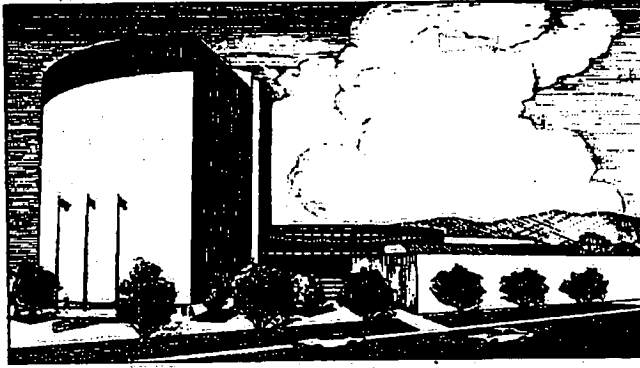




MINUTES

City of Las Vegas

CITY COUNCIL

COUNCIL CHAMBERS • 400 STEWART AVENUE • 229-6011 (VOICE) • 386-9108 (TDD)

CITY COUNCIL Meeting of

APRIL 21, 2004

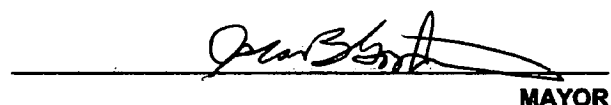
INVOCATION PLEDGE OF ALLEGIANCE

CITY COUNCIL	PRESENT	ABSENT	EXCUSED
MAYOR OSCAR B. GOODMAN	☒	☐	☐
COUNCILMAN GARY REESE MAYOR PRO-TEM	☒	☐	☐
COUNCILMAN LARRY BROWN	☒	☐	☐
WARD 2 SEAT VACANT	☐	☒	☐
COUNCILMAN LAWRENCE WEEKLY (Excused from AM session until 9:22 AM)	☒	☐	☐
COUNCILMAN MICHAEL MACK (Excused from PM session until 2:07 PM)	☒	☐	☐
COUNCILWOMAN JANET MONCRIEF (Excused from AM session until 10:09 AM and from PM session until 1:40 PM)	☒	☐	☐
DOUG SELBY, CITY MANAGER	☒	☐	☐
BRAD JERBIC, CITY ATTORNEY	☒	☐	☐
BRYAN SCOTT, DEPUTY CITY ATTORNEY (PM session)	☒	☐	☐
TOM GREEN, DEPUTY CITY ATTORNEY (PM session)	☒	☐	☐
BARBARA JO RONEMUS, CITY CLERK	☒	☐	☐

APPROVED BY REFERENCE: June 16, 2004

ATTEST:


CITY CLERK


MAYOR

**THIS MEETING
CONTAINS SOME
PAGE(S) THAT ARE
ILLEGIBLE/POOR
QUALITY**

(Mailing required under the provisions of NRS Chapter 241)

 Notary Public-State Of Nevada
COUNTY OF CLARK
ANGELA CROLLI
My Appointment Expires
January 12, 2006
No. 98-0390-1

AFFIDAVIT OF POSTING
(Posting required under the provisions of NRS Chapter 241)

STATE OF NEVADA)

) ss

COUNTY OF CLARK)

Paula Clark, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the **15th** day of **April, 2004** at the hour of **3:30 P.M.** there were posted copies of a NOTICE, the attached of which is a true and correct copy of a **City of Las Vegas, City Council Meeting** to be held on the **21st day of April, 2004, at 9:00 A.M.,** Las Vegas, Nevada; to be posted on Public Bulletin Boards at the following locations:

1. City Hall Plaza, Special Outside Posting Bulletin Board, 400 Stewart Avenue
(in the walkway area between Metro and Municipal Court).
2. Court Clerk's Office Bulletin Board, City Hall Plaza, 400 Stewart Avenue (near
the entrance to the Court Clerk's Office);
3. Las Vegas Library, 833 Las Vegas Blvd.
4. Clark County Government Center, 500 S. Grand Central Parkway
5. Grant Sawyer Building, 555 E. Washington Avenue

Paula Clark

SIGNATURE

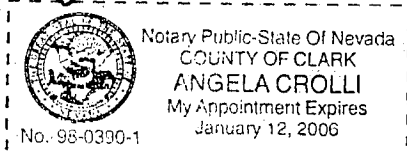
City Clerk

DEPARTMENT

Subscribed and sworn to before me this

16th day of April, 2004

Angela Crolli
NOTARY PUBLIC in and for said County and State



CITY COUNCIL AGENDA

APRIL 21, 2004

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Recommending Committee Reports Pg 9
(Bills eligible for adoption at a later meeting)

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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 21, 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 - REVEREND ROBERT FOWLER, VICTORY MISSION BAPTIST CHURCH
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF THE EMPLOYEE OF THE MONTH
- RECOGNITION OF THE AWARD-WINNING DOOLITTLE COMMUNITY CENTER JAM SQUAD
- PRESENTATION BY THE VETERANS DAY PARADE COMMITTEE

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. Discussion and possible action to appoint a City Council member for Ward 2

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 - CONSENT

3. Approval to authorize the president of City Parkway IV and V to execute Modification No.1 to the Amended Designated Services Agreement for City Parkway Center Project with Design Workshop, Inc. to include the development of Design Guidelines and Development Standards (DGDS) for the Union Park development (61-acres site) (not to exceed \$300,000) Industrial Development SRF - Ward 5 (Weekly)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

4. Approval of Service and Material Checks/Payroll Checks/Wires Transfers/Other Checks and Investments
5. Approval to renew the Interlocal Agreement for Coordination of Franchise-Related Activities with Clark County, Henderson, North Las Vegas and Boulder City (\$40,000-General Fund)- All Wards
6. Approval of a Special Event License for Univision Radio-Las Vegas, Location: Lorenzi Park, 3333 West Washington Avenue, Date: May 2, 2004, Type: Special Event General, Event: Cinco de Mayo 2004, Responsible Person in Charge: Zulema Benjamin - Ward 5 (Weekly)
7. Approval of a Special Event License for Grace in the Desert Episcopal Church, Location: Grace in the Desert Episcopal Church, 2004 Spring Gate Lane, Date: April 24, 2004, Type: Special Event Beer/Wine, Event: Church Spring Festival & BBQ, Responsible Person in Charge: Donald W. Pickell - Ward 4 (Brown)
8. Approval of Change of Ownership for a Beer/Wine/Cooler On-sale License From: Instant Impressions, Inc., Michael G. Maguire, Dir, Pres, 37.5%, Judy A. Maguire, Dir, Secy, 37.5%, Steven D. Gradwell, Dir, Treas, 10%, To: Garrett Equities Incorporated, LLC, dba The Wild Flower Cafe and Florist, 3818 Meadows Lane, Millicent Washington, Mgr, Mmbr, 100% - Ward 1 (Moncrief)
9. Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale License, From: Pollos Tumi - Partnership, dba Pollos Tumi, Luis I. Pedemonte, Ptnr, 50%, Carlos A. Lazarte, Ptnr, 50%, To: Carlos Lazarte, dba Las Americas, 2319 South Eastern Avenue, Carlos A. Lazarte, 100% - Ward 3 (Reese)
10. Approval of Franchise Managers for a Beer/Wine/Cooler Off-sale License, 7-Eleven of Nevada, Inc., dba 7-Eleven Food Store #13699C, 2409 Tam Drive, Heon J. Kim, Franchise Mgr, Jeong M. Kim, Franchise Mgr - Ward 1 (Moncrief)
11. Approval of Change of Business Name for a Wholesale General License, Johnson Brothers of Nevada, Inc., dba From: Alternative Beverage Distributors, To: Johnson Brothers of Nevada, 4409 McGuire Street, Scott Belsaas, Dir, Pres, Michael Johnson, Dir, VP, Secy, 50%, Todd Johnson, Dir, VP, Treas, 50% - North Las Vegas
12. Approval of Change of Business Name for a Tavern License and a Non-restricted Limited Gaming License for 35 slots, TLC Gaming, Inc., dba From: Hurricane Harrys, To: José Hogs Casino & Cantina, 3190 West Sahara Avenue, Terry L. Caudill, Dir, Pres, Secy, Treas, 95%, Timothy G. Lager, 5% - Ward 1 (Moncrief)
13. Approval of Change of Business Name for a Tavern License and a Restricted Gaming License for 15 slots, Polonez Polish Deli & Restaurant, Inc., dba From: Polonez Polish Deli & Restaurant, To: Euro Place Ristorante, 1243 East Sahara Avenue, Boguslaw M. Sobol, Dir, Pres, Secy, Treas, 100% - Ward 3 (Reese)
14. Approval of Change of Location for a Burglar Alarm Service, Security Alarm Monitoring Service, Inc., dba Security Alarm Monitoring Service, Inc., From: 2421 Tech Center Court, #100, To: 5445 Royal Vista Lane, Martin J. Pollinger, Pres, 50%, Christopher L. Mullins, Secy, Treas, 50% - Ward 6 (Mack)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

15. Approval of new Martial Arts Instruction Business License, Marc Laimon, dba Cobra Kai Jiu Jitsu, 2104 Highland Avenue, Marc J. Laimon, 100% - Ward 1 (Moncrief)
16. Approval of Change of Location for a Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, AKS Karate, Inc., dba AKS Karate, Inc., From: 6704 West Cheyenne Avenue, To: 2333 North Jones Boulevard, Suite 104, Robert I. Navoa, Dir, Pres, 60%, Raymond L. Mingo, Dir, VP, 40%, Arlene A. Navoa, Dir, Secy, Tamika K.R. Simmons, Dir, Treas - Ward 5 (Weekly)
17. Approval of Change of Location for a Class II Secondhand Dealer License subject to the provisions of the fire codes, Gilbert Levy, dba G & G Liquidators, From: 401 West Bonanza Road, To: 3021 Sheridan Street, Gilbert Levy, 100% - Ward 1 (Moncrief)
18. Preapproval of award of Bid No. 04.1730.07-LED, Grand Montecito Parkway - Centennial Parkway to Elkhorn Road to the lowest responsive and responsible or best bidder and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Pubic Works (\$6,000,000 - Special Assessment Capital Projects Fund) - Ward 6 (Mack)
19. Approval of award of Bid No. 03.15341.16-LED, Firefighters Memorial Park, Phase II, 6401 West Oakley Boulevard and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: RAFAEL CONSTRUCTION, INC. (\$719,000 - Parks and Leisure Activities Capital Projects Fund) - Ward 1 (Moncrief)
20. Approval of rejection of all non-responsive bids and award of Bid Number 040086-TG, Annual Requirements Contract for Medical Supplies - Department of Fire and Rescue - Award recommended to: BOUNDTREE MEDICAL LLC (\$400,000 - General Fund)
21. Approval of Agreement Modification No. 2, Gaming Concession at Downtown Transportation Center, 300 N. Casino Center Blvd. - Department of Field Operations - Award to: UNITED COIN MACHINE COMPANY (\$297,000 revenue - General Fund) - Ward 5 (Weekly)
22. Approval of issuance of a purchase order for a mobile abrasive cutting system - Department of Fire and Rescue - Award recommended to: APPLIED NEW TECHNOLOGY AG (\$129,015 - Multi-Purpose Special Revenue Fund)
23. Approval of award of Bid No. 040227-DAR, Annual Requirements Contract for Fasteners - Various Departments - Award recommended to: FASTENAL COMPANY (Estimated annual amount of \$100,000 - Various Funds)
24. Approval of revision to purchase order 218380 for annual requirements contract for crack seal - Department of Field Operations - Award to: LAS VEGAS PAVING CORPORATION (\$124,000 - Public Works Capital Projects Fund) - All Wards
25. Approval of Amendment Number 1 to Automated Vehicle Fueling System Contract - Departments of Field Operations and Fire and Rescue - Award to: SER-CON, INC. (\$73,051.37 - Automotive Operations ISF and Fire and Rescue CPF)
26. Approval of Contract No. 040215-KF, Radiological Services - Department of Fire and Rescue - Award recommended to: DESERT RADIOLOGY (Estimated annual amount of \$60,000 - General Fund)
27. Approval of issuance of a purchase order for one Class 6 Cargo Truck under Bid No. 040030-DAR, Open End Contract for Class 6 Cargo Truck - Department of Field Operations - Award to: MCCANDLESS INTERNATIONAL TRUCKS, INC. (\$58,904 - Automotive Operations Internal Service Fund)
28. Approval of issuance of a purchase order for one Mid-Size Tractor Mower under Bid No. 040075-DAR, Open End Contract for Mid-Size Tractor Mower and Trailer - Department of Field Operations - Award recommended to: SIMPSON NORTON (\$36,982 - Automotive Operations Internal Service Fund)
29. Approval of issuance of a purchase order for a One-Ton Truck under Bid No. 040118-DAR, Open End Contract for One-Ton Trucks - Department of Field Operations - Award to: GAUDIN FORD (\$31,536.31 - Automotive Operations Internal Service Fund)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

30. Approval of issuance of a purchase order for a One-Ton Dedicated CNG Fuel Extended Locksmith Van under Bid No. 040160-DAR, Open End Contract for One-Ton Dedicated CNG Fuel Extended Locksmith Van - Department of Field Operations - Award recommended to: BILL HEARD CHEVROLET (\$30,370.71 - Automotive Operations Internal Service Fund)
31. Approval of revision to purchase order 217174 for Hewlett Packard printer maintenance- Department of Information Technologies - Award to: INTERTECH COMPUTER PRODUCTS (\$10,000 - Computer Services Internal Service Fund)

NEIGHBORHOOD SERVICES DEPARTMENT - CONSENT

32. Approval of a Third Amendment to Agreement To Grant Redevelopment Set Aside Housing Funds to East Las Vegas Community Development Corporation allowing subordinations of the City of Las Vegas Deeds of Trust to enable homeowners the ability to refinance homes under specific circumstances at Mi Casa en el Sol for 40 new townhomes located on the 2900 block of Cedar Avenue and Poplar Avenue - Ward 3 (Reese)
33. Approval of additional Home Investment Partnership Program (HOME) funds in the amount of \$4,000 for additional housing rehabilitation activities at 265 South 17th Street - Ward 5 (Weekly)

PUBLIC WORKS DEPARTMENT - CONSENT

34. Approval of Supplemental Interlocal Contract for Durango Drive, Westcliff Drive to Vegas Drive between the City of Las Vegas and the Southern Nevada Regional Transportation Commission to increase funding and change the scope of the project (\$6,273,000 - Southern Nevada Regional Transportation Commission) - Ward 2 (L.B. McDonald)
35. Approval to file an amendment to Bureau of Land Management Right-of-Way Grant N-66120 for sewer purposes on portions of land lying within the Northwest Quarter of Section 12, Township 20 South, Range 59 East, Mount Diablo Meridian, generally located approximately 635 feet south of Alexander, west of Cliff Shadow Parkway, APN 137-12-101-008 - Ward 4 (Brown)
36. Approval to file a Right-of-Way Grant with the Bureau of Land Management for roadway, sanitary sewer, drainage, trail and streetscape amenity purposes on portions of land lying within Section 24, the Southwest Quarter and the East Half of Section 13, Township 19 South, Range 59 East, Mount Diablo Meridian, generally located between Hualapai Way and Puli Road on the east and west and by Grand Teton Drive and the Clark County Beltway on the north and south, APNs 126-13-401-014, -501-002, -701-006, 126-24-201-012, -301-011, -601-018 and -701-013 - Ward 6 (Mack)
37. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Brian G. Smith and Valerie C. Smith, owners (southeast corner of La Madre Way and Janell Drive, APN 125-33-402-010) - County (near Ward 6 - Mack)
38. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Aaron B. Hirschi, owner (southeast corner of Bonita Vista Street and Corbett Street, APN 125-29-708-001) - County (near Ward 6 - Mack)
39. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Richard Bennett, owner (north of Tropical Parkway, between Fort Apache Road and Dapple Gray Road, APN 125-29-201-025) - County (near Ward 6 - Mack)
40. Approval of a Professional Services Agreement with Southwick Landscape Architects for the design services of Gilmore Cliff Shadows Park and Trail Head located at Gilmore Drive and Cliff Shadows Parkway (\$376,200 - Southern Nevada Public Lands Management Act) - Ward 4 (Brown)

PUBLIC WORKS DEPARTMENT - CONSENT

41. Approval of an Interlocal Agreement between the City of Las Vegas and the Las Vegas Valley Water District to allow the installation of fire protection water service for the Operation and Maintenance Building at the Water Pollution Control Facility (\$654 - Sanitation Fund) - Clark County

RESOLUTIONS - CONSENT

42. R-60-2004 - Approval of a Resolution Adopting a Revised Fee Schedule for LVMC Title 13 and Chapter 11.50 (pertaining to public improvement work and temporary traffic control work)
43. R-61-2004 - Approval of a Resolution directing the Engineer to prepare preliminary plans and an assessment plat for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)
44. R-62-2004 - Approval of a Resolution directing the Engineer to prepare full and detailed plans, cost estimates and an assessment plat for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)
45. R-63-2004 - Approval of a Resolution declaring necessity for creating and ordering the preparation of an assessment roll for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)
46. R-64-2004 - Approval of a Resolution validating and confirming the assessment roll for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)
47. R-65-2004 - Approval of a Resolution directing the City Treasurer to prepare the Fifty-Ninth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
48. R-66-2004 - Approval of a Resolution approving the Fifty-Ninth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
49. R-67-2004 - Approval of a Resolution directing the City Treasurer to prepare the Tenth Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
50. R-68-2004 - Approval of a Resolution approving the Tenth Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
51. R-69-2004 - Approval of a Resolution overruling complaints, protests, and objections and confirming the final assessment roll for Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance FY2005) (\$41,902.50 - Capital Projects Fund - Special Assessments) - Ward 1 (Moncrief)
52. R-70-2004 - Approval of a Resolution Making Provisional Order and Directing that Notice of Public Hearing thereon be given regarding Special Improvement District No. 1490 - Tenaya Way (Northern Beltway To Elkhorn Road) (Capital Projects Fund - Special Assessments) - Ward 6 (Mack)
53. R-71-2004 - Approval of a Resolution to establish a twenty percent minimum fund balance for the Group Insurance Internal Service Fund (ISF) based on prior year expenditures
54. R-72-2004 - Approval of a Resolution Amending Schedule 25-I, 30 MPH Speed Limits, to Add a Speed Limit of 30 MPH on Greenmoor Lane between Pavilion Center Drive and Anasazi Way; Laurelglenn Drive between Pavilion Center Drive and Sageberry Drive; Park Run Drive between Pavilion Center Drive and Town Center Drive; Pavilion Center Drive between Charleston Boulevard and Laurelglenn Drive; and Sageberry Drive between Pavilion Center Drive and Laurelglenn Drive - Ward 2 (L.B. McDonald)
55. R-73-2004 - Approval of a Resolution Amending Schedule 25-II, 35 MPH Speed Limits, to Add a Speed Limit of 35 MPH on Washington Avenue between Martin L. King Boulevard and D Street - Ward 5 (Weekly)
56. R-74-2004 - Approval of a Resolution Amending Schedule 25-IV, 45 MPH Speed Limits, to Add a Speed Limit of 45 MPH on Charleston Boulevard between the 215 Beltway and Hualapai Way - Ward 2 (L.B. McDonald)

RESOLUTIONS - CONSENT

57. R-75-2004 - Approval of a Resolution Amending Schedule 25-II, 35 MPH Speed Limits, to Add a Speed Limit of 35 MPH on Azure Drive between US 95 and Tenaya Way; Bradley Road from the 215 Beltway to the north City limits; Centennial Center Boulevard between Ann Road and Durango Drive; Farm Road between Durango Drive and Tenaya Way; Farm Road between Jones Boulevard and Decatur Boulevard; Tenaya Way between Ann Road and Skypointe Drive; and Tropical Parkway between Durango Drive and US 95 - Ward 6 (Mack)

REAL ESTATE COMMITTEE – CONSENT

58. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 488 acres of land commonly known as APNs 125-01-001-001 and 125-01-701-001 located in the vicinity of Decatur Boulevard and Moccasin Road for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
59. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 10 acres of land commonly known as APN 126-02-101-005 located south of Moccasin Road and west of Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
60. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 8 acres of land commonly known as APNs 126-02-401-002 and 126-02-401-004 located in the vicinity of Iron Mountain Road and Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
61. Approval to authorize staff to purchase real property known as APN 139-34-612-026 located on the northeast corner of Carson Avenue and 8th Street from the State of Nevada Department of Conservation and Natural Resources Division of State Lands (\$323,049.80 plus closing costs - City Facilities Capital Project Fund) - Ward 5 (Weekly)
62. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 10 acres of land commonly known as APN 126-01-801-002 located in the vicinity of Iron Mountain Road and Hualapai Way for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
63. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 15 acres of land commonly known as portions of APNs 126-01-101-010 and 126-01-301-004 located off of Puli Drive between Moccasin Road and Iron Mountain Road for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
64. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 12.5 acres of land commonly known as a portion of APN 126-01-401-003 located in the vicinity of Iron Mountain Road and Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
65. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 5 acres of land commonly known as APN 126-01-501-001 located in the vicinity of Moccasin Road in between Puli Drive and Hualapai Way for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
66. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 5 acres of land commonly known as APN 126-01-601-002 located in the vicinity of Moccasin Road and Hualapai Way for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

67. Discussion and possible action regarding final payment to Southwest Sports Realty, L.P. - (Not to exceed \$120,000 - Industrial Development Special Revenue Fund)
68. Report and possible action on a presentation by Clark County Health District staff concerning the "Urban Rodent Surveillance Project"

CITY ATTORNEY - DISCUSSION

69. Discussion and possible action on Appeal of Work Card Denial: Held in Abeyance from March 17, 2004. Charles H. Lloyd, 301 Orland Street #25, Las Vegas, Nevada 89108
70. Discussion and possible action on Appeal of Work Card Denial: Jose Dennis Medrano-Arriola, 3756 Wynn Road #317, Las Vegas, Nevada 89103
71. Discussion and possible action on Appeal of Work Card Denial: Ms. Mielizabeth Fenstermaker, 1400 So. Casino Center #22, Las Vegas, Nevada 89104
72. Discussion and possible action on Appeal of Work Card Denial: Desiree Dawn Gordon, 2700 Sadie Lane, Henderson, Nevada 89074
73. Discussion and possible action on Appeal of Work Card Denial: Chanpheng Phromprakay, 5010 Indian River Drive #149, Las Vegas, Nevada 89103

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

74. Discussion and possible action to fund the removal and relocation of skate element equipment from Patriot Park to Mountain Ridge Park (\$100,000 - Parks & Leisure Activities Capital Projects Fund) - Ward 6 (Mack)
75. ABEYANCE ITEM - 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)
76. ABEYANCE ITEM - Discussion and possible action regarding an Appeal of Denial of Business License for an Independent Massage Therapist License, Nicholas A. Hoover, dba Nicholas A. Hoover, 4200 East Bonanza Road, #123, Nicholas A. Hoover, 100% - Ward 3 (Reese)
77. ABEYANCE ITEM - 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)
78. Discussion and possible action regarding a Six Month Review of a Child Care Family Home License, Joyce Cathey, 1720 East Oakey Boulevard, Joyce Cathey, 100% - Ward 3 (Reese)
79. Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes, T & G Entertainment Investments, LLC, dba Peter Piper Pizza, 7981 West Tropical Parkway, TGEI, LLC, Managing Mmbr, 52%, Ted E. Kingston, Mmbr, 100%, John G. Barton, Mgr, John G. Barton Mmbr, 42% - Ward 6 (Mack)
80. Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes, Makino Premium Outlet LV, LLC, dba Makino Las Vegas Seafood Buffet, 775 South Grand Central Parkway, #1301, Las Vegas Kitchen, LLC, Mgr, 100%, Masako Ishitsuka, Mmbr, Mgr, 100% - Ward 5 (Weekly)

