

City of Las Vegas

RECOMMENDING COMMITTEE MEETING
CITY HALL, 400 STEWART AVENUE
CITY MANAGER'S CONFERENCE ROOM, EIGHTH FLOOR
CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.LasVegasNevada.gov>
MONDAY, SEPTEMBER 15, 2003
4:00 P.M.

RECOMMENDING COMMITTEE: COUNCILMAN WEEKLY AND COUNCILWOMAN MONCRIEF

CALL TO ORDER

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

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

THE FOLLOWING BILLS MAY BE ELIGIBLE FOR ADOPTION AT THE 10/1/2003 CITY COUNCIL MEETING

1. Bill No. 2003-69 – Annexation No A-0022-01(A) – Property location: On the north side of Vegas Drive, approximately 735 feet east of Michael Way; Petitioned by: Angel Medina, et al., Acreage: 0.69 acres; Zoned: C-P and R-D (County zoning), O and R-D (City equivalents). Sponsored by: Councilman Lawrence Weekly
2. Bill No. 2003-70 – Annexation No ANX-2424 – Property location: On the northwest corner of El Campo Grande Avenue and Rebecca Road, Petitioned by: J. L. Pennington; Acreage: 5.38 acres, Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Michael Mack
3. Bill No. 2003-71 – Annexation No. ANX-2556 – Property location: On the east side of Smith Street, approximately 650 feet south of Lake Mead Boulevard; Petitioned by: Jerry and Bridgett Scott; Acreage: 0.50 acres; Zoned: R-E (County zoning), U (R) (City equivalent). Sponsored by: Councilman Lawrence Weekly
4. Bill No. 2003-72 – Redesignates the term “halfway house, criminal” as “halfway house” for zoning purposes. Sponsored by: Councilman Lawrence Weekly
5. Bill No. 2003-73 – Levies Assessment for Special Improvement District No. 1479 – Mayfair Area. Sponsored by: Step Requirement
6. Bill No. 2003-74 – Ordinance Creating Special Improvement District No. 1502 - Grand Montecito Parkway (Centennial Parkway to Elkhorn Road) Sponsored by: Step Requirement

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

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

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

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

Las Vegas Library, 833 Las Vegas Boulevard North
Senior Citizens Center, 450 E. Bonanza
Clark County Government Center, 500 S. Grand Central Parkway
Court Clerk's Office Bulletin Board, City Hall Plaza
City Hall Plaza, Special Outside Posting Bulletin Board

City of Las Vegas

RECOMMENDING COMMITTEE AGENDA RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 15, 2003

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

MINUTES:

PRESENT: COUNCILMAN WEEKLY and COUNCILWOMAN MONCRIEF

Also Present: CHIEF DEPUTY CITY ATTORNEY VAL STEED, and DEPUTY CITY CLERK GABRIELA S. PORTILLO-BRENNER

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

(4:02)

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 15, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

CONSENT

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2003-69 – Annexation No. A-0022-01(A) – Property location: On the north side of Vegas Drive, approximately 735 feet east of Michael Way, Petitioned by: Angel Medina, et al., Acreage: 0.69 acres; Zoned. C-P and R-D (County zoning), O and R-D (City equivalents). Sponsored by: Councilman Lawrence Weekly

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 Vegas Drive, approximately 735 feet east of Michael Way. The annexation is at the request of the predecessors-in-interest of the current property owners, in consideration of connection to City sewer facilities. The annexation process has now been completed in accordance with the NRS and the final date of annexation (October 10, 2003) 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. 2003-69 and Location Map

COMMITTEE RECOMMENDATION:

COUNCILWOMAN MONCRIEF recommended Bill 2003-69 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 indicated that the bill is in order.

No one appeared in opposition and there was no further discussion

COUNCILMAN WEEKLY declared the Public Hearing closed

(4 02 – 4.03)

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BILL NO. 2003-69

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-0022-01(A))

Sponsored by: Councilman Lawrence Weekly

Summary: Annexes property described generally as located on the north side of Vegas Drive, approximately 735 feet east of Michael Way.

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 East 100.00 feet of the West 210.00 feet of the South Half (S 1/2) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 24 in Township 20 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada.

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

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

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

SECTION 4: The annexation of the described territory shall become

1 effective on the 10th day of October, 2003, and on that date the City will have the funds
2 appropriated in sufficient amount to finance the extension into the described territory of
3 police protection, fire protection, street maintenance, street sweeping, and street lighting
4 maintenance.

5 SECTION 5: The described territory, together with the inhabitants and
6 property thereof, shall, from and after the 10th day of October, 2003, be subject to all debts,
7 laws, ordinances and regulations in force in the City and shall be entitled to the same
8 privileges and benefits as other parts of the City, and shall be subject to municipal taxes
9 levied by the City.

10 SECTION 6: The City Engineer is hereby instructed to cause to be prepared
11 an accurate map or plat of the described territory and to record the map or plat, together with
12 a certified copy of this ordinance, in the office of the County Recorder of Clark County,
13 Nevada, which recording shall be done prior to the 10th day of October, 2003.

14 SECTION 7: That portion of the described territory which previously has
15 been zoned C-P (County of Clark classification), is hereby classified as O (City of Las Vegas
16 classification), and that portion which previously has been zoned R-D (County of Clark
17 classification) is hereby classified as R-D (City of Las Vegas classification). In each case
18 the City classification is deemed to be the City equivalent of the County classification.

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

28 SECTION 9: All ordinances or parts of ordinances, sections, subsections,

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

3 PASSED, ADOPTED and APPROVED this _____ day of _____,
4 2003.

5 APPROVED:

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7 By _____
8 OSCAR B. GOODMAN, Mayor

9 ATTEST:

10 BARBARA JO RONEMUS, City Clerk

11 APPROVED AS TO FORM:

12 Val Steed 8-19-03
13 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 _____, 2003, and referred to the following committee
3 composed of _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2003, which was a _____ meeting of said Council; that
6 at said _____ meeting, the proposed ordinance was read by title to the City
7 Council as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

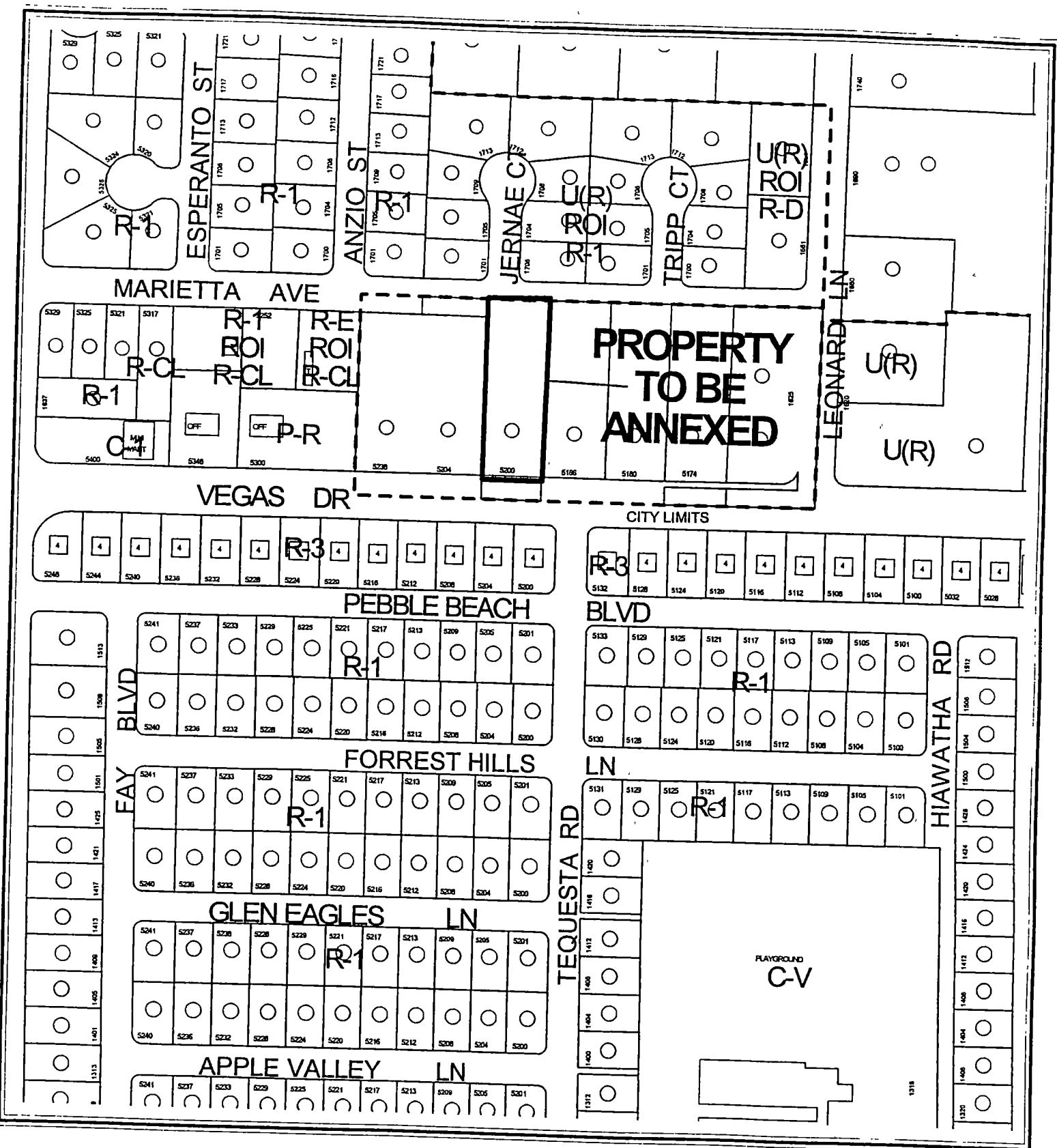
11 APPROVED:

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13 By _____
14 OSCAR B. GOODMAN, Mayor

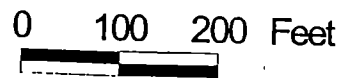
15 ATTEST:

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17 BARBARA JO RONEMUS, City Clerk

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CASE: A-0022-01(A)



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 15, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

CONSENT

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2003-70 – Annexation No. ANX-2424 – Property location: On the northwest corner of El Campo Grande Avenue and Rebecca Road; Petitioned by: J. L. Pennington; Acreage: 5.38 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 northwest corner of El Campo Grande Avenue and Rebecca Road. The annexation is at the request of one of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (September 26, 2002) is set by this ordinance.

NOTE: A portion of the property is developed with stables.

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. 2003-70 and Location Map

COMMITTEE RECOMMENDATION:

COUNCILWOMAN MONCRIEF recommended Bill 2003-70 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 indicated that the bill is in order.

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

COUNCILMAN WEEKLY declared the Public Hearing closed

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BILL NO. 2003-70

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. (ANX-2424)

Sponsored by: Councilman Michael Mack Summary: Annexes property described generally as located on the northwest corner of El Campo Grande Avenue and Rebecca Road.

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

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

Those portions of the West Half (W 1/2) of the Southwest Quarter (SW 1/4) of Section 26, Township 19 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada, described as follows:

PARCEL A

The east 660 feet of the South Half (S 1/2) of the South Half (S 1/2) of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of said Section 26.

PARCEL B

That portion of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 26, being that irregular, triangular parcel of land as conveyed by GRANT, BARGAIN, SALE DEED, from MARY GILBERT to J. L. PENNINGTON, ET UX, recorded April 24, 1984 in Book 1910 as

1 Instrument Number 1869519, together with that portion of the adjoining
2 half-street right-of-way of EL CAMPO GRANDE AVENUE, being 30 feet
3 wide as measured from the calculated centerline thereof as said right-of-way
4 is described by PARCEL 1 of that GRANT DEED from GIL GILBERT and
5 MARY GILBERT to the COUNTY OF CLARK, recorded December 8, 1971
6 in Book 188 as Instrument Number 150251, both of Clark County, Nevada
7 Records, being bounded collectively as follows: Bounded on the north by the
8 north line of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW
9 1/4) of said Section 26; bounded on the west by the west line of the east 660
10 feet of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4)
11 of said Section 26, being the east line of that parcel of land described by
12 QUITCLAIM DEED from MARGARET ELEANOR PRESTON to
13 CARROLL BERT ROBERTSON, recorded March 29, 1966 of Clark
14 County, Nevada Records and the southerly prolongation of said east line;
15 and bounded on the south by the calculated centerline of EL CAMPO
16 GRANDE AVENUE, along its various courses, being a line that is parallel
17 with and distant 30 feet southerly, OR concentric with and distant 30 feet
18 southerly, where appropriate, as measured at right angles or radially, from the
19 respective portions of the record, northerly right-of-way line of said EL
20 CAMPO GRANDE AVENUE, along its various courses, as described by
21 said Instrument Number 150251.

12 The Basis of Bearings and calculations of the above legal description is North
13 00°49'17" East, being the west line of the Southwest Quarter (SW 1/4) of
14 Section 26, Township 19 South, Range 60 East, M.D.M., as shown on the
15 SURVEY MAP, as filed January 24, 1964 in File 14 of Surveys, Page 32 of
16 Clark County, Nevada Records. All other record sources cited hereinabove
17 have been rotated and adjusted, as necessary, to the said File 14 of Surveys,
18 Page 32 basis.

16 SECTION 2: The City Council hereby determines that the described territory
17 meets 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
19 time the annexation proceedings were instituted;
- 20 B. More than one-eighth (1/8) of the aggregate external boundaries of
21 the area are contiguous to the City;
- 22 C. The territory proposed to be annexed is not included within the
23 boundaries of another incorporated city or within the boundaries of
24 any unincorporated town as those boundaries existed as of July 1,
25 1983;
- 26 D. The City is eligible to annex the described territory since the
27 landowners have signed a petition constituting one hundred percent
28 (100%) of the owners of record of individual lots or parcels of land

1 | levied by the City.

2 | SECTION 6: The City Engineer is hereby instructed to cause to be prepared
3 | an accurate map or plat of the described territory and to record the map or plat, together with
4 | a certified copy of this ordinance, in the office of the County Recorder of Clark County,
5 | Nevada, which recording shall be done prior to the 26th day of September, 2003.

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

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

18 | SECTION 9: All ordinances or parts of ordinances, sections, subsections,

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

3 PASSED, ADOPTED and APPROVED this _____ day of _____,
4 2003.

5 APPROVED:

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7 By OSCAR B. GOODMAN, Mayor

8 ATTEST:

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10 BARBARA JO RONEMUS, City Clerk

11 APPROVED AS TO FORM:

12 Val Steed 8-19-03
13 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 _____, 2003, and referred to the following committee
3 composed of _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2003, which was a _____ meeting of said Council; that
6 at said _____ meeting, the proposed ordinance was read by title to the City
7 Council as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

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13 By OSCAR B. GOODMAN, Mayor

14 ATTEST:

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16 BARBARA JO RONEMUS, City Clerk

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 15, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

CONSENT

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2003-71 – Annexation No. ANX-2556 – Property location: On the east side of Smith Street, approximately 650 feet south of Lake Mead Boulevard; **Petitioned by:** Jerry and Bridgett Scott; **Acreage:** 0.50 acres; **Zoned:** R-E (County zoning), U (R) (City equivalent). **Sponsored by:** Councilman Lawrence Weekly

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 Smith Street, approximately 650 feet south of Lake Mead Boulevard. 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 (September 26, 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. 2003-71 and Location Map

COMMITTEE RECOMMENDATION:

COUNCILWOMAN MONCRIEF recommended Bill 2003-71 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 indicated that the bill is in order.

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

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:03 – 4:04)

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BILL NO. 2003-71

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. (ANX-2556)

Sponsored by: Councilman Lawrence Weekly

Summary: Annexes property described generally as located on the east side of Smith Street, approximately 650 feet south of Lake Mead Boulevard.

