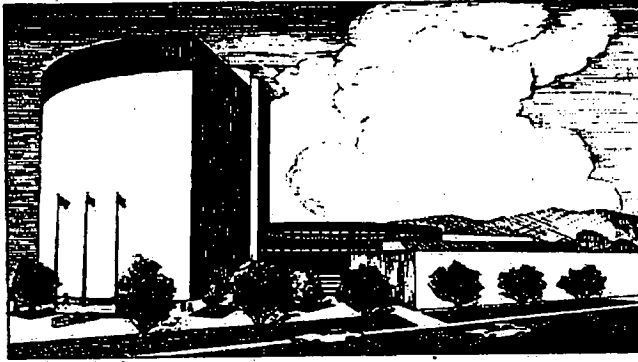




MINUTES

City of Las Vegas

CITY COUNCIL

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

NOVEMBER 3, 1999

INVOCATION:

PLEDGE OF ALLEGIANCE:

CITY COUNCIL

PRESENT

ABSENT

EXCUSED

MAYOR OSCAR B. GOODMAN

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COUNCILMAN MICHAEL J. McDONALD

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MAYOR PRO-TEM

COUNCILMAN GARY REESE

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COUNCILMAN LARRY BROWN

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COUNCILWOMAN LYNETTE BOGGS McDONALD

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VIRGINIA VALENTINE, CITY MANAGER

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BRAD JERBIC, CITY ATTORNEY

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JOHN REDLEIN, CHIEF CIVIL DEPUTY CITY
ATTORNEY, A.M. SESSION

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STEVE GEORGE, DEPUTY CITY ATTORNEY

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TOM GREEN, DEPUTY CITY ATTORNEY
P.M. SESSION

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BARBARA JO RONEMUS, CITY CLERK

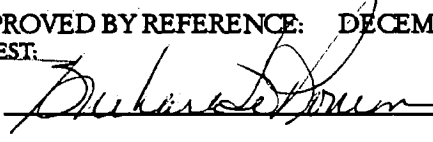
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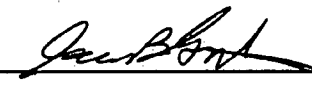
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APPROVED BY REFERENCE: DECEMBER 1, 1999

ATTEST:


CITY CLERK


MAYOR

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

City of Las Vegas

CITY COUNCIL AGENDA

NOVEMBER 3, 1999
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CITY COUNCIL AGENDA

COUNCIL CHAMBERS • 400 STEWART AVENUE • PHONE 229-6011
 CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.ci.las-vegas.nv.us>
 OSCAR B. GOODMAN, MAYOR • COUNCILMAN MICHAEL J. McDONALD, MAYOR PRO TEM
 COUNCILMEMBERS: GARY REESE, LARRY BROWN, LYNETTE BOGGS McDONALD

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

NOVEMBER 3, 1999

Morning Session begins at 9:00 a.m.
Afternoon Session begins at 1:00 p.m.

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

THESE PROCEEDINGS ARE BEING VIDEOTAPED FOR REBROADCAST ON CABLE CHANNEL 4 BY THE U.N.L.V. HANK GREENSPUN SCHOOL OF COMMUNICATION. THE PROCEEDINGS WILL BE REBROADCASTED ON CABLE CHANNEL 4 THE WEDNESDAY OF THE MEETING AT 8:00 PM AND IS ALSO REBROADCAST ON SATURDAY AT NOON AND 7:30 PM, AND THE FOLLOWING MONDAY AT 9:30 AM

DUPLICATE AUDIO TAPES ARE AVAILABLE AT A COST OF \$5.00 PER TAPE AND DUPLICATE VIDEO TAPES ARE AVAILABLE AT A COST OF \$10.00 PER TAPE THROUGH THE CITY CLERK'S OFFICE.

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

CEREMONIAL MATTERS

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - CHAPLAIN CHARLOTTE M. LEAS, HOSPICE OF INTEGRATED HEALTH SERVICES
- PLEDGE OF ALLEGIANCE
- PROCLAMATION PRESENTATION TO SHERMAN RUTLEDGE OF THE EQUAL OPPORTUNITY BOARD/KCEP RADIO DECLARING MONDAY, NOVEMBER 8, 1999, AS "NATIONAL DRUNK DRIVING PREVENTION CAMPAIGN-SHATTERED LIVES DAY"
- RECOGNITION OF THE "CITIZEN OF THE MONTH" FOR NOVEMBER

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 October 6, 1999

CONSENT AGENDA

MATTERS LISTED ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND HAVE BEEN RECOMMENDED FOR APPROVAL BY THE SUBMITTING DEPARTMENTS. ALL ITEMS ON THE CONSENT AGENDA MAY BE APPROVED IN A SINGLE MOTION. HOWEVER, IF A COUNCIL MEMBER SO REQUESTS, ANY CONSENT ITEM MAY BE MOVED TO THE DISCUSSION PORTION OF THE AGENDA AND OTHER ACTION, INCLUDING POSTPONEMENT OR DENIAL OF THE ITEM MAY TAKE PLACE.

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

3. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
4. Approval of a Special Event Liquor License for Fraternal Order of Eagles, Location: 1601 East Washington Avenue, Date: December 1-7, 1999, Type: Special Event General, Responsible Person in Charge: Arlie L. Coke - Ward 3 (Reese)
5. Approval of a new Supper Club Liquor License subject to the provisions of the planning and fire codes and Health Department regulations, Buca (Nevada) Inc., dba Buca di Beppo, 7690 West Lake Mead Boulevard, Joseph Patrick Micatrotto, Dir, Pres, CEO, Greg A. Gadel, Dir, Secy, CFO, Buca, Inc., 100%, Joseph P. Micatrotto, CEO, Pres, Greg A. Gadel, CFO Secy - Ward 2 (L.B. McDonald)
6. Approval of a new Supper Club Liquor License, Tower Pasta Inc., dba "P/P Tower", 2000 Las Vegas Boulevard South, Robert T. Harry, Dir, Pres, Secy, Treas, 100% - Ward 1 (M. McDonald)
7. Approval of change of business name for Beer/Wine/Cooler On-Sale Liquor License, Uehara & Uehara, dba From: Kifune Restaurant, To: Nozomi Restaurant & Sushi Bar, 2202 West Charleston Boulevard, Russell Uehara and Deborah Uehara, 100% jointly as husband and wife - Ward 1 (M. McDonald)
8. Approval of officer for a Tavern Liquor License, Howard Hughes Corporation, dba Tournament Players Club at Summerlin, 1700 Village Center Drive, Daniel C. Van Epp, Pres - Ward 2 (L.B. McDonald)
9. Approval of officer for Tavern Liquor License, Tournament Players Club at Summerlin Inc., dba Tournament Players Club at the Canyons, 9851 Canyon Run Drive, Daniel C. Van Epp, Pres - Ward 2 (L.B. McDonald)
10. Approval of General Manager for a Package Liquor License, American Drug Stores Inc., dba Sav-On Drugs #2417, 160 South Rainbow Boulevard, Thomas L. Pollock, General Manager - Ward 2 (L.B. McDonald)
11. Approval of a new Slot Operator Space Lease Location Restricted Gaming License for 3 slots, Green Valley Gaming Inc., db at Hoagies Sub & Coney Island, 3170 Polaris Ave. #4, Approved by the Nevada Gaming Commission on October 21, 1999 - Ward 1 (M. McDonald)
12. Approval of a new Slot Operator Space Lease Location Restricted Gaming License for 3 slots, Green Valley Gaming Inc., db at Thrower's Market, 1602 H Street, Approved by the Nevada Gaming Commission on October 21, 1999 - Ward 3 (Reese)
13. Approval of change of officer/general manager/change of location for Burglar Alarm Service License, Securitylink from Ameritech Inc., dba Securitylink from Ameritech Inc., From: 2550 Chandler Avenue #20, To: 6330 South Sandhill Road Building A, Marc P. Katz, VP, Secy, General Counsel, Frank D. Spinola, General Manager - (County)
14. Temporary approval of a new Independent Massage Therapist License, Seymore A. Koblin, dba Seymore A. Koblin, 2550 South Rainbow Boulevard, Seymore A. Koblin, 100% - (County)
15. Temporary approval of a new Independent Massage Therapist License, Terry Saunders, dba Spiritual Connections Institute of Massage Therapy of Las Vegas, 6800 East Lake Mead Boulevard #2074, Terry L. Saunders, 100% - (County)
16. Temporary approval of a New Independent Massage Therapist License, Norman P. Lorca, dba Norman P. Lorca, 4816 Koval Lane #2, Norman P. Lorca, 100% - (County)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

17. Temporary approval of a new Independent Massage Therapist License, Marcy A. Brenner, dba Marcy A. Brenner, 5650 West Flamingo Road Suite B, Marcy A. Brenner, 100% - (County)
18. Temporary approval of a new Independent Massage Therapist License, Thomas Bogle, dba Hands On Therapeutic Massage of Las Vegas, 7480 Mountainboro Lane, Thomas E. Bogle, 100% - (County)
19. Temporary approval of a new Independent Massage Therapist License, Jennifer Bickford, dba Jennifer Bickford, 9410 West Sahara Avenue Suite 140, Jennifer K. Bickford, 100% - Ward 2 (L.B. McDonald)
20. Temporary approval of a new Independent Massage Therapist License subject to the provisions of the fire codes, Amber Goodall, dba Amber Goodall, 2100 South Maryland Parkway Suite 7A, Amber G. Goodall, 100% - Ward 3 (Reese)
21. Approval of change of location for an Independent Massage Therapist License, Carnell Upchurch, dba Carnell Upchurch, From: 9501 West Sahara Avenue #1190, To: 9945 Biscayne Lane, Carnell Upchurch, 100% - Ward 2 (L.B. McDonald)
22. Approval of change of ownership for a Martial Arts Instruction Business License, From: Michelle A. Witz, 100% To: Witz & Witz, dba AAA Action USA Black Belt Academy, 3250 North Tenaya Way Suite 113, Stanley A. Witz and Michelle A. Witz, 100% jointly as husband and wife - Ward 4 (Brown)
23. Approval of a Slot Operator Space Lease Location Restricted Gaming License for 15 slots, Cardivan Company, dba Sav On Drugs #3324, 1600 North Buffalo Drive, Approved by the Nevada Gaming Commission on August 19, 1999 - Ward 2 (L.B. McDonald)
24. Approval of the award of Bid Number 00.1730.11, Upper Washington Avenue Conveyance System Phase 2; and approve the construction and contingency account - Department of Public Works - Award recommended to WELLS CARGO, INC. (\$5,590,909 - Capital Projects Fund)
25. Approval of authorization to use Western States Contracting Alliance Master Price Agreement #92-00151 for Dell Computers and Servers - Department of Information Technologies - Award recommended to: DELL MARKETING L.P. (Estimated annual amount of \$2,500,000 - General Fund)
26. Preapproval of Bid Number 00.1739.06, Fire Station #41 at Buffalo & Wittig to the lowest responsive and responsible bidder; and approve the construction and contingency amount - Department of Fire Services - (Engineer's estimate \$2,370,000 - Capital Projects Fund)
27. Approval of the award of Bid Number 000029, annual requirements contract for CPVC pipe, fittings, valves and glue - Department of Public Works - Award recommended to: VARIOUS SUPPLIERS (Estimated annual aggregate amount of \$255,000 - Enterprise Fund)
28. Approval of the award of Bid Number 000024, annual requirements contract for custodial paper products - various departments - Award recommended to: VARIOUS SUPPLIERS (Estimated annual aggregate amount of \$85,000 - General Fund)

FIRE AND RESCUE DEPARTMENT - CONSENT

29. Approval of a Las Vegas Valley Water District Interlocal Agreement for City of Las Vegas Fire Station No. 41 Bid No. 00.1739.06 to provide water service for the building located at Buffalo and Wittig and Application for Connection and Request for Service fee (\$46,105.00/Capital Projects Fire Bonds)

HUMAN RESOURCES DEPARTMENT - CONSENT

30. Approval of the vendors for Calendar Year 2000 Employee Medical Insurance Providers (annual savings of \$129,307 to current budget)

NEIGHBORHOOD SERVICES DEPARTMENT - CONSENT

31. Approval of Community Development Block Grant (CDBG) funded Housing Rehabilitation Activities in the amount of \$30,000.00 for Hermila Escalante, 1201 Chapman Drive
32. Approval of a request for reduction of an EDA/RLF loan to Basil Clay dba International College Funding from \$35,000.00 to \$28,510.74

PUBLIC WORKS DEPARTMENT - CONSENT

33. Approval of a Right of Way Grant for Sight Visibility Restriction Purposes from C & E Partnership, an Illinois General Partnership for a portion of the Southeast Quarter of Section 11, T20S, R60E, M. D. M., for an easement located on the east side of Bronco Street, north of Cheyenne Avenue (1-10-99) 138-11-804-013
34. Approval of a Right of Way Grant for Ingress and Egress Purposes from C & E Partnership, an Illinois General Partnership for a portion of the Southeast Quarter (SE ¼) of Section 11, T20S, R60E, M.D.M., for an easement located on the east side of Bronco Street, north of Cheyenne Avenue (1-10-99) 138-11-804-013
35. Approval of a Grant Deed from Alan W. Feld and Suzanne Coblentz Feld, as Co-Trustees of the Alan W. And Suzanne Coblentz Living Trust dated the 9th day of August 1972 as to a 1/3rd interest; Suzanne Feld, a married woman as her sole and separate property as to a 2/18th interest; Suzanne and Alan Feld, Co-Trustees of the Winthrop Trust dated August 9, 1972, as amended/restated and their successors as to a 1/18th interest; and Suzanne Coblentz Feld, Thelma Coblentz and Jonathan Coblentz, Co-Trustees of the J. Coblentz 1994 Trust, dated December 15, 1994 as amended/restated and their successors as to a 9/18th interest for a portion of the Southwest Quarter (SW ¼) of Section 3, T20S, R60E, M.D.M for 50' of right-of-way for the south half of Craig Road, 40' for a portion of Tenaya Way, a 54' radius at the southwest corner of Tenaya Way and Craig Road, and 30' for a portion of Pioneer Way for the Craig Road Improvements, Buffalo Drive to U.S. 95 (previously recorded in the Office of the Recorder, Clark County, Nevada in Book 990930 as Instrument Number 01894) (9-30-99) 138-03-303-001
36. Approval to file a Right-of-Way Grant application with the Bureau of Land Management for road, sewer and drainage purposes on portions of land lying within the West Half (W ½) of Section 1 and the Northeast Quarter (NE ¼) and the West Half (W ½) of Section 12, T20S, R59E, M.D.M. for "Spine" Road between Cheyenne Road and Lone Mountain Road and Alexander Road and Gilmore Avenue, east of "Spine" Road
37. Approval of Sewer Connection and Interlocal Contract with Clark County Sanitation District - Katherine Ann Kauder, Owner, 1490 Smith Street
38. Approval of an encroachment request for Fremont Street Experience, (Applicant), First Street between Fremont Street and Ogden Avenue
39. ABEYANCE ITEM - Approval of a 5-year sludge disposal service contract with Environmental Technologies of Nevada for sludge removal from the Water Pollution Control Facility (\$1,500,000 a year/Enterprise Fund)
40. ABEYANCE ITEM - Approval of first amendment to the professional services agreement with Primas and Associates for the design of Tenaya Way from Sky Pointe Drive to Azure Drive (\$101,888.10/Regional Transportation Commission, City of Las Vegas Special Improvement District, Clark County Special Improvement District, and City of Las Vegas Sanitation Fund)

RESOLUTIONS - CONSENT

41. **R-99-99** - Approval of a Resolution directing the City Treasurer to prepare the Fiftieth Assessment Apportionment Report re: Special Improvement District No. 707 (Summerlin Area)
42. **R-100-99** - Approval of a Resolution approving the Fiftieth Assessment Apportionment Report re: Special Improvement District No. 707 (Summerlin Area)

DISCUSSION / ACTION ITEMS

BUSINESS DEVELOPMENT - DISCUSSION

43. Discussion and possible action to approve the interlocal agreement between the City of Las Vegas and the City of Las Vegas Redevelopment Agency for site remediation at the former National Guard Armory (NOTE: This item is a companion to Redevelopment Agency Item #B)

CITY ATTORNEY - DISCUSSION

44. **ABEYANCE ITEM** - Discussion and possible action on appeal of Work Card Denial: Windy Denise Conway, 899 Fremont Street #308, Las Vegas, Nevada 89101
45. Discussion and possible action on appeal of Work Card Denial: Six Month Review, Ms. Yolanda Rainey, 1209 N. Tonopah Drive, Las Vegas, NV 89108
46. Discussion and possible action on appeal of Work Card Denial: Six Month Review, Ms. Jami Maie Linton, 4600 Alyse Way, Las Vegas, NV 89110

FINANCE & BUSINESS SERVICES - DISCUSSION

47. Discussion and possible action regarding a request for temporary approval of a new Package Liquor License subject to the provisions of the planning and fire codes, Health Department regulations and a favorable police report, Buffalo & Lake Mead Blvd. Inc., dba Lee's Discount Liquor, 7411 West Lake Mead Boulevard, Hae Un Lee, Dir, Pres, Sun Ja Lee, Dir, Secy, Treas, Lee Family Trust, 100%, Hae Un Lee, Trustee, Sun Ja Lee, Trustee - Ward 4 (Brown)
48. Discussion and possible action regarding a request for temporary approval of a new Independent Massage Therapist License, Melinda G. Turlington, dba Progressive Wellness & Relaxation, 3230 East Flamingo Road #525, Melinda G. Turlington, 100% - (County)

PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION

49. Report on the Update of the Status of Census 2000 in Southern Nevada

PUBLIC WORKS - DISCUSSION

50. **ABEYANCE ITEM** - Discussion and possible action on a Request to Install Speed Humps on Hammer Lane between Manuel Drive and Cimarron Road. (\$7,000/Neighborhood Traffic Management Program

BOARDS & COMMISSIONS - DISCUSSION

51. **ABEYANCE ITEM** - COMMUNITY EMPLOYMENT ADVISORY COMMITTEE - Robert Fortson - Term Expired 6/1999
52. SENIOR CITIZEN LAW PROJECT ADVISORY BOARD - Vivian Hinton - Term Expires 11-17-99; MIROHIM "MIMI" SAFT - Term Expires 11-18-99

REAL ESTATE COMMITTEE REPORTS - DISCUSSION

53. **ABEYANCE ITEM** - Discussion and possible action to approve a request from Nevada Department of Transportation (NDOT) to purchase the City's Charleston Heights Neighborhood Preservation Park in accommodation of the planned US95 widening project (\$3,670,000.00/Nevada Department of Transportation)
54. Discussion and possible action to approve a First Amendment to Lease Agreement between the City of Las Vegas and Variety Day Home, adding a provision for reimbursement to the City for security guard service expenses incurred by Variety Day Home
55. Discussion and possible action to approve a Memorandum of Understanding between the City of Las Vegas and Clark County School District, relinquishing the City's interest in approximately 20 acres of land in the vicinity of Ann Road and Campbell

RECOMMENDING COMMITTEE REPORTS - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

56. **Bill No. 99-57** – Levies Assessment re: Special Improvement District No. 1466 (Huntridge Phase III). Sponsored by: Step Requirement
57. **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
58. **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
59. **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
60. **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

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.

61. **Bill No. 99-19** – Creates District re: Special Improvement District No. 1470 - Buffalo (Cheyenne Avenue to Lone Mountain Road) and Craig Road US-95 to Buffalo Drive). Sponsored by: Step Requirement

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.

62. **Bill No. 99-62** – Eliminates the ability to obtain a waiver of the minimum 400-foot distance requirements applicable to a liquor establishment (off-premise consumption). Sponsored by: Councilman Gary Reese
63. **Bill No. 99-63** – Amends the Zoning Code to set forth the circumstances in which child care group homes are permitted in the R-CL and R-PD zoning districts. Sponsored by: Councilman Larry Brown

NEW BILLS

64. **Bill No. 99-64** – Annexation No. A-42-99(A) - Property Located: At the northeast corner of Gilmore Avenue and Tee Pee Lane; Petitioned by: Clark County School District; Acreage: Approximately 10.31 acres; Zoned: R-E (County Zoning), U (ML) (City Equivalent). Sponsored by: Councilman Larry Brown

1:00 P.M. - AFTERNOON SESSION

65. 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

PUBLIC HEARINGS - DISCUSSION

66. Public Hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 1712 Ryan Ave. PROPERTY OWNER: CHASE MORTGAGE COMPANY

PLANNING & 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.

DISCUSSION/ACTION ITEMS

67. **TIME CERTAIN - 1:00 P.M. - ABEYANCE ITEM** - SPECIAL USE PERMIT - PUBLIC HEARING - **U-80-99** - **YMCA ON BEHALF OF SPRINT SPECTRUM, LIMITED PARTNERSHIP** - Request for a Special Use Permit on property located at 4141 Meadows Lane FOR A 75 FOOT HIGH CELLULAR TOWER, C-1 (Limited Commercial) Zone, Ward 1 (McDonald), APN: 139-31-601-001. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL
68. **TIME CERTAIN - 1:00 P.M. - ABEYANCE ITEM** - VARIANCE RELATED TO U-80-99 - PUBLIC HEARING - **V-65-99** - **YMCA ON BEHALF OF SPRINT SPECTRUM, LIMITED PARTNERSHIP** - Request for a Variance on property located at 4141 Meadows Lane TO ALLOW A PROPOSED 75 FOOT HIGH MONOPOLE 148 FEET FROM A RESIDENTIAL PROPERTY LINE WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A 225 FOOT SETBACK, C-1 (Limited Commercial) Zone, Ward 1 (McDonald), APN: 139-31-601-001. Staff recommends DENIAL. The Board of Zoning Adjustment (3-0 vote) recommends APPROVAL
69. **ABEYANCE ITEM** - REZONING - PUBLIC HEARING - **Z-53-99** - **TOMOO OKADA FAMILY TRUST AND TOMOO OKADA REVOCABLE TRUST ON BEHALF OF TECH PLAZA, LIMITED LIABILITY COMPANY** - Request for a Rezoning on property located on the southeast corner of Cimarron Road and Via Olivero Avenue, From: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] To: O (Office), PROPOSED USE: A 12,600 SQUARE FOOT ONE STORY OFFICE BUILDING, Size: 1.12 Acres, Ward 1 (McDonald), APN: 163-04-804-006. The Planning Commission (6-0 vote) and staff recommend APPROVAL
70. **TENTATIVE MAP - TM-42-99 - WASHINGTON DEVELOPMENT** -- **WASHINGTON DEVELOPMENT LIMITED LIABILITY COMPANY** - Request for a Waiver of the Subdivision Ordinance (Title 18) TO ALLOW LOTS LESS THAN 100 FEET WIDE TO FRONT ON A SECONDARY STREET (MARION DRIVE) on property located at the southwest corner of the intersection of Washington Avenue and Marion Drive in conjunction with an approved Tentative Map, R-MHP (Residential Mobile/ Manufactured Home Park) Zone under Resolution of Intent to R-PD6 (Residential Planned Development - 6 Units Per Acre), Size: 22.6 Acres, No. of Lots: 141, Ward 3 (Reese). The Planning Commission (5-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DISCUSSION/ACTION ITEMS

71. **REVIEW OF CONDITION - Z-17-99(1) - PRAIRIE ROSE PARK LIMITED LIABILITY COMPANY** - Request for a Review of original Condition of Approval Number 5 regarding off-site traffic capacity improvements on property located east of Durango Drive, approximately 660 feet south of Grand Teton Drive, U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to R-PD4 (Residential Planned Development - 4 Units Per Acre), Ward 4 (Brown), APN: 125-16-102-001, 002; 125-16-103-001 and 002. The Planning Commission (6-0 vote) and staff recommend APPROVAL

72. **SITE DEVELOPMENT PLAN REVIEW - Z-100-64(169) - CITY OF LAS VEGAS REDEVELOPMENT AGENCY** - Request for a Site Development Plan Review on property located on the southeast corner of the intersection of Clark Avenue and Fourth Street FOR A PROPOSED TWELVE-STORY, 97,235 SQUARE FOOT OFFICE AND RETAIL BUILDING WITH A SEVEN-STORY, 345 SPACE PARKING GARAGE (CLARK STREET OFFICE BUILDING), C-1 (Limited Commercial) Zone under Resolution of Intent to C-2 (General Commercial), Size: 0.68 Acres, Ward 1 (McDonald), APN: 139-34-311-126, 127, and 128. The Planning Commission (4-0-2 vote) and staff recommend APPROVAL

73. **REVIEW OF CONDITION - PUBLIC HEARING - Z-73-98(1) - JOSEPH AND TAMARA FRANCIS** - Request for a Review of original Condition No. 2 regarding the dedication of five feet additional feet of right-of-way along Sunny Place on property located adjacent to the southwest corner of the intersection of Washington Avenue and Martin L. King Boulevard, R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 3 (Reese), APN: 139-28-304-001. Staff recommends DENIAL

74. **REVIEW OF CONDITION - PUBLIC HEARING - Z-23-99(1) - J. W. M. INVESTMENTS, INC.** - Request for a Review of original Condition No. 7 regarding the dedication of five additional feet of right-of-way along Sunny Place on property located adjacent to the southwest corner of the intersection of Washington Avenue and Martin L. King Boulevard, R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 3 (Reese), APN: 139-28-304-002. Staff recommends DENIAL

75. **SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-49-99 - PSA LAND INVESTMENTS LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review on property located adjacent to the north side of Charleston Boulevard, approximately 424 feet east of the Torrey Pines Drive intersection FOR A PROPOSED 13,000 SQUARE FOOT RETAIL CENTER, C-1 (Limited Commercial), Size: 2.19 Acres, Ward 2 (L. B. McDonald), APN: 138-35-803-001. The Planning Commission (6-0 vote) and staff recommend APPROVAL

76. **SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-49-99(1) - PSA LAND INVESTMENTS, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review on property located adjacent to the north side of Charleston Boulevard, approximately 350 feet east of the Torrey Pines Drive intersection FOR A PROPOSED 94,360 SQUARE FOOT RETAIL CENTER, C-1 (Limited Commercial) Zone, Size: 7.54 Acres, Ward 2 (L. B. McDonald), APN: 138-35-403-003, 138-35-801-001, and 138-35-802-001. The Planning Commission (6-0 vote) and staff recommend APPROVAL

77. **VACATION - PUBLIC HEARING - VAC-40-99 - MARYLAND VILLAS LIMITED LIABILITY COMPANY** - Petition to vacate portions of public rights-of-way generally located east of Maryland Parkway, north of Bonanza Road, Ward 3 (Reese). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL

78. **VACATION - PUBLIC HEARING - VAC-41-99 - NEVILLE AND ESTHER POKROY TRUST** - Petition to vacate excess public right-of-way generally located south of Smoke Ranch Road, west of Rancho Drive, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

79. **VACATION - PUBLIC HEARING - VAC-42-99 - ROMAN CATHOLIC BISHOP OF SOUTHERN NEVADA AND AL MURRAY** - Petition to vacate a portion of Lexington Street generally located south of Lake Mead Boulevard, Ward 3 (Reese). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL

80. **ABEYANCE ITEM -- VARIANCE - PUBLIC HEARING - V-69-99 - HORST SCHMIDT** - Request for a Variance on property located at 2710 Palomino Lane TO ALLOW A 28 FOOT FRONT YARD SETBACK WHERE 50 FEET IS THE MINIMUM REQUIRED FOR AN EXISTING SINGLE-FAMILY DWELLING, R-A (Ranch Acres) Zone, Ward 1 (McDonald), APN: 139-32-703-008 and 013. The Board of Zoning Adjustment (3-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DISCUSSION/ACTION ITEMS

81. **ABEYANCE ITEM** - VARIANCE - PUBLIC HEARING - V-78-99 - CLARK COUNTY - Request for a Variance on property located on the south side of Kenyon Place approximately 300 feet east of Shadow Lane TO ALLOW 45 PARKING SPACES WHERE 59 IS THE MINIMUM REQUIRED FOR PHASE ONE (FIRST FLOOR), AND TO TEMPORARILY ALLOW 0 PARKING SPACES WHERE 59 IS THE MINIMUM REQUIRED FOR PHASE TWO (SHELL ONLY), PD (Planned Development) Zone Ward 1 (McDonald), APN: 139-33-305-004. The Board of Zoning Adjustment (3-0 vote) and staff recommend APPROVAL

82. **ABEYANCE ITEM** - FIVE YEAR REQUIRED REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-55-89(2) - JAMES McCALL AND GERALDINE SILVA - Required Five Year Review on an approved Special Use Permit on property located adjacent to the northeast corner of the intersection of Vegas Drive and Oran K. Gragson Highway which allowed two 40 foot high, 14 foot x 48 foot off-premise advertising (billboard) signs, U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown), APN: 138-22-803-001. Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL

83. FIVE YEAR REQUIRED REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-179-94(1) - HOWARD HUGHES PROPERTIES, LIMITED PARTNERSHIP - Required Five Year Review on an approved Special Use Permit on property located adjacent to the west side of Rancho Drive, between Coran Lane and Lake Mead Boulevard, which allowed two (2) 12 foot x 24 foot and one (1) 14 foot x 48 foot off-premise advertising (billboard) signs, C-2 (General Commercial) Zone, Ward 4 (Brown), APN: 139-19-601-003. The Planning Commission (4-0-2 vote) and staff recommend APPROVAL

84. SPECIAL USE PERMIT - PUBLIC HEARING - U-90-99 - MARYLAND VILLAS LIMITED LIABILITY COMPANY - Request for a Special Use Permit on property located adjacent to the northeast corner of the intersection Maryland of Parkway and Wilson Avenue FOR A PROPOSED CHILD CARE CENTER, R-3 (Medium Density Residential) Zone, Ward 3 (Reese), APN: 139-26-412-004. Staff recommends DENIAL. The Planning Commission (3-1-2 vote) recommends APPROVAL

85. SPECIAL USE PERMIT - PUBLIC HEARING - U-95-99 - HOWARD HUGHES CORPORATION ON BEHALF OF RUBY TUESDAY'S - Request for a Special Use Permit on property located at the northeast corner of the intersection of Town Center Drive and Covington Cross Drive FOR A TAVERN IN CONJUNCTION WITH A PROPOSED RESTAURANT (RUBY TUESDAY'S), PC (Planned Community) Zone, Ward 2 (L. B. McDonald), APN: 138-30-217-001. The Planning Commission (4-0-2 vote) and staff recommend APPROVAL

86. SPECIAL USE PERMIT - PUBLIC HEARING - U-97-99 - MVR CORPORATION - Request for a Special Use Permit on property located at 1624 West Oakley Boulevard FOR THE ON-PREMISES SALE OF BEER AND WINE IN CONJUNCTION WITH A PROPOSED RESTAURANT (LIL' DEUCE COUPE CAFE), M (Industrial) Zone, Ward 1 (McDonald), APN: 162-04-602-008 and 009. The Planning Commission (6-0 vote) and staff recommend APPROVAL

87. **ABEYANCE ITEM** - REZONING - PUBLIC HEARING - Z-47-99 - TETON INVESTMENTS - Request for a Rezoning on property located adjacent to the southeast corner of the intersection of Whispering Sands Drive and Leon Avenue FROM: R-E (Residence Estates) to: R-1 (Single Family Residential) Proposed Use: 24 Lot single family subdivision, Size: 6.38 Acres, Ward 4 (Brown), APN: 125-13-203-001. The Planning Commission (3-1-1 vote) and staff recommend APPROVAL

88. **ABEYANCE ITEM** - REZONING - PUBLIC HEARING - Z-92-98(2) - RAY BAILEY - Request for a Rezoning on property located at 920 East Bonanza Road, From: R-3 (Medium Density Residential) To: C-1 (Limited Commercial) PROPOSED USE: A 5,000 SQUARE FOOT RETAIL CENTER, Size: 0.48 Acres, Ward 3 (Reese), APN's: 139-26-410-021, 022 and 023. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PLANNING & DEVELOPMENT DISCUSSION/ACTION ITEMS

89. **REZONING - PUBLIC HEARING - Z-54-99 - COMMUNITY DEVELOPMENT PROGRAMS CENTER OF NEVADA** - Request for a Rezoning on property located adjacent to the northwest corner of the intersection of Martin L. King Boulevard and Lake Mead Boulevard, FROM: R-3 (Medium Density Residential) TO: R-PD10 (Residential Planned Development - 10 Units Per Acre) PROPOSED USE: 208 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION AND 84 SENIOR HOUSING UNITS, Size: 29.95 Acres, Ward 3 (Reese); APN: 139-21-202-004. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL
90. 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.

ADDENDUM

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

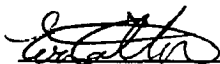
AFFIDAVIT OF MAILING**(Mailing required under the provisions of NRS Chapter 241)**

STATE OF NEVADA)

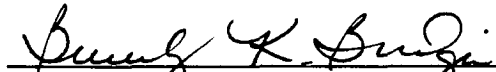
) ss

COUNTY OF CLARK)

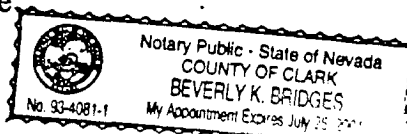
Eva Cotton, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the **27th** day of **October, 1999**, a copy of NOTICE, the attached of which is a true and correct copy of the Public Hearing - re: **A City Council Meeting** to be held on the 3rd day of **November, 1999** was deposited in the United States Mail, Postage prepaid, First Class Mail, to each person and/or organization whose name appears on the list maintained in the Office of the City Clerk.


SIGNATURE**City Clerk****DEPARTMENT**

Subscribed and sworn to before me this

27th day of October, 1999


NOTARY PUBLIC in and for said County and State



AFFIDAVIT OF POSTING
(Posting required under the provisions of NRS Chapter 241)

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

Eva Cotton an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the **28th** day of **October, 1999**, 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 a **City Council Meeting** to be held on the **3rd** day of **November, 1999** at **9:00 a.m.**, 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. In the Senior Citizens Center, 450 E. Bonanza Road;
3. Clark County Government Center, 500 S. Grand Central Parkway; (Faxed)
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
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).

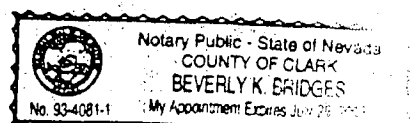

SIGNATURE

City Clerk
DEPARTMENT

Subscribed and sworn to before me

this 28th day of October, 1999

Barry K. Burgen
NOTARY PUBLIC in and for said County and State



City of Las Vegas

CITY COUNCIL AGENDA
CITY COUNCIL MEETING OF: NOVEMBER 3, 1999

THESE PROCEEDINGS ARE BEING VIDEOTAPED FOR REBROADCAST ON CABLE CHANNEL 4 BY THE U.N.L.V. HANK GREENSPUN SCHOOL OF COMMUNICATION. THE PROCEEDINGS WILL BE REBROADCASTED ON CABLE CHANNEL 4 THE WEDNESDAY OF THE MEETING AT 8:00 PM AND IS ALSO REBROADCAST ON SATURDAY AT NOON AND 7:30 PM, AND THE FOLLOWING MONDAY AT 9:30 AM

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - CHAPLAIN CHARLOTTE LEAS, HOSPICE OF INTEGRATED HEALTH SERVICES
- PLEDGE OF ALLEGIANCE

MINUTES:

PRESENT: MAYOR GOODMAN, COUNCILMEN McDONALD, REESE, BROWN, and COUNCILWOMAN McDONALD

Also Present: CITY MANAGER VIRGINIA VALENTINE, CITY ATTORNEY BRAD JERBIC, CHIEF CIVIL DEPUTY CITY ATTORNEY JOHN REDLEIN (A.M. Session), DEPUTY CITY ATTORNEY STEVE GEORGE, DEPUTY CITY ATTORNEY TOM GREEN (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

(9:08 - 9:10)

1-1

Invocation given by CHAPLAIN CHARLOTTE LEAS, Hospice of Integrated Health Services.

(9:10)

1-16

MAYOR GOODMAN led the audience in the Pledge.

(9:10 - 9:11)

1-61

City of Las Vegas

CITY COUNCIL MEETING NOVEMBER 1, 1999
CEREMONIAL

MINUTES - Continued:

MAYOR GOODMAN welcomed 20 foreign exchange students from the Ukraine that are being sponsored by the Las Vegas Academy. He met with the teachers traveling with the students who presented him with books containing magnificent pictures of the culture and environment of the two Ukraine cities from which the students are visiting -- Odessa, a seaport, and Sumy, a city producing a high-grade plastic in addition to other technological products. Twenty students from the Las Vegas Academy recently visited the Ukraine through the exchange program. Both the Las Vegas Academy and the Ukraine faculties are very excited about this new program.

(1:09 - 1:11)

2-14

City of Las Vegas

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 1999

DEPARTMENT: PUBLIC INFORMATION OFFICE

DIRECTOR: MARCIA HOLMBERG

☐

CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

PROCLAMATION PRESENTATION TO SHERMAN RUTLEDGE OF THE EQUAL OPPORTUNITY BOARD/KCEP RADIO DECLARING MONDAY, NOVEMBER 8, 1999, AS "NATIONAL DRUNK DRIVING PREVENTION CAMPAIGN-SHATTERED LIVES DAY"

Fiscal Impact

☐

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Proclamation

MOTION:

None required.

MINUTES:

COUNCILMAN REESE expressed his appreciation as a Council member and a member of the Economic Opportunity Board to SHERMAN RUTLEDGE. MR. RUTLEDGE has been active in the community and supports the National Drunk Driving Prevention Campaign. He presented MR. RUTLEDGE with a proclamation.

MR. RUTLEDGE stated that this a national campaign and it has the acceptance of the Governors of Florida, Alabama, Oklahoma, Arkansas, and others. Also, the Las Vegas City Council is the first City Council to adopt this program. Last year, 196 non-profit agencies in Las Vegas hosted shows on KCEP Radio to share their services for those in need. This is an issue for many people who lose their loved ones to accidents involving drunk drivers. He expressed his appreciation to the MAYOR and COUNCIL and also to the victims of drunk drivers who have shared their pain to create a CD. This CD hopefully will help someone stop driving while intoxicated.

(9:11 - 9:16)

1-90

City of Las Vegas

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 1999

DEPARTMENT: PUBLIC INFORMATION OFFICE

DIRECTOR: MARCIA HOLMBERG

☐

CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF THE "CITIZEN OF THE MONTH" FOR NOVEMBER

Fiscal Impact

☐

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Framed certificate

MOTION:

None required. The presentation was not made.

MINUTES:

Additional Ceremonial Items Discussed: MAYOR GOODMAN stated that in the short time that he has been Mayor, he has enjoyed the privilege of serving the City. He also stated that there is a great collegiality amongst all the members of the City Council and it is an honor to work with them.

MAYOR GOODMAN announced that on November 12, 1999, COUNCILMAN LARRY BROWN is going to be honored by Harvard University as an inductee for a Double Letter Man into their Hall of Fame. He is very proud to have someone of such stature working for the City of Las Vegas. The audience gave a round a applause.

(9:16 - 9:19)

1-255

City of Las Vegas

Agenda Item No. 1

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: CITY CLERK****DIRECTOR: BARBARA JO (RONI) RONEMUS** ☐ **CONSENT** ☐ **DISCUSSION****SUBJECT:****BUSINESS ITEMS:**

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

MOTION:

M. McDONALD - Motion to bring forward and Hold in ABEYANCE to 11/17/99 Item No. 50 - UNANIMOUS

M. McDONALD - Motion to bring forward and Hold in ABEYANCE to 11/17/99 Item No. 39 - UNANIMOUS with Mayor Goodman abstaining to avoid potential conflict as his law partner has represented employees of Silver State and he owns land in Apex across from the Silver State location and Councilman Brown abstaining as he works with the Las Vegas Stars Baseball Club and has requested an opinion from the Ethics Commission regarding interacting with corporate sponsorships and is waiting for clarification.

NOTE: A previous motion to hold items 50 and 39 in abeyance was made but due to Mayor Goodman's and Councilman Brown's abstentions on item 39, it was decided that two separate motions should be taken.

MINUTES:

NOTE: An Excerpt Verbatim Transcript concerning Item 39 has been made part of the Final Minutes.

(9:19)

1-343

City of Las Vegas

Agenda Item No. 2

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: CITY CLERK****DIRECTOR: BARBARA JO (RONI) RONEMUS** ☐ **CONSENT** ☐ **DISCUSSION****SUBJECT:****BUSINESS ITEMS:**

Approval of the Final Minutes by reference of the Regular City Council Meeting of October 6, 1999

MOTION:**M. McDONALD - APPROVED by Reference - UNANIMOUS****MINUTES:**

There was no discussion.

(9:23)

1-455

City of Las Vegas

Agenda Item No. 3

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: FINANCE & BUSINESS SERVICES****DIRECTOR: MARK VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of service and material checks

In the amount of \$ 7,291,603.11

Payroll checks

In the amount of \$ 3,951,167.70

Wire transfers

In the amount of \$ 31,270,670.06

Other checks and investments

In the amount of \$ 79,768.14

Fiscal Impact☐**No Impact****Amount:**☒**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:****RECOMMENDATION:****BACKUP DOCUMENTATION:**

Summary of cash expenditures for the period of 9/16/99 - 9/30/99

MOTION:**M. McDONALD - Motion to APPROVE:****Items: 3 through 29****Items: 31 through 38****Items: 40 through 42****Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)****Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)****MINUTES:**

There was no discussion.

(9:23 - 9:25)

1-461

City of Las Vegas

Summary of Cash Expenditures for period of 9/16/99 - 9/30/99

Total Services & Materials Checks :	7,291,603.11
Total Payroll Checks:	3,951,167.70
Total NBS & City Investments :	79,768.14
Total Wire Transfers:	31,270,670.06

Grand Total:	42,593,209.01
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I hereby certify that I have reviewed the above amounts and approved them for payment as being in compliance with all applicable laws to the best of my knowledge and belief.



Mark R Vincent
Director of Finance



Barbara Ronemus
City Clerk

on November 3, 1999, the City Council approved the above cash expenditures.



Oscar Goodman
Mayor

City of Las Vegas

Agenda Item No. 4

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: FINANCE & BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a Special Event Liquor License for Fraternal Order of Eagles, Location: 1601 East Washington Avenue, Date: December 1-7, 1999, Type: Special Event General, Responsible Person in Charge: Arlie L. Coke - Ward 3 (Reese)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Approval of a Special Event Liquor License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:**MOTION:**

M. McDONALD - Motion to APPROVE:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

City of Las Vegas

Agenda Item No. 5

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 1999

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Supper Club Liquor License subject to the provisions of the planning and fire codes and Health Department regulations, Buca (Nevada) Inc., dba Buca di Beppo, 7690 West Lake Mead Boulevard, Joseph Patrick Micatrotto, Dir, Pres, CEO, Greg A. Gadel, Dir, Secy, CFO, Buca, Inc., 100%, Joseph P. Micatrotto, CEO, Pres, Greg A. Gadel, CFO Secy - Ward 2 (L.B. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Supper Club Liquor License

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes and Health Department regulations

BACKUP DOCUMENTATION:

MOTION:

M. McDONALD - Motion to APPROVE:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

City of Las Vegas

Agenda Item No. 6

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: FINANCE & BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a new Supper Club Liquor License, Tower Pasta Inc., dba "P/P Tower", 2000 Las Vegas Boulevard South, Robert T. Harry, Dir, Pres, Secy, Treas, 100% - Ward 1 (M. McDonald)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Approval of a new Supper Club Liquor License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:**MOTION:****M. McDONALD - Motion to APPROVE:****Items: 3 through 29****Items: 31 through 38****Items: 40 through 42****Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)****Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)****MINUTES:**

There was no discussion.

(9:23 - 9:25)

1-461

City of Las Vegas

Agenda Item No. 7

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: FINANCE & BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of change of business name for Beer/Wine/Cooler On-Sale Liquor License, Uehera & Uehera, dba From: Kifune Restaurant, To: Nozomi Restaurant & Sushi Bar, 2202 West Charleston Boulevard, Russell Uehara and Deborah Uehara, 100% jointly as husband and wife - Ward 1 (M. McDonald)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Approval of change of business name for Beer/Wine/Cooler On-Sale Liquor License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:**MOTION:**

M. McDONALD - Motion to APPROVE:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

City of Las Vegas

Agenda Item No. 8

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: FINANCE & BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of officer for a Tavern Liquor License, Howard Hughes Corporation, dba Tournament Players Club at Summerlin, 1700 Village Center Drive, Daniel C. Van Epp, Pres - Ward 2 (L.B. McDonald)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Approval of officer for a Tavern Liquor License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:**MOTION:**

M. McDONALD - Motion to APPROVE:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

City of Las Vegas

Agenda Item No. 9

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: FINANCE & BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of officer for Tavern Liquor License, Tournament Players Club at Summerlin Inc., dba
 Tournament Players Club at the Canyons, 9851 Canyon Run Drive, Daniel C. Van Epp, Pres -
 Ward 2 (L.B. McDonald)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Approval of officer for Tavern Liquor License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:**MOTION:**

M. McDONALD - Motion to APPROVE:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

City of Las Vegas

Agenda Item No. 10

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: FINANCE & BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of General Manager for a Package Liquor License, American Drug Stores Inc., dba Sav-On Drugs #2417, 160 South Rainbow Boulevard, Thomas L. Pollock, General Manager - Ward 2 (L.B. McDonald)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Approval of general manager for a Package Liquor License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:**MOTION:**

M. McDONALD - Motion to APPROVE:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

City of Las Vegas

Agenda Item No. 11

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: FINANCE & BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a new Slot Operator Space Lease Location Restricted Gaming License for 3 slots, Green Valley Gaming Inc., db at Hoagies Sub & Coney Island, 3170 Polaris Ave. #4, Approved by the Nevada Gaming Commission on October 21, 1999 - Ward 1 (M. McDonald)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Approval of a new Slot Operator Space Lease Location Restricted Gaming License for 3 slots

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:**MOTION:**

M. McDONALD - Motion to APPROVE:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

City of Las Vegas

Agenda Item No. 12

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: FINANCE & BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a new Slot Operator Space Lease Location Restricted Gaming License for 3 slots, Green Valley Gaming Inc., db at Thrower's Market, 1602 H Street, Approved by the Nevada Gaming Commission on October 21, 1999 - Ward 3 (Reese)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Approval of a new Slot Operator Space Lease Location Restricted Gaming License for 3 slots

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:**MOTION:**

M. McDONALD - Motion to APPROVE:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

City of Las Vegas

Agenda Item No. 13

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: FINANCE & BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of change of officer/general manager/change of location for Burglar Alarm Service License, Securitylink from Ameritech Inc., dba Securitylink from Ameritech Inc., From: 2550 Chandler Avenue #20, To: 6330 South Sandhill Road Building A, Marc P. Katz, VP, Secy, General Counsel, Frank D. Spinola, General Manager - (County)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Approval of change of officer/general manager/change of location for Burglar Alarm Service License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:**MOTION:**

M. McDONALD - Motion to APPROVE:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

City of Las Vegas

Agenda Item No. 14

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: FINANCE & BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Temporary approval of a new Independent Massage Therapist License, Seymore A. Koblin, dba Seymore A. Koblin, 2550 South Rainbow Boulevard, Seymore A. Koblin, 100% - (County)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Temporary approval of a new Independent Massage Therapist License to expire on January 18, 2000

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

M. McDONALD - Motion to APPROVE:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: NOVEMBER 3, 1999****DEPARTMENT: FINANCE & BUSINESS SERVICES****ITEM DESCRIPTION: Temporary approval of a new Independent Massage Therapist license, Seymore A. Koblin, dba, Seymore A. Koblin, 2550 South Rainbow Boulevard, Seymore A. Koblin, 100% - (County)**

On September 15, 1999, the City Council passed Bill No. 99-46 which amended Las Vegas Municipal Code 6.52, Massage Establishments and Independent Massage Therapists. One of the requirements of this amendment is that all massage therapists must furnish this Department, within 120 days of passage (January 18, 2000), certification from the National Certification Board for Therapeutic Massage & Bodywork (NCBTMB). Due to the fact that the Bill was passed while the application was pending, the request for a Temporary License is recommended contingent upon the applicant meeting this requirement.