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

81. Discussion and possible action regarding Temporary Approval of a new Supper Club License subject to the provisions of the fire codes and Health Dept. regulations, Scottsdale Beverages, LLC, dba Escole, 1451 Center Crossing Road, John P. Graham, Mgr, Jennifer E. White, Mgr, Renee Brattin, Mgr, Scottsdale Group, LLC, Mmbr, 100%, John P. Graham, Mgr, Jennifer E. White, Mgr, Renee Brattin, Mgr - Ward 2 (L.B. McDonald)
82. Discussion and possible action regarding Temporary Approval of Change of Ownership for a Beer/Wine/Cooler On-sale License subject to Health Dept. regulations, From: Peter Piper, Inc., Daniel E. Rubin, Dir, COB, Joseph R. Pederson, Pres, CEO, John G. Jordan, VP, Don Gordon, VP, Neil R. Simon, Dir, Secy, William J. Hunckler, III, Dir, Robin P. Selati, Dir, To: T & G Entertainment Investments, LLC, dba Peter Piper Pizza, 560 South Decatur Boulevard, TGEI, LLC, Managing Mmbr, 52%, Ted E. Kingston, Mmbr, 100%, John G. Barton, Mgr, John G. Barton, Mmbr, 42% - Ward 1 (Moncrief)
83. Discussion and possible action regarding Temporary Approval of a Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, Sentinel Combat Institute, LLC, dba Sentinel Combat Institute, LLC, 8450 West Sahara Avenue, Suite 112, Lance W. Burton, Mgr, Mmbr, 100% - Ward 1 (Moncrief)
84. Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Martial Arts Instruction Business License subject to the provisions of the fire codes, From: Kicks, Inc., dba Collins Karate for Kids, David A. Riach, Jr., Dir, Pres, Secy, Treas, 66.66%, Andre Collins, VP, 33.33%, To: Karate for Kids of Green Valley and Henderson, Inc., dba Karate for Kids, 4840 East Bonanza Road, Suites 2 and 3, Leland R. Brandon, Dir, Pres, 50%, Marci D. Brandon, Secy, Treas, 50% - Ward 3 (Reese)
85. Discussion and possible action regarding a Six Month Review of a Restricted Gaming License for 7 slots, Shoshani and Jarjees, dba Family Food II, 1602 H Street, Salar Shoshani, Ptnr, 50%, Thamer Jarjees, Ptnr, 50% - Ward 5 (Weekly)
86. Discussion and possible action regarding amendment to Bid No. 03.15341.08-LED, Washington Buffalo Park, Phase 1A and 1B - located at the southwest corner of Washington Avenue and Buffalo Drive for issuance of a change order to Asphalt Products Corporation for installation of artificial turf in the amount of \$3,800,000 - Public Works (Parks & Leisure Activities CPF) Ward 4 (Brown)

NEIGHBORHOOD SERVICES DEPARTMENT - DISCUSSION

87. Report and possible action on the City of Las Vegas' prototype Tenant Based Rental Assistance (TBRA) Program for Homeless and Near Homeless regarding allocating \$300,000 in Fiscal Year 2004-2005 Federal HOME funds and \$26,275 Fiscal Year 2004-2005 Community Development Block Grant Public Service (CDBG-PS) funds to HELP of Southern Nevada to operate the prototype TBRA Program for one additional year - All Wards
88. Report and possible action to proceed with a plan to abate vacant and abandoned property located within the City of Las Vegas - All Wards
89. Report and possible action on the Sky Vue Mobile Home Park 15 West Owens Avenue to provide monetary compensation to Clark County Social Services for temporary housing of displaced residents in an amount not to exceed \$40,000 (General Fund-Winter Shelter Fund) - Ward 5 (Weekly)

PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION

90. Discussion and possible action on a request by Thomas and Mack Co. for a Water Feature Exemption on property located at 2300 W. Sahara Avenue - Ward 1 (Moncrief)

RESOLUTIONS - DISCUSSION

91. R-76-2004 - Discussion and possible action on a Resolution transferring 2002 Private Activity Bond Volume Cap of \$6,158,617 to George Gekakis Incorporated to construct new affordable senior housing located near the Southeast corner of West Cheyenne Avenue and Jones Boulevard - Ward 5 (Weekly)

BOARDS & COMMISSIONS - DISCUSSION

92. ABEYANCE ITEM - CHILD CARE LICENSING BOARD – Lolanda Bunch, Term Expiration 6-2007 (Resigned)

RECOMMENDING COMMITTEE REPORTS - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

93. TABLED ITEM - Bill No. 2003-78 – Establishes locational restrictions for the uses “auto pawn,” “auto title loan,” and “specified financial institution.” Sponsored by: Councilwoman Janet Moncrief
94. 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
95. 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
96. 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
97. Bill No. 2004-21 – Updates the City’s emergency management provisions. Sponsored by: Mayor Oscar B. Goodman
98. 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)
99. Bill No. 2004-25 – Establishes zoning requirements for swap meets. Sponsored by: Councilman Gary Reese
100. 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
101. 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
102. 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

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.

103. 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
104. 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
105. 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

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.

- 106. Bill No. 2004-30 – Requires merchants to make certain disclosures in connection with the sale of motorized scooters and motorized skateboards. Sponsored by: Councilman Michael Mack
- 107. Bill No. 2004-31 – Prohibits the breeding or training of animals for the purpose of using them in an animal fighting venture. Sponsored by: Councilman Michael Mack
- 108. Bill No. 2004-32 – Ordinance Creating Special Improvement District No. 607 - Cliff's Edge. Sponsored By: Step Requirement
- 109. Bill No. 2004-33 – Levies Assessments for Special Improvement District No. 607 - Cliff's Edge. Sponsored By: Step Requirement
- 110. Bill No. 2004-34 – Levies Assessment for Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance FY2005). Sponsored by: Step Requirement
- 111. Bill No. 2004-35 – Authorizing the issuance of Local Improvement Bonds, Series 2004 for the City of Las Vegas, Nevada Special Improvement District No. 607 Cliff's Edge not to exceed \$51,185,000. - Ward 6 (Mack)

1:00 P.M. - AFTERNOON SESSION

- 112. 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

- 113. ABEYANCE ITEM - 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)
- 114. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 4550 E. Washington Avenue. PROPERTY OWNER: ASSISTED LIVING CENTER ETAL, C/O E COOK – Ward 3 (Reese)
- 115. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 1611 Euclid Avenue. PROPERTY OWNER: GARY STEPHEN BLAKE – Ward 3 (Reese)
- 116. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 3224 Brady Avenue. PROPERTY OWNER: SECRETARY VETERANS AFFAIRS – Ward 3 (Reese)

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.

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

117. REVIEW OF CONDITION - ROC-3901 - APPLICANT/OWNER: PERMA-BUILT HOMES - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Review of Condition NO. 7 OF AN APPROVED TENTATIVE MAP FOR ELKHORN/GRAND CANYON UNIT TWO (TM-0034-02), WHICH REQUIRED PEDESTRIAN ACCESS AT THE END OF TWO CUL-DE-SACS adjacent to the southeast corner of Grand Canyon Drive and Severance Lane (APN 125-18-897-004), R-1 (Single Family Residential) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend DENIAL
118. REVIEW OF CONDITION - PUBLIC HEARING - ROC-4119 - APPLICANT/OWNER: CONCORDIA HOMES OF NEVADA - Request for a Review of Condition No. 3 of an approved Site Development Plan Review [Z-0069-02(1)], WHICH ESTABLISHED THE FRONT SETBACK TO GARAGE DOORS FOR A SINGLE FAMILY RESIDENTIAL DEVELOPMENT on property located adjacent to the southeast corner of Deer Springs Way and Campbell Road (APN 125-20-301-006 and 007), T-C (Town Center) Zone, Ward 6 (Mack). Staff recommends DENIAL (NOTE: To allow a 10' maximum setback to garage, where 5' maximum and 18' minimum is allowed)
119. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3817 - APPLICANT: ADVANCED HOUSE CALLS - OWNER: GREGORY AND MARY BRYAN - Request for a Site Development Plan Review FOR A PARKING LOT AND WAIVERS OF PERIMETER LANDSCAPE BUFFER AND PARKING LOT LANDSCAPE FINGERS on 0.34 acres adjacent to the east side of Jones Boulevard, approximately 300 feet south of Upland Boulevard (APN 138-36-112-005 and 006), R-1 (Single Family Residential) Zone under Resolution of Intent to P-R (Professional Office and Parking), Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL
120. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3853 - APPLICANT: ARLT CORPORATION - OWNER: ARLT FAMILY TRUST - Request for a Site Development Plan Review FOR A 14,126 SQUARE FOOT OFFICE BUILDING on 1.10 acres adjacent to the southwest corner of Martin L. King Boulevard and Wheeler Peak Drive (APN 139-21-416-001), C-PB (Planned Business Park) Zone, Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
121. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3923 - APPLICANT/ OWNER: SANTA FE STATION, INC. - Request for a Site Development Plan Review FOR A PROPOSED CASINO EXPANSION AND THEATER ADDITION on 34.1 acres at 4949 North Rancho Drive (APN 125-34-801-001), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
122. ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - VAR-3288 - APPLICANT: PAUL AND SANDY BROSSAU - Request for a Variance to ALLOW A 5 FOOT SIDE SETBACK WHERE 10 FEET IS REQUIRED FOR an addition to an existing single family dwelling at 304 Canyon Drive (APN 139-32-211-031), R-E (Residence Estates) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL
123. VARIANCE - PUBLIC HEARING - VAR-3762 - APPLICANT: STERLING S. DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Variance TO ALLOW 25 FOOT FRONT SETBACKS WHERE 30 FEET IS THE MINIMUM SETBACK REQUIRED AND TO ALLOW 30 FOOT REAR SETBACKS WHERE 35 FEET IS THE MINIMUM SETBACK REQUIRED on 9.32 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 (5-0-2 vote) and staff recommend DENIAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

124. REQUIRED SIX MONTH REVIEW - PUBLIC HEARING - RQR-3930 - APPLICANT: NEISSAN KOROGHLI - OWNER: FREMONT PLACE, LIMITED LIABILITY COMPANY - Required Six Month Review of an approved Special Use Permit (U-0106-02) WHICH ALLOWED A LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION) IN CONJUNCTION WITH AN EXISTING CONVENIENCE STORE/ DELICATESSEN at 228 Las Vegas Boulevard North (APN 139-34-511-001, 002 and 003), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
125. REVIEW OF CONDITION RELATED TO RQR-3930 - PUBLIC HEARING - ROC-4121 - APPLICANT: NEISSAN KOROGHLI - OWNER: FREMONT PLACE, LIMITED LIABILITY COMPANY - Request for a Review of Conditions FOR AN APPROVED SPECIAL USE PERMIT (U-0106-02), TO REMOVE CONDITION NOS. 1 THROUGH 4 FOR A LIQUOR ESTABLISHMENT (OFF-PREMISES CONSUMPTION) IN CONJUNCTION WITH AN EXISTING CONVENIENCE STORE/DELICATESSEN at 228 Las Vegas Boulevard North (APN 139-34-511-001, 002 and 003), C-2 (General Commercial) Zone, Ward 5 (Weekly). Staff recommends DENIAL
126. REQUIRED FOUR YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - RQR-3732 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: STORAGE EQUITIES - Required Four Year Review of an approved Special Use Permit (U-0159-89) FOR A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 275 South Martin L. King Boulevard (APN 139-33-501-012), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
127. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES, LIMITED PARTNERSHIP - Appeal filed by LAS Consulting, Inc. 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 adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue (APN 163-02-816-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL
128. ABEYANCE ITEM - 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
129. ABEYANCE ITEM - 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
130. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3844 - APPLICANT: JOSE AND ELIZA DIAZ - OWNER: MIGUEL FAMILY TRUST 1993, ET AL - Request for a Special Use Permit FOR A BANQUET FACILITY at 1520 North Eastern Avenue, Suite #101, 102 and 103 (APN 139-25-101-020), C-1 (Limited Commercial) and C-2 (General Commercial) Zones, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
131. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3748 - APPLICANT: CONTINENTAL CURRENCY OF NEVADA, INC. - OWNER: TONOPAH-CRAIG ROAD COMPANY, LIMITED PARTNERSHIP - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED AND AUTO TITLE LOAN at 4458 North Rancho Drive (APN 138-02-601-001), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
132. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3875 - APPLICANT: HUGH CANADY - OWNER: CDS MEMBER, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR GASOLINE SALES IN CONJUNCTION WITH A 4,500 SQUARE FOOT CONVENIENCE STORE at 1600 North Martin L. King Boulevard (APN 139-21-804-006), C-1 (Limited Commercial), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

- 133.ABEYANCE ITEM - REZONING - PUBLIC HEARING - ZON-2457 - DONNA F. BEAM REVOCABLE TRUST - Request for a Rezoning FROM: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) Zone on 3.88 acres adjacent to the northeast and southeast corners of Smoke Ranch Road and Buffalo Drive (APN 138-15-402-001 and 138-22-101-001) Ward 4 (Brown). The Planning Commission (4-2 vote) and staff recommend APPROVAL
- 134.SPECIAL USE PERMIT RELATED TO ZON-2457 - PUBLIC HEARING - SUP-3896 - APPLICANT: INVESTMENT EQUITY BUILDERS - OWNER: DONNA F. BEAM REVOCABLE TRUST - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (TAVERN) AND A WAIVER FROM THE 1,500 FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING SCHOOL, CHURCH, AND CITY PARK adjacent to the northeast corner of Smoke Ranch Road and Buffalo Drive (APN 138-15-402-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial)], Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (5-0-2 vote) recommends APPROVAL
- 135.ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-2457 AND SUP-3896 - PUBLIC HEARING - SDR-2458 - DONNA F. BEAM REVOCABLE TRUST - Request for a Site Development Plan Review FOR TWO PROPOSED COMMERCIAL BUILDINGS on 3.88 acres adjacent to the northeast and southeast corners of Smoke Ranch Road and Buffalo Drive (APN 138-15-402-001 and 138-22-101-001) U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 4 (Brown). The Planning Commission (4-2 vote) and staff recommend APPROVAL
- 136.ABEYANCE ITEM - 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
- 137.REZONING - PUBLIC HEARING - ZON-3825 - APPLICANT/OWNER: JAN PAUL KOCH - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.26 acres at 701 South 7th Street (APN 139-34-810-008 and 009), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
- 138.VARIANCE RELATED TO ZON-3825 - PUBLIC HEARING - VAR-3826 - APPLICANT/OWNER: JAN PAUL KOCH - Request for a Variance TO ALLOW 9 PARKING SPACES WHERE 12 PARKING SPACES ARE REQUIRED FOR A PROPOSED OFFICE BUILDING AND TO ALLOW A COVERED TRASH ENCLOSURE TO BE LOCATED WITHIN THE 50 FEET RESIDENTIAL ADJACENCY DISTANCE SEPARATION REQUIREMENT on 0.26 acres at 701 7th Street (APN 139-34-810-008 and 009), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
- 139.SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3825 AND VAR-3826 - PUBLIC HEARING - SDR-3824 - APPLICANT/OWNER: JAN PAUL KOCH - Request for a Site Development Plan Review FOR A PROPOSED LAW OFFICE AND A WAIVER OF LANDSCAPE AND COMMERCIAL STANDARDS on 0.26 acres at 701 7th Street (APN 139-34-810-008 and 009), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
- 140.REZONING - PUBLIC HEARING - ZON-3888 - APPLICANT: CITY OF LAS VEGAS - OWNERS: MULTIPLE - Request for a Rezoning FROM: M (INDUSTRIAL), C-M (COMMERCIAL INDUSTRIAL), C-2 (GENERAL COMMERCIAL) AND C-V (CIVIC) TO: C-M (COMMERCIAL INDUSTRIAL), C-2 (GENERAL COMMERCIAL), C-1 (LIMITED COMMERCIAL), R-3 (MEDIUM DENSITY RESIDENTIAL), AND C-V (CIVIC) on properties generally located within the area bounded by Washington Avenue, Owens Avenue, the Union Pacific Railroad and Bruce Street (APN 139-26-102-002, 003, 139-26-201-015, 018, 139-27-502-004, 139-27-504-003, 006, 007, 008, 009 and 010, 139-27-602-003, 004, 139-27-603-001, 002, 008, and 018), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

141. REZONING - PUBLIC HEARING - ZON-3909 - APPLICANT/OWNER: LEONARD KRYK - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.16 acres at 1007 Salem Drive (APN 138-35-804-001), Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
142. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3909 - PUBLIC HEARING - SDR-3911 - APPLICANT/OWNER: LEONARD KRYK - Request for a Site Development Plan Review FOR A PROPOSED OFFICE AND A WAIVER OF LANDSCAPE STANDARDS on 0.16 acres at 1007 Salem Drive (APN 138-35-804-001), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
143. REZONING - PUBLIC HEARING - ZON-3910 - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: U (UNDEVELOPED) [ROW (RIGHT OF WAY) GENERAL PLAN DESIGNATION] TO: C-V (CIVIC) on 10.0 acres on the northeast corner of Tenaya Way and Summerlin Parkway (a portion of APN 138-27-301-019), Ward 2 (L.B. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL
144. 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

CITY COUNCIL AGENDA
CITY COUNCIL MEETING OF: APRIL 21, 2004

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.

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - REVEREND ROBERT FOWLER, VICTORY MISSION BAPTIST CHURCH
- PLEDGE OF ALLEGIANCE

MINUTES:

PRESENT: MAYOR GOODMAN and COUNCILMEMBERS REESE, BROWN, WEEKLY, MACK (excused from the afternoon session at 2:07 p.m.), and MONCRIEF (excused from the morning session until 10:09 a.m. and from the afternoon session until 1:40 p.m.) and Ward 2 seat vacant

Also Present: CITY MANAGER DOUG SELBY, DEPUTY CITY MANAGER STEVE HOUCHENS, DEPUTY CITY MANAGER BETSY FRETWELL, CITY ATTORNEY BRAD JERBIC, DEPUTY CITY ATTORNEY TOM GREEN, DEPUTY CITY ATTORNEY BRYAN SCOTT (P.M. Session), and CITY CLERK BARBARA JO RONEMUS

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

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

(9:13)

1-1

REVEREND ROBERT FOWLER, Victory Mission Baptist Church, gave the invocation.

(9:13 – 9:16)

1-22

MAYOR GOODMAN led the audience in the Pledge.

(9:16 – 9:17)

1-91

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PUBLIC AFFAIRS
DIRECTOR: DAVID RIGGLEMAN

☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:
CEREMONIAL:

RECOGNITION OF THE EMPLOYEE OF THE MONTH

Fiscal Impact

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

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

MOTION:

None required. A presentation was made.

MINUTES:

MAYOR GOODMAN called forward DR. BARBARA JACKSON, Director, Leisure Services, to assist him with recognizing staff from the Stupak Community Center as April's Employee of the Month, who were nominated by COUNCILWOMAN MONCRIEF. He indicated that the Stupak Community Center, with four permanent employees and 23 part-time employees, have exhibited exceptional job performance and have provided outstanding assistance to the public. Each year the center plans and facilitates several major events that impact the neighborhood in a positive way, including a Back-to-School Fair, a Thanksgiving Feast, and a Holiday Giveaway. Each staff member present came forward as the Mayor called their names: SHERRY ALEXANDER (not present), AUTUMN DAVIS, HENRY ROMERO, RICK ROSENTHAL, MARGARITA ALVAREZ, JAVIER AMADOR, DONDRE AVERY (not present), EDUARDO AVILA, STEVEN CORBETT, MAIRA CRUM, FRANCISCO IRIAS-DIETRICK, LUCRECIA GARCIA, ELVIA GONZALEZ, MELODEE LEE HARRIS, DESHUNDRICK JOHNSON, GWENDOLYN MARSHALL, SAUL MAURICIO LUJAN (not present), IMELDA McADORY, HERMAN MEDLOCK, JORJE MENDEZ, TAMMY MULDRÉW, CHARO PHIPPS, FRANCES QUILES, MARICRUZ RAND, WALAYA RIVERA, NATALIE ROMERO (not present), and WILLIAM SNOW.

With pleasure, DR. JACKSON said that Stupak Center is small, but its staff is mighty, and that is why a lot gets accomplished. She felt honored to acknowledge her staff with so much heart.

Lastly, one of the Stupak Center staff members thanked the Council for its support and presented a special gift to the Mayor for COUNCILWOMAN MONCRIEF.

(9:17 – 9:23)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

☐

CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF THE AWARD-WINNING DOOLITTLE COMMUNITY CENTER JAM SQUAD

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

MOTION:

None required. A presentation was made.

MINUTES:

ERIN SULLIVAN, DANNIELLE CHERRY, VICTORIA FRANKLIN, KANESHA SHELTON, and APEL PORTER came forward and assisted COUNCILMAN WEEKLY in recognizing the following Award-Winning Doolittle Community Center Jam Squad members: from the Itty Bitty Jammers Squad, who took Second Place at the ACDC Show Cheer 2004: GLORIA BELTRAN, SIRAYA CHAMBERS, BELINDA GONZALES, ANDREA GONZALES, KAELE CROMER, JOANNA FEAZELL, DESTINEY GREEN, TAYLOR HOOPER, TAYLER COLEMAN, EMONI FINLEY, and KENYA WEEKLY; from the Jam Squad, who took 2nd Place at the Jackpot Classic and 1st Place at the ACDC Show Cheer: TIA AUSTIN, ALINA DAVIS, ANSHILLE TUCKER, LANIQUA CLARK, SAMIYYAH RANDLE, SEANDREAYA WADE, AMBER BROWN, JASMYNE CANTY, ASHLEE HOWARD, CRYSTAL GONZALEZ, BIANCA GONZALEZ, MICHELLE ANDERA, MONET WILSON, and KIARA TAYLOR; and from the Jam Squad Elite, who took 2nd Place at Jamz National – Funk Division, 13th Place at Jamz Show Cheer, 1st Place at Jackpot Classic Show Cheer, 2nd Place at ACDC Show Cheer, and 1st Place at ACDC Funk Division: ALEXANDRIA JACKSON, JOI HOLIDAY, KEENA YOUNG, BREAHN WILLIAMS, CAROLYN WHITNEY, BR'LYNN LOMBARD, and TAELOL JOHNSON.

The Elite Squad performed for the audience. MS. SULLIVAN thanked the Council for recognizing the squads. She also thanked the parents and coaches for giving so much of their time.

(9:23 – 9:33)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PUBLIC AFFAIRS
DIRECTOR: DAVID RIGGLEMAN

☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:
CEREMONIAL:

PRESENTATION BY THE VETERANS DAY PARADE COMMITTEE

Fiscal Impact

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

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

MOTION:

None required. A presentation was made.

MINUTES:

BILL STOJACK, Chairman of the Veterans Day Parade Committee, made a special presentation to the City Council for its assistance with the Veterans Day Parade. Almost four years ago, there was no parade, and now it is a big event. It was televised in San Diego last year and will be televised nationwide this year. On behalf of the Veterans Day Committee, MR. STOJACK presented each of the Councilmembers and PATTY MOYER, Administrative Officer with Public Works who assisted with the permits, with an eagle statue, a certificate of appreciation, and a commemorative parade ribbon.

MAYOR GOODMAN said that it was a pleasure to do business with Veterans, for this country would not be where it is without their sacrifices. This Council is committed to making the process for the parade as easy as possible. He then noted that the City Council was one of the first in the country to adopt a resolution to make up the difference in the salaries of military service persons that were called to duty in Iraq.

(9:33 – 9:36)

1-638

Also, COUNCILMAN REESE congratulated TIM HOLMES, City employee, on his recent achievement in Orange County, California, where he took First Place in the Light-Heavyweight Division in a bodybuilding competition. MR. HOLMES thanked the Council for the recognition. He also thanked his co-workers for their support.

(9:36 – 9:40)

1-762

Certificate Of Recognition

This is to certify that

Tim Holmes

Is hereby awarded this certificate of recognition for his participation in a body building competition in Orange County on April 17, 2004 in which he took 1st place, title of:

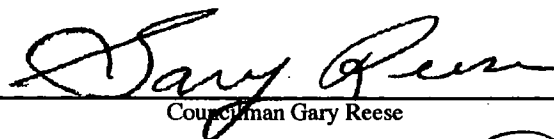
*Mr. Orange County
Light-Heavyweight Division*

The Mayor and Council would like to extend their sincere congratulations on your successful competition.