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:

That portion of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 24, Township 20 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada, being that parcel of land conveyed by GRANT, BARGAIN, SALE DEED to JERRY SCOTT, JR. ET UX, recorded February 21, 2003 in Book 20030221 as Instrument Number 02205, together with that portion of the adjoining half-street right-of-way of SMITH STREET (30 feet wide as measured from the centerline thereof) as described by PARCEL 2 and dedicated to the COUNTY OF CLARK, [in the] STATE OF NEVADA, recorded February 6, 1970 in Book 9 as Instrument Number 6851, both of Clark County, Nevada Records, said annexation parcel, being described collectively as follows:

COMMENCING at the northwest corner of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of said Section 24; thence along the north line of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of

1 said Section 24, South 88°53'21" East a distance of 659.4 feet to the west line
2 of the east 660 feet of the Northeast Quarter (NE 1/4) of said Southwest
3 Quarter (SW 1/4); thence along the west line of said east 660 feet, South
4 01°11'09" West a distance of 708.7 feet to the TRUE POINT OF
5 BEGINNING in the north line of the south 630 feet of the Northeast Quarter
6 (NE 1/4) of the Southwest Quarter (SW 1/4) of said Section 24, being the
7 northeast corner of said SCOTT parcel, also being the southeast corner of
8 LOT NUMBER 60 in BLOCK NUMBER 3 of UPTOWN ESTATES UNIT
9 NO. 1, as filed January 27, 1992 in Book 51 of Plats, Page 73 of Clark
10 County, Nevada Records; thence along the north line of said south 630 feet,
11 and along the north line of said SCOTT parcel and the westerly prolongation
12 of the north line of said SCOTT parcel and along the south line of said LOT
13 NUMBER 60 in BLOCK NUMBER 3 and the westerly prolongation of said
14 south line, North 88°21'35" West a distance of 220.1 feet to the centerline of
15 said SMITH STREET, also being the east line of the west 439.4 feet of the
16 Northeast Quarter (NE 1/4) of said Southwest Quarter (SW 1/4); thence
17 along the centerline of said SMITH STREET and along the east line of said
18 west 439.4 feet, South 01°11'50" West a distance of 100.0 feet to the north
19 line of the south 530 feet of the Northeast Quarter (NE 1/4) of said Southwest
20 Quarter (SW 1/4), being the westerly prolongation of the south line of said
21 SCOTT parcel; thence along the north line of said south 530 feet and along
22 said westerly prolongation and the south line of said SCOTT parcel, South
23 88°21'35" East a distance of 220.1 feet to the west line of the east 660 feet
24 of the Northeast Quarter (NE 1/4) of said Southwest Quarter (SW 1/4), being
25 the southeast corner of said SCOTT parcel; thence along the west line of said
26 east 660 feet and along the east line of said SCOTT parcel, North 01°11'09"
27 East a distance of 100.0 feet to the TRUE POINT OF BEGINNING.

15 The Basis of Bearings and calculations of the above legal description is South
16 88°53'21" East, being the north line of the Southwest Quarter (SW 1/4) of
17 Section 24, Township 20 South, Range 60 East, M.D.M., as cited on the
18 RECORD OF SURVEY, as filed September 6, 1972 in File 23 of Surveys,
19 Page 64 of Clark County, Nevada Records.

18 Scribesit:
19 Michael Barrett, SEA, TTG
20 City of Las Vegas
21 731 South Fourth Street
22 Las Vegas, Nevada
23 89101

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

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

1 boundaries of another incorporated city or within the boundaries of
2 any unincorporated town as those boundaries existed as of July 1,
3 1983;

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

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

26 SECTION 4: The annexation of the described territory shall become
27 effective on the 26th day of September, 2003, and on that date the City will have the funds
28 appropriated in sufficient amount to finance the extension into the described territory of

1 | police protection, fire protection, street maintenance, street sweeping, and street lighting
2 | maintenance.

3 | SECTION 5: The described territory, together with the inhabitants and
4 | property thereof, shall, from and after the 26th day of September, 2003, be subject to all
5 | debts, laws, ordinances and regulations in force in the City and shall be entitled to the same
6 | privileges and benefits as other parts of the City, and shall be subject to municipal taxes
7 | levied by the City.

8 | SECTION 6: The City Engineer is hereby instructed to cause to be prepared
9 | an accurate map or plat of the described territory and to record the map or plat, together with
10 | a certified copy of this ordinance, in the office of the County Recorder of Clark County,
11 | Nevada, which recording shall be done prior to the 26th day of September, 2003.

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

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

24 | SECTION 9: All ordinances or parts of ordinances, sections, subsections,
25 | ...
26 | ...
27 | ...
28 | ...

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

3 PASSED, ADOPTED and APPROVED this _____ day of _____,
4 2003.

5 APPROVED:

6
7 By _____
8 OSCAR B. GOODMAN, Mayor

9 ATTEST:
10 _____
11 BARBARA JO RONEMUS, City Clerk

12 APPROVED AS TO FORM:
13 _____ 8-19-03
14 _____
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Date

1 The above and foregoing ordinance was first proposed and read by title to the Council on the
2 ____ day of _____, 2003, and referred to the following committee
3 composed of _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2003, which was a _____ meeting of said Council; that
6 at said _____ meeting, the proposed ordinance was read by title to the City
7 Council as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

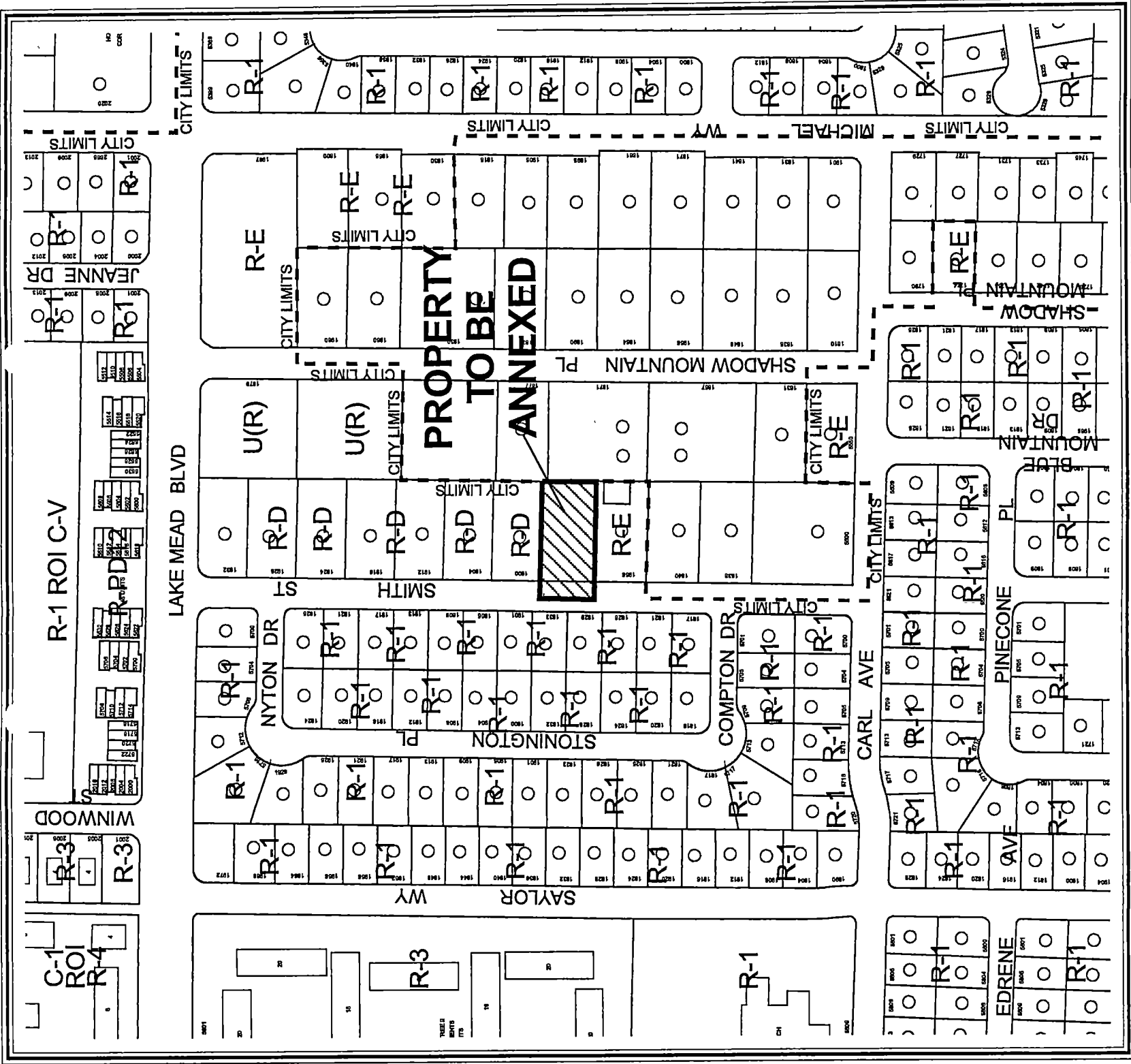
11 APPROVED:

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13 By _____
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 _____
17 BARBARA JO RONEMUS, City Clerk

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**PROPERTY
TO BE
ANNEXED**



CASE: ANX-2556



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 15, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

CONSENT

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2003-72 – Redesignates the term “halfway house, criminal” as “halfway house” for zoning purposes. Sponsored by: Councilman Lawrence Weekly

Fiscal Impact

No Impact

Amount:

Budget Funds Available

Dept./Division:

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will redesignate the term “halfway house, criminal” as “halfway house” for zoning purposes. The zoning requirements and limitations for the use will remain the same.

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. 2003-72

COMMITTEE RECOMMENDATION:

COUNCILWOMAN MONCRIEF recommended Bill 2003-72 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 indicated that the bill is in order

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

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4.04)

1-53

1 **BILL NO. 2003-72**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO REDESIGNATE THE TERM "HALFWAY HOUSE, CRIMINAL" AS
4 "HALFWAY HOUSE" FOR ZONING PURPOSES; AND TO PROVIDE FOR OTHER
RELATED MATTERS.

5 Sponsored by: Councilman Lawrence Weekly Summary: Redesignates the term "halfway
6 house, criminal" as "halfway house" for
zoning purposes.

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

9 SECTION 1: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4,
10 Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
11 amended by amending the "Institutional and Community Service" element thereof to change the
12 name of the use "Halfway House, Criminal" to "Halfway House."

13 SECTION 2: Title 19, Chapter 4, Section 50, Subsection (B), of the Municipal
14 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by deleting therefrom
15 the subdivision entitled "HALFWAY HOUSE, CRIMINAL" and replacing it with the following:
16 HALFWAY HOUSE [R-3, R-4, R-5, C-2, C-M]

17 *Shall be spaced a minimum of fifteen hundred feet from each other.

18 SECTION 3: Title 19, Chapter 20, Section 20, of the Municipal Code of the City
19 of Las Vegas, Nevada, 1983 Edition, is hereby amended amending the definition of the term
20 "Halfway House Criminal" to read as follows:

21 ["Halfway House Criminal"] "Halfway House" means a facility for the housing, rehabilitation,
22 and training of persons on probation or parole from correctional institutions, or other persons
23 found guilty of criminal offenses.

24 SECTION 4: In Section 2 of this Ordinance, the brackets that follow the title of
25 the subdivision being added are not intended to indicate deleted matter, but instead are used as
26 the means of indicating the applicable districts.

27 SECTION 5: For purposes of Section 2.100(3) of the City Charter, LVMC
28 19.04.010, 19.04.050, and 19.20.020 are deemed to be subchapters rather than sections.

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SECTION 6: If any section, subsection, subdivision, paragraph, sentence, clause or 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 7: All ordinances or parts of ordinances or 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 _____, 2003.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Val Steed 8-19-03
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on
2 the ____ day of _____, 2003, and referred to the following committee composed
3 of _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2003, which was a _____ meeting of said Council; that at
6 said _____ meeting, the proposed ordinance was read by title to the City
7 Council as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11

12

APPROVED:

13

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

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 15, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

CONSENT

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2003-73 – Levies Assessment for Special Improvement District No. 1479 – Mayfair Area. Sponsored by: Step Requirement

Fiscal Impact

No Impact

Amount: \$70,328.08

Budget Funds Available

Dept./Division: Public Works/SID

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

Construction and installation of streetlights. The District is located in the Mayfair subdivision bounded by 15th Street on the west, Fremont Street on the north, Bruce Street on the east, and Charleston Boulevard on the south.

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. 2003-73

COMMITTEE RECOMMENDATION:

COUNCILWOMAN MONCRIEF recommended Bill 2003-73 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 indicated that the bill is in order.

No one appeared in opposition and there was no further discussion

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:04 – 4:05)

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO 1479 – MAYFAIR AREA; PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS, ASSESSING A PORTION OF THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS, RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN, PRESCRIBING DETAILS IN CONNECTION THEREWITH

Summary. Levy Ordinance

WHEREAS, the City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively) in the County of Clark and State of Nevada, has heretofore, pursuant to the requisite preliminary proceedings, created Las Vegas, Nevada, Special Improvement District No. 1479 – Mayfair Area (hereinafter the "District"), for the purpose of acquiring a Street Project, as defined in Chapter 271, Nevada Revised Statutes (hereinafter the "Project") and has provided that a portion of the entire cost and expense of the Project shall be paid by special assessments, according to benefits, levied against the benefited lots, tracts and parcels of land in the District, and

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

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

WHEREAS, in accordance with NRS 271 360, the City Council has heretofore determined, and does hereby declare, that the net cost of all improvements in the District (including all necessary incidentals which either have been or will be incurred in connection with the District) is \$1,812,000 00, of which, \$1,741,671 92 is available from other sources and of which \$70,328 08 is to be assessed upon the benefited lots, tracts and parcels of land in the District which the City Council has determined will receive special benefits (and corresponding market value increases) from the improvements of the Project; and

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

WHEREAS, after a determination of the portion of the costs of such work to be paid by the property specially benefited, the City Council, together with the City Engineer (with the assistance of the Engineering Integration Division) made out a final assessment roll containing, among other things, the names and addresses of the last known owners of the property to be assessed, a description of each lot, tract, or parcel of land to be assessed, and the amount of the assessment thereon. The City Engineer has reported the final assessment roll to the City Council and the City Engineer has filed the final assessment roll with the City Clerk, and

WHEREAS, the City Council thereupon fixed a time and place, to wit Wednesday, February 5, 2003, at 1 00 p m , at the Las Vegas City Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada, when all complaints, protests and objections to the final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in the District, by any person interested, and by any parties aggrieved by such assessments, would be heard and considered by the City Council, and

WHEREAS, the City Engineer (with the assistance of Engineering Integration Division) has, in accordance with the provisions of law relating thereto, given the requisite legal notice by both mail and publication that complaints, protests and objections to assessments for improvements in the District should be filed with the City Clerk, and that the City Council would hear and consider any and all complaints, protests or objections on Wednesday, February 5, 2003, at 1 00 p m., at the Las Vegas City Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada, and

WHEREAS, the City Council caused the final assessment roll ("Tabulation of Parcels") to be filed in the records of the office of the City Clerk on January 8, 2003. The City Clerk, by publication and by mail, gave the requisite notice of the time and place of such hearing, of the filing of the final assessment roll in her office, of the date of filing the same, and of the right of any such person to object specifically in writing and of the waiver of any objection in the absence of such objection, and

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

WHEREAS, all complaints, protests and objections, both written and oral, were found to be without sufficient merit and overruled, except as provided in the District No 1479 Assessment Protest Resolution; and

WHEREAS, by the District No 1479 Assessment Protest Resolution, the City Council modified, corrected and revised the final assessment roll and modified, corrected, revised and confirmed the final assessment roll to be in final form, and

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

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

WHEREAS, the City Council has determined, and does hereby determine, that the City shall pay the costs of the Project, in part, with funds derived from the levy of assessments, and the City will pay one-half or more of the costs of the Project with monies derived from other than the levy of special assessment, and that the exception provided by NRS 271 306(2)(a) does exist with respect to the Project, and