City of Las Vegas

Agenda Item No. 15

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 1999

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Temporary approval of a new Independent Massage Therapist License, Terry Saunders, dba Spiritual Connections Institute of Massage Therapy of Las Vegas, 6800 East Lake Mead Boulevard #2074, Terry L. Saunders, 100% - (County)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Temporary approval of a new Independent Massage Therapist License to expire on January 18, 2000

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

M. McDONALD - Motion to APPROVE:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: NOVEMBER 3, 1999****DEPARTMENT: FINANCE & BUSINESS SERVICES****ITEM DESCRIPTION: Temporary approval of a new Independent Massage Therapist License, Terry Saunders, dba Spiritual Connections Institute of Massage Therapy of Las Vegas, 6800 East Lake Mead Boulevard #2074, Terry L. Saunders, 100% - (County)**

On September 15, 1999, the City Council passed Bill No. 99-46 which amended Las Vegas Municipal Code 6.52, Massage Establishments and Independent Massage Therapists. One of the requirements of this amendment is that all massage therapists must furnish this Department, within 120 days of passage (January 18, 2000), certification from the National Certification Board for Therapeutic Massage & Bodywork (NCBTMB). Due to the fact that the Bill was passed while the application was pending, the request for a Temporary License is recommended contingent upon the applicant meeting this requirement.

City of Las Vegas

Agenda Item No. 16

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: FINANCE & BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Temporary approval of a New Independent Massage Therapist License, Norman P. Lorca, dba Norman P. Lorca, 4816 Koval Lane #2, Norman P. Lorca, 100% - (County)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Temporary approval of a New Independent Massage Therapist License to expire on January 18, 2000

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

M. McDONALD - Motion to APPROVE:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: NOVEMBER 3, 1999****DEPARTMENT: FINANCE & BUSINESS SERVICES****ITEM DESCRIPTION: Temporary approval of a New Independent Massage Therapist License, Norman P. Lorca, dba Norman P. Lorca, 4816 Koval Lane #2, Norman P. Lorca, 100% - (County)**

On September 15, 1999, the City Council passed Bill No. 99-46 which amended Las Vegas Municipal Code 6.52, Massage Establishments and Independent Massage Therapists. One of the requirements of this amendment is that all massage therapists must furnish this Department, within 120 days of passage (January 18, 2000), certification from the National Certification Board for Therapeutic Massage & Bodywork (NCBTMB). Due to the fact that the Bill was passed while the application was pending, the request for a Temporary License is recommended contingent upon the applicant meeting this requirement.

City of Las Vegas

Agenda Item No. 17

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: FINANCE & BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Temporary approval of a new Independent Massage Therapist License, Marcy A. Brenner, dba Marcy A. Brenner, 5650 West Flamingo Road Suite B, Marcy A. Brenner, 100% - (County)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Temporary approval of a new Independent Massage Therapist License to expire on January 18, 2000

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

M. McDONALD - Motion to APPROVE:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: NOVEMBER 3, 1999****DEPARTMENT: FINANCE & BUSINESS SERVICES****ITEM DESCRIPTION: Temporary approval of a new Independent Massage Therapist License, Marcy A. Brenner, dba Marcy A. Brenner, 5650 West Flamingo Road Suite B, Marcy A. Brenner, 100% - (County)**

On September 15, 1999, the City Council passed Bill No. 99-46 which amended Las Vegas Municipal Code 6.52, Massage Establishments and Independent Massage Therapists. One of the requirements of this amendment is that all massage therapists must furnish this Department, within 120 days of passage (January 18, 2000), certification from the National Certification Board for Therapeutic Massage & Bodywork (NCBTMB). Due to the fact that the Bill was passed while the application was pending, the request for a Temporary License is recommended contingent upon the applicant meeting this requirement.

City of Las Vegas

Agenda Item No. 18

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 1999

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Temporary approval of a new Independent Massage Therapist License, Thomas Bogle, dba Hands On Therapeutic Massage of Las Vegas, 7480 Mountainboro Lane, Thomas E. Bogle, 100% - (County)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Temporary approval of a new Independent Massage Therapist License to expire on January 18, 2000

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

M. McDONALD - Motion to APPROVE:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: NOVEMBER 3, 1999****DEPARTMENT: FINANCE & BUSINESS SERVICES****ITEM DESCRIPTION: Temporary approval of a new Independent Massage Therapist License, Thomas Bogle, dba Hands On Therapeutic Massage of Las Vegas, 7480 Mountainboro Lane, Thomas E. Bogle, 100% - (County)**

On September 15, 1999, the City Council passed Bill No. 99-46 which amended Las Vegas Municipal Code 6.52, Massage Establishments and Independent Massage Therapists. One of the requirements of this amendment is that all massage therapists must furnish this Department, within 120 days of passage (January 18, 2000), certification from the National Certification Board for Therapeutic Massage & Bodywork (NCBTMB). Due to the fact that the Bill was passed while the application was pending, the request for a Temporary License is recommended contingent upon the applicant meeting this requirement.

City of Las Vegas

Agenda Item No. 19

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: FINANCE & BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Temporary approval of a new Independent Massage Therapist License, Jennifer Bickford, dba Jennifer Bickford, 9410 West Sahara Avenue Suite 140, Jennifer K. Bickford, 100% - Ward 2 (L.B. McDonald)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Temporary approval of a new Independent Massage Therapist License to expire on January 18, 2000

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

M. McDONALD - Motion to APPROVE:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 1999

DEPARTMENT: FINANCE & BUSINESS SERVICES

ITEM DESCRIPTION: Temporary approval of a new Independent Massage Therapist License, Jennifer Bickford, dba Jennifer Bickford, 9410 West Sahara Avenue Suite 140, Jennifer K. Bickford, 100% - Ward 2 (L.B. McDonald)

On September 15, 1999, the City Council passed Bill No. 99-46 which amended Las Vegas Municipal Code 6.52, Massage Establishments and Independent Massage Therapists. One of the requirements of this amendment is that all massage therapists must furnish this Department, within 120 days of passage (January 18, 2000), certification from the National Certification Board for Therapeutic Massage & Bodywork (NCBTMB). Due to the fact that the Bill was passed while the application was pending, the request for a Temporary License is recommended contingent upon the applicant meeting this requirement.

City of Las Vegas

Agenda Item No. 20

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: FINANCE & BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Temporary approval of a new Independent Massage Therapist License subject to the provisions of the fire codes, Amber Goodall, dba Amber Goodall, 2100 South Maryland Parkway Suite 7A, Amber G. Goodall, 100% - Ward 3 (Reese)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Temporary approval of a new Independent Massage Therapist License subject to the provisions of the fire codes to expire on January 18, 2000

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

M. McDONALD - Motion to APPROVE:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: NOVEMBER 3, 1999****DEPARTMENT: FINANCE & BUSINESS SERVICES****ITEM DESCRIPTION: Temporary approval of a new Independent Massage Therapist License subject to the provisions of the fire codes, Amber Goodall, dba Amber Goodall, 2100 South Maryland Parkway Suite 7A, Amber G. Goodall, 100% - Ward 3 (Reese)**

On September 15, 1999, the City Council passed Bill No. 99-46 which amended Las Vegas Municipal Code 6.52, Massage Establishments and Independent Massage Therapists. One of the requirements of this amendment is that all massage therapists must furnish this Department, within 120 days of passage (January 18, 2000), certification from the National Certification Board for Therapeutic Massage & Bodywork (NCBTMB). Due to the fact that the Bill was passed while the application was pending, the request for a Temporary License is recommended contingent upon the applicant meeting this requirement.

City of Las Vegas

Agenda Item No. 21

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: FINANCE & BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of change of location for an Independent Massage Therapist License, Carnell Upchurch, dba Carnell Upchurch, From: 9501 West Sahara Avenue #1190, To: 9945 Biscayne Lane, Carnell Upchurch, 100% - Ward 2 (L.B. McDonald)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Approval of change of location for an Independent Massage Therapist License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:**MOTION:**

M. McDONALD - Motion to APPROVE:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

City of Las Vegas

Agenda Item No. 22

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: FINANCE & BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of change of ownership for a Martial Arts Instruction Business License, From: Michelle A. Witz, 100% To: Witz & Witz, dba AAA Action USA Black Belt Academy, 3250 North Tenaya Way Suite 113, Stanley A. Witz and Michelle A. Witz, 100% jointly as husband and wife - Ward 4 (Brown)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Approval of change of ownership for a Martial Arts Instruction Business License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:**MOTION:**

M. McDONALD - Motion to APPROVE:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

City of Las Vegas

Agenda Item No. 23

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: FINANCE & BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a Slot Operator Space Lease Location Restricted Gaming License for 15 slots, Cardivan Company, db at Sav On Drugs #3324, 1600 North Buffalo Drive, Approved by the Nevada Gaming Commission on August 19, 1999 - Ward 2 (L.B. McDonald)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Approval of a Slot Operator Space Lease Location Restricted Gaming License for 15 slots

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:**MOTION:**

M. McDONALD - Motion to APPROVE:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

City of Las Vegas

Agenda Item No. 24

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of the award of Bid Number 00.1730.11, Upper Washington Avenue Conveyance System Phase 2; and approve the construction and contingency account - Department of Public Works - Award recommended to WELLS CARGO, INC. (\$5,590,909 - Capital Projects Fund)

Fiscal Impact☐**No Impact****Amount: \$6,225,001**☒**Budget Funds Available****Dept./Division: Public Works/Eng Design**☐**Augmentation Required****Funding Source: Capital Projects****PURPOSE/BACKGROUND:**

The general scope of this project is to construct reinforced concrete box culverts and connecting drainage facilities from the existing storm drain structure in Veteran's Memorial Dr., north of Bonanza Rd, to the existing storm drain structure at the Las Vegas Creek/UPRR crossing. The project also includes replacing the existing concrete structure under the UPRR tracks (two sets) in the Las Vegas Creek Channel.

RECOMMENDATION:

That the City Council approve the award of Bid Number 00.1730.11, Upper Washington Avenue Conveyance System Phase 2, to Wells Cargo, Inc., in the amount of \$5,590,909 and approve the construction and contingency account of \$634,092.

BACKUP DOCUMENTATION:**MOTION:****M. McDONALD - Motion to APPROVE:****Items: 3 through 29****Items: 31 through 38****Items: 40 through 42****Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)****Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)****MINUTES:**

There was no discussion.

(9:23 - 9:25)

1-461

CITY OF LAS VEGAS
Las Vegas, Nevada
CONSTRUCTION CONTRACT

BID NUMBER 00.1730.11

DATE of CONTRACT November 3, 1999

NAME AND ADDRESS OF CONTRACTOR

Wells Cargo, Inc.
7770 Spring Mountain Rd.
Las Vegas, NV 89117

INDIVIDUAL ☐

PARTNERSHIP ☐

CORPORATION, INCORPORATED IN THE STATE ☒

OF Nevada

CONTRACT DESCRIPTION

Furnish all plant, labor, tools, equipment, and materials necessary for the construction of: **Upper Washington Avenue Conveyance System Phase 2** all in strict accordance terms, conditions, and specifications of **Formal Bid 00.1730.11**, and **Wells Cargo, Inc's** response to the Invitation to Bid.

AMOUNT OF CONTRACT (Express in words and figures)

Five Million Five Hundred Ninety Thousand Nine Hundred Nine and 00/100 Dollars

\$5,590,909.00

It is expressly understood and agreed that the "Amount" of Contract" stated above is based upon bid estimates only and may be increased or decreased as provided in the Contract documents.

THIS CONTRACT, entered into this date by the City of Las Vegas, Nevada, hereinafter called the City, and the Individual, Partnership, or Corporation named above, hereinafter called Contractor, witnesseth that the parties hereto do mutually agree as follows:

STATEMENT OF WORK. The Contractor shall furnish all plant, labor, tools, equipment and material necessary to perform the work described for the amount stated above in strict accordance with contract documents, all of which are incorporated herein by reference:

Formal Bid 00.1730.11

Contract Drawings No. 731-54F Sheets 1 thru 32 and NDOT Sheets 1 thru 10- Date: July 1999
INCLUDING PAYMENT OF PREVAILING WAGES FOR PERIOD 10/1/99 THROUGH 9/30/00

CONTRACTOR WARRANTIES - The Contractor hereby warrants he:

1. Is familiar with requirements of the contract.
2. Has investigated the site and satisfied himself regarding the character of work and local conditions that may affect it or its performance.
3. Is satisfied that the work can be performed and completed as required in the contract.
4. Accepts all risks directly or indirectly connected with the performance of the contract.
5. Warrants that there has been no collusion between him and the other bidders on the contract.
6. He has not been influenced by any statement or promise other than those contained in the contract documents.
7. Is experienced and competent to perform the contract.
8. Verifies all personal statements in the proposal to be true.
9. Is familiar with all general and special laws, ordinances, and regulations that may affect the work, its performance, or those persons employed therein.
10. Is familiar with tax and labor regulations and with rates of pay that will affect the work.

WORK TO BE STARTED

AS SPECIFIED IN THE WRITTEN NOTICE TO PROCEED.

WORK TO BE COMPLETED

WITHIN TWO HUNDRED WORKING DAYS AFTER NOTICE TO PROCEED.

LIQUIDATION DAMAGES. Liquidation damages as provided in the special provisions in the amount of One Thousand and 00/100 dollars (\$ 1000.00) per day for each day after the original completion date, or applicable extension thereof as provided for in the provisions, that completion of the work is delayed.

ALTERATIONS: The following changes were made in this contract before it was signed by the parties hereto:

Addendum #1 - dated - September 10, 1999

Addendum #2 - dated - October 4, 1999

Addendum #3 - dated - October 7, 1999

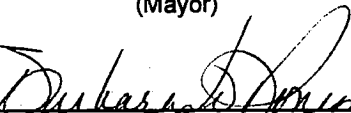
Addendum #4 - dated - October 8, 1999

In witness whereof, the parties hereto have executed this contract as of the date entered on the first page hereof.

CITY OF LAS VEGAS

CONTRACTOR Wells Cargo Inc.

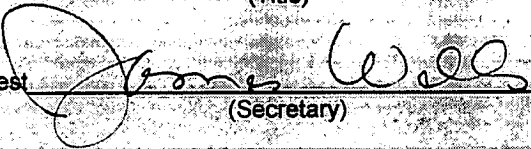
By 
(Mayor)

Attest 
(City Clerk)

Approved as to form:

Robert S. Spera 11-22-99
Date

(Name of Contractor)

By <u></u> (Signature) Howard Wells, Jr. CEO & President (Title)
Attest <u></u> (Secretary)

INSTRUCTIONS

1. The full name and business address of the Contractor must be inserted in the space provided on the face of the form. The Contractor shall sign in the space provided above with his usual signature and type or print name under all signatures to the contract and bonds.
2. An officer of a corporation, a member of a partnership, or an agent signing for the Supplier shall place his signature and title after the word "By" under the name Contractor. A contract executed on behalf of a corporation shall be attested by the secretary or an assistant secretary thereof. A contract executed by an attorney or agent on behalf of the Contractor shall be accompanied by two authenticated copies of his power of attorney, or other evidence of his authority to act on behalf of the Contractor.

PERFORMANCE BOND

EXECUTED IN DUPLICATE

BOND NUMBER 5991016
 DATE EXECUTED 11-12-99
 PREMIUM \$41,545.00

IMPORTANT: SURETY COMPANIES EXECUTING BONDS MUST BE LICENSED TO ISSUE SURETY BY THE STATE OF NEVADA INSURANCE DIVISION PURSUANT TO NEVADA REVISED STATUTE 683A.090 AND ISSUED BY AN APPOINTED AGENT PURSUANT TO NEVADA REVISED STATUTE 683A.280. NOTE: INDIVIDUAL SURETY BONDS ARE NOT ACCEPTABLE.

KNOW ALL MEN BY THESE PRESENTS, That we, the CONTRACTOR AND SURETY, are held and firmly bound unto the City of Las Vegas, Nevada, hereinafter referred to as the City, in the penal sum \$5,590,909.00, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators and successors, and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, That whereas the CONTRACTOR entered into a certain contract with the City, to perform all work required under the Bidding Schedule(s), Bid No. 00.1730.11-RC of the City's specifications, entitled Upper Washington Avenue Conveyance System Phase 2

NOW THEREFORE, if said CONTRACTOR shall well and truly perform and fulfill all the undertakings, covenants, terms and conditions and agreements of said contract during the original term of said contract, then this obligation shall be null and void, otherwise it shall remain in full force and effect.

PROVIDED, that any modifications in the work to be done or the materials to be furnished, which may be made pursuant to the terms of said Contract, shall not in any way release either said Contractor or said Surety thereunder, nor shall any extensions of time granted under the provisions of said Contract release either said Contractor or said Surety, and notice of such modifications or extensions of the Contract is hereby waived by said Surety.

SIGNED this 12th day of November, 1999

Countersigned resident agent in Nevada.
 Pursuant to Nevada Revised Statute 680a.300:

SUZANNE J. POOLE
 (Resident Agent)

37918
 (State of Nevada, License Number)

AON RISK SERVICES, INC. OF NEVADA
LIC. #58270 (Appointed Agent Name)

By: [Signature]
 (Signature)

Address: 2300 W. SAHARA AVENUE, SUITE 560

LAS VEGAS, NV 89102

Telephone: 702/227-0300

(SEAL AND NOTARIAL ACKNOWLEDGMENT OF SURETY)

WELLS CARGO, INC.
 (Principal Contractor)

Howard Wells, Jr., CEO & President
 (Authorized Representative and Title)

By: [Signature]
 (Signature)

Surety: SAFECO INSURANCE COMPANY OF AMERICA

1275
 (State of Nevada, License Number)

Aon Risk Services
 (Appointed Agent Name)

By: [Signature]
Rhonda C. Abel (Signature) Attorney-in-Fact
 Address: 2677 North Main Street, Suite 600

Santa Ana, CA 92705-6623

Telephone: (714) 437-3043

ISSUING COMPANY MUST HOLD CERTIFICATES OF AUTHORITY AS ACCEPTABLE SURETY ON FEDERAL BONDS AND AS ACCEPTABLE REINSURING COMPANY WITH LISTING IN THE DEPARTMENT OF TREASURY, FISCAL SERVICE, (DEPARTMENT OF CIRCULAR "570", CURRENT REVISIONS).

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Orange

On 11-12-99 before me, Jane Kepner, Notary Public
personally appeared Rhonda C. Abel
personally known to me (or proved to me on the basis of satisfactory
evidence) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged to me that he/she/they executed
the same in his/her/their authorized capacity(ies), and that by
his/her/their signature(s) on the instrument the person(s), or the
entity upon behalf of which the person(s) acted, executed the
instrument.

WITNESS my hand and official seal.



Jane Kepner

LABOR AND MATERIAL PAYMENT BOND

EXECUTED IN DUPLICATE

BOND NUMBER 5991016
 DATE EXECUTED 11-12-99
 Premium included in charge
 for Performance Bond

IMPORTANT: SURETY COMPANIES EXECUTING BONDS MUST BE LICENSED TO ISSUE SURETY BY THE STATE OF NEVADA INSURANCE DIVISION PURSUANT TO NEVADA REVISED STATUTE 683A.090 AND ISSUED BY AN APPOINTED AGENT PURSUANT TO NEVADA REVISED STATUTE 683A.280. NOTE: INDIVIDUAL SURETY BONDS ARE NOT ACCEPTABLE.

KNOW ALL MEN BY THESE PRESENTS, That we, the CONTRACTOR AND SURETY, are held and firmly bound unto the City of Las Vegas, Nevada, hereinafter referred to as the City, in the penal sum \$5,590,909.00, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators and successors, and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, That whereas the CONTRACTOR entered into a certain contract with the City, to perform all work required under the Bidding Schedule(s), Bid No. 00.1730.11-RC of the City's specifications, entitled Upper Washington Avenue Conveyance System Phase 2

NOW THEREFORE, if said CONTRACTOR, fails to pay for any materials, equipment, or other supplies, or for rental of same, used in connection with the performance of work contracted to be done, or for amounts due under applicable State Law for any work or labor thereon, said Surety will pay for the same in an amount not exceeding the sum specified above and in the event suits brought upon this bond, a reasonable attorney's fee to be fixed by the court. This bond shall insure to the benefit of any persons, companies or corporations entitled to file claims under applicable State Law.

PROVIDED, that any modifications in the work to be done or the materials to be furnished, which may be made pursuant to the terms of said Contract, shall not in any way release either said Contractor or said Surety thereunder, nor shall any extensions of time granted under the provisions of said Contract release either said Contractor or said Surety, and notice of such modifications or extensions of the Contract is hereby waived by said Surety.

SIGNED this 12th day of November, 1999

Countersigned resident agent in Nevada.
 Pursuant to Nevada Revised Statute 680a.300:

SUZANNE J. POOLE
 (Resident Agent)

37918
 (State of Nevada, License Number)

AON RISK SERVICES, INC. OF NEVADA
LIC. #58270 (Appointed Agent Name)

By: [Signature]
 (Signature)

Address: 2300 W. SAHARA AVENUE, SUITE 560

LAS VEGAS, NV 89102

Telephone: 702/227-0300

(SEAL AND NOTARIAL ACKNOWLEDGMENT OF SURETY)

WELLS CARGO, INC.
 (Principal Contractor)

Howard Wells, Jr., CEO & President
 (Authorized Representative and Title)

By: [Signature]
 (Signature)

Surety: SAFECO INSURANCE COMPANY OF AMERICA

1275
 (State of Nevada, License Number)

Aon Risk Services
 (Appointed Agent Name)

By: [Signature]
 Rhonda C. Abel (Signature) Attorney-in-Fact

Address: 2677 North Main Street, Suite 600

Santa Ana, CA 92705-6623

Telephone: (714) 437-3043

ISSUING COMPANY MUST HOLD CERTIFICATES OF AUTHORITY AS ACCEPTABLE SURETY ON FEDERAL BONDS AND AS ACCEPTABLE REINSURING COMPANY WITH LISTING IN THE DEPARTMENT OF TREASURY, FISCAL SERVICE, (DEPARTMENT OF CIRCULAR "570", CURRENT REVISIONS).

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Orange

On 11-12-99 before me, Jane Kepner, Notary Public
personally appeared Rhonda C. Abel
personally known to me (or proved to me on the basis of satisfactory
evidence) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged to me that he/she/they executed
the same in his/her/their authorized capacity(ies), and that by
his/her/their signature(s) on the instrument the person(s), or the
entity upon behalf of which the person(s) acted, executed the
instrument.

WITNESS my hand and official seal.



Jane Kepner

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Orange

On 11-12-99 before me, Jane Kepner, Notary Public
personally appeared Rhonda C. Abel
personally known to me (or proved to me on the basis of satisfactory
evidence) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged to me that he/she/they executed
the same in his/her/their authorized capacity(ies), and that by
his/her/their signature(s) on the instrument the person(s), or the
entity upon behalf of which the person(s) acted, executed the
instrument.

WITNESS my hand and official seal.



A handwritten signature of Jane Kepner in cursive script, written over a horizontal line.

GUARANTEE BOND

EXECUTED IN DUPLICATE

BOND NUMBER 5991016DATE EXECUTED 11-12-99Premium included in charge
for Performance Bond

IMPORTANT: SURETY COMPANIES EXECUTING BONDS MUST BE LICENSED TO ISSUE SURETY BY THE STATE OF NEVADA INSURANCE DIVISION PURSUANT TO NEVADA REVISED STATUTE 683A.090 AND ISSUED BY AN APPOINTED AGENT PURSUANT TO NEVADA REVISED STATUTE 683A.280. NOTE: INDIVIDUAL SURETY BONDS ARE NOT ACCEPTABLE.

GUARANTEE for Wells Cargo, Inc., 7770 Spring Mountain Road, Las Vegas, Nevada 89117
(Name and Address of Prime Contractor)

We hereby guarantee that the Upper Washington Avenue Conveyance System Phase 2, which we have constructed, has been completed in accordance with the plans and specifications; that the work as constructed will fulfill the requirements of the guaranties included in the Contract Documents. We agree to repair or replace any or all of the work together with any other adjacent work which may be damaged in so doing, that may prove to be defective in workmanship or materials within a period of one year from the date of acceptance of the above-named work by the City of Las Vegas, State of Nevada, without expense whatsoever to the City of Las Vegas ordinary wear and unusual abuse or neglect are exempted.

In the event of our failure to comply with the above-mentioned conditions within five (5) calendar days after being notified in writing by the City of Las Vegas, State of Nevada, we collectively or separately, do hereby authorize the City of Las Vegas to proceed to have said defects repaired and made good at our expense and we will honor and pay the costs and charges therefore upon demand. When correction of work is started, it shall be carried through to completion.

Date of Completion _____

SIGNED this 12th day of November, 19 99

Countersigned resident agent in Nevada.
Pursuant to Nevada Revised Statute 680A.300:

SUZANNE J. POOLE

(Resident Agent)

37918

(State of Nevada, License Number)

AON RISK SERVICES, INC. OF NEVADA

LIC. #58270 (Appointed Agent Name)

By: _____

(Signature)

Address: 2300 W. SAHARA AVENUE, SUITE 560

LAS VEGAS, NV 89102

Telephone: 702/227-0300

Telephone: _____

(Local Agent)

Telephone: _____

(Bonding Company)

(SEAL AND NOTARIAL ACKNOWLEDGMENT OF SURETY)

WELLS CARGO, INC.

(Principal Contractor)

Howard Wells, Jr., CEO & President

(Authorized Representative and Title)

By: _____

(Signature)

Surety: SAFECO INSURANCE COMPANY OF AMERICA

1275

(State of Nevada, License Number)

Aon Risk Services

(Appointed Agent Name)

By: _____

Rhonda C. Abel (Signature) Attorney-in-Fact

Address: 2677 North Main Street, Suite 600

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ISSUING COMPANY MUST HOLD CERTIFICATES OF AUTHORITY AS ACCEPTABLE SURETY ON FEDERAL BONDS AND AS ACCEPTABLE REINSURING COMPANY WITH LISTING IN THE DEPARTMENT OF TREASURY, FISCAL SERVICE, (DEPARTMENT OF CIRCULAR "570", CURRENT REVISIONS).

POWER
OF ATTORNEYSAFECO INSURANCE COMPANY OF AMERICA
GENERAL INSURANCE COMPANY OF AMERICA
HOME OFFICE: SAFECO PLAZA
SEATTLE, WASHINGTON 98185

No. 9875

KNOW ALL BY THESE PRESENTS:

That SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA, each a Washington corporation, does each hereby appoint

*****RHONDA C. ABEL; Costa Mesa, California*****

Its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf fidelity and surety bonds or undertakings and other documents of a similar character issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA have each executed and attested these presents

this 2nd day of August, 1999

R.A. PIERSON, SECRETARY

W. RANDALL STODDARD, PRESIDENT

CERTIFICATE

Extract from the By-Laws of SAFECO INSURANCE COMPANY OF AMERICA
and of GENERAL INSURANCE COMPANY OF AMERICA:

"Article V, Section 13. - FIDELITY AND SURETY BONDS ... the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business... On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

Extract from a Resolution of the Board of Directors of SAFECO INSURANCE COMPANY OF AMERICA
and of GENERAL INSURANCE COMPANY OF AMERICA adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,

- (i) The provisions of Article V, Section 13 of the By-Laws, and
- (ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
- (iii) Certifying that said power-of-attorney appointment is in full force and effect,

the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

Pierson, Secretary of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of these corporations, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 12th day of November, 1999



R.A. PIERSON, SECRETARY

Certificate of Insurance

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON YOU THE CERTIFICATE HOLDER. THIS CERTIFICATE IS NOT AN INSURANCE POLICY AND DOES NOT AMEND, EXTEND, OR ALTER THE COVERAGE AFFORDED BY THE POLICIES LISTED BELOW.

This is to Certify that

Wells Cargo, Inc.
7770 West Spring Mountain Rd
Las Vegas, NV 89117

Name and
address of
Insured.



Is, at the issue date of this certificate, insured by the Company under the policy(ies) listed below. The insurance afforded by the listed policy(ies) is subject to all their terms, exclusions and conditions and is not altered by any requirement, term or condition of any contract or other document with respect to which this certificate may be issued.

TYPE OF POLICY	EXP. DATE ☐ CONTINUOUS ☐ EXTENDED ☒ POLICY TERM	POLICY NUMBER	LIMIT OF LIABILITY	
WORKERS COMPENSATION	8/26/2000	EL1-161-038761-069	COVERAGE AFFORDED UNDER WC LAW OF THE FOLLOWING STATES:	EMPLOYERS LIABILITY Bodily Injury By Accident \$1,000,000 Each Accident Bodily Injury By Disease \$1,000,000 Policy Limit Bodily Injury By Disease \$1,000,000 Each Person
GENERAL LIABILITY ☒ OCCURRENCE ☐ CLAIMS MADE	8/26/2000 RETRO DATE	YY7-161-038761-039 Includes: Blanket Add'l Ins'd "XCU" Contractual Liability	General Aggregate - Other than Products/Completed Operations \$2,000,000 Products/Completed Operations Aggregate \$2,000,000 Bodily Injury and Property Damage Liability \$1,000,000 Per Occurrence Personal Injury \$1,000,000 Per Person/Organization Other \$300,000 Other \$10,000	
AUTOMOBILE LIABILITY ☒ OWNED ☒ NON-OWNED HIRED	8/26/2000	AS7-161-038761-019	\$1,000,000 Each Accident - Single Limit B.I. and P.D. Combined Each Person Each Accident or Occurrence Each Accident or Occurrence	
OTHER Umbrella Excess Liability	8/26/2000	TL1-161-038761-079	\$5,000,000 Annual Aggregate \$5,000,000 Per Occurrence	
ADDITIONAL COMMENTS Project: Upper Washington Conveyance System, Phase 2 (99-031) Bid # 00.1730.11-RC PWPCL - 2000 - 39 City of Las Vegas, Certificate Holder, is an Additional Insured as respects this project, please see attached Endorsement.				

* If the certificate expiration date is continuous or extended term, you will be notified if coverage is terminated or reduced before the certificate expiration date.

SPECIAL NOTICE-OHIO: ANY PERSON WHO, WITH INTENT TO DEFRAUD OR KNOWING THAT HE IS FACILITATING A FRAUD AGAINST AN INSURER, SUBMITS AN APPLICATION OR FILES A CLAIM CONTAINING A FALSE OR DECEPTIVE STATEMENT IS GUILTY OF INSURANCE FRAUD.

IMPORTANT NOTICE TO FLORIDA POLICYHOLDERS AND CERTIFICATE HOLDERS: IN THE EVENT YOU HAVE ANY QUESTIONS OR NEED INFORMATION ABOUT THIS CERTIFICATE FOR ANY REASON, PLEASE CONTACT YOUR LOCAL SALES PRODUCER, WHOSE NAME AND TELEPHONE NUMBER APPEARS IN THE LOWER RIGHT HAND CORNER OF THIS CERTIFICATE. THE APPROPRIATE LOCAL SALES OFFICE MAILING ADDRESS MAY ALSO BE OBTAINED BY CALLING THIS NUMBER.

NOTICE OF CANCELLATION: (NOT APPLICABLE UNLESS A NUMBER OF DAYS IS ENTERED BELOW.) BEFORE

Liberty Mutual Group

THE STATED EXPIRATION DATE THE COMPANY WILL NOT CANCEL OR REDUCE THE INSURANCE AFFORDED UNDER THE ABOVE POLICIES UNTIL AT LEAST 30 DAYS

NOTICE OF SUCH CANCELLATION HAS BEEN MAILED TO:

CERTIFICATE HOLDER **City of Las Vegas**
Purchasing & Contracts Division
400 Stewart Avenue
Las Vegas, NV 89101-2986

Susan J. Christner
 Susan J. Christner
 AUTHORIZED REPRESENTATIVE

Las Vegas, NV. (702) 260-9394 11/09/99
 OFFICE PHONE NUMBER DATE ISSUED

BS772A R12

POLICY NUMBER:

COMMERCIAL GENERAL LIABILITY

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**ADDITIONAL INSURED—DESIGNATED PERSON OR ORGANIZATION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART.

SCHEDULE**Name of Person or Organization:**

City of Las Vegas
Purchasing and Contracts
First Floor City Hall Complex
400 East Stewart Avenue
Las Vegas, NV 89101

The City of Las Vegas, its officers, employees and volunteers are insureds with respect to liability arising out of the activities by or on behalf of the named insured in connection with this project.

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

WHO IS AN INSURED (Section II) is amended to include as an insured the person or organization shown in the Schedule as an insured but only with respect to liability arising out of your operations or premises owned by or rented to you.

City of Las Vegas

Agenda Item No. 25

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 1999

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK VINCENT

☐

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of authorization to use Western States Contracting Alliance Master Price Agreement #92-00151 for Dell Computers and Servers - Department of Information Technologies - Award recommended to: DELL MARKETING L.P. (Estimated annual amount of \$2,500,000 - General Fund)

Fiscal Impact

☐

No Impact

Amount: Estimated \$2,500,000

☒

Budget Funds Available

Dept./Division: Information Technologies

☐

Augmentation Required

Funding Source: General

PURPOSE/BACKGROUND:

This requirement will provide for the purchase of Dell computers, laptops and servers for the period from date of award through September 3, 2000 from Dell Marketing L.P.

This item is exempt from competitive bidding pursuant to NRS 332.195, which allows the City to join state and local government contracts.

RECOMMENDATION:

That the City Council approve the utilization of the Western States Contracting Alliance Master Price Agreement # 92-00151, to Dell Marketing L.P., for the period from date of award through September 3, 2000, with one year renewal options for as long as the competitive bidding exception applies.

BACKUP DOCUMENTATION:

MOTION:

M. McDONALD - Motion to APPROVE:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

City of Las Vegas

Agenda Item No. 26

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK VINCENT**☐**CONSENT**☐**DISCUSSION****SUBJECT:**

Preapproval of Bid Number 00.1739.06, Fire Station #41 at Buffalo & Wittig to the lowest responsive and responsible bidder; and approve the construction and contingency amount - Department of Fire Services - (Engineer's estimate \$2,370,000 - Capital Projects Fund)

Fiscal Impact☐**No Impact****Amount:** Estimated \$2,370,000☒**Budget Funds Available****Dept./Division:** Fire Services☐**Augmentation Required****Funding Source:** Capital Projects**PURPOSE/BACKGROUND:**

This contract provides for the construction of a new 10,271 square foot fire station, housing two apparatus bays, and one rescue bay, and includes related onsite and offsite improvements on a 78,400 square foot site located at the southwest corner of Buffalo and Wittig.

RECOMMENDATION:

That the City Council preapprove the award of Bid Number 00.1739.06, Fire Station #41 at Buffalo & Wittig, to the lowest responsive and responsible bidder, and approve a constuction and contingency amount.

BACKUP DOCUMENTATION:**MOTION:****M. McDONALD - Motion to APPROVE:****Items: 3 through 29****Items: 31 through 38****Items: 40 through 42****Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)****Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)****MINUTES:**

There was no discussion.

(9:23 - 9:25)

1-461

City of Las Vegas

Agenda Item No. 27

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 1999

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK VINCENT

☐

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of the award of Bid Number 000029, annual requirements contract for CPVC pipe, fittings, valves and glue - Department of Public Works - Award recommended to: VARIOUS SUPPLIERS (Estimated annual aggregate amount of \$255,000 - Enterprise Fund)

Fiscal Impact

☐

No Impact

Amount: Estimated \$255,000

☒

Budget Funds Available

Dept./Division: Public Works / Environmental

☐

Augmentation Required

Funding Source: Enterprise

PURPOSE/BACKGROUND:

This requirement will provide the Water Pollution Control Facility with an annual requirements contract for CPVC pipe, fittings, valves and glue for use on various projects throughout the Plant.

Award recommended to: Consumers Pipe

Ryan Herco

Pacific Mechanical

Las Vegas Windustrial

RECOMMENDATION:

That the City Council approve the award of Bid Number 000029, annual requirements contract for CPVC pipe, fittings, valves and glue, to various suppliers, for the period from date of award through October 31, 2000, with four (4) one year options.

BACKUP DOCUMENTATION:

MOTION:

M. McDONALD - Motion to APPROVE:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

City of Las Vegas

Agenda Item No. 28

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK VINCENT**☐**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of the award of Bid Number 000024, annual requirements contract for custodial paper products - various departments - Award recommended to: VARIOUS SUPPLIERS (Estimated annual aggregate amount of \$85,000 - General Fund)

Fiscal Impact☐**No Impact****Amount:** Estimated \$85,000☒**Budget Funds Available****Dept./Division:** Various☐**Augmentation Required****Funding Source:** General**PURPOSE/BACKGROUND:**

The annual contract will provide custodial paper products for various departments of the City of Las Vegas.

Award recommended to: Xpedex - Lot I

Brady Industries - Lot II

Waxie Sanitary Supply - Lot III

RECOMMENDATION:

That the City Council approve the award of Bid Number 000024, annual requirements contract for custodial paper products, to various suppliers, for the period from date of award through November 30, 2000, with four (4) one-year options to renew, in the estimated annual aggregate amount of \$85,000.

BACKUP DOCUMENTATION:**MOTION:**

M. McDONALD - Motion to APPROVE:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

City of Las Vegas

Agenda Item No. 29

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 1999

DEPARTMENT: FIRE & RESCUE

DIRECTOR: MARIO TREVINO

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Las Vegas Valley Water District Interlocal Agreement for City of Las Vegas Fire Station No. 41 Bid No. 00.1739.06 to provide water service for the building located at Buffalo and Wittig and Application for Connection and Request for Service fee (\$46,105.00/Capital Projects Fire Bonds)

Fiscal Impact

☐

No Impact

Amount: \$46,105.00

☒

Budget Funds Available

Dept./Division: Fire & Rescue

☐

Augmentation Required

Funding Source: Capital Projects Fire Bonds

PURPOSE/BACKGROUND:

The City of Las Vegas is building a new Fire Station #41. The interlocal agreement with the Las Vegas Valley Water District and connection fee are to provide water service to the building.

RECOMMENDATION:

That the City Council approve the Las Vegas Valley Water District interlocal agreement and application connection fee.

BACKUP DOCUMENTATION:

Attached are two original Las Vegas Valley Water District interlocal agreements for the Mayor's signature, and one copy of the Application for Connection.

MOTION:

M. McDONALD - Motion to APPROVE:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

City of Las Vegas

Agenda Item No. 30

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 3, 1999

DEPARTMENT: HUMAN RESOURCES**DIRECTOR: RICK ANDERSON**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of the vendors for Calendar Year 2000 Employee Medical Insurance Providers
(annual savings of \$129,307 to current budget)

Fiscal Impact☐**No Impact****Amount:** \$587,285 as budgeted☒**Budget Funds Available****Dept./Division:** Human Resources☐**Augmentation Required****Funding Source:** Internal Service Fund**PURPOSE/BACKGROUND:**

The City of Las Vegas contracted with various providers through calendar year 1999. In anticipation of renewals of these contracts, the City sent a Request For Proposal to prospective vendors to assure our pricing and contracts were in line with the market place. Annual administrative costs for the plan are lowered \$129,307 from the costs budgeted for the current year. Final contracts will be brought to Council for approval at a subsequent meeting.

RECOMMENDATION:

Council approve the vendor list for the City's benefit package.

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

REESE - Motion to hold in ABEYANCE to 11/17/99 - UNANIMOUS

11/17/99 Agenda

MINUTES:

COUNCILMAN REESE expressed the importance of medical insurance for the working family. He would like to discuss with the members of the City Council all options that may be available to provide City employees with the best possible insurance.

RICK ANDERSON, Director, Human Resources, reported that the City is close to having a benefits package in place.

MIKEY GLUSKIN, President, and PAM HINES, Secretary, Las Vegas City Employees' Association, stated that there is no problem with holding this item in abeyance for two weeks.

(9:24 - 9:25)

1-486



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 1999

DEPARTMENT: HUMAN RESOURCES

ITEM DESCRIPTION: CALENDAR YEAR 2000 EMPLOYEE MEDICAL INSURANCE PROVIDERS

The City of Las Vegas contracted with various providers through calendar year 1999 to provide and administer employee benefit programs. For calendar year 2000, the City sent a Request For Proposal to prospective vendors to assure our pricing and contracts were in line with the market place. As a result of the responses, analysis, and on-site visits, the Labor-Management Insurance Committee makes the following recommendation for calendar year 2000.

1. Third Party Administration (TPA). These services are currently provided by Pacific Heritage Administrators. Competitive cost analysis, on-site review of the facility capabilities, and reference checks indicates that **a change to USI Administrators** is justified. USI is a local facility with large local accounts and was the low bidder for TPA services.
2. Physician/Hospital Network. The current network of physicians and hospitals is provided by Universal Health Network (UHN). **It is recommended we continue utilizing UHN as the network provider.** Employees are now familiar with the network hospitals and physicians. UHN has the best overall discounts for hospital services and is extremely competitive in provider discounts.
3. Prescription Benefit Management. Catalyst Rx currently provides prescription benefit management. They have provided good service and pricing. The bid proposal is extremely competitive. **It is recommended we renew the contract with Catalyst Rx.**
4. Reinsurance. Reinsurance is currently provided by American National Insurance. Based on the pricing of the responses to the Request For Proposal, it is recommended we **contract with Sun Life** as the Reinsurance carrier. This proposal was significantly less than we are currently paying for stop loss (reinsurance) coverage.
5. Utilization Management. This service is currently provided by Universal Health Network through its subsidiary, Universal Health Review. Based on the cost analysis and services provided, it is recommended that we **contract with USI Administrators** for utilization management services. They were the low bidder for these services and will be associated with the third party administrative services provided by USI.
6. Large Case Management. These services are currently provided by Universal Health Review with oversight from MedWatch. Based on the bid proposals, it is recommended we contract with **Concentra** for Large Case Management services. They were the low bidder for Large Case Management Services.
7. Employee Assistance Program. This service is currently provided by Harmony HealthCare. Based on a review of the Request For Proposal submissions, it is recommended that we **renew our contract with Harmony HealthCare.**

We believe that with these changes we can continue to provide our employees with an excellent benefit package. With your direction, we will prepare contracts with these vendors and bring them to you for ratification at a subsequent meeting.

City of Las Vegas

Agenda Item No. 31

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: 11/3/99

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: SHARON SEGERBLOM**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Community Development Block Grant(CDBG) funded Housing Rehabilitation Activities in the amount of \$30,000.00 for Hermila Escalante, 1201 Chapman Drive

Fiscal Impact☐**No Impact****Amount: \$30,000.00**☒**Budget Funds Available****Dept./Division: Neighborhood Svcs./Dev.**☐**Augmentation Required****Funding Source: CDBG****PURPOSE/BACKGROUND:**

Hermila Escalante is a 42 year old single mother of 4 with an annual income of \$20,796.00. Her home is in need of repairs to the roof, mechanical system, plumbing and electrical systems, doors, windows, paint, floor covering, tree and debris removal.

RECOMMENDATION:

It is the recommendation of the City Manager that the City Council approve this loan and that the Mayor execute the Deferred Loan Agreements and the Voucher Control Disbursement Agreements.

BACKUP DOCUMENTATION:

Deferred Loan Agreements and Valley Construction Services, Inc., Disbursement Agreements.

MOTION:

M. McDONALD - Motion to APPROVE:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: 11/3/99

DEPARTMENT: Neighborhood Services

ITEM DESCRIPTION: Approval of Community Development Block Grant (CDBG) funded Rehabilitation Activities in the amount of \$30,000.00 for Hermila Escalante, 1201 Chapman Drive

Hermila Escalante is a 42 year old single mother of 4 with an annual income of \$20,796.00 which qualifies her for a Community Development Block Grant (CDBG) funded Deferred Housing Rehabilitation Loan. Ms. Escalante's home is in need of a new roof, new mechanical system, windows, doors, plumbing and electrical repairs, paint, tree and debris removal, and flooring.

The \$30,000.00 being requested includes the low bid of \$27,364.00 submitted by All-Star Contracting, a contract contingency of \$2,636.00, \$250.00 for a Preliminary Title Report, and \$7.00 for Clark County Recording fees.

DEFERRED LOAN AGREEMENT

THIS AGREEMENT, made and entered into this 3rd day of November, 1999, by and between the City of Las Vegas, a municipal corporation of the State of Nevada, (herein the "City"), and Hermila Escalante, (herein the "Owner").

WITNESSETH:

WHEREAS, the City, through the Neighborhood Development Division of the Neighborhood Services Department, has established a Residential Rehabilitation Deferred Loan Program (Loan Program) to enable low-to-moderate income homeowners who reside in their homes within the City of Las Vegas to obtain loans from the City to assist homeowners in making their homes safe and livable; and

WHEREAS, the Owner is the resident of certain improved real property located in the City of Las Vegas, Nevada, commonly known as 1201 Chapman Drive, which more particularly described as, Charleston Square Tract #1, Plat Book 2 Page 66, Lot 6 Block 3 \$ PT Lot 7, City of Las Vegas, County of Clark, State of Nevada, which serves as the Owner's home (hereafter "Owner's home"); and

WHEREAS, the Owner desires to have certain rehabilitation work performed on the Owner's home which is described as follows to wit: New roofing system, new mechanical system, plumbing and electrical repairs, interior and exterior paint, interior and exterior doors, new windows, debris removal, drywall repair, security doors, new bathtub and tub surround, new bathroom vanity, smoke detectors, (hereinafter "Rehabilitation Work"); and

WHEREAS, the Owner desires to obtain from the City a loan which is to be used solely for the Rehabilitation Work of the Owner's home;

NOW, THEREFORE, it is mutually agreed by and between the parties that:

1. The City agrees to lend to the Owner, and the Owner agrees to borrow from the City, the sum of Twenty seven thousand six hundred twenty one and no/100--Dollars (\$27,621.00) (herein the "Loan") which amount is based on the estimated cost of the labor and materials required for the Rehabilitation Work on the Owner's home.

2. The Owner agrees to execute any contract required to effect completion of the Rehabilitation Work on the Owner's home. Changes in the amounts to be paid for the labor and/or materials shall be authorized only by a written Change Order, which must be signed by the Owner and the contractor performing the Rehabilitation Work, but in no event shall any Change Order be executed without written approval of the City's Neighborhood Development Division. In the event

that the Change Order changes the amount of the contract entered into for the Rehabilitation Work, the Loan will be adjusted accordingly unless the Change Order is not approved by the City.

