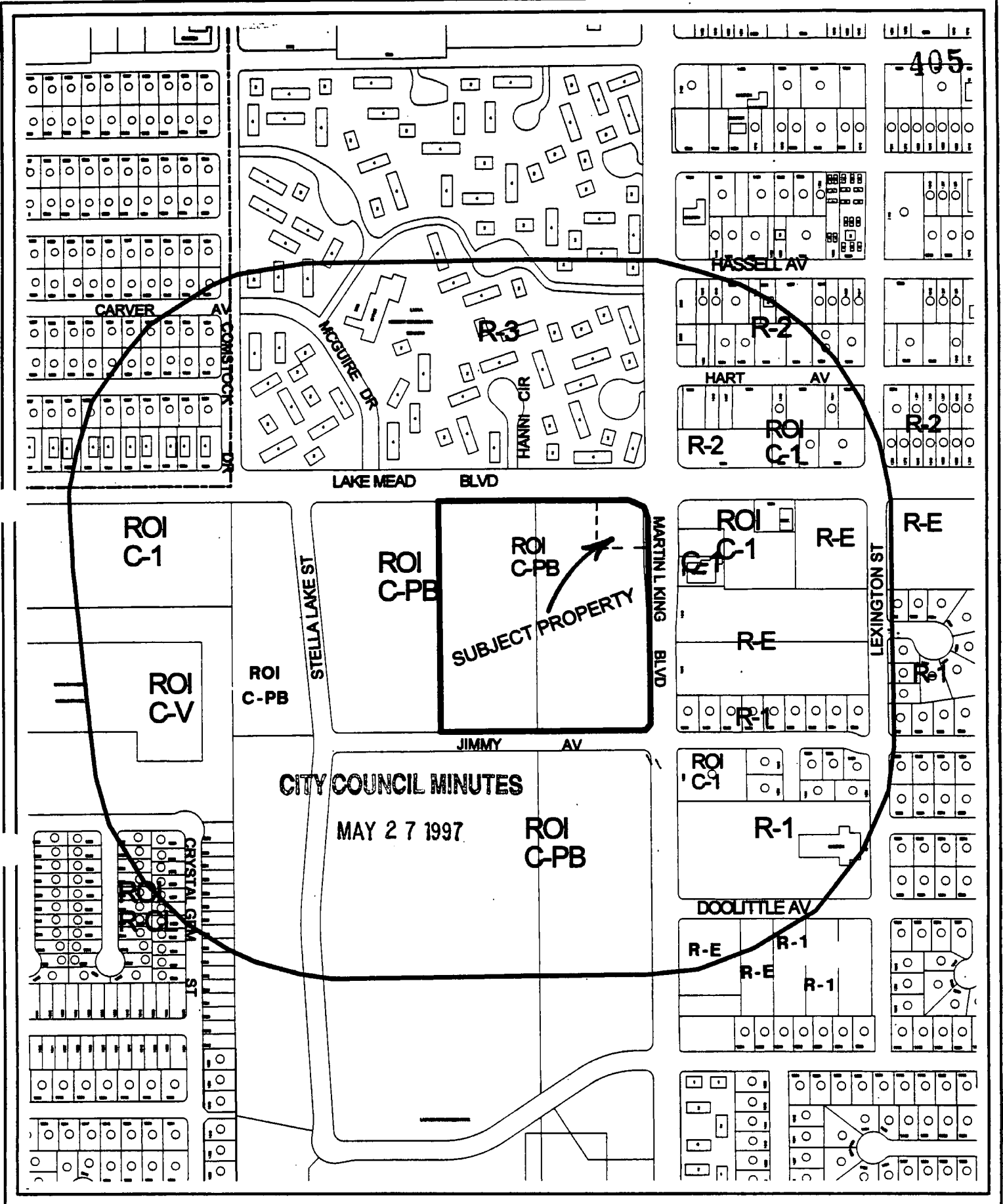


SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



EAST ELEVATION
SCALE: 1/4" = 1'-0"

Z-32-97(1)



Case: **Z-32-97(1)**



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ITEM

ACTION

101

DISCUSSION/ACTION ITEMSPLANNING AND DEVELOPMENTVACATION - PUBLIC HEARINGVAC-15-97 - WILLIAM WATSON, ET AL

Request to vacate a portion of the west half of Thom Boulevard, north of Grand Teton Drive.

PROTESTS: 0

Ward 4 (Callister)

Planning Commission (7-0 vote) recommended APPROVAL.

Based on the findings of this report, staff has NO OBJECTION to this request. If APPROVED, subject to:

1. This application shall be amended to exclude that area required for the possible continuation of the 60 foot wide Racel Street public roadway corridor as required by the Department of Public Works.

2. Retain a 25 foot radius on the northwest corner of Grand Teton Drive and Thom Boulevard, and a 15 foot radius on the southwest corner of Thom Boulevard and Racel Street as required by the Department of Public Works.

3. All public and private improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation as required by the Department of Public Works.

4. Standard Condition Nos. 1 and 2.

ADAMSEN - APPROVED subject to conditions - UNANIMOUS with Callister not voting

MAYOR JONES declared the Public Hearing open.

The applicant was not present.

No one appeared in opposition.

COUNCILMAN ADAMSEN stated that based on the recommendations of Planning Commission and staff, as well as the lack of any protest, he would move for approval.

There was no further discussion.

MAYOR JONES declared the Public Hearing closed.

(2:40)

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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ACTION

DISCUSSION/ACTION ITEMS

APPROVED

PLANNING AND DEVELOPMENT

VAC-15-97 - WILLIAM WATSON, ET AL

5. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #3 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application, if because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

6. Standard Condition No. 4.

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: VACATION - PUBLIC HEARING - VAC-15-97 - WILLIAM WATSON, ET AL

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This is a request to vacate excess public right-of-way generally located on the west side of Thom Boulevard, north of Grand Teton Drive. The applicant has indicated that Thom Boulevard will be constructed as a 60 foot wide street and the excess right-of-way is not needed.

BACKGROUND DATA:

There is no zoning history on this site.

FINDINGS:

Staff has no objection to the request since the right-of-way is longer necessary.

Planning Commission Recommendation: APPROVAL (7-0 vote)

Staff Recommendation: NO OBJECTION

PROTESTS: 0

NOTICES MAILED: 8

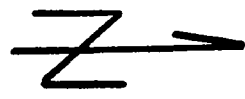
SEE ATTACHED LOCATION MAP

Agenda Item

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CITY COUNCIL MINUTES

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RACEL ST

LAWS CT

MOFFATT CIR

THOM BLVD

THOM BLVD

VAC-15-97 →

8250

8190

8101

5304

5310

5300

5304

GRAND TETON DR

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102

DISCUSSION/ACTION ITEMS

PLANNING AND DEVELOPMENT

VACATION - PUBLIC HEARING

VAC-16-97 - PAUL AND STACY BURN, ET AL

Request to vacate a portion of El Camino Avenue, west of Rancho Drive.

PROTESTS: 2 (Letters)

Ward 1 (McDonald)

Planning Commission (7-0 vote) recommended APPROVAL.

Staff recommended DENIAL. If APPROVED, subject to:

1. The applicants shall submit a plan ensuring all parcels will have legal access to Westlund Drive and have a minimum 30 foot lot frontage along the cul-de-sac bulb prior to the recordation of the Order of Vacation as required by the Planning and Development Department.

2. The applicants shall post a performance guarantee to convert Westlund Drive into a dead-end street with a cul-de-sac bulb turnaround at its south end prior to the recordation of the Order of Vacation as required by the Department of Public Works.

3. The applicants shall submit construction plans detailing the conversion of Westlund Drive into a cul-de-sac for review and approval by the City Engineer prior to the recordation of the Order of Vacation as required by the Department of Public Works.

ADAMSEN - Motion to bring forward and hold in ABEYANCE Item 97 [U-16-97] as the first item on the 6/9/97 Planning and Development Department PM Session discussion agenda and Item 102 [VAC-16-97] to 6/9/97 - UNANIMOUS with Callister excused

There was no related discussion.

NOTE: Subsequent to the motion, MAYOR JONES instructed that comments by LILLIE and AL HYMAN, 2309 El Camino, be placed on the record and a Verbatim Excerpt is made a part of the Final Minutes.

(2:30 - 2:32/2:42)

3 - 120/500

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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DISCUSSION/ACTION ITEMS

ABEYANCE to 6/9/97

PLANNING AND DEVELOPMENT

VAC-16-97 - PAUL AND STACY BURN, ET AL

4. The applicants shall submit a plan detailing how the vacated area will be privately utilized to ensure compliance with appropriate zoning and land use requirements prior to the recordation of the Order of Vacation as required by the Planning and Development Department.

5. Provide dedication of all areas necessary to create the public street right-of-way necessary for a cul-de-sac bulb at the south end of Westlund Drive in accordance with the construction plans approved by the City Engineer. This vacation application shall be amended to retain all right-of-way areas needed for the required cul-de-sac bulb. All areas required for dedication shall be offered free of charge to the City prior to the recordation of the Order of Vacation as required by the Department of Public Works.

6. Construct all necessary street improvements and street modifications necessary to convert the existing El Camino/Westlund public street improvements to a public cul-de-sac as required by the Department of Public Works. Relocate the existing public streetlight on El Camino Avenue to the new cul-de-sac bulb on Westlund Drive if required by the construction plans approved by the City Engineer; if the existing streetlight is not needed on the new cul-de-sac, remove such and deliver same to the City's Electrical Storage Yard. Also, construct curb and gutter and sidewalk along the west side of Rancho Drive past the El Camino Avenue right-of-way being vacated.

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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DISCUSSION/ACTION ITEMS

ABEYANCE to 6/9/97

PLANNING AND DEVELOPMENT

VAC-16-97 - PAUL AND STACY BURN, ET AL

7. A Drainage Plan and Technical Drainage Study, or other information acceptable to the Flood Control Section, must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application as required by the Department of Public Works. If recommended by the approved Drainage Plan/Study, appropriate public drainage easements shall be retained where necessary. Construct drainage improvements along all drainage corridors required by the approved Drainage Plan/Study.

8. A twenty foot wide public sewer easement shall be retained over the existing public sanitary sewer in El Camino Avenue; the retained public sewer easement shall be centered on the alignment of the existing sanitary sewer as required by the Department of Public Works.

9. All public and private improvements adjacent to and in conflict with this vacation application are to be modified at the applicant's expense as required by the Department of Public Works.

10. Standard Condition Nos. 1 and 2.

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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ACTION

DISCUSSION/ACTION ITEMS

PLANNING AND DEVELOPMENT

VAC-16-97 - PAUL AND STACY BURN, ET AL

11. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition Nos. 6, 7 and 9 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. 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 right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

12. Standard Condition No. 4.

ABEYANCE to 6/9/97

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: VACATION - PUBLIC HEARING - VAC-16-97 - PAUL AND STACY BURN, ET AL

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This is a request to vacate all public right-of-way for El Camino Avenue located between Rancho Drive and Westlund Drive. The applicant has not indicated how the property vacated as result of this request will be used.

BACKGROUND DATA:

- 11/06/63 The City Council approved the Final Map for Westwood Village Tract 2 which was subsequently recorded.
- 4/24/97 The Traffic and Parking Commission recommended DENIAL of a request for a trial closure of El Camino Avenue at Rancho Drive. This recommendation will be reviewed by the City Council on May 27, 1997.

FINDINGS:

A trial closing of El Camino Avenue was studied as part of a neighborhood traffic management program. The Traffic Engineering Division recommended denial of the trial closure because the requirements for street closure were not met. The Traffic and Parking Commission also recommended denial of this trial closure. This recommendation will be considered by the City Council on May 27, 1997.

Staff also has two concerns regarding this request. They are:

1. The elimination of El Camino Avenue between Westlund Drive and Rancho Drive may create an access problem for the residential parcel on the southwest corner of El Camino and Rancho; and

Agenda Item

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: VACATION - PUBLIC HEARING - VAC-16-97 - PAUL AND STACY BURN, ET AL

PURPOSE/BACKGROUND

2. The elimination of one of the two existing access corridors for this residential area. If approved, the 65 dwelling units in this area would have only a single point of access to Rancho Drive, via Cortez Avenue. Due to the current traffic volumes on Rancho Drive, forcing all neighborhood traffic to a single intersection on Rancho Drive may only result in other traffic complications.

Based on the findings, staff cannot support this request.

Planning Commission Recommendation: APPROVAL (7-0 vote)

Staff Recommendation: DENIAL

PROTESTS: 2 (Letters)

NOTICES MAILED: 31

SEE ATTACHED LOCATION MAP

Agenda Item

CITY COUNCIL MINUTES

MAY 27 1997

**RECEIVED
CITY CLERK**

MAY 16 3 38 PM '97

416

May 16, 1997

2209 Westlund Drive
Las Vegas, Nevada 89102

City Clerk
City of Las Vegas
400 East Stewart Avenue
Las Vegas, Nevada 89101

RE: VAC-16-97

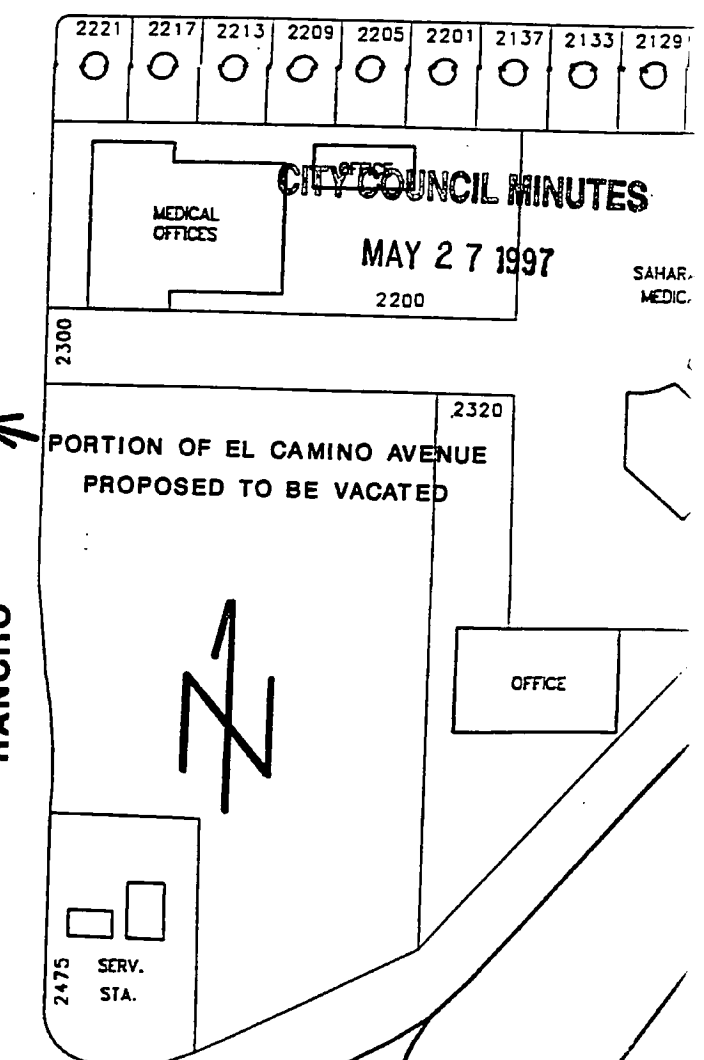
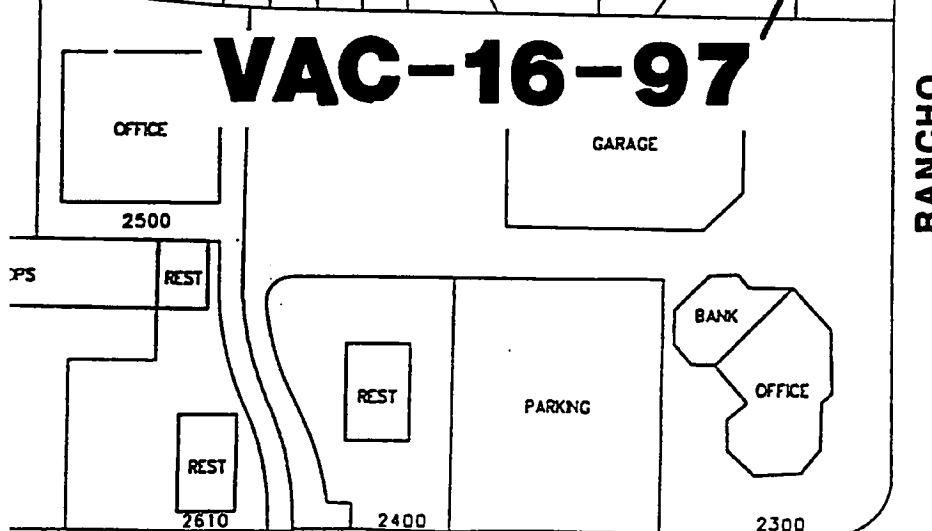
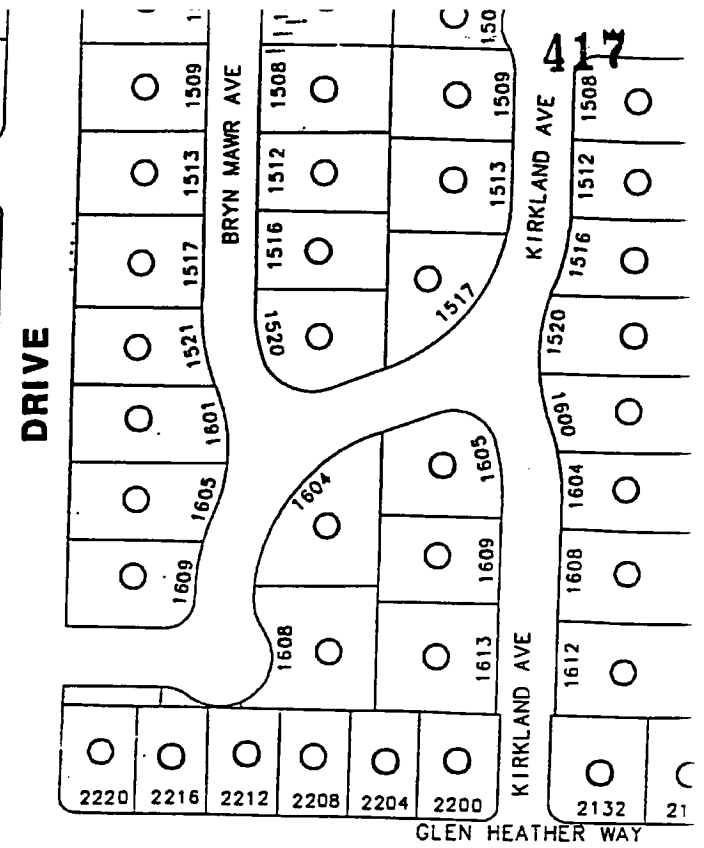
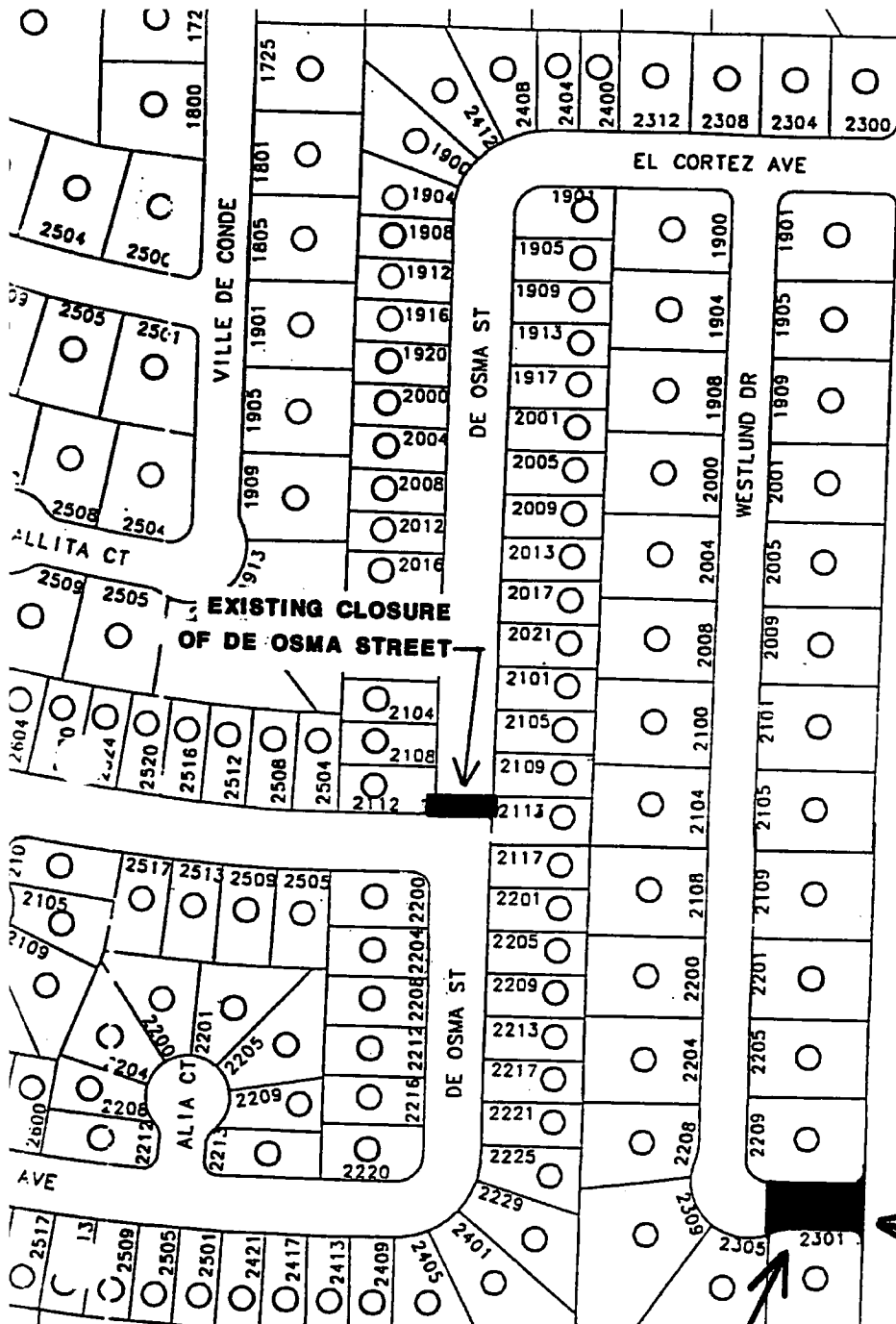
I am one of the applicants in the above mentioned action. Please accept this written request for a two week abeyance until the council meeting June 10, 1997. At the Planning Commission meeting last Thursday, May 8, 1997, we applicants and the departments of Planning and Public Works were directed by the Commissioners to develop a compromise for portions of the conditions of approval. The two weeks requested should provide sufficient time to work out the necessary details.

Sincerely,



Paul Burn

cb



EXISTING CLOSURE
OF DE OSMA STREET

VAC-16-97

CITY COUNCIL MINUTES

MAY 27 1997

PORTION OF EL CAMINO AVENUE
PROPOSED TO BE VACATED

SAHARA
MEDIC.

SAHARA

AVENUE

**CITY COUNCIL MINUTES
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**VERBATIM EXCERPT- ITEM 102: VAC-16-97
PAUL AND STACY BURN, ET AL**

- MAYOR JONES You know, we're going to, just for a moment, go back to Item 102 because even though we've held it in abeyance, there are people here who wish to be heard --
- LILLIE HYMAN (inaudible) talk on the one you passed up, the El Camino one?
- AL HYMAN 102?
- MAYOR JONES Yes. We're -- Yes.
- LILLIE HYMAN My name is Lillie Hyman and I've owned, we own the house right at 2309 El Camino Avenue, right across the street from where the proposed closure would be. The only way you can get into that street, we're completely closed off from the sides or from the back. There's no way you can get in except these two little openings onto Rancho. Otherwise we can't get in, no -- way to get in there.
- I've had occasion while living there to call 911 for an ambulance and thank goodness they got there right away. And after quadruple by-pass heart surgery, here he stands.
- AL HYMAN That's me.
- LILLIE HYMAN We've had occasion to call the Fire Department. The air conditioning, the gas pipe on the air conditioner was a flame. And I called the Fire Department and told them what was happen, they said get out of the house, get out right now and get as far away as you can. But they got there in time and they -- fixed, we changed the whole thing. Anyway, they saved us.
- I just talked to Mr. Burn, who is the applicant of this application. Has a home right across the street, right next to this area that he wants to close off. I was very surprised. I says, you are asking for this? He says, yes. I said, why would you want it? He says, I don't want the noise coming up and down the side of my house. So then he should have been told you don't buy a house backing up on Rancho right off of Sahara if you don't want traffic noise. So he wants all this noise to go to the other side of the street where there are three other houses which would take all the noise for both streets.
- I thought there was an ordinance that you had to have two openings for the Fire Department to come to your house. We -- won't have that if this street is closed. What would this City be like if Alta, the people on Alta said no, you

**CITY COUNCIL MINUTES
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**VERBATIM EXCERPT- ITEM 102: VAC-16-97
PAUL AND STACY BURN, ET AL**

cannot use my street to come downtown. Or the people on Desert Inn? What would Rancho be if we couldn't use these other streets?

I think when people come in and people are moving into our area, into the City, there's some good things happening. We get prosperity. Our prices go up, the value of our land goes up. But there's some bad things, that the traffic is bad. So if you don't want it, you move out. But you don't try to change it to make miserable for everybody else. If -- we have an ordinance that needs two streets to come in --

All right. Say it's not an emergency. Say this street is closed off where they want to do it and on the end of the block over there, there's a little altercation, there's an accident. What are the rest of these people going to do here if they have to go to work? If they have to take their children to school? If they have to go to the market? It's going to create an emergency for everybody on that block because somebody don't want the noise over here.

You're not going to get away from the noise on Rancho and Sahara, I don't care what you do, you're going to have the noise. That's no reason to close off a street that only has one other entry. That's what I have to say and -- I -- wrote down a couple of things. I guess -- that's it. Thank you.

MAYOR JONES

Thank you very much.

COUNCILMAN McDONALD

Thank you.

AL HYMAN

I'd like to add -- My name's Al Hyman, live in the same house at El Camino. I'd like to add, as I understand, the Fire Department needs one way, two ways to get out of our, to get out of a street, you know. And if you close one of them off, the Fire Department comes down, they -- got to back out to get out. I think it's a distinct safety hazard.

And with all the people coming to Las Vegas, which is a good thing, I think the streets should be open for the flow of traffic, especially if, you'd lock us in if there was an accident at the other end of the block, there's no way you could get in or out. Thanks for listening.

COUNCILMAN McDONALD

Thank you, Sir.

MAYOR JONES

Thank you very much. Was this the reason for staff's recommendation for denial? The -- lack of --

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**VERBATIM EXCERPT- ITEM 102: VAC-16-97
PAUL AND STACY BURN, ET AL**

**ROBERT GENZER, PLANNING &
DEVELOPMENT**

That was part of the concern; yes.

MAYOR JONES

Just make sure for the record the comments that were made today show again. And so you know, this will, actually a decision will be made in two weeks. So if you want to come back down then.

(END OF DISCUSSION)

/vwd

CITY COUNCIL

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION/ACTION ITEMS

PLANNING AND DEVELOPMENT

MAJOR MODIFICATION TO THE SUMMERLIN DEVELOPMENT STANDARDS - PUBLIC HEARING

103

SV-11-97 - HOWARD HUGHES PROPERTIES, LIMITED PARTNERSHIP

Request for a Major Modification to the Summerlin Development Standards to create a new land use destination SFSL (Single Family Small Lot).

PROTESTS: 0

Ward 2 (Adamsen)

Planning Commission (6-0-1 vote) and staff recommended APPROVAL, subject to:

1. Amend the Permitted Uses Table for Housing Facilities to provide for a Single Family Small Lot (SFSL) district as a permitted use in the Neighborhood Residential land use category.

2. Amend Table 2 (Single Family Residential Uses) of the Residential District Development Standards to add the following:
District: (SFSL) Single Family Small Lot;
Unit/Type: Single Family Residential; Maximum Density: 14 units per acre; Setbacks: Front, side and rear setbacks for each development to be determined during site plan review; Height: 36 feet.

3. The previously submitted Master Traffic Impact Analysis for Summerlin Village 11/12 shall be updated to reflect the traffic impact, if any, along with appropriate traffic mitigation(s) resulting from this proposed, new land use designation as required by the Department of Public Works.

ADAMSEN - ABEYANCE to 6/9/97 as the second item on the Planning and Development Department PM Session discussion agenda - UNANIMOUS

APPEARANCES:

GERALD ROBBINS, 1645 Village Center Circle #200

NOTE: MAYOR JONES instructed staff to look at factoring out this type of compact lot design as a single-family development with 10 units per acre.

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

(2:41 - 2:56)

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: MAJOR MODIFICATION TO THE SUMMERLIN DEVELOPMENT STANDARDS - PUBLIC HEARING - SV-11-97
- HOWARD HUGHES PROPERTIES, LIMITED PARTNERSHIP

PURPOSE/BACKGROUND

APPLICATION REQUEST:

The request is for a Major Modification to the Summerlin Development Standards to create a new land use designation entitled SFSL (Single-Family Small Lot). This designation would permit cluster style detached single family dwellings which are not permitted under the current standards. The applicant's justification letter states that the new SFSL designation will provide the Summerlin Planned Development with maximum flexibility to accommodate innovative site plans, while still allowing the City to prescribe minimum standards during site plan review to address public health and safety issues.

FINDINGS:

The proposed standards are very similar to the existing SFA (Single Family Attached) district. The difference is that these standards would apply to single family detached development. It would permit single family residences to be constructed on smaller lots than currently allowed with several lots having common access to one driveway. If approved, cluster developments would be allowed on properties designated for Neighborhood Residential within the Summerlin community.

Staff has no objections to this amendment to the Summerlin standards. Such considerations such as gross density, landscaping, setbacks, percentage of open space, street widths and overall design can be addressed on a case by case basis. Fences, walls and hedges must meet the recently adopted landscaping, buffer and wall guidelines. Each submittal will be subject to the approval of the City Referral Group.

Planning Commission Recommendation: APPROVAL (6-0-1 vote) (The Planning Commission requested that they be kept informed of projects submitted under this designation.)

Staff Recommendation: APPROVAL

PROTESTS: 0

NOTICES MAILED: N/A

SEE ATTACHED LOCATION MAP

Agenda Item

103

VERBATIM TRANSCRIPT - ITEM 103 - SV-11-97 - HOWARD HUGHES PROPERTY, LIMITED PARTNERSHIP

MAYOR JONES

Brings us back to Item 103, which is the Howard Hughes Property Limited Partnership. Request for the major modification. Applicants present.

JERRY ROBBINS

Your Honor, my name is Jerry Robbins with Summerlin. We support staff recommendation, and I am here to answer any questions you might have on this item.

MAYOR JONES

I have a question. This single-family small lot is – What's the difference of this than the –

COUNCILMAN ADAMSEN

We have, Your Honor, a unique concept in which they call clustering. And clustering in a single-family detached product, by doing this type of design, would enable those parcels of land that would have the same density as an attached product, but yet end up having a single-family detached product. So it's a combination of driveways but also –

MAYOR JONES

How much smaller is it than the no-lot line compact lot? How much smaller can you get?

JERRY ROBBINS

Well, the – We're asking for a maximum density of 14 units per acre. The plan you see right here is at ten unit per acre. So it's comparable to – a higher density, single-family detached residential.

MAYOR JONES

I have to tell you, before I vote, I have a real problem approving any smaller lots than we already have. We have lots out there that are 5,000 square foot that you're putting 800 square foot homes on and saying that they're not high density when in fact that's exactly what they are. I –

COUNCILMAN CALLISTER

Well, maybe you could give us some of the qualitative differences and just describe what the characteristics are of these – smaller lots.

JERRY ROBBINS

Right. These are not necessarily smaller lots, but they – allow for variations and setbacks that are – not currently allowed under Summerlin Development Standards. Actually, –

COUNCILMAN CALLISTER

So, when you say there'll be – Like, what's the difference in setbacks? That's the kind of information I need.

MAYOR JONES

(inaudible)

JERRY ROBBINS

Well, for example, right now we have 15 foot setback, but depending on the, in the house and the way it's situated, it

VERBATIM TRANSCRIPT - ITEM 103 - SV-11-97 - HOWARD HUGHES PROPERTY, LIMITED PARTNERSHIP

might have a ten foot setback from the rear yard instead of the front. We would still require an 18 foot setback on the - driveway portion of it.

What this does, it actually brings us into concurrence with the City's zoning standards. There is a zoning standard in the City right now that allows this. When we initially contemplated the development standards for Summerlin, we did not contemplate this type of development, but we're seeing a lot of this being proposed now, and it's an innovative way to arrange homes with alley loaded product, for example, or arrange homes around a courtyard with a single driveway or double driveway, and this would allow that now that it's currently allowed in the City Zoning Code.

MAYOR JONES

Well, if - it's currently allowed in the City zoning, why does it need this to be allowed in Summerlin? That's doesn't make sense to me.

ROBERT GENZER, PLANNING &
DEVELOPMENT

Because their - zoning designation is P-C, and then each of their villages is - reviewed based on the standards that are established for that particular village. So it's - In - our regular code we'd probably be looking at an R-PD or even a P-D zone that would create the standard for this, but -

MAYOR JONES

Well, I sort of believe in calling a horse a horse, and if what you're building is condominiums, why should we call it single-family residential just by changing the characterization?

JERRY ROBBINS

These are actually single-family residential. It's fee ownership on - the land. They are not condos.

COUNCILMAN CALLISTER

I think, as I understand it, the principle difference is that it's closer to what the Mayor referred to as a compact lot line house. It's just - the - setbacks between properties are going to become smaller at certain places; is that an accurate statement?

JERRY ROBBINS

In certain places. We would still conform with the Uniform Building Code. We still need a ten foot difference between homes. But in order to arrange the lots in a more productive way, for example, the standards may change, or the setbacks may change from what is currently allowed in the development standard.

COUNCILMAN CALLISTER

How much would they vary? Is what I'm, we're trying to get -

JERRY ROBBINS

Oh, for example, as I said before, from a 15-foot setback,

VERBATIM TRANSCRIPT - ITEM 103 - SV-11-97 - HOWARD HUGHES PROPERTY, LIMITED PARTNERSHIP

they might go to a 10-foot setback in certain areas in order to allow this.

COUNCILMAN CALLISTER

Can you show me on this map that's in front of us where, for example, how many units would be affected and how many would not be affected. I'm having trouble looking at my overhead engaging how many total additional units you're gaining. You're saying you're being more productive with the land. I presume you mean that's going to be more units that you can build, more density, obviously.

MAYOR JONES

I hate (inaudible). I mean, I wish I (inaudible) do with compact lots (inaudible).

JERRY ROBBINS

Well, again, not necessarily. The density of this particular project is ten units per acre, which -- doesn't approach a high-density condo unit. But --

COUNCILMAN CALLISTER

I have no sense of what it's around is, I guess, my principle concern.

JERRY ROBBINS

I would say that area that we may be looking at for clustering is the area in the middle, where are the outside areas are more standard detached homes.

COUNCILMAN CALLISTER

So as I look at this in front of me, that's that smaller more centralized area where I see a little alleyway and a green dot that surrounds it, that's where you're -- clustering homes closer?

JERRY ROBBINS

That's correct.

COUNCILMAN CALLISTER

And the balance of your perimeter lots are more the traditional --

JERRY ROBBINS

That's correct.

COUNCILMAN CALLISTER

What's immediately south off the map?

JERRY ROBBINS

There's a wash, open space wash that's a hundred foot wide --

COUNCILMAN CALLISTER

So this is -- is this surrounded by any existing housing development?

JERRY ROBBINS

Not existing, but on the right-hand side and the left-hand side will be housing development.

COUNCILMAN CALLISTER

And what's the north/south arterial, it looks like in our (inaudible)?

VERBATIM TRANSCRIPT - ITEM 103 - SV-11-97 - HOWARD HUGHES PROPERTY, LIMITED PARTNERSHIP

- JERRY ROBBINS That's Alta Drive. The north/south is -- it's Town Center Drive and on the north is Alta Drive.
- COUNCILMAN CALLISTER So it's -- at the intersection of Alta and Town Center. I'm trying to think, maybe Arnie can help me. What's there now?
- COUNCILMAN ADAMSEN A little bit further west would be the Palo Verde High School. So if you come back toward Town Center, which is section line; correct, Jerry? And then Alta is a half section line.
- JERRY ROBBINS I believe that's correct.
- ROBERT GENZER, PLANNING & DEVELOPMENT I think I should clarify for the record that what you have on your screen is an example, but what, but the issue on the agenda is simply the establishment of this designation. This is -- we're not approving or disapproving this particular project today. This is just an example for you.
- COUNCILMAN REESE Well, I just have one quick question, something to think about. If we approve something like this, are we setting precedent for other parts of the Valley?
- MAYOR JONES Yes. And I would also say, without further discussion, we may want to hold it and discuss it, whatever the desire of the Council is, but I'd to look at how we can begin to factor out any of these compact lots. Allowing people to build ten single family houses on an acre is appalling.
- JERRY ROBBINS That's not the intent of this -- ordinance that we're asking for, or this land use designation.
- MAYOR JONES I understand.
- COUNCILMAN CALLISTER Well, what is the intent then?
- JERRY ROBBINS Again, Summerlin Development Standards are -- very strict. They are stricter than the City's zoning code --
- MAYOR JONES The problem is going to be, Arnie, I don't want any more of these. I don't want any compact lots --
- COUNCILMAN CALLISTER I understand. We're all aware of (inaudible).
- JERRY ROBBINS And we are trying to allow a land use category that is currently allowed in the zoning code that would allow for --
- COUNCILMAN CALLISTER -- but not within Summerlin it doesn't.
- JERRY ROBBINS That's correct.

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VERBATIM TRANSCRIPT - ITEM 103 - SV-11-97 - HOWARD HUGHES PROPERTY, LIMITED PARTNERSHIP

COUNCILMAN CALLISTER

And so what we're really doing is we're saying, let's take what's really a lovely neighborhood, and part because of broad setbacks, etc., and change the tenor of it by adding substantially more density, at least to this location, right? By going something that's more like a compact lot. I'm not disagreeing, and it might, I'm certain you're right it does, as you say, I'm certain it makes the land more productive.

JERRY ROBBINS

Well, there are certain types of development-like clusters, alley loaded, products that --

COUNCILMAN CALLISTER

I'm sorry, was that term "alley loaded"?

JERRY ROBBINS

These are not alley loaded, but this -- designation might apply to alley loaded units as well.

COUNCILMAN CALLISTER

What is that? I'm sorry, I'm unfamiliar with that.

JERRY ROBBINS

Well, it means that the garages are in the back rather than in the front.

COUNCILMAN CALLISTER

I see.

COUNCILMAN ADAMSEN

Given the concern that there is in the Council, I think it would be in the best interest of the applicant to hold this item for two weeks, brief the members of the Council, and we'll see you here, second item on the agenda, in two weeks.

JERRY ROBBINS

That's fine. We can come back with any plans that you'd like to go over.

COUNCILMAN ADAMSEN

Please make an appointment with the Mayor and other members that have concerns. **Move to hold in abeyance for two weeks**, Your Honor.

MAYOR JONES

Vote on the motion. Post. Motion's approved. **(Motion carried unanimously.)**

(END OF DISCUSSION)

/gpb

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION/ACTION ITEMS

PLANNING AND DEVELOPMENT

PLOT PLAN AND BUILDING ELEVATION REVIEW - PUBLIC HEARING

104

Z-108-63(29) - PASEO PARTNERS, LIMITED LIABILITY COMPANY

Request for a Plot Plan and Building Elevation Review on property located at 2700 West Sahara Avenue for a PROPOSED 96,952 SQUARE FOOT TWO LEVEL PARKING GARAGE, R-1 (Single-Family Residence) Zone under Resolution of Intent to C-1 (Limited Commercial).

PROTESTS: 0

Ward 1 (McDonald)

Planning Commission (7-0 vote) and staff recommended APPROVAL, subject to:

1. 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.

2. 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. The Traffic Impact Analysis shall address the potential impact of this development onto Paseo Del Prado and shall recommend methods to mitigate the introduction or increase of vehicular traffic into the residential neighborhood to the north. 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.

**McDONALD - APPROVED subject to conditions -
UNANIMOUS**

MAYOR JONES declared the Public Hearing open.

Architect THOR WEINCOOP and General Contractor BILL MASON, Taylor International, appeared on behalf of the applicant and presented elevations of the structure. They assured COUNCILMAN McDONALD that there is a stem wall that goes around the garage and the garage abuts only commercial property.

No one appeared in opposition.

There was no further discussion.

MAYOR JONES declared the Public Hearing closed.

(2:56 - 2:58)
3 - 950

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION/ACTION ITEMS

APPROVED

PLANNING AND DEVELOPMENT

Z-108-63(29) - PASEO PARTNERS, LIMITED LIABILITY COMPANY

3. The proposed site plan shall be revised to eliminate the encroachment of the proposed parking garage onto the existing 20 foot wide public sewer easement running along the north property line as required by the Department of Public Works. This condition shall not be enforced if an alternative sewer relocation plan is proposed by the applicant and approved by the City Planning Engineer.

4. Site development to comply with all applicable Conditions of Approval for Z-108-63 and all other subsequent site-related actions as required by the Department of Public Works.

5. Standard Condition Nos. 5 - 9, 11 and 12.

6. Conformance to the plot plan as amended by the above conditions.

7. Approval of revised building elevations which match the exterior of the existing bank building by the Planning and Development Department prior to the issuance of permits for the parking structure.

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: PLOT PLAN AND BUILDING ELEVATION REVIEW - PUBLIC HEARING - Z-108-63(29) - PASEO PARTNERS, LIMITED LIABILITY COMPANY

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for a plot plan and building elevation review of a proposed two-level 96,952 square foot parking garage building on a 3.22 acre parcel located at 2700 West Sahara Avenue.

BACKGROUND DATA:

- 7/24/63 The City Council approved a reclassification from R-1 (Single Family Residence) to C-1 (Limited Commercial) for this site as part of a larger request (Z-108-63).
- 3/15/78 The City Council approved a Plot Plan and Building Elevation of a bank building on the subject parcel (Z-108-63[5]).

DETAILS OF APPLICATION REQUEST:

Site Area	3.22 Acres
Building Area (Bank Building)	68,435 Square Feet
Building Area (Parking Garage)	96,952 Square Feet
Building Height (Bank Building)	73 Feet
Building Height (Parking Garage)	13 Feet 6 Inches
Parking Required (Multi-Tenant Office Use)	172 Spaces
Parking Provided	272 Spaces

The applicant is in the process of acquiring the Norwest Bank building located in the south portion of the site and converting it to a multi-tenant office use. This conversion will create a requirement for additional parking. The applicant intends to comply with the parking requirement by constructing a two level parking structure in the north portion of the site. Access to the structure is provided by two driveways to Paseo Del Prado and a single driveway connecting to the existing parking lot located along the west side of the bank building. Additional landscaping will be placed in the existing planter located along the north property line.

Agenda Item

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: PLOT PLAN AND BUILDING ELEVATION REVIEW - PUBLIC HEARING - Z-108-63(29) - PASEO PARTNERS, LIMITED LIABILITY COMPANY

PURPOSE/BACKGROUND

The elevations for the parking structure depict a plaster exterior matching the appearance of the existing building.

FINDINGS:

Since this item was held in abeyance at the April 10th Planning Commission meeting, the applicant has submitted a revised plot plan and building elevations for the parking garage. The revised plan indicates that the third floor of the office building shown on the original building will not be constructed. The revised building elevations depict cement plaster finished exteriors.

Staff's main concern is the exterior appearance of the parking garage. Staff recommends that a condition be imposed requiring the approval of building elevations by the Department of Planning and Development prior to the issuance of permits for the parking garage. The submitted elevations shall indicate that the building exterior matches the exterior of the existing bank.

Planning Commission Recommendation: APPROVAL (7-0 vote)

Staff Recommendation: APPROVAL

PROTESTS: 0

NOTICES MAILED: 131

SEE ATTACHED LOCATION MAP

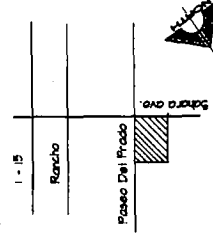
Agenda Item

2-10863681

Project Information

Project: Proposed 3 Level Parking Garage w/ Office Building on the 1st Floor.
 Square Footage: 300,000 sq ft (per floor)
 Office Building: 117,400 sq ft
 Number of Parking Spaces: 485
 Zone: C-1
 City: Las Vegas, NV
 APN: 80-29-80001

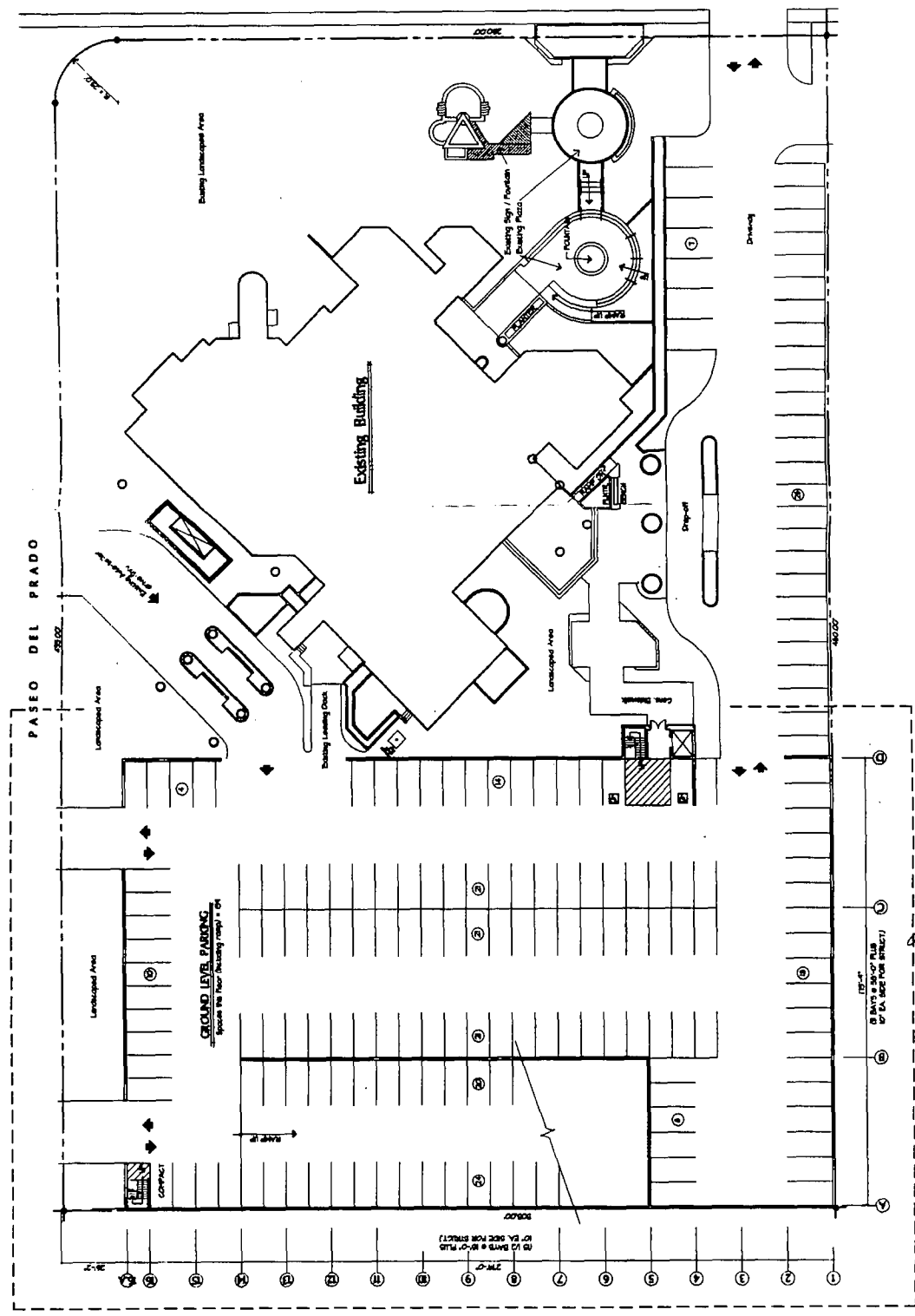
Vicinity map:



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Site Plan



Subject of this review:
 Proposed parking garage constructed
 in place of existing surface parking lot.

Plan

ARCHITECTURE □ PLANS □ INTERIOR DESIGN

Project:
 Sahara Of
 Building

2100 West Sahara
 Las Vegas, NV

Drawn By: J.K.

Checked By: J.K.

Date: 3/8/97

Scale: 1" = 10'

Job No: 80-29-80001

Sheet Cont:

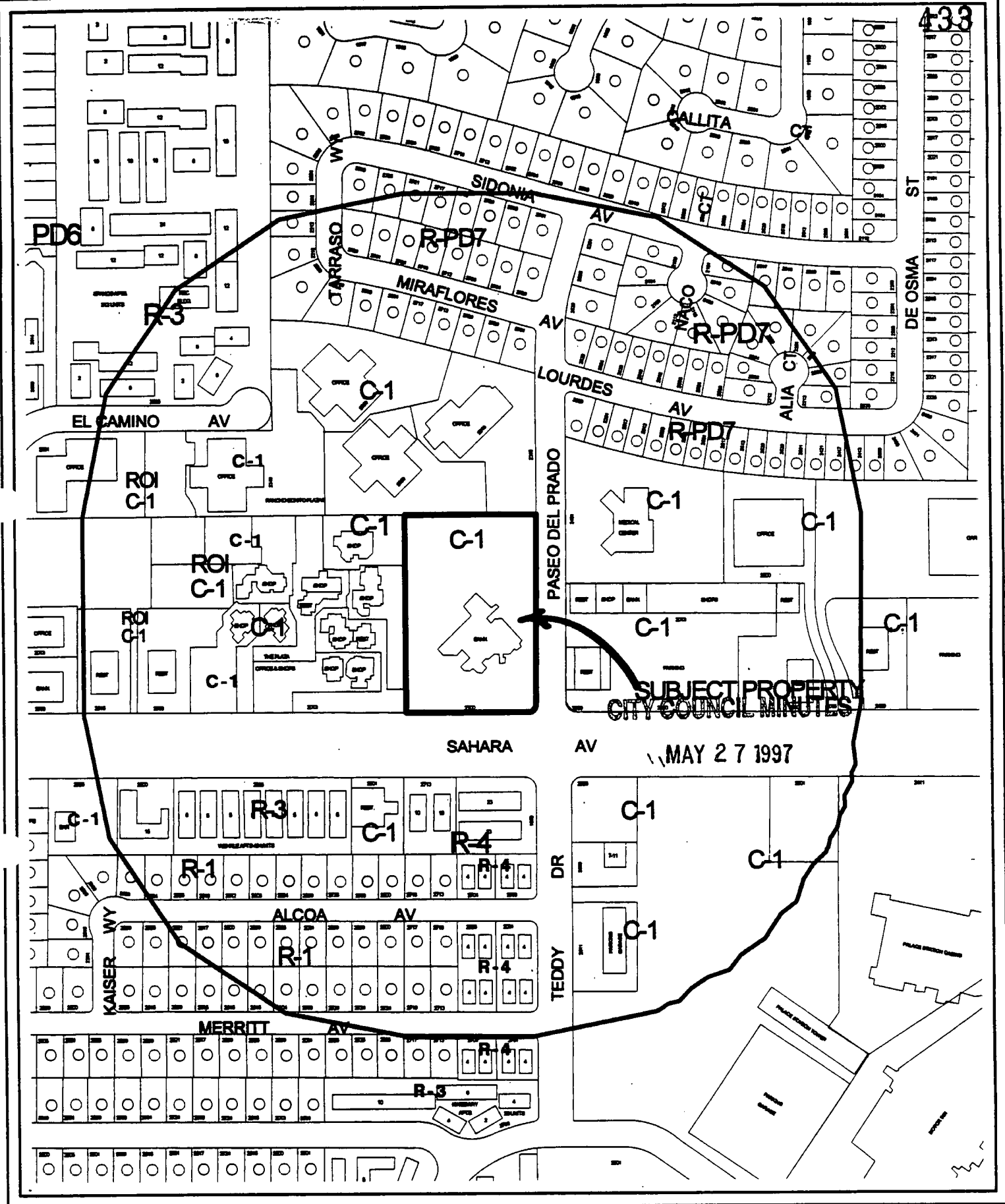
Master Shts

Plan

Sheet Num:

A1

1 of 4



Case: Z-108-63(29)

Radius: 750 ft



City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION/ACTION ITEMSPLANNING AND DEVELOPMENTPLOT PLAN AND BUILDING ELEVATION
REVIEW - PUBLIC HEARING

105

Z-140-93(2) - SCOTT BROWN TRUST

Request for a Plot Plan and Building Elevation Review on property located at 2047 West Charleston Boulevard for a PROPOSED 11,574 SQUARE FOOT ONE-STORY OFFICE BUILDING, C-D (Design Commercial) Zone.

PROTESTS: 0

Ward 1 (McDonald)

Planning Commission (7-0 vote) and staff recommended APPROVAL, subject to:

1. Provide a minimum 15 foot wide landscape planter with 24 inch box trees 30 feet on center with shrubs and ground cover along Charleston Boulevard as required by the Planning and Development Department. The use of drought tolerant landscaping is encouraged.
2. Provide landscape planters with 24 inch box trees with shrubs and ground cover in the parking area as required by the Planning and Development Department. The use of drought tolerant landscaping is encouraged.
3. Construct the block wall along the south property line of the overall site prior to the start of construction of this project as required by the Planning and Development Department.

McDONALD - APPROVED subject to conditions - UNANIMOUS

MAYOR JONES declared the Public Hearing open.

Architect TIM FICHTER, 1500 E. Tropicana, appeared on behalf of the applicant and confirmed for COUNCILMAN McDONALD that there is no basement whatsoever.

No one appeared in opposition.

There was no further discussion.

MAYOR JONES declared the Public Hearing closed.

(2:58 - 2:59)

3 - 1005

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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ACTION

DISCUSSION/ACTION ITEMS

APPROVED

PLANNING AND DEVELOPMENTZ-140-93(2) - SCOTT BROWN TRUST

4. Record an amended Final Map for the Dr. James Medical Professional Center (Commercial Subdivision) that eliminates the existing ingress/egress easement along the east edge of this site prior to occupancy of this site as required by the Department of Public Works. The amended Final Map shall include a statement providing for the perpetual shared access to all driveways from all parcels within this commercial subdivision as required by the Department of Public Works.

5. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation 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.

6. Obtain an Occupancy Permit for all landscaping and private improvements (driveways) in the Charleston Boulevard public right-of-way adjacent to this site as required by the Department of Public Works.

7. Provide public sewer easements for all public sewers not located within public street rights-of-way, if any, prior to occupancy of this site as required by the Department of Public Works.

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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ACTION

DISCUSSION/ACTION ITEMS

APPROVED

PLANNING AND DEVELOPMENT

Z-140-93(2) - SCOTT BROWN TRUST

8. An addendum to the previously submitted 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. This study shall determine traffic signal contribution requirements and shall also include a section addressing possible median island modifications on Charleston Boulevard. 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.

9. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

10. An update to the previously submitted Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, whichever may occur first, as required by the Department of Public Works.

11. Conformance to all applicable Conditions of Approval for Zoning Application Z-140-93, the subsequent Plot Plan and Building Elevation Review and the Dr. James Professional Medical Center (Commercial Subdivision).

12. Standard Condition Nos. 2 - 9 and 11 - 14.

AGENDA DOCUMENTATION

TO:
THE CITY COUNCIL

FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: PLOT PLAN AND BUILDING ELEVATION REVIEW - PUBLIC HEARING - Z-140-93(2) - SCOTT BROWN TRUST

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for the approval of a Plot Plan and Building Elevation Review for a proposed 11,574 square foot office building. This site is located in the existing Dr. James Medical Professional Center (Commercial Subdivision).

BACKGROUND DATA:

- 04/06/94 The City Council approved C-D (Designed Commercial) zoning for this site as part of a larger request (Z-140-93).
- 08/11/94 The Planning Commission approved the Final Map for Dr. James Medical Professional Center (Commercial Subdivision) which was subsequently recorded (FM-118-94).
- 09/18/96 The City Council approved a Plot Plan and Building Elevation Review for a medical office building on the south portion of the overall site [Z-140-93(1)].

DETAILS OF APPLICATION REQUEST:

Site Area	1.10	Acres
Proposed Square Footage	11,574	Square Feet
Parking Required	29	Spaces
Parking Provided	46	Spaces
Building Height	One Story	

Access to this site is via one 25 foot wide driveway from Charleston Boulevard. Parking is located on the east side of the building and on the south portion of this site and is oriented at 90 degrees with minimum 24 foot wide drive aisles. Landscaping is shown in a 25 foot wide planter along Charleston Boulevard, around the proposed building and in planters located in the parking lot. The Building Elevations depict a stucco exterior with a flat roof.