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

Section 1 This Ordinance shall be known as, and may be cited by, the short title "District No. 1479 Levy Ordinance" (hereinafter the "Ordinance")

Section 2 The City Council has heretofore determined, and does hereby declare, that each and every complaint, protest and objection made in connection with the District is without sufficient merit and the same be, and the same hereby is, overruled, and finally passed on by the City Council, except as provided in the District No. 1479 Assessment Protest Resolution

Section 3 All actions, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Ordinance) concerning Special Improvement District No 1479 – Mayfair Area, including, but not limited to, the creation of the District, the acquisition of the Project, the amount of the construction contract, the levy of assessments for those purposes, the determination that the tracts in the District will receive special benefits and market value

increases, and the validation and confirmation of the final assessment roll and the assessments therein, be, and the same hereby is, ratified, approved and confirmed

Section 4 For the purpose of paying a portion of the costs and expenses of the Project, the amounts and assessments shown in the final assessment roll (as so filed, modified and confirmed) are hereby levied and assessed against the lots, tracts and parcels of land in the District (being all those specially benefited by said improvements) and described in the final assessment roll for the District, as filed in the office of the City Clerk on January 8, 2003, and as modified and confirmed by the District No 1479 Assessment Protest Resolution duly adopted by the City Council on September 3, 2003

Section 5. The assessments shall be due and payable at the office of the City Treasurer within 30 days after this Ordinance becomes effective, without interest and without demand, provided that all or any part of such assessments may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments, the amount of the assessment then unpaid. In case of such election to pay in installments, the unpaid assessments shall be payable in ten (10) substantially equal semiannual installments of principal and interest until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this Ordinance, at a rate or rates which shall not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued for the District, both principal and interest on such assessments being payable semiannually at the office of the City Treasurer on April 1 and October 1 of each year, commencing on April 1, 2004. After the effective date of this Ordinance and before assessment bonds are issued (or if bonds are not issued), the City Council shall by resolution provide the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold the rate will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds for the district. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three per cent (3%) the "Index of Twenty Bonds", which is most recently published before the bids for such bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole amount of the

unpaid principal to become due and payable immediately, at the option of the City. The exercise of said option to be indicated by the commencement of foreclosure proceedings by the City. The whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether or not said option is exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of sale or until paid. At any time prior to the date of the sale, the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property assessed and not in default as to any installment or payment, may at any time (at the option of such owner), pay the whole or any semiannual installment of the unpaid principal with interest accruing thereon to the next interest payment date. If such prepayment takes place after November 4, 2003, but before the adoption of the aforementioned resolution establishing the rate of interest on deferred installments of assessments, such interest accruing thereon to the next interest payment date shall be calculated at eight and 18/100 percent (8 18%) per annum (i.e., the "Index of Twenty Bonds" published August 14, 2003 plus three percent).

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the same rate and terms as are established for other assessments in the manner provided. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the term of the bonds expire, (c) the property owner's application for renewal of the Hardship Determination is disapproved, (d) the property owner fails to pay interest on the unpaid balance of assessments in a timely manner, or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 hereof.

Section 6 The amounts assessed shall be a lien upon the owner's lots, tracts and parcels of land from the effective date of this Ordinance (i.e. October 5, 2003) until paid. The lien shall be co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general or other taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor. Such amounts shall continue to be a lien upon the lots, tracts and parcels of land assessed until paid in full (including all principal and the interest thereon, and any penalties and collection costs).

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

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

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

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

Section 10 In accordance with NRS 271 405(7) the City Clerk shall give notice by publication in the Las Vegas Review-Journal, a newspaper of general circulation in the City, and such notice to be published at least once a week, for three consecutive publications, by three weekly insertions, the first such publication to be at least 15 days prior to the end of the 30-day period stating that said assessments have been levied and are due and payable. The notice shall further state that payment must be made in full prior to the end of the 30 day period to avoid paying interest on the assessment. It shall not be necessary that the notice be published on the same day of the week, but not less than 14 days shall intervene between the first publication and the last publication. Service by publication shall be verified by the affidavit of the publisher and filed with the City Clerk of the City. In accordance with NRS 271 390(2), the City Clerk or Deputy City Clerk shall also give written notice of the levying of the assessments by

mailing a copy of such notice, postage prepaid, at least 20 days prior to the end of said 30-day period, to the owner or owners of all property upon which the assessment was levied at his or her last known address or addresses. Proof of such mailing shall be made by the affidavit of the City Clerk or Deputy City Clerk and such proof shall be filed with the City Clerk. Failure to mail any such notice or notices shall not invalidate any assessment or any other proceedings concerning the District. Proof of the publication and proof of the mailing shall be maintained in the permanent records of the office of the City Clerk until all special assessments and special assessment bonds issued (if such special assessment bonds are hereafter issued) shall have been paid in full, both principal and interest, or until any claim is barred by an appropriate statute of limitations. The City Council hereby determines that the manner of giving notice herein provided by publication and by mail is reasonably calculated to inform the parties of the proceedings concerning the District and the levy of assessments which may directly and adversely affect their legally protected interests.

Section 11 The notice provided for in NRS 271.390(2) and NRS 271.405(7) and in Section 10 of this Ordinance shall be in substantially the following form:

(Form of Notice)

NOTICE TO PROPERTY OWNERS OF THE LEVY OF ASSESSMENTS FOR
IMPROVEMENTS IN CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT
DISTRICT NO 1479 – MAYFAIR AREA

NOTICE IS HEREBY GIVEN to the owners of all property upon which an assessment has been levied, and other interested persons, that District No 1479 Levy Ordinance (hereinafter the "Levy Ordinance") was duly passed, adopted, signed and approved on October 1, 2003. The Levy Ordinance levied and assessed a portion of the cost and expense of such improvements against the lots, tracts and parcels of land specially benefited by the local improvements in what is commonly designated as "City of Las Vegas, Nevada, Special Improvement District No 1479 – Mayfair Area," (said lots, tracts and parcels of land being more specifically described in the final assessment roll designated in the ordinance)

Assessments are due and payable at the office of the City Treasurer, in Las Vegas, Nevada, on or before November 4, 2003, being 30 days after the effective date of the Levy Ordinance, without interest and without demand, provided that all, or any part of such assessments may, at the election of the owner, be paid in installments, with interest as hereinafter provided. Failure to pay the whole assessment within the 30-day period will be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay the unpaid assessment in installments. In case of such election to pay in installments, the unpaid assessments will be payable in ten (10) substantially equal semi-annual installments of principal and interest until paid in full, with interest in all cases on the unpaid and deferred installments of principal from October 5, 2003, (i.e., the effective date of the Levy Ordinance) both principal and interest being payable semi-annually at the office of the City Treasurer, Las Vegas, Nevada, on April 1 and October 1 of each year, commencing on April 1, 2004. After the effective date of the Levy Ordinance and before assessment bonds are issued (or if bonds are not issued), the City Council shall by Resolution provide the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold, the rate will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three percent (3%) the "Index of Twenty Bonds", which is most recently published before the bids for such bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. Failure to pay

any assessment installment, whether principal or interest, when due will cause the whole of the unpaid principal of such assessment to become due and payable immediately at the City's option, and the whole amount of the unpaid principal and accrued interest will, after such delinquency, whether or not the City's option is exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of sale or until paid. At any time prior to the date of the sale, the owner may pay the amount of all delinquent installments originally becoming due on or before the date of payment, with the interest thereon and all penalties accrued, and will thereupon be restored the right, thereafter, to pay in installments in the same manner as if default had not been suffered. The owner of any property not in default as to any assessment installment or payment may, at any time, pay the whole or any semi-annual installment of the unpaid principal with interest accruing thereon to the next interest payment date. If such prepayment takes place after November 4, 2003, but before the adoption of the aforementioned resolution establishing the rate of interest on deferred installments of assessments, such interest accruing thereon to the next interest payment date shall be calculated at eight and 18/100 percent (8 18%) per annum (i.e., the "Index of Twenty Bonds" published August 14, 2003 plus three percent)

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the same rate and terms as are established for other assessments in the manner provided. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted, (b) the term of the bonds expires, (c) the property owner's application for renewal of a Hardship Determination is disapproved, (d) the property owner fails to pay interest on the unpaid balance of assessments in a timely manner, or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 hereof.

