

City of Las Vegas

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RECOMMENDING COMMITTEE MEETING
CITY HALL, 400 STEWART AVENUE
CITY MANAGER'S CONFERENCE ROOM, EIGHTH FLOOR
CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.ci.las-vegas.nv.us>
MONDAY, OCTOBER 29, 2001
4:00 P.M.

CALL TO ORDER

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

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

THE FOLLOWING BILLS MAY BE ELIGIBLE FOR ADOPTION AT THE 11/21/2001 CITY COUNCIL MEETING.

1. Bill No. 2001-102 – Annexation No. A-0006-99(A) – Property Location: On the northwest corner of Alexander Road and Grand Canyon Drive; Petitioned By: City of Las Vegas; Acreage: 4.96 acres; Zoned: R-E (County Zoning), U (DR) (City Equivalent); Sponsored by: Councilman Larry Brown
Committee: Councilmen Weekly and Reese
2. Bill No. 2001-103 – Annexation No. A-0004-01(A) – Property Location: On the southwest corner of Rainbow Boulevard and Grand Teton Drive; Petitioned By: New Vista Ranch, Inc.; Acreage: 17.75 acres; Zoned: R-A (County Zoning), U (DR) (City Equivalent); Sponsored by: Councilman Michael Mack
Committee: Councilmen Weekly and Reese
3. Bill No. 2001-104 – Annexation No. A-0031-01(A) – Property Location: On the southeast corner of Grand Canyon Drive and Farm Road; Petitioned By: Silver Saddle Investors Limited Liability Company; Acreage: 15.23 acres; Zoned: R-E (County Zoning), U (R) (City Equivalent); Sponsored by: Councilman Michael Mack
Committee: Councilmen Weekly and Reese
4. Bill No. 2001-105 – Annexation No. A-0036-01(A) – Property Location: On the southeast corner of Ackerman Avenue and Versimount Road; Petitioned By: R. B. Petersen Construction Co.; Acreage: 7.76 acres; Zoned: R-A (County Zoning), U (PCD) (City Equivalent); Sponsored by: Councilman Michael Mack
Committee: Councilmen Weekly and Reese
5. Bill No. 2001-106 – Annexation No. A-0038-01(A) – Property Location: On the southeast corner of Log Cabin Way and Dapple Gray Road; Petitioned By: Joan R. Sommers Living Trust; Acreage: 5.12 acres; Zoned: R-A (County Zoning), U (PCD) (City Equivalent); Sponsored by: Councilman Michael Mack
Committee: Councilmen Weekly and Reese
6. Bill No. 2001-107 – Establishes a procedure regarding the creation of certain maintenance districts. Proposed by: Robert S. Genzer, Director of Planning and Development
Committee: Councilmen Weekly and Reese
7. Bill No. 2001-108 – Conforms the City's gaming enterprise district provisions to the requirements of State law. Proposed by: Bradford R. Jerbic, City Attorney
Committee: Councilmen Weekly and Reese
8. Bill No. 2001-109 – Eliminates work card requirements for several business license categories and related occupations. Proposed by: Mark Vincent, Director of Finance and Business Services
Committee: Councilmen Weekly and Reese

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE DELIBERATED OR ACTED UPON UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN MET. IF YOU WISH TO SPEAK ON A MATTER NOT LISTED ON THE AGENDA, PLEASE CLEARLY STATE YOUR NAME AND ADDRESS. IN CONSIDERATION OF OTHERS, AVOID REPETITION, AND LIMIT YOUR COMMENTS TO NO MORE THAN THREE (3) MINUTES. TO ENSURE ALL PERSONS EQUAL OPPORTUNITY TO SPEAK, EACH SUBJECT MATTER WILL BE LIMITED TO TEN (10) MINUTES.

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

Facilities are provided throughout City Hall for the convenience of disabled persons. Reasonable efforts will be made to assist and accommodate physically handicapped persons. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 229-6311 and advise of your need at least 48 hours in advance of the meeting.

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

Downtown Transportation Center, City Clerk's Board; Senior Citizens Center, 450 E. Bonanza; Clark County Government Center, 500 S. Grand Central Parkway; Court Clerk's Office Bulletin Board, City Hall Plaza, City Hall Plaza, Special Outside Posting Bulletin Board

7A ✓

AFFIDAVIT OF MAILING

(Mailing required under the provisions of NRS Chapter 241)

STATE OF NEVADA)

) ss

COUNTY OF CLARK)

Doreen Araujo, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the **22nd** day of **October, 2001**, a copy of NOTICE, the attached of which is a true and correct copy of the Public Hearing - re: **Recommending Committee Meeting.** to be held on the **29th** day of **October, 2001** was deposited in the United States Mail, Postage prepaid, First Class Certified Mail, to each person and/or organization whose name appears on the list maintained in the Office of the City Clerk.

Doreen Araujo

SIGNATURE

City Clerk
DEPARTMENT

Subscribed and sworn to before me this

22nd day of October, 2001

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

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

1. On the City Clerk's Bulletin Board at the Downtown Transportation Center;
2. In the Senior Citizens Center, 450 E. Bonanza Road;(Faxed)
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 Stewart Avenue (near the entrance to the Court Clerk's Office);
5. On the Special Bulletin Board at the Plaza Level of City Hall, 400 Stewart Avenue (in the walkway area between Metro and Municipal Court).

Linda Owens
Signature

Subscribed and sworn to before me

this 23RD day of October, 2001

Bernard K. Bridges
NOTARY PUBLIC in and for said County and State



RECOMMENDING COMMITTEE AGENDA
RECOMMENDING COMMITTEE MEETING OF: OCTOBER 29, 2001

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: COUNCILMEMBERS WEEKLY and REESE

Also Present: DEPUTY CITY MANAGER STEVE HOUCHENS, CHIEF DEPUTY CITY ATTORNEY VAL STEED, CHRIS KNIGHT, DEPUTY DIRECTOR OF PLANNING & DEVELOPMENT, and DEPUTY CITY CLERK GABRIELA S. PORTILLO-BRENNER

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

(4:00)

1-1

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: OCTOBER 29, 2001

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2001-102 – Annexation No. A-0006-99(A) – Property Location: On the northwest corner of Alexander Road and Grand Canyon Drive; Petitioned By: City of Las Vegas; Acreage: 4.96 acres; Zoned: R-E (County Zoning), U (DR) (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 generally located on the northwest corner of Alexander Road and Grand Canyon Drive. The annexation is at the request of the City, as lessee, with the concurrence of the Bureau of Land Management as owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (November 30, 2001) 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. 2001-102 and Location Map

COMMITTEE RECOMMENDATION:

COUNCILMAN REESE recommended Bill 2001-102 be forwarded to the Full Council with a “Do Pass” recommendation. **COUNCILMAN WEEKLY** concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED stated the item is in order.

No one appeared in opposition.

RECOMMENDING COMMITTEE MEETING OF OCTOBER 29, 2001

City Attorney

Item 1 – Bill No. 2001-102

MINUTES – Continued:

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:00 – 4:01)

1-14

1 **BILL NO. 2001-102**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY
4 DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE
5 LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER
6 RELATED MATTERS. (A-0006-99(A))

6 Sponsored by:
7 Councilman Larry Brown

Summary: Annexes property described generally
as located on the northwest corner of Alexander
Road and Grand Canyon Drive.

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

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

13 The East Half (E 1/2) of the Southeast Quarter (SE 1/4) of the Southeast Quarter
14 (SE 1/4) of the Southwest Quarter (SW 1/4) of Section 6, Township 20 South,
Range 60 East, M.D.M., in the County of Clark, State of Nevada.

15 SECTION 2: The City Council hereby determines that the described territory meets
16 the requirements provided by law for annexation to the City for the following reasons:

- 17 A. The area to be annexed was contiguous to the City's boundaries at the time the
18 annexation proceedings were instituted;
- 19 B. More than one-eighth (1/8) of the aggregate external boundaries of the area are
20 contiguous to the City;
- 21 C. The territory proposed to be annexed is not included within the boundaries of
22 another incorporated city or within the boundaries of any unincorporated town
23 as those boundaries existed as of July 1, 1983;
- 24 D. The City is eligible to annex the area described in this report since the
25 landowners have signed a petition constituting one hundred percent (100%) of
26 the owners of record of individual lots or parcels of land within the annexation
27 area.

28 SECTION 3: The City will provide police protection through the Las Vegas

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

16 SECTION 4: The annexation of the described territory shall become effective on the
17 30th day of November, 2001, and on that date the City will have the funds appropriated in sufficient
18 amount to finance the extension into the described territory of police protection, fire protection, street
19 maintenance, street sweeping, and street lighting maintenance.

20 SECTION 5: The described territory, together with the inhabitants and property
21 thereof, shall, from and after the 30th day of November, 2001, be subject to all debts, laws, ordinances
22 and regulations in force in the City and shall be entitled to the same privileges and benefits as other
23 parts of the City, and shall be subject to municipal taxes levied by the City.

24 SECTION 6: The City Engineer is hereby instructed to cause to be prepared an
25 accurate map or plat of the described territory and to record the map or plat, together with a certified
26 copy of this ordinance, in the office of the County Recorder of Clark County, Nevada, which
27 recording shall be done prior to the 30th day of November, 2001.

28 SECTION 7: The described territory, which previously has been zoned R-E (County

1 of Clark classification), is hereby classified as U (DR) (City of Las Vegas classification), which is
2 deemed to be the City equivalent of the County classification.

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

11 SECTION 9: All ordinances or parts of ordinances, sections, subsections, phrases,
12 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
13 1983 Edition, in conflict herewith are hereby repealed.

