

**AGENDA SUMMARY PAGE**

**RECOMMENDING COMMITTEE MEETING OF: NOVEMBER 18, 2002**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

**CONSENT**

**DISCUSSION**

**SUBJECT:**

**NEW BILLS:**

**Bill No. 2002-122** - Bond Ordinance providing for the issuance by the City of Las Vegas of its Registered Local Improvement District Bonds Series 2002, for Special Improvement District (SID) numbers 1463, 1470, 1471, 1473, 1477 in an amount not to exceed \$4,750,500 Proposed by: Mark Vincent, Director of Finance & Business Services - Various Wards

**Fiscal Impact**

**No Impact**

**Amount:** \$4,750,500

**Budget Funds Available**

**Dept./Division:** Public Works

**Augmentation Required**

**Funding Source:** SID assessments in the respective districts

**PURPOSE/BACKGROUND:**

The City has created the improvement districts in compliance with NRS 271. NRS Chapter 348 authorizes the issuance of bonds for the SID districts. The terms of the bonds will range between ten and twenty years and be funded with the SID assessments in the respective 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. 2002-122

**COMMITTEE RECOMMENDATION:**

**COUNCILMAN MACK** recommended **Bill 2002-122** be forwarded to the Full Council with a "Do Pass" recommendation. **COUNCILMAN WEEKLY** concurred.

**MINUTES:**

**COUNCILMAN WEEKLY** declared the Public Hearing open.

**DEPUTY CITY MANAGER STEVE HOUCHENS** advised that this item is in order.

No one appeared in opposition and there was no further discussion.

**COUNCILMAN WEEKLY** declared the Public Hearing closed.

(4:01)

1-10

103





# City of Las Vegas

## **RECOMMENDING COMMITTEE AGENDA RECOMMENDING COMMITTEE MEETING OF: NOVEMBER 18, 2002**

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

### **MINUTES:**

PRESENT: COUNCILMEN WEEKLY and MACK

Also Present: DEPUTY CITY MANAGER STEVE HOUCHENS, CHIEF DEPUTY CITY ATTORNEY VAL STEED, and ASSISTANT DEPUTY CITY CLERK VICKY DARLING

ANNOUNCEMENT MADE – meeting noticed and posted at the following locations:

Las Vegas Library, 833 Las Vegas Boulevard North  
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

(4:01)

1-1

Summary - An ordinance authorizing local improvement bonds for City of Las Vegas, Nevada, District Nos 1463, 1470, 1471, 1473, and 1477 in the aggregate principal amount of not to exceed \$4,750,500, and providing other matters related thereto

**BILL NO. 2002-122**  
**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF REGISTERED LOCAL IMPROVEMENT DISTRICT BONDS, SERIES 2002, FOR CITY OF LAS VEGAS, NEVADA, IMPROVEMENT DISTRICT NOS. 1463, 1470, 1471, 1473, AND 1477 TO FINANCE THE CONSTRUCTION OF LOCAL IMPROVEMENTS.**

**WHEREAS**, the City of Las Vegas in the State of Nevada (the “City” and “State,” respectively) is a political subdivision of the State, organized and operating as a city under the provisions of an act entitled “AN ACT incorporating the City of Las Vegas, in Clark County, Nevada, under a new charter, defining the boundaries thereof; and providing other matters properly relating thereto,” cited as Chapter 517, Statutes of Nevada 1983, and all laws amendatory thereof; and

**WHEREAS**, the City Council (the “Council”) of the City, pursuant to ordinances heretofore passed and adopted (the “District No. 1463 Ordinance,” the “District No. 1470 Ordinance,” the “District No 1471 Ordinance,” the “District No 1473 Ordinance,” and the “District No 1477 Ordinance,”), created City of Las Vegas, Nevada, Improvement District No. 1463 - Bonanza Village Subdivision - Security Wall, District No. 1470 - Craig Road (Buffalo Drive to U.S 95), District No 1471 - Jones Boulevard (Rancho Drive to Centennial Parkway), District No. 1473 - Ann Road (U.S. 95 Freeway to Allen Lane), and District No. 1477 (Tenaya Way and Azure Drive) (the “District Nos. 1463, 1470, 1471, 1473, and 1477” or the “Districts”) and ordered the acquisition of certain local improvements for the Districts (the “District Nos 1463, 1470, 1471, 1473, and 1477 Projects” or the “Projects”) and determined to defray a portion of the entire cost and expense of such improvements by special assessments, according to benefits, against the benefitted lots, tracts and parcels of land in the Districts; and

**WHEREAS**, the Council has by ordinances heretofore passed and adopted (respectively, the “District No. 1463 Assessment Ordinance,” the “District No. 1470 Assessment Ordinance,” the “District No 1471 Assessment Ordinance,” the “District No. 1473 Assessment Ordinance.” and the “District No. 1477 Assessment Ordinance” and collectively, the “Assessment Ordinances”) levied, assessments against the property benefitted by the improvements in the Districts, and

**WHEREAS**, the Council and the officers of the City have determined, and do hereby determine, that it is necessary and for the best interests of the City and the inhabitants thereof that the City issue its registered local improvement bonds in an aggregate principal

amount not exceeding the aggregate principal amount of such assessments as remains payable in installments on the date of delivery of the bonds except as otherwise provided in Nevada Revised Statutes (“NRS”) 271 360; and

**WHEREAS**, the Council has elected, and hereby elects, to have Chapter 348 of NRS apply to the bonds issued for the Districts; and

**WHEREAS**, the bonds are to bear interest at the rates per annum provided in the bond purchase proposal submitted by the initial purchaser (the “Purchaser”) and accepted by the City Director of Finance and Business Services (the “Finance Director”), which rates must not exceed by more than 3% of the Index of Twenty Bonds most recently published in The Bond Buyer prior to the time bids were received for the bonds, and are to be sold at a price equal to the principal amount thereof, plus accrued interest to the date of delivery of the bonds, less a discount not exceeding 9% of the principal amount thereof, all as specified by the Finance Director in a certificate dated on or before the date of delivery of the bonds (the “Certificate of the Finance Director”); and

**WHEREAS**, the Council has previously established a Local Improvement Districts Special Surplus and Deficiency Fund (the “Surplus and Deficiency Fund”), in accordance with NRS 271.428

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAS VEGAS, IN THE STATE OF NEVADA, DO ORDAIN:**

Section 1 This ordinance shall be known as and may be cited by the short title “District Nos. 1463, 1470, 1471, 1473, and 1477 Bond Ordinance” (this “Ordinance”).

Section 2. All actions, proceedings, matters and things heretofore taken, had and done by the City and the officers of the City (not inconsistent with the provisions of this Ordinance) concerning the Districts, including, but not limited to, the construction and other acquisition of local improvements, the performing of all prerequisites to the levying of special assessments and to fixing the assessment lien against the property in the Districts, including, without limitation, the passage and adoption of the Assessment Ordinances, and the issuance of its local improvement bonds hereby authorized in the aggregate principal amount of not to exceed \$4,750,500 (the “bonds”) and the sale of the bonds to the Purchaser is ratified, approved and confirmed, including, without limitation, the distribution of the Preliminary Official Statement for the bonds, and the Final Official Statement in substantially the form thereof (the “Official Statement”). Pursuant to NRS 350.165, the Finance Director is authorized to accept the bond purchase proposal for the bonds and to deliver the Certificate of the Finance Director specifying the items required by this Ordinance

Section 3 The City covenants to receive, collect and enforce the payment of all assessments made and levied for said improvements, and all installments thereof, all interest thereon, and all penalties accrued, as provided by law and in the same manner and at the same time or times as prescribed by the Assessment Ordinances, and by this Ordinance, and to pay and disburse said payments, the installments thereof, the interest thereon, and the penalties thereto, to any person or persons lawfully entitled thereto.

Section 4 The City Treasurer is hereby authorized, empowered and directed to receive and collect all assessments levied to pay the cost of said improvements, the installments thereof, the interest thereon (at a rate to be hereafter determined), and the penalties accrued, at the time and in the manner specified in the Assessment Ordinances, and to pay and disburse such payments to the person or persons lawfully entitled to receive the same, in accordance with the ordinances and resolutions of the City heretofore or to be hereafter adopted. Except as provided in NRS 271 360 concerning assessments for which a hardship determination has been made, all moneys received from the assessments of the Districts after the applicable cash periods provided in the Assessment Ordinances, both principal and interest, shall be placed in a separate fund to be designated the "City of Las Vegas, Nevada, District Nos. 1463, 1470, 1471, 1473, and 1477 Bond Fund" (the "Bond Fund"), and shall be used as soon as the funds are available for the purpose of paying the principal of and the interest on, and prior redemption premiums, if any, on the bonds, and for no other purpose whatsoever, and as security for such payment, said Bond Fund is hereby exclusively pledged except as otherwise specifically provided herein. The City Treasurer is also authorized, empowered and directed to receive and collect surplus local improvement district moneys, if any, pursuant to NRS 271.428 and to place all said surplus moneys, except as otherwise required by NRS 271 429, in the City's Surplus and Deficiency Fund, and to disburse therefrom said moneys for the payment of the interest on and the principal of the City's special or local improvement district bonds, including the bonds, to the extent necessary, if necessary.

Section 5 If the owner of any lot, tract or parcel of land assessed for said improvements shall be delinquent as to assessments, it shall be the duty of the Council to cause the delinquent person to be notified of such delinquency, in writing, and if such delinquency is not paid, the Council may foreclose the special assessment lien against the property or properties wherein the delinquency exists in the method now or hereafter provided by law. All the net proceeds of collecting any delinquent assessment shall be deposited in the Bond Fund (or in the general fund of the City, to the extent provided in Section 9 hereof,) and in any event in an amount of not less than the principal amount of said assessment and accrued interest thereon to the date of its collection.

Section 6 For the purpose of defraying the entire cost and expense of making said improvements (except to the extent funds are available therefor from that part of said assessments which have been heretofore paid and to the extent other funds are available therefor), there shall be issued in the name of the City, the City's fully registered (i.e. registered as to payment of both principal and interest) special assessment bonds designated as the "City of Las Vegas, Nevada, District Nos. 1463, 1470, 1471, 1473, 1477 Local Improvement Bonds, Series, 2002" in the aggregate principal amount of not to exceed \$4,750,500, which bonds shall be dated as of the first day of the month in which the bonds are delivered to the Purchaser. Except as provided in Section 13 hereof, the bonds shall be in the denomination of \$5,000 each, and such bonds may be in any denomination which is an integral multiple of \$5,000 (except for one bond of the first maturity which may be in any denomination which is an integral multiple of \$1,000), provided that no bond may be in a denomination which exceeds the principal coming due on any maturity date and no individual bond will be issued for more than one maturity. Such bonds shall bear interest, at the rates per annum designated in the Certificate of the Finance Director (calculated on a 360-day year consisting of twelve 30-day months), from the most recent interest payment date for which interest has been paid or duly provided for, or if

no interest has been paid, from the date of the bonds, to maturity at the rates per annum designated (calculated on a 360-day year consisting of twelve 30-day months), payable semiannually on June 1 and December 1 of each year, commencing on June 1, 2003. The bonds shall mature on the dates and in each of the years and amounts designated in the Certificate of the Finance Director.

The bonds shall be payable in lawful money of the United States of America without deduction for exchange or collection charges at the office of the City Treasurer (the "Paying Agent") or such other office as may be designated by the Paying Agent. If, upon presentation at, or after maturity, payment of any bond is not made as herein provided, interest thereon shall continue at the same rate per annum until the principal thereof is paid in full. The principal of and prior redemption premiums due on any bond shall be payable to the registered owner thereof as shown on the registration records kept by the City Treasurer, being both the registrar (the "Registrar") and paying agent for the bonds, upon maturity thereof and upon presentation and surrender of such bond at the Paying Agent or such other office as may be designated by the Paying Agent. Except as provided in Section 13 hereof, payment of interest on any bond shall be made to the registered owner thereof by check or draft mailed by the Paying Agent, on or before each interest payment date (or, if such interest payment date is not a business day, on or before the next succeeding business day), to the registered owner thereof at his address as it last appears on the registration books kept by the Registrar (or by such other arrangement as may be mutually agreed to by the Paying Agent and any registered owner), on the fifteenth day of the calendar month preceding each interest payment date (the "Regular Record Date") or, on a special record date (the "Special Record Date") if established by the Paying Agent for the payment of defaulted interest on such Special Record Date. All such payments shall be made in lawful money of the United States of America.

Section 7 All of the bonds shall be subject to prior redemption, from any legally available monies, at the option of the City from any maturities (in any order of maturity and by lot within a maturity) on any interest payment date prior to maturity, at a price equal to the principal amount thereof, accrued interest to the redemption date and at a premium of not more than three percent (3%) of the principal amount so redeemed as designated in the Certificate of the Finance Director. The prior redemption premium shall be paid from the prepayment penalty for special assessments provided for in the Assessment Ordinances, provided, however, that nothing herein shall prevent the payment of any such redemption premium from any other funds available for that purpose. The City Treasurer shall select the maturity of the bonds to be redeemed. If less than all bonds of a single maturity are being called, such bonds will be selected by the Paying Agent by lot giving proportionate weight to bonds in denominations larger than \$5,000, all in such manner as the Paying Agent may determine. Whenever considered advisable by the City Treasurer and whenever funds are available for such purpose (to the credit of the Districts), he may require that the Paying Agent call a suitable amount of bonds for payment. In the case of bonds of a denomination larger than \$5,000, a portion of such bond (\$5,000 or any integral multiple thereof, except for one bond of the first maturity which may be in any denomination which is an integral multiple of \$1,000) may be redeemed, in which case the Registrar shall, without charge to the owner of such bond, authenticate and issue a replacement bond or bonds for the unredeemed portion thereof. Unless waived by any registered owner of a bond to be redeemed, notice of redemption shall be given by the Registrar, in the name of the City by mailing such notice at least 15 days and not more

than 60 days prior to the redemption date, by first-class mail, postage prepaid, to the registered owner (initially Cede & Co.) of the bonds to be redeemed and to the original Purchaser of the bonds. Failure to give such notice to the registered owner of any bond, or any defect therein, shall not affect the validity of the proceedings for the redemption of any other bonds. All such notices of redemption shall be dated and shall state: (1) the redemption date, (2) the redemption prices, (3) if less than all outstanding bonds are to be redeemed, the identification (and, in the case of partial redemption, the respective principal amounts) of the bonds to be redeemed, (4) that on the redemption date the redemption price will become due and payable upon each such bond or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date, and (5) the place where such bonds are to be surrendered for payment of the redemption price, which place of payment shall be the office of the Paying Agent or such other office as may be designated by the Paying Agent. After such notice has been given in the manner herein provided, the bond or bonds called for redemption shall become due and payable on the designated redemption date, and upon presentation thereof, the City will pay the bond or bonds called for redemption. Installments of interest due prior to the redemption date and on the redemption date shall be payable as herein provided for payment of interest. A certificate by the Registrar that a notice of redemption has been given as herein set forth shall be conclusive and receipt by the bondowner of a notice of redemption shall not be a condition precedent to the redemption of that bond.

Section 8 Except as otherwise provided in Section 13 hereof, the person in whose name a bond shall be registered on the registration books kept by the Registrar shall be deemed and regarded as the absolute owner thereof for all purposes and payment of principal of, prior redemption premium due on, and interest on any bond shall be made only to or upon the written order of the registered owner thereof or his legal representative (except as provided above for the payment of interest to the registered owner as of the Regular or a Special Record Date). All such payments shall be valid and effectual to discharge the liability upon such bond to the extent of the sum or sums so paid.

Section 9 The bonds and the interest thereon shall be payable from the Bond Fund, containing the receipts upon the collection thereof from the assessments levied against and secured by a lien upon the lots, tracts and parcels of land in the Districts. Whenever there is a deficiency in the special Bond Fund established pursuant to NRS 271.490, the deficiency must first be paid out of the City's Surplus and Deficiency Fund (to the extent any money is available therein) before any payment is made out of the general fund of the City. In the event the Bond Fund shall be insufficient to pay the bonds and interest thereon as they become due, and the amounts, if any, in the Surplus and Deficiency Fund are not sufficient for that purpose, the deficiency shall be paid out of the general fund of the City. In the event deficiencies are paid out of the general fund of the City, all net proceeds of collecting the delinquent assessments with respect to which such payments from the general fund of the City were required to be made shall be returned and deposited in the general fund of the City when the bonds, both principal and interest, have been fully paid and discharged. If the general fund shall be insufficient to pay any such deficiency promptly, the Council shall levy, and it shall be its duty to levy, general (ad valorem) taxes upon all property in the City which is by law taxable for State, City and municipal purposes, without regard to any statutory tax limitation existing on or after May 14, 1965, and without limitation as to rate or amount, fully sufficient, after making due allowance for probable delinquencies, to provide for the prompt payment of such bonds as they become due,

both principal and interest, but subject to the limitations set forth in NRS 361.453 and Section 2 of Article 10 of the Constitution of the State. The bonds and the interest thereon are payable solely from the assessments, any moneys in the Surplus and Deficiency Fund, the general fund, and general tax proceeds pledged to the payment thereof.

