

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Second Amendment to a Professional Services Agreement with The WLB Group, Inc. for additional design services of a lighted tennis court and park signage for Parson Park (Patriot Community Park) located at 4050 Thom Boulevard (\$21,760 - Parks and Leisure Activities Capital Projects Fund) - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$21,760

☒

Budget Funds Available

Dept./Division: PW/Engineering Integration

☐

Augmentation Required

Funding Source: Parks and Leisure Activities CPF

PURPOSE/BACKGROUND:

Based on City Council's approval to add a lighted tennis court to Parson Park, now named Patriot Community Park, November 19, 2003 Agenda Item #7, and to equip the park with the City park signage standards, including tennis court signage. Design work that is outside of the scope of services of the original agreement is required.

RECOMMENDATION:

Approval of the Second Amendment to a Professional Services Agreement with The WLB Group, Inc. and an increase of the PO amount for additional design services of Parson (Patriot Community) Park in the amount of \$21,760 and approve an Additional Services contingency reserve of \$2,000.

BACKUP DOCUMENTATION:

1. Second Amendment
2. Copy of First Amendment and Professional Services Agreement

MOTION:

MACK – APPROVED as recommended – UNANIMOUS with L.B. McDONALD excused

MINUTES:

COUNCILMAN MACK requested that Items 20 and 57 and COUNCILMAN REESE requested Item 36 be brought forward for discussion.

RICHARD GOECKE, Director, Public Works Department, indicated that this merely adds lights to the tennis courts.

CITY COUNCIL MEETING OF APRIL 7, 2004

Consent – Public Works

Item 57 – Approval of a Second Amendment to a Professional Services Agreement with The WLB Group, Inc. for additional design services of a lighted tennis court and park signage for Parson Park (Patriot Community Park) located at 4050 Thom Boulevard (\$21,760 - Parks and Leisure Activities Capital Projects Fund) - Ward 6 (Mack)

MINUTES - Continued:

COUNCILMAN MACK expressed the Council's support of the skateboard coalition and his regret that the ongoing problems at this park are ruining things for other users of the skateboard amenity at this park. However, to send a strong message that the amenities, park and surrounding homes must be respected, the City has decided the skateboard components are being removed from this park. The elements may be relocated to Mountain Ridge Park, although there will be a cost associated with that relocation. COUNCILMAN BROWN took similar action due to problems at Garahime Park. The City is one of the few entities to provide these types of amenities at all. It is intended to add a tennis backboard for the tennis players in conjunction with the tennis facility. MR. GOECKE confirmed that staff is still working on the related costs involved. CITY MANAGER SELBY assured COUNCILMAN MACK that staff will examine the total cost and determine whether it will require specific Council action.

(9:32 – 9:36)

1-868

SECOND AMENDMENT

THIS SECOND AMENDMENT is made and entered into this 7th day of April, 2004, by and between the City of Las Vegas, a municipal corporation of the State of Nevada (herein the "City"), and The WLB Group, a Corporation (herein the "Consultant").

WHEREAS, the City and the Consultant have entered into an Agreement dated July 5, 2001, (herein the "Agreement"), retaining the services of the Consultant for Engineering and Landscape Design of Parson Park [Patriot Community Park] more fully described therein in connection with the improvements to be constructed at 4050 Thom Boulevard and,

WHEREAS, since entering into the Agreement, the City desires to modify the services of the Consultant to include additional design services to provide site signage plans and to design the addition of a lighted tennis court.

NOW, THEREFORE, in consideration of the above premises, the parties hereto agree that the following changes shall be made to the Agreement:

1. Subsection 5.1.1 of the Agreement is hereby amended to increase the Total Fixed Fee amount referenced by \$21,760.00 from \$207,000.00 to \$228,760.00. The Consultant shall submit on a monthly basis to the City's representative in writing a complete statement of costs, which includes the actual work completed.
2. The second paragraph of Exhibit "A" Scope of Services is hereby amended to add the words "park signage and a lighted tennis court" in the third sentence after the words "hard scape".
3. Exhibit "F" (Disclosure of Ownership/Principals) of the Agreement is hereby deleted and Exhibit "F" attached hereto inserted in lieu thereof.

4. All other provisions of the Agreement remain in force and effect.

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

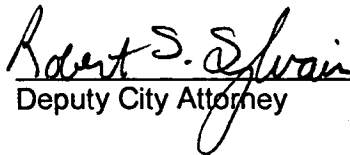
CITY OF LAS VEGAS

By: 
OSCAR B. GOODMAN, Mayor
"CITY"

ATTEST:


BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

 3-24-04
Deputy City Attorney Date

The WLB Group, Inc.

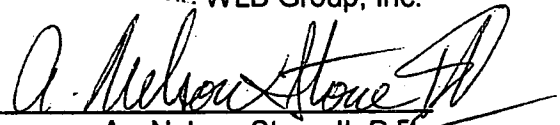
By: 
A. Nelson Stone II, P.E.
Vice President, Dir. Of Operations
"CONSULTANT"

EXHIBIT "F"

CERTIFICATE DISCLOSURE OF OWNERSHIP/PRINCIPALS

1. Definitions

"City" means the City of Las Vegas.

"City Council" means the governing body of the City of Las Vegas.

"Contracting Entity" means the individual, partnership, or corporation seeking to enter into a contract or agreement with the City of Las Vegas.

"Principal" means, for each type of business organization, the following: (a) sole proprietorship – the owner of the business; (b) corporation – the directors and officers of the corporation; but not any branch managers of offices which are a part of the corporation; (c) partnership – the general partner and limited partners; (d) limited liability company – the managing member as well as all the other members.

2. Policy

In accordance with Resolution 79-99 and 105-99 adopted by the City Council, Contracting Entities seeking to enter into certain contracts or agreements with the City of Las Vegas must disclose information regarding ownership interests and principals. Such disclosure generally is required in conjunction with a Request for Proposals (RFP). In other cases, such disclosure must be made prior to the execution of a contract or agreement.

3. Instructions

The disclosure required by the Resolutions referenced above shall be made through the completion and execution of this Certificate. The Contracting Entity shall complete Block 1, Block 2, and Block 3. The Contracting Entity shall complete either Block 4 or its alternate in Block 5. Specific information, which must be provided, is highlighted. An Officer or other official authorized to contractually bind the Contracting Entity shall sign and date the Certificate, and such signing shall be notarized.

4. Incorporation

This Certificate shall be incorporated into the resulting contract or agreement, if any, between the City and the Contracting Entity. Upon execution of such contract or agreement, the Contracting Entity is under a continuing obligation to notify the City in writing of any material changes to the information in this Certificate. This notification shall be made within fifteen (15) days of the change. Failure to notify the City of any material change may result, at the option of the City, in a default termination (in whole or in part) of the contract or agreement, and/or a withholding of payments due the Contracting Entity.

Block 1	<u>Contracting Entity</u>
Name	The WLB Group, Inc.
Address	2551 N. Green Valley Pkwy, A425 Henderson, NV 89014
Telephone	(702) 458-2551
EIN or DUNS	86-0402012

Block 2	<u>Description</u>
<u>Subject Matter of Contract/Agreement:</u>	
Professional Services Agreement for Improvement Plans for Parson (Patriot) Park	
RFP #	N/A

Block 3

Type of Business

☐ Individual
 ☐ Partnership
 ☐ Limited Liability Company
 ☒ Corporation

**CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS
(CONTINUED)**

Block 4 Disclosure of Ownership and Principals

In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.

	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1.	William Walker-Pies	4444 E. Broadway Tucson, AZ 85711	520 881-7480
2.	Michael Byrne - Sec/Trea	" "	" "
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

The Contracting Entity shall continue the above list on a sheet of paper entitled "Disclosure of Principals – Continuation" until full and complete disclosure is made. If continuation sheets are attached, please indicate the number of sheets: _____

Block 5 Disclosure of Ownership and Principals - Alternate

the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure may be attached to this Certificate in lieu of providing the information set forth in Block 4 above. A description of such disclosure documents must be included below.

Name of Attached Document: N/A

Date of Attached Document: _____

Number of Pages: _____

I certify, under penalty of perjury, that all the information provided in this Certificate is current, complete, and accurate. I further certify that I am an individual authorized to contractually bind the above named Contracting Entity.



A. Nicholas Stone
 Name
 DIRECTOR OF OPERATIONS
 RESIDENT AGENT
 Date 3/19/04

Subscribed and sworn to before me this 19 day of

March, 2004

Patricia McNeil

Notary Public

FIRST AMENDMENT

COPY

THIS FIRST AMENDMENT is made and entered into this 31ST day of DECEMBER, 2003, by and between the City of Las Vegas, a municipal corporation of the State of Nevada (herein the "City"), and The WLB Group, a Corporation (herein the "Consultant").

WHEREAS, the City and the Consultant have entered into an Agreement dated July 5, 2001, (herein the "Agreement"), retaining the services of the Consultant for Engineering and Landscape Design of Parson Park [Patriot Community Park] more fully described therein in connection with the improvements to be constructed at 4050 Thom Boulevard and,

WHEREAS, since entering into the Agreement, the City desires to modify the services of the Consultant to include additional services for re-engineering on-site and off-site sanitary sewer utility lines due to insufficient existing conditions discovered during construction.

NOW, THEREFORE, in consideration of the above premises, the parties hereto agree that the following changes shall be made to the Agreement:

1. Subsection 5.1.1 of the Agreement is hereby amended to increase the total amount of the entire Agreement referenced herein by \$9,500.00, from \$197,500.00 to \$207,000.00. The Consultant shall submit on a monthly basis to City's representative in writing a complete statement of costs, which includes the actual work completed.
2. All other provisions of the Agreement remain in force and effect.

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

CITY OF LAS VEGAS

By: *K. John McNellis* 12/31/03
K. JOHN MCNELLIS, P.E.
Deputy Director
Department of Public Works
"CITY"

THE WLB GROUP INC.
FIRM'S NAME

By: *A. Nelson Stone II*
Signee's Name, Title
"CONSULTANT"
A. NELSON STONE II, P.E.
V.P. DIRECTOR OF OPERATIONS

PROFESSIONAL SERVICES AGREEMENT

FOR CONSULTANT
COPY

THIS PROFESSIONAL SERVICES AGREEMENT (the "Agreement") is made and entered into this 5th day of July, 2000, by and between the CITY OF LAS VEGAS, NEVADA, a municipal corporation of the State of Nevada (the "City") and The WLB Group, Inc., (the "Consultant").

RECITALS

WHEREAS, THE city intends to construct Parson Park within the City of Las Vegas. Design Services are, fully set forth in Exhibit "A" (Scope of Work Statement) attached hereto; for an estimated Construction Cost of \$ 2,500,000; and

WHEREAS, the City desires to retain the services of the *Consultant* for the purpose of providing the design and the preparation of the bid documents necessary for the construction of the Project; and

WHEREAS, the *Consultant* hereby represents to the City that the *Consultant* is properly licensed pursuant to Chapter 625 Of the Nevada Revised Statutes within the State of Nevada and possess the special knowledge, skills and expertise to perform the services required herein.

NOW, THEREFORE, in view of the above premises, the City and the *Consultant* agree as set forth below:

ARTICLE 1 CONSULTANT'S BASIC SERVICES

1.1 GENERAL

1.1.1 The *Consultant* agrees to provide the services set forth in Section 1.1.2 through 1.1.7 of this Article and in Exhibit "A" and Exhibit "E", attached hereto.

1.1.2 The *Consultant* shall perform the services required under this Article as expeditiously as is consistent with professional Skill and care and the orderly progress of the Project. The *Consultant* shall submit for the City's approval a schedule for the Performance of services which may be adjusted as the Project proceeds, including allowances for periods of time required for the City's review and for approval of submissions by authorities having jurisdiction over the Project. Time limits established by this schedule approved by the City shall not, except for reasonable cause, be exceeded by the *Consultant*. The Time Schedule for Performance of the *Architect's/Consultant's* services is set forth in Exhibit "B" (*Consultant's* Time Schedule) attached hereto.

1.1.3 The *Consultant* shall without additional compensation correct or revise any error or deficiencies in the plans, drawings, specifications or other related documents prepared by the *Consultant*. The City's approval of the Contract Documents shall not relieve the *Consultant* of any responsibility for the professional and technical accuracy of any documents prepared by the *Consultant*.

1.1.4 The City's review, approval, acceptance or payment for any of the services performed by the *Consultant* shall not be construed as a waiver of any rights of the City under this Agreement.

1.1.5 The *Consultant's* basic services shall include evaluations of any substitutions proposed during the construction period and performing the revisions to the Contract Documents required by such substitutions, including presentation to the City and other local agencies whenever required to obtain approval and/ or permits for construction of the Project.

1.1.6 The *Consultant* shall pay any and all damages, costs and expenses caused by, resulting from, or arising out of the negligent performance of the services required under this Agreement by the *Consultant* or sub-consultants.

1.2. PRE-DESIGN PHASE

1.2.1 PROGRAM AND BUDGET

The *Consultant* shall analyze the City's needs and program the requirements of the Project, and based upon that analysis establish a general budget for the total Project. The *Consultant* shall furnish six (6) copies of the Program and Budget to the City in accordance with Exhibit "A", attached hereto. The City shall review, make comments, prepare responses or furnish additional documents as required of the Program and Budget. The City must approve in writing the Program and Budget document prior to the *Consultant* proceeding with the basic services under the Schematic Design Phase.

1.2.2 SITE ANALYSIS

The *Consultant* shall prepare a written report (the "Site Utilization Report") analyzing the conditions affecting the Project. The *Consultant* shall request, in writing, to begin the work of this phase and the City shall confirm written authorization. Services of this phase may include recommendations to the City for Additional services required to prepare a utilities study, off-site engineering services, or others, as required. The *Consultant* shall provide (6) copies of the Site Utilization Report for review by the City.

1.2.3 REVIEW

The City will review the Site Utilization Report furnished by the *Consultant*, advising the *Consultant* of any changes, corrections or other responses. The *Consultant* shall advise the City of any adjustment to Program or Budget, which may be required. The City shall give written approval of the final Site Analysis documents and authorize the *Consultant* to proceed into the Schematic Design Phase.

1.3 SCHEMATIC DESIGN PHASE

1.3.1 The *Consultant* shall review the program, schedule and construction budget confirmed by the City to ascertain the requirements of the Project and shall arrive at a mutual understanding of such requirements with the City.

1.3.2 The *Consultant* shall provide a preliminary evaluation of the City's program, schedule and construction budget requirements, each in terms of the other, subject to the limitations set forth in Section 6.2.1.

1.3.3 The *Consultant* shall review with the City Project Manager, alternative approaches to the design and construction of the Project. Based on the mutually agreed upon program, schedule and construction budget, the *Consultant* shall prepare for approval by the City, the Schematic Design Documents consisting of drawings and other documents illustrating the scale and relationship of each component of the Project.

1.3.4 Based upon the Schematic Design Documents, the *Consultant* shall submit to the City a preliminary estimate of the Construction Cost of the Project, which shall be based upon the most current information and data available to the *Consultant*.

1.3.5 *Consultant* shall furnish the City with six (6) copies of the completed Schematic Design Documents.

1.3.6 The City shall give written approval of the final Schematic Design Documents prior to the *Consultant* proceeding with the Design Development Phase.

1.4 DESIGN DEVELOPMENT PHASE

1.4.1 Based on the approved Schematic Design Documents and any adjustments authorized by the City, the *Consultant* shall prepare the Design Development Documents consisting of the drawings, outline specifications and other documents establishing the size and character of the Project as to the architectural, mechanical and the electrical systems, materials and such other elements as may be appropriate.

1.4.2 The *Consultant* shall advise the City of any adjustments, which are necessary to the preliminary estimate of the Construction Cost of the Project. *Consultant* shall furnish the City with six (6) copies of the completed Design Development Documents.

1.4.3 The City shall give written approval of the final Design Development Documents prior to the *Consultant* proceeding with the Construction Document Phase.

1.5 CONSTRUCTION DOCUMENTS PHASE

1.5.1 Based on the approved Design Development Documents and any further adjustments in the scope or quality of the Project or in the construction budget authorized by the City, the *Consultant* shall prepare for review and approval by the City the plans, drawings, specifications, and other documents related to the Project (collectively the "Construction Documents"), including the General Conditions, provided by the City, which set forth in detail the requirements for the construction of the Project. The Construction Documents shall be technically sound and in conformance with federal, state and local laws, and shall not violate or infringe upon any patent rights. The *Consultant* agrees to revise or correct any deficiency or error in the Construction Documents. The City's approval of the Construction Documents, or any portion thereof, shall not relieve the *Consultant* of responsibility for the professional and technical accuracy of such documents.

1.5.2 The *Consultant* shall assist the City in the preparation of the bidding documents, including but not necessarily limited to, the bid proposal form and the supplemental specifications (collectively the "Bid Documents"), which are to be included in the agreement between the City and Contractor. The Bid Documents and the Construction Documents together comprise the "Contract Documents."

1.5.3 The *Consultant* shall advise the City of any adjustments to the preliminary estimate of the Construction Cost indicated by changes in the Construction Documents or resulting from a change in general market conditions.

1.5.4 The *Consultant* shall obtain required the agency submittals for the regulatory authorities having jurisdiction over the Project, including approval from the required utility companies, and shall submit an application for a building permit to the Department of Building and Safety for the City.

1.5.5 The *Consultant* shall provide the required submittal copies, reports, specifications and calculations. The *Consultant* shall not be responsible for the cost of processing any plan review or building permit(s). The *Consultant* shall notify the City in writing of any approval not given by a regulatory agency, noting the efforts made to secure such approval.

1.5.6 The City shall give written approval of the final Construction Documents prior to being submitted to any regulatory agency for permit review and approval. The *Consultant* shall incorporate the changes and corrections made by the City into the final Construction Documents.

1.5.7 Upon incorporating the changes and corrections made by the City or regulatory agencies, The *Consultant* shall prepare the final Contract Documents. The *Consultant* shall provide the City a "Yellow Line" check set, confirming the quality control corrections to the Contract Documents.

1.5.8 The City shall give written approval of the final, corrected, Construction Documents prior to the *Consultant* proceeding with submittals to City Purchasing Division for bidding or negotiation. The *Consultant* shall not be responsible for reproduction costs of the contract documents submitted.

1.6 BIDDING OR NEGOTIATION PHASE

1.6.1 With approval of the Construction Documents and of the latest preliminary estimate of the Construction Cost by the *Consultant*, the City shall obtain bids or negotiated proposals and prepare the Construction Contract for the Project.

1.6.2 The City shall advise the *Consultant* in the award of the construction contract, and establish a Pre-Construction Conference.

1.7 CONSTRUCTION PHASE

1.7.1 The Construction Phase for the Project will commence with the City's issuance of the "Notice To Proceed" to the Contractor for the Project and, together with the *Consultant's* obligation to provide the services under Article 1 and, if applicable, Article 2 shall terminate with the final payment to the Contractor or in the absence of the submission of a final certificate for payment or of such due date, thirty (30) days after the date which is determined by the *Consultant* to be the date of substantial completion of the Project, whichever first occurs.

1.7.2 *Consultant* shall advise and consult with the City (i) during construction until final payment to the Contractor is due, and (ii) as an Additional Service at the City's direction from time to time during the correction period described in the Construction Contract. The *Consultant* shall have authority to act on behalf of the City only to the extent provided in this Agreement unless otherwise modified by written instrument.

1.7.3 *Consultant* shall visit the Project site at such intervals as are appropriate to the stage of construction for the Project or as otherwise agreed upon in writing by the parties hereto in order to become familiar with the progress and quality of the construction and to determine if the construction of the Project is proceeding in accordance with the Contract Documents. These visits shall average once a week throughout the period of the construction contract. Such visits shall be scheduled weekly with the City Representative and shall be attended by the designated representative of the *Consultant*.

1.7.4 *Consultant* shall not have control over, charge of or be responsible for, the construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the Project, since these are solely the Contractor's responsibility under the Construction Contract. The *Consultant* shall not be responsible for the Contractor's schedules or failure to carry out the Construction of the Project in accordance with the Contract Documents. The *Consultant* shall not have control over or charge of the acts or omissions of the Contractor, subcontractors, or their agents or employees, or of any other persons responsible for constructing the Project.

1.7.5 *Consultant* shall at all times have access to the site during construction of the Project. Except as may otherwise be provided in the Contract Documents or when direct communications have been specially authorized, the *Consultant* and Contractor shall communicate through the City's Representatives.

1.7.6 Based on the *Consultant's* observations of the progress of construction of the Project, the *Consultant* shall review each Application for Payment submitted by the Contractor and certify the amounts due thereunder. The Certification for Payment shall constitute a representation by the *Consultant* to the City, based on the *Consultant's* observations at the Project site as provided in Section 1.7.3 and on the data comprising the Contractor's Application for Payment, that the construction of the Project has progressed to the point indicated in the Application and that, to the best of the *Architect's/Consultant's* knowledge, information and belief, the quality of the construction of the Project is in accordance with the Contract

Documents. The foregoing representations are subject to (i) an evaluation of the construction of the Project for conformance with the Contract Documents upon substantial completion of the Project, (ii) results of subsequent tests and inspections, (iii) minor deviations from the Contract Documents correctable prior to completion and (iv) specific qualifications expressed by the *Consultant*. The issuance of the Certificate for Payment shall further constitute a representation that the Contractor is entitled to payment in the amount certified. However, the issuance of the Certificate for Payment shall not be a representation that the *Consultant* has (i) made exhaustive or continuous on-site inspections to check the quality or quantity of the construction of the Project, (ii) reviewed the construction means, methods, techniques, sequences or procedures, (iii) reviewed copies of requisitions received from subcontractors and material suppliers and other data requested by the City to substantiate the Contractor's right to payment or (iv) ascertained how or for what purpose the Contractor has used money previously paid by the City to the Contractor.

1.7.7 The *Consultant* shall have authority to reject any portion of the construction of the Project, which does not conform to the Contract Documents. Whenever necessary or advisable for implementation of the intent of the Contract Documents, the *Consultant* shall have authority to require additional inspections or testing of the construction to determine if it is in accordance with the Contract Documents, whether or not such construction is fabricated, installed or completed. However, neither this authority of the *Consultant*, nor a decision made in good faith exercising or not exercising such authority, shall give rise to a duty or responsibility of the *Consultant* to the Contractor, subcontractors, material and equipment suppliers, their agents or employees or other persons responsible for constructing the Project.

1.7.8 The *Consultant* shall review and approve or take other appropriate action upon the Contractor's submittals such as Shop Drawings, Product Data and Samples, but only for the purpose of checking for conformance with the design concept expressed in the Contract Documents. The *Consultant's* action shall be taken with such reasonable promptness as to cause no delay in the construction of the Project while allowing

sufficient time in the *Consultant's* professional judgment to permit adequate review. Review of such submittals is not conducted for the purpose of determining the accuracy and completeness of other details such as dimensions and quantities or for substantiating instructions for installation or performance of equipment or systems designed by the Contractor, all of which remain the responsibility of the Contractor to the extent required by the Contract Documents. The *Consultant's* approval of a specific item shall not constitute approval of an assembly of which the item is a component. When professional certification of performance characteristics of materials, systems or equipment is required by the Contract Documents, the *Consultant* shall be entitled to rely upon such certification to establish that the materials, systems or equipment will meet the performance criteria required by the Contract Documents.

1.7.9 The *Consultant* shall prepare Change Orders and Construction Change Directives with supporting documentation and data if deemed necessary by the *Consultant* as provided in Section 2.3.3 for the City's approval and execution in accordance with the Contract Documents, and may authorize minor changes in the construction of the Project not involving an adjustment in the cost or time of performance of the Construction Contract which are not inconsistent with the intent of the Contract Documents.

1.7.10 The *Consultant* shall conduct observations to determine the date or dates of Substantial Completion and the date of final completion. The *Consultant* shall receive and forward to the City for the City's review and records the written warranties and related documents which have been assembled by the Contractor as required by the Contract Documents in connection with the Project, and shall issue a final Certificate for Payment upon compliance with the requirements of the Contract Documents.

1.7.11 The *Consultant* shall be the interpreter of the requirements of the Contract Documents for the Project and shall advise the City's Project Representative on the performance thereunder by the Contractor. The *Consultant* shall render all interpretations which may be necessary for the proper execution or progress of the construction of the Project with reasonable promptness on the written request of either the City or the Contractor and shall render written decisions, within a reasonable time, on all claims, disputes and other matters in question between the City and the Contractor which relate to the execution or progress of the construction of the Project or the interpretation of the Contract Documents. All such interpretations and decisions of the *Consultant* shall be consistent with the intent of, and shall be reasonably inferable from, the Contract Documents and shall be in writing or the form of drawings. When making such interpretations and initial decisions, the *Consultant* shall endeavor to secure faithful performance by both the City and Contractor, shall not show partiality to either, and shall not be liable for the result of the interpretation or decision so rendered in good faith.

1.7.12 The *Consultant* shall decide matters relating to aesthetic effect of the Project in a manner, which is consistent with the intent expressed in the Contract Documents. If the Contractor disagrees with that decision, then the City shall have final decision in regard to such claim or dispute between the *Consultant* and the Contractor.

1.7.13 The *Consultant* shall provide Post-Construction services as necessary to assist the City in the use and occupancy of the Project.

1.7.14 The *Consultant* shall review the Contractor's final record documents for clarity and completeness and coordinate needed corrections, clarifications as required to these documents with the Contractor. The *Consultant* shall approve the Contractor's submittal and be responsible for

drafting all final corrections and co-ordination items submitted by the Contractor. The *Consultant* shall prepare and submit one (1) set of completed documents in reproducible mylar form to the City.

1.7.15 The *Consultant* shall provide warranty reviews including reviews during any staggered warranty periods until the end of the Contractor's warranty period or until the end of a one (1) year period after the date of completion, whichever occurs later.

ARTICLE 2: ADDITIONAL SERVICES

2.1 GENERAL

2.1.1 The services described under this Article shall only be provided by the *Consultant*, if requested in writing by the City.

2.2 PROJECT REPRESENTATION BEYOND THE BASIC SERVICES

2.2.1 If more extensive representation at the Project site is required for the City's protection required under Section 1.7.3, the *Consultant* agrees to more Project Representatives to assist in carrying out the on-site responsibilities. Such Project Representatives shall be selected, employed and directed by the *Consultant*. The duties, responsibilities and limitation of authority of Project Representatives shall be the same as the *Consultant*.

2.2.2 The *Consultant* shall endeavor to further protect the City against defects and deficiencies in the construction of the Project through the observations by the Project Representatives, but the furnishing of such project representation shall not modify the rights, responsibilities or obligations of the *Consultant* as described elsewhere in this Agreement.

2.3 ADDITIONAL SERVICES

2.3.1 The *Consultant* agrees to revise the Contract Documents when such revisions are (i) inconsistent with approvals or instructions previously given by the City, including revisions made necessary by adjustments in the City's budget for the Project or (ii) required by the enactment or amendment to codes, laws or regulations subsequent to the preparation of such documents.

2.3.2 The *Consultant* agrees to provide services required because of significant changes in the scope of the Project including, but not limited to the size, quality, complexity, or time schedule, except for services required under Section 6.2.5.

2.3.3 The *Consultant* agrees to prepare drawings, specifications or other documentation evaluating Contractor's proposals, and providing other services in connection with Change Orders and Construction Change Directives.

2.3.4 Providing consultation concerning the replacement of that portion of the Project damaged by fire or other cause during construction, and furnishing services required in connection with the replacement of such Work.

2.3.5 The *Consultant* agrees to provide such services made necessary by the default of the Contractor, by major defects or deficiencies in the construction of the Project, by the Contractor, or by the failure of the performance of the Contractor under the Construction Contract.

2.3.6 Preparing to serve or serving as an expert witness in connection with any public hearing, arbitration proceeding, or legal proceeding, or other legal proceeding (except for City Council Meeting(s) or similar meetings when requested by the City).

2.3.7 Preparing documents for alternate, separate or sequential bids or providing services in connection with bidding, negotiation or construction prior to the completion of the Construction Documents Phase.

ARTICLE 3: CITY'S RESPONSIBILITIES

- 3.1 The City shall provide full information regarding requirements for the Project, including a pre-design program, which shall set forth the City's objectives, schedule, constraints and criteria, including space requirements and relationships, flexibility, expandability, special equipment, systems and site requirements.
- 3.2 The City shall confirm and update the overall budget for the Project, including the Construction Cost and any reasonable contingencies related thereto.
- 3.3 The City shall designate a representative authorized to act on the City's behalf with respect to the Project as provided in Section 10.2. Such authorized representative shall render decisions in a timely manner pertaining to documents submitted by the *Consultant* in order to avoid unreasonable delay in the orderly progress of the *Consultant's* services.
- 3.4 The City shall furnish the services of consultants when such services are reasonably required by the scope of the Project and are requested by the *Consultant*.
- 3.5 The City shall furnish structural, mechanical, chemical, air and water pollution tests, tests for hazardous materials, and other laboratory and environmental tests, inspections and reports required by law or the Contract Documents.
- 3.6 The City shall promptly notify the *Consultant* in writing of any fault or defect in the Project or nonconformance with the Contract Documents.
- 3.7 The proposed language of certificates or certifications requested of the *Consultant* or sub-consultants shall be submitted to the *Consultant* for review and approval at least 14 days prior to execution. The City shall not request certifications that would require knowledge or services beyond the scope of this Agreement.
- 3.8 The City shall guarantee access to, and make all necessary provisions for the *Consultant* to enter upon the Project site as may be required to perform the service under this Agreement.
- 3.9 The City and its designated representative shall examine the studies, reports, sketches, estimates, specifications, proposals and other documents presented by the *Consultant* providing responses and decisions, promptly, in writing. The City shall advertise for proposals from qualified bidders, bid the project, and pay all costs related to the bid process.
- 3.10 The *Consultant* may invoice for approved and completed work on a monthly basis. The City Project manager will notify the *Consultant* of any problems regarding payment of the invoice within (14) days of the received invoice. If no notification or response is received from the City Project Manager, within the stated period of time, the *Consultant* shall expect prompt payment of the submitted invoice, within a period of (60) days. If the payment period exceeds sixty, (60) days, the *Consultant* will contact the City Project Manager to resolve any problem or delay. If the resolution of any delay is not satisfactory to the *Consultant*, the *Consultant* may submit a seven (7) day written notice to the City. If payment is not received within the seven (7) day period, the *Consultant* may submit a request for approval of the following remedies: 1. Defer progress on the project, until such time as payment is received and re-adjust the project schedule accordingly. 2. The *Consultant* may petition the City for an increase in fees, to

reimburse the substantiated costs of late payments and extended schedule. Either option to remedy, with concurrence by City Staff, may be exercised by the *Consultant*.

ARTICLE 4 CITY'S REVIEW PROCESS:

4.1 Upon receipt of any documents furnished by the *Consultant*, the City's Project Manager shall have five (5) working days for preliminary review of such documents. The City's Project Manager will determine whether the documents comply with the scope of the Project. After the preliminary review, if the City's Project Manager determines that the documents are insufficient, inadequate, or incomplete, the City shall notify the *Consultant* and request documents which are Professionally complete and appropriate, per AIA Standards, and Exhibit "E" attached, for each basic service phase submitted. The decision by the City's Project Manager in this matter shall be final.

4.2 If the City's Project Manager determines, after requesting the *Consultant* to provide corrected and Professionally complete Phase submittals, that the documents remain insufficient, inadequate, or incomplete, the City may; i) declare the *Consultant* in default, or (ii) demand a letter of explanation from the *Consultant* as to the reason the furnished documents are insufficient, inadequate or incomplete. If the City elects the second option, the *Consultant*, at *Consultant's* own expense, shall furnish six (6) additional sets of all documents that are sufficient, adequate and complete in the discretion of the City's Project Manager for review by the City. The *Consultant*, at *Consultant's* own expense, shall attend any meeting, whether formal or informal, including the City Council meeting when requested by City to explain the reason the *Consultant* presented inadequate, insufficient, or incomplete documents to the City, and the delay, if any, that such submittal and re-submittal may cause in completion of the Project.

4.3 The City's review period in the Project Schedule shall not begin until the City's Project Manager determines that the documents presented by *Consultant* fully comply with the requirements for the Design Phase. After the City's Project Manager determines that the documents comply with such requirements, the City shall begin a review of the documents.

4.4 After the City reviews the documents, one (1) set of the documents shall be returned to the *Consultant* with comments and corrections noted thereon. The *Consultant* shall make the changes necessitated by the corrections or other comments into the final documents.

4.5 The *Consultant* shall review with the City alternative approaches to the design and construction of the Project. Prior to City's approval of the documents, *Consultant* shall furnish written responses to City's correction(s) comments(s) change(s), which state the action taken and reason for such action for each item presented by the City. After all such correction or changes have been made and comments have been addressed to City's satisfaction, the *Consultant* shall furnish one reproducible mylar set of all final documents to the City, including electronic media, complying with Item 7.1 herein.

ARTICLE 5: COMPENSATION

5.1 BASIC SERVICES COMPENSATION

5.1.1 The City agrees to pay the *Consultant* as compensation for the services provided under Article 1 of this Agreement the amount of the fixed fee for each of the phases set forth below:

Pre-Design Phase (Including Program, Budget and Site Analysis):

Fee included in the Schematic Design Phase

Schematic Design Phase:	<u>\$ 29,625.00</u>
Design Development Phase:	<u>\$ 59,250.00</u>
Construction Document Phase:	<u>\$ 84,925.00</u>
Bidding or Negotiation Phase	<u>\$ 9,875.00</u>
Construction Phase:	<u>\$ 9,875.00</u>
Project Close-out Phase:	<u>\$ 3,950.00</u>
Total-Fixed-Fee:	<u>\$197,500.00</u>

5.1.2 An amount of five percent (5%) contract retainage shall be held by the City, on the Construction Document Phase fee, as a quality control retainage, until such time as the final construction phase documents have been approved by the City Project Manager.

5.1.3 The Construction Phase fee set forth above shall be paid based upon the percentage of construction completed for the Project.

5.1.4 In no event shall the total amount of compensation to be paid to the *Consultant* exceed the total fixed fee set forth above, unless written authorization is given by the City.