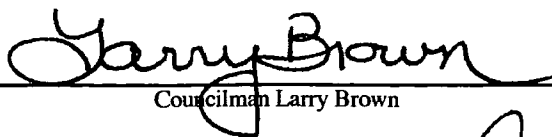
Presented this 21st day of April, 2004



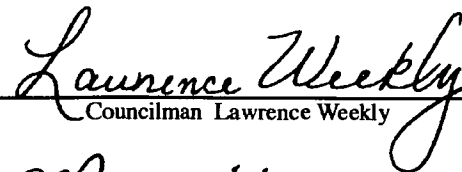
Mayor Oscar B. Goodman



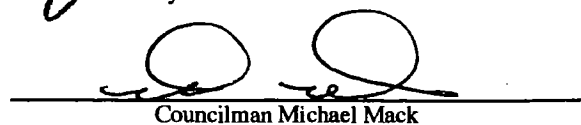
Councilman Gary Reese



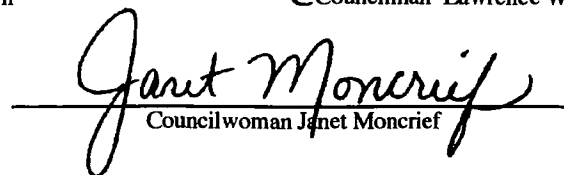
Councilman Larry Brown



Councilman Lawrence Weekly



Councilman Michael Mack



Councilwoman Janet Moncrief

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

BUSINESS ITEMS:

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

MOTION:

REESE – Motion to bring forward and STRIKE Items 59, 60, 62, 63, 64, 65, 66, 71, 72, 73, and 76 – UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

MINUTES:

There was no discussion.

(9:40 – 9:42)

1-881

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEUMUS ☐ CONSENT ☒ DISCUSSION

SUBJECT:

BUSINESS ITEMS:

Discussion and possible action to appoint a City Council member for Ward 2

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Ward 2 Councilwoman Lynette Boggs McDonald has submitted her resignation effective April 20, 2004 to accept an appointment by Governor Guinn to serve on the Clark County Commission. In accordance with Las Vegas City Charter 1.160, it will be necessary to fill this vacancy by a majority vote of the entire City Council within 30 days after the occurrence of that vacancy.

The qualifications for *election* as a Las Vegas City Councilman are: Shall be a qualified elector who has actually as opposed to constructively, resided within the Ward which he or she desires to represent for a period of not less than 30 days immediately prior to the last day for filing a Declaration of Candidacy. The registered voters of the Ward in which he or she is a candidate shall elect each City Councilman.

This Ward 2 seat is a four-year term position that will be considered by City of Las Vegas voters during the 2005 Municipal Election process.

RECOMMENDATION:

Appointment of a qualified individual to fill the seat of City Councilman, Ward 2

BACKUP DOCUMENTATION:

Councilwoman Boggs McDonald's letter of resignation

MOTION:

GOODMAN - ABEYANCE to 5/5/2004 - UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

MINUTES:

MAYOR GOODMAN indicated that he received a request from one of the Councilmembers to hold this matter in order to conduct further interviews.

(9:42 - 9:43)

1-968



City of Las Vegas

Lynette Boggs McDonald
COUNCILWOMAN

March 31, 2004

The Honorable Oscar B. Goodman
Mayor of Las Vegas
400 Stewart Ave.
Las Vegas, NV 89101

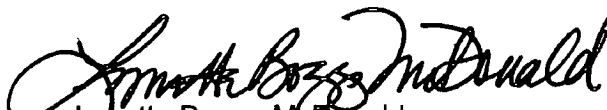
Dear Mayor Goodman:

I am writing to tender my resignation as the Ward 2 representative on the Las Vegas City Council effective Tuesday, April 20, 2004 upon my swearing in as the Clark County Commissioner for District F.

It has been an honor and a privilege to serve with you and members of the Las Vegas City Council for the past five years. I will always be grateful to you for appointing me to the City Council in 1999 and for giving me the opportunity to serve the citizens of our great city. We have accomplished great things together on behalf of the residents of Las Vegas and I will always look back upon my tenure of service at City Hall with great pride.

Thank you for your encouragement, friendship and contagious enthusiasm. Always know that you and the City Council will have a friend at the Clark County Government Center.

Sincerely,



Lynette Boggs McDonald
City Councilwoman, Ward 2

Cc: Mayor Pro Tem Gary Reese
Councilman Larry Brown
Councilman Lawrence Weekly
Councilman Michael Mack
Councilwoman Janet Moncrief
City Manager Doug Selby
City Attorney Brad Jerbic
City Clerk Roni Ronemus
Department Directors



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: CITY MANAGER**DIRECTOR: DOUGLAS A. SELBY**☒**CONSENT**☐**DISCUSSION****SUBJECT:****ADMINISTRATIVE:**

Approval to authorize the president of City Parkway IV and V to execute Modification No.1 to the Amended Designated Services Agreement for City Parkway Center Project with Design Workshop, Inc. to include the development of Design Guidelines and Development Standards (DGDS) for the Union Park development (61-acres site) (not to exceed \$300,000 - Industrial Development SRF)- Ward 5 (Weekly)

Fiscal Impact☐**No Impact****Amount:** Not to Exceed \$300,000☐**Budget Funds Available****Dept./Division:** City Managers Office☒**Augmentation Required****Funding Source:** Industrial Development SRF**PURPOSE/BACKGROUND:**

The City Parkway IV and V would like to modify the current Design Workshop agreement to add the development of DGDS for the Union Park Development (61-acre site). The DGDS is necessary to clearly and effectively communicate the vision for the architectural design of Union Park. The DGDS will guide designers and developers in creating projects that reflect the goals and objectives for the mixed-use urban village.

This project is funded through loans from the City's Industrial Development Special Revenue Fund, which will be paid back from proceeds from the sale of parcels.

RECOMMENDATION:

Authorize the president of City Parkway IV and V to execute Modification No. 1 in the not-to-exceed amount of \$300,000 to cover Design Workshop's development of DGDS, and authorize the loan of funds from Industrial Development SRF.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – **UNANIMOUS** with MONCRIEF excused and Ward 2 seat vacant

Items 43-46 & 55:**APPROVED** under separate actions (see individual items)**Items 59, 60 & 62-66****STRICKEN** under separate actions (see individual items)

CITY COUNCIL MEETING OF APRIL 21, 2004

Consent – Administrative

Item 3 - Approval to authorize the president of City Parkway IV and V to execute Modification No.1 to the Amended Designated Services Agreement for City Parkway Center Project with Design Workshop, Inc. to include the development of Design Guidelines and Development Standards (DGDS) for the Union Park development (61-acres site) (not to exceed \$300,000 - Industrial Development SRF)- Ward 5 (Weekly)

MINUTES:

COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve Item Nos. 58 and 61.

COUNCILMAN WEEKLY requested Item 55 be pulled for discussion, and **CITY ATTORNEY JERBIC** requested Items 43, 44, 45, and 46 be pulled for discussion.

(9:43 – 9:45)

1-988

MODIFICATION NO. 1
Amended Designated Services Agreement For City Parkway Center Project

THIS MODIFICATION NO. 1 is being entered into this 21 day of April, 2004, by and between CITY PARKWAY IV, Inc., and CITY PARKWAY V, Inc., not-for profit corporations within the State of Nevada (hereinafter, "CPY") and DESIGN WORKSHOP, INC., a Colorado corporation (hereinafter, "Consultant").

This Modification establishes the current terms and conditions of the contractual agreement for work performed in support of the City Parkway Center Project. The Amended Designated Services Agreement For City Parkway Center Project, dated October 1, 2003, for providing the urban design and landscape architecture services, is hereby modified as follows:

1. General. Establish the document entitled, "Amended Designated Services Agreement For City Parkway Center Project", as the underlying contractual document for performance of work.

DELETE: The terms, conditions, and covenants (Sections One through Ten), and Exhibits of the original Designated Services Agreement For City Parkway Center Project, dated March 19, 2003.

SUBSTITUTE: The terms and conditions of the Amended Designated Services Agreement for City Parkway Center Project, dated October 1, 2003.

2. General - Exhibits. Rename and consolidate all Exhibits.

DELETE: All Exhibits, and references thereto, in the "Amended Designated Services Agreement For City Parkway Project".

SUBSTITUTE: The Attachments/Exhibits, and references thereto, which are set forth in this Modification No. 1.

3. Section 1.01, Description of Consultant's Services. Describe all project work to be completed.

DELETE: Section 1.01 in its entirety.

SUBSTITUTE: **"1.01 Description of Consultant's Services.** The Consultant shall continue to provide the services set forth in Exhibit "B", performance of which has already commenced under previous versions of the Designated Services Agreement. The Consultant shall also provide the services set forth in Exhibit "C". During the performance of any services under this Agreement, the Consultant shall prepare, at a minimum, a monthly status report in the form of a memorandum to the Project Administrator and CPY Representatives. This monthly status report shall outline all tasks undertaken, tasks completed, and shall provide details of anticipated future tasks, time frames and resources necessary to accomplish the tasks. The Consultant shall provide other task related documents and reports when requested to do so by the Designated Representatives (or their designees). The costs associated with preparation of monthly reports and other documentation is considered to be part of the reasonable and customary cost of providing services and will not be additionally compensated; unless, the scope of such reports or documentation represent a substantive change from the work reasonably expected to be performed under the Agreement."

4. Section 4.01, Addition Services. Establish contractual authorization for additional services.

DELETE: Section 4.01 in its entirety.

SUBSTITUTE: **"4.01 Additional Services.** The Consultant may not perform additional services unless specifically authorized in Attachment 1, "Compensation (Pricing Structure)". If authorized under Attachment 1, the Consultant shall provide additional services described in any Exhibit only if requested

in writing by CPY. Payment to the Consultant for the additional services will be made in accordance with Section Seven of this Agreement."

5. **Section 6.01. Term.** Clarify effective date and use of "termination".

DELETE: Section 6.01 in its entirety.

SUBSTITUTE: "**6.01 Term.** The term of this Agreement begins on March 15, 2003 and ends upon completion of the City Parkway Center Project. Work is to be performed only as authorized in individual Exhibits set forth in this Agreement and any Modifications thereto. Agreement Modifications are effective on the date approved by the Las Vegas City Council, or such other established date in an individual Modification. Completion of services or termination of services under the Agreement does not extinguish continuing obligations under the Agreement."

6. **Section 7.01. General.** Establish funding limitations.

DELETE: Section 7.01 in its entirety.

SUBSTITUTE: "**7.01 General.** Funding for services performed under individual Exhibits is limited to the amounts specified in Attachment 1, "Compensation (Pricing Structure)". In no event shall the total payments to the Consultant for services (basic and additional) exceed the amounts authorized in Attachment 1. Should the Consultant proceed with work not authorized under this Agreement, the Consultant does so at its own risk and account."

7. **Section 7.02. Compensation: Basic Services.** Establish pricing and payment mechanism.

DELETE: Section 7.02 in its entirety.

SUBSTITUTE: "**7.02 Compensation: Basic Services.** For the services set forth in various Exhibits of this Agreement, the CPY will compensate the Consultant in accordance with Attachment 1, "Compensation (Pricing Structure)", and Attachment 2, "Invoicing – Progress Payments".

8. **Section 7.03. Compensation: Additional Services.** Establish pricing and payment mechanism.

DELETE: Section 7.03 in its entirety.

SUBSTITUTE: "**7.03 Compensation: Additional Services.** CPY will compensate the Consultant for additional services only as specifically authorized in Attachment 1, "Compensation (Pricing Structure)", and Attachment 2, "Invoicing – Progress Payments".

9. **Section 7.04. Invoice.** Add Office of Business Development as specific recipient of invoice copy.

DELETE: Third sentence in its entirety.

SUBSTITUTE: "The Consultant shall submit the original invoice to the address below. The Consultant shall forward a copy of the invoice to the following address: City of Las Vegas, Office of Business Development, ATTN: Development Project Analyst, City Hall – 2nd Floor, 400 Stewart Avenue, Las Vegas, Nevada 89101."

10. **Section 7.08. Reimbursement for Expenses.** Establish mechanism for reimbursement of expenses.

DELETE: Section 7.08 in its entirety.

SUBSTITUTE: "7.08 Reimbursement for Expenses. Consultant will be reimbursed for expenses only if specifically authorized in Attachment 1, "Compensation (Pricing Structure)", and as more fully described (if applicable) in Attachment 2, "Invoicing – Progress Payments".

11. Section 10.02, Termination Add limitation on Consultant termination of work in progress.

ADD: "The Consultant may not invoke the right to terminate, without cause or default, any work under a specific Exhibit, once work described under that Exhibit has commenced. Any such termination of work in progress would have to be effectuated through a bilateral modification to this Agreement, with the full consent of the CPY."

12. Section 10.18, Notice. Change address for legal notice.

DELETE: "City Parkway IV and V, Inc.
400 Stewart Avenue, 2nd Floor
Las Vegas, Nevada 89101
ATTENTION: Richard E. Oglesby, Project Administrator
Phone: (702) 229-6551
Fax: (702) 385-3128"

SUBSTITUTE: "City Parkway IV and V, Inc.
400 Stewart Avenue, 8th Floor
Las Vegas, Nevada 89101
ATTENTION: Dr. Douglas Selby
Phone: (702) 229-6501
Fax: (702) 385-3128"

DELETE: "(WITH A COPY TO)
Dr. Douglas Selby
400 Stewart Avenue, 8th Floor
Las Vegas, Nevada 89101
Phone: (702) 229-6501
Fax: (702) 385-3128"

SUBSTITUTE: "(WITH A COPY TO)
City of Las Vegas
Manager, Purchasing and Contracts
City Hall, First Floor
400 Stewart Avenue
Las Vegas, Nevada 89101-2986
Fax: (702) 384-9964"

13. Section 10.23, Exhibits. Organize, conform, and rename Attachments and Exhibits.

DELETE: Section 10.23 in its entirety.

SUBSTITUTE: "10.23 Attachments/Exhibits. The following Attachments and Exhibits are hereby incorporated into this Agreement:

<u>Identifier</u>	<u>Title/Text Reference</u>	<u>Date</u>	<u>Pages</u>
Attachment 1	Compensation (Pricing Structure) City Parkway Center Project	4/21/04	1
Attachment 2	Invoicing – Progress Payments City Parkway Center Project	4/21/04	2

Attachment 3	Performance Schedule City Parkway Center Project	4/21/04	1
Attachment 4	Certificate – Disclosure of Ownership/Principals	2/20/03	3
Exhibit “A”	Scope of Services – City Parkway Center Project Master Planning and Urban Design	3/19/03	2
Exhibit “B”	Scope of Services – City Parkway Center Project Design Concepts and Construction Documents – Phase One Development	10/1/03	7
Exhibit “B-1”	Project Plan - Phase One Work Area	10/1/03	1
Exhibit “C”	Scope of Services – City Parkway Center Project	4/21/04	10”

14. Order of Precedence. Establish an order of precedence.

ADD: “**10.24 Order of Precedence.** In the event of a conflict between various parts of this Agreement, Sections One through Ten take precedence over any Attachment or Exhibit. Additionally, any Attachment takes precedence over any Exhibit.

15. Attachment 4. Through the execution of this Modification No. 1, the Consultant affirms that the list of owners and principals set forth in Attachment 4 is current, complete, and accurate; except for the deletion of shareholder/director, Bonny Hershberger.

16. ALL OTHER TERMS AND CONDITIONS OF THE AMENDED DESIGNATED SERVICES AGREEMENT REMAIN UNCHANGED.

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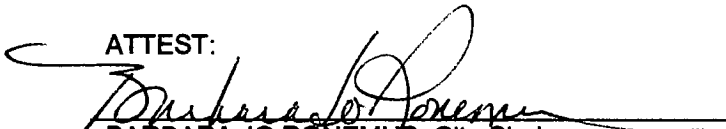
IN WITNESS WHEREOF, the parties hereto have caused this Agreement Modification No. 1 to be executed by their duly authorized representatives.

CITY PARKWAYS IV AND V, INC.


DOUGLAS A. SELBY, PRESIDENT
City Parkways IV and V, Inc.

"CPY"

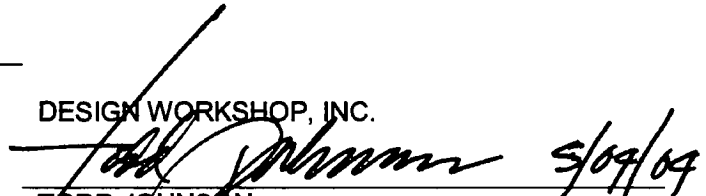
ATTEST:


BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

 4-29-04
Special Counsel to CPY

DESIGN WORKSHOP, INC.

 5/09/07
TODD JOHNSON
Principal & Shareholder
"Consultant"

ATTACHMENT 1
COMPENSATION (PRICING STRUCTURE)
City Parkway Center Project
April 21, 2004

The Consultant will be paid by CPY for services performed under individual Exhibits (Scope of Services), as set forth below.

EXHIBIT "A"

TOTAL AMOUNT FOR SERVICES: \$424,000 – COMPLETED AND FULLY PAID

REIMBURSABLE EXPENSES: COMPLETED AND FULLY PAID

ADDITIONAL SERVICES: Not authorized.

EXHIBIT "B"

TOTAL AMOUNT FOR SERVICES: \$1,500,000 (Fixed Amount For All Services), less any CPY payments previously tendered to the Consultant for any services performed under Exhibit "B".

REIMBURSABLE EXPENSES: Not authorized. All expenses, including travel, included in the above Total Amount for Services.

ADDITIONAL SERVICES: Not authorized.

EXHIBIT "C"

TOTAL AMOUNT FOR SERVICES: \$226,000.00 (Fixed Amount For All Services)

REIMBURSABLE EXPENSES: Not Authorized. All expenses included in the above Total Amount for Services.

ADDITIONAL SERVICES: Not authorized.

ATTACHMENT 2

INVOICING – PROGRESS PAYMENTS City Parkway Center Project April 21, 2004

The Consultant may bill on a progress payment basis prior to the actual completion of work, utilizing personnel billing rates no higher than those charged to the Consultant's most favored client. Billing shall be based on the provisions contained in Sections 7.02 and 7.04 and the following additional limitations for each Exhibit (Scope of Services):

EXHIBIT "A"

WORK COMPLETED AND PAID

EXHIBIT "B"

Prior to completion of a Task, Consultant billing may not exceed the following percentages of the total price allocated for each task, with such percentage equating to the level of work required for its completion.

Task	Description	Percentage
1	Project Startup/Kick-off Meeting	5%
2	Schematic Design	25%
3	Design Development	30%
4	Construction Documents	35%
5	Bidding and Negotiation	5%

EXHIBIT "C"

The Consultant may bill upon completion of an individual subtask (e.g., 1.1, 1.2, etc.) and acceptance by the CPY. No payment will be made for partial completion of a subtask. The amounts allocated for subtasks, and payable upon completion, are as follows:

Union Park Design Guidelines and Development Standards

Task	Description	Total	Task Total
A	DGDS PREPARATION		
A1	Goals & Objectives for DGDS		
1.1	Background Material	9600	
1.2	Formulate Goals with Client	4800	
1.3	Meet w/ LV Planning Dept.	1500	
1.4	Goals & Objectives Statement	9600	
			\$25,500
A2	Review Existing LV Guidelines		
2.1	Review Guidelines & Codes	9600	
2.2	Meet w/ LV Planning Department	1500	
2.3	Memo re: Gaps in City's DGDS	2400	
			\$13,500
A3	Prepare Annotated Outline		
3.1	Prepare Annotated Outline	19200	

3.2	Meet w/Client to Review Outline	3000	
			\$22,200
A4	Prepare Draft DGDS		
4.1	Prepare Draft DGDS Document	50400	
4.2	Prepare Alternative Formats	6000	
			\$56,400
A5	Review Draft DGDS		
5.1	Client Review Draft DGDS Document	500	
5.2	Review Draft DGDS	4800	
5.3	Review Draft re: Goals & Objectives	6000	
			\$11,300
A6	Prepare Final DGDS		
6.1	Prepare Final DGDS Document	42800	
6.2	Present DGDS to 4 groups	12600	
			\$55,400
A7	Adoption Meetings (Budget Allowance)		
7.1	PC Work Session	1500	
7.2	PC Hearing	3000	
7.3	CC Study Session	1500	
7.4	CC Hearing	3000	
7.5	CC First Reading	1500	
7.6	Adoption Meeting	1500	
			12,000
A8	Create Design Review Process		
8.1	Meet w/Client re: Process	3000	
8.2	Prepare Design Review Process	14400	
8.3	Meet w/Client re: Proposal	1500	
8.4	Finalize Design Review Process	10800	
			\$29,700

A TOTAL DGDS PREPARATION: \$228,000

ATTACHMENT 3

PERFORMANCE SCHEDULE City Parkway Center Project April 21, 2004

The Consultant shall complete the work, by individual Exhibit (Scope of Services), in accordance with the following schedules:

EXHIBIT "A"

WORK COMPLETED

EXHIBIT "B"

Task	Description	Term (days)
1	Project Startup/Kick-off Meeting	2*
2	Schematic Design	70**
3	Design Development	70**
4	Construction Documents	70**
5	Bidding and Negotiation	30**

* After award of Amended Designated Services Agreement

**After completion of previous task

EXHIBIT "C"

The Consultant shall submit a Performance Schedule to the CPY within fourteen (14) days after award of Modification No. 1. Upon approval of the Performance Schedule by the CPY, the Consultant shall complete work in accordance with that Schedule, and any CPY approved modifications thereto.

CERTIFICATE DISCLOSURE OF OWNERSHIP/PRINCIPALS

ATTACHMENT 4

1. Definitions

"CPY" means City Parkway IV and V, Inc.

"Contracting Entity," means the individual, partnership, or corporation seeking to enter into a contract or agreement with CPY.

"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; (e) trust – the trustee and beneficiaries.

2. Policy

Contracting Entities seeking to enter into certain contracts or agreements with CPY 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 CPY and the Contracting entity. Upon execution of such contract or agreement, the Contracting Entity is under a continuing obligation to notify CPY 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 CPY of any material change may result, at the option of CPY, 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 Contracting Entity
Name Design Workshop, Inc
Address 1390 Lawrence St. Suite 200 Denver CO 80204
Telephone 303 623 5186
EIN or DUNS 84 - 0819969

Block 2 Description Subject Matter of Contract/Agreement
City Parkway Center Development Project
RFP#

Block 3	Type of Business
☐ Individual ☐ Partnership ☐ Limited Liability Company ☒ Corporation ☐ Trust ☐ Other.	

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.			
2.			
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:

1

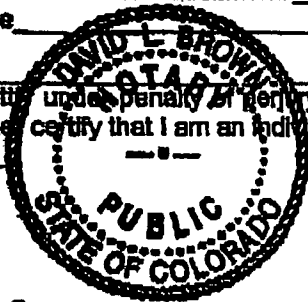
Block 5 DISCLOSURE OF OWNERSHIP AND PRINCIPALS – ALTERNATE

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: Disclosure of Principals - Continuation

Date of Attached Document: February 2003 Number of Pages: One

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



My Commission Expires 06/18/2004

Todd P. Brown
Name
2.20.03
Date

Subscribed and sworn to before me this 20th day of

February, 2003

David L. Brown
Notary Public

**Disclosure of Principals - Continuation
February 2003**

Name	Office/Title	Business Address	Business Phone
Kurt Culbertson	Shareholder Director Chairman	120 East Main Street Aspen, CO 81611	970-925-8354
Bruce Hazzard	Shareholder Director	14 South Pack Square Suite 405 Asheville, NC 28801	828-225-8901
Bonny Hershberger	Shareholder Director	36 E. Broadway 3rd Floor Jackson, WY 83002	307-739-2399
Todd Johnson	Shareholder Director Secretary	1390 Lawrence Street Suite 200 Denver, CO 80204	303-623-5186
Gregory Ochis	Shareholder Director President / COO	1390 Lawrence Street Suite 200 Denver, CO 80204	303-623-5186
Joe Porter	Shareholder Director	120 East Main Street Aspen, CO 81611	970-925-8354
Richard Shaw	Shareholder Director Vice President	120 East Main Street Aspen, CO 81611	970-925-8354
Rebecca Zimmermann	Shareholder Director Treasurer	1390 Lawrence Street Suite 200 Denver, CO 80204	303-623-5186

EXHIBIT "A"

SCOPE OF SERVICES – CITY PARKWAY CENTER PROJECT Master Planning and Urban Design March 19, 2003

Phase One – Charette Preparation and Charette (\$95,000)

Phase One Intent: Gather all existing information, present information and lead a planning charette to involve task force members in creating a vision for the project.