14 PASSED, ADOPTED and APPROVED this ____ day of _____, 2001.

15 APPROVED:

16
17 OSCAR B. GOODMAN, Mayor

18 ATTEST:

19
20 BARBARA JO RONEMUS, City Clerk

21
22 APPROVED AS TO FORM:

23 Vul Steed 10-3-01
24 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2001, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2001, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council as first
7 introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

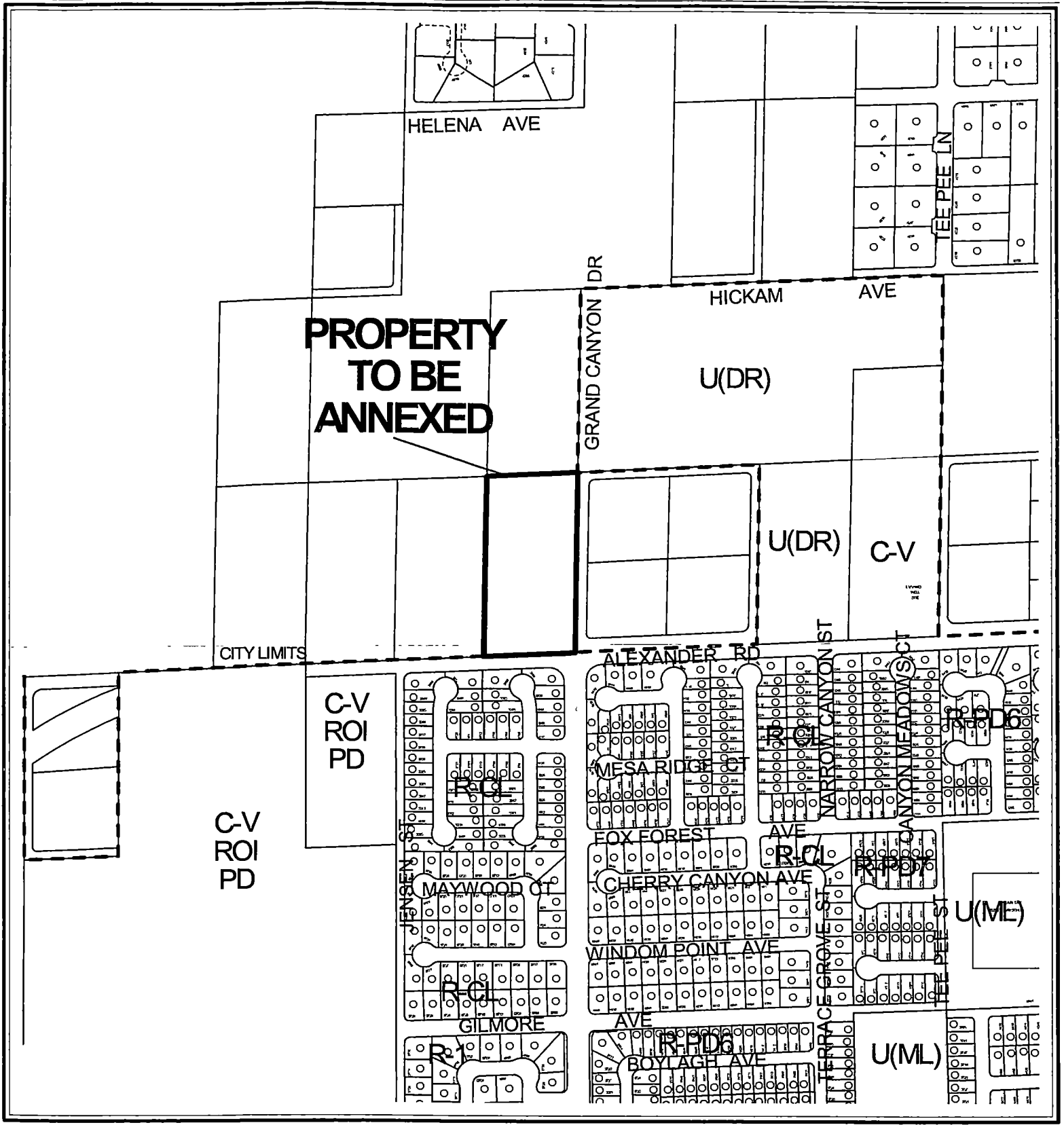
10 ABSENT: _____

11 APPROVED:

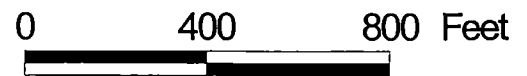
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13
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BARBARA JO RONEMUS, City Clerk



CASE: A-0006-99(A)



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: OCTOBER 29, 2001

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2001-103 – Annexation No. A-0004-01(A) – Property Location: On the southwest corner of Rainbow Boulevard and Grand Teton Drive; Petitioned By: New Vista Ranch, Inc.; Acreage: 17.75 acres; Zoned: R-A (County Zoning), U (DR) (City Equivalent); Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the southwest corner of Rainbow Boulevard and Grand Teton Drive. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (November 30, 2001) is set by this ordinance.

NOTE: The property is developed with a group care facility.

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. 2001-103 and Location Map

COMMITTEE RECOMMENDATION:

COUNCILMAN REESE recommended Bill 2001-103 be forwarded to the Full Council with a “Do Pass” recommendation. **COUNCILMAN WEEKLY** concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED stated the item is in order.

RECOMMENDING COMMITTEE MEETING OF OCTOBER 29, 2001

City Attorney

Item 2 – Bill No. 2001-103

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:01)

1-26

1 **BILL NO. 2001-103**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY
4 DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE
5 LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER
6 RELATED MATTERS. (A-0004-01(A))

6 Sponsored by:
7 Councilman Michael Mack

Summary: Annexes property described generally
as located on the southwest corner of Rainbow
Boulevard and Grand Teton Drive.

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

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

13 That portion of the North Half (N 1/2) of the Northeast Quarter (NE 1/4) of Section 15,
14 Township 19 South, Range 60 East, M.D.M., in County of Clark, State of Nevada,
15 being LOT NUMBER 1 and the adjoining half-street Rights-of-Way of GRAND
16 TETON DRIVE (50.00 feet wide as measured from the North line of the North Half
17 (N 1/2) of the Northeast Quarter (NE 1/4) of said Section 15) and RAINBOW
BOULEVARD (50.00 feet wide as measured from the East line of the North Half
(N 1/2) of the Northeast Quarter (NE 1/4) of said Section 15), all as shown on parcel
map as filed in File 64 of Parcel Maps, Page 64 of Clark County, Nevada Records,
bounded as follows:

18 Bounded on the North by the North line of the North Half (N 1/2) of the Northeast
19 Quarter (NE 1/4) of said Section 15; bounded on the East by the East line of the North
20 Half (N 1/2) of the Northeast Quarter (NE 1/4) of said Section 15; bounded on the
21 South by the North line of the South 30.00 feet of the North Half (N 1/2) of the
22 Northeast Quarter (NE 1/4) of said Section 15; bounded on the Southwest by the
23 Southwesterly boundary line of LOT NUMBER 1 of said File 64 of Parcel Maps, Page
64 and the Southeasterly prolongation of said Southwesterly boundary line; and
bounded on the West by a line from the Northwest corner of said LOT NUMBER 1,
which intersects the North line of the North Half (N 1/2) of the Northeast Quarter
(NE 1/4) of said Section 15 at right angles to said North line.

24 SECTION 2: The City Council hereby determines that the described territory meets
25 the requirements provided by law for annexation to the City for the following reasons:

- 26 A. The area to be annexed was contiguous to the City's boundaries at the time the
27 annexation proceedings were instituted;
- 28 B. More than one-eighth (1/8) of the aggregate external boundaries of the area are

1 contiguous to the City;

2 C. The territory proposed to be annexed is not included within the boundaries of
3 another incorporated city or within the boundaries of any unincorporated town
4 as those boundaries existed as of July 1, 1983;

5 D. The City is eligible to annex the area described in this report since the
6 landowners have signed a petition constituting one hundred percent (100%) of
7 the owners of record of individual lots or parcels of land within the annexation
8 area.

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

25 SECTION 4: The annexation of the described territory shall become effective on the
26 30th day of November, 2001, and on that date the City will have the funds appropriated in sufficient
27 amount to finance the extension into the described territory of police protection, fire protection, street
28 maintenance, street sweeping, and street lighting maintenance.

1 SECTION 5: The described territory, together with the inhabitants and property
2 thereof, shall, from and after the 30th day of November, 2001, be subject to all debts, laws, ordinances
3 and regulations in force in the City and shall be entitled to the same privileges and benefits as other
4 parts of the City, and shall be subject to municipal taxes levied by the City.

5 SECTION 6: The City Engineer is hereby instructed to cause to be prepared an
6 accurate map or plat of the described territory and to record the map or plat, together with a certified
7 copy of this ordinance, in the office of the County Recorder of Clark County, Nevada, which
8 recording shall be done prior to the 30th day of November, 2001.

9 SECTION 7: The described territory, which previously has been zoned R-A (County
10 of Clark classification), is hereby classified as U (DR) (City of Las Vegas classification), which is
11 deemed to be the City equivalent of the County classification.

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

20 SECTION 9: All ordinances or parts of ordinances, sections, subsections, phrases,

21 ...

22 ...

23 ...

24 ...

25 ...

26 ...

27 ...

28 ...

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

3 PASSED, ADOPTED and APPROVED this ____ day of _____, 2001.

4 APPROVED:

6 OSCAR B. GOODMAN, Mayor

7 ATTEST:

9 BARBARA JO RONEMUS, City Clerk

11 APPROVED AS TO FORM:

12 *Paul Steed* 10-3-01
13 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2001, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2001, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council as first
7 introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

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14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

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18 BARBARA JO RONEMUS, City Clerk