Section 10 Pursuant to NRS 271.515, the Mayor, the City Clerk and City Treasurer shall each file with the Secretary of State his or her manual signature certified under oath. Thereafter, each of said bonds shall be signed and executed in the name of the City with the engraved, imprinted, stamped or otherwise reproduced manual or facsimile of the signature of the Mayor, the City Treasurer, shall be attested with the manual or facsimile signature of the City Clerk, and each bond shall be authenticated by the manual signature of an authorized officer of the Registrar as hereafter provided. A printed, engraved, stamped or otherwise placed authentic or facsimile of the seal of the City shall be affixed thereto. The bonds bearing the signatures of the officers in office at the time of the signing thereof, shall be the valid and binding obligations of the City (subject to the requirement of authentication by the Registrar as hereinafter provided), notwithstanding that before the delivery thereof and payment therefor, any or all of the persons whose signatures appear thereon shall have ceased to fill their respective offices. Any officer herein authorized or permitted to sign any bond at the time of its execution and of the execution of a signature certificate, may adopt as and for his or her own facsimile signature, the facsimile signature of his or her predecessor in office in the event that such facsimile signature appears upon the bond. No bond shall be valid or obligatory for any purpose unless the certificate of authentication, substantially in the form hereinafter provided, has been duly executed by the Registrar, and such certificate of authentication of the Registrar upon any bond shall be the only competent evidence that such bond has been duly issued and delivered. The Registrar's certificate of authentication shall be deemed to have been duly executed by it if manually signed by a duly authorized officer of the Registrar, but it shall not be necessary that the same officer sign the certificate of authentication on all of the bonds issued hereunder. If any bond shall be lost, stolen, destroyed or mutilated, the Registrar shall, upon receipt of such evidence or information relating thereto, appropriate indemnification, and such reimbursement for expenses as it may reasonably require, register and deliver to the registered owner thereof a replacement for such bond bearing a number not contemporaneously outstanding. If such lost, stolen, destroyed or mutilated bond shall have matured, the Registrar may direct the Paying Agent to pay such bond in lieu of replacement.

Section 11 Except as otherwise provided in Section 13 hereof, books or records for the registration and transfer of the bonds shall be kept by the Registrar for the bonds. A bond shall be fully transferable by the registered owner thereof in person or by his duly authorized attorney on the registration records kept at the office of the Registrar, or such other office as may be designated by the Registrar, upon presentation of the bond together with a duly executed written instrument of transfer satisfactory to the Registrar. Except as otherwise provided in Section 13 hereof, upon the surrender for transfer of any bond at the Registrar, duly endorsed for transfer or accompanied by an assignment (in form satisfactory to the Registrar) duly executed by the registered owner or his attorney duly authorized in writing, the Registrar shall authenticate and deliver in the name of the transferee or transferees a new bond or bonds of a like aggregate principal amount and of the same maturity, bearing a number or numbers not contemporaneously outstanding. Bonds may be exchanged at the Registrar for an equal aggregate principal amount of bonds of the same maturity of other authorized denominations.

The Registrar may require the owner or transferee to pay any tax or other governmental charge required to be paid with respect to such transfer, and may charge a sum sufficient to pay the cost of preparing and authenticating a new bond. No such charges shall be levied in the case of an exchange resulting from an optional redemption. The Registrar shall not be required to transfer or exchange (i) any bond subject to redemption during a period beginning at the opening of business 15 days before the date of mailing by the Registrar of a notice of prior redemption of the bonds and ending at the close of business on the date of such mailing, or (ii) any bond after the mailing of notice calling such bond, or any portion thereof, for redemption as herein provided. Whenever any bond shall be surrendered to the Paying Agent upon payment thereof, or to the Registrar for replacement as provided herein, such bond shall be promptly canceled and destroyed by the Paying Agent or Registrar, and a certificate of such destruction shall be prepared by the Paying Agent or Registrar upon request of the City.

Section 12 Subject to the registration provisions hereof, the bonds hereby authorized shall be fully negotiable and shall have all the qualities of negotiable paper, and the owner or owners thereof shall possess all rights enjoyed by the holders of negotiable instruments under the provisions of the Uniform Commercial Code - Investment Securities

Section 13 (a) Notwithstanding the foregoing provisions of Sections 6 to 12 hereof, the bonds shall initially be evidenced by one bond for each maturity in which the bonds mature in denominations equal to the aggregate principal amount of the bonds maturing for that maturity. Such initially delivered bonds shall be registered in the name of "Cede & Co" as nominee for The Depository Trust Company, the securities depository for the bonds. The bonds may not thereafter be transferred or exchanged except:

(1) to any successor of The Depository Trust Company or its nominee, which successor must be both a "clearing corporation" as defined in subsection 3 of NRS 104.8102, and a qualified and registered "clearing agency" under Section 17A of the Securities Exchange Act of 1934, as amended from time to time (the "1934 Act"); or

(2) upon the resignation of The Depository Trust Company or a successor or new depository under clause (1) or this clause (2) of this Subsection (a), or a determination by the Council that The Depository Trust Company or such successor or new depository is no longer able to carry out its functions, and the designation by the Council of another depository institution acceptable to the Council and to the depository then holding the bonds, which new depository institution must be both a "clearing corporation" as defined in subsection 3 of NRS 104.8102 and a qualified and registered "clearing agency" under Section 17A of the 1934 Act, to carry out the functions of The Depository Trust Company or such successor or new depository; or

(3) upon the resignation of The Depository Trust Company or a successor or new depository under clause (1) or clause (2) of this Subsection (a), or a determination of the Council that The Depository Trust Company or such successor or new depository is no longer able to carry out its functions, and the failure by the Council, after reasonable investigation, to locate another qualified depository institution under clause (2) to carry out such depository functions

(b) In the case of a transfer to a successor of The Depository Trust Company or its nominee as referred to in clause (1) of Subsection (a) hereof or designation of a new depository pursuant to clause (2) of Subsection (a) hereof, upon receipt of the outstanding bonds by the Registrar, together with written instructions for transfer satisfactory to the Registrar, a new bond for each maturity of the bonds then outstanding shall be issued to such successor or new depository, as the case may be, or its nominee, as is specified in such written transfer instructions. In the case of a resignation or determination under clause (3) of Subsection (a) hereof and the failure after reasonable investigation to locate another qualified depository institution for the bonds as provided in clause (3) of Subsection (a) hereof, and upon receipt of the outstanding bonds by the Registrar, together with written instructions for transfer satisfactory to the Registrar, new bonds shall be issued in the authorized denominations or any integral multiple thereof, as provided in and subject to the limitations of Section 6 hereof, registered in the names of such persons, and in such denominations as are requested in such written transfer instructions; however, the Registrar shall not be required to deliver such new bonds within a period of less than 60 days from the date of receipt of such written transfer instructions.

(c) The Council, the Registrar and the Paying Agent shall be entitled to treat the registered owner of any bond as the absolute owner thereof for all purposes hereof and any applicable laws, notwithstanding any notice to the contrary received by any or all of them and the Council, the Registrar and the Paying Agent shall have no responsibility for transmitting payments to the beneficial owners of the bonds held by The Depository Trust Company or any successor or new depository named pursuant to Subsection (a) hereof.

(d) The Council, the Registrar and the Paying Agent shall endeavor to cooperate with The Depository Trust Company or any successor or new depository named pursuant to clause (1) or (2) of Subsection (a) hereof in effectuating payment of the bond requirements of the bonds by arranging for payment in such a manner that funds representing such payments are available to the depository on the date they are due.

(e) Upon any partial redemption of any maturity of the bonds, Cede & Co. (or its successor) in its discretion may request the City to issue and authenticate a new bond or shall make an appropriate notation on the bond indicating the date and amount of prepayment, except in the case of final maturity, in which case the bond must be presented to the Paying Agent prior to payment.

Section 14 Pursuant to NRS 271.505, said bonds shall contain a recital that they are issued pursuant to Chapter 271 of NRS (the "Consolidated Local Improvements Law"), which recital shall conclusively impart full compliance with all of the provisions of the Consolidated Local Improvements Law, and all bonds issued containing such recital shall be incontestable for any cause whatsoever after their delivery for value.

Section 15 Subject to the provisions of this Ordinance, the bonds and certificates thereon shall be in substantially the following form, with such omissions, insertions, endorsements, and variations as may be required by the circumstances, be required or permitted by this Ordinance, or be consistent with this Ordinance and necessary or appropriate to conform

to the rules and requirements of any governmental authority or any usage or requirement of law with respect thereto:

(Form of Bond)

**TRANSFER OF THIS BOND OTHER THAN BY REGISTRATION IS NOT EFFECTIVE**

UNITED STATES OF AMERICA

STATE OF NEVADA

COUNTY OF CLARK

NO. R-\_\_

\$\_\_

**CITY OF LAS VEGAS, NEVADA  
DISTRICT NOS. 1463, 1470, 1471, 1473, 120 AND 1477  
LOCAL IMPROVEMENT BOND  
SERIES 2002**

Interest Rate                      Maturity Date                      Dated as of                      CUSIP Number  
\_\_\_\_% per annum                      \_\_\_\_\_, 2002

**REGISTERED OWNER:**

**PRINCIPAL AMOUNT:** \_\_\_\_\_ **DOLLARS**

The City of Las Vegas (the "City"), in the State of Nevada (the "State"), for value received hereby promises, out of funds available for the purpose as hereinafter set forth, to pay to the registered owner hereof specified above or registered assigns the principal amount specified above on the maturity date specified above with interest hereon from the date of this bond, or from the most recent interest payment date to which interest has been paid, until maturity at the percentage rate per annum specified above, said interest being payable semiannually on the first days of June and December in each year, commencing June 1, 2003. both principal and interest being payable in lawful money of the United States of America without deduction for exchange or collection charges. The principal of this bond shall be payable to the registered owner (as shown on the registration records) at the office of the City Treasurer in Las Vegas, Nevada (the "Paying Agent" and "Registrar"), or such other office as may be designated by the Paying Agent, upon presentation and surrender of this bond as it becomes due. The interest hereon shall be paid to the registered owner hereof by check or draft mailed by the Paying Agent, on or before each interest payment date (or, if such interest payment date is not a business day, on or before the next succeeding business day), to such registered owner at his address as it last appears on the registration books kept for that purpose by the Registrar on the fifteenth day of the calendar month immediately preceding such interest payment date or on a special record date established by the Registrar for the payment of defaulted interest. Alternative means of payment of interest may be used if mutually agreed to between the owner of this bond and the Paying Agent, as provided in the ordinance authorizing the issuance of this bond (the "Bond Ordinance"). If, upon presentation and surrender to the Paying Agent at maturity, payment of this bond is not made as herein provided, interest hereon shall continue at the same rate per annum until the principal hereof is paid in full

This bond is one of a series subject to prior redemption, from any legally available monies, in any order of maturity selected by the City, at the option of the City, on any interest payment date at a price equal to the principal amount hereof, accrued interest to the redemption date and a redemption premium equal to the percentage of the principal of the bond so redeemed as follows.

| <u>Redemption Dates</u>                | <u>Redemption Premium</u> |
|--|---------------------------|
| Through and including December 1, 2012 | 3%                        |
| June 1, 2013 and December 1, 2013      | 2%                        |
| June 1, 2014 and December 1, 2014      | 1%                        |
| June 1, 2015 and thereafter            | 0%                        |

If less than all of the bonds or portions thereof of a single maturity are being called for redemption such bonds are to be selected by the Paying Agent by lot as provided in the Bond Ordinance. Redemption shall be made upon not less than 15 days' nor more than 60 days' prior notice by mailing to the registered owner of such bond to be redeemed at the address shown on the registration records in the manner and upon the conditions provided in the Bond Ordinance

This bond is one of a series of special assessment bonds, issued by the City, all of which are of like date and designation (but not denomination) and aggregate the total amount of \_\_\_\_\_ Dollars (\$\_\_\_\_\_).

Pursuant to the Bond Ordinance, reference to which is made for further details, the payment of the principal of and the interest on the bonds of the series of which this bond is one, shall be made from, and as security for such payment there is pledged, a special fund designated "City of Las Vegas, Nevada, District Nos. 1463, 1470, 1471, 1473, and 1477 Bond Fund." sometimes designated the "Bond Fund." containing the receipts upon the collection thereof from the assessments, as defined in the Bond Ordinance, levied against and secured by a lien upon the property specially benefitted by said improvements in the City of Las Vegas, Nevada, Improvement District Nos 1463, 1470, 1471, 1473, and 1477 (the "Districts"), and remaining unpaid on the date of delivery of the bonds. The Bond Fund is and shall continue to constitute a sinking fund for and be deemed specially appropriated to the full and prompt payment of said bonds and the interest thereon, and shall be used for no other purpose whatsoever; provided, however, that in the event said fund shall be insufficient to pay said bonds and the interest thereon as they become due, and the moneys, if any, in the City's special Surplus and Deficiency Fund are not sufficient for that purpose, the deficiency shall be paid out of the City's general fund. If the general fund shall be insufficient to pay any such deficiency promptly, the Council shall levy, and it shall be its duty to levy, general (ad valorem) taxes upon all property in the City which is by law taxable for State, county and municipal purposes, without regard to any statutory tax limitation existing on or after May 14, 1965, and without limitation as to rate or amount, fully sufficient, after making due allowance for probable delinquencies, to provide for the prompt payment of such bonds as they become due, both principal and interest, but subject to the limitations set forth in Nevada Revised Statutes ("NRS") 361.453 and Section 2 of Article 10 of the Constitution of the State. Said bonds and the interest thereon are payable solely from the assessments, the moneys, if any, in the City's Surplus and Deficiency Fund (as defined in the Bond Ordinance), the general fund, and general tax proceeds pledged to the payment thereof

Said assessments made and levied to defray said cost, with accruing interest thereon, constitute a lien upon and against the property upon which such assessments were made and levied from and after the effective date of each ordinance levying assessments for the Districts

It is hereby certified, recited and declared that all acts, conditions and things essential to the validity of this bond exist, have happened and have been done in due time, form and manner as required by law: that the total issue of said special assessment bonds of said City for said improvements and incidental expenses, including this bond, does not exceed the amount authorized by law nor the total unpaid special assessments levied to cover the cost of said improvements: that this bond is issued under the authority of the Consolidated Local Improvements Law, Chapter 271, NRS and that this bond is incontestable for any cause whatsoever

It is hereby further certified, recited and declared that the proceedings, with reference to making such improvements, levying the assessments to pay therefor, and issuing said bonds, have been regularly had and taken, in compliance with law, and that all prerequisites to the fixing of the assessment lien against the property benefitted by the improvements and of the liability of the owner or owners of such property therefor have been performed.

\*The bonds of the series of which this is one are fully registered (i.e., registered as to payment of both principal and interest), and are issuable in denominations of \$5,000 (except as otherwise provided in the Bond Ordinance) and any integral multiple thereof, provided that no bond may be in a denomination which exceeds the principal coming due on any maturity date and no individual bond may be issued for more than one maturity. Upon surrender of any of such bonds at the Registrar with a written instrument satisfactory to the Registrar duly executed by the registered owner or his duly authorized attorney, and receipt by such Registrar of the fees and charges provided in the Bond Ordinance, such bond may, at the option of the registered owner or his duly authorized attorney, be exchanged for an equal aggregate principal amount of such bonds of the same maturity of other authorized denominations, subject to such terms and conditions as set forth in the Bond Ordinance.

\*Except for the fifteen-day period preceding any date on which any portion of the bonds of the series of which this bond is one are being selected for call for prior redemption and except for any bond so called for redemption, this bond is fully transferable by the registered owner hereof in person or by his duly authorized attorney on the registration books kept by the Registrar upon surrender of this bond together with a duly executed written instrument of transfer satisfactory to the Registrar, and upon the payment of all fees and charges required by such Registrar. Upon such transfer a new fully registered bond of authorized denomination or denominations of the same aggregate principal amount and maturity will be issued to the transferee in exchange for this bond, subject to such terms and conditions as set forth in the Bond Ordinance. The City and the Registrar and Paying Agent may deem and treat the person in whose name this bond is registered as the absolute owner hereof for the purpose of making payment and for all other purposes.