Products

- Project Mission Statement
- Draft Project Objectives
- Charette Agenda and Process
- Outline for "State of the Union" Charette Presentation (Due Diligence)
- Consultant Roles for Charette

Phase Two – Charette Follow-up (Concept Plans) (\$91,000)

Phase Two Intent: Evaluate the alternatives from the charette. Test and refine alternatives for Work Session #1 review with Task Force.

Products

- Multiple Sketch Alternatives
- Primary Dilemma List
- Preliminary Site Sections
- Market Evaluation
- Development Summaries

Phase Three – Vision Plans (\$124,000)

Phase Three Intent: Define one or two selected visions for the development. Refine the visions through detailed testing. Document the vision and illustrate for the Task Force.

Products

- Executive Summary, Project Vision and Mission Statement
- Project Objectives
- Due Diligence Summary
 - Medical
 - Engineering
 - Environmental
- Illustrative Plans
- Land Use Diagram
- Circulation Diagram
- Site Section Drawings, with Amenities
- Preliminary Street Sections
- Character Sketches
- Medical Campus Program and Planning Alternatives
- Development Summary

Project can be halted at this point to confirm plan politically or in the marketplace.

Phase Four – Framework Documentation (\$114,000)

Phase Four Intent: Provide final plan review and confirmation, and resolve outstanding issues. Provide comprehensive and detailed documentation for marketing and pre-design use.

Products

Master Plan Book

Executive Summary Brochure

Select Illustration Boards

Power Point Presentation

- **Executive Summary, Project Vision and Mission Statement**
- **Project Principles and Objectives**
- **Due Diligence Summary – Medical, Engineering, Environmental**
- **Annotated Master Plan**
 - Districts and Land Use**
 - Vehicular Circulation**
 - Parking**
 - Transit Network**
 - Blocks and Lots**
 - Public Realm and Open Space**
 - Pedestrian Systems**
 - Building Height and Massing**
 - Grading Framework**
 - Environmental Framework**
 - Utility Framework**
 - Phasing Diagrams**
- **Section Drawings**
 - Site-Wide**
 - Street Hierarchy**
 - Primary Public Space-Building Relationships**
 - Rail Crossings**
- **Three Dimensional Illustrations**
 - Entire Project**
 - Sub-Areas**
 - Primary Public Spaces**
 - Building Character**
- **Development Summaries**
- **Control Mechanism Strategy**

EXHIBIT "B"

SCOPE OF SERVICES – CITY PARKWAY CENTER PROJECT Design Concepts and Construction Documents – Phase One Development October 1, 2003

The following narrative describes a comprehensive list of services required to prepare design concepts and construction documents for Phase One development. Efficiently organizing the work will be essential to completing the project in a timely fashion. While the following narrative is organized in a linear manner, many of the sub-tasks may actually proceed in a parallel or concurrent fashion.

Phase One development is illustrated on an attached plan (Exhibit "B-1"), and includes the following components:

1. Grand Central Parkway improvements, east side, full project length.
2. Esplanade #1, to proposed park, including partial segment of loop road.
3. Esplanade #2, to proposed park
4. Partial segment of Promenade, from Esplanade #1 to Esplanade #2.

The scope of work to be performed by Design Workshop (DW) in connection with this agreement is as follows:

Task One. Project Start-Up

The general objective for this phase of the work is to develop a thorough understanding of the work that has been completed to date, become familiar with the site, and develop a preliminary understanding of the development program.

The specific tasks to be completed are as follows:

1. Review all pertinent codes, current entitlements, and conditions of approval, which may impact the site development concepts.
2. Meet with the Client and consultant team to review/develop project goals, design criteria and site program.
3. Define the roles and responsibility of the project team, including the consultants retained by the client.
4. Further develop a previously initiated range of costs and improvement models to the Client.
5. Determine the target site improvement budget with the Client.
6. Review the geotechnical report, environmental report and topographic survey.
7. Closely examine the site to become familiar with the site conditions such as soils, slopes, views, and context surrounding the site. Field-verify survey information, including the limits of existing improvements.
8. Prepare a detailed project schedule/work plan.

9. Attend up to three meetings with the Client and/or other consultants.

The following products will be prepared/delivered:

1. Examples of improvement model and probable cost of each model.
2. Meeting notes and written documentation of specific research topics.
3. Project schedule/work plan.

Task Two. Schematic Design

The general objective for this phase of the work is to prepare design studies and develop an initial understanding of landscape construction costs. Based on the Client approved Master Plan and preliminary cost models, Design Workshop will prepare a Schematic Design Plan.

The specific tasks to be completed are as follows:

1. Establish program requirements and develop Design Principles to guide decision making.
2. Prepare image character boards or bound booklets in order to convey the landscape design intent.
3. Preliminary plan review with municipal staff, e.g. Planning and Public Works.
4. Research site improvement materials and plant palettes.
5. Develop and test design alternatives.
6. Prepare an overall site plan that clearly illustrates the site development concept, key relationships, planting concepts, site circulation, and the relative disposition of the program on the site.
7. Illustrate schematic site grading and drainage concepts for all areas outside the building(s) including land contouring, landscape berms, swales, walls and drainage in hardscape areas. Coordinate this work with Kimley-Horn.
8. Prepare a lighting design strategy and develop a schematic landscape lighting scheme for all major public areas on the property.
9. Conduct internal Schematic Design Quality Control Reviews for aesthetic and technical content.
10. Attend up to four meetings with the Client and/or other consultants.

The following products will be prepared/delivered:

1. Base map(s) based on information provided by the Client at 1"=20' scale.
2. Landscape Site Plan(s) at 1"=10' scale.
3. Cross Sections / Elevations at 1/4"=1'-0" scale illustrating the basic landscape intent.
4. Landscape Lighting Plan(s) at 1"=20' scale.

5. Landscape Character Book that portrays the character of proposed landscape features.
6. Schematic level opinion of probable site/landscape construction cost (review only – document completed by others).

Task Three. Design Development

The general objective for this phase of the work is to develop the character and detail of the proposed landscape plan. Based on the Client approved Schematic Design Plan and schematic level opinion of probable site/landscape construction cost, Design Workshop will prepare a Design Development Plan.

The specific tasks to be completed are as follows:

1. Prepare site demolition plans illustrating existing hardscape and landscape areas that will be demolished or preserved. Coordinate work with Kimley-Horn.
2. Develop tree protection plans illustrating existing trees and other plant materials to be protected during the construction (if applicable).
3. Prepare plans, cross sections and elevations for pedestrian and special vehicular pavements, entries, site furnishings and other site elements that are a part of the proposed landscape development and not a part of building structures.
4. Review site grading and drainage for all areas outside the building footprints including contouring, retaining structures, swales, flow lines and drainage devices, prepared by Kimley-Horn. Indicate alignments, elevations, dimensions, materials and details for retaining or freestanding walls, steps, ramps, etc. Ensure that grade transition between architectural floor elevations and exterior elevations is compatible, if applicable.
5. Review site erosion control plans illustrating areas to receive erosion protection, prepared by Kimley-Horn.
6. Prepare planting plans for all landscape areas to illustrate planting composition, plant species, locations and sizes of major planting features. Special attention will be given to ensure that views, solar orientation and erosion control are accommodated in the solution.
7. Prepare preliminary Irrigation Plan illustrating overall irrigation intent.
8. Prepare a preliminary landscape lighting scheme for all major landscape areas on the property.
9. Investigate plant availability.
10. Review materials and technical systems with potential fabricators and contractors.
11. Select site development materials and prepare design development details and enlargements.
12. Review Design Development plans with municipal staff.
13. Conduct internal Design Reviews.
14. Conduct internal Design Development Quality Control Reviews for aesthetic and technical content.

15. Coordinate Design Workshop's work with other consultants retained by Client.
16. Prepare a draft specification for the above-described landscape elements of the project.
17. Attend up to six meetings with the Client and/or other consultants.

The following products will be prepared/delivered:

1. Demolition Plan(s) at 1"=20' scale.
2. Tree Protection Plan(s) at 1"=20' scale.
3. Materials Plan(s) at 1"=10' scale.
4. Grading and Drainage Plan(s) at 1"=10' scale (review only - prepared by Kimley-Horn).
5. Erosion Control Plan(s) at 1"=20' scale (review only - prepared by Kimley-Horn).
6. Planting Plan(s) at 1"=20' scale.
7. Composite Sections/Site Cross Sections/Elevations at 1/4"=1'-0" scale showing the landscape intent.
8. Preliminary Irrigation Plan(s) at 1"=20' scale.
9. Preliminary Site Lighting Plan(s) at 1"=20' scale.
10. Design Development details and reference sections.
11. Design Development level opinion of probable construction cost (review only – document completed by others).
12. Draft specifications.

Task Four. Construction Documents

The general objective for this phase of the work is to prepare final documentation drawings that incorporate the most current information regarding construction practices. Based on the Client approved Design Development Plan and Design Development level opinion of probable construction cost, Design Workshop will prepare Construction Documents.

The specific tasks to be completed are as follows:

1. Prepare working drawings and specifications to reasonably conform to applicable codes and regulations of governmental bodies having jurisdiction over the work at the time the work is prepared.
2. Conduct technical work sessions with municipal staff.
3. Coordinate Design Workshop's work with other consultants retained by the Client. Coordinate interdisciplinary Construction Document reviews between the consultants.
4. Review materials and technical systems with potential fabricators and contractors.

5. Conduct internal Construction Document Quality Control Reviews for aesthetic and technical content, and revise plans per reviews.
6. Attend up to six meetings with the Client and/or other consultants.
7. Prepare a Preliminary Construction Document level opinion of probable construction cost.
8. Participate in value engineering sessions.

The following products will be prepared/delivered:

1. Demolition Plan(s) at 1"=20' scale.
2. Tree Protection Plan(s) at 1"=10' scale.
3. Layout (Horizontal Control) Plans at 1"=10' scale locating vehicular and pedestrian pavements, landscape walls, site furnishings, and other site elements.
4. Materials Plans at 1"=10' scale showing types of vehicular and pedestrian pavement, landscape walls, site furnishings and other site elements.
5. Review the Civil Engineer's grading plans for conformance to Design Workshop's design intent.
6. Erosion Control Plan(s) at 1"=20' scale (review only – document completed by Kimley-Horn).
7. Planting Plans at 1"=10' scale showing tree, shrub, vine and groundcover locations and a complete plant material schedule.
8. Irrigation Plans at 1"=10' scale showing identification, location, and sizing of irrigation systems and their component parts.
9. Site lighting Plans at 1"=20' showing type, location, and mounting details for landscape site lighting fixtures.
10. Details and reference sections of the above-described landscape materials with information required for construction, installation, and finishing of landscape components of the project.
11. Preliminary Construction Document level opinion of probable construction cost (review only – document completed by others).
12. Technical specifications for improvements and/or site features described by the above listed drawings in standard CSI format. General Conditions, Special Requirements and Bidding Documents shall be provided by Client.

Task Five. Bidding and Negotiation

The general objective for this phase of the work will be to assist the contractor in developing a clear understanding of the project for purposes of preparing construction bids. Based on the Client's approval of Construction Documents and the latest opinion of probable construction cost, Design Workshop shall assist the Client in obtaining bids or negotiated proposals.

This work shall occur in the period after the completion of Construction Documents and prior to awarding a construction contract.

The specific tasks to be completed are as follows:

1. Assist the Client in pre-qualifying contractors for work designed by Design Workshop. A list of approved contractors for the disciplines utilized will be submitted to the Client prior to issuing Bid Documents.
2. Issue Bid Documents as an integrated package with the Architectural Construction Documents.
3. Participate in one (1) Pre-Bid conference with bidders for work designed by Design Workshop or in conjunction with the Architectural Work.
4. Prepare addenda to the Construction Documents, as clarification is required.
5. Review Bid Documents to assure that there are no major errors or omissions.
6. Review substitutions and alternatives as requested by the bidders and make recommendations regarding the same.
7. Attend up to two meetings with the low bidders on items designed by Design Workshop to review bids and facilitate understanding of the project scope.
8. Participate in value engineering sessions with selected low bidders during negotiation.

Conditions and Exclusions

Client shall provide the following information or services as required for performance of the work. DesignWorkshop assumes no responsibility for the accuracy of such information or services, and shall not be liable for errors or omissions therein. Completion of this information or services is not included in this work scope fee. Should DesignWorkshop be required to provide services in obtaining or coordinating compilation of this information, such services shall be billed as Additional Services.

In order to begin design development work, we will require the following information:

1. Topographic field surveys of the property which include but are not limited to the property lines, easements, utilities, structures, buildings, one (1) foot contours intervals, etc.
2. A copy of soils/geology reports.
3. A copy of current architectural, structural, civil engineering, plumbing and electrical engineering, paving, lighting and interiors plans and details, if applicable with proposed development.

The following design services are not included within this work scope:

- a) Structural engineering
- b) Water feature design
- c) Electrical engineering/lighting design
- d) Environmental Analysis
- e) Professional Renderings
- f) Models

Project Team

Design Workshop typically organizes projects in a team format with key responsibilities divided between the Principal-in-Charge and Project Manager. The key team members for your project are listed below:

Principal-in-Charge – Todd Johnson

Todd Johnson will serve as Principal-in-Charge of the Parkway Center project and will have primary responsibility for the overall content and quality of the work prepared by Design Workshop and our consultant team.

Project Manager – Chuck Ware

Chuck Ware will serve as the Project Manager for the Parkway Center project and will also be responsible for leading the planning and design efforts associated with the work. His responsibilities will include the coordination of Design Workshop's in-house design team as well as regular communication and coordination with all members of the Client's consultant team.

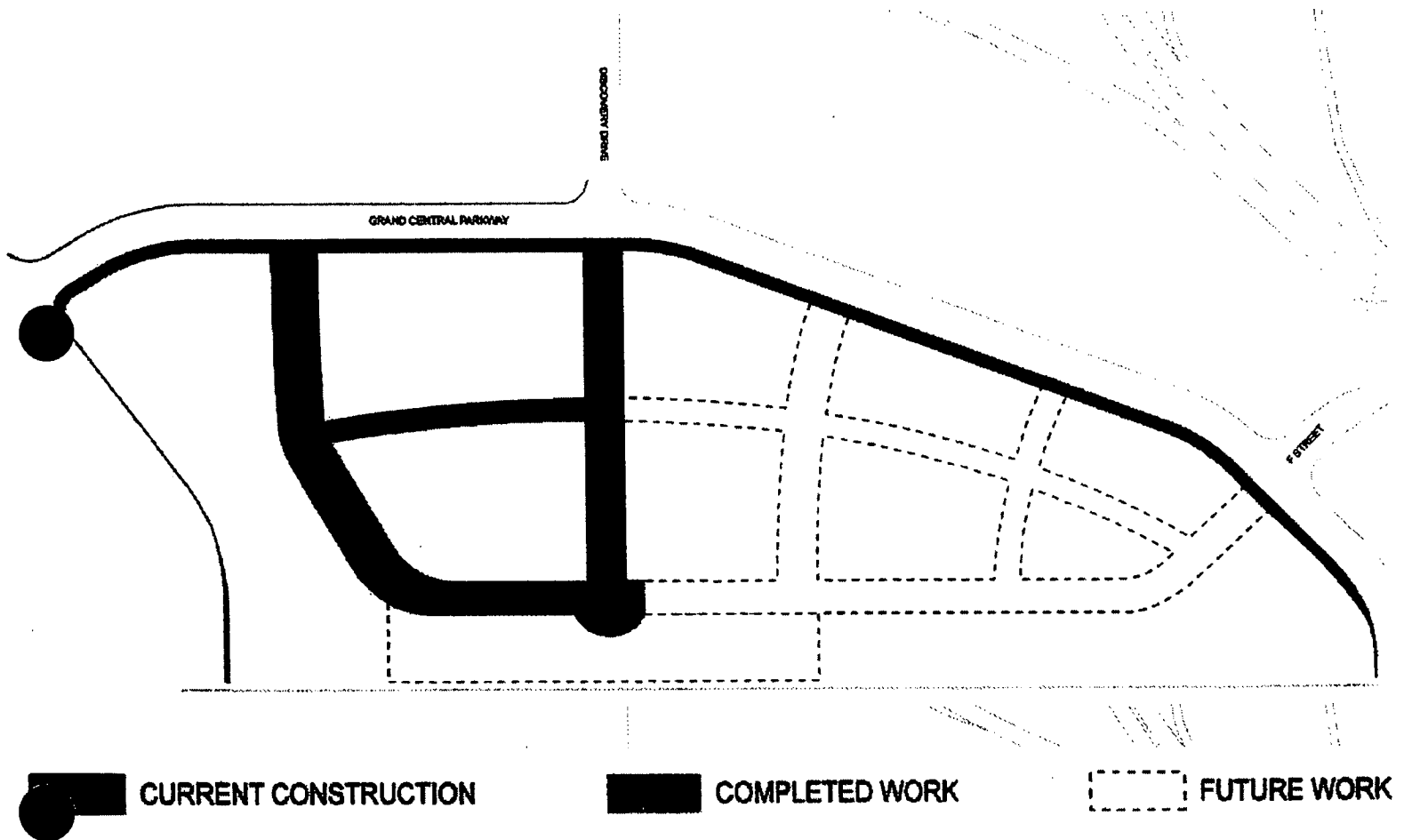
RNL Design – RNL Design will assist Design Workshop in the development of urban design and landscape architectural solutions for Phase 1 development

EXHIBIT "B-1"

SCOPE OF SERVICES – CITY PARKWAY CENTER PROJECT

Project Plan – Phase 1

October 1, 2004



Project Plan - Phase One

EXHIBIT "C"
SCOPE OF SERVICES - CITY PARKWAY CENTER PROJECT
Design Guidelines and Development Standards – Union Park
April 21, 2004

Scope of Work

The objective of this work is to clearly and effectively communicate the vision for the architectural design of Union Park, and describe how to achieve it by constructively working with the designers and developers of individual projects. To achieve the vision, the project needs straightforward, equitable design standards for the buildings and other structures in the urban village. These Design Guidelines and Development Standards will guide designers and developers in creating projects that reflect the goals and objectives for the mixed-use urban village. This is an essential tool for creating a lively, walkable, comfortable, attractive place to live, work, shop and spend leisure time.

The Design Guidelines and Development Standards (DGDS) describe the design requirements and quality of design expected in Union Park's development projects. They are intended for use by anyone who designs, develops or reviews and approves development projects in Union Park. They also have a broader application as a marketing tool for Union Park, much as a marketing brochure.

Benefits of Design Guidelines and Development Standards

One of the major benefits of the Design Guidelines and Development Standards is creation of a standard of design expectation that protects the public investment being made in Union Park through development of the public infrastructure, public streets and streetscape. Another benefit is protection of property values for individual investor/developers by ensuring a high standard of quality on adjacent properties. Guidelines create value over the whole site by projecting an image of quality and permanence throughout Union Park.

By creating realistic and clear design expectations, these guidelines will attract experienced, qualified developers who will create exciting, attractive urban environments. Finally, by helping designers understand how their projects can fit into their context, the guidelines will save them time and money by giving positive direction on major issues such as orientation, access, height, bulk and orientation. Guidelines will help to brand Union Park by addressing issues such as building appearance, landscaping and other design features. At the same time, they will assist the city in the development review process by providing accountability and measurable standards for review and evaluation of proposed projects.

Design Guidelines and Development Standards Sell the Project

The DGDS will not only delineate the standards and expectations of the project's design, they will also portray the character of Union Park as an authentic, lively, pedestrian-oriented part of Las Vegas, where people can choose to live, work and play in a genuine urban place. The DGDS will communicate these goals by including the Master Plan prepared by the consultant team, with illustrations of the character we seek to create on the 61-acre site.

Elements Included in the DGDS

The DGDS will address all aspects of the built environment within the Union Park development site, in the following way:

- 1 Specific guidelines and standards for all development within the parcels on the 61-acre site. This includes virtually every part of the private sector domain, including height, bulk, setbacks, access, building articulation, site and building materials, screening of storage and utilities. This will also describe how the private sector relates to other private sector development and to the public sector that borders it.

- 2 Illustrations of the design features of the Phase 1 public streets and walkways, public streetscape elements and landscaping, light fixtures, benches and other public street furnishings. Streets included in Phase 2 and later development will be designed to the same level of care and detail.
- 3 Specific guidelines and standards for plazas and bridge approaches at the pedestrian bridges, and for the bridge connections.
- 4 Design guidelines and standards for the park.

Organization of This Scope of Services

This Scope of Services and the accompanying Fee Estimate are organized into two parts:

A—DGDS PREPARATION: describes the process of gathering information, outlining and preparing draft and final versions of the DGDS, and then seeing it through the approval process.

An outline of the content of the DGDS and Development Standards is found in Task 2. The tasks to produce the DGDS, revise ordinances and coordinate with developer/applicants are as follows:

PART A DGDS PREPARATION

Task A1 Set Goals and Objectives for Design Guidelines and Standards

The purpose of this task is to prepare the philosophical and practical basis and approach for the DGDS, as a benchmark for the Draft and Final DGDS. We will revisit this in later tasks. This is a critical task, as it addresses the level of detail, the strength, flexibility, comprehensiveness and overall visual effectiveness of the design guidelines.

The Master Plan was well documented in terms of visual and physiological objectives. The DGDS will be consistent with the basis design premises of the Master Plan. Where the Master Plan defines the public domain, the DGDS defines the private domain to the same level of care and definition.

- 1.1 As preparation for a discussion on goals and objectives, prepare background material for the DGDS, using the following input at a minimum:

Other design guidelines and standards for current projects, including Battery Park City in New York, the Commons in Denver and other high density mixed-use projects around the country.

Branding and identity for Union Park by our consultant team

Image collection of building types and densities and urban environments addressing the categories of the design standards

Starter list of objectives, using the description below of Task 3.

- 1.2 Meet with the Client to discuss and formulate the basic structure of goals and objectives for the DGDS. Using the technique of pinning up and rearranging the prepared material, we will document ideas for both goals and objectives as the basis for a statement we will prepare in 1.3.
- 1.3 Prepare for and meet with the Las Vegas Planning Department to gain staff insights about the regulations that they see being most effective in Union Park.
- 1.4 Prepare a draft Goals and Objectives statement that will illustrate the look and feel of the development projects we anticipate being part of Union Park. We will include all aspects of the outline in Task 3. Among the goals and objectives will be a statement of the level of

specificity and prescription vs. performance standards of the guidelines and standards. These goals and objectives will be re-visited later in this process.

Deliverables: Background material for the Goals and Objectives session. Draft Goals and Objectives statement as background for the Draft DGDS document.

Task A2 Review Existing City of Las Vegas Guidelines and Standards

The purpose of this task is to ensure that the thinking that the City has done for Union Park prior to the Master Plan is not lost, and that the team does not duplicate efforts or develop DGDS documents that are in conflict with the existing ordinances and regulations. This has the benefit of enlarging our knowledge and bringing the City Planning Department into the design guideline and review process.

- 2.1 Review the City's existing Design Guidelines for applicability to the Union Park Master Plan. We will also examine other City of Las Vegas codes such as zoning, signage, lighting, parking and other ordinances to determine how Union Park DGDS should interface with them, and how we bring the relevant regulations into a simplified, single source format.
- 2.2 Meet with the Las Vegas Planning Department to review and discuss their existing DGDS and ordinances with them to determine where they believe gaps exist or where elements need to be reinforced to achieve City goals for Union Park.
- 2.3 Prepare a memorandum, which identifies the areas that the City's Parkway Center DGDS do not address, and identifies where the existing DGDS should be revised to be a more effective tool for shaping the projects within Union Park.

Task A3 Prepare Annotated Outline

The purpose of this task is to create a draft outline for the DGDS that provides a basis for setting the direction of the DGDS. In addition to the outline described in this task, each topic will be described as to its intent, content and detail so the Client and consultant team can address the intention of each category and the specificity of the guidelines and standards. The outline will be accompanied by visual examples taken from other cities as illustrations and examples. This is a good way to get the client and consultant team into communication on the content of the guidelines.