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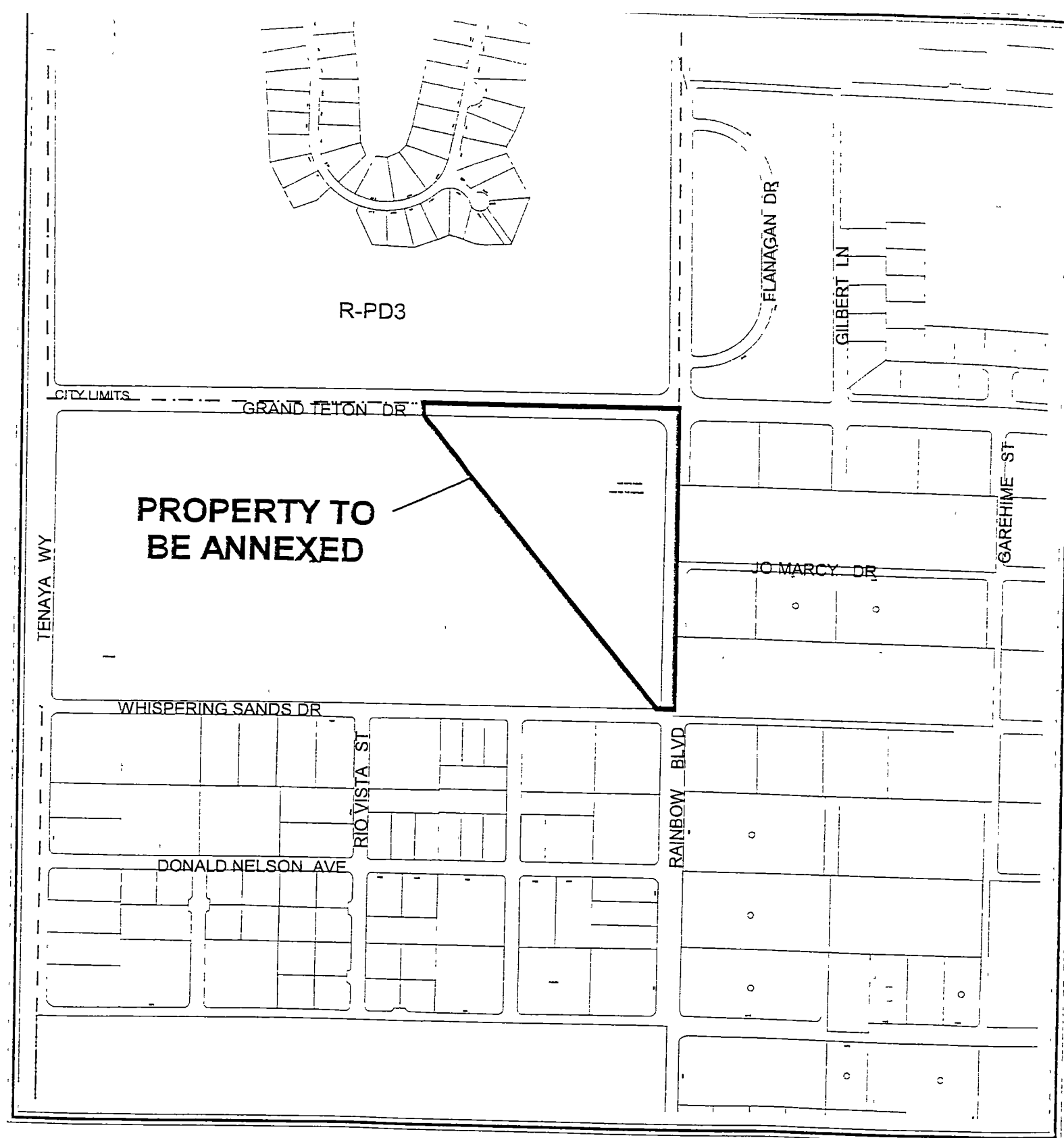
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CASE: A-0004-01(A)

0 500 1000 Feet



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: OCTOBER 29, 2001

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2001-104 – Annexation No. A-0031-01(A) – Property Location: On the southeast corner of Grand Canyon Drive and Farm Road; Petitioned By: Silver Saddle Investors Limited Liability Company; Acreage: 15.23 acres; Zoned: R-E (County Zoning), U (R) (City Equivalent); Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the southeast corner of Grand Canyon Drive and Farm Road. 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 30, 2001) 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. 2001-104 and Location Map

COMMITTEE RECOMMENDATION:

COUNCILMAN REESE recommended Bill 2001-104 be forwarded to the Full Council with a “Do Pass” recommendation. **COUNCILMAN WEEKLY** concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED stated the item is in order.

No one appeared in opposition.

RECOMMENDING COMMITTEE MEETING OF OCTOBER 29, 2001

City Attorney

Item 3 – Bill No. 2001-104

MINUTES – Continued:

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:01 – 4:02)

1-44

BILL NO. 2001-104

ORDINANCE NO. _____

AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (A-0031-01(A))

Sponsored by:
Councilman Michael Mack

Summary: Annexes property described generally as located on the southeast corner of Grand Canyon Drive and Farm Road.

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

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

Those portions of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of Section 18, Township 19 South, Range 60 East, M.D.M., in County of Clark, State of Nevada, described as follows:

PARCEL 1

The West Half (W 1/2) of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of said Section 18.

PARCEL 2

The Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of said Section 18.

SECTION 2: The City Council hereby determines that the described territory meets the requirements provided by law for annexation to the City for the following reasons:

- A. The area to be annexed was contiguous to the City's boundaries at the time the annexation proceedings were instituted;
- B. More than one-eighth (1/8) of the aggregate external boundaries of the area are contiguous to the City;
- C. The territory proposed to be annexed is not included within the boundaries of another incorporated city or within the boundaries of any unincorporated town as those boundaries existed as of July 1, 1983;

1 D. The City is eligible to annex the area described in this report since the
2 landowners have signed a petition constituting one hundred percent (100%) of
3 the owners of record of individual lots or parcels of land within the annexation
4 area.

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

21 SECTION 4: The annexation of the described territory shall become effective on the
22 30th day of November, 2001, and on that date the City will have the funds appropriated in sufficient
23 amount to finance the extension into the described territory of police protection, fire protection, street
24 maintenance, street sweeping, and street lighting maintenance.

25 SECTION 5: The described territory, together with the inhabitants and property
26 thereof, shall, from and after the 30th day of November, 2001, be subject to all debts, laws, ordinances
27 and regulations in force in the City and shall be entitled to the same privileges and benefits as other
28 parts of the City, and shall be subject to municipal taxes levied by the City.

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2001, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2001, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council as first
7 introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12
13
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16
17 BARBARA JO RONEMUS, City Clerk

**PROPERTIES
TO BE
ANNEXED**

CITY LIMITS

U(L)

FARM

RD

U(L)

U(DR)

U(L)

VIA PROVENZA AVE

DR

U(L)

SEVERENCE

LN

JENSEN ST

GRAND CANYON

U(L)

SOLAR

AVE

U(DR)

0 300 600 Feet

CASE: A-0031-01



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: OCTOBER 29, 2001

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2001-105 – Annexation No. A-0036-01(A) – Property Location: On the southeast corner of Ackerman Avenue and Versimount Road; Petitioned By: R. B. Petersen Construction Co.; Acreage: 7.76 acres; Zoned: R-A (County Zoning), U (PCD) (City Equivalent); Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the southeast corner of Ackerman Avenue and Versimount Road. 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 30, 2001) 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. 2001-105 and Location Map

COMMITTEE RECOMMENDATION:

COUNCILMAN REESE recommended Bill 2001-105 be forwarded to the Full Council with a “Do Pass” recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED stated the item is in order.

No one appeared in opposition.

RECOMMENDING COMMITTEE MEETING OF OCTOBER 29, 2001

City Attorney

Item 4 – Bill No. 2001-105

MINUTES – Continued:

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:02)

1-57

1 **BILL NO. 2001-105**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY
4 DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE
5 LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER
6 RELATED MATTERS. (A-0036-01(A))

6 Sponsored by:
7 Councilman Michael Mack

Summary: Annexes property described generally
as located on the southeast corner of Ackerman
Avenue and Versimount Road.

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

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

13 Those portions of the South Half (S 1/2) of the Southeast Quarter (SE 1/4) of the
14 Southeast Quarter (SE 1/4) of Section 8, Township 19 South, Range 60 East, M.D.M.,
in the County of Clark, State of Nevada, described as follows:

15 PARCEL 1

16 The North Half (N 1/2) of the Southwest Quarter (SW 1/4) of the Southeast Quarter
17 (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 8.

18 PARCEL 2

19 The Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of the Southeast
Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 8.

20 SECTION 2: The City Council hereby determines that the described territory meets
21 the requirements provided by law for annexation to the City for the following reasons:

- 22 A. The area to be annexed was contiguous to the City's boundaries at the time the
23 annexation proceedings were instituted;
- 24 B. More than one-eighth (1/8) of the aggregate external boundaries of the area are
25 contiguous to the City;
- 26 C. The territory proposed to be annexed is not included within the boundaries of
27 another incorporated city or within the boundaries of any unincorporated town
28 as those boundaries existed as of July 1, 1983;

1 D. The City is eligible to annex the area described in this report since the
2 landowners have signed a petition constituting one hundred percent (100%) of
3 the owners of record of individual lots or parcels of land within the annexation
4 area.

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

21 SECTION 4: The annexation of the described territory shall become effective on the
22 30th day of November, 2001, and on that date the City will have the funds appropriated in sufficient
23 amount to finance the extension into the described territory of police protection, fire protection, street
24 maintenance, street sweeping, and street lighting maintenance.

25 SECTION 5: The described territory, together with the inhabitants and property
26 thereof, shall, from and after the 30th day of November, 2001, be subject to all debts, laws, ordinances
27 and regulations in force in the City and shall be entitled to the same privileges and benefits as other
28 parts of the City, and shall be subject to municipal taxes levied by the City.

