

City of Las Vegas

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RECOMMENDING COMMITTEE MEETING
CITY HALL, 400 STEWART
8TH FLOOR CONFERENCE ROOM
CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.ci.las-vegas.nv.us>
MONDAY, OCTOBER 18, 1999
4:00 P.M.

CALL TO ORDER:

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

THE RECOMMENDING COMMITTEE WILL RECEIVE PUBLIC INPUT ON EACH ITEM OF LEGISLATION BEING CONSIDERED. THE RECOMMENDING COMMITTEE MAY, THEREAFTER, CONTINUE THE HEARING TO A FUTURE DATE OR FORMULATE A RECOMMENDATION TO THE CITY COUNCIL FOR PASSAGE, REJECTION OR AMENDMENT OF THE PROPOSED BILL.

THE FOLLOWING BILLS MAY BE ELIGIBLE FOR ADOPTION AT THE 11/3/99 CITY COUNCIL MEETING.

- 1 Bill No. 99-57 – Levies Assessment re Special Improvement District No 1466 (Huntridge Phase III) Sponsored by Step Requirement
Committee: Councilmen M Michael McDonald and Larry Brown
- 2 Bill No. 99-58 – Annexation No A-30-99(A) – Property Located. On the east side of Rowland Avenue, approximately 1,000 feet south of Tropical Parkway; Petitioned By Bott 1983 Revocable Trust; Acreage. Approximately 1.02 acres, Zoned R-E (County Zoning), U(R) (City Equivalent) Sponsored By Councilman Larry Brown
Committee Councilmen M. Michael McDonald and Larry Brown
- 3 Bill No. 99-59 – Annexation No. A-34-99(A) – Property Located. On the northeast corner of Pioneer Way and Centennial Parkway; Petitioned By Kenneth and Maxine Dabb, Acreage: Approximately 3.53 acres, Zoned R-E (County Zoning), U (R) (City Equivalent). Sponsored By Councilman Larry Brown
Committee Councilmen M Michael McDonald and Larry Brown
4. Bill No. 99-60 – Authorizes the City Traffic Engineer to determine the days and hours for the operation of parking meters and to establish the rates and time limits for parking in metered spaces and in City-owned parking lots Proposed By Mike Sheldon, Director, Detention and Enforcement
Committee Councilmen M. Michael McDonald and Larry Brown
- 5 Bill No. 99-61 – Amends the Zoning Code to allow certain types of mixed-use development by means of special use permit Sponsored By Mayor Oscar B. Goodman
Committee Councilmen M. Michael McDonald and Larry Brown

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE 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 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.

ALL INTERESTED PERSONS ARE INVITED TO ATTEND: A tape recording of all the proceedings will be kept on file in the Office of the City Clerk until final disposition is made. Copies of the above Bills may be obtained through the Office of the City Clerk, Monday through Friday, 8:00. to 5:00 P.M.

Facilities are provided throughout City Hall for the convenience of disabled persons. Reasonable efforts will be made to assist and accommodate physically handicapped persons. 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.

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

Downtown Transportation Center, City Clerk's Board
Senior Citizens Center, 450 E. Bonanza
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

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(Mailing required under the provisions of NRS Chapter 241)



STATE OF NEVADA)
) ss
COUNTY OF CLARK)

- epc* 1. On the City Clerk's Bulletin Board at the Downtown Transportation Center;
- epc* 2. In the Senior Citizens Center, 450 E. Bonanza Road;
- epc* 3. Clark County Government Center, 500 S. Grand Central Parkway; (Faxed)
- epc* 4. On the Public Bulletin Board at the Plaza Level of City Hall, 400 E. Stewart Avenue (near the entrance to the Court Clerk's Office); and
- epc* 5. On the Special Bulletin Board at the Plaza Level of City Hall, 400 E. Stewart Avenue (in the walkway area between Metro and Municipal Court).

 **VICKY DARLING**
Notary Public - State of Nevada
Appointment Recorded in Clark County
My Appointment Expires 5-22-2002
94-0086-1

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: OCTOBER 18, 1999

DEPARTMENT: CITY ATTORNEY

Agenda Item No.: 1

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

Bill No. 99-57 – Levies Assessment re: Special Improvement District No. 1466 (Huntridge Phase III). Sponsored by: Step Requirement

Fiscal Impact

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No Impact

Amount: \$56,220.43

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Budget Funds Available

Dept./Division:

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Augmentation Required

Funding Source: Levying Assessments

PURPOSE/BACKGROUND:

SID No. 1466, the installation of streetlights and appurtenances at the following locations:

Jessica Avenue	(Maryland Parkway to 15 th Street)
Norman Avenue	(Maryland Parkway to 15 th Street)
Francis Avenue	(Maryland Parkway to 15 th Street)
Cottonwood Place	(Francis Avenue to 15 th Street)
15 th Street	(Franklin Avenue to Charleston Boulevard)

RECOMMENDATION:

This bill should be submitted by the Recommending Committee after review and hearing to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 99-57

BILL NO. 99-57
ORDINANCE NO. _____

AN ORDINANCE CONCERNING LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1466 (HUNTRIDGE PHASE III); PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS, ASSESSING A PORTION OF THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITTED BY SAID IMPROVEMENTS, RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH

Summary: Levy Ordinance

WHEREAS, the City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively) in the County of Clark and State of Nevada, has heretofore, pursuant to the requisite preliminary proceedings, created Las Vegas, Nevada, Special Improvement District No. 1466 (Huntridge Phase III) (hereinafter the "District"), for the purpose of acquiring local improvements (hereinafter the "Project") and has provided that a portion of the entire cost and expense of the Project shall be paid by special assessments, according to benefits, levied against the benefited lots, tracts and parcels of land in said District; and

WHEREAS, the District has been properly created by an ordinance heretofore adopted under the provisions of the Consolidated Local Improvement Law; and

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

WHEREAS, in accordance with NRS 271.360 the City Council has heretofore determined and does hereby declare that the net cost of all improvements in said District (including all necessary incidentals which either have been or will be incurred in connection with said District) is \$1,510,592.59, of which \$1,454,372.16 is available from other sources and of which \$56,220.43 is to be assessed upon the benefited lots, tracts and parcels of land in the District which the City Council has determined will receive special benefits (and corresponding market value increases) from the improvements in the Project; and

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

WHEREAS, after a determination of the portion of the costs of such work to be paid by the property specially benefited, the City Council, together with the City Engineer (with the assistance of the

City Engineering Division) made out an final assessment roll containing, among other things, the names and addresses of the last-known owners of the property to be assessed, a description of each lot, tract, or parcel of land to be assessed, and the amount of the assessment thereon, and the City Engineer has reported the final assessment roll to the City Council, and the City Engineer has filed the final assessment roll with the City Clerk; and

WHEREAS, the City Council thereupon fixed a time and place, to wit: Wednesday, September 15, 1999, at 1:00 p m., at the Las Vegas City Council Chambers, 400 East Stewart Avenue, in Las Vegas, Nevada, when all complaints, protests and objections to the final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in said District, by any person interested, and by any parties aggrieved by such assessments, would be heard and considered by the City Council, and