- 3.1 Prepare an annotated outline of the DGDS for Client review. This outline will be supplemented with descriptive notes that will provide the reader with information about what the DGDS will address. The recommended DGDS outline (to be evaluated in Task 3.2) is as follows:

Objectives of the Design Guidelines and Development Standards

How to use these Design Guidelines and Development Standards

Area of Application of the DGDS

Goals and Objectives of the DGDS (taken from Task 1)

The Union Park Concept and Master Plan

Goals and Objectives of the Mixed Use Urban Village (taken from Task 1)

Economic

Destination

Comfort

Relationship to its urban context

Streets and freeway access

Downtown

Other projects

Character of the Mixed Use Urban Village (from Master Plan and Schematic submittals)

Program of Development Program for Union Park

Development Sq. Ft.

Parking

Self-sufficiency of projects

Shared parking potentials

Features (from Master Plan and Schematic submittals)

Character of the Neighborhoods

Academic Medical Center (as a sub-area)

Description, Characteristics and Objectives

Illustrations

Urban Village (as a sub-area)

Performing Arts Center (as a sub-area)

Character of the Blocks

1A Phase 1 Office Block

Thesis/Role (for each block)

Unique Goals and Objectives (for each block)

Unique Design Character (for each block)

Potential Parcel Plan (for each block)

1B Phase 1 Office Block

1C Phase 1 Residential Block

1D Phase 1 Office Block with Performing Arts Center

1E Performing Arts Center

2A Phase 2 Office Block

2B Phase 2 Residential Block

3A Academic Medical Campus

3B Academic Medical Campus

3C Academic Medical Campus

3D Academic Medical Campus

Public Framework

Site maps of the framework elements:

Street Framework

Transit Framework

Open Space Framework

Building Height

Street Sections and Character

Promenade
Grand Central Parkway
Esplanade 1
Esplanade 2
Loop Road

Plaza Design

Performing Arts Plaza (Between Esplanade 1 and County Bridge)
Transit Plaza (Landing of bridge)
North Plaza (Landing of bridge)

SITE STANDARDS

Objectives of the Site Standards

Vehicle Access

Vehicular access points from streets

Pedestrian Access

Pedestrian Pathways
Mid-block and Through-Block Access

Parking

Standards
Design of Parking
 Concealing Parking
Parking Shared with Other Uses

Landscape and Streetscape

Buffers
Screening
% Landscaping
Landscape Setbacks
Parking Landscape
Plant Materials and Palette
Interface with Public Area Streetscape
Irrigation
Maintenance of Landscape

Streetscape Elements

Paving
Furnishings
Lighting

Signage—Site**Site Drainage**

Detention, Retention
Storm Sewer

Utilities

Utility Access Points and Easements
Power—transformers, meters, substations
 In Public Right-of-Way
 Within Development Projects

Water
Sanitary Sewer

Service, Delivery and Loading Access

Breaking the Curb Line
Entering the Project
Visibility from Public Right-of-Way

Telecommunications

Points of Access
At-grade and Above-ground Elements

Use of Public Right-of-Way

Uses Allowed
Pedestrian Access to be Maintained
Special Event Usage
Design of Structures for Public Right-of-Way

BUILDING STANDARDS

Objectives

Four-sided architecture
Other site-wide general objectives

Height and Bulk

Building Height—overall
Setbacks from Property Lines
Build-to Lines, Street Walls
Setbacks by Height
Solar Orientation, Shading and Access
 Seasonal Variations
View Corridors
 Within Union Park
 To and From Union Park

Building Orientation

Active Uses and Major Pedestrian Entries
Connections to Parking Structures
Concealing Parking Structures

Land Uses

Active Street Frontages (retail, etc.)
Mixed Uses

Articulation

Roof and Wall Variation
Base
Middle
Top—shape of top
Solid and Void Proportion

Arcades

Where Allowed or Encouraged
Dimensions
Relationship to Streetscape

Materials

Qualities and Character
Materials Palette
Prohibited Materials

First Floors and Storefronts

First Floor Height
Storefront Design
Pedestrian Access to First Floor

Design Themes

Architectural Character

Signage and Identity

Union Park Identity and Theme
Site Signage
 Project Signage
 Temporary Signs
 Directional Signs
Building Signage
 Project Signage
 Temporary Signs
 Directional Signs
 Business and Corporate Signs

Awnings, Canopies and Shading

Objectives
Design Options
 Height
 Design Option
 Projection
Materials

Lighting

Site Lighting
 Fixtures
 Illumination Standards
 Light Quality—color rendition
Building Lighting
 Lighting on Buildings
 Lighting of Buildings

Screening

Loading Docks
Trash, Utilities, Storage, Equipment

Application of DGDS and Standards to the Blocks

3-D views of blocks with DGDS applied
 1A Phase 1 Office Block
 1B Phase 1 Office Block
 1C Phase 1 Residential Block
 1D Phase 1 Office Block with Performing Arts Center
 1E Performing Arts Center
 2A Phase 2 Office Block
 2B Phase 2 Residential Block

- 3A Academic Medical Campus
- 3B Academic Medical Campus
- 3C Academic Medical Campus
- 3D Academic Medical Campus

Sustainability

Elements

- Site
- Buildings
- Infrastructure

Leadership in Energy and Environmental Design (LEED)

- Summary of LEED Program and Process
- Union Park's Contribution to LEED Rating on Individual Projects

City Requirements and Process

Working with Union Park

Deliverable: Ten copies of Annotated Outline

3.2 Meet with the Client to review the Annotated Outline. We will evaluate the extent to which the guidelines and standards meet the initial Goals and Objectives at this stage of the process.

Task A4 Prepare Draft DGDS

This task will result in the preparation of a Draft Design Guidelines and Development Standards document for Union Park and delivery of the document to the Client. The draft will closely resemble the final document, as it will include the full graphics and text. One virtue of our draft process at this point is the preparation of different format excerpts for client review, offering different looks for the document.

- 4.1 A draft DGDS document will be prepared, using the annotated outline from Task 2. The draft will be fully illustrated with full draft text. The final format will not necessarily be reflected in this draft, since it will be the subject of discussion with the Client.
- 4.2 Two to three alternative mockup formats will be prepared for review by the Client. As a result of the format review, we will have direction for preparation of the final DGDS.

Deliverable: Draft DGDS in five bound hard copies for markup, submitted to the Client. Additional copies will be provided at cost.

Task A5 Review Draft DGDS

The purpose of this task is for the Client to thoroughly review the Draft DGDS, receive input from city staff, Task Force and other affected parties, and to transmit the comments, revisions, edits and other modifications to the consultant team. The consultant team will be available during this period to meet with the client to review the Draft DGDS after client review.

5.1 The Client will review the Draft DGDS document and, at his discretion, will have others review the work and comment. The comments will be compiled into one set of comments by the consultant team, so we will have one consistent of revisions to follow.

5.2 We will meet with the Client in a work session to review the Draft DGDS and prioritize the proposed changes, additions and deletions. These will be the recommendations that are incorporated into the final DGDS document.

5.3 The Draft DGDS will be reviewed with respect to the Goals and Objectives set in Task 1. The goals and objectives will reflect the ongoing discussion about branding and identity. We will evaluate the extent to which the DGDS reflect these objectives and re-visit the statement of goals that appear in the DGDS, which provide a basis for the guidelines and standards.

Task A6 Prepare Final DGDS

This task will produce the final Design Guidelines and Development Standards document.

- 6.1 The Final DGDS document will be prepared for submittal to the Client. The document will illustrate key DGDS.
- 6.2 The DGDS will be presented, using a PowerPoint presentation, to the Client, the Task Force, the Planning Commission and the City Council as needed for their information and approval.

Deliverable: Final Design Guideline Document in 20 bound copies and one pdf on CD

Task A7 Attend Adoption Meetings

The purpose of this task is to define a budget for the consultant team to prepare for and attend the necessary City of Las Vegas adoption meetings, needed for enactment of the DGDS. Consultant team attendance at these meetings will be at the direction of the client. Potential meetings to present or discuss the DGDS include the following, plus others at the client's discretion. We have allowed a budget for six meetings, outlined here.

- 7.1 Planning Commission work session
- 7.2 Planning Commission hearing
- 7.3 City Council study session
- 7.4 City Council hearing
- 7.5 City Council First Reading
- 7.6 City Council adoption meeting

Task A8 Design Review Process

The purpose of this task is to create a design review process for the projects in Union Park, similar to other such processes in projects across the U.S. These will become a part of the Design Guidelines and Development Standards document. The process will include the required submittals, anticipated time schedule for each submittal to be reviewed, process for appeals, and procedures for requests for variances and exceptions to the DGDS. We have been involved in setting up and running many types of Design Review processes for public and private clients. We will use this experience to customize a process for Union Park that will meet these particular requirements.

- 8.1 We will meet with the Client to discuss the most appropriate form of Design Review process that will accomplish the best results for Union Park. For the purposes of this proposal, we assume that the process will be run by the Union Park organization (Parkway Center or other), through a process suited to the goals and needs of the project.
- 8.2 We will prepare a preferred methodology and membership for a design review body that will obtain the best design results. A responsible and productive process will be fair to the applicant while upholding the goals of Union Park, providing for:

- Timely review and response to design submittals
- Equitable application of the DGDS to minimize arbitrary decisions
- Feedback to the DGDS document, making timely changes to address problems
- Productive discussion with the applicant to resolve problems
- Clear direction for the next submittal
- Sensitivity to the real estate aspects of Union Park and the business requirements of the applicant

- 8.3 We will meet and discuss with the Client the draft design review process, membership, staffing and other requirements for the process.

8.4 Following this discussion, we will draft a Design Review process and suggest membership of a design review entity to facilitate the review process. We assume that the City staff will be the ultimate authority in approving design proposals in Union Park.

Deliverable: Design Review Process as part of the Design Guidelines and Development Standards document.

THE REMAINDER OF THIS PAGE INTENTIONALLY IS LEFT BLANK

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Service and Material Checks/Payroll Checks/Wires Transfers/Other Checks and Investments

Fiscal Impact

☐

No Impact

Amount: \$53,194,634.94

☒

Budget Funds Available

Dept./Division: Accounting Operations

☐

Augmentation Required

Funding Source: All Funds

PURPOSE/BACKGROUND:

In compliance with the City's Municipal Code, Chapter 4.12, this is an informational item that provides the dollar amount of disbursements processed by the Finance and Business Services Department.

RECOMMENDATION:

BACKUP DOCUMENTATION:

Summary of cash expenditures for the period 03/16/04 - 03/31/04

Total Services and Materials Checks	\$ 12,201,961.96
Total Payroll Checks	\$ 5,283,638.73
Total Wire Transfers	\$ 35,709,034.25

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

City of Las Vegas

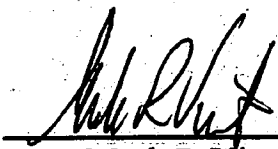
Summary of Cash Expenditures

For period of 3/16/04 - 3/31/04

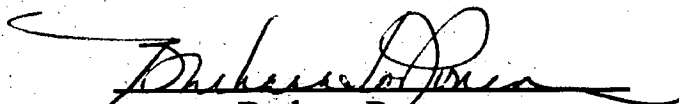
Total Services & Materials Checks :	\$12,201,961.96
Total Payroll Checks:	\$5,283,638.73
Total Wire Transfers:	\$35,709,034.25

Grand Total:	\$53,194,634.94

I hereby certify that I have reviewed the above amounts and approved them for payment as being in compliance with all applicable laws to the best of my knowledge and belief.

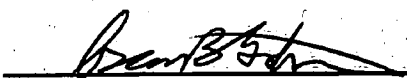


Mark R Vincent
Director of Finance



Barbara Ronemus
City Clerk

On April 21, 2004, the City Council approved the above cash expenditures.



Oscar Goodman
Mayor

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval to renew the Interlocal Agreement for Coordination of Franchise-Related Activities with Clark County, Henderson, North Las Vegas and Boulder City (\$40,000-General Fund) - All Wards

Fiscal Impact

☐

No Impact

Amount: \$40,000.00

☒

Budget Funds Available

Dept./Division: Finance & Business Services

☐

Augmentation Required

Funding Source: General Fund

PURPOSE/BACKGROUND:

This Interlocal Agreement funds staff to coordinate franchise administration efforts. The City has found that coordinating efforts with the other jurisdictions has been very beneficial, especially in the standardization of agreements, resolution of citizen complaints, and the conduct of audits. The City has budgeted for its annual share of the staffing maintained by Clark County to support the scope of this Interlocal.

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

Interlocal Agreement for Coordination of Franchise-Related Activities

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

INTERLOCAL AGREEMENT

for

COORDINATION OF FRANCHISE-RELATED ACTIVITIES

This Interlocal Agreement ("this Agreement") is executed to be effective the 1st day of July, 2004, by and among the City of Boulder City, the City of Henderson, the City of Las Vegas, the City of North Las Vegas ("the Cities") and Clark County ("the County"), all of which are political subdivisions of the State of Nevada.

WHEREAS, NRS 277.180 authorizes the County and Cities to contract with each other or with any one or more other public agencies for performance of any governmental services, activity or undertaking which the County or the Cities are authorized by law to perform; and

WHEREAS, State of Nevada and Federal laws and regulations authorize the County and the Cities to permit and regulate certain activities, and allow business use of public rights-of-way, through franchise agreements and related ordinances; and

WHEREAS, the County and the Cities have separately franchised and contracted with several businesses which provide services across jurisdictional boundaries; and

WHEREAS, the County and the Cities will provide more efficient and effective services for their citizens by combining resources, sharing information and otherwise coordinating their individual franchise and related activities.

NOW THEREFORE, in consideration of the mutual covenants and agreements herein contained, the County and the Cities agree as follows:

SECTION 1 - DEFINITIONS

For the purposes of this Agreement, the following terms, phrases, words, and abbreviations shall have the meanings given herein, unless otherwise expressly stated. When not inconsistent with the context, words used in the present tense include the future tense; words in the plural number include the singular number; and words used in the singular number include the plural number. The words "shall" and "will" are mandatory, and "may" is permissive.

- 1.1** "City Manager" means each of the four city managers appointed by the respective City Councils of the Cities of Boulder City, Henderson, Las Vegas and North Las Vegas to

perform such administrative functions of that city's government as may be required of him or her by the respective City Council, or his or her designee.

- 1.2 "County Manager" means the county manager appointed by the Clark County Board of Commissioners to perform such administrative functions of the county government as may be required of him or her by the Board of County Commissioners, or his or her designee.
- 1.3 "Franchise" means a grant issued by the County or any City, evidenced by a written agreement or ordinance, which permits the privileged use of public rights-of-way for the provision of Cable TV, Public Utilities, Monorails, Ambulance Service, Solid Waste Management, Bus Stop Shelters/Benches, Telephone or Telecommunications Services, or any other such service for which the County and Cities may be authorized by law to grant franchises.
- 1.4 "Franchisee" means the holder of a Franchise.
- 1.5 "Governing Bodies" means the Board of County Commissioners of Clark County; the City Council of Boulder City; the City Council of Henderson; the City Council of Las Vegas; and the City Council of North Las Vegas.

SECTION 2 - SCOPE OF AGREEMENT

To the extent practicable, the County and the Cities hereby agree to cooperate in their franchise related activities, and other related areas as may be assigned by the Governing Bodies, and to coordinate their individual efforts in areas including but not limited to: the development of common ordinances, franchise agreement documents, policies and procedures; franchise compliance activities, including financial and performance audits and reviews, and the development of cross-jurisdictional compliance criteria and measures; franchise customer complaint resolution services; the compilation and exchange of franchise related information in areas such as state and federal legislation and regulation, activities of interest in other local jurisdictions, and franchise-related industry and economic trends; the sharing of professional service resources; coordinated negotiations with new and renewing common franchisees; and such other common related activities as the Governing Bodies determine to be mutually beneficial.

- 2.1 In support of these efforts, the County and the Cities further agree to provide the necessary staffing and funding, as outlined in Section 3 below.

SECTION 3 - OBLIGATIONS OF THE PARTIES

3.1 SUPPORT STAFF AND FACILITIES

The County and Cities hereby agree to provide support staff and facilities necessary to meet all the responsibilities and duties described herein.

3.2 ANNUAL WORK PLAN AND BUDGET

By October 1st of each year, each City Manager shall furnish the County Manager with a written list of items that his or her City wishes to be included in a work plan for the next fiscal year (the "Work Plan"). On or before November 1 of each year, the County shall prepare a proposed Work Plan of issues and activities on which the County and Cities anticipate working jointly during the coming fiscal year, which may include but need not be limited to any issues outlined in Section 2 above. The Work Plan shall include anticipated time frames and deliverables. In conjunction with the Work Plan, an annual budget shall be developed to support the projects, activities and services to be carried out pursuant to the Work Plan. The Work Plan and budget, and each party's proportionate assessment, shall be presented to the Governing Bodies for approval as part of their individual annual budget approval processes. If contingencies arise which necessitate any changes to an approved Work Plan or annual budget, the County Manager shall prepare and propose such change to the Governing Bodies for their consideration and approval.

3.3 APPORTIONMENT OF EXPENSES

The total budget expenditures for activities and services conducted in fulfillment of this Agreement shall be apportioned to the County and the Cities in proportion to the population of each as a percentage of the total population of all. The individual amounts thus established for each party hereto shall be assessed to it, and made part of the budgetary request placed before its Governing Body.

3.3.1 The population estimates used for determining the budget apportionments and assessments for the coming fiscal year shall be as reported by the County's Department of Comprehensive Planning as of October of the current fiscal year.

3.3.2 At the request of any party hereto, the County Manager shall propose a methodology for relieving any party hereto of the costs associated with an activity for which that party would have no direct benefit (for example, an expense arising from activities with a common franchisee when one party hereto does not have a franchise agreement with that common franchisee, or has not granted a franchise in a specific area of business activity).

3.3.3 Each party hereto shall, upon approval of its Governing Body, make payment of its proportional assessment to the Clark County Treasurer for deposit in a special fund established by the County Manager for the support of this Agreement.

3.4 DELEGATION TO COUNTY MANAGER

The County Manager will receive and disburse funds collected under this Agreement and administer the Work Plan and budget established in Subsection 3.2 above, and shall direct any staff dedicated, in whole or in part, to the activities necessary to carry out the intent of this Agreement.

3.5 CENTRAL CABLE TV CUSTOMER SERVICES

The County and Cities hereby agree to provide a central location and fund administrative support staff for receiving and responding to the common cable television franchisee's customer complaints, concerns, and service questions that are not resolved by the cable franchisee. A record of complaints will be maintained for review by each party receiving complaints.

3.6 REPORTS AND AUDITS

Not less than quarterly the County Manager shall provide a written report detailing the amounts collected and disbursed and the purposes of those disbursements. Any party hereto may request an audit or review of any expense, cost, budget or statistic by submitting its request to the County Manager in writing.

SECTION 4 - TERM OF AGREEMENT

This Agreement shall commence on the first day of July, 2004, and continue until the last day of June, 2009, unless terminated under the provisions of Section 5 below.

SECTION 5 - TERMINATION

Any party may terminate its participation in this Agreement without cause by giving each of the other parties written notice at least 90 calendar days prior to end of any fiscal year. All contributions made for that current fiscal year by the terminating party will remain in support of the work under this Agreement for the remainder of that fiscal year.

SECTION 6 - MODIFICATION OR AMENDMENTS

This Agreement may not be modified or amended except by written agreement, duly approved by the Governing Bodies of the parties hereto. Modification or amendment in any other form shall have no force or effect, and may not be relied upon by any person.

SECTION 7 - ADDITIONAL PARTIES

A new party may be accepted hereto upon approval by all of the Governing Bodies and upon adoption by the new entity's governing body of a resolution indicating approval of, and agreement with, all terms and conditions set forth herein, and upon approval and payment of its proportionate assessment for the annual budget. A new party shall be treated as an original party hereto for all purposes.

SECTION 8 - LIMITATION ON LIABILITY

The parties hereto, including any of their respective elected or appointed agents, employees, or officials, shall not be liable to third parties for any act or omission of any other party. This Agreement is not intended to create any rights, powers or interest in any third party; and this Agreement is entered into for the exclusive benefit of the undersigned parties.

SECTION 9 - NOTICES

Any notice, invoice, payment or delivery required under this Agreement must be submitted in writing and sent by U.S. Mail, or by hand delivery, and directed to the appropriate parties as follows:

Boulder City:	City Manager 401 California Avenue Boulder City, Nevada 89005
Clark County:	County Manager 500 Grand Central Parkway, 6th Floor Las Vegas, Nevada 89155
Henderson:	City Manager 240 South Water Street Henderson, Nevada 89015
Las Vegas:	City Manager 400 East Stewart Avenue Las Vegas, Nevada 89101
North Las Vegas:	City Manager 2200 Civic Center Drive North Las Vegas, Nevada 89030

SECTION 10 - OTHER PROVISIONS

10.1 APPLICABLE LAW

This Agreement shall be governed and interpreted according to the laws of the State of Nevada.

10.2 ASSIGNMENT

The requirements and benefits of this Agreement may not be assigned, transferred or delegated, except as provided herein, without the written consent of all parties hereto.

10.3 SEVERABILITY

If any provision of this Agreement is held by a court of competent jurisdiction to be in contravention of any applicable law or regulation, the parties will enter into immediate, good faith negotiations to rectify the offending clauses. The remainder of this Agreement shall remain in full force and effect. The right to contribution shall exist as to any liability arising from any endeavors undertaken in furtherance of this Agreement, whether resulting from innocent or negligent conduct on the part of a party hereto, but the right to contribution shall

not exist as to any conduct that is willful or wanton or in direct contradiction of the terms of this Agreement.

SECTION 11 - ENTIRE AGREEMENT

This Agreement constitutes the entire Agreement and understanding of the parties hereto concerning the subject matter of this Agreement and supersedes all other oral and written negotiations, agreements and understandings of every kind relating to that subject matter, except that it does not supersede the Interlocal Agreement for Ambulance Service Regulation among Clark County and the Cities of Las Vegas and North Las Vegas, dated July 18, 2001 and dealing with the joint administration of ambulance franchises granted by those jurisdictions. No promise, warranty, statement or representation of any kind whatsoever that is not expressly stated herein has been made by any party hereto or its officers, employees, or other agents to induce execution of this Agreement.

IN WITNESS WHEREOF, the Councils of the Cities and the Board of County Commissioners have approved this Agreement and their presiding officers have affixed their names hereto.