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2001, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2001, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council as first
7 introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

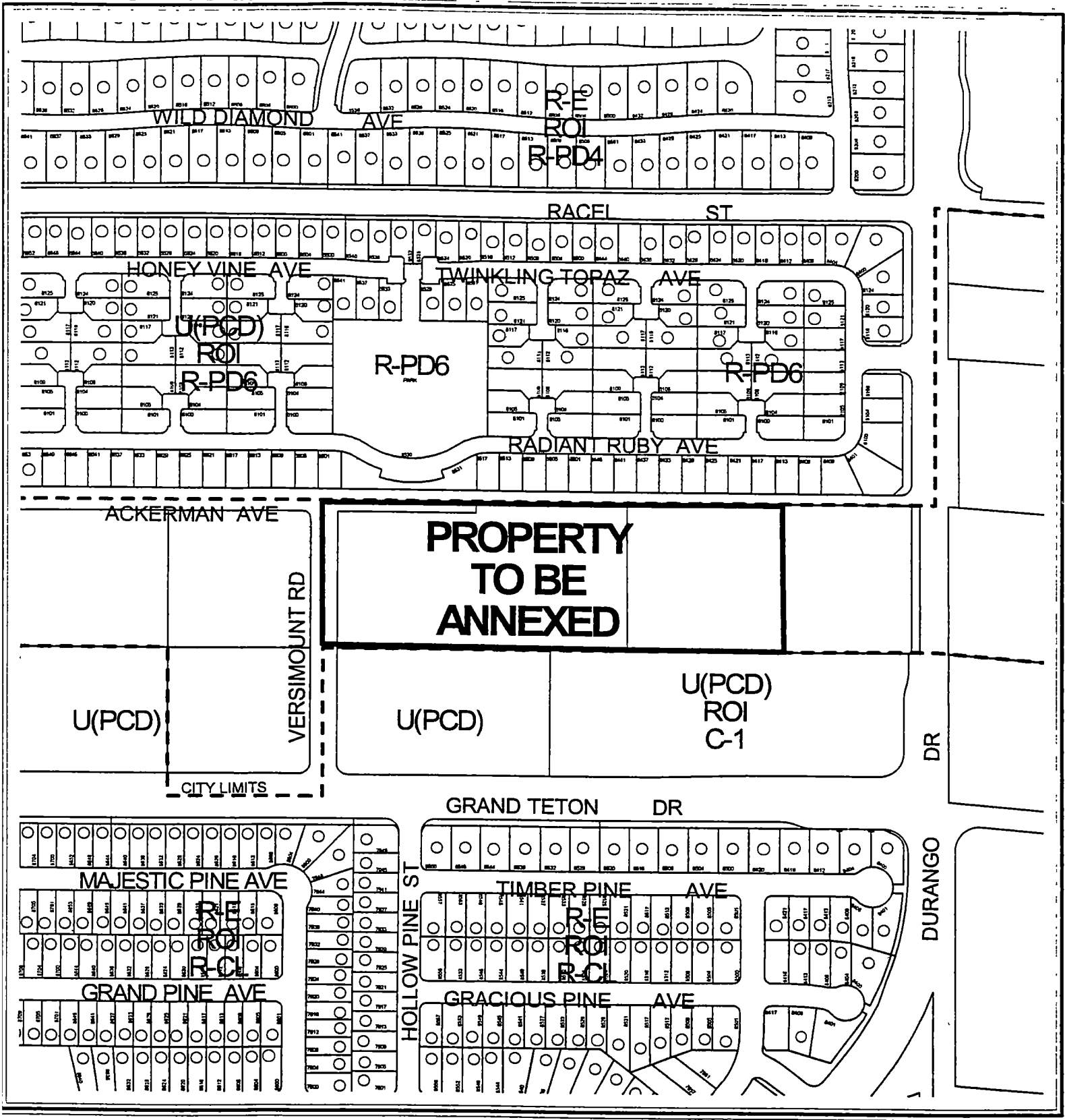
10 ABSENT: _____

11 APPROVED:

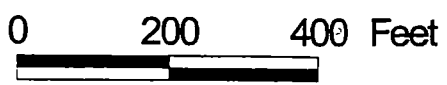
12
13 _____
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 _____
18 BARBARA JO RONEMUS, City Clerk
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CASE: A-0036-01(A)



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: OCTOBER 29, 2001

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2001-106 – Annexation No. A-0038-01(A) – Property Location: On the southeast corner of Log Cabin Way and Dapple Gray Road; Petitioned By: Joan R. Sommers Living Trust; Acreage: 5.12 acres; Zoned: R-A (County Zoning), U (PCD) (City Equivalent); Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the southeast corner of Log Cabin Way and Dapple Gray Road. 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 30, 2001) 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. 2001-106 and Location Map

COMMITTEE RECOMMENDATION:

COUNCILMAN REESE recommended Bill 2001-106 be forwarded to the Full Council with a “Do Pass” recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED stated the item is in order.

No one appeared in opposition.

RECOMMENDING COMMITTEE MEETING OF OCTOBER 29, 2001

City Attorney

Item 5 – Bill No. 2001-106

MINUTES – Continued:

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:02 – 4:03)

1-79

BILL NO. 2001-106

ORDINANCE NO. _____

AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (A-0038-01(A))

Sponsored by:
Councilman Michael Mack

Summary: Annexes property described generally as located on the southeast corner of Log Cabin Way and Dapple Gray Road.

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

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

The North Half (N 1/2) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 5, Township 19 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada.

SECTION 2: The City Council hereby determines that the described territory meets the requirements provided by law for annexation to the City for the following reasons:

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

SECTION 3: The City will provide police protection through the Las Vegas

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

16 SECTION 4: The annexation of the described territory shall become effective on the
17 30th day of November, 2001, and on that date the City will have the funds appropriated in sufficient
18 amount to finance the extension into the described territory of police protection, fire protection, street
19 maintenance, street sweeping, and street lighting maintenance.

20 SECTION 5: The described territory, together with the inhabitants and property
21 thereof, shall, from and after the 30th day of November, 2001, be subject to all debts, laws, ordinances
22 and regulations in force in the City and shall be entitled to the same privileges and benefits as other
23 parts of the City, and shall be subject to municipal taxes levied by the City.

24 SECTION 6: The City Engineer is hereby instructed to cause to be prepared an
25 accurate map or plat of the described territory and to record the map or plat, together with a certified
26 copy of this ordinance, in the office of the County Recorder of Clark County, Nevada, which
27 recording shall be done prior to the 30th day of November, 2001.

28 SECTION 7: The described territory, which previously has been zoned R-A (County

1 of Clark classification), is hereby classified as U (PCD) (City of Las Vegas classification), which is
2 deemed to be the City equivalent of the County classification.

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

11 SECTION 9: All ordinances or parts of ordinances, sections, subsections, phrases,
12 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
13 1983 Edition, in conflict herewith are hereby repealed.

14 PASSED, ADOPTED and APPROVED this _____ day of _____, 2001.

15 APPROVED:

16
17 OSCAR B. GOODMAN, Mayor

18 ATTEST:

19
20 BARBARA JO RONEMUS, City Clerk

21
22 APPROVED AS TO FORM:

23 Val Steed 10-3-01
24 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2001, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2001, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council as first
7 introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

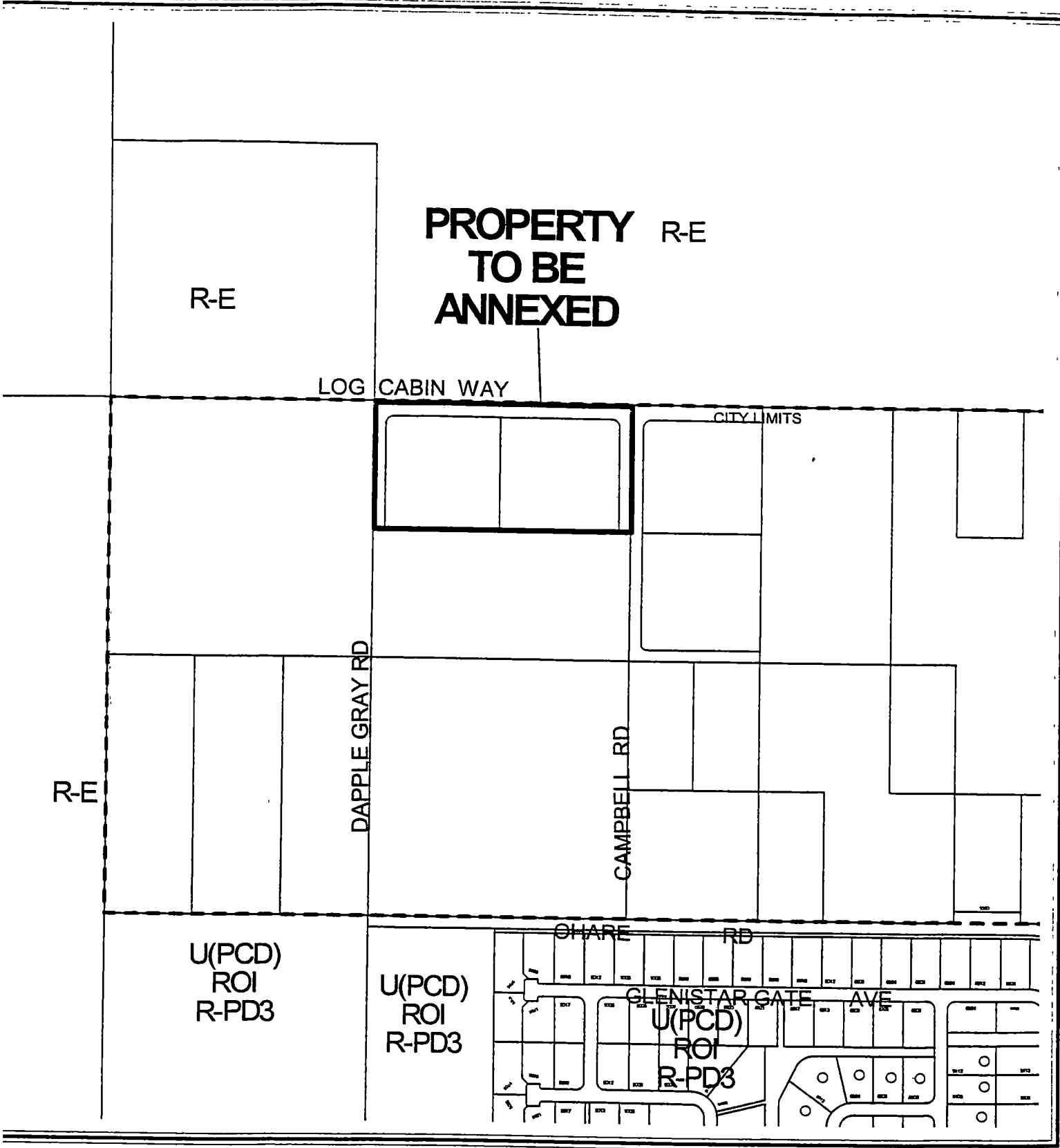
10 ABSENT: _____

11 APPROVED:

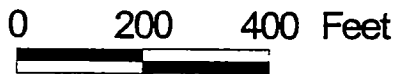
12
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14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BARBARA JO RONEMUS, City Clerk
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CASE: A-0038-01(A)



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: OCTOBER 29, 2001

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2001-107 – Establishes a procedure regarding the creation of certain maintenance districts. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill responds to the requirements of AB 63 from the 2001 Legislative Session, establishing a procedure regarding the creation of certain maintenance districts. The maintenance districts are primarily a mechanism by which developers and property owners can request the City to maintain landscaping that otherwise would be maintained by an owners' association. This bill sets forth the procedure by which petitions will be handled and the criteria for establishing such districts.

