

S.V.

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, FEBRUARY 2, 2004
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 BILL MAY BE ELIGIBLE FOR ADOPTION AT THE 2/18/2004 CITY COUNCIL MEETING.

1. Bill No. 2004-4 – Confirms the annexation of various parcels described generally as located north of Centennial Parkway, east of Puli Road, south of Grand Teton Drive and west of Hualapai Way. Proposed by: Bradford R. Jerbic, City Attorney

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:

City Hall Plaza, Special Outside Posting Bulletin Board
Court Clerk's Office Bulletin Board, City Hall Plaza
Las Vegas Library, 833 Las Vegas Boulevard North
Clark County Government Center, 500 S. Grand Central Parkway
Grant Sawyer Building, 555 E. Washington Avenue

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AFFIDAVIT OF MAILING

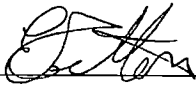
(Mailing required under the provisions of NRS Chapter 241)

STATE OF NEVADA)

) ss

COUNTY OF CLARK)

Eva Cotton, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the **27th** day of **January, 2004**, a copy of a NOTICE, the attached of which is a true and correct copy of the Public Hearing - re: **Recommending Committee Meeting**, to be held on the **2nd** day of **February, 2004**, was deposited in the United States Mail, Postage prepaid, First Class Certified Mail, to each person and/or organization whose name appears on the list maintained in the Office of the City Clerk.



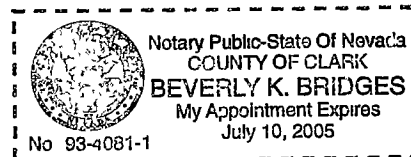
SIGNATURE

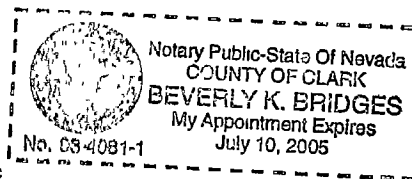
City Clerk

DEPARTMENT

Subscribed and sworn to before me this

27th day of January, 2004


NOTARY PUBLIC in and for said County and State



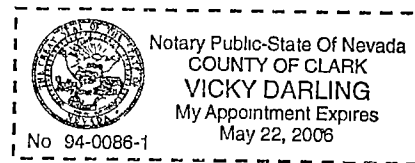
STATE OF NEVADA)
) ss
COUNTY OF CLARK)

1. Grant Sawyer Building, 555 E. Washington Avenue

City Clerk
DEPARTMENT

27th day of January, 2004

Vicky Dauter
NOTARY PUBLIC in and for said County and State



RECOMMENDING COMMITTEE AGENDA
RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 2, 2004

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

MINUTES:

PRESENT: COUNCILMAN WEEKLY and COUNCILWOMAN MONCRIEF

Also Present DEPUTY CITY MANAGER STEVE HOUCHENS, CHIEF DEPUTY CITY ATTORNEY VAL STEED, and DEPUTY CITY CLERK GABRIELA S PORTILLO-BRENNER

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

City Hall Plaza, Special Outside Posting Bulletin Board

Court Clerk's Office Bulletin Board, City Hall Plaza

Las Vegas Library, 833 Las Vegas Boulevard North

Clark County Government Center, 500 S Grand Central Parkway

Grant Sawyer Building, 555 E Washington Avenue

(4 05)

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 2, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2004-4 – Confirms the annexation of various parcels described generally as located north of Centennial Parkway, east of Puli Road, south of Grand Teton Drive and west of Hualapai Way. Proposed by: Bradford R. Jerbic, City Attorney

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance confirms the annexation of certain real property located north of Centennial Parkway, east of Puli Road, south of Grand Teton Drive and west of Hualapai Way. The annexation previously was approved by means of Bill No. 2003-99 (Ordinance No. 5651), but the ordinance and annexation map were recorded after the recordation date established in Ordinance No. 5651. This bill will confirm the annexation as previously approved and recorded.

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. 2004-4

COMMITTEE RECOMMENDATION:

COUNCILWOMAN MONCRIEF recommended Bill 2004-4 be forwarded to the Full Council as a First Amendment with a "Do Pass" recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open

CHIEF DEPUTY CITY ATTORNEY STEED advised that this bill re-adopts a bill that was previously passed but not recorded in time. This version should be amended in Sections 4, 5, and 6 to reflect an effective and recordation date of 2/27/2004 instead of 2/13/2004. He recommended approval

RECOMMENDING COMMITTEE MEETING OF FEBRUARY 2, 2004

City Attorney

Item 1 – Bill No. 2004-4

MINUTES – Continued:

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

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:05 – 4:06)

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BILL NO. 2004-4

ORDINANCE NO. _____

AN ORDINANCE TO CONFIRM THE EXTENSION OF THE BOUNDARIES OF THE CITY, PARTICULARLY DESCRIBING THE LAND TO BE ANNEXED, MAKING ITS INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND PROVIDING FOR OTHER RELATED MATTERS. (ANX-3087)

Proposed by: Bradford R. Jerbic, City Attorney	Summary: Confirms the annexation of various parcels described generally as located north of Centennial Parkway, east of Puli Road, south of Grand Teton Drive and west of Hualapai Way.
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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:

Portion of Section 13 and Portions of Section 24, all in Township 19 South, Range 59 East, M.D.M., in the County of Clark, State of Nevada, described as follows:

PARCEL 1

The East Half (E 1/2) of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 13.