WHEREAS, the City Engineer (with the assistance of City Engineering Division) has, in accordance with the provisions of law relating thereto, given the requisite legal notice by both mail and publication that complaints, protests and objections to assessments for improvements in the District should be filed with the City Clerk, and that the City Council would hear and consider any and all complaints, protests or objections on Wednesday, September 15, 1999, at 1:00 p.m., at the Las Vegas City Council Chambers, 400 East Stewart Avenue, in Las Vegas, Nevada; and

WHEREAS, the City Council caused the final assessment roll ("Tabulation of Parcels") to be filed in the records of the office of the City Clerk on August 18, 1999; and the City Clerk by publication and by mail gave the requisite notice of the time and place of such hearing, of the filing of the final assessment roll in her office, of the date of filing the same, and of the right of any such person so to object specifically in writing and of the waiver of any objection in the absence of such objection; and

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

WHEREAS, all complaints, protests and objections, both written and oral, were found to be without sufficient merit and overruled, except as provided in the District No. 1466 Assessment Protest Resolution; and

WHEREAS, by the District No. 1466 Assessment Protest Resolution, the City Council so modified, corrected and revised the final assessment roll and, as so modified, corrected and revised, confirmed the final assessment roll to be in final form; and

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

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

WHEREAS, the City Council has determined, and does hereby determine, that the City shall pay the costs of the Project in part with funds derived from the levy of assessments, and the City will pay one-half or more of the costs with moneys derived from other than the levy of special assessment, and that the exception provided by NRS 271.306(2)(a) does exist with respect to the Project; and

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

Section 1. This Ordinance shall be known as, and may be cited by, the short title "District No. 1466 Levy Ordinance" (hereinafter the "Ordinance")

Section 2 The City Council has heretofore determined, and does hereby declare, that each and every complaint, protest and objection made in connection with the District is without sufficient merit and the same be, and the same hereby is, overruled, and finally passed on by the City Council, except as provided in the District No. 1466 Assessment Protest Resolution.

Section 3. All action, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Ordinance) concerning Special Improvement District No. 1466 (Huntridge Phase III), including, but not limited to, the creation of the District, the acquisition of the Project, the amount of the construction contract, the levy of assessments for those purposes, the determination that the tracts in the District will receive special benefits and market value increases, and the validation and confirmation of the final assessment roll and the assessments therein, be, and the same hereby is, ratified, approved and confirmed.

Section 4. For the purpose of paying a portion of the costs and expenses of the Project, there are hereby levied and assessed against the lots, tracts and parcels of land in the District (being all those specially benefited by said improvements) and described in the final assessment roll for the District, as filed in the office of the City Clerk on August 18, 1999, and as modified and confirmed by the District No. 1466 Assessment Protest Resolution duly adopted by the City Council on October 6, 1999, the amounts and assessments shown in the final assessment roll (as so filed, modified and confirmed).

Section 5. The assessments shall be due and payable at the office of the City Treasurer within 30 days after this Ordinance becomes effective, without interest and without demand; provided, that

all or any part of such assessments may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment within said period of 30 days shall be conclusively considered and held an election on part of all persons interested, whether under disability or otherwise, to pay in installments, the amount of the assessment then unpaid. In case of such election to pay in installments, the unpaid assessments shall be payable in ten (10) substantially equal semiannual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this assessment ordinance, at a rate or rates which shall not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued for the District, both principal and interest on such assessments being payable semiannually at the office of said City Treasurer on May 7th and November 7th in each year, commencing on May 7, 2000. After the effective date of this Ordinance and before assessment bonds are issued (or if bonds are not issued) the City Council shall by resolution provide the rate of interest on the unpaid and deferred installments of assessments. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three per cent (3%) the "Index of Twenty Bonds" which is most recently published before the bids for such bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the City, the exercise of said option to be indicated by the commencement of the foreclosure proceedings by the City, and the whole amount of the unpaid principle and accrued interest shall, after such delinquency, whether said option is or is not exercised, bear penalty interest at the rate of two percent (2%) per month, (or at any higher rate authorized by statute) until the day of sale or until paid, but at any time prior to the date of the sale the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property assessed and not in default as to any installment or payment may, at any time (at the option of such owner), pay the whole or any semiannual installment of the unpaid principal with interest accruing thereon to the next interest payment date. If such prepayment takes place after December 7, 1999 but before the adoption of the aforementioned resolution establishing the rate of interest on deferred installments of assessments, such interest accruing thereon to the next interest payment date shall be calculated at six and 6/100th

percent (6.60%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent).

Section 6. The amounts assessed as aforesaid shall be a lien upon said lots, tracts and parcels of land from the effective date of this Ordinance (i.e. November 7, 1999) until paid, co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes) The sale of any such lot, tract or parcel of land for general or other taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor. Such amounts shall continue to be a lien upon the lots, tracts and parcels of land assessed until paid in full (including all principal and the interest thereon, and any penalties and collection costs)

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

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

judgment therefor. If bonds are sold, said foreclosure be not promptly filed and prosecuted, then any bondholder may file and prosecute said foreclosure action in the name of said City. Any bondholder may also proceed against the City to protect and enforce the rights of the bondholders under this Ordinance by suit, action or special proceedings in equity or at law, either for the appointment of a receiver or for the specific performance of any provision contained herein or in an award of execution of any power herein granted for the enforcement of any proper, legal or equitable remedy as such bondholder or bondholders may deem most effectual to protect and enforce the rights aforesaid. All such proceedings at law or in equity shall be instituted, had and maintained for the equal benefit of all owners of the bonds then outstanding. The failure of the bondholders so to foreclose such delinquent assessments or so to proceed against the City, or both, shall not relieve the City or any of its officers, agents or employees of any liability for its failure so to foreclose such delinquent assessments.

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

Section 10 In accordance with NRS 271.405(7) the City Clerk shall give notice by publication in the Las Vegas Review-Journal, a newspaper of general circulation in the City, and such notice to be published at least once a week, for three consecutive publications, by three weekly insertions, the first such publication to be at least 15 days prior to the end of the 30-day period stating that said assessments have been levied and are due and payable and the last day for their payment. It shall not be necessary that the notice be published on the same day of the week, but not less than 14 days shall intervene between the first publication and the last publication. Such service by publication shall be verified by the affidavit of each of the published and filed within the City Clerk of said City. In accordance with NRS 271 390(2) the City Clerk or Deputy City Clerk shall also give written notice of the levy of assessments by mailing a copy of such notice, postage prepaid, at least 20 days prior to the end of said 30-day period, to the owner or owners of all property upon which the assessment was levied at his or her last-known address or addresses. Proof of such mailing shall be made by the affidavit of the City Clerk or Deputy City Clerk and such proof shall be filed with the City Clerk, provided, however, that failure to mail any such

notice or notices shall not invalidate any assessment or any other proceedings concerning said District. Proof of the publication and proof of the mailing shall be maintained in the permanent records of the office of the City Clerk until all special assessments and special assessment bonds issued (if such special assessment bonds are hereafter issued) shall have been paid in full, both principal and interest, or until any claim is barred by an appropriate statute of limitations. The City Council hereby determines that the manner of giving notice herein provided by publication and by mail is reasonably calculated to inform the parties of the proceedings concerning the District and the levy of assessments which may directly and adversely affect their legally protected interests

Section 11 The notice provided for in NRS 271.390(2) and NRS 271 405(7) and in Section 10 of this Ordinance shall be in substantially the following form.