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. 2001-107

COMMITTEE RECOMMENDATION:

COUNCILMAN REESE recommended Bill 2001-107 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED advised that the most recent legislative session required that local governments adopt through ordinance the procedures established at a previous legislative session regarding the creation of certain maintenance districts. The subject bill includes the procedures and criteria to determine which kinds of developments would be considered for maintenance districts.

RECOMMENDING COMMITTEE MEETING OF OCTOBER 29, 2001

City Attorney

Item 6 – Bill No. 2001-107

MINUTES – Continued:

CHRIS KNIGHT, Deputy Director, Planning and Development, indicated that the subject bill is the result of many meetings that BRYAN SCOTT, DAN MUSGROVE, JOHN McNELLIS, MIKE THOMPSON, and LARRY HAUGSNESS were involved in. He recommended approval.

No one appeared in opposition.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:03 – 4:05)

1-91

1 **BILL NO. 2001-107**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO ESTABLISH A PROCEDURE REGARDING THE CREATION OF
4 CERTAIN MAINTENANCE DISTRICTS PURSUANT TO STATE LAW, AND TO PROVIDE
FOR OTHER RELATED MATTERS.

5 Proposed by: Robert S. Genzer,
6 Director of Planning and Development

Summary: Establishes a procedure regarding the
creation of certain maintenance districts.

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

9 SECTION 1: Title 18 of the Municipal Code of the City of Las Vegas, Nevada, 1983
10 Edition, is hereby amended by adding thereto a new chapter, consisting of the provisions set forth in
11 Sections 2 to 15, inclusive, of this Ordinance.

12 SECTION 2: This Chapter is enacted pursuant to, and is subject to, the provisions of
13 NRS 278.478 to 278.4787, inclusive.

14 SECTION 3: As set forth in this Chapter, the following terms shall have the meanings
15 ascribed to them:

16 "Assessment" means the monetary amount levied against each tract or assessment unit as an
17 assessment against a lot or parcel of real property within a development or subdivision for any given
18 assessment period benefitted by an improvement.

19 "Assessment amount" means the monthly amount established by the City as the amount
20 necessary to pay the proportionate share of the cost to maintain the improvements included within the
21 maintenance district, to include, without limitation, the City's administrative costs, the actual cost for
22 contracted services performed, and the associated labor, equipment, insurance, utility, and material
23 costs.

24 "Assessment period" means each successive period of time running from and including July
25 1 to and including June 30 of the following year.

26 "Assessment unit" means each legal lot or parcel of real property comprising, and being
27 included within, the boundaries of the maintenance district and upon which a building may be
28 constructed, whether such building has been constructed or not.

1 “Improvement” or “improvements” means any of the following improvements that are
2 included or proposed to be included within a maintenance district in accordance with this Chapter:

- 3 (A) Landscaping;
- 4 (B) Public lighting;
- 5 (C) Security walls; or
- 6 (D) Trails, parks and open space that provide a substantial public benefit or are
7 required by the City for the primary use of the public.

8 “Improvement plan” means the plan approved by the City which details the installation of the
9 improvements proposed to be maintained within the maintenance district.

10 “Landscaping” has the meaning ascribed to it in NRS 278.4781.

11 “Maintenance” means the care for and upkeep of improvements, including normal repair and
12 replacement of materials and items to sustain an improvement to a level and quality acceptable to the
13 City.

14 “Maintenance district” means the assessment district created, formed, and established pursuant
15 to this Chapter to provide for the maintenance of improvements.

16 “Maintenance district property” means the sum of all legal parcels of real property containing
17 improvements that are requested by the applicant to be included and maintained within the
18 maintenance district. The maintenance district property shall be shown as common area on the final
19 map for a development or subdivision. The ownership of the maintenance district property will be
20 ownership in common shared by the applicant and all future owners of property within the
21 development or subdivision.

22 “Public lighting” has the meaning ascribed to it in NRS 278.4783.

23 “Security wall” has the meaning ascribed to it in NRS 278.4785.

24 SECTION 4: Pursuant to NRS 278.4787, persons who propose to divide land for
25 transfer or development into four or more lots pursuant to NRS 278.360 to NRS 278.460, inclusive,
26 or NRS Chapter 278A may, in lieu of providing for the creation of an association for a common
27 interest community, petition the City to assume the maintenance of improvements within the
28 development or subdivision. Additionally, if persons who own tracts of land or residential units

1 within an existing subdivision or development with existing improvements, agree to dissolve the
2 association for their common interest community in accordance with the governing documents of their
3 common interest community they may, in lieu of said association, petition the City to assume the
4 maintenance of those existing improvements.

5 SECTION 5: A request for the City to maintain improvements from a person who
6 proposes to divide land for transfer or development into four or more lots pursuant to NRS 278.360
7 to NRS 278.460, inclusive, or NRS Chapter 278A, shall be filed with the City's Department of
8 Planning and Development at least 120 days before the approval of the final map for the land, unless
9 such time is otherwise waived by the City. The request must be made by written petition, on a form
10 to be provided by the City. In order to be deemed complete, the petition must include, or be
11 accompanied by the following:

12 (A) The notarized signature(s) of at least a majority of the owners whose property
13 will be assessed;

14 (B) A description of all tracts of land or residential units that would be subject to
15 an assessment;

16 (C) A list of the improvements (including plans) that are proposed to be maintained
17 by the City;

18 (D) An explanation of why the City should accept maintenance of the
19 improvements and what public benefit the City derives from the maintenance of the improvements;

20 (E) An instrument granting the City, its officers, agents, employees, and
21 contractors the right to enter and access the proposed maintenance district property to the extent
22 necessary to inspect the improvements which are proposed to be maintained within the maintenance
23 district;

24 (F) Such other information as the City deems necessary in order to properly
25 evaluate the petition; and

26 (G) An application fee and inspection fee as set forth in the fee schedule.

27 SECTION 6: A request for the City to maintain existing improvements from property
28 owners in an existing development or subdivision, who propose to dissolve, or have dissolved, their

1 common interest association in accordance with the governing documents of their common interest
2 association, shall be filed with the City's Department of Planning and Development. The request must
3 be made by written petition, on a form to be provided by the City. In order to be deemed complete,
4 the petition must include, or be accompanied by the following:

5 (A) Notarized signatures from at least 51% of those property owners who would
6 be subject to an assessment, or notarized signatures from at least the same percentage of property
7 owners that would be required by the governing documents of the common-interest community to
8 dissolve the common interest association, whichever is greater;

9 (B) A description of all tracts of land or residential units that would be subject to
10 an assessment;

11 (C) A list of the improvements (including plans) that are proposed to be maintained
12 by the City;

13 (D) An explanation of why the City should accept maintenance of the
14 improvements and what public benefit the City derives from the maintenance of the improvements;

15 (E) Documentation evidencing that a conditional affirmative vote was had by the
16 membership of the common interest association to dissolve the common interest association upon the
17 City's acceptance of the petition for maintenance;

18 (F) An instrument granting the City, its officers, agents, employees, and
19 contractors the right to enter and access the proposed maintenance district property to the extent
20 necessary to inspect the improvements which are proposed to be maintained within the maintenance
21 district;

22 (G) Such other information as the City deems necessary in order to properly
23 evaluate the petition; and

24 (H) An application fee and inspection fee as set forth in the fee schedule.

25 SECTION 7: (A) Unless the requirement is waived by the City Council, the
26 Council shall hold a public hearing regarding a complete petition described in Section 5 of this
27 Ordinance at least 90 days before the approval of the final map for the land. The City Council shall
28 hold a public hearing regarding a complete petition as described in Section 6 of this Ordinance within

1 120 days of its receipt of the completed petition. This time period may be extended at the discretion
2 of the City Council. A petition shall be deemed complete if, in the City's judgment and discretion,
3 it fully complies with the requirements of Section 5 or 6 of this Ordinance. Any petition may be
4 reviewed by City staff, by a committee, or by both, for the purpose of providing a recommendation
5 to the City Council.

6 (B) The purpose of the public hearing described in Subsection (A) shall be for the
7 City to determine the desirability of assuming the maintenance of the specified improvements. The
8 maintenance assessments shall not, however, be effective until the City inspects and accepts the
9 constructed improvements for maintenance. In determining if it is desirable for the City to assume
10 maintenance of the improvements, the following factors may be considered by the City Council:

11 (1) Whether the maintenance of the improvements on the subject property
12 alone, or cumulatively with other maintenance districts in the City, would create an unreasonable
13 administrative or financial burden upon the City;

14 (2) Whether the location of the proposed maintenance district would
15 interfere with the City's ability to efficiently and effectively maintain improvements on the subject
16 property;

17 (3) The extent to which the maintenance district property is located on
18 parcels that are contiguous;

19 (4) Whether the improvement plan submitted by the applicant is consistent
20 with the requirements of the City, City policies, and the City's master plan, including the applicable
21 land use guide approved by the City;

22 (5) Whether the proposed improvements are compatible with the character
23 of the area of the City in which the improvements will be located;

24 (6) Whether the improvements are constructed to any standards for such
25 improvements that have been adopted by the City and are otherwise acceptable to the City;

26 (7) The number and percentage of property owners who signed the petition
27 and the number of protests received from property owners who would be subject to the assessment;

28 (8) Whether the maintenance of the proposed improvements will promote

1 the health, safety and general welfare of the community;

2 (9) The extent to which the proposed maintenance district would be in the
3 public interest;

4 (10) Any recommendation by City Staff and by any committee that may
5 review the petition; and

6 (11) Any other factor deemed by the City Council to be relevant to the
7 petition or to the proposed maintenance district.

8 SECTION 8: (A) If the City makes a determination that it is desirable to assume
9 the maintenance of the improvements, the City shall form a maintenance district, by ordinance, in
10 accordance with NRS 278.4787(4).

11 (B) If the City Council determines that it would be undesirable for the City to
12 maintain the specified improvements, the Council shall specify the reasons therefor.

13 (C) An applicant whose petition has been considered by the City Council and
14 denied may not repetition the City for a maintenance district within the same development or
15 subdivision for a period of one year.