\*\*The bonds shall not be transferable or exchangeable, except as set forth in the Bond Ordinance.\*\*

\*\*Upon any partial prior redemption of this bond, Cede & Co., in its discretion, may request the Registrar to authenticate a new bond or shall make an appropriate notation on this bond indicating the date and amount of prepayment, except in the case of final maturity, in which case this bond must be presented to the Paying Agent prior to payment.\*\*

This bond shall not be valid or obligatory for any purpose until the Registrar shall have manually signed the certificate of authentication herein

IN WITNESS WHEREOF, City of Las Vegas, Nevada, has caused this bond to be signed and executed in the name of and on behalf of the City with the [manual/facsimile] signature of the Mayor of the City Council, to be countersigned with the [manual/facsimile] signature of the City Treasurer, and to be countersigned, subscribed, executed and attested with the [manual/facsimile] signature of the City Clerk, has caused the [authentic/facsimile] of the corporate seal of the City to be affixed hereon, and has caused this bond to be dated as of the date specified above.

(For [Manual/Facsimile] Signature)  
Mayor

Countersigned:

(For [Manual/Facsimile] Signature)  
City Treasurer

(AUTHENTIC OR FACSIMILE SEAL)

Attested and Countersigned.

(For [Manual/Facsimile] Signature)  
City Clerk

\*Insert only if bonds are delivered pursuant to Section 13A(3) of this ordinance.

\*\*Insert only if bonds are initially delivered to The Depository Trust Company pursuant to Section 13(A) of this ordinance.



\*\* (Form of Prepayment Panel)

**PREPAYMENT PANEL**

The following installments of principal (or portions thereof) of this bond have been prepaid in accordance with the terms of the ordinance authorizing the issuance of this bond.

| <u>Signature of<br/>Date of<br/>Prepayment</u> | <u>Principal<br/>Prepaid</u> | <u>Authorized<br/>Representative of DTC</u> |
|--|------------------------------|---|
| _____  | _____                        | _____                                       |
| _____  | _____                        | _____                                       |
| _____  | _____                        | _____                                       |
| _____  | _____                        | _____                                       |
| _____  | _____                        | _____                                       |

(End of Form of Prepayment Panel)\*\*

(MAY BE PRINTED ON THE BACK OF THE BOND AND THE FOLLOWING STATEMENT INSERTED — REFERENCE IS HEREBY MADE TO THE FURTHER PROVISIONS OF THIS BOND SET FORTH ON THE REVERSE HEREOF; SUCH PROVISIONS SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS IF SET FORTH HERE.)

(  
(Form of Assignment Provision)

**ASSIGNMENT PROVISION**

For value received, the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_ the within bond and hereby irrevocably constitutes and appoints \_\_\_\_\_ attorney in fact, to transfer the within bond on the books of the Registrar, with full power of substitution in the premises.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature Guaranteed

\_\_\_\_\_  
Signature Must Be Guaranteed By A Member  
Firm Of The National Association Of Securities  
Dealers Or By A Commercial Bank or Trust  
Company

NOTE: The signature to this Assignment must correspond with the name as written on the face of the within bond in every particular, without alteration or enlargement or any change whatsoever.

Name of Transferee \_\_\_\_\_

Address of Transferee: \_\_\_\_\_

Taxpayer Identification or  
Social Security Number(s) \_\_\_\_\_

\*Transfer fees must be paid to the Registrar in order to transfer or exchange this Bond as provided in the Bond Ordinance \*

(End of Form of Assignment)

Section 16 When the bonds have been duly executed and authenticated, they will be delivered to the Purchaser on receipt of the agreed purchase price. The proceeds realized from the sale of the bonds (net of any discount), including any investment income therefrom, shall be applied solely to defray the cost and expense of making said improvements; provided, however, that after said cost and expenses are paid (excepting any portion to be paid with other than special assessment proceeds), any funds remaining from the sale of the bonds shall be deposited in the Bond Fund and used for the purposes therefor specified in Section 4 of this Ordinance; and provided further, that all moneys received as accrued interest and premium at the time of delivery of any of the bonds shall be deposited into the Bond Fund to apply to the payment of interest next due on the bonds. The Purchaser, however, shall in no manner be responsible for the application by the City, or any of its officers, agents or employees, of any of the funds derived from the sale thereof or of any other funds herein designated.

Section 17 So long as any of the bonds remain outstanding, the City will keep or cause to be kept true and accurate books of records and accounts showing full and true entries covering the collection and disposition of said special assessments, as well as any delinquencies in the collection thereof, covering deposits in and disbursements from the Bond Fund, covering deposits in and disbursements from the Surplus and Deficiency Fund, covering the redemption of the bonds both principal and interest, and covering disbursements to defray the costs of said improvements, including incidental expenses; and the City will permit an inspection and examination of all books and accounts at all reasonable times by any representative of any of the original purchasers of the bonds.

Section 18 The Finance Director is authorized to execute the proposal to purchase the bonds submitted by the Purchaser in accordance with the provisions of this Ordinance. Pursuant to NRS 350.810 and MSRB Rule G-23, the Council hereby consents to receiving a bid on the bonds from Zions Bank, and this consent shall constitute a written agreement required by NRS 350.810. The designation of the Official Statement by the Finance Director of the City as a "nearly final Official Statement" for purposes of Rule 15c2-12 of the Securities and Exchange Commission is hereby ratified, approved and confirmed.

Section 19. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing:

(a) the printing of the bonds, including, without limitation, the printing of such additional blank bonds as shall be required by the Registrar, and the printing on each bond (or appending thereto) of a certified true copy of the bond counsel's approving opinion and, if appropriate, a statement of insurance; and

(b) the printing, distribution and execution of the final official statement for the bonds (the "Final Official Statement") in substantially the form on file with the City Clerk, but with such amendments, additions and deletions as are in accordance with the facts and not inconsistent herewith, and are approved by the execution of the Final Official Statement by the officials designated therein.

(c) the execution of such certificates as may be reasonably required by the Purchaser, relating, inter alia, to the signing and registration of the bonds, the tenure and identity of the officials of the Council and the City, the delivery of the bonds, the designation of the Paying Agent and the Registrar, the receipt of the purchase price for the bonds, the exemption of interest on the bonds from federal and state income taxation, and if it is in accordance with fact, the absence of litigation, pending or threatened, affecting the validity thereof. It shall be the duty of the proper officers of the City to hereafter take all action necessary for the City to comply with the provisions of Chapter 271. NRS, as hereafter amended and supplemented from time to time;

(d) the execution by the Finance Director of the purchase proposal between the Purchaser and the City, and

(e) the completion and execution by the Finance Director of the Certificate of the Finance Director in accordance with the provisions of this Ordinance

Section 20. Any registered owner of any one or more of the bonds may, either at law or in equity, by suit, action, mandamus or other appropriate proceeding in any court of competent jurisdiction, protect the liens created by this Ordinance on the proceeds of said assessments, and may by suit, action, mandamus or other appropriate proceeding enforce and compel the performance of any duty imposed upon the City by the provisions of this Ordinance, or any ordinance heretofore adopted concerning the Districts, including without limiting the generality of the foregoing, the segregation of special assessments, the proper application thereof, and the appointment of a receiver. The failure of any bondowner to proceed shall not relieve the City or any of its officers, agents or employees of any liability for failure to perform any such duty.

Section 21. The City covenants for the benefit of the registered owners of the bonds that it will not take any action or omit to take any action with respect to the bonds, the proceeds thereof, any other funds of the City or any facilities financed with the proceeds of the bonds if such action or omission (i) would cause the interest on the bonds to lose its exclusion from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended to the date of delivery of the bonds (the "Tax Code"), or (ii) would cause interest on the bonds to lose its exclusion from alternative minimum taxable income as defined in Section 55(b)(2) of the Tax Code except to the extent such interest is required to be included in the adjusted current earnings adjustments applicable to corporations under Section 56 of the Tax Code in calculating corporate alternative minimum taxable income. The foregoing covenant shall remain in full force and effect notwithstanding the payment in full or defeasance of the bonds until the date on which all obligations of the City in fulfilling the above covenant under the Tax Code have been met

Section 22. The City covenants and agrees that it will execute, comply with and carry out all of the provisions of the Continuing Disclosure Certificate, a copy of which is on file for public inspection in the office of the City Clerk. In the event the City fails to comply with the Continuing Disclosure Certificate, any holder or beneficial owner of the bonds may take the remedial actions set forth therein. Breach of the undertakings of the City in the Continuing Disclosure Certificate shall not constitute a default of this Ordinance.

Section 23 When all of the principal of, interest on and prior redemption premiums due in connection with any bond have been duly paid, the pledge, the lien, and all obligations hereunder shall thereby be discharged as to the bond and the bond shall no longer be deemed to be outstanding within the meaning of this Ordinance. There shall be deemed to be such due payment when the City has placed in escrow or in trust with a trust bank located within or without the State, an amount sufficient (including the known minimum yield available for such purpose from bills, certificates of indebtedness, notes, bonds or similar securities which are direct obligations of, or the principal of and interest on which are unconditionally guaranteed by the United States ("Federal Securities")) in which such amount may be initially invested wholly or in part) to meet all principal of and the interest on, and prior redemption premium, if any, on the bond, as the same become due. The Federal Securities shall become due before the respective times on which the proceeds thereof shall be needed, in accordance with a schedule established and agreed upon between the City and the bank at the time of the creation of the escrow or trust, or the Federal Securities shall be subject to redemption at the option of the holders thereof to assure availability as needed to meet the schedule. For the purpose of this section "Federal Securities" shall include only Federal Securities which are not callable for redemption prior to their maturities except at the option of the owner thereof.

Section 24 All ordinances or resolutions, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed, and this Ordinance shall be irrevocable until the bonds and the interest thereon shall be fully paid, satisfied and discharged, as herein provided.

Section 25 This Ordinance may be amended (except for the provisions of Section 13 hereof) or supplemented by an ordinance or ordinances adopted by the Council, without the receipt by the City of any additional consideration, with the written consent of the owners of sixty percent (60%) of the bonds outstanding at the time of the adoption of such amendatory or supplemental ordinance, provided, however, that no such ordinance shall have the effect of permitting:

- a. an extension of the maturity of any bond authorized by this Ordinance; or
- b. a reduction in the principal amount of any bond or the rate of interest thereon; or
- c. the creation of a lien upon or a pledge of property, revenues or funds, ranking prior to the liens or pledges created by this Ordinance; or
- d. a reduction of the principal amount of bonds required for consent to such amendatory or supplemental ordinance

Section 26 Pursuant to NRS 271.520, the bonds, their transfer, and the income therefrom, shall forever be and remain free and exempt from taxation by the State and any subdivision thereof, except for the tax on estates imposed by Chapter 375A of NRS, or the tax on generation-skipping transfers imposed pursuant to the provisions of Chapter 375B of NRS

Section 27 The Council does hereby find and declare that the life of the improvements to be acquired with the proceeds obtained from the sale of the bonds shall be not less than the ten (10) year period during which the bonds mature

Section 28. If the Registrar or Paying Agent initially appointed hereunder shall resign, or if the Council shall determine to remove the Registrar or Paying Agent, the Council may, upon notice mailed to each owner of any bond at his address last shown on the registration books, appoint a successor Registrar or Paying Agent, or both. No resignation or dismissal of the Registrar or Paying Agent may take effect until a successor is appointed. It shall not be required that the same institution serve as both Registrar and Paying Agent hereunder, but the City shall have the right to have the same institution serve as both Registrar and Paying Agent hereunder. Any corporation, association, or agency into which the Registrar or the Paying Agent may be converted or merged, or with which it may be consolidated, or to which it may sell or transfer its corporate trust business and assets as a whole or substantially as a whole, or any corporation or association resulting from any such conversion, sale, merger, consolidation or transfer to which it is a party, automatically shall be and become successor registrar or paying agent hereunder and vested with all of the powers, discretions, immunities, privileges and all other matters as was its predecessor, without the execution or filing of any instrument or any further act, deed or conveyance on the part of any of the parties hereto, anything herein to the contrary notwithstanding.

Section 29. When first proposed, this Ordinance shall be read to the Council by title, after which an adequate number of copies of this Ordinance shall be filed with the City Clerk for public distribution. Notice of the filing shall be published once in a newspaper published and having general circulation in the City, at least 10 days before the adoption of this Ordinance, such publication to be in substantially the following form

(Form of Publication of Notice of Filing of Ordinance)

BILL NO. \_\_\_\_

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF REGISTERED LOCAL IMPROVEMENT DISTRICT BONDS, SERIES 2002, FOR CITY OF LAS VEGAS, NEVADA, IMPROVEMENT DISTRICT NOS. 1463, 1470, 1471, 1473, AND 1477 TO FINANCE THE CONSTRUCTION OF LOCAL IMPROVEMENTS.**

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-numbered and entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas at her office in the City Hall, 400 Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on November 6, 2002 and will be considered for adoption at the regular meeting of the City Council to be held on November 20, 2002.

/s/ Barbara Jo Ronemus  
City Clerk

(End of Form of Publication of Notice of Filing of Ordinance)

Section 30. This Ordinance shall be in effect on the date of publication as hereinafter provided. After this Ordinance is adopted and signed by the Mayor and attested and sealed by the Clerk, this Ordinance shall be published once by its title only, together with the names of the Council members voting for or against its passage, such publication to be made in a newspaper published and having a general circulation in the City, and such publication to be in substantially the following form:

(Form of Publication)

BILL NO. \_\_\_\_  
ORDINANCE NO. \_\_\_\_

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF REGISTERED LOCAL IMPROVEMENT DISTRICT BONDS, SERIES 2002, FOR CITY OF LAS VEGAS, NEVADA, IMPROVEMENT DISTRICT NOS. 1463, 1470, 1471, 1473, AND 1477 TO FINANCE THE CONSTRUCTION OF LOCAL IMPROVEMENTS.**

PUBLIC NOTICE IS HEREBY GIVEN that the above-numbered and entitled Ordinance was proposed on November 6, 2002 and that such Ordinance was passed at a regular meeting of the City Council on November 20, 2002 by the following vote of the City Council:

Those Voting Aye. Mayor. Oscar Goodman

Councilmembers.

Michael J. McDonald  
Gary Reese  
Larry Brown  
Lynette Boggs-McDonald  
Lawrence Weekly  
Michael Mack

Those Voting Nay

Those Absent:

\_\_\_\_\_  
\_\_\_\_\_

This Ordinance shall be in full force and effect from and after the \_\_\_\_ day of November, 2002 i.e . the date of the publication of such Ordinance by its title only

IN WITNESS WHEREOF, the City Council of the City of Las Vegas, Nevada has caused this Ordinance to be published by title only.

DATED this November 20, 2002.

/s/ Oscar Goodman  
\_\_\_\_\_  
Mayor

Attest:

/s/ Barbara Jo Ronemus  
City Clerk

(End of Form of Publication)

Section 31 If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance

PASSED, ADOPTED AND APPROVED this November 20, 2002.

\_\_\_\_\_  
Mayor

(SEAL)

Attest

\_\_\_\_\_  
City Clerk

STATE OF NEVADA                    )  
   ) ss.  
 CITY OF LAS VEGAS                )

I, Barbara Jo Ronemus, am the duly chosen and qualified City Clerk of the City of Las Vegas, and in the performance of my duties as City Clerk do hereby certify.

1. The foregoing pages are a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the City Council on November 6, 2002, and adopted and approved at the meeting of the City Council on November 20, 2002.

2 The following members of the City Council were present at the November 6, 2002 Council meeting:

|                |                        |
|----------------|------------------------|
| Those present  |                        |
| Mayor          | Oscar Goodman          |
| Councilmembers | Michael J McDonald     |
|                | Gary Reese             |
|                | Larry Brown            |
|                | Lynette Boggs-McDonald |
|                | Lawrence Weekly        |
|                | Michael Mack           |
| Those absent   | _____                  |
|                | _____                  |

3 The foregoing Ordinance was first proposed and read by title to the City Council on November 6, 2002, and referred to a committee for recommendation; thereafter the said committee reported favorably on said ordinance on November 20, 2002, which was a regular meeting of said Council, that at said regular meeting, the proposed ordinance was again read by title to the City Council and adopted. The members of the City Council were present at the November 20, 2002 meeting and voted upon the adoption of the Ordinance as follows

|                   |                        |
|-------------------|------------------------|
| Those Voting Aye: |                        |
| Mayor.            | Oscar Goodman          |
| Councilmembers.   | Michael J. McDonald    |
|                   | Gary Reese             |
|                   | Larry Brown            |
|                   | Lynette Boggs-McDonald |
|                   | Lawrence Weekly        |
|                   | Michael Mack           |
| Those Voting Nay  | _____                  |
|                   | _____                  |
| Those absent      | _____                  |
|                   | _____                  |

4 The original of the ordinance has been approved and authenticated by the signatures of the Mayor of the City and myself as Clerk of the City, and sealed with the seal of

the City, and has been recorded in the minutes of the Council kept for that purpose in my office, which record has been duly signed by such officers and properly sealed

5. All members of the Council were given due and proper notice of the meetings held on November 6, 2002 and November 20, 2002. Pursuant to Section 241 020, Nevada Revised Statutes, written notice of the meetings were given no later than 9:00 a.m. on the third working day before the meeting including the notice of time, place, location, and agenda of the meeting.