City of Boulder City

Attest: DATE 9-14-2004

Approved as to form:

By

Robert Ferraro
Robert Ferraro
Mayor

Victor Mayes
Acting City Clerk

David Olsen
David Olsen
City Attorney

Clark County

Attest: DATE 5-18-04

Approved as to form:

By

Chip Maxfield
Chip Maxfield, Chairman
Board of County Commissioners

Shirley B. Parraguirre
Shirley B. Parraguirre
County Clerk

Mary-Anne Miller
Mary-Anne Miller
County Counsel

City of Henderson

Attest: DATE 8-16-04

Approved as to form:

By

James Gibson
James Gibson
Mayor

Monica Simmons
Monica Simmons
City Clerk

Shauna Hughes
Shauna Hughes
City Attorney

COUNCIL ACTION
AUG 3 2004

City of Las Vegas

Attest: DATE 4-27-04

Approved as to form:

By

Oscar B. Goodman
Oscar B. Goodman
Mayor

Roni Ronemus
Roni Ronemus
City Clerk

Brad Jerbic
Brad Jerbic
City Attorney

City of North Las Vegas

Attest: DATE JUL 7 2004

Approved as to form:

By

Michael Montandon
Michael Montandon
Mayor

Karen L. Storms
Karen L. Storms
City Clerk

Sean T. McGowan
Sean T. McGowan
City Attorney

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Special Event License for Univision Radio-Las Vegas, Location: Lorenzi Park, 3333 West Washington Avenue, Date: May 2, 2004, Type: Special Event General, Event: Cinco de Mayo 2004, Responsible Person in Charge: Zulema Benjamin - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

☐

Budget Funds Available

☐

Augmentation Required

Amount:

Dept./Division:

Funding Source:

PURPOSE/BACKGROUND:

Approval of a Special Event License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – **UNANIMOUS** with **MONCRIEF** excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Special Event License for Grace in the Desert Episcopal Church, Location: Grace in the Desert Episcopal Church, 2004 Spring Gate Lane, Date: April 24, 2004, Type: Special Event Beer/Wine, Event: Church Spring Festival & BBQ, Responsible Person in Charge: Donald W. Pickell - Ward 4 (Brown)

Fiscal Impact

☒

No Impact

☐

Budget Funds Available

☐

Augmentation Required

Amount:

Dept./Division:

Funding Source:

PURPOSE/BACKGROUND:

Approval of a Special Event License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – **UNANIMOUS** with **MONCRIEF** excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Ownership for a Beer/Wine/Cooler On-sale License From: Instant Impressions, Inc., Michael G. Maguire, Dir, Pres, 37.5%, Judy A. Maguire, Dir, Secy, 37.5%, Steven D. Gradwell, Dir, Treas, 10%, To: Garrett Equities Incorporated, LLC, dba The Wild Flower Cafe and Florist, 3818 Meadows Lane, Millicent Washington, Mgr, Mmbr, 100% - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Ownership for a Beer/Wine/Cooler On-sale License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale License,
From: Pollos Tumi - Partnership, dba Pollos Tumi, Luis I. Pedemonte, Ptnr, 50%, Carlos A.
Lazarte, Ptnr, 50%, To: Carlos Lazarte, dba Las Americas, 2319 South Eastern Avenue, Carlos
A. Lazarte, 100% - Ward 3 (Reese)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – **UNANIMOUS** with **MONCRIEF**
excused and Ward 2 seat vacant

Items 43-46 & 55:

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STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Franchise Managers for a Beer/Wine/Cooler Off-sale License, 7-Eleven of Nevada, Inc., dba 7-Eleven Food Store #13699C, 2409 Tam Drive, Heon J. Kim, Franchise Mgr, Jeong M. Kim, Franchise Mgr - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Franchise Managers for a Beer/Wine/Cooler Off-sale License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

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MINUTES:

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(9:43 – 9:45)

1-988

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Business Name for a Wholesale General License, Johnson Brothers of Nevada, Inc., dba From: Alternative Beverage Distributors, To: Johnson Brothers of Nevada, 4409 McGuire Street, Scott Belsaas, Dir, Pres, Michael Johnson, Dir, VP, Secy, 50%, Todd Johnson, Dir, VP, Treas, 50% - North Las Vegas

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Business Name for a Wholesale General License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – **UNANIMOUS** with **MONCRIEF** excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

Approval of Change of Business Name for a Tavern License and a Non-restricted Limited Gaming License for 35 slots, TLC Gaming, Inc., dba From: Hurricane Harrys, To: José Hogs Casino & Cantina, 3190 West Sahara Avenue, Terry L. Caudill, Dir, Pres, Secy, Treas, 95%, Timothy G. Lager, 5% - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Business Name for a Tavern License and a Non-restricted Limited Gaming License for 35 slots.

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Business Name for a Tavern License and a Restricted Gaming License for 15 slots, Polonez Polish Deli & Restaurant, Inc., dba From: Polonez Polish Deli & Restaurant, To: Euro Place Ristorante, 1243 East Sahara Avenue, Boguslaw M. Sobol, Dir, Pres, Secy, Treas, 100% - Ward 3 (Reese)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Business Name for a Tavern License and a Restricted Gaming License for 15 slots

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

Approval of Change of Location for a Burglar Alarm Service, Security Alarm Monitoring Service, Inc., dba Security Alarm Monitoring Service, Inc., From: 2421 Tech Center Court, #100, To: 5445 Royal Vista Lane, Martin J. Pollinger, Pres, 50%, Christopher L. Mullins, Secy, Treas, 50% - Ward 6 (Mack)

Fiscal Impact

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

PURPOSE/BACKGROUND:

Approval of Change of Location for a Burglar Alarm Service

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

Items 43-46 & 55:	APPROVED under separate actions (see individual items)
Items 59, 60 & 62-66	STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of new Martial Arts Instruction Business License, Marc Laimon, dba Cobra Kai Jiu Jitsu, 2104 Highland Avenue, Marc J. Laimon, 100% - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of new Martial Arts Instruction Business

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

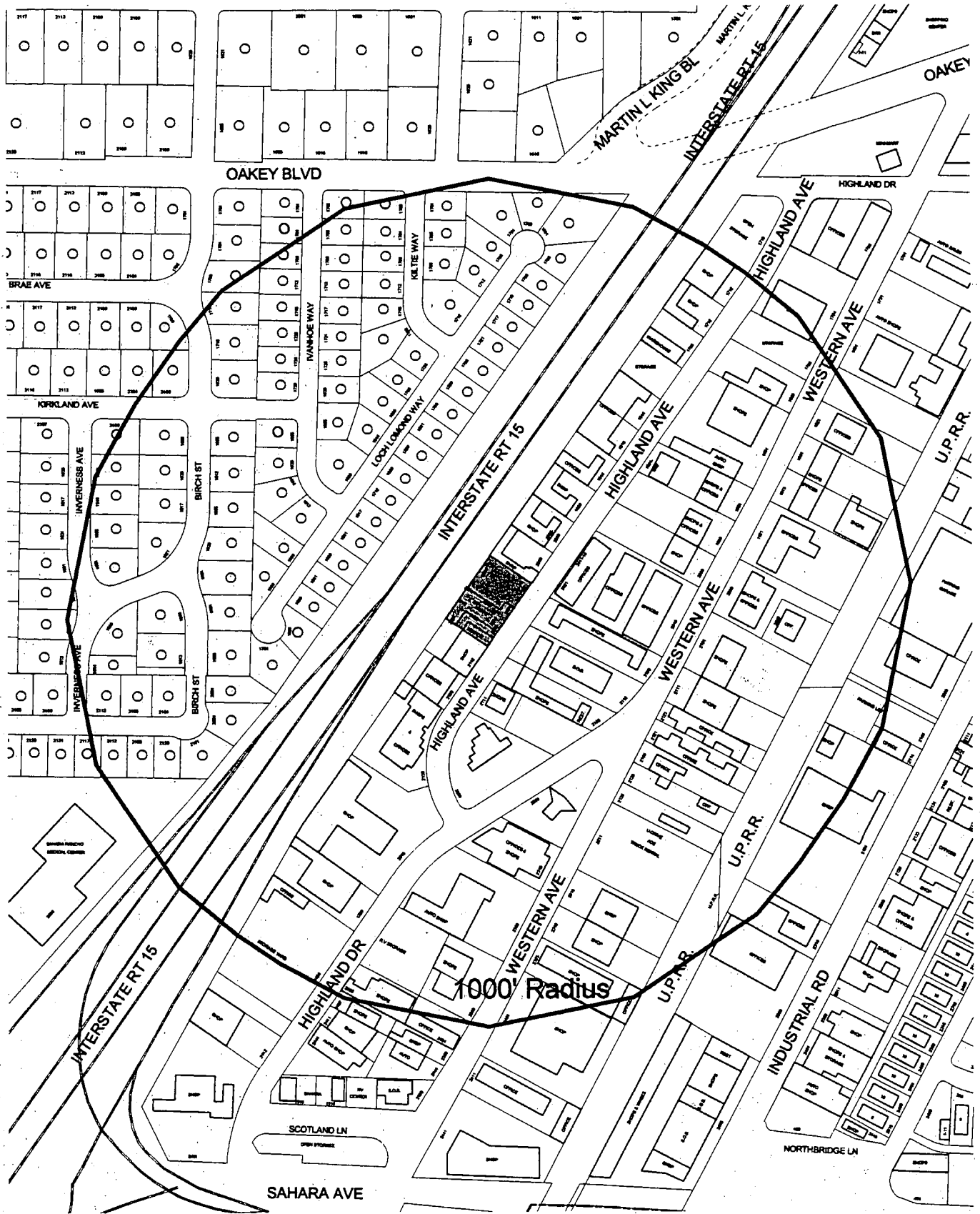
MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

Cobra Kai Jiu Jitsu



0 200 400 Feet

N

13

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Location for a Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, AKS Karate, Inc., dba AKS Karate, Inc., From: 6704 West Cheyenne Avenue, To: 2333 North Jones Boulevard, Suite 104, Robert I. Navoa, Dir, Pres, 60%, Raymond L. Mingo, Dir, VP, 40%, Arlene A. Navoa, Dir, Secy, Tamika K.R. Simmons, Dir, Treas - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Location for a Martial Arts Instruction Business License

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – **UNANIMOUS** with **MONCRIEF** excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

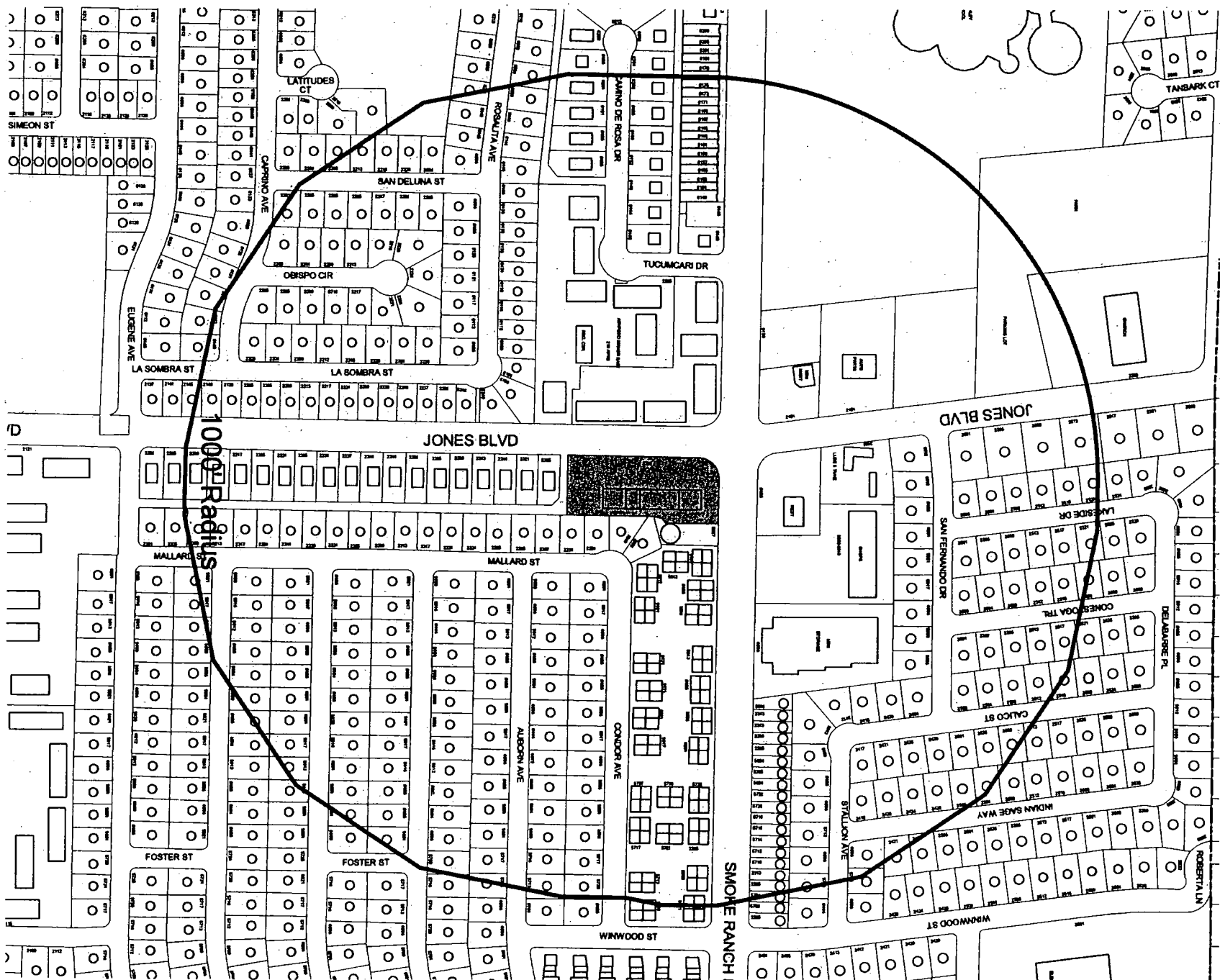
MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

AKS Karate, Inc.



0 200 400 Feet

1000 Radius

SMOKE RANCH

109

Z

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Location for a Class II Secondhand Dealer License subject to the provisions of the fire codes, Gilbert Levy, dba G & G Liquidators, From: 401 West Bonanza Road, To: 3021 Sheridan Street, Gilbert Levy, 100% - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Location for a Class II Secondhand Dealer License

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – **UNANIMOUS** with **MONCRIEF** excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

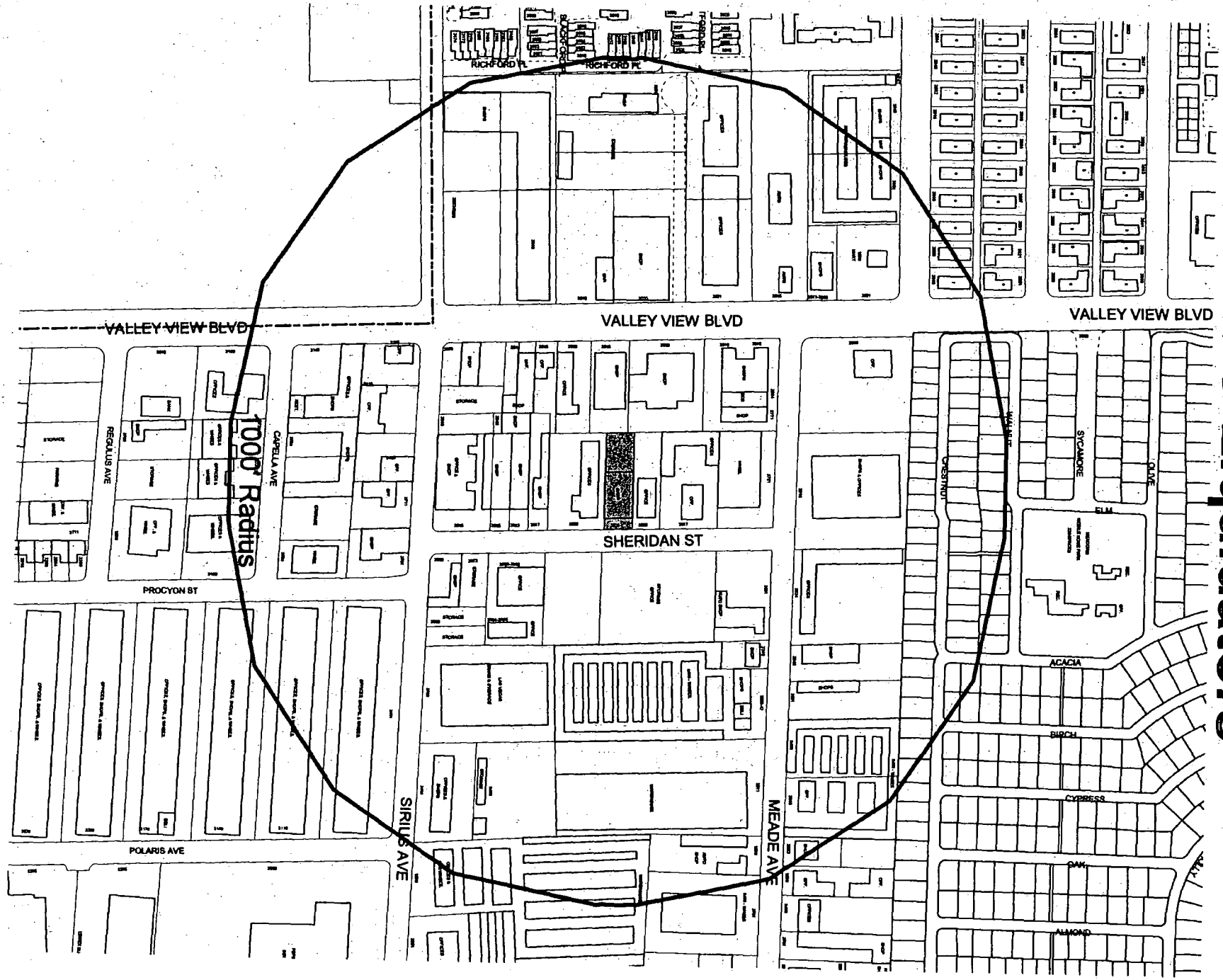
MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

G & G Liquidators



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Preapproval of award of Bid No. 04.1730.07-LED, Grand Montecito Parkway - Centennial Parkway to Elkhorn Road to the lowest responsive and responsible or best bidder and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works (\$6,000,000 - Special Assessment Capital Projects Fund) - Ward 6 (Mack)

Fiscal Impact☐**No Impact****Amount: \$6,000,000**☒**Budget Funds Available****Dept./Division: Public Works**☐**Augmentation Required****Funding Source: Special Assessment CPF****PURPOSE/BACKGROUND:**

This project includes road improvements of approximately 1.1 miles of roadway. Improvements include, but are not limited to: removal of asphaltic concrete pavement, removal of curb and gutter, removal of sidewalk, roadway excavation, grading, compaction of subgrade, installation of gravel base material, placement of asphaltic concrete pavement, median island construction, curb and gutter, storm drain, domestic water mains and laterals, fire hydrant installations and other related items.

PCC: L. E. Davis

RECOMMENDATION:

That the City Council preapprove the award of Bid No. 04.1730.07-LED, Grand Montecito Parkway - Centennial Parkway to Elkhorn Road to the lowest responsive and responsible or best bidder and approve the construction conflicts and contingency reserve set by Finance and Business Services. Authority to execute contract on behalf of the City is given to the Purchasing Manager per R-145-2001.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – **UNANIMOUS** with **MONCRIEF** excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)**MINUTES:**

There was no related discussion.

(9:43 – 9:45)

1-988

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of award of Bid No. 03.15341.16-LED, Firefighters Memorial Park, Phase II, 6401 West Oakley Boulevard and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: RAFAEL CONSTRUCTION, INC. (\$719,000 - Parks and Leisure Activities Capital Projects Fund) - Ward 1 (Moncrief)

Fiscal Impact

☐

No Impact

Amount: \$719,000

☒

Budget Funds Available

Dept./Division: Public Works

☐

Augmentation Required

Funding Source: Parks and Leisure Activities CPF

PURPOSE/BACKGROUND:

Work on this project consists of the construction of two covered Ramadas with lighting, lighted concrete walk, additional planting and irrigation, rubber playground surface and decomposed granite.

PCC: L. E. Davis

POC: R. Medina, Jr. - (702) 451-5511

RECOMMENDATION:

That the City Council approve the award of Bid No. 03.15341.16-LED, Firefighters Memorial Park, Phase II to Rafael Construction, Inc. in the amount of \$719,000 and approve a construction conflicts and contingency reserve of \$71,900. Authority to execute the Contract is given to the Purchasing Manager per R-145-2001.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of rejection of all non-responsive bids and award of Bid Number 040086-TG, Annual Requirements Contract for Medical Supplies - Department of Fire and Rescue - Award recommended to: BOUNDTREE MEDICAL LLC (\$400,000 - General Fund)

Fiscal Impact

☐

No Impact

Amount: \$400,000

☒

Budget Funds Available

Dept./Division: Fire and Rescue

☐

Augmentation Required

Funding Source: General Fund

PURPOSE/BACKGROUND:

This requirement would provide for the purchase of medical supplies for treatment and transport of patients by Fire and Rescue Emergency Medical Service (EMS) personnel.

Staff recommends rejection of bids from Moore Medical Corp., Henry Schein, Inc. and Ever Ready First Aid. These bidders failed to bid all line items in accordance with Special Conditions, Award of Bid, which states "Bidders must bid all line items within the lot to be considered responsive".

PCC: A. Green

POC: Steve Patraw - (800) 533-0523

RECOMMENDATION:

That the City Council approve the rejection of all non-responsive bids and approve the award of Bid Number 040086-TG, Annual Requirements Contract for Medical Supplies to Boundtree Medical LLC from date of award through March 31, 2005 with four (4) one-year options to renew in the estimated annual amount of \$400,000.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Agreement Modification No. 2, Gaming Concession at Downtown Transportation Center, 300 N. Casino Center Blvd. - Department of Field Operations - Award to: UNITED COIN MACHINE COMPANY (\$297,000 revenue - General Fund) - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount: \$297,000 in revenue

☐

Budget Funds Available

Dept./Division: Field Operations/DTC

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This Agreement provides revenue to City and expires on April 30, 2004. Modification No. 2 extends its term through April 30, 2007. The Modification provides for guaranteed minimums lower than those paid to the City previously due to declining revenues and for a renegotiation trigger if the company experiences a loss for three consecutive months.

Displacement or limitation of competition permitted pursuant to NRS 268.081(6), concessions on, over or under property owned or leased by the City.

PCC: L. Russell

POC: Mark Mullins - (702) 270-7620

CFN: 1260-2-LED

RECOMMENDATION:

That the City Council approve Agreement Modification No. 2 for the gaming concession at the Downtown Transportation Center. Authority to execute Modification is given to Purchasing Manager per R-145-2001.

BACKUP DOCUMENTATION:

Certificate - Disclosure of Ownership/Principals

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – **UNANIMOUS** with MONCRIEF excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

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; (e) trust – the trustee and beneficiaries.

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 United Coin Machine Co.	
Address 600 E. Pilot Road, Las Vegas, NV. 89119	
Telephone 702-270-7620	
EIN or DUNS 88-0085163	

Block 2	<u>Description</u>
Subject Matter of Contract/Agreement – Concession for Gaming Machines at Downtown Transportation Center	

Block 3

Type of Business

☐ Individual ☐ Partnership ☐ Limited Liability Company ☒ Corporation ☐ Trust ☐ Other:

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.	APT Games, Inc. – 100% owner of United Coin Machine Co.	6601 S. Bermuda Road, Las Vegas, NV	702-270-7620
2.	Alliance Gaming Corp. (PTC) – 100% owner of APT Games, Inc.	6601 S. Bermuda Road, Las Vegas, NV	702-270-7620
3.	Robert W. Nader, President	600 E. Pilot Road, Las Vegas, NV	702-270-7561
4.	Robert L. Saxton, VP, Treas.	6601 S. Bermuda Rd., Las Vegas, NV	702-270-7610
5.	Mark D. Lerner, Secretary	6601 S. Bermuda Rd., Las Vegas, NV	702-896-7874
6.	Robert L. Miodunski, Director	6601 S. Bermuda Rd., Las Vegas, NV	702-270-7601
7.	Robert A. Woodson, VP	6601 S. Bermuda Rd., Las Vegas, NV	702-270-7620
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

ATTACHMENT 1

at
Statement
State of Nevada
County of Clark

Subscribed and sworn to before me this 24th day of

March, 2004

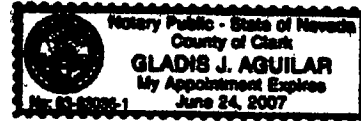
Gladis J. Aguilar
Notary Public

Robert Jordan

Name

3-24-04

Date



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of issuance of a purchase order for a mobile abrasive cutting system - Department of Fire and Rescue - Award recommended to: APPLIED NEW TECHNOLOGY AG (\$129,015 - Multi-Purpose Special Revenue Fund)

Fiscal Impact

☐

No Impact

Amount: \$129,015

☒

Budget Funds Available

Dept./Division: Fire and Rescue

☐

Augmentation Required

Funding Source: Multi-Purpose SRF

PURPOSE/BACKGROUND:

This request provides for the purchase of a mobile abrasive cutting system that allows bomb squad personnel to cut metal and other materials providing access into vehicles, crates or 55 gallon drums through high pressure water jet cutting technology. This purchase will be reimbursed through a Homeland Security Grant.

This purchase is exempt from the competitive bidding process pursuant to NRS 332.115.1(a), items which may only be contracted from a sole source.