5.2 ADDITIONAL SERVICES COMPENSATION

5.2.1 The City agrees to compensate the *Consultant* for the additional services provided under Article 2 on an hourly basis according to the hourly fee schedule set forth in Exhibit "C" attached hereto, and for any Reimbursable Expenses (hereinafter defined) incurred by the *Consultant*:

5.2.2 Reimbursable Expenses include such expenses as transportation in connection with the Project, expenses in connection with authorized out-of-town travel, long distance telephone communications, and fees paid for securing approval of authorities having jurisdiction over the project, expense of reproductions, postage and handling of Drawings, Specifications and other documents beyond basic services, as authorized by the City, expense of renderings, models and mock-ups requested by the City, and if authorized in advance by the City, expense of overtime work requiring higher than regular rates.

5.3 RIGHT OF SET-OFF

5.3.1 The City's Project Manager may subtract or offset the unpaid invoice from the *Consultant* any damages, costs and expenses caused by, resulting from, or arising out of the negligent acts or omissions of the *Consultant* in the performance of the services under this Agreement including, without limitation, errors or deficiencies in the plans, drawings, specifications and other documents prepared by the *Consultant*. The City's Project Manager shall provide a written statement to the *Consultant* of the damages, costs and expenses, which have been subtracted from any payment to the *Consultant* along with appropriate documentation and receipts, if any, and a description of the errors or deficiencies attributed to the *Consultant*. If the *Consultant* disputes the right or amount of the deduction made by the City, the *Consultant* may file a claim pursuant to Section 8.3 of this Agreement.

ARTICLE 6: CONSTRUCTION COST

6.1 DEFINITION

6.1.1 The Construction Cost shall be the total cost or estimated cost to the City of all elements of the Project designed by the *Consultant*. The Construction Cost shall include the cost at current market rates of labor and materials furnished by the City and equipment design, specified, selected or specially provided for by the *Consultant*, plus a reasonable allowance for the Contractor's overhead and profit. In addition, a reasonable allowance for contingencies shall be included for market conditions at the time of bidding and for changes in the Work during construction.

6.1.2 The Construction Cost does not include the compensation of the *Consultant* and sub-consultants, the costs of the land, rights-of-way, financing or other costs which are the responsibility of the City as provided in Article 3.

6.2 RESPONSIBILITY FOR CONSTRUCTION COST

6.2.1 Evaluations of the City's Project budget, preliminary estimates of Construction Cost and detailed estimates of Construction Cost, if any, prepared by the *Consultant*, represent the *Consultant's* best judgment as a design professional familiar with the construction industry. It is recognized, however, that neither the *Consultant* nor the City has control over the cost of labor, materials or equipment, over the Contractor's methods of determining bid prices or over competitive bidding, market or negotiating conditions. Accordingly, the *Consultant* cannot and does not warrant or represent that the bids or negotiated prices will not vary from the City's Project budget or from the estimate of Construction Cost or evaluation prepared or agreed to by the *Consultant*.

6.2.2 No fixed limit of Construction Cost shall be established as a condition of this Agreement by the furnishing, proposal or establishment of a Project budget unless such fixed limit has been agreed upon in writing and signed by the parties hereto. If such a fixed limit has been established, the *Consultant* shall be permitted to include contingencies for design, bidding and price escalation, to determine what materials, equipment, component systems and types of construction are to be included in the Contract Documents, to make reasonable adjustments in the scope of the Project and to include in the Contract Documents alternate bids to adjust the Construction Cost to the fixed limit. Fixed limits, if any, shall be increased in the amount of an increase in the Contract Sum occurring after execution of the Construction Contract.

6.2.3 If the Bidding or Negotiation Phase has not commenced within 90 days after the *Consultant* submits the Construction Documents to the City, the Project budget or fixed limit of Construction Cost may be adjusted by the *Consultant* to reflect changes in the general level of prices in the construction industry between the date of submission of the Construction Documents to the City and the date on which proposals are sought.

6.2.4 If a fixed limit of Construction Cost (adjusted as provided in Section 6.2.3) is exceeded by the lowest bona fide bid or negotiated proposal, the City shall (i) give written approval of an increase in such fixed limit; (ii) authorize re-bidding or renegotiating of the Project within a reasonable time, (iii) cooperate in revising the Project scope and quality as required to reduce the Construction Cost., or (iv) cancel the Project.

6.2.5 If the City chooses to proceed under option (iii) of Section 6.2.4, the *Consultant*, without additional charge, shall modify the Contract Documents as necessary to comply with the fixed limit, if established as a condition of this Agreement. The modification of Contract Documents shall be the limit of the *Consultant's* responsibility arising out of the establishment of a fixed limit.

ARTICLE 7: OWNERSHIP OF DOCUMENTS

7.1 The Construction Documents and other documents prepared by the *Consultant* for this Project are instruments of the *Consultant's* service for use by the City of Las Vegas with respect to this Project and, unless otherwise provided, the *Consultant* shall be deemed the author of these documents and shall retain all common law, statutory and other reserved rights, including copyright. However, the documents prepared as instruments of service are the property of the City except as prohibited by law. The reports, plans, design concepts, information, data, and similar documents which are given, prepared or assembled by the *Consultant* or any consultants and subcontractors under this Agreement shall not be made available to any individual or organization without the prior written consent of the City except for presentations, awards, or publication through the media. City shall have access to such documents as needed. In the event of the termination of this AGREEMENT, prior to the completion and stamping of construction documents, the City reserves the right to engage a new *Consultant* to redraw such documents.

7.2 The City retains contractual rights to all design concepts developed by the *Consultant*.

7.3 Submission or distribution of documents to meet official regulatory requirements or for similar purposes in connection with the Project is not to be construed as publication in derogation of the *Consultant's* reserved rights.

ARTICLE 8: ARBITRATION

8.1 FEE DISPUTES

8.1.1 Any fee dispute arising under this Agreement which is not disposed of by mutual agreement between the parties shall be decided by the City Manager, whose decision shall be reduced to writing and mailed or otherwise furnish a copy thereof, to the *Consultant*. The decision of the City Manager shall be final and conclusive unless, within thirty (30) days after the date on which the *Consultant* receives its copy of such decision, the *Consultant* mails or otherwise furnishes the City Manager a written appeal from the decision, addressed to the City Council in care of the Director of Public Works. The decision of the City Council, or its duly authorized representative for the determination of any such appeal, shall be final and conclusive. The *Consultant* shall be afforded an opportunity to be heard and to offer evidence in support of its appeal. Pending the final decision of

a dispute hereunder, the *Consultant* shall proceed diligently with the performance of the work to be performed under this Agreement and in accordance with the City Manager's decision.

If, during the performance of this Agreement, a dispute arises between the parties as to whether the services provided by the *Consultant* are services entitled to additional compensation, the *Consultant* agrees to notify the City prior to providing such services of the *Architects/Consultants* intent to seek additional compensation as provided in this Section. Such notice shall be for the purpose of affording the City the opportunity to monitor and verify the performance of such services and failure to provide the City with such notice shall constitute a waiver of such claim.

8.2 NON-FEE DISPUTES

8.2.1 All non-fee claims, disputes and other matters in question between the parties to this Agreement arising out of or relating to the performance of this Agreement or the breach thereof, shall be decided by arbitration in accordance with the Arbitration Rules of the Nevada Arbitration Association or the American Arbitration Association then existing unless the parties mutually agree otherwise. No arbitration arising out of or relating to this Agreement shall include, by consolidation, joinder or in any other manner, any additional person not a party to this Agreement except by written consent which contains a specific reference to this Agreement and which is signed by the City and the *Consultant*. Any consent to arbitration involving an additional person or persons shall not constitute consent to arbitration of any dispute not described therein. This Agreement to arbitrate and any agreement to arbitrate with an additional person or persons duly consented to by the City and the *Consultant* shall be specifically enforceable under the prevailing arbitration law.

8.3 CONSENT TO ARBITRATION

8.3.1 In the event that the City is named as a party to any arbitration action or commences an arbitration action against a party other than the *Consultant*, which arises out of, from, or is connected with the construction of the Project, or the performance of the *Architects/Consultants* under this Agreement, the *Consultant* agrees and irrevocably consents, to be joined as a party in the arbitration proceeding and to be bound by any decision resulting therefrom. Any joinder of the *Consultant* is conditioned upon the handling of such arbitration in accordance with arbitration rules of the Nevada Arbitration Association or the American Arbitration Association. None of the time provisions imposed under subsections 8.3.2 and 8.3.3 apply to the joinder rights provided herein in such a way as to preclude the City from joining the *Consultant* as a party to any arbitration proceeding in which the City commences or is named as a party and which arises out of, or results from, the construction of the Project.

If the *Consultant* is named as an additional party by the City, the *Consultant* shall not be entitled to any additional compensation from the City as a result of preparing for, or participating in, the arbitration.

8.3.2 In order for the *Consultant* to be able to arbitrate any claim, dispute or other matter in question between the parties, written notice must be given to the City within sixty (60) days after the claim, dispute or other matter arises. In order for the City to be able to arbitrate any claim, dispute or other matter in question between the parties, written notice must be given to the *Consultant* within sixty (60) days after the claim, dispute or other matter arises. The purpose of such notification is to place the other party on notice so that proper measures can be taken to properly defend against

such claim, dispute or other matter, and the failure to give such notice shall preclude the party desiring arbitration from subsequently arbitrating that particular claim, dispute or other matter.

8.3.3 The filing of the aforementioned written notice shall preserve that party's right to arbitration, but shall not obligate the party to proceed with arbitration. In the event that either party desires to proceed with the arbitration of any claim, dispute, or other matter with respect to which such notice has been given, a written demand for arbitration shall be filed in writing with the other party and with the Nevada Arbitration Association or the American Arbitration Association within sixty (60) days after the filing of the Certificate of Substantial Completion with respect to the Project, and the failure to make such demand shall forever bar such claim, dispute or other matter from being arbitrated.

8.3.4 In the event of arbitration, it is agreed by the parties hereto that all means of discovery including, but not limited to, depositions and interrogatories will be afforded to the parties involved in the arbitration, and the appointed arbitrator shall have all authority to impose sanctions against either party for failing to comply with the rules of discovery provided under the Nevada Rules of Procedure.

8.3.5 The award rendered by the arbitrators shall be final, and judgment may be entered upon its accordance with applicable law in any court having jurisdiction thereof.

8.3.6 By mutual written consent, in addition to and prior to arbitration, the parties may endeavor to settle disputes by mediation in accordance with the Mediation Rules of the Nevada Arbitration Association or the American Arbitration Association then existing. The sixty (60) day requirement for notice of arbitration shall be tolled between the dates of: (1) either party's receipt of a written request for mediation from the other party hereto; and (2) the requesting party's receipt of a written rejection of its request, or if not rejected, completion of the mediation itself.

ARTICLE 9: TERMINATION, SUSPENSION OR DEFAULT

9.1 CITY'S RIGHT OF TERMINATION FOR CONVENIENCE

9.1.1 The City shall have the right to terminate this Agreement without cause or default on the part of the *Consultant* and such termination shall become effective immediately upon service of notice as provided in Section 10.11. In the event of the termination of this Agreement pursuant to this Section, the *Consultant* shall be compensated for any unpaid services rendered prior to the effective date of the termination in the amount determined by the Project Manager.

9.2 CITY'S RIGHT OF TERMINATION FOR CAUSE

9.2.1 Upon the occurrence of an Event of Default (hereinafter defined), the City shall have the right, without prejudice to any other right or remedy it may have at law or equity, to: (i) terminate this Agreement, suspend payment of all pending invoices otherwise due to *Consultant* hereunder, and finish this Agreement by such means as deemed appropriate by the City. The City may deduct from any balance due *Consultant*, the cost of completing this Agreement. If the City cannot complete the performance of this Agreement with the remaining funds originally set aside and budgeted for the Project, or in the event the cost of finishing the *Consultant's* performance of this Agreement exceeds the balance due the *Consultant*, such excess shall be paid by the *Consultant* to the City within five (5) days of invoicing by City, or (ii) terminate this Agreement and the

obligations imposed hereunder, including the obligation of any further payment for the services of the *Consultant* except for the reasonable value for the services performed to the date of termination.

9.2.2 For purposes of this Agreement, an "Event of Default" is deemed to have occurred if the *Consultant*:

- A. Voluntarily terminates operations or consents to the appointment of a receiver, trustee or liquidator of all or a substantial portion of the *Consultant's* assets;
- B. Be adjudicated bankrupt or insolvent, or file a voluntary petition in bankruptcy admitting in writing an inability to pay debts as they become due;
- C. Make a general assignment for the benefit of creditors;
- D. File a petition or answer seeking the reorganization of the *Consultant* or an arrangement with creditors or take advantage of any insolvency law; or if action shall be taken for the purpose of effecting any of the foregoing;
- E. Suffer the levy or execution of any writ or warrant upon any property or an asset of the *Consultant* which continues unvacated and in effect for a period of thirty (30) days; or
- F. Neglects to properly perform the services required hereunder in accordance with the time schedule which has been agreed upon

between the parties hereto for the Project, and such Event of Default continues for seven (7) calendar days after written notice has been provided to the *Consultant* pursuant to Section 10.11.

9.2.3 In the event City performs, or hires others to perform, any of the services required under this Agreement because of the default of the *Consultant*, the cost thereof, plus an additional ten percent (10%) to cover City's overhead expenses, shall be promptly paid by the *Consultant* to the City.

9.2.4 The costs and expenses of completing the services of the *Consultant* shall be computed and audited by the Project Manager whose certification thereof shall be final and binding upon the parties. The audit shall be made in accordance with generally accepted accounting principles and the *Consultant* shall pay the costs of such audit.

9.2.5 The City reserves the right to offset any and all claims made by the *Consultant* for payment of fees hereunder or the reimbursement of additional costs it incurred with any claims that City might have against the *Consultant* for failure to comply with any of the terms and conditions of this Agreement.

9.3 SUSPENSION BY THE CITY

9.3.1 If the project is suspended, by the City, for more than 30 consecutive days, the *Consultant* shall be compensated for services performed prior to issuance of the written notice of such suspension. When the Project is resumed, the *Consultant's* compensation shall be reviewed and, upon approval by the City, equitably adjusted to provide for expenses, if any, resulting from the interruption and resumption of the Project.

9.4 RIGHT OF TERMINATION

9.4.1 The *Consultant* shall have the right to terminate this Agreement if the Project is abandon by the City for more than 90 days, or the City fails to make payment to the *Consultant* for the services performed under this Agreement (unless there exists a dispute between the parties concerning such payment), and the *Consultant* has given 30 days written notice to the City of the failure to make such payment. In the event of termination as provided under this Section, the *Consultant* shall be compensated for any unpaid services rendered prior to the effective date of the termination, along with any unpaid Reimbursable Expenses.

ARTICLE 10: MISCELLANEOUS PROVISIONS

10.1 THE CITY'S PROJECT MANAGER

10.1.1 The *Consultant* shall be notified in writing by the City as to the individual designated as the Project Manager. The City's Project Manager shall have complete authority to transmit instructions, to receive information, and to interpret and define the City's policies and decisions with respect to the materials, equipment elements, and systems which are pertinent to the Project to be performed under this Agreement and to approve changes to the scope of the Project that does not affect compensation.

10.2 THE CITY'S PROJECT REPRESENTATIVE

10.2.1 The *Consultant* shall be notified in writing by the City as to the individual designated as the Project Representative. The City's Project Representative shall, during the Construction Phase, have complete authority to receive information, transmit instructions on behalf of the City Project Manager, to coordinate weekly construction site meetings and represent the City in the completion of the Project. The City Representative shall be responsible for written minutes of such meetings, and to distribute copies.

10.3 CONSULTANT'S EMPLOYEES AND SUBCONSULTANTS

10.3.1 The services required under this Agreement shall be performed the key employees, or by approved sub-consultants identified in Exhibit "D "(Key Personnel List). In the event a key employee or sub-consultant is unable to provide the services required under this Agreement for any reason, the *Consultant* will, with City approval, replace such personnel. If the *Consultant* fails to complete the replacement within (30) days, the City may terminate this Agreement for cause pursuant to Section 9.2 of this Agreement. The *Consultant* shall not substitute the key personnel or sub-consultants without (30) days prior written approval from the City. Request for approval shall consist of written notification to the City, stating reason or reasons for the requested substitution. The City shall not unreasonably deny approval, unless the City adjudges the substitution not to be in the interest of the City or the scheduled completion of the Project.

10.4 STANDARDS OF PROFESSIONAL SERVICES

10.4.1 The professional services to be rendered by the *Consultant* under this Agreement shall conform to the following standards in effect at the time of the issuance of the building permit:

The Uniform Building Code, as published by the International Conference of Building Officials.

The National Electrical Code, as published by the National Fire Protection Association International.

The Uniform Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials.

The Heating, Ventilation, Air Conditioning Guide, as published by the American Society of Heating and Air Conditioning Engineers, and the Uniform Mechanical Code, as published by the International Conference of Building Officials.

The State of Nevada Industrial Commission codes of Safety Orders.

The regulations of the Division of Public Health Engineering, Nevada State Department of Health.

Municipal ordinances in effect at the Project Site.

Regulations of the City's Department of Fire Services, including without limitation the Uniform Fire Code and all ordinances of the City which pertain to fire safety.

Uniform Standard Specifications for Public Works Construction, Off-Site Improvements, Clark County Area, Nevada, as amended to date.

All mandatory standards and policies relating to energy efficiency contained in the State of Nevada energy conservation plan issued in compliance with the Energy Policy and Conservation Act (P.L. 94-163).

The requirements of the American's with Disabilities Act, Public Law 101-336.

All other applicable federal, state and local acts, laws, rules or regulations.

10.5 CHANGES IN SCOPE OF THE PROJECT

10.5.1 The City's Project Manager may, at any time, issue written directions, which require an increase or decrease in the Basic Services to be performed under this Agreement. If any such direction results in a change in the amount or character of the work covered by the fee compensation provided for under section 5.1, an equitable adjustment in such compensation shall be made without the need to obtain the approval of the City Council if the contingent funds, if any, allocated for this agreement by the City Council are sufficient to cover the compensation due the Architect as the result of an increase in the scope of the Basic Services. Any claim of the *Consultant* for adjustment under this provision must be asserted by the *Consultant* in writing, as a fee dispute under the provision of Article 8 thirty (30) days after the date the *Consultant* receives notification of such change. The City's Project Manager, if he determines that the facts justify such adjustment, may receive and consider such claim and may adjust the same at any time prior to the date on which the final settlement with the *Consultant* is to be made.

10.6 INSURANCE

10.6.1 The *Consultant* shall provide, and shall maintain in full force and effect, at all times during the period in which this Agreement is in effect, and for one (1) year after completion of the Project, the following insurance coverages:

Coverage for claims under the Nevada Industrial Insurance Act.

Professional liability insurance in an Errors and Omissions coverage in an amount of not less than \$1,000,000.

10.6.2 *Consultant's* insurance shall include the following:

Employer's liability and comprehensive general liability insurance shall include "all states" endorsements to the extent that the *Consultant's* work, or work under his direction, may require, the comprehensive general liability coverage shall contain no exclusion relative to damage to underground property.

10.6.3 The limits of liability for the *Consultant's* liability insurance shall not be less than:

Workmen's Compensation: Statutory.

Professional Liability Insurance: \$1,000,000.

Comprehensive General Liability - Bodily Injury and Property Damage: \$1,000,000 combined single limit.

Comprehensive Automobile Liability - Bodily Injury and Property Damage: \$1,000,000 combined single limit.

Except for the coverages required under 2, above, the insurance coverages required herein shall name the City as an additional insured party.

10.7 COVENANT AGAINST CONTINGENT FEES

10.7.1 ~~The *Consultant* hereby warrants that no person or selling agency has been employed or retained to solicit or secure this Agreement by or~~
through any agreement or understanding for a commission, percentage, brokerage or contingent fee, excepting bona fide employees of the *Consultant* and bona fide established commercial or selling agencies which are maintained by the *Consultant* for the purpose of securing business and the existing of which, if any, has been fully disclosed to the City. For a breach or violation of this warranty, the City shall have the right to annul this Agreement without liability or upon its discretion to deduct from the contract price or consideration, or otherwise to recover, the full amount of such commission, percentage, brokerage, or contingent fee.

10.8 PATENT INDEMNITY

10.8.1 Except as is otherwise provided in this Agreement, the *Consultant* agrees to, and hereby does, indemnify the City and its officers, agents and employees against all liability, including costs and expenses, for the infringement upon any patents and/or copyright which have been issued by the United States which may arise out of the performance of this Agreement or out of the use or disposal, by or for the account of the City, of any of the supplies furnished, or any design construction work performed, hereunder or as a consequence hereof.

10.9 INDEPENDENT CONTRACTOR

10.9.1 It is hereby expressly agreed and understood that, in the performance of the services provided for herein, the *Consultant* and any other *Consultant*, who is employed by the *Consultant* hereunder shall be deemed to be an independent contractor and not an agent or employee of the City. The City shall not be liable for salary, employment taxes, other statutory employee benefits, or other employee benefits; including but not limited to, insurance, sick leave, pensions and other payments or deductions to employee or employee unions of the *Consultant* or any other consultant hired by the *Consultant's* employee(s). The City shall not be considered a guarantor of such payments.

10.10 SUCCESSORS AND ASSIGNS

10.10.1 The City and the *Consultant* each binds itself and each of its successors, executors, administrators, and assigns to the other party to this Agreement and to the successors, executors, administrators, and assigns of such other party, in respect of all of the mutual covenants and promises in this Agreement contained; provided, however, that neither the City nor the *Consultant* may assign, sublet, or transfer its interest in and to this Agreement without the written consent of the other. Nothing contained herein shall be construed or operate as creating any personal liability on the part of any officer or agent of the City.

10.11 NOTICES

10.11.1 Any notice which is required or appropriate to be given under this Agreement shall be deemed delivered if the same is sent to the addresses hereinafter set forth. The deposit of any such notice in the United States Mail, postage prepaid, shall constitute delivery if addressed as follows:

CITY:	CITY	OF	LAS	VEGAS
-------	------	----	-----	-------

	Public Works Architectural Services 400 Stewart Avenue Las Vegas, NV 89101			
--	---	--	--	--

CONSULTANT:	Brian Patterson The WLB Group, Inc. 2551 North Green Valley Parkway Henderson, NV 89014
-------------	--

10.12 CONFIDENTIALITY

10.12.1 The *Consultant* shall treat all information relating to the Project and all information supplied to the *Consultant* as confidential and proprietary information of the City and shall not permit its release by other parties or make any public announcement or release without the City's written authorization.

10.13 INDEMNITY

10.13.1 Notwithstanding any of the insurance requirements required under Section 10.6, and not the *Consultant* shall protect, indemnify and hold the City, its officers, employees, and agents (herein the "Indemnitees") harmless from any and all claims, damages, losses, expenses, suits, actions, decrees, judgements, attorney fees and court costs (herein the "Claims") which the Indemnitees, or any of them, may suffer as a result of, by reason of, or in consequence of, the negligent or intentional acts or omissions of the *Consultant*, its subcontractors, agents or anyone employed by the *Consultant*, its subcontractors or agents, in performing the terms, conditions or covenants of this Agreement.

10.13.2 As part of its obligation hereunder, the *Consultant* shall, at its own expense, defend the Indemnitees, against the Claims which may be brought against them, or any of them, as a result of, by reason of, or as a consequence of, any negligent or intentional act or omission of the *Consultant*, its subcontractors or agents, for an against which the *Consultant* is obligated to indemnify the Indemnitees unless the Indemnitees, or

any of them, elects to conduct their own defense which, in such case, shall not cause a waiver of the obligation of indemnification set forth herein. If the *Consultant* shall fail to do so, the City shall have the right, but not the obligation, to defend the same and charge all direct and incidental costs of such defense (including attorney fees and court costs) against the *Consultant*.

10.14. CONSULTANT WARRANTIES

10.14.1 The *Consultant* warrants that it has sufficient working capital to complete this agreement with funds as disbursed from the City to the *Consultant* under the conditions of the agreement, and is able to furnish; plant, tools, materials, supplies, equipment and labor and is experienced in and competent to perform the work contemplated by this agreement; further the *Consultant* warrants that he is properly and professionally licensed to perform the work herein and is authorized to do business in the State of Nevada.

10.14.2 *Consultant* represents and holds a license, permit or other special license to perform the services included in this agreement, as required by law, or employs or works under the general supervision of the holder of such license, permit or special license.

10.14.3 *Consultant* warrants that his service shall be year 2000 compliant, which means that to the extent the performance of the agreement is dependent upon the *Architects/Consultants* computer operations. Such computers will continue functioning without interruption, and will continue to accurately process data and information necessary to the performance of this agreement beyond 31 December 1999.

10.14.4 *Consultant* has, herein, pursuant to the requirements of resolution 79-99 (adopted by the City Council on 4 August 1999 and effective 1 October 1999) as amended by Resolution 105-99 (adopted by the City Council on November 17, 1999) disclosed on the form attached hereto as Exhibit "F" all of the principals, including partners, of the *Consultant*, as well as all persons and entities holding more than one (1%) percent interest in the *Consultant* or any principals of the *Consultant*. If the *Consultant*, or principals or partners are required to provide disclosure under federal law (such as the Securities and Exchange Commission Act or the Employee Retirement Income Act), and current copies of such federal disclosures are attached to Exhibit "F" the requirements of this Section shall be deemed satisfied. During the term of this agreement, the *Consultant* shall notify the City of Las Vegas in writing of any material change in the above disclosure on Exhibit "F", within (15) days of such change.

10.15 SUBCONTRACTS

10.15.1 The *Consultant* agrees to include in all sub-contracts, in connection sub-consultants, the conditions imposed under this agreement, the following:

A provision that *Consultant* agrees to pay the subcontractor when paid for that portion of the work by the City, that no liability arises on the part of the *Consultant* to the sub contractor for payment of the subcontracted work until payment has been made by the City, and that if the City has paid the *Consultant* for subcontracted work; then the subcontractor's only recourse is against the *Consultant*, not against the City, either through the institution of legal or equitable action or the attachment of any lien;

A provision that the subcontractors have no more rights against the City than that of the *Consultant*;

A provision that the subcontractor agrees to be bound by all the terms, conditions, and obligations of this Agreement unless the City has approved any deviations, changes, or modifications in writing;

A provision that the subcontractor will obtain and maintain professional errors and omissions insurance coverage in connection with the subcontractor work in an amount equal to that required of the *Consultant*; and

A provision that the subcontractor agrees be bound by to the document, "General Conditions of the Contract for On-Site Construction," incorporated herein by this reference.

10.16 AGREEMENT

10.16.1 This Agreement shall be governed by the laws of the State of Nevada.

10.16.2 As between the parties to this Agreement, any applicable statute of limitations with respect to any act or failure to act by either party shall commence to run, and any alleged cause of action shall be deemed to have accrued, in any and all events not later than the relevant date which is determined to be the date of substantial completion of the Project; or, with respect to any act or failure to act which occur after such date, not later than the date of the issuance of the final certificate for payment for the Project.

10.16.3 The City and the *Consultant* waive all rights against each other and against the contractors, consultants, agents, and employees of the other for any damage, which is fully reimbursed by the required property insurance during construction. The City and the *Consultant* each shall require similar waivers from their respective contractors, consultants and agents.

10.16.4 The *Consultant* acknowledges the City's requirement to incorporate the City's General Conditions of the Contract for On-Site Construction, incorporated herein by reference, into the contracts prepared for bidding on the project covered by this Agreement. The *Consultant* further agrees to perform in accordance with the obligations stated in the referenced General Conditions.

10.16.5 This Agreement was prepared after negotiations between the parties hereto, and shall be construed as drafted by both parties.

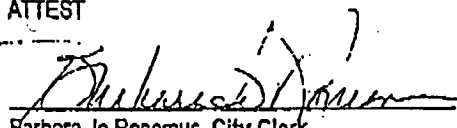
10.16.6 This Agreement represents the entire and integrated agreement between the City and the *Consultant* and supercedes all prior negotiations, representations, or agreements; either written or oral. This Agreement may be amended only by a written instrument, which is signed by both the City and the *Consultant* and shall be in force and effect from and after the day on which the City gives notice to the *Consultant* to begin the services required under this agreement.

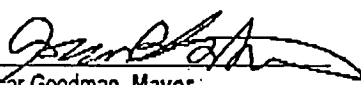
10.16.7 This Agreement shall remain in effect for one (1) year after the final payment for approved services has been issued by the City. Termination of this Agreement shall not release either party from any of the obligations herein, nor be construed to change the date or time on which a cause of action arising out of this Agreement would otherwise accrue under law.

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

ATTEST

CITY OF LAS VEGAS

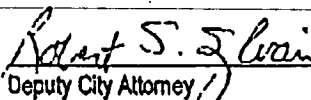

Barbara Jo Ronemus, City Clerk

By 
Oscar Goodman, Mayor

CONSULTANT: The WLB Group, Inc.

By 
A. Nelson Stone, Director of Operations

APPROVED AS TO FORM:

 6-27-01
Deputy City Attorney, / Date

CONTRACT EXHIBITS

- EXHIBIT "A": SCOPE OF SERVICES
 - EXHIBIT "B": ARCHITECTS/CONSULTANTS TIME SCHEDULE FOR PRODUCTION
 - EXHIBIT "C": ARCHITECTS/CONSULTANTS HOURLY RATE SCHEDULE EMPLOYEES AND CONSULTANTS
 - EXHIBIT "D": ARCHITECTS/CONSULTANTS PROJECT MANAGER KEY EMPLOYEES
 - EXHIBIT "E": REQUIRED DOCUMENT SUBMITTALS
SCHEMATICS AND DESIGN DEVELOPMENT
 - EXHIBIT "F": DISCLOSURE OF PRINCIPALS
-

Contract Exhibits

for

**Parson Park
in
The City of Las Vegas**

Prepared for The City of Las Vegas

Prepared by The WLB Group

**Drafted 06-01-01
spec#401000-A-124**



DATE _____
BY _____

PARSON PARK
CONCEPT

OWNER: CITY OF LAS VEGAS
DEPARTMENT OF PUBLIC WORKS
ARCHITECTURAL SERVICES

ONS

1000 UNDERSTANDING AVENUE
LAS VEGAS, NEVADA 89101
PHONE: (702) 258-2000
FAX: (702) 258-2000
WWW: WWW.CITYOFVegas.NV.GOV

DATE _____
BY _____
CHECKED BY _____
APPROVED BY _____

DEPARTMENT OF PUBLIC WORKS

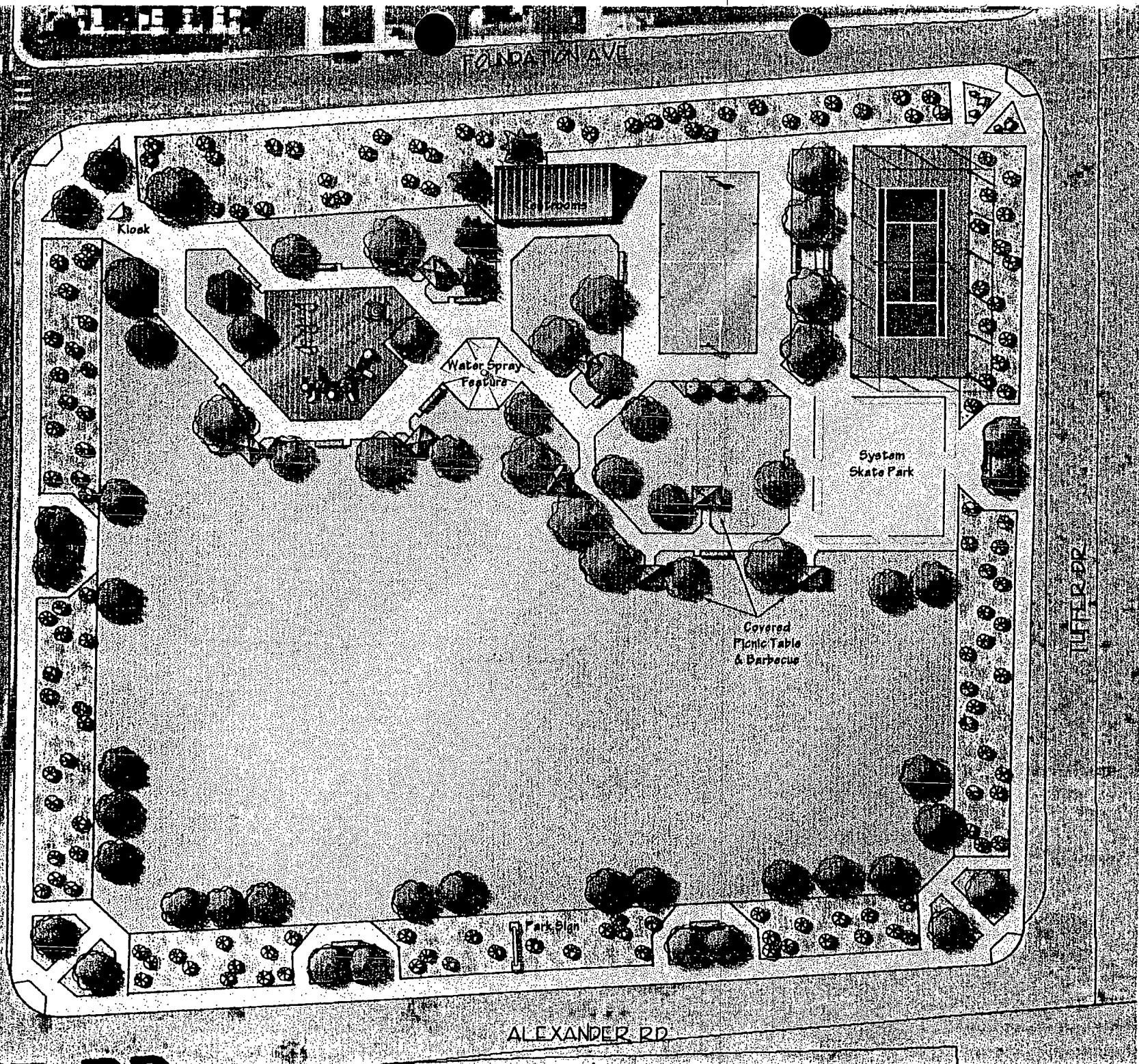


Exhibit "A"

Scope of Services

Exhibit "A"

Scope of Services

General:

The site consists of approximately 7.7 acres located at the corner of Alexander and Thom. It is bound by Foundation Ave. to the north, Alexander to the south, Thom Blvd. to the west and Tuffer Dr. to the east. All streets have ½ street improvements or none at all and will require full improvements (asphalt, curb, gutter and sidewalk) .