(a) By posting a copy of the notice not later than 9:00 a.m. on the third working day before the meeting at the principal office of the Council, or if there is no principal place, at the building in which the meeting is to be held, and at least three (3) other separate, prominent places within the jurisdiction of the Council, to wit

- (i) City Hall  
Las Vegas, Nevada
- (ii) Senior Citizens Center  
Las Vegas, Nevada
- (iii) Clark County Government Center  
Las Vegas, Nevada
- (iv) Downtown Transportation Center  
Las Vegas, Nevada

and

(b) By mailing a copy of the notice to each person, if any, who has requested notice of the meetings of the Council in the same manner in which notice is required to be mailed to a member of the Council. Such notice, if mailed, was delivered to the postal service no later than 9:00 a.m. on the third working day prior to the meeting

6 Upon request, the Council provides at no charge, at least one copy of the agenda for its public meetings, any proposed resolution or regulation which will be discussed at the public meeting, and any other supporting materials provided to the Council for an item on the agenda, except for certain confidential materials and materials pertaining to closed meetings, as provided by law.

7 A copy of the notices so given of the meetings of the Council held on November 6, 2002 and November 20, 2002 are attached as Exhibits A and B, respectively

**IN WITNESS WHEREOF**, I have hereunto set my hand this November 20, 2002.

(SEAL)

---

Barbara Jo Ronemus  
City Clerk

EXHIBIT A

(Attach Copy of Notice of Meeting held November 6, 2002)

EXHIBIT B

(Attach Copy of Notice of Meeting held November 20, 2002)

EXHIBIT C

(Attach Affidavit of Publication of Filing of Bond Ordinance)

EXHIBIT D

(Attach Affidavit of Publication of Adoption of Bond Ordinance)

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: NOVEMBER 18, 2002**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

**CONSENT**

**DISCUSSION**

**SUBJECT:**

**NEW BILLS:**

**Bill No. 2002-123** – Annexation No A-0003-02(A) – Property location: On the west side of Jones Boulevard, approximately 1,300 feet north of Cheyenne Avenue; Petitioned by Kenneth and Myrna Christensen; Acreage 0.74 acres; Zoned. R-E (County zoning), R-E (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 west side of Jones Boulevard, approximately 1,300 feet north of Cheyenne Avenue. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (December 13, 2002) 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. 2002-123 and Location Map

**COMMITTEE RECOMMENDATION:**

**COUNCILMAN MACK recommended Bill 2002-123 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 VAL STEED explained that the item was in order

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4.01 – 4.02)

1 **BILL NO. 2002-123**

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-0003-02(A))

7 Sponsored by: Councilman Michael Mack

8 Summary: Annexes property described generally  
9 as located on the west side of Jones Boulevard,  
10 approximately 1,300 feet north of Cheyenne  
11 Avenue.

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

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

17 That portion of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of the  
18 Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 11, Township  
19 20 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada, being that  
20 certain parcel of land as described by GRANT, BARGAIN, SALE DEED to  
21 KENNETH CHRISTENSEN, ET UX, recorded March 3, 1975 in Book 499 as  
22 Instrument Number 458577 of Clark County, Nevada Records, and the adjoining half-  
23 street right-of-way of JONES BOULEVARD (50 feet wide as measured from the  
24 centerline thereof) and that portion of the half-street right-of-way of BUCKSKIN  
25 AVENUE (30.00 feet wide as measured from the centerline thereof, now vacated) and  
26 the adjoining 25.00-foot radius fillet area (now vacated), described as follows:

27 BEGINNING at the southeast corner of the Southeast Quarter (SE 1/4) of the  
28 Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the Southeast Quarter  
(SE 1/4) of said Section 11; thence along the south line of the Southeast Quarter  
(SE 1/4) of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the  
Southeast Quarter (SE 1/4) of said Section 11, and along the centerline of said  
BUCKSKIN AVENUE, North 84°06'49" West, 178.05 feet to the southerly  
prolongation of the west line of said CHRISTENSEN parcel; thence along said  
southerly prolongation and along the west line of said CHRISTENSEN parcel,  
North 00°20'24" East, 183.70 feet to the northwest corner of said CHRISTENSEN  
parcel, being the southwest corner of Lot 2 of the parcel map as filed February 5, 1974  
in File 1 of Parcel Maps, Page 75 of Clark County, Nevada Records; thence along the  
north line of said CHRISTENSEN parcel and along the south line of said Lot 2 and  
along the easterly prolongations thereof, South 84°06'47" East, 178.02 feet to the east  
line of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of the  
Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of said Section 11;  
thence along said east line, and along the centerline of said JONES BOULEVARD,  
South 00°19'45" West, 183.70 feet to the POINT OF BEGINNING.

1 The Basis of Bearings of the above legal description is North 00°19'45" East, being  
2 the east line of the Southeast Quarter (SE 1/4) of Section 11, Township 20 South,  
3 Range 60 East, M.D.M., as shown on the parcel map, as filed February 5, 1974 in File  
4 1 of Parcel Maps, Page 75 of Clark County, Nevada Records; all other record data  
5 cited hereinabove has been rotated and adjusted, as necessary, to said File 1 of Parcel  
6 Maps, Page 75, basis.

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Scripsit:  
Michael Barrett, SEA, TTG  
City of Las Vegas  
731 South Fourth Street  
Las Vegas, Nevada  
89101

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 described territory 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  
Metropolitan Police Department, fire protection, street maintenance, and library services immediately  
upon annexation. Garbage collection by the company franchised by the City will also be provided  
immediately. The City sanitary sewer system will serve the proposed annexation area. Any  
connection to or extension of this sewer line to serve the annexation area shall be at the expense of  
the landowners. Other services, such as participation in the City's recreational programs, special  
education classes and programs, public works planning, building inspections, and other City services  
will also be available immediately. Utilities such as gas, electricity, telephone, and water are provided  
by private utility companies and other services to the area will not be affected by annexation. Street

1 paving, curbs and gutters, sidewalks and street lights which are not in place at the time of annexation  
2 will be installed in the presently developed areas upon the request of the property owners and at their  
3 expense by means of special assessment districts. Such improvements will be extended into the  
4 undeveloped areas as development takes place and the need therefor arises, and will be located  
5 according to the needs of the area at that time. Such installations will also be made at the expense of  
6 the property owners, either by means of special assessment districts or as prerequisites to the approval  
7 of subdivision plats, building permits or other land use or development applications.

8 SECTION 4: The annexation of the described territory shall become effective on the  
9 13th day of December, 2002, and on that date the City will have the funds appropriated in sufficient  
10 amount to finance the extension into the described territory of police protection, fire protection, street  
11 maintenance, street sweeping, and street lighting maintenance.

12 SECTION 5: The described territory, together with the inhabitants and property  
13 thereof, shall, from and after the 13th day of December, 2002, be subject to all debts, laws, ordinances  
14 and regulations in force in the City and shall be entitled to the same privileges and benefits as other  
15 parts of the City, and shall be subject to municipal taxes levied by the City.

16 SECTION 6: The City Engineer is hereby instructed to cause to be prepared an  
17 accurate map or plat of the described territory and to record the map or plat, together with a certified  
18 copy of this ordinance, in the office of the County Recorder of Clark County, Nevada, which  
19 recording shall be done prior to the 13th day of December, 2002.

20 SECTION 7: The described territory, which previously has been zoned R-E (County  
21 of Clark classification), is hereby classified as R-E (City of Las Vegas classification), which is deemed  
22 to be the City equivalent of the County classification.

23 SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause of  
24 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid  
25 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
26 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
27 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,  
28 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,

1 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
2 invalid or ineffective.

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

6 PASSED, ADOPTED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

7 APPROVED:

8

9

By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

10

ATTEST:

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12 BARBARA JO RONEMUS, City Clerk

13 APPROVED AS TO FORM:

14 Valstead 10-22-02  
Date

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1 The above and foregoing ordinance was first proposed and read by title to the Council on the \_\_\_\_\_  
2 day of \_\_\_\_\_, 2002, and referred to the following committee composed of  
3 \_\_\_\_\_ and \_\_\_\_\_ for recommendation; thereafter the said  
4 committee reported favorably on said ordinance on the \_\_\_\_\_ day of \_\_\_\_\_, 2002,  
5 which was a \_\_\_\_\_ meeting of said Council; that at said \_\_\_\_\_ meeting,  
6 the proposed ordinance was read by title to the City Council as first introduced and adopted by the  
7 following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

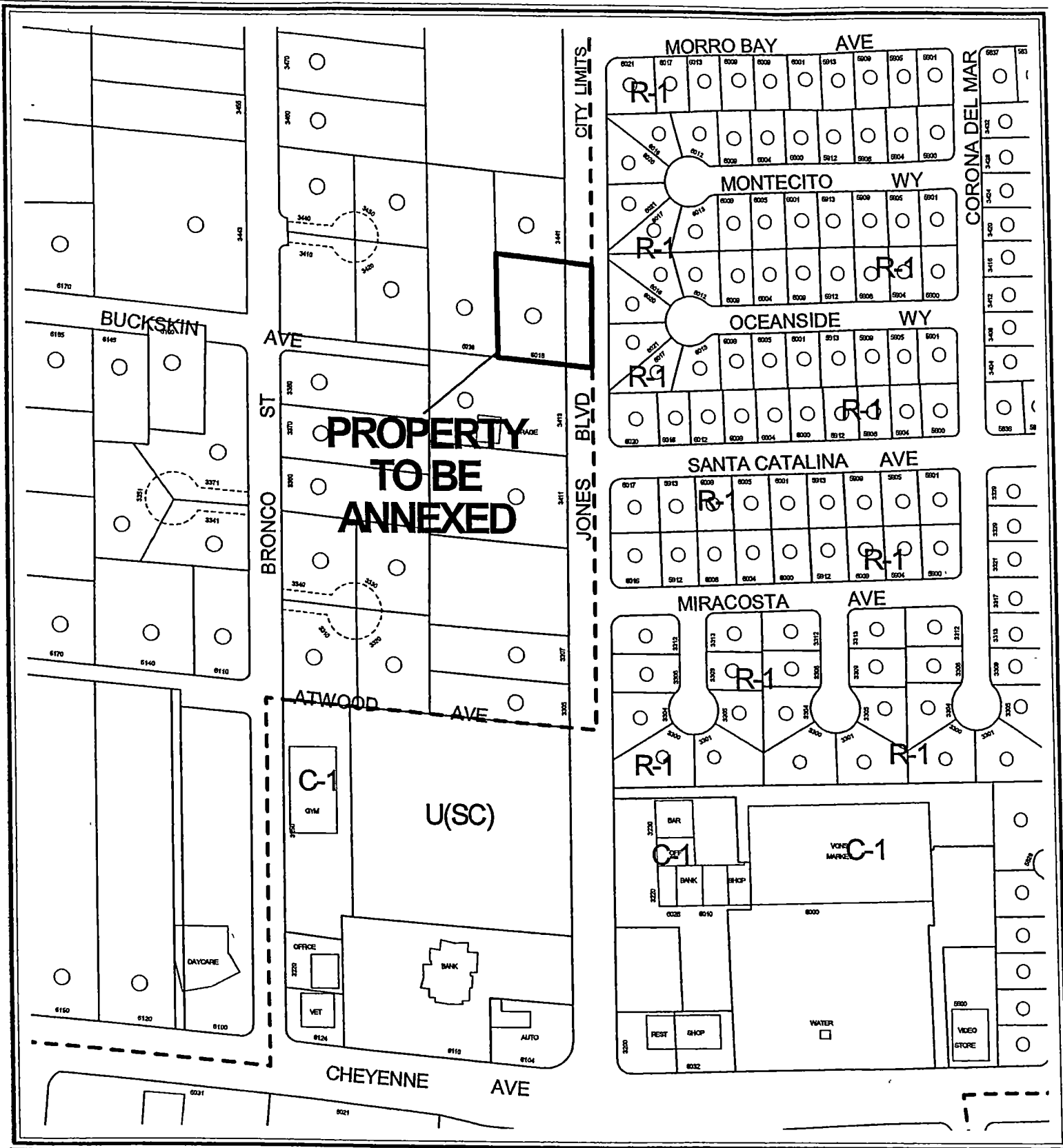
10 ABSENT: \_\_\_\_\_

11 APPROVED:

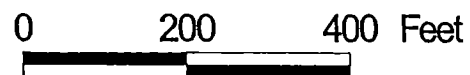
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13 By \_\_\_\_\_  
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 \_\_\_\_\_  
17 BARBARA JO RONEMUS, City Clerk  
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CASE: A-0003-02(A)



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: NOVEMBER 18, 2002**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

**CONSENT**

**DISCUSSION**

**SUBJECT:**

**NEW BILLS:**

**Bill No. 2002-124** – Annexation No. A-0004-02(A) – Property location: On the south side of Oakey Boulevard, 600 feet east of Jones Boulevard; Petitioned by: John Rohay, Acreage: 0.72 acres, Zoned: R-E (County zoning), R-E (City equivalent) Sponsored by: Councilman Michael McDonald

**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 south side of Oakey Boulevard, 600 feet east of Jones Boulevard. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (December 13, 2002) 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. 2002-124 and Location Map

**COMMITTEE RECOMMENDATION:**

**COUNCILMAN MACK recommended Bill 2002-124 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 VAL STEED indicated that the item was in order.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed

(4:02)

1-43

1 **BILL NO. 2002-124**

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-0004-02(A))

6 Sponsored by: Councilman Michael McDonald      Summary: Annexes property described generally  
7 as located on the south side of Oakey Boulevard,  
8 600 feet east of Jones Boulevard.

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 Government Lot 58 in the Southwest Quarter (SW 1/4) of Section 1,  
14 Township 21 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada,  
15 being that portion of PARCEL 1 of the parcel map in File 11 of Parcel Maps, Page 80  
16 of Clark County, Nevada Records, together with the adjoining half-street rights-of-way  
17 of OAKEY BOULEVARD (40.00 feet wide as measured from the north line of said  
18 Government Lot 58), REDROCK STREET (30.00 feet wide as measured from the  
19 west line of said Government Lot 58, now vacated) and the adjoining 20.00-foot  
20 radius, corner fillet parcel (now vacated), all bounded collectively as follows:

17 Bounded on the north by the north line of Government Lot 58 in said Section 1, being  
18 the centerline of said OAKEY BOULEVARD; bounded on the west by the west line  
19 of said Government Lot 58, being the centerline of said REDROCK STREET;  
20 bounded on the south by the south line of PARCEL 1 of said File 11 of Parcel Maps,  
21 Page 80 and the westerly prolongation of said south line; and bounded on the east by  
22 the east line of said PARCEL 1 and the northerly prolongation of said east line.

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

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

1 as those boundaries existed as of July 1, 1983;

2 D. The City is eligible to annex the described territory since the landowners have  
3 signed a petition constituting one hundred percent (100%) of the owners of  
4 record of individual lots or parcels of land within the annexation 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 13th day of December, 2002, 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 13th day of December, 2002, 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 SECTION 6: The City Engineer is hereby instructed to cause to be prepared an  
2 accurate map or plat of the described territory and to record the map or plat, together with a certified  
3 copy of this ordinance, in the office of the County Recorder of Clark County, Nevada, which  
4 recording shall be done prior to the 13th day of December, 2002.

5 SECTION 7: The described territory, which previously has been zoned R-E (County  
6 of Clark classification), is hereby classified as R-E (City of Las Vegas classification), which is deemed  
7 to be the City equivalent of the County classification.

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

16 SECTION 9: All ordinances or parts of ordinances, sections, subsections, phrases,  
17 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
18 1983 Edition, in conflict herewith are hereby repealed.