Agenda Item

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AGENDA DOCUMENTATION

TO:
THE CITY COUNCIL

FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: PLOT PLAN AND BUILDING ELEVATION REVIEW - PUBLIC HEARING - Z-140-93(2) - SCOTT BROWN TRUST

PURPOSE/BACKGROUND

FINDINGS:

Staff has no objection to the proposed development. The landscaping is adequate and should consist of 24 inch box trees 30 feet on center in the 25 foot wide landscape planter along Charleston Boulevard. The landscape planters in the parking lot should each contain a minimum of one 24 inch box tree. The proposed parking is adequate.

The Department of Public Works recommends that the applicant be required to record an amended Final Map for this commercial subdivision that eliminates the existing ingress/egress easement along the east edge of this site. This amended Final Map should include a statement providing for the perpetual shared access to all driveways.

Planning Commission Recommendation: APPROVAL (7-0 vote) (The Planning Commission approved a 15 foot wide landscape planter along Charleston Boulevard and an additional condition requiring the construction of a block wall along the south property line prior to the start of this project.)

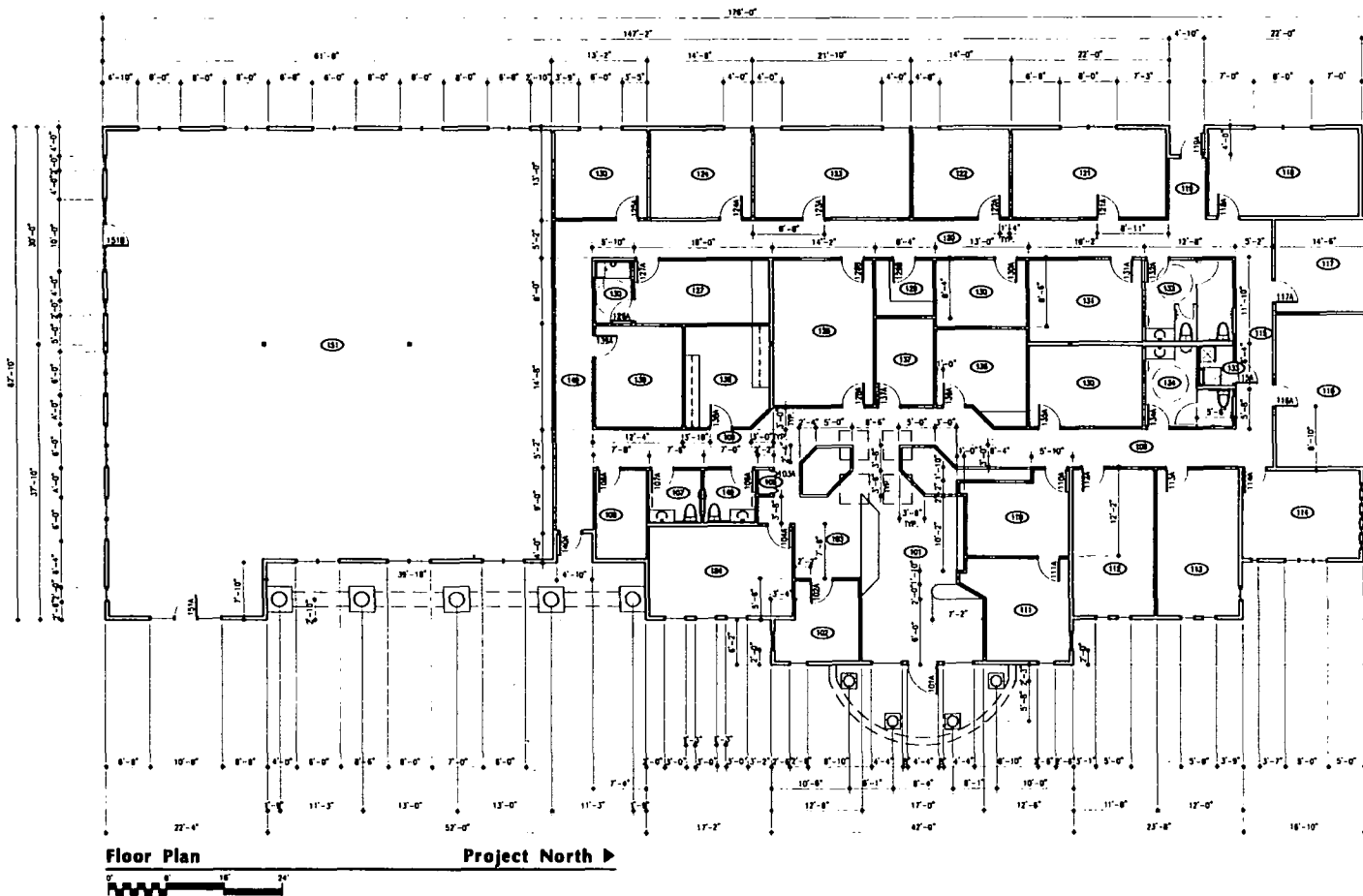
Staff Recommendation: APPROVAL

PROTESTS: 0

NOTICES MAILED: 76

SEE ATTACHED LOCATION MAP

Agenda Item



Room Legend

Rm. No.	Room Name
101	Waiting
102	Secretary
103	Receptionist
104	Office
105	Claset
106	Toilet
107	Toilet
108	Storage
109	Corridor
110	Office
111	Office
112	Office
113	Office
114	Office
115	Corridor
116	Office
117	Office
118	Office
119	Corridor
120	Corridor
121	Office
122	Office
123	Office
124	Office
125	Office
126	Shower
127	Exercise Room
128	Conference
129	Copy
130	Office
131	Reference
132	Womens
133	Janitor
134	Mens
135	Conference
136	Conference
137	Playroom
138	Files / Copy Room
139	Break Room
140	Corridor
151	Lease Space



Plot Plan Submittal Eric H. Woods Office Building

Charleston at Tonopah
Los Vegas, NV

Floor Plan

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PAC NO. PAC #

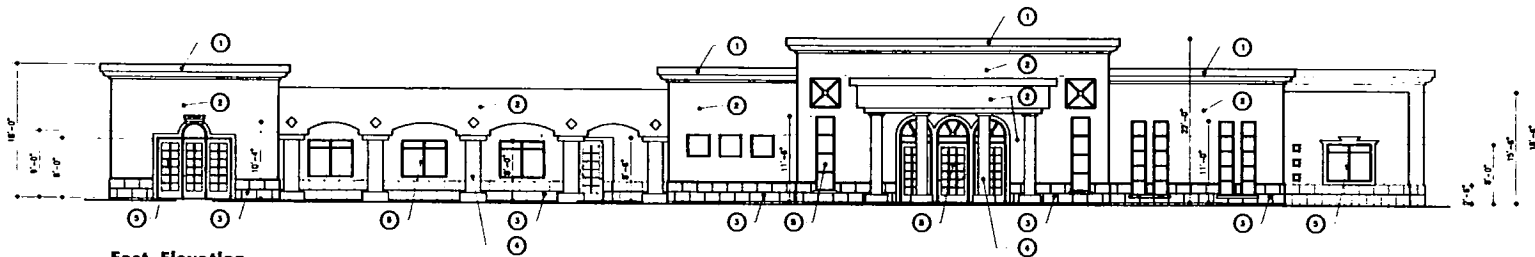
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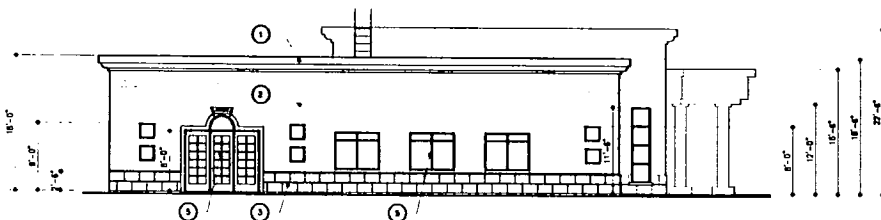
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Z-140-93(2)

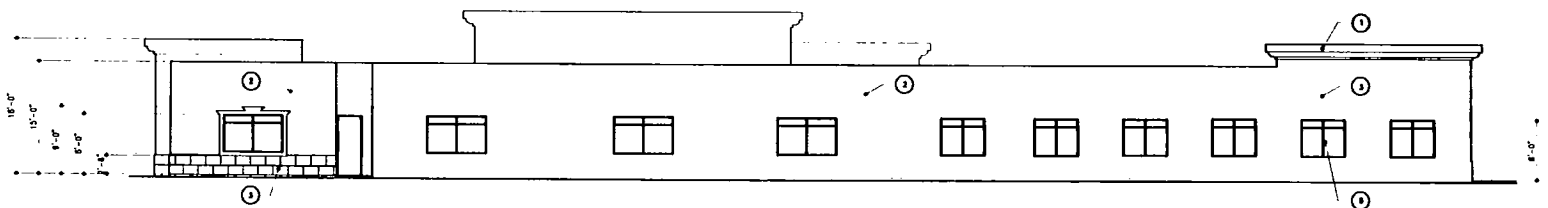
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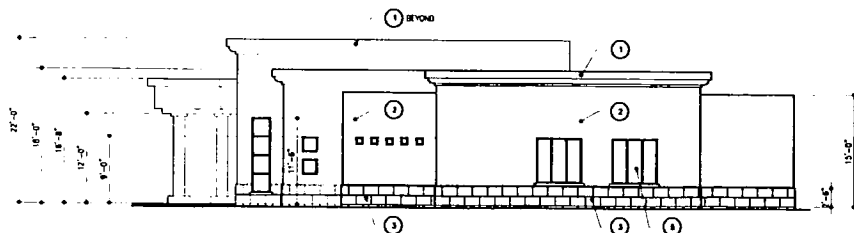
East Elevation



South Elevation



North Elevation



West Elevation

KEY NOTES:

THIS SHEET ONLY.

- ① EPS OVER FOAM CORNICE.
- ② 1" NOMINAL STUCCO.
- ③ EPS OVER 1" FOAM IN SANGLATED STONE BLOCK PATTERN.
- ④ PRINTED CONCRETE COLUMN.
- ⑤ GLAZING - LIGHT BLUE TINTED GLASS, TYP. WINDOW & DOOR FRAMES - WHITE OR TAN FACTORY FINISHED ALUMINUM.



Plot Plan Submittal
Eric H. Woods
Office Building

Charleston at Tonopah
Las Vegas, NV

Exterior Elevations

THESE ELEVATIONS ARE REPRESENTATIONS OF BUILDING AND ARE NOT TO BE USED FOR ANY OTHER PURPOSE. ANY REUSE OF THESE ELEVATIONS WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT IS PROHIBITED. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY DAMAGE OR INJURY TO PERSONS OR PROPERTY CAUSED BY THE USE OF THESE ELEVATIONS.

PAC NO.

PAC #

MAY 27 1997

CITY COUNCIL MINUTES

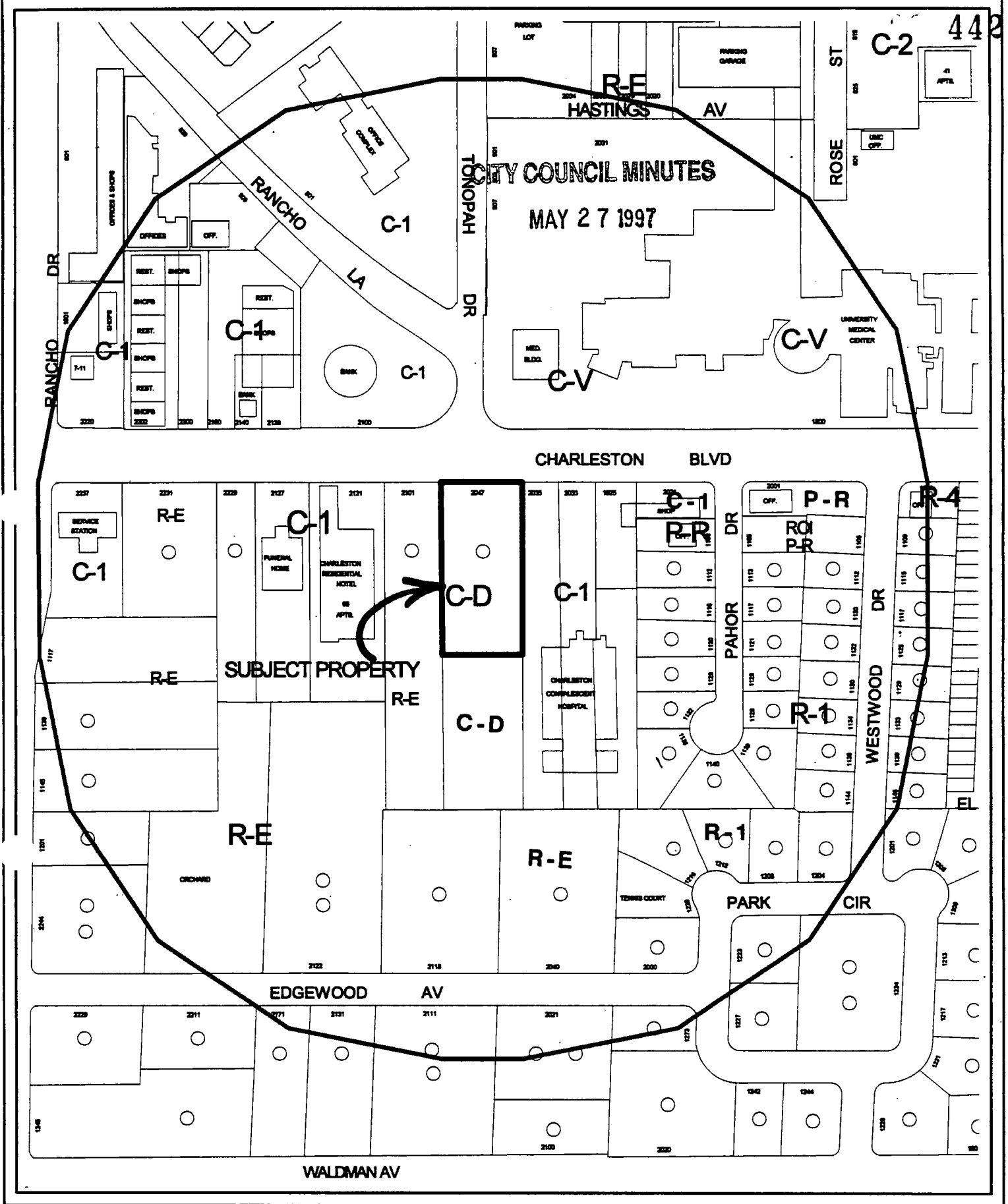
Date: 3-24-97

Sheet: A3

DR. NO. 06110503

Z-140-93(2)

441



Case: **Z-140-93(2)**

Radius: 750 ft



CITY COUNCIL

MEETING OF

MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION/ACTION ITEMSPLANNING AND DEVELOPMENTPLOT PLAN AND BUILDING ELEVATION
REVIEW - PUBLIC HEARING

106

Z-62-94(2) - GLENN PATERNOSTER

Request for a Plot Plan and Building Elevation Review on property located at 627 South Seventh Street for a PROPOSED TWO-STORY 1,200 SQUARE FOOT ADDITION TO AN EXISTING LAW OFFICE, R-1 (Single Family Residence) Zone under Resolution of Intent to P-R (Professional Offices and Parking).

PROTESTS: 0

Ward 3 (Reese)

Planning Commission (7-0 vote) and staff recommended APPROVAL, subject to:

1. The applicant shall comply with Amended Condition of Approval No. 6 relating to alley paving imposed by the City Council on May 3, 1995 prior to the issuance of any on-site permits as required by the Department of Public Works.

2. The applicant shall comply with Original Condition of Approval No. 4 relating to an Encroachment Agreement imposed by the City Council on August 3, 1994 prior to the issuance of any on-site permits as required by the Department of Public Works.

3. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation 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 shall be designed, located and constructed in accordance with the intent of Standard Drawing #222a as required by the Department of Public Works.

REESE - APPROVED subject to conditions and amending Condition No. 1 as follows: The applicant shall comply with Amended Condition of Approval No. 6 relating to alley paving imposed by the City Council on May 3, 1995 prior to the issuance of any occupancy permit for the addition as required by the Department of Public Works - **UNANIMOUS** with Jones not voting

MAYOR JONES declared the Public Hearing open.

GLENN PATERNOSTER, 627 S. Seventh Street, was present.

COUNCILMAN REESE indicated that he had concerns about delaying the alley paving between this property and the corner and stressed that no occupancy permit would be issued until that condition had been met. MR. PATERNOSTER clarified that the occupancy permit at issue would be for the addition only since his law office already occupies the existing building. He is working out an arrangement with his neighbors regarding the alley paving and would agree to the amended condition.

COUNCILMAN CALLISTER verified with COUNCILMAN REESE and staff that the structure complies with aesthetic expectations of the Council for this area.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM ADAMSEN declared the Public Hearing closed.

(2:59 - 3:01)

3 - 1040

CITY COUNCIL

MEETING OF
MAY 27, 1997

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION/ACTION ITEMS

Z-62-94(2) - GLENN PATERNOSTER

4. Landscape and maintain all unimproved public right-of-way on Seventh Street adjacent to this site as required by the Department of Public Works.

5. Approval of detailed building elevations showing that the addition will match the existing structure by the Planning and Development Department prior to the issuance of building permits.

6. Conformance to all applicable Conditions of Approval for Zoning Application Z-62-94.

7. Standard Condition Nos. 3 - 9, 11, 12 and 14.

8. Conformance to the plot plan as amended by the above conditions.

APPROVED

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: PLOT PLAN AND BUILDING ELEVATION REVIEW - PUBLIC HEARING - Z-62-94(2) - GLENN PATERNOSTER

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for the approval of a Plot Plan and Building Elevation Review to allow a 1,200 square foot addition to an existing law office.

BACKGROUND DATA:

08/03/94 The City Council approved P-R (Professional Offices and Parking) zoning for this site (Z-62-94).
05/03/95 The City Council approved a Review of Condition to amend original Condition of Approval No. 6 regarding alley paving [Z-62-94(1)].

DETAILS OF APPLICATION REQUEST:

Site Area	0.16	Acres
Existing Square Footage	1,827	Square Feet
Proposed Addition	1,200	Square Feet
Total Square Footage	3,027	Square Feet
Parking Required	8	Spaces
Parking Provided	7	Spaces
Building Height	Two Stories	

Access to this site is via one driveway from 7th Street and one from the 20 foot wide alley to the rear of this site. The plan indicates a 1,200 square foot two story addition to an existing 1,827 square office building. Six parking spaces are located on the rear of the site. Another is available in the driveway in the front of the building. The landscaping is existing along 7th Street. The proposed addition will match the existing building.

Agenda Item

106

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: PLOT PLAN AND BUILDING ELEVATION REVIEW - PUBLIC HEARING - Z-62-94(2) - GLENN PATERNOSTER

PURPOSE/BACKGROUND

FINDINGS:

Staff has no objection to the proposed addition. The existing landscaping is adequate. Staff does however have concerns regarding the proposed parking. Based on the total square footage, eight parking spaces are required and the plot plan only shows seven spaces. The applicant should submit a revised plot plan that demonstrates adequate parking prior to the approval of any building permits for the proposed addition. Another suggestion is for this applicant to work with the abutting property owner to the south in establishing a joint access and parking arrangement.

The Department of Public Works notes when this site was originally rezoned to allow the current use, a condition was imposed to construct full-width alley paving adjacent to this site and from the south edge of this site to Garces Avenue prior to occupancy of this site. The applicant agreed to the condition, but later applied for a Review of Condition to delete the alley paving requirement. The City Council did not allow deletion of the alley paving condition, but did allow an eighteen month performance period with the penalty being revocation of his business license if he did not comply. The eighteen month performance period expired on November 3, 1996, and the applicant still has not completed the alley improvements. Efforts to resolve this issue with the applicant have not produced any results. Staff was in the process of forcing the applicant to appear before the City Council to explain his noncompliance when this application was submitted. While the Department of Public Works has no objection to the current application, staff will not approve any additional permits for this site until the alley issue is resolved.

Planning Commission Recommendation: APPROVAL (7-0 vote) (Since this site is within the proposed original Las Vegas High School District, the Planning Commission imposed a condition requiring the approval of more detailed building elevations prior to the issuance of permits.)

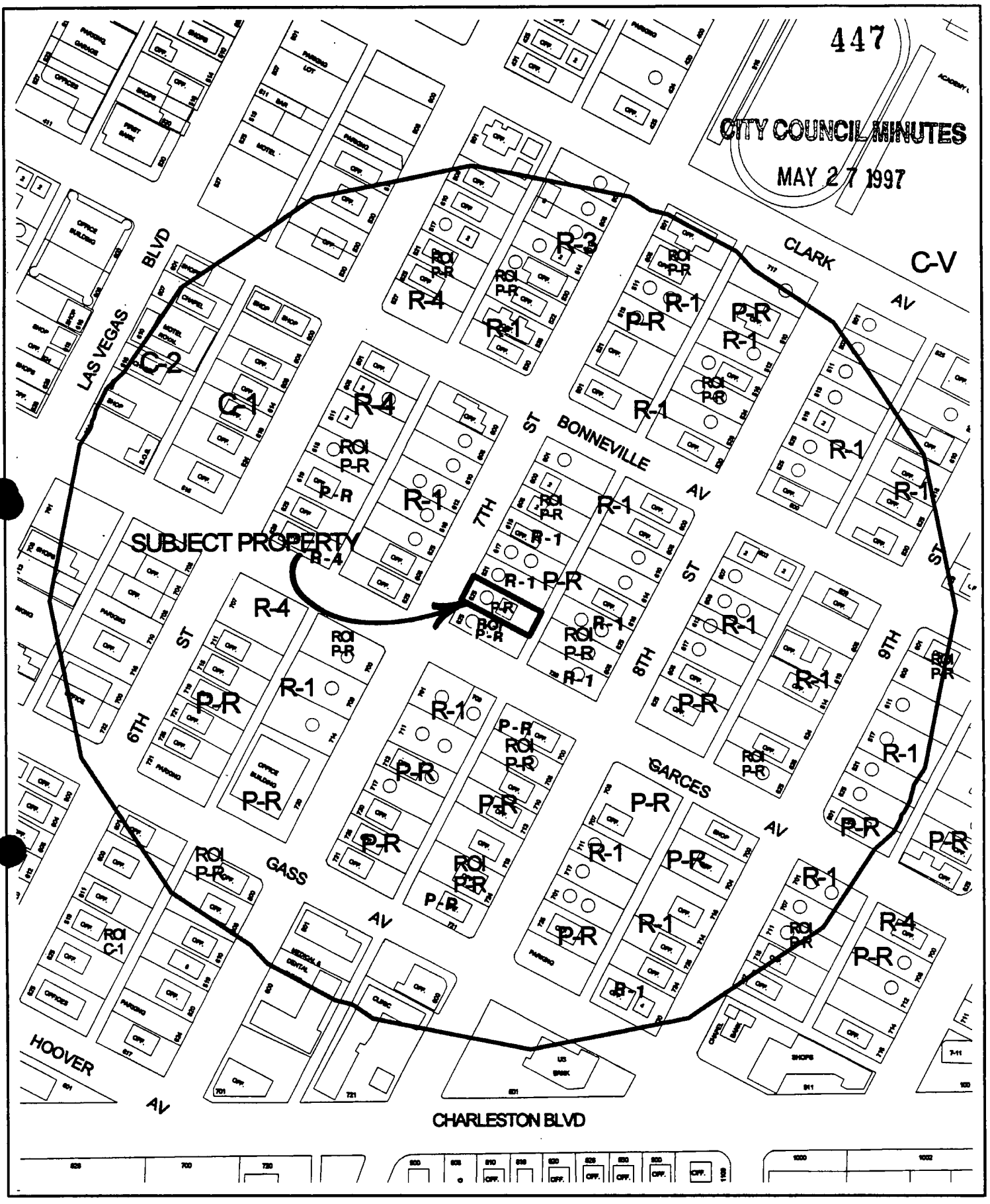
Staff Recommendation: APPROVAL

PROTESTS: 0

NOTICES MAILED: 150

SEE ATTACHED LOCATION MAP

Agenda Item



Case: **Z-62-94(2)**
Radius: 750 ft



CITY COUNCIL

MEETING OF

MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION/ACTION ITEMSPLANNING AND DEVELOPMENTREQUIRED FIVE YEAR REVIEW - VARIANCE
- PUBLIC HEARING

107

V-46-92(1) - OUTDOOR MEDIA GROUP ON
BEHALF OF UNION PACIFIC RAILROAD
COMPANY ON BEHALF OF OUTDOOR MEDIA
GROUP

Appeal filed by Outdoor Media Group on behalf of Union Pacific Railroad Company on behalf of Outdoor Media Group from the Denial by the Board of Zoning Adjustment on a Required Five Year Review on an approved Variance on property located on the north side of the Oran K. Gragson highway (U.S. 95) between Bonanza Road and Grand Central Parkway, 150 feet west of the centerline of the Union Pacific Railroad Tracks which allowed a 14 foot x 48 foot off-premise advertising (billboard) sign 690 feet from an existing off-premise advertising (billboard) sign where 750 feet is required, M (Industrial) Zone.

PROTESTS: 0

Ward 3 (Reese)

The Board of Zoning Adjustment's decision resulted in a tie (2-2 vote) which is tantamount to DENIAL.

Staff Recommendation: APPROVAL, subject to:

1. The Board shall hold a public hearing to review this use in two years and at that time may require the sign to be removed.
2. The off-premise advertising (billboard) sign shall be measured to ensure compliance with the Sign Ordinance and proof shall be submitted to the Planning and Development Department prior to the issuance of any certificate.

REESE - Granting the Appeal; thereby APPROVING the Five-Year Review on the Variance subject to conditions - UNANIMOUS with Jones not voting

MAYOR PRO TEM ADAMSEN declared the Public Hearing open.

MARSHALL COALTER, Outdoor Media Group, 25425 Jefferson Avenue, Murieta, California, was present. He indicated that he would concur with the conditions but would prefer a five-year review rather than a two-year review. If the property is sold, the sign will have to be removed upon 30 days notification regardless of the amount of time left on the review period.

COUNCILMAN REESE responded that the two-year review was more appropriate given possible development of the Union Pacific property.

COUNCILMAN ADAMSEN confirmed with MR. COALTER that the embellishments on the sign comply with the 120 foot maximum permitted. MS. HARGROVE, Planning & Development, pointed out that Condition No. 2 required proof of compliance prior to issuance of the sign certificate.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM ADAMSEN declared the Public Hearing closed.

(3:01 - 3:03)
3 - 1125

CITY COUNCIL

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MAY 27, 1997

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION/ACTION ITEMS

APPROVED

PLANNING AND DEVELOPMENT

V-46-92(1) - OUTDOOR MEDIA GROUP ON
BEHALF OF UNION PACIFIC RAILROAD
COMPANY ON BEHALF OF OUTDOOR MEDIA
GROUP

3. The applicant shall obtain an off-premise sign certificate from the Planning and Development Department.

4. The applicant shall upgrade and modernize the existing off-premise advertising (billboard) structure and lighting as required by the Planning and Development Department.

5. Standard Condition No. 5.

MEETING OF
MAY 27, 1997

AGENDA DOCUMENTATION

TO:
THE CITY COUNCIL

FROM: THERESA A. O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REQUIRED FIVE YEAR REVIEW - VARIANCE - PUBLIC HEARING - V-46-92(1) - OUTDOOR MEDIA GROUP ON BEHALF OF UNION PACIFIC RAILROAD COMPANY ON BEHALF OF OUTDOOR MEDIA GROUP

PURPOSE/BACKGROUND

APPLICATION:

This is an appeal of the Denial by the Board of Zoning Adjustment on a Required Five Year Review on an approved Variance which allowed a 14 foot by 48 foot off-premise advertising (billboard) sign within the required distance separation from another billboard.

BACKGROUND DATA:

- 4/28/92 The Board of Zoning Adjustment denied a request for a 14 foot by 48 foot off-premise advertising (billboard) sign (V-46-92).
- 5/20/92 The City Council approved an appeal of a denied Variance thereby granting a Variance to allow a 14 foot by 48 foot off-premise 690 feet from an existing off-premise sign where 750 feet is required with a required five year review (V-46-92).
- 5/6/97 The Board of Zoning Adjustment's decision resulted in a tie vote (2-2) which is tantamount to denial on a Required Five Year Review of an approved Variance which allowed a 14 foot by 48 foot off-premise advertising (billboard) sign within the required distance separation from another billboard (V-46-92[1]).

SITE DETAILS:

Site Area: 1.85 Acres
Existing Land Uses: Vacant

Agenda Item

107

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REQUIRED FIVE YEAR REVIEW - VARIANCE - PUBLIC HEARING - V-46-92(1) - OUTDOOR MEDIA GROUP ON BEHALF OF UNION PACIFIC RAILROAD COMPANY ON BEHALF OF OUTDOOR MEDIA GROUP

PURPOSE/BACKGROUND

ANALYSIS:

The applicant has constructed one (1) 672 square foot billboard located north of Oran K. Gragson Highway (U.S. 95) approximately 150 feet west of the Union Pacific Railroad. The sign is situated on the southern portion of the property and is oriented toward east and westbound traffic along the freeway.

FINDINGS:

A recent inspection of the site revealed that the subject billboard is in compliance with the approved plans and the conditions of approval for Variance V-46-92(1). The use remains compatible with the surrounding vicinity and the conditions in the area have not changed. Therefore, staff recommends approval.

The Board of Zoning Adjustment's decision resulted in a tie vote (2-2 vote) which is tantamount to **DENIAL**.

Staff Recommendation: **APPROVAL**

PROTESTS: 0

NOTICES MAILED: 35

SEE ATTACHED LOCATION MAP

Agenda Item

CITY COUNCIL MINUTES

452

MAY 27 1997

OUTDOOR MEDIA GROUPDATE: 5/8/97TO: CITY CLERKFAX NO: 1-702-382-4803FROM: MARSHALL COALTER

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NV 89101

ATTN: BARBARA RONEMUS - CITY CLERK

OUTDOOR MEDIA GROUP RESPECTFULLY REQUESTS AN APEAL TO CITY COUNCIL
BASED ON A DENIAL BY THE BOARD OF ZONING ADJUSTMENT ON ITEM V-46-92 (1),
WHICH WAS HEARD TUESDAY EVENING MAY 6, 1997.

SINCERELY,

M.A. Coalter

MARSHALL COALTER

NUMBER OF PAGES INCLUDING COVER SHEET: 1

IF YOU DO NOT RECEIVE THIS
TRANSMISSION IN ITS ENTIRETY, PLEASE
CALL (909) 677-2121

FAX (909) 677-9194

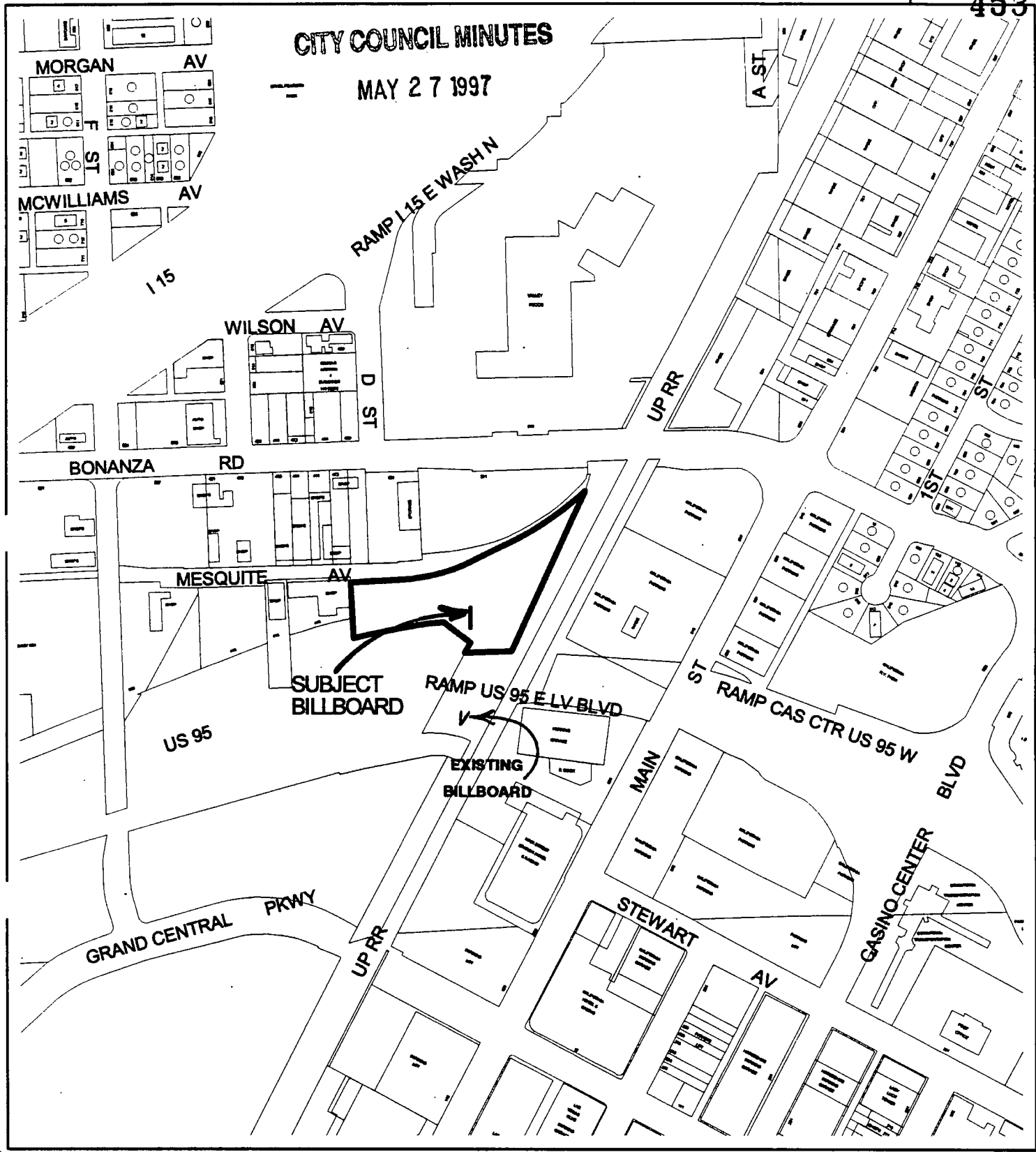
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CITY CLERK
MAY 8 9 04 AM '97

OMG

26525 JEFFERSON AVE. MURRIETA, CA 92562

CITY COUNCIL MINUTES

MAY 27 1997



Case: V-46-92(1)

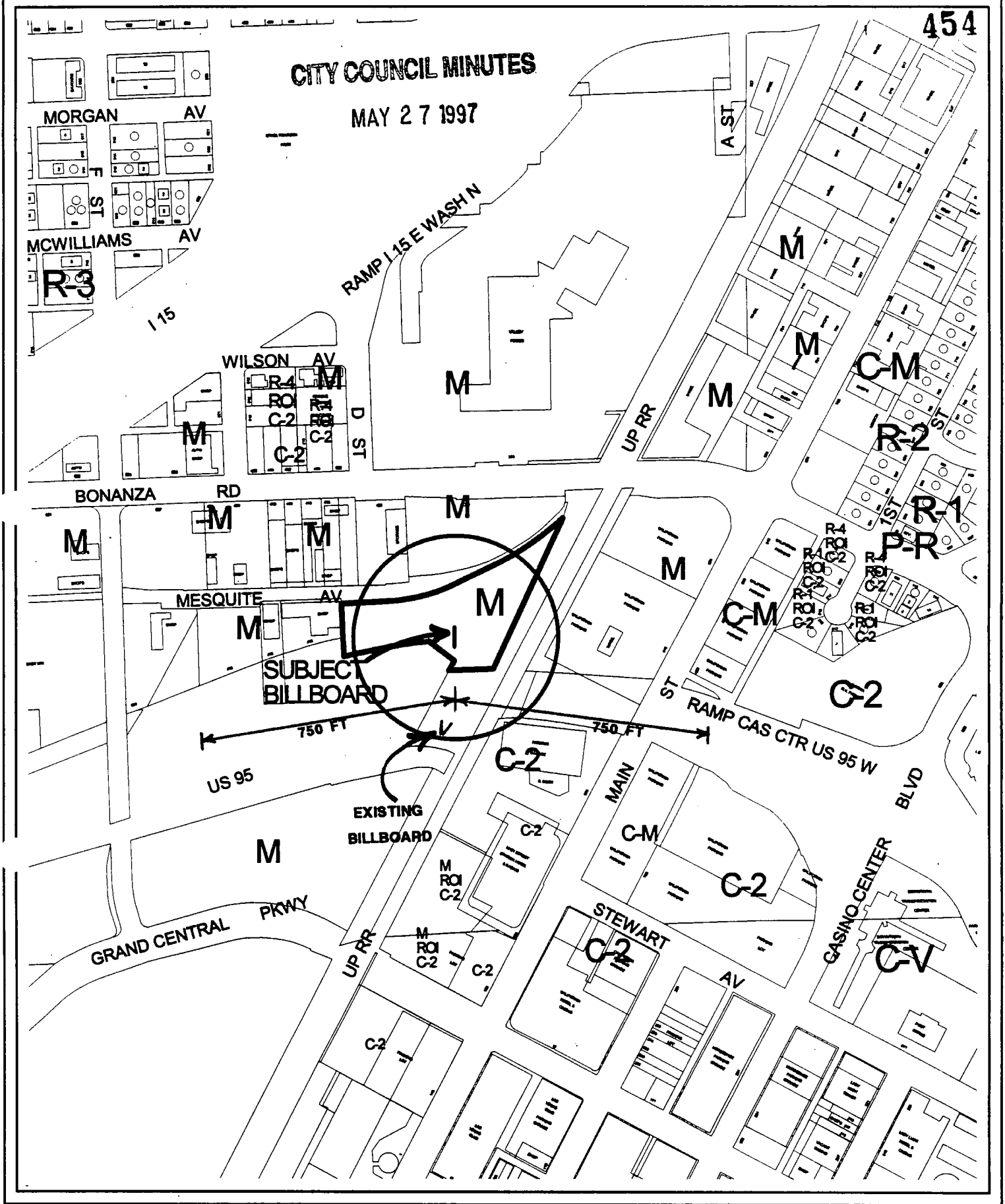


PLANNING & DEVELOPMENT



400 STEWART AVE.
LAS VEGAS, NV
89101
229-6301

MAY 27 1997



Case: V-46-92(1)

Radius: 300 ft



CITY COUNCIL

MEETING OF
MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

108

DISCUSSION/ACTION ITEMS

PLANNING AND DEVELOPMENT

REQUIRED FIVE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING

U-314-91(1) - UNION PACIFIC RAILROAD
COMPANY ON BEHALF OF TDI
TRANSPORTATION DISPLAYS, INC.

Required Five Year Review on an approved Special Use Permit on property located on the east side of Interstate 15 approximately 2,200 feet north of Bonneville Avenue which allowed a 14 foot x 48 foot off-premise advertising (billboard) sign, M (Industrial) Zone.

PROTESTS: 0

Ward 3 (Reese)

The Board of Zoning Adjustment (4-0 vote) and staff recommended APPROVAL, subject to:

1. The Planning Commission shall hold a public hearing to review this use in two years and at that time may require the sign to be removed.
2. The off-premise advertising (billboard) sign shall be measured to ensure compliance with the Sign Ordinance and proof shall be submitted to the Planning and Development Department prior to the issuance of any certificate.
3. The applicant shall obtain an off-premise sign certificate from the Planning and Development Department.
4. The applicant shall upgrade and modernize the existing off-premise advertising (billboard) structure and lighting as required by the Planning and Development Department.
5. Standard Condition No. 5.

**REESE - APPROVED subject to conditions - UNANIMOUS
with Jones not voting**

MAYOR PRO TEM ADAMSEN declared the Public Hearing open.

MARSHALL COALTER, Outdoor Media Group, 25425 Jefferson Avenue, Murietta, California, was present.

COUNCILMAN ADAMSEN confirmed with MR. COALTER that the proof of compliance for all embellishments will be provided to staff prior to issuance of the sign certificate.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM ADAMSEN declared the Public Hearing closed.

(3:03 - 3:04)
3 - 1203

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REQUIRED FIVE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-314-91(1) - UNION PACIFIC RAILROAD COMPANY ON BEHALF OF TDI TRANSPORTATION DISPLAYS, INC.

PURPOSE/BACKGROUND

APPLICATION:

This is a Required Five Year Review for an approved Special Use Permit which allowed a 14 foot by 48 foot off-premise advertising (billboard) sign.

BACKGROUND DATA:

- 1/28/92 The Board of Zoning Adjustment approved a Special Use Permit for a 14 x 48 foot off-premise advertising (billboard) sign (U-314-91).
- 2/19/92 The City Council denied the request for a Special Use Permit for a 14 x 48 foot off-premise advertising (billboard) sign (U-314-91).
- 4/01/92 The City Council approved a motion to rescind the denial of the Special Use Permit (U-314-91).
- 4/15/92 The City Council reconsidered the denial of the Special Use Permit thereby approving the 14 foot x 48 foot off-premise advertising (billboard) sign (U-314-91).
- 4/21/93 The City Council approved an appeal by the applicant thereby approving a Variance for 14 foot x 48 foot off-premise advertising (billboard) sign 520 feet from an existing billboard where 750 feet is the minimum distance required (V-16-93).
- 4/01/97 The Board of Zoning Adjustment voted to hold this item in abeyance at the applicant's request (U-314-91[1]).
- 5/06/97 The Board of Zoning Adjustment recommends approval on a Required Five Year Review for an approved Special Use Permit which allowed a 14 foot by 48 foot off-premise advertising (billboard) sign (U-314-91[1]).

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REQUIRED FIVE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-314-91(1) - UNION PACIFIC RAILROAD COMPANY ON BEHALF OF TDI TRANSPORTATION DISPLAYS, INC.

PURPOSE/BACKGROUND

SITE DETAILS:

Site Area: 30.09 Acres
Existing Land Uses: Billboards

ANALYSIS:

The applicant has constructed one (1) 40 foot high, 672 square foot billboard located on the east side of Interstate 15 approximately 2,200 feet north of Bonneville Avenue. The sign is situated adjacent to the I-15/U.S. 95 interchange and is oriented toward traffic on both freeways. The site is currently vacant except for other existing billboards. The site is bounded by industrial zoned properties to the east, south, west and north. The subject billboard is within 520 feet of an existing off-premise sign. However, this sign was approved in 1993 by means of a Variance after the subject billboard was already constructed (V-16-93).

FINDINGS:

A recent inspection of the site revealed that the subject billboard is in compliance with the approved plans and the Conditions of Approval for Special Use Permit U-314-91 and Variance V-16-93. The use remains compatible with the surrounding vicinity and the conditions in the area have not changed. Therefore, staff recommends approval.

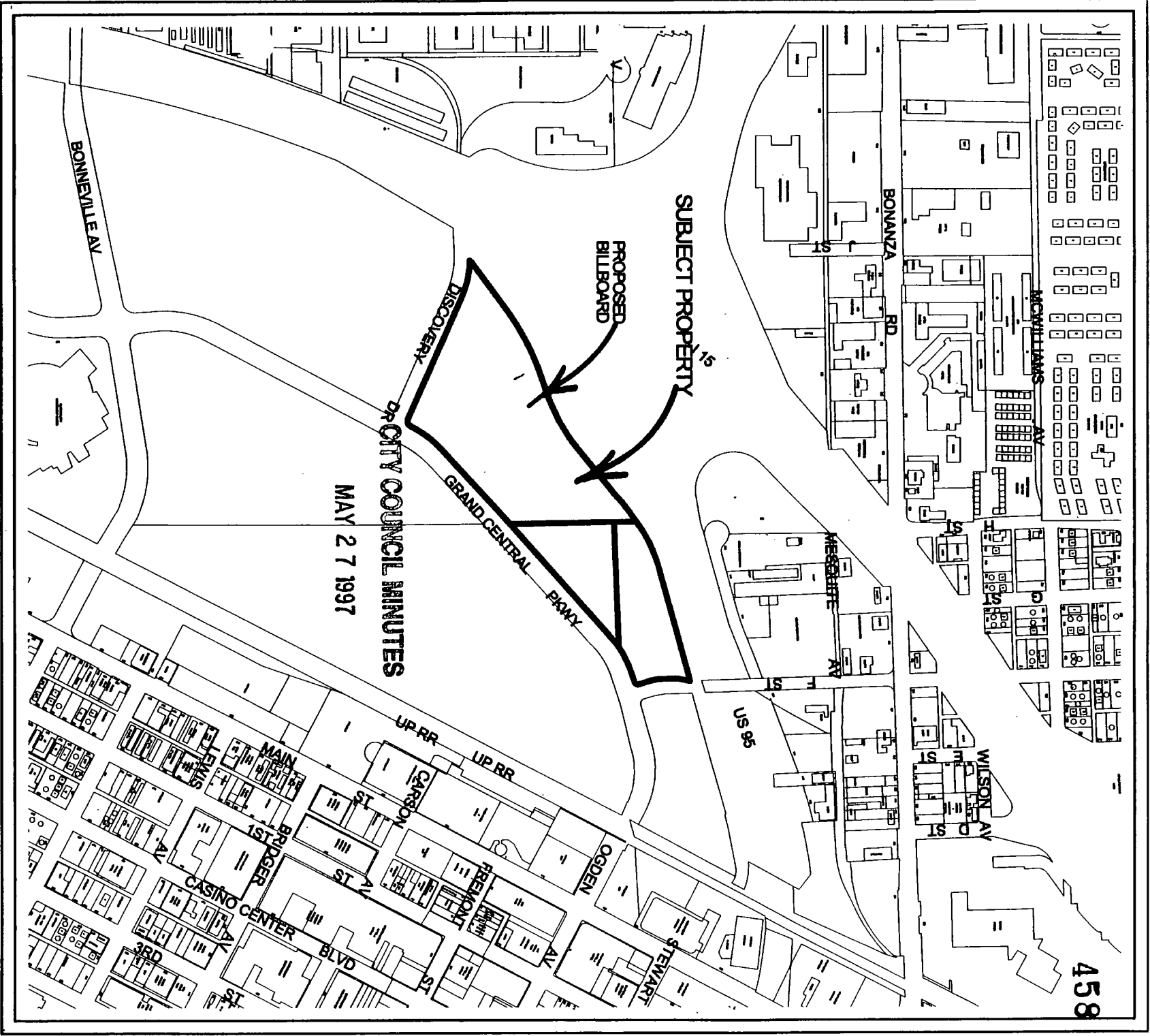
The Board of Zoning Adjustment (4-0 vote) and staff recommended **APPROVAL**.

PROTESTS: 0

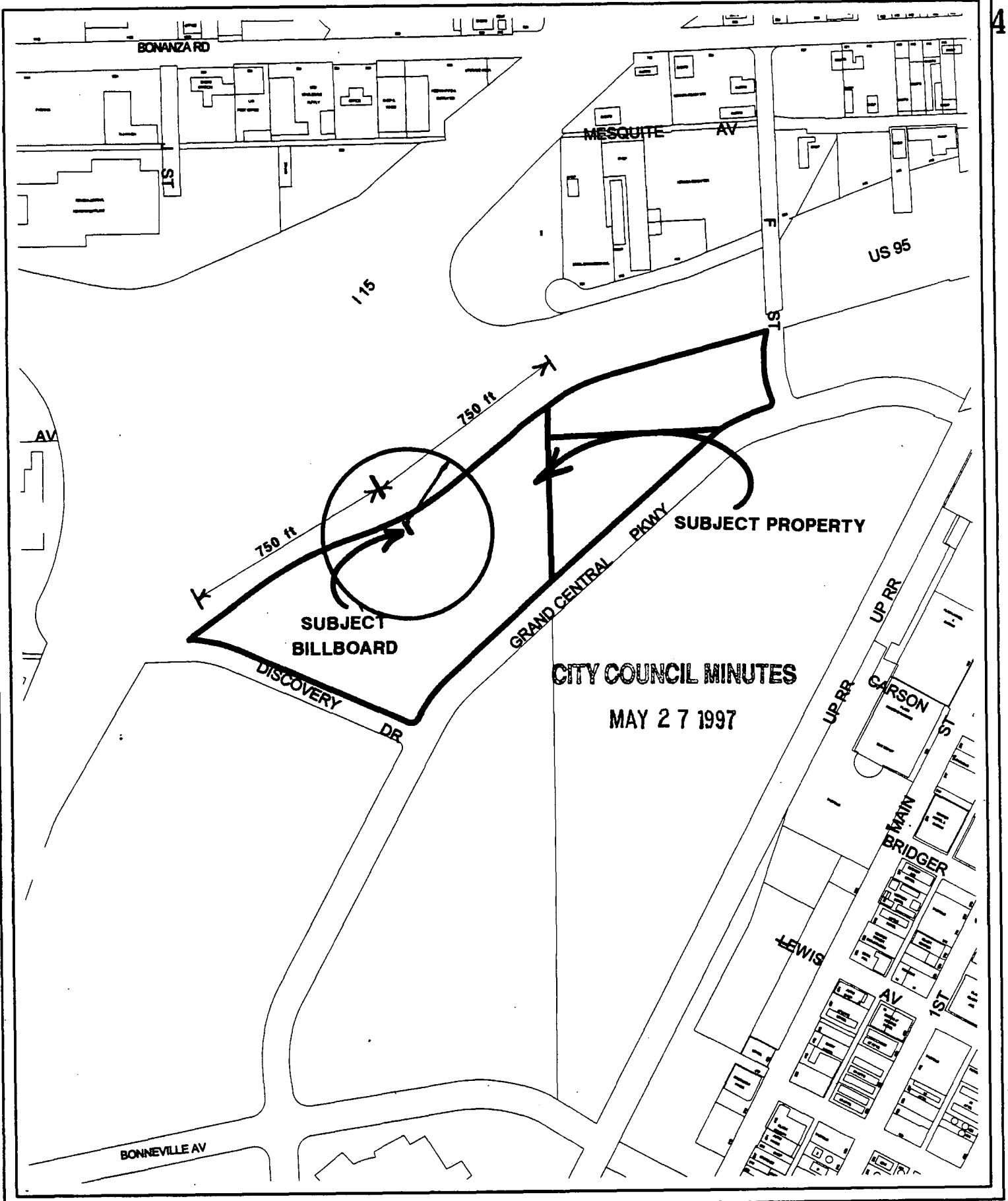
NOTICES MAILED: 20

SEE ATTACHED LOCATION MAP

Agenda Item



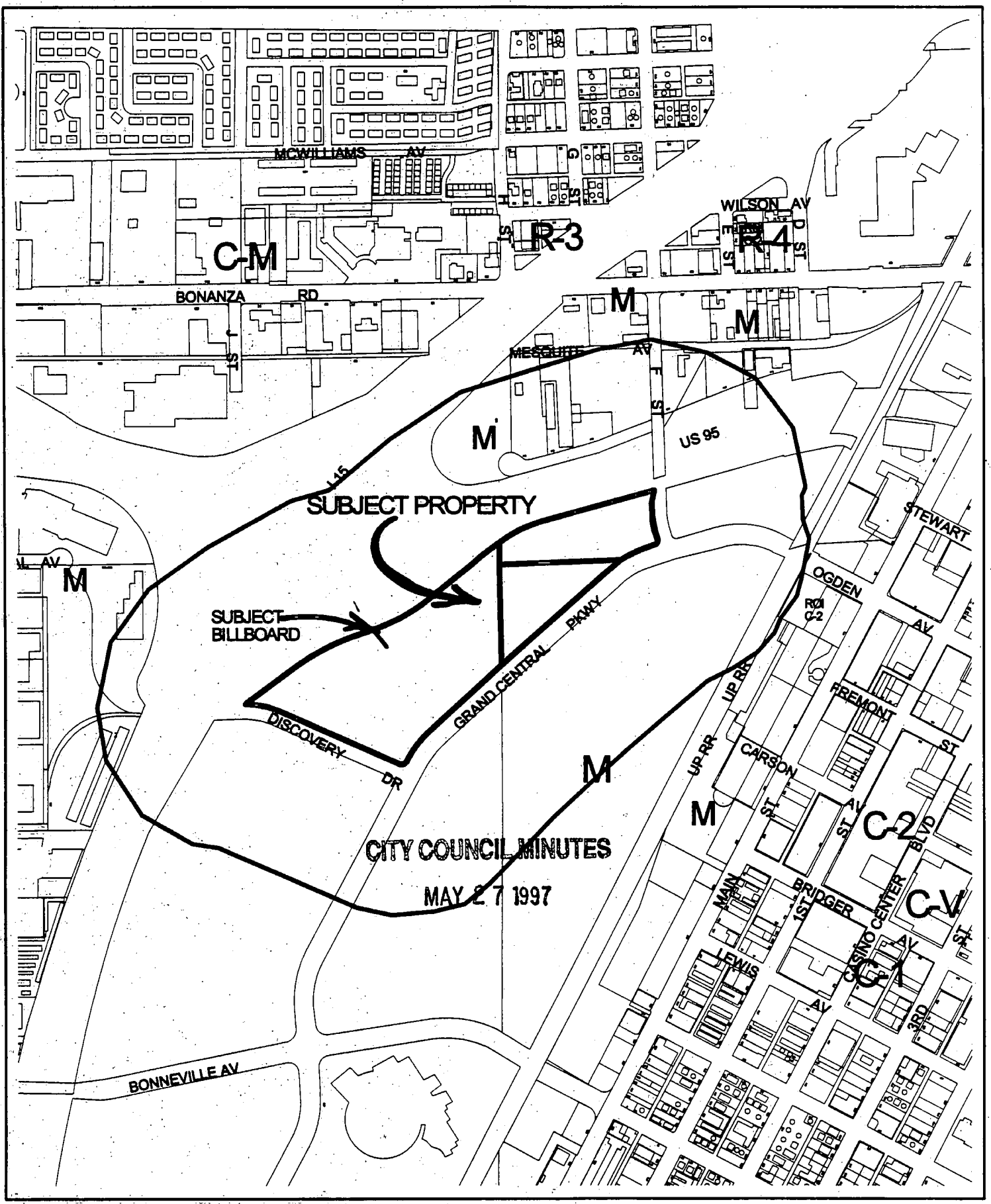
Case: U-314-91(1)



Case: U-314-91(1)

Radius: 300 ft





Case: U-314-91(1)
Radius: 750 ft



City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION/ACTION ITEMSPLANNING AND DEVELOPMENTREQUIRED FIVE YEAR REVIEW - SPECIAL
USE PERMIT - PUBLIC HEARING

109

U-315-91(1) - UNION PACIFIC RAILROAD
COMPANY ON BEHALF OF TDI
TRANSPORTATION DISPLAYS INC.

Required Five Year Review on an approved Special Use Permit on property located on the east side of Interstate 15 approximately 1,270 feet north of Charleston Boulevard which allowed a 14 foot x 48 foot off-premise advertising (billboard) sign, M (Industrial) Zone.

PROTESTS: 0

Ward 3 (Reese)

The Board of Zoning Adjustment (4-0 vote) and staff recommended APPROVAL, subject to:

1. The Planning Commission shall hold a public hearing to review this use in two years and at that time may require the sign to be removed.
2. The off-premise advertising (billboard) sign shall be measured to ensure compliance with the Sign Ordinance and proof shall be submitted to the Planning and Development Department prior to the issuance of any certificate.
3. The applicant shall obtain an off-premise sign certificate from the Planning and Development Department.
4. The applicant shall upgrade and modernize the existing off-premise advertising (billboard) structure and lighting as required by the Planning and Development Department.
5. Standard Condition No. 5.

REESE - APPROVED subject to conditions - UNANIMOUS

MAYOR PRO TEM ADAMSEN declared the Public Hearing open.

MARSHALL COALTER, Outdoor Media Group, 25425 Jefferson Avenue, Murietta, California, was present. In response to comments by the Board of Zoning Adjustment, MR. COALTER stated that his company has spent \$22,000 in upgrading the electrical lines to go underground. There are no overhead lines in the Spaghetti Bowl. The structures are also painted so they all look good. His company appreciates doing business in Las Vegas.

COUNCILMAN ADAMSEN confirmed with MR. COALTER that the proof of compliance for all embellishments will be provided to staff prior to issuance of the sign certificate. COUNCILMAN REESE read Condition No. 2 into the record

No one appeared in opposition.

There was no further discussion.

MAYOR JONES declared the Public Hearing closed.

(3:04 - 3:06)

3 - 1240

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REQUIRED FIVE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-315-91(1) - UNION PACIFIC RAILROAD COMPANY ON BEHALF OF TDI TRANSPORTATION DISPLAYS, INC.

PURPOSE/BACKGROUND

APPLICATION:

This is a Required Five Year Review for an approved Special Use Permit which allowed a 14 foot by 48 foot off-premise advertising (billboard) sign.