(Form of Notice)

NOTICE TO PROPERTY OWNERS OF THE LEVY OF ASSESSMENTS FOR
IMPROVEMENTS IN LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT
NO. 1466 (HUNTRIDGE PHASE III)

NOTICE IS HEREBY GIVEN to the owners of all property upon which an assessment has been levied, and other interested persons that, District No. 1466 Assessment Ordinance (hereinafter the "Assessment Ordinance") was duly passed, adopted, signed and approved on November 3, 1999. The Assessment Ordinance levied and assessed against the lots, tracts and parcels of land specially benefited by the local improvements in what is commonly designated as "Las Vegas, Nevada, Special Improvement District No. 1466 (Huntridge Phase III)," (said lots, tracts and parcels of land being more specifically described in the final assessment roll designated in the ordinance) a portion of the cost and expense of such improvements.

Assessments are due and payable at the office of the City Treasurer, in Las Vegas, Nevada, on or before December 7, 1999, being 30 days after the effective date of the assessment ordinance, without interest and without demand, provided that all, or any part of such assessments may, at the election of the owner, be paid in installments, with interest as hereinafter provided. Failure to pay the whole assessment within the 30-day period will be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay the unpaid assessment in installments. In case of such election to pay in installments, the unpaid assessments will be payable in ten (10) substantially equal semiannual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from November 7, 1999 (i.e., the effective date the assessment ordinance) both principal and interest being payable semiannually at the office of the City Treasurer, Las Vegas, Nevada, on May 7th and November 7th in each year, commencing on May 7, 2000. After the effective date of the assessment ordinance and before assessment bonds are issued (or if bonds are not issued) the City Council shall by Resolution provide the rate of interest on the unpaid and deferred installments of assessments. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three percent (3%) the "Index of Twenty Bonds" which is most recently published before the bids for such bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. Failure to pay any assessment installment, whether of principal or interest, when due will cause the whole of the unpaid principal of such assessment to become due and payable immediately at the City's option, and the whole amount of the unpaid principal

and accrued interest will, after such delinquency, whether the City's option is or is not exercised, bear penalty interest at the rate of two percent (2%) per month, (or at any higher rate authorized by statute) until the day of sale or until paid, but at any time prior to the date of the sale, the owner may pay the amount of all delinquent installments originally becoming due on or before the date of payment, with the interest thereon and all penalties accrued, and will thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property not in default as to any assessment installment or payment may, at any time, pay the whole or any semiannual installment of the unpaid principal with interest accruing thereon to the next interest payment date. If such prepayment takes place after December 7, 1999, but before the adoption of the aforementioned resolution establishing the rate of interest on deferred installments of assessments, such interest accruing thereon to the next interest payment date shall be calculated at six and 6/100th percent (6.60%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent)

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

The amounts assessed as aforesaid constitute a lien upon said lots, tracts and parcels of land from December 7, 1999 (i.e., the effective date of the assessment ordinance), which lien shall be co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefore.

Dated this October 6, 1999.

BARBARA JO RONEMUS, City Clerk

(End of Form of Notice)

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

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

Section 14 That in accordance with Section 2.110 of the Charter, this Ordinance when first proposed is to be read by title to the City Council, immediately after which an adequate number of copies of the proposed Ordinance are to be deposited with the office of the City Clerk for public examination and distribution upon request; thereafter, the City Clerk is authorized and directed to give notice of the deposit together with the title of the Ordinance by publication at least once in the Las Vegas Review-Journal, i.e., a newspaper published and having general circulation in the City, at least ten (10) days before the adoption of the Ordinance, i.e., at least ten (10) days before November 3, 1999

Section 15. That this Ordinance shall be in affect on the day after its publication, as hereinafter provided. After this Ordinance is signed by the Mayor and attested and sealed by the City Clerk, this Ordinance shall be published by title only, together with the names of the City Council voting for or against its passage, and with a statement that typewritten copies of said ordinance are available for inspection by all interested parties at the office of the City Clerk, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having general circulation in the City, at least once, pursuant to Section 2 110 of the Charter and all laws thereunto enabling.

Introduced October 6, 1999, PASSED, ADOPTED AND APPROVED November 3, 1999.

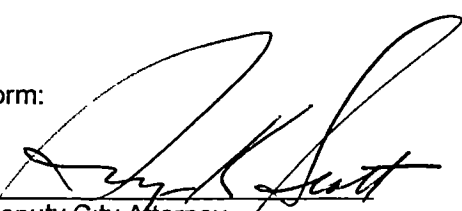
Attest.

OSCAR B. GOODMAN, Mayor

BARBARA JO RONEMUS, City Clerk

Approved as to Form:

9/15/99
Date


Deputy City Attorney

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: OCTOBER 18, 1999

DEPARTMENT: CITY ATTORNEY

Agenda Item No.: 2

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

Bill No. 99-58 – Annexation No. A-30-99(A) – Property Located: On the east side of Rowland Avenue, approximately 1,000 feet south of Tropical Parkway; Petitioned By: Bott 1983 Revocable Trust; Acreage: Approximately 1.02 acres; Zoned: R-E (County Zoning), U(R) (City Equivalent). Sponsored By: Councilman Larry Brown

Fiscal Impact

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No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

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Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property located on the east side of Rowland Avenue, approximately 1,000 feet south of Tropical Parkway. 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 (November 12, 1999) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted by the Recommending Committee after review and hearing to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 99-58 and Location Map

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES AND REGULATIONS IN FORCE IN SAID CITY; ORDERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; DESIGNATING THE ZONING CLASSIFICATION(S) APPLICABLE TO SAID TERRITORY; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH. (A-30-99(A))

Sponsored by: Summary: Annexes property described generally
Councilman Larry Brown as located on the east side of Rowland Avenue,
approximately 1,000 feet south of Tropical
Parkway.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
AS FOLLOWS:

SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby
extended to include, annex to, and make a part of the City of Las Vegas, Nevada, the following
described real property, to-wit:

That portion of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of
Section 25, Township 19 South, Range 60 East, M.D.M., in the County of Clark, State
of Nevada, described as follows:

PARCEL NUMBER 365 and the adjoining half-street Right-of-Way of ROWLAND
AVENUE, as shown on the Plat of Survey in File 52 of Surveys, Page 70 of Clark
County, Nevada Records, bounded as follows: bounded on the North by the North line
of said PARCEL NUMBER 365 and the Westerly prolongation of the North line of
said PARCEL NUMBER 365; bounded on the South by the South line of said
PARCEL NUMBER 365 and the Westerly prolongation of the South line of said
PARCEL NUMBER 365; bounded on the East by the East line of said PARCEL
NUMBER 365; and bounded on the West by the centerline of said ROWLAND
AVENUE, being a line that is parallel with and distant 17.50 feet Westerly of the West
line of said PARCEL NUMBER 365.