19 PASSED, ADOPTED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

20 APPROVED:

21  
22 By \_\_\_\_\_  
23 OSCAR B. GOODMAN, Mayor

24 ATTEST:

25 \_\_\_\_\_  
BARBARA JO RONEMUS, City Clerk

26 APPROVED AS TO FORM:  
27 Val Steel 10-22-02  
Date

1 The above and foregoing ordinance was first proposed and read by title to the Council on the \_\_\_\_\_  
2 day of \_\_\_\_\_, 2002, and referred to the following committee composed of  
3 \_\_\_\_\_ and \_\_\_\_\_ for recommendation; thereafter the said  
4 committee reported favorably on said ordinance on the \_\_\_\_\_ day of \_\_\_\_\_, 2002,  
5 which was a \_\_\_\_\_ meeting of said Council; that at said \_\_\_\_\_ meeting,  
6 the proposed ordinance was read by title to the City Council as first introduced and adopted by the  
7 following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

10 ABSENT: \_\_\_\_\_

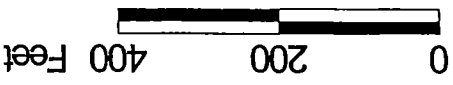
11 APPROVED:

12  
13 By \_\_\_\_\_  
14 OSCAR B. GOODMAN, Mayor

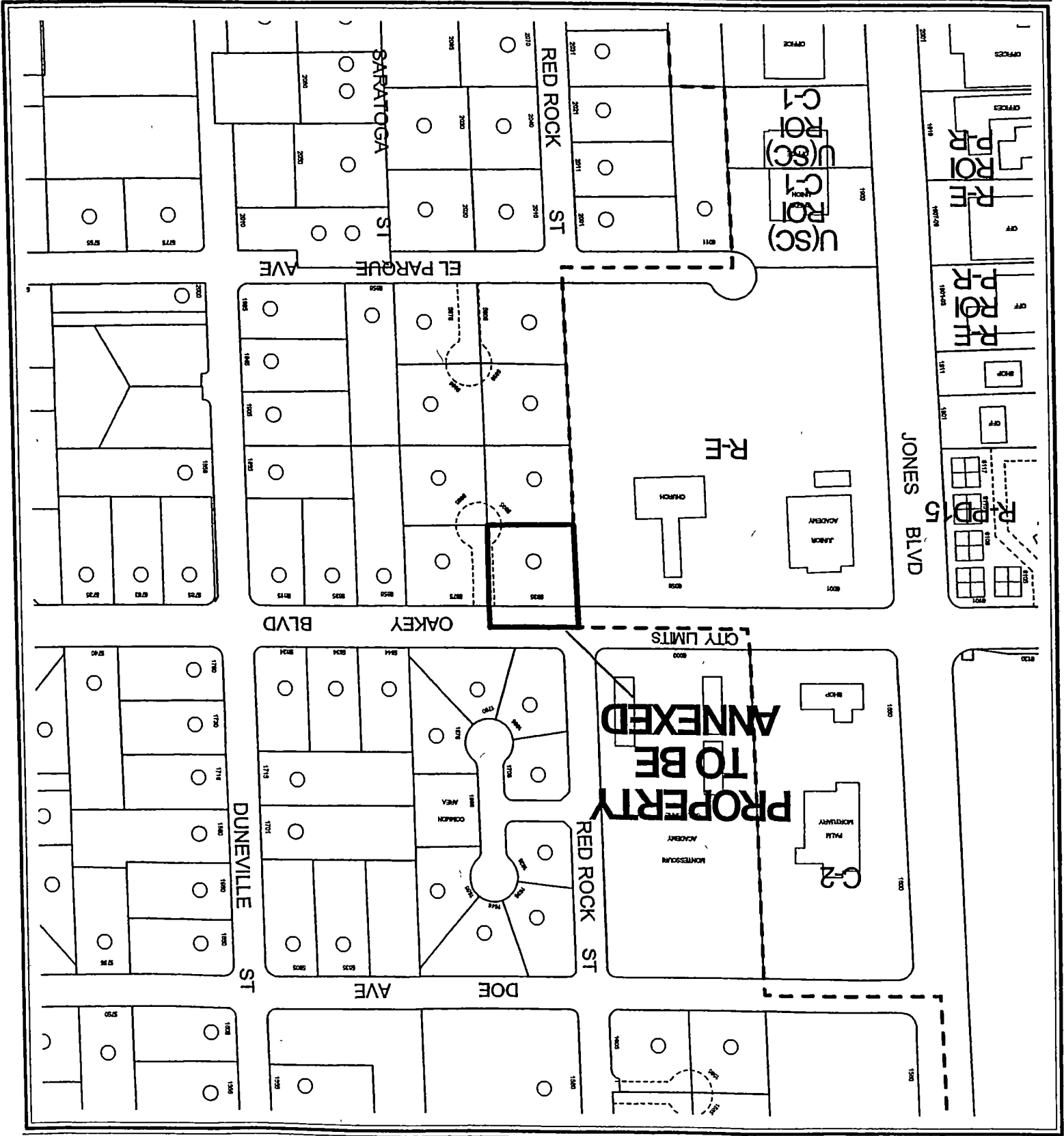
15 ATTEST:

16 \_\_\_\_\_  
17 BARBARA JO RONEMUS, City Clerk

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CASE: A-0004-02(A)



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: NOVEMBER 18, 2002**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

**CONSENT**

**DISCUSSION**

**SUBJECT:**

**NEW BILLS:**

**Bill No. 2002-125** – Annexation No. A-0006-02(A) – Property location On the northwest corner of Rainbow Boulevard and Farm Road, Petitioned by: Ralph L. and Marcella V Cooper 1992 Living Trust, Acreage: 2.52 acres; Zoned: R-E/RNP-1 (County zoning), R-E (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 northwest corner of Rainbow Boulevard 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 (December 13, 2002) 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 2002-125 and Location Map

**COMMITTEE RECOMMENDATION:**

**COUNCILMAN MACK** recommended Bill 2002-125 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 VAL STEED** stated that the item was in order.

No one appeared in opposition and there was no further discussion

**COUNCILMAN WEEKLY** declared the Public Hearing closed.

(4.02 – 4.03)

1 **BILL NO. 2002-125**

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-0006-02(A))

6 Sponsored by: Councilman Michael Mack

Summary: Annexes property described generally  
as located on the northwest corner of Rainbow  
Boulevard and Farm 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 The Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of the Southeast  
14 Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 15, Township 19 South,  
15 Range 60 East, M.D.M., in the County of Clark, State of Nevada, also being LOT 4  
16 of that CERTIFICATE OF LAND DIVISION, LD 20-85, recorded April 9, 1985 in  
17 Book 2091 as Instrument Number 2050996 of Clark County, Nevada Records and  
18 those portions of the adjoining right-of-way of RAINBOW BOULEVARD [50.00 feet  
19 wide, as measured from the east line of the Southeast Quarter (SE 1/4) of the Southeast  
Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4)  
of said Section 15] and the adjoining right-of-way of FARM ROAD [40.00 feet wide,  
as measured from the south line of the Southeast Quarter (SE 1/4) of the Southeast  
Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4)  
of said Section 15] and the adjoining right-of-way of the 25.00-foot, radius fillet  
parcel.

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 described territory since the landowners have  
2 signed a petition constituting one hundred percent (100%) of the owners of  
3 record of individual lots or parcels of land within the annexation area.

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

20 SECTION 4: The annexation of the described territory shall become effective on the  
21 13th day of December, 2002, and on that date the City will have the funds appropriated in sufficient  
22 amount to finance the extension into the described territory of police protection, fire protection, street  
23 maintenance, street sweeping, and street lighting maintenance.

24 SECTION 5: The described territory, together with the inhabitants and property  
25 thereof, shall, from and after the 13th day of December, 2002, be subject to all debts, laws, ordinances  
26 and regulations in force in the City and shall be entitled to the same privileges and benefits as other  
27 parts of the City, and shall be subject to municipal taxes levied by the City.

28 SECTION 6: The City Engineer is hereby instructed to cause to be prepared an

1 accurate map or plat of the described territory and to record the map or plat, together with a certified  
2 copy of this ordinance, in the office of the County Recorder of Clark County, Nevada, which  
3 recording shall be done prior to the 13th day of December, 2002.

4 SECTION 7: The described territory, which previously has been zoned R-E/RNP-1  
5 (County of Clark classification), is hereby classified as R-E (City of Las Vegas classification), which  
6 is deemed to be the City equivalent of the County classification.

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

15 SECTION 9: All ordinances or parts of ordinances, sections, subsections, phrases,  
16 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
17 1983 Edition, in conflict herewith are hereby repealed.

18 PASSED, ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2002.

19 APPROVED:

20  
21 By \_\_\_\_\_  
22 OSCAR B. GOODMAN, Mayor

23 ATTEST:

24 \_\_\_\_\_  
BARBARA JO RONEMUS, City Clerk

25 APPROVED AS TO FORM:

26 Val Steed 10-22-02  
Date

28

1 The above and foregoing ordinance was first proposed and read by title to the Council on the \_\_\_\_\_  
2 day of \_\_\_\_\_, 2002, and referred to the following committee composed of  
3 \_\_\_\_\_ and \_\_\_\_\_ for recommendation; thereafter the said  
4 committee reported favorably on said ordinance on the \_\_\_\_\_ day of \_\_\_\_\_, 2002,  
5 which was a \_\_\_\_\_ meeting of said Council, that at said \_\_\_\_\_ meeting,  
6 the proposed ordinance was read by title to the City Council as first introduced and adopted by the  
7 following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

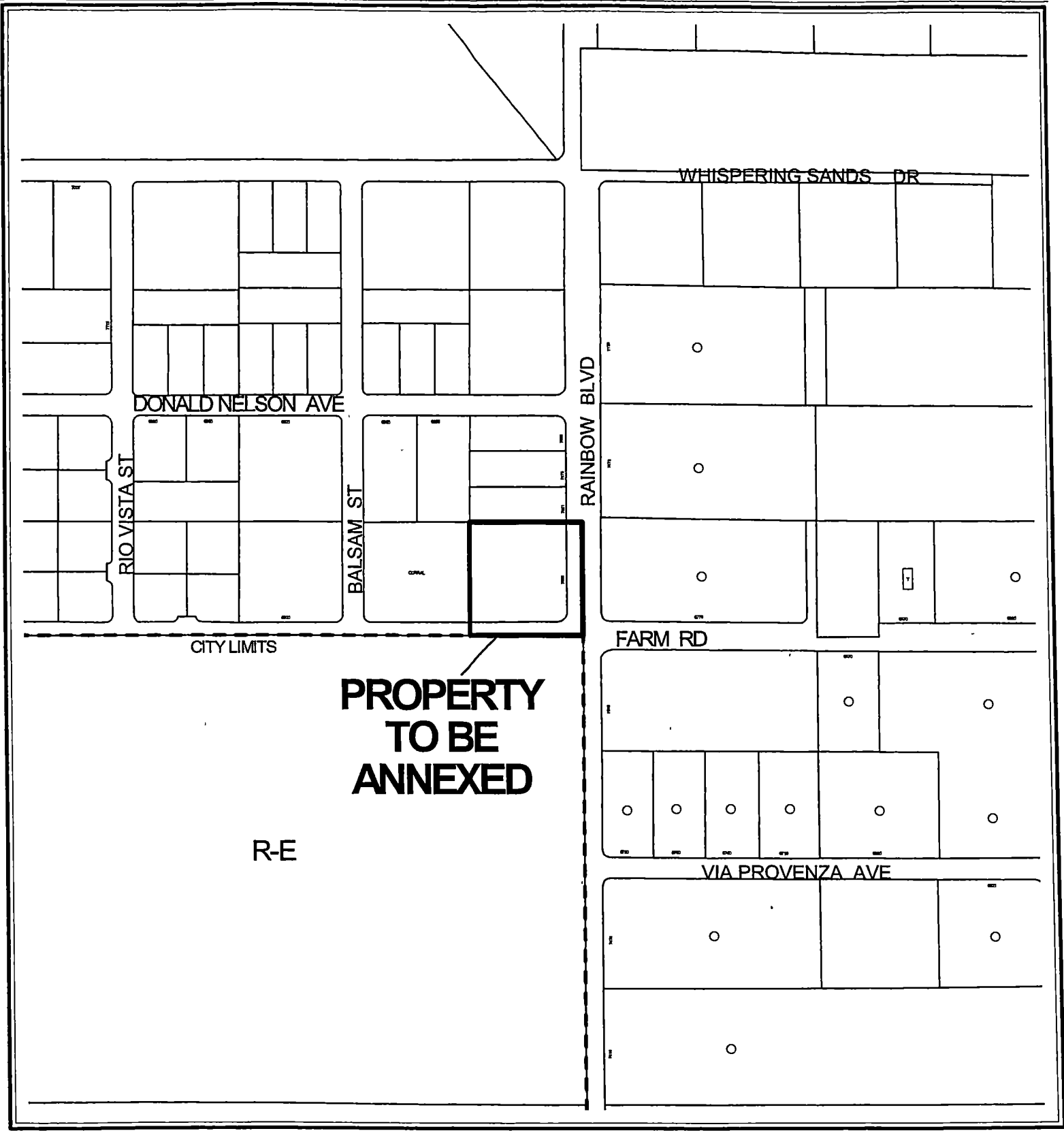
10 ABSENT: \_\_\_\_\_

11 APPROVED:

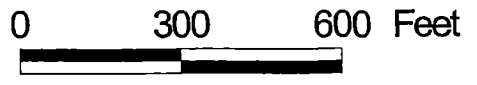
12  
13 By \_\_\_\_\_  
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 \_\_\_\_\_  
17 BARBARA JO RONEMUS, City Clerk  
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CASE: A-0006-02(A)



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: NOVEMBER 18, 2002**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

**CONSENT**

**DISCUSSION**

**SUBJECT:**

**NEW BILLS:**

**Bill No. 2002-126** – Annexation No. A-0007-02(A) – Property location: Near the southeast corner of O'Bannon Drive and Mohawk Street; Petitioned by: Charlene Williams, et al.; Acreage: 1.27 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Michael McDonald

**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 near the southeast corner of O'Bannon Drive and Mohawk Street. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (December 13, 2002) 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. 2002-126 and Location Map

**COMMITTEE RECOMMENDATION:**

**COUNCILMAN MACK recommended Bill 2002-126 be forwarded to the Full Council with no recommendation. COUNCILMAN WEEKLY concurred.**

**MINUTES:**

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED advised that the item was in order.

RECOMMENDING COMMITTEE MEETING OF NOVEMBER 18, 2002

City Attorney

Item 5 – Bill No. 2002-126

**MINUTES – Continued:**

ETHAN JENNINGS JR, 5285 O'Bannon, appeared with his wife and confirmed that this annexation will affect his property, but does not include a special improvement district. ROBERT GENZER, Director of Planning & Development, advised that this annexation was processed as a result of a sewer hook-up. Since the property is already improved, this will have no effect other than to cause a small change in the tax structure. MR. JENNINGS commented that he will not receive any other services for the additional taxation. COUNCILMAN MACK suggested that MR. and MRS. JENNINGS contact COUNCILMAN McDONALD as the Ward representative. Exceptions have been made in the Centennial Hills area. MR. JENNINGS responded that he did not oppose being in the City.

No one appeared in opposition.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:03 – 4:06)

1-73

1 **BILL NO. 2002-126**

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-0007-02(A))

6 Sponsored by: Councilman Michael McDonald Summary: Annexes property described generally  
7 as located on the southeast corner of O'Bannon  
8 Drive and Mohawk Street.

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 Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4)  
14 of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 1,  
15 Township 21 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada,  
16 being Lot 1 and the adjoining half-street right-of-way of O'BANNON DRIVE (30.00  
17 feet wide as measured from the centerline thereof, formerly O'BANNON AVENUE),  
18 and Lot 3 and the adjoining half-street right-of-way of MOHAWK STREET (30.00  
19 feet wide as measured from the centerline thereof), all as shown on the Record of  
20 Survey as filed February 12, 1973 in File 24 of Surveys, Page 48 of Clark County,  
21 Nevada Records, bounded as follows:

18 **PARCEL A**

19 Bounded on the north by the north line of the Northwest Quarter (NW 1/4) of the  
20 Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the Southeast  
21 Quarter (SE 1/4) of said Section 1, also being the centerline of said O'BANNON  
22 DRIVE; bounded on the east by the east line of the Northwest Quarter (NW 1/4) of  
23 the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the Southeast  
24 Quarter (SE 1/4) of said Section 1, also being the east line of Lot 1 of said File 24 of  
25 Surveys, Page 48 and the northerly prolongation of said east line; bounded on the  
26 south by the south line of the Northwest Quarter (NW 1/4) of the Northeast Quarter  
27 (NE 1/4) of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said  
28 Section 1, also being the south line said Lot 1; and bounded on the west by the west  
line of said Lot 1 and the northerly prolongation of said west line.