PCC: K. Falline

POC: Ron Hackler - (859) 624-6335

CFN: 040259-KF

RECOMMENDATION:

That the City Council approve the issuance of a purchase order for a mobile cutting system to Applied New Technology AG in the amount of \$129,015.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of award of Bid No. 040227-DAR, Annual Requirements Contract for Fasteners - Various Departments - Award recommended to: FASTENAL COMPANY (Estimated annual amount of \$100,000 - Various Funds)

Fiscal Impact

☐

No Impact

Amount: \$100,000

☒

Budget Funds Available

Dept./Division: Various Departments

☐

Augmentation Required

Funding Source: Various Funds

PURPOSE/BACKGROUND:

This is an annual requirements contract for fasteners (nuts and bolts) for use by various Departments within the City.

PCC: D. Rawski

POC: Kenneth W. Moody - (702) 452-6887

RECOMMENDATION:

That the City Council approve the award of Bid No. 040227-DAR, annual requirements contract for fasteners to Fastenal Company from May 1, 2004 through April 30, 2005, with four (4) one-year renewal options in the estimated annual amount of \$100,000.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of revision to purchase order 218380 for annual requirements contract for crack seal - Department of Field Operations - Award to: LAS VEGAS PAVING CORPORATION (\$124,000 - Public Works Capital Projects Fund) - All Wards

Fiscal Impact

☐

No Impact

Amount: \$,000

☒

Budget Funds Available

Dept./Division: Field Operations

☐

Augmentation Required

Funding Source: Public Works CPF

PURPOSE/BACKGROUND:

On June 6, 2001, the City Council awarded Bid Number 01.1762.04-RC, 2000-2001 Annual Requirements Contract for Crack Seal to Las Vegas Paving Corporation in the estimated annual amount of \$500,000. Due to an increase in work not originally anticipated, this revision will increase the estimated annual amount by \$90,000 for a revised total annual amount of \$590,000.

PCC: L. E. Davis

POC: C. Newcombe - (702) 251-5800

RECOMMENDATION:

That City Council approve the issuance of a revision to purchase order 218380 for annual requirements contract for crack seal in the amount of \$90,000, for a revised estimated annual amount of \$590,000 to Las Vegas Paving Corporation.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Amendment Number 1 to Automated Vehicle Fueling System Contract -
Departments of Field Operations and Fire and Rescue - Award to: SER-CON, INC. (\$73,051.37
- Automotive Operations ISF and Fire and Rescue CPF)

Fiscal Impact☐**No Impact****Amount: \$73,051.37**☒**Budget Funds Available****Dept./Division: Field Operations & Fire and Rescue**☐**Augmentation Required****Funding Source: Automotive Operations ISF & Fire
and Rescue CPF****PURPOSE/BACKGROUND:**

On November 6, 2002, the City Council approved \$50,000 in additional funding to support increased needs for automated vehicle fueling systems. Subsequently, on August 20, 2003, the Council approved revision number two to purchase order 215173 to incorporate the previous award as well as to provide additional funding in the amount of \$97,500 for supplementary automatic fuel dispensing and key processing systems for award to Ser-Con, Inc. After Council approval, it was determined that due to inconsistencies in the language and the funding request on the approved agenda item, the revision document, as written, could not be executed. This item is now before the Council to correct those clerical inconsistencies and to correct the requested funding amount. The award recipient remains the same.

PCC: L.E. Davis

POC: Pamela E. Kissick - (702) 733-0044

RECOMMENDATION:

That the City Council approve Amendment Number 1 to Automated Vehicle Fueling System Contract in the amount of \$73,051.37 (for a revised total amount of \$123,051.37) to Ser-Con, Inc. Authority to execute Amendment on behalf of the City is given to the Purchasing Manager per R-145-2001.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – **UNANIMOUS** with **MONCRIEF** excused and Ward 2 seat vacant

Items 43-46 & 55:**APPROVED** under separate actions (see individual items)**Items 59, 60 & 62-66****STRICKEN** under separate actions (see individual items)

CITY COUNCIL MEETING OF APRIL 21, 2004

Consent – Finance and Business Services

Item 25 - Approval of Amendment Number 1 to Automated Vehicle Fueling System
Contract - Departments of Field Operations and Fire and Rescue - Award to: SER-CON,
INC. (\$73,051.37 - Automotive Operations ISF and Fire and Rescue CPF)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

Approval of Contract No. 040215-KF, Radiological Services - Department of Fire and Rescue - Award recommended to: DESERT RADIOLOGY (Estimated annual amount of \$60,000 - General Fund)

Fiscal Impact

☐	No Impact	Amount: \$60,000
☒	Budget Funds Available	Dept./Division: Fire and Rescue
☐	Augmentation Required	Funding Source: General Fund

PURPOSE/BACKGROUND:

This request will provide for an annual requirements agreement for radiological services for Fire and Rescue personnel.

This item is exempt from the competitive bidding process pursuant to NRS 332.115.1(b), professional services.

PCC: K. Falline
POC: Jené Pellettieri - (702) 382-3261
CFN: 040215-KF

RECOMMENDATION:

That the City Council approve Contract No. 040215-KF, Radiological Services to Desert Radiology in the estimated annual amount of \$60,000 from date of award through April 20, 2005, with four (4) one-year renewal options. Authority to execute contract on behalf of the City is given to the Purchasing Manager per R-145-2001.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

Items 43-46 & 55:	APPROVED under separate actions (see individual items)
Items 59, 60 & 62-66	STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of issuance of a purchase order for one Class 6 Cargo Truck under Bid No. 040030-DAR, Open End Contract for Class 6 Cargo Truck - Department of Field Operations - Award to: MCCANDLESS INTERNATIONAL TRUCKS, INC. (\$58,904 - Automotive Operations Internal Service Fund)

Fiscal Impact

☐

No Impact

Amount: \$58,904

☒

Budget Funds Available

Dept./Division: Field Operations

☐

Augmentation Required

Funding Source: Automotive Operations ISF

PURPOSE/BACKGROUND:

On September 17, 2003, City Council approved the award of an open end contract with McCandless International Trucks, Inc. for the purchase of a Class 6 Cargo Truck. This request will provide for the purchase of one additional truck at the current production year price. This truck is an addition to the fleet for use by Leisure Services Cultural Division.

PCC: D. Rawski

POC: Mike McCandless - (702) 642-8789

CFN: 040030-DAR

RECOMMENDATION:

That the City Council approve the issuance of a purchase order for one Class 6 Cargo Truck under Bid No. 040030-DAR, Open End Contract for Class 6 Cargo Truck to McCandless International Trucks, Inc. in the amount of \$58,904.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of issuance of a purchase order for one Mid-Size Tractor Mower under Bid No. 040075-DAR, Open End Contract for Mid-Size Tractor Mower and Trailer - Department of Field Operations - Award recommended to: SIMPSON NORTON (\$36,982 - Automotive Operations Internal Service Fund)

Fiscal Impact

☐

No Impact

Amount: \$36,982

☒

Budget Funds Available

Dept./Division: Field Operations

☐

Augmentation Required

Funding Source: Automotive Operations ISF

PURPOSE/BACKGROUND:

On November 5, 2003, City Council approved the award of an open end contract with Simpson Norton for the purchase of two Mid-Size Tractor Mowers and Trailers. This request will provide for the purchase of one additional mower at the current production year price. This mower is a replacement of a mower that is beyond economical repair for use by Parks and Open Spaces Division.

PCC: D. Rawski

POC: Dennis Nelson - (702) 371-4562

CFN: 040075-DAR

RECOMMENDATION:

That the City Council approve the issuance of a purchase order for one Mid-Size Tractor Mower under Bid No. 040075-DAR, Open End Contract for Mid-Size Tractor Mowers and Trailers to Simpson Norton in the amount of \$36,982.

BACKUP DOCUMENTATION:

None

MOTION:

REESE - APPROVED Items 3-42, 47-54, 56-58, 61, 67 - **UNANIMOUS** with MONCRIEF excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66:

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 - 9:45)

1-988

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of issuance of a purchase order for a One-Ton Truck under Bid No. 040118-DAR, Open End Contract for One-Ton Trucks - Department of Field Operations - Award to: GAUDIN FORD (\$31,536.31 - Automotive Operations Internal Service Fund)

Fiscal Impact

☐

No Impact

Amount: \$31,536.31

☒

Budget Funds Available

Dept./Division: Field Operations

☐

Augmentation Required

Funding Source: Automotive Operations ISF

PURPOSE/BACKGROUND:

On December 3, 2003, City Council approved the award of an open end contract with Gaudin Ford for the purchase of a One-Ton Truck. This request will provide for the purchase of one additional truck at the current production year price. This truck is an addition to the fleet for use by Leisure Services Cultural Division.

PCC: D. Rawski

POC: William Wheeler - (702) 371-0770

CFN: 040118-DAR

RECOMMENDATION:

That the City Council approve the issuance of a purchase order for a One-Ton Truck under Bid No. 040118-DAR, Open End Contract for One-Ton Trucks to Gaudin Ford in the amount of \$31,536.31.

BACKUP DOCUMENTATION:

None

MOTION:

REESE - APPROVED Items 3-42, 47-54, 56-58, 61, 67 - **UNANIMOUS** with **MONCRIEF** excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 - 9:45)

1-988

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of issuance of a purchase order for a One-Ton Dedicated CNG Fuel Extended Locksmith Van under Bid No. 040160-DAR, Open End Contract for One-Ton Dedicated CNG Fuel Extended Locksmith Van - Department of Field Operations - Award recommended to: BILL HEARD CHEVROLET (\$30,370.71 - Automotive Operations Internal Service Fund)

Fiscal Impact

☐

No Impact

Amount: \$30,370.71

☒

Budget Funds Available

Dept./Division: Field Operations

☐

Augmentation Required

Funding Source: Automotive Operations ISF

PURPOSE/BACKGROUND:

On November 5, 2003, City Council approved the award of an open end contract with Simpson Norton for the purchase of two Mid-Size Tractor Mowers and Trailers. This request will provide for the purchase of one additional mower at the current production year price. This mower is a replacement of a mower that is beyond economical repair for use by Parks and Open Spaces Division.

PCC: D. Rawski

POC: Dennis Nelson - (702) 371-4562

CFN: 040075-DAR

RECOMMENDATION:

That the City Council approve the issuance of a purchase order for a One-Ton Dedicated CNG Fuel Extended Locksmith Van under Bid No. 040160-DAR, Open End Contract for One-Ton Dedicated CNG Fuel Extended Locksmith Van to Bill Heard Chevrolet in the amount of \$30,370.71.

BACKUP DOCUMENTATION:

None

MOTION:

REESE - APPROVED Items 3-42, 47-54, 56-58, 61, 67 - UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 - 9:45)

1-988

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of revision to purchase order 217174 for Hewlett Packard printer maintenance-
Department of Information Technologies - Award to: INTERTECH COMPUTER PRODUCTS
(\$10,000 - Computer Services Internal Service Fund)

Fiscal Impact

☐

No Impact

Amount: \$10,000

☒

Budget Funds Available

Dept./Division: Information Technologies

☐

Augmentation Required

Funding Source: Computer Services ISF

PURPOSE/BACKGROUND:

Purchase Order 217174 was issued for \$24,000 for the maintenance of Hewlett Packard Printers effective through April 30, 2004. Approval of this request will provide increased funding to extend the expiration of the purchase order for 90 days to ensure adequate time to formally bid this requirement.

PCC: G. Leaf

POC: Shari Duran - (702) 453-4433, ext. 104

CFN: 040314-GL

RECOMMENDATION:

That the City Council approve the issuance of a revision to purchase order 217174 for Hewlett Packard printer maintenance in the amount of \$10,000, for a revised total amount of \$34,000, to Intertech Computer Products effective through July 30, 2004.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – **UNANIMOUS** with **MONCRIEF** excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: ORLANDO SANCHEZ**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a Third Amendment to Agreement To Grant Redevelopment Set Aside Housing Funds to East Las Vegas Community Development Corporation allowing subordinations of the City of Las Vegas Deeds of Trust to enable homeowners the ability to refinance homes under specific circumstances at Mi Casa en el Sol for 40 new townhomes located on the 2900 block of Cedar Avenue and Poplar Avenue - Ward 3 (Reese)

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

On November 6, 1996, the city approved \$800,000 in Redevelopment Set-Aside funding for the development of Mi Casa en el Sol, located on the 2900 block of Cedar Avenue and Poplar Avenue. On February 8, 1999, the city approved an additional \$86,725. On October 18, 2000, the city approved the First Amendment reducing the development subsidy. On May 15, 2002, the city approved the Second Amendment for an additional \$94,000 to assist with the project. The agency has requested authorization to subordinate the city's Deed of Trust to allow the refinancing of homes for lower monthly payments.

RECOMMENDATION:

Staff recommends that the city approve the request for authorization to subordinate the city's Deed of Trust to allow the refinancing of homes for lower monthly payments at Mi Casa en el Sol and authorize the Mayor to execute the Agreements.

BACKUP DOCUMENTATION:

Third Amendment to Agreement to Grant Redevelopment Set Aside Housing Funds to East Las Vegas Community Development Corporation

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – **UNANIMOUS** with **MONCRIEF** excused and Ward 2 seat vacant

Items 43-46 & 55:**APPROVED** under separate actions (see individual items)**Items 59, 60 & 62-66****STRICKEN** under separate actions (see individual items)**MINUTES:**

There was no related discussion.

(9:43 – 9:45)

1-988

**THIRD AMENDMENT TO AGREEMENT
TO GRANT REDEVELOPMENT SET ASIDE HOUSING FUNDS
TO EAST LAS VEGAS COMMUNITY DEVELOPMENT CORPORATION**

THIS THIRD AMENDMENT, made and entered into this 21 day of April, 2004, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada, with offices located at City Hall, 400 East Stewart, Las Vegas, Nevada 89101 (hereinafter referred to as the "City"), and East Las Vegas Community Development Corporation, a non-profit corporation organized under the laws of the State of Nevada and previously known as East Las Vegas Community Development Corporation, with a mailing address of 3320 Sunrise Avenue, Ste. 108, Las Vegas, Nevada 89101 (hereinafter referred to as "Subrecipient"), the City and Subrecipient being hereinafter sometimes referred to singly as a "Party" and collectively as the "Parties".

WITNESSETH:

WHEREAS, the Legislature of the State of Nevada enacted Bill 1328 in 1993 with statutory language to Nevada Revised Statutes (NRS) 279.685, URBAN RENEWAL AND REDEVELOPMENT OF COMMUNITIES. NRS 279.685, as amended, requires that the redevelopment agency of a city whose population is 200,000 or more shall set aside not less than 18% of its tax revenue "to increase, improve and preserve the number of dwelling units in the community for low-income households"; and

WHEREAS, on February 8, 1999, the Parties entered into the Agreement to Grant Redevelopment Set Aside Housing Funds ("Agreement") wherein the City would provide \$886,725 in Redevelopment Set side Housing Development funds to Subrecipient to assist with the construction of forty (40) townhouse units in the development known as "Mi Casa en el Sol", providing affordable housing to forty (40) households; and

WHEREAS, on October 18, 2000, the Parties entered into the First Amendment to Grant Redevelopment Set-Aside Housing Funds ("First Amendment"), with the intent to reduce the original allocation of \$886,725 to \$99,000 for development-related costs, and to utilize the balance of the funds, \$787,725, for direct disbursement to each individual homebuyer of the units in this Project at the close of escrow, provided that the homebuyer has completed a Homebuyer Program with a Homebuyer Counseling Class by a HUD Certified Counselor; and

WHEREAS, to effectuate the intent of reducing the desired development subsidy to \$99,000 ("Amended Allocation"), the First Amendment required the Subrecipient to pay to the City the difference between monies disbursed by the City to Subrecipient as of September 18, 2000, ("Disbursed Amount", equal to \$295,680.42), and the Amended Allocation (equal to \$99,000), which equates to \$196,680.42 ("Difference between Actual Disbursement and Amended Allocation"); and

WHEREAS, on May 15, 2002, the Parties entered into the Second Agreement to Grant Redevelopment Set Aside Housing Funds ("Second Amendment") wherein the City would provide \$94,000 in Redevelopment Set side Housing Development funds to Subrecipient to assist with the sale of the final five (5) homes in the development known as "Mi Casa en el Sol", providing affordable housing to five (5) homes and more specifically set forth in the Second Amendment; and

WHEREAS, the City is willing to accommodate Subrecipient's request for subordination for the Mi Casa en el Sol homeowners who were assisted with City of Las Vegas, Redevelopment Set Aside Housing Funds.

NOW THEREFORE, for and in consideration of the premises and of the mutual promises and agreements, which are hereinafter contained, the Parties do hereby agree as follows:

- 1 SECTION I. SCOPE OF SERVICES, Paragraphs H and I, in the Agreement to Grant Redevelopment Set Aside Housing Funds, the following paragraphs are deleted and replaced with the following:

H. Changes in the Scope of Services as outlined herein must be in accordance with HOME Program regulations, made by written amendment to this Agreement and approved and signed by both the Subrecipient and the Mayor if funding amounts over \$24,999 are involved or by the Director of Neighborhood Services or the Director's designee if funding amounts of less than \$25,000 are involved. In addition, the Department Director is authorized to sign amendments, which revise the Agreement language without any funding impact. Any such changes must not jeopardize the Redevelopment Set Aside Housing Funds.

I. Subrecipient acknowledges and agrees that it is responsible for securing new Deeds of Trust from every property owner who owns property assisted with Redevelopment Set Aside Funding. The Deed of Trust shall include the language that the Deed of Trust may be subordinated to any replacement of the First Deed of Trust or Second Deed of Trust occurring as a result of any prepayment, refinancing, sale or other transaction that allows the Applicant to realize no less than \$50.00 a month savings on their mortgage payment. No equity may be removed during the transaction and no more than one (1) subordination of the city's Deed of Trust per year will be allowed for each assisted property. The Subrecipient further agrees to record these new Deeds of Trust against each assisted property prior to lifting the original Deeds of Trust, which secured the original funding made available through the City of Las Vegas. The Subrecipient will provide the City of Las Vegas with a copy of each newly recorded Deed of Trust once it is received from the Clark County Recorder's office. The City will not honor any request to subordinate on any property assisted with Redevelopment Set Aside Funding until it has received the copy of the newly recorded Deed of Trust from the Subrecipient.

- 2 The SIXTH paragraph of EXHIBIT "B", SHORT FORM DEED OF TRUST shall be deleted in its entirety and replaced with the following:

TRUSTEE acknowledges that the Property is or will be encumbered by a First Deed of Trust to Norwest Bank and a Second Deed of Trust to Local Initiatives Support Corporation created by TRUSTOR to provide construction financing for the construction of the homes on the property which will be recorded in the Official Records of Clark County, Nevada prior to recordation of this Security Instrument. TRUSTEE acknowledges and agrees that this Security Instrument and all rights of TRUSTEE hereunder are and will be subject and subordinate to the lien of the First Deed of Trust and Second Deed of Trust and all rights and remedies of the BENEFICIARY and TRUSTEE under the First Deed of Trust and Second Deed of Trust. The BENEFICIARY under the First Deed of Trust and Second Deed of Trust and its successors and assigns, including, without limitation, any purchaser at a trustee's sale under the First Deed of Trust and Second Deed of Trust and the heirs, personal representatives, successors and assigns of such purchaser, shall not be bound by or obligated to perform any of the obligations of the Purchaser under this Security Instrument. This Security Instrument will be subject or subordinate to any replacement of the First Deed of Trust or Second Deed of Trust occurring as a result of any prepayment, refinancing, sale or other transaction that allows the homeowner to realize no less than \$50.00 a month savings on their mortgage payment. No equity may be removed during the transaction. No more than one (1) subordination of this Deed of Trust per year is allowed.

- 3 Exhibit "B", Short Form Deed of Trust shall be deleted and replaced with the attached Exhibit "B-1".
- 4 The SECOND paragraph of EXHIBIT "C", HOMEBUYER ASSISTANCE DEFERRED LOAN AGREEMENT, SECTION VII, SECURITY, shall be deleted in its entirety and replaced with the following:

East Las Vegas Community Development Corporation acknowledges that the Property is or will be encumbered by one deed of trust (the "First Deed of Trust") created by Applicant to provide partial purchase money financing for Applicant's acquisition of the Property which will be recorded in the Official Records of Clark County, Nevada prior to recordation of this Security Instrument. East Las Vegas Community Development Corporation acknowledges and agrees that this Agreement and all rights of East Las Vegas Community Development Corporation hereunder are and will be subject and subordinate to the lien of the First Deed of Trust and to all rights and remedies of the beneficiary and trustee under the First Deed of Trust. The beneficiary under the First Deed of Trust and its successors and assigns, including, without limitation, any purchaser at a trustee's sale under the First Deed of Trust and the heirs, personal representatives, successors and assigns of such purchaser, shall not be bound by or obligated to perform any of the obligations of the Purchaser under this Agreement. This Security Instrument will be subject or subordinate to any replacement of the First Deed of Trust or Second Deed of Trust occurring as a result of any prepayment, refinancing, sale or other transaction that allows the homeowner to realize no less than \$50.00 a month savings on their mortgage payment. No equity or such may

be removed during the transaction. No more than one (1) subordination of the City's Deed of Trust per year is allowed.

- 5 Exhibit "C", Homebuyer Assistance Deferred Loan Agreement shall be deleted and replaced with the attached Exhibit "C-1".
- 6 The EIGHTH paragraph of EXHIBIT "E", DEED OF TRUST, shall be deleted in its entirety and replaced with the following:

East Las Vegas Community Development Corporation acknowledges that the Property is or will be encumbered by one deed of trust (the "First Deed of Trust") created by TRUSTOR to provide partial purchase money financing for TRUSTOR'S acquisition of the Property which will be recorded in the Official Records of Clark County, Nevada prior to recordation of this Security Instrument. TRUSTEE acknowledges and agrees that this Security Instrument and all rights of TRUSTEE hereunder are and will be subject and subordinate to the lien of the First Deed of Trust and to all rights and remedies of the BENEFICIARY and TRUSTEE under the First Deed of Trust. The BENEFICIARY under the First Deed of Trust and its successors and assigns, including, without limitation, any purchaser at a trustee's sale under the First Deed of Trust and the heirs, personal representatives, successors and assigns of such purchaser, shall not be bound by or obligated to perform any of the obligations of the Purchaser under this Security Instrument. This Security Instrument will be subject or subordinate to any replacement of the First Deed of Trust or Second Deed of Trust occurring as a result of any prepayment, refinancing, sale or other transaction that allows the homeowner to realize no less than \$50.00 a month savings on their mortgage payment. No equity or such may be removed during the transaction. No more than one (1) subordination per year is allowed.

- 7 Exhibit "E", Deed of Trust, shall be deleted and replaced with the attached Exhibit "E-1".
- 8 Except as hereinabove set forth, the Agreement, the First Amendment and Second Amendment shall remain valid and in full force and effect.

IN WITNESS THEREOF, the Parties hereto have executed this THIRD Amendment to the Agreement to Fund East Las Vegas Community Development Corporation for the development of the Program on the date and year first above written.

CITY OF LAS VEGAS

By: [Signature]
OSCAR B. GOODMAN, Mayor

ATTEST:

[Signature]
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

[Signature] 3/31/04
Date

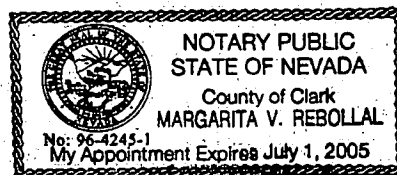
City Council Approved: 4-21-04

EAST LAS VEGAS COMMUNITY
DEVELOPMENT CORPORATION

By: [Signature]
_____, President

ACKNOWLEDGMENT

State of Nevada)
County of Clark)



On this 6 day of April, 2004, before me, the undersigned, a Notary Public in and for said county and State, personally appeared

Ed Garcia as President, known to me to be the person described in and who executed the foregoing instrument, who acknowledged to me that he executed the same freely and voluntary and for the uses and purposes therein mentioned.

[Signature]
Notary Public

EXHIBIT "B-1"

SHORT FORM DEED OF TRUST

(Note not set out)

THIS DEED OF TRUST, made this _____ day of _____, 199__, between East Las Vegas Community Development Corporation, whose principal office is located at P. O. Box 24931, Las Vegas, Nevada 89101, herein called TRUSTOR, and the City of Las Vegas, a municipal corporation duly organized in the State of Nevada, whose principal office is located at 400 E. Stewart Avenue, Las Vegas, Nevada 89101, Attention: Neighborhood Services Department, herein called TRUSTEE and BENEFICIARY.