The WLB Group will provide Full Services to produce biddable, permitable and buildable Construction Documents for Parson Park within the construction budget. The public input process (community meetings) has not been completed by The City of Las Vegas. The program for the park, although subject to change and refinement, currently includes off-site improvements, 1/2 street improvements, utility connections and stubs, a play equipment complex, restroom, covered picnic areas, 5,000 SF skate park, water spray feature, berming; walking trails (material to be determined), plantings, groundcover and turf areas, and hard scape; per the attached site plan drawing. The park is to be passive in nature. With areas left for future activities such as basketball, tennis or bocce.

Drainage, and Geotechnical studies will be preformed along with a water network analysis. Coordination with all applicable utilities companies is required. If a traffic study is required by staff, it will be an additional service.

The Land Use process will be undertaken by WLB, including attending Planning Commission and City Council Meetings. Submittal for plan check and "walking" the plans through the process will also be handled by WLB.

Typical costs for reimbursable expenses will apply for travel, special and overnight deliveries, as shown in 5.2.2. of the Professional Services Agreement for Architect/Consultant.

WLB will produce the drawings and technical specifications using AutoCAD R14, Corel WordPerfect 8 and Quattro Pro 8.

Scope of Services:

Schematic Design-15%

- I. Concurrence with Preliminary Plan Provided by The City.-2%
 - A. Review of Preliminary Plan
 - B. Cost Estimate Review
 - C. Letter of Consent
- II. Preliminary Research-5%
 - A. Utilities
 - B. Flood Control

- C. Code Compliance
- D. Zoning Land Use
- E. Review available site documents and drawings
 - 1. Regional Flood Control
 - 2. LVVWD
 - 3. City of Las Vegas

- III. Civil / Survey: -8%
 - A. Boundary and Topo Survey by The WLB Group
 - B. Title Report
 - C. Review available site documents and drawings provided by CLV.
 - 1. Regional Flood Control
 - 2. LVVWD
 - 3. City of Las Vegas
 - 4. City of Las Vegas Fire Department

Design Development- 30%

- IV. Refinement of Preliminary Plan
 - A. Provide City of Las Vegas with 2 refinements and meet for suggestions and comments.
 - B. Provide a Construction Cost Estimate
- V. Production of Land Use Documents
 - A. Provide all required documents for Land-Use approval
- VI. Submittal to Planning Commission and City Council for approval of Land Use
 - A. Provide full services for submittal to Planning Commission and City Council
 - B. Attend all meetings required anticipate 2-4 meetings.

Construction Documents-43%

- VII. Construction Drawing Production and Refinement of Land Use Documents
 - A. Refinement of Plans throughout the production sequence
 - B. Research alternative materials
 - C. Refinement of Details throughout production
 - D. Provide the following Studies:
 - 1. Water Network Analysis
 - 2. Drainage
 - 3. Geotechnical
 - 4. Agricultural Soils
 - 5. Traffic Study
 - E. Coordinate with John Black (City of Las Vegas Parks Maintenance) regarding the following:

1. Irrigation Equipment Preferred
2. Plant Palette
3. Maintenance Issues
- F. Progress Meetings as required
- G. Progress/Check Sets with cost estimates at 30%, 90%, 100% Levels
- H. Construction Drawing Package to include:
 1. Civil Improvement Plans for both Off and On-Sites
 - a. Cover Sheet with signatures
 - b. Grading Plan
 - c. Horizontal Control Plan
 - d. Utility Plan (Water and Sanitary Sewer)
 - e. Traffic access/delineation/circulation plan
 - f. Off-site road plan/profiles per conditions of approval
 - g. Coordination/meetings with government agencies
 - h. Specifications and details per CC standards
 2. Landscape Architectural Package
 - a. Project Cover Sheet
 - b. Site Plan
 - c. Construction Plans
 - d. Planting Plans
 - e. Irrigation Plans
 - f. Pump Station Plans
 - g. Details-Construction, Planting, Irrigation
 - h. Additive Alternates (if necessary)
 - i. Specifications
 3. Electrical Package
 - a. Complete Drawing Set
 - b. Coordination with Nevada Power and Sprint
 - c. Specifications
 - d. Provide stub for future surveillance systems

VIII. Utility Company Approvals

- A. Coordination with and submittal to utilities for power, water, telephone, cable as necessary.
- B. Obtain required signatures

IX. Governmental Agency Approvals and Final Cost Estimate

- A. Submit to Government Agencies (City of Las Vegas and CC Regional Flood Control anticipated)
- B. Response to plan checkers and corrections to plans as requested
- C. Required Signatures

D. Final Cost Estimate

X. **Bidding and Negotiation Phase-5%**

- A. Attend Pre-Bid Conference- answer questions in writing.
- B. Process and respond to inquiries during bid process.

XI. **Construction Phase-5%**

- A. Answer questions from the City Representative regarding submittals and shop drawings
- B. Provide Construction Observation and Inspection on a limited basis, approximately 10 site visits during construction.

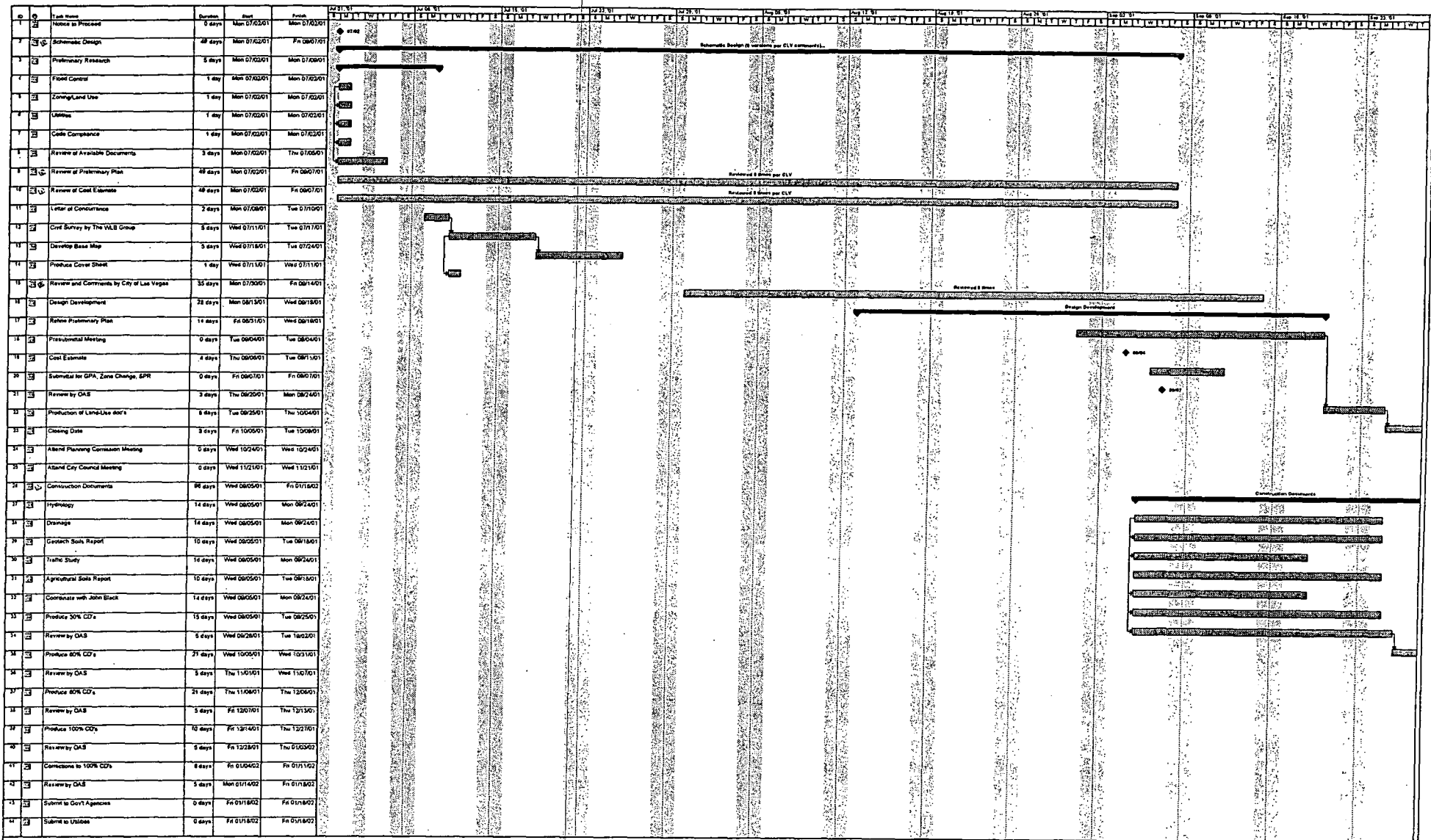
XII. **Project Close-out Complete Deliverables-2%**

- A. Deliver one CD the working drawing package
 - B. Deliver one Mylar set of the bid document drawings
 - C. Deliver one hardcopy set of bid specification
 - D. Deliver one hardcopy set of reports
 - E. ~~Deliver electronic files of specifications on CD.~~
 - F. 'As-Builts' of contractor redlines in electronic form
-

Exhibit "B"

Prime Consultant's Time Schedule for Production





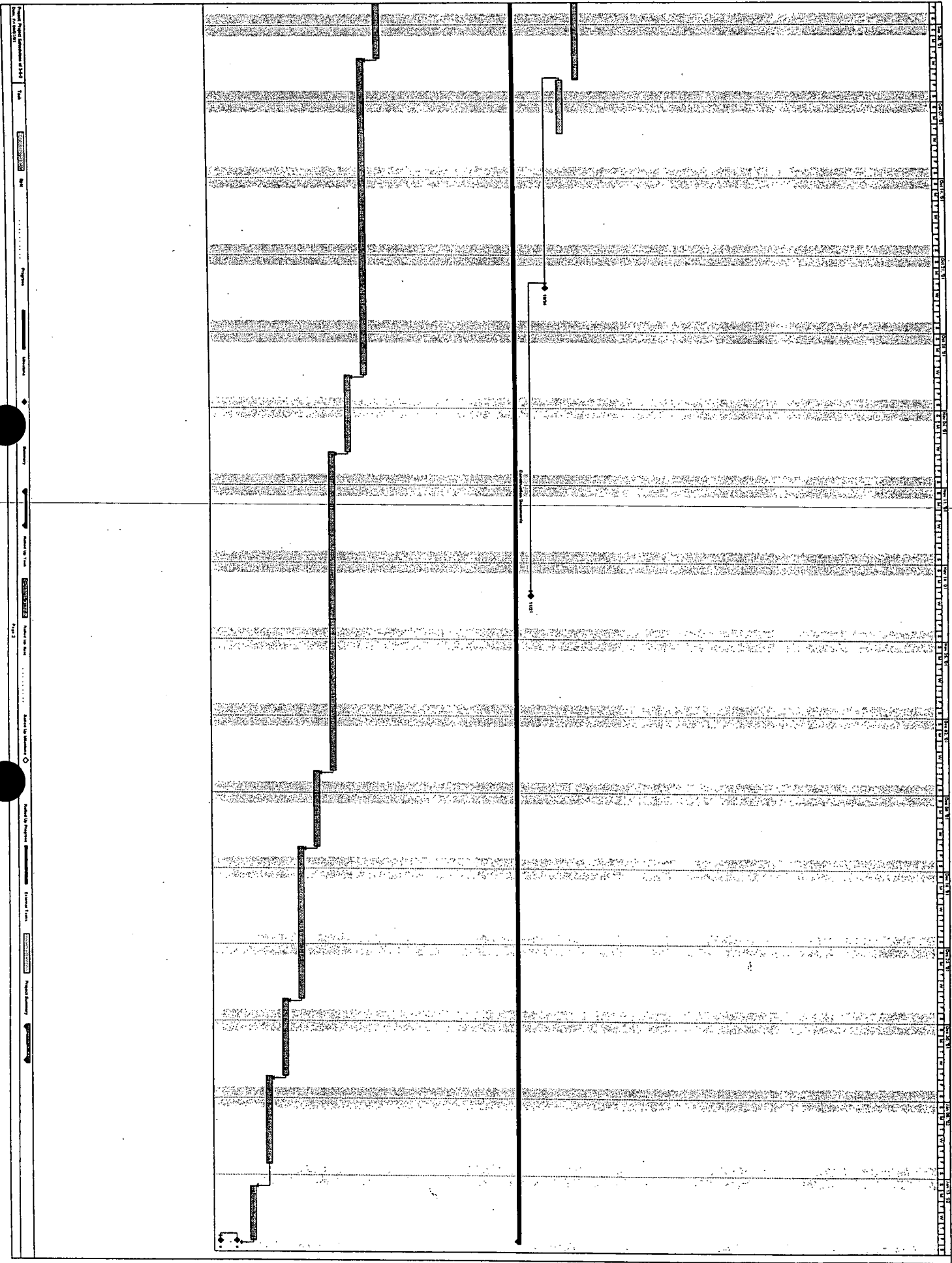


Exhibit "C"

Hourly Rate Schedule for Employees and Consultants



Effective 3-22-01

**LAS VEGAS
FEE SCHEDULE FOR PROFESSIONAL SERVICES**

TYPICAL HOURLY RATES

<u>Personnel</u>	<u>Hourly Rate</u>
Principal: Engineer/Landscape Arch./Planner/Surveyor	\$115.00
Public Presentation or Expert Testimony	\$180.00
Senior Project Manager	\$100.00
Project Manager/Professional Surveyor	\$95.00
Senior: Project Engineer/Landscape Arch./Planner	\$85.00
Senior: Surveyor/Inspector/Designer	\$80.00
Project: Engineer/Landscape Arch./Planner	\$80.00
Staff: Design Engineer/Landscape Arch./Inspector/Planner	\$75.00
Sr. Cadd Operator	\$75.00
Senior Technician	\$70.00
Land Surveyor	\$70.00
Design Technician	\$65.00
Technician/Cadd Operator	\$60.00
Draftsperson/Assistant Technician	\$50.00
Clerical	\$40.00
Three Man Survey Crew	\$150.00
Two Man Survey Crew	\$120.00
Additional Hourly GPS Rate/Crew	\$30.00

Terracon

GEOTECHNICAL FEE SCHEDULE

LAS VEGAS

PROFESSIONAL SERVICES

Hourly Rate

Principal Engineer/Geologist.....	\$150
Senior Engineer/Geologist.....	110
Project Engineer/Geologist.....	90
Project Manager.....	80
Staff Engineer/Geologist.....	65
Technician.....	52
Draftsperson.....	45
Clerical.....	40
Special Consultation, Expert Testimony, & Court Appearance.....	Quotation on Request

FIELD INVESTIGATION

Drilling services or backhoe.....	\$185.00/hour
Drill bits and/or media, special sampling and/or monitoring equipment, air compressor, water truck, equipment for site access, special safety equipment, or other auxiliary equipment provided.....	Cost + 20 percent

LABORATORY TESTING OF SOIL AND ROCK

Unit Price	Unit Price
Sand Equivalent (ASTM D2419) 3 trials.....	\$71
Sieve Analysis	
a. 3-inch through No. 200 sieves (ASTM C136 & C117).....	100
b. Percent passing No. 200 sieve only (ASTM D1140).....	34
Specific Gravity, (ASTM D854).....	73
Liquid-Plastic Limit (ASTM D4318).....	81
Moisture-Density Determination	
ASTM D698 (Standard).....	120
ASTM D1557 (Modified).....	130
One Point Check.....	70
Relative Density (ASTM D4253 & D4254).....	\$400
Moisture Content (ASTM D2216).....	11
R-Value (ASTM D2844).....	235
Permeability (ASTM D2434).....	173
Sodium and Sulfate Content.....	52
Direct Shear per point	
Unconsolidated-Undrained.....	30
One-Dimensional Consolidation.....	65
Expansion Test.....	58
Solubility Test.....	53

DIRECT CHARGES

Per Diem and Lodging, out of town project.....	\$25/day + lodging
Automobile or Pick-up, out of town project.....	\$0.42/mile or \$135/week minimum
4-Wheel Drive Vehicle, out of town project.....	\$0.65/mile or \$200/week minimum
All other direct project expenses, i.e. special equipment rental, commercial travel, bulk reproduction, protective clothing, etc.....	Cost + 15%
Provide on-site field laboratory facilities and test equipment.....	Quotation on Request

RATES OR TESTS NOT LISTED ABOVE..... Available on Request
CONSTRUCTION MATERIALS AND ENVIRONMENTAL ENGINEERING SERVICES..... Fee Schedule Available on Request

Professional Design Associates, Inc.

108 Market Street
Henderson, NV 89015
(702)567-1022
pdacorp@engineer.com

Hourly Rate Schedule

January 1, 2001-December 31, 2001

Principal Engineer	\$125.00
Project Manager	\$95.00

Project Engineer	\$90.00
Associate Engineer	\$75.00
Designer/CAD	\$55.00

Administrative	\$60.00
Word Processor	\$50.00
Clerical	\$40.00

Outside Services/Reimbursables:	Cost + 10%
---------------------------------	------------

SOLAEGUI ENGINEERS

SCHEDULE OF CHARGES JANUARY, 1999

PROFESSIONAL SERVICES

Principal Engineer	\$125 per hour
Project Engineer	\$80 per hour
Staff Engineer	\$60 per hour
Draftsman/CAD Operator	\$50 per hour
Traffic Technician	\$40 per hour
Engineering Secretary	\$40 per hour
Clerical	\$35 per hour

LEGAL SERVICES

Expert Testimony, Deposition, etc	\$150 per hour
(A minimum charge of 4 hours will be charged for each day or portion)	
Reports of Preparation for Testimony	\$125 per hour

EQUIPMENT CHARGES

Mechanical 24 hour traffic counts	\$100 per day
Radar Gun	\$100 per day

EXPENSES AND OUTSIDE SERVICES

Outside Professional Services	Cost plus 10%
Blueprints In House	\$2 per copy
Outside Services	Cost plus 10%
Photocopies	\$0.15 per page
Shipping and Special Handling	Cost
Long Distance Communication/Fax	Cost

OUT OF TOWN EXPENSE

Subsistence, Car Rental, Air Fare, Lodging, Meals	Cost
Vehicle	\$0.50 per mile

Statements will be issued monthly or at the completion of work and are of stated billing date. Except as otherwise provided by written agreement, month will be added after 30 days.

1/01

**PURKISS ROSE-RSI
LANDSCAPE ARCHITECTURE, RECREATION
AND PARK PLANNING**

HOURLY FEE SCHEDULE

All reproduction costs, photography, phone calls, and travel will be billed to our client at cost plus 15% handling fee.

Upon completion of design concept, that portion is due and upon completion of construction documents, that portion of our fee is due. If any portion is over 30 days we may bill progressive payments. Any billings over 60 days old will be charged 2½% rebilling fee.

Principal	\$115.00/hour
Project Manager	\$ 85.00/hour
Skate Park Designer	\$ 75.00/hour
Project Captain	\$ 70.00/hour
Draftsperson	\$ 65.00/hour
Clerical and Word Processing Staff	\$ 35.00/hour

Insurance Note:

Purkiss Rose-RSI Landscape Architecture, Recreation and Park Planning has and will maintain Professional Liability Insurance in the amount of \$1,000,000.00 for the complete duration of this project.

Exhibit "D"

Prime Consultant/Sub-Consultants Project Manager and Key Employees

Exhibit "D"

Prime Consultant/Sub-Consultants Project Manager and Key Employees

Prime Consultant

The WLB Group-Henderson, NV

Landscape Architecture, Civil Engineering, Survey

Brian D. Patterson, RLA, NV #321, Director of Landscape Architecture
A. Nelson Stone, P.E. NV#7649, Civil Engineer, Director of Operations
Patrick Smith, P.E., Project Manager
Robert Johnson, PLS, Surveyor
Tammi Gaudet, ASLA, Landscape Designer
Caryl Davies, ASLA, Landscape Designer

Electrical Engineering Sub-Consultant

Professional Design Associates- Las Vegas, NV

Don Newquist, Designer III

Traffic Engineer - Sub-Consultant

Solaegui Engineering - Sparks, NV

Paul Solaegui, P.E.

Skateboard Park Designer - Sub-Consultant

Purkuiss - Rose RSI - Fullerton, CA

Steve Rose, ASLA

Structural Engineer - Sub-Consultant

Wright Engineering - Las Vegas, NV

Geotechnical Soils Engineer-Sub-Consultant

Terracon Engineering - Las Vegas, NV

Mark Owens, P.E., (Nevada #6849), Principal Engineer
Nathan D. Wasden, P.E., (Nevada# 13241), Senior Engineer

Exhibit "E"

Required Document Submittals Schematics and Design Development

EXHIBIT "E"

Required Drawing and Specification Submittals

SCHEMATIC DESIGN SERVICES

Drawings and Format: Blueline prints, 24" x 36" sheets , titled, numbered, dated, and in the order listed on the cover sheet.

Conceptual Feasibility

1. Program Report
2. Conceptual Designs
3. Preliminary estimate of the cost of the Work
4. Conceptual of feasibility of Project

Site Survey and Reports

1. Boundary Survey
 2. Topographical Survey
 3. Drainage Report
 4. Soils Study Report
 5. Revised Cost Estimate
-

Cover Sheet - Include the following information:

1. Project title / Phase of submittal.
2. Owner Identification
3. Sheet Index, including all sheets submitted and in their proper order

Landscape Site Plan (s)

1. Largest practical scale.
2. Indicate building outlines, offsets overhangs, entrances etc. Blow-ups of Ramada shade structure, sport courts, water features and play equipment area and entry/access points.
3. Indicate area uses and known structures such as fences, walls, poles, lighting etc.
4. Indicate area surface treatments such as planters, grass areas, undeveloped areas, walks, drives, ramps, steps, etc.
5. Graphically illustrate landscape areas.
6. Include typical, minimum, maximum, clearance, setback, overall, and other dimensions as appropriate.

Conceptual Planting Plan

1. Trees
2. Shrub and groundcover locations

Lighting Concept

Scale to be consistent with the architectural plans.

Power Concept

Scale to be consistent with the architectural plans.

Specifications

FORMAT: 8-1/2" X 11", bound.

1. Cover Sheet.
2. Table of Contents - Provide a listing of all specifications sections to be used in a CSI Format.

Color and Finish Concept (s)

Submit materials and samples to illustrate a general concept of finishes and colors for all major components of the project.

Manufacturer Catalog Cuts (as appropriate)

FORMAT: 8-1/2" X 11" bound.

Project Cost Estimate

FORMAT: 8-1/2" x 11", bound.

1. Provide detailed cost estimate.
2. Design / Cost Analysis
 - a. Analyze Estimated Cost vs. Design Budget
 - b. Address any concerns regarding cost overruns and specify the area (s) of concern.
 - c. Present alternatives to rectify cost overrun concerns, if any

DESIGN DEVELOPMENT SERVICES

Drawings and Format: Blueline prints, 24" x 36" sheets, titled, numbered, dated, with City's Bid Number, and in the order listed on the Cover Sheet. City Title Block

Cover Sheet - Include the following information:

1. Project title / Phase of submittal.
2. Owner identification
3. City Council members names and titles.
4. City Manager's name and title.
5. Director of the Department of Public Works (name and title).
6. Sheet Index, including all sheets submitted and in their proper order.
7. Project Location Map.

Landscape Site Plan (s)

1. Largest practical scale.
2. Indicate building outline, offsets, overhangs, entrances, etc.
3. Indicate all structures / fixtures such as fences, walls, poles, lighting fixtures transformers, shade structures, fire hydrants, exercise equipment, etc. as applicable.

4. Indicate all area surface treatments such as planters, grass areas, undeveloped areas, walks, drives, ramps, steps, curbs, etc.
5. Include typical, minimum, maximum, setback, overall, and other dimensions as appropriate.

Color and Finish Schedule (s)

Schedule (s) to define grade, finish, color, manufacturer, and order number of each material to be used as a finish material or treatment for all exposed walls, pavements, etc.

Civil Drawings

1. Scale to be consistent with the Architectural Site Plan (s).
 2. Indicate building (s) outline and location on the site.
 3. Indicate all existing to remain, existing to be removed, and new utility services.
 4. Indicate all work regarding site demolition, excavation, fill, grading, drainage, paving, and traffic amenities.
-

Lighting Plan

1. Indicate light fixture locations, types, manufacturers, model numbers, power requirements, and switching.
2. Scale to be consistent with the architectural plans.

Power Plan

1. Indicate all power outlet locations, types, heights and voltages.
2. Scale to be consistent with the architectural plans.

Specifications

FORMAT: 8-1/2" x 11", bound.

1. Cover Sheet.
2. Approval signature sheet for a maximum of 10 signatures.
3. Table of Contents - Indicate all CSI sections to be used.
4. Complete Division 1.
5. All Construction Sections, CSI Format;
 - a. A "Work Included" category indicating items and / or persons as well as technical.
 - b. 50% complete Specialties, Mechanical, and Electrical Sections. Address the troublesome areas, leaving the standard areas for submission in the Construction Documents Phase.

Manufacturer Catalog Cuts

FORMAT: 8-1/2" x 11", bound.

1. Cover Sheet.
2. Light Fixtures, including available colors and finishes.
3. Gazebo, Shade Shelters.

4. Wall Facing Materials.
5. Tensile Structures.
6. Other major items, such as bridges, if specified.

CONSTRUCTION DOCUMENT SERVICES

Drawings and Format: Blueline prints, 24" x 36" sheets, titled, numbered, dated, with City's Bid Number, and in the order listed on the Cover Sheet. City Title Block- 6 sets for each progress submittal.

Cover Sheet - Include the following information:

1. Project title / Phase of submittal.
 2. Owner identification
 3. City Council members names and titles.
 4. City Manager's name and title.
 5. Director of the Department of Public Works (name and title).
 6. Sheet Index, including all sheets submitted and in their proper order.
 7. Project Location Map.
-

Landscape Construction Drawings

1. Project Cover Sheet
2. Site Plan
3. Construction Plans
4. Planting Plans
5. Irrigation Plans
6. Pump Station Plans
7. Details-Construction, Planting, Irrigation
8. Additive Alternates (if necessary)
9. Specifications

Civil Improvement Drawings

Civil Improvement Plans for both Off and On-Sites

1. Cover Sheet with signatures
2. Grading Plan
3. Horizontal Control Plan
4. Utility Plan (Water and Sanitary Sewer)
5. Traffic access/delineation/circulation plan
6. Off-site road plan/profiles
7. Coordination/meetings with government agencies
8. Specifications and details

Electrical Construction Drawing Package

1. Complete Drawing Set
2. Coordination with Nevada Power and Sprint
3. Specifications

4. Provide stub for future surveillance systems

Skate Board Park Design Package

1. Design of all elements
2. Locate features and provide clear zones
3. Prepare calculations for all "streetstuff" elements
4. Ensure grades and transitions are adequate between elements

Color and Finish Schedule (s)

Schedule (s) to define grade, finish, color, manufacturer, and order number of each material to be used as a finish material or treatment for all exposed walls, pavements, etc.

Specifications

FORMAT: 8-1/2" x 11", bound.

1. Cover Sheet.
2. Approval signature sheet for a maximum of 10 signatures.
3. Table of Contents - Indicate all CSI sections to be used.
4. Complete Division 1.
5. All Construction Sections, CSI Format;
 - a. 100% complete Technical Specifications..

Manufacturer Catalog Cuts

FORMAT: 8-1/2" x 11", bound.

1. Cover Sheet.
2. Light Fixtures, including available colors and finishes.
3. Gazebo, Shade Shelters.
4. Wall Facing Materials.
5. Tensile Structures.
6. Water play features
7. Play equipment manufacture
8. Trash receptacles, benches, tables etc.
9. Other major items, such as bridges, if specified.
10. Pump station, if specified.

Exhibit "F"

Disclosure of Principals

EXHIBIT "F"
CERTIFICATE
DISCLOSURE OF OWNERSHIP/PRINCIPALS

1. Definitions

"City" means the City of Las Vegas.

"City Council" means the governing body of the City of Las Vegas.

"Contracting Entity" means the individual, partnership, or corporation seeking to enter into a contract or agreement with the City of Las Vegas.

"Principal" means, for each type of business organization, the following: (a) sole proprietorship – the owner of the business; (b) corporation – the directors and officers of the corporation; but not any branch managers of offices which are a part of the corporation; (c) partnership – the general partner and limited partners; (d) limited liability company – the managing member as well as all the other members.

2. Policy

In accordance with Resolution 79-99 and 105-99 adopted by the City Council, Contracting Entities seeking to enter into certain contracts or agreements with the City of Las Vegas must disclose information regarding ownership interests and principals. Such disclosure generally is required in conjunction with a Request for Proposals (RFP). In other cases, such disclosure must be made prior to the execution of a contract or agreement.

3. Instructions

The disclosure required by the Resolutions referenced above shall be made through the completion and execution of this Certificate. The Contracting Entity shall complete Block 1, Block 2, and Block 3. The Contracting Entity shall complete either Block 4 or its alternate in Block 5. Specific information, which must be provided, is highlighted. An Officer or other official authorized to contractually bind the Contracting Entity shall sign and date the Certificate, and such signing shall be notarized.

4. Incorporation

This Certificate shall be incorporated into the resulting contract or agreement, if any, between the City and the Contracting Entity. Upon execution of such contract or agreement, the Contracting Entity is under a continuing obligation to notify the City in writing of any material changes to the information in this Certificate. This notification shall be made within fifteen (15) days of the change. Failure to notify the City of any material change may result, at the option of the City, in a default termination (in whole or in part) of the contract or agreement, and/or a withholding of payments due the Contracting Entity.

Block 1	<u>Contracting Entity</u>
<u>Name</u>	
The WLB Group, Inc.	
<u>Address</u>	
2551 N. Green Valley Pkwy. A425 Henderson, NV 89014	
<u>Telephone</u>	
(702) 458-2551	
<u>EIN or DUNS</u>	
86-0402012	

Block 2	<u>Description</u>
<u>Subject Matter of Contract/Agreement:</u>	
Professional Services agreement for Improvement Plans for Parson Park	
<u>RFP #:</u>	N/A

Block 3	<u>Type of Business</u>		
☒ Individual	☒ Partnership	☒ Limited Liability Company	☒ Corporation

CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS **(CONTINUED)**

Block 4 Disclosure of Ownership and Principals

In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.

	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1.	William C. Walker President	4444 E. Broadway Blvd. Tucson, AZ 85711	(520) 881-7480
2.	Michael G. Byrne Vice President	4444 E. Broadway Blvd. Tucson, AZ 85711	(520) 881-7480
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

The Contracting Entity shall continue the above list on a sheet of paper entitled "Disclosure of Principals – Continuation" until full and complete disclosure is made. If continuation sheets are attached, please indicate the number of sheets: _____

Block 5 Disclosure of Ownership and Principals - Alternate

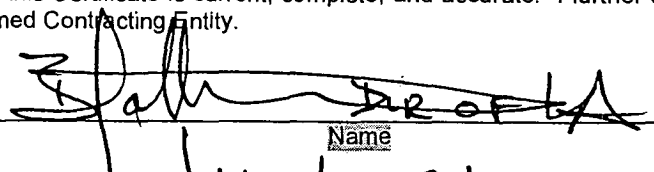
If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure may be attached to this Certificate in lieu of providing the information set forth in Block 4 above. A description of such disclosure documents must be included below.

Name of Attached Document: _____

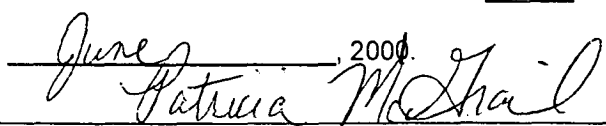
Date of Attached Document: _____

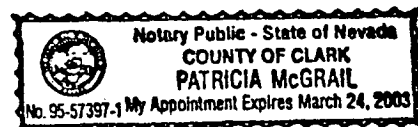
Number of Pages: _____

I certify, under penalty of perjury, that all the information provided in this Certificate is current, complete, and accurate. I further certify that I am an individual authorized to contractually bind the above named Contracting Entity.


 Name
 JUNE 1, 01
 Date

Subscribed and sworn to before me this 1 day of


 Patricia McGrail
 Notary Public



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: CITY MANAGER

DIRECTOR: DOUGLAS A. SELBY

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-50-2004 - Approval of a Resolution supporting the Lincoln County Lands Act

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The Lincoln County Land Act is currently pending introduction to Congress. The Act includes provisions for utility corridors for electricity, water, natural gas and telecommunications including the much needed delivery system corridors for implementation of the Southern Nevada Water Authority's Water Resource Plan. The City of Las Vegas has a direct interest in supporting the Authority's Water Resource Plan to meet near- and long-term needs in the metropolitan Las Vegas Area. The City also has a further interest in promoting a more sustainable fiscal future for the state by helping to foster economic and community development opportunities in rural counties such as Lincoln County. Supporting the introduction and approval of the Lincoln County Land Act helps to achieve these interests.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-50-2004

MOTION:

GOODMAN – APPROVED as recommended – UNANIMOUS with L.B. McDONALD excused

NOTE: The initial motion by REESE for approval of the Consent items included Item 58. That motion was reconsidered as to Item 58 only upon a motion by REESE which carried unanimously with L.B. McDONALD excused.

NOTE: COUNCILMAN REESE disclosed that he owns five acres of land in Lincoln County. Since that land will not be impacted by this action, the City Attorney advised that disclosure would be sufficient.

CITY COUNCIL MEETING OF APRIL 7, 2004
Consent – Resolutions
Item 58 – R-50-2004

MINUTES - Continued:

MAYOR GOODMAN emphasized the importance of this action and the impact on the future of the Valley and Southern Nevada. The City must be very supportive of this matter.