25 **PARCEL B**

26 Bounded on the west by the west line of the Northwest Quarter (NW 1/4) of the  
27 Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the Southeast  
28 Quarter (SE 1/4) of said Section 1, also being the centerline of said MOHAWK  
STREET; bounded on the east by the east line of Lot 3 of said File 24 of Surveys,  
Page 48; bounded on the north by the north line of said Lot 3 and the westerly

1 prolongation of said north line; and bounded on the south by the south line of said  
2 Lot 3 and the westerly prolongation of said south line.

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

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

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

1 the property owners, either by means of special assessment districts or as prerequisites to the approval  
2 of subdivision plats, building permits or other land use or development applications.

3 SECTION 4: The annexation of the described territory shall become effective on the  
4 13th day of December, 2002, and on that date the City will have the funds appropriated in sufficient  
5 amount to finance the extension into the described territory of police protection, fire protection, street  
6 maintenance, street sweeping, and street lighting maintenance.

7 SECTION 5: The described territory, together with the inhabitants and property  
8 thereof, shall, from and after the 13th day of December, 2002, be subject to all debts, laws, ordinances  
9 and regulations in force in the City and shall be entitled to the same privileges and benefits as other  
10 parts of the City, and shall be subject to municipal taxes levied by the City.

11 SECTION 6: The City Engineer is hereby instructed to cause to be prepared an  
12 accurate map or plat of the described territory and to record the map or plat, together with a certified  
13 copy of this ordinance, in the office of the County Recorder of Clark County, Nevada, which  
14 recording shall be done prior to the 13th day of December, 2002.

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

18 SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause of  
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 9: All ordinances or parts of ordinances, 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 \_\_\_\_\_, 2002.

4 APPROVED:

5  
6 By \_\_\_\_\_  
7 OSCAR B. GOODMAN, Mayor

8 ATTEST:

9 BARBARA JO RONEMUS, City Clerk

10 APPROVED AS TO FORM:

11 Val Steed 10-22-02  
12 Date

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1 The above and foregoing ordinance was first proposed and read by title to the Council on the \_\_\_\_\_  
2 day of \_\_\_\_\_, 2002, and referred to the following committee composed of  
3 \_\_\_\_\_ and \_\_\_\_\_ for recommendation; thereafter the said  
4 committee reported favorably on said ordinance on the \_\_\_\_\_ day of \_\_\_\_\_, 2002,  
5 which was a \_\_\_\_\_ meeting of said Council; that at said \_\_\_\_\_ meeting,  
6 the proposed ordinance was read by title to the City Council as first introduced and adopted by the  
7 following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

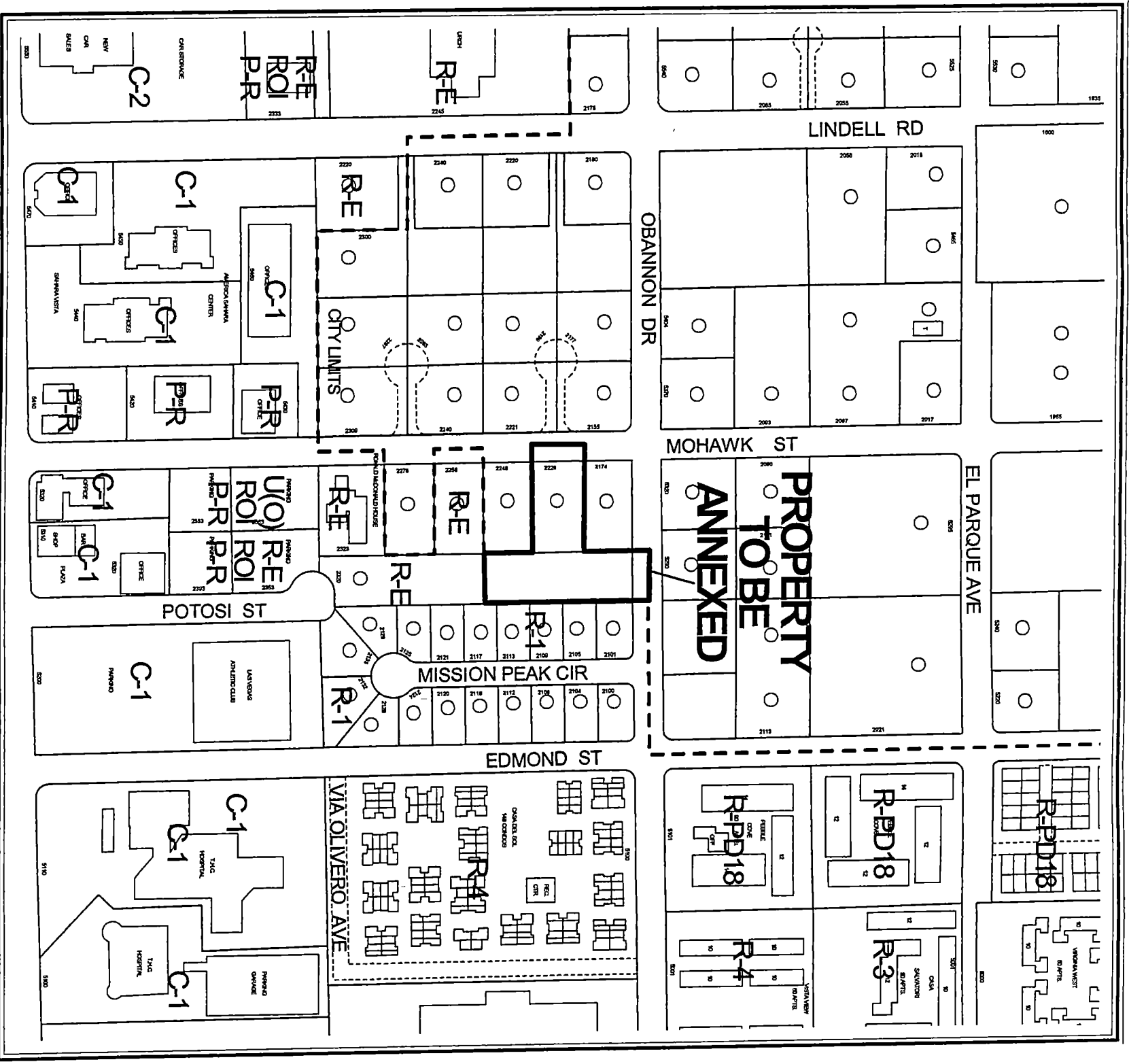
10 ABSENT: \_\_\_\_\_

11 APPROVED:

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13 By \_\_\_\_\_  
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 \_\_\_\_\_  
17 BARBARA JO RONEMUS, City Clerk  
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CASE: A-0007-02(A)



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: NOVEMBER 18, 2002**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

CONSENT

DISCUSSION

**SUBJECT:**

NEW BILLS:

**Bill No. 2002-127** – Annexation No. A-0022-02(A) – Property location: On the east side of Queen Irene Court, 200 feet south of Regena Avenue; Petitioned by: City of Las Vegas, as previous owner; Acreage: 0.46 acres; Zoned: R-E (County zoning), R-E (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 east side of Queen Irene Court, 200 feet south of Regena Avenue. The annexation is at the request of the City as predecessor-in-interest of the current property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (December 13, 2002) 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. 2002-127 and Location Map

**COMMITTEE RECOMMENDATION:**

**COUNCILMAN MACK recommended Bill 2002-127 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 VAL STEED explained that the item was in order. COUNCILMAN MACK clarified with staff that this and the other annexations were not a result of AB 179.

RECOMMENDING COMMITTEE MEETING OF NOVEMBER 18, 2002

City Attorney

Item 6 – Bill No. 2002-127

**MINUTES – Continued:**

No one appeared in opposition.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:06 – 4:07)

**1-188**

1 **BILL NO. 2002-127**

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-0022-02(A))

6 Sponsored by: Councilman Michael Mack

Summary: Annexes property described generally  
as located on the east side of Queen Irene Court,  
200 feet south of Regena Avenue.

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 Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4)  
14 of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of Section 29,  
15 Township 19 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada,  
being LOT 4 as shown on the parcel map as filed in File 62 of Parcel Maps, Page 47  
of Clark County, Nevada Records.

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

- 18 A. The area to be annexed was contiguous to the City's boundaries at the time the  
19 annexation proceedings were instituted;
- 20 B. More than one-eighth (1/8) of the aggregate external boundaries of the area are  
21 contiguous to the City;
- 22 C. The territory proposed to be annexed is not included within the boundaries of  
23 another incorporated city or within the boundaries of any unincorporated town  
24 as those boundaries existed as of July 1, 1983;
- 25 D. The City is eligible to annex the described territory since the landowners have  
26 signed a petition constituting one hundred percent (100%) of the owners of  
27 record of individual lots or parcels of land within the annexation 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 13th day of December, 2002, 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 13th day of December, 2002, 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 13th day of December, 2002.

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

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

3 SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause of  
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 \_\_\_\_\_, 2002.

15 APPROVED:

16  
17 By \_\_\_\_\_  
18 OSCAR B. GOODMAN, Mayor

19 ATTEST:

20 BARBARA JO RONEMUS, City Clerk

21 APPROVED AS TO FORM:

22 Val Steed 10.22.02  
23 Date

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The above and foregoing ordinance was first proposed and read by title to the Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2002, and referred to the following committee composed of \_\_\_\_\_ and \_\_\_\_\_ for recommendation; thereafter the said committee reported favorably on said ordinance on the \_\_\_\_\_ day of \_\_\_\_\_, 2002, which was a \_\_\_\_\_ meeting of said Council; that at said \_\_\_\_\_ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": \_\_\_\_\_

VOTING "NAY": \_\_\_\_\_

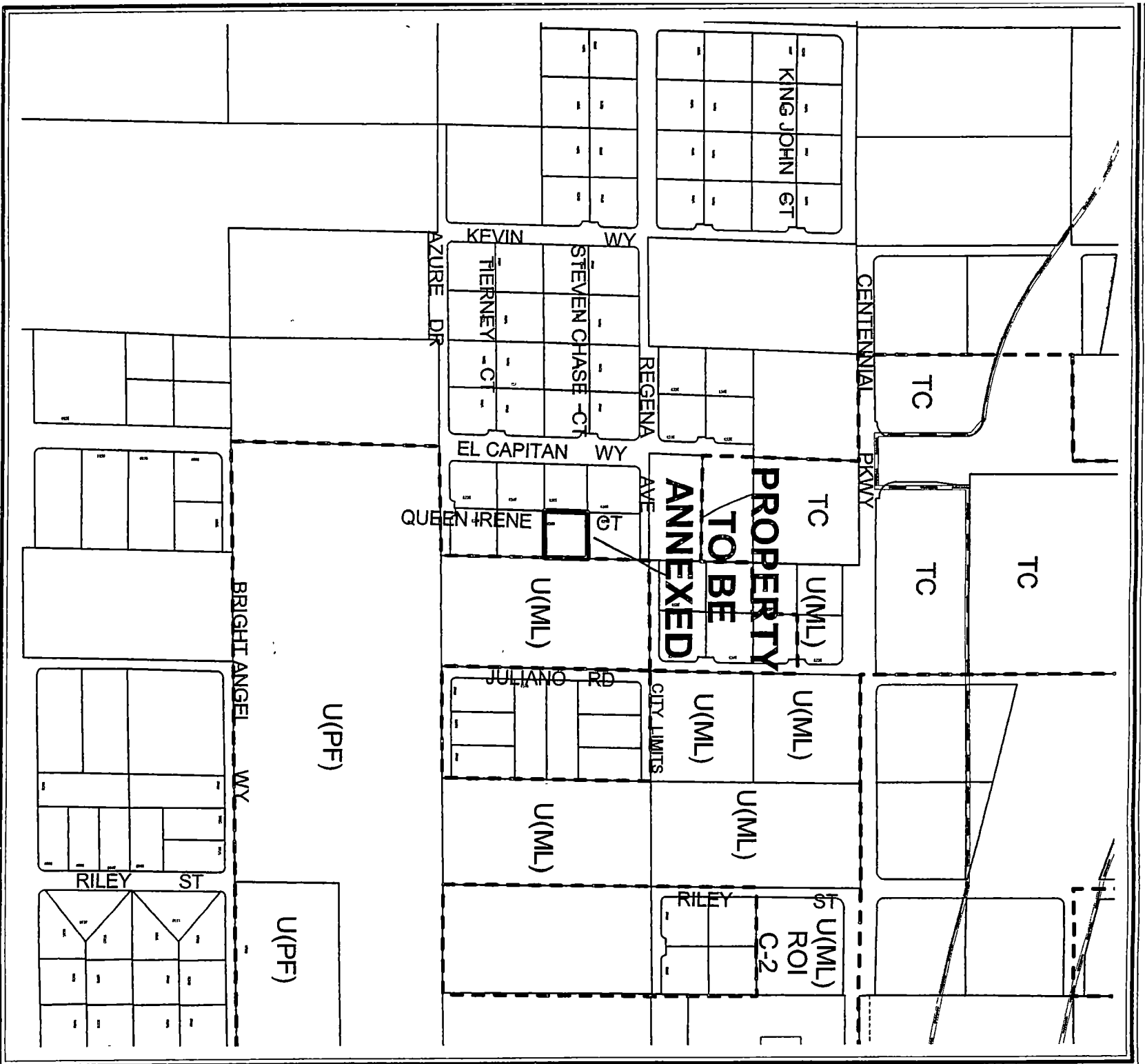
ABSENT: \_\_\_\_\_

APPROVED:

By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

ATTEST:

\_\_\_\_\_  
BARBARA JO RONEMUS, City Clerk



CASE: A-0022-02(A)



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: NOVEMBER 18, 2002**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

**CONSENT**

**DISCUSSION**

**SUBJECT:**

NEW BILLS.

**Bill No. 2002-128** – Annexation No. A-0023-02(A) – Property location: On the north side of Wittig Avenue, 660 feet east of Grand Canyon Drive; Petitioned by: Pardee Homes of Nevada; Acreage: 2.52 acres, Zoned: R-E (County zoning), U (L) (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 north side of Wittig Avenue, 660 feet east of Grand Canyon 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 (December 13, 2002) 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. 2002-128 and Location Map

**COMMITTEE RECOMMENDATION:**

**COUNCILMAN MACK recommended Bill 2002-128 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 VAL STEED explained that the item was in order.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:07 – 4:08)

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**BILL NO. 2002-128**

**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-0023-02(A))

Sponsored by: Councilman Michael Mack

Summary: Annexes property described generally as located on the north side of Wittig Avenue, 660 feet east of Grand Canyon Drive.

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 Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of Section 19, Township 19 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada, being Lot 2 and the adjoining half-street rights-of-way of PARK STREET (30 feet wide as measured from the centerline thereof) and WITTIG AVENUE (30 feet wide as measured from the centerline thereof) and the adjoining 15.00-foot radius fillet area, all as shown on that certain CERTIFICATE OF LAND DIVISION, recorded November 23, 1988 in Book 881123 as Instrument Number 00673 of Clark County, Nevada Records.

The Basis of Bearing of the above legal description is North 89° 11' 56" West, being the north line of the Northeast Quarter (NE 1/4) of Section 19, Township 19 South, Range 60 East, M.D.M., as shown on the Record of Survey in File 114 of Surveys, Page 17 of Clark County, Nevada Records. All other record information cited above has been rotated and adjusted to said File 114 of Surveys, Page 17, basis.

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

1 as those boundaries existed as of July 1, 1983;

2 D. The City is eligible to annex the described territory since the landowners have  
3 signed a petition constituting one hundred percent (100%) of the owners of  
4 record of individual lots or parcels of land within the annexation 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 13th day of December, 2002, 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 13th day of December, 2002, 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.

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SECTION 6: The City Engineer is hereby instructed to cause to be prepared an accurate map or plat of the described territory and to record the map or plat, together with a certified copy of this ordinance, in the office of the County Recorder of Clark County, Nevada, which recording shall be done prior to the 13th day of December, 2002.

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

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

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

PASSED, ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2002.