SECTION 2: That said City Council has determined and does hereby determine, that
said described territory meets the requirements provided by law for annexation to the City of Las
Vegas for the following reasons:

A. The area to be annexed was contiguous to the City's boundaries at the time the

annexation proceedings were instituted;

- B. More than one-eighth ($\frac{1}{8}$) of the aggregate external boundaries of the area are contiguous to the City of Las Vegas;
- C. The territory proposed to be annexed is not included within the boundaries of another incorporated city or within the boundaries of any unincorporated town as those boundaries existed as of July 1, 1983;
- D. The City of Las Vegas is eligible to annex the area described in this report since the landowners have signed a petition constituting one hundred percent (100%) of the owners of record of individual lots or parcels of land within the annexation area.

SECTION 3: The City of Las Vegas will provide police protection through the Las Vegas Metropolitan Police Department, fire protection, street maintenance, and library services immediately upon annexation. Garbage collection by the company franchised by the City will also be provided immediately. The City sanitary sewer system will serve the proposed annexation area. Any connection to or extension of this sewer line to serve the annexation area shall be at the expense of the landowners. Other services, such as participation in the City's recreational programs, special education classes and programs, public works planning, building inspections, and other City services will also be available immediately. Utilities such as gas, electricity, telephone, and water are provided by private utility companies and other services to the area will not be affected by annexation. Street paving, curbs and gutters, sidewalks and street lights which are not in place at the time of annexation will be installed in the presently developed areas upon the request of the property owners and at their expense by means of special assessment districts. Such improvements will be extended into the undeveloped areas as development takes place and the need therefor arises, and will be located according to the needs of the area at that time. Such installations will also be made at the expense of the property owners, either by means of special assessment districts or as prerequisites to the approval of subdivision plats, building permits or other land use or development applications.

SECTION 4: The annexation of said described territory shall become effective on the 12th day of November, 1999, and on such date the City of Las Vegas will have the funds appropriated

1 in sufficient amount to finance the extension into said described territory of police protection, fire
2 protection, street maintenance, street sweeping, and street lighting maintenance.

3 SECTION 5: Said described territory, together with the inhabitants and property
4 thereof, shall, from and after the 12th day of November, 1999, be subject to all debts, laws, ordinances
5 and regulations in force in the City of Las Vegas and shall be entitled to the same privileges and
6 benefits as other parts of said City, and shall be subject to municipal taxes levied by the City of Las
7 Vegas, Nevada.

8 SECTION 6: The City Engineer of the City of Las Vegas, Nevada, is hereby instructed
9 to cause to be prepared an accurate map or plat of said described territory and to record the same,
10 together with a certified copy of this ordinance in the office of the County Recorder of Clark County,
11 Nevada, which said recording shall be done prior to the 12th day of November, 1999.

12 SECTION 7: The said described territory, which heretofore has been zoned R-E
13 (County of Clark classification), is hereby classified as U (R) (City of Las Vegas classification), which
14 is deemed to be the City equivalent of said County classification.

15 SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause or
16 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid
17 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
18 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
19 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
20 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
21 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
22 invalid or ineffective.

23 SECTION 9: All ordinances or parts of ordinances, sections, subsections, phrases,
24 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,

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1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this ____ day of ____, 1999.

APPROVED:

OSCAR B. GOODMAN, Mayor

ATTEST:

BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Val Steel 9-17-99
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the ____ day of _____, 1999, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the ____ day of _____, 1999, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

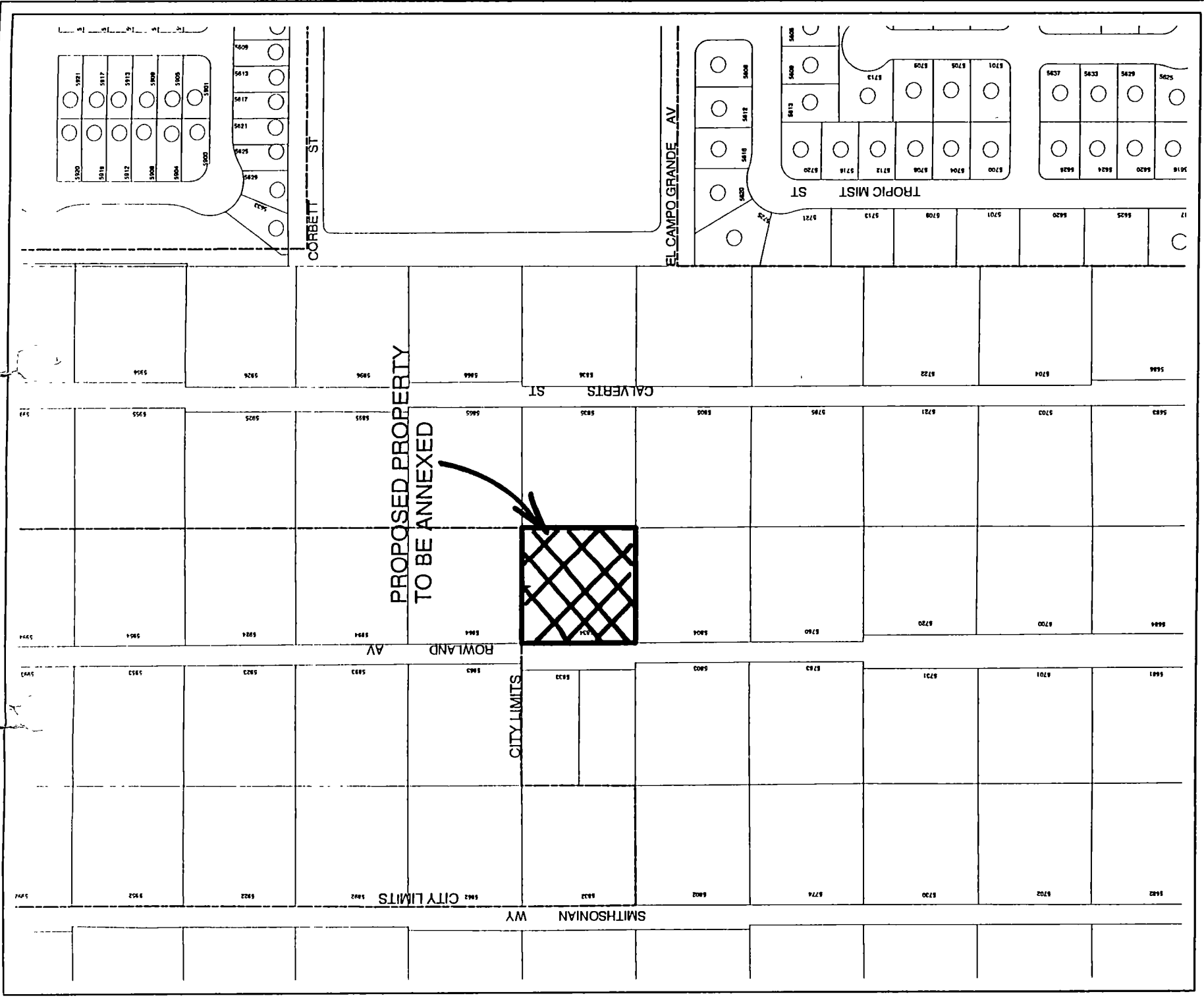
ABSENT: _____

APPROVED:

OSCAR B. GOODMAN, Mayor

ATTEST:

BARBARA JO RONEMUS, City Clerk



CASE: A-30-99(A)

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: OCTOBER 18, 1999

DEPARTMENT: CITY ATTORNEY

Agenda Item No.: 3

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

Bill No. 99-59 –Annexation No. A-34-99(A) – Property Located: On the northeast corner of Pioneer Way and Centennial Parkway; Petitioned By: Kenneth and Maxine Dabb; Acreage: Approximately 3.53 acres; Zoned: R-E (County Zoning), U (R) (City Equivalent). Sponsored By: Councilman Larry Brown

Fiscal Impact

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No Impact

Amount:

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Budget Funds Available

Dept./Division:

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Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property located on the northeast corner of Pioneer Way and Centennial Parkway. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (November 12, 1999) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted by the Recommending Committee after review and hearing to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 99-59 and Location Map

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES AND REGULATIONS IN FORCE IN SAID CITY; ORDERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; DESIGNATING THE ZONING CLASSIFICATION(S) APPLICABLE TO SAID TERRITORY; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH. (A-34-99(A))

Sponsored by:

Councilman Larry Brown

Summary: Annexes property described generally as located on northeast corner of Pioneer Way and Centennial Parkway.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
AS FOLLOWS:

SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby extended to include, annex to, and make a part of the City of Las Vegas, Nevada, the following described real property, to-wit:

That portion of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section 22, Township 19 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada, being Parcel 1, Parcel 2, Parcel 3 and the adjoining half-street Rights-of-way of PIONEER WAY (formerly PIONEER BOULEVARD) and CENTENNIAL PARKWAY, all as shown on the amended parcel map in File 9 of Parcel Maps, Page 91 of Clark County, Nevada Records, bounded as follows:

Bounded on the North by the North lines of Parcel 1, Parcel 2 and Parcel 3 and the Westerly prolongation of the North line of said Parcel 1, all as shown on said file 9 of Parcel Maps, Page 91; bounded on the South by the South line of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of said Section 22; bounded on the East by the East line of said Parcel 3 and the Southerly prolongation of the East line of said Parcel 3; and bounded on the West by the West line of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of said Section 22.

SECTION 2: That said City Council has determined and does hereby determine, that said described territory meets the requirements provided by law for annexation to the City of Las Vegas for the following reasons:

- 1 A. The area to be annexed was contiguous to the City's boundaries at the time the
2 annexation proceedings were instituted;
- 3 B. More than one-eighth ($\frac{1}{8}$) of the aggregate external boundaries of the area are
4 contiguous to the City of Las Vegas;
- 5 C. The territory proposed to be annexed is not included within the boundaries of
6 another incorporated city or within the boundaries of any unincorporated town
7 as those boundaries existed as of July 1, 1983;
- 8 D. The City of Las Vegas is eligible to annex the area described in this report
9 since the landowners have signed a petition constituting one hundred percent
10 (100%) of the owners of record of individual lots or parcels of land within the
11 annexation area.

12 SECTION 3: The City of Las Vegas will provide police protection through the Las
13 Vegas Metropolitan Police Department, fire protection, street maintenance, and library services
14 immediately upon annexation. Garbage collection by the company franchised by the City will also
15 be provided immediately. The City sanitary sewer system will serve the proposed annexation area.
16 Any connection to or extension of this sewer line to serve the annexation area shall be at the expense
17 of the landowners. Other services, such as participation in the City's recreational programs, special
18 education classes and programs, public works planning, building inspections, and other City services
19 will also be available immediately. Utilities such as gas, electricity, telephone, and water are provided
20 by private utility companies and other services to the area will not be affected by annexation. Street
21 paving, curbs and gutters, sidewalks and street lights which are not in place at the time of annexation
22 will be installed in the presently developed areas upon the request of the property owners and at their
23 expense by means of special assessment districts. Such improvements will be extended into the
24 undeveloped areas as development takes place and the need therefor arises, and will be located
25 according to the needs of the area at that time. Such installations will also be made at the expense of
26 the property owners, either by means of special assessment districts or as prerequisites to the approval
27 of subdivision plats, building permits or other land use or development applications.

28 SECTION 4: The annexation of said described territory shall become effective on the

1 12th day of November, 1999, and on such date the City of Las Vegas will have the funds appropriated
2 in sufficient amount to finance the extension into said described territory of police protection, fire
3 protection, street maintenance, street sweeping, and street lighting maintenance.

4 SECTION 5: Said described territory, together with the inhabitants and property
5 thereof, shall, from and after the 12th day of November, 1999, be subject to all debts, laws, ordinances
6 and regulations in force in the City of Las Vegas and shall be entitled to the same privileges and
7 benefits as other parts of said City, and shall be subject to municipal taxes levied by the City of Las
8 Vegas, Nevada.

9 SECTION 6: The City Engineer of the City of Las Vegas, Nevada, is hereby instructed
10 to cause to be prepared an accurate map or plat of said described territory and to record the same,
11 together with a certified copy of this ordinance in the office of the County Recorder of Clark County,
12 Nevada, which said recording shall be done prior to the 12th day of November, 1999.

13 SECTION 7: The said described territory, which heretofore has been zoned R-E
14 (County of Clark classification), is hereby classified as U (R) (City of Las Vegas classification), which
15 is deemed to be the City equivalent of said County classification.

16 SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause or
17 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid
18 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
19 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
20 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
21 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
22 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
23 invalid or ineffective.

24 SECTION 9: All ordinances or parts of ordinances, sections, subsections, phrases,
25 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,

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1 1983 Edition, in conflict herewith are hereby repealed.