(9:29 – 9:31/9:36 – 9:38)

1-772/1-1007

RESOLUTION SUPPORTING THE LINCOLN COUNTY LAND ACT

WHEREAS, proposed legislation known as the Lincoln County Land Act is pending introduction in Congress; and

WHEREAS, the proposed legislation will identify much-needed utility corridors for electricity, water, natural gas and telecommunications lines in Lincoln County, Nevada; and

WHEREAS, the corridors will provide potential future access to essential utilities for various areas of Lincoln County, allowing that county to make appropriate planning decisions concerning future community and economic development; and

WHEREAS, in March 2003, Lincoln County and the Southern Nevada Water Authority entered into a Cooperative Agreement concerning pending applications by the Authority and Las Vegas Valley Water District for water resources within parts of Lincoln County; and

WHEREAS, as part of that agreement, approximately half of the pending applications were assigned to Lincoln County for Lincoln County's future use, while Lincoln County withdrew its protests to the remaining applications; and

WHEREAS, the remaining applications are currently retained by the Southern Nevada Water Authority as part of its Water Resource Plan to meet near- and long-term water demands in the metropolitan Las Vegas area; and

WHEREAS, Clark County and its municipalities have a direct interest in supporting the Authority's Water Resource Plan for Southern Nevada, as well as development of any in-state water resources that are contained in the plan's portfolio of water resources; and

WHEREAS, Clark County and its municipalities have a further interest in promoting a more sustainable fiscal future for the state by helping to foster economic and community development opportunities in rural counties like Lincoln County; and

WHEREAS, any future economic and community development in rural Nevada, as well as any future development of the Authority's pending water applications, will depend on many factors, one of which is access to appropriate rights-of-way for basic utilities; and

WHEREAS, the approval of the utility corridors contained in the Lincoln County Land Act will not eliminate the need for environmental compliance, given that any proposed

1 projects will need to meet all applicable state and federal environmental requirements, including the
2 National Environmental Policy Act; and

3 WHEREAS, approval of the Lincoln County Land Act does not commit any party,
4 including the Southern Nevada Water Authority, to the actual development of the utility corridors
5 identified in the bill; and

6 WHEREAS, the Southern Nevada Water Authority has committed to maintaining
7 close, collaborative working relationships with each rural county in which the Authority has pending
8 applications for water resources, and continues to demonstrate this commitment in its ongoing
9 outreach and interactions with the rural counties; and

10 WHEREAS, the City Council of the City of Las Vegas desires to indicate its support
11 for the Lincoln County Land Act as contemplated.

12 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Las
13 Vegas to:

14 1. Express its support for the proposed utility corridors as described in the Lincoln County
15 Land Act;

16 2. Urge the Congress to approve the utility corridors as proposed in the Lincoln County
17 Land Act; and

18 ...

19 ...

20 ...

21 ...

22 ...

23 ...

24 ...

25 ...

26 ...

27 ...

28 ...

PASSED, ADOPTED, AND APPROVED this 7th day of April, 2004.

BY 
OSCAR B. GOODMAN, Mayor

BARBARA JO RONEMUS, City Clerk

Val Steed 3-18-04
Date

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC

☒ **CONSENT** ☐ **DISCUSSION**

SUBJECT:
RESOLUTIONS:

R-51-2004 - Approval of a Resolution directing the City Treasurer to prepare the Fifty-Eighth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

Fiscal Impact

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

PURPOSE/BACKGROUND:

Acquisition, construction and installation of streets, sanitary sewer, storm sewers, and water main projects. Parcel is located in Calavera at Summerlin.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-51-2004

MOTION:

REESE – APPROVED Items 3 through 19, 21 through 35, 37 through 56 and 59 through 70 as recommended – **UNANIMOUS** with L.B. McDONALD excused

Items 20, 36, 57 & 58 **APPROVED** under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:29 – 9:31)

1-772

1 RESOLUTION NO. R-51-2004

2 A RESOLUTION DIRECTING THE CITY TREASURER OF THE CITY OF
3 LAS VEGAS TO APPORTION THE UNCOLLECTED AMOUNT OF THE
4 SPECIAL ASSESSMENT AGAINST ANY LOT OR PARCEL OF
5 PROPERTY WITHIN CITY OF LAS VEGAS, NEVADA, SPECIAL
6 IMPROVEMENT DISTRICT NO. 808 (SUMMERLIN AREA) THAT HAS
7 BEEN DIVIDED SINCE SUCH SPECIAL ASSESSMENT WAS LEVIED
8 THEREAGAINST AMONG THE SEVERAL PARTS INTO WHICH SUCH
9 LOT OR PARCEL HAS BEEN DIVIDED AND TO PREPARE, SUBMIT
10 AND FILE WITH THE CITY CLERK OF SAID CITY A REPORT OF SUCH
11 APPORTIONMENT.

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

16 WHEREAS, by Ordinance No. 5291 and Amended Ordinance No. 5591 that were
17 duly passed, adopted and approved by the City Council of the City (hereinafter the "City
18 Council") on the 7th day of February, 2001, and the 16th day of April, 2003, respectively,
19 the City Council created and amended "City of Las Vegas, Nevada, Special Improvement
20 District No. 808 (Summerlin Area)" (hereinafter the "District") for the purposes of providing
21 for the acquisition, construction and installation of street, road, sanitary sewer, storm
22 sewer/drainage improvements, and water main projects (hereinafter the "Project"), by
23 defraying the entire cost and expense of the Project by special assessments, against the
24 assessable lots and parcels of property within the District according to the benefits that
would be derived from the Project by the respective lots and parcels that were to be so
assessed, all in accordance with the provisions of Chapter 271, et seq., of the Nevada
Revised Statutes (hereinafter "NRS") that provide therefor; and

///

1 WHEREAS, by Ordinance No. 5293 that was duly passed, adopted and approved
2 by the City Council on the 7th day of February, 2001, the City Council assessed all of
3 the cost and expense of acquiring, constructing, and installing the Project against the
4 assessable lots and parcels of property within the District that were benefited by the
5 Project; and

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

13 WHEREAS, that certain lot or parcel of property, identified by the Clark County,
14 Nevada, County Assessor's parcel number as Parcel 137-34-810-002, and is situate
15 within the District, has been divided after the special assessments were levied and
16 divided into installments, and not all of those installments have been collected or
17 apportioned among other lots and parcels that may have been created out of said Parcel
18 after the assessments were levied; and

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

24 ///

1 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Las
2 Vegas, Nevada, at this regular meeting thereof being held on this 7th day of April, 2004,
3 as follows:

4 SECTION 1. That the City Treasurer be, and he hereby is, authorized,
5 empowered and directed to apportion, on an equitable basis, the uncollected and
6 unapportioned amounts of the special assessments that were, by virtue of the adoption
7 by the City Council of Ordinance No. 5293, levied upon that certain lot or parcel of
8 property and is situate within the District and is identified by the Clark County, Nevada,
9 County Assessor's parcel number as Parcel 137-34-810-002, among the several parts
10 into which said Parcel has been divided.

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

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

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

SECTION 4. That all resolutions, or parts thereof, that are in conflict with the provisions of this Resolution be, and they hereby are, repealed.

PASSED, ADOPTED AND APPROVED this 7th day of April, 2004.


OSCAR B. GOODMAN, Mayor

Approved as to form:

25 MAR 2004 W. Henry
Date Deputy City Attorney

ATTEST:


BARBARA JO RONEMUS, City Clerk

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-52-2004 - Approval of a Resolution approving the Fifty-Eighth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Acquisition, construction and installation of streets, sanitary sewer, storm sewers, and water main projects. Parcel is located in Calavera at Summerlin.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-52-2004

MOTION:

REESE – APPROVED Items 3 through 19, 21 through 35, 37 through 56 and 59 through 70 as recommended – **UNANIMOUS** with L.B. McDONALD excused

Items 20, 36, 57 & 58

APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:29 – 9:31)

1-772

1 RESOLUTION NO. R-52-2004

2 A RESOLUTION RELATING TO CITY OF LAS VEGAS, NEVADA,
3 SPECIAL IMPROVEMENT DISTRICT NO. 808 (SUMMERLIN AREA);
4 APPROVING THE FIFTY-EIGHTH ASSESSMENT LIEN
5 APPORTIONMENT REPORT WITH RESPECT TO CERTAIN LOTS AND
6 PARCELS OF PROPERTY WITHIN SAID DISTRICT; AND DIRECTING
7 THE RECORDATION OF SAID REPORT.

8 WHEREAS, the City Council of the City of Las Vegas (hereinafter the "City
9 Council" and the "City", respectively), in the County of Clark and State of Nevada, has
10 taken the requisite legal action that is preliminary to, and in the creation of, "City of Las
11 Vegas, Nevada, Special Improvement District No. 808 (Summerlin Area)" (hereinafter
12 the "District"), for the purposes of providing for the acquisition, construction and
13 installation of street, road, sanitary sewer, storm sewer/drainage improvements, and
14 water main projects (hereinafter the "Project"), and of defraying the entire cost and
15 expense of the Project, by special assessments, against the assessable lots and parcels
16 of property within the District according to the benefits that would be derived from the
17 Project by the respective lots and parcels that were to be so assessed, all in accordance
18 with the provisions of Chapter 271, et seq., of the Nevada Revised Statutes (hereinafter
19 "NRS") that provide therefor; and

20 WHEREAS, the City Council, pursuant to NRS 271.425, has directed the City
21 Treasurer of the City (hereinafter the "City Treasurer") to apportion, on an equitable basis,
22 the uncollected and heretofore unapportioned amounts of the special assessments that
23 were levied upon that certain lot or parcel of property situate within the District and
24 identified by the Clark County, Nevada, County Assessor's parcel number as Parcel
137-34-810-002, among the several parts into which said Parcel has been divided, and to

///

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

3 WHEREAS, the City Treasurer, on the 7th day of April, 2004, filed with the City
4 Clerk a copy of his report of such apportionment that is entitled "Fifty-Eighth Assessment
5 Lien Apportionment Report for City of Las Vegas, Nevada, Special Improvement District
6 No. 808 (Summerlin Area)"; and

7 WHEREAS, the City Council has reviewed that Report and has found the same, in
8 all respects, to be satisfactory;

9 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Las
10 Vegas, Nevada, at this regular meeting thereof being held on this 7th day of April, 2004,
11 as follows:

12 SECTION 1. That certain document entitled "Fifty-Eighth Assessment Lien
13 Apportionment Report for City of Las Vegas, Nevada, Special Improvement District
14 No. 808 (Summerlin Area)", a copy of which is attached as Exhibit "A" hereto, is hereby
15 approved and adopted, as and for the City's plan for the apportionment of the uncollected
16 and heretofore unapportioned amounts of the special assessments that were levied upon
17 that certain lot and parcel of property that is situate within the District and is identified by
18 the Clark County, Nevada, County Assessor's parcel number as Parcel 137-34-810-002,
19 among the several parts into which said Parcel has been divided.

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

SECTION 3. That all resolutions, or parts thereof, that are in conflict with the provisions of this Resolution be, and they hereby are, repealed.

PASSED, ADOPTED AND APPROVED this 7th day of April, 2004.


OSCAR B. GOODMAN, Mayor

Approved as to form:

25 MAR 2004 W Z 
Date Deputy City Attorney

ATTEST:


BARBARA JO RONEMUS, City Clerk

APN: 137-34-810-002

City of Las Vegas, Nevada
Special Improvement District No. 808
(Summerlin Area)

FIFTY-EIGHTH ASSESSMENT LIEN APPORTIONMENT REPORT
(April 7, 2004)

RETURN TO:

City of Las Vegas
Department of Public Works – 4th Floor
Special Improvement District
400 Stewart Avenue
Las Vegas, Nevada 89101

RECEIVED
CITY CLERK
2004 APR -7 P 3:50

FIFTY-EIGHTH ASSESSMENT LIEN APPORTIONMENT REPORT

The assessment that has heretofore been levied against that certain parcel of property that is identified by the Clark County, Nevada, County Assessor's parcel number as Parcel 137-34-810-002 in the amount of \$444,156.85, is hereby apportioned among the lots or parcels into which said parcel has been divided, as follows:

LEGAL DESCRIPTION		PER PARCEL
BLOCK	LOT	ASSESSMENT
A	1 ¹	\$ 2,675.64
A	2 ¹	\$ 2,675.64
A	3 ¹	\$ 2,675.64
A	4 ¹	\$ 2,675.64
A	5 ¹	\$ 2,675.64
A	6 ¹	\$ 2,675.64
A	7 ¹	\$ 2,675.64
A	8 ¹	\$ 2,675.64
A	9 ¹	\$ 2,675.64
A	10 ¹	\$ 2,675.64
A	11 ¹	\$ 2,675.64
A	12 ¹	\$ 2,675.64
A	13 ¹	\$ 2,675.64
A	14 ¹	\$ 2,675.64
A	15 ¹	\$ 2,675.64
A	16 ¹	\$ 2,675.64
A	17 ¹	\$ 2,675.64
A	18 ¹	\$ 2,675.64
A	19 ¹	\$ 2,675.64
A	20 ¹	\$ 2,675.64
A	21 ¹	\$ 2,675.64
A	22 ¹	\$ 2,675.64

LEGAL DESCRIPTION		PER PARCEL ASSESSMENT
BLOCK	LOT	
A	23 ¹	\$ 2,675.64
A	24 ¹	\$ 2,675.64
A	25 ¹	\$ 2,675.64
A	26 ¹	\$ 2,675.64
A	27 ¹	\$ 2,675.64
A	28 ¹	\$ 2,675.64
A	29 ¹	\$ 2,675.64
A	30 ¹	\$ 2,675.64
A	31 ¹	\$ 2,675.64
A	32 ¹	\$ 2,675.64
A	33 ¹	\$ 2,675.64
A	34 ¹	\$ 2,675.64
A	35 ¹	\$ 2,675.64
A	36 ¹	\$ 2,675.64
A	37 ¹	\$ 2,675.64
A	38 ¹	\$ 2,675.64
A	39 ¹	\$ 2,675.64
A	40 ¹	\$ 2,675.64
A	41 ¹	\$ 2,675.64
A	42 ¹	\$ 2,675.64
A	43 ¹	\$ 2,675.64
A	44 ¹	\$ 2,675.64
A	45 ¹	\$ 2,675.64
A	46 ¹	\$ 2,675.64
A	47 ¹	\$ 2,675.64
A	48 ¹	\$ 2,675.64
A	49 ¹	\$ 2,675.64
A	50 ¹	\$ 2,675.64
A	51 ¹	\$ 2,675.64

LEGAL DESCRIPTION		PER PARCEL
BLOCK	LOT	ASSESSMENT
A	52 ¹	\$ 2,675.64
A	53 ¹	\$ 2,675.64
A	54 ¹	\$ 2,675.64
A	55 ¹	\$ 2,675.64
A	56 ¹	\$ 2,675.64
A	57 ¹	\$ 2,675.64
A	58 ¹	\$ 2,675.64
A	59 ¹	\$ 2,675.64
A	60 ¹	\$ 2,675.64
A	61 ¹	\$ 2,675.64
A	62 ¹	\$ 2,675.64
A	63 ¹	\$ 2,675.64
A	64 ¹	\$ 2,675.64
A	65 ¹	\$ 2,675.64
A	66 ¹	\$ 2,675.64
A	67 ¹	\$ 2,675.64
A	68 ¹	\$ 2,675.64
A	69 ¹	\$ 2,675.64
A	70 ¹	\$ 2,675.64
A	71 ¹	\$ 2,675.64
A	72 ¹	\$ 2,675.64
A	73 ¹	\$ 2,675.64
A	74 ¹	\$ 2,675.64
A	75 ¹	\$ 2,675.64
A	76 ¹	\$ 2,675.64
A	77 ¹	\$ 2,675.64
A	78 ¹	\$ 2,675.64
A	79 ¹	\$ 2,675.64
A	80 ¹	\$ 2,675.64

LEGAL DESCRIPTION		PER PARCEL
BLOCK	LOT	ASSESSMENT
A	81 ¹	\$ 2,675.64
A	82 ¹	\$ 2,675.64
A	83 ¹	\$ 2,675.64
A	84 ¹	\$ 2,675.64
A	85 ¹	\$ 2,675.64
A	86 ¹	\$ 2,675.64
A	87 ¹	\$ 2,675.64
A	88 ¹	\$ 2,675.64
A	89 ¹	\$ 2,675.64
A	90 ¹	\$ 2,675.64
B	91 ¹	\$ 2,675.64
B	92 ¹	\$ 2,675.64
B	93 ¹	\$ 2,675.64
B	94 ¹	\$ 2,675.64
B	95 ¹	\$ 2,675.64
B	96 ¹	\$ 2,675.64
B	97 ¹	\$ 2,675.64
B	98 ¹	\$ 2,675.64
B	99 ¹	\$ 2,675.64
B	100 ¹	\$ 2,675.64
B	101 ¹	\$ 2,675.64
B	102 ¹	\$ 2,675.64
B	103 ¹	\$ 2,675.64
B	104 ¹	\$ 2,675.64
B	105 ¹	\$ 2,675.64
B	106 ¹	\$ 2,675.65
B	107 ¹	\$ 2,675.65
B	108 ¹	\$ 2,675.65
B	109 ¹	\$ 2,675.65

LEGAL DESCRIPTION		PER PARCEL
BLOCK	LOT	ASSESSMENT
B	110 ¹	\$ 2,675.65
B	111 ¹	\$ 2,675.65
B	112 ¹	\$ 2,675.65
B	113 ¹	\$ 2,675.65
B	114 ¹	\$ 2,675.65
B	115 ¹	\$ 2,675.65
B	116 ¹	\$ 2,675.65
B	117 ¹	\$ 2,675.65
B	118 ¹	\$ 2,675.65
B	119 ¹	\$ 2,675.65
B	120 ¹	\$ 2,675.65
B	121 ¹	\$ 2,675.65
B	122 ¹	\$ 2,675.65
B	123 ¹	\$ 2,675.65
B	124 ¹	\$ 2,675.65
B	125 ¹	\$ 2,675.65
B	126 ¹	\$ 2,675.65
B	127 ¹	\$ 2,675.65
B	128 ¹	\$ 2,675.65
B	129 ¹	\$ 2,675.65
B	130 ¹	\$ 2,675.65
B	131 ¹	\$ 2,675.65
B	132 ¹	\$ 2,675.65
B	133 ¹	\$ 2,675.65
D	134 ¹	\$ 2,675.65
D	135 ¹	\$ 2,675.65
D	136 ¹	\$ 2,675.65
C	137 ¹	\$ 2,675.65

LEGAL DESCRIPTION		PER PARCEL
BLOCK	LOT	ASSESSMENT
C	138 ¹	\$ 2,675.65
C	139 ¹	\$ 2,675.65
C	140 ¹	\$ 2,675.65
C	141 ¹	\$ 2,675.65
C	142 ¹	\$ 2,675.65
C	143 ¹	\$ 2,675.65
C	144 ¹	\$ 2,675.65
C	145 ¹	\$ 2,675.65
C	146 ¹	\$ 2,675.65
C	147 ¹	\$ 2,675.65
C	148 ¹	\$ 2,675.65
C	149 ¹	\$ 2,675.65
C	150 ¹	\$ 2,675.65
C	151 ¹	\$ 2,675.65
C	152 ¹	\$ 2,675.65
C	153 ¹	\$ 2,675.65
C	154 ¹	\$ 2,675.65
C	155 ¹	\$ 2,675.65
C	156 ¹	\$ 2,675.65
C	157 ¹	\$ 2,675.65
C	158 ¹	\$ 2,675.65
C	159 ¹	\$ 2,675.65
C	160 ¹	\$ 2,675.65
C	161 ¹	\$ 2,675.65
C	162 ¹	\$ 2,675.65
C	163 ¹	\$ 2,675.65
C	164 ¹	\$ 2,675.65
C	165 ¹	\$ 2,675.65

LEGAL DESCRIPTION		PER PARCEL
BLOCK	LOT	ASSESSMENT
C	166 ¹	\$ 2,675.65
TOTAL		\$ 444,156.85

¹of Calavera at Summerlin as recorded in Book 115 of Plats, Page 55 in the Office of the County Recorder, Clark County, Nevada

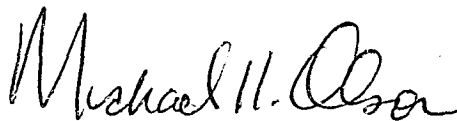
DATED this 7th day of April 2004.

I concur with the apportionments as stated above.

//NOT AVAILABLE//

MANOJ PATTNI, Vice President of Forward Planning
Richmond American Homes of Nevada, Inc., a Colorado Corporation

Respectfully submitted,



MICHAEL K. OLSON, City Treasurer

THE CURRENT PAYMENT STATUS OF ANY OF THE FOREGOING ASSESSMENTS MAY BE OBTAINED FROM THE OFFICE OF THE CITY TREASURER OF LAS VEGAS, NEVADA.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-53-2004 - Approval of a Resolution directing the City Treasurer to prepare the Ninth Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Acquisition, construction and installation of streets, sanitary sewer, storm sewers, and water main projects. Parcel is located in Calavera at Summerlin.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-53-2004

MOTION:

REESE – APPROVED Items 3 through 19, 21 through 35, 37 through 56 and 59 through 70 as recommended – **UNANIMOUS** with L.B. McDONALD excused

Items 20, 36, 57 & 58

APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:29 – 9:31)

1-772

1 RESOLUTION NO. R-53-2004

2 A RESOLUTION DIRECTING THE CITY TREASURER OF THE CITY OF
3 LAS VEGAS TO APPORTION THE UNCOLLECTED AMOUNT OF THE
4 SPECIAL ASSESSMENT AGAINST ANY LOT OR PARCEL OF
5 PROPERTY WITHIN CITY OF LAS VEGAS, NEVADA, SPECIAL
6 IMPROVEMENT DISTRICT NO. 809 (SUMMERLIN AREA) THAT HAS
7 BEEN DIVIDED SINCE SUCH SPECIAL ASSESSMENT WAS LEVIED
8 THEREAGAINST AMONG THE SEVERAL PARTS INTO WHICH SUCH
9 LOT OR PARCEL HAS BEEN DIVIDED AND TO PREPARE, SUBMIT
10 AND FILE WITH THE CITY CLERK OF SAID CITY A REPORT OF SUCH
11 APPORTIONMENT.

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

16 WHEREAS, by Ordinance No. 5597 that was duly passed, adopted and approved
17 by the City Council of the City (hereinafter the "City Council") on the 7th day of May, 2003,
18 the City Council created "City of Las Vegas, Nevada, Special Improvement District
19 No. 809 (Summerlin Area)" (hereinafter the "District") for the purposes of providing for the
20 acquisition, construction and installation of street, road, sanitary sewer, storm
21 sewer/drainage improvements, and water main projects (hereinafter the "Project"), by
22 defraying the entire cost and expense of the Project by special assessments, against the
23 assessable lots and parcels of property within the District according to the benefits that
24 would be derived from the Project by the respective lots and parcels that were to be so
assessed, all in accordance with the provisions of Chapter 271, et seq., of the Nevada
Revised Statutes (hereinafter "NRS") that provide therefor; and

23 ///

24 ///

1 WHEREAS, by Ordinance No. 5598 that was duly passed, adopted and approved
2 by the City Council on the 7th day of May, 2003, the City Council assessed all of the
3 cost and expense of acquiring, constructing, and installing the Project against the
4 assessable lots and parcels of property within the District that were benefited by the
5 Project; and

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

13 WHEREAS, that certain lot or parcel of property, identified by the Clark County,
14 Nevada, County Assessor's parcel number as Parcel 137-34-810-002, and is situate
15 within the District, has been divided after the special assessments were levied and
16 divided into installments, and not all of those installments have been collected or
17 apportioned among other lots and parcels that may have been created out of said Parcel
18 after the assessments were levied; and

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

24 ///

1 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Las
2 Vegas, Nevada, at this regular meeting thereof being held on this 7th day of April, 2004,
3 as follows:

4 SECTION 1. That the City Treasurer be, and he hereby is, authorized,
5 empowered and directed to apportion, on an equitable basis, the uncollected and
6 unapportioned amounts of the special assessments that were, by virtue of the adoption
7 by the City Council of Ordinance No. 5598, levied upon that certain lot or parcel of
8 property and is situate within the District and is identified by the Clark County, Nevada,
9 County Assessor's parcel number as Parcel 137-34-810-002, among the several parts
10 into which said Parcel has been divided.

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

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

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

SECTION 4. That all resolutions, or parts thereof, that are in conflict with the provisions of this Resolution be, and they hereby are, repealed.

PASSED, ADOPTED AND APPROVED this 7th day of April, 2004.



OSCAR B. GOODMAN, Mayor

Approved as to form:

25 MAR 2004 W Henry
Date Deputy City Attorney

ATTEST:


BARBARA JO RONEMUS, City Clerk

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-54-2004 - Approval of a Resolution approving the Ninth Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Acquisition, construction and installation of streets, sanitary sewer, storm sewers, and water main projects. Parcel is located in Calavera at Summerlin.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-54-2004

MOTION:

REESE – APPROVED Items 3 through 19, 21 through 35, 37 through 56 and 59 through 70 as recommended – **UNANIMOUS** with L.B. McDONALD excused

Items 20, 36, 57 & 58

APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:29 – 9:31)

1-772

1 RESOLUTION NO. R-54-2004

2 A RESOLUTION RELATING TO CITY OF LAS VEGAS, NEVADA,
3 SPECIAL IMPROVEMENT DISTRICT NO. 809 (SUMMERLIN AREA);
4 APPROVING THE NINTH ASSESSMENT LIEN APPORTIONMENT
5 REPORT WITH RESPECT TO CERTAIN LOTS AND PARCELS OF
6 PROPERTY WITHIN SAID DISTRICT; AND DIRECTING THE
7 RECORDATION OF SAID REPORT.

8 WHEREAS, the City Council of the City of Las Vegas (hereinafter the "City
9 Council" and the "City", respectively), in the County of Clark and State of Nevada, has
10 taken the requisite legal action that is preliminary to, and in the creation of, "City of Las
11 Vegas, Nevada, Special Improvement District No. 809 (Summerlin Area)" (hereinafter
12 the "District"), for the purposes of providing for the acquisition, construction and
13 installation of street, road, sanitary sewer, storm sewer/drainage improvements, and
14 water main projects (hereinafter the "Project"), and of defraying the entire cost and
15 expense of the Project, by special assessments, against the assessable lots and parcels
16 of property within the District according to the benefits that would be derived from the
17 Project by the respective lots and parcels that were to be so assessed, all in accordance
18 with the provisions of Chapter 271, et seq., of the Nevada Revised Statutes (hereinafter
19 "NRS") that provide therefor; and

20 WHEREAS, the City Council, pursuant to NRS 271.425, has directed the City
21 Treasurer of the City (hereinafter the "City Treasurer") to apportion, on an equitable basis,
22 the uncollected and heretofore unapportioned amounts of the special assessments that
23 were levied upon that certain lot or parcel of property situate within the District and
24 identified by the Clark County, Nevada, County Assessor's parcel number as Parcel
137-34-810-002, among the several parts into which said Parcel has been divided, and to

///

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

3 WHEREAS, the City Treasurer, on the 7th day of April, 2004, filed with the City
4 Clerk a copy of his report of such apportionment that is entitled "Ninth Assessment Lien
5 Apportionment Report for City of Las Vegas, Nevada, Special Improvement District
6 No. 809 (Summerlin Area)"; and

7 WHEREAS, the City Council has reviewed that Report and has found the same, in
8 all respects, to be satisfactory;

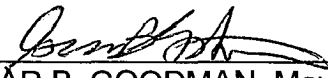
9 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Las
10 Vegas, Nevada, at this regular meeting thereof being held on this 7th day of April, 2004,
11 as follows:

12 SECTION 1. That certain document entitled "Ninth Assessment Lien
13 Apportionment Report for City of Las Vegas, Nevada, Special Improvement District
14 No. 809 (Summerlin Area)", a copy of which is attached as Exhibit "A" hereto, is hereby
15 approved and adopted, as and for the City's plan for the apportionment of the uncollected
16 and heretofore unapportioned amounts of the special assessments that were levied upon
17 that certain lot and parcel of property that is situate within the District and is identified by
18 the Clark County, Nevada, County Assessor's parcel number as Parcel 137-34-810-002,
19 among the several parts into which said Parcel has been divided.

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

1 SECTION 3. That all resolutions, or parts thereof, that are in conflict with
2 the provisions of this Resolution be, and they hereby are, repealed.

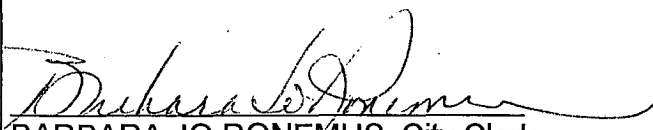
3 PASSED, ADOPTED AND APPROVED this 7th day of April, 2004.

4
5 
6 OSCAR B. GOODMAN, Mayor

7
8 Approved as to form:

9
10 25 MAR 2004 W Zlunz
11 Date Deputy City Attorney

12 ATTEST:

13
14 
15 BARBARA JO RONECUS, City Clerk

APN: 137-34-810-002

2004 APR -1 P 3:50

RECEIVED
CITY CLERK

City of Las Vegas, Nevada
Special Improvement District No. 809
(Summerlin Area)

NINTH ASSESSMENT LIEN APPORTIONMENT REPORT
(April 7, 2004)

RETURN TO:

City of Las Vegas
Department of Public Works – 4th Floor
Special Improvement District
400 Stewart Avenue
Las Vegas, Nevada 89101

NINTH ASSESSMENT LIEN APPORTIONMENT REPORT

The assessment that has heretofore been levied against that certain parcel of property that is identified by the Clark County, Nevada, County Assessor's parcel number as Parcel 137-34-810-002 in the amount of \$575,893.64, is hereby apportioned among the lots or parcels into which said parcel has been divided, as follows:

LEGAL DESCRIPTION		PER PARCEL ASSESSMENT
BLOCK	LOT	
A	1 ¹	\$ 3,469.24
A	2 ¹	\$ 3,469.24
A	3 ¹	\$ 3,469.24
A	4 ¹	\$ 3,469.24
A	5 ¹	\$ 3,469.24
A	6 ¹	\$ 3,469.24
A	7 ¹	\$ 3,469.24
A	8 ¹	\$ 3,469.24
A	9 ¹	\$ 3,469.24
A	10 ¹	\$ 3,469.24
A	11 ¹	\$ 3,469.24
A	12 ¹	\$ 3,469.24
A	13 ¹	\$ 3,469.24
A	14 ¹	\$ 3,469.24
A	15 ¹	\$ 3,469.24
A	16 ¹	\$ 3,469.24
A	17 ¹	\$ 3,469.24
A	18 ¹	\$ 3,469.24
A	19 ¹	\$ 3,469.24
A	20 ¹	\$ 3,469.24
A	21 ¹	\$ 3,469.24
A	22 ¹	\$ 3,469.24

LEGAL DESCRIPTION		PER PARCEL
BLOCK	LOT	ASSESSMENT
A	23 ¹	\$ 3,469.24
A	24 ¹	\$ 3,469.24
A	25 ¹	\$ 3,469.24
A	26 ¹	\$ 3,469.24
A	27 ¹	\$ 3,469.24
A	28 ¹	\$ 3,469.24
A	29 ¹	\$ 3,469.24
A	30 ¹	\$ 3,469.24
A	31 ¹	\$ 3,469.24
A	32 ¹	\$ 3,469.24
A	33 ¹	\$ 3,469.24
A	34 ¹	\$ 3,469.24
A	35 ¹	\$ 3,469.24
A	36 ¹	\$ 3,469.24
A	37 ¹	\$ 3,469.24
A	38 ¹	\$ 3,469.24
A	39 ¹	\$ 3,469.24
A	40 ¹	\$ 3,469.24
A	41 ¹	\$ 3,469.24
A	42 ¹	\$ 3,469.24
A	43 ¹	\$ 3,469.24
A	44 ¹	\$ 3,469.24
A	45 ¹	\$ 3,469.24
A	46 ¹	\$ 3,469.24
A	47 ¹	\$ 3,469.24
A	48 ¹	\$ 3,469.24
A	49 ¹	\$ 3,469.24
A	50 ¹	\$ 3,469.24
A	51 ¹	\$ 3,469.24

LEGAL DESCRIPTION		PER PARCEL
BLOCK	LOT	ASSESSMENT
A	52 ¹	\$ 3,469.24
A	53 ¹	\$ 3,469.24
A	54 ¹	\$ 3,469.24
A	55 ¹	\$ 3,469.24
A	56 ¹	\$ 3,469.24
A	57 ¹	\$ 3,469.24
A	58 ¹	\$ 3,469.24
A	59 ¹	\$ 3,469.24
A	60 ¹	\$ 3,469.24
A	61 ¹	\$ 3,469.24
A	62 ¹	\$ 3,469.24
A	63 ¹	\$ 3,469.24
A	64 ¹	\$ 3,469.24
A	65 ¹	\$ 3,469.24
A	66 ¹	\$ 3,469.24
A	67 ¹	\$ 3,469.24
A	68 ¹	\$ 3,469.24
A	69 ¹	\$ 3,469.24
A	70 ¹	\$ 3,469.24
A	71 ¹	\$ 3,469.24
A	72 ¹	\$ 3,469.24
A	73 ¹	\$ 3,469.24
A	74 ¹	\$ 3,469.24
A	75 ¹	\$ 3,469.24
A	76 ¹	\$ 3,469.24
A	77 ¹	\$ 3,469.24
A	78 ¹	\$ 3,469.24
A	79 ¹	\$ 3,469.24
A	80 ¹	\$ 3,469.24

LEGAL DESCRIPTION		PER PARCEL
BLOCK	LOT	ASSESSMENT
A	81 ¹	\$ 3,469.24
A	82 ¹	\$ 3,469.24
A	83 ¹	\$ 3,469.24
A	84 ¹	\$ 3,469.24
A	85 ¹	\$ 3,469.24
A	86 ¹	\$ 3,469.24
A	87 ¹	\$ 3,469.24
A	88 ¹	\$ 3,469.24
A	89 ¹	\$ 3,469.24
A	90 ¹	\$ 3,469.24
B	91 ¹	\$ 3,469.24
B	92 ¹	\$ 3,469.24
B	93 ¹	\$ 3,469.24
B	94 ¹	\$ 3,469.24
B	95 ¹	\$ 3,469.24
B	96 ¹	\$ 3,469.24
B	97 ¹	\$ 3,469.24
B	98 ¹	\$ 3,469.24
B	99 ¹	\$ 3,469.24
B	100 ¹	\$ 3,469.24
B	101 ¹	\$ 3,469.24
B	102 ¹	\$ 3,469.24
B	103 ¹	\$ 3,469.24
B	104 ¹	\$ 3,469.24
B	105 ¹	\$ 3,469.24
B	106 ¹	\$ 3,469.24
B	107 ¹	\$ 3,469.24
B	108 ¹	\$ 3,469.24
B	109 ¹	\$ 3,469.24

LEGAL DESCRIPTION		PER PARCEL
BLOCK	LOT	ASSESSMENT
B	110 ¹	\$ 3,469.24
B	111 ¹	\$ 3,469.24
B	112 ¹	\$ 3,469.24
B	113 ¹	\$ 3,469.24
B	114 ¹	\$ 3,469.24
B	115 ¹	\$ 3,469.24
B	116 ¹	\$ 3,469.24
B	117 ¹	\$ 3,469.24
B	118 ¹	\$ 3,469.24
B	119 ¹	\$ 3,469.24
B	120 ¹	\$ 3,469.24
B	121 ¹	\$ 3,469.24
B	122 ¹	\$ 3,469.24
B	123 ¹	\$ 3,469.24
B	124 ¹	\$ 3,469.24
B	125 ¹	\$ 3,469.24
B	126 ¹	\$ 3,469.24
B	127 ¹	\$ 3,469.24
B	128 ¹	\$ 3,469.24
B	129 ¹	\$ 3,469.24
B	130 ¹	\$ 3,469.24
B	131 ¹	\$ 3,469.24
B	132 ¹	\$ 3,469.24
B	133 ¹	\$ 3,469.24
D	134 ¹	\$ 3,469.24
D	135 ¹	\$ 3,469.24
D	136 ¹	\$ 3,469.24
C	137 ¹	\$ 3,469.24

LEGAL DESCRIPTION		PER PARCEL ASSESSMENT
BLOCK	LOT	
C	138 ¹	\$ 3,469.24
C	139 ¹	\$ 3,469.24
C	140 ¹	\$ 3,469.24
C	141 ¹	\$ 3,469.24
C	142 ¹	\$ 3,469.24
C	143 ¹	\$ 3,469.24
C	144 ¹	\$ 3,469.24
C	145 ¹	\$ 3,469.24
C	146 ¹	\$ 3,469.24
C	147 ¹	\$ 3,469.23
C	148 ¹	\$ 3,469.23
C	149 ¹	\$ 3,469.23
C	150 ¹	\$ 3,469.23
C	151 ¹	\$ 3,469.23
C	152 ¹	\$ 3,469.23
C	153 ¹	\$ 3,469.23
C	154 ¹	\$ 3,469.23
C	155 ¹	\$ 3,469.23
C	156 ¹	\$ 3,469.23
C	157 ¹	\$ 3,469.23
C	158 ¹	\$ 3,469.23
C	159 ¹	\$ 3,469.23
C	160 ¹	\$ 3,469.23
C	161 ¹	\$ 3,469.23
C	162 ¹	\$ 3,469.23
C	163 ¹	\$ 3,469.23
C	164 ¹	\$ 3,469.23
C	165 ¹	\$ 3,469.23

LEGAL DESCRIPTION		PER PARCEL
BLOCK	LOT	ASSESSMENT
C	166 ¹	\$ 3,469.23
TOTAL		\$ 575,893.64

¹ of Calavera at Summerlin as recorded in Book 115 of Plats, Page 55 in the Office of the County Recorder, Clark County, Nevada

DATED this 7th day of April 2004.