3. The Owner agrees that the proceeds of the Loan will be used solely for the rehabilitation of the Owner's home.

4. The Owner agrees to execute the Promissory Note and Deed of Trust, copies of which are attached hereto as Exhibits "A" and "B" in favor of the City and to repay the Loan in accordance with the provisions of the Promissory Note. If, upon completion of the Rehabilitation Work, the amount expended for the Rehabilitation Work varies from the sum of \$27,621.00, the Owner agrees to execute a revised Promissory Note and Deed of Trust, if necessary, so that the amount of the indebtedness concurs with the amount expended for the Rehabilitation Work.

5. The Owner agrees to obtain and maintain policies of fire, hazard and flood insurance (where required) for the Owner's home, specifically the building and its contents in the minimum amount of \$ 27,621.00. With respect to such insurance, the Owner further agrees to:

a. Name the City as an additional insured party on the policies, as the City's interest may appear;

b. Adjust as needed the amount of insurance coverage expressly required to be maintained by this Paragraph 5 so as to reflect the reconstruction or replacement costs of the Owner's home;

c. Furnish to the City annually certificates of insurance demonstrating that the foregoing insurance requirement in the sum stated is in effect;

d. Notify the City ten (10) days prior to any material change in insurance coverage or of a cancellation or an impending lapse of such coverage; and

e. Maintain such insurance identifying the City as an additional insured party on the Owner's home until the termination of this Agreement.

6. The Owner understands and agrees that the Loan is for the benefit of the Owner only and only as long as the Owner actually lives in the home. In the event that all or any part of the improved real property that is the subject of this Agreement or an interest therein is sold, transferred or otherwise alienated, or if the Owner ceases to live in the Owner's home, the total amount of the Loan, without interest shall, at the discretion of the City, be immediately due and payable.

7. The Loan amount shall be reduced by ten (10) percent, and that portion which is reduced shall be forgiven. The amount of the Loan shall be adjusted to reflect the ten (10) percent reduction, as delineated in the Promissory Note. At the end of ten (10) years, the total amount of

the Loan shall be forgiven and the City shall remove the Lien against the Owner's home. In the event the Owner's home is sold or title to said property transferred to another Party, the balance remaining on the Loan shall be due and payable.

1. MISCELLANEOUS PROVISIONS

A. NOTICES

Any notice or other communication required or permitted to be given under this Agreement (herein the "Notices") shall be in writing and shall be (i) personally delivered, or (ii) delivered by certified mail, return receipt requested, and deposited in the U.S. Mail, postage prepaid. The Notices shall be deemed received upon actual receipt. The Notices shall be directed to the parties at their respective addresses shown below, or such other address as either party may, from time to time, specify in writing to the other party in the manner described above:

CITY

City of Las Vegas
Attention: Director,
Neighborhood Services Department
400 east Stewart Avenue, 2nd Floor
Las Vegas, NV 89101

OWNER:

Hermila Escalante
1201 Chapman Drive
Las Vegas, NV 89104

B. AMENDMENTS

This Agreement may not be amended or modified except by a written instrument executed by the parties hereto:

C. TIME OF THE ESSENCE

Time is of the essence of this Agreement and each and every term, condition and provision hereof.

D. NO WAIVER

No waiver of any of the provisions of the Agreement shall be deemed, or shall constitute, a waiver of any other provisions, whether or not similar, nor shall any waiver constitute a continuing waiver. No waiver shall be binding unless executed in writing by the party making the waiver.

E. COUNTERPARTS

This agreement may be executed in two (2) counterparts, each of which shall be deemed to be an original.

F. ENTIRE AGREEMENT

This agreement constitutes the entire agreement between parties hereto with respect to the subject matter hereof, and supersedes all prior understandings or agreements between the parties.

G. HEADINGS AND INTERPRETATION

Headings used in this agreement are for convenience or reference only and are not intended to govern, limit or aid in the construction of any term or provision hereof. Any reference to a Section in this Agreement shall include all sections and subsections related thereto.

H. CHOICE OF LAW

This Agreement and each and every related document are to be governed by, and construed in accordance with, the laws of the State of Nevada.

I. SEVERABILITY

If any term, covenant, condition or provision of this agreement, or the application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction, or rendered by the adoption of a statute invalid, void or unenforceable, the remainder or the terms, covenants, conditions or provisions of this Agreement, or the application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated thereby.

J. ATTORNEY'S FEES

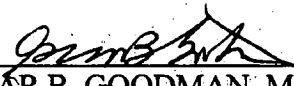
In the event that any party hereto institutes an action or proceeding relating to or arising out of this Agreement, or the transactions contemplated hereby, or in the event any party is in default of its obligations pursuant thereto, whether or not suit is filed or prosecuted to final judgment, in the prevailing party shall be entitled to its reasonable attorneys' fees and to all court costs incurred, in addition to any other damages or relief awarded.

K. ASSIGNMENT

This agreement may not be assigned without the written consent of the City.

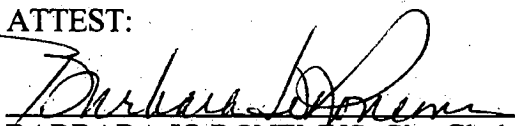
IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first set forth above.

CITY OF LAS VEGAS

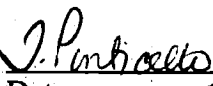
BY: 

OSCAR B. GOODMAN, Mayor

ATTEST:


BARBARA JO RONEMUS, City Clerk

Approved as to form


Date 10/25/99


HERMILA ESCALANTE, Owner

**VALLEY CONSTRUCTION SERVICES, INC.
DISBURSEMENT AGREEMENT**

This Agreement is made and entered into by and between Valley Construction Services, Inc. and Hermila Escalante hereinafter referred to as "Owner," All-Star Contracting hereinafter referred to as "Contractor," and City of Las Vegas, hereinafter referred to as "Lender," as follows:

WHEREAS Owner is the owner of certain land situated in Clark County, Nevada, which is more fully described on Exhibit A attached hereto; and

WHEREAS Owner desires to construct certain improvements upon the subject real property, hereinafter referred to as "Project"; and

WHEREAS Owner desires to borrow from Lender the total sum of \$ 27,621.00 ("loan") for the purpose of financing the construction costs of the Project; and

WHEREAS Owner has selected and employed Contractor, who holds a valid and applicable Nevada State Contractor's license, to construct the Project on the subject property in compliance with the plans and specifications provided to the Lender; and

WHEREAS, Lender has agreed to fund for construction costs the sum of to be used for the Project in compliance with the Construction Loan Agreement dated ; and

WHEREAS, the parties desire to ensure the prompt and accurate payment of construction of the Project including labor, materials, subcontractors, and contractor's claims against the approved Lender's cost breakdown, a copy of which is attached as Exhibit B; and

WHEREAS, Lender desires to appoint Valley Construction Services, Inc. as its agent under the Loan Agreement for disbursement of construction costs.

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

1. Lender appoints Valley Construction Services, Inc. as its Agent for disbursement of construction costs and shall disburse to or through or upon the approval of Valley Construction Services, Inc. the sum of \$27,364.00 from the proceeds of the loan for the purpose of making available for construction purposes the contract amount of the Project. The sum of \$27,364.00 shall be designated as the "Construction Fund." The Construction Fund does not include the sum of \$257.00 from the loan to Owner, and is not subject to this Agreement.

2. Contractor and Owner agree to comply with all terms and conditions of the construction Loan Agreement, and consent to the appointment of Valley Construction Services, Inc. as agent.

3. In the event the Lender releases the balance of the Construction Fund directly to the Owner and/or the Contractor prior to the completion of the construction or the expiration of the lien period, Lender and Owner agree to notify Valley Construction Services, Inc. in writing to verify no additional funds are required for

payments to any persons or entities which may be legally entitled to any funds pursuant to invoices, contracts, retention, or other supporting documents.

4. Owner and Contractor agree to deliver to Valley Construction Services, Inc. each and every item required by Valley Construction Services for the performance of its duties pursuant to the terms of this Agreement, including but not limited to the loan Agreement, construction Agreement, cost breakdown, subcontracts, working plans and specifications, and any other documents requested by Valley Construction Services.

5. Valley Construction Services agrees to maintain a general trust account and shall not commingle any funds received from Lender and/or Owner with its own funds. Any funds received from the Owner or Lender may be deposited in the general trust account. Accurate accounting records shall be kept of deposits and withdrawals from the trust account. It is specifically agreed that Valley Construction Services is not obligated to pay interest on any funds deposited to the general trust account.

6. Contractor agrees to complete the construction in compliance with the plans and specifications approved by the Owner, Contractor and Lender in compliance with the applicable building codes and Contractor further agrees that no alteration or deviation shall be made from the plans and specifications without the written approval of Valley Construction Services, Owner and Lender.

7. Valley Construction Services agrees to promptly apply the monies received by it to the payment of vouchers to be issued and signed by Contractor and/or Owner, of such costs as are properly allocated to the construction of the Project. Payments are to be made to such persons and entities as are legally entitled pursuant to invoices, contracts, labor and/or material supply releases, or other supporting documents. Any sums of this Agreement to be retained until the expiration of the period for the filing of mechanic's lien claims shall be in compliance with the Loan Agreement. The funds shall then be paid to the Contractor or such other person or entity as shall be entitled to the funds.

8. Valley Construction Services shall inspect the project at reasonable intervals as deemed necessary by Valley Construction Services to determine what costs of construction may be properly paid. The parties agree that the inspections by Valley Construction Services are not to be construed as the equivalent of or as a substitute for architectural supervision of inspections by the Owner, Contractor, or Lender. The parties specifically agree that Valley Construction Services shall not be responsible for, or guarantee that the construction work will be completed, or built in compliance with the plans, specifications, or budgets, or in compliance with applicable building codes, ordinances or regulations.

9. Contractor agrees to pay Valley Construction Services a fee of \$500.00 prior to the first disbursements from the Loan Fund. In the event that Owner should request additional services not covered by this Agreement, Owner agrees to pay Valley Construction Services, upon request, the value of any services, money expended or indebtedness incurred, including reasonable attorneys' fees.

a. Fees will be deemed to have been earned at the time the Agreement is executed, and no refund will be made of any fee in the event this Agreement is terminated, or if the cost of construction is less than originally estimated.

b. The Project will be completed within 60 days from its inception. In the event construction extends beyond the time outlined herein, Valley Construction Services will be paid a fee of \$75.00 per inspection, and

the sum of \$75.00 for each disbursement after the estimated completion date, until such time as the Project is completed.

c. Disbursements and/or inspections will be provided **BI-WEEKLY**. Special disbursements requested outside the agreed time period will be assessed a fee of \$75.00. Special inspection requests will be assessed a fee of \$75.00.

10. The parties agree that Valley Construction Services may rely upon, at its discretion, facsimiles and photocopies in lieu of original documents on all required items including the payment voucher, labor releases, and/or any other items which may be deemed necessary by Valley Construction Services.

11. The execution of this Agreement and participation by Valley Construction Services is in no way to be construed as an endorsement or guarantee of performance of any party hereto, Architect, Builder, Owner, Subcontractor, or persons supplying materials or labor to any such persons or for the use of the projector any plans, specifications, or products. The parties specifically agree that the obligations and services of Valley Construction Services are strictly limited to the duties provided in this Agreement.

12. At the time the work of construction has been completed and all funds under this agreement have been disbursed, the obligations of Valley Construction Services to the parties shall cease.

13. If a change order is signed between Owner and Contractor and additional funds are required over and above the available Construction Funds, Owner will deposit additional funds with Valley Construction Services and pay Valley Construction Services an additional voucher fee which shall be in the same percentage of the additional funds as the original funds.

14. Contractor, Owner and Lender specifically agree to indemnify and hold Valley Construction Services harmless from all expenses which it may incur or liability that it may sustain, INCLUDING REASONABLE ATTORNEY'S FEES AND COURT COSTS INCURRED BY VALLEY CONSTRUCTION SERVICES, from any or all actions related to the Project, except for damages which are proximately caused by the gross negligence or fraud on the part Valley Construction Services.

15. Owner and Contractor agree to promptly deliver to Valley Construction Services any and all preliminary lien notices, intent to lien notices, and lien claims served on Owner or Contractor.

16. In the event that any lien or liens shall be recorded against the *subject real* property by reason of the work of construction performed pursuant to the subject Project, Contractor agrees to cause the lien or liens to be fidly satisfied or otherwise secured, and to hold Valley Construction Services harmless from the claims of liens. If, within a reasonable time, the liens are not satisfied and discharged, Valley Construction Services shall not be obligated to disburse any funds to Owner or Contractor until the liens are satisfied and released of record.

17. If more than one person or entity executes this Agreement as Owner, the obligations of each such persons or entities pursuant to this Agreement shall be joint and several.

18. Whenever the context of this Agreement requires, the singular shall include the plural and the masculine gender shall include the feminine and/or neuter.

19. This Agreement is for the sole protection of the parties to this Agreement, their successors and assigns, and no other persons, firms, corporations, or other entities who are not a party to this Agreement, including but not limited to subcontractors and material supplies, shall have any right of action pursuant to any terms of this Agreement

20. Valley Construction Services agrees to provide the required Form 1099's in compliance with Section 6041 of the Internal Revenue Code.

DATED this 3rd day of November 1999

OWNER HERMILA ESCALANTE

Hermila Escalante

BY:

CONTRACTOR: ALL-STAR CONTRACTING

All Star Contracting
John J. Manos

BY:

TITLE: Pres

VALLEY CONSTRUCTION SERVICES, INC.

[Signature]

BY:

TITLE: Office Manager

PROJECT # 1202-CLV

LENDER:

CITY OF LAS VEGAS

[Signature]

BY:

TITLE: _____

ATTEST:

[Signature]

BARBARA JO RONEMUS, City Clerk

Approved as to form

[Signature]
Date 10/25/99

EXHIBIT "A"**CHARLESTON SQUARE TRACT #1****PLAT BOK 2 PAGE 66****LOT 6 BLOCK 3 PT. LOT 7****CITY OF LAS VEGAS****CLARK COUNTY****STATE OF NEVADA**

EXHIBIT "B"

**CITY OF LAS VEGAS - NEIGHBORHOOD SERVICES DEPARTMENT
NEIGHBORHOOD DEVELOPMENT DIVISION
ITEMIZED BID FORM**

BID OPENING DATE: 10/14/99

PROPERTY

ADDRESS: 1201 Chapman DriveBID OPENING TIME: 10:00 A.M.OWNER: Hermila Escalante

1.	Roofing		3,900.00
2.	Roof sheathing	GIVEN COST: 60 sheets of 1/2" CDX or 7/16" OSB roof sheathing @ \$35.00/sheet	2,100.00
3.	Mechanical		5,000.00
4.	Electrical		1020.00
5.	Plumbing		1482.00
6.	Paint		2480.00
7.	Doors		1580.00
8.	Flooring	DELETED	
9.	Windows		1250.00
10.	Debris Removal	+ PERMITS	952.00
11.	Porch cover repair	DELETED	
12.	Drywall repair		1300.00
13.	CAB & VANITY		725.00
14.	GEN. NOTES		725.00
15.		ITEMS ON ADDENDUMS	5,750.00
16.			
17.			
18.			
19.			
20.			
21.			
22.			
23.			
24.			
25.			
		PRIME CONTRACTOR TOTAL BID	27,364.00

CONTRACTOR: ALL STAR CONTRACTING, INC. STATE LICENSE: 45308BY: SAM BOZIDEN EXPIRATION DATE: 8-2000TITLE: ESTIMATOR
PAYMENT BY VOUCHER CONTROLLIMIT: 50,000
YES ☒ NO ☐

City of Las Vegas

Agenda Item No. 32

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: NEIGHBORHOOD SERVICES****DIRECTOR: SHARON SEGERBLOM**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a request for reduction of an EDA/RLF loan to Basil Clay dba International College Funding from \$35,000.00 to \$28,510.74.

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Basil Clay dba International College Funding, has requested that his loan amount be reduced to what has been borrowed to date. He no longer requires the full loan amount for his business operation.

RECOMMENDATION:

It is the recommendation of the City Manager that this request be approved, and the Mayor be authorized to execute the appropriate documents.

BACKUP DOCUMENTATION:

Amended and Restated Loan Agreement.

MOTION:

M. McDONALD - Motion to APPROVE:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: NOVEMBER 3, 1999****DEPARTMENT: Neighborhood Services****ITEM DESCRIPTION: Approval of a request for reduction of an EDA/RLF loan to Basil Clay dba International College funding from \$35,000.00 to \$28,510.74**

Basil Clay dba International College funding, has requested that the original loan amount of \$35,000.00, approved by the City of Las Vegas City Council on January 25, 1999, be reduced to the amount that he has borrowed to date, \$28,510.74. Mr. Clay has determined that he does not require the remainder of the loan for his business operation. In addition, by reducing this loan amount, Mr. Clay's monthly payment amount can be reduced.

AMENDED AND RESTATED LOAN AGREEMENT

THIS AMENDED AND RESTATED LOAN AGREEMENT (the "Agreement" herein) made and entered into this 25 day of October, 1999, by and among the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada (hereinafter referred to as the "City") and International College Funding, a sole Nevada proprietorship, (hereinafter referred to as the "Borrower").

WITNESSETH:

WHEREAS, the City has established an Economic Development Administration Revolving Loan Fund (the "EDA-RLF" herein) to assist businesses that have projects that are located within the City of Las Vegas by providing a portion of the costs of any such project that will ultimately create jobs and/or eliminate slum or blight conditions as a direct result of the City's economic development assistance; and

WHEREAS, on January 25, 1999, the City and Borrower entered into a Loan Agreement which provided a loan in EDA/RLF funds in the amount of \$35,000; and

WHEREAS, the Borrower now desires to borrow \$28,510.74 of the total loan amount and requests that the loan amount be reduced to this revised amount; and

WHEREAS, the Borrower and City desire to amend the Loan Agreement by reducing the principal amount of the loan to \$28,510.74 from the EDA-RLF, which is to be used for Equipment, Inventory and Advertising in connection with the college funding business ("Borrower's business"); and

WHEREAS, the Borrower intends to hire at least 1 new employees during the first twelve (12) months in connection with its proposed business operation and requests this loan in order to retain the Borrower's business which will save 1 job;

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

1. Contingent upon the Borrower's entering into binding agreements with the City, the City will loan to the Borrower, from the EDA/RLF, the amount of Twenty Eight Thousand, Five Hundred Ten and 74/100th Dollars (\$28,510.74) ("Loan"), including a Two Hundred Eighty Five and 10/100th Dollars (\$285.10) loan origination fee, which shall be expended by the Borrower as follows:

• Loan Origination Fee	\$285.10
• Inventory	5,364.09
• Equipment	3,847.77
• Advertising	19,013.78

The Borrower must first obtain the written approval by the City of each such expenditure before the same may be made.

2. As and for the security for the Loan that is provided for Paragraph 1 above, the Borrower will provide to the City a security interest in the collateral that is specified in Exhibit "A" attached hereto and by this reference made a part hereof ("Collateral"). Borrower agrees to execute security agreements, financing statement, and other necessary documents to perfect the City's interest in the Collateral, specifically the documents listed in Exhibit "B". The Borrower agrees that, unless the City's written consent therefor is first obtained, it will not transfer or use the Collateral as security for loans other than those identified herein and will otherwise keep said Collateral free from liens and other encumbrances.

3. The Loan shall be represented by the Note, the form of which is attached hereto as Exhibit "C", executed concurrently with the execution of this Agreement. The Borrower's indebtedness on the Note shall be guaranteed by the Guarantor as aforesaid. Borrower shall repay to the City the Loan in eighty four (84) equal monthly installments in the amount of Four Hundred Two Dollars and 97/100ths (\$402.97), including interest on the unpaid balance thereof at the rate of five percent (5%) per annum from the date of the execution of the Note. In this connection, the Borrower acknowledges that, upon the execution of this Agreement, the City will set aside the full amount of the Loan for the benefit of the Borrower, and the Borrower therefore agrees that interest will accrue from the date of the execution of this Agreement and Note notwithstanding the fact that the proceeds of the Loan are not expended by, or on behalf of, the Borrower until some later date.

4. The Borrower agrees that, beginning at the time of execution of this Agreement and continuing for a period of thirty-six (36) months thereafter, Borrower will not pay to the principals of the Borrower, their successors and any managers of the business, combined salaries or compensation in excess of \$80,000.00 per year, and that such salaries and compensation shall be subordinate to the Loan.

5. The Borrower may prepay all or any portion of the amount of the Loan and the Note at any time and from time to time; provided, however, that any payment shall be in an even multiple of Four Hundred Two and 97/100th Dollars (\$402.97) and shall be credited against the unpaid installments of the Loan in the inverse order of their respective due dates.

6. The Borrower hereby acknowledges that all of the funds that exist within the Loan Fund have been derived from the City's Economic Development Administration Loan Fund and the Borrower therefore agrees to comply with all of the applicable regulations of the City and the United States Department of Commerce, Economic Development Administration ("EDA" herein) that relate to the expenditure of the Economic Development Administration Loan Fund. In this connection, the Borrower further acknowledges that one of the guidelines that is contained

in such regulations requires that such funds be expended in job-creating activities and therefore agrees to provide, within the first twelve (12) months after the execution of this Agreement for One (1) new permanent job and/or to be necessary to retain a business and its existing jobs and to retain a minimum of One (1) job, at least fifty-one percent (51%) of which shall be filled by persons of low to moderate incomes, determined in accordance with the regulations of HUD. The Borrower further agrees to provide to the City evidence of the creation and maintenance of such jobs upon the City's request.

7. Relocation - No loans will be granted to businesses located outside the City of Las Vegas. If Borrower moves Borrower's Business from the City of Las Vegas, the Loan will be called in default instantly and the entire balance will be due and payable immediately.

8. Flood Hazard Insurance - Borrowers will be required to obtain and maintain flood hazard insurance, if applicable.

9. Access for the Handicapped - If a construction project is financed by the EDA-RLF, accessibility to the handicapped must be assured in compliance with the standards of 41 CFR, subpart 101-19.6.

10. Default - If payment is not received on the due date, or within ten days after the due date, there will be a late fee of five percent (5%) of the payment amount. If the Borrower misses the second due date, the Loan may be immediately become due and payable, and foreclosure proceedings will begin immediately. Moreover, the City will notify a local credit bureau that the Loan is sixty (60) days in arrears.

11. The Borrower agrees to provide to the City, on a quarterly basis and at such other times as the City or its designee may request, audit reports, financial statements and a business plan.

12. The City may terminate this Agreement and declare the Borrower to be in default thereunder should the Borrower breach any of the terms or conditions hereof, and may declare all of the remaining unpaid installments of principal and interest to be immediately due and payable. In the event of such acceleration, the City shall be entitled to pursue any legal or equitable, or both, remedy that may be available to it, including without limitation instituting collection action against the Borrower, proceeding against the Guarantors on their guaranty or seizing and selling any or all of the Collateral that forms the security for the Loan, or any combination thereof.

13. The waiver by the City of any breach by the Borrower of any of the provisions of this Agreement shall not be construed as a waiver of any subsequent breach of the same or any of the other provisions hereof, and the City specifically reserves the right to pursue any of the remedies that are provided for in Paragraph 12 above against the Borrower, upon any such subsequent breach.

14. The Borrower agrees that the City will not grant the requested loan until the Borrower provides a copy of the Borrower's current City of Las Vegas Business License to the City.

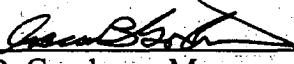
15. This Agreement, and each of the provisions hereof, shall be binding upon, and shall inure to the benefit of, the parties hereto and their respective heirs, legal representatives, successors and assigns.

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

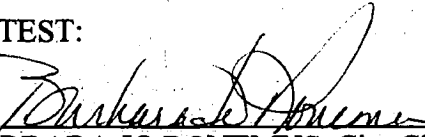
CITY OF LAS VEGAS

APPROVED BY CITY COUNCIL

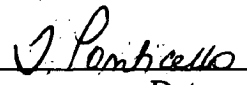
DATE 1/25/99

By 
Oscar B. Goodman, Mayor

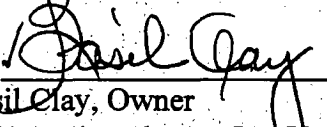
ATTEST:

By 
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM

By  10/19/99
Date

INTERNATIONAL COLLEGE FUNDING

By 
Basil Clay, Owner
1951 Stella Lake St., Las Vegas NV 89106

"Exhibit A"

Equipment-Computers, Printers, et al.

All Inventory and equipment shall be used for Borrower's business and shall be used at Borrower's place of business which is presently located at 1951 Stella Lake St., Las Vegas, NV, 89106

SECURITY AGREEMENT

THIS SECURITY AGREEMENT ("Agreement") is made and entered into this 25 day of October, 1999, between INTERNATIONAL COLLEGE FUNDING, a Nevada sole proprietorship (hereinafter referred to as the "Borrower"), and CITY OF LAS VEGAS, a municipal corporation of the State of Nevada (hereinafter referred to as the "City").

IN CONSIDERATION of the mutual covenants and promises set forth herein, Borrower and City agree:

ARTICLE I. CREATION OF A SECURITY INTEREST

Borrower hereby grants to City a security interest in the collateral described in Article II to secure the performance and payment of Borrower's Promissory Note (hereinafter referred to as "Note"), dated the 25 day of October, 1999, in the amount of TWENTY-EIGHT THOUSAND FIVE HUNDRED TEN and 74/100ths DOLLARS (\$28,510.74) and payable as to principal and interest as therein provided, all expenditures by City for taxes, insurance, repairs to and maintenance of the collateral and all costs and expenses incurred by City in the collection and enforcement of the Note and other indebtedness of Borrower to City at City's option; and all liabilities of Borrower to City now existing or hereafter incurred, matured or unmatured, direct or contingent, and any renewals and extensions thereof and substitutions therefor.

ARTICLE II. DESCRIPTION OF THE COLLATERAL

The collateral subject to this Security Agreement (hereinafter referred to as "collateral") is inventory and computer equipment to be used at Borrower's business.

ARTICLE III. OBLIGATIONS OF THE BORROWER

A. **Payment.** Borrower shall pay to City the sum evidenced by the above-mentioned Note, or any renewals or extensions thereof, executed pursuant to this Security Agreement in accordance with the terms of such Note, and any other obligations that now exist or may hereafter accrue from Borrower to City, including all future advances that may be made at the option of City as provided herein.

B. **Warranties.** Borrower warrants and covenants that:

1. Prior to the execution of this Security Agreement, Borrower or its authorized employees or representatives have inspected the collateral described herein and are satisfied that the collateral is in good working condition.

2. Collateral will be used or is to be used primarily in Borrower's business; however, the collateral is not to be purchased or held for lease or sale.

C. **Performance of Agreement.** Borrower shall perform all covenants and agreements set forth in this Security Agreement and any other agreement, note or instrument between Borrower and City.

ARTICLE IV. PROCEEDS OF COLLATERAL

Borrower hereby grants to City a security interest in and to all proceeds of collateral, as defined by NRS 104.9101, et seq.

ARTICLE V. FINANCING STATEMENT

At the request of the City, Borrower will join in executing, or will execute as appropriate, all necessary financing statements in a form satisfactory to City. Borrower will execute all other instruments deemed necessary by City and pay the cost of filing all such documents.

ARTICLE VI. LOCATION AND IDENTIFICATION OF COLLATERAL

Borrower will keep the collateral separate and identifiable at the address indicated below, and Borrower will not remove collateral from such address without written consent of the City.

Address: 1951 Stella Lake Street
Las Vegas, Nevada 89106

ARTICLE VII. ALIENATION OF COLLATERAL

Except as provided in Article XVI, Borrower will not, without the written consent of the City, sell, contract to sell, lease, encumber or otherwise dispose of the collateral or any interest therein until this Security Agreement and all its debts secured thereby have been fully satisfied. Nothing in this provision shall prohibit the Borrower from replacing or changing outmoded or broken equipment.

ARTICLE VIII. INSURANCE

Borrower shall insure collateral with companies acceptable to City against such casualties and in such amounts as City shall require and in an amount equal to the then existing outstanding indebtedness. The insurance shall be for the benefit of Borrower and City as their interest may appear. Borrower is hereby authorized to collect from the insurance company any amount that may become due under any such insurance policy and may use said proceeds to replace collateral covered by such insurance.

City may require that it be named as loss payee under any policy of insurance if City deems that the collateral which is the subject of this Security Agreement is of a type or nature which

is subject to rapid loss or destruction. Such determination shall be in the sole discretion of the City, and Borrower shall reasonably comply with City's request.

ARTICLE IX. TAXES AND ASSESSMENTS

Borrower shall pay promptly when due all taxes and assessments levied on collateral or on its use and operation.

ARTICLE X. PROTECTION OF COLLATERAL

Borrower shall keep collateral in good order and repair. Borrower shall not waste or destroy collateral or any part thereof; and Borrower shall not use collateral in violation of any statute or ordinance. City shall have the right to examine and inspect collateral at any reasonable time.

ARTICLE XI. REIMBURSEMENT OF EXPENSES

City may, at its option and at any time, discharge taxes, liens or interest on collateral, perform or cause to be performed for and on behalf of Borrower any action and/or conditions, obligations or covenants that Borrower has failed or refused to perform, or pay for repair, maintenance and preservation of collateral. All sums so expended shall bear interest from the date of payment at the rate of eight percent (8%) per annum, shall be paid at the place designated in the above-mentioned Note and shall be secured by this Security Agreement.

ARTICLE XII. TIME OF PERFORMANCE

When performing any act under this Security Agreement and the Note secured thereby, time shall be of the essence.

ARTICLE XIII. WAIVER

Failure of City to exercise any right or remedy, including, but not limited to, the acceptance of partial or delinquent payments, shall not be a waiver of any obligation of Borrower or right of City or constitute a waiver of any other similar right subsequently occurring.

ARTICLE XIV. DEFAULT

If Borrower fails to pay when due any amount payable on the above-mentioned Note or any other indebtedness of Borrower secured hereby, or shall fail to observe or perform any of the provisions of this Security Agreement, Borrower shall be in default.

Borrower shall also be in default if Borrower does not observe or perform any covenant or agreement herein set forth, or set forth in any agreement, note or instrument heretofore, now or hereafter executed by Borrower in favor of City.

Any representation, warranty, certificate, schedule or other information made or furnished by Borrower to City herein, or pursuant hereto, which is or shall be untrue or materially misleading shall also constitute an event of default.

ARTICLE XV. REMEDIES

On any default, and at any time thereafter:

A. City may declare all obligations secured hereby immediately due and payable and may proceed to enforce payment of the same and exercise any and all rights and remedies provided NRS 104.9101, et seq., as well as any and all other rights and remedies possessed by City.

B. City shall have the right to remove collateral from Borrower's premises. City may require Borrower to assemble collateral and make it available to City at any place to be designated by City that is reasonable and convenient to both parties. For purposes of removal and possession of collateral, City or its representatives may enter the premises of the Borrower without legal process, and Borrower hereby waives and releases City of and from any and all claims in connection therewith or arising therefrom.

ARTICLE XVI. GOVERNING LAW

A. This Security Agreement shall be construed according to NRS 104.9101, et seq., and other applicable laws of the State of Nevada, and all obligations of the parties created hereunder are to be performed in accordance with the laws of the State of Nevada.

B. All terms used herein are defined in NRS 104.9101, et seq., and shall have the same meaning herein as therein defined.

ARTICLE XVII. ATTORNEY'S FEES

In case suit shall be brought to enforce any provision of this Security Agreement, or for the recovery of any amount owed to City as a result of this Security Agreement, or for Borrower's

...

...

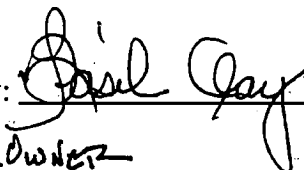
...

breach of any provision of this Security Agreement, Borrower agrees to pay City reasonable attorney's fees and all costs associated with the prosecution of City's suit against Borrower.

IN WITNESS WHEREOF, the parties have executed this Security Agreement at Las Vegas, Nevada, the day and year first above written.

"BORROWER"

INTERNATIONAL COLLEGE FUNDING
a Nevada sole proprietorship

By: 

Its: Owner

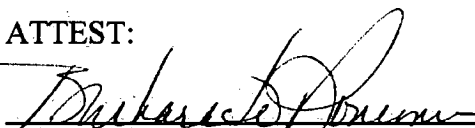
"CITY"

CITY OF LAS VEGAS

By: 

OSCAR B. GOODMAN, Mayor

ATTEST:


BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:


10-25-99 Date

EXHIBIT "C"

PROMISSORY NOTE

\$28,510.74

Las Vegas, NV
____, 1999

FOR VALUE RECEIVED, the undersigned, INTERNATIONAL COLLEGE FUNDING, a Nevada sole proprietorship, the principal address of which is 1951 Stella Lake St., Las Vegas, Nevada 89106 (the "Borrower" herein), promises to pay to the CITY OF LAS VEGAS (the "City" herein), at 400 East Stewart Avenue, Las Vegas, Nevada 89101, the sum of Twenty Eight Thousand Five Hundred Ten and 74/100th Dollars (\$28,510.74) with interest thereon from the date hereof at the rate of Five percent (5%) per annum, in eighty four (84) equal monthly installments in the amount of Four Hundred Two and 97/100ths Dollars (\$402.97), commencing on the 15th day of November, 1999 and continuing thereafter, on the same day of each and every month, until the 15th day of October, 2006 when the entire principal sum hereof then unpaid, together with all accrued interest thereon, shall be due and payable.

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

The Borrower has executed a Loan Agreement of even date herewith between the City, Borrower, and Guarantor, Basil Clay ("Loan Agreement"), and the terms of the Loan Agreement hereby incorporated as a part of this Note. Borrower agrees that all terms and obligations of the Borrower are hereby incorporated as an obligation of Borrower under this Note. If Borrower is in default of the Loan Agreement, the City may exercise any and all remedies, legal or equitable, to satisfy Borrower's obligations hereunder.

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

This Promissory Note is secured by a certain Security Agreement, financing statement and other security instruments of even date herewith or to be executed by Borrower and is subject to the terms and conditions of that Loan Agreement.

IN WITNESS WHEREOF, the Borrower has caused this Promissory Note to be executed by its duly authorized officers this ___ day of _____, 1999.

INTERNATIONAL COLLEGE FUNDING

By _____
Basil Clay, Owner
1951 Stella Lake St., Las Vegas NV 89106

City of Las Vegas

Agenda Item No. 33

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: PUBLIC WORKS****DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a Right of Way Grant for Sight Visibility Restriction Purposes from C & E Partnership, an Illinois General Partnership for a portion of the Southeast Quarter of Section 11, T20S, R60E, M. D. M., for an easement located on the east side of Bronco Street, north of Cheyenne Avenue (1-10-99) 138-11-804-013

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division: PW/Engineering Planning**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:****RECOMMENDATION:**

Approval

BACKUP DOCUMENTATION:

None

MOTION:**M. McDONALD - Motion to APPROVE:****Items: 3 through 29****Items: 31 through 38****Items: 40 through 42****Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)****Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)****MINUTES:**

There was no discussion.

(9:23 - 9:25)

1-461

City of Las Vegas

Agenda Item No. 34

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: PUBLIC WORKS****DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a Right of Way Grant for Ingress and Egress Purposes from C & E Partnership, an Illinois General Partnership for a portion of the Southeast Quarter (SE ¼) of Section 11, T20S, R60E, M.D.M., for an easement located on the east side of Bronco Street, north of Cheyenne Avenue (1-10-99) 138-11-804-013

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division: PW/Engineering Planning**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:****RECOMMENDATION:**

Approval

BACKUP DOCUMENTATION:

None

MOTION:**M. McDONALD - Motion to APPROVE:****Items: 3 through 29****Items: 31 through 38****Items: 40 through 42****Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)****Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)****MINUTES:**

There was no discussion.

(9:23 - 9:25)

1-461

City of Las Vegas

Agenda Item No. 35

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 1999

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Grant Deed from Alan W. Feld and Suzanne Coblentz Feld, as Co-Trustees of the Alan W. And Suzanne Coblentz Living Trust dated the 9th day of August 1972 as to a 1/3rd interest; Suzanne Feld, a married woman as her sole and separate property as to a 2/18th interest; Suzanne and Alan Feld, Co-Trustees of the Winthrop Trust dated August 9, 1972, as amended/restated and their successors as to a 1/18th interest; and Suzanne Coblentz Feld, Thelma Coblentz and Jonathan Coblentz, Co-Trustees of the J. Coblentz 1994 Trust, dated December 15, 1994 as amended/restated and their successors as to a 9/18th interest for a portion of the Southwest Quarter (SW ¼) of Section 3, T20S, R60E, M.D.M for 50' of right-of-way for the south half of Craig Road, 40' for a portion of Tenaya Way, a 54' radius at the southwest corner of Tenaya Way and Craig Road, and 30' for a portion of Pioneer Way for the Craig Road Improvements, Buffalo Drive to U.S. 95 (previously recorded in the Office of the Recorder, Clark County, Nevada in Book 990930 as Instrument Number 01894) (9-30-99) 138-03-303-001

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: PW/Engineering Planning

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

None

MOTION:

M. McDONALD - Motion to APPROVE:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

City of Las Vegas

Agenda Item No. 36

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: PUBLIC WORKS****DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval to file a Right-of-Way Grant application with the Bureau of Land Management for road, sewer and drainage purposes on portions of land lying within the West Half (W ½) of Section 1 and the Northeast Quarter (NE ¼) and the West Half (W ½) of Section 12, T20S, R59E, M.D.M. for "Spine" Road between Cheyenne Road and Lone Mountain Road and Alexander Road and Gilmore Avenue, east of "Spine" Road

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division: PW/Engineering Planning**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:****RECOMMENDATION:**

Approval

BACKUP DOCUMENTATION:

None

MOTION:**M. McDONALD - Motion to APPROVE:****Items: 3 through 29****Items: 31 through 38****Items: 40 through 42****Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)****Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)****MINUTES:**

There was no discussion.

(9:23 - 9:25)

1-461

Form 2800-14
(August 1985)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
RIGHT-OF-WAY GRANT/TEMPORARY USE PERMIT

Issuing Office
Las Vegas District
Serial Number
N-66120

1. A (right-of-way) (~~permit~~) is hereby granted pursuant to:

- a. ☒ Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761);
- b. ☐ Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185);
- c. ☐ Other (describe) _____.

2. Nature of Interest:

- a. By this instrument, the holder City of Las Vegas receives a right to construct, operate, maintain, and terminate a roadway and related purposes on public lands (or Federal land for MLA Rights-of-Way) described as follows:

Mount Diablo Meridian, Nevada
T. 20 S., R. 59 E.
sec. 1: W½
sec. 12: W½NE¼NW¼NE¼, W½

A map showing the location of the right-of-way is on file with the Bureau of Land Management, Las Vegas District (N-62866).

- b. The right-of-way or permit area granted herein is varying feet in width, 23,906 feet long and contains 37.99 acres, more or less. If a site type facility, the facility contains _____ acres.
- c. This instrument shall ~~terminate on~~ be granted in perpetuity ~~years from its effective date~~ unless, ~~prior thereto~~, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.
- d. This instrument ☐ may ☐ may not be renewed. If renewed, the right-of-way or permit shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest. NOT APPLICABLE
- e. Notwithstanding ~~the expiration of this instrument or any renewal thereof~~, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of ~~the expiration, or prior termination~~, of the grant.

3. Rental:

For and in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management fair market value rental as determined by the authorized officer unless specifically exempted from such payment by regulation. Provided, however, that the rental may be adjusted by the authorized officer, whenever necessary, to reflect changes in the fair market rental value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices.

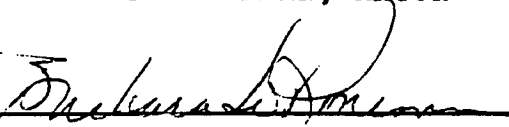
4. Terms and Conditions:

- a. This grant or permit is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations parts 2800 and 2880.
- b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 120 days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the authorized officer.
- c. Each grant issued pursuant to the authority of paragraph (1)(a) for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way or permit granted herein may be reviewed at any time deemed necessary by the authorized officer.
- d. The stipulations, plans, maps, or designs set forth in Exhibit(s) A, dated _____, attached hereto, are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.
- e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or permit shall constitute grounds for suspension or termination thereof.
- f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.

IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant or permit.


OSCAR B. GOODMAN, MAYOR

Rex Wells


BARBARA JO. RONEUMUS, CITY CLERK

Assistant Field Manager
Division of Lands
(Title)

(Date)

(Date)

APPROVED AS TO FORM

 3-14-00
Date

Exhibit A
Special Stipulations
N-66120

1. Sixty (60) days prior to construction activities, cacti and yucca that would be impacted by the project will be salvaged and appropriately transported. All salvaging actions will be coordinated with the Authorized Officer, who will determine how the plants will be used in revegetation. These activities would be coordinated with the Forestry program at BLM.

Mitigation measures for potential impacts to the Las Vegas bear poppy will be determined on a case-by-case basis whenever this species is found in a proposed project area. These activities would be coordinated with the Authorized Officer.

2. Holder shall mark the exterior boundaries of the ROW with stake and/or lath at 100 to 200 foot intervals. The intervals may be varied at the time of staking at the discretion of the Authorized Officer. The tops of the stakes and/or laths will be painted and the laths flagged in a distinctive color as determined by the Holder. Holder shall maintain all boundary stakes and/or laths in place until final cleanup and restoration is completed.

3. Holder shall conduct all activities associated with construction, operation, and termination of this right-of-way within its authorized limits.

4. Any cultural and/or paleontological resources (historic or prehistoric site or object) discovered by the Holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the Authorized Officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the Authorized Officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The Holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the Authorized Officer after consulting with the Holder. Holder shall be responsible for the resultant mitigation costs.

5. Land surface treatment for areas previously disturbed: Following excavation, trenches will be backfilled with the excavated soil. The soil will be distributed and contoured evenly over the surface of the disturbed area. The soil surface will be left rough to help reduce potential wind erosion.

Land surface treatment for areas previously undisturbed: Strip the top six inches of soil material with associated plant material over all surfaces to be disturbed by construction. Stockpile this material along the course of construction (inside the right-of-way). At the conclusion, including trench backfilling and compaction, replace the stockpiled soil with plant debris uniformly back on the surface of the disturbed area.

During excavation, backfilling, and contouring, the disturbed soil should be wetted sufficiently in order to effectively reduce airborne dust and reduce soil erosion.

6. Holder shall not violate applicable air and water quality standards or related facility siting standards established by or pursuant to applicable Federal and State law.

The Holder shall furnish and apply water, chemicals (with prior approval of the Authorized Officer) or use other means satisfactory to the Authorized Officer for dust control.

7. Holder will comply with the terms and conditions of the Biological Opinion, File No. 1-5-96-F-23R.AMD2, on file at the Bureau of Land Management, Las Vegas Field Office.

a. Applicants may voluntarily choose to search for and remove tortoises from lands to be disturbed. Applicants who choose to voluntarily search and remove tortoises shall contract or appoint a qualified individual to oversee the process. Only individuals trained to handle desert tortoises in accordance with U.S. Fish and Wildlife Service (FWS) approved guidelines shall be authorized to handle desert tortoises unless they are in imminent danger. Currently, the FWS approved handling guidelines are described in *Guidelines for Handling Desert Tortoises During Construction Projects*, Desert Tortoise Council, 1994. For tortoise removals, the applicant shall make arrangements with Clark County's tortoise pick-up service (702/593-9027) at least 10 days prior to the commencement of tortoise collection.

Tortoises shall not be placed on private lands or lands under management by an agency other than the Bureau of Land Management (BLM) without written permission of the landowner or agency. Results of the tortoise removal will be reported to the Authorized Officer on Form 2, Optional Tortoise Removal Form.

b. If a tortoise is in imminent danger with immediate death or injury likely (such as from an approaching vehicle or equipment), and the tortoise has been given the opportunity to move but has withdrawn in its shell and is not moving, on site personnel may capture the tortoise and place it in a clean unused cardboard box or similar container. The Clark County tortoise pick-up service, mentioned above, shall be notified immediately. The contained tortoise will be held in the shade or temperature-controlled environment until removed by the pick-up service.

c. If the applicant desires, tortoises encountered during construction may be moved out of harm's way to adjacent habitat in accordance with FWS approved protocol described above. If adjacent habitat is not available, arrangements must be made with the Clark County pick-up service for disposition of collected tortoises. Tortoises shall only be moved to adjacent habitat during the period of March 1 through October 31. Between November 1 and March 1, tortoises shall be deposited with the Clark County pick-up service (702/593-9027).

Tortoises shall not be placed on private lands or lands under management by an agency other than the BLM without written permission of the landowner or agency. Results of the tortoise removal will be reported to Authorized Officer on Form 2, Optional Tortoise Removal Form.

d. Holder will pay off-site mitigation (fees) of \$587 per acre of surface disturbance for all projects that are outside of the "exclusionary zone". This rate will be indexed for inflation based on the Bureau of Labor Statistics Consumer Price Index beginning January 1, 1997. An exception is that there is no mitigation fees for projects impacting less than 0.25 acres. The mitigation fee shall be paid directly to the Desert Tortoise Habitat Conservation Fund (702/730-9999) administered by Clark County. The administrator (I.e., Clark County) serves as the banker of these funds and receives no benefit from administering these funds.

Payment shall be by certified check or money order payable to Clark County Treasurer and delivered to:

HCP Administrator
 Clark County
 Department of Comprehensive Planning
 3rd Floor
 500 South Grand Central Parkway
 P.O. Box 551712
 Las Vegas, NV 89155-8270

The payment shall be accompanied by a Section 7 Fee Payment Form.

The project proponent or Holder may receive credit for payment of these fees and deduct such costs from desert tortoise impact fees charged by local government entities.

e. Road rights-of-way issued to local governments (Clark County, Cities of Las Vegas, North Las Vegas, Henderson, and Boulder City) may be issued before payment of off-site mitigation fees. If payment of mitigation fees are postponed, the applicant shall submit a request for a Notice-to-Proceed before surface disturbance. The applicant shall provide the BLM with proof of payment of the required mitigation fees before the Notice-to-Proceed is issued. Both of these actions shall occur prior to surface disturbance. A Notice-to-Proceed shall be issued for each segment of right-of-way as payment is made.

f. Upon locating a dead, injured, or sick endangered or threatened species, Holder shall notify the U.S. Fish and Wildlife Service, Division of Law Enforcement (FWSLE) in Las Vegas, Nevada at (702) 388-6380. Take care in handling sick or injured desert tortoises to ensure effective treatment and care of the handling of dead specimens to preserve biological material in the best possible state for later analysis of cause of death. In conjunction with the care of sick or injured desert tortoises or preservation of biological materials from a dead animal, the Holder is responsible to perform instructions provided by the FWSLE to ensure that evidence intrinsic to the specimen is not unnecessarily disturbed.

g. Sick or injured desert tortoises shall be delivered to any qualified veterinarian for appropriate treatment or disposal. Dead desert tortoises suitable for preparation as museum specimens shall be frozen immediately and provided to an institution (per their instructions) holding appropriate Federal and State permits. Should no institutions want the desert tortoise specimens, or if it is determined that they are too damaged (crushed, spoiled, etc.) for preparation as a museum specimen, then they shall be buried away from the project area or cremated, upon authorization by the FWSLE. The Holder/permittee shall bear the cost of any required treatment of injured desert tortoises, euthanasia of sick desert tortoises, or cremation of dead desert tortoises. Sick or injured desert tortoises that are treated by a veterinarian and survive shall be transferred as directed by the FWS.