PARCEL 2

The West Half (W 1/2) of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 24, being Lot 1 and Lot 2 as shown on LAND DIVISION 66-81, recorded May 14, 1981 in Book 1400 as Instrument Number 1359968 of Clark County, Nevada

1 Records, and adjacent half street right of way of ROME BOULEVARD (30
2 foot wide half street), half street right of way of UNNAMED STREET (now
3 PULI ROAD 50 foot wide half street) and half street right of way of
4 DARLING ROAD (30 foot wide half street) together with 25.00 foot radius
5 spandrel areas in the northwest corner of said Lot 1, and southwest corner of
6 said Lot 2, as dedicated by GRANT, BARGAIN, SALE DEED recorded May
7 14, 1981 in Book 1400 as Instrument Number 1359969 of Clark County,
8 Nevada Records.

9 PARCEL 3

10 The West Half (W 1/2) of the Southwest Quarter (SW 1/4) of the Southeast
11 Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section 24.

12 PARCEL 4

13 The East Half (E 1/2) of the Southwest Quarter (SW 1/4) of the Southwest
14 Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of said Section 24.

15 PARCEL 5

16 The East Half (E 1/2) of the Northwest Quarter (NW 1/4) of the Northwest
17 Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of said Section 24.

18 PARCEL 6

19 The Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of the
20 Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of said Section
21 24, being Parcel 1 as shown on LAND DIVISION 51-79, recorded May 22,
22 1979 in Book 1059 as Instrument Number 1018736 of Clark County, Nevada
23 Records, and adjacent half street right of way of DEER SPRINGS WAY (40
24 foot wide half street) and half street right of way of ORNELIS STREET (now
25 MICHELL CREST WAY 30 foot wide half street), together with 20 foot
26 radius spandrel area in the northwest corner of said Parcel 1 as dedicated by
27 GRANT, BARGAIN, SALE DEED recorded May 22, 1979 in Book 1059 as
28 Instrument Number 1018737 of Clark County, Nevada Records.

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

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

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

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

22 SECTION 4: Except as otherwise provided in Sections 8 and 9 of this
23 Ordinance, the annexation of the described territory shall become effective on the 13th day of
24 February, 2004, and on that date the City will have the funds appropriated in sufficient amount
25 to finance the extension into the described territory of police protection, fire protection, street
26 maintenance, street sweeping, and street lighting maintenance.

27 SECTION 5: Except as otherwise provided in Sections 8 and 9 of this
28 Ordinance, the described territory, together with the inhabitants and property thereof, shall,

1 from and after the 13th day of February, 2004, be subject to all debts, laws, ordinances and
2 regulations in force in the City and shall be entitled to the same privileges and benefits as other
3 parts of the City, and shall be subject to municipal taxes levied by the City.

4 SECTION 6: Except as otherwise provided in Sections 8 and 9 of this
5 Ordinance, the City Engineer is hereby instructed to cause to be prepared an accurate map or
6 plat of the described territory and to record the map or plat, together with a certified copy of
7 this ordinance, in the office of the County Recorder of Clark County, Nevada, which recording
8 shall be done prior to the 13th day of February, 2004.

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

12 SECTION 8: A previous ordinance, Ordinance No. 5651 of the City of Las
13 Vegas, was intended by the City Council to annex the described territory. Ordinance No. 5651
14 was duly adopted on December 17, 2003, and was recorded on December 22, 2003, but the
15 recordation occurred after the date specified in the Ordinance for recordation to occur. It is
16 the intent of the City Council to correct the error by means of this Ordinance. It is also the
17 intent of the City Council that, to the extent legally and practically permissible:

- 18 A. The annexation of the described territory be effective as of December 23, 2003,
19 the date following the recordation of Ordinance No. 5651;
20 B. The effective date of December 23, 2003, prevail over the date set forth in
21 Sections 4 to 6, inclusive, of this Ordinance; and
22 C. The previously recorded map and certified copy of Ordinance No. 5651 be
23 supplemented with this Ordinance or re-recorded as permitted or required by
24 the county recorder, in lieu of the preparation and recordation of a new map.

25 SECTION 9: To the extent any of the items described in Subsections (A), (B)
26 and (C) of Section 8 of this Ordinance are determined not legally or practically permissible,
27 the provisions of Sections 4 to 6, inclusive, of this Ordinance shall prevail.

28 SECTION 10: Sections 4, 5 and 6 of Ordinance No. 5651 are each hereby

1 amended by substituting the date December 23, 2003, for the date December 12, 2003.

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

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

13 PASSED, ADOPTED and APPROVED this ____ day of _____,
14 2004.

15 APPROVED:

16 By _____
17 OSCAR B. GOODMAN, Mayor

18 ATTEST:

19
20 BARBARA JO RONEUMUS, City Clerk

21 APPROVED AS TO FORM:

22 Val Steel 1-12-04
23 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on
2 the ____ day of _____, 2004, and referred to the following committee composed
3 of _____ and _____ for
4 recommendation; thereafter the said committee reported favorably on said ordinance on the
5 ____ day of _____, 2004, which was a _____ meeting of said
6 Council; that at said _____ meeting, the proposed ordinance was read
7 by title to the City Council as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

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12 APPROVED:

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14 By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BARBARA JO RONEMUS, City Clerk

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**RECOMMENDING COMMITTEE AGENDA
RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 2, 2004**

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:

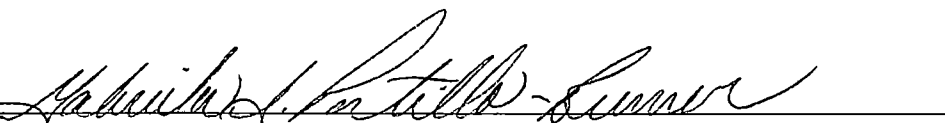
None.

(4:06)

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THE MEETING ADJOURNED AT 4:06 P.M.

Respectfully submitted:


GABRIELA S. PORTILLO-BRENNER, DEPUTY CITY CLERK

February 3, 2004