2 PASSED, ADOPTED and APPROVED this ____ day of ____, 1999.

3 APPROVED:

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5 OSCAR B. GOODMAN, Mayor

6 ATTEST:

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8 BARBARA JO RONEMUS, City Clerk

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10 APPROVED AS TO FORM:

11 Val Steed 9-17-99
12 Date

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The above and foregoing ordinance was first proposed and read by title to the City Council on the ____ day of _____, 1999, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the ____ day of _____, 1999, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

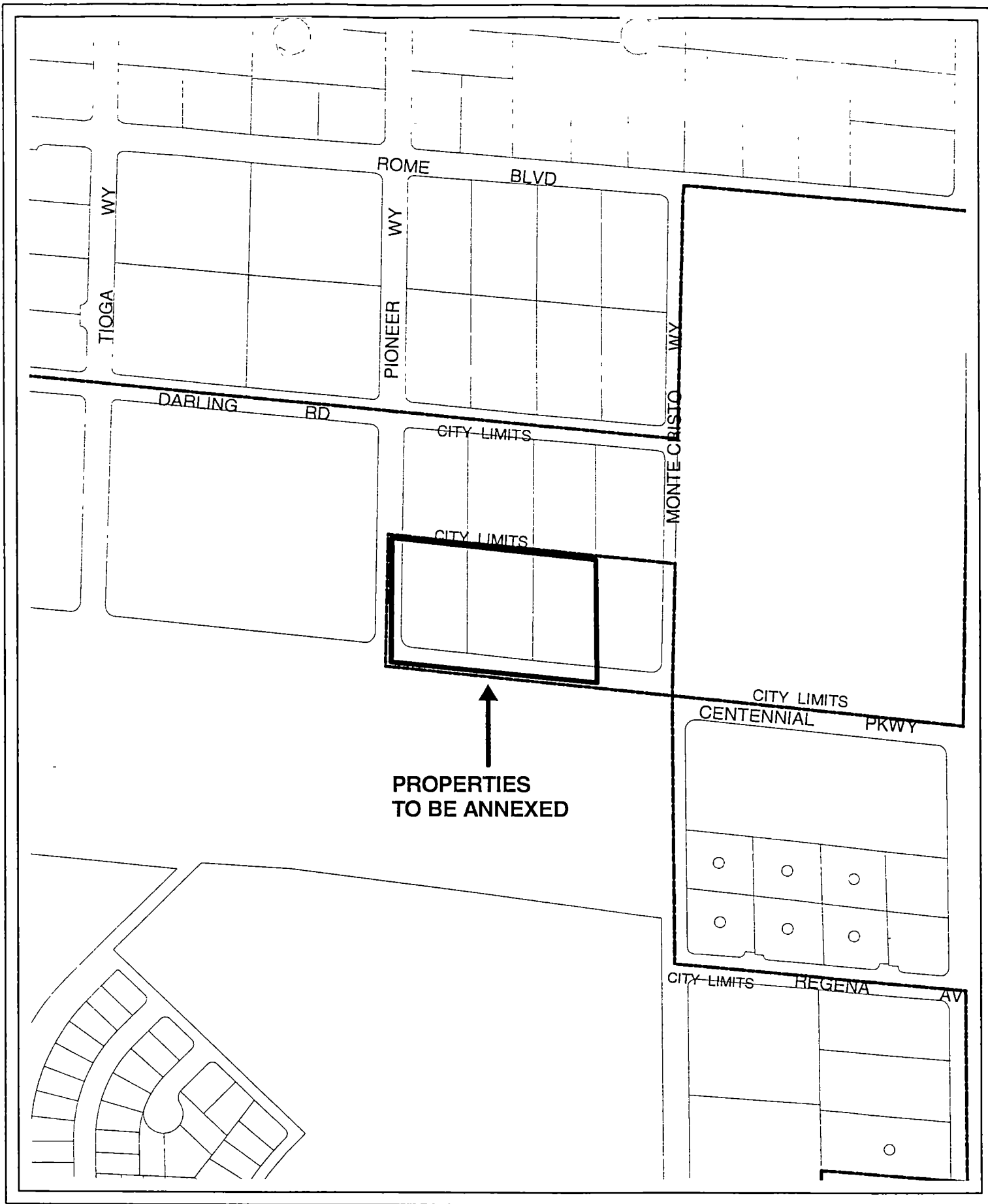
ABSENT: _____

APPROVED:

OSCAR B. GOODMAN, Mayor

ATTEST:

BARBARA JO RONEMUS, City Clerk



CASE: A-34-99(A)



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: OCTOBER 18, 1999

DEPARTMENT: CITY ATTORNEY

Agenda Item No.: 4

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

Bill No. 99-60 – Authorizes the City Traffic Engineer to determine the days and hours for the operation of parking meters and to establish the rates and time limits for parking in metered spaces and in City-owned parking lots. Proposed By: Mike Sheldon, Director, Detention and Enforcement

Fiscal Impact

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No Impact

Amount:

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Budget Funds Available

Dept./Division:

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Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The Municipal Code currently sets the days and hours of operation for parking meters, as well as the time limits and rates applicable to metered parking and parking in City-owned lots. This bill will offer more flexibility by authorizing the City Traffic Engineer to adjust all these items administratively, from time to time and as deemed necessary.

RECOMMENDATION:

This bill should be submitted by the Recommending Committee after review and hearing to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 99-60

BILL NO. 99-60

ORDINANCE NO. _____

AN ORDINANCE RELATING TO PARKING METERS AND CITY-OWNED PARKING LOTS; AMENDING TITLE 11, CHAPTER 54, SECTION 90, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO MAKE PARKING METERS OPERATIONAL ON ALL DAYS OTHER THAN CERTAIN HOLIDAYS AND TO AUTHORIZE THE CITY TRAFFIC ENGINEER TO DETERMINE THE DAYS AND HOURS FOR THE OPERATION OF PARKING METERS; AMENDING SECTION 100 OF THAT TITLE AND CHAPTER TO AUTHORIZE THE CITY TRAFFIC ENGINEER, WITH THE APPROVAL OF THE CITY MANAGER, TO ESTABLISH RATES AND TIME LIMITS FOR PARKING IN METERED SPACES AND IN CITY-OWNED PARKING LOTS; REPEALING IN ITS ENTIRETY SECTION 110 OF THAT TITLE AND CHAPTER; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.

Proposed by:
Michael Sheldon, Director
Detention and Enforcement

Summary: Authorizes the City Traffic Engineer to determine the days and hours for the operation of parking meters and to establish the rates and time limits for parking in metered spaces and in City-owned parking lots.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
AS FOLLOWS:

SECTION 1: Title 11, Chapter 54, Section 90, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11.54.090: Parking meters shall be operated in the parking meter zone every day [between the hours of eight a.m. and eight p.m., except Sundays and holidays, and except as hereinafter in LVMC 11.54.100 (B) expressly provided. Within the meaning of this Chapter, the term "holiday" shall include the following days only: January 1st, the third Monday in January, the third Monday in February, the last Monday in May, July 4th, the first Monday in September, October 31st, November 11th, the fourth Thursday in November, the fourth Friday in November, December 25th and any general holiday declared by the President of the United States, Governor of the State or Mayor of the City except for any presidential appointment of the fourth Monday in October as Veterans Day; provided also that if any of these holidays falls upon a Saturday or a Sunday, then the preceding Friday or following Monday, respectively, shall be considered the holiday; provided, however, that by resolution of the majority of its members, the City Council may extend the time for operation of any parking meters in the parking meter zone for an additional period of time, provided the proper

1 notice for such extended time of operation is placed on each such parking meter.] except the
2 following: January 1; the third Monday in January; the third Monday in February; the last Monday
3 in May; July 4; the first Monday in September; October 31; November 11; the fourth Thursday in
4 November; the fourth Friday in November; December 25; and any general holiday declared by the
5 President of the United States, Governor of the State, or Mayor of the City, except for any presidential
6 appointment of the fourth Monday in October as Veterans Day. The hours of operation for any
7 parking meter shall be those which are established by the Traffic Engineer.