8. Holder shall construct, maintain, operate and/or modify structures and facilities as directed by the Field Manager to protect and minimize adverse effects upon raptors and other wildlife.

9. Holder shall report wildlife fatalities, including raptor electrocutions, that are discovered at or near project facilities.

10. The Holder shall be responsible for weed control on disturbed areas within the limits of the right-of-way. The Holder is responsible for consultation with the Authorized Officer and/or local authorities for acceptable weed control methods within limits imposed in the grant stipulations.

11. Use of pesticides shall comply with the applicable Federal and State laws. Pesticides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, the Holder shall obtain from the Authorized Officer written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers and any other information deemed necessary by the Authorized Officer. Emergency use of pesticides shall be approved in writing by the authorized officer prior to such use.

Pesticides shall not be permanently stored on public lands authorized for use under this grant.

12. Construction sites shall be maintained in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an approved waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, construction waste, petroleum products, ashes and equipment.

13. Holder agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, et seq. or the Resource Conservation and Recovery Act, 42 U.S.C. 6901, et seq.) on this right-of-way. This agreement applies without regard to whether a release is caused by the Holder/permittee, their agent, or unrelated third parties.

14. The Holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, Holder/permittee shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, et seq.) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.)

15. Holder shall report any release of hazardous substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release of spill of any toxic substances shall be furnished to the Authorized Officer concurrent with the filing of the reports to the involved Federal agency or State government.

16. Holder shall immediately notify the Authorized Officer of any release of hazardous substances, toxic substances, or hazardous waste on or near the area authorized by this right-of-way.

17. Holder shall maintain the right-of-way in a safe, useable condition, as directed by the Authorized Officer. A regular maintenance program shall include, but is not limited to, soil stabilization.

18. The Holder shall provide the Authorized Officer with data in a format compatible with the Bureau's Arc-Info Geographic Information System to accurately locate and identify the right-of-way, within 90 days of construction completion. Acceptable data formats are: (1) Corrected Global Positioning System files with sub-meter accuracy or better, in NAD 27 or NAD 83; (2) An AUTOCADD dxf file. Data may be submitted in any of the following formats: (1) ARCInfo export file; (2) On a 3.5 inch floppy disk in compressed or uncompressed format. Compressed or ZIPed data must include a copy of the UNZIP.EXE file on the disk; (3) Or ARCInfo export files on a CD ROM, 100 mb ZIP disk or 1 gb Jazz disk. All data shall include metadata for each coverage, and conform to the Content Standards for Digital Geospatial Metadata Federal Geographic Data Committee standards.

19. Holder shall protect all survey monuments found within the right-of-way. Survey monuments include, but are not limited to, General Land Office and Bureau of Land Management Cadastral Survey Corners, reference corners, witness points, U.S. Coastal and Geodetic benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments. In the event of obliteration or disturbance of any of the above, the holder shall immediately report the incident, in writing, to the authorized officer and the respective installing authority if known. Where General Land Office or Bureau of Land Management right-of-way monuments or references are obliterated during operations, the holder shall secure the services of a registered land surveyor or a Bureau cadastral surveyor to restore the disturbed monuments and references using surveying procedures found in the Manual of Surveying Instructions for the Survey of the Public Lands of the United States, latest edition. The holder shall record such survey in the appropriate county and send a copy to the authorized officer. If the Bureau cadastral surveyors or other Federal surveyors are used to restore the disturbed survey monument, the holder shall be responsible for the survey cost.

20. Subject to all valid and existing rights.

City of Las Vegas

Agenda Item No. 37

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: PUBLIC WORKS****DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Sewer Connection and Interlocal Contract with Clark County Sanitation District - Katherine Ann Kauder, Owner, 1490 Smith Street

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Applicant proposes to connect one parcel with a proposed usage of a single family residence located in Clark County, to the existing 8" line in Smith Street

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

M. McDONALD - Motion to APPROVE:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

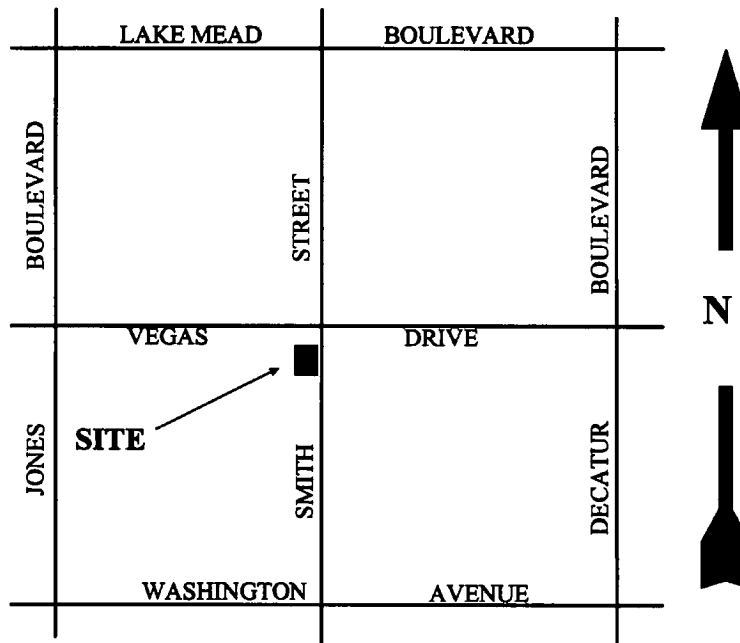
MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: NOVEMBER 3, 1999****DEPARTMENT: PUBLIC WORKS****ITEM DESCRIPTION: SEWER CONNECTION AND APPROVAL OF INTERLOCAL CONTRACT WITH CLARK COUNTY - KATHERIN KAUDER, OWNERS (1490 SMITH STREET)**

VICINITY MAP

INTERLOCAL CONTRACT

THIS CONTRACT is entered into as of the 7TH day of OCTOBER, 1999 by and between the CLARK COUNTY SANITATION DISTRICT ("DISTRICT") and the CITY OF LAS VEGAS ("CITY"), both political subdivisions of the State of Nevada, located within Clark County, Nevada.

WITNESSETH:

WHEREAS, NRS 277.180 provides that one or more public agencies may enter into contracts for the performance of sewer service activity or undertaking which the agency is authorized by law to perform; and

WHEREAS, the CITY provides sewage treatment at its own facilities; and

WHEREAS, DISTRICT sewer lines are not accessible to provide service to the area as shown in Exhibit "A," owned by KATHERINE ANNE KAUDER (approximately 0.4 acres -- VACANT land; Parcel No. 138-25-104-004) which is within the boundaries of the DISTRICT and beyond the corporate limits of the CITY but which is more accessible to sewer service by the CITY; and

WHEREAS, DISTRICT and CITY are willing to enter into a CONTRACT whereby CITY will provide sewer service to that area as shown on the attached Exhibit "A."

NOW THEREFORE, in consideration of the mutual covenants and conditions hereinafter set forth, the parties agree as follows:

1. CITY, at its established rates and in accordance with all CITY resolutions and policies, shall allow connection to CITY sewage collection system by, and will provide sewer service to, that area as shown on attached Exhibit "A" which is located within Clark County.

2. Upon adoption of this CONTRACT, DISTRICT will require all customers/applicants who are located within the boundaries of Exhibit "A" to pay sewer service and System Development Approval (SDA) charges directly to the CITY. CITY will issue a receipt of payment to each customer/applicant; each customer/applicant shall submit this paid receipt and copy of approved application to the DISTRICT and obtain a DISTRICT SDA for issuance of a Clark County building permit(s).

3. This agreement shall be for a term of fifty (50) years or when DISTRICT sewer service becomes available, whichever should first occur. "Available" is defined to mean a sewer service line within 400 feet of the Customer's location with capacity to handle the Customer's discharge.

4. No joint venture is contemplated or established hereby, and neither of the parties shall be deemed to be the agent of the other for any purpose by virtue of this CONTRACT.

5. This CONTRACT shall not be deemed to be for the benefit of any entity or person who is not a party hereto, and neither this CONTRACT, nor any interest therein, may be assigned without the prior written consent of the nonassigning party.

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6. Each party warrants to the other that they have the authority and capacity to perform the provisions hereof.

WITNESS OUR HANDS the day and year first above written.

BOARD OF TRUSTEES
CLARK COUNTY SANITATION DISTRICT

By 
FRED F. TURNIER, DIRECTOR

CITY OF LAS VEGAS

By 
OSCAR B. GOODMAN, Mayor

ATTEST:


BARBARA JO RONEMUS, City Clerk

APPROVED AS TO LEGALITY ONLY:

By  12-7-99
Deputy City Attorney

City of Las Vegas

Agenda Item No. 38

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: PUBLIC WORKS****DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of an encroachment request for Fremont Street Experience, (Applicant), First Street between Fremont Street and Ogden Avenue

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Applicant proposes to encroach into the public right-of-way to extend the Fremont Street Experience northward on First Street between Fremont Street and Ogden Avenue.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Agenda Memo with vicinity map

MOTION:**M. McDONALD - Motion to APPROVE:****Items: 3 through 29****Items: 31 through 38****Items: 40 through 42****Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)****Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)****MINUTES:**

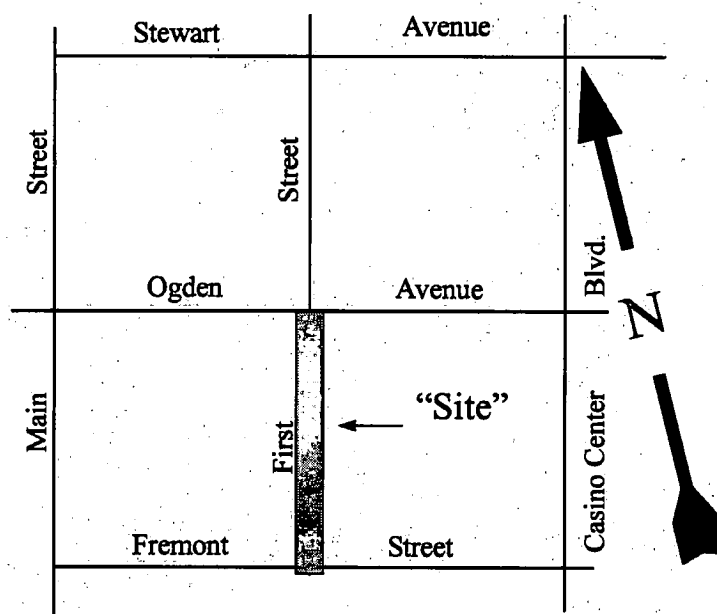
There was no discussion.

(9:23 - 9:25)

1-461

*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: NOVEMBER 3, 1999****DEPARTMENT: PUBLIC WORKS****ITEM DESCRIPTION: FREMONT STREET EXPERIENCE, APPLICANT ENCROACHMENT REQUEST: FIRST STREET BETWEEN FREMONT STREET AND OGDEN AVENUE-FREMONT STREET EXPERIENCE**

The proposed encroachment will consist of at-grade landscape planter areas which will contain palm trees and shade trees and shrubs to match existing Fremont Street Experience planting areas. The planter areas will be irrigated with a drip irrigation system. The proposed encroachment will also include an expanded concrete sidewalk area which will be patterned after the current sidewalk design of the Fremont Street Experience. The sidewalk area will contain benches, trash receptacles and ash urns. All fixtures will match the existing fixtures currently being used within the Fremont Street Experience as further described in Exhibits A and B (hard copy)

VICINITY MAP

City of Las Vegas

Agenda Item No. 39

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: PUBLIC WORKS****DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - Approval of a 5-year sludge disposal service contract with Environmental Technologies of Nevada for sludge removal from the Water Pollution Control Facility (\$1,500,000 a year/Enterprise Fund)

Fiscal Impact☐**No Impact****Amount:** \$1,500,000 a year☒**Budget Funds Available****Dept./Division:** Public Works/Environmental☐**Augmentation Required****Funding Source:** Enterprise Fund**PURPOSE/BACKGROUND:**

The City of Las Vegas has a contract with Environmental Technologies, to remove sludge from the Water Pollution Control Facility that will expire in November, 1999. This new contract will continue the removal of sludge for five years with three five year options. The initial rate remains at \$15/ton.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Contracts

MOTION:

M. McDONALD - Motion to bring forward and Hold in ABEYANCE to 11/17/99 Item No. 39 - **UNANIMOUS** with Mayor Goodman abstaining to avoid potential conflict as his law partner has represented employees of Silver State and he owns land in Apex across from the Silver State location and Councilman Brown abstaining as he works with the Las Vegas Stars Baseball Club and has requested an opinion from the Ethics Commission regarding interacting with corporate sponsorships and is waiting for clarification.

11/17/99 Agenda

NOTE: A previous motion to hold items 50 and 39 in abeyance was made but due to Mayor Goodman's and Councilman Brown's abstentions from item 39, it was decided that two separate motions should be taken.

MINUTES:

NOTE: An Excerpt Verbatim Transcript has been made part of the Final Minutes.

APPEARANCES:

ROBERT GROESBECK, General Counsel for Public Environmental Technologies

(9:19)

1-343

CITY COUNCIL MINUTES
MEETING OF
NOVEMBER 3, 1999

Page 1

EXCERPT VERBATIM TRANSCRIPT (FROM ITEM 1) - ITEM 39 - APPROVAL OF A 5-YEAR SLUDGE
DISPOSAL SERVICE CONTRACT WITH ENVIRONMENTAL TECHNOLOGIES OF NEVADA FOR SLUDGE
REMOVAL FROM THE WATER POLLUTION CONTROL FACILITY

CITY ATTORNEY JERBIC

Mayor and members of the Council, we are also asking on behalf of staff that item #39 be held for thirty days. It's my understanding that Mr. Groesbeck is here today on this item; that Silver State would continue to honor its obligations to haul sludge for the City well past the November 10th date, until this item is brought back on the Council Agenda. The, we would bring an item, I believe, on November 17th to memorialize that and then this item would come back as it's agendaed right now on, about thirty days from now. Mr. Groesbeck?

ROBERT GROESBECK

Thank you, Mr. Jerbic. For the record, Robert Groesbeck, General Counsel for Public Environmental Technologies. That is correct. I would point out that, also, that there has been an issue with regard to the one percent disclosure. I'm sure we're going to be able to work that out to staff's satisfaction. Keep in mind that we are a publicly traded corporation and we are registered with the Securities and Exchange Commission and we have about 170 million plus shares outstanding. So, with your indulgence, I'll have that information to you, hopefully in the next several days.

MAYOR OSCAR GOODMAN

Thank you. Alright, there's been a motion. Before we go to the motion, I'm going to have to abstain as far as item #39 is concerned. My law partner has represented employees of Silver State and I do own some land in Apex, which is across from the Silver State location. So I'm abstaining on that one, but I will vote on #50. Please vote.

COUNCILMAN BROWN

Your Honor, I'll also be abstaining on 39, but voting for 50.

MAYOR GOODMAN

Okay. Post, please.

COUNCILMAN McDONALD

Are you sure now?

MAYOR GOODMAN

Motion carries.

CITY ATTORNEY JERBIC

Madam Clerk, I think that the vote was misregistered on Councilman Brown. It should say abstain.

MAYOR GOODMAN

I think we better have a vote, if I may. **Let's have the vote on item 50 first.**

COUNCILMAN McDONALD

Separate them, yeah.

MAYOR GOODMAN

Right. Vote on the motion, please. Post, please. **Motion carries.**

CITY COUNCIL MINUTES
MEETING OF
NOVEMBER 3, 1999

Page 2

EXCERPT VERBATIM TRANSCRIPT (FROM ITEM 1) - ITEM 39 - APPROVAL OF A 5-YEAR SLUDGE
DISPOSAL SERVICE CONTRACT WITH ENVIRONMENTAL TECHNOLOGIES OF NEVADA FOR SLUDGE
REMOVAL FROM THE WATER POLLUTION CONTROL FACILITY

COUNCILMAN McDONALD

Your Honor, my second motion would be to hold item #39 in abeyance for how long, Mr. Jerbic?

CITY ATTORNEY JERBIC

I believe, thirty days. We'll be bringing back a separate agenda item at the next meeting just to cover the sludge hauling pending the bringing back of this contract. Is that correct?

CITY MANAGER VALENTINE

Actually, it's my understanding that we would be bringing back an amended contract for consideration in fourteen days, in two weeks. Silver State has agreed to extend and honor our current contract, which would expire on November 14th for thirty days in the event that we don't work everything out within the fourteen-day period.

MAYOR GOODMAN

So, two weeks.

COUNCILMAN McDONALD

So, two weeks or a month?

CITY MANAGER VALENTINE

Silver State has offered to extend the, our current contract with them for thirty days. We'd like to bring it back to you in two weeks.

COUNCILMAN McDONALD

Okay.

MAYOR GOODMAN

Alright, there's been a motion. Post, please. **Motion carries.**

COUNCILMAN BROWN

And, Your Honor, Counsel's advised, just to clarify my abstention. My job with the Las Vegas Stars Baseball Club, I asked for an opinion from the Ethics Commission as far as interacting with corporate sponsorships down there and just for the record that I'll be abstaining until I get that clarification.

MAYOR GOODMAN

Thank you.

(END OF DISCUSSION)

/dw

City of Las Vegas

Agenda Item No. 40

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: PUBLIC WORKS****DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - Approval of first amendment to the professional services agreement with Primas and Associates for the design of Tenaya Way from Sky Pointe Drive to Azure Drive (\$101,888.10/Regional Transportation Commission, City of Las Vegas Special Improvement District, Clark County Special Improvement District, and City of Las Vegas Sanitation Fund)

Fiscal Impact☐**No Impact****Amount: \$101,888.10**☒**Budget Funds Available****Dept./Division: Public Works/City Engineer**☐**Augmentation Required****Funding Source: RTC, CLV SID, Clark County SID, CLV Sanitation Fund****PURPOSE/BACKGROUND:**

The City of Las Vegas desires to extend the northerly limits of this project to Centennial Parkway.

The scope of work includes an evaluation of existing pavement to determine the amount of salvageable pavement. The project will also include sidewalk, ramps, curb and gutter, streetlights, full pavement section, a traffic signal at Sky Pointe and traffic signal underground at Tropical Parkway and Azure Drive, as well as a ten year storm drain design.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Agreements

MOTION:**M. McDONALD - Motion to APPROVE:****Items: 3 through 29****Items: 31 through 38****Items: 40 through 42****Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)****Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)****MINUTES:**

There was no discussion.

(9:23 - 9:25)

1-461

**FIRST AMENDMENT TO
PROFESSIONAL SERVICES AGREEMENT
TENAYA WAY—SKY POINT DRIVE to AZURE DRIVE**

THIS FIRST AMENDMENT made and entered into as of the 3rd day of November, 1999, by and between the City of Las Vegas, a municipal corporation of the State of Nevada (herein the "City") and Primas and Associates (herein the "Consultant")

WITNESSETH

WHEREAS, the City and the Consultant have entered into an Agreement dated June 14, 1999 (herein the "Agreement"), retaining the services of the Consultant for this design of Tenaya Way from Sky Point Drive to Azure, and

WHEREAS, the City desires to increase the scope of that Agreement to include the design of Tenaya Way from Azure to Centennial Parkway; and

WHEREAS, the Project is extension of the Tenaya Way project; and

WHEREAS, the City desires to obtain quality professional services of the Consultant to perform the additional design services of Tenaya Way from Azure to Centennial Parkway.

NOW, THEREFORE, the parties hereto agree that the following changes shall be made to the Agreement:

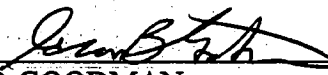
1. Section VIII, Compensation and Terms of Payment, Paragraph B.1 of the Agreement is hereby amended to change the fee amount referenced therein from \$179,175 to \$259,175.

2. Section VIII, Compensation and Terms of Payment, Paragraph B.3 of the Agreement is hereby amended to change the amount referenced therein for Additional Services of the Consultant from \$35,605 to \$57,493.10 and to change the total amount of the entire Agreement referenced therein from \$214,780 to \$316,668.10.

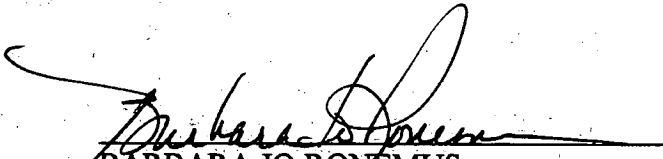
3. Exhibits C, and D of the Agreement are hereby amended to include Exhibits C1, C2 and D1 attached hereto.

IN WITNESS WHEREOF, the parties have caused this First Amendment to the original Agreement to be executed the day and year first above written.

CITY OF LAS VEGAS

By 
OSCAR GOODMAN
Mayor

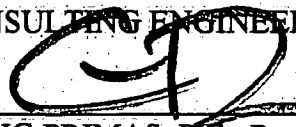
ATTEST:


BARBARA JO RONEMUS
City Clerk

APPROVED AS TO FORM:

Robert S. Sylvain 9-21-99
ROBERT S. SYLVAIN Date
Deputy City Attorney

PRIMAS AND ASSOCIATES
CONSULTING ENGINEERS

By 
CRAIG PRIMAS, P.E., President

"Consultant"

TENAYA WAY
SKY POINT DRIVE TO AZURE DRIVE
FIRST AMENDMENT
EXHIBITS B1 1

PROJECT NAME:		TENAYA-SKY POINTE to AZURE (ORIGINAL CONTRACT)			
CONSULTANTS:		PRIMAS & ASSOCIATES			
FUNDING SOURCE	DESIGN	R/W	BASE SERVICES	ADDITIONAL SERVICES	SUBTOTAL
RTC	\$117,876.45	\$-	\$117,876.45	\$ 17,681.47	\$135,557.92
CCRFGD	\$-	\$-	\$0.00	\$ -	\$0.00
SANITATION	\$15,314.77	\$-	\$15,314.77	\$ 2,297.22	\$17,611.99
CLV SID	\$17,583.23	\$-	\$17,583.23	\$ 2,637.48	\$20,220.71
CLARK COUNTY	\$-	\$-	\$0.00	\$ -	\$0.00
CLARK CO. SID	\$28,400.55	\$-	\$28,400.55	\$ 12,988.83	\$41,389.38
OTHER	\$-	\$-	\$0.00	\$ -	\$0.00
1	\$-	\$-	\$0.00	\$ -	\$0.00
2	\$-	\$-	\$0.00	\$ -	\$0.00
3	\$-	\$-	\$0.00	\$-	\$0.00
TOTAL	\$179,175.00	\$0.00	\$179,175.00	\$35,605.00	\$214,780.00
PROJECT NAME:		TENAYA-AZURE to CENTENNIAL (AMENDMENT)			
CONSULTANTS:		PRIMAS & ASSOCIATES			
FUNDING SOURCE	DESIGN	R/W	BASE SERVICES	ADDITIONAL SERVICES	TOTAL
RTC	\$ 44,559.92	\$ 12,235.00	\$ 56,794.92	\$ 14,392.85	\$ 71,187.77
CCRFGD	\$ -	\$ -	\$ -	\$-	\$ -
SANITATION	\$ 3,811.15	\$ -	\$ 3,811.15	\$ 1,231.00	\$ 5,042.15
CLV SID	\$ 9,751.09	\$ -	\$ 9,751.09	\$ 3,149.60	\$ 12,900.69
CLARK COUNTY	\$ -	\$ -	\$ -	\$-	\$ -
CLARK CO. SID	\$ 9,642.84	\$ -	\$ 9,642.84	\$ 3,114.64	\$ 12,757.48
OTHER	\$ -	\$ -	\$ -	\$-	\$-
1	\$ -	\$ -	\$ -	\$-	\$-
2	\$ -	\$ -	\$ -	\$-	\$-
3	\$ -	\$ -	\$ -	\$-	\$-
TOTAL	\$67,765.00	\$12,235.00	\$ 80,000.00	\$21,888.10	\$ 101,888.10
GRAND TOTAL	\$246,940.00	\$12,235.00	\$259,175.00	\$57,493.10	\$316,668.10

ENAYA WAY-SKY POINT DRIVE TO AZURE DRIVE
FIRST AMENDMENT

EXHIBIT C1
MANPOWER TASK BREAKDOWN

Contract Task #	Task Description	① 120	② 105	③ 95	④ 85	⑤ 80	⑥ 40	Total (hours)	Subconsultant Expenses	Direct Expenses	Comments
		(\$ /hr) Project Principal (hours)	(\$ /hr) Project Manager (hours)	(\$ /hr) Senior Engineer (hours)	(\$ /hr) Civil Engineer (hours)	(\$ /hr) CADD Designer (hours)	(\$ /hr) Clerical (hours)				
105	CLV Meetings		9				4	13		100	3 Meetings
110	CLV Presentation		4		8						
115	LVVWD Coordination		8		4		2	14		50	Large Diameter Pipeline
120	CLV SID Coordination		4				1	5		50	
125	County SID Coordination		2		4		2	8			Some coordination with owners
130	Dry Utility Coordination		2	4	12	8	4	30			
135	Encroachment Permits		2		4		2	8			
140	Consultant Coordination		4	2	2		2	10			
145	CLV Coordination		4				1	5			
205	Aerial Mapping		8	4	8	4	2	26	2500		
206	Design Surveys		2	4			2	8	1000		
207	Horizontal Control Plan		2	4	8	8	2	24			
210	Research Record Info.		2		8		2	12	1000		
215	Field Surveys		2		8		2	12	1000		
216	Record of Survey		2		4		2	8	1000		
220	Right-of-Way Analysis		2	2	4	8	2	18			
225	Geotechnical Investigation		2	4			2	8	4500		
226	Sanitary Sewer Analysis		2	4	12	8	2	28			
228	Research Water/Sewer		2	4	8		2	16			
229	Pavement Analysis		2		4		4	10			
230	Drainage Study		4	8	12	8	4	36		100	
240	Signal Warrant Analysis										Not required for this segment
245	Pre-Design Report	2	4	8	12	20	4	50		250	
250	Amend Pre-Design Report		4	4	4	6	4	22		80	
310	70% Design	1	6	8	32	48	4	99		500	
315	90% Design	1	4	8	18	24	4	59		500	
320	99% Design	1	4	8	12	16	4	45		500	
325	100% Design	1	4	4	8	12	4	33		800	
330	Utility Submittals (4)		2	2	4	4	2	14			
331	Process Plans		2	8			4	14			
Subtotal		6	101	90	200	174	76	635			
Subtotal (\$)		\$ 720	\$ 10,605	\$ 8,550	\$ 17,000	\$ 13,920	\$ 3,040	\$ 53,835	\$ 11,000	\$ 2,930	\$ 67,765

1205 -
1100 -
1310 -
510 -
630 -
2410 -
630 -
860 -
460 -
4800 -
1670 -
1990 -
1970 -
1970 -
1630 -
1460 -
5170 -
2330 -
1350 -
710 -
3100 -
4450 -
1860 -
8730 -
5410 -
4260 -
3520 -
1140 -
1130 -
67,765

City of Las Vegas

Agenda Item No. 41

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☒**CONSENT**☐**DISCUSSION****SUBJECT:****RESOLUTIONS:**

R-99-99 - Approval of a Resolution directing the City Treasurer to prepare the Fiftieth Assessment Apportionment Report re: Special Improvement District No. 707 (Summerlin Area)

Fiscal Impact☒**No Impact****Amount: N/A**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source: Levy Assessments****PURPOSE/BACKGROUND:**

Acquisition, construction and installation of street, road, sanitary sewer, storm sewer/drainage improvements, and water main projects. Located in Summerlin Villages 11 and 12.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution

MOTION:

M. McDONALD - Motion to **APPROVE**:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

1 RESOLUTION NO. R-99-99

2 A RESOLUTION DIRECTING THE CITY TREASURER OF THE CITY OF
3 LAS VEGAS TO APPORTION THE UNCOLLECTED AMOUNT OF THE
4 SPECIAL ASSESSMENT AGAINST ANY LOT OR PARCEL OF
5 PROPERTY WITHIN CITY OF LAS VEGAS, NEVADA, SPECIAL
6 IMPROVEMENT DISTRICT NO. 707 (SUMMERLIN AREA) THAT HAS
7 BEEN DIVIDED SINCE SUCH SPECIAL ASSESSMENT WAS LEVIED
8 THEREAGAINST AMONG THE SEVERAL PARTS INTO WHICH SUCH
9 LOT OR PARCEL HAS BEEN DIVIDED AND TO PREPARE, SUBMIT AND
10 FILE WITH THE CITY CLERK OF SAID CITY A REPORT OF SUCH
11 APPORTIONMENT.

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

16 WHEREAS, by Ordinance No. 3992 that was passed, adopted and approved by
17 the City Council of the City (the "City Council" herein) on the 15th day of May, 1996, the
18 City Council created "City of Las Vegas, Nevada, Special Improvement District No. 707
19 (Summerlin Area)" (the "District" herein) for the purposes of providing for the acquisition,
20 construction and the installation of street, road, sanitary sewer, storm sewer/drainage
21 improvements, and water main projects (the "Project" herein), and of defraying the entire
22 cost and expense thereof by special assessments against the assessable lots and
23 parcels of property within the District according to the benefits that would be derived from
the Project by the respective lots and parcels that were to be so assessed, all in
accordance with the provisions of Chapter 271, et seq., of the Nevada Revised Statutes
("NRS" herein) that provide therefor; and

24 ///

1 WHEREAS, by Ordinance No. 3993 that was duly passed, adopted and approved
2 by the City Council on the 15th day of May, 1996, the City Council assessed all of the
3 costs and expenses of acquiring, constructing, and installing the Project against the
4 assessable lots and parcels of property within the District that were benefited by the
5 Project; and

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

13 WHEREAS, that certain lot or parcel of property, that is identified by the Clark
14 County, Nevada, County Assessor's parcel number as Parcel 137-26-502-003, and is
15 situate within the District has been divided after the special assessments thereupon were
16 levied and divided into installments, and not all of such installments have been collected
17 or apportioned among other lots and parcels that may have been created out of said
18 Parcel after such assessments were levied; and

19 WHEREAS, the City Council desires, by this Resolution, to direct the City
20 Treasurer of the City (the "City Treasurer" herein) to apportion the uncollected and
21 heretofore unapportioned amounts of the special assessments that has been levied upon
22 the above-described Parcel among the several parts into which said Parcel has been
23 divided;

1 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Las
2 Vegas, Nevada, at this regular meeting thereof that is being held on this 3rd day of
3 November, 1999, as follows:

4 SECTION 1. That the City Treasurer be, and he hereby is, authorized,
5 empowered and directed to apportion, on an equitable basis, the uncollected and
6 unapportioned amounts of the special assessments that were, by virtue of the adoption
7 by the City Council of said Ordinance No. 3993, levied upon those certain lots or parcels
8 of property that are situate within the District and are identified by the Clark County,
9 Nevada, County Assessor's parcel number as Parcel 137-26-502-003, among the several
10 parts into which said Parcel 137-26-502-003, has been divided.

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

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

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

PASSED, ADOPTED AND APPROVED this 3rd day of November, 1999.

Approved as to form:

Approved as to form:

10/12/99 
Date Deputy City Attorney


BARBARA JO RONEMUS, City Clerk

City of Las Vegas

Agenda Item No. 42

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☒**CONSENT**☐**DISCUSSION****SUBJECT:****RESOLUTIONS:**

R-100-99 - Approval of a Resolution approving the Fiftieth Assessment Apportionment Report re: Special Improvement District No. 707 (Summerlin Area)

Fiscal Impact☒**No Impact****Amount: n/a**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source: Levy Assessments****PURPOSE/BACKGROUND:**

Acquisition, construction and installation of street, road, sanitary sewer, storm sewer/drainage, and water main projects. Located in Summerlin Villages 11 and 12.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution

MOTION:

M. McDONALD - Motion to APPROVE:

Items: 3 through 29

Items: 31 through 38

Items: 40 through 42

Item 30: ABEYANCE to 11/17/99 under separate action (see individual item)

Item 39: ABEYANCE to 11/17/99 under separate action (see individual item)

MINUTES:

There was no discussion.

(9:23 - 9:25)

1-461

1 RESOLUTION NO. R-100-99

2 A RESOLUTION RELATING TO CITY OF LAS VEGAS, NEVADA,
3 SPECIAL IMPROVEMENT DISTRICT NO. 707 (SUMMERLIN AREA);
4 APPROVING THE FIFTIETH ASSESSMENT APPORTIONMENT
5 REPORT WITH RESPECT TO CERTAIN LOTS AND PARCELS OF
6 PROPERTY WITHIN SAID DISTRICT; AND DIRECTING THE
7 RECORDATION OF SAID REPORT.

8 WHEREAS, the City Council of the City of Las Vegas (the "City Council" and the
9 "City", respectively, herein), in the County of Clark and State of Nevada, has taken the
10 requisite legal action that is preliminary to and in the creation of "City of Las Vegas,
11 Nevada, Special Improvement District No. 707 (Summerlin Area)" (the "District" herein),
12 for the purposes of providing for the acquisition, construction and installation of street,
13 road, sanitary sewer, storm sewer/drainage improvements, and water main projects (the
14 "Project" herein), and of defraying the entire costs and expenses thereof by special
15 assessments against the assessable lots and parcels of property within the District
16 according to the benefits that would be derived from the Project by the respective lots
17 and parcels that were to be so assessed, all in accordance with the provisions of
18 Chapter 271, et seq., of the Nevada Revised Statutes ("NRS" herein) that provide
19 therefor; and

20 WHEREAS, the City Council, pursuant to NRS 271.425, has directed the City
21 Treasurer of the City (the "City Treasurer" herein) to apportion, upon an equitable basis,
22 the uncollected and heretofore unapportioned amounts of the special assessments that
23 were heretofore levied upon that certain lot or parcel of property that is situate within the
District and is identified by the Clark County, Nevada, County Assessor's parcel number
as Parcel 137-26-502-003, among the several parts into which said Parcel has been

1 divided and to prepare, submit and file with the City Clerk of the City (the "City Clerk"
2 herein) a report of such apportionment; and

3 WHEREAS, the City Treasurer, on the 3rd day of November, 1999, filed with the
4 City Clerk a copy of his report of such apportionment that is entitled "Fiftieth Assessment
5 Apportionment Report for City of Las Vegas, Nevada, Special Improvement District
6 No. 707 (Summerlin Area)"; 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 of Las
10 Vegas, Nevada, at this regular meeting thereof that is being held on this 3rd day of
11 November, 1999, as follows:

12 SECTION 1. That that certain document entitled "Fiftieth Assessment
13 Apportionment Report for City of Las Vegas, Nevada, Special Improvement District
14 No. 707 (Summerlin Area)", a copy of which is attached as Exhibit "A" hereto, is hereby
15 approved and adopted as and for the City's plan for the apportionment of the uncollected
16 and heretofore unapportioned amounts of the special assessments that were heretofore
17 levied upon that certain lot and parcel of property that is situate within the District and is
18 identified by the Clark County, Nevada, County Assessor's parcel number as Parcel
19 137-26-502-003, among the several parts into which said Parcel, has been divided.

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

PASSED, ADOPTED AND APPROVED this 3rd day of November, 1999.

Approved as to form:

Approved as to form:

10/12/99 

Date Deputy City Attorney

BARBARA JO RONEMUS, City Clerk

City of Las Vegas, Nevada
Special Improvement District No. 707
(Summerlin Area)

RECEIVED
CITY CLERK

1999 NOV -4 A 8:15

FIFTIETH ASSESSMENT LIEN APPORTIONMENT REPORT
(November 3, 1999)

RETURN TO:

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

FIFTIETH ASSESSMENT APPORTIONMENT REPORT

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 137-26-502-003, in the original amount of \$322,551.40 is hereby further decreased by apportioning the assessment among the parcels that have been created out of the said Parcel, as follows:

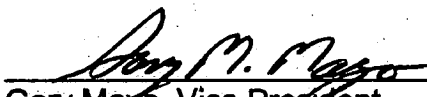
LEGAL DESCRIPTION BLOCK	LOT	PER PARCEL ASSESSMENT
4	8	\$8,959.77
4	9	\$8,959.77
4	10	\$8,959.77
4	11	\$8,959.77
4	12	\$8,959.76
4	13	\$8,959.76
4	14	\$8,959.76
4	15	\$8,959.76
4	16	\$8,959.76
4	17	\$8,959.76
4	18	\$8,959.76
4	19	\$8,959.76
4	20	\$8,959.76
4	21	\$8,959.76
4	22	\$8,959.76
4	23	\$8,959.76
4	24	\$8,959.76
4	25	\$8,959.76
4	26	\$8,959.76
4	27	\$8,959.76
4	28	\$8,959.76
4	29	\$8,959.76
4	36	\$8,959.76
4	37	\$8,959.76
4	38	\$8,959.76
4	39	\$8,959.76
4	40	\$8,959.76
4	41	\$8,959.76
4	42	\$8,959.76

LEGAL DESCRIPTION		PER PARCEL
BLOCK	LOT	ASSESSMENT
4	43	\$8,959.76
4	44	\$8,959.76
4	45	\$8,959.76
4	46	\$8,959.76
4	47	\$8,959.76
4	48	\$8,959.76
4	49	\$8,959.76
TOTAL		\$ 322,551.40

of Woodlands Unit 2 as recorded in Book 91 of Plats, Page 4 in the Office of the County Recorder, Clark County, Nevada.

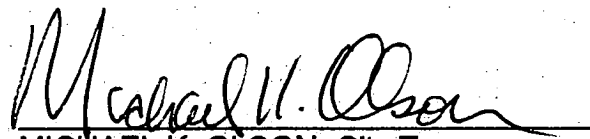
DATED This 3rd day of November, 1999.

I concur with the apportionments as stated above.



Gary Mayo, Vice President
for Coleman-Toll, L.P.

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 of Las Vegas

Agenda Item No. 43

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: OFFICE OF BUSINESS DEVELOPMENT****DIRECTOR: JEFFREY MARESH**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action to approve the interlocal agreement between the City of Las Vegas and the City of Las Vegas Redevelopment Agency for site remediation at the former National Guard Armory.

NOTE: This is a companion item to Redevelopment Agency Item B.

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

See memo.

RECOMMENDATION:

It is the recommendation of the City Manager that the City Council waive review by the City Centre Development Corporation, ratify the findings as per NRS 279.486, and approve the interlocal agreement and authorize the Mayor to execute the agreement.

BACKUP DOCUMENTATION:

Interlocal Agreement

Agenda Memos (2)

Legal Description

Site Map

MOTION:

M. McDONALD - APPROVED as recommended - UNANIMOUS

MINUTES:

JEFFREY MARESH, Director, Office of Business Development, stated the matter is in order and if approved will allow the Redevelopment Agency to continue soil remediation efforts at the Armory site.

There was no further discussion.

(9:25 - 9:26)

1-541

*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: NOVEMBER 3, 1999****DEPARTMENT: OFFICE OF BUSINESS DEVELOPMENT****ITEM DESCRIPTION: Interlocal Agreement between CLV and CLVRDA for site remediation at the former National Guard Armory.**

City Council/Redevelopment Agency Board has established procedures for the underwriting of the administration of Redevelopment funds. The policies/procedures were established for input from advisory and oversight groups. These groups are as follows:

1. City Centre Development Corporation (CCDC) - Private/non-profit corporation overseeing development in the Redevelopment Area.
2. Citizens Advisory Committee on Downtown Development (CACDD) - A committee consisting of citizens from various private sector representations i.e. Banker, Attorney, Resident, etc. The committee makes recommendations to the Agency Board regarding the merits of each project.
3. Community Employment Advisory Committee (CEAC) - A committee that recommends approval or denial of the employment plans for each project.

In view of the nature of the project (City owned, City administered, and the amount of the transaction - \$50,000), it is the request of the staff, that the above listed committees be waived for the purposes of this expenditure.

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 1999

DEPARTMENT: OFFICE OF BUSINESS DEVELOPMENT

ITEM DESCRIPTION: Interlocal Agreement between CLV and CLVRDA for site remediation at the former National Guard Armory.

According to the State Statute (NRS 279.408, NRS 279.474, and NRS 279.486) the Redevelopment Agency may pay for public improvements subject to approval of the Legislative body (City Council). This consent must be preceded by two findings:

1. The buildings, facilities, structures or other improvements are of benefit to the Redevelopment Area or the immediate neighborhood in which the Redevelopment Areas are located, and;
2. No other reasonable means of financing those buildings, facilities, or other improvements are available

Staff's analysis of the conditions is as follows:

1. The improvements are a benefit to the Redevelopment Area/Neighborhood. - The Redevelopment funds will be used for the purpose of cleaning up the site located at the Southeast corner of Stewart and Eastern. It is anticipated that within the next year following the site cleanup, construction of a community center will begin. The facility will enhance the aesthetics of the Eastern corridor and will provide services that are needed by the community.
2. There is no other reasonable means of financing the improvements - The funding mechanism for the cleanup of the site will be Federal Brownfields money (through a revolving loan fund). These funds were designed specifically for the remediation of sites of this specific nature. Although not a requirement of the funding, the Federal Government encourages the City to make loans to parties other than itself. The project being a City project, can satisfy the Federal desires by using the Redevelopment Agency as the funding mechanism.

**INTERLOCAL AGREEMENT
BETWEEN CITY OF LAS VEGAS REDEVELOPMENT AGENCY
AND CITY OF LAS VEGAS ARMORY SITE**

THIS INTERLOCAL AGREEMENT is entered into as of the 3rd day of November 1999, by and between the CITY OF LAS VEGAS REDEVELOPMENT AGENCY (hereinafter referred to as the "Agency") and CITY OF LAS VEGAS, a municipal corporation of the State of Nevada (hereinafter referred to as the "City").

WITNESSETH:

WHEREAS, the City is a body politic and corporate of the State of Nevada (the "State"), duly organized and existing under the Constitution and laws of the State and the City Charter;

WHEREAS, the Agency is an independent public body corporate and politic created, existing and authorized to transact business and exercise power under the authority of and pursuant to the State's Community Redevelopment Law (Nevada Revised Statutes 279.382 through 279.680, inclusive), as amended and supplemented;

WHEREAS, a redevelopment plan, known as the "City of Las Vegas Redevelopment Plan" (the "Redevelopment Plan"), has been duly and regularly approved by the City Council of the City for a redevelopment project under the Act known and designated as the "City of Las Vegas Downtown Redevelopment Project" (the "Redevelopment Project");

WHEREAS, NRS 279.486 provides in effect that: (1) if the value of any land or cost of construction of any building, facility, structure or other improvement, or the installation of any improvement has been or will be paid or provided initially by the city, the agency may enter into a contract with the city under which it agrees to reimburse the city for all or a part of the value of that land or of the cost of the building, facility, structure, other improvement, or both, by periodic payments over a period of years; and (2) the obligation of the agency under that contract constitutes an indebtedness of the agency which may be payable out of taxes levied and collected and allocated to the agency under paragraph 1(b) of subsection 1 of NRS 279.676 or out of any other available money;

WHEREAS, NRS 279.486 permits an agency, with the consent of the city council, to pay all or a part of the value of land for the cost of the construction of any building, facility, structure or other improvement and the installation of any improvement which is publicly or privately owned within or without the redevelopment agency;

WHEREAS, NRS 279.468 requires that before the city council gives its consent as provided in the preceding preamble, the governing body is required to determine that the buildings, facilities, structures or other improvements are of benefit to the redevelopment area or the immediate neighborhood in which the redevelopment area is located and no other reasonable means of financing those buildings, facilities, structures or other improvements are available;

WHEREAS, the City is the owner of certain vacant real property located at 250 N. Eastern Avenue, Las Vegas, Nevada, and formerly known as the "National Guard Armory" ("Property");

WHEREAS, the City proposes to develop the Property as a community center for use to the residents of the City of Las Vegas;

WHEREAS, the Agency is authorized to provide site preparation to property located within the Redevelopment Area, pursuant to the Redevelopment Plan for the Agency;

WHEREAS, the City requires site remediation and cleanup in order to proceed with the proposed development of the Property;

WHEREAS, the Agency desires to conduct site remediation and cleanup on the Property, and has determined that the buildings, facilities, structures or other improvements so constructed are of benefit to the Redevelopment Area, and that no other reasonable means of financing those buildings, facilities, structures or other improvements are available;

WHEREAS, based on the findings and determinations of the Agency and such other information as is available to the members of the City Council, the City Council hereby consents to the Agency causing site remediation and cleanup on the Property and hereby finds and determines that the buildings, facilities, structures or other improvements constructed as a part of the Property are of benefit to the Redevelopment Area and no other reasonable means of financing those buildings, facilities, structures or other improvements are available; and

WHEREAS, pursuant to NRS 277.180, the Agency may enter into interlocal contracts with other public agencies for the performance of any government service, activity or undertaking which any of the public agencies entering into the contract is authorized by law to perform.

NOW, THEREFORE, the City and the Agency, in consideration of the mutual covenants and promises herein contained, do hereby agree as follows:

I. [§100] SUBJECT OF AGREEMENT

A. [§101] Purpose of this Agreement

The purpose of this Agreement is to effectuate the Redevelopment Plan (the "Redevelopment Plan") for the Armory Project (the "Project") by providing for the improvement of certain real property (the "Site") included within the boundaries of the Project (the "Project Area"). The improvement of the Site pursuant to this Agreement and the fulfillment generally of this Agreement are in the vital and best interests of the City of Las Vegas and the health, safety, morals and welfare of its residents and in accordance with the public purposes and provisions of applicable federal, state and local laws and requirements. Implementation of this Agreement will further the goals and objectives of the Redevelopment Plan.

B. [§102] The Redevelopment Plan

This Agreement is subject to the provisions of the Redevelopment Plan which was approved and adopted by the City Council of the City of Las Vegas on March 5, 1986, by Ordinance No. 3218. Said Redevelopment Plan, as it now exists and as it may be subsequently amended, is incorporated herein by reference and made a part hereof as though fully set forth herein.

C. [§103] The Redevelopment Area

The Redevelopment Area is located in the City of Las Vegas, Nevada, and the exact boundaries of the Redevelopment Area are specifically described in the Redevelopment Plan, as amended.

D. [§104] The Site

The Site is that portion of the Redevelopment Area shown on the "Map of the Site," attached to this Agreement as Attachment No. 1 and incorporated herein by reference, and as more particularly described in the "Legal Description of the Site," attached hereto as Attachment No. 2 and incorporated herein by reference. The Site is composed of real property presently owned by the City.

E. [§105] Parties to this Agreement

1. [§106] The Agency

The Agency is a public body, corporate and politic, exercising governmental functions and powers, and organized and existing under the Community Redevelopment Law of the State of Nevada (Health and Safety Code Section 33000 et seq.).