BACKGROUND DATA:

- 1/28/92 The Board of Zoning Adjustment approved a Special Use Permit for a 14 foot x 48 foot off-premise advertising (billboard) sign (U-315-91).
- 2/19/92 The City Council denied the request for a Special Use Permit for a 14 x 48 foot off-premise advertising (billboard) sign (U-315-91).
- 4/01/92 The City Council approved a motion to Rescind the Denial of the Special Use Permit (U-315-91).
- 4/15/92 The City Council reconsidered the Special Use Permit and approved the 14 foot x 48 foot off-premise advertising (billboard) sign (U-315-91).
- 4/01/97 The Board of Zoning Adjustment voted to hold this item in abeyance at the applicant's request (U-315-91[1]).
- 5/06/97 The Board of Zoning Adjustment recommends approval on a Required Five Year Review for an approved Special Use Permit which allowed a 14 foot by 48 foot off-premise advertising (billboard) sign (U315-91[1]).

Agenda Item

109

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REQUIRED FIVE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-315-91(1) - UNION PACIFIC RAILROAD COMPANY ON BEHALF OF TDI TRANSPORTATION DISPLAYS, INC.

PURPOSE/BACKGROUND

SITE DETAILS:

Site Area: 14.19 Acres
Existing Land Uses: Billboards

ANALYSIS:

The applicant has constructed one (1) 40 foot high, 672 square foot billboard located on the east side of Interstate 15 approximately 1,270 feet north of West Charleston Boulevard. The sign is oriented toward north and south bound traffic along I-15. The site is currently vacant except for other existing billboards. The site is bounded by industrial zoned properties to the south, west and north and the Clark County Government Building property.

FINDINGS:

A recent inspection of the site revealed that the subject billboard is in compliance with the approved plans and the Conditions of Approval for Special Use Permit U-315-91. The use remains compatible with the surrounding vicinity and the conditions in the area have not changed. Therefore, staff recommends approval.

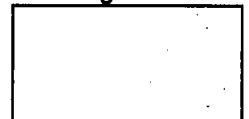
The Board of Zoning Adjustment (4-0 vote) and staff recommended **APPROVAL**.

PROTESTS: 0

NOTICES MAILED: 67

SEE ATTACHED LOCATION MAP

Agenda Item



L. EARL HAWLEY
ATTORNEY AT LAW
815 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101
382-8910 • A/C 702

CITY COUNCIL MINUTES

MAY 27 1997

RECEIVED
CITY CLERK
MAY 19 11 57 AM '97

May 14, 1997

Las Vegas City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

Re: U-315-91(1)

Dear Clerk:

In reference to the above Use Permit, I render my objection to the continued placement of a sign in this area. This is an extremely high traffic area and signs distracting drivers' attention lead to accidents. Further, these signs block the view of the downtown area making the city appear decadent.

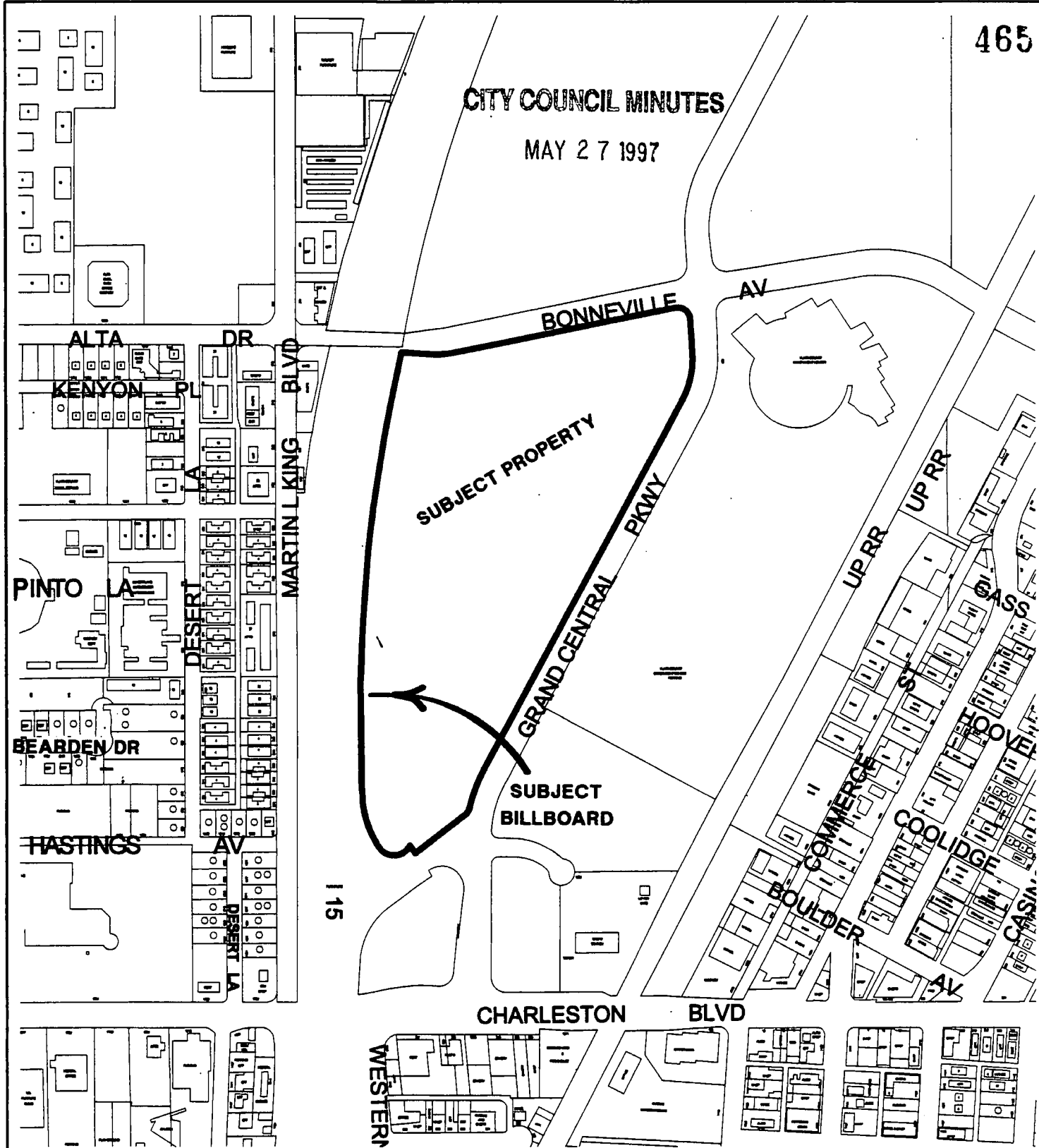
Very truly yours,

L. Earl Hawley
L. EARL HAWLEY, ESQ.

LEH/ld

CITY COUNCIL MINUTES

MAY 27 1997



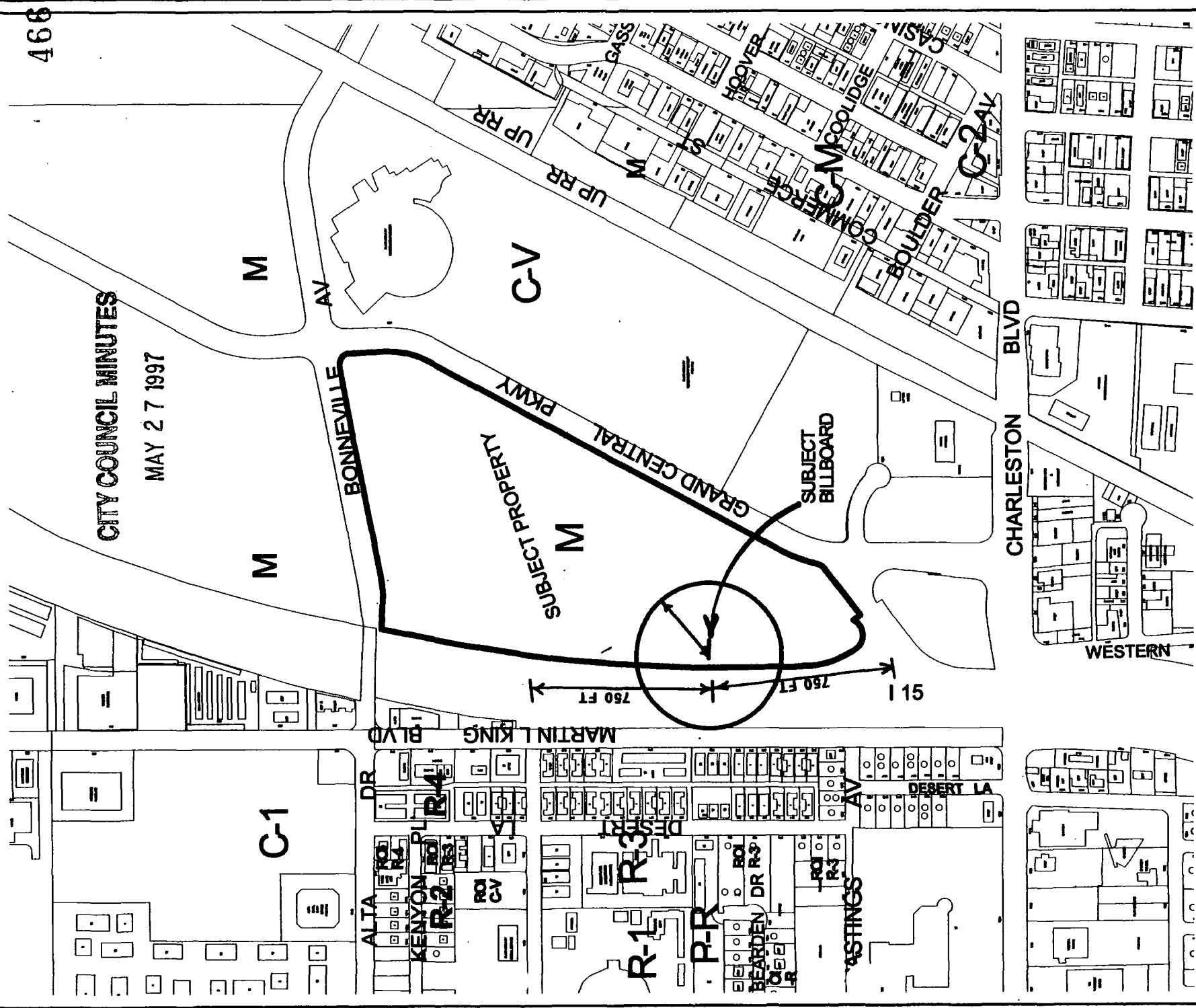
Case: U-315-91(1)



PLANNING & DEVELOPMENT
 400 STEWART AVE.
 LAS VEGAS, NV
 89101
 702-229-6301

CITY COUNCIL MINUTES

MAY 27 1997

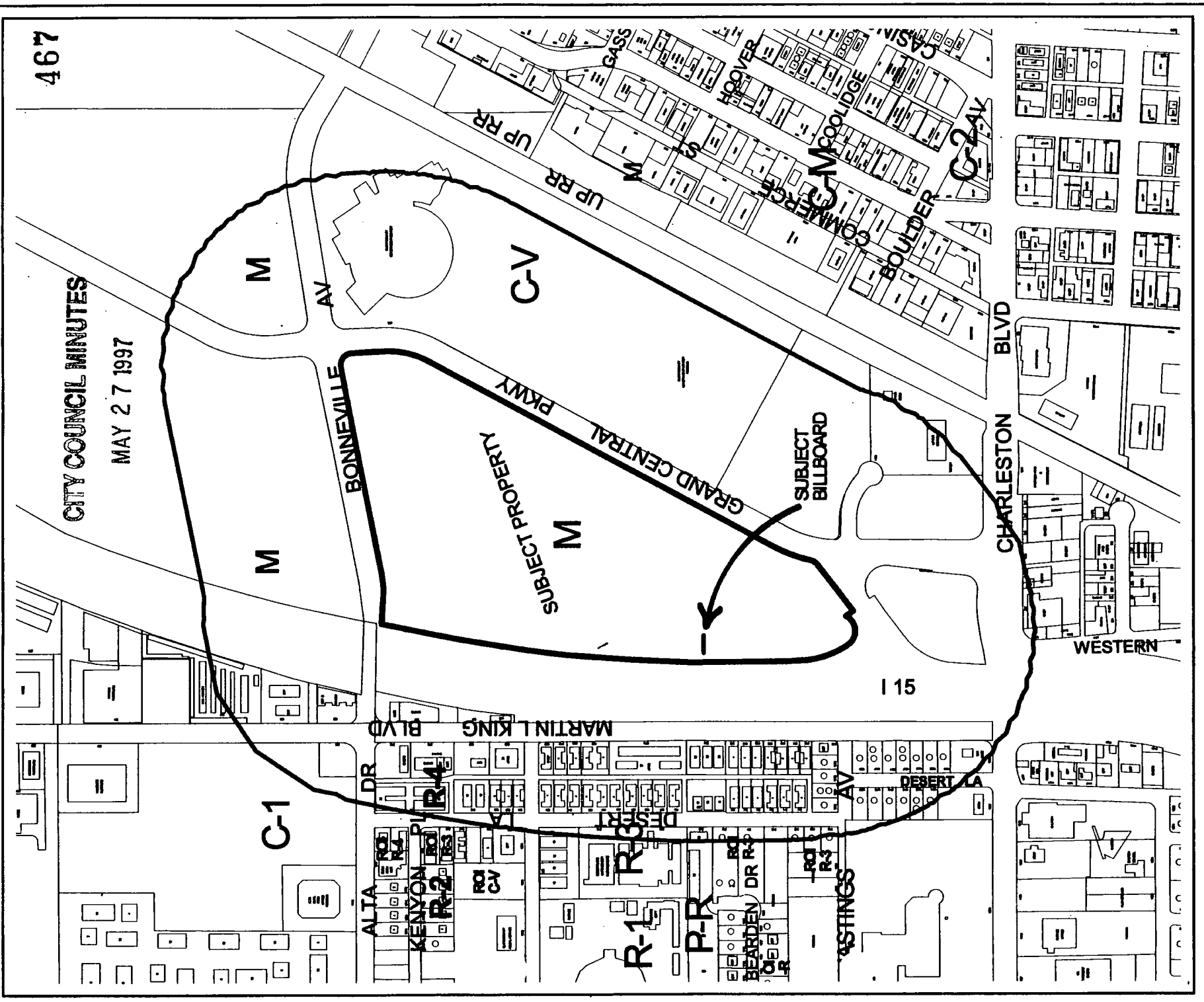


Case: U-315-91(1)

Radius: 300 ft

CITY COUNCIL MINUTES

MAY 27 1997



Case: U-315-91(1)

Radius: 750 ft

CITY COUNCIL

MEETING OF
MAY 27, 1997

468

City of Las Vegas

AGENDA & MINUTES

Page 83

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION/ACTION ITEMS

PLANNING AND DEVELOPMENT

REQUIRED FIVE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING

110

U-61-92(1) - ROBERT HAMMOND LIMITED LIABILITY COMPANY ON BEHALF OF MARTIN MEDIA

Required Five Year Review on an approved Special Use Permit on property located on the southwest corner of West Lake Mead Boulevard and the Oran K. Gragson highway (U.S. 95) which allowed a 14 foot x 48 foot off-premise advertising (billboard) sign, C-1 (Limited Commercial) Zone.

PROTESTS: 0

Ward 2 (Adamsen)

The Board of Zoning Adjustment (4-0 vote) recommended APPROVAL.

Based on the findings of the report, staff has NO OBJECTION to this request. If APPROVED, subject to:

1. The Planning Commission shall hold a public hearing to review this use in two years and at that time may require the sign to be removed.
2. The off-premise advertising (billboard) sign shall be measured to ensure compliance with the Sign Ordinance and proof shall be submitted to the Planning and Development Department prior to the issuance of any certificate.
3. The applicant shall obtain an off-premise sign certificate from the Planning and Development Department.
4. The applicant shall upgrade and modernize the existing off-premise advertising (billboard) structure and lighting as required by the Planning and Development Department.
5. Standard Condition No. 5.

ADAMSEN - APPROVED subject to conditions and amending Condition No. 1 to a five-year review - MOTION carried with Callister voting "NO"

MAYOR JONES declared the Public Hearing open.

ATTORNEY MARK FIORENTINO, 3800 Howard Hughes Parkway, appeared on behalf of Martin Media and concurred with the conditions. He did not believe that this sign included an embellishment, but they would also accept a condition to provide proof of compliance to staff of any embellishments which may be on the sign prior to issuance of the new sign certificate. He did request that the two-year review be amended to the standard five-year review. This is not an area where there will be significant future development.

MS. HARGROVE, Planning & Development, confirmed that a five-year review would be acceptable.

No one appeared in opposition.

There was no further discussion.

MAYOR JONES declared the Public Hearing closed.

(3:06 - 3:08)

3 - 1290

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REQUIRED FIVE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-61-92(1) - ROBERT HAMMOND LIMITED LIABILITY COMPANY ON BEHALF OF MARTIN MEDIA.

PURPOSE/BACKGROUND

APPLICATION:

This is a Required Five Year Review for an approved Special Use Permit which allowed a 14 foot by 48 foot off-premise advertising (billboard) sign.

BACKGROUND DATA:

11/21/84 The City Council approved a Rezoning on this site from N-U (Non-Urban) to C-1 (Limited Commercial) (Z-74-84).

5/20/92 The City Council approved a Special Use Permit for a 40 foot high, 672 square foot off-premise sign (U-61-92).

5/6/97 The Board of Zoning Adjustment recommends approval on Required Five Year Review for an approved Special Use Permit which allowed a 14 foot by 48 foot off-premise advertising (billboard) sign (U-61-92[1]).

SITE DETAILS:

Site Area: 3.08 Acres
Existing Land Uses: Restaurants
 Auto Repair
 Retail

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REQUIRED FIVE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-61-92(1) - ROBERT HAMMOND LIMITED LIABILITY COMPANY ON BEHALF OF MARTIN MEDIA.

PURPOSE/BACKGROUND

ANALYSIS:

The applicant has constructed one (1) 672 square foot billboard on the Rock Springs Commercial Center site located on the southeast corner of West Lake Mead Boulevard and Rock Springs Drive adjacent to the U.S. 95 Highway. The sign is situated on the southern portion of the property and is oriented toward northbound and southbound traffic along U.S. 95. Current land uses on the site include restaurants, minor automotive repair and a retail strip center. The site is bounded by commercially zoned properties to the east, south and north, and civic zoned property to the west.

FINDINGS:

A recent inspection of the site revealed that the subject billboard is in compliance with the approved plans and the Conditions of Approval for Special Use Permit U-61-92. Furthermore, the billboard is located in an exempt area of the newly adopted off-premise sign Exclusionary Zone. The use remains compatible with the surrounding vicinity and the conditions in the area have not changed. Therefore, staff recommends approval.

The Board of Zoning Adjustment (4-0 vote) recommended **APPROVAL**.

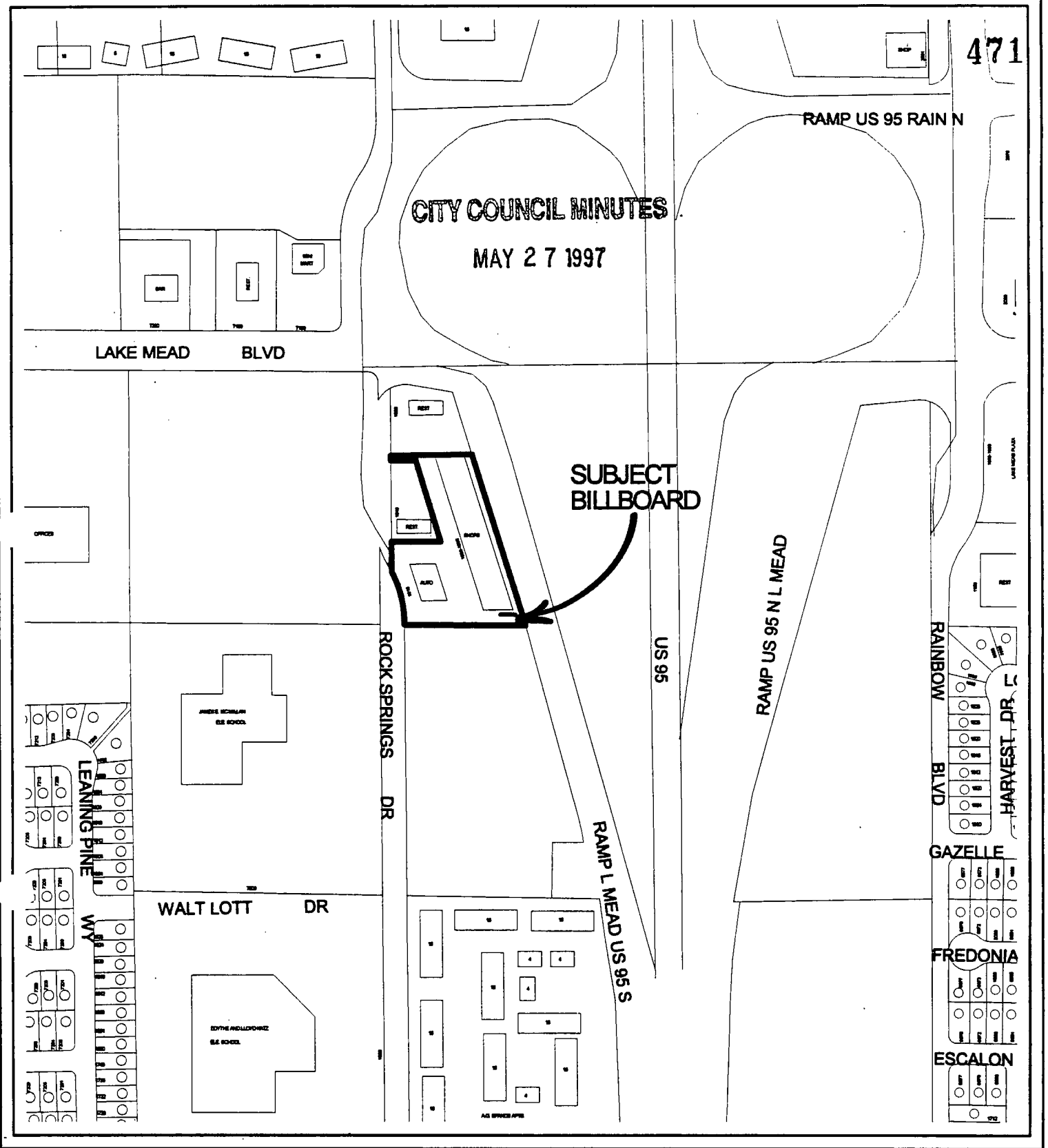
Staff Recommendation: **NO OBJECTION**.

PROTESTS: 0

NOTICES MAILED: 29

SEE ATTACHED LOCATION MAP

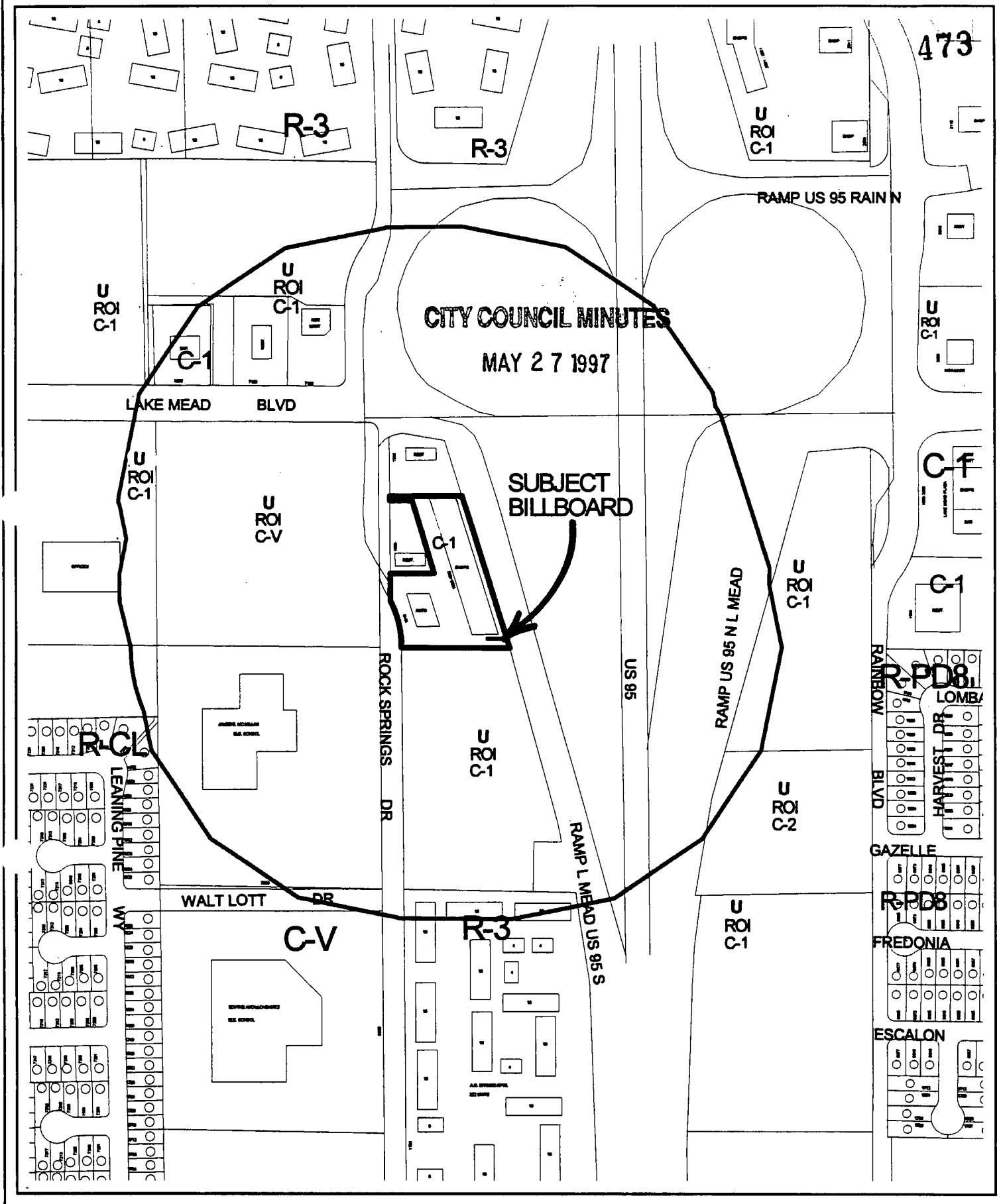
Agenda Item



Case: U-61-92(1)



PLANNING &
DEVELOPMENT
400 STEWART AVE.
LAS VEGAS, NV
89101
229-6301



Case: **U-61-92(1)**

Radius: 750 ft



CITY COUNCIL

MEETING OF
MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

Page 84

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION/ACTION ITEMS

PLANNING AND DEVELOPMENT

REQUIRED FIVE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING

111

U-65-92(1) - KUMMER KAEMPFER BONNER & RENSHAW ON BEHALF OF GES FAMILY LIMITED PARTNERSHIP ON BEHALF OF MARTIN MEDIA

Appeal filed by Kummer Kaempfer Bonner & Renshaw on behalf of GES Family Limited Partnership on behalf of Martin Media from the Denial by the Board of Zoning Adjustment on a Required Five Year Review on an approved Special Use Permit on property located on the west side of the Oran K. Gragson highway (U.S. 95), south of Vegas Drive which allowed a 55 foot high, 14 foot x 48 foot off-premise advertising (billboard) sign, U (Undeveloped) Zone under Resolution of Intent to C-1 (Limited Commercial).

PROTESTS: 0

Ward 2 (Adamsen)

The Board of Zoning Adjustment's decision resulted in a tie (2-2 vote) which is tantamount to DENIAL.

Based on the findings of this report, staff has NO OBJECTION to this request. If APPROVED, subject to:

1. The Planning Commission shall hold a public hearing to review this use in two years and at that time may require the sign to be removed.
2. The off-premise advertising (billboard) sign shall be measured to ensure compliance with the Sign Ordinance and proof shall be submitted to the Planning and Development Department prior to the issuance of any certificate.

ADAMSEN - Granting the Appeal; thereby APPROVING the Five-Year Review on the Special Use Permit subject to conditions and amending Condition No. 1 to a five-year review - MOTION carried with Callister voting "NO"

MAYOR JONES declared the Public Hearing open.

ATTORNEY MARK FIORENTINO, 3800 Howard Hughes Parkway, appeared on behalf of Martin Media and concurred with the conditions, including Condition No. 2 regarding proof of compliance of any embellishments. He requested that the two-year review be amended to a five-year review.

MS. HARGROVE, Planning & Development, agreed that the five-year review would be acceptable.

No one appeared in opposition.

There was no further discussion.

MAYOR JONES declared the Public Hearing closed.

(3:08 - 3:09)
3 - 1358

CITY COUNCIL

MEETING OF
MAY 27, 1997

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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ACTION

DISCUSSION/ACTION ITEMS

APPROVED

PLANNING AND DEVELOPMENT

U-65-92(1) - KUMMER KAEMPFER BONNER
& RENSHAW ON BEHALF OF GES FAMILY
LIMITED PARTNERSHIP ON BEHALF OF
MARTIN MEDIA

3. The applicant shall obtain an off-premise sign certificate from the Planning and Development Department.

4. The applicant shall upgrade and modernize the existing off-premise advertising (billboard) structure and lighting as required by the Planning and Development Department.

5. Standard Condition Nos. 1 and 5.

MEETING OF
MAY 27, 1997

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REQUIRED FIVE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-65-92(1) - KUMMER KAEMPFER BONNER & RENSHAW ON BEHALF OF GES FAMILY LIMITED PARTNERSHIP ON BEHALF OF MARTIN MEDIA

PURPOSE/BACKGROUND

APPLICATION:

This is an appeal of the Denial by the Board of Zoning Adjustment on a Required Five Year Review for an approved Special Use Permit which allowed a 55 foot high, 14 foot by 48 foot off-premise advertising sign.

BACKGROUND DATA:

- 11/21/84 The City Council approved a Rezoning on this site from N-U (Non-Urban) to C-1 (Limited Commercial) (Z-74-84).
- 5/20/92 The City Council approved a Special Use Permit for a 55 foot high, 672 square foot off-premise sign (U-65-92).
- 5/6/97 The Board of Zoning Adjustment's decision resulted in a tie (2-2 vote) which is tantamount to Denial on a Required Five Year Review for an approved Special Use Permit which allowed a 55 foot high, 14 foot by 48 foot off-premise advertising sign (U-65-92[1]).

SITE DETAILS:

Site Area: 7.12 Acres
Existing Land Uses: Vacant

Agenda Item

111

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT
SUBJECT: <u>REQUIRED FIVE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-65-92(1) - KUMMER KAEMPFER BONNER & RENSHAW ON BEHALF OF GES FAMILY LIMITED PARTNERSHIP ON BEHALF OF MARTIN MEDIA</u>	

PURPOSE/BACKGROUND

ANALYSIS:

The applicant has constructed one (1) 55 foot high, 672 square foot billboard on property located on the southeast corner of Vegas Drive and Rock Springs Drive adjacent to the U.S. 95 highway. The sign is situated on the northern portion of the property and is oriented toward northbound and southbound traffic along U.S. 95. The site is currently vacant and is bounded by commercial property to the east, multi-family dwellings to the north and south and single family dwellings to the west.

FINDINGS:

A recent inspection of the site revealed that the subject billboard is not in compliance with Section 19A.14.100 of the City of Las Vegas Municipal Code (CLVMC). However, the billboard was constructed prior to the requirement for billboards to maintain a 300 foot distance separation from an "R" designated district. The subject billboard is within 300 feet of an existing apartment complex that is zoned R-3 (Limited Multiple Residence) district located north of the site and is therefore, nonconforming.

Section 19A4.130(b)1-2 of the CLVMC allows non-conforming off premise signs to continue, provided that they are not altered, modified or improved upon and provided that the conditions in the area have not changed. Staff is of the opinion that conditions have not changed since the time of the billboard's original approval. This billboard is located in an exempt area within the newly adopted off-premise sign Exclusionary Zone.

The Board of Zoning Adjustment's decision resulted in a tie vote (2-2 vote) which is tantamount to **DENIAL**.

Staff Recommendation: **NO OBJECTION**.

PROTESTS: 0

Agenda Item

AGENDA DOCUMENTATION

TO:

THE CITY COUNCIL

FROM:

THERESA A. O'DONNELL, DIRECTOR

PLANNING AND DEVELOPMENT DEPARTMENT

NOTICES MAILED: 306

SEE ATTACHED LOCATION MAP

Agenda Item

KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW

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
SHERWOOD N. COOK
SHARI CASSIN PATTERSON

OF COUNSEL
H. GREGORY NASKY
JAMES H. BILBRAY

SEVENTH FLOOR
3800 HOWARD HUGHES PARKWAY
LAS VEGAS, NEVADA 89109-0907

(702) 792-7000
FAX (702) 796-7181

RICHARD B. ARON
DAVID A. BARKSDALE
JAMES E. BERCHTOLD
GEORGE J. CLASEMAN
L. JOE COPPEDGE
MARK H. FIORENTINO
JOHN C. JEPSEN
ROBERT C. KIM
GABRIEL D. LITNER
JEFFREY W. RAY*
JENNIFER M. SETTLES
LYSSA M. SIMONELLI
TERRY R. SOMERS
GEORLEN K. SPANGLER
ANTHONY A. ZMAILA
*LICENSED IN RHODE ISLAND ONLY

May 8, 1997 **CITY COUNCIL MINUTES**

MAY 27 1997

Barbara Jo Ronemus
City Clerk
City of Las Vegas
400 E. Stewart
Las Vegas, NV 89101

VIA FACSIMILE
382-4803

Re: U-65-92(1) -- Appeal of Action of Board of Zoning District

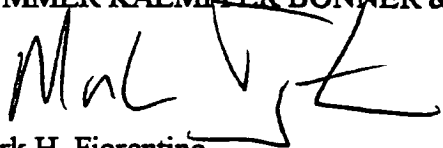
Dear Ms. Ronemus:

Our office represents Martin Media in the above-referenced matter. We hereby appeal the decision of the Board of Zoning Adjustment. Please schedule the matter for the May 27 City Council Meeting.

Thank you for your assistance. Please call if you have any questions or need anything further.

Sincerely,

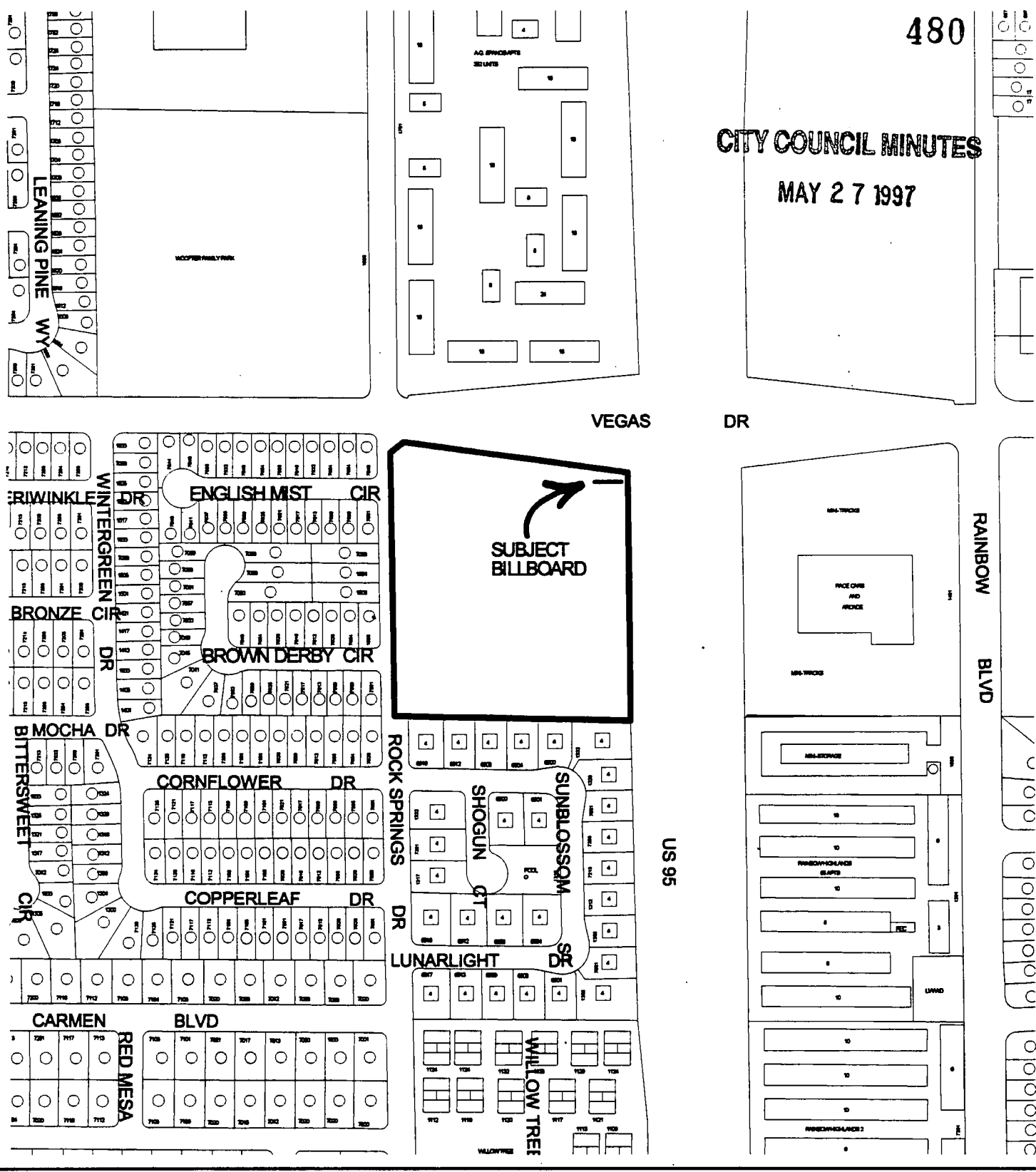
KUMMER KAEMPFER BONNER & RENSHAW


Mark H. Fiorentino

MHF/jf

cc: Phyllis Hargrove (via regular mail)
Vicky Darling (via facsimile)

CITY COUNCIL MINUTES
MAY 27 1997



Case: U-65-92(1)



PLANNING & DEVELOPMENT
400 STEWART AVE.
LAS VEGAS, NV
89101
702 229-6301

CITY COUNCIL MINUTES

MAY 27 1997

**U
ROI
C-1**

**U
ROI
C-1**

VEGAS DR

DR

RAINBOW BLVD

US 95

SUBJECT
BILLBOARD

**N-U
ROI
C-1**

R-PD12

R-PD14

R-1

R-CL

C-V

C-V

LEANING PINE WY

WINTERGREEN DR

ENGLISH MIST CIR

BRONZE CIR

BROWN DERBY CIR

MOCHA DR

BITTERSWEET CIR

CORNFLOWER DR

R-CL

COPPERLEAF DR

ROCK SPRINGS DR

SHOGUN

SUNBLOSSOM ST

LUNARLIGHT DR

CARMEN

BLVD

RED MESA

ST

WILLOW TREE

WILLOW TREE

Case: **U-65-92(1)**

Radius: 750 ft



CITY COUNCIL

MEETING OF
MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION/ACTION ITEMS

PLANNING AND DEVELOPMENT

REQUIRED FIVE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING

112

U-238-91(1) - UNION PACIFIC RAILROAD COMPANY ON BEHALF OF GENERAL OUTDOOR ADVERTISING

Required Five Year Review on an approved Special Use Permit on property located on the south side of the Oran K. Gragson highway (U.S. 95) between "F" Street and Main Street which allowed a 14 foot x 48 foot off-premise advertising (billboard) sign, M (Industrial) Zone.

PROTESTS: 0

Ward 3 (Reese)

The Board of Zoning Adjustment (4-0 vote) and staff recommended APPROVAL, subject to:

1. The Planning Commission shall hold a public hearing to review this use in two years and at that time may require the sign to be removed.

2. The off-premise advertising (billboard) sign shall be measured to ensure compliance with the Sign Ordinance and proof shall be submitted to the Planning and Development Department prior to the issuance of any certificate.

3. The applicant shall obtain an off-premise sign certificate from the Planning and Development Department.

REESE - APPROVED subject to conditions - UNANIMOUS

MAYOR JONES declared the Public Hearing open.

BILL WYNN, General Outdoor Advertising, 632 S. Hope Avenue, Ontario, California, appeared on behalf of the applicant and concurred with the conditions. There are currently no extensions on the sign.

COUNCILMAN ADAMSEN confirmed with MS. HARGROVE, Planning & Development, that the two-year review was correctly identified for this site.

No one appeared in opposition.

There was no further discussion.

MAYOR JONES declared the Public Hearing closed.

(3:09 - 3:10)

3 - 1410

CITY COUNCIL

MEETING OF

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION/ACTION ITEMS

APPROVED

PLANNING AND DEVELOPMENT

U-238-91(1) - UNION PACIFIC RAILROAD
COMPANY ON BEHALF OF GENERAL
OUTDOOR ADVERTISING

4. The applicant shall upgrade and modernize the existing off-premise advertising (billboard) structure and lighting as required by the Planning and Development Department.

5. Standard Condition No. 5.

MEETING OF
MAY 27, 1997

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REQUIRED FIVE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-238-91(1) - UNION PACIFIC RAILROAD COMPANY ON BEHALF OF GENERAL OUTDOOR ADVERTISING

PURPOSE/BACKGROUND

APPLICATION:

This is a Required Five Year Review for an approved Special Use Permit which allowed a 60 foot high, 14 foot by 48 foot off-premise advertising (billboard) sign.

BACKGROUND DATA:

5/20/92 The City Council approved a Special Use Permit to allow a 14 foot by 48 foot off-premise advertising sign subject to a five year review (U-238-91).

5/6/97 The Board of Zoning Adjustment recommends approval on a Required Five Year Review on an approved Special Use Permit which allowed a 60 foot high, 14 foot by 48 foot off-premise advertising (billboard) sign (U-238-91[1]).

SITE DETAILS:

Site Area: 0.28 Acres
Existing Land Uses: Billboard/Vacant

Agenda Item

112

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REQUIRED FIVE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-238-91(1) - UNION PACIFIC RAILROAD COMPANY ON BEHALF OF GENERAL OUTDOOR ADVERTISING

PURPOSE/BACKGROUND

ANALYSIS:

The applicant has constructed one (1) 672 square foot billboard 60 feet high located on the south side of Oran K. Gragson Highway between "F" and Main Streets. The sign is situated in the center of the property and is oriented toward east and westbound traffic along the freeway.

FINDINGS:

A recent inspection of the site revealed that the subject billboard is in compliance with the approved plans and the Conditions of Approval for Special Use Permit U-238-91. The use remains compatible with the surrounding vicinity and the conditions in the area have not changed. Therefore, staff recommends approval.

The Board of Zoning Adjustment (4-0 vote) and staff recommends **APPROVAL**.

PROTESTS: 0

NOTICES MAILED: 43

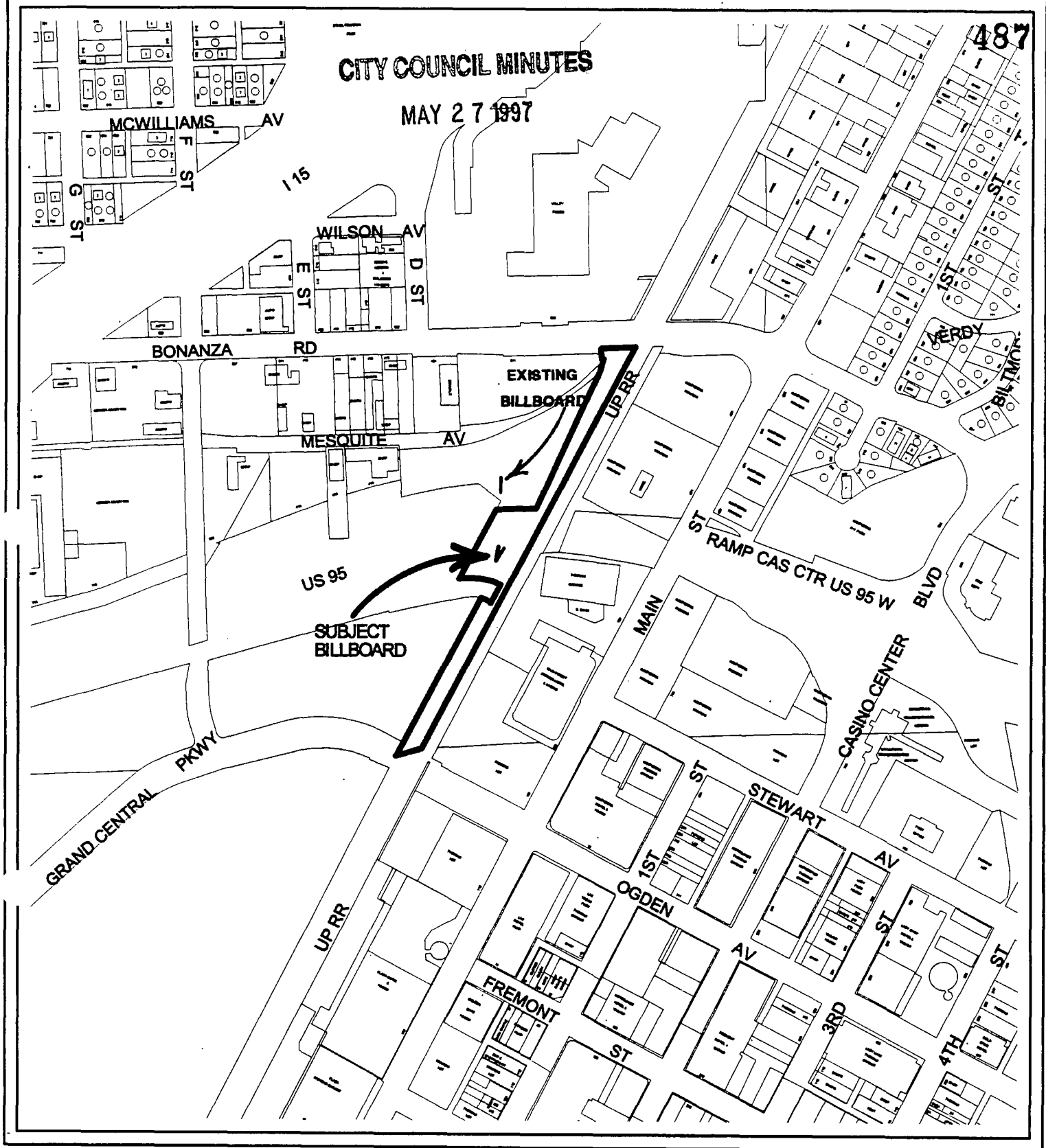
SEE ATTACHED LOCATION MAP

Agenda Item

CITY COUNCIL MINUTES

MAY 27 1997

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Case: U-238-91(1)



PLANNING &
DEVELOPMENT

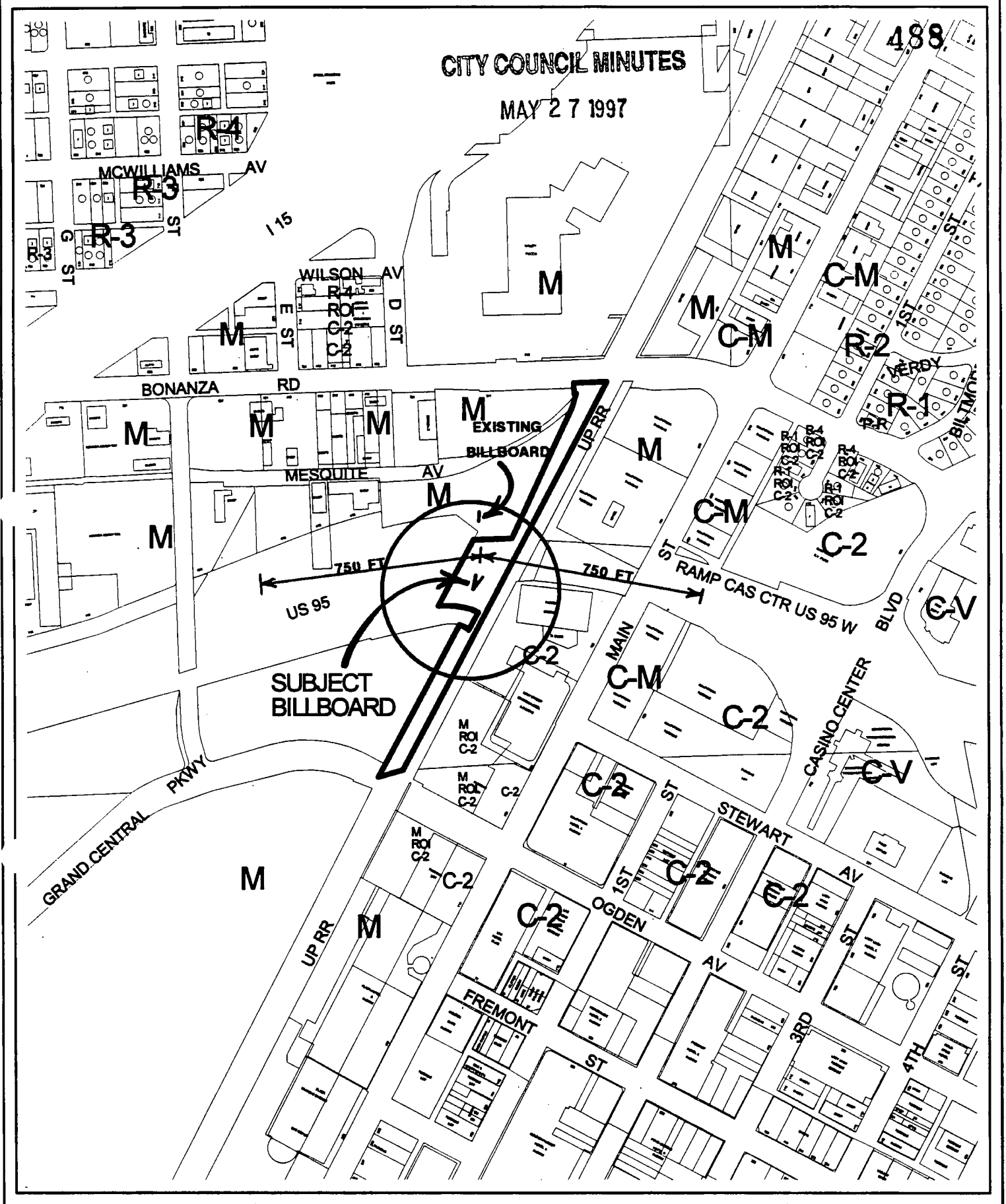


400 STEWART AVE.
LAS VEGAS, NV
8 9 1 0 1
702 229-6301

CITY COUNCIL MINUTES

MAY 27 1997

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Case: **U-238-91(1)**

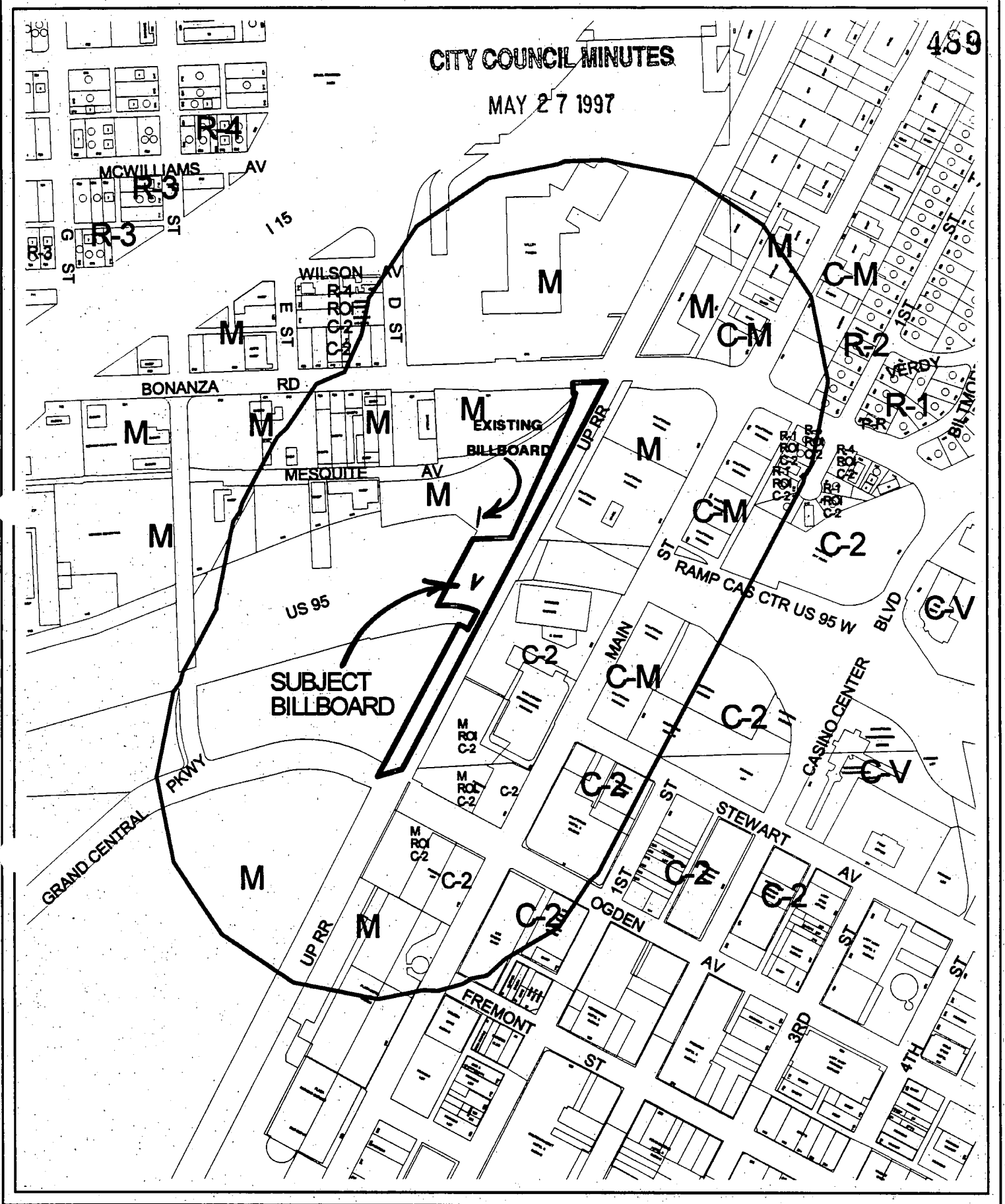
Radius: 300 ft



CITY COUNCIL MINUTES

MAY 27 1997

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Case: **U-238-91(1)**

Radius: 750 ft



CITY COUNCIL

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MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION/ACTION ITEMS

PLANNING AND DEVELOPMENT

VARIANCE - PUBLIC HEARING

V-22-97 - M. JACK BOWMAN

Request for a Variance on property located at 6447 Tina Lane to allow an existing accessory building without a main residential building where such use is not allowed, R-E (Residence Estates) Zone.

PROTESTS: 0

APPROVALS: 6 (6 Signature Petition
representing 5 Properties/1
Phone)

Ward 4 (Callister)

The Board of Zoning Adjustment (4-0 vote) recommended APPROVAL.

Based on the findings of the back-up report, staff has NO OBJECTION to this request. If APPROVED, subject to:

1. The Board shall hold a public hearing to review this use in six months and at that time may require the accessory building to be removed.
2. The applicant shall submit to the Department of Planning and Development a site plan and floor plan showing the size and location of the proposed dwelling prior to submittal or issuance of any permits.
3. The proposed single family dwelling shall exceed in size the floor area of the existing accessory building as required by Section 19.54.040 of the City of Las Vegas Municipal Code.
4. Standard Condition Nos. 1 and 5.

CALLISTER - APPROVED subject to conditions - UNANIMOUS with Jones not voting

MAYOR JONES declared the Public Hearing open.

DAVE ROSEQUIST and JACK BOWMAN were present.

COUNCILMAN CALLISTER clarified with MR. BOWMAN and the staff that MR. BOWMAN purchased a parcel and constructed a home. Five years later, he purchased an adjacent parcel and constructed a garage with all the necessary permits. The two parcels were never joined nor were they one parcel that was subdivided. MR. BOWMAN then sold the parcel containing the home, violating the code which prohibits a garage without a main residential building. MS. HARGROVE explained that the applicant is working out difficulties with the utilities because of an existing well and septic tank. Once those issues have been resolved, MR. BOWMAN intends to construct a home on the parcel. Based on those representations, the Board of Zoning Adjustment recommended approval of the item subject to a six-month review to make sure construction on the home is progressing.

COUNCILMAN CALLISTER commented that the neighbors support this request and there has been no opposition. COUNCILMAN ADAMSEN expressed a concern that six months might not be long enough. MR. ROSEQUIST agreed that they would like to have more time. COUNCILMAN CALLISTER responded that this is a very real concern and he would support the six-month review. If MR. BOWMAN was not ready to go forward in six months, the issue could be discussed at that time.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM ADAMSEN declared the Public Hearing closed.