8 SECTION 2: Title 11, Chapter 54, Section 100, of the Municipal Code of the City of
9 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

10 **11.54.100:** Parking or standing a vehicle in a parking meter space on the streets and parts of streets
11 that are designated in Schedule 3-I, as the same is established pursuant to LVMC 11.54.020, or in any
12 City-owned parking lot, is permissible [for thirty minutes for a twenty-five-cent coin of the United
13 States of America deposited in the meter for such parking space, limited, however, to such maximum
14 total time for parking as shall be prescribed by ordinance and so indicated by proper notice upon such
15 parking meter.] in accordance with the rates and time limits which have been:

16 (A) Established by the Traffic Engineer and approved by the City Manager; and

17 (B) Indicated upon the parking meter or by means of a duly-posted sign.

18 SECTION 3: Title 11, Chapter 54, Section 110, of the Municipal Code of the City of
19 Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

20 SECTION 4: If any section, subsection, subdivision, paragraph, sentence, clause or
21 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid
22 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
23 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
24 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
25 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
26 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
27 invalid or ineffective.

28 SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases,

1 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
2 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED and APPROVED this ____ day of _____, 1999.

4 APPROVED:

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6 By _____
OSCAR B. GOODMAN, Mayor

7 ATTEST:

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9 _____
BARBARA JO RONEMUS, City Clerk

10 APPROVED AS TO FORM:

11 Val Steed 9-21-99
Date

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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 1999, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 1999, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

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13 By _____
OSCAR B. GOODMAN, Mayor

14 ATTEST:

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16 BARBARA JO RONEMUS, City Clerk _____
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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: OCTOBER 18, 1999

DEPARTMENT: CITY ATTORNEY

Agenda Item No.: 5

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

Bill No. 99-61 – Amends the Zoning Code to allow certain types of mixed-use development by means of special use permit. Sponsored By: Mayor Oscar B. Goodman

Fiscal Impact

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No Impact

Amount:

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Budget Funds Available

Dept./Division:

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Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will allow residential units to be approved above or adjacent to non-residential buildings in the P-R, N-S, O, C-D, C-1 and C-2 Districts. The proposal initially would limit this type of development to the Downtown Redevelopment Area, to be used as an incentive to encourage redevelopment, infill development and the possible creation of an Arts District. Depending upon the results, the availability of this type of development could be expanded to other areas.

RECOMMENDATION:

This bill should be submitted by the Recommending Committee after review and hearing to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 99-61

BILL NO. 99-61

ORDINANCE NO. _____

AN ORDINANCE RELATING TO ZONING; AMENDING THE LAND USE TABLES ADOPTED IN SUBCHAPTER 19A.04.010 OF THE ZONING CODE OF THE CITY OF LAS VEGAS, ADOPTED AS AND INCORPORATED IN TITLE 19A OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO ALLOW CONDOMINIUMS AND MULTI-FAMILY USES IN THE P-R, N-S, O, C-D, C-1 AND C-2 ZONING DISTRICTS BY MEANS OF SPECIAL USE PERMIT; AMENDING SECTION 19A.04.050(B) OF THE ZONING CODE TO ESTABLISH LOCATIONAL LIMITATIONS AND MINIMUM STANDARDS UNDER WHICH THOSE USES MAY BE ALLOWED BY MEANS OF SPECIAL USE PERMIT; PROVIDING FOR OTHER MATTERS RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:
Mayor Oscar B. Goodman

Summary: Amends the Zoning Code to allow certain types of mixed-use development by means of special use permit.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
AS FOLLOWS:

SECTION 1: Table 2 of the Land Use Tables adopted in Subchapter 19A.04.010 of the Zoning Code of the City of Las Vegas is hereby amended to indicate that condominium and multi-family uses may be permitted by means of Special Use Permit in the P-R, N-S, O, C-D, C-1 and C-2 Zoning Districts, and that a Special Use Permit to allow those uses is subject to certain limitations and base standards.

SECTION 2: In order to reflect the amendment described in Section 1, the "Residential & Lodging" element of Table 2 of the Land Use Tables adopted in Subchapter 19A.04.010 of the Zoning Code of the City of Las Vegas is amended to add the letter "S" (indicating Special Use Permit) in every box which represents the intersection of the rows for "Condominium" and "Multi-family," respectively, and the columns for the P-R, N-S, O, C-D, C-1 and C-2 Zoning Districts, respectively. In addition, in the row for the use "Condominium" and the row for the use "Multi-Family," an asterisk shall be added following each term to indicate the existence of applicable limitations and base standards.

SECTION 3: Section 19A.04.050(B) of the Zoning Code of the City of Las Vegas is hereby amended by adding thereto two new subdivisions, reading as follows:

...

1 **CONDOMINIUM (RESIDENTIAL) [P-R, N-S, O, C-D, C-1, C-2] (Limited Area)**

2 *1. The condominium use is limited to the following areas:

3 The Downtown Las Vegas Redevelopment Area, as established by Ordinance Nos.
4 3218, 3339, 3637 and 4036.

5 *2. The condominium use shall be developed only in connection with ground-level non-
6 residential development, and, in the case of a multi-floor structure, shall not itself be permitted on the
7 ground floor, except for access and entryways.

8 3. Structures associated with the use shall comply with the following design criteria:

9 a. The primary resident/guest entryway to the condominium use shall be
10 independent of ground floor commercial uses, and shall be directly from and oriented to a street.

11 b. The overall architecture of the front elevation shall highlight the difference in
12 uses through variations in volume and proportion, and shall be treated as a cohesive whole through
13 finishes and colors.

14 **MULTI-FAMILY [P-R, N-S, O, C-D, C-1, C-2] (Limited Area)**

15 *1. The multi-family use is limited to the following areas:

16 The Downtown Las Vegas Redevelopment Area, as established by Ordinance Nos.
17 3218, 3339, 3637 and 4036.

18 *2. The multi-family use shall be developed only in connection with ground-level non-
19 residential development, and, in the case of a multi-floor structure, shall not itself be permitted on the
20 ground floor, except for access and entryways.

21 3. Structures associated with the use shall comply with the following design criteria:

22 a. The primary resident/guest entryway to the multi-family use shall be
23 independent of ground floor commercial uses, and shall be directly from and oriented to a street.

24 b. The overall architecture of the front elevation shall highlight the difference in
25 uses through variations in volume and proportion, and shall be treated as a cohesive whole through
26 finishes and colors.