I concur with the apportionments as stated above.

//NOT AVAILABLE//
MANOJ PATTNI, Vice President of Forward Planning
Richmond American Homes of Nevada, Inc., a Colorado Corporation

Respectfully submitted,



MICHAEL K. OLSON, City Treasurer

THE CURRENT PAYMENT STATUS OF ANY OF THE FOREGOING ASSESSMENTS MAY BE OBTAINED FROM THE OFFICE OF THE CITY TREASURER OF LAS VEGAS, NEVADA.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-55-2004 - Approval of a Resolution directing the City Engineer to prepare preliminary plans for Special Improvement District No. 1490 - Tenaya Way (Northern Beltway To Elkhorn Road) (Capital Projects Fund - Special Assessments) - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The construction and installation of pavement, "L" type curb and gutter, sidewalk, driveway approaches, water laterals and mains, sewer laterals and mains, and streetlights.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-55-2004

MOTION:

REESE – APPROVED Items 3 through 19, 21 through 35, 37 through 56 and 59 through 70 as recommended – **UNANIMOUS** with L.B. McDONALD excused

Items 20, 36, 57 & 58

APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:29 – 9:31)

1-772

RESOLUTION NO. R-55-2004

A RESOLUTION DIRECTING THE CITY ENGINEER ON BEHALF OF THE CITY TO PREPARE AN ESTIMATE OF COST AND TO PREPARE AND FILE WITH THE CITY CLERK PRELIMINARY PLANS AND AN ASSESSMENT PLAT IN CONNECTION WITH A PROPOSED PROJECT IN SPECIAL IMPROVEMENT DISTRICT NO. 1490 – TENAYA WAY (NORTHERN BELTWAY TO ELKHORN ROAD), FOR THE ACQUISITION AND IMPROVEMENTS OF A PROJECT PURSUANT TO THE CONSOLIDATED LOCAL IMPROVEMENT LAW, AND ALL LAWS AMENDATORY THEREOF AND SUPPLEMENTAL THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.

Summary: Initial Resolution

WHEREAS, the City Council of the City of Las Vegas in the County of Clark, State of Nevada (hereinafter the "City Council" and the "City" respectively) is of the opinion and has determined and does hereby declare that the interest of the City requires the acquisition and improvement of a Sanitary Sewer Project as defined in NRS 271.200, a Street Project as defined in NRS 271.225, and a Water Project as defined in NRS 271.250 (collectively, hereinafter the "Project"); and

WHEREAS, for the purpose of designation and identification, it is desirable that the hereinafter described Project be known and identified as City of Las Vegas, Nevada, Special Improvement District No. 1490 – Tenaya Way (Northern Beltway to Elkhorn Road) (hereinafter the "Improvement District" or "District").

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY THAT:

Section 1. The City Engineer (hereinafter the "Engineer") is hereby authorized and directed to prepare, and file with the City Clerk preliminary plans showing a typical section of the contemplated improvements, the type or types of material, approximate thickness and wideness, and a preliminary estimate of the total cost (including all incidental costs), and a preliminary estimate of the portion of the total cost to be assessed for the acquisition and improvement of the Project, which is more particularly described as follows:

TENAYA WAY: This portion of the Project includes the construction and installation of pavement, continuous left turn lanes or median islands, "L" type curb and gutter, sidewalks, driveway approaches, water laterals and mains, sewer laterals and mains, and streetlights.

Section 2. Except as shown in the preliminary plans to be filed by the Engineer in the Office of the City Clerk, the character and location of the Project shall be described in Section 1 hereof.

Section 3. The Engineer is hereby directed to estimate the cost of each type of construction in a lump sum or by unit prices, as the Engineer may deem most desirable, for the construction, acquisition, improvement and installation of the improvements designated above. Such preliminary estimate of costs shall also include, without limiting the generality of the foregoing, the advertising, appraising, engineering, legal, printing and such other expenses as in the judgment of Engineer are necessary or essential to the completion of such work or improvement. The Project is of special benefit and shall, in part, be paid by special assessments against the tracts benefited.

Section 4. The Engineer is hereby directed to prepare and file with the City Clerk, an assessment plat showing the area to be assessed, the market value and a description of each tract, the name and address of each owner, the amount of estimated maximum benefits to be assessed against each tract, and the basis by which the entire cost will be apportioned and assessments levied. The estimated benefits may be shown by an attached addendum to the plat, which may be designated as the preliminary assessment roll.

Section 5. The boundaries of the District shall be the area in which the improvements are located, i.e., Tenaya Way from the Northern Beltway to Elkhorn Road, as shown on the preliminary plans and specifications and preliminary assessment roll to be provided as described above.

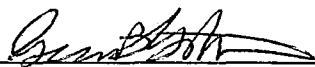
Section 6. The Officers of the City are directed to effectuate the provisions of the Resolution.

Section 7. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such inconsistency.

Section 8. The invalidity of any provisions of this Resolution shall not affect any remaining provisions hereof.

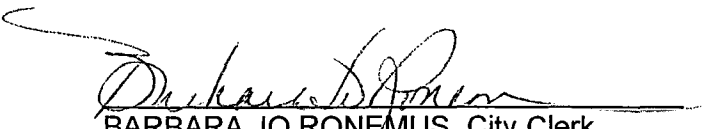
Section 9. The City Council has determined, and does hereby declare, that this Resolution shall be in effect after its passage in accordance with law.

PASSED AND APPROVED this 7th day of April, 2004.



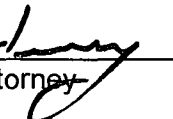
OSCAR B. GOODMAN, Mayor

Attest:



BARBARA JO RONEMUS, City Clerk

Approved as to Form:

25 MAR 2004 W 2/
Date Deputy City Attorney 

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

I, Barbara Jo Ronemus, the duly chosen and 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 a resolution adopted by the City Council of the City (hereinafter the "City Council") at a meeting held on April 7, 2004.

2. The adoption of the resolution was duly moved and seconded and the resolution was adopted by an affirmative vote of a majority of the members of City Council as follows:

Those Voting Aye:

Oscar B. Goodman
Gary Reese
Larry Brown
Lawrence Weekly
Michael Mack
Janet Moncrief

Those Voting Nay:

NONE

Those Absent:

Lynette Boggs McDonald

3. The original of the resolution has been approved and authenticated by the signatures of the Mayor of the City and myself as City Clerk and has been recorded in the regular official record of the City Council kept for that purpose in my office, which record has been duly signed by the officers and properly sealed.

4. All members of the City Council were given due and proper notice of the meeting. Pursuant to § 241.020, Nevada Revised Statutes, written notice of the meeting was given not later than 9:00 a.m. on the third working day before the meeting, including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice at least three working days before the meeting 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) Court Clerk's Office Bulletin Board
City Hall Plaza
Las Vegas, Nevada
- (ii) City Hall Plaza
Special Outside Posting Bulletin Board
Las Vegas, Nevada
- (iii) Las Vegas Library
833 Las Vegas Boulevard North
Las Vegas, Nevada
- (iv) Clark County Government Center
500 South Grand Central Parkway
Las Vegas, Nevada
- (v) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada

(b) By mailing a copy of the notice 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. Such notice was delivered to the postal service no later than 9:00 a.m. on the third working day prior to the meeting.

5. Upon request, the City Council 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 City Council for an item on the agenda, except for certain confidential materials and any other materials pertaining to closed meetings, as provided by law.

6. A copy of such notice so given of the meeting of the City Council on April 7, 2004 is attached to this certificate as Exhibit "A".

IN WITNESS WHEREOF, I have hereunto set my hand on this April 7, 2004.

(SEAL)


BARBARA JO RONEMUS, City Clerk

Exhibit "A"

(Attach Notice of Meeting and Agenda)

City of Las Vegas

CITY COUNCIL AGENDA

APRIL 7, 2004

TABLE OF CONTENTS

Ceremonial Matters	Pg 1
Business Items	Pg 2

CONSENT		DISCUSSION	
Administrative Services	Pg 2	Administrative	Pg 7
Finance & Business Services	Pg 2 – 4	City Attorney	Pg 7
Fire and Rescue Department	Pg 4	Finance & Business Services	Pg 7
Human Resources Department	Pg 4	Neighborhood Services Department	Pg 7
Planning & Development Department	Pg 4	Planning & Development Department	Pg 7
Public Works Department	Pg 4 – 6	Resolutions	Pg 8
Resolutions	Pg 6	Boards & Commissions	Pg 8
Real Estate Committee	Pg 6	Real Estate Committee	Pg 8
		Recommending Committee Reports <i>(Bills eligible for adoption at a later meeting)</i>	Pg 8
		New Bills	Pg 9

AFTERNOON

Afternoon Session	Pg 9
Hearings	Pg 9
Planning & Development	Pg 10 – 20
Addendum <i>(Item heard by Department)</i>	Pg 20
Citizens Participation	Pg 20



CITY COUNCIL AGENDA

COUNCIL CHAMBERS • 400 STEWART AVENUE • PHONE 229-6011

CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.lasvegasnevada.gov>

OSCAR B. GOODMAN, MAYOR (At-Large) • COUNCILMAN GARY REESE, MAYOR PRO TEM (Ward 3)

COUNCILMEMBERS: LARRY BROWN (Ward 4), LYNETTE BOGGS McDONALD (Ward 2),

LAWRENCE WEEKLY (Ward 5), MICHAEL MACK (Ward 6), JANET MONCRIEF (Ward 1)

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

APRIL 7, 2004

Morning Session begins at 9:00 a.m.

Afternoon Session begins at 1:00 p.m.

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

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. THE COUNCIL MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

DUPLICATE AUDIO TAPES MAY BE AVAILABLE AT A COST OF \$3.00 PER TAPE AND DUPLICATE VIDEO TAPES MAY BE AVAILABLE AT A COST OF \$5.00 PER TAPE THROUGH THE CITY CLERK'S OFFICE.

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

CEREMONIAL MATTERS

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - MAJOR WILLIAM RAIHL, CLARK COUNTY COORDINATOR FOR SALVATION ARMY
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF THE CITIZEN OF THE MONTH
- RECOGNITION OF FAIR HOUSING MONTH
- RECOGNITION OF THE CITY CENTRE DEVELOPMENT CORPORATION
- RECOGNITION OF THE WORLD CUP FLAG FOOTBALL CHAMPIONS
- RECOGNITION OF ENVIRONMENTAL AWARENESS MONTH

BUSINESS ITEMS

1. Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time
2. Approval of the Final Minutes by reference of the Regular City Council Meetings of February 18, 2004 and March 3, 2004 and the Recessed City Council Meeting of March 5, 2004

CONSENT AGENDA

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

ADMINISTRATIVE SERVICES - CONSENT

3. Approval of an amendment to the Interlocal Agreement with Clark County, Henderson, North Las Vegas, Boulder City and the City of Las Vegas to provide funds for the Community Triage Center (\$216,947 - General Fund)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

4. Approval of Service and Material Checks/Payroll Checks/Wires Transfers/Other Checks and Investments
5. Approval of the Fiscal Year 2004 budget for the City Parkway IV A, Inc. (\$26,000 - Industrial Development Special Revenue Fund) - Ward 5 (Weekly)
6. Approval of the Fiscal Year 2004 operating budget for the City Parkway IV, Inc. and City Parkway V, Inc., combined (\$71,269 - Industrial Development Special Revenue Fund) - Ward 5 (Weekly)
7. Approval of the Fiscal Year 2004 operating budget for the Office District Parking I, Inc. (\$3,000 - Industrial Development Special Revenue Fund) - Ward 5 (Weekly)
8. Approval of a Special Event License for Whole Foods Market, Inc., Location: Whole Foods Market, 8855 West Charleston Boulevard, Date: April 15, 25, May 1, 8, 31, Type: Special Event Beer/Wine, Event: Wine Tastings, Responsible Person in Charge: Sandra Benton - Ward 2 (L.B. McDonald)
9. Approval of a Special Event License for St. Anne Parish Community, Location: St. Ann Catholic School, 1813 South Maryland Parkway, Dates: April 17-18, 2004, Type: Special Event General, Event: St. Anne Parish Community Fun Fair 2004 Fundraiser, Responsible Person in Charge: Carol Rose - Ward 3 (Reese)
10. Approval of a Supper Club License subject to the provisions of the planning and fire codes and Health Dept. regulations, Chicago America Holding, LLC, dba BJ's Restaurant & Brewhouse, 10840 West Charleston Boulevard, Paul A. Motenko, Mgr, Chicago Pizza & Brewery, Inc., a publicly traded company, Mmbr, 100%, Paul A. Motenko, COB, Co-CEO, VP, Secy - Ward 2 (L.B. McDonald)
11. Approval of a new Restricted Gaming License for 5 slots, HWEH, Inc., dba Arco AM/PM Store #5313, 1550 North Rancho Drive, Heung S. Kim, Dir, Pres, Secy, Treas, 100% - Ward 5 (Weekly)
12. Approval of a new Restricted Gaming License for 4 slots, Aloha Laundry and Cleaners, Ltd., dba Aloha Laundry, 1404 South 3rd Street, Mary-Kay Pa, Mmbr, 100%, Gregory H. K. Pa, Mgr - Ward 1 (Moncrief)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

13. Approval of a new Restricted Gaming License for 7 slots, Spickler-Olenak, LLC, dba Munchies, 6390 West Lake Mead Boulevard, Jason W. Olenak, Mmbr, 50%, Kimberly A. Olenak, Mmbr, 50% - Ward 6 (Mack)
14. Approval of a new Burglar Alarm Service License, Angela M. Gullotta, dba Alarm Specialists, 4202 Carrie Hills Avenue, Angela M. Gullotta, 100% - North Las Vegas
15. Approval of Change of Location for a Burglar Alarm Service License, All Protection Security, Inc., dba All Protection Security, Inc., From: 42217 Rio Nedo, Suite A-204, Temecula, California, To: 2000 South Jones Boulevard, Suite 230, John P. Haecker, Pres, 52.5%, David M. Ray, VP, 47.5% - Ward 1 (Moncrief)
16. Approval of Change of Business Name for a Massage Establishment License, Richard William Harris, dba From: Fitness Massage Therapy, To: The Massage Group, 7980 West Sahara Avenue, Richard W. Harris, 100% - Ward 1 (Moncrief)
17. Approval of award of contract for Request for Proposal No. 040072-CW, Oracle 11i Software Migration Implementation Service - Department of Information Technologies - Award recommended to: SOLBOURNE COMPUTER, INC. (\$2,187,172 - Computer Services Internal Service Fund)
18. Approval of award of Bid Number 03.1730.12-LED, Downtown Street Rehabilitation, Phase 3 and Street Rehabilitation - Mayfair Neighborhood, Phase 2 and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: LAS VEGAS PAVING CORPORATION (\$1,487,451 - Public Works Capital Projects Fund) - Ward 5 (Weekly)
19. Approval of award of Contracts 040275 and 040278, SPESCOM Software and Support and Maintenance - Department of Information Technologies - Award recommended to: SPESCOM SOFTWARE, INC. (\$944,162 - Computer Services Internal Service Fund)
20. Approval of award of Contract 040120, professional services contract for the Northwest Regional Open Space Plan - Department of Planning and Development - Award recommended to: GREENWAYS, INC. (\$235,780 - Parks and Leisure Activities Capital Projects Fund) - Wards 4 and 6 (Brown and Mack)
21. Approval of award of Contract 040269, annual audit services of the City of Las Vegas and the Redevelopment Agency for Fiscal Years 2004, 2005, and 2006 - Department of Finance and Business Services - Award recommended to: KPMG LLC (\$156,000 - General Fund)
22. Approval of Contract 030366-LW, Psychological Assessment Services for Fire and Rescue and Detention - Department of Human Resources - Award recommended to: HARRISON C. STANTON AND ASSOCIATES, LLC (\$100,000 - General Fund)
23. Approval of award of Bid Number 040193-KF, Annual Requirements Contract for Fire Hydrant Parts - Department of Fire and Rescue - Award recommended to: STANDARD WHOLESALE SUPPLY for Lots II & IV, NATIONAL WATERWORKS for Lot I, FERGUSON ENTERPRISES, INC. for Lots III and VII and UNITED STATES PIPE & FOUNDRY CO. for Lot VI (Estimated annual aggregate amount of \$82,000 - General Fund)
24. Approval of issuance of a purchase order for an annual requirements contract for Freightliner, Sterling Western Star and Ford L & C Series truck OEM parts and service - Department of Fire and Rescue - Award recommended to: LAS VEGAS FREIGHTLINER (Estimated annual amount of \$65,000 - General Fund)
25. Approval of award of Bid Number 040230-KF, Class 6 Truck - Department of Fire and Rescue - Award recommended to: LAS VEGAS FREIGHTLINER (\$54,092 - Fire Equipment Internal Service Fund)
26. Approval of issuance of a purchase order for four (4) auto-pulse resuscitation systems - Department of Fire and Rescue - Award recommended to: REVIVANT CORPORATION (\$49,745.84 - Public Education Special Revenue Fund)
27. Approval of award of Bid Number 03.19402.05-CW, Install Exterior Insulation Foam System at City Hall, 400 Stewart Avenue, and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Field Operations - Award recommended to: M&H BUILDING SPECIALTIES, INC. (\$51,314 - City Facilities Capital Projects Fund) - Ward 5 (Weekly)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

28. Approval of issuance of a purchase order for firefighters test preparation manuals and test booklets - Department of Human Resources - Award recommended to: FIREFIGHTER SELECTION, INC. (\$30,569.34 - General Fund)

FIRE AND RESCUE DEPARTMENT - CONSENT

29. Approval authorizing Las Vegas Fire & Rescue to execute a Secondary User's Agreement with American Medical Response - Las Vegas for the transfer of interoperable radio equipment for public safety communications - All Wards
30. Approval of Temporary Access and Indemnification Agreement between the City of Las Vegas and the Vestin Group for conducting technical rescue training exercises at the Castaways Hotel Casino and Bowling Center between April and October 2004 - Ward 3 (Reese)
31. Approval of an Interlocal Agreement between the City of Las Vegas and the Las Vegas Paiute Tribal Police Department for the transfer of interoperable radio equipment for public safety communications - All Wards
32. Approval of an Interlocal Agreement between the City of Las Vegas and the Clark County School District for the transfer of interoperable radio equipment for public safety communications - All Wards
33. Approval authorizing Las Vegas Fire & Rescue to execute a Secondary User's Agreement with Southwest Ambulance for the transfer of interoperable radio equipment for public safety communications - All Wards
34. Approval of a contract renewal between the City of Las Vegas and Trauma Intervention Programs, Inc. (\$46,884 - General Fund) - All Wards

HUMAN RESOURCES DEPARTMENT - CONSENT

35. Approval of the revised City Health Insurance Employee Benefit Plan Document

PLANNING & DEVELOPMENT DEPARTMENT - CONSENT

36. Approval of recommendation of lands to be disposed of by the Bureau of Land Management (BLM) in the Spring 2005 Public Sale - Ward 6 (Mack).

PUBLIC WORKS DEPARTMENT - CONSENT

37. Approval of Second Supplemental Interlocal Contract 389b Jones Boulevard/Las Vegas Beltway to Elkhorn Road between the City of Las Vegas and the Southern Nevada Regional Transportation Commission to increase the amount of the Interlocal Contract (\$60,000 - Southern Nevada Regional Transportation Commission) - Ward 6 (Mack)
38. Approval of Interlocal Contract 388b Alexander Road/Hualapai Way - Cheyenne Avenue to Cimarron Road between the City of Las Vegas and the Southern Nevada Regional Transportation Commission for Engineering, Right-of-Way Other and Construction (\$6,341,047 - Southern Nevada Regional Transportation Commission) - Ward 6 (Mack)
39. Approval of Fourth Supplemental Interlocal Contract LAS.19.B.01 Owens Avenue System Rancho Drive to I-15 between the City of Las Vegas and the Clark County Regional Flood Control District to increase funding for Construction Management (\$96,000 - Clark County Regional Flood Control District) - Ward 5 (Weekly)
40. Approval of Interlocal Contract #461 - ITS Communication Infrastructure Project between the City of Las Vegas and the Southern Nevada Regional Transportation Commission for engineering design, contract administration, surveying, inspection, testing, utility relocation and construction (\$6,500,000 - Southern Nevada Regional Transportation Commission) - All Wards

PUBLIC WORKS DEPARTMENT - CONSENT

41. Approval of a Seventh Supplemental Cooperative Agreement - Traffic Capacity and Safety Improvements - Second Program Year between the City of Las Vegas, Clark County and the Southern Nevada Regional Transportation Commission to reduce funding and close the project (\$-23,458.96 reduction - Clark County) - All Wards
42. Approval of Third Supplemental Interlocal Contract #321c Vegas Drive/Rancho Drive to I-15 between the City of Las Vegas and the Southern Nevada Regional Transportation Commission to purchase right-of-way, perform construction inspection and construct roadway improvements (\$104,000 - Southern Nevada Regional Transportation Commission) - Ward 5 (Weekly)
43. Approval to file an amendment to Right-of-Way Grant Number N-75757 with the Bureau of Land Management for roadway, sanitary sewer and drainage purposes for portions of land lying within the Northeast Quarter of Section 7, Township 19 South, Range 60 East, Mount Diablo Meridian, generally located on the southwesterly side of U.S. 95, approximately 1,320 feet west of the Fort Apache Road alignment, APN 125-07-601-003 - Ward 6 (Mack)
44. Approval of Contract Modification #1 with Frehner Construction for additional work necessary to complete the Vegas Drive/Owens Avenue - Rancho Road to I-15 project (\$287,560 - Regional Transportation Commission - \$265,440 - Clark County Regional Flood Control District) - Ward 5 (Weekly)
45. Approval of a Third Amendment to Professional Services Agreement with Kimley-Horn Associates, Inc. for additional engineering services for the Vegas Drive/Owens Avenue - Rancho Drive to Interstate 15 Project (\$19,200 - Clark County Regional Flood Control District - \$20,800 - Regional Transportation Commission) - Ward 5 (Weekly)
46. Approval of a Second Amendment to Professional Services Agreement with Ninyo and Moore for the continuation of the operation and maintenance of the Gateway Remediation System (\$71,978 - Sanitation Funds, 95% of which is to be reimbursed by the Nevada Division of Environmental Protection) - Ward 3 (Reese)
47. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - White 1998 Trust, Timothy L. and Susan A. White, Trustees, owners (southwest corner of Regena Avenue and Conquistador Street, APN 125-30-101-038) - County (near Ward 6 - Mack)
48. Approval of an Encroachment Request from Anthony Bock on behalf of Congregation Sharrei Tefilla, owner (area bound by Charleston Boulevard, 17th Street, Sahara Avenue, Santa Rosa Drive, Rexford Place, Oakey Boulevard, and Sixth Street) - Ward 3 (Reese)
49. Approval of an Encroachment Request from Tetra Tech, Incorporated, on behalf of Spinnaker Homes V, LLC, owner (northeast corner of Fort Apache Road and Deer Springs Way) - Ward 6 (Mack)
50. Approval of an Encroachment Request from Integrity Engineering on behalf of Desert Lincoln-Mercury, Incorporated, owner (Duneville Street and Westwind Road) - Ward 1 (Moncrief)
51. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Wright Engineers on behalf of Carina Corporation, owners (southwest corner of Washburn Road and Buffalo Drive, APNs 125-33-704-001, 125-33-704-002, 125-33-704-003, and 125-33-704-004) - County (near Ward 6 - Mack)
52. Approval of an Encroachment Request from G. C. Wallace, Incorporated, on behalf of Sunrise Mountainview Hospital, owner (southeast corner of Cheyenne Avenue and Tenaya Way) - Ward 4 (Brown)
53. Approval of an Encroachment Request from Wright Engineers on behalf of Kimball Hill Homes Nevada, Incorporated, owner (southeast corner of Racel Street and Cimarron Road) - Ward 6 (Mack)
54. Approval of Contract Modification #1 with Harris & Associates, Inc. for construction management services for the Vegas Drive/Owens Avenue - Rancho Drive to I-15 project (\$104,000 - Regional Transportation Commission - \$96,000 - Clark County Regional Flood Control District) - Ward 5 (Weekly)
55. Approval of City of Las Vegas' portion of the Clean Water Coalition (CWC) FY 2004-2005 Tentative Annual Operating Budget - Annual Capital budget for the Systems Conveyance and Operations Program (SCOP) - (\$3,814,600 - Sanitation Fund) - Clark County

PUBLIC WORKS DEPARTMENT - CONSENT

56. Approval of an Interlocal Agreement between the Clean Water Coalition, the City of Las Vegas, the City of Henderson and the Clark County Water Reclamation District allowing these member agencies to provide different types of support services such as financial, legal, and human resources to the Clean Water Coalition - All Wards
57. Approval of a Second Amendment to a Professional Services Agreement with The WLB Group, Inc. for additional design services of a lighted tennis court and park signage for Parson Park (Patriot Community Park) located at 4050 Thom Boulevard (\$21,760 - Parks and Leisure Activities Capital Projects Fund) - Ward 6 (Mack)

RESOLUTIONS - CONSENT

58. R-50-2004 - Approval of a Resolution supporting the Lincoln County Lands Act
59. R-51-2004 - Approval of a Resolution directing the City Treasurer to prepare the Fifty-Eighth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
60. R-52-2004 - Approval of a Resolution approving the Fifty-Eighth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
61. R-53-2004 - Approval of a Resolution directing the City Treasurer to prepare the Ninth Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
62. R-54-2004 - Approval of a Resolution approving the Ninth Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
63. R-55-2004 - Approval of a Resolution directing the City Engineer to prepare preliminary plans for Special Improvement District No. 1490 - Tenaya Way (Northern Beltway To Elkhorn Road) (Capital Projects Fund - Special Assessments) - Ward 6 (Mack)
64. R-56-2004 - Approval of a Resolution Awarding Bid for Special Improvement District No. 1501 - Downtown Street Rehabilitation Phase III (\$51,232.50 - Capital Projects Fund - Special Assessments) - Ward 5 (Weekly)
65. R-57-2004 - Approval of a Resolution concerning the City of Las Vegas, Nevada, Special Improvement District No. 607 (Cliff's Edge) and the District Financing Agreement with Cliffs Edge, LLC and similar agreements with other property owners - Ward 6 (Mack)

REAL ESTATE COMMITTEE - CONSENT

66. Approval of Memorandum of Understanding #2004-03 with Lone Mountain Little League, a non-profit organization, for field modifications on five 60' fields located at Children's Memorial Park, 6601 West Gowan Road - Ward 6 (Mack)
67. Approval of a 3,400 square foot expansion to the existing Health Care and Dental Facility located at 1750 Wheeler Peak Drive in the Las Vegas Enterprise Business Park - Ward 5 (Weekly)
68. Approval of an Agreement for the Purchase and Sale of Real property between Priority One Commercial (on behalf of the City of Las Vegas) and David M. Litvak for real property known as APN 139-34-512-039 located in the vicinity of Mesquite Avenue and 7th Street (\$351,000 - City Facilities Capital Project Fund) - Ward 5 (Weekly)
69. Approval of Option Agreement for Parcel #1 with Help Las Vegas Housing Corporation II as the developer to purchase approximately 4.84 acres of City of Las Vegas land located in the vicinity of Main and Owens (currently located on a portion of Parcel #139-27-502-011) for development and construction of multi-family housing for low-income persons - Ward 5 (Weekly)
70. Approval of City Parkway IV executing a Quitclaim Deed and Assignment to transfer approximately 56 acres of APN 139-34-110-003 to City Parkway V and for City Parkway V to accept such transfer - Ward 5 (Weekly)

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

71. ABEYANCE ITEM - Discussion and possible action to establish an employment policy for state legislators and other elected or appointed government officials

CITY ATTORNEY - DISCUSSION

72. Discussion and possible action regarding Complaint seeking disciplinary action against Carey Sam Anderson d/b/a Anderson Snack Shack, 516 Jackson Avenue, Las Vegas, Clark County, Nevada, for violations of Titles 6 and 9 of the Las Vegas Municipal Code and NRS Chapter 446 - Ward 5 (Weekly)

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

73. Discussion and possible action regarding Temporary Approval of Change of Ownership for a Beer/Wine/Cooler Off-sale License subject to Health Dept. regulations, From: Bells Market Partnership, Caroline Yousif, Ptnr, 50%, Jamal Jeberaeel, Ptnr, 50%, To: Sabah Shoshani, dba Bells Market, 720 West Owens Avenue, Sabah H. Shoshani, 100% - Ward 5 (Weekly)
74. Discussion and possible action regarding a Six Month Review of a Beer/Wine/Cooler Off-sale License, Melva Boyd, dba Lucky Champ, 1420 West Bonanza Road, Melva D. Boyd, 100% - Ward 5 (Weekly)
75. Discussion and possible action regarding a Six Month Review of a Package License and a Restricted Gaming License for 11 slots, Hirmis B. Haron, dba Stewart Market, 2021 Stewart Avenue, Hirmis B. Haron, 100% - Ward 3 (Reese)
76. Discussion and possible action regarding Temporary Approval of a New Martial Arts Instruction Business License subject to the provisions of the fire codes, American Taekwondo Federation, LLC, dba ATF Black Belt Academy, 3211 North Tenaya Way, #105, Mark L. Robb, Mgr, Mmbr, 49%, Allan S. Melatti, Mgr, Mmbr, 51% - Ward 4 (Brown)
77. Discussion and possible action regarding a Six Month Review of a Massage Establishment License, Princess Massage, LLC, dba Princess Massage, 2212 Paradise Road, Douglas R. Wingo, Mmbr, 100% - Ward 3 (Reese)
78. Discussion and possible action regarding a Six Month Review of a Massage Establishment License, Cathay Massage, Inc., dba Cathay Massage, Inc., 7450 West Cheyenne Avenue, Suite 113, Chen H. Liu, Dir, Pres, Secy, Treas, 100% - Ward 4 (Brown)
79. Discussion and possible action regarding an Appeal of Revocation of Business License for an Independent Massage Therapist License, Yi Li Liu, dba Yi Li Liu, 2120 Paradise Road, Suite 110, Yi Li Liu, 100% - Ward 3 (Reese)

NEIGHBORHOOD SERVICES DEPARTMENT - DISCUSSION

80. Discussion and possible action on an allocation of \$200,000 in Federal HOME funds to Economic Opportunity Board to operate their Homebuyer Assistance Program - All Wards

PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION

81. Discussion and possible action on amendments to the Southern Nevada Water Authority Drought Plan - All Wards

RESOLUTIONS - DISCUSSION

82. R-58-2004 - Discussion and possible action regarding a Resolution Adopting a Permit and Service Fee Schedule for the Department of Fire and Rescue
83. R-59-2004 - Discussion and possible action regarding a Resolution adopting the Las Vegas Boulevard Scenic Byway Corridor Management Plan as an addendum to the Neighborhood Revitalization Component of the City of Las Vegas 2020 Master Plan - All Wards

BOARDS & COMMISSIONS - DISCUSSION

84. ABEYANCE ITEM - PARK & RECREATION ADVISORY COMMISSION – Malcolm D. White, Term Expiration 4-1-2004
85. ABEYANCE ITEM - CHILD CARE LICENSING BOARD – Lolanda Bunch, Term Expiration 6-2007 (Resigned)

REAL ESTATE COMMITTEE - DISCUSSION

86. Discussion and possible action regarding a Real Property Conveyance Agreement with Stella Lake Partners, LLC, for the acquisition and development of a 120,000 square foot FBI headquarters on a 5.32-acre parcel located at the Southeast corner of Stella Lake Street and Lake Mead Boulevard, APN 139-21-313-002 (010-290-) - Ward 5 (Weekly)

RECOMMENDING COMMITTEE REPORTS - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

THERE IS NO PUBLIC COMMENT ON THESE ITEMS AND NO ACTION WILL BE TAKEN BY THE COUNCIL AT THIS MEETING, EXCEPT THOSE ITEMS WHICH MAY BE STRICKEN OR TABLED. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.