(3:10 - 3:16)
3 - 1460

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CITY COUNCIL MINUTES
MEETING OF
MAY 27, 1997

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: VARIANCE - PUBLIC HEARING - V-22-97 - M. JACK BOWMAN

PURPOSE/BACKGROUND

The applicant has indicated to staff, that he intends to place a residential dwelling on the site. However, the applicant has run into problems with the Clark County Health Department concerning adequate water supply and sewage disposal on the site. The applicant indicates that he is currently in negotiations on a solution which will enable him to provide a suitable home on the property.

FINDINGS:

Section 19.54.030 of the Zoning Ordinance states the no accessory building shall be erected or moved on any lot in any district with an "R" prefix prior to the construction of the main building. The request is not in conformance with the objectives of Section 19.88.090 of the Las Vegas Municipal Code which regulates Variances. There are no extraordinary circumstances applicable to this property in that this property is of similar characteristics when compared to adjacent properties. However, considering the circumstances associated with the approval of the accessory building and Health Department issues, staff does not feel it would be prudent to require the garage to be removed at this time, especially since the applicant should be moving forward with development of the site. Staff recommends that this Variance be reviewed in six months before the Board of Zoning Adjustment at a public hearing to ensure the applicant has progressed by placing a dwelling on the property. In addition, staff would like the applicant to submit to the Department of Planning and Development a site plan detailing the size and location of the proposed dwelling prior to building permit application to affirm that the proposed dwelling will meet code requirements of Section 19.54 which requires that the proposed dwelling exceed the size and floor area of the existing garage. Granting the Variance should not be detrimental to public safety and welfare or injurious to other property or improvements in the same vicinity and zoning district.

Agenda Item

*City of Las Vegas***CITY COUNCIL MINUTES
MEETING OF
MAY 27, 1997****AGENDA DOCUMENTATION**

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: VARIANCE - PUBLIC HEARING - V-22-97 - M. JACK BOWMAN**PURPOSE/BACKGROUND**

The Board of Zoning Adjustment (4-0 vote) recommends **APPROVAL**.

Staff Recommendation: **NO OBJECTION**.

PROTESTS: 0

APPROVALS: 6 (6 Signature Petition representing 5 properties/1 Phone)

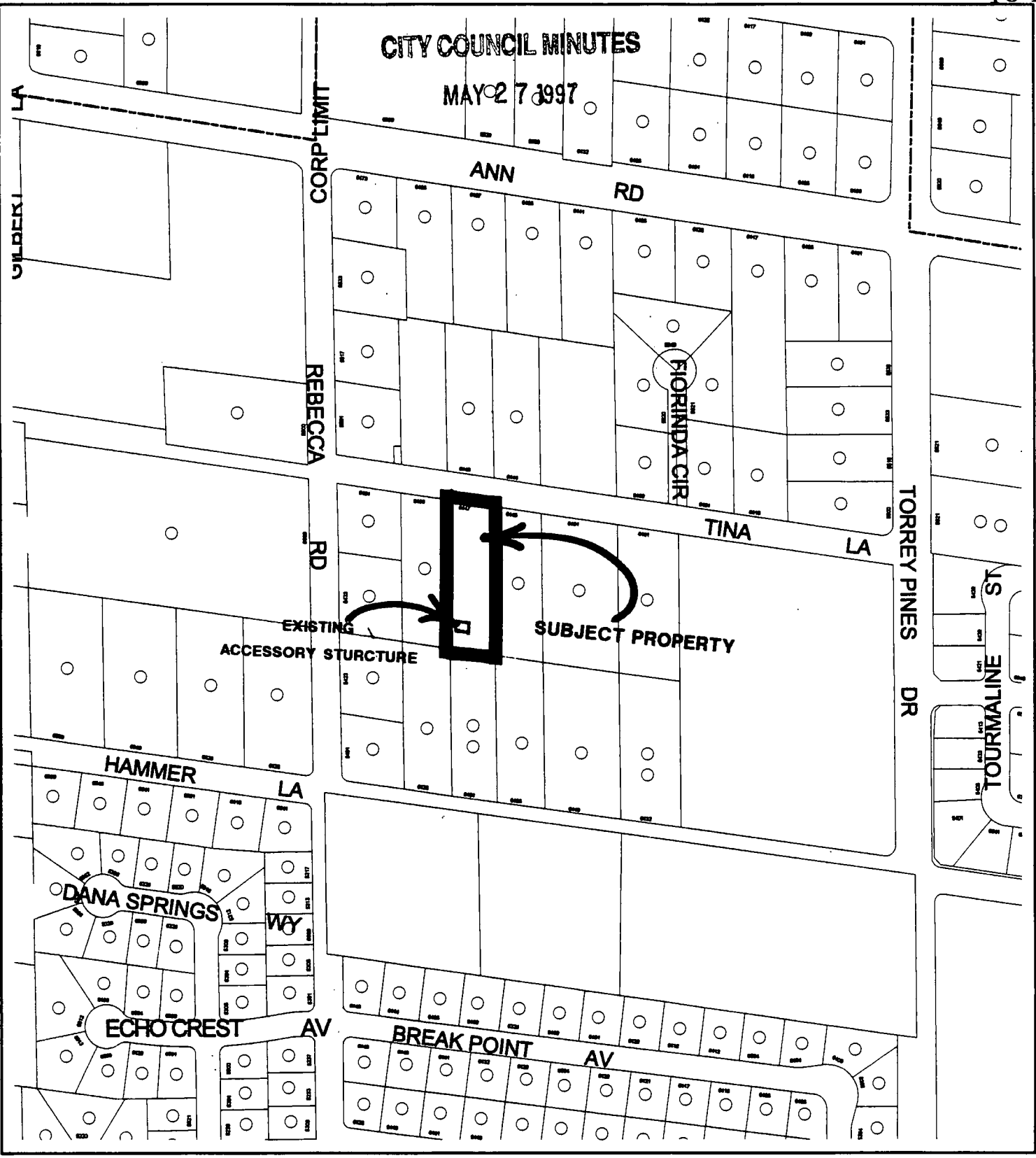
NOTICES MAILED: 71

SEE ATTACHED LOCATION MAP

Agenda Item

CITY COUNCIL MINUTES

MAY 27 1997



Case: V-22-97



PLANNING & DEVELOPMENT
400 STEWART AVE.
LAS VEGAS, NV
89101
229-6301

CITY COUNCIL MINUTES

MAY 27 1997

CORP LIND

ANN RD

REBECCA RD

R-E

R-PD2

R-PD2

FIORINDA CIR

R-E

EXISTING
ACCESSORY STRUCTURE

EXISTING
ACCESSORY STRUCTURE

TORREY PINES DR

TINA

R-E
ROI
R-1

R-E

SUBJECT PROPERTY

R-E
ROI
R-1

ECHO CREST AV

BREAK POINT AV

R-1

R-D

DANA SPRINGS

R-1

Case: V-22-97

Radius: 750 ft



CITY COUNCIL

MEETING OF

MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION/ACTION ITEMSPLANNING AND DEVELOPMENTSPECIAL USE PERMIT - PUBLIC HEARINGABEYANCE ITEM - U-11-97 - LAULE
BECKER II ON BEHALF OF AMERICAN
OUTDOOR ADVERTISING

Request for a Special Use Permit on property located at 421 South Decatur Boulevard for a 40 foot high, 14 foot x 48 foot off-premise advertising (billboard) sign, C-2 (General Commercial) Zone.

PROTESTS: 4 (1 Letter/3 Speakers)

Ward 1 (McDonald)

The Board of Zoning Adjustment (4-1 vote) and staff recommended APPROVAL, subject to:

1. The Board shall hold a public hearing to review this use in five years and at that time may require the sign to be removed.
2. The applicant shall obtain an off-premise sign certificate from the Planning and Development Department.
3. The proposed billboard shall not be located in any parking areas so as to reduce the number of parking spaces on the site as required by the Planning and Development Department.
4. All lighting shall be directed away from surrounding properties and shall be timed as to terminate on or before midnight as required by the Planning and Development Department.
5. Standard Condition No. 5.

McDONALD - Acceptance of WITHDRAWAL - UNANIMOUS

MAYOR JONES declared the Public Hearing open.

THOMAS LeCLAIR, 4180 Boulder Highway, appeared on behalf of American Outdoor Advertising and the Becker Family Trust. In order to remain a good neighbor and given the unexpected opposition from the neighborhood, the applicant requested to withdraw this item.

COUNCILMAN McDONALD commented on the neighborhood meetings held and his appreciation to everyone for working together. COUNCILMAN REESE thanked the Becker Family for their action.

No one appeared in opposition.

There was no further discussion.

MAYOR JONES declared the Public Hearing closed.

(3:16 -3:18)
3 - 1680

114

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - U-11-97 - LAULE BECKER II ON BEHALF OF AMERICAN OUTDOOR ADVERTISING

PURPOSE/BACKGROUND

APPLICATION:

This is a request for a Special Use Permit for a 14 foot by 48 foot off-premise advertising (billboard) sign.

BACKGROUND DATA:

- 12/9/65 The City Council approved a Rezoning from C-1 (Limited Commercial) to C-2 (General Commercial) (Z-80-65).
- 10/24/91 The Board of Zoning Adjustment approved a Special Use Permit which allowed an automobile rental agency (U-244-91).
- 4/1/97 The Board of Zoning Adjustment recommends approval on a request for a Special Use Permit for a 14 foot by 48 foot off-premise advertising (billboard) sign (U-11-97).
- 4/2/97 The City Council voted to hold this item in abeyance to the May 12, 1997 meeting to allow for Councilman McDonald's presence (U-11-97).
- 5/12/97 The City Council voted to hold this item in abeyance to the May 27, 1997 meeting to allow the applicant time to meet with the neighbors (U-11-97).

SITE DETAILS:

Total Site Area: 4.75 Acres
Sign Portion: 2.63 Acres
Existing Land Uses: Retail Shops
Restaurants
Service Station
Car Wash

Agenda Item

114

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - U-11-97 - LAULE BECKER II ON BEHALF OF AMERICAN OUTDOOR ADVERTISING

PURPOSE/BACKGROUND

ANALYSIS:

The applicant proposes to construct a 672 square foot sign 40 feet high. The billboard will be placed on a 2.63 acre parcel which is part of a larger 4.75 acre shopping center. The shopping center is located on the northeast corner of Decatur Boulevard and Alta Drive. The billboard will be situated approximately 240 feet south of Mayflower Lane, adjacent to Decatur Boulevard. The billboard will be oriented toward northbound and southbound traffic along Decatur Boulevard. The site is bounded by commercial properties to the west and north, and residential to the east and south.

FINDINGS:

The billboard is in compliance with Section 19.91.060 of the Las Vegas Municipal Code which regulates off-premise signs. The billboard is not within 300 feet of a "R" designated zoning district nor is the billboard within 300 feet of another billboard. Furthermore, the sign will be located in a heavily traveled vehicular and commercial corridor. However, staff has some concerns regarding the proposed placement of the billboard on the property. The submitted site plan does not show the parking lay-out and an inspection of the site revealed that the available parking in this center is already heavily impacted due to existing uses. Therefore, staff requires that the applicant situate the billboard so the sign is not located in an existing parking space thereby decreasing the available number of parking spaces for the commercial center. Staff has no objection to this request.

Agenda Item

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - U-11-97 - LAULE BECKER II ON
BEHALF OF AMERICAN OUTDOOR ADVERTISING

PURPOSE/BACKGROUND

The Board of Zoning Adjustment (4-1 vote) and staff recommended, **APPROVAL**.

PROTESTS: 4 (1 Letter / 3 Speakers)

The protesters were concerned that the billboard would block their view and would be of no benefit to the area as well as encroach onto their residential properties.

NOTICES MAILED: 178

SEE ATTACHED LOCATION MAP

Agenda Item



Your Source Since 1971

CITY COUNCIL MINUTES

MAY 27 1997

500

*Sorry for the
mistake.*

May 12, 1997

**VIA FAX
PLEASE DELIVER THIS MORNING**

Mayor Jones
Councilman Adamsen

RE: ¹¹⁻⁹⁷ U-147-96- Charleston Heights Development Co
~~-6704 W Cheyenne Avenue, Sign Permit-~~
421 So. Decatur

Dear Mayor Jones and Councilman Adamsen,

I hereby request favorable consideration on the sign use permit that is before the Board this morning. Thank you.

Yours truly,

Barry W. Becker

50 S Jones Bl

Suite 101

Las Vegas

Nevada

89107-2673

702-870-0212

702-870-4976 Fax

CITY COUNCIL MINUTES

148

U-11-97

501

MAY 27 1997

MAY 12

CITY COUNCIL MEETING FOR APRIL 28, 1997

Petition to the City Council to disapprove the placing of a billboard 48 feet long by 14 feet high and 40 feet tall near the corner of Alta and Decatur by the American Outdoor advertising Company. We do not feel it is in the best interest of our neighborhood to be blighted by these types of elevated commercial graffiti. You do not allow this type sign in Summerland, Canyon Gate or the Lakes so, why should our neighborhood be targeted to have the property value decline like all the other places in the city that have these signs. You have managed to keep the sign companies at bay for quite a while but one made it past Charleston and Decatur and now they think the rest of Decatur is theirs for the taking. Take a look at Decatur and Oakley by the Indoor Swapmeet, if one billboard fell over the whole darn block would go like domino's. The board of adjustment except for Ms Del Prado chastised us for even showing up to protest the signs because "no one objects to a simple billboard in a neighborhood like ours". The fact is the billboard is larger than the average 18 wheel semi tractor trailer on top of an 40 foot pole that can be seen from most yards in the neighborhood. WE ASK YOU, PLEASE DON'T ALLOW THIS TO COME TO OUR NEIGHBORHOOD. As a closing thought if any Council member or the Mayor and the person representing the sign company can show us a billboard of this size that is visible from their yard, we will withdraw our protest.

NAME

SIGNATURE

ADDRESS

RONALD A. BRADLEY

Ronald A. Bradley

4718 KAY PLACE LV NV 89107

*Barbara Fiss**Barbara Fiss*

721 Shooting Star 89107

*MARIANN BROWN**MARIANN BROWN*

4618 KAY PL. 89107

CHRISTINE BROWN

Christine Brown

4624 KAY PLACE 89107

VERA MURPHY

Vera Murphy

4700 Kay place 89107

*John Miller**John Miller*

4613 Kay place 89107

*John Miller**John Miller*

4613 Kay place 89107

*John Miller**John Miller*

4613 Kay place 89107

*John Miller**John Miller*

4613 Kay place 89107

*John Miller**John Miller*

4613 Kay place 89107

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4613 Kay place 89107

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4613 Kay place 89107

*John Miller**John Miller*

4613 Kay place 89107

#148

CITY COUNCIL MINUTES

MAY 27 1997

pg - 2 of 2

#148

4-11-97

502

Continuation sheet for petition against billboard at corner of Alta and Decatur.

NAME

SIGNATURE

ADDRESS

Bruce L. Melloy	BRUCE L. MELLOY	4600 KAY PLACE 89107
Kevin L. Orris	Kevin L. Orris	4701 Kay Place 89107
Valerie Orris	Valerie Orris	4701 Kay Place 89107
Teresa Baumann	Teresa Baumann	4601 Kay Place 89107
Don E. Brown	Don E. Brown	4624 Kay Pl 89107
Conceicao M. Heath	Conceicao M. Heath	513 S. Decatur - 89107
Ernest D. Hennagin	Ernest D. Hennagin	5220 Mission 89107
Michael L. Brown	Michael L. Brown	5070 River Gl.
Jane M. Frank	Jane M. Frank	3920 Sunset
Ernest D. Hennagin	Ernest D. Hennagin	5119 HAYS PL. 89107
Ernest D. Hennagin	Ernest D. Hennagin	519 So Decatur 89107
Rosely Cantelmo	Rosely Cantelmo	4712 Soma Pl LV NV 89107
Carmine Cantelmo	Carmine Cantelmo	4712 Soma Pl LV NV 89107
Priscilla C. C. C.	Priscilla C. C. C.	4712 Soma Place LV NV 89107
Nikolas Cantelmo	Nikolas Cantelmo	4712 Soma Place LV NV 89107
H. C. C.	H. C. C.	4506 Kay Pl LV NV 89107
Bryce	Bryce	4513 Kay Pl LV NV 89107
Wendy Brown	Wendy Brown	4513 Kay Pl Las Vegas NV 89107
Veronica L. Smith	Veronica L. Smith	4619 Kay Pl Las Vegas NV 89107
Veronica L. Smith	Veronica L. Smith	4619 Kay Pl Las Vegas NV 89107

CITY COUNCIL MINUTES

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4-11-97

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503

Print

Continuation sheet for petition against billboard at corner of Alta and Decatur.

NAME

SIGNATURE

ADDRESS

SHERILYN HILSABECK	<i>Sherilyn Hilsabeck</i>	4013 RIVER VALLEY ST. LAS VEGAS NV 89107
KENNETH W.T. HILSABECK	<i>Kenneth W.T. Hilsabeck</i>	4013 RIVER VALLEY ST. LAS VEGAS NV 89107
Janie Sherwood	<i>Janie Sherwood</i>	5505 Gipsy Ave Las Vegas NV 89107
Robin Dunsmoor	<i>Robin Dunsmoor</i>	6320 Cromwell Ave Las Vegas, NV 89107
Pam Dunsmoor	<i>Pam Dunsmoor</i>	6320 Cromwell Ave Las Vegas, NV 89107
JERRY WALLACE	<i>Jerry Wallace</i>	112 THUNDER ST. LAS VEGAS NV. 89128
SHARI M Robb	<i>Shari M Robb</i>	8201 Confetti Cir LV NV 89128
ALICE HUNTSMAN	<i>Alice Huntsman</i>	4518 Hayes Pl. Las Vegas Nev. 89107
Richard Huntsman	<i>Richard Huntsman</i>	4518 Hayes Pl. LAS VEGAS NV 89107
GORDENA BRADLEY	<i>Gordena Bradley</i>	4718 KAY PL. LAS VEGAS NV. 89107
LT. LORY HULL	<i>Lory Hull</i>	4724 KAY 89107

CITY COUNCIL MINUTES

MAY 27 1997

504

Continuation sheet for petition against billboard at corner of Alta and Decatur.

NAME

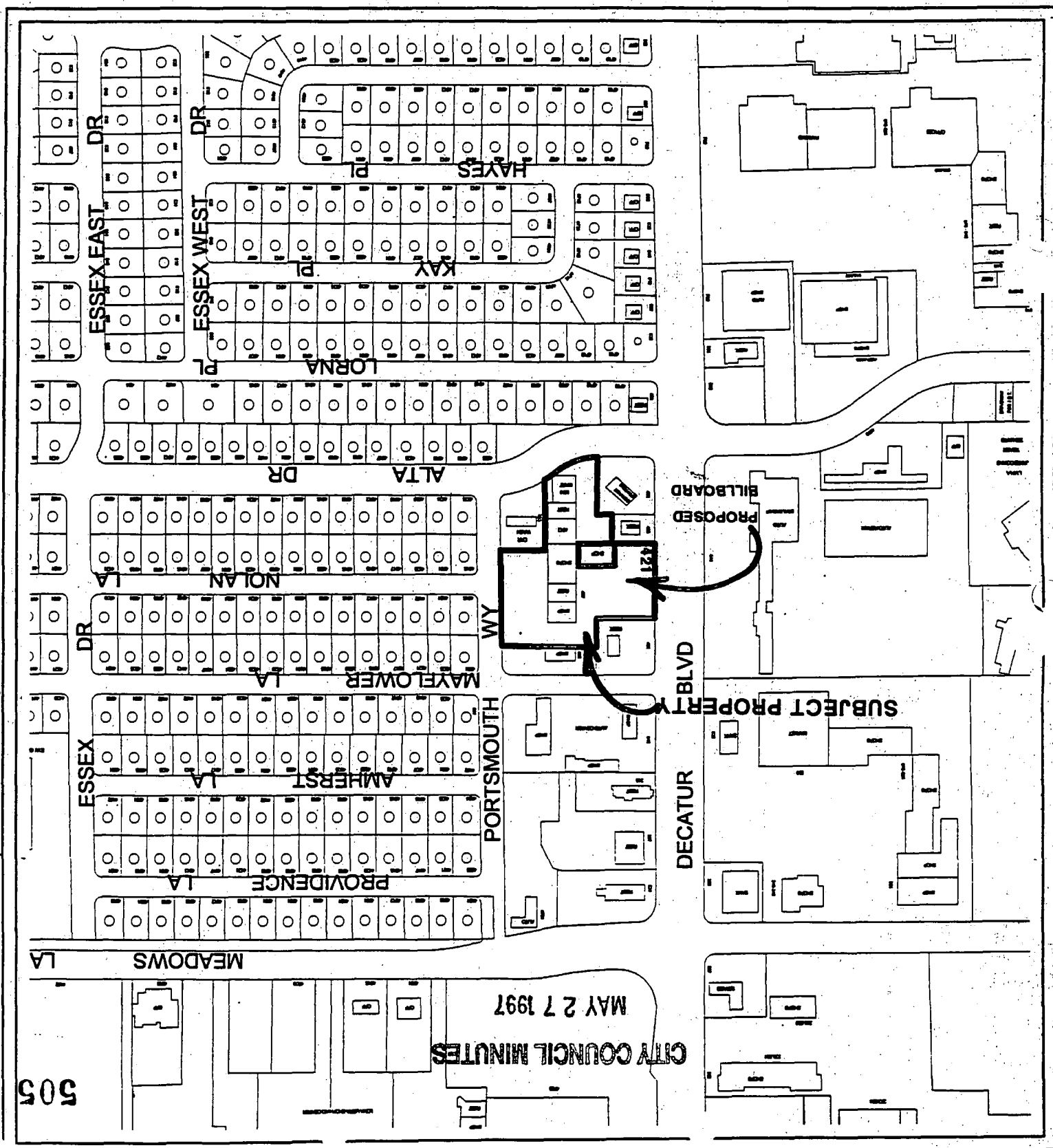
SIGNATURE

ADDRESS

Christopher E. Bloom	4528 Nolan Ln.	89107
Harold & Karen Gubgat	4524 NOLAN LN.	89107
James T. & Rebecca Smith	4528 Nolan Ln	
Eduardo & Doreen Ponce	4521 Nolan Ln	89107
William and Mary Lynn Riggs	4509 Nolan Lane	89107
Serail F. Zuhairi	4500 Nolan	89107
John Miller	4501 NOLAN LN	89107
W. C. Mellen	4501 NOLAN LN	89107
Shirley Stimpson	4500 Alta Dr.	89107
Emelinda Rodriguez	4512 Alta Dr	89107
Ethelene Tyler	4516 Alta Dr.	89107
Adelma P. Buchholz	4524 Alta Dr. LV.	89107
Greg Arcara	4600 Alta	89107
Melie Gutierrez Portillo	4604 Alta LV, NV.	89107
Eduardo Gutierrez Portillo	4604 Alta LV, NV	89107
Melba Belger	4604 Alta Dr LV NV	89107
Melba Belger	4616 W. Alta Dr. Las Vegas NV	89107
John A. Lafaza	6201 HARGROVE CV.	NV 89102
Dominic Scott	4620 Alta	

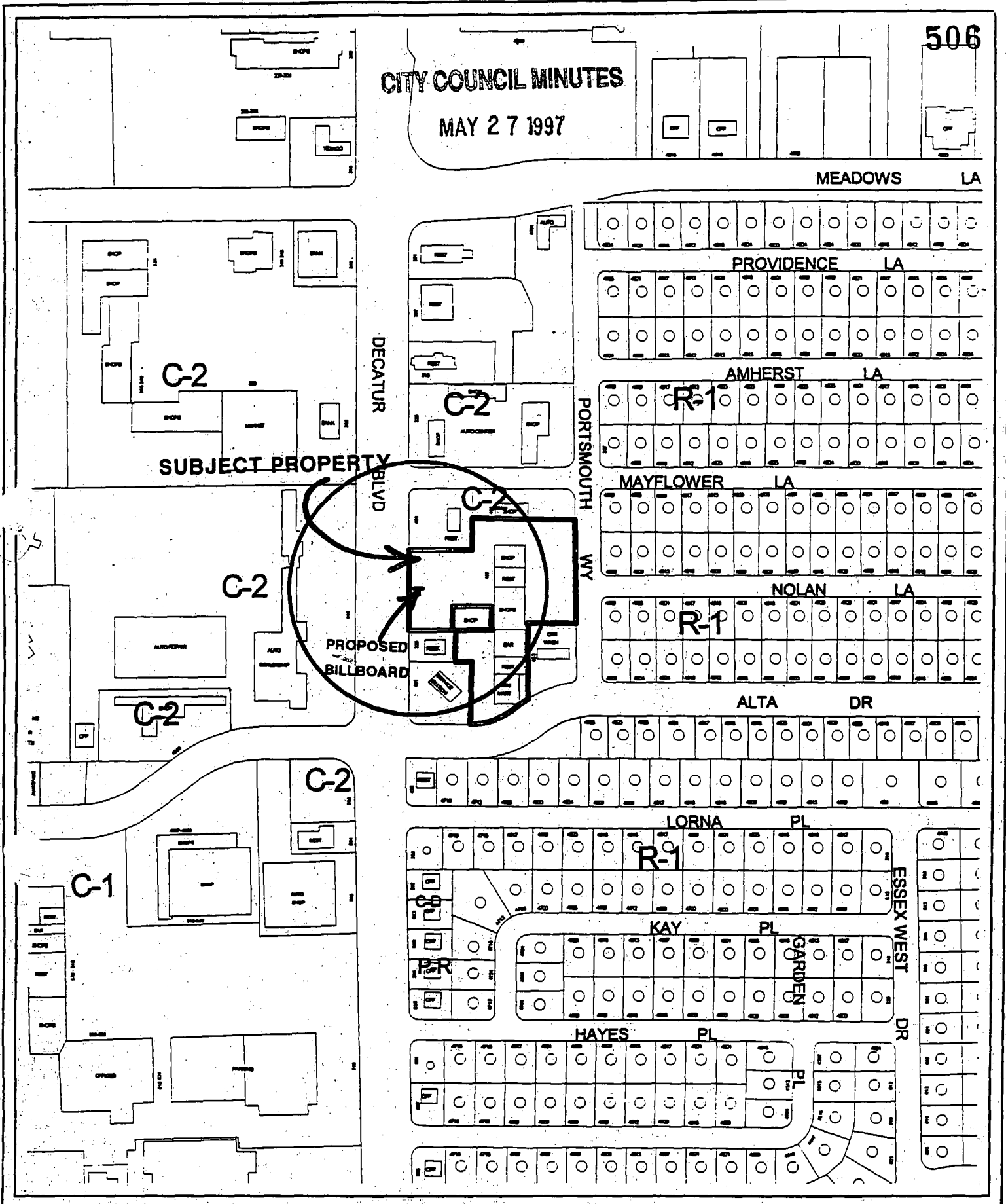


Case: U-11-97



CITY COUNCIL MINUTES

MAY 27 1997



Case: **U-11-97**

Radius: 300 ft



CITY COUNCIL

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION/ACTION ITEMS

PLANNING AND DEVELOPMENT

SPECIAL USE PERMIT - PUBLIC HEARING

ABEYANCE ITEM - U-13-97 - CAROL DECKER

Appeal filed by Carol Decker from the Approval by the Board of Zoning Adjustment on an application request by Mary Lee Coleman on behalf of Lincoln Vista Development on property located on the southwest corner of Washington Avenue and Marion Drive for a mobile home park, R-MHP (Residential Mobile Home Park) Zone.

NOTE: The correct property location is on the south side of Washington Avenue and the west side of the Las Vegas Wash.

PROTESTS: 2 Speakers at meeting

Ward 3 (Reese)

The Board of Zoning Adjustment (4-1 vote) recommended APPROVAL.

Based on the findings of the back-up report, staff has NO OBJECTION to this request. If APPROVED, subject to:

1. The applicant shall revise the plans to clearly indicate all required setbacks as required by the Planning and Development Department prior to the issuance of any permits.
2. All lots shall be measured from designated space line unless approved by the Planning and Development Department.
3. Provide minimum 24 inch box trees 40 feet on center with shrubs, boulders and groundcover in all landscaped area as required by the Department of Planning and Development. The use of drought tolerant landscape is encouraged.
4. Any new perimeter fencing proposed shall be decorative and subject to review and approval by the Planning and Development Department.

REESE - ABEYANCE to 6/23/97 as a Time Certain at 4:00 P.M. on the PM Session Planning & Development discussion agenda - UNANIMOUS

MAYOR JONES declared the Public Hearing open.

CAROL DECKER, 757 Weatherstone Drive, stated that the applicant is seeking an abeyance. She questioned the two protests on record.

COUNCILMAN REESE commented that approximately 75 people had attended at the various neighborhood meetings he has held on this issue. He stressed the importance of the input from the neighbors. It is hoped that during the abeyance, a resolution can be reached by everyone working together.

MS. DECKER explained that the neighbors just want to make sure that this is a beautiful project and outlined concerns with the access off Marion. There is a foot bridge used by children attending both an elementary and a junior high school. Flood control issues have to be addressed. They hope to reach an equitable resolution.

CHARLES CONNOR, 4729 Greencreek, concurred with MS. DECKER's statements, particularly regarding safety for children traveling to and from school. He wanted his opposition reflected in the record because he will not be able to attend the next Council meeting.

ATTORNEY GARRY HAYES, 3777 S. Pecos-McLeod #104, appeared with MR. SHARP on behalf of the applicant and requested that the item be held until 6/23/97 because he would not be available 6/9/97. MS. DECKER agreed that the consensus of those present was that 6/23/97 would be acceptable. COUNCILMAN REESE also confirmed that it was preferred that the item be a Time Certain for 4:00 p.m.

There was no further discussion.

MAYOR JONES declared the Public Hearing closed.

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

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DISCUSSION/ACTION ITEMS

PLANNING AND DEVELOPMENT

ABEYANCE ITEM - U-13-97 - CAROL DECKER

5. The applicant shall revise the plans to clearly indicate all required setbacks as required by the Planning and Development Department prior to the issuance of any permits.

6. Provide minimum 24 inch box trees 40 feet on center with shrubs, boulders and groundcover in all landscaped area as required by the Department of Planning and Development. The use of drought tolerant landscape is encouraged.

7. Any new perimeter fencing proposed shall be decorative and subject to review and approval by the Planning and Development Department.

8. The applicant shall remove concrete debris along the Las Vegas Wash as a part of this project and provide appropriate erosion protection along this embankment. The applicant shall also provide an access ramp for maintenance of the Wash and appropriate access easements as required by the Drainage Plan and Technical Drainage Study prior to occupancy of this site as required by the Department of Public Works.

9. Dedicate appropriate right-of-way for the cul-de-sac bulbs terminating Goodwater Drive and Marion Street, meeting current City Standards, prior to the issuance of any building or grading permits, whichever may occur first, as required by the Department of Public Works.

10. Construct full-urban improvements on the Marion Drive and Goodwater Drive cul-de-sacs concurrent with development of this site as required by the Department of Public Works.

NOTE: A petition with 267 signatures and 4 additional form letter protests were received at the City Council meeting.

NOTE: MAYOR JONES instructed the City Clerk to provide an accurate reflection of protests received subsequent to the Board of Zoning Adjustment or Planning Commission meetings but prior to the City Council meeting.

NOTE: COUNCILMAN REESE instructed his Council Liaison to work with MS. DECKER and MR. SHARP on any meetings in which the City could participate or facilitate.

(2:33/4:26 - 4:34)

3 - 1760/4 - 933

CITY COUNCIL

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION/ACTION ITEMS

PLANNING AND DEVELOPMENT

ABEYANCE ITEM - U-13-97 - CAROL DECKER

11. The existing sewer line in Marion Drive is at maximum capacity. Meet with the City Sanitary Collection Systems Engineer to determine an alternate route or other means of providing a sewer relief system; comply with such requirements prior to occupancy of this site as required by the Department of Public Works.

12. Construct a minimum of paving and curb and gutter on all private drives internal to this site as required by the Department of Public Works.

13. Meet with the Traffic Engineer for assistance in the possible redesign of the proposed driveway access, on site circulation 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.

14. If there are less than two active access drives proposed, a Driveway Access Analysis Letter must be submitted to and approved by the Department of Public Works prior to the issuance of any permits for this site.

15. Contribute \$17,000 for general neighborhood traffic mitigation 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.

ABEYANCE to 6/23/97 at 4:00 P.M. TIME CERTAIN

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

DISCUSSION/ACTION ITEMS

ABEYANCE ITEM - U-13-97 - CAROL DECKER

16. The design and layout of all on-site private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

17. Submit an Encroachment Agreement for all proposed landscaping and private improvements located in the Goodwater Drive and Marion Street public right-of-way adjacent to this site prior to occupancy of this site as required by the Department of Public Works.

18. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, whichever may occur first. Provide and/or improve all drainageways required by the Drainage Plan and Technical Drainage Study concurrent with development of this site as required by the Department of Public Works.

19. All development must be in conformance with the plot plan and elevations.

20. Landscaping and a permanent underground sprinkler system shall be provided as required by the Board of Zoning Adjustment 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.

21. A landscaping plan must be submitted prior to or at the same time application is made for a building permit, license, or prior to occupancy, whichever occurs first.

22. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.

ABEYANCE to 6/23/97 at 4:00 P.M. TIME CERTAIN

CITY COUNCIL

MEETING OF

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION/ACTION ITEMS

PLANNING AND DEVELOPMENT

ABEYANCE ITEM - U-13-97 - CAROL DECKER

23. City Code requirements and design standards of all City departments must be satisfied.

24. Parking and driveway plans must be approved by the Traffic Engineer prior to the issuance of any permits.

25. All damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works.

26. 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.

27. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Planning and Development Department. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

ABEYANCE to 6/23/97 at 4:00 P.M. TIME CERTAIN

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - U-13-97 - CAROL DECKER

PURPOSE/BACKGROUND

APPLICATION:

This is an appeal of the Approval by the Board of Zoning Adjustment on an application request for a Special Use Permit for a 114 lot mobile home park on a 16.57 acre site. The protester feels that this is an inappropriate use.

BACKGROUND DATA:

- 4/1/97 The Board of Zoning Adjustment approved a request for a Special Use Permit for a 114 lot mobile home park on a 16.57 acre site (U-13-97).
- 4/28/97 The City Council voted to hold this item in abeyance to the May 12, 1997 meeting to allow the applicant time to meet with the neighbors (U-13-97).
- 5/12/97 The City Council voted to hold this item in abeyance to the May 27, 1997 meeting to allow the applicant time to redesign the site (U-13-97).

SITE DETAILS:

Site Area: 16.57 Acres
Number of Lots: 114
Density: 6.88 Lots Per Acre

ANALYSIS:

The applicant proposes a mobile home with typical lots ranging from 4,240, 4,508, 4,558, 4,876 square feet. The proposed density is 6.88 lots per acre. The site has minimal frontage along Washington Avenue with direct access via one entrance and exit at the north and south end of Marion Vista Drive with a 32 foot wide private street that connects with Washington Avenue. The park layout includes a lineal grid pattern with six connecting private drives along Marion Vista Drive that either dead end or connect to a 32 foot wide private connectors.

Agenda Item

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - U-13-97 - CAROL DECKER

PURPOSE/BACKGROUND

There are 6 proposed playground areas throughout the development as well as a designated RV area, pool, clubhouse and an on-site manager unit and office. Landscape is proposed at the entrance/exit area along Marion Vista Drive as well as in the playground areas. There are 38 guest parking spaces indicated throughout the site.

FINDINGS:

Section 19.36.050 of the City of Las Vegas Municipal Code allows mobile home parks within the R-MHP district with a Special Use Permit and provided certain criteria are met. The Code requires a minimum site area of five acres with minimum lots of 4,000 square feet and minimum setbacks of 5 feet from all space lines or private street and minimum 10 foot setback from any public street. The submitted site plan does not indicate the proposed setbacks nor whether or perimeter fencing is provided. The applicant should revise the plans to clearly indicate all required setbacks and required block wall. Staff had a few concerns with the proposed street layout and worked with the applicant to revise the site.

The Board of Zoning Adjustment (4-1 vote) recommended **APPROVAL**.

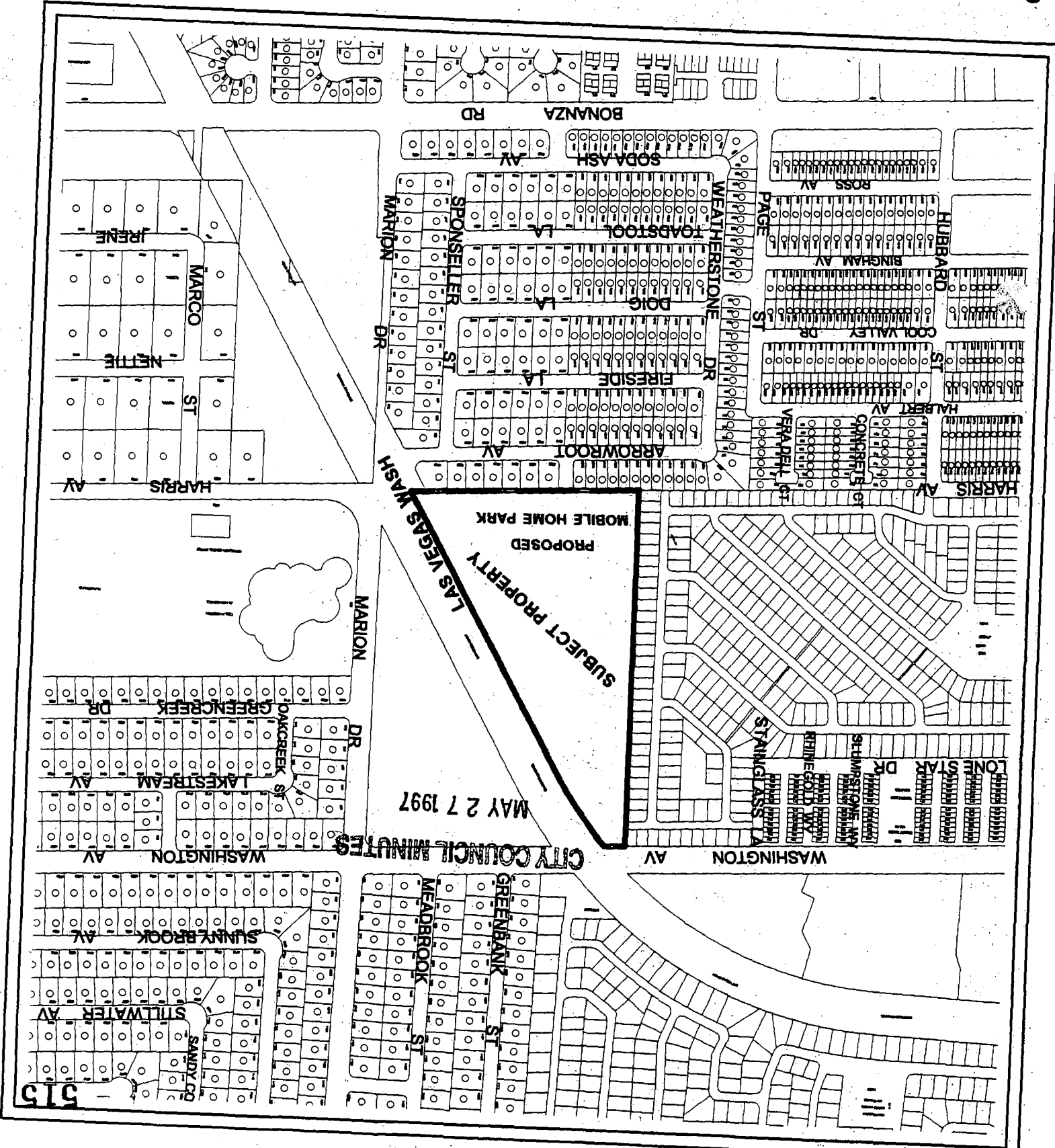
Staff Recommended: **NO OBJECTION**.

PROTESTS: 2 Speakers at BZA Meeting

NOTICES MAILED: 921

SEE ATTACHED LOCATION MAP

Agenda Item



CITY COUNCIL MINUTES
MAY 27 1997

Radius: 750 ft



CITY COUNCIL

MEETING OF
MAY 27, 1997

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION/ACTION ITEMS

PLANNING AND DEVELOPMENT

SPECIAL USE PERMIT - PUBLIC HEARING

ABEYANCE ITEM - U-25-97 - LENI SKAAR

Appeal filed by Leni Skaar from the Approval by the Board of Zoning Adjustment on an application request by Theresa Hatcher for a Special Use Permit on property located at 1717 Ferrell Street for a proposed church, R-E (Residence Estates) Zone.

PROTESTS: 8 (3 Letters submitted at meeting/
5 Speakers at meeting)

APPROVALS: 2 (1 Letter submitted at meeting/
1 Speaker at meeting)

Ward 3 (Reese)

The Board of Zoning Adjustment (2-1-1 vote) recommended APPROVAL.

Based on the findings of the back-up report, staff has NO OBJECTION to this request. If APPROVED, subject to:

1. Construct a nominal six foot high decorative block wall along the rear and side yard area and a four foot high decorative wall along the front yard area in accordance with the City of Las Vegas Municipal Code.
2. Provide minimum 24 inch boxes trees 30 feet on center or shrubs, groundcover and boulders in all landscape planter areas, as required by the Planning and Development Department. The use of drought tolerant landscape is encouraged.
3. The site shall at no time be used as a rescue mission or shelter.

REESE - Denying the Appeal, thereby APPROVING the Special Use Permit subject to conditions; an added condition that no "soup kitchen" or other type of free food program that would attract indigents or promote loitering in a residential neighborhood will be allowed; amending Condition No. 1 that in the event of a child care operation with a rear outside play area, that area must conform to Title 19A pertaining to an eight foot concrete block wall, an evergreen tree buffer, setback requirements, entrance requirements, etc.; and, an added condition for a one-year review by staff - UNANIMOUS

APPEARANCES:

LENI SKAAR, 1833 Crystal Chimes
THERESA HATCHER, 1717 Ferrell Street

NOTE: A petition with 38 signatures was submitted in opposition.

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

(3:19 - 3:35)
3 - 1785

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CITY COUNCIL

MEETING OF

MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION/ACTION ITEMS

APPROVED

PLANNING AND DEVELOPMENT

ABEYANCE ITEM - U-25-97 - LENI SKAAR

4. Construct half-street improvements on Ferrell Street adjacent to this site prior to occupancy of this site as required by the Department of Public Works.

5. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways should be designed, located and constructed in to meet the intent of Standard Drawing #222a as required by the Department of Public Works.

6. The proposed gates shall remain open during service hours to provide unhindered access from the abutting public street to the parking lot in the back of this site. Alternatively, if the applicant desires the gates to be closed during service hours, the gates shall be set back a sufficient distance to allow vehicles to pull completely out of the public right-of-way before stopping at the gates as required by the Department of Public Works.

7. The proposed fence along the front and side property lines shall be designed and constructed so as to not interfere with sight visibility requirements of drivers using the on-site driveways or driveways of neighboring properties. The proposed fence shall meet the approval of the Traffic Engineer prior to the issuance of any permits as required by the Department of Public Works.

8. All development must be in conformance with the plot plan and elevations.

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ABEYANCE ITEM - U-25-97 - LENI SKAAR

9. Landscaping and a permanent underground sprinkler system shall be provided as required by the Board of Zoning Adjustment and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler system shall be cause for revocation of a business license.

10. A landscaping plan must be submitted prior to or at the same time application is made for a building permit, license, or prior to occupancy, whichever occurs first.

11. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.

12. City Code requirements and design standards of all City departments must be satisfied.

13. Parking and driveway plans must first be approved by the Traffic Engineer prior to the issuance of any permits.

14. All damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works.

15. 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.

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ABEYANCE ITEM - U-25-97 - LENI SKAAR

16. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Planning and Development Department. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - U-25-97 - LENI SKAAR

PURPOSE/BACKGROUND

APPLICATION:

This is an appeal of the Approval by the Board of Zoning Adjustment on an request for a Special Use Permit to allow a single family dwelling to be converted into a church.

BACKGROUND DATA:

- 7/14/77 The City Council approved an Administrative Variance to allow a 19,383 square foot lot where 20,000 square feet is the minimum lot size required in the R-E (Residence Estates) Zone (AV-9-77).
- 8/23/94 The Board of Zoning Adjustment approved a Special Use Permit for a single family dwelling to be converted into a church facility on this site (U-192-94). The permit expired on 8/23/95.
- 4/1/97 The Board of Zoning Adjustment approved a Special Use Permit for a single family dwelling to be converted into a church on this site (U-25-97).
- 4/28/97 The City Council voted to hold this item in abeyance to the May 12, 1997 meeting to allow a full board to hear the item to break the tie vote (U-25-97).
- 5/12/97 The City Council voted to hold this item in abeyance to the May 27, 1997 meeting because the appliant was not present (U-25-97).

SITE DETAILS:

Site Area:	19,383 Square Feet
Building Area:	1,368 Square Feet
Parking Required:	12 Spaces
Parking Provided:	20 Spaces

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - U-25-97 - LENI SKAAR

PURPOSE/BACKGROUND

ANALYSIS:

The applicant proposes to convert an existing 1,368 square foot dwelling into a church. Access to the site is via one drive along Ferrell Street. The applicant completed the interior improvements under a previous Special Use Permit. There are 20 parking spaces proposed on the site. Landscape is proposed in the front yard area and in a playground proposed adjacent to the building.

FINDINGS:

Section 19.14.040 of the City of Las Vegas Municipal Code allows churches within an R-E district with a Special Use Permit. The applicant received a Special Use Permit in 1994 but was unable to complete all required improvements in order to open the church facility. Therefore, the use permit expired. Staff is of the opinion that the church use is compatible with the area. The applicant should, however, replace the existing chain link and wood fence with a decorative block wall along the perimeter of the site.

The Board of Zoning Adjustment (2-1-1 vote) recommended **APPROVAL**.

Staff Recommended: **NO OBJECTION**.

PROTESTS: 9 (3 Letters at Meeting/5 Speakers at BZA meeting/1 Speaker at the 4/28/97 Council Meeting)

The protesters were concerned about the traffic from the church as well as the possibility of the building being used as a homeless shelter and/or "soup kitchen".

APPROVALS: 2 (1 Letter at Meeting/1 Speaker)

NOTICES MAILED: 149

SEE ATTACHED LOCATION MAP

Agenda Item

CITY COUNCIL MINUTES

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MAY 27 1997

The following residents of the Hollydale subdivision are opposed to the issuance of Special Use Permit U-25-97 to Theresa Hatcher for "A church" at 1717 Ferrell Street.

Name	Address	Signature
Terry	~~3008~~ 3016 Morningside	Terry James
Betty Leach	3008 Morningside	Betty Leach
Ann Lewis	3008 Morningside	Ann Lewis
Charlie Hayes	3008 Morningside	Charlie Hayes

38
Total

CITY COUNCIL MINUTES

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MAY 27 1997

The following residents of the Hollydale subdivision are opposed to the issuance of Special Use Permit U-25-97 to Theresa Hatcher for "A church" at 1717 Ferrell Street.

Name

Address

Signature

Name	Address	Signature
Chong Gutierrez	3017 Las Vegas NV 89106	Chong Gutierrez
LOURANA DIAZ	3089 LAS VEGAS NV 89106	Lourana Diaz
Owen Limbaugh	1729 Willowbrook Dr	
Mary Limbaugh	1729 Willowbrook Dr	
Cassidy Jones	3001 Woodland	
Kim Hazel	3005 Woodland Ave	Kim Hazel
Jana Smith	3009 Woodland Ave	Jana Smith
Robyn L. Giusto	3013 Woodland Ave	
Mary L. Jones	3017 Woodland Ave	
Bob McKinstry	3013 Holly Ave Las Vegas NV 89106	
Eva Heelman	3009 Holly Ave Las Vegas NV 89106	
Darren W. Pikyavit	3001 Holly Ave Las Vegas NV 89106	
KIMBERLY PIKYAVIT	3001 HOLLY AVE	Kimberly Pikyavit
Imogene G. Riggs	1704 Ferrell St.	Imogene Riggs
Maria Fernandez	1736 Ferrell	
PRESTON Shelton	3022 Woodman Ave	
EDITH CARLOCK	1600 B FERRELL 89106	
Janet Villa	1700 Ferrell St 89106	
Mariano Villa	1700 Ferrell St 89106	
John Marshall	1600 Ferrell	
Anni Hicks	3022 Vegas Dr.	
Johnny Smith	3022 Vegas Dr.	
Jimmy Smith	3022 Vegas Dr.	
Gail Wilson	1721 FERRELL ST.	
Ernest Wilson	1721 FERRELL ST.	

CITY COUNCIL MINUTES

MAY 27 1997

525

The following residents of the Hollydale subdivision are opposed to the issuance of Special Use Permit U-25-97 to Theresa Hatcher for "A church" at 1717 Ferrell Street.

Name

Address

Signature

Theresa Hatcher	3016 VEGAS DR	Theresa Hatcher
JOHN JOHNSON	3016 VEGAS DRIVE	John Johnson
Kenneth Carter	3016 VEGAS DRIVE	Kenneth Carter
PAUL GARCIA	3016 VEGAS DR.	Paul Garcia
Peter B. Romero	" "	Peter B. Romero
MILIE VERSTRAELEN	VEGAS DR	Milie Verstraelen
GARY CULL	3009 Woodland	Gary Cull
Joanne Dustin	1713 Willowbrook	Joanne Dustin
Doreen McCarthy	1717 Willowbrook Dr.	Doreen McCarthy

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Case: U-25-97



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R-3

R-4

R-1

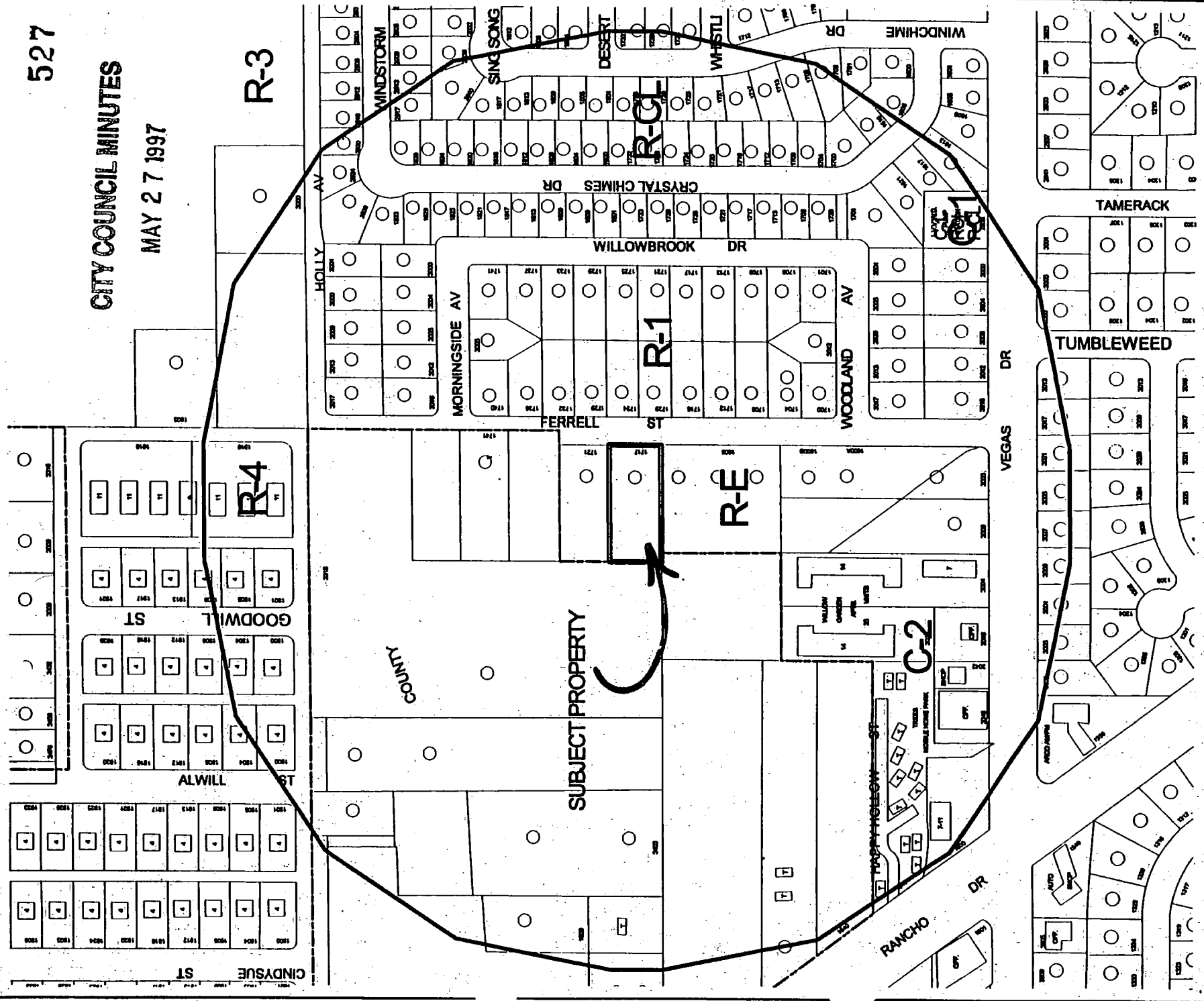
R-1

R-E

C-2

TAMERACK

TUMBLEWEED



Case: U-25-97

Radius: 750 ft

VERBATIM TRANSCRIPT - ITEM 116: U-25-97 - LENI SKAAR

MAYOR JONES

116 is abeyance item U-25-97 for Leni Skaar. It's an appeal filed by the applicant from the approval by the Board of Zoning Adjustment on an application request by Theresa Hatcher for a special use permit on the property located at 1717 Ferrell Street for a proposed church, R-E (Residents Estates). There were eight protests, two approvals. Board of Zoning Adjustment recommended approval. Staff has no objection. This is a public hearing. I would now declare it open. The applicant's present.

LENI SKAAR

Hi, Leni Skaar, 1833 Crystal Chimes Drive. I'm the applicant. I have a petition here that was done just in the Holly Dale area, which is that area of about 40 homes where the church is located, with 38 signatures on it.

We have some, as you know, concerns with this. One of which is in the analysis that was done for the Board of Zoning Adjustment. It says that landscape is proposed in the front yard area and a playground proposed adjacent to the building, and I'm not real sure exactly how all of this fits together. But then I'm going on the assumption that there will be a playground which will be used on a regular basis. So, what I would like to do is if you are inclined to approve this application for the special use permit for the church, I would like to make sure that we can have some kind of restrictions put on this. And I would like to see, first of all, I want to make sure that the restriction that the BZA put on it that there would be no homeless shelter, that that is still listed on there. And --

MAYOR JONES

That is still included in the conditions.

LENI SKAAR

Okay. And, as kind of an extension on that, I would like it also to be a condition that there would be no soup kitchen or other type of free food program that would attract indigents or promote loitering in a residential neighborhood.

THERESA HATCHER

Am I supposed to respond to that?

MAYOR JONES

Well, I -- well, when --

LENI SKAAR

Okay. Shall I continue?

MAYOR JONES

Yes. And then you can --

LENI SKAAR

Okay. And then I would also like at this time, since I guess it's kind of up to Planning's discretion, for us to get specific numbers as to the number of children, number of days per week, and number of hours per day, as well of the, as the

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VERBATIM TRANSCRIPT - ITEM 116: U-25-97 - LENI SKAAR

times of day that there may be, that this playground may be used, that there would be children on this, so that we will know what the limit is to request a special use permit for a child care facility.

And then, as far as this outside play area is concerned, you know, that would be a concern as to the hours of day that the playground would be in use. And because this backs up to – commercial property, then I think that we should see to it that the eight-foot high wall would be installed. And I want to make sure that that would be then properly buffered with the right amount of trees and so on for the playground. So –

And where is the playground area? I haven't seen a plot plan. Is it going to be in front of the church, since the parking lot's in the back? 'Cause I think the code says that they would have to have the entrance in the back if there was a playground.

And then I would like also for there to be a specific period like one year for a review of condition on this so we can see how that's going, if there, it is in fact causing problems for the neighbors.

MAYOR JONES

Thank you.

THERESA HATCHER

Okay. Theresa Hatcher, I'm at 1717 Ferrell. I'm the President of Hatcher Hallow Christian Ministry, and this is like my fourth visit before the Council, here. And I haven't, maybe understood everything that Mrs. Szaar (sic) has to say there, and I need her probably to repeat some of the things. Now is this just a statement, or is this something that City is going to be, City Council, is going to be considering all the –

MAYOR JONES

This is would be something – She has basically said that if we're going to approve the use permit for the church, that these conditions be adhered to by the applicant. And some of them have, were already approved, with a recommendation by Zoning, such as the fact that the site shall at no time be used as a rescue mission or shelter.

THERESA HATCHER

Right.

MAYOR JONES

She has requested that that would include any kind of meal distribution or anything that would attract indigents into the neighborhood.