The principal office of the Agency is located at 400 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

"Agency," as used in this Agreement, includes the Redevelopment Agency and any assignee of or successor to its rights, powers and responsibilities.

2. [§107] The City

The City is the City of Las Vegas, a municipal corporation duly organized and existing under the laws of the State of Nevada.

The principal address of the City is 400 E. Stewart Avenue, Las Vegas, Nevada 89101.

Whenever the term "City" is used herein, such term shall include any permitted nominee, assignee or successor in interest as herein provided.

II. [§200] IMPROVEMENT OF THE SITE

A. [§201] Improvement of the Site

1. [§202] Scope of Development

The City proposes to develop the Site as a community center to be operated by the City and used by the citizens and residents of the City of Las Vegas.

2. [§203] Cost of Construction

The cost of developing the Site and rehabilitating and/or constructing all improvements thereon shall be borne by the City, except for the work to be performed or paid for by the Agency or others, as hereinafter set forth.

3. [§204] Environmental Site Remediation

The Agency agrees to conduct and perform environmental site remediation and cleanup of the Site as required by the appropriate state agencies, specifically the Nevada Division of Environmental Protection. The cost of the remediation and cleanup shall not exceed Fifty Thousand Dollars (\$50,000).

4. [§205] City and Other Governmental Agency Permits

Prior to the commencement of construction (or any work related thereto) and site remediation upon the Site, the City and Agency shall secure, or cause to be secured, any and all permits which may be required by the City or any other governmental agency affected by such construction and site remediation.

5. [§206] Rights of Access During Construction

Representatives of the Agency and its designated agents shall have the reasonable right of access to the Site without charges or fees, at normal construction hours during the period of site remediation and cleanup for the purposes of this Agreement.

6. [§207] Antidiscrimination During Construction

The City, for itself and its successors and assigns, agrees that in the construction of improvements on the Site provided for in this Agreement, the City will not discriminate against any employee or applicant for employment because of race, color, creed,

religion, sex, marital status, ancestry or national origin.

B. [§208] Certificate of Completion

Promptly after the completion of all work set forth in this Agreement on the Site, and upon the written request by the City, the Agency shall furnish the Participant with a Certificate of Completion which evidences and determines the satisfactory completion of such work. The Certificate of Completion shall not be withheld or delayed by the Agency unless the City shall have failed to satisfactorily complete the construction required by this Agreement in substantial compliance with the terms and provisions hereof.

III. [§300] USE AND MAINTENANCE OF THE SITE

A. [§301] Use of the Site

The City covenants and agrees for itself, its successors, its assigns and every successor in interest, to devote the Site to the uses specified in the Redevelopment Plan and to comply with all other provisions and conditions of the Redevelopment Plan for the period of time the Plan is in force and effect. The foregoing covenants shall run with the land.

B. [§302] Maintenance of the Site

The City agrees to maintain the improvements and landscaping on the Site in a clean and orderly condition and in good condition and repair and keep the Site free from any accumulation of debris and waste materials for the period of time the Redevelopment Plan is in force and effect.

C. [§303] Obligation to Refrain from Discrimination

The City covenants and agrees for itself, its successors, its assigns and every successor in interest to the Site or any part thereof, that there shall be no discrimination against or segregation of any person or group of persons on account of race, color, creed, religion, sex, marital status, ancestry or national origin in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the Site, nor shall the City itself or any person claiming under or through it establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees or vendees of the Site. The foregoing covenants shall run with the land and shall remain in effect in perpetuity.

D. [§304] Form of Nondiscrimination and Nonsegregation Clause

The City shall refrain from restricting the rental, sale or lease of the Site on the basis of race, color, creed, religion, sex, marital status, ancestry or national origin of any person. All such deeds, leases or contracts shall contain or be subject to substantially the following nondiscrimination or nonsegregation clauses:

1. In deeds: "The grantee herein covenants by and for himself, his heirs, executors, administrators and assigns, and all persons claiming under or through them, that there shall be no discrimination against or segregation of any person or group of persons on account of race, color, creed, religion, sex, marital status, ancestry or national origin in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the land herein conveyed, nor shall the grantee himself, or any person claiming under or through him, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees or vendees in the land herein conveyed. The foregoing covenants shall run with the land."
2. In leases: "The lessee herein covenants by and for himself, his heirs, executors, administrators and assigns, and all persons claiming under or through him, and this lease is made and accepted upon and subject to the following conditions:

"That there shall be no discrimination against or segregation of any person or group of persons on account of race, color, creed, religion, sex, marital status, ancestry or national origin in the leasing, subleasing, transferring, use, occupancy, tenure or enjoyment of the land herein leased, nor shall the lessee himself, or any person claiming under or through him, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, sublessees, subtenants or vendees in the land herein leased."
3. In contracts: "There shall be no discrimination against or segregation of any person or group of persons on account of race, color, creed, religion, sex, marital status, ancestry or national origin in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the land, nor shall the transferee himself, or any person claiming under or through him, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees or vendees of the land."

E. [§305] Rights of Access

For the purposes of assuring compliance with this Agreement, representatives of the Agency shall have the reasonable right of access to the Site without charges or fees for the purpose of inspection of the Site as to maintenance of the improvements thereon. Such representatives of the Agency shall be those who are so identified in writing by the Executive Director of the Agency.

IV. [§400] DEFAULTS AND REMEDIES

A. [§401] Defaults

Failure or delay by either party to perform any term or provision of this Agreement constitutes a default under this Agreement. The nondefaulting party shall notify the defaulting party that a default exists and that the defaulting party must cure same within thirty (30) days of receipt of the notice of default. The party who so fails or delays must immediately commence to cure, correct or remedy such failure or delay, and shall complete such cure, correction or remedy with reasonable diligence and during any period of curing shall not be in default.

B. [§402] Legal Actions

In addition to any other rights or remedies, either party may institute legal action to cure, correct or remedy any default, to recover damages for any default or to obtain any other remedy consistent with the purpose of this Agreement. Such legal actions must be instituted in the District Court, County of Clark State of Nevada, in any other appropriate court in that county, or in the Federal District Court in the appropriate district of Nevada.

The nondefaulting party may also, at its option, cure the breach and sue in any court of proper jurisdiction to collect the reasonable costs incurred by virtue of curing or correcting the defaulting party's breach. Further, the nondefaulting party may file legal action to require the defaulting party to specifically perform the terms and conditions of this Agreement.

C. [§403] Applicable Law

The laws of the State of Nevada shall govern the interpretation and enforcement of this Agreement.

V. [§500] GENERAL PROVISIONS

A. [§501] Conflicts of Interest

No member, official or employee of the Agency shall have any personal interest, direct or indirect, in this Agreement, nor shall any such member, official or employee participate in any decision relating to this Agreement which affects his personal interests or the interests of any corporation, partnership or association in which he is directly or indirectly interested.

The City warrants that it has not paid or given, and will not pay or give, any third party any money or other consideration for obtaining this Agreement.

B. [§502] Nonliability of Agency Officials and Employees

No member, official or employee of the Agency shall be personally liable to the City in the event of any default or breach by the Agency or for any amount which may become due to the City or on any obligations under the terms of this Agreement.

VI. [§600] ENTIRE AGREEMENT, WAIVERS AND AMENDMENTS

This Agreement is executed in two (2) duplicate originals each of which is deemed to be an original. This Agreement comprises pages 1 through 10, inclusive, and Attachment Nos. 1 through 2 which constitute the entire understanding and agreement of the parties.

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

All waivers of the provisions of this Agreement must be in writing and signed by the appropriate authorities of the Agency and the City, and all amendments hereto must be in writing and signed by the appropriate authorities of the Agency and the City.

...
...
...

VII. [§700] TIME FOR ACCEPTANCE OF AGREEMENT BY AGENCY AND CITY

The effective date of this Agreement shall be the date when this Agreement has been signed by the Agency and the City.

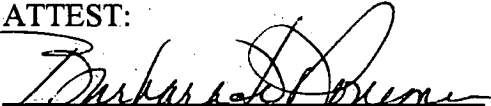
November 3, 1999

CITY OF LAS VEGAS
REDEVELOPMENT AGENCY

By: 
OSCAR B. GOODMAN, Chairman

"AGENCY"

ATTEST:


BARBARA JO RONEMUS, Secretary

APPROVED AS TO FORM:

J. Ponticello 10/22/99
Date

November 3, 1999

CITY OF LAS VEGAS

By: 
OSCAR B. GOODMAN, Mayor

ATTEST:


BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

J. Ponticello 10/22/99
Date

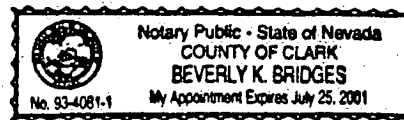
"CITY"

ACKNOWLEDGMENTS

STATE OF NEVADA }
COUNTY OF CLARK } ss.

This instrument was acknowledged before me, a notary public, on this 3rd day of November, 1999, by OSCAR B. GOODMAN, Chairman of the City of Las Vegas Redevelopment Agency.

Beverly K. Bridges
NOTARY PUBLIC, in and for said County and State



STATE OF NEVADA }
COUNTY OF CLARK } ss.

This instrument was acknowledged before me, a notary public, on this 3rd day of November, 1999, by OSCAR B. GOODMAN, Mayor of the City of Las Vegas.

Beverly K. Bridges
NOTARY PUBLIC, in and for said County and State

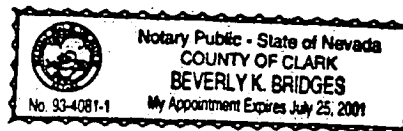


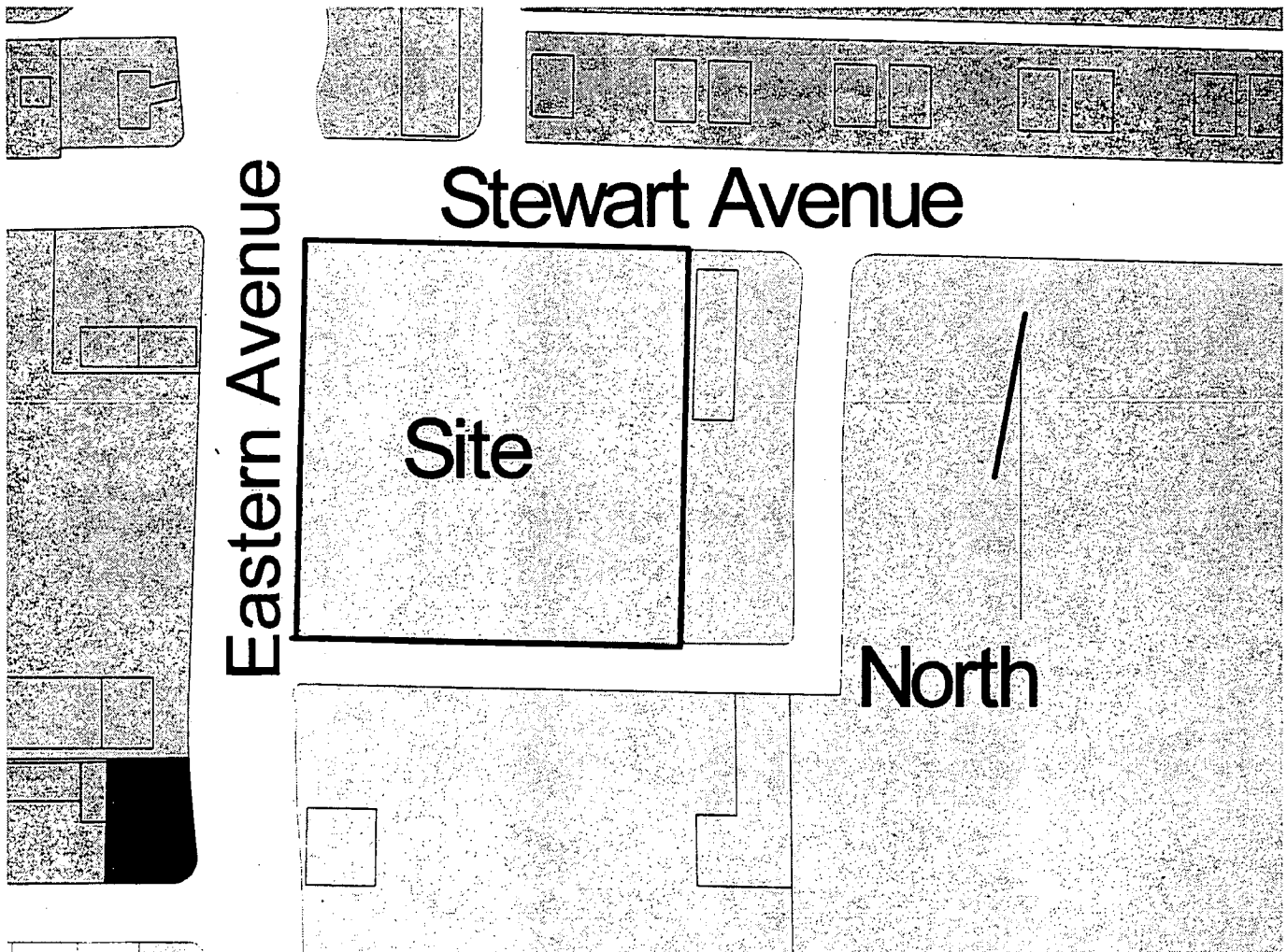
TABLE OF ATTACHMENTS

ATTACHMENT NO. 1: Map of the Site

ATTACHMENT NO. 2: Legal Description of the Site

ATTACHMENT 1

Site Map



ATTACHMENT 2**LEGAL DESCRIPTION
FORMER NATIONAL GUARD ARMORY SITE**

From the W $\frac{1}{4}$ corner of Section 36, Township 20 South, Range 61 east, M.D.M., marked by a 20 penny nail at the centerline intersection of Stewart Avenue and Euclid Avenue, thence South $88^{\circ}00'00''$ East, a distance of 40.00 feet to a point; thence South $02^{\circ}22'30''$ West, a distance of 50.00 feet to a point; said point being the point of beginning of the herein described parcel; thence South $88^{\circ}00'00''$ East, a distance of 400.00 feet to a point (said course parallel to and 50.00 feet from the north boundary of the SW $\frac{1}{4}$); thence South $02^{\circ}22'30''$ West, a distance of 403.60 feet to a point; thence, North $88^{\circ}00'00''$ West, a distance of 400.00 feet to a point (said course being on the north boundary of City property leased to the Youthtown, Inc.); thence North $02^{\circ}22'30''$ East, a distance of 403.60 feet to the point of beginning (said course parallel to and 40.00 feet from the west boundary of the SW $\frac{1}{4}$); the above described parcel contains 3.71 acres, more or less.

City of Las Vegas

Agenda Item No. 44

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and Possible Action on Appeal of Work Card Denial:

Held in Abeyance From October 20, 1999:

Windy Denise Conway
899 Fremont Street #308
Las Vegas, NV 89101

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:****RECOMMENDATION:****BACKUP DOCUMENTATION:****MOTION:**

M. McDONALD - Motion to uphold the recommendation of the Las Vegas Metropolitan Police Department and DENY the work card - UNANIMOUS

MINUTES:

The appellant was not present.

SERGEANT VINCENT CANNITO, Las Vegas Metropolitan Police Department, indicated that the original denial was based on the condition of the application. At the request of the Council, he contacted the employer that was offering the position to Windy Denise Conway. Once they were made aware of her record, they withdrew their offer of employment.

There was no further discussion.

(9:26 - 9:27)

1-569

City of Las Vegas

Agenda Item No. 45

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and Possible Action on Appeal of Work Card Denial:

Six-Month Review:

Ms. Yolanda Rainey
1209 N. Tonopah Drive
Las Vegas, NV 89108

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:****RECOMMENDATION:****BACKUP DOCUMENTATION:****MOTION:**

M. McDONALD - Motion to uphold the recommendation for APPROVAL by the Las Vegas Metropolitan Police Department - UNANIMOUS

MINUTES:

The appellant was present.

SERGEANT VINCENT CANNITO, Las Vegas Metropolitan Police Department, advised the Council that he spoke with Ms. Rainey's employer and she is doing extremely well and they are happy with her performance. There are no longer any areas of concern.

There was no further discussion.

(9:27 - 9:28)

1-596

City of Las Vegas

Agenda Item No. 46

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and Possible Action on Appeal of Work Card Denial:

Six-Month Review:

Ms. Jami Marie Linton
4600 Alyse Way
Las Vegas, NV 89110

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:****RECOMMENDATION:****BACKUP DOCUMENTATION:****MOTION:****M. McDONALD - Motion to APPROVE - UNANIMOUS****MINUTES:**

The appellant was not present.

SERGEANT VINCENT CANNITO, Las Vegas Metropolitan Police Department, advised the Council that he spoke with Ms. Linton's employer and they are happy with her performance. There are no longer any areas of concern.

There was no further discussion.

(9:28)

1-623

City of Las Vegas

Agenda Item No. 47

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: FINANCE & BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding a request for temporary approval of a new Package Liquor License subject to the provisions of the planning and fire codes, Health Department regulations and a favorable police report, Buffalo & Lake Mead Blvd. Inc., dba Lee's Discount Liquor, 7411 West Lake Mead Boulevard, Hae Un Lee, Dir, Pres, Sun Ja Lee, Dir, Secy, Treas, Lee Family Trust, 100%, Hae Un Lee, Trustee, Sun Ja Lee, Trustee - Ward 4 (Brown)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding a new request for a Temporary Package Liquor License

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes, Health Department regulations and a favorable police report

BACKUP DOCUMENTATION:

Agenda Memo

Letter from Hae Un Lee

MOTION:

BROWN - APPROVED as recommended - UNANIMOUS

MINUTES:

Mr. Hae Un Lee was present.

JIM DiFIORE, Manager, Business Services Division, reported that the applicant meets all of the requirements of a temporary license and recommended approval pending the outcome of the investigation by the Las Vegas Metropolitan Police Department. He indicated that once the outcome is final, the matter would be brought back before the Council, most probably on the consent portion of the agenda.

There was no further discussion.

(9:28 - 9:29)

1-639

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 1999

DEPARTMENT: FINANCE & BUSINESS SERVICES

ITEM DESCRIPTION: Discussion & possible action regarding a request for temporary approval of a new Package Liquor License subject to the provisions of the planning & fire codes, Health Dept. regulations & a favorable police report, Buffalo & Lake Mead Blvd. Inc., dba Lee's Discount Liquor, 7411 West Lake Mead Blvd.

The applicant is requesting approval of a temporary license as provided by LVMC 6.02.070(E) as amended July 13, 1998. This subsection was amended to read as follows:

..."The provisions of this Section authorizing the issuance of a temporary business license do not apply to any business subject to the provisions of Chapter 6.06 of this Title or to any business which requires formal approval by the City Council unless:

...(2) All principals required to be approved for suitability have submitted a complete investigation packet for determination of suitability and paid all applicable investigative fees;

(3) The Director makes a preliminary finding that all of the principals of the business are suitable; and

(4) The City Council approves the issuance of a temporary business license."

The attached letter dated October 7, 1999 from Mr. Haeun Lee, President, outlines the request for temporary license.

Mr. and Mrs. Lee submitted all of the required documentation and paid all applicable fees for investigation on October 11, 1999. Mr. and Mrs. Lee have been found suitable several times in the past for various City of Las Vegas locations. Most recently, in January 1999, these individuals were approved for a liquor license in Clark County at Strip Liquor, 3049 Las Vegas Boulevard South. The Las Vegas Metropolitan Police Department, Special Investigations Section, to this point in their investigation, have produced no negative information that would preclude these applicants from being approved for a temporary liquor license pending completion of the suitability investigation.

In the event the Special Investigations Section, Las Vegas Metropolitan Police Department, should develop an area of concern with these individuals this item will be brought back before the Council for appropriate action.

Lee's Discount Liquor

3480 E. Flamingo Road • Las Vegas, NV 89121

Tel: (702) 458-5700 • Fax: (702) 458-1510

October 7, 1999

Lee's Discount Liquor
4427 E. Sunset Road
Henderson, NV 89014

To: City Council
Re: Business License

Dear Sir;

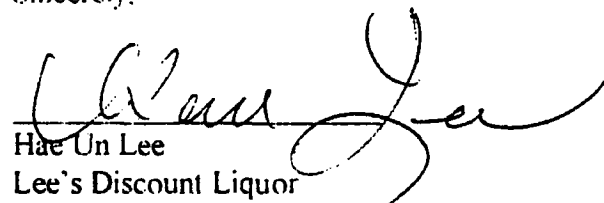
Buffalo and W. Lake Mead Blvd Inc., DBA Lee's Discount Liquor has applied for Liquor License for 7411 W. Lake Mead Blvd location on October 4, 1999.

We expect to open for business by November 20, 1999 we do not expect to get regular License by then. Therefore we are requesting a Temporary Liquor License until we get a regular License.

We have been in business in Las Vegas for 18 years in 6 different locations

Thank you for your consideration.

Sincerely,



Hae Un Lee
Lee's Discount Liquor

City of Las Vegas

Agenda Item No. 48

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: FINANCE & BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding a request for temporary approval of a new Independent Massage Therapist License, Melinda G. Turlington, dba Progressive Wellness & Relaxation, 3230 East Flamingo Road #525, Melinda G. Turlington, 100% - (County)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding a new request for a Temporary Independent Massage Therapist License

RECOMMENDATION:**BACKUP DOCUMENTATION:**

Letter from Melinda Turlington
Agenda Memo

MOTION:

M. McDONALD - APPROVAL of a temporary license through 1/18/2000 with a six-month review - UNANIMOUS

07/19/2000 Agenda

MINUTES:

JIM DiFIORE, Manager, Business Services Division, reported that this item was stricken from the October 6, 1999 agenda due to areas of concern by the Las Vegas Metropolitan Police Department. At that time, Ms. Turlington agreed to only work in an establishment with a work card requirement. She has asked to place this back on the agenda due to the fact that working for an establishment with a work card requirement restricted her job duties.

City of Las Vegas

Agenda Item No. 48

CITY COUNCIL MEETING OF NOVEMBER 3, 1999

Item 48 - Discussion and possible action regarding a request for temporary approval of a new Independent Massage Therapist License, Melinda G. Turlington, dba Progressive Wellness & Relaxation, 3230 East Flamingo Road #525, Melinda G. Turlington, 100% - (County)

MINUTES - Continued:

SERGEANT VINCENT CANNITO, Las Vegas Metropolitan Police Department, advised the Council that Ms. Turlington did reveal all of her arrests and provided an explanation for each one. She has also complied with all requirements of her probation and paid all of the fines associated with her charges. There are no other areas of concern.

MR. DiFIORE recommended a temporary license through January 18, 2000, subsequent to the new changes in the massage code, with a six-month review.

There was no further discussion.

(9:29 - 9:31

1-676

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 1999

DEPARTMENT: FINANCE & BUSINESS SERVICES

ITEM DESCRIPTION: Discussion and possible action regarding a request for temporary approval of a new Independent Massage Therapist License, Melinda G. Turlington, dba Progressive Wellness & Relaxation, 3230 East Flamingo Road #525, Melinda G. Turlington, 100% - (County)

On September 15, 1999, the City Council passed Bill No. 99-46 which amended Las Vegas Municipal Code 6.52, Massage Establishments and Independent Massage Therapists. One of the requirements of this amendment is that all massage therapists must furnish this Department, within 120 days of passage (January 18, 2000), certification from the National Certification Board for Therapeutic Massage & Bodywork (NCBTMB). Due to the fact that the Bill was passed while the application was pending, the request for a Temporary License is recommended contingent upon the applicant meeting this requirement.

Date: 11 Oct 99

To: Eddie Raines
Business License Department

Phone: (702) 229-6945

Fax: (702) 382-6642

From: Melinda Turlington, CMT

Phone: (702) 459-2543 home
(702) 477-4739 vm

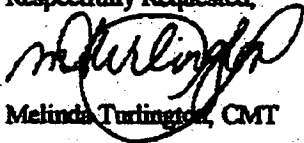
Re: Independent Massage Therapy License

Dear Mr. Raines,

I am requesting to be placed back on the agenda with City Counsel concerning my Independent Massage Therapy License.

I apologize for putting you through the trouble, but I misunderstood the procedure of licensing versus employee work card and would like to continue with my original application.

Respectfully Requested,

A handwritten signature in cursive script, appearing to read "Melinda Turlington", is written over a circular stamp or seal.

Melinda Turlington, CMT

City of Las Vegas

Agenda Item No. 49

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Report on the Update of the Status of Census 2000 in Southern Nevada.

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The City of Las Vegas, as County Seat and the largest City in Clark County, serves as the Lead Agency for Census 2000. As the Lead Agency, the City is responsible for coordinating the census related efforts of the local municipalities. This update is to apprise the City Council of those Census 2000 activities that have been completed, those that are in progress and those that will occur by the completion of the census.

RECOMMENDATION:

Staff recommends that Council receive this update.

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

None required.

MINUTES:

MR. TIM CHOW, Director, Planning and Development, reported that the Census Program is very important. The City of Las Vegas stands to lose approximately \$650 per person, per year because of anyone who is not counted.

RICHARD WASSMUTH was present to give the update of the Census 2000 activities, which has been made part of the final minutes. TOM PERRIGO and MIKE GRITZ were also present.

*City of Las Vegas***Agenda Item No.: 49****CITY COUNCIL MEETING OF NOVEMBER 3, 1999**

Item 49 - The City of Las Vegas, as County Seat and the largest City in Clark County, serves as the Lead Agency for Census 2000. As the Lead Agency, the City is responsible for coordinating the census related efforts of the local municipalities. This update is to apprise the City Council of those Census 2000 activities that have been completed, those that are in progress and those that will occur by the completion of the census.

MINUTES - Continued:

MAYOR GOODMAN reported that he has been involved in a few meetings regarding the Census and how much he has learned from them. He explained that everyone should participate in the Census without fear of disclosing their presence in the community. It is treated with confidentiality and the City will be able to receive the benefit of receiving \$650 for that person. With the growth in the Las Vegas community, it is difficult to provide social services when the City loses \$650 per individual.

MR. WASSMUTH stated that the results are kept confidential for seventy-two years. There have been attempts from various agencies to attain information, but confidentiality has never been breached. **MAYOR GOODMAN** asked that the word be spread through different communities letting people know that they have nothing to fear by disclosing their identity. **MR. WASSMUTH** replied that that is one of the leading efforts being made.

MAYOR GOODMAN accepted the report.

There was no further discussion.

(9:31 - 9:38)

1-746

*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: NOVEMBER 3, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: Report on the Update of the Status of Census 2000 in Southern Nevada**

In 1996 the City of Las Vegas was designated as the Lead Agency in Clark County for Census 2000. As the Lead for Census 2000, the City acts as the coordinating body among the County municipalities for programs that will ensure a Census that is as complete and accurate as possible. During the past three years the City has led and participated in programs designed to insure that every Clark County resident will be given the opportunity to be counted.

Starting in mid-1996 the City and the other municipalities began participating in the Census Bureau's geographic programs. Since that time the City has completed an annual update of annexations and changes in its boundaries. This is a critical task as the City has increased in size by about 27 square miles since the last Census in 1990. The City has also participated in the Local Update of Census Addresses (LUCA) program. The LUCA program is designed to assure that the Census Bureau and City address lists are as comprehensive as possible. The City's address list is the most up to date and therefore valuable to the Census Bureau. Phase one of the LUCA program, updating the urban addresses within the City boundaries, was completed last winter. The second phase of the LUCA program, identifying addresses the Census Bureau considers rural within the City, was completed this past Summer. Another important geographic program is updating the City's census tracts. During the past nine years many of the census tracts within Las Vegas have grown well beyond the parameters set by the Census Bureau. Census tract 32.02, which consists of Summerlin, Sun City and Desert Shores among others, grew from a population of about 6,000 when the census tract was drawn in 1989 to nearly 100,000 today. As a result of this type of population growth the number of census tracts proposed by the City for Census 2000 is 107, more than double the 46 census tracts that existed after the 1990 Census.

The City of Las Vegas has contributed to the Census effort in non-programmatic ways as well. City staff has created maps that assist Census Bureau workers in conducting field work throughout the County. We have done research that has identified and mapped hard to enumerate areas, of which the City has many. We have identified and mapped areas that had the lowest response rates for the 1990 Census. Once again, the City has its fair share of these areas. We have also participated in a study of the Valley's homeless in order to get a more accurate count and better determine their location. Committees from Northern and Southern Nevada sponsored a Statewide contest to create a logo for the Census in Nevada. The winning logo, which by the way was designed by a member of the City's Comprehensive Planning Department Graphic Arts staff, was unveiled at a Census 2000 kickoff event on October 27th. In order to keep the public informed about the Census we have created a website, vegascounts.com. The website has information about Census activities, jobs, meetings, articles, schedules and programs.

City of Las Vegas

CITY COUNCIL MEETING OF NOVEMBER 3, 1999

Planning and Development Department

RE: Report on the Update of the Status of Census 2000 in Southern Nevada

Currently we are in the planning phase of the Community Outreach Program. This program is the public relations and awareness portion of the Census. This is an especially important program to Las Vegas given the rate of undercount and non-response from the 1990 Census. The State of Nevada had the sixth worst rate of undercount of any State in 1990. Worse still, Nevada was dead last for returning Census surveys with about 51 percent of its residents completing and returning a form. The Las Vegas Valley performed only slightly better than the State with about 60 percent of its residents returning a survey form. The Outreach Program will establish the areas Complete Count Committee and will involve the participation of community leaders ranging from elected officials to civic and religious leaders, leaders of homeowner and neighborhood associations, business leaders and ordinary citizens and staff from the municipalities throughout Clark County. The Chairman of Nevada's State Complete Count Committee is Secretary of State Dean Heller. Currently, Secretary of State Heller is attempting to procure funds to aid in the State's efforts for Census 2000. Nationally, New York based advertising firm Young & Rubicam will lead a \$160 million dollar publicity campaign.

Over the next few months Census efforts will intensify. After the New Year the Census advertising campaign will be in high gear. National commercials and public service announcements (PSA's) will commence. Locally, advertisements and PSA's will appear in every form of the media. As for the Census 2000 geographic programs, municipalities will have a final opportunity to update address lists. Unlike past Census', municipalities will be allowed to update their address lists until approximately two weeks before Census day, April 1, 2000. Other important dates for Census 2000 are:

Mid-March 2000 Census questionnaires delivered. Five out of six households will receive the short form which has eight questions. One out of six will receive the long form which has 54 questions. In order to increase the likelihood of response, the short-form form has been simplified to contain the fewest questions in 180 years. The long-form has been reduced by five questions.

March-May 2000: Census takers visit housing units in rural areas to drop off/pick up forms.

April-June 2000: Census takers visit housing units that did not return census forms.

December 31, 2000: Apportionment counts delivered to the President.

April 1, 2001: All states receive redistricting counts.

A complete and accurate Census is vital to Southern Nevada. Nationally, more than 180 billion dollars is allocated annually based upon population shares determined by the Census. Nevada's share of those funds will likely exceed one billion dollars. The States growth during the past decade could yield an additional seat in the House of Representatives. Finally, information acquired by an accurate Census is invaluable to planners, service providers, and businesses and individuals considering a move to Southern Nevada.

This is an update of Census 2000 activities that have taken place since the last update given in March of this year.

In 1996, the City of Las Vegas was designated as the Lead Agency in Clark County for Census 2000. As the Lead Agency for Census 2000, the City acts as the coordinating body among the County municipalities for programs that will ensure a Census that is as complete and accurate as possible.

Why is an accurate Census 2000 important to Las Vegas?

- Nationally, more than 180 billion dollars is allocated annually based upon population shares determined by the Census. Nevada's share of those funds will likely exceed one billion dollars. In Las Vegas during the 1997-98 Fiscal Year, nearly \$10 million dollars were disbursed for programs such as CDBG, HOME, Weed and Seed to name only a few.
- The States growth during the past decade could yield an additional seat in the House of Representatives.
- Information acquired by an accurate Census is invaluable to planners, service providers, and businesses and individuals considering a move to Southern Nevada. Though the Census is a snapshot at a point in time, it will influence the lives and decisions made by individuals, governments, and commerce in Las Vegas and the rest of Southern Nevada through the start of a new millennium.

During the past three years, the City has led and participated in programs designed to insure that every Clark County resident will be given the opportunity to be counted. These programs have:

- Accounted for the 27 square miles of land the City has annexed in since the 1990 Census
 - Assured that the 80,000 new housing units the City has added during this past decade will be accounted for.
 - Realigned census tracts to keep them manageable and in compliance with Census Bureau regulations
- City staff has taken the initiative on projects to improve the Census.*
- Created maps that assist Census Bureau workers in conducting field work throughout the County.
 - Research that has identified and mapped difficult to count areas as well as areas that had low response rates for the 1990 Census.
 - Participated in a study of the Valley's homeless in order to get a more accurate count and better determine their location.
 - We have created a website, (www.vegascensus.com. on screen only!) to keep the public and participating entities informed about the Census.
 - Staff developed a design which, after a Statewide competition, was chosen as the Nevada Census 2000 Logo. It was unveiled at the State of Nevada Census 2000 kickoff on October 27th.

We have recently begun work on the Community Outreach Program.

- This is the public relations and awareness portion of the Census. It also establishes the local Complete Count Committee which will be at the forefront of local publicity efforts that involve ads and PSA's but also establishes the critical grassroots effort.
- Particularly important given Nevada's rate of undercount in 1990, 6th worst in the nation and the state's 1990 response rate, 51 percent, worst in the nation.

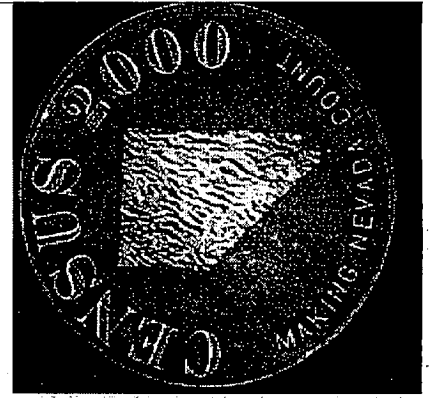
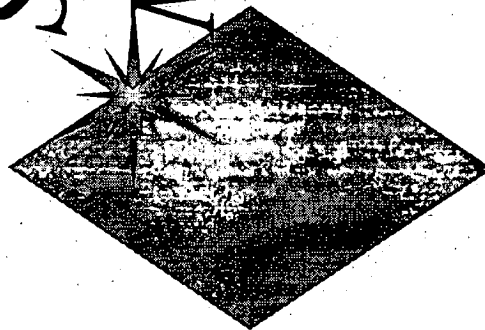
The Census effort will shift into high gear after the New Year.

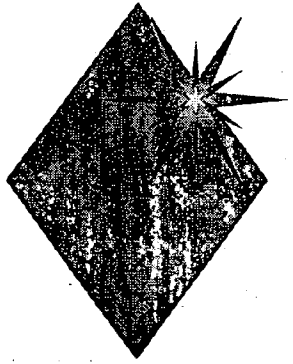
Important dates for Census 2000 are:

- Mid-March 2000 - Census forms are mailed out.
- April 1, 2000 - Census day
- April - June 2000 - Following Census day for the next few months, local Census takers visit housing units that did not return census forms.
- December 31, 2000 - Apportionment counts are delivered to the President.
- April 1, 2001 - Results from Census 2000 are released by the Census Bureau.

That concludes the Census 2000 update. If you have any questions, I'll be glad to answer them.

Southern Nevada Census 2000: Making Nevada Count

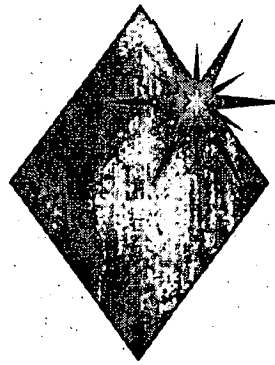




What's at Stake?

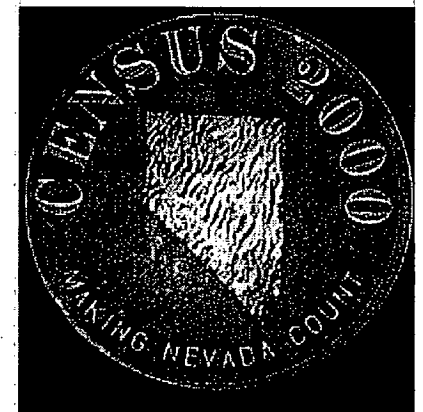
- ◆ Funding
- ◆ Representation
- ◆ Information

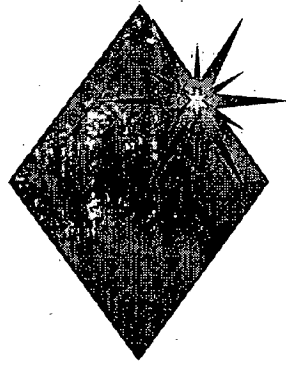




Census 2000 Geographic Programs

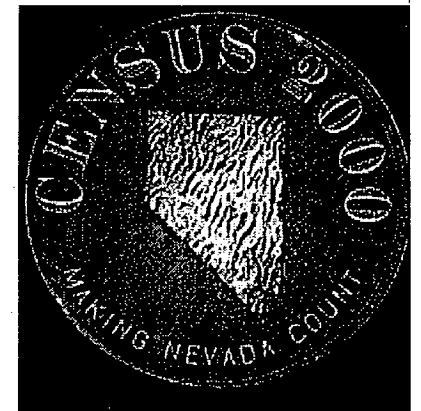
- ◆ Annual Annexation Survey
- ◆ Local Update of Census Addresses (LUCA)
- ◆ Census Tract Boundary Update

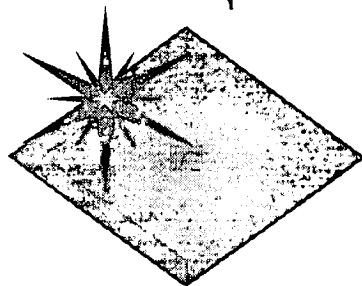




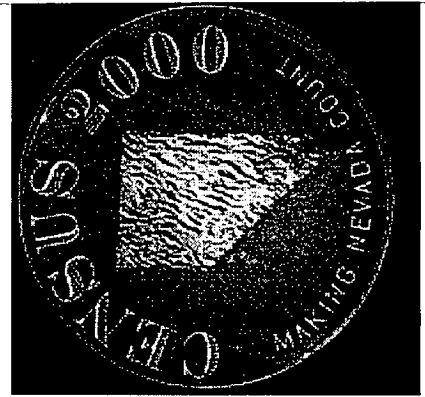
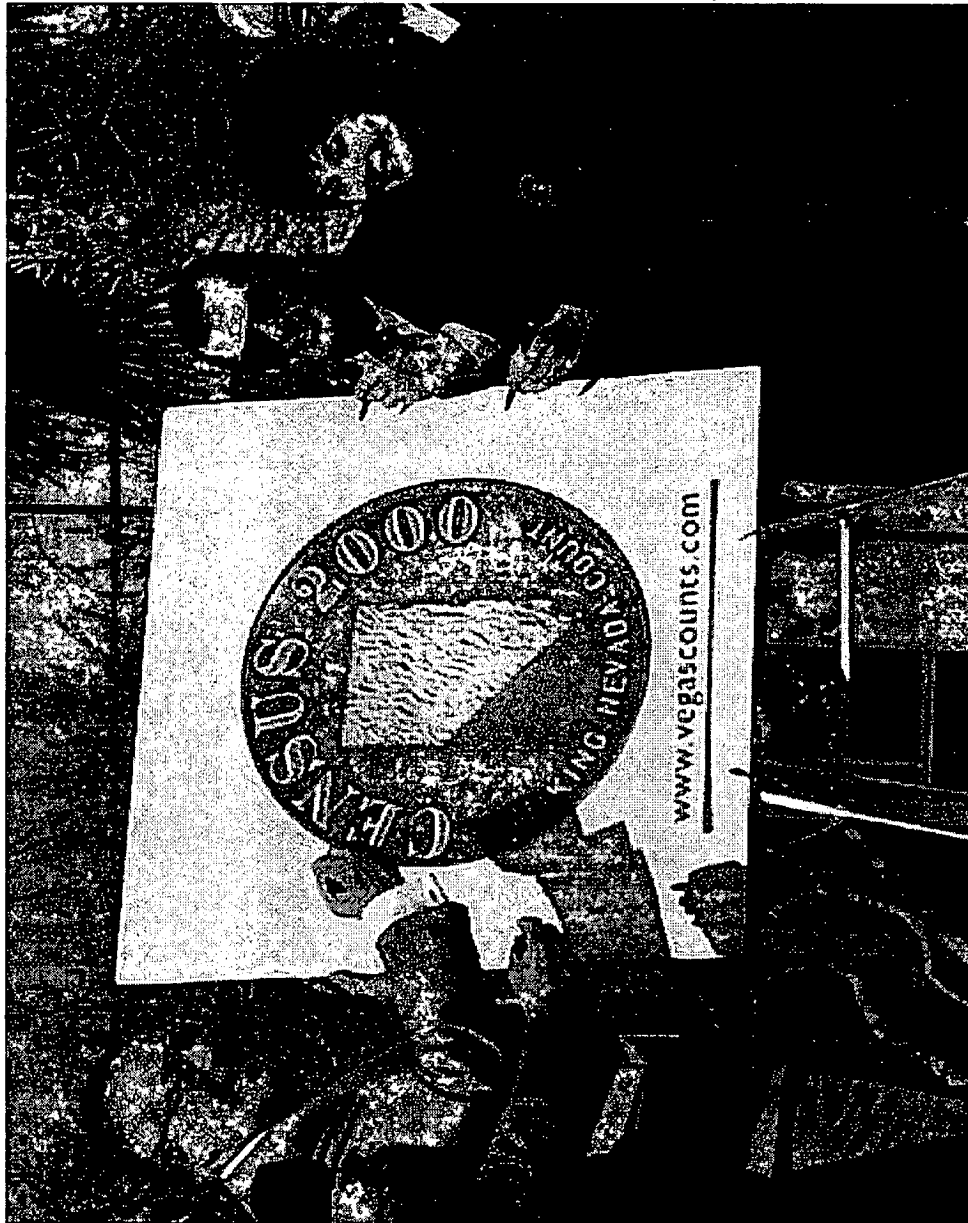
Staff Initiated Programs

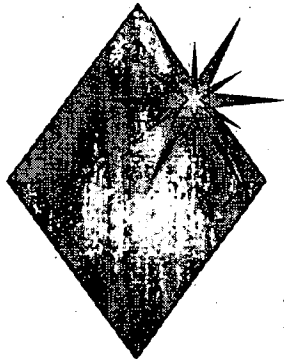
- ◆ Creation of field check maps
- ◆ Research, identification and mapping of hard to count areas and low response areas
- ◆ Participated in homeless study
- ◆ Created Census 2000 website (*www.vegascounts.com*)
- ◆ Created Census 2000 logo





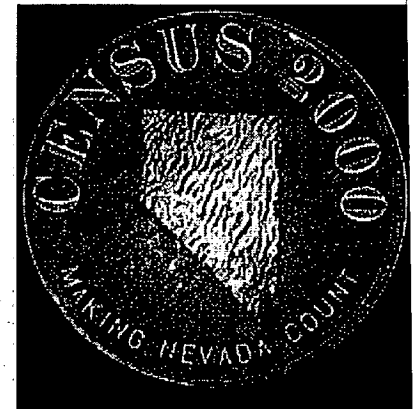
Nevada Census 2000 Kickoff

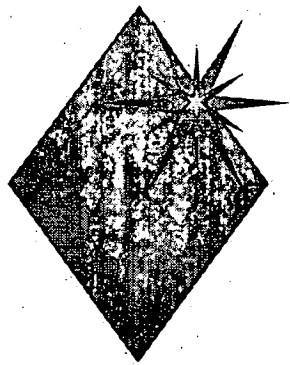




Community Outreach Program

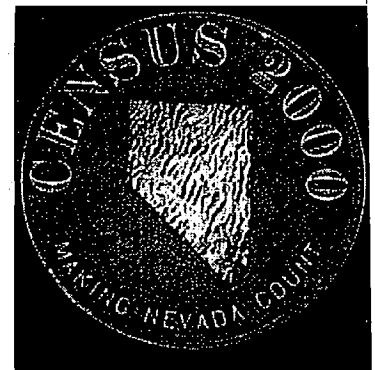
- ◆ Public relations and awareness programs
- ◆ Importance of Community Outreach Program
 - ◆ Rate of undercount 6th worst in the nation
 - ◆ Response rate worst in the nation

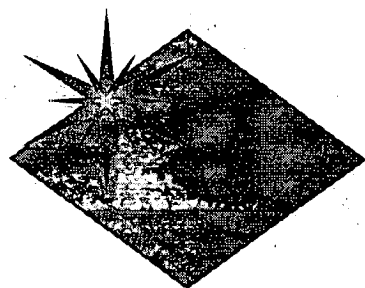
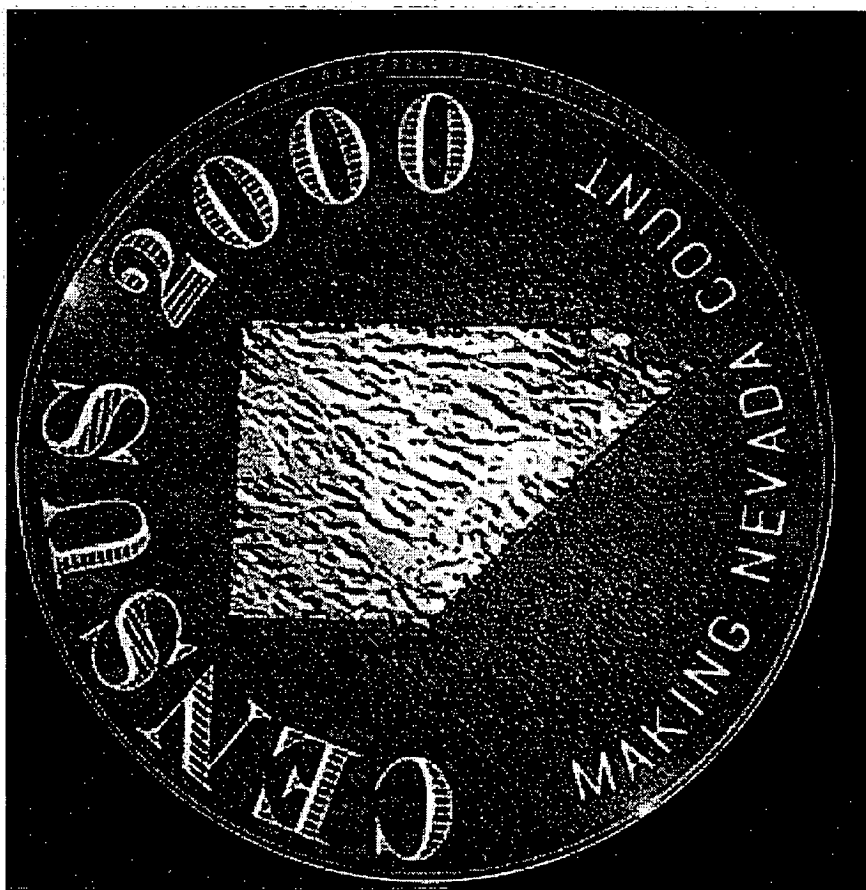




Timelines

- ◆ Mid-March 2000 - Census forms delivered
- ◆ April 1, 2000 - Census Day
- ◆ April-June 2000 - Follow-up
- ◆ December 31, 2000 - Apportionment counts delivered to the President
- ◆ April 1, 2001 - Results from Census 2000 released





City of Las Vegas

Agenda Item No.: 50

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 3, 1999

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - Discussion and possible action on a Request to Install Speed Humps on Hammer Lane between Manuel Drive and Cimarron Road. (\$7,000/Neighborhood Traffic Management Program)

Fiscal Impact☐**No Impact****Amount: \$7,000**☒**Budget Funds Available****Dept./Division: PW/Traffic Engineering**☐**Augmentation Required****Funding Source: Neighborhood Traffic Management Program****PURPOSE/BACKGROUND:**

A petition was received requesting the installation of speed humps. Traffic studies show the minimum criteria are met for the installation. The studies show that there were 804 vehicles per day traveling the street with an 85th percentile speed of 40 mph. There are 12 homes adjacent to the street.