Pursuant to NRS 271.395, within 15 days after the effective date of the Levy Ordinance, any person who has filed a complaint, protest or objection in writing, pursuant to NRS 271.380, shall have the

right to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter, all actions or suits attacking the regularity, validity and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, of the amount of special benefits and market value increases, and of the amount thereof levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation shall be perpetually barred.

The amounts assessed as aforesaid constitute a lien upon said lots, tracts and parcels of land from October 5, 2003 (i.e., the effective date of the Levy Ordinance), which lien shall be co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor.

Dated this October 1, 2003.

BARBARA JO RONEMUS, City Clerk

(End of Form of Notice)

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

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

Section 14 That in accordance with Section 2 110 of the City Charter, this Ordinance when first proposed is to be read by title to the City Council, immediately after which an adequate number of copies of the proposed Ordinance are to be deposited with the office of the City Clerk for public examination and distribution upon request, thereafter, the City Clerk is authorized and directed to give notice of the deposit together with the title of the Ordinance by publication at least once in the Las Vegas Review-Journal; i.e., a newspaper published and having general circulation in the City, at least ten (10) days before the adoption of the Ordinance, i e , at least ten (10) days before October 1, 2003, such publication to be in substantially the following form

(FORM OF PUBLICATION OF NOTICE OF DEPOSIT OF AN ORDINANCE)

ORDINANCE NO. _____

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1479 – MAYFAIR AREA; PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-entitled proposed Ordinance were filed with and are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, 400 Stewart Avenue, Las Vegas, Nevada, and that such ordinance was proposed on the 3rd day of September, 2003, and will be considered for adoption at the regular meeting of the City Council of the City of Las Vegas on the 1st day of October, 2003

/s/ Barbara Jo Ronemus
City Clerk

(End of Form)

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

(Form for Publication After Final Adoption of Ordinance)

ORDINANCE NO _____

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO 1479 – MAYFAIR AREA, PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN, PRESCRIBING DETAILS IN CONNECTION THEREWITH

PUBLIC NOTICE IS HEREBY GIVEN that the above Ordinance was proposed on September 3, 2003, and was passed at a regular meeting held on October 1, 2003, by the following vote of the City Council of the City of Las Vegas, Nevada

Those Voting Aye:

Oscar B Goodman
Gary Reese
Larry Brown
Lynette Boggs McDonald
Lawrence Weekly
Michael Mack
Janet Moncrief

Those Voting Nay

Those Absent

This Ordinance shall be in full force and effect from and after October 5, 2003, i e , the day after its publication by 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

This 1st day of October, 2003

/s/ OSCAR B GOODMAN
Mayor
City of Las Vegas, Nevada

(SEAL)

Attest:
/s/ BARBARA JO RONEMUS
City Clerk

Section 16 That if any section, paragraph, clause or other 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 other provision shall not affect any of the remaining provisions of this Ordinance

Introduced September 3, 2003, PASSED, ADOPTED AND APPROVED October 1, 2003

OSCAR B GOODMAN, Mayor

Attest

BARBARA JO RONEMUS, City Clerk

Approved as to Form

8-20-'03 *Madeline J. Dickman-Dicco*
Date Deputy City Attorney

STATE OF NEVADA)
)
 COUNTY OF CLARK) SS
)
 CITY OF LAS VEGAS)

I, Barbara Jo Ronemus, the duly chosen, qualified City Clerk of the City of Las Vegas (hereinafter the "City"), in the State of Nevada, do hereby certify

1 The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the City Council on September 3, 2003 and finally adopted and approved on October 1, 2003.

2 The following members of the City Council were present at the September 3, 2003 Council meeting

Mayor Councilmembers:	Oscar B. Goodman Gary Reese Larry Brown Lynette Boggs McDonald Lawrence Weekly Michael Mack Janet Moncrief
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3 The foregoing Ordinance was first proposed and read by title to the City Council on September 3, 2003, and referred to a committee composed of _____ and _____ for recommendation, thereafter the said committee reported favorably on said Ordinance on October 1, 2003, which was a regular meeting of said City Council, that at said regular meeting, the proposed Ordinance was again read by title to the City Council and adopted. The following members of the City Council were present at the October 1, 2003 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:	Oscar B. Goodman Gary Reese Larry Brown Lynette Boggs McDonald Lawrence Weekly Michael Mack Janet Moncrief
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Those Voting Nay.	_____ _____
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Those Absent	_____ _____
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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 journal of the City 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 City Council were given due and proper notice of the meetings held on September 3, and October 1, 2003. Pursuant to § 241 020, Nevada Revised Statutes, written notice of the meetings was given no later than 9:00 a.m. on the third working day before the meetings, including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice by 9 00 a.m. at least three (3) working days before the meetings at the principal office of the City Council, or if there is no principal office, 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 City Council, to wit:

- (i) City Hall
City Hall Plaza
Special Outside Posting Bulletin Board
Las Vegas, Nevada
- (ii) Senior Citizens Center
Las Vegas, Nevada
- (iii) Clark County Government Center
500 South Grand Central Parkway
Las Vegas, Nevada
- (iv) Downtown Transportation Center
Las Vegas, Nevada

; and

(b) By mailing a copy of the notice by 9.00 a m no later than three (3) working days before the meetings to each person, if any, who has requested notice of the meetings of the City Council in the same manner in which notice is required to be mailed to a member of the City Council

6 A copy of such notice so given of the meeting of the City Council on September 3, 2003 is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the City Council on October 1, 2003 is attached to this certificate as Exhibit B

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

IN WITNESS WHEREOF, I have hereunto set my hand on this October 1, 2003

BARBARA JO RONEMUS, City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of September 3, 2003 Meeting)

EXHIBIT B

(Attach Copy of Notice of October 1, 2003 Meeting)

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 15, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

CONSENT

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2003-74 – Ordinance Creating Special Improvement District No. 1502 - Grand Montecito Parkway (Centennial Parkway to Elkhorn Road) Sponsored by: Step Requirement

Fiscal Impact

No Impact

Amount: \$6,946,446.37

Budget Funds Available

Dept./Division: Public Works/SID

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

Grand Montecito Parkway is part of the Town Center loop road system and is funded 100% by the Special Improvement District. The project will include installation of full width pavement, median islands, storm drain facilities, curb and gutter, streetlights, commercial driveways, fire hydrants, sewer mains and laterals, and water mains and laterals. The SID will be paid over a 20-year period. The basis of assessment is frontage. Construction is expected to begin in late 2003.

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. 2003-74

COMMITTEE RECOMMENDATION:

COUNCILWOMAN MONCRIEF recommended Bill 2003-74 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 indicated that the bill is in order

No one appeared in opposition and there was no further discussion

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4.05)

BILL NO. 2003-74

ORDINANCE NO _____

AN ORDINANCE CREATING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1502 – GRAND MONTECITO PARKWAY (CENTENNIAL PARKWAY TO ELKHORN ROAD) PRESCRIBING DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO.