87. TABLED ITEM - Bill No. 2003-78 – Establishes locational restrictions for the uses “auto pawn,” “auto title loan,” and “specified financial institution.” Proposed by: Robert S. Genzer, Director of Planning and Development
88. Bill No. 2004-17 – Annexation No. ANX-3693 – Property location: On the northeast corner of Michelli Crest Way and Bath Drive; Petitioned by: Cliffs Edge, LLC; Acreage: 2.60 acres; Zoned: R-U (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Michael Mack
89. Bill No. 2004-18 – Annexation No. ANX-3714 – Property location: On the southwest corner of Chieftain Street and Bath Drive; Petitioned by: James and Lori Kibler; Acreage: 2.53 acres; Zoned: R-E (County zoning), U (TC) (City equivalent). Sponsored by: Councilman Michael Mack
90. Bill No. 2004-19 – Annexation No. ANX-3740 – Property location: On the east side of Fairhaven Street, 1,170 feet south of Lake Mead Boulevard; Petitioned by: Cytha Price, et al.; Acreage: 1.00 acres; Zoned: R-E (County zoning), U (GC) (City equivalent). Sponsored by: Councilman Lawrence Weekly
91. Bill No. 2004-20 – Revises the zoning standards and procedures for converting public streets into private streets in existing subdivisions. Sponsored by: Councilwoman Janet Moncrief
92. Bill No. 2004-21 – Updates the City’s emergency management provisions. Sponsored by: Mayor Oscar B. Goodman

NEW BILLS

THERE IS NO PUBLIC COMMENT ON THESE ITEMS. NEW BILLS ARE READ INTO THE RECORD AND REFERRED TO RECOMMENDING COMMITTEE FOR A SEPARATE HEARING TO RECEIVE PUBLIC TESTIMONY BEFORE ACTION BY THE COUNCIL AT A LATER MEETING. EXCEPTION: EMERGENCY BILLS OR THOSE ITEMS TO BE STRICKEN OR TABLED.

93. Bill No. 2004-22 - Interim warrant ordinance providing for the issuance of a General Obligation Interim Warrant for Special Improvement Districts #1487 (Jones - Beltway to Elkhorn) not to exceed \$1,200,000 - Ward 6 (Mack), #1493 (Alexander/Hualapai - Cheyenne to Cimarron) not to exceed \$740,000 - Ward 4 (Brown), and #1503 (Durango - Tropical to Clark County Highway 215) not to exceed \$300,000 - Ward 6 (Mack)
94. Bill No. 2004-23 - Annexation No. ANX-3835 - Property location: On the northeast corner of Cartier Avenue and Maverick Street; Petitioned by: Saint Mary Coptic Orthodox Church; Acreage: 2.42 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Lawrence Weekly
95. Bill No. 2004-24 - Annexation No. ANX-3871 - Property location: On the southwest corner of Buffalo Drive and Iron Mountain Road; Petitioned by: CCM Trust; Acreage: 10.75 acres; Zoned: R-E (County zoning), U (R-E) (City equivalent). Sponsored by: Councilman Michael Mack
96. Bill No. 2004-25 - Establishes zoning requirements for swap meets. Sponsored by: Councilman Gary Reese
97. Bill No. 2004-26 - Establishes the "Las Vegas Boulevard Scenic Byway Overlay District," together with related regulations governing signage. Proposed by: Robert S. Genzer, Director of Planning and Development
98. Bill No. 2004-27 - Authorizes the issuance of the City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Senior Local Improvement Refunding Bonds, Series 2004
99. Bill No. 2004-28 - Updates the description of the City ward boundaries to reflect annexations, as well as other changes made by the Clark County Election Department in the numbering and description of election precincts. Proposed by: Barbara Jo Ronemus, City Clerk
100. Bill No. 2004-29 - Authorizes the issuance of the City of Las Vegas General Obligation (Limited Tax) Sewer Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2004 - Various Wards

1:00 P.M. - AFTERNOON SESSION

101. Any items from the afternoon session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

HEARINGS - DISCUSSION

102. Public hearing on local improvement district for Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance - FY2005) - (\$41,902.50 - Capital Projects Fund - Special Assessments) - Ward 1 (Moncrief)
103. Required 30-day extension and review regarding the appeal of the Notice and Order to Abate Dangerous Building/Demolition at 880 E. Sahara Ave. PROPERTY OWNERS: DESERT PALMS INVESTMENT GROUP LLC - Ward 3 (Reese)
104. Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 1733 N. Decatur Blvd. PROPERTY OWNER: TELOS ENTERPRISES, INC. - Ward 5 (Weekly)
105. Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 740 N 11th St. PROPERTY OWNER: WASHINGTON MUTUAL BANK F A - Ward 5 (Weekly)

PLANNING & DEVELOPMENT DEPARTMENT

The items listed below, where appropriate, have been reviewed by the various City departments relative to requirements for storm drainage and flood control, connection to sanitary sewer, traffic circulation, and building and fire regulations. Their comments and/or recommendations and requirements have been incorporated into the action.

PLANNING & DEVELOPMENT DEPARTMENT – CONSENT

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

106. EXTENSION OF TIME - EOT-3962 - APPLICANT: STANPARK CONSTRUCTION - OWNER: KOLOB, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit (U-0156-99) FOR ALCOHOLIC BEVERAGE SALES adjacent to the northeast corner of Centennial Parkway and Durango Drive (APN: 125-20-801-002), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Land Use Designation], Ward 6 (Mack). Staff recommends APPROVAL
107. EXTENSION OF TIME - EOT-3963 - APPLICANT: STANPARK CONSTRUCTION - OWNER: KOLOB, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit (U-0154-99) FOR AN AUTO REPAIR GARAGE, MINOR adjacent to the northeast corner of Centennial Parkway and Durango Drive (APN: 125-20-801-002), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Land Use Designation], Ward 6 (Mack). Staff recommends APPROVAL
108. EXTENSION OF TIME - EOT-3964 - APPLICANT: STANPARK CONSTRUCTION - OWNER: KOLOB, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit (U-0149-99) FOR A SUPPER CLUB adjacent to the northeast corner of Centennial Parkway and Durango Drive (APN: 125-20-801-002), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Land Use Designation], Ward 6 (Mack). Staff recommends APPROVAL
109. EXTENSION OF TIME - EOT-3965 - APPLICANT: STANPARK CONSTRUCTION - OWNER: KOLOB, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit (U-0155-99) FOR A RESTAURANT WITH DRIVE THRU adjacent to the northeast corner of Centennial Parkway and Durango Drive (APN: 125-20-801-002), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Land Use Designation], Ward 6 (Mack). Staff recommends APPROVAL
110. EXTENSION OF TIME - EOT-3966 - APPLICANT: STANPARK CONSTRUCTION - OWNER: KOLOB, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit (U-0153-99) FOR AN AUTOMATIC CAR WASH adjacent to the northeast corner of Centennial Parkway and Durango Drive (APN: 125-20-801-002), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Land Use Designation], Ward 6 (Mack). Staff recommends APPROVAL
111. EXTENSION OF TIME - EOT-3967 - APPLICANT: STANPARK CONSTRUCTION - OWNER: KOLOB, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit (U-0152-99) FOR A CONVENIENCE STORE WITH FUEL PUMPS adjacent to the northeast corner of Centennial Parkway and Durango Drive (APN: 125-20-801-002), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Land Use Designation], Ward 6 (Mack). Staff recommends APPROVAL
112. EXTENSION OF TIME - EOT-3992 - APPLICANT/OWNER: GOOD EARTH ENTERPRISES, INC. - Request for an Extension of Time on an approved Special Use Permit (SUP-1531) FOR A 330-UNIT ASSISTED LIVING APARTMENT COMPLEX at 233 South Sixth Street and 232 South Seventh Street (APN: 139-34-611-034, 036, 037, and 039), C-2 (General Commercial) Zone, Ward 1 (Moncrief). Staff recommends APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – CONSENT

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

113. EXTENSION OF TIME - EOT-3975 - APPLICANT/OWNER: KENNETH LONG - Request for an Extension of Time on an approved Rezoning (Z-0070-99) FROM: R-1 (Single-Family Residential) TO: P-R (Professional Office and Parking) on 0.25 acres located at 717 Clark Avenue (APN: 139-34-710-048), Ward 1 (Moncrief). Staff recommends APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

114. REQUIRED ONE YEAR REVIEW - REVIEW OF CONDITION - PUBLIC HEARING - RQR-3881 - APPLICANT: YONO ENTERPRISES - OWNER: RICHARD AND BEATRICE STURMAN - Required One-Year Review of an approved Review of Condition (ROC-1770) [WHICH DELETED CONDITION NO. 2] of an approved Special Use Permit (U-0154-98) PROHIBITING THE SALE OF INDIVIDUAL CONTAINERS OF ANY SIZE BEER, WINE COOLERS OR SCREW CAP WINE for an existing market (Fremont Family Market and Deli) at 611 Fremont Street, Suite 20 (APN: 139-34-611-019), C-2 (General Commercial) Zone, Ward 5 (Weekly). Staff recommends DENIAL
115. REVIEW OF CONDITION - PUBLIC HEARING - ROC-3761 - APPLICANT/OWNER: WESTVIEW, LIMITED LIABILITY COMPANY - Request FOR A REVIEW OF CONDITION NO. 5 OF AN APPROVED SITE DEVELOPMENT PLAN REVIEW [Z-0058-01(1)] WHICH ESTABLISHED MINIMUM SITE SETBACKS on property adjacent to the southwest corner of Wittig Avenue and Tee Pee Lane (APN: 125-19-501-011 thru 014; 125-19-601-002 and 003), U (Undeveloped) Zone [L (Low Density Residential) and R (Rural Density Residential) General Plan Designations] under Resolution of Intent to R-PD5 (Residential Planned Development - 5 Units per Acre), Ward 6 (Mack). Staff recommends APPROVAL
116. REVIEW OF CONDITION - PUBLIC HEARING - ROC-3797 - APPLICANT/OWNER: UNITED BROTHERS ENTERPRISES, INC. - Request for a Review of Condition No. 4 of an approved Special Use Permit (U-0088-01) WHICH PROHIBITED THE SALE OF INDIVIDUAL CONTAINERS OF ANY SIZE BEER, WINE COOLERS, OR SCREW CAP WINE on property located at 2320 East Fremont Street (APN: 139-35-805-001), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL
117. REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-3691 - APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT - Required Two Year Review of an approved Site Development Plan Review [Z-0026-92(3)] FOR A 4,032 SQUARE FOOT CHILD CARE CENTER IN THREE MODULAR BUILDINGS on 0.97 acres adjacent to the east side of Valley View Boulevard, approximately 1,200 feet north of Charleston Boulevard (APN: 139-31-801-006), C-V (Civic) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL
118. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3703 - APPLICANT/OWNER: SHARON KEA - IMPERIAL HEALTH SPA - Request for a Site Development Plan Review FOR A PROPOSED HEALTH SPA, RESTAURANT AND KARAOKE BAR AND WAIVERS TO THE PERIMETER LANDSCAPING REQUIREMENTS at 1070 East Sahara Avenue (APN: 162-03-801-034, 055, 132, 033, and 069), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
119. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3787 - APPLICANT/OWNER: SILVER STATE BANK - Request for a Site Development Plan Review and Waivers of the parking lot landscaping and building foundation landscaping standards FOR A PROPOSED 5,000 SQUARE-FOOT OFFICE BUILDING on 0.46 acres located at 8901 West Sahara Avenue (APN: 163-08-120-036), C-1 (Limited Commercial) Zone, Ward 2 (L.B. McDonald). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

120. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3795 - APPLICANT/OWNER: NORTHWEST 95 LIMITED LIABILITY COMPANY. - Request for a Site Development Plan Review and Waivers of the Town Center Development Standards requiring on-site open space features; parking spaces to be set back a minimum of 15 feet from property lines; parking lots to be located away from street front; and walkways between parking lots and rows of parking spaces FOR A PROPOSED 293,355 SQUARE-FOOT RETAIL CENTER on 46 acres adjacent to the northwest and northeast corners of Severence Lane and Oso Blanca Road (APN: 125-17-301-003 and a portion of 125-17-701-001) T-C (Town Center) Zone [SC-TC (Service Commercial – Town Center) land use designation], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
121. MAJOR MODIFICATION TO THE MONTECITO DEVELOPMENT AGREEMENT - PUBLIC HEARING - MOD-3735 - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: JAMES R. TUCKER FAMILY TRUST AND JAMES TUCKER TRUST - Request for a Major Modification to the Montecito Development Agreement TO ADD 10 ACRES TO THE OVERALL PLAN AREA adjacent to the southeast corner of Deer Springs Way and Grand Montecito Parkway (APN: 125-20-702-001), T-C (Town Center) Zone [PROPOSED: ML-TC (Medium-Low Density Residential - Town Center) General Plan Designation], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-0-2 vote) recommends APPROVAL
122. SPECIAL USE PERMIT RELATED TO MOD-3735 - PUBLIC HEARING - SUP-3503 - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: JAMES R. TUCKER FAMILY TRUST AND JAMES TUCKER TRUST - Request for a Special Use Permit FOR A GATED SUBDIVISION WITH PRIVATE STREETS WITHIN TOWN CENTER adjacent to the southeast corner of Deer Springs Way and Grand Montecito Parkway (APN: 125-20-702-001), T-C (Town Center) Zone [PROPOSED: ML-TC (Medium-Low Residential - Town Center) General Plan Designation], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-0-2 vote) recommends APPROVAL
123. SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-3735 AND SUP-3503 - PUBLIC HEARING - SDR-3505 - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: JAMES R. TUCKER FAMILY TRUST AND JAMES TUCKER TRUST - Request for a Site Development Plan Review FOR A PROPOSED 96 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 10 acres adjacent to the southeast corner of Deer Springs Way and Grand Montecito Parkway (APN: 125-20-702-001), T-C (Town Center) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-0-2 vote) recommends APPROVAL
124. MAJOR MODIFICATION TO THE MONTECITO TOWN CENTER DEVELOPMENT AGREEMENT - PUBLIC HEARING - MOD-3763 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Major Modification to the Montecito Town Center Development Agreement TO ADD 5.00 ACRES TO THE OVERALL PLAN UNDER THE “MONTECITO TOWN CENTER MIXED USE COMMERCIAL” SPECIAL LAND USE DESIGNATION AND TO MODIFY SECTION 4.1 TO INCREASE COMMERCIAL SQUARE FOOTAGES AND RESIDENTIAL UNITS ACCORDINGLY, adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), U (Undeveloped) Zone [TC (Town Center) General Plan Designation], PROPOSED: T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Special Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
125. REZONING RELATED TO MOD-3763 - PUBLIC HEARING - ZON-3840 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Rezoning FROM: U (Undeveloped) [TC (Town Center) General Plan Designation] TO: T-C (Town Center) on 5.00 acres adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
126. SPECIAL USE PERMIT RELATED TO MOD-3763 AND ZON-3840 - PUBLIC HEARING - SUP-3765 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR LIQUOR SALES on Pad A of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

127. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840 AND SUP-3765 - PUBLIC HEARING - SUP-3767 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR GAMING (INCIDENTAL) on Pad A of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
128. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765 AND SUP-3767 - PUBLIC HEARING - SUP-3769 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR A DRIVE-THROUGH FACILITY on Pad A of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
129. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767 AND SUP-3769 - PUBLIC HEARING - SUP-3770 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR A DRIVE-THROUGH FACILITY on Pad O of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
130. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767 SUP-3769 AND SUP-3770 - PUBLIC HEARING - SUP-3771 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR A TAVERN on Pad P of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
131. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770 AND SUP-3771 - PUBLIC HEARING - SUP-3773 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR GAMING (INCIDENTAL) on Pad P of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
132. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771 AND SUP-3773 - PUBLIC HEARING - SUP-3774 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR GASOLINE SALES on Pad Q of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
133. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773 AND SUP-3774 - PUBLIC HEARING - SUP-3776 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR A CAR WASH on Pad Q of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

134. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774 AND SUP-3776 - PUBLIC HEARING - SUP-3777 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR GAMING (INCIDENTAL) on Pad Q of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
135. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776 AND SUP-3777 - PUBLIC HEARING - SUP-3778 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR LIQUOR SALES on Pad Q of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
136. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776, SUP-3777 AND SUP-3778 - PUBLIC HEARING - SUP-3779 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR A TAVERN on Pad Z of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
137. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776, SUP-3777, SUP-3778 AND SUP-3779 - PUBLIC HEARING - SUP-3780 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR GAMING (INCIDENTAL) on Pad Z of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
138. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776, SUP-3777, SUP-3778, SUP-3779 AND SUP-3780 - PUBLIC HEARING - SUP-3781 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR A DRIVE-THROUGH FACILITY on Pad F of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
139. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776, SUP-3777, SUP-3778, SUP-3779, SUP-3780 AND SUP-3781 - PUBLIC HEARING - SUP-3783 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR LIQUOR SALES on Pad HH of the proposed Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), U (Undeveloped) Zone [TC (Town Center) General Plan Designation], PROPOSED: T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Town Center Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

140. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776, SUP-3777, SUP-3778, SUP-3779, SUP-3780, SUP-3781 AND SUP-3783 - PUBLIC HEARING - SUP-3785 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR GAMING (INCIDENTAL) on Pad HH of the proposed Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), U (Undeveloped) Zone [TC (Town Center) General Plan Designation], PROPOSED: T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
141. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776, SUP-3777, SUP-3778, SUP-3779, SUP-3780, SUP-3781, SUP-3783 AND SUP-3785 - PUBLIC HEARING - SUP-3786 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR A DRIVE-THROUGH FACILITY on Pad HH of the proposed Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), U (Undeveloped) Zone [TC (Town Center) General Plan Designation], PROPOSED: T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
142. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776, SUP-3777, SUP-3778, SUP-3779, SUP-3780, SUP-3781, SUP-3783, SUP-3785 AND SUP-3786 - PUBLIC HEARING - SUP-3788 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR A DRIVE-THROUGH FACILITY on Pad DD of the proposed Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), U (Undeveloped) Zone [TC (Town Center) General Plan Designation], PROPOSED: T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
143. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776, SUP-3777, SUP-3778, SUP-3779, SUP-3780, SUP-3781, SUP-3783, SUP-3785, SUP-3786 AND SUP-3788 - PUBLIC HEARING - SUP-3789 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR A DRIVE-THROUGH FACILITY on Pad EE of the proposed Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), U (Undeveloped) Zone [TC (Town Center) General Plan Designation], PROPOSED: T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
144. SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776, SUP-3777, SUP-3778, SUP-3779, SUP-3780, SUP-3781, SUP-3783, SUP-3785, SUP-3786, SUP-3788 AND SUP-3789 - PUBLIC HEARING - SDR-3764 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Site Development Plan Review FOR A PROPOSED 587,750 SQUARE-FOOT MIXED-USE COMMERCIAL DEVELOPMENT on 45.6 acres in Montecito Town Center, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001 and 125-20-101-017), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Land Use Designations] and U (Undeveloped) Zone [TC (Town Center) General Plan Designation], PROPOSED: T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
145. MAJOR MODIFICATION TO THE LONE MOUNTAIN MASTER PLAN - PUBLIC HEARING - MOD-3758 - APPLICANT: FRED LESSMAN - Request for a Major Modification to the Lone Mountain Master Plan TO ALLOW A MINI-WAREHOUSE FACILITY AS A PERMITTED USE IN THE VILLAGE COMMERCIAL SPECIAL LAND USE DESIGNATION with the approval of a Special Use Permit, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

146. SPECIAL USE PERMIT RELATED TO MOD-3758 - PUBLIC HEARING - SUP-4009 - APPLICANT: FRED LESSMAN - OWNER: SHADOWS HILLS PLAZA, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A MINI-WAREHOUSE FACILITY on the west side of Shady Timber Street, 900 feet north of Cheyenne Avenue (APN: portions of 137-12-801-001 and 137-12-401-022) U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) Zone [VC (Village Commercial) Lone Mountain Special Land Use Designation], Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL
147. SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-3758 AND SUP-4009 - PUBLIC HEARING - SDR-3759 - APPLICANT: FRED LESSMAN - OWNER: SHADOWS HILLS PLAZA, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and a Reduction in the amount of required perimeter landscaping FOR A PROPOSED MINI-WAREHOUSE FACILITY on 3.57 acres on the west side of Shady Timber Street, 900 feet north of Cheyenne Avenue (APN: portions of 137-12-801-001 and 137-12-401-022), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] Under Resolution of Intent to PD (Planned Development) Zone [VC (Village Commercial) Lone Mountain Special Land Use Designation], Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL
148. VACATION - PUBLIC HEARING - VAC-3664 - APPLICANT: STERLING S. DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY - Request for a Petition to vacate all of Maverick Street, between Meisenheimer Avenue and Racel Street, Ward 6 (Mack). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL
149. TENTATIVE MAP RELATED TO VAC-3664 - TMP-3639 - QUARTERHORSE ESTATES UNIT 1 - APPLICANT: STERLING S. DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY - Appeal filed by the applicant from the approval of the Planning Commission of a request for a Tentative Map FOR A 17 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 9.76 acres adjacent to the northeast corner of Maverick Street and Racel Street (APN: 125-11-704-001), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL
150. VACATION - PUBLIC HEARING - VAC-3707 - APPLICANT: STERLING S. DEVELOPMENT - OWNER: QUARTERHORSE FALLS II, LIMITED LIABILITY COMPANY - Request for a Petition to vacate public sewer and drainage easements generally located south of Log Cabin Way, west of El Capitan Way, Ward 6 (Mack). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL
151. VACATION - PUBLIC HEARING - VAC-3726 - APPLICANT: OLYMPUS GROUP, INC. - OWNER: O'BANNON-JONES, LIMITED LIABILITY COMPANY - Request for a Petition to vacate public sewer and drainage easements; and U. S. Government Patent Reservations generally located north of O'Bannon Drive, east of Jones Boulevard, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL
152. VACATION - PUBLIC HEARING - VAC-3760 - APPLICANT: AMERICAN PREMIER HOMES - OWNER: GRAND VIEW APARTMENTS, LIMITED LIABILITY COMPANY - Petition to Vacate U.S. Government Patent Easements generally located south of Grand Teton Drive, east of Grand Canyon Drive, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
153. VACATION - PUBLIC HEARING - VAC-3782 - APPLICANT/OWNER: CONCORDIA HOMES NEVADA, INC. - Petition to Vacate U.S. Government Patent Easements generally located adjacent to the south side of Stange Avenue, east of Puli Road, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL
154. VACATION - PUBLIC HEARING - VAC-3802 - APPLICANT: TANEY ENGINEERING - OWNER: UNIVEST I, LIMITED LIABILITY COMPANY - Petition to Vacate U.S. Government Patent Easements generally located north of Cheyenne Avenue, east of Hualapai Way, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

155. REQUIRED TWO YEAR REVIEW - VARIANCE - PUBLIC HEARING - RQR-3685 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: JAMES AND LINDA SAPP - Required Two Year Review of an Approved Variance (V-0112-96) WHICH ALLOWED AN EXISTING NON-CONFORMING 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN TO BE RELOCATED 513 FEET FROM ANOTHER OFF-PREMISE ADVERTISING (BILLBOARD) SIGN WHERE 750 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED at 1109 Western Avenue (APN: 162-04-504-001), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL
156. REQUIRED TWO YEAR REVIEW - VARIANCE - PUBLIC HEARING - RQR-3705 - APPLICANT: VIACOM OUTDOOR - OWNER: SAHARA RANCHO MEDICAL - Required Two Year Review of an Approved Variance (V-0154-94) WHICH ALLOWED A 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2320 South Rancho Drive (APN: 162-04-401-004), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL
157. VARIANCE - PUBLIC HEARING - VAR-3711 - APPLICANT: RANCHO POINTE - OWNER: TRISISON, LIMITED LIABILITY COMPANY AND HELEN SLAVIN BALDWIN - Request for a Variance TO ALLOW 134 PARKING SPACES WHERE 199 SPACES ARE REQUIRED FOR A PROPOSED COMMERCIAL DEVELOPMENT on 2.55 acres adjacent to the east side of Rancho Drive, approximately 300 feet south of Alexander Road (APN: 138-12-110-011 and a portion of 138-12-102-001), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (4-2 vote) and staff recommend DENIAL
158. SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3711 - PUBLIC HEARING - SDR-3452 - APPLICANT: RANCHO POINTE AND J. MARIO SANCHEZ - OWNER: TRISISON, LIMITED LIABILITY COMPANY AND HELEN SLAVIN BALDWIN - Request for a Site Development Plan Review FOR A 23,000 SQUARE FOOT COMMERCIAL DEVELOPMENT on 2.55 acres adjacent to the east side of Rancho Drive, approximately 300 feet south of Alexander Road (APN: 138-12-110-011 and a portion of 138-12-102-001), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (4-2 vote) and staff recommend DENIAL
159. VARIANCE - PUBLIC HEARING - VAR-3800 - APPLICANT/OWNER: RICHARD W. MINNEAR - Request for a Variance TO ALLOW A 45-FOOT BUILDING HEIGHT WHERE 35 FEET IS THE MAXIMUM HEIGHT ALLOWED, TO ALLOW A 10-FOOT REAR YARD SETBACK WHERE 15 FEET IS THE MINIMUM REQUIRED, AND TO ALLOW 50 PARKING SPACES WHERE 58 SPACES ARE REQUIRED on 0.34 acres located at 1711 Bearden Drive (APN: 139-33-402-014 & 015) PD (Planned Development) Zone [PO (Professional Office) Las Vegas Medical District Special Land Use Designation], Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL
160. SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3800 - PUBLIC HEARING - SDR-3799 - APPLICANT/OWNER: RICHARD W. MINNEAR - Request for a Site Development Plan Review FOR A PROPOSED 20,400 SQUARE-FOOT MIXED-USE DEVELOPMENT consisting of 6,800 square feet of Medical Office space and 16 multi-family residential units on 0.34 acres at 1711 Bearden Drive (APN: 139-33-402-014 & 015) PD (Planned Development) Zone [PO (Professional Office) Las Vegas Medical District Special Land Use Designation], Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL
161. VARIANCE - PUBLIC HEARING - VAR-3880 - APPLICANT/OWNER: ASIE JAH - Request for a Variance TO ALLOW FIVE PARKING SPACES WHERE SIX ARE REQUIRED FOR A PROPOSED OFFICE on 0.18 acres at 2413 Maroney Avenue (APN: 162-02-410-096) R-2 (Medium-Low Density Residential) under Resolution of Intent to N-S (Neighborhood Service) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
162. SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3880 - PUBLIC HEARING - SDR-3710 - APPLICANT/OWNER: ASIE JAH - Request for a Site Development Review FOR A PROPOSED LAW OFFICE AND FOR A WAIVER OF THE PERIMETER PARKING LOT LANDSCAPING REQUIREMENTS on 0.18 acres at 2413 Maroney Avenue (APN: 162-02-410-096) R-2 (Medium-Low Density Residential) under Resolution of Intent to N-S (Neighborhood Service) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

163. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3479 - LAMAR OUTDOOR ADVERTISING ON BEHALF OF NEWBERG-FIORELLO DEVELOPMENT - Appeal filed by Lamar Outdoor Advertising from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40 FOOT TALL, 14 FOOT BY 48 FOOT, OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2475 South Jones Boulevard (APN: 163-02-802-006), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (4-0 vote) and staff recommend DENIAL
164. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3545 - APPLICANT: SHOW MEDIA - OWNER: NEVADA SPACE, INC. - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2798 Highland Drive (APN: 162-09-202-007), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL
165. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3716 - APPLICANT: AURELIO'S - OWNER: CHEYENNE INVESTMENTS, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR AND A WAIVER FROM THE 400 FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING CHURCH AND PARK at 7660 West Cheyenne Avenue, Suite #122 (APN: 138-09-821-003), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL
166. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3712 - APPLICANT: CHURCH'S BAIL BONDS, INC. - OWNER: BONNEVILLE CENTER, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A BAILBOND SERVICE at 608 South Third Street (APN: 139-34-311-070), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial), Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL
167. SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-3712 - PUBLIC HEARING - SDR-3713 - APPLICANT: CHURCH'S BAIL BONDS, INC. - OWNER: BONNEVILLE CENTER, LIMITED LIABILITY COMPANY - Request for a Site Development Review FOR A PROPOSED BAILBOND OFFICE on 0.16 acres at 608 South Third Street (APN: 139-34-311-070), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial), Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL
168. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3729 - APPLICANT: BAIL BOND AMERICA, INC. - OWNER: MICHAEL AND CHRISTINE ACCARDI - Request for a Special Use Permit FOR A BAILBOND SERVICE at 800 South Casino Center Boulevard (APN: 139-34-410-027), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-1 vote) and staff recommend APPROVAL
169. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3746 - APPLICANT: JEFFREY CAMPBELL - OWNER: PAN PACIFIC RETAIL PROPERTIES, INC. - Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR at 2101 North Rainbow Boulevard, Suite 102 (APN: 138-22-603-001), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
170. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3747 - APPLICANT: EXPRESS CASH & LOANS - OWNER: NERCES HIMIDIAN LIVING TRUST - Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED at 1426 East Charleston Boulevard, Suite 110 (APN: 162-02-110-007), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend DENIAL
171. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3772 - APPLICANT: RICHARDSON PARTNERSHIP - OWNER: RANCHO WASHINGTON, LIMITED LIABILITY COMPANY - Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED at 2801 West Washington Avenue (APN: 139-29-301-001), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-1 vote) and staff recommend DENIAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

172. SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-3772 - PUBLIC HEARING - SDR-3766 - APPLICANT: RICHARDSON PARTNERSHIP - OWNER: RANCHO WASHINGTON, LIMITED LIABILITY COMPANY - Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Site Development Plan Review, a Reduction in the amount of required Perimeter and Parking lot landscaping, and Waivers of the Commercial Development Standards to allow a zero rear yard setback where 20 feet is required and to allow no landscaping between the north façade of the building and the parking area, where a minimum of six feet is required FOR A PROPOSED 3,960 SQUARE-FOOT FINANCIAL INSTITUTION, SPECIFIED on 0.48 acres located at 2801 West Washington Avenue (APN: 139-29-301-001), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-1 vote) and staff recommend DENIAL
173. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3815 - APPLICANT: BULLSEYE COMMERCIAL REAL ESTATE - OWNER: PSA LAND INVESTMENTS, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR LIQUOR SALES (OFF-PREMISE CONSUMPTION) adjacent to the north side of Charleston Avenue, approximately 375 feet east of Torrey Pines Drive (APN: 138-35-801-002; 138-35-803-001), C-1 (Limited-Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
174. SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-3815 - PUBLIC HEARING - SDR-3790 - APPLICANT: BULLSEYE COMMERCIAL REAL ESTATE - OWNER: PSA LAND INVESTMENTS, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and Waivers of perimeter buffering and landscaping standards FOR A PROPOSED 101,000 SQUARE-FOOT RETAIL CENTER on 9.74 acres adjacent to the north side of Charleston Avenue, approximately 375 feet east of Torrey Pines Drive (APN: 138-358-01-002; 138-358-03-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
175. REZONING - PUBLIC HEARING - ZON-3665 - APPLICANT/OWNER: DONNA J. CAPRI - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.16 acres adjacent to the southwest corner of Eastern Avenue and Canosa Avenue (APN: 162-02-713-114), Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
176. REZONING - PUBLIC HEARING - ZON-3678 - APPLICANT/OWNER: RUTH A. SHARRON - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.16 acres at 220 North Lamb Boulevard (APN: 140-32-310-002), Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
177. REZONING - PUBLIC HEARING - ZON-3775 - APPLICANT: FIESTA HOMES - OWNER: NEW YORK PLASTICS, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD5 (Residential Planned Development - 5 Units Per Acre) on 2.72 acres adjacent to the northwest corner of Bradley Road and Azure Drive (APN: 125-25-101-010 & 011; 125-25-101-014 & 015), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
178. VARIANCE RELATED TO ZON-3775 - PUBLIC HEARING - VAR-3946 - APPLICANT FIESTA HOMES - OWNERS: NEW YORK PLASTICS, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW A PROPOSED R-PD (RESIDENTIAL PLANNED DEVELOPMENT) SITE TO DEVELOP ON 2.72 ACRES WHERE A MINIMUM OF FIVE ACRES ARE REQUIRED adjacent to the northwest corner of Bradley Road and Azure Drive (APN: 125-25-101-010 & 011; 125-25-101-014 & 015), R-E (Residence Estates) Zone [PROPOSED: R-PD5 (Residential Planned Development - 5 Units per Acre)], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
179. WAIVER OF TITLE 18 RELATED TO ZON-3775 AND VAR-3946 - PUBLIC HEARING - WVR-3793 - APPLICANT: FIESTA HOMES - OWNERS: NEW YORK PLASTICS, LIMITED LIABILITY COMPANY - Request for a Waiver of Title 18.12.160 TO ALLOW A 198 FOOT SEPARATION BETWEEN INTERSECTIONS WHERE A MINIMUM OF 220 FEET IS REQUIRED WHEN PROVIDING EXTERNAL ACCESS FROM A SUBDIVISION TO AN EXISTING STREET HAVING A RIGHT-OF-WAY WIDTH OF 60 FEET OR MORE, for a proposed subdivision adjacent to the northwest corner of Bradley Road and Azure Drive (APN: 125-25-101-010 & 011; 125-25-101-014 & 015), R-E (Residence Estates) Zone [PROPOSED: R-PD5 (Residential Planned Development – 5 Units per Acre)], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

180. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3775, VAR-3946 AND WVR-3793 - PUBLIC HEARING - SDR-3784 - APPLICANT: FIESTA HOMES - OWNER: NEW YORK PLASTICS, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 14-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 2.72 acres adjacent to the northwest corner of Bradley Road and Azure Drive (APN: 125-25-101-010 & 011; 125-25-101-014 & 015), R-E (Residence Estates) Zone; [PROPOSED: R-PD5 (Residential Planned Development - 5 Units per Acre)], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
181. REZONING - PUBLIC HEARING - ZON-3919 - APPLICANT/OWNER: CORNERSTONE COMPANY - Request for a Rezoning FROM: R-4 (High Density Residential) TO: C-1 (Limited Commercial) on 0.46 acres adjacent to the northwest corner of Colorado Avenue and 4th Street (APN: 162-03-110-011), Ward 1 (Moncrief). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL
182. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3919 - PUBLIC HEARING - SDR-3920 - APPLICANT/OWNER: CORNERSTONE COMPANY - Request for a Site Development Plan Review and Waivers of the Downtown Centennial Plan streetscape and parking standards FOR A PROPOSED MODULAR OFFICE on 0.46 acres adjacent to the northwest corner of Colorado Avenue and 4th Street (APN: 162-03-110-011), R-4 (High Density Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 1 (Moncrief). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL
183. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

ADDENDUM

CITIZENS PARTICIPATION

Items raised under this portion of the City Council Agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes

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

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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-56-2004 - Approval of a Resolution Awarding Bid for Special Improvement District No. 1501
- Downtown Street Rehabilitation Phase III (\$51,232.50 - Capital Projects Fund - Special
Assessments) - Ward 5 (Weekly)

Fiscal Impact

☐

No Impact

Amount: \$51,232.50

☒

Budget Funds Available

Dept./Division: Public Works/SID

☐

Augmentation Required

**Funding Source: Capital Projects Fund - Special
Assessments**

PURPOSE/BACKGROUND:

The work is being performed in conjunction with a street rehabilitation project which will include construction and installation of asphalt paving, curb and gutter, sewer main, and streetlights. The District boundaries are Fremont Street on the north, 15th Street on the east, Charleston Boulevard on the south and 13th Street on the west. The District will fund the cost of new streetlights only. Funding for the other project improvements will be provided by Street Rehabilitation and Sanitation.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-56-2004

MOTION:

REESE – APPROVED Items 3 through 19, 21 through 35, 37 through 56 and 59 through 70 as recommended – **UNANIMOUS** with **L.B. McDONALD** excused

Items 20, 36, 57 & 58

APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:29 – 9:31)

1-772

RESOLUTION NO. R-56-2004

A RESOLUTION CONCERNING LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1501 – DOWNTOWN STREET REHABILITATION PHASE III; AWARDING THE CONTRACT FOR THE CONSTRUCTION OF THE PUBLIC IMPROVEMENTS IN THE DISTRICT TO THE RESPONSIBLE BIDDER SUBMITTING THE LOWEST AND BEST BID UPON PROPER TERMS; AND PROVIDING THE EFFECTIVE DATE HEREOF.