RECOMMENDATION:

Traffic and Parking Commission: Denial

Staff: Approval

BACKUP DOCUMENTATION:

Map

MOTION:

M. McDONALD - Motion to bring forward and Hold in ABEYANCE to 11/17/99 Item No. 50 - UNANIMOUS

11/17/99 Agenda

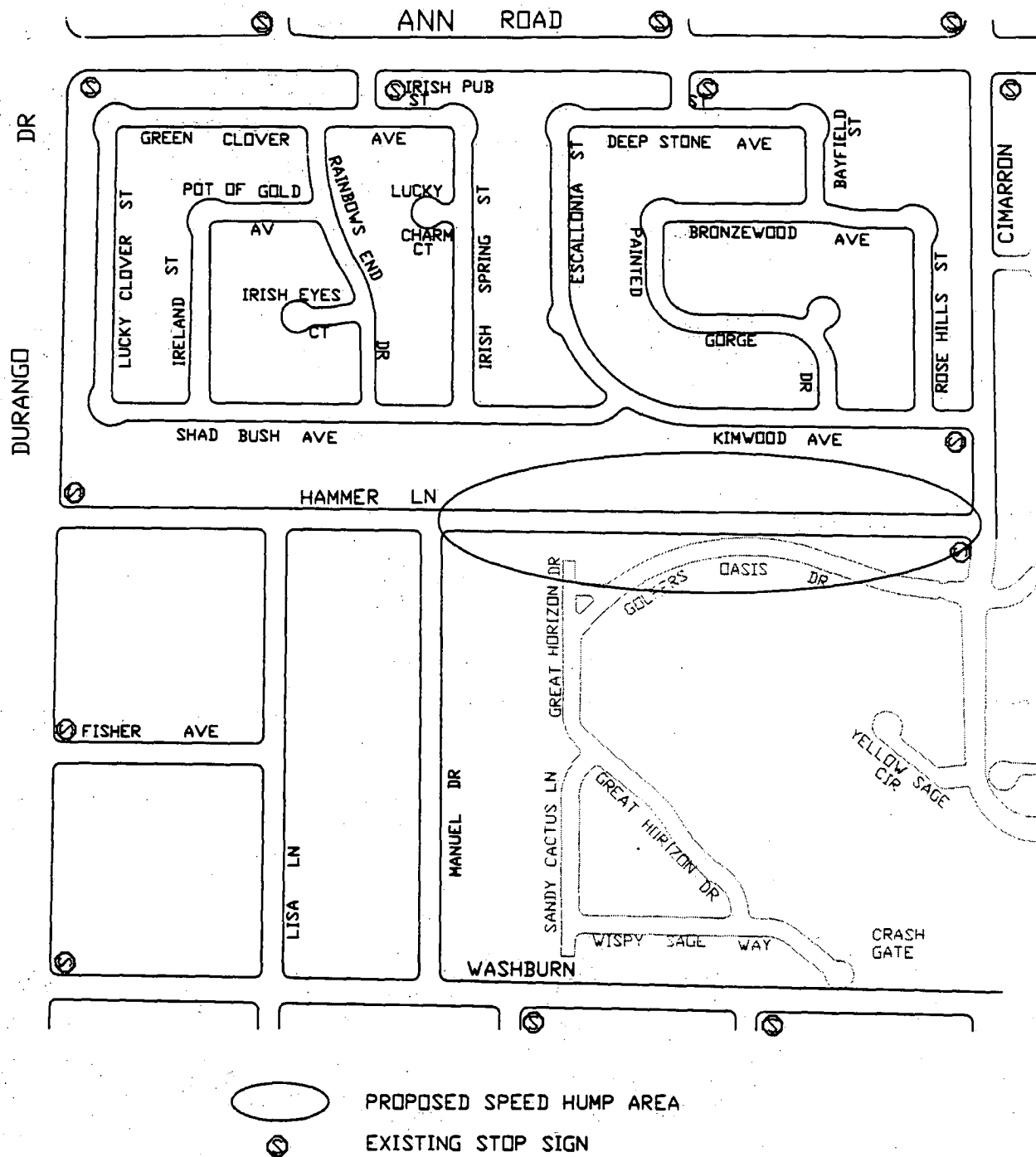
NOTE: A previous motion to hold items 50 and 39 in abeyance was made but due to Mayor Goodman's and Councilman Brown's abstentions from item 39, it was decided that two separate motions should be taken.

MINUTES:

There was no related discussion.

(9:19)

1-343



T&P HAM 8/16/99

City of Las Vegas

Agenda Item No.: 51

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 3, 1999

DEPARTMENT: CITY CLERK**DIRECTOR: BARBARA JO (RONI) RONEUMUS** ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****BOARDS & COMMISSIONS**

ABEYANCE ITEM - COMMUNITY EMPLOYMENT ADVISORY COMMITTEE - Robert Fortson - Term Expired 6/1999

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The Community Employment Advisory Committee was established under the Employment Plan Policy adopted by the Redevelopment Agency on June 3, 1992. Membership on this Committee coincides with the term of the elected official making the appointment. Mr. Fortson filled the seat reserved for a Redevelopment Area Resident and he does not wish to be reappointed. This is a Ward 1 appointment to be made by Councilman McDonald.

RECOMMENDATION:

Appointment of a Redevelopment Area resident to fill this vacant seat.

BACKUP DOCUMENTATION:

June 16, 1999 Memorandum from City Clerk concerning vacancies to this Committee
 Memorandum from Mr. Maresh, Office of Business Development indicating continued interest
 Current Community Employment Advisory Committee Board Listing

MOTION:

M. McDONALD - Motion to Hold in ABEYANCE to 1/19/2000 - UNANIMOUS

1/19/2000 Agenda

NOTE: A previous motion by Reese to Hold in Abeyance to 11/17/99 was rescinded.

MINUTES:

Councilman McDonald requested this item be held until 1/19/2000 to give the Council person who will be representing that Ward the opportunity to provide input for adequate recommendations to the Community Employment Advisory Committee. He also expressed his appreciation to the members of this Committee who have served the last four years.

There was no further discussion.

(9:38) / (9:40)

1-967 / 1-1014

Memorandum

City of Las Vegas
Office of the City Clerk

To: MAYOR-ELECT OSCAR B. GOODMAN
COUNCILMAN MICHAEL MC DONALD
COUNCILMAN GARY REESE
COUNCILMAN LARRY BROWN

From: BARBARA JO (RONI) RONEMUS, CITY CLERK 

CC: Jeffrey L. Maresh, Director-Office of Business Development
Manager & Deputies

Date: June 16, 1999

Re: COMMUNITY EMPLOYMENT ADVISORY CMTE. (CEAC) JUNE 28, 1999 AGENDA

The Terms of Office for the following members of the Community Employment Advisory Committee expired in June, 1999.

ROBERT FORTSON	(Ward 1 Appointment)	Redevelopment Area Resident
OLGA CARBIA	(Ward 3 Appointment)	Latin Chamber of Commerce
DAN ROMANO	(Mayor Appointment)	Redevelopment Area Resident

Attached is a memo from Jeff Maresh, Director of the Office of Business Development, indicating that Mr. Fortson does not wish to be reappointed. Mr. Romano and Ms. Carbia both have excellent attendance records and wish to be reappointed. Because there is no limit to the number of terms which may be served, these members are eligible for reappointment if you so desire. If they are not reappointed, their replacements must represent the categories indicated.

Specifics for appointment to this board are:

- Each member of the Council appoints one member.
- Four-year term of office runs concurrent with the term of office of the Councilmember making the appointment.
- Appointees must represent specific categories:
 - 1 - Latin Chamber of Commerce
 - 1 - Urban Chamber of Commerce
 - 3 - Residents from the redevelopment area
 - 1 - Non-voting member, ex-officio of the City of Las Vegas Redevelopment Agency staff
- No limit to number of terms which may be served.
- No City residency requirement (with exception of redevelopment area residents).
- No financial disclosure required.

A current membership listing is also attached for your review. This matter will be on your JUNE 28, 1999 agenda for consideration.

Attachments

communityemploymentadvisorycmte6-99memo

INTER-OFFICE MEMORANDUM

June 3, 1999

TO:

Barbara Jo Ronemus ✓
City Clerk

FROM:

Jeffrey L. Maresh, Director
Office of Business Development

SUBJECT:

Community Employment Advisory Committee
(CEAC)

COPIES TO:

Linda Owens
David Oka

Robert Fortson, current member of the above referenced committee (CEAC), does not wish to be re-appointed.

Dan Romano and Olga Carbia, also current members of CEAC wish to be re-appointed and have maintained a perfect attendance record for the previous year. There were no meetings this year.

If you require additional information, please let me know.

CLV-6217
JUN 10 1999

5-11-1998

COMMUNITY EMPLOYMENT ADVISORY COMMITTEE
--

	<u>MEMBERS</u>	<u>ADDRESS</u>	<u>ZIP CODE</u>	<u>ORIGINAL APPT.</u>	<u>TERM EXPIRES</u>
1.	FORTSON, ROBERT (McDonald's appointment) (Redevelopment area resident)	2011 Goldhill Avenue	06	8/5/1992 (reappt. 7-19-1995)	6/1999
2.	KINKADE, KITTY (Brown's appointment) (Redevelopment area resident)	1624 Harley Way 598-0774	01	5/11/1998	6/5/2001
3.	CARBIA, OLGA (Reese' reappointment) (Latin Chamber of Commerce)	920 West Owens Avenue	06	7-20-1994 (reappt. 7-5-95)	6/1999
4.	PHELPS, HARVEY (Adamsen's appointment) (Urban Chamber of Commerce) (Formerly Nevada Black Chamber of Commerce)	433 Sanderling Circle H: 648-6222 FAX: 648-6223	03	1/12/1998	6/5/2001
5.	ROMANO, DAN (Jones appointment) (Redevelopment area resident)	315 Bonanza Way 388-4270	01	1/26/1998	6/1/1999

AUTHORITY: Employment Plan Policy adopted by the Redevelopment Agency Board on 6/3/1992.

MEMBERS: 5 members (each Council member to appoint one person, appointees term to coincide with the term of office of the elected official who made the appointment) as follows:

TERM: Coincides with that of the elected official making the appointment.

- 1 - from the Latin Chamber of Commerce
- 1 - from the Urban Chamber of Commerce (Formerly Black Chamber of Commerce)
- 3 - Residents from the Redevelopment area
- 1 - non-voting member - ex-officio of the City of Las Vegas Redevelopment Agency staff.

PURPOSE: To review Employment Plans, make recommendations regarding the ability to meet the Policy requirements based on hiring needs, and review compliance with Policy requirements.

NOTE: NO FINANCIAL DISCLOSURE REQUIRED.
NO CITY RESIDENCY REQUIREMENT (except for the 3 members that must reside in the redevelopment area.

City of Las Vegas

Agenda Item No.: 52

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: CITY CLERK****DIRECTOR: BARBARA JO (RONI) RONEMUS** ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****BOARDS & COMMISSIONS**

SENIOR CITIZEN LAW PROJECT ADVISORY BOARD - Vivian Hinton - Term Expires 11-17-99; MIROHIM "MIMI" SAFT - Term Expires 11-18-99

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This Board is comprised of 9 members with at least two members over the age of 60.

Appointees must represent specific categories: 2 members of Senior Organizations; 2 Senior Service Providers; 3 Private Citizens; and 2 members of the Nevada State Bar.

Ms. Hinton fills the Private Citizen category and has served two terms; she is not eligible for reappointment. Ms. Saft fills the Senior Services Provider category and has served one term; she is eligible for reappointment.

RECOMMENDATION:

1. City Council to appoint an individual to the Private Citizen category replacing Ms. Hinton; AND
2. City Council to reappoint "Mimi" Saft to a second term in the Senior Services Provider category or to appoint a new individual who meets the Senior Services Provider requirement.

BACKUP DOCUMENTATION:

Information concerning the requirements for appointment and the current membership listing for this Board

Memo from Sheri Cane Vogel, Project Director, advocating "Mimi" Saft's reappointment

MOTION:

REESE - ABEYANCE to 12/1/99 - UNANIMOUS

12/1/99 Agenda

MINUTES:

There was no related discussion.

(9:38 - 9:40)

1-989

3-22-1999

SENIOR CITIZEN LAW PROJECT ADVISORY BOARD
--

<u>MEMBERS</u>	<u>ADDRESS</u>	<u>ZIP CODE</u>	<u>ORIGINAL APPT</u>	<u>TERM EXPIRES</u>
1. MALLOY, KIMBERLY (Private Citizen)	2921 N. Tenaya Way, Ste 234 (Ward 4)	28	11-1-1998	11-1-2001
2. JOHNSTON, JUDY (Asst. Public Admin/Guardian) (Rep. senior orgs.)	9004 Rolling Knoll Ct. 1700 Pinto Ln. (Ward 2)	34 06	4-17-1996 (Eff. 4-18-1996) (Reapp. 3-22-1999) (Eff. 4-18-1999)	4-18-2002
3. GIBBONS, MARK W.(Judge) (Member Nevada State Bar)	8 th Judicial District Court, Dept. 7 200 South 3 rd Street (Ward 1)	01	7-19-1995	7-19-2001
4. HINTON, VIVIAN (Private Citizen)	7916 Canoe Lane (Ward 2)	28	11-17-1993	11-17-1999
5. PERES, LUCY (Senior Services Provider)	Hm: 829 Antigua Street (Ward 2) (486-3600)	28	12-18-1997	12-18-2000
6. SAFT, MIROHIM "MIMI" (Senior Services Provider)	8524 Del Webb Blvd. (Ward 2) (255-5404)	34	12-8-1997	11-18-1999
7. LUBECK, LISA (Callister recommendation) (Senior Organization)	4808 Jay Avenue (Ward 4)	30	1-17-1996	1-17-2002
8. LIPPIS, DEBORAH (Judge, Justice Court) (Member Nevada State Bar)	200 S. 3rd St. Department 1 (Ward 1)	01	4-14-1997	4-14-2000
9. SUGAR, ALAN (Private Citizen)	10400 Villa Ridge Dr. (Ward 2)	34	7-5-1995	7-5-2001

AUTHORITY: Resolution adopted 11-1-78.
By-laws: Latest Revision 10-28-91

TERM: 3 years. Limited to 2 terms

MEMBERS: 9 members (at least 2 over 60 years of age)
2 members to be members of senior organizations.
2 from senior service providers
3 private citizens
2 members of the Nevada State Bar

APPOINTED: Appointment by the City Council; Must fill unexpired terms

NOTES: NO CITY RESIDENCY REQUIREMENT - NO FINANCIAL DISCLOSURE REQUIREMENT

Sheri Cane Vogel, Project Director, Sn. Cit. Law Project

MEETINGS: Quarterly (Jan, Apr, July, Oct) 4th Monday, 4 p.m., Howard Cannon Center, 340 N. 11th Street.

Memorandum

City of Las Vegas Senior Law Project

To: Barbara Jo (Roni) Ronemus, City Clerk
From: Sheri Cane Vogel, Esq. *SCV*
Date: Monday, October 11, 1999
Re: Re-appointment to SCLP Advisory Board

SCLP Advisory Board Member Mimi Saft's first term expires on November 18, 1999. Ms. Saft regularly attends meetings and is very concerned with assisting seniors in our community. She has been an excellent member of the Senior Citizens Law Project Advisory Board and warrants re-appointment.

SCV:cab

RECEIVED
CITY CLERK

1999 OCT 12 A 11:29

Confidential

City of Las Vegas

Agenda Item No.: 53

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 3, 1999

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☐**CONSENT**☒**DISCUSSION****SUBJECT:****REPORT FROM REAL ESTATE COMMITTEE - Councilmen Reese and M. McDonald**

ABEYANCE ITEM - Discussion and possible action to approve a request from Nevada Department of Transportation (NDOT) to purchase the City's Charleston Heights Neighborhood Preservation Park in accommodation of the planned US95 widening project (\$3,670,000.00/Nevada Department of Transportation)

Fiscal Impact☐**No Impact****Amount:** \$3,670,000.00 incoming revenue☐**Budget Funds Available****Dept./Division:** Public Works/Parks/Open Spaces☐**Augmentation Required****Funding Source:** NDOT**PURPOSE/BACKGROUND:**

In accommodation of the planned US95 widening project, staff has been working with NDOT for an acceptable purchase price for this park. NDOT has completed an appraisal of the park site at the northwest corner of Torrey Pines Drive and Hyde Avenue and, as a result, NDOT has made an offer to the City to purchase this park.

RECOMMENDATION:

The Real Estate Committee of 11/2/99 sent this item forward to the Council with No Recommendation. Staff recommends approval.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Offer to Purchase
3. Summary of Appraisal
4. Vicinity Map

MOTION:**L. McDONALD - APPROVED - UNANIMOUS****MINUTES:**

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

*City of Las Vegas***Agenda Item No.: 53****CITY COUNCIL MEETING OF NOVEMBER 3, 1999**

Item 53 - Discussion and possible action to approve a request from Nevada Department of Transportation (NDOT) to purchase the City's Charleston Heights Neighborhood Preservation Park in accommodation of the planned US95 widening project (\$3,670,000.00/Nevada Department of Transportation)

APPEARANCES:**RICHARD GOECKE, Director, Public Works****JOHN McNELLIS, Deputy Director, Public Works****STEVE HENSON, Nevada Department of Transportation****CITY MANAGER VIRGINIA VALENTINE****JUANITA CLARK, Charleston Heights Neighborhood Preservation****CITY CLERK RONI RONEMUS**

JUANITA CLARK submitted a petition with 195 signatures protesting the sale of the Charleston Heights Neighborhood Park.

(9:40 - 10:00)**1-1055**

*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: NOVEMBER 3, 1999****DEPARTMENT: PUBLIC WORKS****ITEM DESCRIPTION: Request from NDOT to purchase Charleston Heights Neighborhood Preservation Park**

In accommodation of the planned US95 widening project, Staff has been working with the NDOT to arrive at an acceptable purchase price for the City's existing Charleston Heights Neighborhood Preservation Park. The NDOT has recently completed an appraisal of the park site at the northwest corner of Torrey Pines Drive and Hyde Avenue. As a result of that appraisal, the NDOT has made an offer to the City to purchase this park. The NDOT is offering \$3,670,000 for the park site. The offer reflects the appraised value of the land (\$1,745,000) and the park improvements thereon (\$1,925,000). Public Works Staff has reviewed the offer and find the appraisal values acceptable. We recommend acceptance of the purchase offer. (Copies of the purchase offer, a summary of the appraisal and a vicinity map are attached as backup.)

Note must be made that the City will have certain obligations associated with the purchase offer. The Environmental Impact Statement for the US95 Project requires that impacted "Section 4(f) Resources" be mitigated. Because the existing park is being impacted by the proposed highway project, an appropriate "mitigation" must be proposed to and accepted by the Federal Highway Administration to ensure federal funding. The proposed mitigation plan for this park is two-fold. First, part of the purchase funds received will be utilized to repurchase a smaller site (toward the west edge of the existing Adcock Elementary School site following its demolition) and to reconstruct a smaller, passive neighborhood park on this reclaimed site. Second, the remaining purchase funds should be utilized elsewhere for other park facilities benefiting the public. The second part of this mitigation plan would "functionally replace" the programmable features (ie, the soccer fields) that will not fit on the smaller, replacement park being reconstructed in the Charleston Heights neighborhood. To ensure that the impacted park and public park facilities are mitigated in accordance with the requirements of the Environmental Impact Statement, we recommend that the proceeds from the sale of the Charleston Heights Neighborhood Preservation Park be dedicated for the above-noted purposes. As a final note, the City will be allowed salvage rights to the park facilities, however, any items salvaged from the existing park will affect the purchase price and the excess proceeds available for the planned replacement park and other future parks projects. The value of all items contemplated for salvage should less than \$25,000. We request authority to purchase salvage items as determined by Public Works' Parks Division.

RECOMMENDATION:

- 1) Acceptance of NDOT's offer of \$3,670,000 (minus salvage costs).
- 2) Allocate \$1,170,000 of the proceeds for repurchase and reconstruction of a smaller, passive neighborhood park.
- 3) Allocate \$2,500,000 (minus salvage costs) of the proceeds for future public park projects.
- 4) Authorize Staff to salvage items from the existing park with total costs not to exceed \$25,000.



KENNY C. GUINN, Governor

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
RIGHT-OF-WAY DIVISION
P.O. Box 170, Las Vegas NV 89125-0170
August 10, 1999

TOM STEPHENS, P.E., Director

Mr. Richard Goecke
Director, Public Works
City of Las Vegas
400 S. Stewart Street
Las Vegas, NV 89101

Project: SPF-095-2(035)
E.A. 72493
US 95 Widening
Charleston Heights Neighborhood
Preservation Park (Torrey Pines
Park) APN: 138-35-111-003

Dear Mr. Goecke:

As you know, the Nevada State Department of Transportation (NDOT) is still in the design phase for the US 95 widening project. The draft environmental impact statement has been completed, and public hearings were held June 9th and 10th, 1999. We anticipate a Final Record of Decision from the Federal Highway Administration (FHWA) in November or December, 1999. At that time, we will know if the project will go forward.

In the meantime, Nevada Department of Transportation officials have decided to use State funds on two "time consuming" properties, namely: the Torrey Pines Park, and the O. K. Adcock Elementary School. Even though Federal funds have not been approved for these properties, we will follow the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. Doing so, will allow NDOT to seek reimbursement from the FHWA in the event the Final Record of Decision is favorable.

The environmental impact statement is the basis for the FHWA's Final Record of Decision, and schools and parks are "protected" properties which must be preserved, or mitigated. Over the past two years, there have been numerous discussions and meetings among the City of Las Vegas, Clark County School District, NDOT, and FHWA officials. The general consensus, and the intent of the parties from the onset, was to offer the School District the "Functional Replacement" of Adcock Elementary, and to construct a City park facility on a portion of the old school site. Under this program the FHWA would pay for the construction of a new school on the Torrey Pines Park site (which was bare land at the time our discussions began), then demolish the old school and encourage the City to build a park in its place. After which, the City of Las Vegas and the Clark County School District would continue to share their facilities to enhance both ownerships.

Richard Goecke
~~August 10, 1999~~

What appears to be a relatively simple concept, is actually quite complicated. The Functional Replacement program requires that the School District's *prevailing standards* be followed. One of the prevailing standards for an Elementary School, in the Las Vegas area, is that the site be a minimum of ten acres in size. Following these guidelines, the Clark County School District must occupy ten acres in the "after condition". This will leave approximately two to three acres available along the west side of the remainder for City ownership. In addition, the City of Las Vegas would have the shared use of the facilities at the new, reconstructed Adcock Elementary School.

The State's offer for the City's 7.35 acres of land, and all of the improvements, is \$3,670,000.00. This includes \$1,745,000.00 for the land, and \$1,925,000.00 for the improvements. I have been informed by your staff, that the City of Las Vegas is not interested in retaining any of the improvements at this time, however, if you so choose, NDOT will establish retention values on items of your choice. If you elect to do so, the above offer will be reduced by the amount of the retention value. As an attachment to this offer, please find a brochure entitled "Nevada Highways and Your Property", a sketch map depicting the 7.35 acres of land, and an Appraisal Summary Statement.

This offer is contingent upon the City of Las Vegas buying back all available property located on the Adcock Elementary remainder site. NDOT will own or control the remainder site and it will be available at the same "bare land" square foot price which we are offering the City of Las Vegas, that is \$5.45 per square foot. It is also contingent upon the City of Las Vegas constructing a park on the remainder site, at the City's expense, and amending the "OPEN SCHOOLS - OPEN DOORS COMMUNITY ACCESS AGREEMENT" dated September 6, 1995, between the Clark County School District and the City of Las Vegas. The Clark County School District has expressed their willingness to cooperate with NDOT and the City by amending the agreement.

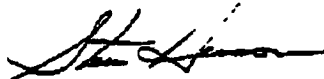
If the City of Las Vegas agrees with this proposal, our respective Agencies will be complying with statements made in the Environmental Impact Statement, and honoring the commitments made to neighborhood groups and the public at large. These commitments were made at various City Council meetings, Citizens Advisory Committee meetings, and Public Hearings.

Upon conceptual approval of this proposal, it will be necessary to enter into an agreement to specify the obligations of our respective Agencies. Additionally, and more immediate, is the need to address the shared use concept between the City and the School District. If an agreement for shared use is not completed soon, the Federal Highway Administration has indicated that the Final Record of Decision may be postponed until the agreement is finalized (shared use is a major component in Environmental Impact Statement).

Richard Goecke
August 10, 1999
Page Three

I encourage the Citys' acceptance of this offer, and hope that you take advantage of this opportunity to contribute further to the betterment of the traveling public, and the community at large. Time is of the essence on this project, and I am hopeful that we can complete this transaction by September 30, 1999. If you have any questions, please contact me at (702) 385-6540.

Sincerely,



Steve Henson
Asst. Chief Right-of-Way Agent

SH/clc

cc: Carson City R/W

APPRAISAL REVIEW ESTIMATE OF VALUE

Project: US 95 Widening
E.A.: 72189
Parcel: APN 138-35-111-003
File 99-105

☒ Original ☐ Revision

Owner The City of Las Vegas, a Municipal Corporation
Property Location Northwest corner of Torrey Pines and Hyde, aka at the southwest corner of the US 95/
Torrey Pines grade separation (Torrey Pines Park)

☒ Urban ☐ Rural Zoning R-E, City of Las Vegas

Appraiser	Appraisal Date	Valuation Date	Partial	VALUE	Total
Foster L. Clark, MAI	5/11/99	5/04/99	\$ N/A	\$	3,670,000
			\$	\$	
			\$	\$	
			\$	\$	

It is my opinion that the just compensation for the taking is determined as follows:

PARTIAL ACQUISITION

Parcel	Land	Improvements	Damages	Other	Total
NOT APPLICABLE	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
TOTALS	\$	\$	\$	\$	\$

Damages: ☐ Acc. Loss; ☐ Chg. H&B Use; ☐ Chg. Size or Shape; ☐ Cost-to-Cure; ☐ Consequential
Benefits: ☐ Yes; ☐ No

TOTAL ACQUISITION

Parcel	Land	Improvements	Other	Total
138-35-111-003	\$ 1,745,000	\$ 1,925,000	\$ -0-	\$ 3,670,000

I understand that this determination is to be used in a Federally-aided or State of Nevada Transportation Project. I have reviewed the above listed appraisals and other pertinent information submitted. I have visually inspected the subject property and the properties listed in the appraisal reports as being sales of a comparable nature, and have independently reached this determination without direction or collaboration. I have no direct or indirect, present or contemplated future personal interest in the subject property or in any way benefit from the acquisition of such property appraised.

Reviewing Appraiser Larry J. Balmer, ASA
NV Certified General Appraiser #00096

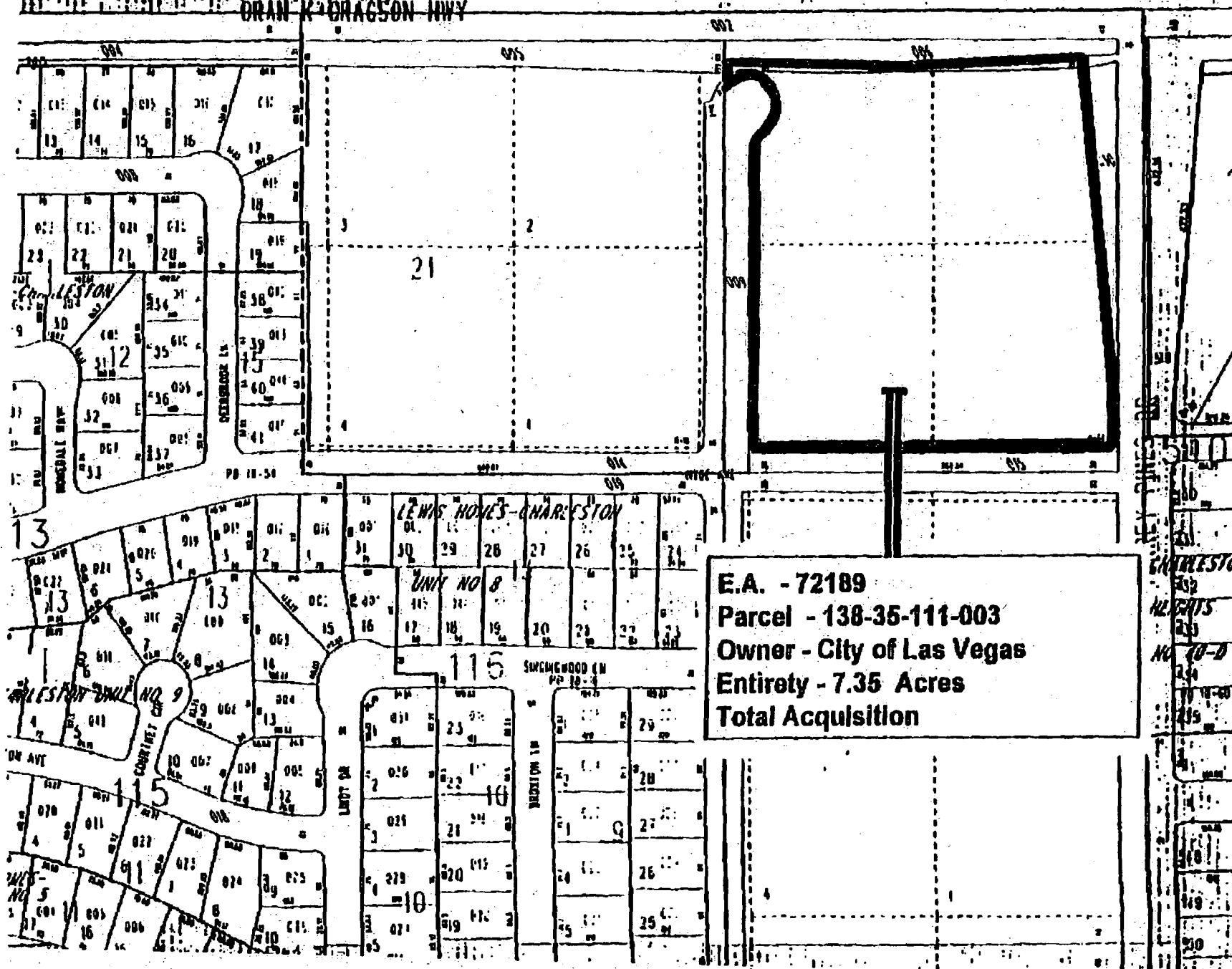
Assignment Date 5/12/99
Review Date 5/26/99
Submittal Date 5/26/99

☒ See attached comments; ☐ Remarks:

DOT
030-201
rev. 9/86

IV. CONCLUSIONS

~~ORAN K. ORANSON HWY~~



Nov-02-99 10:02am From-AIR POLLUTION CONTROL

17023831443

T-941 P.01/01 F-616

(702) 383-1276

Fax 383-1443

Air Quality Index

Tuesday, 02 November 1999, 0700 pst

POLLUTANT RANGES

Highest Readings				Lowest Readings		
OZONE	Good	27	JN	Good	9	SL
CO	MOD	53	WW	Good	2	BS
PM10	MOD	63	PM	Good	17	BC

STATION CODE & LOCATION	High 8 Hour Avg		High 8 Hour Avg		Yesterday	
	CO	Cat.	Ozone	Cat.	PM10	Cat.
SL W. Charleston / Shadow Lane	28	Good	9	Good		
PM Spring Valley	8	Good	16	Good	63	MOD
WJ W. Alta / Buffalo			23	Good	22	Good
LO W. Gowan / Buffalo			21	Good	32	Good
PV W. Alta - Town Center at Palo Verde HS			23	Good	36	Good
CC City Center- Bonanza / 7th	28	Good	14	Good	56	MOD
CW E. Charleston / Bruce	36	Good				
SA Eastern / Sunrise Ave	45	Good				
MS E. Charleston / 28th St					61	MOD
MC E. Sahara / Lamb	45	Good			53	MOD
WW E. Sahara / Nellis	53	MOD	13	Good		
PT Boulder Hwy / Pabeo Rd	22	Good			58	MOD
PL S.E. Valley	7	Good	16	Good	47	Good
GV Green Valley	14	Good			33	Good
JD NLV at Bruce / Owens	27	Good	15	Good	60	MOD
BS E. Craig RD / I-15	2	Good	12	Good	57	MOD
MG Las Vegas Blvd / Tropicana	27	Good				
FL E. Flamingo / Swenson	34	Good			56	MOD
JN Jean			27	Good		
BC Boulder City	3	Good	19	Good	17	Good
AP Apex			19	Good	18	Good

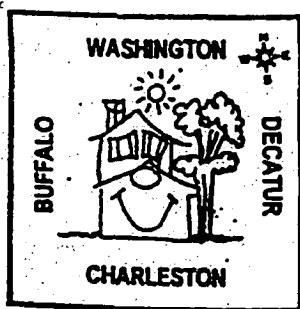
Last 24 Hours Visibility In Miles:

	Max	Min
Las Vegas Valley	57	12
Henderson	44	11

AQI Legend:

0 - 50 = Good ⁵⁵
 51 - 100 = Moderate
 101 - 150 = Unhealthy for Sensitive Groups
 151 - 200 = Unhealthy

#53



CHARLESTON NEIGHBORHOOD PRESERVATION, CORPORATION

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1	Ginger Lorenz	513 Perry	889-1111
2	DeAnn Hunt	104 Mallard	877-3271
3	Lee Wayne Haynes	Boulder City	288-9188
4	ROSE HONRATH	6109 BORDEN CIR	878-7427
5	June Ingram	870-3644	505 N. Torrey Pine
6	Dorothy Orr	870 3412	109 N. Minnesota St
7	Ray E. Blair	255-4184	4501 W. SAMARA #1173
8	Patricia Thomas	_____	4412 Torrey Pl.
9	CAROLE FERGUSON	258 3681	4100 Meadow Valley Ct. 890 8900 - LV. 11
10	Dennis Sowell	228 7671	_____
11	Christine Vickers	438-3082	_____
12	Dennis Vickers	438 3082	_____
13	Taylor Vickers	438.3082	_____
14	Corey Vickers	438 3082	_____
15	Chris Sowell	228 7671	_____

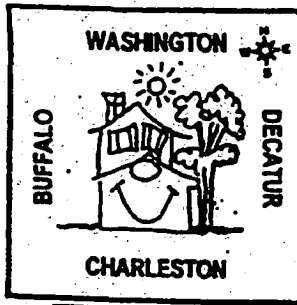
BOARD MEMBERS

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<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>
1 Kindra Beery	7904 Sierra Pk Dr LINN 89131	655-1151
2 Barbara Brown	6713 Stirling Sp.	645-1086
3 Sherri Davidson	2318 MARICK ST	647-8804
4 Alicia Prescott	3418 Empress Diamond	642-1967
5 Keith Prescott	3418 Empress Diamond	642-1967
6 Darcy Grizzle	3777 N. JONES	645-3696
7 Jody Grizzle	3777 N JONES	645-3696
8 JANE MATTHEWS	517 Sueno Ct.	363-2320
9 Rob Caskie	8201 N. Torrey Pkwy	658-7179
10 Doran Atwood	1320 Seab Beach	642-1967
11 Maria Atwood	1320 Seab Beach	642-2945
12 Jesse Rodriguez	2680 Spanish Moss	
13 Linda Rodriguez	2680 Spanish Moss	
14 Julie Prescott	1610 Purple Sage	
15 Kevin Prescott	1610 Purple Sage	

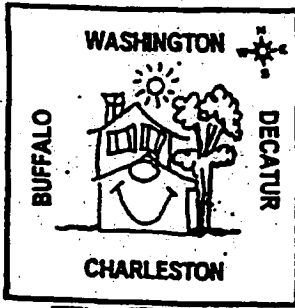
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NAME	ADDRESS	PHONE
1 SCOTT RADER	6220 McALLISTER AVE	89107
2 ~~Leaf~~ P. Wallace	5445 W. EL Camp Blvd	89149
3 ~~Jana~~ ~~at~~ ~~gre~~	9445 W. EL Camp Blvd	89149
4 Mollie Grubler	302 E Carson St	601 89101
5 Steve Morris	6232 Brandywine way	89107
6 Robyn Sacco	2512 APENZEL	
7 Rich Fonbuena	4343 ARROWRIDGE CIRCLE	89032
8 Karen Fonbuena	4343 ARROWRIDGE CIRCLE	89032
9 William B. Bman	208 Country Cir	89107
10 Jackie Moyers	9031 W. Lamadre way	89149
11 ELIZABETH HARDMAN	7845 S. PROCTOR AVE	LV, NV 89139
12 ANITA CASKIE	8201 N. TORREY PINES DR	LV NV 89131
13 ALYSA CHANDLER	6321 Carmen Blvd	LV 89108 890-1167
145. Marleen Fry	6304 ARLINGTON	LV 89107 890-3961
15 Don Fry	6304 ARLINGTON	LV 89107 890-3961

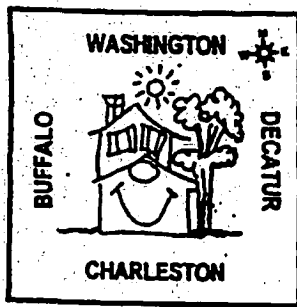
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NAME

ADDRESS

PHONE

STEVEN ERMILIO	501 N Torrey Pines Dr	259-9181
2 Debbie ERMILIO	501 N Torrey Pines Dr	259-9181
3 Tiffany ERMILIO	501 N Torrey Pines Dr	259-9181
4 Adeline ERMILIO	501 N. Torrey Pines Dr	
5 Sheila Grosse	3755 N. Nellis #86	443-6670
6 Russell C Foster	6240 Hobart Ave	870-7847
7 Trudy Foster	6240 Hobart Ave	870-7847
8 Marcos REYES	3801 BALZAR AVE	646-4985
9 SANTOS REYES	376 NEWCOMER	8773727
10 MARTIN LOPEZ	376 NEWCOMER	877-3727
11 Herman	9115 Francis Lane	656-6946
12 Sandra Ryan	2236 Ladue Dr.	
13 Kirbyly Permar	1340 Marina Del Rey	363-8758
14 KEN LINDSAY	8321 CLASSIC VILLA CRT	363-8581
15 Alaina Buntenshaw	9305 Aston Martin Dr.	228-1343

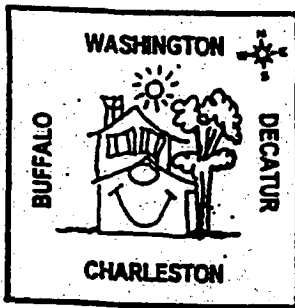
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	NAME	ADDRESS	PHONE
1	Junita Clark	137 Lorenzi St. 89107	877-2438
2	Denise Aleman	7117 Pinelake Rd 89145	363-5372
3	Debra Crewdson	232 Seahawk 89145	
4	Joan Reyes	401 Lakehurst 89145	363-6028
5	Charmaine Reyes	701 Lakehurst	
6	Willa Thomas	2150 N. Tenaya Way #213 89128	
7	Obi Wan Kanobi		
8	NICHOLAS HODGES	5800 W. Lake Mead 89108	
9	Catherine Butler	2313 Wimbledon Dr 89107	
10	Daniel Durall	6600 Bills Way 89107	878-3430
11	NICOLE TAYLOR	1004 ANTELOPE 89128	
12	JACOB TRUMAN	6413 O'BANNON DR. 89146	
13	Lynn Maguire	4321 Mountain View Blvd 89102	
14	NED HOOGLAND	7195 Del Ray 89117	
15	DEBRA DODD	1025 KENNY WAY 89107	

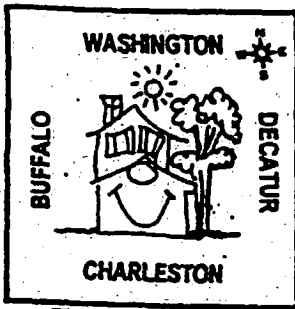
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Chuck Brindley 7287 Goldenstar Ave. LV NV
 Angela Brindley 6432 Penrose Lane LV NV 89107
 Alison Anders 6620 Bubbling Brook Dr LV NV 89107
 Bryan Harrison 7400 Pratts Cove Rd LV NV 89128
 Kim Clendenen 4712 El Cedral LV NV 89102
 James Foster 300 Fuchsia Cir 89107
 James Braun MD 653 Town Center LV NV
 Tina Foster 6957 marseilles Cir. LV NV 89128 8912
 Jani Dallingworth 5075 N Monte Cristo, NV 89149
 Kellard Brown 8333 Captstar Rd 89128
 Janice Stanley 5090 Breaker P 89128
 Shanna D. Mustoprak 6310-2756
 Carol K. Brown 6120 Ridge Canyon Ave LV NV 89131
 Tom Fabe 5740 Tee Pee Ln 89129
 Steve Wilson 3692 RIVER CANYON RD LV 89129
 Carl W. Scott 137 S. RACETRACK ROAD HENDERSON 89015

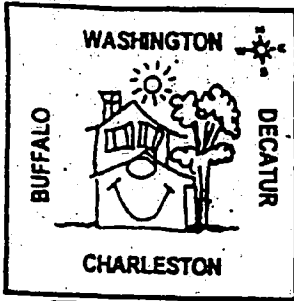
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NAME	ADDRESS	PHONE
Henry Ochoa	9305 Aston Martin Dr.	228-1343
Braunbauer	1113 Lumin Ct	
Jen Benes	6200 Cromwell	
Caryn Smith	6200 Cromwell	
Don SACA	4409 Lilac Glen Dr.	656-4410
Cathy Baca	4409 LILAC GLEN DR.	" "
Alice Lewis	4132 S. Rainbow	594-3074
Kent D Walker	8445 W. El Comrade	656-1032
Robert S. Paman	4747 pennwood ave	305-6976
Rito Murguia		
Antonio Campos	100 N. Waller Dr.	219-3930
Hector Torres Jr.		222-9074
Lina Kaplan	333 S. Torrey Pines	870-9154
Karli Kemp	8452 Boseck #216	264-1578

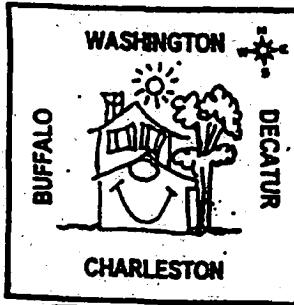
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NAME	ADDRESS	PHONE
Sergio Lopez A.	316 Newcomer	877-3727
Kennedy ~~Reith~~	316 Newcomer	877-3727
KEITH FOSTER	6952 MARSEILLES CTR	254-8334
TINA FOSTER	SAME	SAME
Edward Reid	1502 BONNIECASTLE	878-2604
Julie Reilly	1504 Bonnie Castle	878-2604
Brenda Dwyer	8321 Clorinda Ct.	363-8551
Pat Jeps	9221 Ford Tlwn Ct	242-9541
Chris Dytenshaw	6605 Hyde Ave	877-3183
Yvonne Dytenshaw	6605 Hyde Ave	877-3183
John Hahn	1113 Lunn Ct	228-9119
Len Hahn	10087 Sparrow Ridge	233-9856
Kevin Hyden	416 Pautus Cir	252-8046
Blaine Salcedo	3605 Pintadas	
Twene Jeps	6220 Meadistier Av	

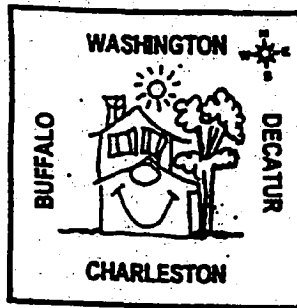
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	<u>NAME</u>	<u>Phone</u>	<u>ADDRESS</u>
1	Jessica Holland	224 7671	
2	Alex Holland	224 - 7671	
3	Rae Thomason	243-7521	
4	Ineresa Montgomery	242-5685	
5	Michael Sauer	363-5336	
6	Sandy Broad	396-2421	
7	Rae Peters	254-6550	7632 Delano Bay Dr
8	Mel Pettit	258 0046	416 Pontius L.V. B9107
9	Phill (nick)	647-4649	3419 Green on MLV 8030
10	Steven Barterie	256 2535	1117 th Wilkintree
11	Jodi Weidow	256 2535	" "
12	Tami BROWN	6232 BRANYWINE	
13	Edouard Scott	877-9966	Brandywine
14	Jeff F Tankersley	523-2875	Brandywine
15	Khonda Scott	8779966	Brandywine

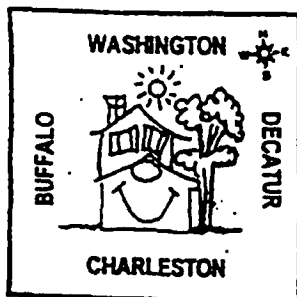
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NAME	ADDRESS	PHONE
JAMES DARBEY	321 S. TORREY PINES	89107 258-1308
Grant Ovenslager	301 So Torrey Pines	89167 884689
Leslie T. Smith	241 S. Torrey Pines	89107 820-9017

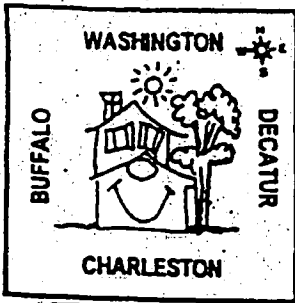
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and others



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Shaun Stevens 853 Pacific Fountain Ave 292-2927
 Maureen Mardulid 1617 OLIVE PALM CIR 89128 233-0469
 Abby Thompson 10929 CALISTOGA STRINGS 89114
 Melinda Figueroa 100 N Wallace Dr Apt 132 238-9638
 Rodrigo Mula 100 N Wallace DR APT 132 258 9638
 Gen Unsanley 913 Strong Beach St 432-8190
 Gerardo Corrao 3517 Ref. for Ave. 651-3759

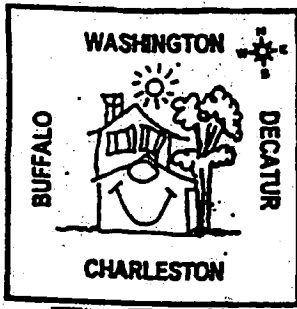
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- 1 Mike Chandler 6321 Carmen Blvd LV NV 89108 870-1167
- 2 Jennifer Vazquez 6325 Alta Dr LV NV 89107 877-2197
- 3 Joey Vazquez 6325 Alta Dr. LV NV 89107 877-2197
- 4 Anthony Rodriguez 2228 ALLEGANCE NV NV 89030
- 5 Doug Atkins 6500 Vicuna Dr. LV 89146
- 6 Larry Queney 8336 Gernat Canyon Ln. LV NV 89115 647-2154
- 7 JEFF Hurley 5508 CLEARLY CT LV NV 89108 646-0381
- * 8 FRANCIS K. IVEY, Jr 317 S. TORREY PINES LV. NV 89107 878-6746
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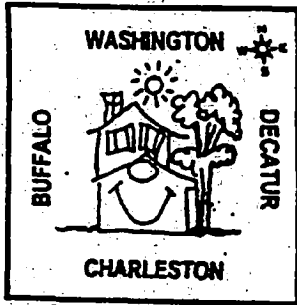
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NAME

ADDRESS

PHONE

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2	Tyler Drew	5413 Rhett St.	658-5071
3	Mark Baer	4409 Lilac Glen Dr.	656-4410
4	Joshua Sillitoe	137 S. Racetrack Rd.	564-4002
5	Drew Schafer	3421 Bedfordshire Pl.	395-0950
6	Juan Pagan	2316 Mountain Violet	395-8809
7	Chare Smeyk		
8	Way Perrod		
	William Ghlitzhauef	3608 Pontiacs #101	655-4777
10	Austin Wallace	944 WELCAMPO Grande	655-10
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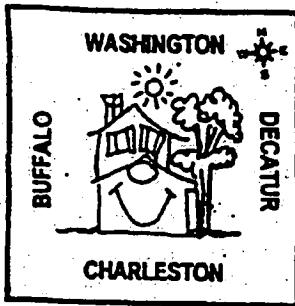
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NAME

ADDRESS

PHONE

- | | | | |
|----|----------------------------|-------------------------|-----------|
| 1 | Phillip G. Bl... | 6545 Alta Dr | 877-3949 |
| 2 | N. Carlos Bravo Nunez | 3120 WIND ROAD APT 56 | 222-90-74 |
| 3 | Silvestre Mendez | 3120 Wind Road APT 56 | 222-90-74 |
| 4 | Marco A. Gonzalez | 3120 Wind Road Apt. 56 | 222-90-74 |
| 5 | Isabel Infante Gonzalez | 3120 Wind Road Apt 56 | 222-90-74 |
| 6 | Guillermo Torres Hernandez | 3120 Wind Road Apt 56 | 222-90-74 |
| 7 | Luis Sainz Esquivel | 3120 Wind Road Apt 56 | 222-90-74 |
| 8 | Racey Schafer | 3421 Bedfordshire PL | 395-0950 |
| 9 | Wendy Westover | 3605 Pintasas #101 | 655-4777 |
| 10 | Monterio Rangel-Cedeno | 2300 Cedar Springs 1108 | 692-0934 |
| 11 | Enrique Cedeno | 2300 Cedar Springs 108 | 692-0934 |
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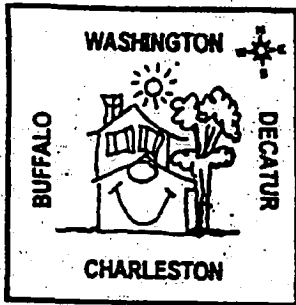
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	NAME	ADDRESS	PHONE
1	Barbara Paulk	6240 Buckskin	655-7989
2	Manny Rivers	650 Whitney Ranch #2311	436-0916
3	Lee Thompson	10929 CALISTOGA STGS CT	360-8834 Dr
4	Craig Bma	320 Newcorner St.	259-1677
5	Susan Bma	320 Newcorner St	259-1677
6	Eleanor Syden	209 S. Torrey Pines Dr	898-6317
7	Ellen Syden	209 S. Torrey Pines Dr.	878-6377
8	Miriam B Eem	217 S. Torrey Pines Dr	877-2134
	Kim Perry Eem	217 S. Torrey Pines Dr	877-2134
10	June Ingram	505 N Torrey Pines	870-360
11	David Ingram	" " "	" " "
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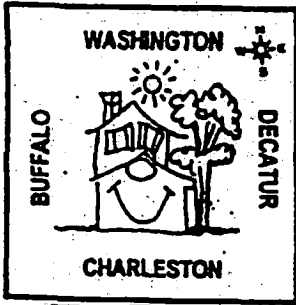
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WIDENING PROJECT (\$3,670,000.00/NEVADA DEPARTMENT OF TRANSPORTATION)**

MAYOR GOODMAN

Item 53, a report from the Real Estate Committee, an abeyance item. Discussion and possible action to approve a request from Nevada Department of Transportation to purchase the City, City's Charleston Heights Neighborhood Preservation Park in accommodation of the planned US95 widening project. Some \$3,670,000. The recommendation is that the, that there's no recommendation.