16 SECTION 9: (A) In approving a petition, the City Council may impose conditions
17 designed to address the impacts that otherwise would make maintenance of the improvements by the
18 City undesirable. Such conditions may include, without limitation, a requirement to:

19 (1) Submit an agreement or instrument, acceptable to the City, granting the
20 City, its officers, agents, employees, and contractors an exclusive right to enter and access the
21 maintenance district property to the extent necessary to maintain the improvements on the
22 maintenance district property;

23 (2) Submit a written agreement, acceptable to the City, providing a warranty
24 for all improvements for a period of 12 months, or for a shorter period if agreed to by the City, and
25 indemnifying the City for damage or loss resulting from the improper installation or defective design
26 of the improvements.

27 (3) Provide an assessment deposit, equal to the first year of assessments and
28 start up costs, as estimated by the City, for the maintenance district and the costs associated with

1 recording notice with the Clark County Recorder's Office as required in NRS 278.4787(6);

2 (4) Provide an easement, in a form suitable for recordation, that will provide
3 the necessary access by which the City, through its officers, employees, agents and contractors, may
4 perform the maintenance associated with the maintenance district; and

5 (5) If applicable, submit documentation, acceptable to the City, evidencing
6 the costs that have been incurred in maintaining the improvements that are proposed to be maintained
7 by the City. Documentation regarding the maintenance costs shall be for the three-year period
8 preceding the submission of the petition, unless a different time period is agreed to by the City.

9 (B) The City may impose additional conditions as it deems necessary and
10 appropriate at the time of the public hearing at which the creation of the maintenance district is
11 considered.

12 SECTION 10: A petition approved by the City shall expire one year from the date of
13 the approval, unless all conditions of approval are met and construction of the improvements in
14 question are commenced within that time period. The City shall have the discretion to establish a
15 different expiration period for any particular maintenance district.

16 SECTION 11: (A) The assessment amount for each assessment unit, including the
17 billing cycle, shall be determined for each assessment period, subject, however, to an annual
18 adjustment. The maintenance district may be considered for revision or adjustment annually and the
19 assessment amount shall be adjusted accordingly based upon the bids received and the actual contracts
20 approved by the City. Additionally, if costs and expenses are increased within the maintenance
21 district by ten percent (10%) or more, the assessment amount shall be increased accordingly during
22 the remainder of the assessment period.

23 (B) Assessment amounts shall be payable according to the payment schedule
24 adopted with the establishment of the maintenance district. The City, or its agent, shall mail to the
25 property owner of the assessment unit a bill for the assessment amount to the same address for the
26 property owner of such assessment unit as billings for real property taxes are sent by the Clark County
27 Assessor's Office.

28 (C) Assessment amounts for any partial assessment period shall be prorated based

1 on a 365-day-year.

2 (D) The City shall assess a 10% penalty for each assessment not paid within 60 days
3 from the due date. Interest shall accrue on delinquent payments at the legal rate with unpaid principal,
4 penalties, and accrued interest compounded semi-annually.

5 SECTION 12: (A) Prior to the creation of a maintenance district, the improvements
6 to be included therein must be fully installed:

7 (1) In accordance with the City-approved improvement plan supplied by
8 the applicant;

9 (2) In accordance with any standards for such improvements that have been
10 adopted by the City; and

11 (3) In a good, workmanlike, and lien free manner.

12 (B) The City may accept a right-of-entry for access purposes at such time as the
13 maintenance district is created.

14 (C) Once the improvements are installed, the applicant shall notify the City, so that
15 the City may inspect the improvements for compliance with the approved improvement plan and
16 other applicable requirements and standards.

17 (D) The City may undertake, or cause to be undertaken, the maintenance of the
18 improvements consistent with the levels and standards approved by the City upon the City's creation
19 of the maintenance district and acceptance of the public access rights. The maintenance of the
20 improvements may be provided by the City or by a contract approved and administered by the City
21 or its agent, under the provisions of NRS Chapters 271, 332 and 338 where applicable.

22 SECTION 13: Upon the filing of a supplemental petition, containing the same
23 information as required for a complete petition in Sections 5 and 6 of this Ordinance, and by
24 compliance with all provisions of this Chapter, the maintenance district may be expanded to include
25 future phases of a development or subdivision provided that the same conditions as required for the
26 creation of the original maintenance district are satisfactorily fulfilled, as determined by the City.

27 SECTION 14: Subsequent to the creation of a maintenance district, the City shall
28 record, in the office of the Clark County Recorder, a notice of the creation of the maintenance district

1 or unit of assessment against the property located within the maintenance district that is sufficient to
2 advise the owners of tracts of land or residential units that the tracts of land or residential units are
3 subject to the assessment. The costs of recording the notice shall be paid by the petitioners. The
4 notice shall be in such form and content so as to encumber the property located within the
5 maintenance district and run with the title thereto.

6 SECTION 15: (A) A maintenance district may be dissolved by the City if:

7 (1) The City determines that the improvements that are covered by the
8 maintenance district are no longer necessary, or maintenance of those improvements is no longer
9 necessary;

10 (2) A majority of the property owners of the assessment units request that
11 the City dissolve the maintenance district, and an association for a common-interest community has
12 been formed to maintain the improvements in lieu of the maintenance district; or

13 (3) The City otherwise determines that it is no longer desirable for the City
14 to maintain the improvements within the maintenance district and that an association or other means
15 has been or will be established to maintain the improvements.

16 (B) Any money that may remain in the maintenance district fund after the
17 dissolution of the district may be remitted to an entity that has been created within the development
18 or subdivision to maintain the improvements.

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

27 SECTION 17: All ordinances or parts of ordinances or sections, subsections, phrases,
28 ...

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

3 PASSED, ADOPTED and APPROVED this ____ day of _____, 2001.

4 APPROVED:

5
6 By _____
OSCAR B. GOODMAN, Mayor

7 ATTEST:

8
9 BARBARA JO RONEMUS, City Clerk

10 APPROVED AS TO FORM:

11 Val Steed 10-3-01
12 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2001, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2001, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

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13 By _____
OSCAR B. GOODMAN, Mayor

14 ATTEST:

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16 BARBARA JO RONEMUS, City Clerk

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: OCTOBER 29, 2001

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL

Bill No. 2001-108 – Conforms the City's gaming enterprise district provisions to the requirements of State law Proposed by: Bradford R. Jerbic, City Attorney

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

In 1997, the Nevada Legislature adopted legislation to change the requirements for establishing gaming enterprise districts. The Municipal Code provisions on this subject have not been updated to conform to those requirements, and this bill will accomplish that update.

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. 2001-108

COMMITTEE RECOMMENDATION:

COUNCILMAN REESE recommended Bill 2001-108 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED advised that in 1997 the Legislature amended the gaming district provisions as far as which properties were eligible and how they could be added. The City has been following that law, however, this Bill would conform the City's gaming enterprise provisions to the requirements of State law He recommended approval

No one appeared in opposition.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:05 – 4:06)

1 **BILL NO. 2001-108**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO CONFORM THE CITY'S GAMING ENTERPRISE DISTRICT
4 PROVISIONS TO THE REQUIREMENTS OF STATE LAW, AND TO PROVIDE FOR OTHER
RELATED MATTERS.

5 Proposed by: Bradford R. Jerbic, City Attorney Summary: Conforms the City's gaming
6 enterprise district provisions to the requirements
of State law.

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

9 SECTION 1: Title 6, Chapter 40, Section 160, of the Municipal Code of the City of
10 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **6.40.160:** [(A) There is hereby established a gaming enterprise district which consists of those
12 certain areas that are delineated on the map thereof that is entitled "Gaming Enterprise District Map,"
13 copies of which are maintained in the Office of the City Clerk and in the Department of Community
14 Planning and Development, as said map may be from time to time amended by the City Council to
15 change the boundaries of, or other means of delineating, the district by an ordinance that is duly
16 passed, adopted and approved.] Nonrestricted gaming within the City is subject to the gaming
17 enterprise district provisions of NRS 463.3072 to 463.3094, inclusive.

18 (B) [Individual] One or more individual parcels of land may be [added to the]
19 designated a gaming enterprise district [through the approval of the City Council, following a public
20 hearing thereon that has been duly advertised by the publication of a notice thereof in a newspaper of
21 general circulation within the City not less than five days nor more than ten days in advance of such
22 hearing, of a petition to include such property within the district. The petition must not be granted
23 unless the petitioner establishes that:

24 (1) The roads, water, sanitation, utilities and related services to the location
25 are adequate;

26 (2) The establishment that is proposed to be operated on the parcel will not
27 unduly impact the public services, increase the consumption of natural resources or adversely affect
28 the quality of life that is enjoyed by the residents of the surrounding neighborhoods;

1 (3) The establishment that is proposed to be operated on the parcel will
2 enhance, expand and stabilize employment and the local economy;

3 (4) The establishment that is proposed to be operated on the parcel will be
4 located in an area that has been zoned for that purpose or for which such zoning has been approved
5 by the adoption by the City Council of a resolution of intent pursuant to LVMC 19.92.120; and

6 (5) The establishment that is proposed to be operated on the parcel will not
7 be detrimental to the health, safety or general welfare of the community or be incompatible with the
8 surrounding area.

9 (C) Any interested person is entitled to be heard at the public hearing that is held
10 pursuant to Subsection (B) of this Section.

11 (D) If a petition that is submitted pursuant to Subsection (B) of this Section is
12 denied, the City Council may not consider another petition concerning the same parcel, or any portion
13 thereof, until at least one year has elapsed since the date of such denial.] in accordance with the
14 provisions of NRS 463.3082 to 463.3086, inclusive.

15 [(E)] (C) In the case of a [petition and hearing that is held] designation pursuant to
16 Subsection (B) of this Section, the special use permit provisions that are contained in Title [19] 19A
17 of this Code shall not apply.

18 SECTION 2: Title 6, Chapter 40, Section 180, of the Municipal Code of the City of
19 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **6.40.180:** No provision found in LVMC 6.40.140 through 6.40.170, other than LVMC 6.40.160,
21 may be amended, modified or deleted by the City Council without a notice and public hearing as
22 herein after provided:

23 (A) Public Hearing. The Council shall hold a public hearing upon each proposed
24 amendment, modification or deletion, [of LVMC 6.40.140 through 6.40.170.] The public hearing shall
25 be conducted not less than twenty-one days nor more than one hundred eighty days following the first
26 reading of the ordinance.