THERESA HATCHER

Um, hum. Well, my statement is this, is that I have no intentions of having a homeless mission at this time. I've

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VERBATIM TRANSCRIPT - ITEM 116: U-25-97 - LENI SKAAR

never had it, and all of this is just speculation, suppose I do this and suppose I do that. But, you know, I have intentions and I've made myself very clear of what my intentions are. And I understand there's, in the interest of separation of church and state, that I'd be free to operate my ministry without someone, you know, breathing down my back. I do have an objection to that, but I have no intentions of opening a homeless mission, you know, but I, or a child care center, I – it's not even in the plan.

And as far as a playground is concerned, since the ministry was going to lean toward children, all I basically said was they were going to have an area they could play in. I don't intend to have a – I do not have a playground or form a playground, and with slides or anything like that. And as far as my hours are concerned, I intend to be open only during like daylight hours, like from – If it's going to get dark at seven, whatever time of year it is, we won't have anything past dark. And normally it should be two times a week for about an hour and a half, any kind of meetings that we intend to have.

And it's not for playing, in other words, if – the children are there for a meeting, it's just like they go to church anywhere else, they'll go to service and then they can leave and go home, and then if they want to play around for awhile, then they'll be in a certain area. But most of the area, if you can see, it's really parking, and that's – a blacktop. And so – Okay. So that's blacktop, so the only area that they could play in is there where the grass is.

And so that's kind of what I had in mind. But I don't have any playground set up. But I do, you know, have a contract with the contractors to, you know, finish this work, and I've already got a contract so it's, you know, kind of the work is in process, progress and, you know, I'm still kind of amazed that the – response of – the community, not really the community; it's just a few people.

And so anyway, have I answered your questions?

LENI SKAAR

Pretty much. I guess, as you're all aware, and I know Councilman Adamsen in particular, sometimes special use permits for churches can open cans of worms that no one expected on down the line. There can be some other uses associated to a church, other than what you and I think of when we think of a tall, white steeple. And when I had talked to Ms. Hatcher on the phone, all I wanted initially to do was to express my concerns that we wanted to make sure that if four or five or six years down the line there was a board of

VERBATIM TRANSCRIPT - ITEM 116: U-25-97 - LENI SKAAR

directors or another minister or someone would come in who would not share her views, that we would have something on record stating that this was a church; that it was not going to be turned into a mission; that it was not going to be turned into a pseudo church that now all of a sudden is nothing but a child care facility, or that it wasn't going to have 40 or 50 people standing in front of it waiting for a free lunch to be handed. And those were the original conditions that I had specifically asked for, and I did not get a response, and at that point, I felt that our only choice was to just plain then fight the church because I felt that we were not getting any satisfaction for the requests, which I thought were reasonable since this is in a residential neighborhood. But because it backs up to commercial, we had these fears that other things could come in, four, five, six years down the road, and we were getting no satisfaction and those fears being addressed.

MAYOR JONES

And I think you -- have to understand, notwithstanding the separation of church and state, that when you're putting in a use which is going to impinge upon a residential use that, and it is more looking at the future, you have to have the conditions in place that in perpetuity protect those --

THERESA HATCHER

Okay. Now the City, when -- The use permit has been approved on two different occasions. And the first time it was approved, you all gave me the -- they gave me the conditions, what they wanted. That was 6 foot fence and what have you. I don't expect any of that to be changed because I've already spent thousands of dollars to do what they asked me to do and --

MAYOR JONES

Nobody's changing any of that. If you listened --

THERESA HATCHER

No, I mean, she said something about a ten-foot high, or something like that. You know, but -- wall. And I've done what the City have asked me to do. You know, I can't --

MAYOR JONES

The only thing I think you need to understand here, the final approval must come from this Board. You've never received approval from this Board. The City has given you a direction, the Board of Zoning has given their approval. Any action by the Board of Zoning or Planning Commission can be overturned by this Board, so what's decided today is the decision. Anything before that, is simply a recommendation. Just so that you know and that it's very clear.

THERESA HATCHER

Oh, I see. Yeah, well, I did understand that it was approved and that this is a protest.

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VERBATIM TRANSCRIPT - ITEM 116: U-25-97 - LENI SKAAR

MAYOR JONES No, it was approved by the Board of Zoning; it was never approved by this Board. And it's this Board that makes the determination.

THERESA HATCHER It wasn't with him.

LENI SKAAR And as a point of clarification, yes, my request was, you know, if it would come back for a special use permit for child care, that – in that case it backs up to commercial and I would want to make sure that it did at that time have the appropriate eight-foot fence and the appropriate trees around the playground and so on like that for the protection of the children –

THERESA HATCHER (inaudible) and I have no intention of doing that, so, I mean, and like you say if somebody else does it in the future, I have, you know, I have no objection to that.

COUNCILMAN REESE But there again, though, Ms. Hatcher, all she's asking for is in case a couple years down the road if you decide to sell this, if these conditions aren't in place, then the new buyers would have to come to us and ask us to rescind some of these conditions or whatever that we put in – place there. And all she's trying to do is protect her neighborhood. So, do you – agree to these conditions that she read?

THERESA HATCHER What I don't agree to is the review in one year. I would rather just not have to come back before the Board again for some reason. If we agree to the conditions, and that is, if somebody else takes over, if we sell it, or if we're going to change the use permit and that is try that you have a soup kitchen or something, which is – not – I don't mind those conditions being in there, because I have no intentions of doing that, and I don't blame anybody from, not maybe wanting a souped kitchen, because, but who knows, you know, who's going to become homeless.

MAYOR JONES If the conditions are in place, what's the purpose for the year review.

COUNCILMAN REESE Well, just, I guess, just to make sure that they are following the conditions. I mean, to me, if she's following all the rules and stuff, then a review in a year wouldn't make any difference, I mean –

MAYOR JONES Well, –

VERBATIM TRANSCRIPT - ITEM 116: U-25-97 - LENI SKAAR

THERESA HATCHER

Well, that's -- why I'm in this mess now, is because I had to do something in a year and I didn't understand to do it and I failed to do it, and so now I had to go back through this whole process, and I'm back before you again because of that year. Not because of a condition, but because I was supposed to do something.

MAYOR JONES

You have to understand, you've never been before us before.

THERESA HATCHER

Yes.

MAYOR JONES

No.

THERESA HATCHER

I've been here. I don't know what -- you mean, but I've been here before, but I mean physically.

COUNCILMAN REESE

She had to reapply for everything.

THERESA HATCHER

Yeah, that's what I mean, it expired --

MAYOR JONES

I, all they're saying is that in a year, our staff would look to make sure you were in compliance --

COUNCILMAN REESE

Yeah.

MAYOR JONES

Probably the only thing that would bring you back before us is if you were doing something that you had agreed today not to do.

COUNCILMAN REESE

And if -- you'll agree to those conditions, then I'll make a motion for approval.

THERESA HATCHER

Okay. I'm agreeing to never open a soup kitchen, never have a child care center, and then you're going to review me in a year. Are you going to send me a notice then to say, come here in a year --

COUNCILMAN REESE

Well, we'll -- staff -- will just go out in a year and make sure that --

THERESA HATCHER

Oh, I see.

COUNCILMAN REESE

Yeah.

THERESA HATCHER

Okay. Great.

CHIEF DEPUTY OF GOVERNMENT
AFFAIRS STEED

Mayor Jones, let me make sure, there were some conditions in there about hours. I assume that you don't want those as

VERBATIM TRANSCRIPT - ITEM 116: U-25-97 - LENI SKAAR

part of the motion.

COUNCILMAN REESE

There again, she said she agreed to that, you know, there'd be nothing after dark, so I don't, it's not a 6:00 o'clock, it's not a 9:00 o'clock, it's just after dark or whatever and she admitted, she agreed to that.

CHIEF DEPUTY OF GOVERNMENT
AFFAIRS STEED

Let me make -- this point: If you -- it is a little bit touchy when you're talking about a church. A normal church, and I don't mean anything by the word normal, but you're run-of-the-mill church that has night activities may offer some of those incidentals at night, and to the extent that you say they can't offer those; I think you are starting on -- thin ice --

THERESA HATCHER

Right.

CHIEF DEPUTY OF GOVERNMENT
AFFAIRS STEED

Any church, if they begin to use the property principally as a child care center, as a homeless shelter, as a soup kitchen, is subject to our staff going out and saying, you need some other approval, and I'm sure she's willing to live by that. But if you're going to start talking about the hours, I think you would be in a bad position because you don't do that with any other church.

COUNCILMAN REESE

Okay. That's fine. That's fine.

THERESA HATCHER

That's right.

CHIEF DEPUTY OF GOVERNMENT
AFFAIRS STEED

I think if the other conditions besides the hours are in place and the one-year review, I think it's appropriate.

THERESA HATCHER

Yeah, I only meant for the children, I only intend to have children there, and if I have something else, then I don't know about it yet. I only have certain amount of plans right now.

COUNCILMAN REESE

Okay. Well, then my motion would be for approval of abeyance item U-25-97 with staff conditions and those conditions that Ms. Skaar read into the record. Here.

MAYOR JONES

Vote on the motion. Post. Motion's approved. **(Motion carried unanimously with CALLISTER excused.)**

LENI SKAAR

Thank you.

THERESA HATCHER

Thank you.

COUNCILMAN REESE

Thank you both very much.

/gpb

(END OF DISCUSSION)

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ACTION

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DISCUSSION/ACTION ITEMS

PLANNING AND DEVELOPMENT

SPECIAL USE PERMIT - PUBLIC HEARING

U-26-97 - SSP DESERT SHORE LIMITED PARTNERSHIP ON BEHALF OF SERVICE STATION MANAGEMENT

Request for a Special Use Permit on property located at 7300 West Cheyenne Avenue for a proposed 499 gallon propane tank in conjunction with an existing Chevron station, C-1 (Limited Commercial) Zone.

PROTESTS: 0

Ward 4 (Callister)

The Board of Zoning Adjustment (4-0 vote) recommended APPROVAL.

Based on the findings of this report, staff has NO OBJECTION to this request. If APPROVED, subject to:

1. Standard Condition Nos. 1 and 5.

CALLISTER - APPROVED subject to conditions - UNANIMOUS

MAYOR JONES declared the Public Hearing open.

The applicant was not present and no one appeared in opposition.

COUNCILMAN CALLISTER indicated that he has not received any type of input from the public on this matter. MS. HARGROVE, Planning & Development, advised that this is typical with the sale of propane in conjunction with a gasoline station. The gasoline station already has its approval.

There was no further discussion.

MAYOR JONES declared the Public Hearing closed.

NOTE: MAYOR JONES commented that applicants are not attending Council meetings and instructed that they be strongly advised that they are expected to appear.

(3:35 - 3:37)

3 - 2470

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-26-97 - SSP DESERT SHORE LIMITED PARTNERSHIP ON BEHALF OF SERVICE STATION MANAGEMENT

PURPOSE/BACKGROUND

APPLICATION:

This request is for a Special Use Permit for the sale of propane gas in conjunction with an existing service station.

BACKGROUND DATA:

- 8/2/89 The City Council approved a Rezoning from U (Undeveloped) to C-1 (Limited Commercial) (Z-69-89).
- 9/27/94 The Board of Zoning Adjustment approved a Variance to allow an automated car wash where such a use is not allowed (V-133-94).
- 11/26/94 The City Council approved a Special Use Permit for off-premise beer and wine sales in conjunction with a convenience store (U-240-94).
- 5/6/97 The Board of Zoning Adjustment recommends approval on a request for a Special Use Permit for the sale of propane gas in conjunction with an existing service station (U-26-97).

SITE DETAILS:

Site Area:	1.16 Acres
Convenience Store Area:	4,062 Square Feet
Propane Dispenser:	499 Gallons

Agenda Item

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-26-97 - SSP DESERT SHORE LIMITED PARTNERSHIP ON BEHALF OF SERVICE STATION MANAGEMENT

PURPOSE/BACKGROUND

ANALYSIS:

The existing convenience store with gasoline pumps is situated on the northwest corner of West Cheyenne Avenue and Tenaya Way. The applicant proposes to place a 499 gallon vertically mounted propane dispensing tank. The tank cylinder is approximately three feet wide and 10 feet in height. The tank would be located on the western portion of the site adjacent to an existing parking area. The site plan indicates that the tank would be surrounded by bollards to prevent any vehicles from hitting the tank. The site is bounded by commercial properties to the north, east and west and a water retention basin to the south.

FINDINGS:

Section 19A.040 of the City of Las Vegas Zoning Ordinance states that liquefied petroleum gas (LPG) installation with a tank size of greater than 288 gallons are allowed in the C-1 (Limited Commercial) district subject to acquiring a Special Use Permit. This type of use is common when in conjunction with gasoline sales. In addition, the location of the tank should not interfere with on-site vehicular circulation or create a hazard for patrons. Staff feels that the use is compatible with the surrounding area and should not cause a nuisance to the vicinity. Therefore, staff has no objection to this request.

The Board of Zoning Adjustment (4-0 vote) recommends **APPROVAL**.

Staff Recommendation: **NO OBJECTION**.

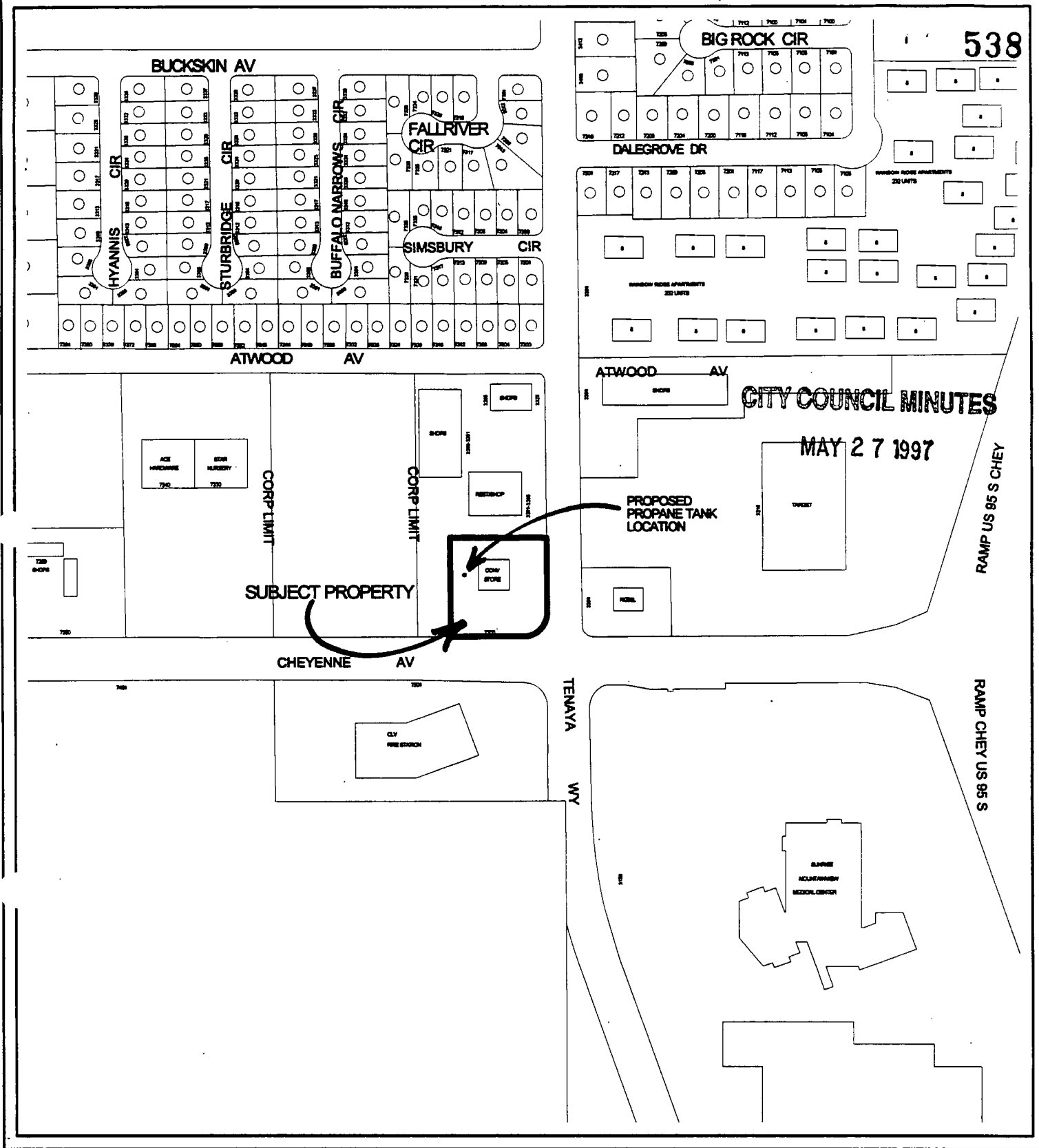
PROTESTS: 0

NOTICES MAILED: 56

SEE ATTACHED LOCATION MAP

Agenda Item

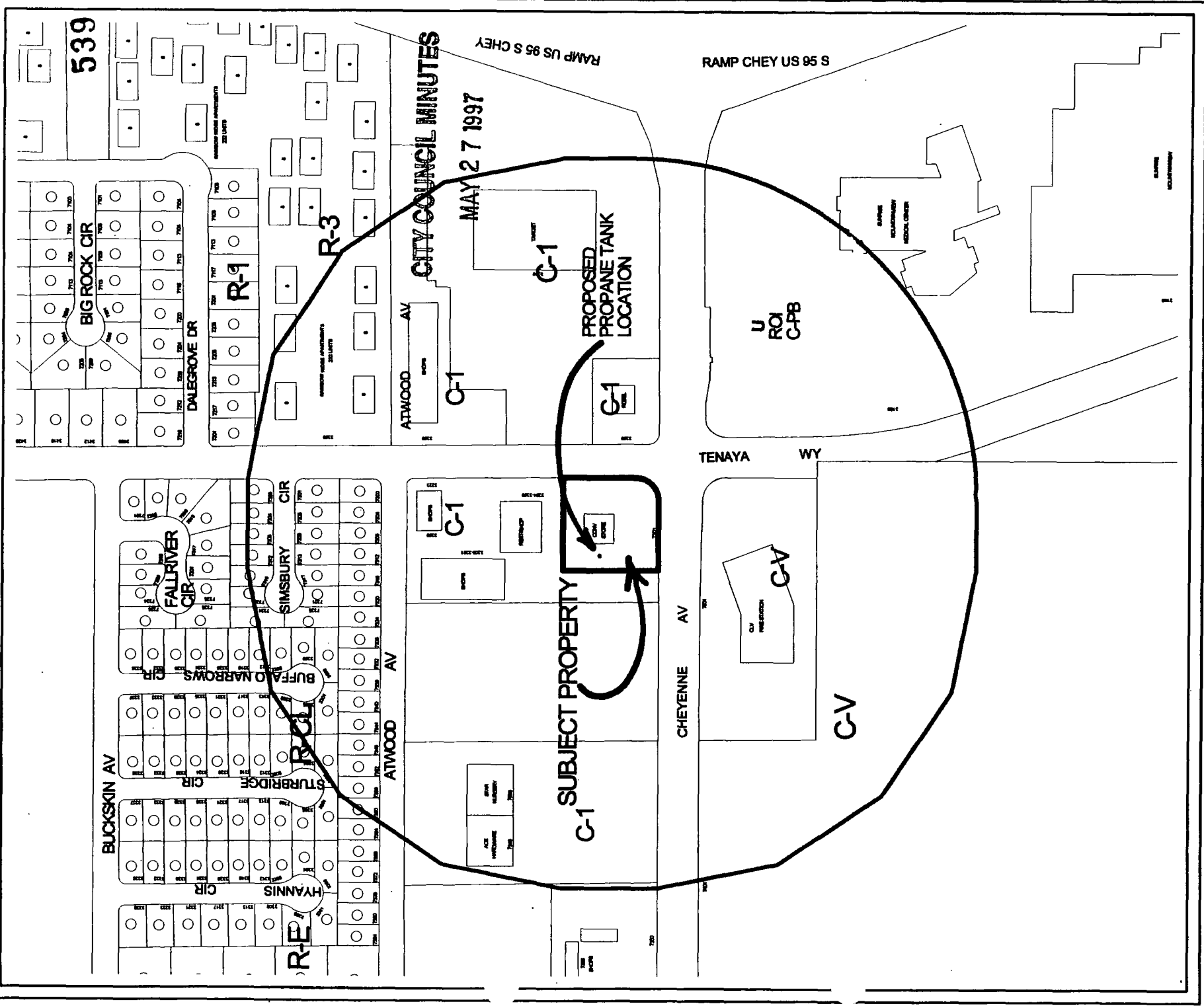




Case: U-26-97



PLANNING & DEVELOPMENT
 400 STEWART AVE.
 LAS VEGAS, NV
 89101
 702-229-6301



Case: **U-26-97**

Radius: 750 ft

MEETING OF
MAY 27, 1997

City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION/ACTION ITEMSPLANNING AND DEVELOPMENTSPECIAL USE PERMIT - PUBLIC HEARINGU-27-97 - JAIME AND SYLVIA MARTINEZ

118

Request for a Special Use Permit on property located at 2405 East Ogden Avenue for the off-premise sale of beer and wine in conjunction with a proposed food store (La Bonita Grocery Store and Meat Market), C-2 (General Commercial) Zone and R-3 (Medium Density Residential) Zone under Resolution of Intent to C-1 (Limited Commercial).

PROTESTS: 0

Ward 3 (Reese)

The Board of Zoning Adjustment (4-0 vote) recommended APPROVAL.

Staff Recommended: DENIAL, If APPROVED, subject to:

1. The applicant shall submit a Variance application to allow a reduction in the number of on-site parking spaces at public hearing before the Board of Zoning Adjustment prior to the issuance of permits.

2. The applicant shall meet with staff and provide a sufficient barrier between the market and taco shop prior to the issuance of any permits.

3. This action does not constitute approval of a liquor license.

REESE - ABEYANCE to 6/9/97 - UNANIMOUS with McDonald not voting

MAYOR JONES called the item which was trailed to 4:00 p.m. at the request of COUNCILMAN REESE.

As the applicants were not present, COUNCILMAN REESE indicated that he had some matters to address with the applicants and moved to hold the item in abeyance to 6/9/97.

No one appeared in opposition.

There was no further discussion.

MAYOR JONES declared the Public Hearing closed.

(3:37/4:25 - 4:26)

3 - 2570/4 - 1235

CITY COUNCIL

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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ACTION

DISCUSSION/ACTION ITEMS

PLANNING AND DEVELOPMENT

U-27-97 - JAIME AND SYLVIA MARTINEZ

4. The applicant shall place signs in conspicuous locations prohibiting the on-premise consumption of beer and/or wine. The signs shall be written in both Spanish and English.

5. Single can beer sales shall be prohibited.

6. Standard Condition No. 1.

ABEYANCE to 6/9/97

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-27-97 - JAIME AND SYLVIA MARTINEZ

PURPOSE/BACKGROUND

APPLICATION:

This is a request for a Special Use Permit for the off-premise sale of beer and wine in conjunction with a proposed food store and fast food taco shop within an approved building.

BACKGROUND DATA:

- 4/5/95 The City Council approved a Rezoning on this site from R-3 (Limited Multiple Residence) to C-1 (Limited Commercial) for a commercial center (Z-9-95).
- 6/7/95 The City Council approved a Plot Plan and Building Elevation Review for a commercial building (Z-70-95[1]).
- 5/6/97 The Board of Zoning Adjustment recommends approval on a request for a Special Use Permit for the off-premise sale of beer and wine in conjunction with a proposed food store and fast food taco shop within an approved commercial building (U-27-97).

SITE DETAILS:

Site Area:	0.94	Acres
Building Area:	11,050	Square Feet
Market Area:	9,447	Square Feet
Restaurant Service Area:	1,322	Square Feet
Parking Required:	64	Spaces
Parking Provided:	52	Spaces

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-27-97 - JAIME AND SYLVIA MARTINEZ

PURPOSE/BACKGROUND

ANALYSIS:

The market is located on the northwest corner of Ogden Avenue and Eastern Ave. The applicant has indicated that they wish to sell beer in conjunction with the market that is currently under construction. The applicant indicates that their current market located at 235 North Eastern Avenue sells off-premise beer and wine and they want to operate with beer sales only at their new location. However, they wish to add the taco shop use with four tables. The applicant states that the 52 parking spaces on the site are sufficient since the majority of their customers arrive by public transportation. In addition, the applicant states that although there is access between the market and the fast food restaurant, signs will be posted prohibiting alcohol consumption in the restaurant and a curtain separating the market from the restaurant area. He also stated that although they could apply for a Special Use Permit for the on-premise sale of beer and wine but they do not want to promote drinking on or near their property.

FINDINGS:

The sale of off-premise beer and wine is incidental to the market use and is commonly associated with retail markets. This use is compatible with the surrounding area. The use is in compliance with Section 19.90.085 of the Municipal Code in that there are no schools, synagogues, churches or City Parks within 400 feet of this proposed use. However, the parking proposed does not meet the minimum requirements of Section 19.64.050 of Municipal Code which regulates off-street parking. The 52 spaces provided are 12 spaces short of the required 64. Food stores require 1 space per 250 square feet of gross floor area and sit down fast food restaurants require 1 space per 50 square feet of gross floor area. Staff is unable to support this request due to the lack of parking.

Agenda Item

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA A. O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-27-97 - JAIME AND SYLVIA MARTINEZ

PURPOSE/BACKGROUND

The Board of Zoning Adjustment (4-0 vote) recommends **APPROVAL**.

Staff Recommendation: **DENIAL**.

PROTESTS: 0

NOTICES MAILED: 205

SEE ATTACHED LOCATION MAP

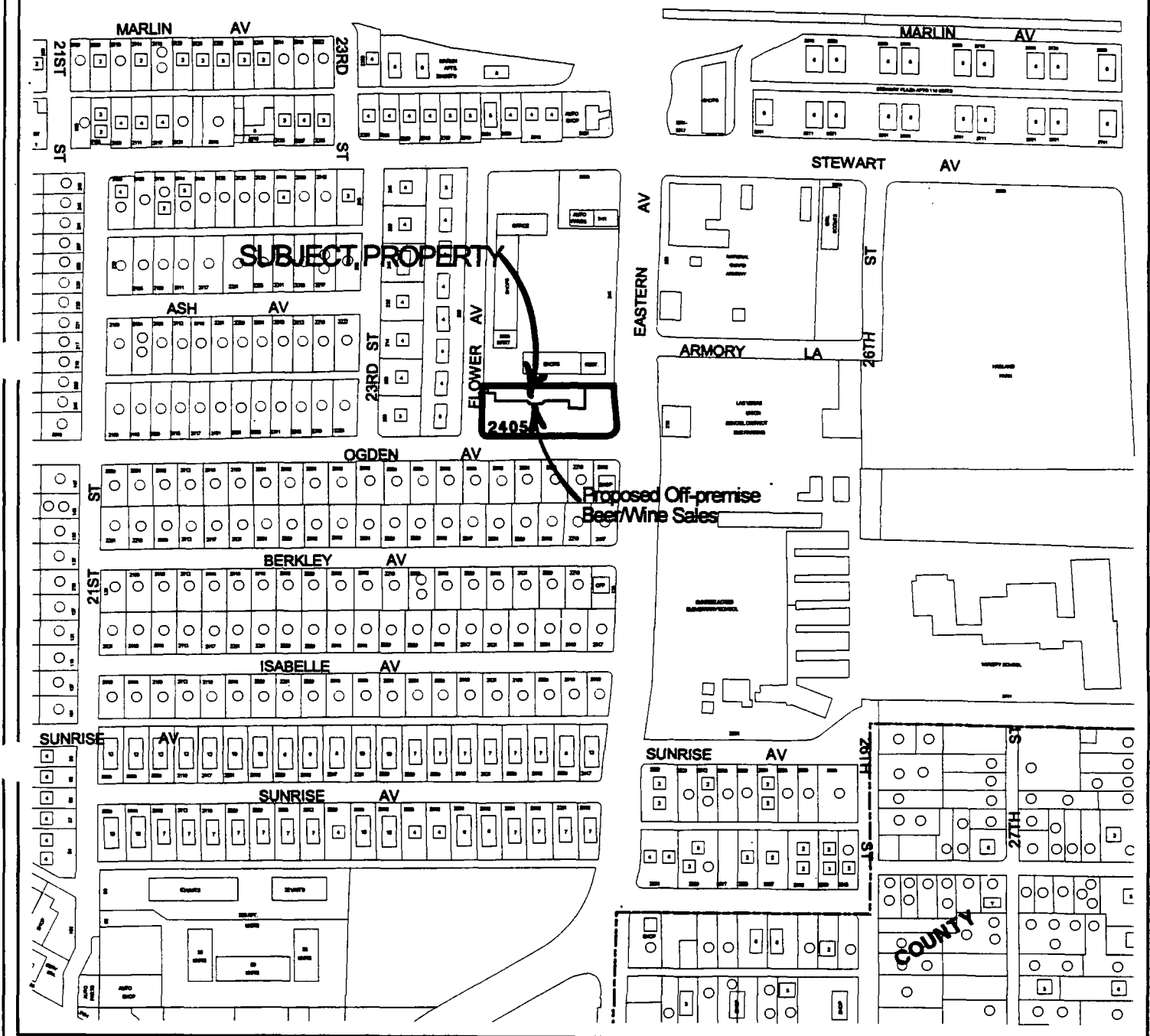
Agenda Item

CITY COUNCIL MINUTES

MAY 27 1997

545

US 95



Case: U-27-97



PLANNING & DEVELOPMENT

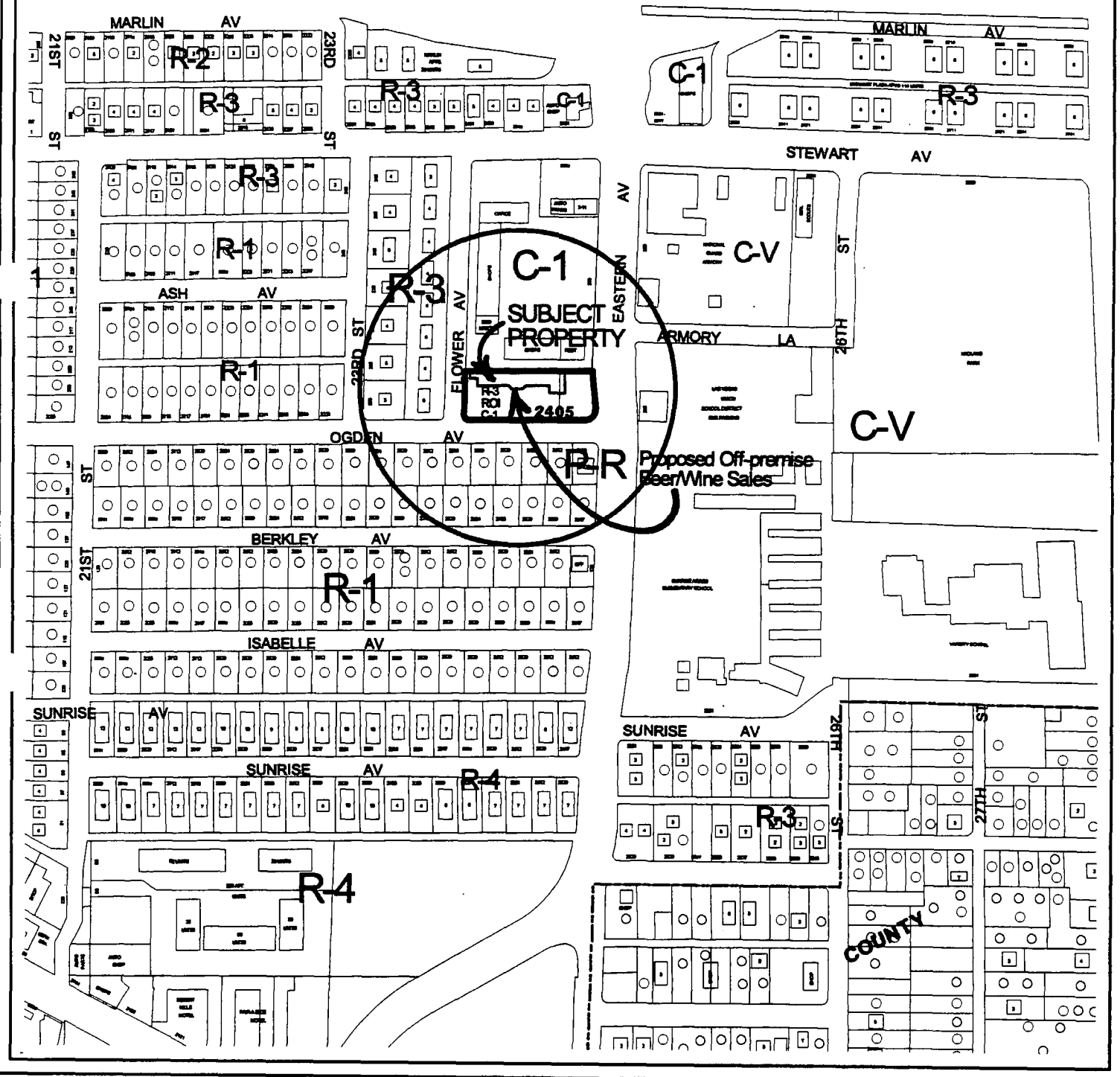
400 STEWART AVE.
LAS VEGAS, NV
8 9 1 0 1
202 229-6301

CITY COUNCIL MINUTES

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US 95



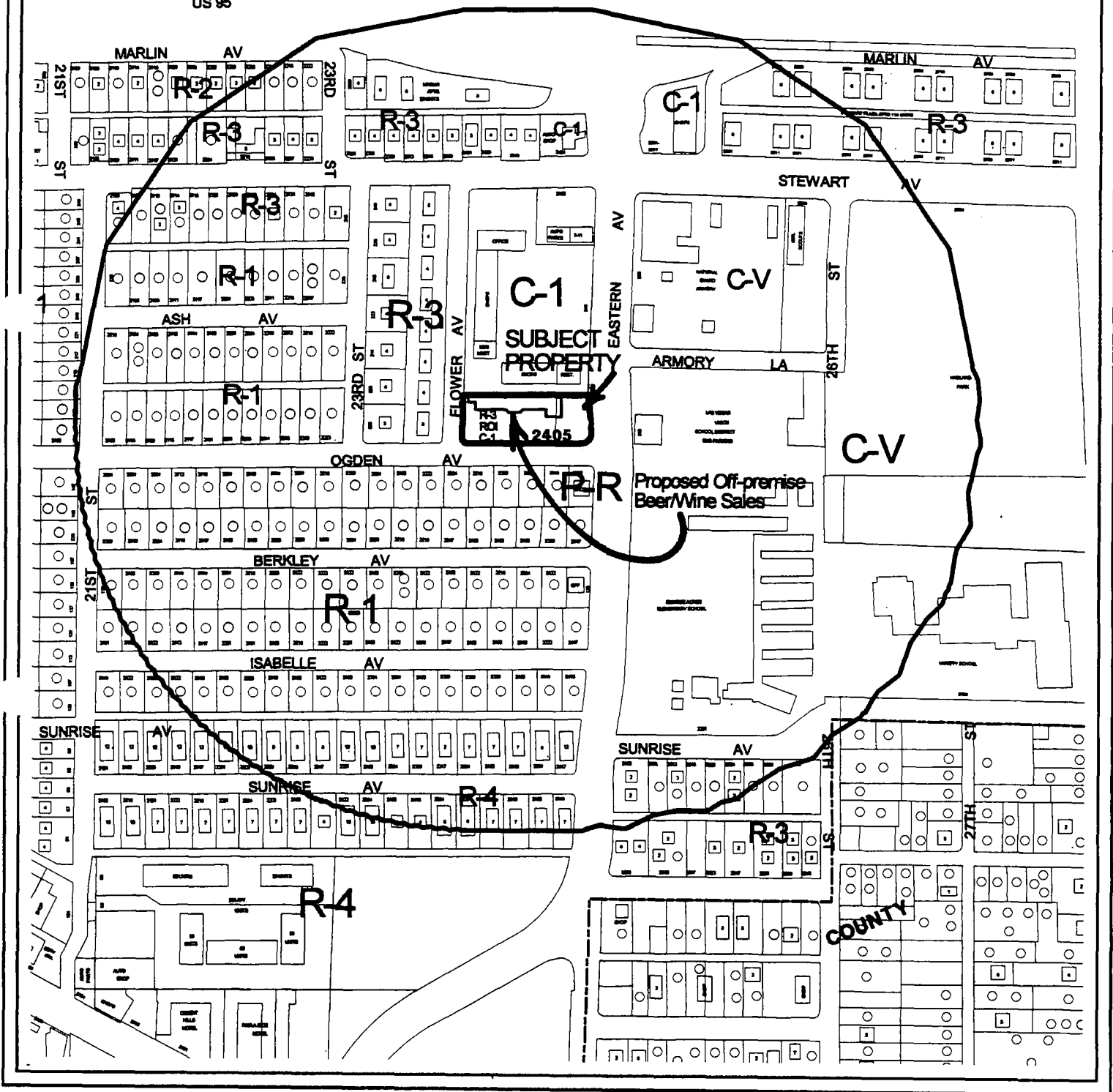
Case: U-27-97

Radius: 400 ft



MAY 27 1997

US 95



Case: U-27-97

Radius: 1000 ft



CITY COUNCIL

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MAY 27, 1997

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

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DISCUSSION/ACTION ITEMS

PLANNING AND DEVELOPMENT

REZONING REQUEST - PUBLIC HEARING

Z-15-97 - KLAHOLZ, DUNN &
SCHNEEHAGEN, LIMITED LIABILITY
COMPANY

Request for a Rezoning on property located on the north side of Cheyenne Avenue, approximately 300 feet west of Tenaya Way.

From: N-U (Non-Urban)

To: C-1 (Limited Commercial)

PROPOSED USE: ONE-STORY, 52,000
SQUARE FOOT
OFFICE
DEVELOPMENT

PROTESTS: 2 (Letters)

Ward 4 (Callister)

Planning Commission (7-0 vote) recommended APPROVAL.

Based on the findings of this report, staff has NO OBJECTIONS to this request. If approved, subject to:

1. Direct vehicular access to Atwood Avenue shall be prohibited.
2. Provide a minimum 20 foot wide landscape planter area along Cheyenne Avenue and install 24 inch box trees 30 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. Construct a nominal six foot high decorative block wall set back a minimum of 15 feet from Atwood Avenue for landscaping outside the wall as required by the Planning and Development Department.

CALLISTER - APPROVED subject to conditions - UNANIMOUS

MAYOR JONES declared the Public Hearing open.

LARRY CARROLL, Poggemeyer Design Group, 2601 N. Tenaya, appeared on behalf of the applicant and concurred with the conditions.

SYLVIA DAVIS, 3619 Bixby Court, expressed a concern with the proposed C-1 rather than P-R or O designation as well as with existing parking and traffic congestion. Star Nursery parks on this currently vacant lot. If the applicant is going to add any retail use to the project, then it should be reevaluated because of the parking impact. She is not opposed to a professional office.

MR. GENZER, Planning & Development, explained that the C-1 use would also permit retail uses. MR. CARROLL responded that the planned use is for an entirely professional office. The C-1 designation conforms with Star Nursery and the Chevron Station on the corner.

COUNCILMAN CALLISTER advised that denial of C-1 for this in-fill project would be virtually impossible given the adjacent C-1 zoning designations and the existing Master Plan. The applicant is seeking C-1 to maximize potential of the parcel. This is a preferred use within a C-1 area. If the applicant does wish to add retail uses in the future, it will require another review process and parking reevaluation. In the past, there was an application for a brewery on this site. If Star Nursery is encroaching onto this parcel, that is an issue between the property owners and must be handled in another way.

No one appeared in opposition.

There was no further discussion.

MAYOR JONES declared the Public Hearing closed.

(3:38 - 3:45)
3 - 2617

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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DISCUSSION/ACTION ITEMS

APPROVED

PLANNING AND DEVELOPMENT

Z-15-97 - KLAHOLZ, DUNN &
SCHNEEHAGEN, LIMITED LIABILITY
COMPANY

4. Install 24 inch box trees 30 feet on center with shrubs and ground cover outside the wall along Atwood Avenue as required by the Planning and Development Department. The use of drought tolerant landscaping is encouraged.

5. Install landscaped planter fingers every 10 lineal parking spaces in the parking areas as required by the Planning and Development Department. The use of drought tolerant landscaping is encouraged.

6. Construct half-street improvements on Atwood Avenue adjacent to this site concurrent with development of this site as required by the Department of Public Works.

7. Meet with the Traffic Engineering Representative in Land Development for possible assistance in the redesign of the proposed driveway access, on-site circulation 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.

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APPROVED

PLANNING AND DEVELOPMENT

Z-15-97 - KLAHOLZ, DUNN &
SCHNEEHAGEN, LIMITED LIABILITY
COMPANY

8. 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. The Traffic Impact Analysis shall determine traffic signal contribution requirements and shall also include a section addressing Standard Drawings #201.1, #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. It shall also address the adequacy of the single active access drive proposed as well as any possible median island modifications on Cheyenne Avenue. 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.

9. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

10. Standard Condition Nos. 1 - 14.

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REZONING REQUEST - PUBLIC HEARING - Z-15-97 - KLAHOLZ, DUNN & SCHNEEHAGEN, LIMITED LIABILITY COMPANY

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for a Rezoning from N-U (Non-Urban) to C-1 (Limited Commercial) for the purpose of constructing a single story office development on the site.

BACKGROUND DATA:

5/23/97 The annexation of this property into the City of Las Vegas became effective [A-23-96(A)].

DETAILS OF APPLICATION REQUEST:

Site Area	4.54	Acres
Building Area	52,000	Square Feet
Floor Area Ratio	0.26	
Parking Required	130	Spaces
Parking Provided	271	Spaces
Building Height	18'8"	

The plot plan indicates that four buildings will be constructed around an interior courtyard area. Access to the project is via one driveway to Cheyenne Avenue. A twenty foot wide landscape planter is shown along Cheyenne Avenue. Five foot wide landscape planters are provided inside the walls along the east and west property lines. Along Atwood Avenue, a new six foot high block wall is proposed with a fifteen foot wide landscape planter outside the wall. Trash enclosures are provided in the northeast and northwest corners of the property and along the east and west property lines. The elevations depict stucco exteriors with stone tile veneers with a parapet roof.

Agenda Item

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AGENDA DOCUMENTATION

TO:
THE CITY COUNCIL

FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REZONING REQUEST - PUBLIC HEARING - Z-15-97 - KLAHOLZ, DUNN & SCHNEEHAGEN, LIMITED
LIABILITY COMPANY

PURPOSE/BACKGROUND

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	R-CL	Single family residences
South	C-V	City of Las Vegas Fire Station
East	C-1	Commercial
West	C-1	Star Nursery and Ace Hardware

FINDINGS:

GENERAL PLAN:

This site is designated SC (Service Commercial) on the Northwest General Plan Amendment to the City of Las Vegas General Plan. This designation allows the permitted uses of the C-1 (Limited Commercial) zoning district.

REZONING:

Staff finds that the request is in conformance to the Northwest Plan Amendment to the General Plan and is compatible with the established commercial land use patterns along the north side of Cheyenne Avenue.

PLOT PLAN:

Staff has no objections to the plot plan. The fifteen foot wide landscape planter is adequate to provide a substantive buffer from the single family residences along the north side of Atwood Avenue. The project appears to meet the standards of the Zoning Ordinance.

Planning Commission Recommendation: APPROVAL (7-0 vote) (The Planning Commission imposed an additional condition prohibiting access to Atwood Avenue.)

Staff Recommendation: NO OBJECTION

PROTESTS: 2 (Letters)

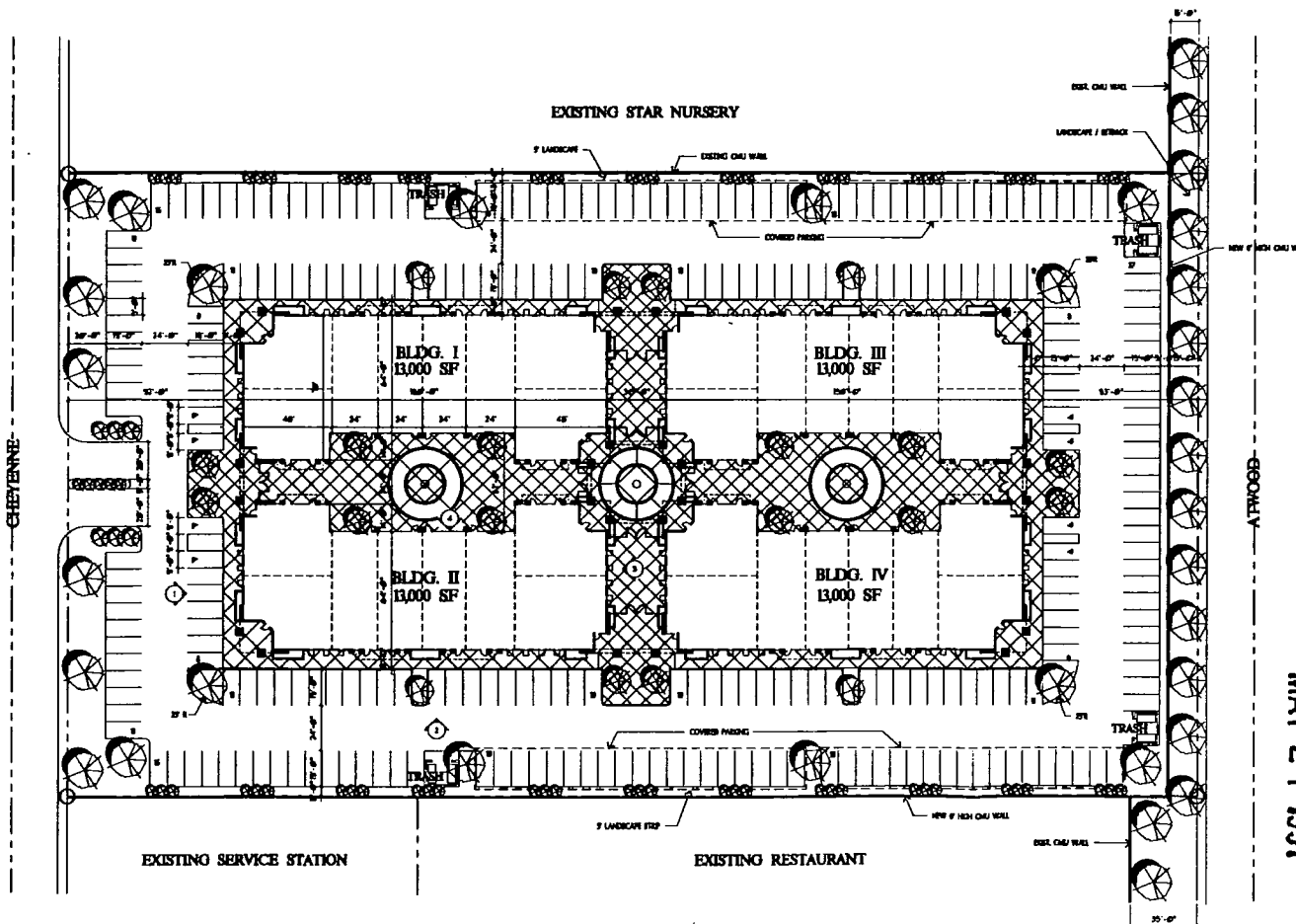
NOTICES MAILED: 136

SEE ATTACHED LOCATION MAP

Agenda Item

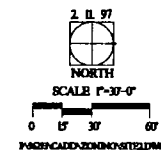
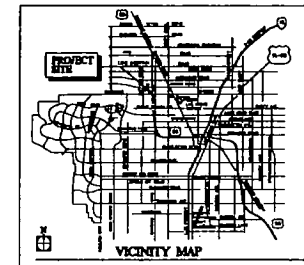
KLAHOLZ DUNN & SCHNEEHAGEN, L.L.C.
 BY ITS MANAGER
 KLAHOLZ DUNN DEVELOPMENT CORP.

JMA ARCHITECTURE STUDIOS



SITE DATA

SITE AREA	APPRX. 4.58 ACRES
	APPRX. 199,343 SF
BUILDING AREA	
BLDG. I	13,000 S.F.
BLDG. II	13,000 S.F.
BLDG. III	13,000 S.F.
BLDG. IV	13,000 S.F.
TOTAL	52,000 S.F.
COVERAGE	
52,000 S.F. BLDG. / 199,343 S.F. SITE	= 26.1%
PARKING REQUIRED	
OFFICE	52,000 SF / 400 SP
TOTAL	130 SPACES
PARKING PROVIDED	
13.2 SPACES/ 1,000 S.F.	271 SPACES
TOTAL	271 SPACES
HANDICAP REQUIRED	
6 SPACES @ 1 VAN	= 7 SPACES
HANDICAP PROVIDED	
6 SPACES @ 2 VAN	= 8 SPACES



CITY COUNCIL MINUTES

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SITE PLAN/ FLOOR PLAN
 CHEYENNE/ TENAYA OFFICE PROJECT

10 MAR 1 1997

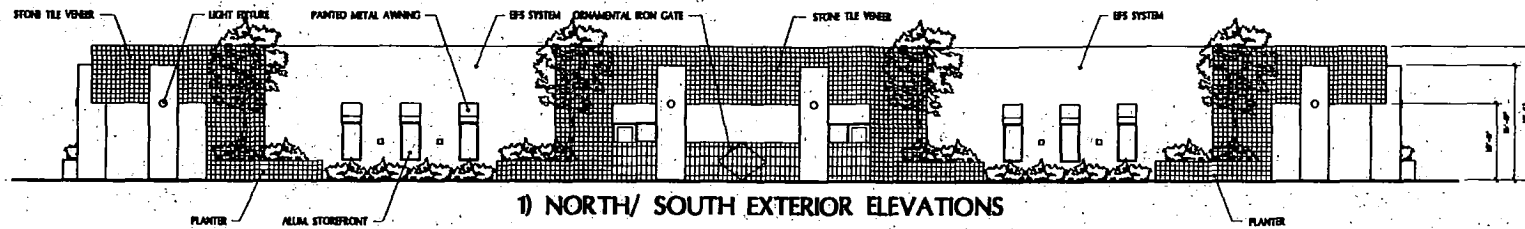
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2-15-97

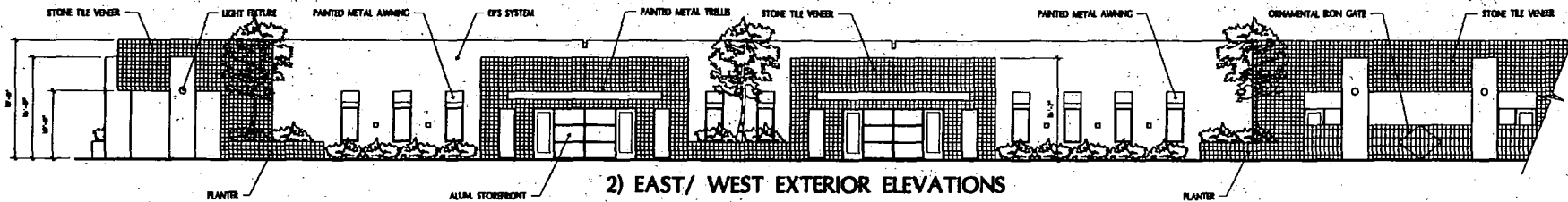
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KLAHOLZ DUNN & SCHNEEHAGEN, L.L.C.
 BY ITS MANAGER
 KLAHOLZ DUNN DEVELOPMENT CORP.

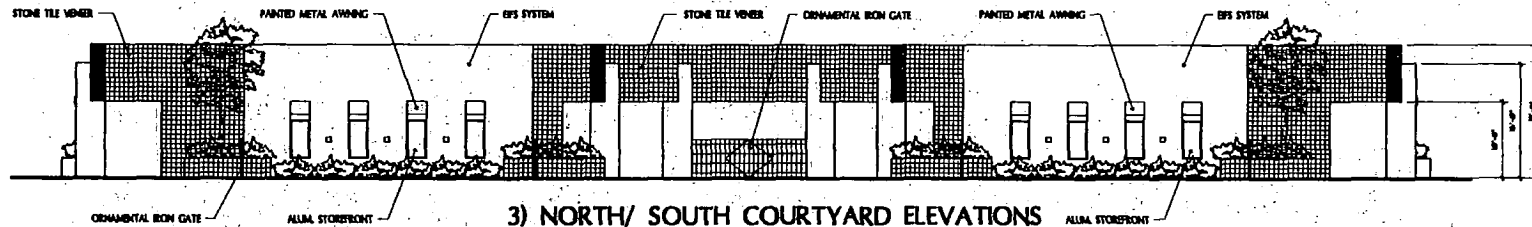
JMA ARCHITECTURE STUDIOS



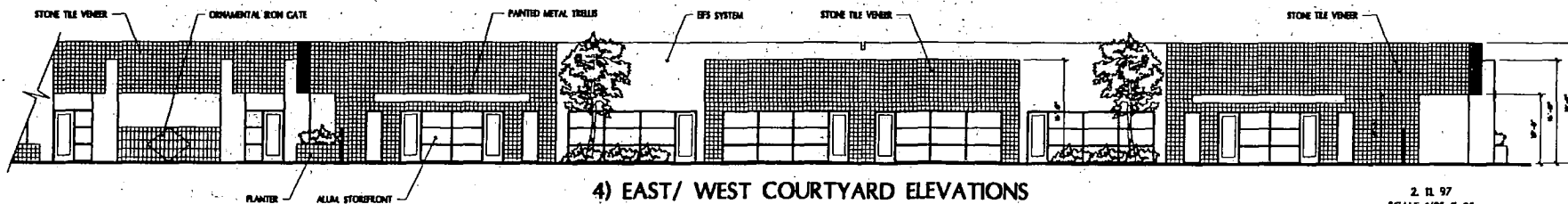
1) NORTH/ SOUTH EXTERIOR ELEVATIONS



2) EAST/ WEST EXTERIOR ELEVATIONS



3) NORTH/ SOUTH COURTYARD ELEVATIONS



4) EAST/ WEST COURTYARD ELEVATIONS

ELEVATIONS
 CHEYENNE / TENAYA OFFICE PROJECT

2.11.97
 SCALE 1/8"=1'-0"
 0 4' 8' 16'

MAY 27 1997

CITY COUNCIL MINUTES

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10 MAY 1997

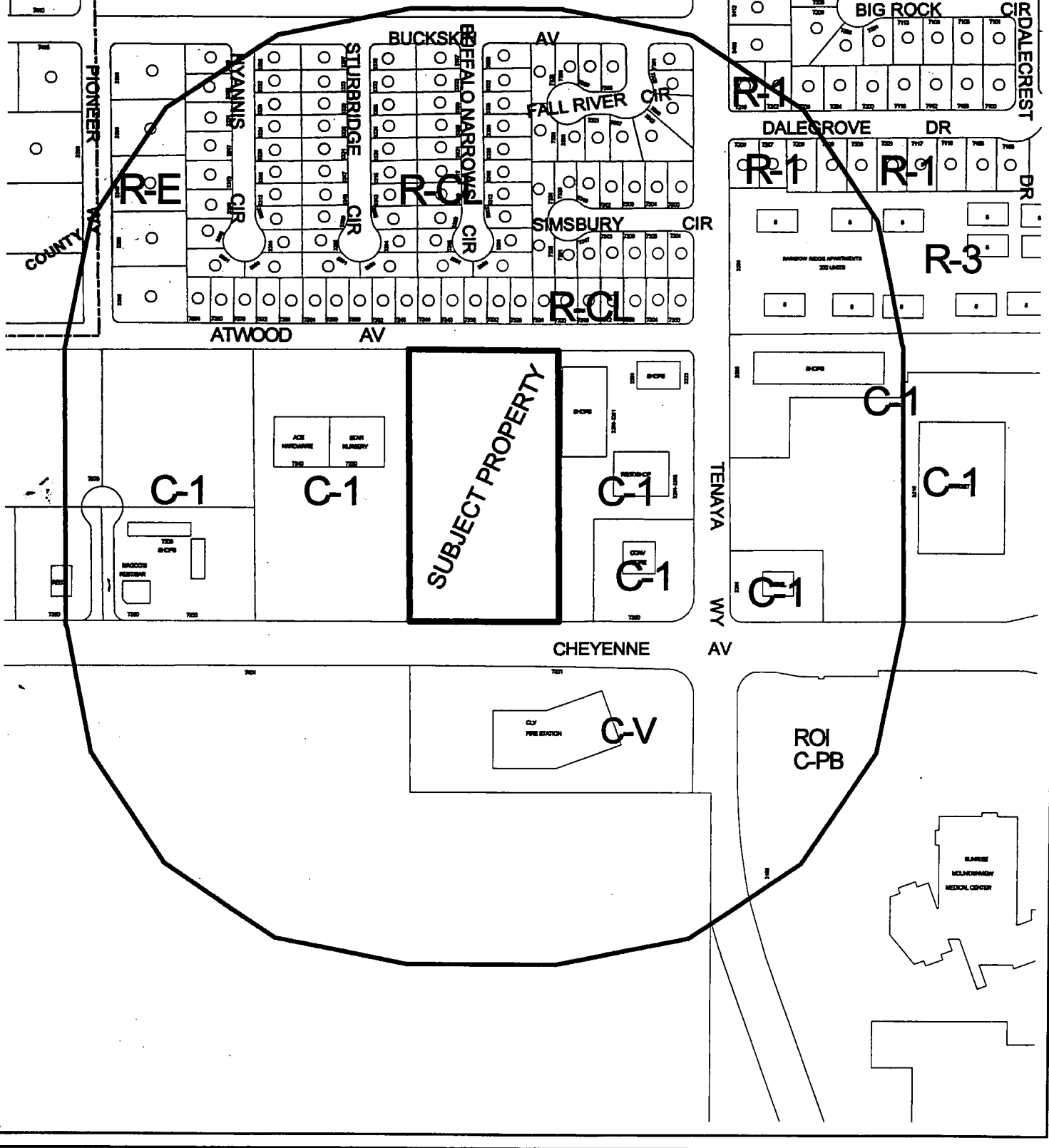
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2-15-97

CITY COUNCIL MINUTES

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Case: **Z-15-97**

Radius: 750 ft



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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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ACTION

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DISCUSSION/ACTION ITEMSPLANNING AND DEVELOPMENTREZONING REQUEST - PUBLIC HEARINGZ-18-97 - FIRST HEALTHCARE CORPORATION

Request for a Rezoning on property located at 1701 South Torrey Pines Drive.