APPROVED:

By OSCAR B. GOODMAN, Mayor

ATTEST:

BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Valstead 10-22-02  
Date

1 The above and foregoing ordinance was first proposed and read by title to the Council on the \_\_\_\_\_  
2 day of \_\_\_\_\_, 2002, and referred to the following committee composed of  
3 \_\_\_\_\_ and \_\_\_\_\_ for recommendation; thereafter the said  
4 committee reported favorably on said ordinance on the \_\_\_\_\_ day of \_\_\_\_\_, 2002,  
5 which was a \_\_\_\_\_ meeting of said Council; that at said \_\_\_\_\_ meeting,  
6 the proposed ordinance was read by title to the City Council as first introduced and adopted by the  
7 following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

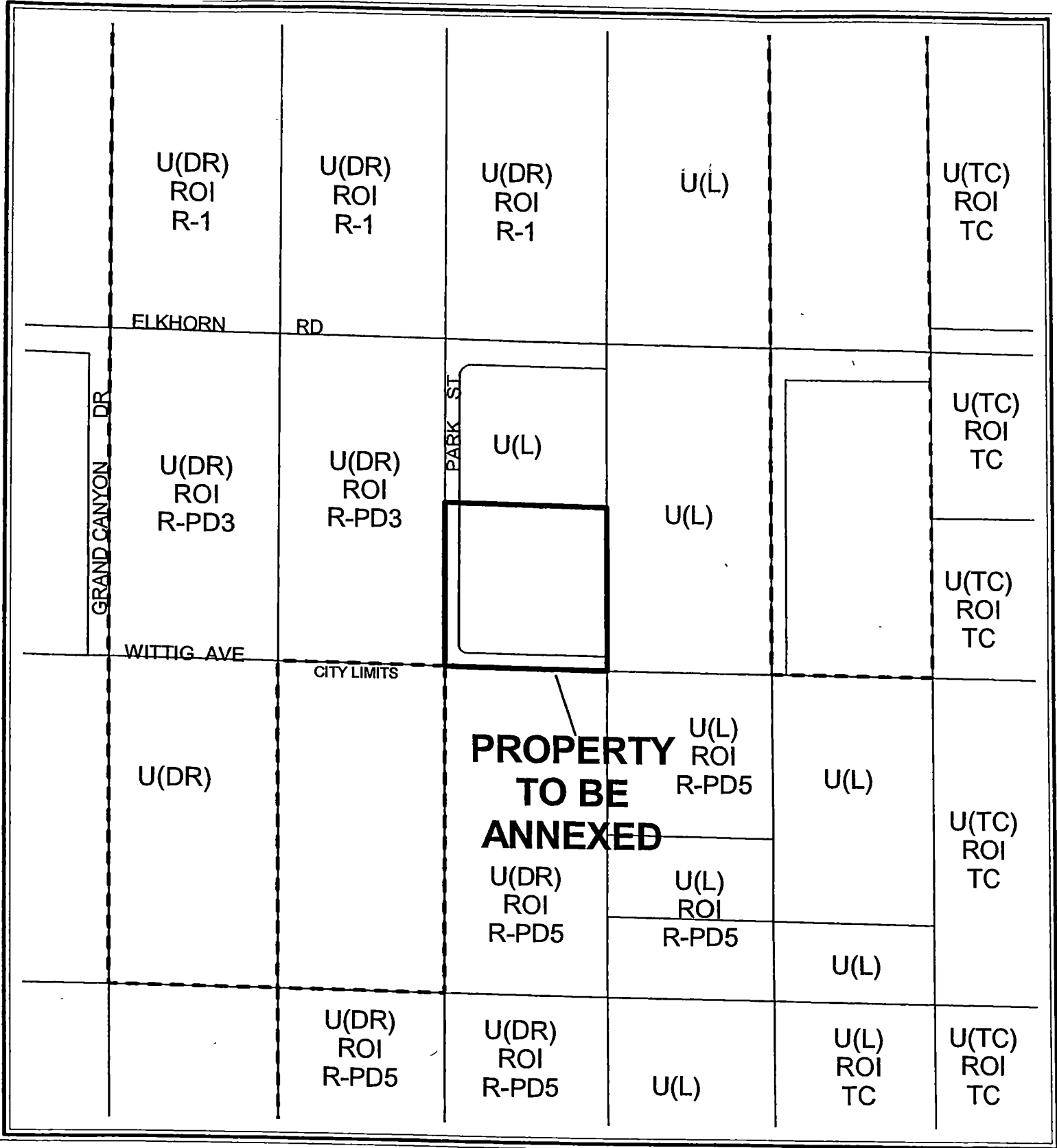
10 ABSENT: \_\_\_\_\_

11 APPROVED:

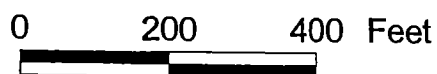
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13 By \_\_\_\_\_  
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 \_\_\_\_\_  
17 BARBARA JO RONEMUS, City Clerk  
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CASE: A-0023-02(A)



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: NOVEMBER 18, 2002**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

**CONSENT**

**DISCUSSION**

**SUBJECT:**

**NEW BILLS**

**Bill No. 2002-129** – Designates Neighborhood Services as the departmental liaison for the Senior Citizens Advisory Board Proposed by Elizabeth Fretwell, Deputy City Manager

**Fiscal Impact**

**No Impact**

**Amount:**

**Budget Funds Available**

**Dept./Division:**

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

The City's Office of Administrative Services has been serving as the liaison for the Senior Citizens Advisory Board. This bill will transfer that function to the Department of Neighborhood Services.

**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. 2002-129

**COMMITTEE RECOMMENDATION:**

**COUNCILMAN MACK recommended Bill 2002-129 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 VAL STEED explained that this housekeeping transfer from Administrative Services to Neighborhood Services was in order MARIA CASTILLO-COUCH, Neighborhood Services, added that she has been providing the liaison services through Neighborhood Services for the entire year This will formalize that transfer.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed

(4 08 – 4 09)

1 **BILL NO. 2002-129**

2 **ORDINANCE NO. \_\_\_\_\_**

3 AN ORDINANCE TO DESIGNATE NEIGHBORHOOD SERVICES AS THE DEPARTMENTAL  
4 LIAISON FOR THE SENIOR CITIZENS ADVISORY BOARD, AND TO PROVIDE FOR OTHER  
RELATED MATTERS.

5 Proposed by: Elizabeth Fretwell, Deputy City Manager      Summary: Designates Neighborhood Services  
6 as the departmental liaison for the Senior  
Citizens Advisory Board.

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

9 SECTION 1: Title 2, Chapter 46, Section 30, of the Municipal Code of the City of  
10 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **2.46.030:** (A) The Advisory Board shall elect from among its members a Chairman and Vice-  
12 Chairman, and such officers as deemed necessary or appropriate. Officers shall serve a term of one  
13 year, or until a successor is elected.

14 (B) The Director of [the City's Office of Administrative Services,] Neighborhood  
15 Services, or the Director's designee, shall serve ex-officio to represent the City's interests and to  
16 function as liaison between the Advisory Board and the City.

17 SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or  
18 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid  
19 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
20 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
21 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,  
22 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,  
23 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
24 invalid or ineffective.

25 SECTION 3: All ordinances or parts of ordinances or sections, subsections, phrases,  
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 \_\_\_\_\_, 2002.

4 APPROVED:

5  
6 By \_\_\_\_\_  
7 OSCAR B. GOODMAN, Mayor

8 ATTEST:

9 \_\_\_\_\_  
10 BARBARA JO RONEMUS, City Clerk

11 APPROVED AS TO FORM:

12 Valstead 10-22-02  
13 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 \_\_\_\_\_, 2002, 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 \_\_\_\_\_, 2002, 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: \_\_\_\_\_

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APPROVED:

By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

ATTEST:

\_\_\_\_\_  
BARBARA JO RONEMUS, City Clerk

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: NOVEMBER 18, 2002**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

**CONSENT**

**DISCUSSION**

**SUBJECT:**

**NEW BILLS:**

**Bill No. 2002-130** – Updates various design standards adopted as part of the Downtown Centennial Plan and applicable to the Downtown Overlay District. 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 will make minor technical changes to the language of the design standards that are adopted as part of the Downtown Centennial Plan and are applicable to the Downtown Overlay District.

**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. 2002-130

**COMMITTEE RECOMMENDATION:**

**COUNCILMAN MACK recommended Bill 2002-130 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WEEKLY concurred.**

**MINUTES:**

COUNCILMAN WEEKLY declared the Public Hearing open.

ROBERT GENZER, Director of Planning & Development, indicated that this cleans up the code by bringing the plan and Title 19 back into compliance with one another

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:09 – 4:10)

1 **BILL NO. 2002-130**

2 **ORDINANCE NO. \_\_\_\_\_**

3 AN ORDINANCE TO UPDATE VARIOUS DESIGN STANDARDS ADOPTED AS PART OF  
4 THE DOWNTOWN CENTENNIAL PLAN AND APPLICABLE TO THE DOWNTOWN  
OVERLAY DISTRICT, AND TO PROVIDE FOR OTHER RELATED MATTERS.

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

Summary: Updates various design standards  
adopted as part of the Downtown Centennial  
Plan and applicable to the Downtown Overlay  
District.

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

10 SECTION 1: The Downtown Las Vegas Design Standards and the Office Core  
11 District Design Standards, adopted by Ordinance No. 5238 as part of the Downtown Centennial Plan,  
12 and adopted by Ordinance No. 5301 as part of LVMC 19.06.060, are amended as set forth in Sections  
13 2 to 7, inclusive, of this Ordinance.

14 SECTION 2: Subsections 1(a) and 1(b) of Section DS2 are deleted and replaced by  
15 the following:

16 a. All development proposals for new buildings and structures shall conform to the minimum  
17 parcel size, if any, that is specified in LVMC Chapter 19.08.

18 b. All other development standards for new buildings and structures shall be as set forth in  
19 LVMC 19.06.060.

20 SECTION 3: Subsection 1(o) of Section DS3 is deleted and replaced by the  
21 following:

22 o. Parking, loading and traffic development standards other than those described above shall be  
23 as set forth in LVMC 19.06.060.

24 SECTION 4: Subsection 1 of Section DS7 is deleted and replaced by the following:

25 1. Landscape design standards shall be as set forth in LVMC 19.06.060.

26 SECTION 5: Subsection 1(l) (the numeral "1" followed by the letter "l") of Section  
27 OC2 is deleted and replaced by the following:

28 1. Parking, loading and traffic development standards other than those described above shall be

1 as set forth in LVMC 19.06.060.

2 SECTION 6: Subsection 1 of Section OC6 is deleted and replaced by the following:

3 i. Landscape design standards shall be as set forth in LVMC 19.06.060.

4 SECTION 7: Whenever the Design Standards amended by this Ordinance refer to a  
5 section or chapter number that begins with the number "19A," the reference shall be deemed to refer  
6 to the number "19" instead. The Planning and Development Department is authorized to change each  
7 such reference in the Design Standards.

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

16 SECTION 9: All ordinances or parts of ordinances or sections, subsections, phrases,  
17 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
18 1983 Edition, in conflict herewith are hereby repealed.

19 PASSED, ADOPTED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

20 APPROVED:

21  
22 By \_\_\_\_\_  
23 OSCAR B. GOODMAN, Mayor

24 ATTEST:

25 \_\_\_\_\_  
26 BARBARA JO RONEMUS, City Clerk

27 APPROVED AS TO FORM:

28 Valsteef 10-22-02  
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the  
2 \_\_\_\_ day of \_\_\_\_\_, 2002, 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 \_\_\_\_\_, 2002, 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: \_\_\_\_\_

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12 APPROVED:

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14 By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

15 ATTEST:  
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17 \_\_\_\_\_  
BARBARA JO RONEMUS, City Clerk

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**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: NOVEMBER 18, 2002**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

**CONSENT**

**DISCUSSION**

**SUBJECT:**

**NEW BILLS:**

**Bill No. 2002-131** – Updates the zoning regulations pertaining to temporary commercial uses.

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 will adjust the zoning treatment of a number of temporary commercial outdoor uses. The intent is to streamline the approval process for these uses while ensuring that their operation will be compatible with surrounding areas.

**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. 2002-131

**COMMITTEE RECOMMENDATION:**

**COUNCILMAN MACK** recommended Bill 2002-131 be forwarded to the Full Council with a “Do Pass” recommendation. **COUNCILMAN WEEKLY** concurred.

**MINUTES:**

**COUNCILMAN WEEKLY** declared the Public Hearing open.

DAVID BRATCHER, Planning & Development, stated that this addresses complaints from the public regarding code enforcement issues. Staff is trying to group like sales, such as pumpkins sales and Christmas tree lots, into one category. The second portion would establish owner responsibility for clean-up which does not currently exist in the code. At this time, the owner has to provide permission, but it is difficult for staff to get to the owner if the certificate holder has taken off. The third change would include set-up and tear-down times. Finally, the bill would eliminate unfair competition with parking lot sales. A vacant lot or parking lot sale competes

RECOMMENDING COMMITTEE MEETING OF NOVEMBER 18, 2002

City Attorney

Item 10 – Bill No. 2002-131

**MINUTES – Continued:**

with duly licensed and tax paying businesses. That is unfair to the business that is doing the right thing.

COUNCILMAN MACK commended staff for addressing these long-standing issues.

No one appeared in opposition.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:10 – 4:12)

**1-310**

1 **BILL NO. 2002-131**

2 **ORDINANCE NO. \_\_\_\_\_**

3 AN ORDINANCE TO UPDATE THE ZONING REGULATIONS PERTAINING TO TEMPORARY  
4 COMMERCIAL USES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

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

Summary: Updates the zoning regulations  
pertaining to temporary commercial uses.

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

9 SECTION 1: Table 2 of the Land Use Tables adopted in Section 19.04.010 of the  
10 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by deleting from  
11 the "Office & Professional" element the row pertaining to the use "Temporary Construction Field  
12 Yard."

13 SECTION 2: Table 2 of the Land Use Tables adopted in Section 19.04.010 of the  
14 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by deleting from  
15 the "Recreational, Entertainment & Amusement" element the row pertaining to the use "Temporary  
16 Carnival, Circus or Amusement Ride."

17 SECTION 3: Table 2 of the Land Use Tables adopted in Section 19.04.010 of the  
18 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by deleting from  
19 the "Retail & Personal Services" element the rows pertaining to the uses "Temporary Christmas Tree  
20 Sales Lot and Similar Uses" and "Temporary Real Estate Sales Office."

21 SECTION 4: Table 2 of the Land Use Tables adopted in Section 19.04.010 of the  
22 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto  
23 a new element, designated as "Temporary Uses," consisting of the uses described in Sections 5 to 9,  
24 inclusive, of this Ordinance.

25 SECTION 5: Table 2 of the Land Use Tables adopted in Section 19.04.010 of the  
26 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to indicate that  
27 the use "Parking Lot/Sidewalk Sale" is permitted in the N-S, C-1, C-2, C-PB, C-M and M Zoning  
28 Districts by means of a Temporary Commercial Permit. In order to reflect the amendment, a row

1 pertaining to the use "Parking Lot/Sidewalk Sale" shall be added to the "Temporary Uses" element,  
2 with the designation "TCP" appearing in the boxes that represent the intersection of that row with the  
3 columns for the N-S, C-1, C-2, C-PB, C-M and M Zoning Districts.

4 SECTION 6: Table 2 of the Land Use Tables adopted in Section 19.04.010 of the  
5 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to indicate that  
6 the use "Seasonal Outdoor Sales" is permitted in the U, R-A, R-E, P-R, N-S, C-1, C-2, C-PB, C-M  
7 and M Zoning Districts by means of a Temporary Commercial Permit. In order to reflect the  
8 amendment, a row pertaining to the use "Seasonal Outdoor Sales" shall be added to the "Temporary  
9 Uses" element, with the designation "TCP" appearing in the boxes that represent the intersection of  
10 that row with the columns for the U, R-A, R-E, P-R, N-S, C-1, C-2, C-PB, C-M and M Zoning  
11 Districts.

12 SECTION 7: Table 2 of the Land Use Tables adopted in Section 19.04.010 of the  
13 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to indicate that  
14 the use "Temporary Contractor's Construction Yard" is permitted in all listed zoning districts by  
15 means of a Temporary Commercial Permit. In order to reflect the amendment, a row pertaining to the  
16 use "Temporary Contractor's Construction Yard" shall be added to the "Temporary Uses" element,  
17 with the designation "TCP" appearing in the boxes that represent the intersection of that row with the  
18 columns for all zoning districts listed in Table 2.

19 SECTION 8: Table 2 of the Land Use Tables adopted in Section 19.04.010 of the  
20 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to indicate that  
21 the use "Temporary Outdoor Commercial Event" is permitted in the U, R-A, R-E, C-1, C-2, C-PB,  
22 C-M and M Zoning Districts by means of a Temporary Commercial Permit. In order to reflect the  
23 amendment, a row pertaining to the use "Temporary Outdoor Commercial Event" shall be added to  
24 the "Temporary Uses" element, with the designation "TCP" appearing in the boxes that represent the  
25 intersection of that row with the columns for the U, R-A, R-E, C-1, C-2, C-PB, C-M and M Zoning  
26 Districts.