27 (B) The City Clerk shall give notice of the date, time and place of the public hearing
28 by mailing a notice, not less than fifteen days prior to the date of the hearing, to each nonrestricted

1 licensee in the City as shown in the license records of the Department of [Business Activity.] Finance
2 and Business Services.

3 SECTION 3: This Ordinance shall become effective the day following its publication.
4 Section 2 of this Ordinance shall be deemed to become effective immediately before Section 1
5 becomes effective.

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

14 SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases,
15 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
16 1983 Edition, in conflict herewith are hereby repealed.

17 PASSED, ADOPTED and APPROVED this _____ day of _____, 2001.

18 APPROVED:

19
20 By _____
OSCAR B. GOODMAN, Mayor

21 ATTEST:

22
23 BARBARA JO RONEMUS, City Clerk

24 APPROVED AS TO FORM:

25 Val Steed 10-3-01
26 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2001, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2001, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

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13 By _____
OSCAR B. GOODMAN, Mayor

14 ATTEST:

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BARBARA JO RONEMUS, City Clerk

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: OCTOBER 29, 2001

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2001-109 – Eliminates work card requirements for several business license categories and related occupations. Proposed by: Mark Vincent, Director of Finance and Business Services

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Last month, the City Council adopted a number of recommendations for revisions to the City's work card requirements. This bill incorporates those recommendations as well as other minor changes consistent with those recommendations.

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. 2001-109

COMMITTEE RECOMMENDATION:

COUNCILMAN REESE recommended Bill 2001-109 be forwarded to the Full Council with a "Do Pass" recommendation as a First Amendment. **COUNCILMAN WEEKLY** concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

MARK VINCENT, Director, Finance and Business Services, indicated that the subject bill makes the recommended changes in the work card categories, except with regard to food caterer permits. That change was made by the City Council and would require food caterers to obtain health cards instead of work cards.

RECOMMENDING COMMITTEE MEETING OF OCTOBER 29, 2001

City Attorney

Item 8 – Bill No. 2001-109

MINUTES – Continued:

CHIEF DEPUTY CITY ATTORNEY STEED pointed out a proposed First Amendment, a copy of which was submitted for these Minutes, that would require that all pawnbroker employees who have the capability to receive property as collateral for a loan or as a purchase must obtain and maintain a work card, as well as an explanation of why certain professions require work cards.

No one appeared in opposition.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:06 – 4:09)

1-173

1 **BILL NO. 2001-109**

2 **ORDINANCE NO. _____**

3 **AN ORDINANCE TO ELIMINATE WORK CARD REQUIREMENTS FOR SEVERAL BUSINESS**
4 **LICENSE CATEGORIES AND RELATED OCCUPATIONS, AND TO PROVIDE FOR OTHER**
5 **RELATED MATTERS.**

5 Proposed by: Mark Vincent, Director of Finance
6 and Business Services

Summary: Eliminates work card requirements
for several business license categories and
related occupations.

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

9 **SECTION 1: Title 6, Chapter 7, Section 220, of the Municipal Code of the City of**
10 **Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.**

11 **SECTION 2: Title 6, Chapter 7, Section 230, of the Municipal Code of the City of**
12 **Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:**

13 **6.07.230:** [It is unlawful for any seller or factor to hire or permit any principal or solicitor to work
14 who does not have a valid work identification card as required by Section 6.07.220.] Each seller or
15 factor shall have the [further] responsibility of securing from each principal, employee and solicitor
16 faithful adherence to the provisions of this Chapter.

17 **SECTION 3: Title 6, Chapter 14, Section 140, of the Municipal Code of the City of**
18 **Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:**

19 **6.14.140: (A)** All auctions shall be conducted as follows:

20 (1) [No person other than one approved for suitability by the City Council
21 shall act as an auctioneer without first obtaining and thereafter maintaining a valid unexpired work
22 card pursuant to Chapter 6.86;

23 (2)] Each day before the commencement of the auction, the auctioneer shall
24 announce the terms of the sale and the auctioneer shall announce each bid as it is given;

25 [(3)](2) No property shall, during the progress of an auction, be sold at private
26 sale at the place for which a permit has been granted;

27 [(4)](3) No licensee, his auctioneer, agents, servants, employees, or the owner
28 of the property, or other person acting on his behalf, shall:

1 (a) Make any false or misleading statement concerning the
2 ownership, kind, character, quality, condition, make, size, price, or other fact pertaining to any item
3 sold or offered for sale,

4 (b) Act as a by-bidder or what is commonly known as a "capper"
5 or "booster," or make or accept any false or misleading bid, or falsely pretend to buy or sell any item,
6 or conspire with any person to make a false or fictitious bid, or

7 (c) Bid or purchase at the auction; provided, however, that the
8 auctioneer may make a bid which is for the benefit of the owner if notice of such is posted plainly for
9 all attending the auction to see and the auctioneer makes such an announcement in a manner that all
10 can hear at the beginning of the auction;

11 [(5)](4) No free drawing shall be conducted, nor gifts given, nor any form of
12 entertainment provided to encourage attendance at the auction, or for any other purpose;

13 [(6)](5) Upon request of any person who has bid upon an item offered for sale,
14 the auctioneer shall allow the bidder a reasonable opportunity to examine the item, and the bidder may
15 thereafter withdraw his bid at any time before the auctioneer declares the item sold.

16 (B) The licensee shall during regular business hours of the day allow any police
17 officer or the Director to examine any item held for sale, offered for sale, or sold by auction at any
18 time before the item is delivered to the purchaser.

19 (C) The provisions of Paragraph (4) of Subsection (A) [Paragraph (5)] do not apply
20 to automobile auctions where members of the general public are not permitted to be in attendance.

21 SECTION 4: Title 6, Chapter 18, Section 50, of the Municipal Code of the City of
22 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

23 **6.18.050:** No person, except one approved for suitability as required by Chapter 6.06, shall be
24 employed by the licensee to install, maintain or repair a burglar alarm system on the premises of a
25 customer or client unless [he] the person performing the service has a valid unexpired work card
26 obtained pursuant to Chapter 6.86.

27 SECTION 5: Title 6, Chapter 19, Section 30, of the Municipal Code of the City of
28 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1 **6.19.030:** It is unlawful for any person to operate or perform in the operation of a concession at
2 a carnival without having in his possession a valid work card obtained pursuant to Chapter 6.86.

3 SECTION 6: Title 6, Chapter 39, Section 50, of the Municipal Code of the City of
4 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 **6.39.050:** The Director of the Department may issue a permit to provide food catering services
6 to an applicant if the Director finds there is compliance with the following provisions:

7 (A) The food catering services [are so managed that only persons who have valid
8 work cards are employed.] will be provided in accordance with the requirements of the Clark County
9 Health District.

10 (B) The permit shall state the date, hours, and location of the food catering services
11 permitted. Any food catering services at times or places beyond that stated in the permit shall be
12 grounds for disciplinary action.

13 (C) The food catering services will be performed consistent with this Chapter and
14 in such a manner as to pose no threats to the general health, safety, welfare or morals of the inhabitants
15 of the City.

16 (D) The food catering permit application requirements of Section 6.39.040 of this
17 [chapter] Chapter have been met.

18 SECTION 7: Title 6, Chapter 40, Sections 190 and 200, of the Municipal Code of the
19 City of Las Vegas, Nevada, 1983 Edition, are hereby repealed in their entirety.

20 SECTION 8: Title 6, Chapter 50, Section 370, of the Municipal Code of the City of
21 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

22 **6.50.370:** It is unlawful for any [person] of the following to be employed in the retail sales of
23 alcoholic beverages for on or off premises consumption without having in his possession a valid work
24 card for alcoholic beverages pursuant to LVMC [6.86. This includes bartenders, cashiers, checkers,
25 greeters, security guards, waiters, waitresses and managers, or their functional equivalents.] Chapter
26 6.86:

27 (A) A manager:

28 (B) Any employee who pours or serves alcoholic beverages for on premises

1 consumption; or

2 (C) Any employee who accepts payment for the sale or delivery of alcoholic
3 beverages for off premises consumption.

4 SECTION 9: Title 6, Chapter 60, Section 70, of the Municipal Code of the City of
5 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6 **6.60.070:** Each employee of [the] a pawnbroker[,] who will conduct pawn transactions, other than
7 those individuals found suitable for the license, must first obtain and thereafter maintain a valid,
8 unexpired work card pursuant to Chapter 6.86 of this Code.

9 SECTION 10: Title 6, Chapter 80A, Section 60, of the Municipal Code of the City of
10 Las Vegas, Nevada, 1983 Edition, as amended by Section 14 of Ordinance No. 5352, is hereby
11 amended to read as follows:

12 **6.80A.060:** (A) If the operation of a temporary merchant requires a temporary commercial
13 permit pursuant to LVMC 19A.18.100, the applicant shall file, along with the application for a
14 temporary merchant permit, written evidence that a temporary commercial permit has been obtained.

15 (B) [The] An applicant for a temporary merchant permit who does not possess a
16 valid business license will be referred to Metro to obtain a work card pursuant to LVMC Chapter 6.86.
17 Approval of the work card must be obtained before issuance of a temporary merchant permit.

18 SECTION 11: Title 6, Chapter 82, Section 180, of the Municipal Code of the City of
19 Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

20 SECTION 12: Title 6, Chapter 82, Section 190, of the Municipal Code of the City of
21 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

22 **6.82.190:** [It is unlawful for any licensee hereunder to hire or permit any employee to work who
23 does not have a valid work identification card as required by Section 6.82.180, and each] Each
24 licensee shall have the responsibility of securing from each employee faithful adherence to the
25 provisions of this Chapter.

26 SECTION 13: Title 10, Chapter 25, Sections 40 and 50, of the Municipal Code of the
27 City of Las Vegas, Nevada, 1983 Edition, are hereby repealed in their entirety.

28 SECTION 14: If any section, subsection, subdivision, paragraph, sentence, clause or

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

8 SECTION 15: All ordinances or parts of ordinances or sections, subsections, phrases,
9 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
10 1983 Edition, in conflict herewith are hereby repealed.