27 SECTION 4: If any section, subsection, subdivision, paragraph, sentence, clause or
28 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid

1 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
2 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
3 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
4 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
5 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
6 invalid or ineffective.

7 SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases,
8 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
9 1983 Edition, in conflict herewith are hereby repealed.

10 PASSED, ADOPTED and APPROVED this ____ day of _____, 1999.

11 APPROVED:

12
13 By _____
OSCAR B. GOODMAN, Mayor

14 ATTEST:

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16 _____
BARBARA JO RONEMUS, City Clerk

17
18 APPROVED AS TO FORM:

19
20 Val Steed 9-21-99
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 1999, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 1999, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____
9 VOTING "NAY": _____
10 ABSENT: _____

11 APPROVED:

12 By _____
13 OSCAR B. GOODMAN, Mayor

14 ATTEST:
15
16 BARBARA JO RONEMUS, City Clerk

RECOMMENDING COMMITTEE MEETING MINUTES
CITY HALL, 400 EAST STEWART AVENUE
8TH FLOOR CONFERENCE ROOM
MONDAY, OCTOBER 18, 1999
4.00 P.M

ATTENDANCE: Councilman Michael J McDonald
Councilman Larry Brown

ALSO PRESENT: Doug Selby, Deputy City Manager
Val Steed, Chief Deputy of Governmental Affairs

CALL TO ORDER: Councilman McDonald called the meeting to order at 4 02 p m

ANNOUNCEMENT MADE: Meeting noticed and posted at the following locations

Downtown Transportation Center, City Clerk's Board
Senior Citizens Center, 450 E Bonanza
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

1. **Bill No. 99-57 – LEVIES ASSESSMENT RE SPECIAL IMPROVEMENT DISTRICT NO. 1466 (HUNTRIDGE PHASE III). Sponsored by Step Requirement**

Committee: Councilmen Michael J McDonald and Larry Brown

Mr Steed stated the subject bill is in order.

No one appeared in opposition.

There was no discussion

Councilman Brown recommended Bill No. 99-57 be forwarded to the Full Council with a “Do Pass” recommendation. Councilman McDonald concurred.

(4:02 - 4:03)
1-13

2. **Bill No. 99-58 – Annexation No. A-30-99(A)** – PROPERTY LOCATED ON THE EAST SIDE OF ROWLAND AVENUE, APPROXIMATELY 1,000 FEET SOUTH OF TROPICAL PARKWAY; PETITIONED BY: BOTT 1983 REVOCABLE TRUST, ACREAGE: APPROXIMATELY 1.02 ACRES; ZONED: R-E (COUNTY ZONING), U(R) (CITY EQUIVALENT). Sponsored By: Councilman Larry Brown
Committee: Councilmen Michael J. McDonald and Larry Brown

Mr. Steed stated the subject bill is in order

No one appeared in opposition.

There was no discussion.

Councilman Brown recommended Bill No. 99-58 be forwarded to the Full Council with a “Do Pass” recommendation. Councilman McDonald concurred.

(4:03)
1-34

3. **Bill No. 99-59 – Annexation No. A-34-99(A)** – PROPERTY LOCATED: ON THE NORTHEAST CORNER OF PIONEER WAY AND CENTENNIAL PARKWAY, PETITIONED BY: KENNETH AND MAXINE DABB; ACREAGE: APPROXIMATELY 3.53 ACRES, ZONED: R-E (COUNTY ZONING), U (R) (CITY EQUIVALENT). Sponsored By: Councilman Larry Brown
Committee: Councilmen Michael J. McDonald and Larry Brown

Mr. Steed stated the subject bill is in order

No one appeared in opposition

There was no discussion

Councilman Brown recommended Bill No. 99-59 be forwarded to the Full Council with a “Do Pass” recommendation. Councilman McDonald concurred.

(4.03 - 4.04)
1-50

4. **Bill No. 99-60** – AUTHORIZES THE CITY TRAFFIC ENGINEER TO DETERMINE THE DAYS AND HOURS FOR THE OPERATION OF PARKING METERS AND TO ESTABLISH THE RATES AND TIME LIMITS FOR PARKING IN METERED SPACES AND IN CITY-OWNED PARKING LOTS. Proposed By: Mike Sheldon, Director, Detention and Enforcement
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- Committee: Councilmen Michael J. McDonald and Larry Brown

Mr. Sheldon stated that this bill will give the Traffic Engineer the authority and flexibility to set hours of operation and fees for parking meters. It is now set by ordinance, which mandates times that the meters are in operation throughout the City.

Mr. Al Gallego, Citizen of Las Vegas, noted that the parking meters around City Hall are 25 cents for one half hour and that is too short. It is an inconvenience to leave a City Council Meeting to feed the meter. He also stated that there should be a larger sign for hours of operation of the meters.

There was no further discussion.

NOTE: Councilman Brown directed Mr. Sheldon and staff to set up briefings with the Council to make them aware of the changes in this bill and to discuss policy issues. Councilman Brown also wants to be briefed on where revenue is being generated and what the amounts are.

Councilman Brown recommended Bill No. 99-60 be forwarded to the Full Council with a "Do Pass" recommendation. Councilman McDonald concurred.

(4:04 - 4:13)
1-63

5. **Bill No. 99-61** – AMENDS THE ZONING CODE TO ALLOW CERTAIN TYPES OF MIXED-USE DEVELOPMENT BY MEANS OF SPECIAL USE PERMIT. Sponsored By: Mayor Oscar B. Goodman
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- Committee: Councilmen Michael J. McDonald and Larry Brown

Mr. Steed explained that the Zoning Code disallows the mixing of residential and non-residential uses. This bill would state that in particular cases, the City Council can approve mixed-use development by Special Use Permit under certain conditions. At this point, it is limited to the downtown area. He also stated that at any point, Council can add to the standards if the existing standards are not sufficient to produce what is needed in the downtown area.

Councilman Brown asked Mr. Chow, Director of Planning and Development, to explain the ground floor use versus the residential use. Mr. Chow stated that the ground floor should remain in commercial use, except for the access to the residential. Mr. McGowan, Citizen of Las Vegas, said that careful consideration should be applied to the

approval of Special Use Permit requests to achieve reasonable uniformity. He also stated that particular attention should be paid to ensure ample, convenient and affordable parking.

There was no further discussion.

Councilman Brown recommended Bill No. 99-61 be forwarded to the Full Council with a "Do Pass" recommendation. Councilman McDonald concurred.

(4:13 - 4:27)
1-363

CITIZENS PARTICIPATION:

Mr. McGowan stated that he comes to these meetings to ensure that the government complies with applicable law. He also noted that this is a committee meeting, not a City Council meeting and allowing public comment at a committee meeting should not preclude public comment regarding the same item at a City Council Meeting. There should be a legal opinion.

(4:27 - 4:32)
1-804

ADJOURNMENT

The meeting adjourned at 4:32 p.m.

/dw