Summary: Bid Resolution

WHEREAS, the City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively) of the County of Clark and State of Nevada, pursuant to the Special Improvement District No. 1501 Creation Ordinance (hereinafter the "Creation Ordinance") created Las Vegas, Nevada, Special Improvement District No. 1501 – Downtown Street Rehabilitation Phase III (hereinafter the "District") and ordered the acquisition of public improvements within such District in the City; and

WHEREAS, a proper notice that sets forth the invitation to submit bids for the furnishing of labor, materials, transportation and services was given by Las Vegas, Nevada, Special Improvement District No. 1501 Provisional Order Resolution in the manner and for the periods that are provided for in Section 271.190 and Section 271.335 of the Nevada Revised Statutes ("NRS" herein); and

WHEREAS, upon the receipt of such bids, the City Engineer and the Engineering Integration Division recommended to the City Council, in writing, the name of the successful bidder; and

WHEREAS, upon having received such written recommendation, the City Council now desires to authorize and award the construction contract, by this Resolution, to the responsible bidder submitting the lowest and best bid upon proper terms; and

WHEREAS, the amount of the best bid for such construction contract for the improvements does not exceed the City Engineer's estimates of cost;

NOW, THEREFORE, BE IT RESOLVED BY THE LAS VEGAS CITY COUNCIL, IN THE STATE OF NEVADA:

Section 1. The City Council determines and hereby declares that the bid for the construction of the improvements of Special Improvement District No. 1501 – Downtown Street Rehabilitation Phase III submitted by Las Vegas Paving, of Las Vegas, Nevada (hereinafter the "Contractor"), is the lowest and best bid, determined in the manner required by law, submitted by a responsible bidder and the same is hereby accepted.

Section 2. The Mayor of the City Council and the City Clerk, on behalf of Las Vegas, Nevada, be, and they hereby are, authorized in accordance with NRS 271.335 to execute a contract with the Contractor for a construction project which includes, in part, the construction of the improvements in Las Vegas, Nevada, Special Improvement District No. 1501 – Downtown Street Rehabilitation Phase III.

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 Resolution), concerning the District, including, but not limited to, the publication by the City Engineer, on behalf of the City, of the notice to bidders, the acquisition of the improvements, and the levy of assessments for that purpose, be, and the same hereby are, ratified, approved and confirmed.

Section 4. 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 Resolution, including, without limiting the generality of the foregoing, the preparation of all further necessary contract documents, legal proceedings, and other items necessary or desirable for the construction project and for the completion of the District.

Section 5. All resolutions, or parts thereof, in conflict with the provisions of this Resolution, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, or part thereof, heretofore repealed.

Section 6. If any section, paragraph, clause or other provision of this Resolution shall for any reason be held 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 Resolution.

///

///

///

///

///

///

///

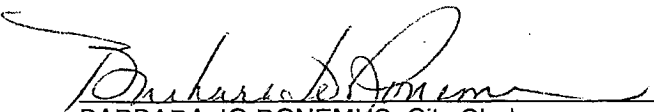
Section 7. That the City Council has determined, and does hereby declare, that this Resolution shall be in effect after its passage in accordance with law.

PASSED, APPROVED AND ADOPTED, April 7, 2004.



OSCAR B. GOODMAN, Mayor

Attest:



BARBARA JO RONEMUS, City Clerk

Approved as to form:

25 MAR 2004 W 21
Date Deputy City Attorney 

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

I, Barbara Jo Ronemus, the duly chosen and 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 a resolution adopted by the City Council of the City (hereinafter the "City Council") at a meeting held on April 7, 2004.

2. The adoption of the resolution was duly moved and seconded and the resolution was adopted by an affirmative vote of a majority of the members of City Council as follows:

Those Voting Aye:	Oscar B. Goodman Gary Reese Larry Brown Lawrence Weekly Michael Mack Janet Moncrief
-------------------	--

Those Voting Nay:	NONE
-------------------	------

Those Absent:	Lynette Boggs McDonald
---------------	------------------------

3. The original of the resolution has been approved and authenticated by the signatures of the Mayor of the City and myself as City Clerk and has been recorded in the regular official record of the City Council kept for that purpose in my office, which record has been duly signed by the officers and properly sealed.

4. All members of the City Council were given due and proper notice of the meeting. Pursuant to § 241.020, Nevada Revised Statutes, written notice of the meeting was given not later than 9:00 a.m. on the third working day before the meeting, including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice at least three working days before the meeting 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) Court Clerk's Office Bulletin Board
City Hall Plaza
Las Vegas, Nevada
- (ii) City Hall Plaza
Special Outside Posting Bulletin Board
Las Vegas, Nevada
- (iii) Las Vegas Library
833 Las Vegas Boulevard North
Las Vegas, Nevada
- (iv) Clark County Government Center
500 South Grand Central Parkway
Las Vegas, Nevada
- (v) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada

(b) By mailing a copy of the notice 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. Such notice was delivered to the postal service no later than 9:00 a.m. on the third working day prior to the meeting.

5. Upon request, the City Council 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 City Council for an item on the agenda, except for certain confidential materials and materials pertaining to closed meetings, as provided by law.

6. A copy of such notice so given of the meeting of the City Council on April 7, 2004, is attached to this certificate as Exhibit "A".

IN WITNESS WHEREOF, I have hereunto set my hand on this April 7, 2004.

(SEAL)

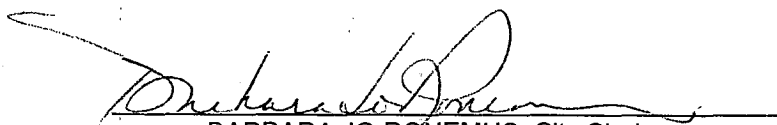

BARBARA JO RONEMUS, City Clerk

Exhibit "A"

(Attach Notice of Meeting and Agenda)

CITY COUNCIL AGENDA

APRIL 7, 2004

TABLE OF CONTENTS

Ceremonial Matters	Pg 1
Business Items	Pg 2

CONSENT		DISCUSSION	
Administrative Services	Pg 2	Administrative	Pg 7
Finance & Business Services	Pg 2 – 4	City Attorney	Pg 7
Fire and Rescue Department	Pg 4	Finance & Business Services	Pg 7
Human Resources Department	Pg 4	Neighborhood Services Department	Pg 7
Planning & Development Department	Pg 4	Planning & Development Department	Pg 7
Public Works Department	Pg 4 – 6	Resolutions	Pg 8
Resolutions	Pg 6	Boards & Commissions	Pg 8
Real Estate Committee	Pg 6	Real Estate Committee	Pg 8
		Recommending Committee Reports <i>(Bills eligible for adoption at a later meeting)</i>	Pg 8
		New Bills	Pg 9

AFTERNOON

Afternoon Session	Pg 9
Hearings	Pg 9
Planning & Development	Pg 10 – 20
Addendum <i>(Item heard by Department)</i>	Pg 20
Citizens Participation	Pg 20



CITY COUNCIL AGENDA

COUNCIL CHAMBERS • 400 STEWART AVENUE • PHONE 229-6011

CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.lasvegasnevada.gov>

OSCAR B. GOODMAN, MAYOR (At-Large) • COUNCILMAN GARY REESE, MAYOR PRO TEM (Ward 3)

COUNCILMEMBERS: LARRY BROWN (Ward 4), LYNETTE BOGGS McDONALD (Ward 2),

LAWRENCE WEEKLY (Ward 5), MICHAEL MACK (Ward 6), JANET MONCRIEF (Ward 1)

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

APRIL 7, 2004

Morning Session begins at 9:00 a.m.

Afternoon Session begins at 1:00 p.m.

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

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. THE COUNCIL MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

DUPLICATE AUDIO TAPES MAY BE AVAILABLE AT A COST OF \$3.00 PER TAPE AND DUPLICATE VIDEO TAPES MAY BE AVAILABLE AT A COST OF \$5.00 PER TAPE THROUGH THE CITY CLERK'S OFFICE.

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

CEREMONIAL MATTERS

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - MAJOR WILLIAM RAIHL, CLARK COUNTY COORDINATOR FOR SALVATION ARMY
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF THE CITIZEN OF THE MONTH
- RECOGNITION OF FAIR HOUSING MONTH
- RECOGNITION OF THE CITY CENTRE DEVELOPMENT CORPORATION
- RECOGNITION OF THE WORLD CUP FLAG FOOTBALL CHAMPIONS
- RECOGNITION OF ENVIRONMENTAL AWARENESS MONTH

BUSINESS ITEMS

1. Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time
2. Approval of the Final Minutes by reference of the Regular City Council Meetings of February 18, 2004 and March 3, 2004 and the Recessed City Council Meeting of March 5, 2004

CONSENT AGENDA

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

ADMINISTRATIVE SERVICES - CONSENT

3. Approval of an amendment to the Interlocal Agreement with Clark County, Henderson, North Las Vegas, Boulder City and the City of Las Vegas to provide funds for the Community Triage Center (\$216,947 - General Fund)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

4. Approval of Service and Material Checks/Payroll Checks/Wires Transfers/Other Checks and Investments
5. Approval of the Fiscal Year 2004 budget for the City Parkway IV A, Inc. (\$26,000 - Industrial Development Special Revenue Fund) - Ward 5 (Weekly)
6. Approval of the Fiscal Year 2004 operating budget for the City Parkway IV, Inc. and City Parkway V, Inc., combined (\$71,269 - Industrial Development Special Revenue Fund) - Ward 5 (Weekly)
7. Approval of the Fiscal Year 2004 operating budget for the Office District Parking I, Inc. (\$3,000 - Industrial Development Special Revenue Fund) - Ward 5 (Weekly)
8. Approval of a Special Event License for Whole Foods Market, Inc., Location: Whole Foods Market, 8855 West Charleston Boulevard, Date: April 15, 25, May 1, 8, 31, Type: Special Event Beer/Wine, Event: Wine Tastings, Responsible Person in Charge: Sandra Benton - Ward 2 (L.B. McDonald)
9. Approval of a Special Event License for St. Anne Parish Community, Location: St. Ann Catholic School, 1813 South Maryland Parkway, Dates: April 17-18, 2004, Type: Special Event General, Event: St. Anne Parish Community Fun Fair 2004 Fundraiser, Responsible Person in Charge: Carol Rose - Ward 3 (Reese)
10. Approval of a Supper Club License subject to the provisions of the planning and fire codes and Health Dept. regulations, Chicago America Holding, LLC, dba BJ's Restaurant & Brewhouse, 10840 West Charleston Boulevard, Paul A. Motenko, Mgr, Chicago Pizza & Brewery, Inc., a publicly traded company, Mmbr, 100%, Paul A. Motenko, COB, Co-CEO, VP, Secy - Ward 2 (L.B. McDonald)
11. Approval of a new Restricted Gaming License for 5 slots, HWEH, Inc., dba Arco AM/PM Store #5313, 1550 North Rancho Drive, Heung S. Kim, Dir, Pres, Secy, Treas, 100% - Ward 5 (Weekly)
12. Approval of a new Restricted Gaming License for 4 slots, Aloha Laundry and Cleaners, Ltd., dba Aloha Laundry, 1404 South 3rd Street, Mary-Kay Pa, Mmbr, 100%, Gregory H. K. Pa, Mgr - Ward 1 (Moncrief)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

13. Approval of a new Restricted Gaming License for 7 slots, Spickler-Olenak, LLC, dba Munchies, 6390 West Lake Mead Boulevard, Jason W. Olenak, Mmbr, 50%, Kimberly A. Olenak, Mmbr, 50% - Ward 6 (Mack)
14. Approval of a new Burglar Alarm Service License, Angela M. Gullotta, dba Alarm Specialists, 4202 Carrie Hills Avenue, Angela M. Gullotta, 100% - North Las Vegas
15. Approval of Change of Location for a Burglar Alarm Service License, All Protection Security, Inc., dba All Protection Security, Inc., From: 42217 Rio Nedo, Suite A-204, Temecula, California, To: 2000 South Jones Boulevard, Suite 230, John P. Haecker, Pres, 52.5%, David M. Ray, VP, 47.5% - Ward 1 (Moncrief)
16. Approval of Change of Business Name for a Massage Establishment License, Richard William Harris, dba From: Fitness Massage Therapy, To: The Massage Group, 7980 West Sahara Avenue, Richard W. Harris, 100% - Ward 1 (Moncrief)
17. Approval of award of contract for Request for Proposal No. 040072-CW, Oracle 11i Software Migration Implementation Service - Department of Information Technologies - Award recommended to: SOLBOURNE COMPUTER, INC. (\$2,187,172 - Computer Services Internal Service Fund)
18. Approval of award of Bid Number 03.1730.12-LED, Downtown Street Rehabilitation, Phase 3 and Street Rehabilitation - Mayfair Neighborhood, Phase 2 and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: LAS VEGAS PAVING CORPORATION (\$1,487,451 - Public Works Capital Projects Fund) - Ward 5 (Weekly)
19. Approval of award of Contracts 040275 and 040278, SPESCOM Software and Support and Maintenance - Department of Information Technologies - Award recommended to: SPESCOM SOFTWARE, INC. (\$944,162 - Computer Services Internal Service Fund)
20. Approval of award of Contract 040120, professional services contract for the Northwest Regional Open Space Plan - Department of Planning and Development - Award recommended to: GREENWAYS, INC. (\$235,780 - Parks and Leisure Activities Capital Projects Fund) - Wards 4 and 6 (Brown and Mack)
21. Approval of award of Contract 040269, annual audit services of the City of Las Vegas and the Redevelopment Agency for Fiscal Years 2004, 2005, and 2006 - Department of Finance and Business Services - Award recommended to: KPMG LLC (\$156,000 - General Fund)
22. Approval of Contract 030366-LW, Psychological Assessment Services for Fire and Rescue and Detention - Department of Human Resources - Award recommended to: HARRISON C. STANTON AND ASSOCIATES, LLC (\$100,000 - General Fund)
23. Approval of award of Bid Number 040193-KF, Annual Requirements Contract for Fire Hydrant Parts - Department of Fire and Rescue - Award recommended to: STANDARD WHOLESALE SUPPLY for Lots II & IV, NATIONAL WATERWORKS for Lot I, FERGUSON ENTERPRISES, INC. for Lots III and VII and UNITED STATES PIPE & FOUNDRY CO. for Lot VI (Estimated annual aggregate amount of \$82,000 - General Fund)
24. Approval of issuance of a purchase order for an annual requirements contract for Freightliner, Sterling Western Star and Ford L & C Series truck OEM parts and service - Department of Fire and Rescue - Award recommended to: LAS VEGAS FREIGHTLINER (Estimated annual amount of \$65,000 - General Fund)
25. Approval of award of Bid Number 040230-KF, Class 6 Truck - Department of Fire and Rescue - Award recommended to: LAS VEGAS FREIGHTLINER (\$54,092 - Fire Equipment Internal Service Fund)
26. Approval of issuance of a purchase order for four (4) auto-pulse resuscitation systems - Department of Fire and Rescue - Award recommended to: REVIVANT CORPORATION (\$49,745.84 - Public Education Special Revenue Fund)
27. Approval of award of Bid Number 03.19402.05-CW, Install Exterior Insulation Foam System at City Hall, 400 Stewart Avenue, and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Field Operations - Award recommended to: M&H BUILDING SPECIALTIES, INC. (\$51,314 - City Facilities Capital Projects Fund) - Ward 5 (Weekly)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

28. Approval of issuance of a purchase order for firefighters test preparation manuals and test booklets - Department of Human Resources - Award recommended to: FIREFIGHTER SELECTION, INC. (\$30,569.34 - General Fund)

FIRE AND RESCUE DEPARTMENT - CONSENT

29. Approval authorizing Las Vegas Fire & Rescue to execute a Secondary User's Agreement with American Medical Response - Las Vegas for the transfer of interoperable radio equipment for public safety communications - All Wards
30. Approval of Temporary Access and Indemnification Agreement between the City of Las Vegas and the Vestin Group for conducting technical rescue training exercises at the Castaways Hotel Casino and Bowling Center between April and October 2004 - Ward 3 (Reese)
31. Approval of an Interlocal Agreement between the City of Las Vegas and the Las Vegas Paiute Tribal Police Department for the transfer of interoperable radio equipment for public safety communications - All Wards
32. Approval of an Interlocal Agreement between the City of Las Vegas and the Clark County School District for the transfer of interoperable radio equipment for public safety communications - All Wards
33. Approval authorizing Las Vegas Fire & Rescue to execute a Secondary User's Agreement with Southwest Ambulance for the transfer of interoperable radio equipment for public safety communications - All Wards
34. Approval of a contract renewal between the City of Las Vegas and Trauma Intervention Programs, Inc. (\$46,884 - General Fund) - All Wards

HUMAN RESOURCES DEPARTMENT - CONSENT

35. Approval of the revised City Health Insurance Employee Benefit Plan Document

PLANNING & DEVELOPMENT DEPARTMENT - CONSENT

36. Approval of recommendation of lands to be disposed of by the Bureau of Land Management (BLM) in the Spring 2005 Public Sale - Ward 6 (Mack).

PUBLIC WORKS DEPARTMENT - CONSENT

37. Approval of Second Supplemental Interlocal Contract 389b Jones Boulevard/Las Vegas Beltway to Elkhorn Road between the City of Las Vegas and the Southern Nevada Regional Transportation Commission to increase the amount of the Interlocal Contract (\$60,000 - Southern Nevada Regional Transportation Commission) - Ward 6 (Mack)
38. Approval of Interlocal Contract 388b Alexander Road/Hualapai Way - Cheyenne Avenue to Cimarron Road between the City of Las Vegas and the Southern Nevada Regional Transportation Commission for Engineering, Right-of-Way Other and Construction (\$6,341,047 - Southern Nevada Regional Transportation Commission) - Ward 6 (Mack)
39. Approval of Fourth Supplemental Interlocal Contract LAS.19.B.01 Owens Avenue System Rancho Drive to I-15 between the City of Las Vegas and the Clark County Regional Flood Control District to increase funding for Construction Management (\$96,000 - Clark County Regional Flood Control District) - Ward 5 (Weekly)
40. Approval of Interlocal Contract #461 - ITS Communication Infrastructure Project between the City of Las Vegas and the Southern Nevada Regional Transportation Commission for engineering design, contract administration, surveying, inspection, testing, utility relocation and construction (\$6,500,000 - Southern Nevada Regional Transportation Commission) - All Wards

PUBLIC WORKS DEPARTMENT - CONSENT

41. Approval of a Seventh Supplemental Cooperative Agreement - Traffic Capacity and Safety Improvements - Second Program Year between the City of Las Vegas, Clark County and the Southern Nevada Regional Transportation Commission to reduce funding and close the project (\$-23,458.96 reduction - Clark County) - All Wards
42. Approval of Third Supplemental Interlocal Contract #321c Vegas Drive/Rancho Drive to I-15 between the City of Las Vegas and the Southern Nevada Regional Transportation Commission to purchase right-of-way, perform construction inspection and construct roadway improvements (\$104,000 - Southern Nevada Regional Transportation Commission) - Ward 5 (Weekly)
43. Approval to file an amendment to Right-of-Way Grant Number N-75757 with the Bureau of Land Management for roadway, sanitary sewer and drainage purposes for portions of land lying within the Northeast Quarter of Section 7, Township 19 South, Range 60 East, Mount Diablo Meridian, generally located on the southwesterly side of U.S. 95, approximately 1,320 feet west of the Fort Apache Road alignment, APN 125-07-601-003 - Ward 6 (Mack)
44. Approval of Contract Modification #1 with Frehner Construction for additional work necessary to complete the Vegas Drive/Owens Avenue - Rancho Road to I-15 project (\$287,560 - Regional Transportation Commission - \$265,440 - Clark County Regional Flood Control District) - Ward 5 (Weekly)
45. Approval of a Third Amendment to Professional Services Agreement with Kimley-Horn Associates, Inc. for additional engineering services for the Vegas Drive/Owens Avenue - Rancho Drive to Interstate 15 Project (\$19,200 - Clark County Regional Flood Control District - \$20,800 - Regional Transportation Commission) - Ward 5 (Weekly)
46. Approval of a Second Amendment to Professional Services Agreement with Ninyo and Moore for the continuation of the operation and maintenance of the Gateway Remediation System (\$71,978 - Sanitation Funds, 95% of which is to be reimbursed by the Nevada Division of Environmental Protection) - Ward 3 (Reese)
47. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - White 1998 Trust, Timothy L. and Susan A. White, Trustees, owners (southwest corner of Regena Avenue and Conquistador Street, APN 125-30-101-038) - County (near Ward 6 - Mack)
48. Approval of an Encroachment Request from Anthony Böck on behalf of Congregation Sharrei Tefilla, owner (area bound by Charleston Boulevard, 17th Street, Sahara Avenue, Santa Rosa Drive, Rexford Place, Oakey Boulevard, and Sixth Street) - Ward 3 (Reese)
49. Approval of an Encroachment Request from Tetra Tech, Incorporated, on behalf of Spinnaker Homes V, LLC, owner (northeast corner of Fort Apache Road and Deer Springs Way) - Ward 6 (Mack)
50. Approval of an Encroachment Request from Integrity Engineering on behalf of Desert Lincoln-Mercury, Incorporated, owner (Duneville Street and Westwind Road) - Ward 1 (Moncrief)
51. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Wright Engineers on behalf of Carina Corporation, owners (southwest corner of Washburn Road and Buffalo Drive, APNs 125-33-704-001, 125-33-704-002, 125-33-704-003, and 125-33-704-004) - County (near Ward 6 - Mack)
52. Approval of an Encroachment Request from G. C. Wallace, Incorporated, on behalf of Sunrise Mountainview Hospital, owner (southeast corner of Cheyenne Avenue and Tenaya Way) - Ward 4 (Brown)
53. Approval of an Encroachment Request from Wright Engineers on behalf of Kimball Hill Homes Nevada, Incorporated, owner (southeast corner of Racel Street and Cimarron Road) - Ward 6 (Mack)
54. Approval of Contract Modification #1 with Harris & Associates, Inc. for construction management services for the Vegas Drive/Owens Avenue - Rancho Drive to I-15 project (\$104,000 - Regional Transportation Commission - \$96,000 - Clark County Regional Flood Control District) - Ward 5 (Weekly)
55. Approval of City of Las Vegas' portion of the Clean Water Coalition (CWC) FY 2004-2005 Tentative Annual Operating Budget - Annual Capital budget for the Systems Conveyance and Operations Program (SCOP) - (\$3,814,600 - Sanitation Fund) - Clark County

PUBLIC WORKS DEPARTMENT - CONSENT

- 56. Approval of an Interlocal Agreement between the Clean Water Coalition, the City of Las Vegas, the City of Henderson and the Clark County Water Reclamation District allowing these member agencies to provide different types of support services such as financial, legal, and human resources to the Clean Water Coalition - All Wards
- 57. Approval of a Second Amendment to a Professional Services Agreement with The WLB Group, Inc. for additional design services of a lighted tennis court and park signage for Parson Park (Patriot Community Park) located at 4050 Thom Boulevard (\$21,760 - Parks and Leisure Activities Capital Projects Fund) - Ward 6 (Mack)

RESOLUTIONS - CONSENT

- 58. R-50-2004 - Approval of a Resolution supporting the Lincoln County Lands Act
- 59. R-51-2004 - Approval of a Resolution directing the City Treasurer to prepare the Fifty-Eighth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
- 60. R-52-2004 - Approval of a Resolution approving the Fifty-Eighth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
- 61. R-53-2004 - Approval of a Resolution directing the City Treasurer to prepare the Ninth Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
- 62. R-54-2004 - Approval of a Resolution approving the Ninth Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
- 63. R-55-2004 - Approval of a Resolution directing the City Engineer to prepare preliminary plans for Special Improvement District No. 1490 - Tenaya Way (Northern Beltway To Elkhorn Road) (Capital Projects Fund - Special Assessments) - Ward 6 (Mack)
- 64. R-56-2004 - Approval of a Resolution Awarding Bid for Special Improvement District No. 1501 - Downtown Street Rehabilitation Phase III (\$51,232.50 - Capital Projects Fund - Special Assessments) - Ward 5 (Weekly)
- 65. R-57-2004 - Approval of a Resolution concerning the City of Las Vegas, Nevada, Special Improvement District No. 607 (Cliff's Edge) and the District Financing Agreement with Cliffs Edge, LLC and similar agreements with other property owners - Ward 6 (Mack)

REAL ESTATE COMMITTEE - CONSENT

- 66. Approval of Memorandum of Understanding #2004-03 with Lone Mountain Little League, a non-profit organization, for field modifications on five 60' fields located at Children's Memorial Park, 6601 West Gowan Road - Ward 6 (Mack)
- 67. Approval of a 3,400 square foot expansion to the existing Health Care and Dental Facility located at 1750 Wheeler Peak Drive in the Las Vegas Enterprise Business Park - Ward 5 (Weekly)
- 68. Approval of an Agreement for the Purchase and Sale of Real property between Priority One Commercial (on behalf of the City of Las Vegas) and David M. Litvak for real property known as APN 139-34-512-039 located in the vicinity of Mesquite Avenue and 7th Street (\$351,000 - City Facilities Capital Project Fund) - Ward 5 (Weekly)
- 69. Approval of Option Agreement for Parcel #1 with Help Las Vegas Housing Corporation II as the developer to purchase approximately 4.84 acres of City of Las Vegas land located in the vicinity of Main and Owens (currently located on a portion of Parcel #139-27-502-011) for development and construction of multi-family housing for low-income persons - Ward 5 (Weekly)
- 70. Approval of City Parkway IV executing a Quitclaim Deed and Assignment to transfer approximately 56 acres of APN 139-34-110-003 to City Parkway V and for City Parkway V to accept such transfer - Ward 5 (Weekly)

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

71. ABEYANCE ITEM - Discussion and possible action to establish an employment policy for state legislators and other elected or appointed government officials

CITY ATTORNEY - DISCUSSION

72. Discussion and possible action regarding Complaint seeking disciplinary action against Carey Sam Anderson d/b/a Anderson Snack Shack, 516 Jackson Avenue, Las Vegas, Clark County, Nevada, for violations of Titles 6 and 9 of the Las Vegas Municipal Code and NRS Chapter 446 - Ward 5 (Weekly)

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

73. Discussion and possible action regarding Temporary Approval of Change of Ownership for a Beer/Wine/Cooler Off-sale License subject to Health Dept. regulations, From: Bells Market Partnership, Caroline Yousif, Ptnr, 50%, Jamal Jeberaeel, Ptnr, 50%, To: Sabah Shoshani, dba Bells Market, 720 West Owens Avenue, Sabah H. Shoshani, 100% - Ward 5 (Weekly)
74. Discussion and possible action regarding a Six Month Review of a Beer/Wine/Cooler Off-sale License, Melva Boyd, dba Lucky Champ, 1420 West Bonanza Road, Melva D. Boyd, 100% - Ward 5 (Weekly)
75. Discussion and possible action regarding a Six Month Review of a Package License and a Restricted Gaming License for 11 slots, Hirmis B. Haron, dba Stewart Market, 2021 Stewart Avenue, Hirmis B. Haron, 100% - Ward 3 (Reese)
76. Discussion and possible action regarding Temporary Approval of a New Martial Arts Instruction Business License subject to the provisions of the fire codes, American Taekwondo Federation, LLC, dba ATF Black Belt Academy, 3211 North Tenaya Way, #105, Mark L. Robb, Mgr, Mmbr, 49%, Allan S. Melatti, Mgr, Mmbr, 51% - Ward 4 (Brown)
77. Discussion and possible action regarding a Six Month Review of a Massage Establishment License, Princess Massage, LLC, dba Princess Massage, 2212 Paradise Road, Douglas R. Wingo, Mmbr, 100% - Ward 3 (Reese)
78. Discussion and possible action regarding a Six Month Review of a Massage Establishment License, Cathay Massage, Inc., dba Cathay Massage, Inc., 7450 West Cheyenne Avenue, Suite 113, Chen H. Liu, Dir, Pres, Secy, Treas, 100% - Ward 4 (Brown)
79. Discussion and possible action regarding an Appeal of Revocation of Business License for an Independent Massage Therapist License, Yi Li Liu, dba Yi Li Liu, 2120 Paradise Road, Suite 110, Yi Li Liu, 100% - Ward 3 (Reese)

NEIGHBORHOOD SERVICES DEPARTMENT - DISCUSSION

80. Discussion and possible action on an allocation of \$200,000 in Federal HOME funds to Economic Opportunity Board to operate their Homebuyer Assistance Program - All Wards

PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION

81. Discussion and possible action on amendments to the Southern Nevada Water Authority Drought Plan - All Wards

RESOLUTIONS - DISCUSSION

- 82. R-58-2004 - Discussion and possible action regarding a Resolution Adopting a Permit and Service Fee Schedule for the Department of Fire and Rescue
- 83. R-59-2004 - Discussion and possible action regarding a Resolution adopting the Las Vegas Boulevard Scenic Byway Corridor Management Plan as an addendum to the Neighborhood Revitalization Component of the City of Las Vegas 2020 Master Plan - All Wards

BOARDS & COMMISSIONS - DISCUSSION

- 84. ABEYANCE ITEM - PARK & RECREATION ADVISORY COMMISSION – Malcolm D. White, Term Expiration 4-1-2004
- 85. ABEYANCE ITEM - CHILD CARE LICENSING BOARD – Lolanda Bunch, Term Expiration 6-2007 (Resigned)

REAL ESTATE COMMITTEE - DISCUSSION

- 86. Discussion and possible action regarding a Real Property Conveyance Agreement with Stella Lake Partners, LLC, for the acquisition and development of a 120,000 square foot FBI headquarters on a 5.32-acre parcel located at the Southeast corner of Stella Lake Street and Lake Mead Boulevard, APN 139-21-313-002 (010-290-) - Ward 5 (Weekly)

RECOMMENDING COMMITTEE REPORTS - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

THERE IS NO PUBLIC COMMENT ON THESE ITEMS AND NO ACTION WILL BE TAKEN BY THE COUNCIL AT THIS MEETING, EXCEPT THOSE ITEMS WHICH MAY BE STRICKEN OR TABLED. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.