RICHARD GOECKE, DIRECTOR OF
PUBLIC WORKS

The --

MAYOR GOODMAN

Mr. Goecke.

RICHARD GOECKE, DIRECTOR OF
PUBLIC WORKS

The item, Your Honor, is exactly that. Staff's recommendation is that we proceed with the sale. It's -- something that we've been working with the Nevada Department of Transportation for some time. And it, of course, is there as a result of being able to accommodate the US95, the \$350,000,000 US95 widening project. The item is in order, Your Honor, and we would recommend approval.

COUNCILMAN McDONALD

Your Honor, if we could on this, this was a highly contested item a month or two weeks ago, as well as last meeting, which was held last night. We went about an hour into the -- evening on this -- particular item. Councilwoman McDonald called in, was able to attend. Her comments, she had a meeting in the neighborhood, Charleston Heights that was very productive, I believe, from what the neighbors have said.

It's a very difficult situation because we've built a park there. We have Adcock Elementary School that has been in existence for several years and the concerns of the neighborhood go in depth. Several points of view were shed last night from the City, the State, as well as the School District, and, of course, the neighborhood, that maybe be might be able to shed some light on this. It's a controversial item that has ramifications. That's the reason there's been no recommendation. It was brought forward here today.

There were people in the audience that had questions. And I'll ask this now, not to throw a wrench in the seven, eleventh hour, but the NDOT purchase the seven plus acres for the appraised price of \$3.67 million and utilities, a portion of five acres leaving 2.5 as remaining. Is it possible that NDOT then leases the remainder City back for a \$1.00 a

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year. Have we ever done that, I know, Mac, I asked you that early this morning. Has it ever been an option that – we look at this? 'Cause it could say, save us, I'm not trying to clip the State, but it could save us \$1.1 million.

JOHN McNELLIS, DEPUTY
DIRECTOR OF PUBLIC WORKS

Councilman, just for a correction on that, what money it would save would be the repurchase funds that NDOT has requested that we repurchase the two acres. That would be the west edge of present Adcock Elementary to recreate the neighborhood park. Now that cost by itself is approximately \$540,000. And we would be repurchasing that property for the same price as that they're acquiring our park property from us. But certainly that is not a question that we've ever asked them, but we would certainly take that to NDOT.

We do have an NDOT rep here this morning, but I would doubt if he's going to be able to give us that quick of an answer.

COUNCILMAN McDONALD

I know it, and I apologize for the eleventh hour, but this was brought up by a person that wants to remain anonymous, but it's a very good idea. It was also someone from the public that has seen the arrangements before State and local entities that allowed. The main concern for, I think, everybody up here and the community, is if this is going through, is the school. Councilwoman McDonald, not putting words in her mouth, but she voiced her opinion yesterday highly on this that we have to remain a school there because education is tomorrow's future. That's when we came back with, and said that if we could lease it back, then we can sublease the property back to the School District to rebuild the new Adcock Elementary School. So, if we can get it back, they could lease it to us for a \$1.00, we can sublease it then to the School District to build the Adcock Elementary School, saving us millions of dollars.

JOHN McNELLIS, DEPUTY
DIRECTOR, OF PUBLIC WORKS

That is certainly a twist on their offer, but we could certainly work with them on that.

COUNCILMAN McDONALD

How would that be proposed here today? I mean, is it an option that it throws a wrench in the whole negotiations or is it something that could be amended at a later date?

RICHARD GOECKE, DIRECTOR OF
PUBLIC WORKS

Well –

JOHN McNELLIS, DEPUTY
DIRECTOR OF PUBLIC WORKS

Maybe we could request Steve Hinson from the NDOT to come up.

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RICHARD GOECKE, DIRECTOR OF
PUBLIC WORKS

(Inaudible) permission to speak from before.

COUNCILWOMAN McDONALD

Your Honor, I guess, related to that, the question is, since this is not the actual purchase and sale agreement that is before us today, is that something that can be negotiated in the actual purchase and sale agreement that would come back to the City Council?

COUNCILMAN McDONALD

Right.

JOHN McNELLIS, DEPUTY
DIRECTOR OF PUBLIC WORKS

That would appear where it would be a best fit.

COUNCILMAN McDONALD

Steve, you saw – how the recommendation went last night, that everybody gets put on the spot at the last minute. So –

STEVE HINSON

Right. My name is Steve Hinson – I'm with the Nevada Department of Transportation. The – lease back option we would have to run through the Attorney General's Office to confirm that we'd be able to do it. It's my understanding there's State law prohibiting us from doing that, the lease back for \$1.00, that it has to be a fair market value.

COUNCILMAN McDONALD

\$2.00

STEVE HINSON

For \$2.00?

RICHARD GOECKE, DIRECTOR,
PUBLIC WORKS

Double it.

STEVE HINSON

So, we would have to run through the – AG's Office and see if that's an option. I don't believe it is.

MAYOR GOODMAN

Mr. Hinson, may I ask you this. Is the widening, I ask the question all the time and for some reason I, I'm never satisfied with the answer. Is the US95 widening project, is that a done deal?

STEVE HINSON

No, it's not. Actually, it isn't.

MAYOR GOODMAN

So, what happens in a situation where we enter into negotiation, talk about, in effect the destruction of an existing park, effecting a school and the project that doesn't take place.

COUNCILMAN McDONALD

Then, Your Honor, we'd keep it, right?

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RICHARD GOECKE, DIRECTOR OF PUBLIC WORKS	Let – me speak to that, though, Your Honor.
MAYOR GOODMAN	Excuse me.
COUNCILMAN McDONALD	That was brought up last night.
RICHARD GOECKE, DIRECTOR OF PUBLIC WORKS	About a year or a year and half ago when the proposal for widening US95, it was one, it was – that project along with several other projects, surface street projects. But the widening of the, of US95 was presented to the RTC Board, to the City of Las Vegas, to the County Commissioners, to the City of North Las Vegas, and the vote by all those jurisdictions was to proceed with the project. So, that's what has brought us to where we are today.
MAYOR GOODMAN	Fine. So – why wasn't the answer to the question, is it a done deal, yes?
RICHARD GOECKE, DIRECTOR OF PUBLIC WORKS	Well, he answered.
MAYOR GOODMAN	I understand, but I would really like to know whether it's a done deal or not. You're saying, Mr. Goecke, that it is because the various entities involved have voted to widening the US95. And yet, I asked NDOT and they (inaudible) no.
COUNCILMAN McDONALD	Well there, let me – take a shot at this.
CITY MANAGER VIRGINIA VALENTINE	Your Honor, I – there are still several approval pro --
COUNCILMAN McDONALD	Right. There're several approval processes that we've had the neighbors involved. We have neighbors that are, I'll put 'em up against any structural engineer in the future, they have done that much of their homework. This was brought to the kitty, the City – kitty.
MAYOR GOODMAN	Kitty.
COUNCILMAN McDONALD	It's going to cost a little money.
MAYOR GOODMAN	A little – Freudian slip (inaudible), but that's okay.
COUNCILMAN McDONALD	It's going to cost us a lot of money, we going to have to go to the kitty. Brought to the City and the County and North Las Vegas, there were several options at the time. We had

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some 3,000 residents that protested this from the Charleston Heights Neighborhood Preservation. It was then voted on unanimously, but except for one that voted against it, to come up with other options. That just set the ball in motion. Now, is it a done deal in the sense of have we dotted the Is and crossed the Ts, yes. But there's still four or five other processes, and I'll look back at City Manager, that this has still go through the EPA and a couple of other ones. Am I down the right road?

CITY MANAGER VIRGINIA
VALENTINE

That's correct.

RICHARD GOECKE, DIRECTOR OF
PUBLIC WORKS

Yes. That --

CITY MANAGER VIRGINIA
VALENTINE

The most critical of those being the -- record of decision on the EIS.

COUNCILMAN McDONALD

Right. So, there're -- several options this still has to go through. In other words, we're not out of the woods yet. All this does, and this is what came up yesterday's Real Estate Meeting, is that this fast tracks the school that if everything weighed through and it came out a perfect ten on the scale and the widening did get approve and the EPA signed off on it, that we wouldn't have to come back to this. Slow the process down, we would lose Adcock Elementary, we'd be busing our children into other different areas. That's was the concern of -- Councilwoman when she asked the question as we share here today with the residents and the Mayor and City Council.

MAYOR GOODMAN

Okay. Fine. I understand. I appreciate that.

COUNCILWOMAN McDONALD

I guess, Your Honor, another way to look at it is that in the event the US95 project is not approved, this whole discussion is a moot discussion. Is that correct?

MAYOR GOODMAN

Okay.

RICHARD GOECKE, DIRECTOR OF
PUBLIC WORKS

Yes, it would be. The marching orders that, maybe a better way of putting my answer was that, the marching orders given by Mayor and Council was for staff to proceed with the widening project. And we're marching in that direction.

COUNCILMAN McDONALD

And that part, right. And that part, if you look at, Your Honor, going back in the history. We purchased the -- houses that are on Alta, that's also part of the US95 widening, to widen Ranch, Alta east of Rancho. Those

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houses have been purchased. They're in the, they move to be, slated to be knocked down. A light to be put in so the residents to get out of the, their part of their neighborhood. So, everything's been lined up. Now, it's just a matter of --

RICHARD GOECKE, DIRECTOR,
PUBLIC WORKS

Execution.

COUNCILMAN McDONALD

-- they have to -- come through with the execution part of it.

MAYOR GOODMAN

I appreciate that. I understand now. Thank you. All right. Can I have a motion, please.

COUNCILWOMAN McDONALD

Well, Your Honor, just a few comments, I think, again for the record, because there's been a lot of, I think, misinformation and miscommunication about how we got to this intersection, sort to speak. And for me, it was very clear. It's a question of a school, Adcock Elementary School, one of the oldest in our neighborhood, that will, because of the US95, if it is approved and is expanded, will have to be taken. And the choice is being the neighbor adjacent to Adcock, the NDOT and the School District came to the City of Las Vegas and asked us, can we utilize your site for the rebuilding of Adcock Elementary School. And that is the only reason why the City would even entertain selling this park, because it came down to a choice. Do we preserve a park, which would be great, you know. I live in this neighborhood. I take my son to this park. So it has been a significant value to our neighbors. But at the same time, if I as a parent are given a choice whether having a place in my neighborhood for my child to go to school or to recreate, I'd rather choose to have that school in the neighborhood.

I have visited every elementary school in my Ward since taking office and every middle school and every high school, and I can tell you every principal will tell you this, there're no extra seats in our school. That's the universal theme for Las Vegas because of the growth we've been experiencing. And so, Adcock kids, 600 kids, they can't go to Val (sic) Pittman, they won't be able to go to Rose Warren. If they don't stay in our neighborhood, the reality is, they're going have to be bused somewhere outside of the neighborhood because there're no seats available within a close proximity to this site.

We also are very fortunate, even though, we'll build a new school, we need to always remember that the school will still have open space as part of the school. And the City typically has open space, open school agreements, open

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door agreements, with schools so that we'll be able to program recreational opportunities in the open space adjacent to the school. And we will build another two to three acre parcel.

There will probably be, if we, when we come back with the purchase and sale agreement of this \$3.6 million, there'll probably be about \$2.5 million residual through this transaction, which I know myself and Councilman McDonald, we've had these discussions because this site is where our two Wards come together. I represent the west side of Torrey Pines, he represents the east side, and we are committed and I know Councilman Reese has shared, as a grandparent and someone committed to kids that he wants to see that those dollars are reprogrammed in the areas that are impacted by this whole US95 expansion.

So, again, from me, from a straight public policy perspective and the reason why I – will make the motion to proceed, is that it comes down to, for me, very clear. Do we keep a park and lose a school, or do we keep a school and lose a park. And I think the responsible thing to do is to put the kids and their education first. And that is my decision.

COUNCILMAN REESE

If I could, Your Honor, I'd like just make one quick comment also. You know, we, the City has been, I think, very fruitful in trying to get parks in the City of Las Vegas, and within, I think a five mile, five minute ride from this area, we're going to have, I could be corrected, I think, 32 soccer fields built within the next six months to a year. So, it's not like we're – not giving, we're taking, we're not giving, we also giving as we take. So, I think that I could support Lynette's request.

MAYOR GOODMAN

Any other discussion or comment?

JUANITA CLARK

I do.

MAYOR GOODMAN

It's not open for public comment at this time.

JUANITA CLARK

I would like to discuss, to add some things to your, before the vote is taken.

MAYOR GOODMAN

As I say, it's –

JUANITA CLARK

I have some petitions and so forth.

MAYOR GOODMAN

Well, we'd be happy to receive the petitions, but as far as the presentation, it's really not for public comment at this time.

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MEETING OF
NOVEMBER 3, 1999**

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**VERBATIM TRANSCRIPT ITEM 53 - DISCUSSION AND POSSIBLE ACTION TO APPROVE A REQUEST
FROM NEVADA DEPARTMENT OF TRANSPORTATION (NDOT) TO PURCHASE THE CITY'S CHARLESTON
HEIGHTS NEIGHBORHOOD PRESERVATION PARK IN ACCOMMODATION OF THE PLANNED US95
WIDENING PROJECT (\$3,670,000.00/NEVADA DEPARTMENT OF TRANSPORTATION)**

JUANITA CLARK

I – The only time, Honorable Mayor, is before the vote. After the vote, it's moot.

MAYOR GOODMAN

All right. Well, I'm going to have an explanation now. Okay. Madame Clerk, could you tell me how the determination is made what agenda items are for public comment and what items are not for public comment? I know I might be catching you off base here, so take your time.

RONI RONEMUS, CITY CLERK

That's all right. The Recommending Committee or the Real Estate Committees that are held the, two members of the Board are considered the public hearing items. When it comes here to City Council it is not a public hearing item as normal. The Attorney is not present, that is the way it has always been handled. So, it is certainly the Board's call.

MAYOR GOODMAN

All right. Well, I give you one minute.

JUANITA CLARK

Thank you, Mayor. I – don't know why as a member of the public, so to speak, that I should have less time than – who else is not a member of the public. I – feel that we are – all public.

I come to you this morning as a person, a resident of the City of Las Vegas, as a grandparent and as a parent. I'm wearing the – birthstones of my 12 grandchildren this morning. Regarding the – proposed school versus park, I would like to tell you that a school is nothing but a building. And this is a building where things from the outside are brought in. When I take my children, my grandchildren for a walk, we are looking at the mama rocks and the baby rocks and the daddy rocks. And we are looking at the dandelion that we can blow off or that we can take home to mom. As a professional school teacher, as a professional teacher of students, I can tell you that learning, actual learning is based on what happens outside the classroom and is brought into the classroom. The books are brought in, the knowledge from the books are gained from the outside. And I have some lists here that come from NOVA, which is a State law. One is that projects are to follow preserving air and water. This has a problem with that.

And I have a handout when you receive your packet of petitions that we gathered last night, they're are on – 17 pages. The first page is the air quality printout from the Clark County Health District yesterday. And what is circled on there is some, – of the high point. The, I won't pass it out ahead of time, but the good air quality goes from zero to

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NOVEMBER 3, 1999**

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**VERBATIM TRANSCRIPT ITEM 53 - DISCUSSION AND POSSIBLE ACTION TO APPROVE A REQUEST
FROM NEVADA DEPARTMENT OF TRANSPORTATION (NDOT) TO PURCHASE THE CITY'S CHARLESTON
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50 and any respiratory pulmonary physician will tell you that a third above that is when, which would be 55, they start receiving lots of visits from – residents.

MAYOR GOODMAN

All right. Let me ask you this. Did you attend the meeting last night?

COUNCILMAN McDONALD

Yes.

MAYOR GOODMAN

Did you attend that Councilman Mc –

JUANITA CLARK

I did, Sir, and our proposal is what it says on our – and that was before one Councilman, Sir.

MAYOR GOODMAN

I appreciate that.

JUANITA CLARK

Okay.

MAYOR GOODMAN

But I'm just asking you – the problem that I have is, we – run these meetings according to certain rules. And I'm trying to bend those rules to give you an opportunity to be heard.

JUANITA CLARK

I'll speak very quickly.

COUNCILMAN REESE

If – I could – Your Honor, just for clarification, we had Real Estate meeting two different times. We had public hearing two different times and we have heard – this from Juanita for the last two years. And so, I mean, I'm sure, to me, the public has been very aware of the process even when the City traded land to get property to build this park, it was a public forum then. And, you know, things – have transpired that has changed the need for the area. And we are trying to continue to meet the needs of the area. It's not like we're saying, no, we are not going to do anything, where, this has just been push and shove, that's not the way it's been. It's been, we've had open dialogue. We've tried to sit down and explain. We held it in abeyance two weeks ago to give Councilwoman McDonald time to meet with the neighbors and explain to them their options. And the options that we are going take is going to still have a parks (sic) where Mr. Clark can take her grandkids to play.

COUNCILMAN BROWN

Your Honor, if I may.

MAYOR GOODMAN

Yes. Councilman Brown.

COUNCILMAN BROWN

I think Councilman, Councilwoman McDonald also said that this action is to go and negotiate, that this particular item is being brought before us at a later date. And if, and – with

**CITY COUNCIL MINUTES
MEETING OF
NOVEMBER 3, 1999**

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**VERBATIM TRANSCRIPT ITEM 53 - DISCUSSION AND POSSIBLE ACTION TO APPROVE A REQUEST
FROM NEVADA DEPARTMENT OF TRANSPORTATION (NDOT) TO PURCHASE THE CITY'S CHARLESTON
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WIDENING PROJECT (\$3,670,000.00/NEVADA DEPARTMENT OF TRANSPORTATION)**

the comments she made, I – think we've hear, at least I've heard all I need to do. I'll call for the question.

MAYOR GOODMAN

All right.

JUANITA CLARK

I – will just read then the top of our petition because it entails a lot rather than going through the NOVA points.

MAYOR GOODMAN

All right. Please. Fine.

JUANITA CLARK

I sign to declare that Charleston Heights Neighborhood Preservation park at Torrey Pines and Hyde not be sold to the Nevada Department of Transportation in 1999 through 2005. And if the Federal Highway Administration and the Environmental Protection Agency approve the proposed widening of this pollution and toxic waste route through the center of Las Vegas for five miles, that the date be extended until the right-of-way division of NDOT has purloined all the homes and businesses for this "trample the youth of my constituents to grab dollars for myself" project.

MAYOR GOODMAN

Okay. And how many people signed that?

JUANITA CLARK

There's a copy for each one of you.

MAYOR GOODMAN

Okay. If you'd make available to the Clerk. There is a motion now. We'll vote on the motion.

JUANITA CLARK

And again, this was collected after the Real Estate meeting last night.

MAYOR GOODMAN

Okay. Thank you. Vote on the motion, please. Post, please. Motion carries. Thank you. **(Motion carried unanimously).**

(END OF DISCUSSION)

/ac

City of Las Vegas

Agenda Item No.: 54

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 3, 1999

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: SHARON SEGERBLOM**☐**CONSENT**☒**DISCUSSION****SUBJECT:****REPORT FROM REAL ESTATE COMMITTEE - Councilmen Reese and M. McDonald**

Discussion and possible action to approve a First Amendment to Lease Agreement between the City of Las Vegas and Variety Day Home, adding a provision for reimbursement to the City for security guard service expenses incurred by Variety Day Home.

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Variety Day Home desires to contract for a security guard through the City's annual contract. The City will be reimbursed for the expense in its entirety by Variety Day Home within 10 days of invoice.

RECOMMENDATION:

The Real Estate Committee of 11/2/99 and staff recommend approval.

BACKUP DOCUMENTATION:

1. First Amendment to Lease

MOTION:

M. McDONALD - APPROVED as recommended - UNANIMOUS

MINUTES:

DAVID ROARK, Real Estate and Asset Management, was present.

There was no related discussion.

(10:00 - 10:01)

1-1815

FIRST AMENDMENT TO LEASE

THIS AMENDMENT TO LEASE, made and entered into this 3rd day of November 1999, by and between the CITY OF LAS VEGAS (hereinafter referenced to as "Lessor,") and VARIETY DAY HOME, a Nevada non-profit corporation (hereinafter referenced to as "Lessee."

WHEREAS, the parties originally entered into a lease on the May 5, 1954, and most recently on June 22, 1998, under which the City leases certain real property to Lessee, located at 990 "D" Street, Las Vegas, Nevada; and

WHEREAS, the parties desire to amend the Lease to allow the City to contract for a security guard through the City's annual contract and be reimbursed for the expense in its entirety by Lessee.

NOW, THEREFORE, the parties agree to amend the lease agreement as follows:

1. Section 6 of the Lease is hereby amended by adding the following provision:

The Lessor will make arrangements through the City's annual security contract to provide for a full time general security guard on the days and working the hours as specified by Lessee. Lessee will reimburse Lessor on a monthly basis within ten (10) days of invoice for any and all expenses owed for such security company providing the service.

2. This First Amendment shall be effective upon execution by both parties.

...
...
...

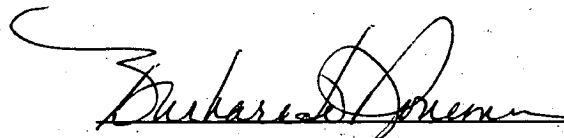
3. All other provisions of the Lease shall remain in full force and effect.

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

CITY OF LAS VEGAS

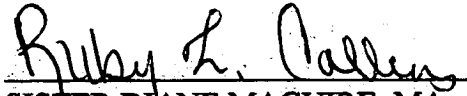
ATTEST:


OSCAR B. GOODMAN, MAYOR


VARIETY DAY HOME

APPROVED AS TO FORM:

J. Pombo 9/30/99


~~SISTER DIANE MAGUIRE, MA~~
Ruby L. Collins

City of Las Vegas

Agenda Item No.: 55

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 1999

DEPARTMENT: OFFICE OF BUSINESS DEVELOPMENT

DIRECTOR: JEFF MARESH

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilmen Reese and M. McDonald

Discussion and possible action to approve a Memorandum of Understanding between the City of Las Vegas and Clark County School District, relinquishing the City's interest in approximately 20 acres of land in the vicinity of Ann Road and Campbell.

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

It is the intent of the City to relinquish this 20 acres of property in favor of the Clark County School District for the purpose of constructing a middle school by the same.

RECOMMENDATION:

The Real Estate Committee of 11/2/99 and staff recommend approval.

BACKUP DOCUMENTATION:

1. Memorandum of Understanding.
2. Site map.

MOTION:

BROWN - ABEYANCE to 11/17/99 - UNANIMOUS

11/17/99 Agenda

MINUTES:

COUNCILMAN BROWN stated that the City is being asked to relinquish their interest in 20 acres of land for the potential site for a junior high school. Clark County Commissioner Malone and the School District have been working with the neighborhood. He also noted that he was asked to research why some residents in the neighborhood adjacent to the site were not notified.

NOTE: COUNCILMAN BROWN directed staff to contact Commissioner Malone's Office to clarify the mailing notification process.

There was no further discussion.

(10:01 - 10:03)

1-1844

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) has been created to confirm in writing an understanding between the City of Las Vegas (City), and Clark County School District.

The City currently has a lease issued for 20 acres of Bureau of Land Management (BLM) property located in the vicinity of Ann Road and Campbell.

It is the intent of the City to relinquish this 20 acres of Property in favor of the Clark County School District for the purpose of constructing a middle school by the same. To accomplish this goal, Clark County School District agrees that the City's letter of relinquishment shall be subject to the following conditions:

1. Clark County School District agrees to relinquish the BLM lease or lease application and such lease or lease application shall revert back to the City should Clark County School District fail to receive approval by the BLM for the construction of the school.
2. If approval of the new plan of development is granted by the BLM to the Clark County School District, the lease will revert back to the City if the Clark County School District fails to begin construction of the school one year from the date of BLM's approval of the City's letter of relinquishment and other supporting documentation.
3. Clark County School District agrees to request annexation of this Property into the incorporated area of the City of Las Vegas as soon as the Property can be legally annexed in accordance with NRS Chapter 268.

By signature of this Memorandum of Understanding, we mutually agree to the above documentation. It is understood by both parties that this document will be presented as back-up documentation to the BLM letter of relinquishment process, which will be presented for approval to the Mayor and City Council.

City of Las Vegas

Clark County

David Board, Manager Date
Virginia Valentine, City Manager

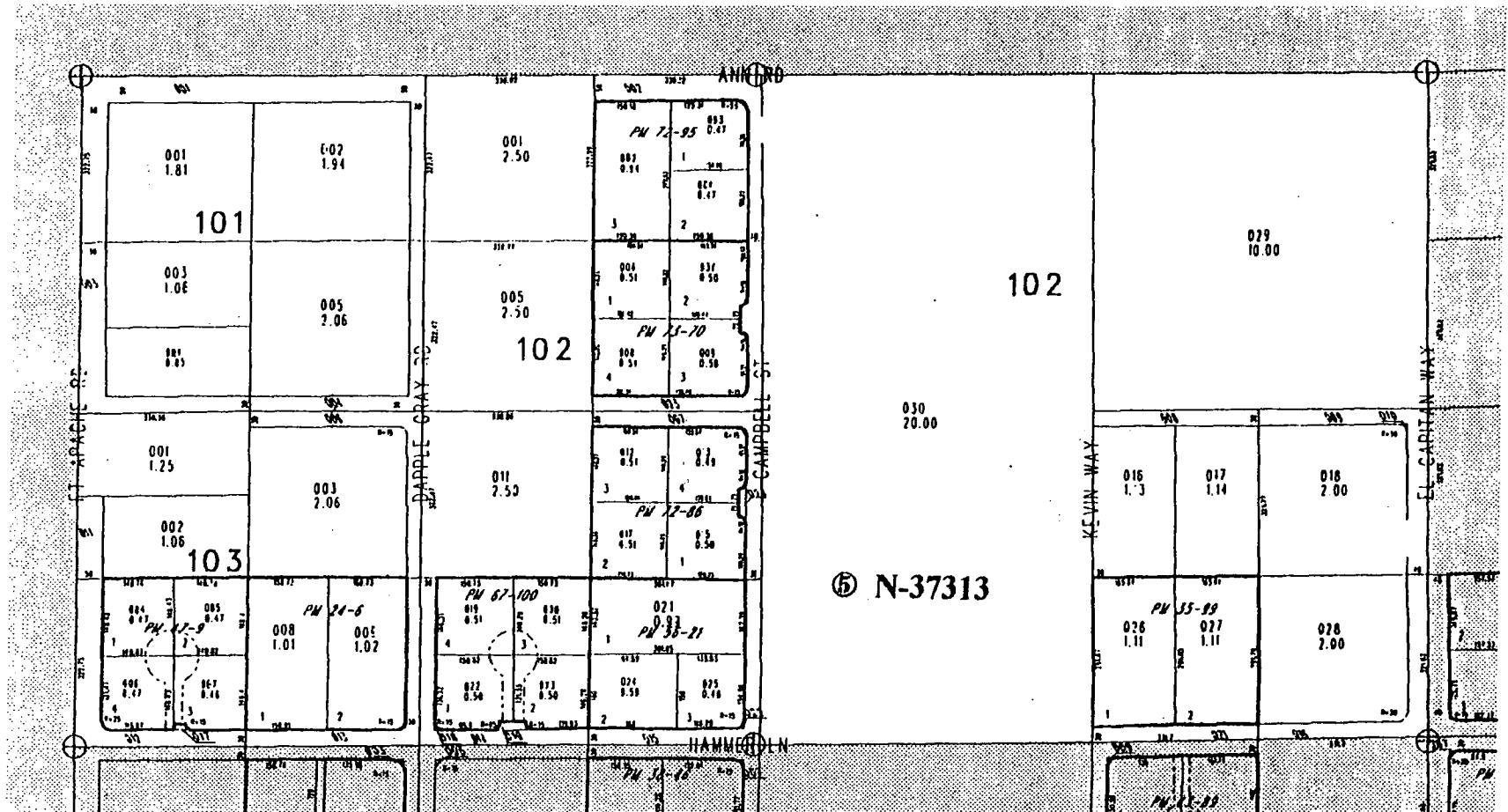
Patrick Herron, Assistant Superintendent
Facilities Division, Date
10/21/99

ATTEST:

BARBARA JO RONEHUS, City Clerk
Approved as to form.

J. P. Howell 10/22/99
Date

NOTES	This map is for assessment use only and does not represent a survey. No liability is assumed for the accuracy of the data delineated herein. Information on roads and other non-assessed parcels may be obtained from the Road Document Listing in the Assessor's Office. This map is compiled from official records, including surveys and deeds but only contains the information required for assessment. See the recorded documents for more detailed legal information.		ASSESSOR'S PARCELS - CLARK CO., NV. M. W. Schofield, Assessor		T19S R60E 32 N 2 NW 4 125-32-1		
	AVERAGE GRA VALUE 45		PARCEL BOUNDARY SUBD BOUNDARY ROAD (EASEMENT) PM/D BOUNDARY NON-PARCEL LOT LINE MATCH LINE ROAD ID NUMBER		001 1.00 202 PM 22-15 5 5 CL5		PARCEL NUMBER ACREAGE PARCEL SUB/SEO NUMBER PLAT RECORDING NUMBER BLOCK NUMBER LOT NUMBER GOV. LOT NUMBER
	MAP LEGEND		001 1.00 202 PM 22-15 5 5 CL5		001 1.00 202 PM 22-15 5 5 CL5		
	MAP LEGEND		001 1.00 202 PM 22-15 5 5 CL5		001 1.00 202 PM 22-15 5 5 CL5		



TAX DIST 125

City of Las Vegas

Agenda Item No.: 56

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:****Bill No. 99-57 – Levies Assessment re: Special Improvement District No. 1466 (Huntridge Phase III). Sponsored by: Step Requirement****Fiscal Impact**

☒ No Impact	Amount: \$56,220.43
☐ Budget Funds Available	Dept./Division:
☐ 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)

Committee: Councilmen Michael McDonald and Larry Brown; First Reading - 10/6/99; First Publication - 10/22/99**RECOMMENDATION:****ADOPTION at 11/3/99 City Council meeting pursuant to 10/18/99 Recommending Committee****BACKUP DOCUMENTATION:****Bill No. 99-57****MOTION:****M. McDONALD - Second reading and BILL ADOPTED as Ordinance No. 5178 - UNANIMOUS****Clerk to proceed with second publication.****MINUTES:****There was no discussion.****(10:03 - 10:04)****1-1925**

City of Las Vegas

Agenda Item No.: 57

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:****RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:**

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☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**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.

Committee: Councilmen Michael McDonald and Larry Brown; **First Reading -** 10/6/99; **First Publication -** 10/22/99

RECOMMENDATION:

ADOPTION at 11/3/99 City Council meeting pursuant to 10/18/99 Recommending Committee

BACKUP DOCUMENTATION:

Bill No. 99-58 and Location Map

MOTION:

M. McDONALD - Second reading and BILL ADOPTED as Ordinance No. 5179 - UNANIMOUS

Clerk to proceed with second publication.

MINUTES:

There was no discussion.

(10:04 - 10:06)

1-1986

City of Las Vegas

Agenda Item No.: 58

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:**

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☒ **x****No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**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.

Committee: Councilmen Michael McDonald and Larry Brown; First Reading - 10/6/99; First Publication - 10/22/99

RECOMMENDATION:

ADOPTION at 11/3/99 City Council meeting pursuant to 10/18/99 Recommending Committee

BACKUP DOCUMENTATION:

Bill No. 99-59 and Location Map

MOTION:

M. McDONALD - Second reading and BILL ADOPTED as Ordinance No. 5180 - UNANIMOUS

Clerk to proceed with second publication.

MINUTES:

There was no discussion.

(10:06)

1-2031

City of Las Vegas

Agenda Item No.: 59

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 3, 1999

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**
☐ **CONSENT**
☒ **DISCUSSION**
SUBJECT:**RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:**

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

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ 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.

Committee: Councilmen Michael McDonald and Larry Brown; First Reading - 10/6/99; First Publication - 10/22/99

RECOMMENDATION:

ADOPTION at 11/3/99 City Council meeting pursuant to 10/18/99 Recommending Committee

BACKUP DOCUMENTATION:

Bill No. 99-60

MOTION:

M. McDONALD - Second reading and **BILL ADOPTED** as Ordinance No. 5181 - **UNANIMOUS**

Clerk to proceed with second publication.

MINUTES:

There was no discussion.

(10:06 - 10:08)

1-2073

City of Las Vegas

Agenda Item No.: 60

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:**

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

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ 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.

Committee: Councilmen Michael McDonald and Larry Brown; First Reading - 10/6/99; First Publication - 10/22/99

RECOMMENDATION:

ADOPTION at 11/3/99 City Council meeting pursuant to 10/18/99 Recommending Committee

BACKUP DOCUMENTATION:

Bill No. 99-61

MOTION:

M. McDONALD - Second reading and **BILL ADOPTED** as Ordinance No. 5182 - **UNANIMOUS**

Clerk to proceed with second publication.

MINUTES:

COUNCILMAN MCDONALD stated that this mixed-use development will be restricted to the downtown area. Requests must come before the City Council for a Special Use Permit so if there are any concerns, the request can be petitioned.

(10:08 - 10:10)

1-2124

City of Las Vegas

Agenda Item No.: 61

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:****RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING****Bill No. 99-19 - Creates District re: Special Improvement District No. 1470 - Buffalo Drive (Cheyenne Avenue to Lone Mountain Road) and Craig Road (U.S. 95 to Buffalo Drive)****Fiscal Impact**☒**No Impact****Amount: \$1,110,520.00**☐**Budget Funds Available****Dept./Division: N/A**☐**Augmentation Required****Funding Source: Special Assessments****PURPOSE/BACKGROUND:**

The installation of pavement, curb, gutter, sidewalk, driveways, streetlights, water laterals, water mains, sewer laterals, and sewer main.

Committee: Councilmen M. McDonald and Brown; First Reading - 4/12/99; First Publication -

RECOMMENDATION:

ADOPTION at 5/10/99 City Council meeting pursuant to 4/19/99 Recommending Committee

BACKUP DOCUMENTATION:**MOTION:**

None required.

MINUTES:

Recommendation noted.

11/17/99 Council meeting

City of Las Vegas

Agenda Item No.: 62

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:****NEW BILL:**

Bill No. 99-62 – Eliminates the ability to obtain a waiver of the minimum 400-foot distance requirements applicable to a liquor establishment (off-premise consumption). Sponsored by: Councilman Gary Reese

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The Zoning Code currently allows the City Council to waive the requirement for establishments licensed to sell liquor for off-premise consumption (i.e., those selling beer/wine/coolers and packaged liquors) to be located more than 400 feet from churches, schools, parks and certain child care facilities. This bill will eliminate the availability of that waiver.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 99-62.

MOTION:

None required.

MINUTES:

First Reading - Referred - COUNCILMEN BROWN and M. McDONALD

11/15/99 Recommending Committee

11/17/99 City Council

(10:10 - 10:13)

1-2242

City of Las Vegas

Agenda Item No.: 63

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:****NEW BILL:**

Bill No. 99-63 – Amends the Zoning Code to set forth the circumstances in which child care group homes are permitted in the R-CL and R-PD zoning districts. Sponsored by: Councilman Larry Brown

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This bill will allow child care-group homes in the R-CL zoning district by means of special use permit, and will establish minimum standards for those uses in any district. Additionally, the bill will specifically allow such uses to be approved in an R-PD district, as well as any other type of use or development that is allowed in a similar standard residential district. The bill also includes minor technical amendments deemed necessary for the sake of consistency and clarification.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 99-63.

MOTION:

None required.

MINUTES:

First Reading - Referred - COUNCILMEN BROWN and M. McDONALD

11/15/99 Recommending Committee

11/17/99 City Council

(10:10 - 10:13)

1-2242

City of Las Vegas

Agenda Item No.: 64

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 3, 1999

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:****NEW BILL:**

Bill No. 99-64 – Annexation No. A-42-99(A) - Property Located: At the northeast corner of Gilmore Avenue and Tee Pee Lane; Petitioned by: Clark County School District; Acreage: Approximately 10.31 acres; Zoned: R-E (County Zoning), U (ML) (City Equivalent).
 Sponsored by: Councilman Larry Brown

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property located at the northeast corner of Gilmore Avenue and Tee Pee Lane. 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 (December 10, 1999) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 99-64 and Location Map.

MOTION:

None required.

MINUTES:

First Reading - Referred - COUNCILMEN BROWN and M. McDONALD

11/15/99 Recommending Committee

11/17/99 City Council

(10:10 - 10:13)

1-2242

THE MORNING SESSION RECESSED AT 10:13 A.M.

City of Las Vegas

Agenda Item No.: 65

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: CITY CLERK****DIRECTOR: BARBARA JO (RONI) RONEMUS** ☐ **CONSENT** ☐ **DISCUSSION****SUBJECT:**

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

MOTION:

No action taken.

MINUTES:

There was no discussion.

(1:09 - 1:11)

2-1

City of Las Vegas

Agenda Item No.: 66

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: NOVEMBER 03, 1999****DEPARTMENT: NEIGHBORHOOD SERVICES****DIRECTOR: SHARON SEGERBLOM**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Public Hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 1712 Ryan Ave. PROPERTY OWNER: CHASE MORTGAGE COMPANY

Fiscal Impact☐**No Impact****Amount: \$1,552.50**☒**Budget Funds Available****Dept./Division: Neighborhood Services/Response**☐**Augmentation Required****Funding Source: General Fund****PURPOSE/BACKGROUND:**

The subject property was a vacant, unsecured building with trash and debris on the property. The condition of the property was a source of concern to the public and the Fire and Police Departments because of the hazardous conditions. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, the Department of Neighborhood Services hired Spray Systems Environmental to abate the problem.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$1552.50 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treas.

BACKUP DOCUMENTATION:

Attached for your information are the following:

1. Location map
2. Report of Expenses
3. Notice of Public Hearing
4. Chronological List of Events
5. Copy of the Notice and Claim of Lien

MOTION:

REESE - APPROVED the action of Neighborhood Services - UNANIMOUS

*City of Las Vegas***Agenda Item No.: 66**

CITY COUNCIL MEETING OF NOVEMBER 3, 1999
ITEM 66 - 1712 RYAN AVENUE

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

The proprietor was not present.

DAVID SEMENZA, Code Enforcement, Department of Neighborhood Services, presented a videotape of the subject property and explained that it contained a vacant, unsecured building with trash and debris which was a source of concern to the public and the Fire and Police Departments because of the hazardous conditions. The property was declared in violation and legal notification was started. When no corrective action was taken nor an appeal filed, the Department of Neighborhood Services hired Spray Systems Environmental to abate the problem. He recommended the City Council approve the report of expenses, in the amount of \$1,552.50, and that the Notice and Lien of Assessment be filed and recorded with the County Treasurer against the property.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(1:11 - 1:13)

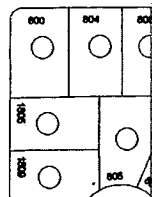
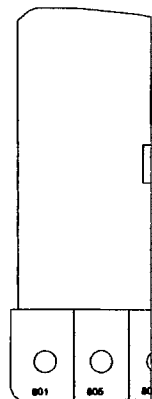
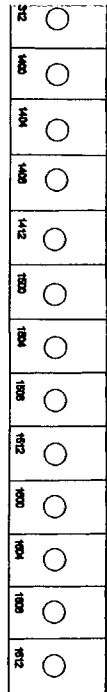
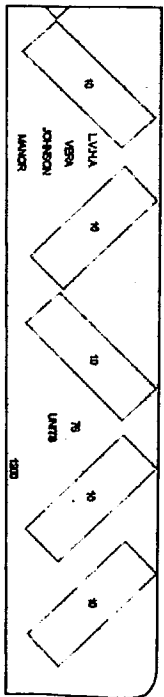
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*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: NOVEMBER 3, 1999****DEPARTMENT: Neighborhood Services****ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 1712 Ryan Ave.****PROPERTY OWNER: CHASE MORTGAGE COMPANY**

Work was completed by Spray Systems Environmental on August 31, 1999, at a cost of \$1,350.00 plus a 15% administrative fee for a total of \$1,552.50.

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the "Uniform Code for the Abatement of Dangerous Buildings", the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.