Summary: Creation Ordinance

WHEREAS, the City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively) in the County of Clark, State of Nevada, has determined and does hereby declare that the public convenience and necessity require, and the City Council deems it necessary to create, the Las Vegas, Nevada, Special Improvement District No. 1502 – Grand Montecito Parkway (Centennial Parkway to Elkhorn Road) (hereinafter the "District"), for the purpose of constructing and improving or acquiring and improving a Sewer Project, a Storm Sewer Project, a Street Project and a Water Project as defined in Chapter 271, Nevada Revised Statutes (hereinafter the "Project"), and to defray a portion of the entire cost and expense of such Project by special assessments, according to benefits, against the benefited lots, tracts and parcels of land within the District; and

WHEREAS, by a resolution heretofore passed and approved (the "Provisional Order Resolution"), the City Council declared its determination to create the District for the purpose of making the Project, stating therein the character and location of the Project, what portion of the entire expense thereof shall be paid by special assessments, and that the assessment is to be made according to benefits, by apt description designating the District, including the lands to be so assessed and definitely locating the improvements to be made, and

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

WHEREAS, among other documents, the City Engineer and the Engineering Integration Division (hereinafter the "Engineer", collectively) made out a preliminary assessment roll and an assessment plat for the District which contains, among other things, the names and addresses of the last known owners of the property to be assessed, a description of each lot, tract, or parcel of land to be assessed, the amount

of the estimated assessment to be levied thereon; and the amount of maximum special benefits (and corresponding market value increases), and the Engineer has reported the preliminary assessment roll and assessment plat to the City Council and has prepared and reported the "Engineer's Report to the City Council on Benefits," and has filed the assessment plat, preliminary assessment roll and the Engineer's Report with the City Clerk, and

WHEREAS, pursuant to the Provisional Order Resolution, the City Council gave notice (in the manner specified by NRS 271.305) of the filing of the preliminary plans, assessment plat, preliminary assessment roll, typical section of the contemplated improvements, preliminary estimate of cost, and estimate of maximum benefits (and corresponding market value increases), and of the time and place of a hearing thereon, and

WHEREAS, the manner of giving such notice by mail, publication and posting was reasonably calculated to inform the parties of the proceedings concerning the District which might directly and adversely affect their legally protected interests, and

WHEREAS, all owners of property to be assessed and interested persons so desiring were permitted to file a written protest or objection on or before Friday, August 1, 2003, and to appear before the City Council on Wednesday, August 6, and August 20, 2003, to be heard as to the propriety and advisability of acquiring and improving the Project provisionally ordered, as to the estimated cost thereof, the manner of payment therefor, and as to the amount thereof to be assessed, the benefits estimated to be conferred against each tract, and the corresponding market value increases expected for each tract in the District; and

WHEREAS, the City Council has determined, and does hereby determine, that the City shall pay the costs of the Project with funds derived from the levy of assessments, and

WHEREAS, the written and oral objections and protests received were duly considered, and the City Council has determined that it is in the best interests of the City, and the inhabitants thereof, to create the District as theretofore proposed, and

WHEREAS, every written protest and other objection was found to be without sufficient merit and was overruled by the City Council by the Special Improvement District No 1502 Protest Disposal Resolution, and

WHEREAS, any person filing a written complaint, protest or objection shall have the right, within 30 days after the City Council has finally passed on such complaint, protest or objection to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination; and

WHEREAS, the City Council and the Engineer have done all things necessary and preliminary to the creation of the District, by filing with the City Clerk an accurate estimate of costs, full and detailed, final revised plans and specifications, revised assessment plat, revised final map, and a report on benefits by the Engineer. The City Council desires now to authorize such improvements and work by this Ordinance

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

Section 1 That this Ordinance shall be known as, and may be cited by, the short title "Special Improvement District No 1502 Creation Ordinance" (the "Ordinance")

Section 2. That the City Council has heretofore determined and does hereby determine that each and every protest and objection made in connection with the District is without sufficient merit and the same be, and the same heretofore have been, by the Special Improvement District No 1502 Protest Disposal Resolution, overruled, and finally passed upon by the City Council.

Section 3 That the City Council has also determined and does hereby declare as follows:

- (a) The public convenience and necessity require the creation of the District
- (b) The creation of the District is economically sound and feasible.
- (c) The market value of each of the benefited lots, tracts and parcels of land in the District will be increased by an amount directly attributable to the Project for which the assessment is made

Section 4 That there hereby is created in the City an improvement district designated as the "Las Vegas, Nevada, Special Improvement District No 1502 – Grand Montecito Parkway (Centennial Parkway to Elkhorn Road)" for the purpose of acquiring a Project as more particularly described below. The boundaries of the District, which include the location of the Project and the lots, tracts and parcels of land to be assessed, shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements (as described below). The streets to be improved by the improvements are

GRAND MONTECITO PARKWAY (BOTH SIDES) - from the northern right-of-way of Clark County Highway 215 north along proposed Grand Montecito Parkway approximately 5,300 feet to the southern right-of-way of Elkhorn Road (90-foot right-of-way) In addition to the improvements in Grand Montecito Parkway, a 16-inch diameter water main and 8-inch diameter sewer main approximately 1,300 feet in length are proposed in Deer Springs Road from the proposed mains in Grand Montecito Parkway to the existing 36-inch diameter water main and existing 10-inch diameter sewer main respectively in Durango Drive Approximately 580 feet of existing 12-inch diameter sewer main from Centennial Parkway to the northern right-of-way of Clark County Highway 215 will be upgraded to an 18-inch diameter main, and a 10-inch diameter sewer main approximately 503 feet in length is proposed in Durango Drive from the existing sewer main at the northern right-of-way of Clark County Highway 215 to Fawn Meadow Court

Section 5. That the Project, which is hereby ordered to be acquired, shall be located within the boundaries of the District, and shall be as shown in the final plans and specifications heretofore filed in the City Clerk's office, without minor details being described The character of the improvements shall be described more particularly as follows:

The improvements on Grand Montecito Parkway will consist of the grading, regrading, graveling, and asphalt paving as necessary for at least four (4) travel lanes, median islands with "A" type curb and gutter, traffic signal undergrounds, storm drain facilities, water mains and laterals, fire hydrants, sewer main and laterals, "L" type curb and gutter, sidewalk ramps, commercial or residential driveway approaches and streetlights The streetlights will be installed in the median island at appropriate intervals At the request of the owners of property in the District (filed with the office of the Special Improvement District prior to June 18, 2003) water and sewer laterals will be installed from the existing or proposed main lines in Grand Montecito Parkway to such property (hereinafter collectively referred to as the "Improvements"). Sewer lines within the District are owned and maintained by the City. The City will require that properties connecting to the sewer line pay a connection fee at the time of hookup. THE CITY HAS NO OBLIGATION TO PROVIDE WATER OR SEWER SERVICE TO ANY PROPERTY WITHIN THE DISTRICT REGARDLESS OF WHETHER THE CITY COUNCIL PROCEEDS WITH ALL OR ANY PART OF THE PROJECT

The City Council has determined that the cost of the Project is of special benefit and shall be paid by special assessments against the lots, tracts and parcels of land so benefited

Section 6. That the estimated total cost of the Project shall be apportioned and assessed as follows:

Total Cost	Estimated Amount of Special Assessments	Amount Available from Other Sources
\$6,946,446 37	\$6,946,446 37	\$ 0 00

The amounts to be assessed for the Improvements in the District will be levied upon all tracts in the District, i e , upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases), provided, however, that an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly shaped lots or lands, if any, and for any lot, tract or parcel not specially benefited by the Improvements so that assessments according to benefits are equal and uniform

The assessments will be levied on a front foot basis Each property owner will be assessed for the cost of full width street improvements, curb and gutter, storm drain facilities, water mains, sewer mains and streetlights, where not already existing The owners of property who elect to have water or sewer laterals installed will be assessed on a per service basis.

Such basis of assessments has been designated by the City Council in the Special Improvement District No 1502 Provisional Order Resolution

Section 7 That the portion of the costs to be assessed against, and the maximum amount of benefits estimated (and corresponding market value increases) to be conferred upon, each piece or parcel of property in the District is stated in the assessment plat and addendum thereto, designated as preliminary assessment roll In cases of wedge or "V" or any other irregularly-shaped tracts, the amount apportioned thereto shall be in proportion to the special benefits thereby derived.