From: R-E (Residence Estates)

To: P-D (Planned Development)

PROPOSED USE: 75,713 SQUARE FOOT BASEMENT AND ONE-STORY ADDITION TO A 36,400 SQUARE FOOT ONE-STORY CONVALESCENT CARE FACILITY/HOSPITAL

APPROVALS: 1 (at meeting)

PROTESTS: 145 (5 Letters, 119 Petition; 11 Telephone, 10 at meeting)

Ward 1 (McDonald)

Planning Commission (7-0 vote) and staff recommended APPROVAL, subject to:

1. Conformance with the Concept Plan Map and Master Development Plan as approved by the Planning Commission and the City Council. Any major amendment to the Concept Plan Map and Master Development Plan shall be advertised as a public hearing before the Planning Commission and City Council.

2. No operating or emergency rooms or obstetrics shall be permitted as part of the hospital use. The hospital shall not provide acute care for residents of the nursing home and for outside patients needing this level of care.

McDONALD - APPROVED subject to conditions and amending Condition No. 2 as follows: No operating or emergency rooms or obstetrics shall be permitted as part of the hospital use. The hospital may provide acute care for residents of the nursing home and for outside patients needing this level of care who are referred from other facilities - **UNANIMOUS** with Jones and Callister not voting

APPEARANCES:

ATTORNEY JEAN TANG, 300 S. Fourth Street

GREG BORGEL, 300 S. Fourth Street

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

(3:45 - 3:54)

3 - 2940

NOTE: Subsequent to the meeting it was determined by the City Attorney and Planning Department that Standard Condition No. 1 should be amended to delete the twelve month time limit.

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City of Las Vegas

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DISCUSSION/ACTION ITEMS

Z-18-97 - FIRST HEALTHCARE CORPORATION

3. No building on the property shall exceed a height of 25 feet.

4. The parking lot shall meet the standards of Section 19A.12.040 which pertain to landscape islands, planting requirements and parking lot screening as required by the Planning and Development.

5. The standards of the revised City of Las Vegas Zoning Ordinance shall apply to all areas not specifically covered by the Concept Map and the Master Development Plan.

6. The walls and landscaping shall conform to the City of Las Vegas Wall and Buffer Guidelines.

7. The word "hospital" shall not appear on any on-premise signs located on this property.

8. All exterior construction shall be conducted Monday through Friday during the hours of 7:00 A.M. to 5:00 P.M. No construction shall occur during weekends or holidays.

9. If through-the-wall air conditioning mechanical units are located on the south side of the new nursing home, these units shall be of the highest insulated value possible in order to reduce noise as much as possible or an internal mechanical system shall be installed to eliminate through-the-wall mechanical units on the south side.

10. The applicant shall notify surrounding property owners if asbestos is discovered and shall inform them of any asbestos removal plans.

APPROVED

CITY COUNCIL

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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DISCUSSION/ACTION ITEMS

APPROVED

PLANNING AND DEVELOPMENT

Z-18-97 - FIRST HEALTHCARE CORPORATION

11. Prior to the issuance of any building permits, the applicant has agreed to do a "walk-through" with the adjacent surrounding property owners to verify existing conditions prior to excavating the basement.

12. Any changes to the approved site development plan (including an increase in the number of beds) shall be reviewed by the Planning Commission at a public hearing.

13. Dedicate a 20 foot radius on the southwest corner of Oakey Boulevard and Verde Circado Avenue prior to the issuance of any permits as required by the Department of Public Works.

14. Construct all incomplete half-street improvements on Verde Circado Avenue adjacent to this site concurrent with development activities on this site as required by the Department of Public Works.

15. Meet with the Traffic Engineering representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation 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 shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.

16. Standard Condition Nos. 1 - 14.

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REZONING REQUEST - PUBLIC HEARING - Z-18-97 - FIRST HEALTHCARE CORPORATION

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for rezoning to PD (Planned Development) for the purpose of constructing a one story, 38,197 square foot addition to the existing 37,516 square foot Torrey Pine Care Center located on the southeast corner of Oakey Boulevard and Torrey Pines Drive. This application was re-advertised for rezoning to PD (Planned Development) per the action of the Planning Commission on April 28, 1997. The purpose of the action to PD (Planned Development) is to provide a designation which will permit a reasonable and specific expansion of the Torrey Pines Care Center while not rezoning the parcel to a district which allows commercial uses.

BACKGROUND DATA:

1969 The Clark County approved a Special Use Permit to permit the Torrey Pines Care Center on this site (UC-10-69). The project was constructed after annexation into the City of Las Vegas.

DETAILS OF APPLICATION REQUEST:

Site Area	5.00	Acres
Total Building Area	75,713	Square Feet
Hospital Area	14,605	Square Feet
Nursing Home Area	67,083	Square Feet
Floor Area Ratio	0.32	
Parking Required	58	Spaces
Parking Provided	87	Spaces
Building Height	31 Feet, 10 Inches	

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	R-E, C-V	Lied Development Center, Bonanza High School
South	R-CL	Single Family Dwellings
East	R-PD5	Single Family Dwellings
West	C-V	Detention Basin

Agenda Item

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT
SUBJECT: <u>REZONING REQUEST - PUBLIC HEARING - Z-18-97 - FIRST HEALTHCARE CORPORATION</u>	

PURPOSE/BACKGROUND

ANALYSIS

CONCEPT PLAN MAP

Proposed Intensity

This new addition will consist of a 15,752 square foot basement with 22,445 square feet at grade level. The floor plan for the basement area shows a kitchen facility and cafeteria, pharmacy, a staff locker room and administrative offices. The first floor will have 71 resident rooms, two nurse stations, respiratory care facilities, resident activity areas and a dining room area.

The Concept Plan Map states that the Nursing Home portion of the facility will contain 115 beds while the hospital will be limited to a total of 30 beds.

Proposed Landscaping and Buffering

The Concept Plan Map and Master Development Plan indicate that the overall landscape concept of the site will remain. The existing mature trees at the corner of Torrey Pines Drive and Oakey Boulevard will remain in place as will the trees on each side of the curb cuts to Torrey Pines Drive. Minimum five foot wide landscape planters are provided along the north, east and west sides of the property. Additional landscaping is shown in the setback area abutting the single family homes to the south of the site. Six foot high block walls exist along the south property line and the east property line to Verde Cirado Avenue. A chain link fence with vines exists along the east property line from Oakey Boulevard to Verde Cirado Avenue. Six foot high screen walls will be provided around the trash and the outdoor mechanical areas.

Proposed Access and Interior Traffic Circulation

The Master Development Plan states that the existing curb cuts to Torrey Pines Drive will remain. An additional 24 foot wide driveway to Oakey Boulevard is proposed.

Agenda Item

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT
SUBJECT: <u>REZONING REQUEST - PUBLIC HEARING - Z-18-97 - FIRST HEALTHCARE CORPORATION</u>	

PURPOSE/BACKGROUND

On site circulation is via 24 foot wide drive aisles for all of the two-way traffic.

Staff has no objections to the Concept Plan Map as proposed. The intensity of the project, landscaping and buffering, traffic and on-site circulation are reasonable for this property.

DEVELOPMENT STANDARDS

Land Uses:

The Master Development Plan uses the MD-2 (Major Medical) designation of the Las Vegas Medical District as a base line for establishing permitted uses for the Torrey Pines Care Center. This designation allows such uses as offices and clinics for medical doctors, skilled nursing facilities, general medical and surgical and specialty hospitals, medical and dental labs and emergency ambulance services, both air and ground.

The applicant has limited the uses for the Torrey Pines Care Center to the following:

Professional and Health Services

Offices and clinics of medical doctors, osteopathic physicians and health practitioners;

Skilled Nursing Facilities

General Medical and Surgical

Specialty Hospitals

Medical labs

Home Healthcare Services

Pertaining to the specialty hospital, the applicant has proposed the following definition for the hospital facility and agrees to limit the hospital use to the following:

"The hospital is to provide care for patients with a compromise in pulmonary or lung health status. These types of patients often need long term care, which in many cases requires ventilators.

The hospital will not provide operating rooms, emergency rooms or obstetrics.

Agenda Item

AGENDA DOCUMENTATION

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SUBJECT: <u>REZONING REQUEST - PUBLIC HEARING - Z-18-97 - FIRST HEALTHCARE CORPORATION</u>	

PURPOSE/BACKGROUND

The hospital will not provide acute care for residents of the nursing home and for outside patients needing this level of care without the cost of a full service hospital."

Staff has no objection to the proposed use on the site. Conditions should be provided listing the specific uses and limiting the use of the hospital.

Setbacks:

The applicant proposed the following setbacks for the project:

From Oakey Boulevard: Fifty feet from the right of way of the street.

Side Yard (Adjacent to Verde Cirado Avenue and Torrey Pines Drive): Twenty-five feet from the property line of both streets.

Rear Yard: A minimum of thirty five feet.

Staff has no objection to the proposed setbacks. They are in conformance with the applicable sections of the revised Zoning Ordinance of the City of Las Vegas.

Parking:

The applicant has proposed use of the parking standards for convalescent care facilities contained in the revised Zoning Ordinance of the City of Las Vegas. The standard for convalescent care facilities is one space for each six beds, plus one space for each employee on the largest shift and three spaces for doctors.

The Master Development Plan indicates that the nursing home will have 115 beds, 30 employees on the shift of largest employment and three doctors. According to the Revised Zoning Code, 53 spaces are required for the nursing home.

The Master Development Plan indicates that the Hospital will contain a total of 30 beds, which require a total of 5 spaces. Therefore, the required parking for the entire facility is 58 spaces. The Concept Plan depicts a total of 87 spaces.

Agenda Item

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REZONING REQUEST - PUBLIC HEARING - Z-18-97 - FIRST HEALTHCARE CORPORATION**PURPOSE/BACKGROUND****Signage:**

The applicant proposes temporary construction signs naming the builder and architect which will not exceed 16 square feet in area. Permanent signage will include two seven foot high monument signs, one at the northwest corner of the site and one in front of the main entry.

Staff has no objection to the signage provided that all future signage meets the standards of the revised City of Las Vegas Zoning Ordinance.

FINDINGS**CONSISTENCY WITH THE GENERAL PLAN**

This site is designated SC (Service Commercial) on the Southwest Sector Map of the General Plan. This land use category allows low and medium intensity retail and office uses. Staff finds that the proposed expansion of the Torrey Pines Care Center is consistent with the goals, policies and objectives of the General Plan.

COMPATIBILITY WITH ADJACENT AND SURROUNDING DEVELOPMENT

The expansion of the care center has been changed to a one story facility, which has reduced the building mass on the property. A one story facility makes this development more compatible with the adjacent and surrounding residential areas. The building elevations depict a 22 foot high building with stucco exteriors and residential roof tiles which will match the existing building. All glazing is to be clear or tinted in aluminum frames.

Staff therefore finds that the intensity of use, landscaping, buffering, setbacks and building elevations make this project compatible with the adjacent and surrounding development patterns of this area of the City.

IMPACT OF THE DEVELOPMENT ON ADJACENT ROADWAYS AND TRAFFIC

Since all of the access is oriented to major arterials of the City, the impact to the traffic patterns of the neighborhood should be minimal. Also, historically, convalescent care facilities have not been determined to be significant traffic generators, since most of the residents of the facility do not drive automobiles.

Agenda Item

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REZONING REQUEST - PUBLIC HEARING - Z-18-97 - FIRST HEALTHCARE CORPORATION

PURPOSE/BACKGROUND

Staff, therefore finds that there should be no significant impacts to the adjacent roadways or other public facilities and infrastructure for this area of the City.

PROTECTION OF PUBLIC HEALTH, SAFETY AND WELFARE

Staff finds that rezoning this site to PD (Planned Development) will promote the health, safety and public welfare of the citizens of this area of the City. The PD (Planned Development) designation will allow only the specific uses and development depicted on the Concept Plan and described in the Master Development Plan. It avoids the rezoning of this parcel to C-1 (Limited Commercial) which allows uses that may not be harmonious and compatible with the surrounding residential areas. Also, there is no indication that expansion of this facility will have a negative impact on infrastructure needs such as water, sewer and drainage.

Planning Commission Recommendation: APPROVAL (7-0 vote)

Staff Recommendation: APPROVAL

APPROVALS: 1 (at meeting)

PROTESTS: 145 (5 Letters, 119 Petition; 11 Telephone, 10 at meeting) (Most of the letters of protest were generated when this action was advertised as a Rezoning to C-1 (Limited Commercial) for a two-story expansion of this facility. The renotification to PD (Planned Development) and the reduction of the expansion to a one-story building have alleviated most of the neighbors concerns.)

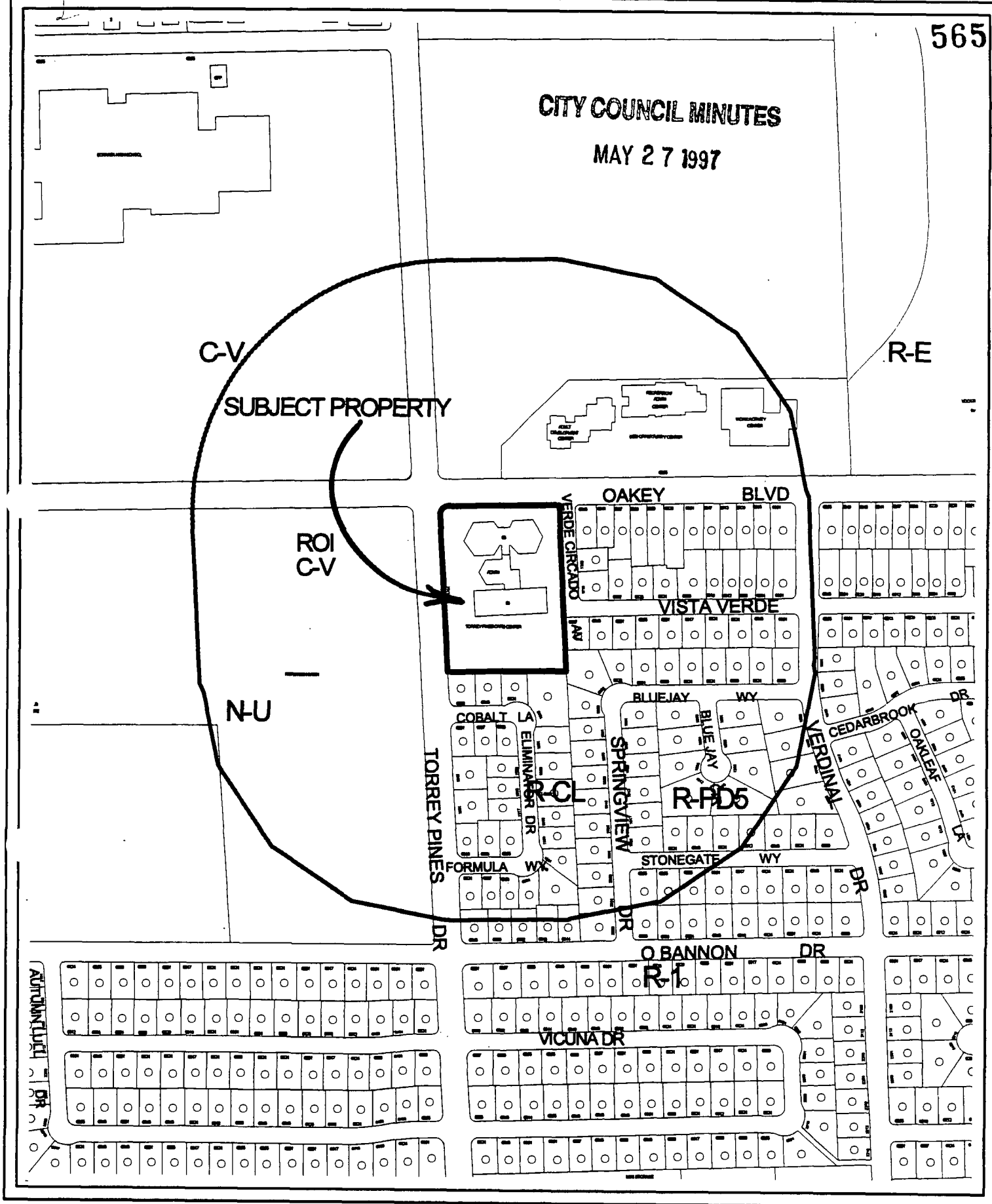
NOTICES MAILED: 114

SEE ATTACHED LOCATION MAP

Agenda Item

CITY COUNCIL MINUTES

MAY 27 1997



Case: Z-18-97

Radius: 750 ft



VERBATIM TRANSCRIPT - ITEM 120: Z-18-97 - FIRST HEALTHCARE CORPORATION

MAYOR PRO TEM ADAMSEN

Item 120, Z-18-97, First Healthcare Corporation; a request for rezoning on property located at 1701 South Torrey Pines, from R-E (Residential Estates) to P-D (Planned Development). Proposed use: 75,000 square foot basement and one story addition to 36,400 square foot, one-story convalescent care facility hospital. One approval, 145 protests. Planning and staff recommend approval, subject to conditions. This is a public hearing; declare it open. The applicants are present.

JEAN TANG

Good afternoon. Jean Tang, 300 South Fourth Street. Here with Greg Borgel, on behalf of the applicant. We met with the neighbors extensively on this application. The upshot of our meetings was – that we made several changes to the application, in addition ultimately we did agree to a list of conditions that the neighbors requested of us and those conditions are reflected in the staff conditions. We agree to all of those conditions with the exception of one, and I'd like to make a clarification on that one. It's Condition No. 2. I'll read it to you. It says, no operating or emergencies or obstetrics shall be permitted as part of the hospital use. The hospital shall not provide acute care for the residents of the nursing home and for outside patients needing this level of care.

I'd like to clarify that. We indeed don't provide any operating rooms or emergency rooms, obstetrics, etc.; but we – do in fact provide acute care for – both residents and for patients that are being transported in from other facilities, and that – was reflected in the design criterias which we drew up for this application. And so that in fact will be provided.

COUNCILMAN McDONALD

Staff (inaudible) that, I think the neighbors were well aware that they didn't want operating rooms, cars coming and out at all hours, and they didn't want patients from other areas coming here to receive treatment, that weren't on site. Is that what we're trying to get at? Is this Condition No. 2? (inaudible) the neighbors concerns.

ROBERT GENZER, PLANNING &
DEVELOPMENT

I believe that is the case. I don't think that we have an objection to certain services being provided for residents of the facility. The concern of the residents was, the adjacent residents was definitely that they did not want a hospital type, general hospital type operation that would – have ambulances coming all hours of the day and night with sirens and so forth. What they're proposing here, as I understand it, is something quite different; it's a very specialized type of service. And when transportation to the facility occurs, it would not be on an emergency type basis, and that's what the residents were concerned with.

VERBATIM TRANSCRIPT - ITEM 120: Z-18-97 - FIRST HEALTHCARE CORPORATION

- COUNCILMAN McDONALD Right. They didn't want the lights and sirens coming in and transportation. No C-1 is also a condition; right?
- ROBERT GENZER, PLANNING & DEVELOPMENT That's correct. The original application was to C-1. The adjacent residents were concerned that were this facility to go out of business, that – would open up the door for any other type of C-1 use that's allowed. Staff worked with both the applicant and the adjacent residents and utilized the new P-D zoning category to satisfy their concerns because by using P-D, we're tied in to this specific plan and any change to that plan would cause them to come back for a new public hearing. So it's our understanding that the residents were very comfortable with that.
- COUNCILMAN McDONALD And I'd also like to thank you for meeting with the residents. I know there were several meetings with my staff and also the – residents. So we can modify No. 2. Ms. Tang, is that okay? Just modify it so it's just –
- GREG BORGEL Yeah – Very simply, Councilman, we want to strike the word "not," because the facility will be providing acute care to the people who need it. But it won't provide emergency services or obstetrics or the things the neighbors were concerned about.
- COUNCILMAN McDONALD Right. We just want no emergency coming in and out –
- GREG BORGEL That's right.
- JEAN TANG Right.
- COUNCILMAN McDONALD Right. **Motion for approval, Your Honor, subject to the staff recommendations and conditions.**
- MAYOR PRO TEM ADAMSEN This is a public hearing; does anyone else wish to be heard on Z-18-97? If not –
- GREG BORGEL I guess just for extreme clarity, you said something to staff recommendations; that includes striking the word "not"?
- COUNCILMAN McDONALD Yes. On that one that, on No. 2 that we should have some on-site for the residents that are going to be living in it.
- GREG BORGEL Thank you.
- MAYOR PRO TEM ADAMSEN Close –
- COUNCILMAN McDONALD (inaudible) there?
- MAYOR PRO TEM ADAMSEN – close the public hearing. Comments, questions?

VERBATIM TRANSCRIPT - ITEM 120: Z-18-97 - FIRST HEALTHCARE CORPORATION

COUNCILMAN McDONALD

Wait, wait, wait.

MAYOR PRO TEM ADAMSEN

Councilman McDonald?

COUNCILMAN McDONALD

Does that mean – I'm sorry , for my – very politically correct way of saying, wait a minute. Does that mean that outside people can come in?

GREG BORGEL

Well, technically that's true because the way this hospital operates is people who are stable, not emergency condition, who need long-term acute care are transported from a hospital that provides emergency care to this site, not with sirens and flashers.

So the, technically people are transported here for the purpose of obtaining acute care. So, as I said, the simple way to get at what they do, which everyone's agreed to, is to simply strike the word "not," and leave in the prohibition on emergency room services and operating rooms. That eliminates what the neighbors were concerned about. But people would be transported here from other hospitals when they're stable for long-term acute care, so technically it isn't just for someone who needs acute care at the moment he's there. People do come here for the purpose of getting acute care, but not on an emergency basis or for operations in an operating room.

MAYOR PRO TEM ADAMSEN

But the question would relate to outside patients, and I think outside patients –

COUNCILMAN McDONALD

– to the site. That's what the neighbors didn't want, people from outside coming –

GREG BORGEL

The neighbors did not object to what I just described, which is that people in a, call it a regular hospital, Southern Nevada Memorial Hospital, who have been stabilized, would be transported here for long-term acute care. Technically that's slightly different than someone who's already here and then needs acute care. What the neighbors, they had no objection to that that I'm aware of. What the neighbors didn't want is emergency room care, and we've agreed to that or operating room care and we've agreed to that.

COUNCILMAN McDONALD

Staff? References?

GREG BOREL

Want me to go over that again?

MAYOR PRO TEM ADAMSEN

No –

COUNCILMAN McDONALD

I got two different –

VERBATIM TRANSCRIPT - ITEM 120: Z-18-97 - FIRST HEALTHCARE CORPORATION

GREG BORGEL	Okay. We're dealing with the second sentence of Condition 2 --
COUNCILMAN McDONALD	No. 2 --
GREG BORGEL	-- which says that we can provide acute care to the residents and outside parties. The Councilman is concerned that the outside parties might violate the condition we agreed to with the neighbors, and I've explained that these are not outside parties in the sense that they would be coming in for emergency services or for operating services. They are people who have been stabilized at another hospital and come here specifically for long-term acute care. That's what this facility does and, to the best of my knowledge, neither staff nor any neighbor has objected to that practice. And I think the question was, am I telling the truth; do you think?
ROBERT GENZER, PLANNING & DEVELOPMENT	I believe --
COUNCILMAN McDONALD	I know he's telling the truth --
MAYOR PRO TEM ADAMSEN	No, it's not so much telling the truth, it's actual definition of outside patient --
COUNCILMAN McDONALD	Outside patient.
MAYOR PRO TEM ADAMSEN	You know, they're saying outside patients. I believe the neighbors, and correct me if I'm wrong, Councilman McDonald, it'd be someone who would come to this facility not being transferred from a hospital.
COUNCILMAN McDONALD	Right. To say -- I needed care, and I just came from my house to here and got the care and went back home.
GREG BORGEL	No. You would have to come from another facility, whether it be another hospital, another nursing home, or something like that. You could not walk in off the street in the way you would for an emergency room of another hospital.
COUNCILMAN McDONALD	And then they will stay at the facility while they receive the care.
GREG BORGEL	That's right. Right. And I think everyone's understood that from the beginning.
ROBERT GENZER, PLANNING & DEVELOPMENT	That was our understanding. I'm not, I -- certainly do not want to speak for the adjacent neighbors.

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VERBATIM TRANSCRIPT - ITEM 120: Z-18-97 - FIRST HEALTHCARE CORPORATION

COUNCILMAN McDONALD

Well, that was the understanding, that they weren't going to have - they were looking at traffic wise, and what they called related to my office and my staff. They didn't want the traffic coming in and out, emergency lights and vehicles, lights and siren, and then have this as a, kind of a make-shift hospital for people coming in.

ROBERT GENZER, PLANNING &
DEVELOPMENT

Right, it could be run as an emergency room. That's type of situation.

CHIEF DEPUTY OF GOVERNMENT
AFFAIRS STEED

Let me - suggest an alternate second sentence here. The hospital may provide acute care for residences of the nursing home and for outside patients needing this level of care who were referred from other facilities.

GREG BORGEL

I think that works fine, but we have our operator here who can nod wisely for us. Is that correct?

GENTLEMAN IN THE AUDIENCE

That's fine.

GREG BORGEL

That works. Thank you.

MAYOR PRO TEM ADAMSEN

Okay. Very good.

COUNCILMAN McDONALD

Thank you. I appreciate that, gentlemen.

MAYOR PRO TEM ADAMSEN

Additional comments? Close the public hearing. Cast your votes. Post. Motion's approved. **(Motion carried with Jones and Callister not voting.)**

COUNCILMAN McDONALD

You abstained?

GREG BORGEL

Thank you very much. Since you were so kind as to thank us for working with the neighbors, we want to thank everyone involved for having a new zoning ordinance that made working with the neighbors possible.

COUNCILMAN McDONALD

Thank you.

(END OF DISCUSSION)

/gpb

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

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DISCUSSION/ACTION ITEMS

PLANNING AND DEVELOPMENT

REZONING REQUEST - PUBLIC HEARING

Z-27-97 - MANIJHE DANESHFOROOZ

Request for a Rezoning on property located at 2205 Paradise Road.

From: P-R (Professional Offices and Parking)

To: C-1 (Limited Commercial)

PROPOSED USE: 1,609 SQUARE FOOT
BEAUTY SALON

PROTESTS: 0

Ward 3 (Reese)

Planning Commission (7-0 vote) and staff recommended APPROVAL, subject to:

1. Maintain the existing landscaping on the site.
2. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to occupancy of this site. All new 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. Comply with the recommendations of the Traffic Engineering Representative prior to occupancy of this site.
3. If such has not already been established and because it appears that access and parking may be shared by other parcels to the south of this site, a Joint Access and Parking Agreement

REESE - APPROVED subject to conditions - UNANIMOUS with Callister not voting

MAYOR PRO TEM ADAMSEN declared the Public Hearing open.

MANIJHE DANESHFOROOZ, 2201 Paradise Road, was present and concurred with the conditions.

COUNCILMAN REESE pointed out that this is the last parcel along Paradise from Sahara to St. Louis to convert to C-1. The applicant has done a great job of cleaning up the area.

No one appeared in opposition.

There was no further discussion.

MAYOR JONES declared the Public Hearing closed.

(3:54 - 3:55)
3 - 3450

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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DISCUSSION/ACTION ITEMS

APPROVED

PLANNING AND DEVELOPMENT

Z-27-97 - MANIJHE DANESHFOROOZ

to allow intrasite circulation between the adjoining parcels shall be provided to the Department of Planning and Development as required by the Department of Public Works.

4. Standard Condition Nos. 1, 2, 5 - 9 and 11 - 14.

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REZONING REQUEST - PUBLIC HEARING - Z-27-97 - MANIJHE DANESHFOROOZ

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for Rezoning from P-R (Professional Offices and Parking) to C-1 (Limited Commercial) for the purpose of converting the building into a beauty salon.

BACKGROUND DATA:

There is no previous zoning history to this site. Other relevant actions include:

9/15/93 The City Council approved C-1 (Limited Commercial) on the property directly north of this site. (Z-67-93).

DETAILS OF APPLICATION REQUEST:

Site Area	8,400	Square Feet
Building Area	1,609	Square Feet
Floor Area Ratio	0.19	
Parking Required	5	Spaces
Parking Provided	9	Spaces

Access to the site is via one existing driveway to Paradise Road. There is an existing six foot high wall along the east and south property lines. A five foot wide landscape planter area is shown along the Paradise Road frontage. The nine parking spaces exist on the site and are located along the north and west sides of the building. The pictures submitted with the application depict stucco exteriors with a pitched shingle roof.

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	C-1	Commercial, Office
South	C-1	Commercial, Office
East	R-1	Single Family Residential
West	R-4, C-1	Condominiums and Office

Agenda Item

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AGENDA DOCUMENTATION

TO:
THE CITY COUNCIL

FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REZONING REQUEST - PUBLIC HEARING - Z-27-97 - MANIJHE DANESHFOROOZ

PURPOSE/BACKGROUND

FINDINGS:

GENERAL PLAN:

This site is designated as Tourist Commercial on the City of Las Vegas Downtown Development Plan. This designation allows those permitted uses of the C-1 (Limited Commercial) zoning district.

REZONING:

Staff finds that the request is in conformance with the Downtown Development Plan. It is also compatible with the established commercial land use pattern along the east side of Paradise Road. In fact, this parcel is the only parcel not zoned C-1 (Limited Commercial) along the east side of Paradise Road between Sahara Avenue and St. Louis Avenue.

PLOT PLAN:

Staff has no objection to the plot plan. The building exists, and has enough parking on the site to meet the standards of the Zoning Code. Due to the lack of detailed information provided on the site plan, the Department of Public Works suggests that the applicant be required to meet with the Traffic Engineer for assistance in the possible redesign of the driveway and parking lot.

Planning Commission Recommendation: APPROVAL (7-0 vote)

Staff Recommendation: APPROVAL

PROTESTS: 0

NOTICES MAILED: 113

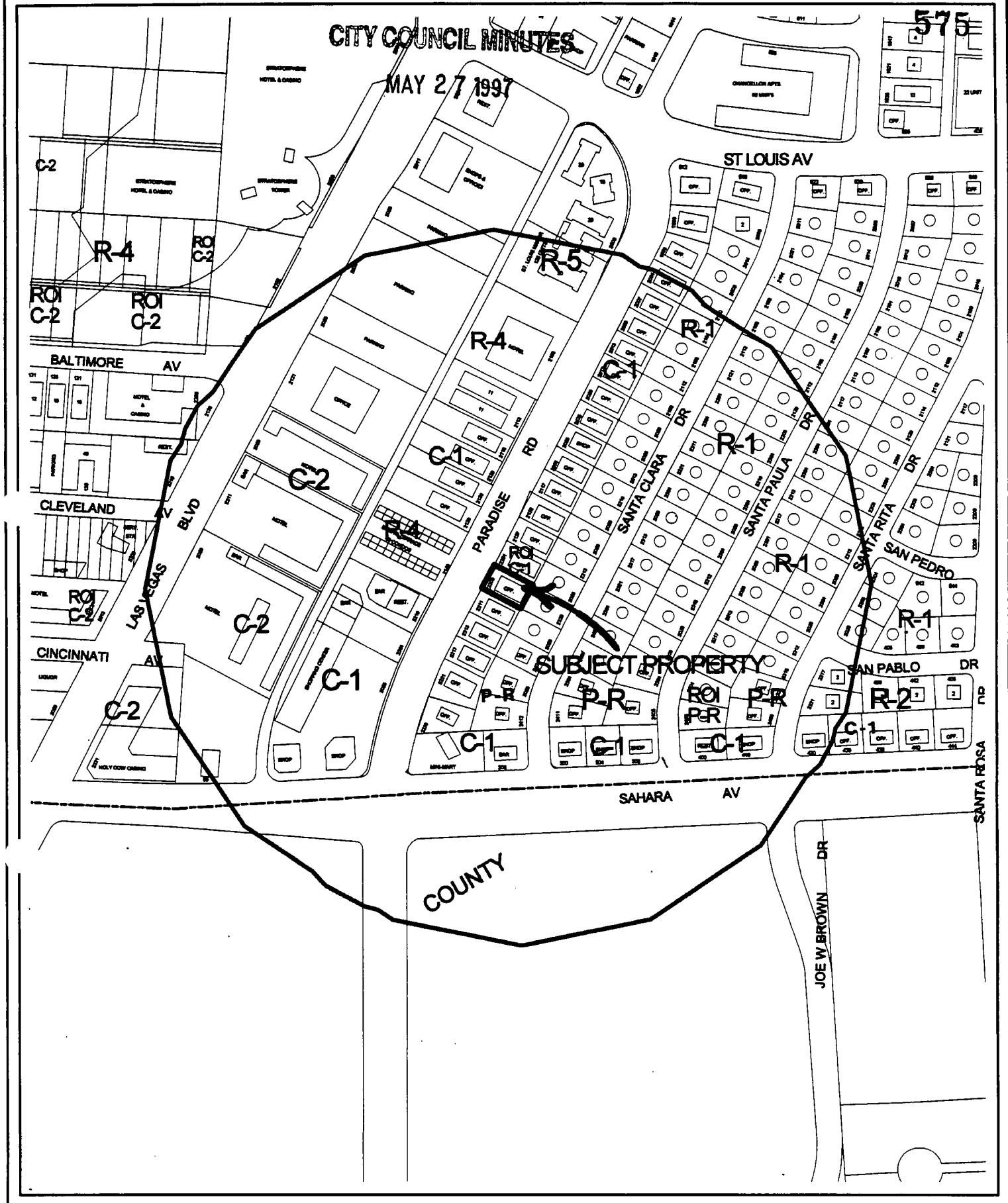
SEE ATTACHED LOCATION MAP

Agenda Item

CITY COUNCIL MINUTES

MAY 27 1997

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Case: **Z-27-97**

Radius: 750 ft



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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION/ACTION ITEMS

PLANNING AND DEVELOPMENT

REZONING REQUEST - PUBLIC HEARING

Z-28-97 - CITY OF LAS VEGAS

Request for a Rezoning on property located at 5000 Alta Drive, 98 South Martin L. King Boulevard and 322 South 7th Street.

From: R-6 (High-Rise Apartment)

To: R-5 (Apartment)

PURPOSE: THE REVISED ZONING
CODE OF THE CITY OF LAS
VEGAS NO LONGER
CONTAINS AN R-6 DISTRICT

PROTESTS: 0

Ward 1 (McDonald)

Planning Commission (7-0 vote) and staff
recommended APPROVAL.

McDONALD - APPROVED - UNANIMOUS with Callister not voting

MAYOR JONES declared the Public Hearing open.

No one appeared in opposition.

There was no further discussion.

MAYOR JONES declared the Public Hearing closed.

(3:55 - 3:56)
3 - 3540

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REZONING REQUEST - PUBLIC HEARING - Z-28-97 - CITY OF LAS VEGAS**PURPOSE/BACKGROUND****APPLICATION REQUEST:**

This Rezoning was filed on properties located at 500 Alta Drive, 98 South Martin L. King Boulevard and 322 South 7th Street by the City of Las Vegas. The purpose of the rezoning is to bring these properties into conformance with the recently adopted revised City of Las Vegas Zoning Ordinance, which no longer has an R-6 (High Rise Apartment) District.

BACKGROUND DATA:

1962	The City Council approved R-6 (High Rise Apartment) zoning at 98 South Martin L. King Boulevard (Z-10-62).
5/8/69	The City Council approved R-6 (High Rise Apartment) zoning at 5000 Alta Drive (Z-15-69).
7/5/79	The City Council approved R-6 (High Rise Apartment) zoning at 322 South 7th Street (Z-54-79).
4/12/97	The revised Zoning Code for the City of Las Vegas went into effect.

FINDINGS:

This action will not affect the current uses of these properties. The densities and height of each of these developments are in conformance with the standards of the revised Zoning Code. Any additions or expansion on these properties would have to conform to the standards of the revised Zoning Code. Staff believes this action is necessary since the R-6 district is no longer a part of the ordinance.

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REZONING REQUEST - PUBLIC HEARING - Z-28-97 - CITY OF LAS VEGAS

PURPOSE/BACKGROUND

Planning Commission Recommendation: APPROVAL (7-0 vote)

Staff Recommendation: APPROVAL

PROTESTS: 0

NOTICES MAILED: 422

SEE ATTACHED LOCATION MAP

Agenda Item

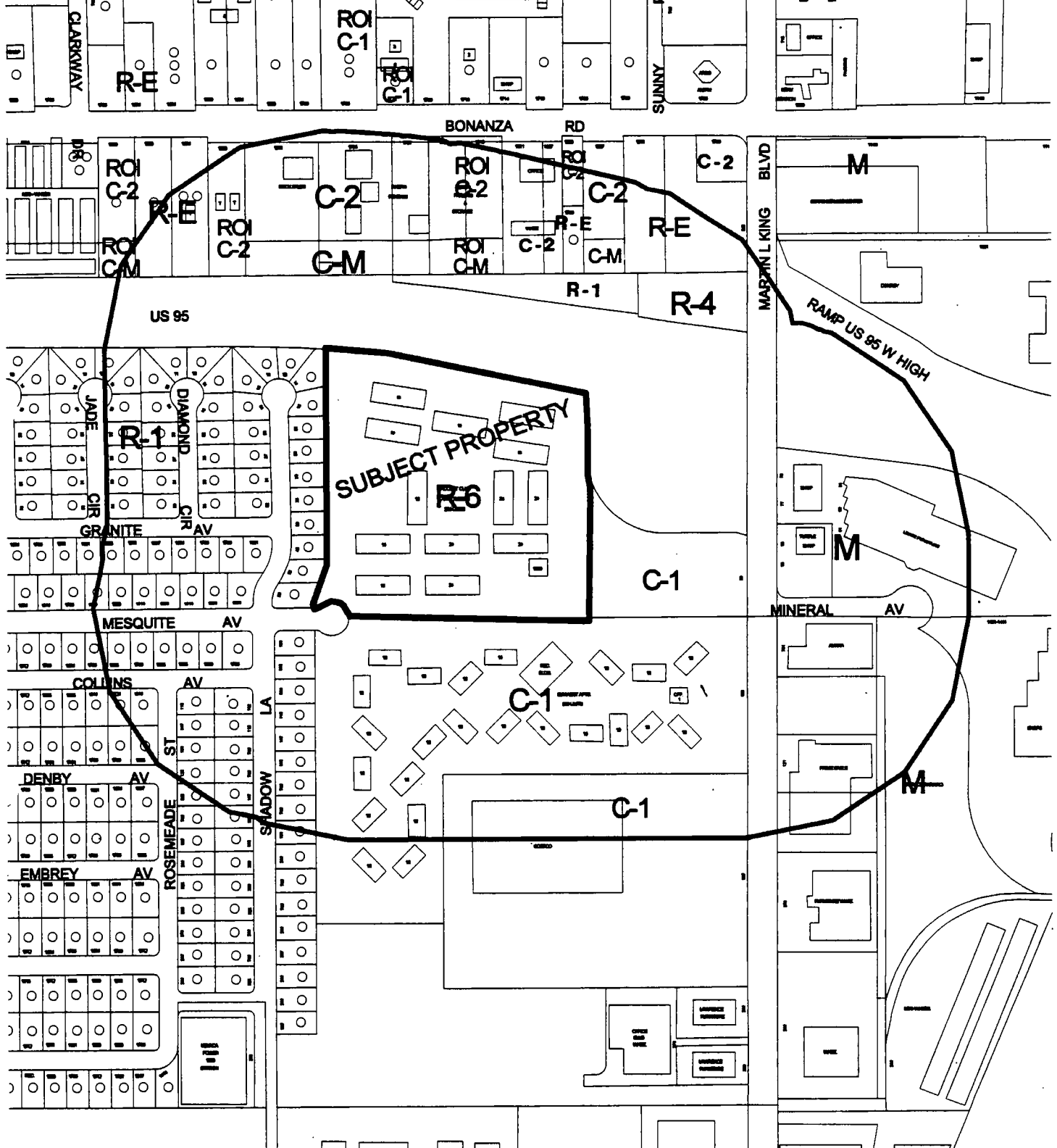
MAY 27 1997



CITY COUNCIL MINUTES

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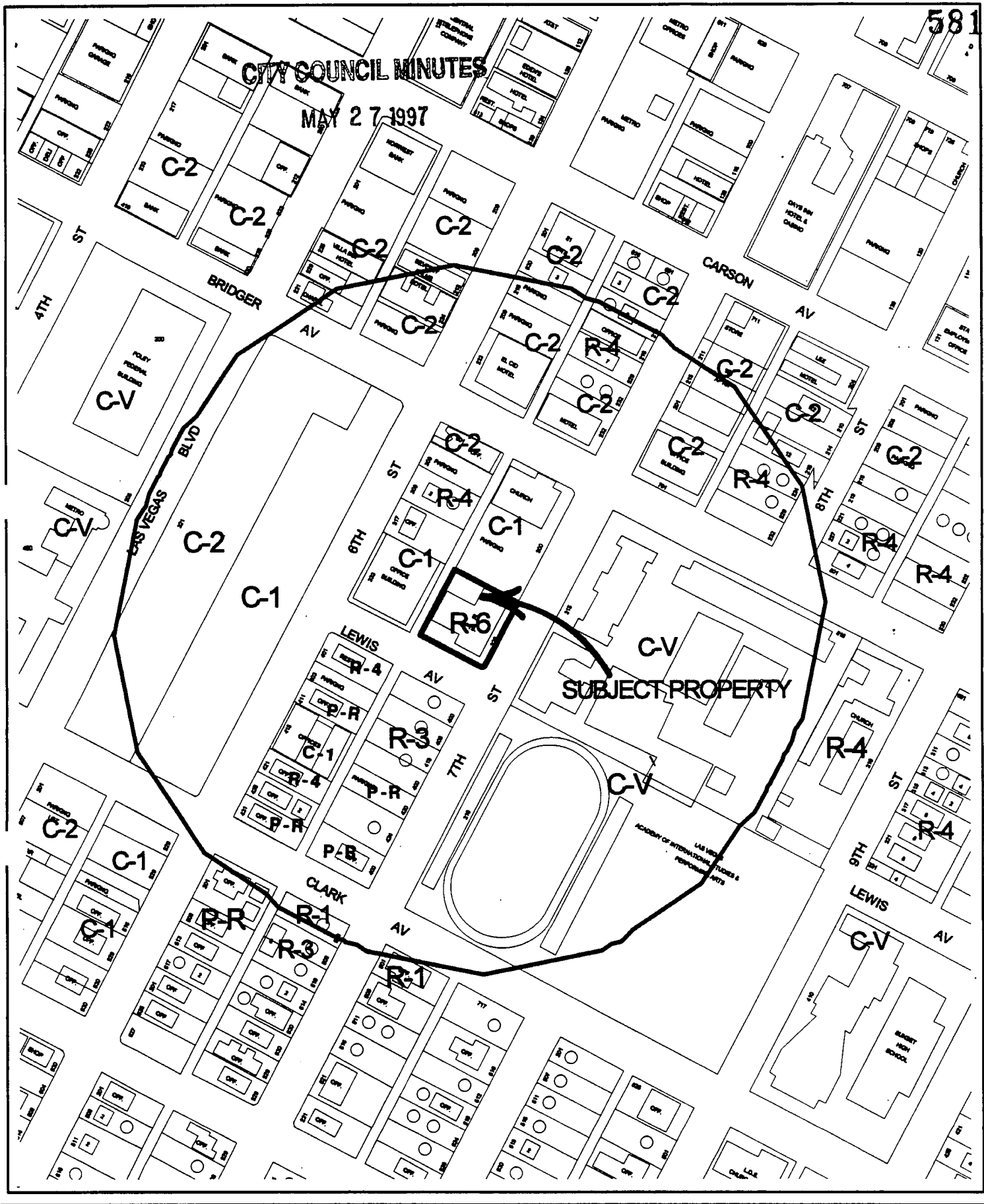
Case: **Z-28-97**

Radius: 600 ft



CITY COUNCIL MINUTES

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Case: **Z-28-97**

Radius: 600 ft



CITY COUNCIL

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION/ACTION ITEMS

PLANNING AND DEVELOPMENT

REZONING REQUEST - PUBLIC HEARING

Z-29-97 - CITY OF LAS VEGAS

Request for a Rezoning on property located at 1096 and 1110 East Sahara Avenue, 3820, 3824, 3920 and 4000 West Sahara Avenue, and 2301 and 2408 Las Verdes Street.

From: C-C (Neighborhood Commercial Center)

To: C-1 (Limited Commercial)

PURPOSE: THE REVISED ZONING
CODE OF THE CITY OF
LAS VEGAS NO
LONGER HAS A C-C
DISTRICT

PROTESTS: 0

Ward 1 (McDonald) and Ward 3 (Reese)

Planning Commission (7-0 vote) and staff
recommended APPROVAL.

ADAMSEN - APPROVED - UNANIMOUS

MAYOR JONES declared the Public Hearing open.

No one appeared in opposition.

There was no further discussion.

MAYOR JONES declared the Public Hearing closed.

(3:56)

3 - 3580/4 - 1

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REZONING REQUEST - PUBLIC HEARING - Z-29-97 - CITY OF LAS VEGAS**PURPOSE/BACKGROUND****APPLICATION REQUEST:**

This request for Rezoning from C-C (Neighborhood Commercial) to C-1 (Limited Commercial) was filed on properties located at 3820, 3824, 3920 and 4000 West Sahara Avenue and 2301 and 2408 Las Verdes Street by the City of Las Vegas. The purpose of the rezoning is to bring these properties into conformance with the recently adopted revised City of Las Vegas Zoning Ordinance, which no longer has a C-C (Neighborhood Commercial) district.

BACKGROUND DATA:

1959 The properties located on West Sahara Avenue were rezoned to C-C (Neighborhood Commercial). (Z-44-59).

4/12/97 The revised Zoning Code for the City of Las Vegas went into effect.

FINDINGS:

This action will not affect the current uses of these properties, since the C-C (Neighborhood Commercial) district allowed all of the permitted uses of the C-1 (Limited Commercial) district by right. All of these developments are in conformance with the standards of the revised Zoning Code. Any additions or expansion on these properties would have to conform to the standards of the revised Zoning Code. Staff believes this action is necessary since the C-C district is no longer a part of the ordinance.

Planning Commission Recommendation: APPROVAL (7-0 vote)

Staff Recommendation: APPROVAL

PROTESTS: 0

NOTICES MAILED: 289

SEE ATTACHED LOCATION MAP

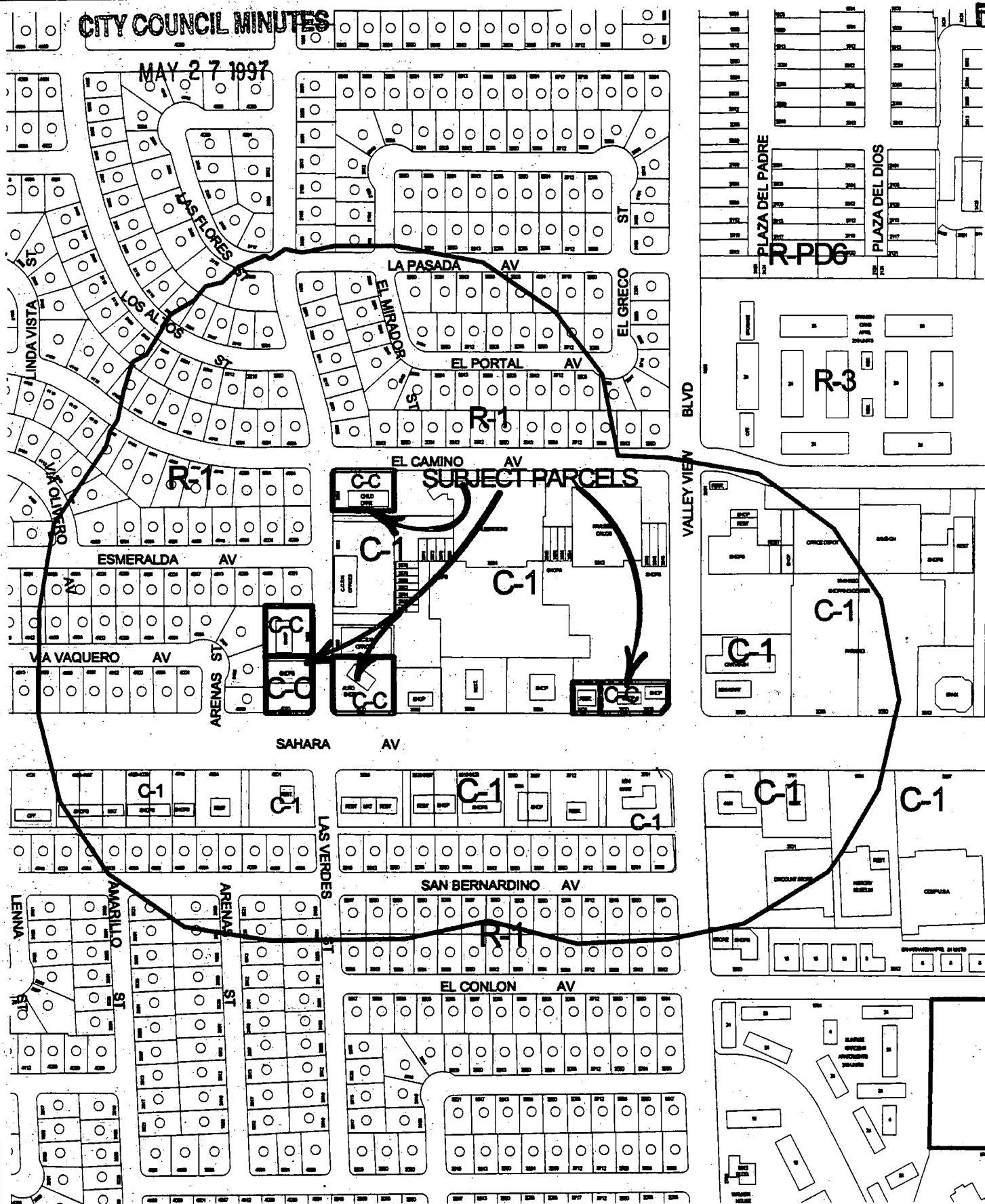
Agenda Item

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CITY COUNCIL MINUTES

MAY 27 1997

585



Case: **Z-29-97**

Radius: 600 ft



CITY COUNCIL

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

124

DISCUSSION/ACTION ITEMS

PLANNING AND DEVELOPMENT

REZONING REQUEST - PUBLIC HEARING

Z-31-97 - GABRIEL AND ELAINE MARTINEZ, ET AL

Request for a Rezoning on property located on the northeast corner of Jones Boulevard and Tropical Parkway.

From: N-U (Non-Urban) Zone

To: R-PD3 (Residential Planned Development - 3 Units Per Acre)

PROPOSED USE: 208 SINGLE FAMILY DWELLINGS

PROTESTS: 0

Ward 4 (Callister)

Planning Commission (7-0 vote) recommended APPROVAL.

Based on the findings of the back-up report, staff has NO OBJECTION to this request. If APPROVED, subject to:

1. If a wall is constructed along the perimeter of this site, it shall be a nominal six foot high decorative wall set back a minimum of 10 feet along the exterior street frontages as required by the Planning and Development Department.

2. Provide a minimum 10 foot wide landscape planter outside the wall along the exterior street frontages and install 24 inch box trees a minimum of 30 feet on center with shrubs and ground cover as required by the Planning and Development Department.

CALLISTER - APPROVED subject to conditions and amending Condition No. 3 to require open spaces no less than that shown on the submitted plot plan - **UNANIMOUS**

MAYOR JONES declared the Public Hearing open.

ATTORNEY MARK FIORENTINO, 3800 Howard Hughes Parkway, appeared on behalf of R. V. Jones and concurred with all but Condition No. 3. He explained that the larger lots ranging from 7,700 to 11,000 square feet within this gated subdivision would not justify the standard requirement for 15% common open space. Obviously property owners will prefer to focus on landscaping, using and maintaining their yards rather than common space. The project does provide over two acres of common open space.

COUNCILMAN CALLISTER indicated that he would support a reduction of open space in exchange for less density. THERESA O'DONNELL, Director of Planning & Development, advised that staff is looking into replacing the 15% requirement with a sliding scale based on number and sizes of lots.

No one appeared in opposition.

There was no further discussion.

MAYOR JONES declared the Public Hearing closed.

(3:56 - 4:01)

4 - 12

NOTE: Subsequent to the meeting it was determined by the City Attorney and Planning Department that Standard Condition No. 1 should be amended to delete the twelve month time limit.

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PLANNING AND DEVELOPMENT

Z-31-97 - GABRIEL AND ELAINE MARTINEZ, ET AL

3. Approval of a revised plot plan by the Planning and Development Department indicating a minimum of 15% usable open space as required by the Planning and Development Department. Landscaped planter areas shall not be counted toward the open space percentage.

4. A Homeowners Association shall be established to maintain the perimeter walls, common areas and landscaping.

5. Dedicate, for those areas not previously dedicated, 40 feet of right-of-way adjacent to this site for Tropical Parkway, 30 feet for Azure Drive, a 25 foot radius on the southeast corner of Jones Boulevard and Azure Drive and a 54 foot radius on the northeast corner of Jones Boulevard and Tropical Parkway as required by the Department of Public Works. Also, obtain dedication for the 50 feet of right-of-way for Jones Boulevard adjacent to the "not-a-part" Nevada Power parcel.

6. Submit a Vacation Application to vacate all public rights-of-way in conflict with this proposed development site as required by the Department of Public Works. The Vacation Application shall be acted upon by the City Council prior to the recordation of a Final Map for this site.

7. Submit an application to amend the City's Master Plan of Streets and Highways to include add Tropical Parkway from Jones Boulevard to Bradley Road as an 80 foot public right-of-way corridor prior to the recordation of a Final Map for this site as required by the Department of Public Works.

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Z-31-97 - GABRIEL AND ELAINE MARTINEZ, ET AL

8. Construct half-street improvements including appropriate overpaving (if legally able) along Jones Boulevard, Azure Drive, and Tropical Parkway adjacent to this site concurrent with development of this site as required by the Department of Public Works. The required overpaving on Tropical Parkway shall "fill the gap" from the centerline of Tropical Parkway to the northern edge of the proposed 24 foot wide travel lanes located south of the centerline (see CLV Drawing No. 107-V2631 - the temporary asphalt sidewalk shall be removed where necessary). Construct appropriate transitions at the east edge of this site for both the roadway and the sidewalk to maintain continuous hard-surfaced pedestrian access from Jones Boulevard to Bradley Street in accordance with the City's "Safe Routes to School" policy. Also, this applicant shall be responsible to construct half-street improvements on Jones Boulevard adjacent to the Not-A-Part Nevada Power site shown on this site plan. In addition, if required by the Traffic Analysis, construct a minimum of two lanes of paving on Azure Drive from the east edge of this site eastward to Bradley Street and southward along Bradley Road to tie into the proposed Bradley Road Improvements adjacent to the public school site. Temporary "Goecke" paving is acceptable for these two lanes. All required improvements on Jones Boulevard, Azure Drive, and Tropical Parkway shall be constructed concurrent with the first phase of development to provide a street connection to each respective public street.

9. Gated access drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.

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APPROVED

PLANNING AND DEVELOPMENTZ-31-97 - GABRIEL AND ELAINE MARTINEZ,
ET AL

10. 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. The Traffic Impact Analysis shall determine traffic signal contribution requirements and shall also include a section addressing Standard Drawings #201.1, #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. The Traffic Impact Analysis shall also address the possible introduction of vehicular traffic onto Azure Drive from this site to and from the Lied Middle School located to the east of this site, and shall make recommendations for the mitigation of the effects of such traffic. 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.