MC WILLIAMS AVE

MC WILLIAMS AVE

MARGARET AVE

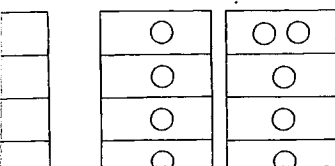
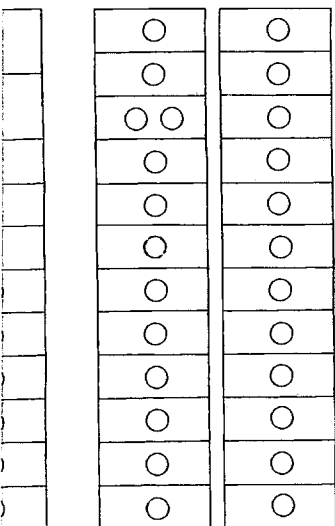
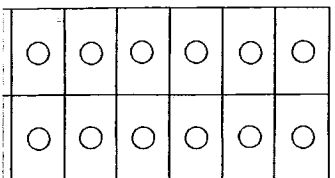
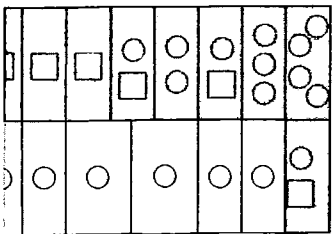
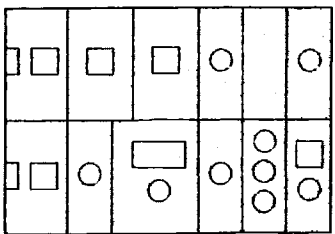
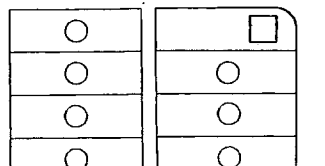
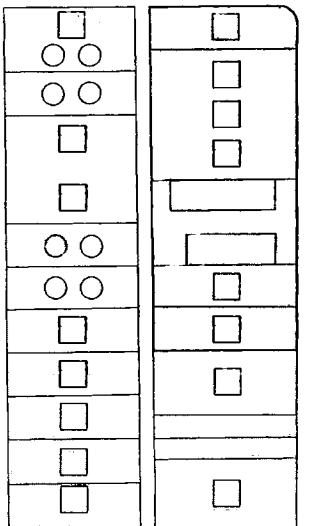
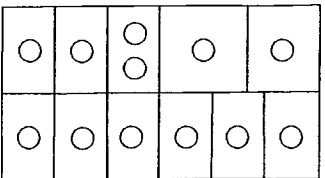
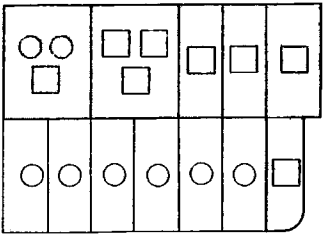
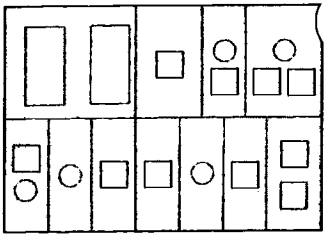
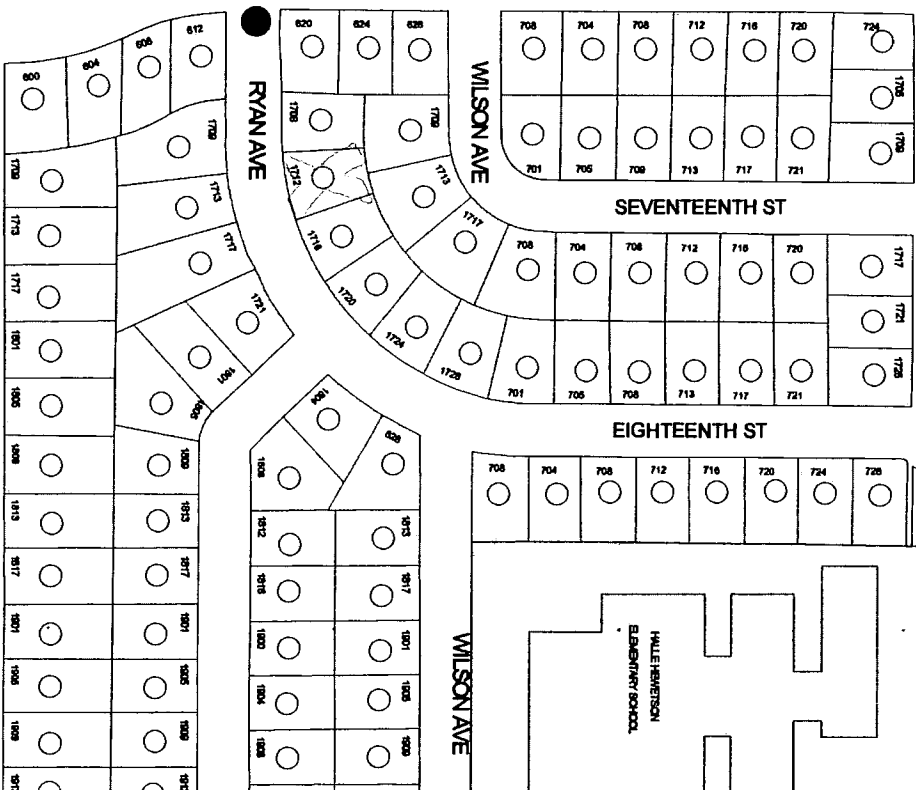
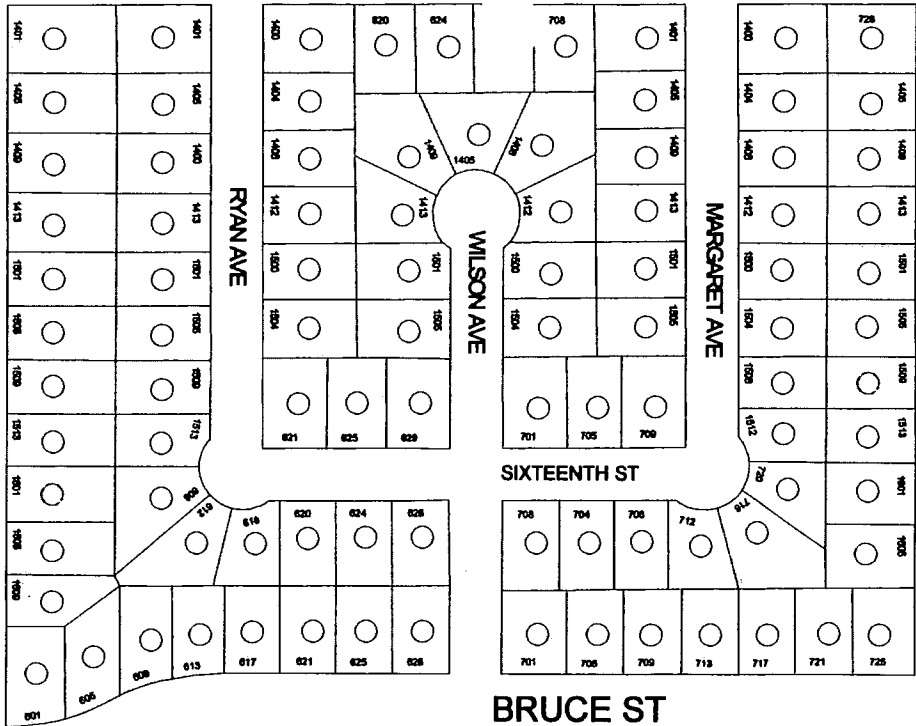
SIXTEENTH ST

BRUCE ST

SEVENTEENTH ST

EIGHTEENTH ST

WILSON AVE



Memorandum

City of Las Vegas Neighborhood Services Department

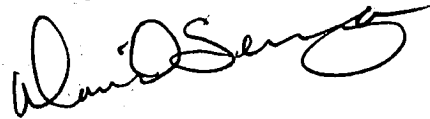
To: Barbara Jo Ronemus, City Clerk

From: David Semenza, Manager - Neighborhood Response Division

CC: File

Date: October 6, 1999

Re: Report of Expenses for the abatement of dangerous building located at 1712 Ryan Ave



After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Dangerous Building abatement", the Department of Neighborhood Services caused the boarding of vacant building and removal of all litter and debris from the above-referenced property.

Work was completed on August 31, 1999, by Spray Systems Environmental at a cost of \$1,350.00 and was accepted by the Department of Neighborhood Services.

Contract Amount	\$ 1,350.00
AMOUNT DUE	\$ 1,350.00
Administrative processing fee	<u>202.50</u>
TOTAL AMOUNT DUE	\$ 1,552.50

OWNER OF RECORD: CHASE MORTGAGE COMPANY

PROPERTY ABATED: 1712 RYAN AVE

ASSESSOR'S PARCEL: 139-26-810-096

LEGAL DESCRIPTION: GREATER LAS VEGAS ADD TRACT 2
PLAT BOOK 4 PAGE 87
LOT 147 BLOCK 14

DS:yl



MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
MICHAEL J. McDONALD
(MAYOR PRO-TEM)
GARY REESE
LARRY BROWN
LYNETTE B. McDONALD

CITY MANAGER
VIRGINIA VALENTINE

NOTICE OF PUBLIC HEARING NOVEMBER 3, 1999

Pursuant to Section 302 of the Uniform Code for the Abatement of Dangerous Buildings, adopted as Section 16.08.010 of the Las Vegas Municipal Code. NOTICE IS HEREBY GIVEN THAT ON **Wednesday, November 3, 1999** at the hour of **1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following **REPORT OF EXPENSES** submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

Abatement of the dangerous building by boarding the building and removing all litter, trash and debris on property located at **1712 RYAN AVENUE** legally described as **GREATER LAS VEGAS ADD TRACT 2, PLAT BOOK 4 PAGE 87, LOT 147, BLOCK 14**. Owner of record at time of abatement: **CHASE MORTGAGE COMPANY**

The Director of Neighborhood Services certifies in the report that the sum of \$1,552.50 was expended (\$1,350.00 to Spray Systems Environmental for boarding the building and cleaning the property and \$202.50 Administrative Processing Fee).

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

BARBARA JO RONEMUS
CITY CLERK

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.ci.las-vegas.nv.us

Complaint 070899-328 1712 RYAN AVE

VACANT HOUSE - POOL - GATES UNLOCKED

Dangerous Building: Vacant Building

Taken By: LD

>> 1 Open This is 5 of 5.

Ward 3 1- 2326-95
Area 3

Parcel: 139 26 810 096

CHASE MORTGAGE COMPANY
%CHASE MANHATTAN MTGE CORPComplainant: UNK
Respond To:3415 VISION DR
COLUMBUS OH 43219-6009
GREATER LAS VEGAS ADD TRACT 2
PLAT BOOK 4 PAGE 87
LOT 147 BLOCK 14Phone:
Owner: CHASE MORTGAGE COMPANY

Spl. Project:

Abatement YES

07-09-99 SHE CALLED AND DEMAND SOMEONE TO PUMP THE POOL TODAY - I
TOLD HER WE WERE VERY BUSY AND OUR PEOPLE WAS STUCK AS WELL
- AS SOON AS WE CAN WILL HAVE RRT TO REMOVE THE WATER FROM
THE POOL - SHE WANTS SOMEONE TO CALL HER - YVONNE AT
384-2789
TL) I WILL MAKE A COPY FOR (R.R.T. TO REMOVE THE WATER FROM
POOL)

07-13-99 18) DRAINED POOL & SECURED GATES CLOSE

07-20-99 NJA) COMPLAINANT CALLED COUNCILMAN REESE WHO CALLED SHARON.
PLEASE REINSPECT PROPERTY. CLAIMS HOUSE IS OPEN AND
VAGRANTS UTILIZING ITS SHELTER.
TL) SENT 10-DAY DANG/BLDG LETTER TO MORTGAGE CO., -
POST 7/23 - CB 8/2-

07-22-99 22) N&O POSTED. C/B 8/2.

07-23-99 TL) ALSO FAX BIDS TO CONTRACTORS - DUE BACK ON JULY 28

07-26-99 TL) RED'D BID FROM K.O. CONSTRUCTION IN THE AMOUNT OF:
\$1,590.00

07-27-99 TL) REC'D BID FROM WEAVER CONSTRUCTION IN THE AMOUNT OF:
\$2,012.00

07-28-99 TL) REC'D BID FROM SPRAY SYSTEMS IN THE AMOUNT OF: \$1,350.00
AND TL) REC'D 10-DAY DANG/BLDG CERT/CARD SIGNED FROM CHASE
MANHATTAN MORTGAGE - SIGNED

08-06-99 DS) BEFORE VIDEO DONE TODAY.
TL) PER DAVID SEMENZA, MANAGER - GO AHEAD AND START
ABATEMENT PROCESS - CONTACT LOW BID CONTRACTOR -

08-09-99 TL) CALLED LAURA ADAMS, W/SPRAY SYSTEMS TO LET HER KNOW
THEY'RE THE LOW BID FOR THIS JOB - SHE WILL GET BACK TO BE
WITH A DATE - TO SEND AWARD LETTER -

08-10-99 TL) LAURA W/SPRAY SYSTEMS CALLED ME TODAY - THEY WILL START
ABATEMENT ON AUGUST 16, 1999 - FAX AWARD LETTER
PROPERTY STILL OWN BY CHASE MORTGAGE CO.,

08-23-99 TL) SPOKE TO LAURA ADAMS, TO CHECK AND SEE IF PROPERTY IS

Complaint 070899-328 continued

Page 2

BEEN DONE - SHE SAID YES - IT WAS DONE SOMETIME NEXT WEEK - SHE TOLD ME TO SPEAK W/DAVID WOOD, I SPOKE W/DAVID AND SAID THE SAME THING - I EXPLAIN TO HIM HOW IT WORKS, HE NEEDS TO CALL US RIGHT AWAY - BECAUSE OF THE FINAL VIDEO - HE UNDERSTOOD AND SAID HE WILL GET BACK TO ME TOMORROW - TL) GAVE JIM H. PAPERWORK FOR FINAL V I D E O - JIM H. HAS FILE

08-24-99 LD) FINAL VIDEO DONE BY JIM HUNTER
NOTE WAITING FOR INVOICE FROM CONTRACTOR

09-07-99 TL) REC'D INVOICE FROM SPRAY SYSTMES ENV. - FOR THE AMOUNT OF: \$1,350.00 - I WILL GIVE FILE TO YVETTE TO PROCESS FOR PAYMENT AND FOR AGENDA ITEM -

09-15-99 YL) PAID INVOICE THROUGH ORACLE SYSTEM

10-08-99 YL) LETTER AND REPORT OF EXPENSES SENT TO OWNER

10-20-99 YL) SET DATE FOR PUBLIC HEARING

11-03-99 YL) PUBLIC HEARING TO APPROVE REPORT OF EXPENSES IN THE AMOUNT OF \$1,552.50

070899-328

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: CHASE MORTGAGE COMPANY

(Reputed Owner(s)) At time of abatement.

On August 31, 1999, as provided in the Municipal Code, Title 9, Chapter 12, the City of Las Vegas caused the abatement of nuisance/litter on the following property after due notification.

Assessor's Parcel No.: 139-26-810-096
 Commonly known as: 1712 RYAN AVENUE
 Legal Description: GREATER LAS VEGAS ADD TRACT 2
 PLAT BOOK 4 PAGE 87
 LOT 147 BLOCK 14

Expenses in the amount of \$1,552.50 were incurred by the City of Las Vegas in the above dangerous condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on November 3, 1999, ordered the above charges in the amount of \$1,552.50, assessed against the property by means of a Lien of Assessment, such lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment which remains unpaid after 30 days from the date of the recording thereof on the assessment roll shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date.

This lien shall continue until the assessment which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.


 BARBARA JO RONEMUS
 400 Stewart Avenue
 Las Vegas, NV 89101
 Telephone: (702) 229-6311

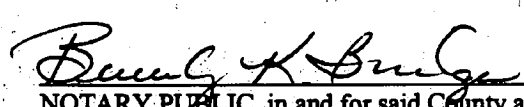
STATE OF NEVADA)

COUNTY OF CLARK)

BARBARA JO RONEMUS, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated therein are true of her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.


 BARBARA JO RONEMUS
 CITY CLERK

SUBSCRIBED and SWORN to before me
 this 5th day of November, 1999


 NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:

CITY OF LAS VEGAS
 DEPARTMENT OF NEIGHBORHOOD RESPONSE
 400 STEWART AVENUE
 LAS VEGAS, NV 89101

City of Las Vegas

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 1999

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: WILLARD TIM CHOW

☐

CONSENT

☐

DISCUSSION

PLANNING & DEVELOPMENT DEPARTMENT PM SESSION INDEX:

DISCUSSION/ACTION ITEMS

- TIME CERTAIN - 1:00 P.M. - SPECIAL USE PERMIT - PUBLIC HEARING
- 67 ABEYANCE ITEM - U-80-99 - YMCA on behalf of Sprint Spectrum, Limited Partnership
- TIME CERTAIN - 1:00 P.M. - VARIANCE RELATED TO U-80-99 - PUBLIC HEARING
- 68 ABEYANCE ITEM - V-65-99 - YMCA on behalf of Sprint Spectrum, Limited Partnership
- REZONING - PUBLIC HEARING
- 69 ABEYANCE ITEM - Z-53-99 - Tomoo Okada Family Trust and Tomoo Okada Revocable Trust on behalf of Tech Plaza, Limited Liability Company
- TENTATIVE MAP - WASHINGTON DEVELOPMENT
- 70 TM-42-99 - Washington Development Limited Liability Company
- REVIEW OF CONDITION
- 71 Z-17-99(1) - Prairie Rose Park, Limited Liability Company
- SITE DEVELOPMENT PLAN REVIEW
- 72 Z-100-64(169) - City of Las Vegas Redevelopment Agency
- REVIEW OF CONDITION - PUBLIC HEARING
- 73 Z-73-98(1) - J. W. M. Investments, Inc.
- 74 Z-23-99(1) - J. W. M. Investments, Inc.
- SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING
- 75 Z-49-99 - PSA Land Investments, Limited Liability Company
- 76 Z-49-99(1) - PSA Land Investments, Limited Liability Company

City of Las Vegas

CITY COUNCIL MEETING OF NOVEMBER 3, 1999

PLANNING & DEVELOPMENT - Page Two

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VACATION - PUBLIC HEARING

- 77 **VAC-40-99** - Maryland Villas, Limited Liability Company
- 78 **VAC-41-99** - Neville and Esther Pokroy Trust
- 79 **VAC-42-99** - Roman Catholic Bishop of Southern Nevada and Al Murray

VARIANCE - PUBLIC HEARING

- 80 **ABEYANCE ITEM - V-69-99** - Horst Schmidt
- 81 **ABEYANCE ITEM - V-78-99** - Clark County

FIVE YEAR REQUIRED REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING

- 82 **ABEYANCE ITEM - U-55-89(2)** - James McCall and Geraldine Silva
- 83 **U-179-94(1)** - Howard Hughes Properties, Limited Partnership

SPECIAL USE PERMIT - PUBLIC HEARING

- 84 **U-90-99** - Maryland Villas, Limited Liability Company
- 85 **U-95-99** - Howard Hughes Corporation on behalf of Ruby Tuesday's
- 86 **U-97-99** - MVR Corporation

REZONING - PUBLIC HEARING

- 87 **ABEYANCE ITEM - Z-47-99** - Teton Investments
- 88 **ABEYANCE ITEM - Z-92-98(2)** - Ray Bailey
- 89 **Z-54-99** - Community Development Programs Center of Nevada

City of Las Vegas

Agenda Item No.: 67

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 3, 1999

DEPARTMENT: PLANNING AND DEVELOPMENT

DIRECTOR: WILLARD TIM CHOW

☐

CONSENT

☒

DISCUSSION

SUBJECT:

TIME CERTAIN - 1:00 P.M.:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - U-80-99 - YMCA ON BEHALF OF SPRINT SPECTRUM, LIMITED PARTNERSHIP - Request for a Special Use Permit on property located at 4141 Meadows Lane FOR A 75 FOOT HIGH CELLULAR TOWER, C-1 (Limited Commercial) Zone, Ward 1 (McDonald), APN: 139-31-601-001. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

PROTESTS BEFORE:

Planning Commission

0

Board of Zoning Adjustment

City Council

APPROVALS BEFORE:

Planning Commission

0

Board of Zoning Adjustment

City Council

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

M. McDONALD - APPROVED subject to conditions and added Condition No. 9 that the applicant shall provide for co-location on this facility to the extent technically feasible - **UNANIMOUS** with L. McDONALD abstaining to avoid any conflict as she was recently nominated to serve on the YMCA Board

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

City of Las Vegas

Agenda Item No.: 67

CITY COUNCIL MEETING OF NOVEMBER 3, 1999
PLANNING & DEVELOPMENT
Item 67 - U-80-99

MINUTES - Continued:

COUNCILWOMAN McDONALD indicated that she would be abstaining on Items 67 and 68, as she was recently nominated to serve on the YMCA Board. COUNCILMEN BROWN and McDONALD disclosed that they serve on a YMCA Advisory Committee in the Northwest but did not feel that would impede their objectivity on the matter and would be voting. COUNCILMAN McDONALD noted that he confirmed with City Attorney staff that he could vote.

ATTORNEY BILL CURRAN, Curran & Perry, 601 South Rancho, appeared representing Sprint Spectrum, Limited Partnership, and was accompanied by CHRIS WENER, Spectrum Engineering, 3002 Rigel. ATTORNEY CURRAN indicated that the subject location is the culmination of a two-year effort to establish cellular service in the area, which was being held back by the City of Las Vegas due to its policy of co-location on existing cellular towers. Sprint Spectrum fully supports co-location; however, as it was confirmed by City staff, the Water District is not currently providing access to cellular companies because it is not feasible. There is also a second issue regarding residential adjacency standards. He noted that contact was made with the surrounding neighborhood which had no opposition, and that PAT RITTER, Assistant Director, YMCA, was in the audience to answer any questions.

MR. WENER stated that one of the original concerns of staff was the distance of the residential adjacency setback. Referring to a drawing, he explained that the tower is located on the south end of the building. From the center of the tower to the property line is 148 feet. The initial 75-foot height of the tower was reduced to 55 feet in an effort to comply with the residential adjacency setbacks after consideration by the Board of Zoning Adjustment and the Planning Commission. The tower is now only 17 feet out of compliance. In order to further minimize the impact of the pole, the traditional pole with arrays was replaced with a slim-line pole which is uniform the entire length so that nothing protrudes from it.

Although COUNCILMAN McDONALD was concerned about possibly setting a precedent, he supported the application stating that it involves difficult circumstances and the applicant has worked diligently with the neighborhood and the YMCA members. DEPUTY CITY ATTORNEY STEVE GEORGE indicated that the Las Vegas Municipal Code provides that the issuance of a Variance or a Special Use Permit does not set a precedent and that each case is considered independently on its own merits.

DAVID PETROVICH, Current Planning Supervisor, Planning and Development Department, interjected that given that the Water District is looking into removing towers from its site, that the application is for a Special Use Permit, and that the 55-foot height exceeds the 45-foot CITY

City of Las Vegas

Agenda Item No.: 67

COUNCIL MEETING OF NOVEMBER 3, 1999
PLANNING & DEVELOPMENT
Item 67 - U-80-99

MINUTES - Continued:

maximum height; the Council may wish to consider an additional condition that would require the ability to co-locate in the future. ATTORNEY CURRAN indicated that Sprint Spectrum would have no objection to such a condition, assuming that the design requirements can be worked out given the limited amount of ground space in the area.

No one appeared in opposition.

There was no further discussion.

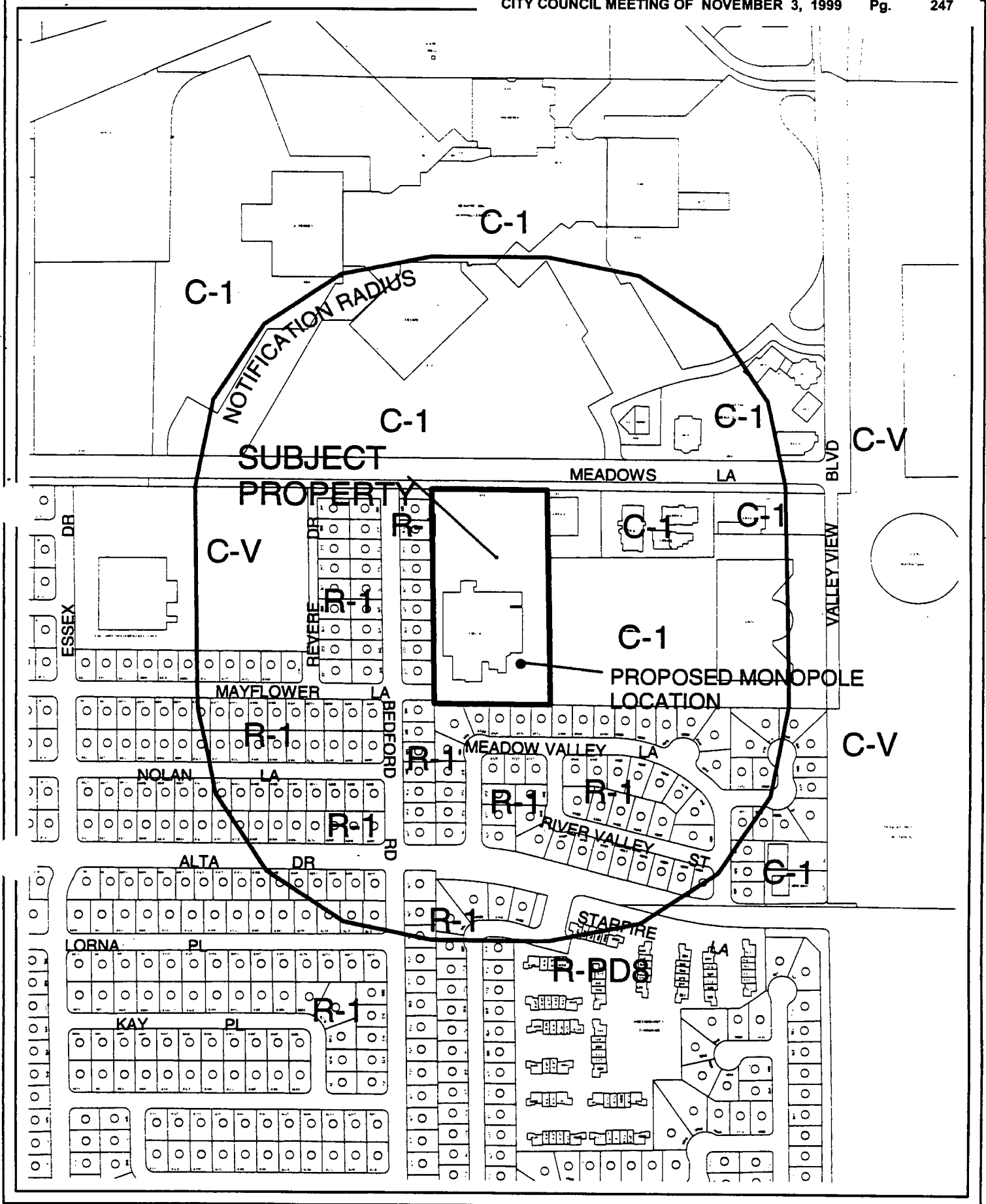
MAYOR GOODMAN declared the Public Hearing closed.

(1:13 - 1:21)

1-117

CONDITIONS:

1. The maximum height of the antenna shall be 55 feet.
2. Aesthetically enhance the appearance of the tower, as required by the Planning and Development Department.
3. The tower shall be painted desert tan.
4. The wireless communications tower and equipment pad must be enclosed by a secure six foot high block wall.
5. All damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works.
6. All development shall be in conformance with the site plan and elevation.
7. All City Code requirements and design standards of all City departments must be satisfied.
8. 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.



CASE U-80-99

RADIUS: 750 FT

0 300 600 900 Feet



*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: NOVEMBER 3, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT****ITEM DESCRIPTION: ABEYANCE ITEM - U-80-99 - YMCA on behalf of Spring Spectrum**

THIS ITEM WAS HELD IN ABEYANCE FROM THE OCTOBER 20, 1999 CITY COUNCIL MEETING AT THE REQUEST OF COUNCILMAN McDONALD.

**** CONDITIONS ****

Staff recommends DENIAL.

The Planning Commission (6-0 vote) recommends APPROVAL, subject to:

1. The maximum height of the antenna shall be 55 feet.
2. Aesthetically enhance the appearance of the tower, as required by the Planning and Development Department.
3. The tower shall be painted desert tan.
4. The wireless communications tower and equipment pad must be enclosed by a secure six foot high block wall.
5. All damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works.
6. All development shall be in conformance with the site plan and elevation.
7. All City Code requirements and design standards of all City departments must be satisfied.
8. 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.

U-80-99 - Page Two
November 3, 1999 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST:

This request is for a Special Use Permit on property located at 4141 Meadows Lane for a 75 foot (reduced to 55 foot) high wireless communications tower, in conjunction with an existing recreation center (YMCA) located on the south side of Meadows Lane, west of Valley View Boulevard.

BACKGROUND DATA:

09/07/99 The Board of Zoning Adjustment approved a Variance to allow a 55 foot high monopole 148 feet from a residential property line where the Residential Adjacency Standards require a 165 foot setback. At the hearing the applicant revised the monopole height from 75 feet to 55 feet and revised the antenna placement on the pole. This request will be considered by the City Council on October 20, 1999 (V-65-99) as a companion item to this Special Use Permit application.

DETAILS OF APPLICATION REQUEST:

The applicant proposes to erect a 55 foot high wireless communications tower in a 775 square foot lease area located in the southern portion of the site, adjacent to the southeast corner of the existing YMCA building. Related equipment is proposed to be located on a pad adjacent to the tower within six foot high metal cabinets adjacent to the tower. The entire lease area is proposed to be enclosed by a fence, the height of which is not specified on the site plan.

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	C-1 (Limited Commercial)	Regional Mall
South	R-1 (Single- Family Residential)	Single-Family Dwellings
East	C-1 (Limited Commercial)	Retail/Parking
West	R-1 (Single Family Residential)	Single-Family Dwellings

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November 3, 1999 City Council Meeting

FINDINGS:

Staff is of the opinion that the proposed use is incompatible with the existing adjacent single-family dwellings.

Staff recommends that the applicant investigate the Las Vegas Valley Water District's site, located 900 feet to the east of the subject site, which contains existing monopoles. These monopoles could be utilized for the subject wireless communication antennas, or alternatively the applicant has the option of placing a wireless communications tower on this site. Staff is aware that the applicant has conducted preliminary investigations concerning the utilization of this alternative site. Staff recommends that the applicant proceed with the investigation. Additionally, the possibility of attaching stealth antennas, or a smaller tower, to the Meadows Mall should be investigated.

The telecommunications technology has expanded providing options to the traditional monopole design. Such design enhancements are stealth facilities which are attached to buildings and designed to blend with the architectural features of the building, as well as freestanding facilities that are designed and disguised as artistic structures or trees.

SUMMARY:

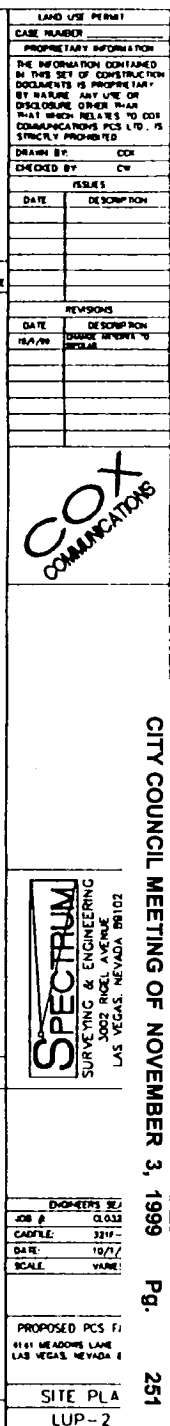
The Board of Zoning Adjustment approved a Variance request to allow a proposed 55 foot high monopole 148 feet from a residential property line where the Residential Adjacency Standards require a 165 foot setback (V-65-99). At the hearing the applicant revised the height of the proposed monopole from 75 feet to 55 feet, thereby reducing the required residential adjacency separation distance from 225 feet to 165 feet.

There are options available to the applicant that would be visually less intrusive, and the possibility of locating at the nearby Las Vegas Valley Water District's site or the Meadows Mall. Therefore staff recommends denial.

NOTICES MAILED: 183 by City Clerk

APPROVALS: 0

PROTESTS: 0





U-80-99 - north side of site looking south (Meadows Lane in foreground)



U-80-99 - east side of site looking southwest to proposed tower location at back of YMCA (adjacent residential seen at left)

City of Las Vegas

Agenda Item No.: 68

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: NOVEMBER 3, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:****TIME CERTAIN - 1:00 P.M.:****ABEYANCE ITEM - VARIANCE RELATED TO U-80-99 - PUBLIC HEARING - V-65-99 - YMCA ON BEHALF OF SPRINT SPECTRUM, LIMITED PARTNERSHIP -**

Request for a Variance on property located at 4141 Meadows Lane TO ALLOW A PROPOSED 75 FOOT HIGH MONOPOLE 148 FEET FROM A RESIDENTIAL PROPERTY LINE WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A 225 FOOT SETBACK, C-1 (Limited Commercial) Zone, Ward 1 (McDonald), APN: 139-31-601-001. Staff recommends DENIAL. The Board of Zoning Adjustment (3-0 vote) recommends APPROVAL.

PROTESTS BEFORE:**Planning Commission****Board of Zoning Adjustment****City Council**☐**0**☐**APPROVALS BEFORE:****Planning Commission****Board of Zoning Adjustment****City Council**☐**0**☐**RECOMMENDATION:**

Staff recommends DENIAL. The Board of Zoning Adjustment (3-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

M. McDONALD - APPROVED subject to conditions and the added condition that the applicant shall provide for co-location to the extent technically feasible - **UNANIMOUS** with **L. McDONALD** abstaining to avoid any conflict as she was recently nominated to serve on the YMCA Board

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

City of Las Vegas

Agenda Item No.: 68

CITY COUNCIL MEETING OF NOVEMBER 3, 1999

PLANNING & DEVELOPMENT

Item 68 - V-65-99

MINUTES - Continued:

COUNCILWOMAN McDONALD indicated that she would be abstaining on Items 67 and 68, as she was recently nominated to serve on the YMCA Board. COUNCILMEN BROWN and McDONALD disclosed that they serve on a YMCA Advisory Committee in the Northwest but did not feel that would impede their objectivity on the matter and would be voting. COUNCILMAN McDONALD noted that he confirmed with City Attorney staff that he could vote.

ATTORNEY BILL CURRAN, Curran & Perry, 601 South Rancho, appeared representing Sprint Spectrum, Limited Partnership, and was accompanied by CHRIS WENER, Spectrum Engineering, 3002 Rigel.

No one appeared in opposition.

All discussion was held under related Item No. 67 [U-80-99].

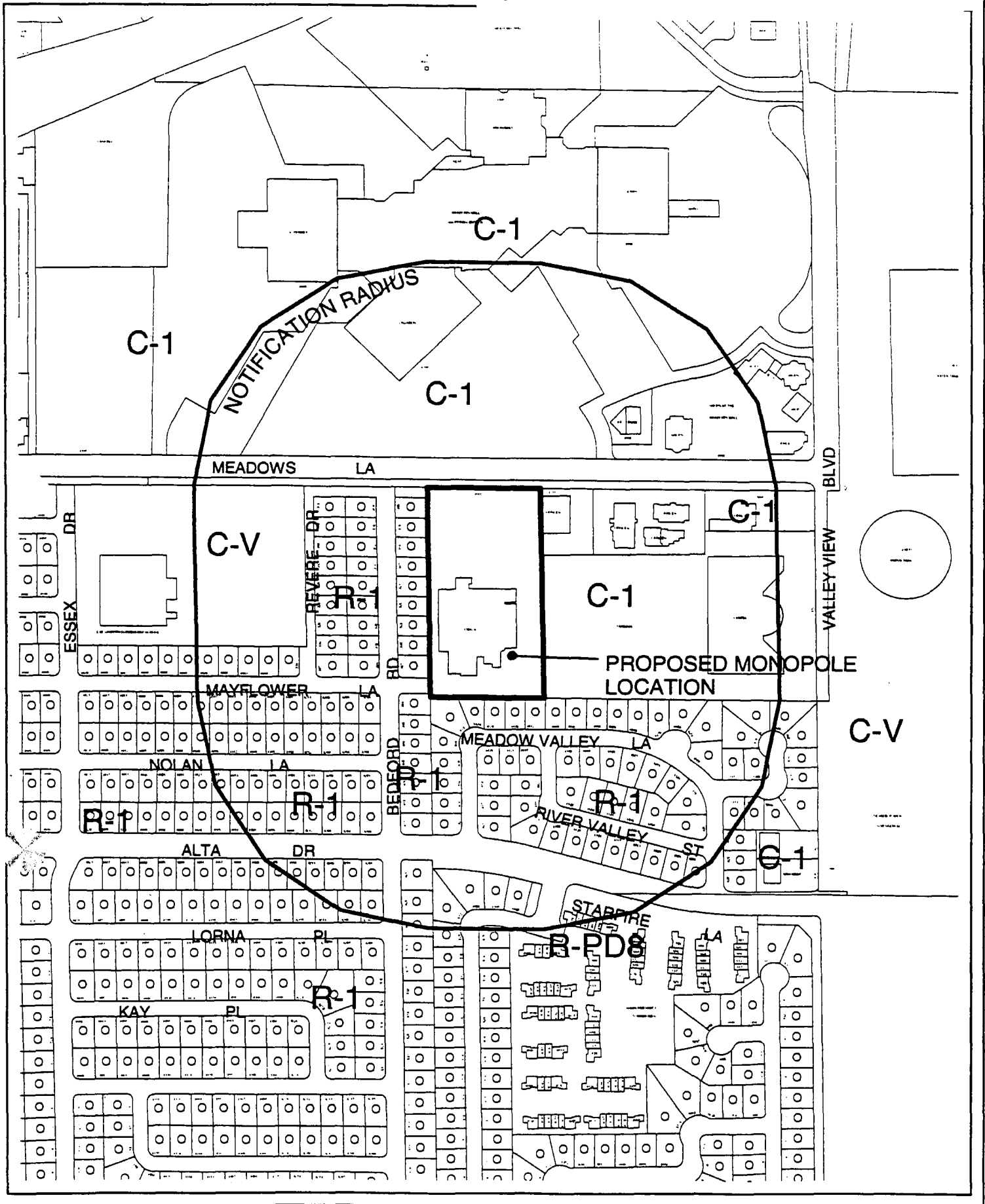
MAYOR GOODMAN declared the Public Hearing closed.

(1:21)

2-117

CONDITIONS:

1. All development must be in conformance with the plot plans and elevations.
2. The pole shall be reduced to 55 feet in height.
3. City Code requirements and design standards of all City Departments which are not affected by approval of this Variance must be satisfied.
4. The Variance approval is subject to the approval of the Special Use Permit (U-80-99) by the City Council. If U-80-99 is not approved, this Variance shall be null and void.
5. No razor or barbed wire is allowed.
6. The pole shall be painted a neutral color.



CASE: V-65-99

RADIUS: 750 FT



*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: NOVEMBER 3, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT****ITEM DESCRIPTION: ABEYANCE ITEM - V-65-99 - YMCA on behalf of Sprint Spectrum, Limited Partnership**

THIS ITEM WAS HELD IN ABEYANCE FROM THE OCTOBER 20, 1999 CITY COUNCIL MEETING AT THE REQUEST OF COUNCILMAN McDONALD.

**** CONDITIONS ****

Staff recommends DENIAL.

The Board of Zoning Adjustment (3-0 vote) recommends APPROVAL, subject to:

1. All development must be in conformance with the plot plans and elevations.
2. The pole shall be reduced to 55 feet in height.
3. City Code requirements and design standards of all City Departments which are not affected by approval of this Variance must be satisfied.
4. The Variance approval is subject to the approval of the Special Use Permit (U-80-99) by the City Council. If U-80-99 is not approved, this Variance shall be null and void.
5. No razor or barbed wire is allowed.
6. The pole shall be painted a neutral color.

V-65-99 - Page Two
November 3, 1999 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST:

This request is for a Variance to allow a proposed 75 foot high (revised to 55 feet) monopole 148 feet from a residential property line where the Residential Adjacency Standards require a 165 foot setback.

The applicant indicates that the Variance is required so that compliance with the stipulations of the FCC license can be achieved, and that this is the only available parcel in the area with an owner interested in leasing an area for the construction of a monopole.

The applicant justified the request as follows:

1. Adequate coverage to PCS customers will be provided; and
2. The granting of the Variance would not be detrimental to the health, safety and general welfare of the public.

BACKGROUND DATA:

08/12/99 The Planning Commission recommended approval of a request for a Special Use Permit to allow a 55 foot tall monopole on the subject site (U-80-99).

SITE DETAILS:

Current Zoning:	C-1 (Limited Commercial)
Existing Land Use:	Community Recreational Facility
Proposed Land Use:	Community Recreational Facility and Monopole

Site Area:	6.02	Acres
Proposed Monopole Height:	55	Feet

City records indicate that the existing community recreational facility was constructed in 1980.

Access to this site is from Meadows Lane, the existing YMCA building is sited on the southern portion of the parcel, with parking to the east and south. The proposed monopole is to be placed near the southeast corner of the existing building, which will partially screen the monopole from view. There is also a 20 foot by 10 foot concrete slab that will house six metal equipment cabinets within the leased area.

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November 3, 1999 City Council Meeting

ANALYSIS:

The applicant is proposing to construct a 55 foot high monopole which would encroach 17 feet into the setback required by the Residential Adjacency Standards. An R-1 zoned existing single-family subdivision is located 148 feet to the south of the proposed monopole. An existing YMCA community recreational facility is adjacent to the proposed location of the monopole.

FINDINGS:

Section 19A.18.070B of the LVMC states:

“B. Scope and Limitations

Pursuant to NRS Chapter 278 and this subchapter, the Board of Zoning Adjustment has the authority to grant Variances as it determines appropriate. However, the Variance process is not available to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature.”

Section 19A.18.070.L. of the LVMC states:

“L. Determinations

1. In order to approve a Variance application, the Board of Zoning Adjustment and, where applicable, the City Council, must determine that the Variance is warranted both under State law and this subchapter. The minimum State law standards are set forth in Subsection 2 below.
2. Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property...or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition...the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a Variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.”

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November 3, 1999 City Council Meeting

The Residential Adjacency Standards of the City of Las Vegas Zoning Code apply to all non-residential properties located adjacent to or in close proximity to residentially zoned building sites. No building in a non-residential district may exceed a height of a line drawn from a residential property line in a residential district at a 3:1 slope directly into the subject non-residential property. Section 19A.04.040, of the Zoning Code, requires that wireless communication towers comply with the Residential Adjacency Standards. Therefore, the proposed 55 foot high monopole must be setback 165 feet from the southern property line, if both the residential property line and the grade of the proposed building are at the same elevation.

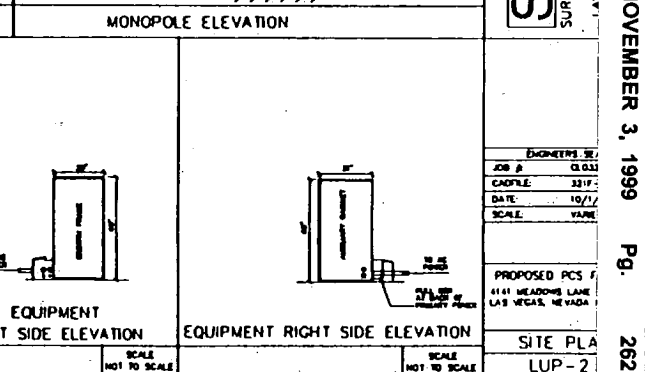
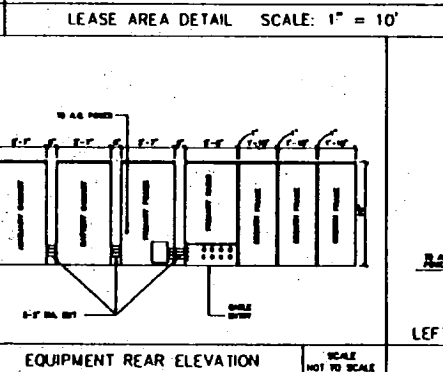
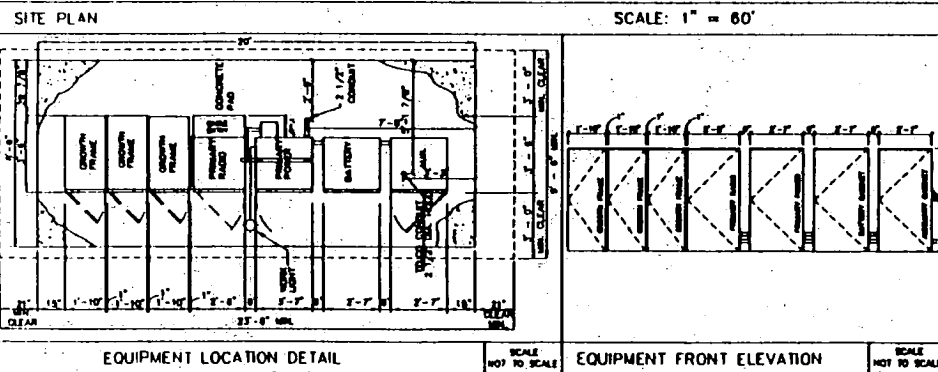
Staff finds that the applicant could erect a Code conforming 55 foot high monopole elsewhere on the site. Specifically, the northern portion of the site is approximately 370 feet wide with Meadows Lane located to the north and commercial uses to the east. The western property line is adjacent to an R-1 zoned single-family development, but the required setback is 145 feet less than the width of the site. Any parking spaces which would be utilized by locating the monopole at this location could be provided in the rear of the site.

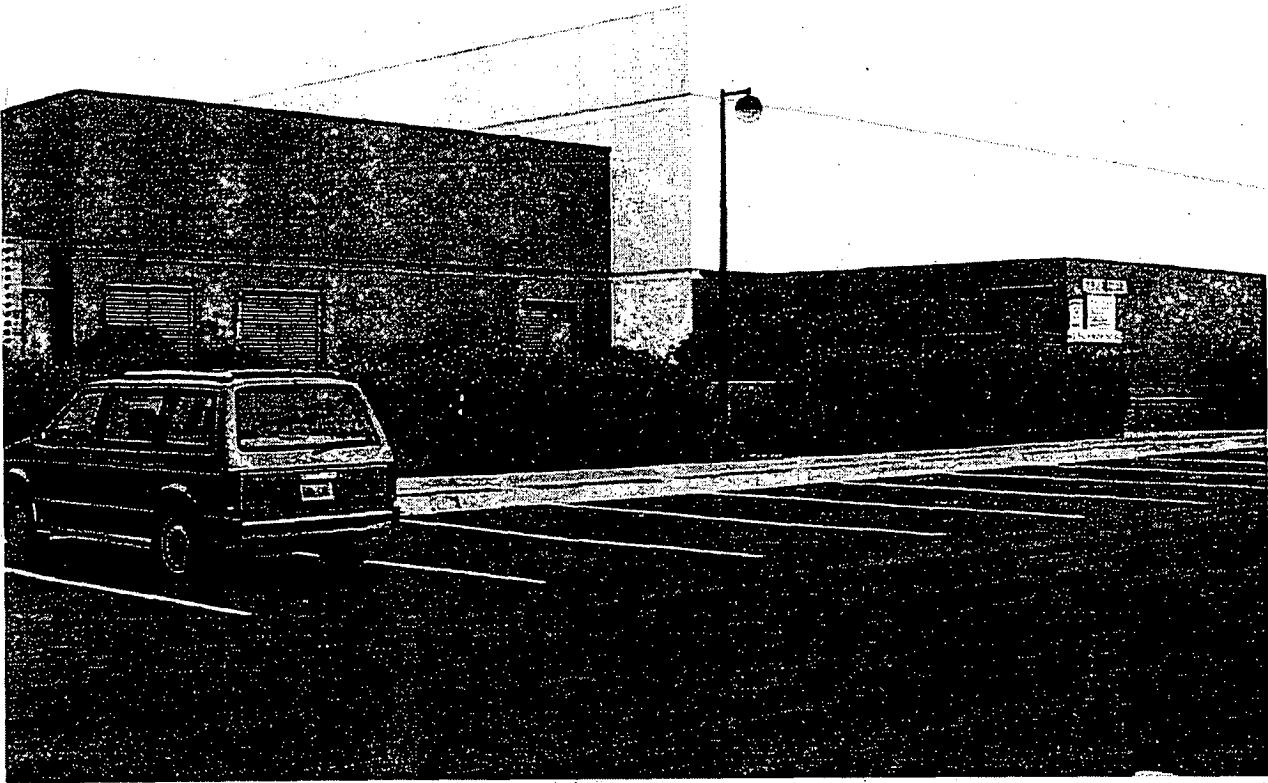
Staff finds no evidence of unique or extraordinary circumstances in that the applicant has created a self-imposed hardship by attempting to construct a monopole too close to a residential subdivision. Since the applicant could erect a 55 foot high monopole elsewhere on the site without the need for a Variance, staff recommends denial.

NOTICES MAILED: 183 by City Clerk

APPROVALS: 0

PROTESTS: 0





V-65-99

Variance for Residential Adjacency