Section 8 That the City Engineer, in cooperation with the City, is hereby authorized to advertise for performing the work and making the Improvements in the Las Vegas Review-Journal, a daily newspaper published in Las Vegas, Nevada, and of general circulation in the City. Such notice shall be published at least once, not less than seven days before the opening of bids The notice shall be in substantially the form provided by the plans, specifications and contract documents

Section 9. That after the award of the contract, the City Council shall determine the total cost of the work performed, including incidentals, and assessments shall be levied in accordance with the laws of the State, and the City Council shall provide that the assessments may be payable without interest or demand at the election of the owner during a specified cash payment period, or in forty (40) substantially equal semi-annual installments of principal and interest. The City Council shall provide the time and terms of payment of such assessments and shall fix penalties (not to exceed two percent (2%) per month) to be collected upon delinquent payments. The City Council shall also provide the rate of interest on unpaid installments of assessments, which will not exceed the current maximum rate of interest permitted under the Nevada Revised Statutes. If assessment bonds are issued, such rate will not exceed more than one percent (1%) of the highest rate of interest on any of the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed more than three percent (3%) the "Index of Twenty Bonds", which shall have been most recently published at the time bids for the bonds are received, or at a time a negotiated offer for the sale of such bonds is accepted. If bonds are not issued for the District, the City Council shall by resolution establish the rate of interest on unpaid and deferred installments of assessments.

Section 10. That all action, proceedings, matters and things heretofore taken, had and done by the City, and the officers thereof, (not inconsistent with the provisions of this Ordinance) concerning the District, including, but not limited to, the performing of all prerequisites to the creation of the District, the acquisition of the Improvements, the specially benefited property therein, the determination that the lots, tracts and parcels of land in the District will receive special benefits and market value increases, and the levy of assessments for that purpose be, and the same hereby are, ratified, approved and confirmed.

Section 11. That the officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing, the preparation of all necessary documents, legal proceedings, construction contracts, engineering specifications, contract addenda, and other items necessary or desirable for the completion of the levying of the assessments for the District and the issuance of the bonds.

Section 12. That in accordance with NRS 271 325 (6), upon the final adoption of this Ordinance, the City Clerk is hereby authorized and directed to immediately file in the office of the County Recorder a certified copy of the preliminary assessment roll (the list of the tracts to be assessed) The County Recorder is to record such assessment roll for the purpose of establishing the record of lien or liens against the lots, tracts, and parcels of land and the amounts of maximum benefits estimated to be assessed against each tract in the assessment area as set forth in this Ordinance.

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

Section 14 That in accordance with Section 2 110 of the Charter, this Ordinance when first proposed is to be read by title to the City Council, immediately after which an adequate number of copies of the proposed Ordinance are to be deposited with the office of the City Clerk for public examination and distribution upon request Thereafter, the City Clerk is authorized and directed to give notice of the deposit together with the title of the Ordinance by publication at least once in the Las Vegas Review-Journal, i e , a newspaper published and having general circulation in the City, at least ten (10) days before the adoption of the Ordinance, i e , at least ten (10) days before October 1, 2003, such publication to be in substantially the following form

(Form of Publication of Notice of Filing)

Notice of Filing Of

ORDINANCE NO _____

AN ORDINANCE CREATING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO 1502 – GRAND MONTECITO PARKWAY (CENTENNIAL PARKWAY TO ELKHORN ROAD) PRESCRIBING DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-entitled proposed Ordinance were filed with and are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, 400 Stewart Avenue, Las Vegas, Nevada, and that such ordinance was proposed on the 3rd day of September, 2003, and will be considered for adoption at the regular meeting of the City Council of the City of Las Vegas on the 1st day of October, 2003

/s/ Barbara Jo Ronemus
City Clerk

(End of Form of Publication of Notice of Filing)

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

(Form for Publication After Final Adoption of Ordinance)

ORDINANCE NO _____

AN ORDINANCE CREATING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1502 – GRAND MONTECITO PARKWAY (CENTENNIAL PARKWAY TO ELKHORN ROAD) PRESCRIBING DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO.

PUBLIC NOTICE IS HEREBY GIVEN that the above Ordinance was proposed on September 3, 2003, and was passed at a regular meeting held on October 1, 2003, by the following vote of the City Council of the City of Las Vegas, Nevada

Those Voting Aye

Oscar B Goodman
Gary Reese
Larry Brown
Lynette Boggs McDonald
Lawrence Weekly
Michael Mack
Janet Moncrief

Those Voting Nay.

Those Absent:

This Ordinance shall be in full force and effect from and after October 5, 2003, i.e , the day after its publication by 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

This _____ day of _____, 2003

/s/ OSCAR B. GOODMAN
Mayor
City of Las Vegas, Nevada

(SEAL)

Attest:
/s/ BARBARA JO RONEMUS
City Clerk

Section 16 That if any section, paragraph, clause or other 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 other provision shall not affect any of the remaining provisions of this Ordinance

Introduced September 3, 2003, PASSED, ADOPTED AND APPROVED October 1, 2003

OSCAR B GOODMAN, Mayor

Attest

BARBARA JO RONEMUS, City Clerk

Approved as to form

8-20-'03 *Madeline J. Dickman DiCicco*
Date Deputy City Attorney

STATE OF NEVADA)
)
 COUNTY OF CLARK) SS
)
 CITY OF LAS VEGAS)

I, Barbara Jo Ronemus, the duly chosen, qualified City Clerk of the City of Las Vegas (hereinafter the "City Clerk" and "City", respectively), in the State of Nevada, do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the City Council on September 3, 2003, and finally adopted and approved on October 1, 2003.

2 The following members of the City Council were present at the September 3, 2003, Council meeting

Mayor	Oscar B Goodman
Councilmembers:	Gary Reese
	Larry Brown
	Lynette Boggs McDonald
	Lawrence Weekly
	Michael Mack
	Janet Moncrief

3. The foregoing Ordinance was first proposed and read by title to the City Council on September 3, 2003, and referred to a committee composed of _____ and _____ for recommendation, thereafter the said committee reported favorably on said Ordinance on October 1, 2003, which was a regular meeting of said City 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 October 1, 2003, meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:	Oscar B Goodman
	Gary Reese
	Larry Brown
	Lynette Boggs McDonald
	Lawrence Weekly
	Michael Mack
	Janet Moncrief
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 journal of the City 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 City Council were given due and proper notice of the meetings held on September 3, and October 1, 2003 Pursuant to § 241.020, Nevada Revised Statutes, written notice of the meetings was given no later than 9 00 a m on the third working day before the meetings, including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice by 9 00 a m at least three (3) working days before the meetings at the principal office of the City Council, or if there is no principal office, 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 City Council, to wit:

- (i) City Hall
City Hall Plaza
Special Outside Posting Bulletin Board
Las Vegas, Nevada
- (ii) Senior Citizens Center
Las Vegas, Nevada
- (iii) Clark County Government Center
500 South Grand Central Parkway
Las Vegas, Nevada
- (iv) Downtown Transportation Center
Las Vegas, Nevada

, and

(b) By mailing a copy of the notice by 9 00 a m no later than three (3) working days before the meetings to each person, if any, who has requested notice of the meetings of the City Council in the same manner in which notice is required to be mailed to a member of the City Council

6. A copy of such notice so given of the meeting of the City Council on September 3, 2003, is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the City Council on October 1, 2003, is attached to this certificate as Exhibit B.

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

IN WITNESS WHEREOF, I have hereunto set my hand on this October 1, 2003

BARBARA JO RONEUMUS, City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of September 3, 2003 Meeting)

EXHIBIT B

(Attach Copy of Notice of October 1, 2003 Meeting)

EXHIBIT C

(Attach Affidavit of Publication of Notice of Filing of Creation Ordinance)

EXHIBIT D

(Attach Affidavit of Publication of Title of Creation Ordinance)

City of Las Vegas

**RECOMMENDING COMMITTEE AGENDA
RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 15, 2003**

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:

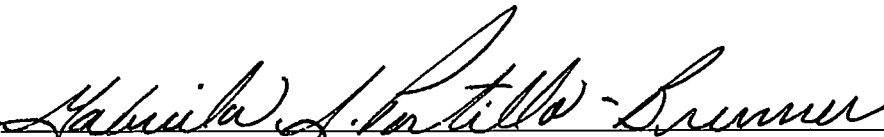
None

(4:05)

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THE MEETING ADJOURNED AT 4:05 P.M.

Respectfully submitted:



GABRIELA S. PORTILLO-BRENNER, DEPUTY CITY CLERK

September 15, 2003