11. The final design of the project shall be determined at the time of approval of the Tentative Map.

12. Standard Condition Nos. 1, 3 - 8 and 10 - 13.

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REZONING REQUEST - PUBLIC HEARING - Z-31-97 - GABRIEL AND ELAINE MARTINEZ, ET AL

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for Rezoning from N-U (Non-Urban) to R-PD3 (Residential Planned Development - 3 units per acre) for the purpose of constructing 208 single family dwelling units on the site. The typical lot size is 70 feet by 110 feet.

BACKGROUND DATA:

12/13/96 The Annexation of the southwest portion of this property into the City of Las Vegas became effective. [A-6-96(A)].

5/23/97 The Annexation of the remainder of the site into the City of Las Vegas became effective-[A-21-96(A)].

DETAILS OF APPLICATION REQUEST:

Site Area	59.95	Acres
Number of Units	208	Single Family Dwellings
Density	3.47	Units per acre
Building Height	1	Story

Access to the project is via street connections to Jones Boulevard, Tropical Parkway and Azure Drive. All of the lots will have access to forty foot wide private loop streets and cul-de-sacs within the development. No block walls are clearly indicated on the plot plan. Ten foot wide landscape planters are shown along the exterior street frontages of the site. Approximately six percent of the gross area is allocated for open space. The elevations depict stucco exteriors with concrete tile roofs.

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REZONING REQUEST - PUBLIC HEARING - Z-31-97 - GABRIEL AND ELAINE MARTINEZ, ET AL

PURPOSE/BACKGROUND

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	R-E	Vacant, Church
South	R-E	Single Family Residences
East	R-E	Vacant
West	R-E	Vacant. Single Family Residences

FINDINGS:

GENERAL PLAN:

The east 20 acres of this site is designated L (Low Density Residential) on the Northwest Plan Amendment to the City of Las Vegas General Plan. This designation allows a maximum density of 4.49 units per acre. The remainder of this site is designated R (Rural Density Residential) which allows a maximum density of 3.49 units per acre.

REZONING:

Staff finds this request to be in conformance with the General Plan. Based on the land use designations, a total of approximately 230 units could be constructed without requiring an amendment to the General Plan. This request for R-PD3 (Residential Planned Development - 3 Units Per Acre) is therefore less than the maximum number of dwellings which could be constructed. Staff recognizes that this request represents a significant increase in density compared to the current land use pattern of this area of the City. However, staff believes that this request is an appropriate transition of density from the more intense uses along Decatur Boulevard to the established Desert Rural areas to the west of Jones Boulevard.

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REZONING REQUEST - PUBLIC HEARING - Z-31-97 - GABRIEL AND ELAINE MARTINEZ, ET AL

PURPOSE/BACKGROUND

PLOT PLAN:

Staff has two major concerns regarding the design of the project:

1. Landscaping/Buffering: Minimum 10 foot wide landscape planters should be established along the exterior street frontages of the property with 24 inch box trees a minimum of 30 feet on center
2. Usable Open Space: The plot plan shows that approximately six percent of the gross land area of the site is allocated for open space. This includes the landscaped areas along the street connections to the project. Staff believes that the amount of land area allocated on this plot plan for open space is not sufficient for a project of this size, and the landscaped areas along the driveways and exterior street frontages should not be included in the open space calculation.

Planning Commission Recommendation: APPROVAL (7-0 vote)

Staff Recommendation: APPROVAL

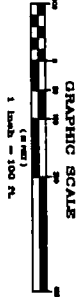
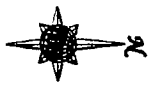
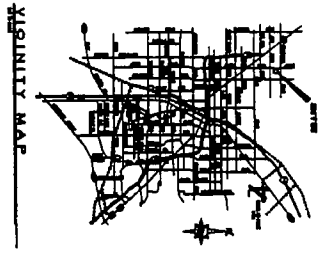
PROTESTS: 0

NOTICES MAILED: 55

SEE ATTACHED LOCATION MAP

Agenda Item

Call
Before you
Dig
1-800-227-5800



SITE DATA
 ZONING RPD-3
 ACRES 59.95
 UNITS 208
 DENSITY 3.47 DU/AC
 OPEN SPACE REQUIRED 130,572 S.F.
 OPEN SPACE PROVIDED 143,388 S.F.

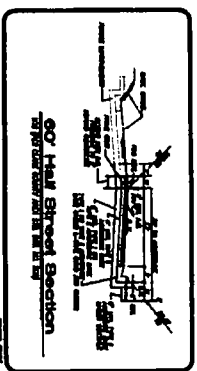
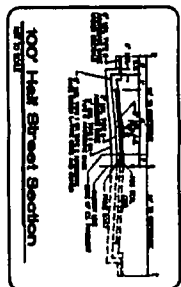
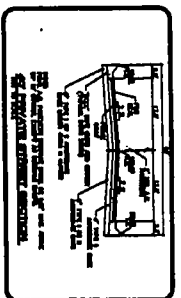
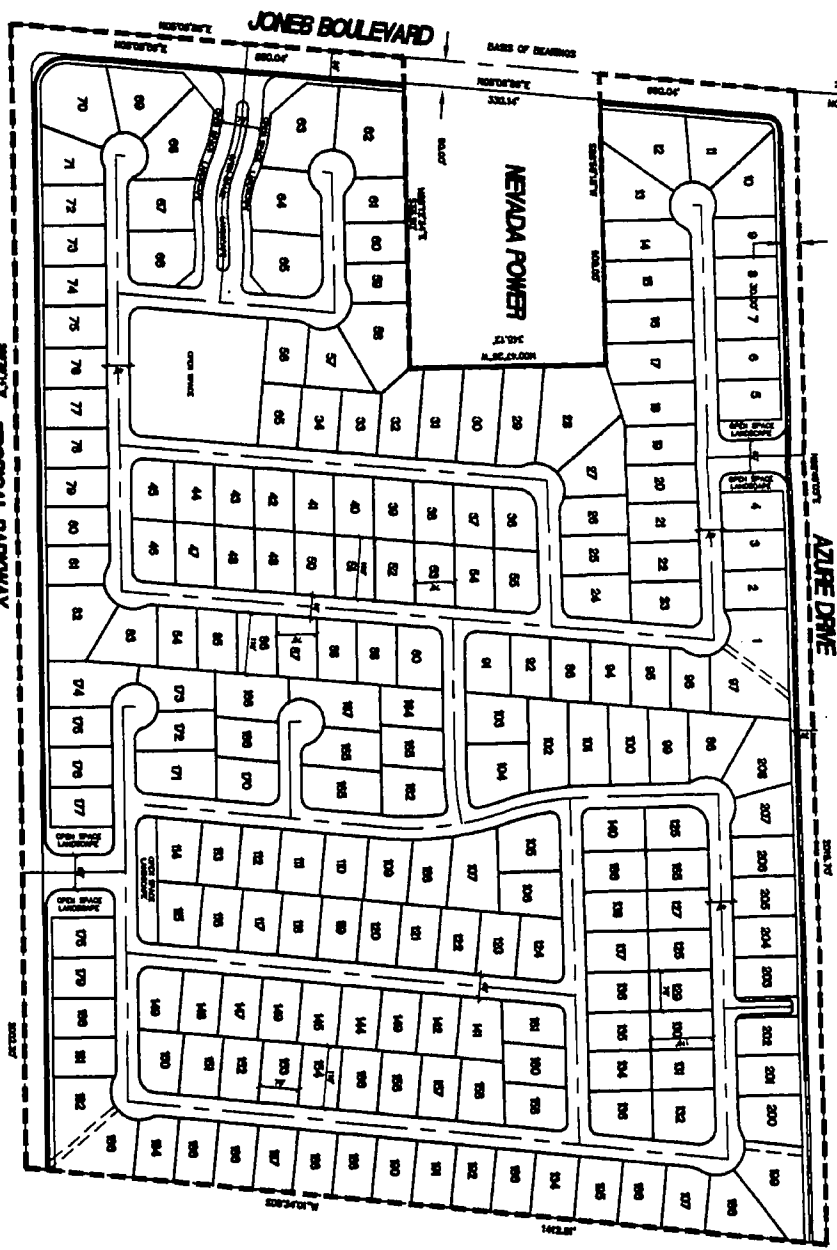
OWNER / DEVELOPER



THE TROPICS

SITE PLAN TO ACCOMPANY

ZONE CHANGE



MAY 27 1997

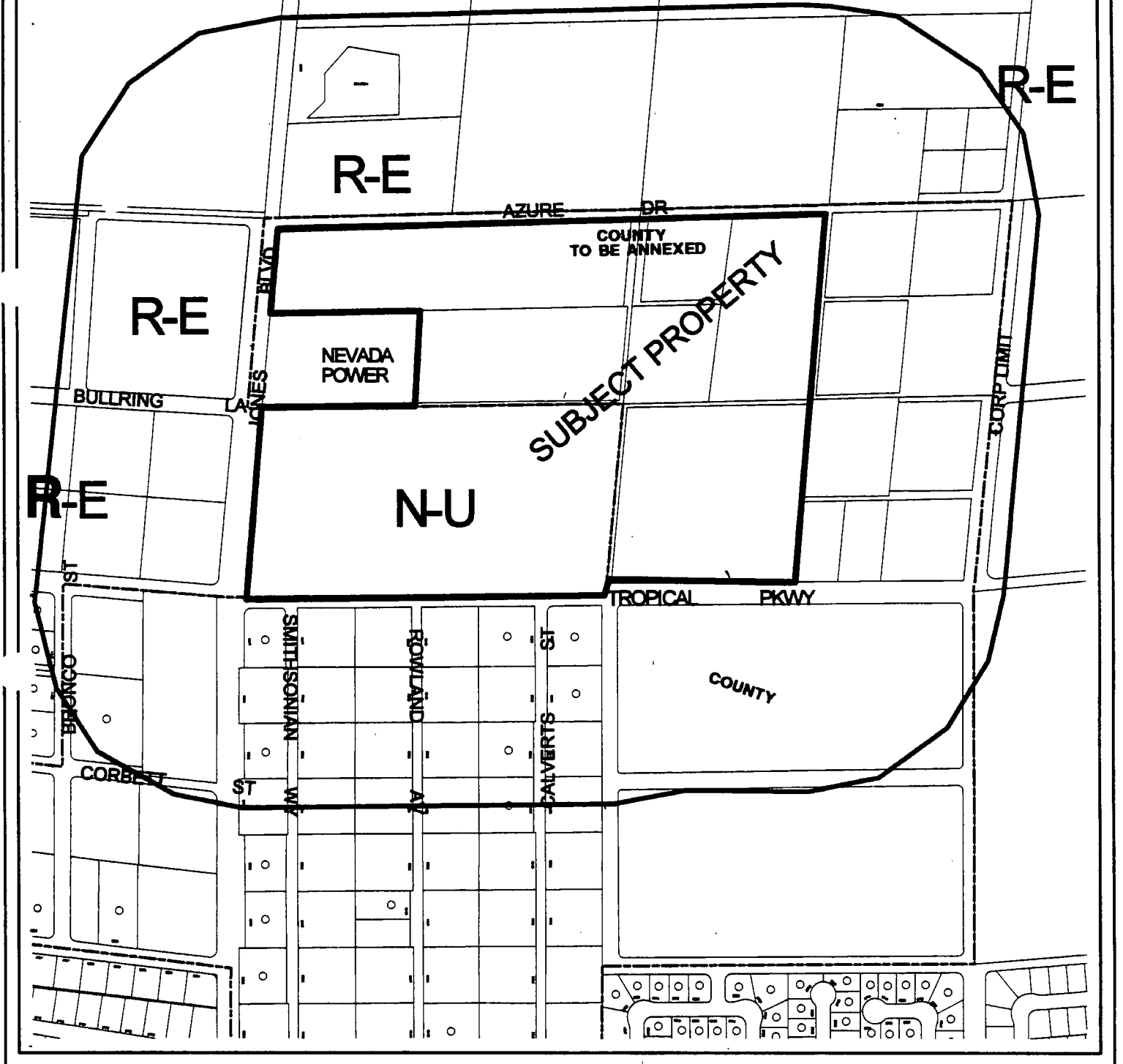
CITY COUNCIL MINUTES

Job Number 51382	Drawn by JW/mj	Scale 1"=100'	THE TROPICS PRELIMINARY SITE LAYOUT	THE Robert Jones Company 2000 & Jones Blvd., Suite 100 Las Vegas, Nevada 89102	POST SUBMITTAL REVIEW & REVISIONS	NO LATER THAN 10:00 AM DATE OF REVIEW	REVISIONS	Date/Init.	Appr.	Da:
Sheet Number 1 OF 1	Checked by JW	Scale 3/8"=1"								

Z-31-97

CITY COUNCIL MINUTES

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Case: **Z-31-97**

Radius: 750 ft



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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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DISCUSSION/ACTION ITEMS

PLANNING AND DEVELOPMENT

GENERAL PLAN AMENDMENT - PUBLIC HEARING

125 GPA-11-97 - CITY OF LAS VEGAS

Request by the City of Las Vegas to adopt the Las Vegas Medical District Plan on property located between the south side of Alta Drive and the north side of Charleston Boulevard, and the east side of Rancho Drive and the west side of Martin L. King Boulevard. The plan addresses such issues as land use designations which include Major Medical, Medical Support, Service Commercial, Professional Office, Retail Office and High Density Residential. In addition, design guidelines are included which deal with landscaping, parking, streetscaping and signage issues.

APPROVALS: 5 (1 Letter, 4 at meeting)

PROTESTS: 2 (1 Letter, 1 at meeting)

Ward 1 (McDonald)

Planning Commission (7-0 vote) and staff recommended APPROVAL.

McDONALD - APPROVED - UNANIMOUS

APPEARANCES:

ROBERT PETRONI, 2001 Pinto
DIANN ENGLISH, 2016 Hamilton
EDITH WILLIAMSON, 501 Shadow
DELORES BROWN, 1700 Canyon Place
ATTORNEY STAN PARRY, 601 S. Rancho C-23
SUSAN HOLLAND JOHNSON, 601 E. Bridger Avenue

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

(4:01 - 4:19)
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AGENDA DOCUMENTATION

TO:
THE CITY COUNCIL

FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-11-97 - CITY OF LAS VEGAS

PURPOSE/BACKGROUND

APPLICATION REQUEST:

The City of Las Vegas has initiated this General Plan Amendment to the Las Vegas Medical District Land Use Plan, formally known as the UMC/Valley Hospital Neighborhood Plan. The changes involve changes to land use designations and text amendments/corrections.

BACKGROUND DATA:

This plan was originally adopted by the Commission and Council in 1995. Several land use and policy changes have occurred since then due to the implementation of the Plan and development in the area. These items have led staff to revise the Plan materially, necessitating the request for adoption by the Planning Commission and City Council. With the addition of the Planned Development (PD) District Zone to our Code, the Las Vegas Medical District Plan can now be implemented in a consistent, enforceable manner.

DETAILS OF APPLICATION REQUEST:

The area in question is bounded by Alta Drive to the north, Charleston Boulevard to the south, Martin Luther King Boulevard to the east, and Rancho Drive to the west. The area is approximately 214 acres.

LAND USE DESIGNATION CHANGES AND DEVELOPMENT OF ADJACENT PROPERTIES:

Area 1	Designation Proposed	Existing Use
North	P-O (Professional Office)	Single Family
South	MD-2 (Major Medical)	Apts. & C.C. Health
East	HD (High density)	Apartments
West	MD-1 (Medical Support)	Parking

Agenda Item

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-11-97 - CITY OF LAS VEGASPURPOSE/BACKGROUND

Area 2	Designation Proposed	Existing Use
North	MD-2 (Major Medical)	C.C. Health
South	MD-1 (Medical Support)	Apts. & Office
East	HD (High Density)	Apartments
West	MD-2 (Major Medical)	Hospital
Area 3	Designation Proposed	Existing Use
North	MD-2 (Major Medical)	Single Family & Hospital
South	R-O (Retail Office)	Hospital
East	MD-2 (Major Medical)	Parking & Office
West	MD-2 (Major Medical)	Hospital & Office
Area 4	Designation Proposed	Existing Use
North	MD-1 (Medical Support)	Single Family & Child Clinic
South	MD-2 (Major Medical)	Medical Clinics
East	MD-2 (Major Medical)	Single Family & Hospital
West	PO (Professional Office)	Single Family & Office

The following changes in text have been made:

Change in title to Las Vegas Medical District from the UMC/Valley Hospital Neighborhood Plan; addition of a table of contents; combining of old Books I and II into one volume; prohibition of driveway access to Alta Drive; waiver provision for the one acre development requirement in the MD-2 district; revised permitted use table, specifying uses by name instead of SIC code; requirement that sidewalks be ten feet in width; clarification of outdoor storage; requirement for dust permits for construction grading; clarification of handicapped parking requirements and their compliance with ADA legislation; increase in handicapped parking requirements for medical projects; requirement for a twenty foot landscaped setback for properties along Alta Drive; addition of signage requirements to the area; removal of one acre provision from MD-1; professional offices allowed in MD-2 district with a Special Use Permit.

Agenda Item

AGENDA DOCUMENTATION

TO:
THE CITY COUNCIL

FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-11-97 - CITY OF LAS VEGAS

PURPOSE/BACKGROUND

FINDINGS:

Staff finds this amendment appropriate for the following reasons:

1. Various County entities own property in Area 1 and are assimilating other properties for future expansion.
2. In Area 2 the change is occurring in order to bring the land use designations into conformance with what already exists on the ground.
3. In Area 3 the original map was mislabeled, the requested change will rectify that situation.
4. In Area 4, acquisition of land for a major medical facility is not feasible. Medical support is a more appropriate designation.

Planning Commission Recommendation: APPROVAL (7-0 vote)

Staff Recommendation: APPROVAL

APPROVALS: 5 (1 Letter, 4 at meeting)

PROTESTS: 2 (1 Letter, 1 at meeting)

NOTICES MAILED: 638

SEE ATTACHED LOCATION MAP

Agenda Item

MAY 27 1997

LAS VEGAS
MEDICAL
DISTRICT

NEIGHBORHOOD
PLAN

MAP-21
LAND USE PLAN

LEGEND

-  (MD-1) MEDICAL SUPPORT
-  (MD-2) MAJOR MEDICAL
-  (P-O) PROFESSIONAL OFFICE
-  (R-O) RETAIL OFFICE
-  (HD) HIGH DENSITY RESIDENTIAL
-  (SC) SERVICE COMMERCIAL

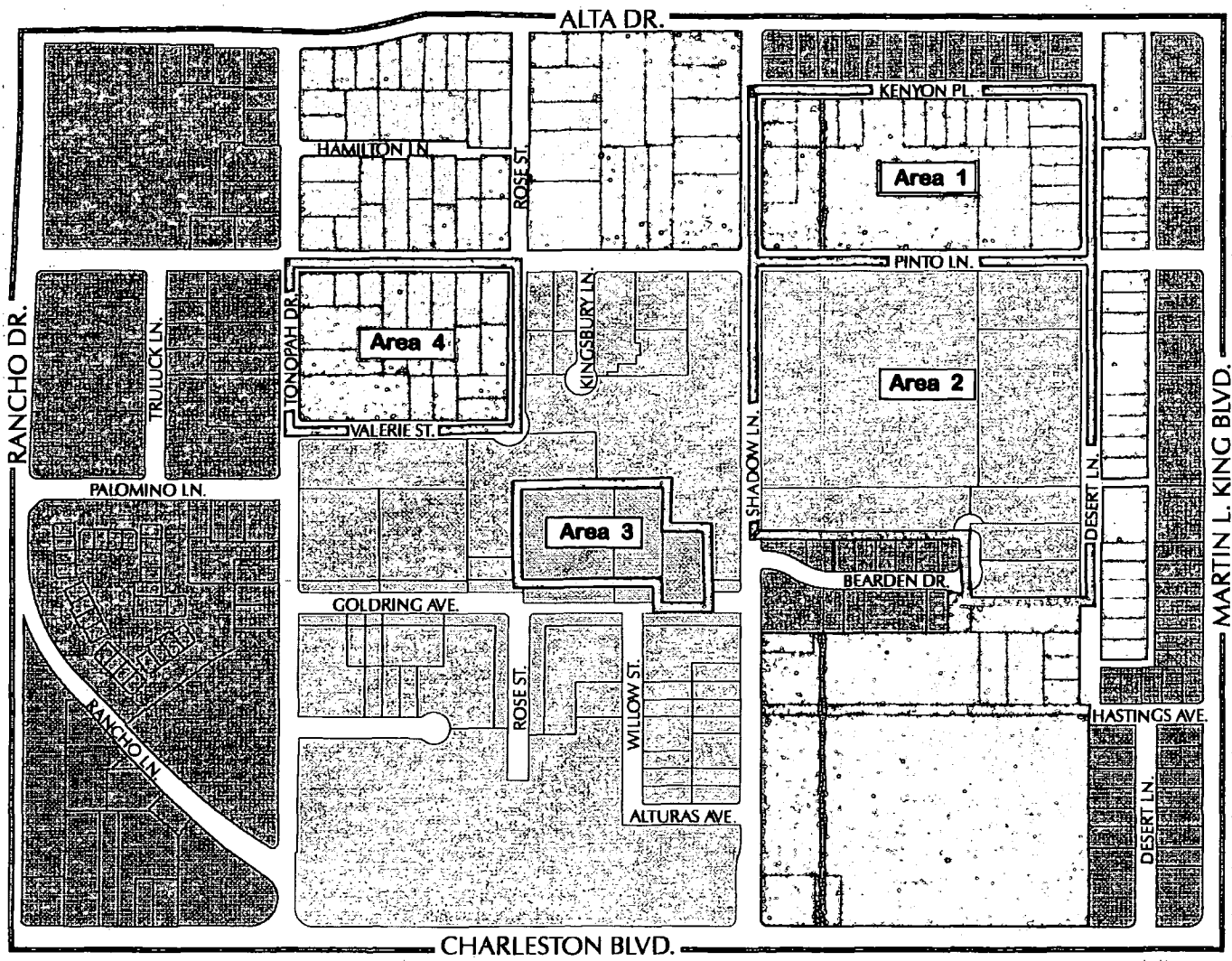


All maps are currently prepared
only to show the needs of the City.
Due to continuous development activity
this map is for reference only.

Geographic Information System
Comprehensive Planning
828-8028

GPA-11-97
Z-20-97

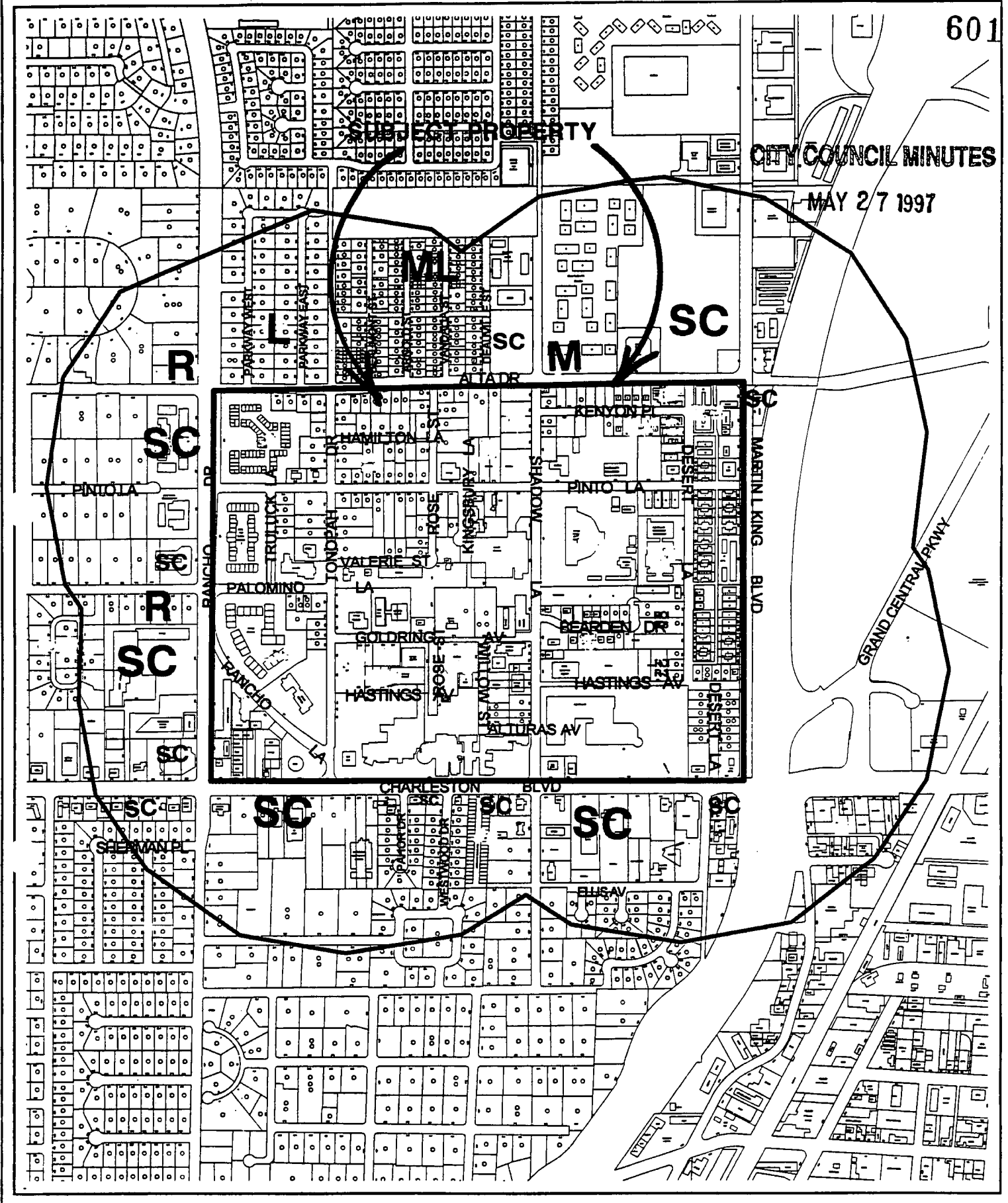
600



SUBJECT PROPERTY

CITY COUNCIL MINUTES

MAY 27 1997

Case: **GPA-11-97**

Radius: 750 ft



**CITY COUNCIL MINUTES
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**COMBINED VERBATIM TRANSCRIPT - ITEM 125: GPA-11-97 and ITEM 126: Z-20-97
CITY OF LAS VEGAS**

MAYOR JONES

Item 125, GPA-11-97, it's a request by the City of Las Vegas to adopt the Las Vegas Medical District Plan on the property located between the south side of Alta Drive and the north side of Charleston, and the east side of Rancho and the west side of Martin Luther King. The plan addresses such issues as land use designations which include Major Medical, Medical Support, Service Commercial, Professional Office, Retail Office and High Density Residential. In addition, design guidelines are included which deal with landscaping, parking, streetscaping, signage issues. There are five approvals, two protests. Planning Commission and staff recommend approval. This is a public hearing, I'd now declare it open. Who's speaking for the --

ROBERT PETRONI

Excuse me. Dust and allergy problem. Pardon?

COUNCILMAN McDONALD

Need some water?

ROBERT PETRONI

No, I'm all right. Thank you, Councilman. My name is Robert Petroni. I live at 2001 Pinto Lane, which is on the southwest corner of Pinto and Rose. I've been there since 1964. And I've seen that neighborhood go from a neighborhood to what it is now. They're mainly rentals. I look, the whole block across the street from me on Pinto are rentals, except for one. There's parking problems. There, I have cars parked across the street from me all day long, as the Councilman knows that came out to my house about three or four months ago to look over the problem. I've got some restricted parking, but Valley Hospital bought the three houses just to the east of me, across the street from me, and tore them down. So I have an empty lot there, that I'm looking at.

On the northeast corner, I have an ob/gyn clinic which was built, which was approved with a zone change about four years ago. As a result of all of that, when Mr. Hawkins was the Councilman, we had studied the neighborhood, came up with a plan and it was a nice plan, a good plan, a good looking plan, if you had one developer that would put it together or a governmental agency that had the power to take the property and put the plan together. We don't have that situation.

Therefore, we're requesting, and Mr. Cairns, I believe, we went before the Planning Commission, unanimously approved to change the neighborhood zoning so that we still have the Medical District, but in addition, we would be able

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**COMBINED VERBATIM TRANSCRIPT - ITEM 125: GPA-11-97 and ITEM 126: Z-20-97
CITY OF LAS VEGAS**

to have any professional and we wouldn't be limited, but we'd have one acre parcels. For instance, on my block, there's only two people that have one acre parcels. I have a quarter of an acre, little over a quarter of an acre. My home, it's a nice home over the years, what has happened to it though, give you an example, I was reappraised last year, they lowered the value of my improvements and they raised the value of the property. So actually, the City, by not allowing that neighborhood to change and be like South Seventh, Eighth, Ninth Street, where we could have law offices or medical offices or a title company could buy three or four lots and build a one acre parcel, this is what you need there. I really believe it.

We're all hoping that UMC would go, I mean, the University Medical Center would go there, but they've gone up, as you know, off the freeway. We were hoping the Veterans facility would come there, but they're up there now on Martin Luther King. So we're all sort of stuck there, with our parcels, which we would like to be able to sell and move on with our lives. And with the unanimous approval of the Planning Commission, I would hope that you would also do the same.

I do want to thank Mr. Cairns, the staff, for taking the public, the neighbors' considerations, the majority of property owners into consideration when coming up with the recommendation for the change. He responded to the needs of the people and I think that's what government's all about. Thank you very much.

COUNCILMAN ADAMSEN

I would -- concur with that, Robert. And thank you for coming up. This is a public hearing, does anyone else wish to be heard on this item?

DIANN ENGLISH

I'm Diann English. I live at 2016 Hamilton Lane, the only dirt road in the area. I concur with the last gentleman that spoke. However, I do want City Council to know that our lives have been placed on hold for the last three years because of the decisions that have been made here. Because -- the City is the one that came to us and developed this plan and then went away. And so my home has been for sale for three years and I have not been able to get on with my life because of the things that have gone on.

They developed a plan and then didn't adopt the plan and went away. You -- developed a plan to encourage medical facilities to come into our area and we've watched them go everywhere else but in our area. So, you know, I -- just saw

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**COMBINED VERBATIM TRANSCRIPT - ITEM 125: GPA-11-97 and ITEM 126: Z-20-97
CITY OF LAS VEGAS**

this health care facility that's going up on Torrey Pines that would have fit perfectly in our area. You're, nothing had been done to encourage anyone to come into our area, an area which had been specifically earmarked for medical commercial district. And nothing was done to promote that area. So my home has gone down in value, residential value, I have renters --

It's just been a horrible environment to live in for the last three years and to watch the neighborhood deteriorate. So we are, we concur and we -- I am -- I want to thank Walter Cairns, he has been really instrumental in helping us, you know, eliminate the one acre provision, to help us so that we didn't, we weren't limited to medical, we could do professional. So we are in agreement, but we just want the City to know that this shouldn't have been done the way it was done. You have -- put our lives on hold for three years. Now, hopefully, we can go forward and we won't have any more problems when we get buyers and we can have this go very quickly and help us get out of there because it's not a place to live anymore. It's not a good environment to be in because there, it -- the neighborhood's deteriorated very rapidly.

So, we're -- I'm glad for the, I hope the whole thing is approved unanimously, but we really hope that you'll now work with us when we get buyers. We don't have any further stumbling blocks so that we can go forward.

COUNCILMAN ADAMSEN

Thank you. Does anyone else wish to be heard on this item?

EDITH WILLIAMSON

Edith Williamson, 501 Shadow Lane. I haven't decided what we're trying to rezone here. We, somebody said it was supposed to be, everything was supposed to be an acre. Then the Planning meeting said a half acre. What size and what are we supposed to be doing? Does anyone know?

COUNCILMAN McDONALD

Staff?

WALTER CAIRNS

If I could address that. Could, it depends on the area. The MD-2 is one acre in size. The rest of the land uses in the plan area are as the lots exist and if they're oversized, they could be further subdivided to whatever minimum standards the City has.

EDITH WILLIAMSON

Okay. So anything north of Kenyon Place is what? Supposed to be?

**CITY COUNCIL MINUTES
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**COMBINED VERBATIM TRANSCRIPT - ITEM 125: GPA-11-97 and ITEM 126: Z-20-97
CITY OF LAS VEGAS**

- WALTER CAIRNS** Kenyon is professional office and those lot sizes will be as they currently exist.
- EDITH WILLIAMSON** Okay. So, if you have a small lot, you can – Because the real estate people say we really don't even know how to list that property. There's houses down there listed, they don't know whether to list them professionally, they don't know whether to list them as homes or – how to list them. That's one of our big problems. So, by approving this, it really doesn't say what you're approving it for, on either one; 126 or 125.
- WALTER CAIRNS** And – staff would certainly be willing to work with any real estate office to explain it to them how it works and so that we can get them off the mark, if that would help.
- EDITH WILLIAMSON** Well, Mrs. Brown has a house for sale. Her real estate man doesn't know what to do with it.
- DELORES BROWN** Yes. I'm Delores Brown and I own property at 1700 Kenyon Place, which is presently for sale. The realtor failed, he could only list it right now as a single-family residence, which is what it is, until we got some conclusion at this meeting today. And I – am I to understand also that I would then, if this is approved, I will become rezoned for professional office or if I sell it or if I myself decide to redevelop it, would I have to apply for professional office or some other zoning? Or will this take care of it?
- WALTER CAIRNS** This action would – if you're on the north side of Kenyon, this action would allow you to put any permitted use which would fall in the professional office category other than your residential use that you currently have, should you so desire.
- DELORES BROWN** All right. Then it, has it been determined whether we would have access off Alta or will we only have access from Kenyon?
- WALTER CAIRNS** Access would be restricted to Kenyon.
- DELORES BROWN** Okay. Thank you very much.
- THERESA O'DONNELL, DIRECTOR,
PLANNING & DEVELOPMENT** Ma'am, you wouldn't be required to do any rezoning, but you would be required to come through with a site plan review for us to take a look at.
- DELORES BROWN** Right. I understand that. Thank you.

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MEETING OF
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COMBINED VERBATIM TRANSCRIPT - ITEM 125: GPA-11-97 and ITEM 126: Z-20-97
CITY OF LAS VEGAS

THERESA O'DONNELL, DIRECTOR, Okay.
PLANNING & DEVELOPMENT

ATTORNEY STANLEY PARRY

Councilmen, my name is Stanley Parry, on behalf of Curran & Parry. I'm here on behalf of the applicant Ken and Nancy Holland. This is their daughter Susan Johnson. She, as we have another item that's on the agenda, but it's related to this matter. I'd like to just put forth what I think is the reason why your medical plan didn't work for some people, and Mr. and Mrs. Holland are exactly a duplicate story of a story you've heard here earlier.

They own a piece of property at 640 Kingsbury Lane. 640 Kingsbury Lane is now surrounded by a vacant designated parking lot on behalf of Valley Hospital. It's at the end of what used to be a nice residential cul-de-sac, which now has become a vacated cul-de-sac. They had to move out last year, in January of '96, because essentially their whole area had turned into a parking lot. Everybody parks up and down Kingsbury Lane. We have some photographs that I put in the record at the Planning Commission and I don't think there's any real dispute. People just park on that street all day long and most of them are employees that go to the residence next door which had been turned from residential homes to now professional offices for doctors and medical services.

So what is, they bought this home in 1971, lived there and raised their family until they couldn't tolerate living in the neighborhood anymore because it had deteriorated from a residential neighborhood now to some type of a commercial parking lot.

They unfortunately own only .2 acres and as a result, when you put in the conditions in the medical district, they were prohibited from building any kind of a commercial residential, I mean, commercial endeavor there, even though ostensibly your code would permit it, because of the condition of the one acre condition, they could no longer build anything. And it's so - bad for them, that the only thing it was designated for, on your Master Plan, was as a parking lot. Interestingly enough, their residential home became designated as a parking lot. And I just wanted to show you how difficult that is for them.

That was Map 18; no, excuse me. I'm sorry. Map 31. Yeah. Here it is, I'm sorry. It's Map, Figure 26, which shows interestingly enough it doesn't even show their lot

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MEETING OF
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**COMBINED VERBATIM TRANSCRIPT - ITEM 125: GPA-11-97 and ITEM 126: Z-20-97
CITY OF LAS VEGAS**

anymore, simply shows it as a parking lot. So obviously, when this plan was adopted, the fact that they owned a single-family residence there was just ignored. And as a result, they are left simply with a white elephant. Really, what has amounted to an albatross around their neck because they can't rent it. They can't use it. They can't turn it into any commercial use that makes any sense.

So, interestingly enough, they came to me because they felt like it was an inverse condemnation situation and I tended to agree with them. But because your staff has worked with us and has adopted some changes to this medical plan, now it can actually be made into something productive. The two uses, the two things that were important, as with the other neighbors was the elimination of this one acre rule, at least for existing lots. So that those existing lots can have some utility now.

The other thing that was important was that they made a condition that on Table 31, that the uses that could be permitted would include legal services, bookkeeping and other things with a conditional use permit. Those were not, those were the only uses that were actually prohibited in there that were of a professional nature. I guess the idea was to encourage doctors and some, those kinds of uses in the area, which as you've heard, hasn't succeeded. But at least this way, they can have those uses with a – use permit. And those items were important to us and the staff took those into consideration and the Planning Commission, and I understand it, adopted that as part of the plan.

WALTER CAIRNS

Just one correction there. Mr. Holland's property is an MD-2 which requires the one acre minimum still. But what we have in the ordinance is a waiver provision where when the property is owned by other owners and they refuse to sell, a waiver can be granted so that some other use can be done with the property.

ATTORNEY STANLEY PARRY

And – at the last hearing, as I under – as I recall, Valley Hospital said they had no intent in buying our property, therefore we're landlocked and we're in need of that waiver; is that correct?

WALTER CAIRNS

That's basically as I remember it, yes.

ATTORNEY STANLEY PARRY

Yes. Thank you.

COUNCILMAN McDONALD

Mr. Parry, are you negotiating with Valley?

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**COMBINED VERBATIM TRANSCRIPT - ITEM 125: GPA-11-97 and ITEM 126: Z-20-97
CITY OF LAS VEGAS**

ATTORNEY STANLEY PARRY	Excuse me?
COUNCILMAN McDONALD	Have you negotiated with Valley, will they even talk to you or, in reference to this piece of property?
ATTORNEY STANLEY PARRY	They – want to pay us for a dilapidated single-family residence, which of course, I guess, they have that prerogative at this point. But we've tried and they indicated at the last hearing that they were not interested in buying our property. So we're pretty much out of luck.
COUNCILMAN McDONALD	At the Planning Commission hearing or – what happened?
ATTORNEY STANLEY PARRY	That was at the Planning Commission, yes.
MAYOR JONES	Does anyone else wish to be heard on this item? I'd close the public hearing. Comments from the Board?
COUNCILMAN McDONALD	Do you have a comment?
CHIEF DEPUTY ATTORNEY OF GOVERNMENT AFFAIRS STEED	Yes. I just wanted to ask staff a couple of questions. One of the reasons this plan didn't work before is that some of the guidelines were never really adopted as being – mandatory. And I note here in the backup, that design guidelines are made a part of this general plan amendment, which is fine. I'm wondering from staff if – the actual guidelines will become standards that are mandatory as part of the approval of the rezoning. So that somebody who wishes to develop, but not in accordance with what you're calling guidelines will be prohibited because they are going to be called standards in the – zoning ordinance.
WALTER CAIRNS	That would be correct. The design guidelines would become enforceable standards for the project area.
CHIEF DEPUTY ATTORNEY OF GOVERNMENT AFFAIRS STEED	And is it – fair to say that the – property owners' aware of the effect of that becoming a standard that they will have to meet?
WALTER CAIRNS	I really can't address that because – we really haven't changed those standards at all from the original plan, with the exception of the – a couple of issues which have been a matter of the public hearings that we've had with the Planning Commission and the Council. The other standards remain in effect and I had to assume that when they were originally proposed that, and my understanding is, that there was area wide participation with regard to those standards.

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COMBINED VERBATIM TRANSCRIPT - ITEM 125: GPA-11-97 and ITEM 126: Z-20-97
CITY OF LAS VEGAS

CHIEF DEPUTY ATTORNEY OF
GOVERNMENT AFFAIRS STEED

All right, I just -- I don't have any problem with them becoming standards, I just want to make sure that any who are here and who were unaware of that might be heard on that point to the extent that they would become mandatory.

COUNCILMAN McDONALD

Your Honor, based on that and I think we had great previous Council, including myself, when I was elected, I had great intentions for this area. However, this is becoming a bad area to live in. To insure quality of life. I think that staff has put together a very good plan that would allow not only medical facilities to come in but P-R. So based on that, Your Honor, I make a **motion for adoption of this bill, GPA.**

MAYOR JONES

Vote on the motion. Post. Motion's approved. **(Motion carried unanimously.)** Item 126, Z-20-97, is a rezoning request related to GPA-11-97. It's a request by the City for a rezoning on properties located between the south side of Alta and the north side of Charleston and the east side of Rancho and the west side of Martin Luther King from R-1, R-3, R-4, R-5, R-E and P-R to C-1, C-2 and C-V. -- No, to P-D (Planned Development). No specific uses will be proposed at this time, however, any proposed use must comply with the appropriate land use designation as defined in the Las Vegas Medical District Plan as follows: medical support, major medical, professional office, retail office, high density residential and service commercial.

No public (inaudible) Does anyone wish to make comments on this?

COUNCILMAN McDONALD

Same motion, Your Honor.

MAYOR JONES

I'm going to close the public hearing. Vote on the motion. Post. Motion's approved. **(Motion carried unanimously.)**

(END OF DISCUSSION)

/vwd

CITY COUNCIL

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION/ACTION ITEMS

PLANNING AND DEVELOPMENT

REZONING REQUEST RELATED TO GPA-11-97 - PUBLIC HEARING

126

Z-20-97 - CITY OF LAS VEGAS

Request by the City of Las Vegas for a Rezoning on properties located between the south side of Alta Drive and the north side of Charleston Boulevard, and the east side of Rancho Drive and the west side of Martin L. King Boulevard.

From: R-1 (Single Family Residence),
R-3 (Limited Multiple Residence),
R-4 (Apartment Residence),
R-5 (Downtown Apartment),
R-E (Residence Estates),
P-R (Professional Offices and
Parking),
C-1 (Limited Commercial),
C-2 (General Commercial) and
C-V (Civic)

To: PD (Planned Development)

NO SPECIFIC USES ARE PROPOSED AT THIS TIME, HOWEVER ANY PROPOSED USE MUST COMPLY WITH THE APPROPRIATE LAND USE DESIGNATION AS DEFINED IN THE LAS VEGAS MEDICAL DISTRICT PLAN AS FOLLOWS - MEDICAL SUPPORT, MAJOR MEDICAL, PROFESSIONAL OFFICE, RETAIL OFFICE, HIGH DENSITY RESIDENTIAL AND SERVICE COMMERCIAL.

APPROVALS: 5 (1 Letter, 4 at meeting)

PROTESTS: 2 (1 Letter, 1 at meeting)

Ward 1 (McDonald)

Planning Commission (7-0 vote) and staff recommended APPROVAL, subject to:

1. Amend Land Use Table No. 31 to allow legal services in the MD-2 District as a Special Use Permit.

**McDONALD - APPROVED subject to conditions -
UNANIMOUS**

MAYOR JONES declared the Public Hearing open.

No one appeared in opposition.

There was no further discussion.

MAYOR JONES declared the Public Hearing closed.

(4:19 - 4:20)
4 - 720

AGENDA DOCUMENTATION

TO:
THE CITY COUNCIL

FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REZONING REQUEST RELATED TO GPA-11-97 - PUBLIC HEARING - Z-20-97 - CITY OF LAS VEGAS

PURPOSE/BACKGROUND

APPLICATION REQUEST:

The purpose of this request is to rezone the area covered by the Las Vegas Medical District Plan to PD (Planned Development) so that the entire area is under one zoning district.

BACKGROUND DATA:

05/27/97 The City Council will hear a request to amend the LVMD Plan on this agenda (GPA-11-97).

DETAILS OF APPLICATION REQUEST:

Site Area 171 Acres

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	R-1, R-PD19	Single and Multi-Family Residential
South	C-D, C-1	Commercial
East	M	Vacant
West	P-R, C-1	Office, Commercial

FINDINGS:

The Planned Development zoning district was established to accomplish the following goals:

1. Provide for an orderly and creative arrangement of land uses that are harmonious and compatible with the community.
2. Provide for a variety of housing types, employment opportunities and commercial services.

Agenda Item

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REZONING REQUEST RELATED TO GPA-11-97 - PUBLIC HEARING - Z-20-97 - CITY OF LAS VEGAS

PURPOSE/BACKGROUND

3. Provide for flexibility in the distribution of land uses and density of development.
4. Provide for cultural, civic, education and medical uses in a planned design.
5. Provide for the revitalization of designated areas.
6. To allow development to occur in accordance with a uniform set of standards which reflect the specific circumstances of a site.

Staff believes that rezoning the LVMD area to the Planned Development district will accomplish two main objectives:

1. It will be an effective tool in achieving the goals outlined in the Planned Development ordinance for the LVMD area.
2. It will alleviate the problem of single lot and piecemeal rezonings which are a deterrent to efficient implementation of the LVMD plan.

For these reasons, staff has no objection to this action. The Department of Public Works notes that upon development of each individual parcel contained within this area (The Las Vegas Medical District), appropriate right-of-way dedications, street improvements, drainage plan/studies, traffic mitigation commitments and compliance with The Las Vegas Medical District "Development Plan" will be required.

Planning Commission Recommendation: APPROVAL (7-0 vote) (After some discussion, the Planning Commission determined that Table 31 should be amended to allow legal services as a Special Use Permit in the MD-2 District.)

Staff Recommendation: APPROVAL

APPROVALS: 5 (1 Letter, 4 at meeting)

PROTESTS: 2 (1 Letter, 1 at meeting)

NOTICES MAILED: 638

SEE ATTACHED LOCATION MAP

Agenda Item

MAY 27 1997

LAS VEGAS
MEDICAL
DISTRICT

NEIGHBORHOOD
PLAN

MAP-21

LAND USE PLAN

LEGEND

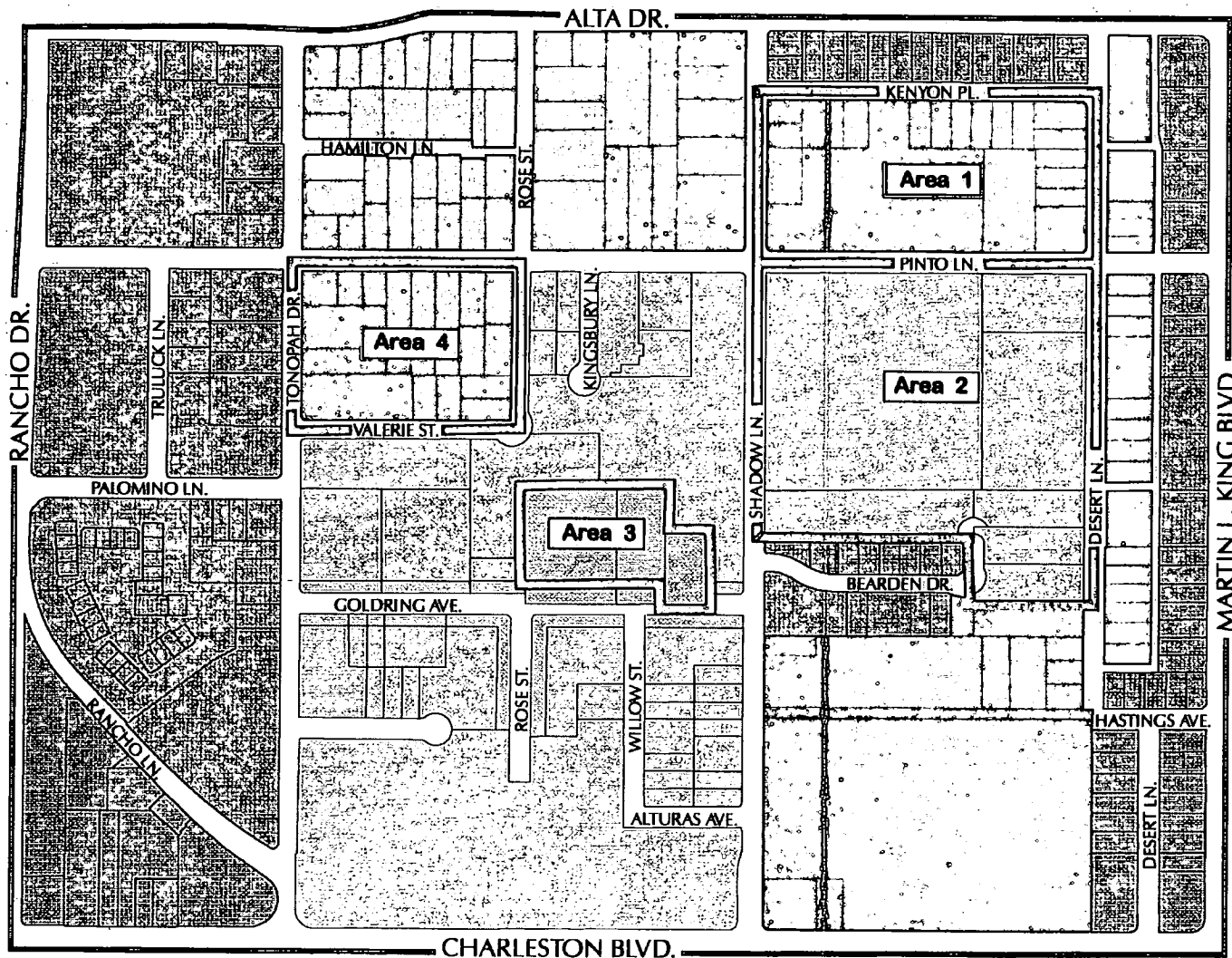
-  (MD-1) MEDICAL SUPPORT
-  (MD-2) MAJOR MEDICAL
-  (P-O) PROFESSIONAL OFFICE
-  (R-O) RETAIL OFFICE
-  (HD) HIGH DENSITY RESIDENTIAL
-  (SC) SERVICE COMMERCIAL



GIS maps are normally prepared
only to meet the needs of the City.
They do not constitute development authority
and may be for reference only.
Geographic Information System
Comprehensive Planning
229-6033

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14 April 1997



GPA-11-97
Z-20-97

SUBJECT PROPERTY

CITY COUNCIL MINUTES

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R-PD19

ALTA DR

HAMILTON LA

RENOVA DR

PINTO LA

TRULUCK

VALERIE ST

PALOMINO

GOLD DR

ROSE

HASTINGS

RE

ROSE

HASTINGS

AT TURAS AV

CHARLESTON BLVD

STANMAN PL

WILSON DR

WILSON DR

WILSON DR

WILSON DR

WILSON DR

WILSON DR

WILSON DR

WILSON DR

WILSON DR

WILSON DR

WILSON DR

WILSON DR

WILSON DR

WILSON DR

WILSON DR

WILSON DR

WILSON DR

WILSON DR

WILSON DR

MARTIN L KING BLVD

GRAND CENTRAL PKWY

Case: Z-20-97

Radius: 750 ft



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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

DISCUSSION/ACTION ITEMS

PLANNING AND DEVELOPMENT

SPECIAL USE PERMIT RELATED TO GPA-11-97 AND Z-20-97 - PUBLIC HEARING

127

U-40-97 - KENNETH AND NANCY HOLLAND

Request for a Special Use Permit to allow a legal services business in the MD-2 (Major Medical) District of the Las Vegas Medical District Neighborhood Plan on property located at 640 Kingsbury Lane.

PROTESTS: 1 (Letter)

Ward 1 (McDonald)

Planning Commission (7-0 vote) recommended APPROVAL.

Staff recommended DENIAL; if APPROVED, subject to:

1. Construct a nominal six foot high decorative block wall along the north property line as required by the Planning and Development Department.
2. Install 24 inch box trees a minimum of 30 feet on center inside the walls along the north and west sides of the property as required by the Planning and Development Department. The use of drought tolerant landscaping is encouraged.
3. Construct public sidewalk improvements on Kingsbury Way adjacent to this site prior to occupancy of this site as required by the Department of Public Works.
4. Sign and record a Covenant Running with Land agreement for the possible future installation of streetlighting on Kingsbury Way adjacent to this site prior to occupancy of this site as required by the Department of Public Works.

McDONALD - APPROVED subject to deleting all conditions and adding the following conditions:

1. The project be developed in accordance with the Las Vegas Medical District Neighborhood Plan.
2. A waiver be granted to the one acre minimum lot size of the MD-2 District.

- UNANIMOUS

APPEARANCES:

ATTORNEY STAN PARRY, 601 S. Rancho #C-23

SUSAN HOLLAND JOHNSON, 601 E. Bridger Avenue

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

(4:20 - 4:22)

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CITY COUNCIL

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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DISCUSSION/ACTION ITEMS

APPROVED

PLANNING AND DEVELOPMENT

U-40-97 - KENNETH AND NANCY HOLLAND

5. Meet with the Traffic Engineer for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans, or the issuance of any permits, whichever may occur first. Comply with the recommendations of the Traffic Engineer prior to occupancy of this site as required by the Department of Public Works.

6. Contribute \$1,000 for general neighborhood traffic mitigation prior to the issuance of building or off-site permits as required by the Department of Public Works. The City reserves the right to utilize the contributed traffic signal moneys for the installation or upgrading of traffic signals at any intersection within this general vicinity which is impacted by this development and which has a more immediate need for signalization.

7. Standard Condition Nos. 1 - 9 and 11 - 14.

AGENDA DOCUMENTATION

TO:
THE CITY COUNCIL

FROM: THERESA O'DONNELL, DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-40-97 - KENNETH AND NANCY HOLLAND

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for Rezoning from R-1 (Single Family Residence) to P-R (Professional Offices and Parking) for the purpose of converting a single family residence into an attorney's office. The applicant justifies the request for the following reasons:

1. The area has changed dramatically from residential to commercial during the time the owner has had the property.
2. The property has little value as a residence due to the changes in the neighborhood.
3. A change to commercial uses will enhance the value of the property and the entire area as well.

BACKGROUND DATA:

3/27/97 The Planning voted to convert this application to a Special Use Permit and recommended approval of the request.

DETAILS OF APPLICATION REQUEST:

Site Area	9,147	Square Feet
Building Area	2,760	Square Feet
Floor Area Ratio	0.30	
Parking Required	7	Spaces
Parking Provided	9	Spaces

Agenda Item

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-40-97 - KENNETH AND NANCY HOLLAND

PURPOSE/BACKGROUND

Access to the site is via Kingsbury Lane. An existing block wall is shown along the west property line. A new block wall is proposed along the north property line. Landscaping is indicated along the north and west sides of the site. Parking is provided along the east and south sides of the building. The pictures submitted with the application show a frame house with a shingle roof.

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	R-1	Vacant
South	P-R	Offices
East	P-R	Offices
West	R-1	Vacant

FINDINGS:

GENERAL PLAN:

This site is designated Major Medical on the Las Vegas Valley Medical District Land Use Map. Staff has recommended denial of a proposed amendment to Professional Office.

REZONING:

Since the proposed use does not conform to the Las Vegas Medical District Land Use Plan, staff cannot support the request. This area is designated for such uses as medical and dental labs, skilled nursing facilities and specialty hospital and personal service businesses, however legal services are specifically prohibited in the Major Medical designation.

PLOT PLAN:

Staff has no objection to the plot plan. The landscaping inside the wall along the north and west sides of the site should consist of 24 inch box trees a minimum of 30 feet on center.

Agenda Item

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: SPECIAL USE PERMIT - PUBLIC HEARING - U-40-97 - KENNETH AND NANCY HOLLAND

PURPOSE/BACKGROUND

Planning Commission Recommendation: APPROVAL (7-0 vote) (The Planning Commission determined that legal services should be allowed as a Special Use Permit in the MD-2 (Major Medical) District in the LVMD area. The Commission directed staff to convert the application into a request for a Special Use Permit and renotify prior to the City Council meeting. The Planning Commission recommended approval of the Special Use Permit.)

Staff Recommendation: DENIAL (Staff's recommendation of denial was based on the Rezoning request.

Staff has NO OBJECTION to the Special Use Permit request if the following two conditions are added:

1. The project be developed in accordance with the Las Vegas Medical District Neighborhood Plan.
2. A waiver be granted to the one acre minimum lot size of the MD-2 District.)