- 87. TABLED ITEM - Bill No. 2003-78 – Establishes locational restrictions for the uses “auto pawn,” “auto title loan,” and “specified financial institution.” Proposed by: Robert S. Genzer, Director of Planning and Development
- 88. Bill No. 2004-17 – Annexation No. ANX-3693 – Property location: On the northeast corner of Michelli Crest Way and Bath Drive; Petitioned by: Cliffs Edge, LLC; Acreage: 2.60 acres; Zoned: R-U (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Michael Mack
- 89. Bill No. 2004-18 – Annexation No. ANX-3714 – Property location: On the southwest corner of Chieftain Street and Bath Drive; Petitioned by: James and Lori Kibler; Acreage: 2.53 acres; Zoned: R-E (County zoning), U (TC) (City equivalent). Sponsored by: Councilman Michael Mack
- 90. Bill No. 2004-19 – Annexation No. ANX-3740 – Property location: On the east side of Fairhaven Street, 1,170 feet south of Lake Mead Boulevard; Petitioned by: Cytha Price, et al.; Acreage: 1.00 acres; Zoned: R-E (County zoning), U (GC) (City equivalent). Sponsored by: Councilman Lawrence Weekly
- 91. Bill No. 2004-20 – Revises the zoning standards and procedures for converting public streets into private streets in existing subdivisions. Sponsored by: Councilwoman Janet Moncrief
- 92. Bill No. 2004-21 – Updates the City’s emergency management provisions. Sponsored by: Mayor Oscar B. Goodman

NEW BILLS

THERE IS NO PUBLIC COMMENT ON THESE ITEMS. NEW BILLS ARE READ INTO THE RECORD AND REFERRED TO RECOMMENDING COMMITTEE FOR A SEPARATE HEARING TO RECEIVE PUBLIC TESTIMONY BEFORE ACTION BY THE COUNCIL AT A LATER MEETING. EXCEPTION: EMERGENCY BILLS OR THOSE ITEMS TO BE STRICKEN OR TABLED.

93. Bill No. 2004-22 - Interim warrant ordinance providing for the issuance of a General Obligation Interim Warrant for Special Improvement Districts #1487 (Jones - Beltway to Elkhorn) not to exceed \$1,200,000 - Ward 6 (Mack), #1493 (Alexander/Hualapai - Cheyenne to Cimarron) not to exceed \$740,000 - Ward 4 (Brown), and #1503 (Durango - Tropical to Clark County Highway 215) not to exceed \$300,000 - Ward 6 (Mack)
94. Bill No. 2004-23 - Annexation No. ANX-3835 - Property location: On the northeast corner of Cartier Avenue and Maverick Street; Petitioned by: Saint Mary Coptic Orthodox Church; Acreage: 2.42 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Lawrence Weekly
95. Bill No. 2004-24 - Annexation No. ANX-3871 - Property location: On the southwest corner of Buffalo Drive and Iron Mountain Road; Petitioned by: CCM Trust; Acreage: 10.75 acres; Zoned: R-E (County zoning), U (R-E) (City equivalent). Sponsored by: Councilman Michael Mack
96. Bill No. 2004-25 - Establishes zoning requirements for swap meets. Sponsored by: Councilman Gary Reese
97. Bill No. 2004-26 - Establishes the "Las Vegas Boulevard Scenic Byway Overlay District," together with related regulations governing signage. Proposed by: Robert S. Genzer, Director of Planning and Development
98. Bill No. 2004-27 - Authorizes the issuance of the City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Senior Local Improvement Refunding Bonds, Series 2004
99. Bill No. 2004-28 - Updates the description of the City ward boundaries to reflect annexations, as well as other changes made by the Clark County Election Department in the numbering and description of election precincts. Proposed by: Barbara Jo Ronemus, City Clerk
100. Bill No. 2004-29 - Authorizes the issuance of the City of Las Vegas General Obligation (Limited Tax) Sewer Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2004 - Various Wards

1:00 P.M. - AFTERNOON SESSION

101. Any items from the afternoon session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

HEARINGS - DISCUSSION

102. Public hearing on local improvement district for Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance - FY2005) - (\$41,902.50 - Capital Projects Fund - Special Assessments) - Ward 1 (Moncrief)
103. Required 30-day extension and review regarding the appeal of the Notice and Order to Abate Dangerous Building/Demolition at 880 E. Sahara Ave. PROPERTY OWNERS: DESERT PALMS INVESTMENT GROUP LLC - Ward 3 (Reese)
104. Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 1733 N. Decatur Blvd. PROPERTY OWNER: TELOS ENTERPRISES, INC. - Ward 5 (Weekly)
105. Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 740 N 11th St. PROPERTY OWNER: WASHINGTON MUTUAL BANK F A - Ward 5 (Weekly)

PLANNING & DEVELOPMENT DEPARTMENT

The items listed below, where appropriate, have been reviewed by the various City departments relative to requirements for storm drainage and flood control, connection to sanitary sewer, traffic circulation, and building and fire regulations. Their comments and/or recommendations and requirements have been incorporated into the action.

PLANNING & DEVELOPMENT DEPARTMENT – CONSENT

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

106. EXTENSION OF TIME - EOT-3962 - APPLICANT: STANPARK CONSTRUCTION - OWNER: KOLOB, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit (U-0156-99) FOR ALCOHOLIC BEVERAGE SALES adjacent to the northeast corner of Centennial Parkway and Durango Drive (APN: 125-20-801-002), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Land Use Designation], Ward 6 (Mack). Staff recommends APPROVAL
107. EXTENSION OF TIME - EOT-3963 - APPLICANT: STANPARK CONSTRUCTION - OWNER: KOLOB, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit (U-0154-99) FOR AN AUTO REPAIR GARAGE, MINOR adjacent to the northeast corner of Centennial Parkway and Durango Drive (APN: 125-20-801-002), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Land Use Designation], Ward 6 (Mack). Staff recommends APPROVAL
108. EXTENSION OF TIME - EOT-3964 - APPLICANT: STANPARK CONSTRUCTION - OWNER: KOLOB, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit (U-0149-99) FOR A SUPPER CLUB adjacent to the northeast corner of Centennial Parkway and Durango Drive (APN: 125-20-801-002), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Land Use Designation], Ward 6 (Mack). Staff recommends APPROVAL
109. EXTENSION OF TIME - EOT-3965 - APPLICANT: STANPARK CONSTRUCTION - OWNER: KOLOB, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit (U-0155-99) FOR A RESTAURANT WITH DRIVE THRU adjacent to the northeast corner of Centennial Parkway and Durango Drive (APN: 125-20-801-002), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Land Use Designation], Ward 6 (Mack). Staff recommends APPROVAL
110. EXTENSION OF TIME - EOT-3966 - APPLICANT: STANPARK CONSTRUCTION - OWNER: KOLOB, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit (U-0153-99) FOR AN AUTOMATIC CAR WASH adjacent to the northeast corner of Centennial Parkway and Durango Drive (APN: 125-20-801-002), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Land Use Designation], Ward 6 (Mack). Staff recommends APPROVAL
111. EXTENSION OF TIME - EOT-3967 - APPLICANT: STANPARK CONSTRUCTION - OWNER: KOLOB, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit (U-0152-99) FOR A CONVENIENCE STORE WITH FUEL PUMPS adjacent to the northeast corner of Centennial Parkway and Durango Drive (APN: 125-20-801-002), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Land Use Designation], Ward 6 (Mack). Staff recommends APPROVAL
112. EXTENSION OF TIME - EOT-3992 - APPLICANT/OWNER: GOOD EARTH ENTERPRISES, INC. - Request for an Extension of Time on an approved Special Use Permit (SUP-1531) FOR A 330-UNIT ASSISTED LIVING APARTMENT COMPLEX at 233 South Sixth Street and 232 South Seventh Street (APN: 139-34-611-034, 036, 037, and 039), C-2 (General Commercial) Zone, Ward 1 (Moncrief). Staff recommends APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – CONSENT

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

113. EXTENSION OF TIME - EOT-3975 - APPLICANT/OWNER: KENNETH LONG - Request for an Extension of Time on an approved Rezoning (Z-0070-99) FROM: R-1 (Single-Family Residential) TO: P-R (Professional Office and Parking) on 0.25 acres located at 717 Clark Avenue (APN: 139-34-710-048), Ward 1 (Moncrief). Staff recommends APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

114. REQUIRED ONE YEAR REVIEW - REVIEW OF CONDITION - PUBLIC HEARING - RQR-3881 - APPLICANT: YONO ENTERPRISES - OWNER: RICHARD AND BEATRICE STURMAN - Required One-Year Review of an approved Review of Condition (ROC-1770) [WHICH DELETED CONDITION NO. 2] of an approved Special Use Permit (U-0154-98) PROHIBITING THE SALE OF INDIVIDUAL CONTAINERS OF ANY SIZE BEER, WINE COOLERS OR SCREW CAP WINE for an existing market (Fremont Family Market and Deli) at 611 Fremont Street, Suite 20 (APN: 139-34-611-019), C-2 (General Commercial) Zone, Ward 5 (Weekly). Staff recommends DENIAL
115. REVIEW OF CONDITION - PUBLIC HEARING - ROC-3761 - APPLICANT/OWNER: WESTVIEW, LIMITED LIABILITY COMPANY - Request FOR A REVIEW OF CONDITION NO. 5 OF AN APPROVED SITE DEVELOPMENT PLAN REVIEW [Z-0058-01(1)] WHICH ESTABLISHED MINIMUM SITE SETBACKS on property adjacent to the southwest corner of Wittig Avenue and Tee Pee Lane (APN: 125-19-501-011 thru 014; 125-19-601-002 and 003), U (Undeveloped) Zone [L (Low Density Residential) and R (Rural Density Residential) General Plan Designations] under Resolution of Intent to R-PD5 (Residential Planned Development - 5 Units per Acre), Ward 6 (Mack). Staff recommends APPROVAL
116. REVIEW OF CONDITION - PUBLIC HEARING - ROC-3797 - APPLICANT/OWNER: UNITED BROTHERS ENTERPRISES, INC. - Request for a Review of Condition No. 4 of an approved Special Use Permit (U-0088-01) WHICH PROHIBITED THE SALE OF INDIVIDUAL CONTAINERS OF ANY SIZE BEER, WINE COOLERS, OR SCREW CAP WINE on property located at 2320 East Fremont Street (APN: 139-35-805-001), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL
117. REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-3691 - APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT - Required Two Year Review of an approved Site Development Plan Review [Z-0026-92(3)] FOR A 4,032 SQUARE FOOT CHILD CARE CENTER IN THREE MODULAR BUILDINGS on 0.97 acres adjacent to the east side of Valley View Boulevard, approximately 1,200 feet north of Charleston Boulevard (APN: 139-31-801-006), C-V (Civic) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL
118. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3703 - APPLICANT/OWNER: SHARON KEA - IMPERIAL HEALTH SPA - Request for a Site Development Plan Review FOR A PROPOSED HEALTH SPA, RESTAURANT AND KARAOKE BAR AND WAIVERS TO THE PERIMETER LANDSCAPING REQUIREMENTS at 1070 East Sahara Avenue (APN: 162-03-801-034, 055, 132, 033, and 069), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
119. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3787 - APPLICANT/OWNER: SILVER STATE BANK - Request for a Site Development Plan Review and Waivers of the parking lot landscaping and building foundation landscaping standards FOR A PROPOSED 5,000 SQUARE-FOOT OFFICE BUILDING on 0.46 acres located at 8901 West Sahara Avenue (APN: 163-08-120-036), C-1 (Limited Commercial) Zone, Ward 2 (L.B. McDonald). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

120. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3795 - APPLICANT/OWNER: NORTHWEST 95 LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and Waivers of the Town Center Development Standards requiring on-site open space features; parking spaces to be set back a minimum of 15 feet from property lines; parking lots to be located away from street front; and walkways between parking lots and rows of parking spaces FOR A PROPOSED 293,355 SQUARE-FOOT RETAIL CENTER on 46 acres adjacent to the northwest and northeast corners of Severence Lane and Oso Blanca Road (APN: 125-17-301-003 and a portion of 125-17-701-001) T-C (Town Center) Zone [SC-TC (Service Commercial – Town Center) land use designation], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
121. MAJOR MODIFICATION TO THE MONTECITO DEVELOPMENT AGREEMENT - PUBLIC HEARING - MOD-3735 - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: JAMES R. TUCKER FAMILY TRUST AND JAMES TUCKER TRUST - Request for a Major Modification to the Montecito Development Agreement TO ADD 10 ACRES TO THE OVERALL PLAN AREA adjacent to the southeast corner of Deer Springs Way and Grand Montecito Parkway (APN: 125-20-702-001), T-C (Town Center) Zone [PROPOSED: ML-TC (Medium-Low Density Residential - Town Center) General Plan Designation], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-0-2 vote) recommends APPROVAL
122. SPECIAL USE PERMIT RELATED TO MOD-3735 - PUBLIC HEARING - SUP-3503 - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: JAMES R. TUCKER FAMILY TRUST AND JAMES TUCKER TRUST - Request for a Special Use Permit FOR A GATED SUBDIVISION WITH PRIVATE STREETS WITHIN TOWN CENTER adjacent to the southeast corner of Deer Springs Way and Grand Montecito Parkway (APN: 125-20-702-001), T-C (Town Center) Zone [PROPOSED: ML-TC (Medium-Low Residential - Town Center) General Plan Designation], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-0-2 vote) recommends APPROVAL
123. SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-3735 AND SUP-3503 - PUBLIC HEARING - SDR-3505 - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: JAMES R. TUCKER FAMILY TRUST AND JAMES TUCKER TRUST - Request for a Site Development Plan Review FOR A PROPOSED 96 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 10 acres adjacent to the southeast corner of Deer Springs Way and Grand Montecito Parkway (APN: 125-20-702-001), T-C (Town Center) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-0-2 vote) recommends APPROVAL
124. MAJOR MODIFICATION TO THE MONTECITO TOWN CENTER DEVELOPMENT AGREEMENT - PUBLIC HEARING - MOD-3763 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Major Modification to the Montecito Town Center Development Agreement TO ADD 5.00 ACRES TO THE OVERALL PLAN UNDER THE “MONTECITO TOWN CENTER MIXED USE COMMERCIAL” SPECIAL LAND USE DESIGNATION AND TO MODIFY SECTION 4.1 TO INCREASE COMMERCIAL SQUARE FOOTAGES AND RESIDENTIAL UNITS ACCORDINGLY, adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), U (Undeveloped) Zone [TC (Town Center) General Plan Designation], PROPOSED: T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Special Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
125. REZONING RELATED TO MOD-3763 - PUBLIC HEARING - ZON-3840 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Rezoning FROM: U (Undeveloped) [TC (Town Center) General Plan Designation] TO: T-C (Town Center) on 5.00 acres adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
126. SPECIAL USE PERMIT RELATED TO MOD-3763 AND ZON-3840 - PUBLIC HEARING - SUP-3765 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR LIQUOR SALES on Pad A of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

127. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840 AND SUP-3765 - PUBLIC HEARING - SUP-3767 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR GAMING (INCIDENTAL) on Pad A of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
128. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765 AND SUP-3767 - PUBLIC HEARING - SUP-3769 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR A DRIVE-THROUGH FACILITY on Pad A of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
129. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767 AND SUP-3769 - PUBLIC HEARING - SUP-3770 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR A DRIVE-THROUGH FACILITY on Pad O of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
130. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767 SUP-3769 AND SUP-3770 - PUBLIC HEARING - SUP-3771 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR A TAVERN on Pad P of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
131. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770 AND SUP-3771 - PUBLIC HEARING - SUP-3773 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR GAMING (INCIDENTAL) on Pad P of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
132. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771 AND SUP-3773 - PUBLIC HEARING - SUP-3774 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR GASOLINE SALES on Pad Q of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
133. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773 AND SUP-3774 - PUBLIC HEARING - SUP-3776 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR A CAR WASH on Pad Q of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

134. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774 AND SUP-3776 - PUBLIC HEARING - SUP-3777 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR GAMING (INCIDENTAL) on Pad Q of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
135. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776 AND SUP-3777 - PUBLIC HEARING - SUP-3778 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR LIQUOR SALES on Pad Q of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
136. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776, SUP-3777 AND SUP-3778 - PUBLIC HEARING - SUP-3779 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR A TAVERN on Pad Z of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
137. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776, SUP-3777, SUP-3778 AND SUP-3779 - PUBLIC HEARING - SUP-3780 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR GAMING (INCIDENTAL) on Pad Z of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
138. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776, SUP-3777, SUP-3778, SUP-3779 AND SUP-3780 - PUBLIC HEARING - SUP-3781 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR A DRIVE-THROUGH FACILITY on Pad F of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
139. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776, SUP-3777, SUP-3778, SUP-3779, SUP-3780 AND SUP-3781 - PUBLIC HEARING - SUP-3783 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR LIQUOR SALES on Pad HH of the proposed Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), U (Undeveloped) Zone [TC (Town Center) General Plan Designation], PROPOSED: T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Town Center Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

140. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776, SUP-3777, SUP-3778, SUP-3779, SUP-3780, SUP-3781 AND SUP-3783 - PUBLIC HEARING - SUP-3785 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR GAMING (INCIDENTAL) on Pad HH of the proposed Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), U (Undeveloped) Zone [TC (Town Center) General Plan Designation], PROPOSED: T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
141. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776, SUP-3777, SUP-3778, SUP-3779, SUP-3780, SUP-3781, SUP-3783 AND SUP-3785 - PUBLIC HEARING - SUP-3786 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR A DRIVE-THROUGH FACILITY on Pad HH of the proposed Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), U (Undeveloped) Zone [TC (Town Center) General Plan Designation], PROPOSED: T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
142. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776, SUP-3777, SUP-3778, SUP-3779, SUP-3780, SUP-3781, SUP-3783, SUP-3785 AND SUP-3786 - PUBLIC HEARING - SUP-3788 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR A DRIVE-THROUGH FACILITY on Pad DD of the proposed Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), U (Undeveloped) Zone [TC (Town Center) General Plan Designation], PROPOSED: T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
143. SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776, SUP-3777, SUP-3778, SUP-3779, SUP-3780, SUP-3781, SUP-3783, SUP-3785, SUP-3786 AND SUP-3788 - PUBLIC HEARING - SUP-3789 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR A DRIVE-THROUGH FACILITY on Pad EE of the proposed Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), U (Undeveloped) Zone [TC (Town Center) General Plan Designation], PROPOSED: T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
144. SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776, SUP-3777, SUP-3778, SUP-3779, SUP-3780, SUP-3781, SUP-3783, SUP-3785, SUP-3786, SUP-3788 AND SUP-3789 - PUBLIC HEARING - SDR-3764 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Site Development Plan Review FOR A PROPOSED 587,750 SQUARE-FOOT MIXED-USE COMMERCIAL DEVELOPMENT on 45.6 acres in Montecito Town Center, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001 and 125-20-101-017), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Land Use Designations] and U (Undeveloped) Zone [TC (Town Center) General Plan Designation], PROPOSED: T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
145. MAJOR MODIFICATION TO THE LONE MOUNTAIN MASTER PLAN - PUBLIC HEARING - MOD-3758 - APPLICANT: FRED LESSMAN - Request for a Major Modification to the Lone Mountain Master Plan TO ALLOW A MINI-WAREHOUSE FACILITY AS A PERMITTED USE IN THE VILLAGE COMMERCIAL SPECIAL LAND USE DESIGNATION with the approval of a Special Use Permit, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

146. SPECIAL USE PERMIT RELATED TO MOD-3758 - PUBLIC HEARING - SUP-4009 - APPLICANT: FRED LESSMAN - OWNER: SHADOWS HILLS PLAZA, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A MINI-WAREHOUSE FACILITY on the west side of Shady Timber Street, 900 feet north of Cheyenne Avenue (APN: portions of 137-12-801-001 and 137-12-401-022) U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) Zone [VC (Village Commercial) Lone Mountain Special Land Use Designation], Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL
147. SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-3758 AND SUP-4009 - PUBLIC HEARING - SDR-3759 - APPLICANT: FRED LESSMAN - OWNER: SHADOWS HILLS PLAZA, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and a Reduction in the amount of required perimeter landscaping FOR A PROPOSED MINI-WAREHOUSE FACILITY on 3.57 acres on the west side of Shady Timber Street, 900 feet north of Cheyenne Avenue (APN: portions of 137-12-801-001 and 137-12-401-022), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] Under Resolution of Intent to PD (Planned Development) Zone [VC (Village Commercial) Lone Mountain Special Land Use Designation], Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL
148. VACATION - PUBLIC HEARING - VAC-3664 - APPLICANT: STERLING S. DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY - Request for a Petition to vacate all of Maverick Street, between Meisenheimer Avenue and Racel Street, Ward 6 (Mack). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL
149. TENTATIVE MAP RELATED TO VAC-3664 - TMP-3639 - QUARTERHORSE ESTATES UNIT 1 - APPLICANT: STERLING S. DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY - Appeal filed by the applicant from the approval of the Planning Commission of a request for a Tentative Map FOR A 17 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 9.76 acres adjacent to the northeast corner of Maverick Street and Racel Street (APN: 125-11-704-001), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL
150. VACATION - PUBLIC HEARING - VAC-3707 - APPLICANT: STERLING S. DEVELOPMENT - OWNER: QUARTERHORSE FALLS II, LIMITED LIABILITY COMPANY - Request for a Petition to vacate public sewer and drainage easements generally located south of Log Cabin Way, west of El Capitan Way, Ward 6 (Mack). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL
151. VACATION - PUBLIC HEARING - VAC-3726 - APPLICANT: OLYMPUS GROUP, INC. - OWNER: O'BANNON-JONES, LIMITED LIABILITY COMPANY - Request for a Petition to vacate public sewer and drainage easements; and U. S. Government Patent Reservations generally located north of O'Bannon Drive, east of Jones Boulevard, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL
152. VACATION - PUBLIC HEARING - VAC-3760 - APPLICANT: AMERICAN PREMIER HOMES - OWNER: GRAND VIEW APARTMENTS, LIMITED LIABILITY COMPANY - Petition to Vacate U.S. Government Patent Easements generally located south of Grand Teton Drive, east of Grand Canyon Drive, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
153. VACATION - PUBLIC HEARING - VAC-3782 - APPLICANT/OWNER: CONCORDIA HOMES NEVADA, INC. - Petition to Vacate U.S. Government Patent Easements generally located adjacent to the south side of Stange Avenue, east of Puli Road, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL
154. VACATION - PUBLIC HEARING - VAC-3802 - APPLICANT: TANEY ENGINEERING - OWNER: UNIVEST I, LIMITED LIABILITY COMPANY - Petition to Vacate U.S. Government Patent Easements generally located north of Cheyenne Avenue, east of Hualapai Way, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

155. REQUIRED TWO YEAR REVIEW - VARIANCE - PUBLIC HEARING - RQR-3685 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: JAMES AND LINDA SAPP - Required Two Year Review of an Approved Variance (V-0112-96) WHICH ALLOWED AN EXISTING NON-CONFORMING 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN TO BE RELOCATED 513 FEET FROM ANOTHER OFF-PREMISE ADVERTISING (BILLBOARD) SIGN WHERE 750 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED at 1109 Western Avenue (APN: 162-04-504-001), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL
156. REQUIRED TWO YEAR REVIEW - VARIANCE - PUBLIC HEARING - RQR-3705 - APPLICANT: VIACOM OUTDOOR - OWNER: SAHARA RANCHO MEDICAL - Required Two Year Review of an Approved Variance (V-0154-94) WHICH ALLOWED A 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2320 South Rancho Drive (APN: 162-04-401-004), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL
157. VARIANCE - PUBLIC HEARING - VAR-3711 - APPLICANT: RANCHO POINTE - OWNER: TRISISON, LIMITED LIABILITY COMPANY AND HELEN SLAVIN BALDWIN - Request for a Variance TO ALLOW 134 PARKING SPACES WHERE 199 SPACES ARE REQUIRED FOR A PROPOSED COMMERCIAL DEVELOPMENT on 2.55 acres adjacent to the east side of Rancho Drive, approximately 300 feet south of Alexander Road (APN: 138-12-110-011 and a portion of 138-12-102-001), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (4-2 vote) and staff recommend DENIAL
158. SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3711 - PUBLIC HEARING - SDR-3452 - APPLICANT: RANCHO POINTE AND J. MARIO SANCHEZ - OWNER: TRISISON, LIMITED LIABILITY COMPANY AND HELEN SLAVIN BALDWIN - Request for a Site Development Plan Review FOR A 23,000 SQUARE FOOT COMMERCIAL DEVELOPMENT on 2.55 acres adjacent to the east side of Rancho Drive, approximately 300 feet south of Alexander Road (APN: 138-12-110-011 and a portion of 138-12-102-001), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (4-2 vote) and staff recommend DENIAL
159. VARIANCE - PUBLIC HEARING - VAR-3800 - APPLICANT/OWNER: RICHARD W. MINNEAR - Request for a Variance TO ALLOW A 45-FOOT BUILDING HEIGHT WHERE 35 FEET IS THE MAXIMUM HEIGHT ALLOWED, TO ALLOW A 10-FOOT REAR YARD SETBACK WHERE 15 FEET IS THE MINIMUM REQUIRED, AND TO ALLOW 50 PARKING SPACES WHERE 58 SPACES ARE REQUIRED on 0.34 acres located at 1711 Bearden Drive (APN: 139-33-402-014 & 015) PD (Planned Development) Zone [PO (Professional Office) Las Vegas Medical District Special Land Use Designation], Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL
160. SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3800 - PUBLIC HEARING - SDR-3799 - APPLICANT/OWNER: RICHARD W. MINNEAR - Request for a Site Development Plan Review FOR A PROPOSED 20,400 SQUARE-FOOT MIXED-USE DEVELOPMENT consisting of 6,800 square feet of Medical Office space and 16 multi-family residential units on 0.34 acres at 1711 Bearden Drive (APN: 139-33-402-014 & 015) PD (Planned Development) Zone [PO (Professional Office) Las Vegas Medical District Special Land Use Designation], Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL
161. VARIANCE - PUBLIC HEARING - VAR-3880 - APPLICANT/OWNER: ASIE JAH - Request for a Variance TO ALLOW FIVE PARKING SPACES WHERE SIX ARE REQUIRED FOR A PROPOSED OFFICE on 0.18 acres at 2413 Maroney Avenue (APN: 162-02-410-096) R-2 (Medium-Low Density Residential) under Resolution of Intent to N-S (Neighborhood Service) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
162. SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3880 - PUBLIC HEARING - SDR-3710 - APPLICANT/OWNER: ASIE JAH - Request for a Site Development Review FOR A PROPOSED LAW OFFICE AND FOR A WAIVER OF THE PERIMETER PARKING LOT LANDSCAPING REQUIREMENTS on 0.18 acres at 2413 Maroney Avenue (APN: 162-02-410-096) R-2 (Medium-Low Density Residential) under Resolution of Intent to N-S (Neighborhood Service) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

163. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3479 - LAMAR OUTDOOR ADVERTISING ON BEHALF OF NEWBERG-FIORELLO DEVELOPMENT - Appeal filed by Lamar Outdoor Advertising from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40 FOOT TALL, 14 FOOT BY 48 FOOT, OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2475 South Jones Boulevard (APN: 163-02-802-006), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (4-0 vote) and staff recommend DENIAL
164. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3545 - APPLICANT: SHOW MEDIA - OWNER: NEVADA SPACE, INC. - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2798 Highland Drive (APN: 162-09-202-007), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL
165. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3716 - APPLICANT: AURELIO'S - OWNER: CHEYENNE INVESTMENTS, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR AND A WAIVER FROM THE 400 FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING CHURCH AND PARK at 7660 West Cheyenne Avenue, Suite #122 (APN: 138-09-821-003), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL
166. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3712 - APPLICANT: CHURCH'S BAIL BONDS, INC. - OWNER: BONNEVILLE CENTER, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A BAILBOND SERVICE at 608 South Third Street (APN: 139-34-311-070), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial), Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL
167. SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-3712 - PUBLIC HEARING - SDR-3713 - APPLICANT: CHURCH'S BAIL BONDS, INC. - OWNER: BONNEVILLE CENTER, LIMITED LIABILITY COMPANY - Request for a Site Development Review FOR A PROPOSED BAILBOND OFFICE on 0.16 acres at 608 South Third Street (APN: 139-34-311-070), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial), Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL
168. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3729 - APPLICANT: BAIL BOND AMERICA, INC. - OWNER: MICHAEL AND CHRISTINE ACCARDI - Request for a Special Use Permit FOR A BAILBOND SERVICE at 800 South Casino Center Boulevard (APN: 139-34-410-027), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-1 vote) and staff recommend APPROVAL
169. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3746 - APPLICANT: JEFFREY CAMPBELL - OWNER: PAN PACIFIC RETAIL PROPERTIES, INC. - Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR at 2101 North Rainbow Boulevard, Suite 102 (APN: 138-22-603-001), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
170. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3747 - APPLICANT: EXPRESS CASH & LOANS - OWNER: NERCES HIMIDIAN LIVING TRUST - Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED at 1426 East Charleston Boulevard, Suite 110 (APN: 162-02-110-007), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend DENIAL
171. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3772 - APPLICANT: RICHARDSON PARTNERSHIP - OWNER: RANCHO WASHINGTON, LIMITED LIABILITY COMPANY - Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED at 2801 West Washington Avenue (APN: 139-29-301-001), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-1 vote) and staff recommend DENIAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

172. SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-3772 - PUBLIC HEARING - SDR-3766 - APPLICANT: RICHARDSON PARTNERSHIP - OWNER: RANCHO WASHINGTON, LIMITED LIABILITY COMPANY - Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Site Development Plan Review, a Reduction in the amount of required Perimeter and Parking lot landscaping, and Waivers of the Commercial Development Standards to allow a zero rear yard setback where 20 feet is required and to allow no landscaping between the north façade of the building and the parking area, where a minimum of six feet is required FOR A PROPOSED 3,960 SQUARE-FOOT FINANCIAL INSTITUTION, SPECIFIED on 0.48 acres located at 2801 West Washington Avenue (APN: 139-29-301-001), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-1 vote) and staff recommend DENIAL .
173. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3815 - APPLICANT: BULLSEYE COMMERCIAL REAL ESTATE - OWNER: PSA LAND INVESTMENTS, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR LIQUOR SALES (OFF-PREMISE CONSUMPTION) adjacent to the north side of Charleston Avenue, approximately 375 feet east of Torrey Pines Drive (APN: 138-35-801-002; 138-35-803-001), C-1 (Limited-Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
174. SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-3815 - PUBLIC HEARING - SDR-3790 - APPLICANT: BULLSEYE COMMERCIAL REAL ESTATE - OWNER: PSA LAND INVESTMENTS, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and Waivers of perimeter buffering and landscaping standards FOR A PROPOSED 101,000 SQUARE-FOOT RETAIL CENTER on 9.74 acres adjacent to the north side of Charleston Avenue, approximately 375 feet east of Torrey Pines Drive (APN: 138-358-01-002; 138-358-03-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
175. REZONING - PUBLIC HEARING - ZON-3665 - APPLICANT/OWNER: DONNA J. CAPRI - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.16 acres adjacent to the southwest corner of Eastern Avenue and Canosa Avenue (APN: 162-02-713-114), Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
176. REZONING - PUBLIC HEARING - ZON-3678 - APPLICANT/OWNER: RUTH A. SHARRON - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.16 acres at 220 North Lamb Boulevard (APN: 140-32-310-002), Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
177. REZONING - PUBLIC HEARING - ZON-3775 - APPLICANT: FIESTA HOMES - OWNER: NEW YORK PLASTICS, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD5 (Residential Planned Development - 5 Units Per Acre) on 2.72 acres adjacent to the northwest corner of Bradley Road and Azure Drive (APN: 125-25-101-010 & 011; 125-25-101-014 & 015), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
178. VARIANCE RELATED TO ZON-3775 - PUBLIC HEARING - VAR-3946 - APPLICANT FIESTA HOMES - OWNERS: NEW YORK PLASTICS, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW A PROPOSED R-PD (RESIDENTIAL PLANNED DEVELOPMENT) SITE TO DEVELOP ON 2.72 ACRES WHERE A MINIMUM OF FIVE ACRES ARE REQUIRED adjacent to the northwest corner of Bradley Road and Azure Drive (APN: 125-25-101-010 & 011; 125-25-101-014 & 015), R-E (Residence Estates) Zone [PROPOSED: R-PD5 (Residential Planned Development - 5 Units per Acre)], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
179. WAIVER OF TITLE 18 RELATED TO ZON-3775 AND VAR-3946 - PUBLIC HEARING - WVR-3793 - APPLICANT: FIESTA HOMES - OWNERS: NEW YORK PLASTICS, LIMITED LIABILITY COMPANY - Request for a Waiver of Title 18.12.160 TO ALLOW A 198 FOOT SEPARATION BETWEEN INTERSECTIONS WHERE A MINIMUM OF 220 FEET IS REQUIRED WHEN PROVIDING EXTERNAL ACCESS FROM A SUBDIVISION TO AN EXISTING STREET HAVING A RIGHT-OF-WAY WIDTH OF 60 FEET OR MORE, for a proposed subdivision adjacent to the northwest corner of Bradley Road and Azure Drive (APN: 125-25-101-010 & 011; 125-25-101-014 & 015), R-E (Residence Estates) Zone [PROPOSED: R-PD5 (Residential Planned Development - 5 Units per Acre)], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

180. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3775, VAR-3946 AND WVR-3793 - PUBLIC HEARING - SDR-3784 - APPLICANT: FIESTA HOMES - OWNER: NEW YORK PLASTICS, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 14-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 2.72 acres adjacent to the northwest corner of Bradley Road and Azure Drive (APN: 125-25-101-010 & 011; 125-25-101-014 & 015), R-E (Residence Estates) Zone; [PROPOSED: R-PD5 (Residential Planned Development - 5 Units per Acre)], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
181. REZONING - PUBLIC HEARING - ZON-3919 - APPLICANT/OWNER: CORNERSTONE COMPANY - Request for a Rezoning FROM: R-4 (High Density Residential) TO: C-1 (Limited Commercial) on 0.46 acres adjacent to the northwest corner of Colorado Avenue and 4th Street (APN: 162-03-110-011), Ward 1 (Moncrief). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL
182. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3919 - PUBLIC HEARING - SDR-3920 - APPLICANT/OWNER: CORNERSTONE COMPANY - Request for a Site Development Plan Review and Waivers of the Downtown Centennial Plan streetscape and parking standards FOR A PROPOSED MODULAR OFFICE on 0.46 acres adjacent to the northwest corner of Colorado Avenue and 4th Street (APN: 162-03-110-011), R-4 (High Density Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 1 (Moncrief). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL
183. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

ADDENDUM

CITIZENS PARTICIPATION

Items raised under this portion of the City Council Agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes

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

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