11 PASSED, ADOPTED and APPROVED this ____ day of _____, 2001.

12 APPROVED:

13 By _____
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16
17 BARBARA JO RONEMUS, City Clerk

18 APPROVED AS TO FORM:

19 Val Steed 10-3-01
20 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2001, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2001, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

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

11 APPROVED:

12
13 By _____
OSCAR B. GOODMAN, Mayor

14 ATTEST:
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16 BARBARA JO RONEMUS, City Clerk

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PROPOSED FIRST AMENDMENT

BILL NO. 2001-109

ORDINANCE NO. _____

AN ORDINANCE TO ELIMINATE WORK CARD REQUIREMENTS FOR SEVERAL BUSINESS LICENSE CATEGORIES AND RELATED OCCUPATIONS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Mark Vincent, Director of Finance
and Business Services

Summary: Eliminates work card requirements
for several business license categories and
related occupations.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN

AS FOLLOWS:

SECTION 1: Title 6, Chapter 7, Section 220, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

SECTION 2: Title 6, Chapter 7, Section 230, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.07.230: [It is unlawful for any seller or factor to hire or permit any principal or solicitor to work who does not have a valid work identification card as required by Section 6.07.220.] Each seller or factor shall have the [further] responsibility of securing from each principal, employee and solicitor faithful adherence to the provisions of this Chapter.

SECTION 3: Title 6, Chapter 14, Section 140, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.14.140: (A) All auctions shall be conducted as follows:

(1) [No person other than one approved for suitability by the City Council shall act as an auctioneer without first obtaining and thereafter maintaining a valid unexpired work card pursuant to Chapter 6.86;

(2)] Each day before the commencement of the auction, the auctioneer shall announce the terms of the sale and the auctioneer shall announce each bid as it is given;

[(3)](2) No property shall, during the progress of an auction, be sold at private sale at the place for which a permit has been granted;

[(4)](3) No licensee, his auctioneer, agents, servants, employees, or the owner

1 of the property, or other person acting on his behalf, shall:

2 (a) Make any false or misleading statement concerning the
3 ownership, kind, character, quality, condition, make, size, price, or other fact pertaining to any item
4 sold or offered for sale,

5 (b) Act as a by-bidder or what is commonly known as a "capper"
6 or "booster," or make or accept any false or misleading bid, or falsely pretend to buy or sell any item,
7 or conspire with any person to make a false or fictitious bid, or

8 (c) Bid or purchase at the auction; provided, however, that the
9 auctioneer may make a bid which is for the benefit of the owner if notice of such is posted plainly for
10 all attending the auction to see and the auctioneer makes such an announcement in a manner that all
11 can hear at the beginning of the auction;

12 [(5)](4) No free drawing shall be conducted, nor gifts given, nor any form of
13 entertainment provided to encourage attendance at the auction, or for any other purpose;

14 [(6)](5) Upon request of any person who has bid upon an item offered for sale,
15 the auctioneer shall allow the bidder a reasonable opportunity to examine the item, and the bidder may
16 thereafter withdraw his bid at any time before the auctioneer declares the item sold.

17 (B) The licensee shall during regular business hours of the day allow any police
18 officer or the Director to examine any item held for sale, offered for sale, or sold by auction at any
19 time before the item is delivered to the purchaser.

20 (C) The provisions of Paragraph (4) of Subsection (A) [Paragraph (5)] do not apply
21 to automobile auctions where members of the general public are not permitted to be in attendance.

22 SECTION 4: Title 6, Chapter 18, Section 50, of the Municipal Code of the City of
23 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

24 **6.18.050:** No person, except one approved for suitability as required by Chapter 6.06, shall be
25 employed by the licensee to install, maintain or repair a burglar alarm system on the premises of a
26 customer or client unless [he] the person performing the service has a valid unexpired work card
27 obtained pursuant to Chapter 6.86.

28 SECTION 5: Title 6, Chapter 19, Section 30, of the Municipal Code of the City of

Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.19.030: It is unlawful for any person to operate or perform in the operation of a concession at a carnival without having in his possession a valid work card obtained pursuant to Chapter 6.86.

SECTION 6: Title 6, Chapter 39, Section 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.39.050: The Director of the Department may issue a permit to provide food catering services to an applicant if the Director finds there is compliance with the following provisions:

(A) The food catering services [are so managed that only persons who have valid work cards are employed.] will be provided in accordance with the requirements of the Clark County Health District.

(B) The permit shall state the date, hours, and location of the food catering services permitted. Any food catering services at times or places beyond that stated in the permit shall be grounds for disciplinary action.

(C) The food catering services will be performed consistent with this Chapter and in such a manner as to pose no threats to the general health, safety, welfare or morals of the inhabitants of the City.

(D) The food catering permit application requirements of Section 6.39.040 of this [chapter] Chapter have been met.

SECTION 7: Title 6, Chapter 40, Sections 190 and 200, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby repealed in their entirety.

SECTION 8: Title 6, Chapter 50, Section 370, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.50.370: It is unlawful for any [person] of the following to be employed in the retail sales of alcoholic beverages for on or off premises consumption without having in his possession a valid work card for alcoholic beverages pursuant to LVMC [6.86. This includes bartenders, cashiers, checkers, greeters, security guards, waiters, waitresses and managers, or their functional equivalents.] Chapter 6.86:

(A) A manager:

1 (B) Any employee who pours or serves alcoholic beverages for on premises
2 consumption; or

3 (C) Any employee who accepts payment for the sale or delivery of alcoholic
4 beverages for off premises consumption.

5 SECTION 9: Title 6, Chapter 60, Section 70, of the Municipal Code of the City of
6 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7 **6.60.070:** Each employee of [the] a pawnbroker[,] who has the capability to receive property as
8 collateral for a loan or as an outright purchase, other than those individuals found suitable for the
9 license, must first obtain and thereafter maintain a valid, unexpired work card pursuant to Chapter
10 6.86 of this Code.

11 SECTION 10: Title 6, Chapter 80A, Section 60, of the Municipal Code of the City of
12 Las Vegas, Nevada, 1983 Edition, as amended by Section 14 of Ordinance No. 5352, is hereby
13 amended to read as follows:

14 **6.80A.060:** (A) If the operation of a temporary merchant requires a temporary commercial
15 permit pursuant to LVMC 19A.18.100, the applicant shall file, along with the application for a
16 temporary merchant permit, written evidence that a temporary commercial permit has been obtained.

17 (B) [The] An applicant for a temporary merchant permit who does not possess a
18 valid business license will be referred to Metro to obtain a work card pursuant to LVMC Chapter 6.86.
19 Approval of the work card must be obtained before issuance of a temporary merchant permit.

20 SECTION 11: Title 6, Chapter 82, Section 180, of the Municipal Code of the City of
21 Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

22 SECTION 12: Title 6, Chapter 82, Section 190, of the Municipal Code of the City of
23 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

24 **6.82.190:** [It is unlawful for any licensee hereunder to hire or permit any employee to work who
25 does not have a valid work identification card as required by Section 6.82.180, and each] Each
26 licensee shall have the responsibility of securing from each employee faithful adherence to the
27 provisions of this Chapter.

28 SECTION 13: Title 6, Chapter 86, Section 20, of the Municipal Code of the City of Las Vegas,

1 Nevada, 1983 Edition, is hereby amended to read as follows:

2 **6.86.020:** (A) Pursuant to authority under the City Charter and State law to regulate
3 businesses, trades and professions, the City Council has identified by ordinance certain businesses,
4 trades and professions that require a high degree of supervision and that seriously affect the public
5 health, safety, prosperity, security, comfort, convenience, general welfare and property of the City and
6 its residents. In connection with the regulation of a number of those businesses, trades and
7 professions, the City Council has by ordinance imposed a work card requirement on employees that
8 work in those businesses, trades and professions, and those requirements appear throughout this Code
9 in the chapters that regulate those businesses, trades and professions. In each case, the work card
10 requirement is based upon the Council's determination that the requirement is prudent and necessary
11 in order to protect the public health, safety, prosperity, security, comfort, convenience, general welfare
12 and property of the City and its residents.

13 (B) It is unlawful for any person to be engaged in an employment that requires a
14 work card pursuant to the provisions of this Code unless such person has in his possession a valid
15 work card for such employment.

16 SECTION 14: Title 10, Chapter 25, Sections 40 and 50, of the Municipal Code of the
17 City of Las Vegas, Nevada, 1983 Edition, are hereby repealed in their entirety.

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

26 SECTION 16: All ordinances or parts of ordinances or sections, subsections, phrases,

27 ...

28 ...

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

3 PASSED, ADOPTED and APPROVED this ____ day of _____, 2001.

4 APPROVED:

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6 By _____
OSCAR B. GOODMAN, Mayor

7 ATTEST:

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9 _____
BARBARA JO RONEMUS, City Clerk

10 APPROVED AS TO FORM:

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12 _____ Date

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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2001, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2001, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as amended and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

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13 By _____
OSCAR B. GOODMAN, Mayor

14 ATTEST:

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16 BARBARA JO RONEMUS, City Clerk

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City of Las Vegas

RECOMMENDING COMMITTEE AGENDA
RECOMMENDING COMMITTEE MEETING OF: OCTOBER 29, 2001

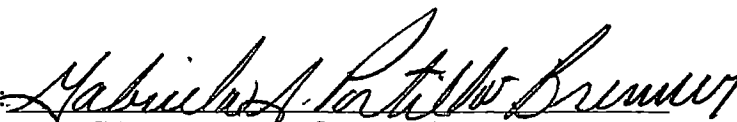
ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE DELIBERATED OR ACTED UPON UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN MET. IF YOU WISH TO SPEAK ON A MATTER NOT LISTED ON THE AGENDA, PLEASE CLEARLY STATE YOUR NAME AND ADDRESS. IN CONSIDERATION OF OTHERS, AVOID REPETITION, AND LIMIT YOUR COMMENTS TO NO MORE THAN THREE (3) MINUTES. TO ENSURE ALL PERSONS EQUAL OPPORTUNITY TO SPEAK, EACH SUBJECT MATTER WILL BE LIMITED TO TEN (10) MINUTES.

MINUTES:

None.

MEETING ADJOURNED AT 4:09 P.M.

Respectfully submitted:



GABRIELA S. PORTILLO-BRENNER

October 31, 2001