PROTESTS: 1 (Letter)

NOTICES MAILED: 65

SEE ATTACHED LOCATION MAP

Agenda Item

NOTICE OF PUBLIC HEARING

May 15 11 59 PM '97

SPECIAL USE PERMIT REQUEST

MEETING: CITY COUNCIL
DATE: MAY 27, 1997
TIME: 2:00 P.M.
LOCATION: COUNCIL CHAMBERS, CITY HALL
400 EAST STEWART AVENUE
LAS VEGAS, NEVADA

U-40-97

Mr. & Mrs. J. C. Schlageter
625 S. Tonopah Dr.
Las Vegas, NV 89106

REQUEST BY KENNETH AND NANCY HOLLAND FOR A SPECIAL USE PERMIT TO ALLOW A LEGAL SERVICES BUSINESS IN THE MD-2 (MAJOR MEDICAL) DISTRICT OF THE LAS VEGAS MEDICAL DISTRICT NEIGHBORHOOD PLAN ON PROPERTY LOCATED AT 640 KINGSBURY LANE, PROPOSED USE: 2,760 SQUARE FOOT ATTORNEY'S OFFICE, SIZE: 0.21 ACRE, WARD 1 (MCDONALD), APN: 139-33-303-022.

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS A PORTION OF THE NORTHWEST QUARTER (NW¼) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 33, TOWNSHIP 20 SOUTH, RANGE 61 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, 1st Floor, City Hall, 400 Stewart Avenue, Las Vegas, Nevada 89101. For further information, please call 229-6301 (TDD 386-9108).



SEE LOCATION MAP ON REVERSE SIDE

BARBARA JO RONEMUS
CITY CLERK

No! please do not allow this - this is not the plan - we have had meetings for at least 2 years on this
Please stick with the plan
Joe Schlageter
382 3327



VERBATIM TRANSCRIPT - ITEM 127: U-40-97 - KENNETH AND NANCY HOLLAND

MAYOR JONES

Item 127 is U-40-97, Kenneth and Nancy Holland. It's a request for a special use permit to allow a legal services business in the MD-2 (Major Medical) District of the Las Vegas Medical District Neighborhood Plan on the property located at 640 Kingsbury Lane. There's one protest. Planning Commission recommends approval. Staff recommended denial. This is a public hearing; I would now declare it open. Is the applicant present.

ATTORNEY STAN PARRY

Planning recommended denial?

WALTER CAIRNS

Staff recommended denial on the requested zone change, which was the initiation of this item.

ATTORNEY STAN PARRY

Okay. But you don't have a denial to our use permit, right? I mean, rec' -

WALTER CAIRNS

Not to the use permit. No.

ATTORNEY STAN PARRY

Okay. It -

COUNCILMAN McDONALD

The only question we got - I'm sorry, go ahead

ATTORNEY STAN PARRY

I'm sorry. Go ahead, Councilman, if you have a question.

COUNCILMAN McDONALD

The question we had when - we looked this over, after we passed 25 and 26, then we come in and amend it right away. Could - you show some evidence, or do you have any type of evidence that would show that you negotiated in good will and -

ATTORNEY STAN PARRY

What difference does that make, Councilman? I mean, we negotiated in good will; they turned us down.

COUNCILMAN McDONALD

Did you - Is there a way, staff, that we - need for evidence? I mean, I - the hardship, they're locked in. I understand the -

WALTER CAIRNS

At the Planning Commission meeting Mr. Sam Kaufman indicated that they had discussed with the applicant about the purchase, and he indicated at the Planning Commission meeting that they were interested in picking up the Holland property at that time.

COUNCILMAN McDONALD

Motion for approval, Your Honor.

ATTORNEY STAN PARRY

We just wanted to make sure that the waiver of the one-acre provision is included in this motion; is that correct? Okay.

**CITY COUNCIL MINUTES
MEETING OF
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VERBATIM TRANSCRIPT - ITEM 127: U-40-97 - KENNETH AND NANCY HOLLAND

WALTER CAIRNS

Yes, you would need to --

COUNCILMAN McDONALD

It would have to be since we passed the two previous.

MAYOR JONES

No one else wishes to be heard, I'd close the public hearing. Vote on the motion. Vote. Post. Motion's approved. **(Motion carried unanimously.)**

(END OF DISCUSSION)

/gpb

CITY COUNCIL

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City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

128

DISCUSSION/ACTION ITEMS

PLANNING AND DEVELOPMENT

GENERAL PLAN AMENDMENT - PUBLIC HEARING

GPA-15-97 - DIANA J. BLASDELL

Request to amend a portion of the Southwest Sector of the General Plan on property located at 6009 Evergreen Avenue.

From: M (Medium Density Residential)

To: O (Office)

PROTESTS: 0

Ward 1 (McDonald)

Planning Commission (7-0 vote) and staff recommended APPROVAL.

McDONALD - APPROVED - UNANIMOUS with Jones not voting

MAYOR PRO TEM ADAMSEN declared the Public Hearing open.

DIANA J. BLASDELL, 6009 Evergreen, was present.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM ADAMSEN declared the Public Hearing closed.

(4:22)

4 - 810

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-15-97 - DIANA J. BLASDELL

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This amendment to the Land Use Element of the General Plan from M (Medium Density Residential) to O (Office) was filed in conjunction with a rezoning request from R-1 (Single Family Residence) to P-R (Professional Office and Parking) by the applicant for the purpose of developing an office on the site. The applicant justified the request for the following reason:

1. The placement of this office promotes public health, safety, and general welfare of the residents.

DETAILS OF APPLICATION REQUEST:

Site Area 0.16 Acres

LAND USE DESIGNATIONS AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	SC (Service Commercial)	Office
South	M (Medium Density Residential)	Vacant
East	M (Medium Density Residential)	Single Family
West	R (Rural Density Residential)	Single Family

FINDINGS:

The site in question is located on the east side of Jones Boulevard and the south side of Evergreen Avenue in an area of the City not bound by an adopted neighborhood plan. Jones Boulevard is classified as a Secondary road with a R-O-W of 80 feet and Evergreen Avenue is a local street as classified by the adopted Master Plan of Streets and Highways. Staff finds that the requested amendment is appropriate for the following reasons:

1. Jones Boulevard is Secondary roadway which make it more suitable for commercial and office uses than for single family residential.

Agenda Item

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-15-97 - DIANA J. BLASDELL

PURPOSE/BACKGROUND

2. The majority of the properties to the north and south of the subject site are already developed with office uses.
3. Approval of this amendment should not be detrimental to the existing residents in the vicinity of the proposal.

Planning Commission Recommendation: APPROVAL (7-0 vote)

Staff Recommendation: APPROVAL

PROTESTS: 0

NOTICES MAILED: 191

SEE ATTACHED LOCATION MAP

Agenda Item

CITY COUNCIL MINUTES

MAY 27 1997

GLENDALE

CIR

ALAMO

CIR

PRESTON

CIR

R

EVERGREEN

AV

R

CAIRO

CIR

R

MONTICELLO DR

KIMBERLY

CIR

JONES BLVD

MALLARD ST

SC

HERON

AV

IDLE

AV

OSPREY

DELICIAN

SUBJECT PROPERTY

CONCERT

DR

P

SOPRANO

CORY

TIFFANY PLACE APTS.
100 UNITS

Case: GPA-15-97

Radius: 750 ft



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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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ACTION

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DISCUSSION/ACTION ITEMSPLANNING AND DEVELOPMENTREZONING REQUEST RELATED TO
GPA-15-97 - PUBLIC HEARINGZ-30-97 - DIANA J. BLASDELLRequest for a Rezoning on property located at
6009 Evergreen Avenue.

From: R-1 (Single Family Residence)

To: P-R (Professional Offices and Parking)

PROPOSED USE: 2,000 SQUARE FOOT
ONE-STORY OFFICE
BUILDING

PROTESTS: 0

Ward 1 (McDonald)

Planning Commission (7-0 vote) and staff
recommended APPROVAL, subject to:1. Approval of a General Plan Amendment
to make the zoning consistent with the plan.2. Provide a minimum 10 foot wide
landscape planter along Jones Boulevard 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.3. Construct a nominal six foot high
decorative block wall along the east property line
as required by the Planning and Development
Department.4. All trash enclosures shall be placed a
minimum of 50 feet from the east property line as
required by the Planning and Development
Department.**McDONALD - APPROVED subject to conditions -
UNANIMOUS with Jones not voting**

MAYOR PRO TEM ADAMSEN declared the Public Hearing
open.DIANA J. BLASDELL, 6009 Evergreen, was present and
concurred with the conditions.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM ADAMSEN declared the Public Hearing
closed.

(4:23)

4 - 836

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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ACTION

DISCUSSION/ACTION ITEMS

APPROVED

PLANNING AND DEVELOPMENT

Z-30-97 - DIANA J. BLASDELL

5. No outdoor public address systems shall be permitted.

6. All lighting shall be directed so that light falls only on the subject site.

7. The proposed driveway access, on-site circulation and parking lot layout shall meet the approval of the Traffic Engineering Representative with Land Development 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 shall be designed, located and constructed in accordance with the intent of Standard Drawing #222a. Final design of the on-site parking layout shall prevent vehicles from backing on to Evergreen Avenue or Jones Boulevard when exiting this site as required by the Department of Public Works.

8. Contribute \$1,785.71 to partially fund a traffic signal at the intersection of Jones Boulevard and Evergreen Avenue 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 moneys 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.

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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ACTION

DISCUSSION/ACTION ITEMS

APPROVED

PLANNING AND DEVELOPMENT

Z-30-97 - DIANA J. BLASDELL

9. If on-street parking is not already prohibited adjacent to this site, submit a written request to the Traffic and Parking Commission to eliminate on-street 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.

10. Submit an Encroachment Agreement for all landscaping and private improvements located in the Jones Boulevard and Evergreen Avenue public rights-of-way adjacent to this site prior to occupancy of this site as required by the Department of Public Works.

11. Hard Surface (*if allowed by Planning and Development*) and/or landscape all unimproved rights-of-way, if any unimproved area exists, on Jones Boulevard and Evergreen Avenue 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 landscaping installed with this project 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.

12. Standard Condition Nos. 1 - 9 and 11 - 14.

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REZONING REQUEST RELATED TO GPA-15-97 - PUBLIC HEARING - Z-30-97 - DIANA J. BLASDELL

PURPOSE/BACKGROUND

APPLICATION REQUEST:

This request is for Rezoning from R-1 (Single Family Residence) to P-R (Professional Offices and Parking) for the purpose of establishing a health care consulting business on the site. The property is located on the southeast corner of Jones Boulevard and Evergreen Avenue.

BACKGROUND DATA:

There is no previous zoning history to this site. Other relevant actions include:

- 4/3/91 The City Council approved a rezoning to P-R (Professional Offices and Parking) for properties to the north and south of this site (Z-18-91).
- 8/21/96 The City Council approved a request for a Plot Plan and Building Elevation Review on property located on the east side of Jones Boulevard, approximately 245 feet south of Evergreen Avenue. [Z-18-91 (8)]. This is the most recent approval for these P-R properties.

DETAILS OF APPLICATION REQUEST:

Site Area	7,070	Square Feet
Building Area	2,000	Square Feet
Floor Area Ratio	0.28	
Parking Required	6	Spaces
Parking Provided	7	Spaces
Building Height	12	Feet

Agenda Item

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AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REZONING REQUEST RELATED TO GPA-15-97 - PUBLIC HEARING - Z-30-97 - DIANA J. BLASDELL

PURPOSE/BACKGROUND

The proposed access to this site is to enter Jones Boulevard and exit on Evergreen Avenue. The landscaping along Jones Boulevard and Evergreen exists. The pictures and elevations depict stucco exteriors with a flat roof.

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	P-R	Las Vegas Permanent Make-up
South	P-R	Vacant
East	R-1	Single Family Residence
West	R-1	Single Family Residence

FINDINGS:

GENERAL PLAN:

This site is currently designated M (Medium Density Residential) on the Southwest Sector Map of the General Plan. Staff has recommended approval of a proposed amendment to O (Office) for this site.

REZONING:

Staff finds that the request is compatible with the established professional office land use pattern along the east side of Jones Boulevard in this area of the City. It should not result in any adverse land use conflicts for the abutting residences to the east and west of the site.

PLOT PLAN:

Other requests for Plot Plan and Building Elevation Review along the East side of Jones Boulevard have been required to provide a 10 foot wide landscape planter along Jones Boulevard with 24 inch box trees 40 feet on center. A six foot high decorative block wall should be constructed along the east property line as an added buffer from the single family residence.

Agenda Item

AGENDA DOCUMENTATION

TO: THE CITY COUNCIL	FROM: THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT: REZONING REQUEST RELATED TO GPA-15-97 - PUBLIC HEARING - Z-30-97 - DIANA J. BLASDELL

PURPOSE/BACKGROUND

The plot plan appears to have two parking spaces which will force vehicles to back on to Evergreen Avenue. Staff believes that the plot plan can be redesigned to meet the parking standards of the Zoning Ordinance and ensure safe and efficient on-site circulation.

The Department of Public Works would prefer to see the adjacent property owners work together to present multi-lot conversions with common access drives and common parking areas wherever possible. In this case, the Department of Public Works would suggest this property work with the property owner to the south of this site.

Planning Commission Recommendation: APPROVAL (7-0 vote)

Staff Recommendation: APPROVAL

PROTESTS: 0

NOTICES MAILED: 191

SEE ATTACHED LOCATION MAP

Agenda Item

Radius: 750 ft



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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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DISCUSSION / ACTION ITEMS

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Set Date On Any Appeals Filed Or Required Public Hearings From The City Planning Commission And Board Of Zoning Adjustment Meetings And Dangerous Buildings Or Nuisance/Litter Abatements.

VAC-17-97, VAC-18-97, U-29-97, U-31-97, U-33-97, U-34-97, U-36-97, U-4-74(1) – 6/9/97 Agenda

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DISCUSSION / ACTION ITEMS

None.

X. ADDENDUM

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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.

CHRIS KRISTOFF, 335 W. Cincinnati, discussed the 5/31/97 All Together Fiesta. A lot of the refreshments are being donated by local businesses as well as the Stratosphere Tower. He outlined a concern that the Horizon School does not have any school zone signage. The Director of Public Works has suggested putting up a sign with children on a teeter totter. That is not sufficient. He would like to see stop signs and a school zone.

MAYOR JONES explained that the irregular school hours for Horizon School make a school zone difficult, but perhaps speed bumps extending down to in front of the park could slow the traffic down. COUNCILMAN McDONALD added that the intersections did not meet warrant requirements for stop signs in the past, but that is being re-examined. If they still do not meet the warrant requirements, the City will look at other alternatives.

(4:35 - 4:41)
4 - 1238

MEETING ADJOURNED: 4:41 P.M. (4 - 1456)

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NOTES AND DIRECTIVES

COUNCILMAN CALLISTER directed that MR. GOECKE get an exact date on the opening of the Gravel Haul Route.

COUNCILMAN ADAMSEN directed that MR. GOECKE explore different options to prevent gravel trucks from using Lake Mead to haul gravel to the nearby plant from other parts of the Valley.

(10:39 - 10:46)
1-2176

MAYOR JONES directed that before resorting to a buy-out, staff take a closer look and do everything possible to first place Municipal Court staff that will be affected by the efficiency measures in currently funded vacant positions.

(10:33 - 10:37)
1-1919

MAYOR JONES instructed staff to look at the factoring out of this type of compact lot design as a single-family development with 10 units per acre. [See SV-11-97].

(2:41 - 2:56)
3 - 658

MAYOR JONES instructed the City Clerk to provide an accurate reflection of protests received subsequent to the Board of Zoning Adjustment or Planning Commission meetings but prior to the City Council meeting.

COUNCILMAN REESE instructed his Council Liaison to work with MS. DECKER and MR. SHARP on any meetings which the City could participate in or facilitate regarding U-13-97.

(2:33/4:26 - 4:34)
3 - 1760/4 - 933

MAYOR JONES commented that applicants are not attending Council meetings and instructed that they be strongly advised that they are expected to appear.

(3:35 - 3:37)
3 - 2470

City of Las Vegas

400 E. STEWART AVE.
LAS VEGAS, NV 89101



TO:

AGENDA

**POSTMASTER:
CONTAINS DATED MATERIAL
REQUESTED BY ADDRESSEE**

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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.

MAY 27, 1997

**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 ON THURSDAY 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 - Chaplain Mary Bredlau, Palm Mortuary
- PLEDGE OF ALLEGIANCE
- CHECK PRESENTATION TO THE ANIMAL FOUNDATION AND A PROCLAMATION PRESENTATION TO KVBC CH. 32.
- RECOGNITION OF THE 1997 CORPORATE CHALLENGE MEDAL WINNERS
- PRESENTATION TO TED SCHNOOR WHO HAS BEEN SELECTED MAY'S "EMPLOYEE OF THE MONTH".
- OATH OF OFFICE ADMINISTERED TO ELECTED OFFICIALS - Councilman, Ward 2, Municipal Judge, Department 2, Municipal Judge, Department 3

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 April 28, 1997.
3. Discussion and possible action to propose a petition to the registered voters of the City of Las Vegas pursuant to NRS 268.010 regarding the number of council wards in the City of Las Vegas.

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.

CITY ATTORNEY

4. Approval of Regional Transportation Commission Supplemental Cooperative Agreement No. 160a for Henry Road in Moapa, Nevada.
5. Approval of Regional Transportation Commission Supplemental Interlocal Contract No. 237a - Mojave Road between Stewart Avenue to Owens Avenue.
6. Approval of Regional Transportation Commission Supplemental Interlocal Contract No. 240a - Vegas Drive I between Rock Springs to Rampart Boulevard.
7. Approval of Regional Transportation Commission Supplemental Interlocal Contract No. 258a - Santiago Avenue Bridge Improvement Project at Pittman Wash in Henderson.

DEPARTMENT OF FINANCE & BUSINESS SERVICES

8. Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
9. Notice of Intent to Augment the Fiscal Year 1997 Annual Budget of the General Fund

CHILD CARE FACILITY APPLICATIONS (Approved by the Child Care Licensing Board on May 14, 1997)

Family Homes

10. SUSAN CHALFANT, 2820 North Jones, 3 children days/3 before & after school
11. ORLIA RICE, 1725 Canosa, 6 children days/5 nights/3 before & after school

SPECIAL EVENT LIQUOR LICENSES

12. CRAIG PLATT/ELMORE SPORTS, Location: Hills Park at Summerlin, Dates: June 14, 1997, Type: Special Event Beer/Wine/Cooler, Responsible Person in Charge: Craig Platt
13. KNPR-FM, NEVADA PUBLIC RADIO, Location: Hills Park at Summerlin, Dates: July 11, 1997 and August 23, 1997, Type: Special Event Beer/Wine/Cooler, Responsible Person in Charge: Cameron LiDestri

LIQUOR - New

14. BEER/WINE/COOLER OFF-SALE, SJOBA, INC., dba ARCO AM/PM #6303, 2000 North Rainbow Boulevard, Harsh S. Sidhu, 100%, Subject to the provisions of the fire codes and Health Department regulations

LIQUOR - Request to Allow Another Business on Premises

15. VALLEY VIEW RESTAURANTS, LLC, dba DOC HOLLIDAYS SALOON, 3540 West Sahara Avenue, #1, Requests approval for REBEL PIZZA, INC., dba REBEL'S HIDEOUT, William R. Butler, Pres, 50%, Richard A. Singer, Secy, Treas, 50%

LIQUOR - Change of Corporate/Business Name/Approval of Manager

16. TAVERN LICENSE, From: ARAMARK Leisure Services, Inc., dba ARAMARK Leisure Services, Inc., TO: ARAMARK SPORTS AND ENTERTAINMENT SERVICES, INC., dba ARAMARK SPORTS AND ENTERTAINMENT SERVICES, INC., 850 Las Vegas Boulevard North, Gregg A. Anderson, Gen Mgr

LIQUOR & GAMING - New

17. BEER/WINE/COOLER OFF-SALE LICENSE, RESTRICTED GAMING: 7 slots, BRACKIN, INC., dba THE CORNER MARKET, 4005 North Rancho Drive, James E. Brackin, Pres, 55%, Nancy K. Brackin, VP, Treas, 35%, Jami K. Brackin, VP, Secy, 10%, Subject to the provisions of the fire codes and Health Department regulations

GAMING - New

18. RESTRICTED GAMING: 15 slots, LONGS DRUG STORES CALIFORNIA, INC., dba RAINBOW DRUG #405, 4620 West Sahara Avenue, Suite 4, (Longs Drug Stores California, Inc. is a wholly owned subsidiary of Longs Drug Stores Corporation, a publicly traded corporation), Ronald A. Plomgren, Dir, SVP, CFO, Orlo D. Jones, Dir, SVP, Secy, Bill M. Brandon, Dir, SVP
19. RESTRICTED GAMING: 15 slots, LONGS DRUG STORES CALIFORNIA, INC., dba RAINBOW DRUG #406, 9430 Del Webb Boulevard, (Longs Drug Stores California, Inc. is a wholly owned subsidiary of Longs Drug Stores Corporation, a publicly traded corporation), Ronald A. Plomgren, Dir, SVP, CFO, Orlo D. Jones, Dir, SVP, Secy, Bill M. Brandon, Dir, SVP
20. RESTRICTED GAMING: 15 slots, LONGS DRUG STORES CALIFORNIA, INC., dba RAINBOW DRUG #407, 1725 South Rainbow Boulevard, Suite 1, (Longs Drug Stores California, Inc. is a wholly owned subsidiary of Longs Drug Stores Corporation, a publicly traded corporation), Ronald A. Plomgren, Dir, SVP, CFO, Orlo D. Jones, Dir, SVP, Secy, Bill M. Brandon, Dir, SVP
21. RESTRICTED GAMING: 15 slots, RESTAURANT ENTERPRISES, INC., dba VENETIAN RESTAURANT, 3713 West Sahara Avenue, Thomas D'Antonio, Dir, Pres, Secy, Treas, 100%
22. SLOT OPERATOR SPACE LEASE LOCATION, NONRESTRICTED GAMING: 16 slots, ANCHOR COIN, db at PIONEER CLUB, 23 East Fremont
23. SLOT OPERATOR SPACE LEASE LOCATION, RESTRICTED GAMING: 7 slots, E-T-T, INC., db at PEMO'S MINI MART & DELI, 2620 Regatta Drive, #106

BURGLAR ALARM LICENSE - Change of Location

24. IRONCO, INC., dba IRONCO SECURITY & ELECTRICAL CONTRACTORS, From: 2907 Meade Avenue, Las Vegas, Nevada 89102, TO: 1805 Vaccaro Place, Henderson, Nevada 89014, Kenneth Herman, Pres, Dir, 100%, Jay Herman, Secy, Treas

INDEPENDENT MASSAGE THERAPIST - Change of Location

25. MARIAN MCCABE, dba MARIAN MCCABE, From: 2800 West Sahara Avenue, Suite 8D, TO: 2400 South Jones Boulevard, Suite 14, Marian McCabe, 100%, Subject to the provisions of the fire codes

LOCKSMITH LICENSE - Change of Location

26. JOSEPH INGERSOLL, dba ALL AMERICAN LOCKSMITHS, From: 803 South 7th Street, TO: 4343 North Rancho Drive, Suite 118, Joseph Ingersoll, 100%

PSYCHIC ARTS AND SCIENCE LICENSES - New

27. PSYCHIC EYE BOOK SHOPS, INC., dba PSYCHIC EYE BOOK SHOP, 6848 West Charleston Boulevard, Robert G. Leysen, Chairman, Pres, 70%, Mary J. Karahalios, Secy, Treas, 30%, Subject to the provisions of the fire codes
28. RACHEL MYSTIAN MCCREA, dba RACHEL MYSTIAN MCCREA, 6848 West Charleston Boulevard, Rachel M. McCrea, 100%, Subject to the provisions of the fire codes

DEPARTMENT OF GENERAL SERVICES

AWARD OF BIDS/REJECTIONS/RENEWALS/TERMINATIONS

29. **ABEYANCE ITEM** - Ratification of Award for Bid Number 97.1730.20, Minami Tower Site Excavation - Department of Public Works - Award Recommended to: LARKIN PROPERTIES & CONSTRUCTION, INC. (\$298,200)
30. Pre-Approval of Bid Number 97.2600.5, Trees and Shrubs to the Lowest Responsive and Responsible Bidder - Department of Parks and Leisure Activities
31. Request for Assignment of Bid Number 98.JUL.1, Annual Contract to Provide Bulk Sodium Bisulfite - Department of Public Works - Award Recommended to: FARMINGTON CHEMICAL DISTRIBUTORS, L.L.C.
32. Award of Bid Number 96.1730.23, West Las Vegas Phase 5 & 6 - Department of Public Works - Award Recommended to: SOUTHERN NEVADA PAVING, INC. (\$712,379.24)

PURCHASE ORDER APPROVALS/SUPPLEMENTS

33. Purchase Order Approval for a Mobile Stage (Showmobile) - Department of Parks and Leisure Activities - Award Recommended to: WENGER CORPORATION (\$72,933)
34. Purchase Order Approval for Maintenance Management Software, Maintenance and Support - Department of Public Works - Award Recommended to: DATASTREAM SYSTEMS (\$54,305)

35. Purchase Order Approval for Additional Emulation Packages - Department of Information Technologies - Award Recommended to: VIRTUAL TECHNOLOGY, INC. (\$28,350)
36. Supplement to Annual Purchase Order A3082 for the Lease for the Municipal Court Traffic School Facility - Municipal Court - Award Recommended to: K-LAS VEGAS (\$24,447)
37. Purchase Order Approval for Admission to Wet N Wild Summer Program Field Trips - Department of Parks and Leisure Activities - Award Recommended to: WET N WILD (\$39,900)

APPROVAL OF AGREEMENTS/AUTHORIZATIONS

38. Authorization to Utilize Clark County RFP Number 448-96 for Detention Center Inmate Phone Service - Department of Detention and Enforcement - Award Recommended to: PEOPLES TELINK
39. Authorization to Utilize Clark County Bid Number 3326-94, Annual Requirements Contract for Automotive Parts - Department of General Services - Award Recommended to: CLARK COUNTY WHOLESALE, INC. (\$100,000)

CONTRACT MODIFICATIONS

40. Contract Modification Number One, Bid Number 97.1730.02, Sawtooth Street Improvements - Phase 5 - Department of Public Works - Award Recommended to: SOUTHERN NEVADA PAVING, INC. (\$35,000)

DEPARTMENT OF HUMAN RESOURCES

41. **REPORT OF NEW HIRES APRIL 14 - 28, 1997** - Development Project Officer (X), Neighborhood Services; Survey Technician I (X) (F) (Temporary), Public Works; Inspector (X), Planning & Development; Development Project Officer (X), City Manager; Clerk I, Planning & Development; Senior Clerk II, Planning & Development; Intern I (R), Public Works; Parks & Leisure Instructor I (2), Parks & Leisure Activities; Parks & Leisure Specialist I (R) (2), Parks & Leisure Activities; Intern I (R), Public Works.

DEPARTMENT OF PARKS & LEISURE ACTIVITIES

42. Approval of the Sixth Amendment to the management agreement at Angel Park Golf Course.
43. Approval of a service connection agreement No. 104188 with the Las Vegas Valley Water District, with conditional water commitment, for new water service installation for the Gowan Soccer Field complex.
44. Approval of a professional services agreement with J. W. Zunino & Associates for design of Childrens' Memorial Park Phase IV.

PLANNING AND DEVELOPMENT DEPARTMENT

45. Action To Approve A Fifth Amendment To The Agreement With Veltman Consulting Services To Develop A Plan For The Northwest Town Center.
46. Approval To Upgrade The Position Of Management Analyst I (A31) To Administrative Officer (A43).

DEPARTMENT OF PUBLIC WORKS

ACCEPTANCE OF RIGHT OF WAY ITEMS

GRANT DEEDS

47. From: STRATOSPHERE LAND CORPORATION, A NEVADA CORPORATION; To: City of Las Vegas; For: Portions of the Southeast Quarter (SE 1/4) of Section 4, T21S, R61E, M.D.M., for dedications of radii located at the southeast corner of Fairfield Avenue and Chicago Avenue; southwest corner of Commerce Street and Chicago Avenue; northwest corner of Commerce Street and Philadelphia Avenue and the northeast corner of Philadelphia Avenue and Fairfield Avenue (04-28-97) 162-04-710-026, 040, 056 & 059
48. From: WYOMING MAIN PARTNERS, A CALIFORNIA GENERAL PARTNERSHIP; To: City of Las Vegas; For: Portions of the Northwest Quarter (NW 1/4) of Section 3, T21S, R61E, M.D.M., for dedication of additional 5' right of way for a total one-half street width of 45' on Main Street and a 25' radius on the northeast corner of Main Street and Wyoming Street (04-14-97) 162-03-210-030 & 031

RIGHT OF WAY GRANTS FOR TRAFFIC PURPOSES

49. From: MICHAEL SHERMAN PAGE AND VENETIA ANNETTE PAGE, HUSBAND AND WIFE AS JOINT TENANTS; To: City of Las Vegas; For: Portion of the Southwest Quarter (SW 1/4) of Section 31, T20S, R62E, M.D.M., for a traffic easement located on the southwest corner of Stewart Avenue and Sandhill Road (05-05-97) 140-31-310-001

50. From: DONNA M. STUTTS, TRUSTEE OF THE DONNA M. STUTTS REVOCABLE TRUST DATED DECEMBER 5, 1991; To: City of Las Vegas; For: Portion of the Northwest Quarter (NW 1/4) of Section 31, T20S, R62E, M.D.M., for a traffic easement located on the northwest corner of Stewart Avenue and Sandhill Road (04-30-97) 140-31-211-025
51. From: NORTSHORE PLAZA, LLC, A NEVADA LIMITED LIABILITY CORPORATION; To: City of Las Vegas; For: Portion of the Southwest Quarter (SW 1/4) of Section 9, T20S, R60E, M.D.M., for a traffic and sight visibility restriction easement located on the northwest corner of Cheyenne Avenue and Soaring Gulls Drive (05-07-97) 138-09-420-004

RIGHT OF WAY GRANT FOR DRAINAGE PURPOSES

52. From: RANCHO DEL MAR LLC, A NEVADA LIMITED LIABILITY COMPANY; To: City of Las Vegas; For: Portion of the Southwest Quarter (SW 1/4) of Section 12, T20S, R60E, M.D.M., for a drainage easement located on the east side of Rancho Drive, south of Gowan (05-05-97) 138-12-315-003

DECLARATIONS OF UTILIZATION

53. From: BUREAU OF LAND MANAGEMENT; To: City of Las Vegas; For: Portions of Government Lot 110 in Section 3, T21S, R60E, M.D.M., for 30' wide easement on Monte Cristo Way and O'Bannon Drive for roadway, sewer and storm drainage facilities 163-03-404-001
54. From: BUREAU OF LAND MANAGEMENT; To: City of Las Vegas; For: Portions of Government Lots 97, 98, and 99 in Section 4, T21S, R60E, M.D.M., for a 30' wide easement on Via Olivero Avenue for roadway, sewer and storm drainage facilities 163-04-805-001, 002 & 003
55. Request Permission To File A Right-Of-Way Application With The Bureau Of Land Management For Flood Control And Drainage Purposes On Portions Of Land Lying Within The Southeast Quarter (SE 1/4) Of Section 1, T20S, R59E, And The Northwest Quarter (NW 1/4) Of Section 7, T20S, R60E, M.D.M., Generally Located Between Craig Road And Gilmore Avenue
56. Request Permission To Amend Bureau Of Land Management Lease Application N-59025 For The Gowan Soccer Fields To Include An Easement For Water Facilities
57. Request Permission To Amend Bureau Of Land Management Right-Of-Way Grant N-59937 To Include Sewer Line Easements In Buckskin Avenue, West Of Hualapai Way And In Hualapai Way, North Of Buckskin Avenue

TRAFFIC AND PARKING ITEMS

58. Approval Of A Request To Establish A Speed Limit Of 30 MPH On Alta Drive Between Rampart Boulevard And Durango Drive

REPORT/ACTION ITEMS

59. Approval Of A Sewer Refunding Agreement With American West Homes For Deer Springs Ranch
60. Approval Of A professional Services Agreement With Parsons Brinkerhoff Quade & Douglas Inc. For Design Of The I-15 Freeway Channel Utility Relocations
61. Approval Of The Fifth Supplemental Interlocal Contract For Short Term Traffic Transportation Improvement

IV. RESOLUTIONS

62. R-38-97 - Approval of Resolution to amend Schedule 25-I and 25-II in accord with Traffic & Parking Item 58.
63. R-39-97 - Resolution Directing City Treasurer to Prepare Fourth Assessment Apportionment Report re: Special Improvement District No. 468 (W. Charleston Boulevard)
64. R-40-97 - Resolution Approving Fourth Assessment Apportionment Report re: Special Improvement District No. 468 (W. Charleston Boulevard)

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

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE

65. **TIME CERTAIN - 10:00 A.M.** - Update, discussion and possible action with respect to the City Council's position regarding pending State legislation.

BUSINESS DEVELOPMENT

66. Discussion And Possible Action To Approve The Second Amendment To The Disposition And Development Agreement By And Among The City Of Las Vegas Redevelopment Agency, City Of Las Vegas And Fourth And Lewis, L.C.

CITY ATTORNEY

67. Approval of Rescission of Denial of ZC-63-62(1) (Plot Plan Building Elevation Review on property located on the southeast corner of Alexander Road and Maverick Street) in settlement of a lawsuit filed against the City of Las Vegas in District Court, Department XV.
NOTE: THIS ITEM WILL NOT BE HEARD UNTIL 2:00 P.M.
68. **PUBLIC HEARING** - Approval of Revised ZC-63-62(1) (Plot Plan Building Elevation Review on property located on the southeast corner of Alexander Road and Maverick Street) in settlement of a lawsuit filed against the City of Las Vegas in the Clark County District Court, Department XV. **NOTE: THIS ITEM WILL NOT BE HEARD UNTIL 2:00 P.M.**
69. Discussion and Possible Action to Adopt an Amendment to the Real Estate Conveyance Agreement (Previously Approved on February 24, 1997) By and Amongst the City of Las Vegas, City of Las Vegas Redevelopment Agency and the United States of America Pertaining to Construction of a Federal Courthouse on the Real Property known as the "Minami Site" (APN 139-34-701-001)

DEPARTMENT OF FINANCE & BUSINESS SERVICES

LIQUOR - Change of Business Name

70. TAVERN LICENSE, JIMCAR 8 INC. dba From: The Image, TO: CLUB THIRTY SOMETHING, 711-717 North Rancho Drive, James T. Long, Dir, Pres, 50%, Clarence C. Fenske, Dir, Secy, Treas, 50%

MUNICIPAL COURT

71. Discussion And Possible Action On A Request From The Municipal Court Judges To Offer An Early Retirement Program To Municipal Court Employees Affected By The Court Efficiency Plan

DEPARTMENT OF PUBLIC WORKS

TRAFFIC AND PARKING ITEMS

72. Discussion And Possible Approval Of A Request To Install Speed Humps On Virgil Street Between Washington Avenue And Owens Avenue
73. Discussion And Possible Approval Of A Request To Establish A Truck Speed Limit Of 25 MPH On Lake Mead Boulevard West Of Rampart Boulevard

IV. RESOLUTIONS

74. **R-41-97** - Approval of Resolution to amend Schedule 25-VIII and 29-II in accord with Traffic & Parking Item
75. **R-42-97** - Approval of resolution to initiate an intergovernmental collaborative planning effort.
76. **R-43-97** - Approval of a resolution in support of proposed state legislation allowing municipalities to form Business Improvement Districts (BID's) upon petition by affected owners of commercial properties.

V. REPORTS FROM RECOMMENDING COMMITTEES

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

77. **Bill No. 97-32** -- Annexation No. A-24-96(A); Property Located: On the southeast corner of Deer Springs Way and Rancho Drive; Petitioned By: Pearl Corporation; Acreage: Approximately 36.92 Acres; Zoned: R-E (County Zoning) U (DR) (City Equivalent) Sponsored by: Councilman Matthew Callister
78. **Bill No. 97-33** -- Annexation No. A-2-97(A); Property Located: On the south side of Alexander Road, west of El Capitan Way; Petitioned By: Church of Jesus Christ of Latter Day Saints; Acreage: Approximately 2.7 acres; Zoned: R-E (County Zoning) U (L) and (ML) (City Equivalent) Sponsored by: Councilman Matthew Callister
79. **Bill No. 97-34** -- Amends the City's nuisance regulations to provide additional preventive remedies to abate dumping violations on vacant land. Sponsored by: Councilman Arnie Adamsen
80. **Bill 97-35** -- Permits the Use of Manmade Decorative Water Features Under Specific Conditions. Sponsored by: Mayor Jan Lavery Jones.

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

THERE IS NO PUBLIC COMMENT ON THESE ITEMS AND NO ACTION WILL BE TAKEN BY THE COUNCIL AT THIS MEETING. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.

81. **Bill No. 97-23** -- Adopts an amendment to LVMC 16.28 (Uniform Plumbing Code, 1994 Edition) to require hot water recirculation pumps in all new residential housing and other matters relating thereto. Sponsored by: Councilman Arnie Adamsen
82. **Bill No. 97-36** -- Annexation No. A-1-97(A); Property Located: On the south side of Hickam Avenue, between Grand Canyon Drive and Tee Pee Lane; Petitioned By: West Charleston Baptist Church; Acreage: Approximately 17.35 acres; Zoned: R-E (County Zoning) U (DR) (City Equivalent). Sponsored by: Councilman Matthew Callister
83. **Bill No. 97-37** -- Amends Title 19A, Chapter 14, of the Las Vegas Municipal Code to prohibit the advertising of tobacco products in certain areas, and other matters relating thereto. Sponsored by: Councilmen Matthew Callister and Arnie Adamsen

VI. REPORTS FROM REAL ESTATE COMMITTEE

84. Approval For Purchase Of Property Located At 1101 N. Decatur, Not To Exceed \$135,000.00.
85. Discussion and possible action directing the City Manager to enter into negotiations with a developer to design, construct and operate a golf course on City-owned land at Vegas Valley and Stephanie Street and to lease the land from the City.
86. Discussion And Action To Decide Whether The City Will Exercise Its Option Of First Right Of Refusal To Purchase The Building At 731 S. Fourth Street Or Continue With Its Present Lease Agreement.

VII. BOARDS & COMMISSIONS

87. **TRAFFIC & PARKING COMMISSION** - Thomas Cameron - (Ward 4 - RESIGNED), Robert White - Term Expires 6/21/97 - (Ward 1 - Desires to be reappointed)
88. Appointments to be made to the City Centre Development Corporation, Inc. Board.

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.

89. **Bill No. 97-39** -- Under certain conditions, permits dogs and cats running at large to be returned to their owners without first being impounded, and authorizes the waiver of impound and boarding fees for certain impounded dogs and cats. Sponsored by: Mayor Jan Lavery Jones
90. **Bill No. 97-40** -- Amends the definition of the term "public board member" in the City's Ethics Code. Sponsored by: Mayor Jan Lavery Jones

2:00 P.M. – AFTERNOON SESSION

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

IX. PUBLIC HEARING

92. Public Hearing To Discuss The List Of Delinquent Sewer Accounts For Sewer Service Charges Rendered Uncollectible And Due To Be Placed On The Clark County Treasurer's Tax Roll For The July 1, 1997 Tax Bill

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) All development shall be in conformance with 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) A landscaping plan must be submitted 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) All City Code requirements and design standards of all City departments must be satisfied. (7) Parking and driveway plans must be approved by the Traffic Engineer prior to the issuance of any permits. (8) All damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works. (9) Remove all substandard public street improvements and all unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City standards prior to occupancy of this site 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 occurs first. (11) A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures. (12) Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet to provide for transportation hazards. (13) Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated. (14) Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Planning and Development Department. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

VARIANCE AND SPECIAL USE PERMIT APPLICATIONS: (1) All development must be in conformance with the plot plan and elevations. (2) Landscaping and a permanent underground sprinkler system shall be provided as required by the Board of Zoning Adjustment 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) A landscaping plan must be submitted prior to or at the same time application is made for a building permit, 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. (5) City Code requirements and design standards of all City departments must be satisfied. (6) Parking and driveway plans must be approved by the Traffic Engineer prior to the issuance of any permits. (7) Any damage to the existing street improvements resulting from this development must be repaired 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. (9) Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Planning and Development Department. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

SUBDIVISION APPLICATIONS: Tentative Maps: (1) Approval of the Tentative Map shall be for no more than twelve (12) months. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within twelve (12) months of the approval of the Tentative Map, a new Tentative Map must be filed. (2) Street names must be provided in accord with the City's Street Naming Regulations. (3) All development is subject to the 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 recordation of a Final Map. (5) A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures. **Final Maps:** (1) Final Maps shall be in conformance with the approved Tentative Map. **Vacation Applications:** (1) Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. (2) All development shall be in conformance with code requirements and design standards of all City departments. (3) The Reconveyance shall not be recorded until all of the above conditions have been satisfied. (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

93. **Z-79-95(1) - NOVEX, A NEVADA GENERAL PARTNERSHIP** - Request for Reinstatement and Extension of Time on property located on the north side of Owens Avenue, east of Martin L. King Boulevard for a proposed 12,000 square foot office building, R-3 (Limited Multiple Residence) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 3 (Reese).

EXTENSION OF TIME

94. **U-30-95(2) - CARMINE AND ANN VENTO REVOCABLE FAMILY TRUST** - Request for an Extension of Time on an approved Special Use Permit on property located on the southeast corner of Rancho Drive and Gowan Road which allowed a tavern in conjunction with a proposed restaurant; and a waiver of the 1,500 foot distance separation requirement from another tavern and from a church, C-2 (General Commercial) Zone, Ward 4 (Callister).
95. **Z-33-95(2) - HORIZON INVESTMENTS, INC.** - Request for an Extension of Time on property located on the northwest corner of Tenaya Way and Sahara Avenue for a proposed commercial center, including a mini-storage facility and a professional office building, N-U (Non-Urban) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 1 (McDonald).

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

DISCUSSION/ACTION ITEMS

PLOT PLAN AND BUILDING ELEVATION REVIEW

96. **ABEYANCE ITEM - Z-100-64(164) - JAMES J. AND CAROL S. JIMMERSON** - Request for a Plot Plan and Building Elevation Review on property located at 519 South Casino Center and 215 Clark Avenue for a proposed two story, 21,887 square foot office building, R-4 (Apartment Residence) Zone under Resolution of Intent to C-2 (General Commercial), Ward 1 (McDonald).

SPECIAL USE PERMIT - PUBLIC HEARING

97. **ABEYANCE ITEM - U-16-97 - WILLIAM AND WANDA PECCOLE LIMITED FAMILY PARTNERSHIP** - Appeal filed by William and Wanda Peccole Limited Family Partnership from the Denial by the Board of Zoning Adjustment on a request for a Special Use Permit on property located on the south side of West Charleston Boulevard, west of Hualapai Way for a proposed 3,400 square foot tavern/restaurant in conjunction with a proposed two story 57,504 skating/multi-purpose facility; and a waiver of the 1,500 foot distance separation requirement, N-U (Non-Urban) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 2 (Adamsen).

STREET NAME CHANGE - PUBLIC HEARING

98. **SNC-3-97 - DENNIS F. NELSON AND NANCY A. NELSON FAMILY TRUST** - Request for a Street Name Change From: Lisa Dennis Court, To: Plantea Court on property located on the east side of Warbonnet Way, between Oakley Boulevard and El Parque Avenue, R-E (Residence Estates) Zone, Ward 1 (McDonald).

REZONING REQUEST - PUBLIC HEARING

99. **Z-32-97 - CITY OF LAS VEGAS** - Request for a Rezoning on property located on the southwest corner of Lake Mead Boulevard and Martin L. King Boulevard, From: R-E (Residence Estates) under Resolution of Intent to C-PB (Planned Business Park) To: C-1 (Limited Commercial), PROPOSED USE: COMMERCIAL CENTER, Ward 3 (Reese).

PLOT PLAN AND BUILDING ELEVATION REVIEW RELATED TO Z-32-97

100. **Z-32-97(1) - CITY OF LAS VEGAS** - Request for a Plot Plan and Building Elevation Review on property located on the southwest corner of Lake Mead Boulevard and Martin L. King Boulevard for a PROPOSED 4,307 SQUARE FOOT FAST FOOD RESTAURANT, R-E (Residence Estates) Zone under Resolution of Intent to C-PB (Planned Business Park) proposed C-1 (Limited Commercial), Ward 3 (Reese).

VACATION - PUBLIC HEARING

101. **VAC-15-97 - WILLIAM WATSON, ET AL** - Request to vacate a portion of the west half of Thom Boulevard, north of Grand Teton Drive, Ward 4 (Callister).

102. **VAC-16-97 - PAUL AND STACY BURN, ET AL** - Request to vacate a portion of El Camino Avenue, west of Rancho Drive, Ward 1 (McDonald).

MAJOR MODIFICATION TO SUMMERLIN DEVELOPMENT STANDARDS - PUBLIC HEARING

103. **SV-11-97 - HOWARD HUGHES PROPERTIES, LIMITED PARTNERSHIP** - Request for a Major Modification to the Summerlin Development Standards to create a new land use destination SFSL (Single Family Small Lot), Ward 2 (Adamsen).

PLOT PLAN AND BUILDING ELEVATION REVIEW - PUBLIC HEARING

104. **Z-108-63(29) - PASEO PARTNERS, LIMITED LIABILITY COMPANY (ABEYANCE ITEM)** - Request for a Plot Plan and Building Elevation Review on property located at 2700 West Sahara Avenue for a PROPOSED 96,952 SQUARE FOOT TWO LEVEL PARKING GARAGE, R-1 (Single-Family Residence) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 1 (McDonald).
105. **Z-140-93(2) - SCOTT BROWN TRUST** - Request for a Plot Plan and Building Elevation Review on property located at 2047 West Charleston Boulevard for a PROPOSED 11,574 SQUARE FOOT ONE-STORY OFFICE BUILDING, C-D (Design Commercial) Zone, Ward 1 (McDonald).
106. **Z-62-94(2) - GLENN PATERNOSTER** - Request for a Plot Plan and Building Elevation Review on property located at 627 South Seventh Street for a PROPOSED TWO-STORY 1,200 SQUARE FOOT ADDITION TO AN EXISTING LAW OFFICE, R-1 (Single Family Residence) Zone under Resolution of Intent to P-R (Professional Offices and Parking), Ward 3 (Reese).

REQUIRED FIVE YEAR REVIEW - VARIANCE - PUBLIC HEARING

107. **V-46-92(1) - OUTDOOR MEDIA GROUP ON BEHALF OF UNION PACIFIC RAILROAD COMPANY ON BEHALF OF OUTDOOR MEDIA GROUP** - Appeal filed by Outdoor Media Group on behalf of Union Pacific Railroad Company on behalf of Outdoor Media Group from the Denial by the Board of Zoning Adjustment on a Required Five Year Review on an approved Variance on property located on the north side of the Oran K. Gragson highway (U.S. 95) between Bonanza Road and Grand Central Parkway, 150 feet west of the centerline of the Union Pacific Railroad Tracks which allowed a 14 foot x 48 foot off-premise advertising (billboard) sign 690 feet from an existing off-premise advertising (billboard) sign where 750 feet is required, M (Industrial) Zone, Ward 3 (Reese).

REQUIRED FIVE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING

108. **U-314-91(1) - UNION PACIFIC RAILROAD COMPANY ON BEHALF OF TDI TRANSPORTATION DISPLAYS, INC.** - Required Five Year Review on an approved Special Use Permit on property located on the east side of Interstate 15 approximately 2,200 feet north of Bonneville Avenue which allowed a 14 foot x 48 foot off-premise advertising (billboard) sign, M (Industrial) Zone, Ward 3 (Reese).
109. **U-315-91(1) - UNION PACIFIC RAILROAD COMPANY ON BEHALF OF TDI TRANSPORTATION DISPLAYS INC.** - Required Five Year Review on an approved Special Use Permit on property located on the east side of Interstate 15 approximately 1,270 feet north of Charleston Boulevard which allowed a 14 foot x 48 foot off-premise advertising (billboard) sign, M (Industrial) Zone, Ward 3 (Reese).
110. **U-61-92(1) - ROBERT HAMMOND LIMITED LIABILITY COMPANY ON BEHALF OF MARTIN MEDIA** - Required Five Year Review on an approved Special Use Permit on property located on the southwest corner of West Lake Mead Boulevard and the Oran K. Gragson highway (U.S. 95) which allowed a 14 foot x 48 foot off-premise advertising (billboard) sign, C-1 (Limited Commercial) Zone, Ward 2 (Adamsen).
111. **U-65-92(1) - KUMMER KAEMPFER BONNER & RENSHAW ON BEHALF OF GES FAMILY LIMITED PARTNERSHIP ON BEHALF OF MARTIN MEDIA** - Appeal filed by Kummer Kaempfer Bonner & Renshaw on behalf of GES Family Limited Partnership on behalf of Martin Media from the Denial by the Board of Zoning Adjustment on a Required Five Year Review on an approved Special Use Permit on property located on the west side of the Oran K. Gragson highway (U.S. 95), south of Vegas Drive which allowed a 55 foot high, 14 foot x 48 foot off-premise advertising (billboard) sign, U (Undeveloped) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 2 (Adamsen).
112. **U-238-91(1) - UNION PACIFIC RAILROAD COMPANY ON BEHALF OF GENERAL OUTDOOR ADVERTISING** - Required Five Year Review on an approved Special Use Permit on property located on the south side of the Oran K. Gragson highway (U.S. 95) between "F" Street and Main Street which allowed a 14 foot x 48 foot off-premise advertising (billboard) sign, M (Industrial) Zone, Ward 3 (Reese).

VARIANCE - PUBLIC HEARING

113. **V-22-97 - M. JACK BOWMAN** - Request for a Variance on property located at 6447 Tina Lane to allow an existing accessory building without a main residential building where such use is not allowed, R-E (Residence Estates) Zone, Ward 4 (Callister).

SPECIAL USE PERMIT - PUBLIC HEARING

114. **ABEYANCE ITEM - U-11-97 - LAULE BECKER II ON BEHALF OF AMERICAN OUTDOOR ADVERTISING** - Request for a Special Use Permit on property located at 421 South Decatur Boulevard for a 40 foot high, 14 foot x 48 foot off-premise advertising (billboard) sign, C-2 (General Commercial) Zone, Ward 1 (McDonald).

115. **ABEYANCE ITEM - U-13-97 - CAROL DECKER** - Appeal filed by Carol Decker from the Approval by the Board of Zoning Adjustment on an application request by Mary Lee Coleman on behalf of Lincoln Vista Development on property located on the southwest corner of Washington Avenue and Marion Drive for a mobile home park, R-MHP (Residential Mobile Home Park) Zone, Ward 3 (Reese).
116. **ABEYANCE ITEM - U-25-97 - LENI SKAAR** - Appeal filed by Leni Skaar from the Approval by the Board of Zoning Adjustment on an application request by Theresa Hatcher for a Special Use Permit on property located at 1717 Ferrell Street for a proposed church, R-E (Residence Estates) Zone, Ward 3 (Reese).
117. **U-26-97 - SSP DESERT SHORE LIMITED PARTNERSHIP ON BEHALF OF SERVICE STATION MANAGEMENT** - Request for a Special Use Permit on property located at 7300 West Cheyenne Avenue for a proposed 499 gallon propane tank in conjunction with an existing Chevron station, C-1 (Limited Commercial) Zone, Ward 4 (Callister).
118. **U-27-97 - JAIME AND SYLVIA MARTINEZ** - Request for a Special Use Permit on property located at 2405 East Ogden Avenue for the off-premise sale of beer and wine in conjunction with a proposed food store (La Bonita Grocery Store and Meat Market), C-2 (General Commercial) Zone and R-3 (Medium Density Residential) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 3 (Reese).

REZONING REQUEST - PUBLIC HEARING

119. **Z-15-97 - KLAHOLZ, DUNN & SCHNEEHAGEN, LIMITED LIABILITY COMPANY** - Request for a Rezoning on property located on the north side of Cheyenne Avenue, approximately 300 feet west of Tenaya Way, From: N-U (Non-Urban) To: C-1 (Limited Commercial), PROPOSED USE: ONE-STORY, 52,000 SQUARE FOOT OFFICE DEVELOPMENT, Ward 4 (Callister).
120. **Z-18-97 - FIRST HEALTHCARE CORPORATION** - Request for a Rezoning on property located at 1701 South Torrey Pines Drive, From: R-E (Residence Estates) To: P-D (Planned Development) PROPOSED USE: 75,713 SQUARE FOOT BASEMENT AND ONE-STORY ADDITION TO A 36,400 SQUARE FOOT ONE-STORY CONVALESCENT CARE FACILITY/HOSPITAL, Ward 1 (McDonald).
121. **Z-27-97 - MANIJE DANESHFOROOZ** - Request for a Rezoning on property located at 2205 Paradise Road, From: P-R (Professional Offices and Parking) To: C-1 (Limited Commercial) PROPOSED USE: 1,609 SQUARE FOOT BEAUTY SALON, Ward 3 (Reese).
122. **Z-28-97 - CITY OF LAS VEGAS** - Request for a Rezoning on property located at 5000 Alta Drive, 98 South Martin L. King Boulevard and 322 South 7th Street, From: R-6 (High-Rise Apartment) To: R-5 (Apartment) PURPOSE: THE REVISED ZONING CODE OF THE CITY OF LAS VEGAS NO LONGER CONTAINS AN R-6 DISTRICT, Ward 1 (McDonald).
123. **Z-29-97 - CITY OF LAS VEGAS** - Request for a Rezoning on property located at 1096 and 1110 East Sahara Avenue, 3820, 3824, 3920 and 4000 West Sahara Avenue, and 2301 and 2408 Las Verdes Street, From: C-C (Neighborhood Commercial Center) To: C-1 (Limited Commercial) PURPOSE: THE REVISED ZONING CODE OF THE CITY OF LAS VEGAS NO LONGER HAS A C-C DISTRICT, Ward 1 (McDonald) and Ward 3 (Reese).
124. **Z-31-97 - GABRIEL AND ELAINE MARTINEZ, ET AL** - Request for a Rezoning on property located on the northeast corner of Jones Boulevard and Tropical Parkway, From: N-U (Non-Urban) Zone To: R-PD3 Residential Planned Development - 3 Units Per Acre, PROPOSED USE: 208 SINGLE FAMILY DWELLINGS, Ward 4 (Callister).

GENERAL PLAN AMENDMENT - PUBLIC HEARING

125. **GPA-11-97 - CITY OF LAS VEGAS** - Request by the City of Las Vegas to adopt the Las Vegas Medical District Plan on property located between the south side of Alta Drive and the north side of Charleston Boulevard, and the east side of Rancho Drive and the west side of Martin L. King Boulevard. The plan addresses such issues as land use designations which include Major Medical, Medical Support, Service Commercial, Professional Office, Retail Office and High Density Residential. In addition, design guidelines are included which deal with landscaping, parking, streetscaping and signage issues, Ward 1 (McDonald).

REZONING REQUEST RELATED TO GPA-11-97 - PUBLIC HEARING

126. **Z-20-97 - CITY OF LAS VEGAS** - Request by the City of Las Vegas for a Rezoning on properties located between the south side of Alta Drive and the north side of Charleston Boulevard, and the east side of Rancho Drive and the west side of Martin L. King Boulevard, From: R-1 (Single Family Residence), R-3 (Limited Multiple Residence), R-4 (Apartment Residence), R-5 (Downtown Apartment), R-E (Residence Estates), P-R (Professional Offices and Parking), C-1 (Limited Commercial), C-2 (General Commercial) and C-V (Civic) To: PD (Planned Development), NO SPECIFIC USES ARE PROPOSED AT THIS TIME, HOWEVER ANY PROPOSED USE MUST COMPLY WITH THE APPROPRIATE LAND USE DESIGNATION AS DEFINED IN THE LAS VEGAS MEDICAL DISTRICT PLAN AS FOLLOWS - MEDICAL SUPPORT, MAJOR MEDICAL, PROFESSIONAL OFFICE, RETAIL OFFICE, HIGH DENSITY RESIDENTIAL AND SERVICE COMMERCIAL, Ward 1 (McDonald).

SPECIAL USE PERMIT RELATED TO GPA-11-97 AND Z-20-97 - PUBLIC HEARING

127. **U-40-97 - KENNETH AND NANCY HOLLAND** - Request for a Special Use Permit to allow a legal services business in the MD-2 (Major Medical) District of the Las Vegas Medical District Neighborhood Plan on property located at 640 Kingsbury Lane, Ward 1 (McDonald).

GENERAL PLAN AMENDMENT - PUBLIC HEARING

128. **GPA-15-97 - DIANA J. BLASDELL** - Request to amend a portion of the Southwest Sector of the General Plan on property located at 6009 Evergreen Avenue, From: M (Medium Density Residential) To: O (Office), Ward 1 (McDonald).

REZONING REQUEST RELATED TO GPA-15-97 - PUBLIC HEARING

129. **Z-30-97 - DIANA J. BLASDELL** - Request for a Rezoning on property located at 6009 Evergreen Avenue, From: R-1 (Single Family Residence) To: P-R (Professional Offices and Parking) PROPOSED USE: 2,000 SQUARE FOOT ONE-STORY OFFICE BUILDING, Ward 1 (McDonald).

130. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION AND BOARD OF ZONING ADJUSTMENT MEETINGS AND 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**

**BARBARA JO (RONI) RONEMUS
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**