27 SECTION 9: Table 2 of the Land Use Tables adopted in Section 19.04.010 of the  
28 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to indicate that

1 the use "Temporary Real Estate Sales Office" is permitted as a conditional use in the U, R-A, R-E,  
2 R-D, R-1, R-CL, R-2, R-3, R-4, R-5, R-MH and R-MHP Zoning Districts, and as a permitted use in  
3 the P-R, N-S, O, C-1, C-2, C-M and M Zoning Districts. In order to reflect the amendments, a row  
4 pertaining to the use "Temporary Real Estate Sales Office" shall be added to the "Temporary Uses"  
5 element. The letter "C" (indicating "conditional" use) shall appear in the boxes that represent the  
6 intersection of that row with the columns for the U, R-A, R-E, R-D, R-1, R-CL, R-2, R-3, R-4, R-5,  
7 R-MH and R-MHP Zoning Districts. The letter "P" (indicating "permitted" use) shall appear in the  
8 boxes that represent the intersection of that row with the columns for the P-R, N-S, O, C-1, C-2, C-M  
9 and M Zoning Districts.

10 SECTION 10: Title 19, Chapter 18, Section 100, of the Municipal Code of the City of  
11 Las Vegas, Nevada, 1983 Edition, is hereby amended by repealing in its entirety Subsection (C)  
12 thereof.

13 SECTION 11: Title 19, Chapter 18, Section 100, of the Municipal Code of the City of  
14 Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new Subsection (C), reading  
15 as follows:

16 (C) Permitted Uses. The following temporary uses may be permitted by means of  
17 the issuance of a Temporary Commercial Permit:

18 (1) A Temporary Contractor's Construction Yard in conjunction with an  
19 approved development project; provided, however, that no Temporary Commercial Permit is required  
20 if the use is located on the same site as the approved development and is operated in conformance with  
21 all applicable City ordinances and standards.

22 (2) Seasonal Outdoor Sales, but only if such sales are limited to a maximum  
23 of thirty days prior to the specified holiday. No Temporary Commercial Permit is required when the  
24 sales operation:

25 (a) Takes place on the same site as, and is in conjunction with, the  
26 operation of an established commercial business with a valid business license for that site; and

27 (b) Conforms with all applicable City ordinances and standards.

28 (3) Parking Lot/Sidewalk Sales; provided, however, that such sales:

1 (a) Must take place on the same site as, and be in conjunction with,  
2 the operation of an established commercial business with a valid business license for that site;

3 (b) Must take place on a paved or concrete area that is located on  
4 the same lot or within the same commercial subdivision as the structure that houses the business;

5 (c) Are limited to a duration of seven days each; and

6 (d) Occur no more than four times within a calendar year.

7 (4) Temporary Outdoor Commercial Events; provided, however, that such  
8 events:

9 (a) Are limited to a duration of thirty days each; and

10 (b) Occur no more than six times within a calendar year.

11 (5) The sales of new automobiles, new trucks, or new boats at a shopping  
12 mall of at least 90 acres in size and located in the C-1 (or a less restrictive) Zoning District. At any  
13 one shopping mall, no more than four sales events may occur within any twelve-month period, and  
14 no one sale event may last more than three days.

15 (6) Any other temporary use that is similar to those enumerated in this  
16 Subsection (C) and that, in the opinion of the Director, is compatible with the zoning district and  
17 surrounding land uses.

18 SECTION 12: Title 19, Chapter 18, Section 100, of the Municipal Code of the City of  
19 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending Subsection (F) thereof to read as  
20 follows:

21 (F) Conditions of Approval. In approving a Temporary Commercial Permit, the  
22 Director (or, upon appeal, the Planning Commission) may impose conditions, stipulations or  
23 limitations as are deemed necessary to ensure that the activity will be consistent with Subsection (D)  
24 of this [Subsection.] Section. Such conditions may include, but are not limited to the following:

25 (1) Provision for temporary parking facilities, including vehicle ingress and  
26 egress;

27 (2) Measures to prevent or reduce nuisance factors such as glare, excessive  
28 illumination, noise, vibration, smoke, dust, dirt, odors, gases and heat;

1 (3) Regulation of placement, height, size and location of structures,  
2 facilities, landscaping and equipment, including provision for buffering and separation;

3 (4) Provision for sanitary facilities and for waste collection and disposal;

4 (5) Measures to promote safety and security;

5 (6) Regulation of signs and other attention-gaining devices;

6 (7) Regulation of operating hours and duration of the temporary commercial  
7 use;

8 (8) Regulation of the hours and duration of set-up and dismantling  
9 activities;

10 [(8)](9) Compliance with applicable provisions of the Las Vegas Municipal  
11 Code; and

12 [(9)](10) Any other conditions which will ensure that the operation of the  
13 proposed temporary use is conducted in an orderly, efficient manner and in accordance with the intent  
14 and purpose of this Section.

15 SECTION 13: Title 19, Chapter 18, Section 100, of the Municipal Code of the City of  
16 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending Subsection (G) thereof to read as  
17 follows:

18 (G) Cleanup of Temporary Site. The holder of a Temporary Commercial Permit  
19 shall be responsible for leaving the property free of debris, litter or other evidence of the temporary  
20 use immediately upon completion or removal of the use. If the holder of the Temporary Commercial  
21 Permit is not the record owner of the property, the holder and the property owner(s) are jointly and  
22 severally responsible for compliance with this Subsection (G).

23 SECTION 14: Section 19.20.020 of the Municipal Code of the City of Las Vegas,  
24 Nevada, 1983 Edition, is hereby amended by adding thereto, in the corresponding locations, the  
25 following terms and their respective definitions:

26 "Parking Lot/Sidewalk Sale" means a promotional sales event that is conducted by a business  
27 operation outside the confines of the commercial or manufacturing structure in which the business  
28 operation is normally conducted.

1           “Seasonal Outdoor Sales” means the temporary outdoor sale and display of the following (and  
2 only the following) holiday goods in connection with the corresponding holidays:

- 3           (1)     Christmas trees;
- 4           (2)     Halloween pumpkins;
- 5           (3)     Valentine’s Day flowers; and
- 6           (4)     Mother’s Day flowers.

7           The term does not include fireworks sales to the extent they are conducted in compliance with LVMC  
8 Chapter 9.28 and the requirements of the Department of Fire and Rescue.

9           “Temporary Contractor’s Construction Yard” means an on-site or off-site facility for the  
10 storage of construction materials and equipment intended for use in conjunction with a specific  
11 development, to be removed at the time the development is completed. The term may include a  
12 temporary batch plant.

13           “Temporary Outdoor Commercial Event” means a promotional activity, fair, circus, rodeo,  
14 festival, carnival, arts and crafts fair, tent revival, haunted house, amusement system, or concert that  
15 will be conducted at a location other than a stadium, auditorium or other public assembly facility that  
16 is designed to accommodate such an event. The term does not include one-day residential  
17 celebrations; uses within public facilities or recreational facilities regulated or organized through the  
18 Department of Leisure Services; parades and similar events that occur in the public right-of-way and  
19 are regulated by or organized through the Las Vegas Metropolitan Police Department; or grand  
20 openings of new businesses that meet all requirements of the Department of Fire and Rescue.

21           SECTION 15: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010,  
22 19.18.100 and 19.20.020 are deemed to be subchapters rather than sections.

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

1 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
2 invalid or ineffective.

3 SECTION 17: All ordinances or parts of ordinances or sections, subsections, phrases,  
4 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
5 1983 Edition, in conflict herewith are hereby repealed.

6 PASSED, ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2002.

7 APPROVED:

8  
9 By \_\_\_\_\_  
10 OSCAR B. GOODMAN, Mayor

11 ATTEST:

12 \_\_\_\_\_  
13 BARBARA JO RONEMUS, City Clerk

14 APPROVED AS TO FORM:

15 Val Steed 10-22-02  
16 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 \_\_\_\_\_, 2002, 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 \_\_\_\_\_, 2002, 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: \_\_\_\_\_

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12 APPROVED:

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14 By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

15 ATTEST:  
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17 BARBARA JO RONEMUS, City Clerk

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**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: NOVEMBER 18, 2002**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

**CONSENT**

**DISCUSSION**

**SUBJECT:**

**NEW BILLS:**

**Bill No. 2002-132** – Allows the sale of motorcycles and motor scooters in the C-1 Zoning District by means of special use permit. 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:**

The sale of motorcycles and motor scooters currently is not allowed in the C-1 Zoning District. In order to conform with other area jurisdictions, this bill will allow the use in the C-1 District by means of special use permit, subject to minimum standards to ensure compatibility.

**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. 2002-132

**COMMITTEE RECOMMENDATION:**

**COUNCILMAN MACK recommended Bill 2002-132 be forwarded to the Full Council with a “Do Pass” recommendation. COUNCILMAN WEEKLY concurred.**

**MINUTES:**

COUNCILMAN WEEKLY declared the Public Hearing open.

ROBERT GENZER, Director of Planning & Development, advised that motorcycles are currently lumped into motor vehicle sales and permitted only in a C-2 zone. In other jurisdictions, motorcycles are allowed in the equivalent of C-1 under certain circumstances. Staff is proposing to conditionally open up the category. One criteria will be that all display and sales take place within an enclosed building and, secondly, that the building have a minimum square footage of 7,000 square feet. This should prevent illegal outdoor sales that are currently taking

RECOMMENDING COMMITTEE MEETING OF NOVEMBER 18, 2002

City Attorney

Item 11 – Bill No. 2002-132

**MINUTES – Continued:**

place. The bill is in order and there was no opposition when the matter was heard by the Planning Commission. COUNCILMAN MACK confirmed with staff that the current code allows for up to 5% outside storage/display because motorcycle sales are tied to motor vehicle sales. The existing code also allows for motorcycle repair in C-1, but not the sale of motorcycles. The truth is that sales are taking place at the repair locations and it is a very difficult situation to regulate.

No one appeared in opposition.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:12 – 4:14)

1-365

1 **BILL NO. 2002-132**

2 **ORDINANCE NO. \_\_\_\_\_**

3 AN ORDINANCE TO ALLOW THE SALE OF MOTORCYCLES AND MOTOR SCOOTERS IN  
4 THE C-1 ZONING DISTRICT BY MEANS OF SPECIAL USE PERMIT, AND TO PROVIDE FOR  
OTHER RELATED MATTERS.

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

Summary: Allows the sale of motorcycles and  
motor scooters in the C-1 Zoning District by  
means of special use permit.

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

9 SECTION 1: Title 19, Chapter 4, Section 10, of the Municipal Code of the City of  
10 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending Table 2 of the Land Use Tables  
11 adopted therein by adding to the "Auto- and Marine-Related" element a new row pertaining to the use  
12 "Motorcycle/Motor Scooter Sales" to allow the use by means of Special Use Permit in the C-1 Zoning  
13 District. In order to reflect the amendment, the letter "S" (indicating Special Use Permit) shall appear  
14 in the box that represents the intersection of the row for "Motorcycle/Motor Scooter Sales" with the  
15 column for the C-1 Zoning District, and an asterisk shall appear following the term to indicate the  
16 existence of applicable base standards.

17 SECTION 2: Title 19, Chapter 4, Section 50, Subsection (B), of the Municipal Code  
18 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new  
19 subsection, entitled "MOTORCYCLE/MOTOR SCOOTER SALES," reading as follows:

20 MOTORCYCLE/MOTOR SCOOTER SALES [C-1]

- 21 1. All display and sales shall take place in an enclosed building.  
22 2. The minimum gross floor area of the building shall be 7,000 square feet.

23 SECTION 3: Title 19, Chapter 20, Section 20, of the of the Municipal Code of the  
24 City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto the following term  
25 and its corresponding definition:

26 "Motorcycle/Motor Scooter Sales" means a facility or area for the display and sale of motorcycles and  
27 motor scooters, whether new or used. The term includes service bays which are incidental and  
28 accessory to the sales use. The term is used for the sole purpose of allowing the use by means of

1 Special Use Permit in the C-1 District. For all other purposes, the use described in this definition shall  
2 be treated under the appropriate category of motor vehicle sales.

3 SECTION 4: In Section 2 of this Ordinance, the brackets that follow the title of the  
4 subsection being added are not intended to indicate deleted matter, but instead are used as the means  
5 of indicating the applicable district.

6 SECTION 5: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010,  
7 19.04.050 and 19.20.020 are deemed to be subchapters rather than sections.

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

16 SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases,  
17 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
18 1983 Edition, in conflict herewith are hereby repealed.

19 PASSED, ADOPTED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

20 APPROVED:

21  
22 By \_\_\_\_\_  
23 OSCAR B. GOODMAN, Mayor

24 ATTEST:

25 \_\_\_\_\_  
26 BARBARA JO RONEMUS, City Clerk

27 APPROVED AS TO FORM:

28 Valstad 10-22-02  
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the  
2 \_\_\_\_ day of \_\_\_\_\_, 2002, 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 \_\_\_\_\_, 2002, 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: \_\_\_\_\_

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APPROVED:

By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

ATTEST:

BARBARA JO RONEMUS, City Clerk

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: NOVEMBER 18, 2002**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

**CONSENT**

**DISCUSSION**

**SUBJECT:**

**NEW BILLS:**

**Bill No. 2002-133** – Adopts the latest revision to the Uniform Regulations for the Control of Drainage. Proposed by: Richard D. Goecke, Director of Public Works

**Fiscal Impact**

**No Impact**

**Amount:**

**Budget Funds Available**

**Dept./Division:**

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

At the request of the Federal Emergency Management Agency, area local governments have been asked to update their drainage control regulations relating to the extended parking of certain recreational vehicles. The Clark County Regional Flood Control District has amended the Uniform Regulations for the Control of Drainage in that regard, and this bill follows up by including the revision as part of the Municipal Code.

**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. 2002-133

**COMMITTEE RECOMMENDATION:**

**COUNCILMAN MACK recommended Bill 2002-133 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 explained that this bill is a result of FEMA requesting local entities to tighten up on the parking of certain recreational vehicles consistent with the manual update recently adopted by the Regional Flood Control District and incorporates the new maps adopted.

No one appeared in opposition.

RECOMMENDING COMMITTEE MEETING OF NOVEMBER 18, 2002

City Attorney

Item 12 – Bill No. 2002-133

**MINUTES – Continued:**

There was no further discussion

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:14 – 4:15)

**1-439**

1 **BILL NO. 2002-133**

2 **ORDINANCE NO. \_\_\_\_\_**

3 AN ORDINANCE TO ADOPT THE LATEST REVISION TO THE UNIFORM REGULATIONS  
4 FOR THE CONTROL OF DRAINAGE, AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Proposed by: Richard D. Goecke,  
6 Director of Public Works

Summary: Adopts the latest revision to the  
Uniform Regulations for the Control of  
Drainage.

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

9 SECTION 1: Title 20, Chapter 10, Section 10, of the Municipal Code of the City of  
10 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **20.10.010:** [That certain document, three copies of which being on file in the office of the City  
12 Clerk and designated as follows, is adopted by reference and made a part of this Code, to the same  
13 effect as if set forth at length herein: The Uniform Regulations for the Control of Drainage,  
14 promulgated by the Clark County Regional Flood Control District and approved on August 13, 1992.]  
15 The document entitled "Uniform Regulations for the Control of Drainage," as adopted by the Clark  
16 County Regional Flood Control District and revised as of October 10, 2002, is adopted by this  
17 reference and made a part of this Code as if set forth herein. A copy of the Uniform Regulations shall  
18 be maintained in the office of the City Clerk. In the event of conflict or inconsistency between a  
19 provision of the Uniform Regulations and any other provision of this Code, the more stringent  
20 provision shall govern.

21 SECTION 2: In accordance with the provisions of the document referred to in Section  
22 1 of this Ordinance, the revisions made thereto on October 10, 2002, shall become effective on  
23 January 1, 2003.

24 SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or  
25 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid  
26 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
27 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
28 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,

1 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,  
2 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
3 invalid or ineffective.

4 SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases,  
5 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
6 1983 Edition, in conflict herewith are hereby repealed.

7 PASSED, ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2002.

8 APPROVED:

9  
10 By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

11 ATTEST:

12  
13 \_\_\_\_\_  
BARBARA JO RONEMUS, City Clerk

14 APPROVED AS TO FORM:

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16 Val Steed 10-22-02  
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 \_\_\_\_\_, 2002, 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 \_\_\_\_\_, 2002, 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: \_\_\_\_\_

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APPROVED:

By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

ATTEST:

BARBARA JO RONEMUS, City Clerk

# City of Las Vegas

## **RECOMMENDING COMMITTEE AGENDA RECOMMENDING COMMITTEE MEETING OF: NOVEMBER 18, 2002**

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.

### **MINUTES:**

None.

(4:15)  
1-463

**THE MEETING ADJOURNED AT 4:15 P.M.**

Respectfully submitted:

  
\_\_\_\_\_  
VICKY DARLING, ASSISTANT DEPUTY CITY CLERK  
November 19, 2002