WITNESSETH: Whereas Trustor has received a grant of \$886,725 from Beneficiary and has agreed to faithfully perform certain obligations and repay the grant monies in accordance with the 15% Redevelopment Set Aside Housing Development Agreement of even date between Trustor and Beneficiary ("Agreement");

NOW THEREFORE, for the purpose of securing each agreement of the Trustor herein contained and in the Agreement, Trustor IRREVOCABLY GRANTS, TRANSFERS AND ASSIGNS TO TRUSTEE IN TRUST, WITH POWER OF SALE, that certain property located in the City of Las Vegas, Clark County, State of Nevada described as:

See Exhibit "A" attached hereto and by reference made a part hereof.

To protect the security of this Deed of Trust, Trustor shall abide by the terms of the Agreement executed; Trustor agrees to operate the above-described property solely to supply decent, safe, and sanitary housing for HOME program eligible home buyers; Trustor agrees to maintain and operate the above-described property as a drug-free environment; Trustor agrees to operate the above-described property as Affordable Housing for HOME program eligible tenants for a period of ten (10) years commencing from the date of the escrow closing of the last original unsold unit to the home buyer, ("Period of Affordability"); Trustor agrees not to encumber the property in any way during the Period of Affordability without the expressed written consent of Beneficiary; Trustor agrees to transfer title of property to Beneficiary if Trustor, after proper notice and due process, is found to be in violation of its Agreement with Beneficiary; and

TRUSTEE acknowledges that the Property is or will be encumbered by a First Deed of Trust to Norwest Bank and a Second Deed of Trust to Local Initiatives Support Corporation created by TRUSTOR to provide construction financing for the construction of the homes on the property which will be recorded in the Official Records of Clark County, Nevada prior to recordation of this Security Instrument. TRUSTEE acknowledges and agrees that this Security Instrument and all rights of TRUSTEE hereunder are and will be subject and subordinate to the lien of the First Deed of Trust and Second Deed of Trust and all rights and remedies of the BENEFICIARY and TRUSTEE under the First Deed of Trust and Second Deed of Trust. The BENEFICIARY under the First Deed of Trust and Second Deed of Trust and its successors and assigns, including, without limitation, any purchaser at a trustee's sale under the First Deed of Trust and Second

Deed of Trust and the heirs, personal representatives, successors and assigns of such purchaser, shall not be bound by or obligated to perform any of the obligations of the Purchaser under this Security Instrument. This Security Instrument will not be subject or subordinate to any replacement of the First Deed of Trust or Second Deed of Trust occurring as a result of any prepayment, refinancing, sale or other transaction.

FURTHER, if the Senior Lien Holder acquires title to the Property pursuant to a deed in lieu of foreclosure, the lien of the Security Instrument shall automatically terminate upon the Senior Lien Holder's acquisition of title, provided that (i) the Trustee has been given written notice of default under the First Deed of Trust and Second Deed of Trust and (ii) the Trustee shall not have cured the default under the First Deed of Trust and the Second Deed of Trust within the 35 day period provided in such notice sent to the Trustee.

Notwithstanding the rights of Beneficiary to the Property under this Deed of Trust, Trustor agrees to repay to the Beneficiary \$886,725 in 15% Redevelopment Set Aside Housing Development funds if the affordable housing units on the Property, or any portion thereof, are subleased without prior written approval of Beneficiary or through sale, or other circumstances, excluding foreclosure or deed in lieu of foreclosure, Trustor loses legal possession of the Property; and

All of the agreements and/or acknowledgments of the Trustee set forth in this Short Form Deed of Trust also constitute agreements or acknowledgments of the City of Las Vegas in its capacity as Beneficiary. The Trustee and Beneficiary agree that the Beneficiary and Trustee under the First Deed of Trust and their respective successors and assigns, including, without limitation, any purchaser, at a trustee's sale under the first Deed of Trust and the heirs, personal representatives, successors and assigns of any such purchaser, shall not be bound by or obligated to perform any of the obligations of the Trustor under this Deed of Trust or under the Agreement referred to herein.

TRUSTOR acknowledges and agrees that in the event of foreclosure or transfer in lieu of foreclosure, the restrictions on sale, subleasing and other occupancy of units in the Project (the "Affordability Restrictions") contained in the Agreement will be revived if and to the extent that Subrecipient acquires or reacquires ownership or control of the Project or a portion thereof prior to the expiration of the Period of Affordability. Upon such revival, the Affordability Restrictions shall be junior and subordinate to the liens and rights of any mortgagee beneficiary under any deed of trust who advanced funds to Trustor. The revived Affordability Restrictions shall apply only to the units so owned or controlled.

By execution and delivery of this Deed of Trust and the Agreement secured hereby, Trustor agrees that provisions (1) to (17) inclusive of the Deed of Trust, recorded in Book 730, as Document No. 586593, of Official Records in the Office of the County Recorder of Clark County hereby are adopted and incorporated herein and made a part hereof as though set forth herein, that Trustor will observe and perform said provisions, and that the references to property, obligations and parties in said provisions shall be construed to refer to the property, obligations and parties set forth in this Deed of Trust; and

So long as the Trustor shall well and truly perform its obligations to the City of Las Vegas under the Agreement, the obligations of the Trustor will terminate on the tenth anniversary of the date of the escrow closing of the last original unsold unit to the home buyer; and thereafter the Trustee under the Deed of Trust, its successors or assigns, on request by the Trustor, or assigns, shall reconvey to the Trustor, or assigns, all the estate in the premises described in Exhibit "A" hereto conveyed to the Trustee by the Trustor under the Deed of Trust

...
...
...

The undersigned Trustor requests that a copy of any Notice of Default, any Notice of Sale, and or any Notice of Lien hereunder be mailed to the TRUSTEE at the address hereinabove set forth.

EAST LAS VEGAS COMMUNITY
DEVELOPMENT CORPORATION

BY: _____
Ed Garcia, President

State of Nevada)
County of Clark)

On this _____ day of _____, 199__, before me, the undersigned, a Notary Public in and for said county and State, personally appeared

_____ as _____, known to me to be the person described in and who executed the foregoing instrument, who acknowledged to me that he executed the same freely and voluntary and for the uses and purposes therein mentioned.

Notary Public

WHEN RECORDED MAIL TO:

City of Las Vegas
Attention: City Clerk
400 East Stewart Avenue, 1st Floor
Las Vegas, Nevada 89101

EXHIBIT "C-1"

Form of
HOMEBUYER ASSISTANCE DEFERRED LOAN AGREEMENT

This HOMEBUYER ASSISTANCE DEFERRED LOAN AGREEMENT, ("AGREEMENT"), is made and entered into this _____ day of _____ 19__ by and between (*insert name(s) of borrower*), herein called APPLICANT, and East Las Vegas Community Development Corporation, a not-for-profit corporation existing under and by virtue of the laws of the State of Nevada.

WHEREAS, the City of Las Vegas has made available to East Las Vegas Community Development Corporation certain funds to be used for the development of single family duplex homes to be sold to eligible home buyers; and

WHEREAS, and East Las Vegas Community Development Corporation desires to make available home ownership opportunities to very low and low income families; and

WHEREAS, the Applicant has satisfied the criterion established by East Las Vegas Community Development Corporation and the City of Las Vegas for eligibility for a deferred loan.

NOW THEREFORE, City of Las Vegas agrees to provide a deferred loan to Applicant and Applicant agrees to borrow from East Las Vegas Community Development Corporation a deferred loan, subject to the following conditions, restrictions and covenants:

I. FUNDS

The funds which are the subject of this Agreement, and which have been provided to the Applicant in the form of a discount on the purchase price, as financial assistance for the purchase of the Applicant's permanent residence located at (*insert street address of property*), Clark County, State of Nevada (herein called "Applicant's Residence") are 15% Redevelopment Set Aside Funds made available through the East Las Vegas Community Development Corporation Affordable Home Ownership Program. The funds shall provide funding for a deferred loan to the Applicant in the principal amount of _____ (\$ _____) as evidenced by a Promissory Note of even date herewith in the principal amount of _____ (\$ _____) executed by Applicant in favor of East Las Vegas Community Development Corporation ("Promissory Note"). The legal description of Applicant's Residence is hereto attached as Exhibit "A".

II. TERMS OF THE LOAN AND FOR REPAYMENT

The Applicant understands and agrees that the deferred loan is for the benefit of the Applicant only and only as long as the Applicant resides in the Applicant's Residence for a term of ten (10) continuous years commencing on _____, 19__ and ending on _____, 20__ (the "Term").

The Applicant further agrees that any funds advanced as a deferred loan for financial assistance in the purchase of the Applicant's Residence shall be for the Applicant's primary housing unit, i.e., that unit in which the Applicant primarily resides.

The Applicant further agrees that throughout the Term, the deferred loan shall be repaid to East Las Vegas Community Development Corporation upon the death of the Applicant, excluding an eligible heir to or beneficiary of the property, or, in the event there are two or more Applicants, the deferred loan shall be repaid upon the death of the last surviving Applicant.

In the event of divorce between two Applicants, the deferred loan shall be repaid upon the divorce of the Applicants, unless one of the Applicants is entitled pursuant to a decree of divorce to continue residing in the primary housing unit, in which event, the sum shall be repaid upon the death of the Applicant who continues to reside in the Applicant's Residence for the Term, or on the sale, transfer, or any other change of ownership of Applicant's Residence during the Term unless applicant sells the housing unit to another HOME eligible buyer who has been qualified as such by the East Las Vegas Community Development Corporation.

The Applicant further agrees that the deferred loan shall be immediately due and payable to East Las Vegas Community Development Corporation, if at any time during the Term, the Applicant's Residence is used for other than as the Applicant's primary housing unit, is sold, transferred to another person or entity or otherwise alienated unless applicant sells the housing unit to another HOME eligible buyer who has been qualified as such by the East Las Vegas Community Development Corporation.

Upon verification by East Las Vegas Community Development Corporation that the Applicant is in breach of any terms of this Agreement, East Las Vegas Community Development Corporation at its discretion, shall notify the Applicant in writing of said breach and shall mail by certified mail a Notice of Breach to the Applicant and demand immediate repayment of the full amount of the deferred loan. The Applicant shall have a period of ten (10) days from the date the Notice of Breach to contact East Las Vegas Community Development Corporation, of Applicant's ability to repay the loan. In any event, the deferred loan must be repaid in full within ninety (90) days from the date of the Notice of Breach unless agreed otherwise by East Las Vegas Community Development Corporation at its discretion.

However, notwithstanding the above, the East Las Vegas Community Development Corporation loan shall not be accelerated where to do so would violate applicable federal law. Any failure to execute said option shall not constitute a waiver of the right to exercise the same at any time.

III. ADEQUATE INSURANCE

The Applicant further agrees to maintain policies of sufficient fire, hazard and flood insurance (where required) on the Applicant's Residence which will adequately cover and secure the property and its contents in the minimum amount of \$ _____ or its fair market value, whichever is higher. The Applicant agrees to have the City of Las Vegas, State of Nevada listed as an additional insured on the policy and to provide the East Las Vegas Community Development Corporation a Certificate of Insurance, which conforms with this provision. Applicant agrees to provide to East Las Vegas Community Development Corporation at least ten (10) days written notice of cancellation of any insurance, any material change in insurance coverage or an impending lapse of such coverage. Applicant shall annually adjust the amount of insurance required to be maintained by this Article III.

IV. COMPLIANCE WITH LOCAL CODES

The Applicant also agrees to maintain the Applicant's Residence in accordance with all building, fire, health and other applicable codes during the term of the Agreement.

V. DEED RESTRICTIONS

The Applicant further agrees and understands that East Las Vegas Community Development Corporation Affordable Home Ownership Program requires that units (including the Applicant's Residence) assisted with 15% Redevelopment Set Aside funds remain affordable to low-income purchasers for the stated term of compliance or until the Applicant's Residence is sold, transferred or otherwise alienated and the subsidy provided by HOME funds is recaptured. Applicant agrees to execute the Promissory Note and Deed of Trust of even date herewith in favor of City of Las Vegas, State of Nevada and to comply with and/or acknowledge the following deed restrictions:

- (1) The term of compliance is ten (10) years.
- (2) The property must be used as the Applicant's principal residence.
- (3) No temporary subleases of Applicant's residence are allowed;
- (4) Funds must be recaptured upon sale, transfer or change of ownership of Applicant's residence during term of compliance unless applicant sells the housing unit to another HOME eligible buyer who has been qualified as such by the East Las Vegas Community Development Corporation.
- (5) In the event of foreclosure, all deed restrictions contained herein in this Article V and in the Deed of Trust will terminate.

VI. ATTORNEY'S FEES AND COURT COSTS

The Applicant agrees that upon any breach of terms, as specified in Article II, III, IV or V of this Agreement, the Promissory Note or Deed of Trust, the Applicant shall pay for any and all legal costs, including attorney's fees and court costs incurred by East Las Vegas Community

Development Corporation in the recovery or collection of the deferred loan amount due pursuant to this Agreement.

VII. SECURITY

The Applicant agrees that the Deed of Trust executed by the Applicant, and recorded in the Office of the County Recorder of Clark County, State of Nevada, shall secure the deferred loan granted herein.

East Las Vegas Community Development Corporation acknowledges that the Property is or will be encumbered by one deed of trust (the "First Deed of Trust") created by Applicant to provide partial purchase money financing for Applicant's acquisition of the Property which will be recorded in the Official Records of Clark County, Nevada prior to recordation of this Security Instrument. East Las Vegas Community Development Corporation acknowledges and agrees that this Agreement and all rights of East Las Vegas Community Development Corporation hereunder are and will be subject and subordinate to the lien of the First Deed of Trust and to all rights and remedies of the beneficiary and trustee under the First Deed of Trust. The beneficiary under the First Deed of Trust and its successors and assigns, including, without limitation, any purchaser at a trustee's sale under the First Deed of Trust and the heirs, personal representatives, successors and assigns of such purchaser, shall not be bound by or obligated to perform any of the obligations of the Purchaser under this Agreement. This Agreement will not be subject or subordinate to any replacement of the First Deed of Trust occurring as a result of any prepayment, refinancing, sale or other transaction.

FURTHER, if the Senior Lien Holder acquires title to the Property pursuant to a deed in lieu of foreclosure, the lien of the Security Instrument shall automatically terminate upon the Senior Lien Holder's acquisition of title, provided that (i) the Trustee has been given written notice of default under the First Deed of Trust and (ii) the Trustee shall not have cured the default under the First Deed of Trust, or diligently pursued curing the default as determined by the Senior Lien Holder, within the 35-day period provided in such notice sent to the trustee.

...

...

...

VIII. NO ASSUMPTION

The Applicant agrees that the deferred loan, which is the subject of this Agreement, shall not be assumable by any prospective homebuyer, person or entity during the term of the Agreement except to another HOME eligible buyer who has been qualified as such by the East Las Vegas Community Development Corporation.

DATED this _____ day of _____, 199__.

APPLICANT

APPLICANT

STATE OF NEVADA)

ss:

COUNTY OF CLARK)

On this _____ day of _____, in the year 19__, before me, personally appeared _____, personally known to be (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is subscribed to the instrument, and acknowledged that he/she/they executed it.

SUBSCRIBED AND SWORN to before me
this _____ day of _____, 19__.

NOTARY PUBLIC in and for said
County and State

EAST LAS VEGAS COMMUNITY
DEVELOPMENT CORPORATION

BY: _____
Ed Garcia, President

...
STATE OF NEVADA)

ss:

COUNTY OF CLARK)

On this _____ day of _____, in the year 19__, before me, personally appeared _____, personally known to be (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is subscribed to the instrument, and acknowledged that he/she/they executed it.

SUBSCRIBED AND SWORN to before me
this _____ day of _____, 19__.

NOTARY PUBLIC in and for said
County and State

EXHIBIT "E-1"

DEED OF TRUST

(HOMEBUYER ASSISTANCE DEFERRED PAYMENT LOAN)

THIS DEED OF TRUST, made this ____ day of _____, 19__, between (*insert name of borrower*), herein called TRUSTOR, whose address is (*insert address of property*), Las Vegas, Nevada (zip code); the East Las Vegas Community Development Corporation, herein called TRUSTEE, whose principal office is located at _____, Las Vegas, Nevada 891__, and the City of Las Vegas, a municipal corporation duly organized in the State of Nevada, whose principal office is located at 400 E. Stewart Avenue, Las Vegas, Nevada 89101, Attention: Neighborhood Services Department, herein called BENEFICIARY.

WITNESSETH, that TRUSTOR IRREVOCABLY GRANTS, TRANSFERS AND ASSIGNS TO TRUSTEE IN TRUST WITH POWER OF SALE, that property located in the City of Las Vegas, Clark County, State of Nevada described as:

and commonly known as (*insert street address of property*).

TOGETHER WITH all appurtenances in which TRUSTOR has any interests including water rights benefiting said realty, represented by shares of a company or otherwise; and

TOGETHER WITH the rents, issues and profits thereof, reserving the right to collect and use the same, except during some default hereunder, in which event the TRUSTEE shall collect the same by any lawful means in the name of the BENEFICIARY.

FOR THE PURPOSE OF SECURING (1) performance of the Homebuyer Assistance Deferred Loan Agreement executed by TRUSTOR on the _____ day of _____, 19__ ("Homebuyer Assistance Deferred Loan Agreement") and incorporated by reference herein; and (2) payment of any and all indebtedness evidenced by and accruing under the Promissory Note dated _____, 19__ ("Promissory Note"). In the principal sum of _____ (\$ _____), executed by TRUSTOR in favor of TRUSTEE, or order.

TO PROTECT THE SECURITY OF THE DEED OF TRUST, TRUSTOR AGREES:

By the execution of this Deed of Trust that those provisions included in the Homebuyer Assistance Deferred Loan Agreement and Promissory Note, are hereby incorporated herein by

reference and made a part hereof as though fully set forth herein at length; that the TRUSTOR or his successors will observe and perform said provisions; and that the references to property, obligations and parties in said provisions shall be construed to refer to the property obligations and parties set forth in this Deed of Trust.

East Las Vegas Community Development Corporation acknowledges that the Property is or will be encumbered by one deed of trust (the "First Deed of Trust") created by TRUSTOR to provide partial purchase money financing for TRUSTOR'S acquisition of the Property which will be recorded in the Official Records of Clark County, Nevada prior to recordation of this Security Instrument. TRUSTEE acknowledges and agrees that this Security Instrument and all rights of TRUSTEE hereunder are and will be subject and subordinate to the lien of the First Deed of Trust and to all rights and remedies of the BENEFICIARY and TRUSTEE under the First Deed of Trust. The BENEFICIARY under the First Deed of Trust and its successors and assigns, including, without limitation, any purchaser at a trustee's sale under the First Deed of Trust and the heirs, personal representatives, successors and assigns of such purchaser, shall not be bound by or obligated to perform any of the obligations of the Purchaser under this Security Instrument. This Security Instrument will not be subject to subordinate to any replacement of the First Deed of Trust occurring as a result of any prepayment, refinancing, sale or other transaction.

FURTHER, if the Senior Lien Holder acquires title to the Property pursuant to a deed in lieu of foreclosure, the lien of the Security Instrument shall automatically terminate upon the Senior Lien Holder's acquisition of title, provided that (i) the Trustee has been given written notice of default under the First Deed of Trust and (ii) the Trustee shall not have cured the default under the First Deed of Trust, or diligently pursued curing the default as determined by the Senior Lien Holder, within the 35-day period provided in such notice sent to the TRUSTEE.

THE TRUSTOR AGREES TO COMPLY WITH THE FOLLOWING RESTRICTIONS:

1. The term of compliance shall be ten (10) years;
2. The property shall be used as Applicant's principle residence;
3. No temporary subleases of the property are allowed;
4. Funds must be recaptured upon the sale, transfer or change of ownership of the property during term of compliance unless applicant sells the housing unit to another HOME eligible buyer who has been qualified as such by the East Las Vegas Community Development Corporation.;
5. All deed restrictions contained herein are canceled in the event of foreclosure.

By execution and delivery of this Deed of Trust and the Agreement secured hereby, Trustor agrees that provisions (1) to (17) inclusive of the Deed of Trust, recorded in Book 730, as Document No. 586593, of Official Records in the Office of the County Recorder of Clark County hereby are adopted and incorporated herein and made a part hereof as though set forth herein, that Trustor will observe and perform said provisions, and that the references to property, obligations and parties in said provisions shall be construed to refer to the property, obligations and parties set forth in this Deed of Trust.

THE UNDERSIGNED TRUSTOR requests that a copy of any Notice of Default, any Notice of Sale, and or any Notice of Lien hereunder be mailed to the address hereinabove set forth:

Trustor:

Trustor:

STATE OF NEVADA)

ss:

COUNTY OF CLARK)

On this _____ day of _____, in the year 19__, before me, personally appeared _____, personally known to be (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is subscribed to the instrument, and acknowledged that he/she/they executed it.

SUBSCRIBED AND SWORN to before me
this _____ day of _____, 19__.

NOTARY PUBLIC in and for said
County and State

...
...
...
...

EAST LAS VEGAS COMMUNITY
DEVELOPMENT CORPORATION

BY: _____
Ed Garcia, President

STATE OF NEVADA)

ss:

COUNTY OF CLARK)

On this _____ day of _____, in the year 19____, before me, personally appeared _____, personally known to be (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is subscribed to the instrument, and acknowledged that he/she/they executed it.

SUBSCRIBED AND SWORN to before me
this _____ day of _____, 19____.

NOTARY PUBLIC in and for said
County and State

WHEN RECORDED, MAIL TO:
East Las Vegas Community Development Corporation
_____, Las Vegas, NV 89106

DISCLOSURE OF PRINCIPALS

The principals and partners of East Las Vegas Community Development Corporation and all persons and entities holding more than 1% interest in East Las Vegas Community Development Corporation or any principal of any entity holding more than 1% interest in East Las Vegas Community Development Corporation are the following:

<u>FULL NAME</u>	<u>BUSINESS ADDRESS</u>	<u>BUSINESS PHONE</u>
1. <u>see Attached</u>		
2. <u>Board of Directors</u>		
3. <u>List</u>		
4. _____		
5. _____		
6. _____		
7. _____		
8. _____		
9. _____		
10. _____		

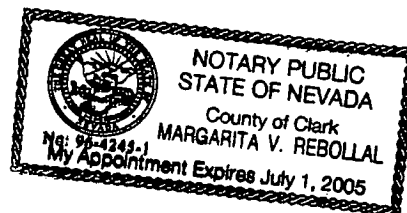
I hereby certify under penalty of perjury, that the foregoing list is full and complete.

East Las Vegas Community Development Corporation

By: [Signature]
Its: PRESIDENT

Subscribed and sworn to before me this
13 day of April, 2004.

Margarita Rebollal
Notary Public





East Las Vegas Community Development Corporation (ELV CDC) 4/13/04

Board of Directors

2003 - 2005

Edward A. Garcia, Esquire, President

Jones Vargas, Attorneys at Law

3773 Howard Hughes

Las Vegas, NV 89102

Home: 269-2065

Bus: 734-2220

Fax: 734-2722

Cell: 580-5142

E-mail: emg@jonesvargas.com

Member: 11/00 -01/05

Cynthia A. Enerson, CPA, Treasurer

300 S. 4th Street #600

Las Vegas 89101

Home: 269-9539

Bus: 759-4009

Cell: 612-1751

Fax: 759-4063

E-mail: cindy_enerson@rsmi.com

Member: 01/02-01/05

W. M. "Mike" McClain, Corr. Secretary

FSCC, LLC- V P, General Contractor

3772 Edison Avenue

Las Vegas, NV 89121

Home: 436-9047

Bus: 739-1722

Cell: 210-3252

Fax: 739-1724

E-mail: mmccclain@fsc.nceusa.com

Member: 11/00-01/05

Faustina Gbafa, Resident

2903 Poplar Avenue

Las Vegas, NV 89101

Home: 735-3519

E-mail: gbafa@juno.com

Member: 01/03-01/05

Mildred Arroyo McClain, Ph.D, Vice Pres.

2359 Sierra Stone Lane

Las Vegas, NV 89119

Home: 269-2065

Cell: 250-6833

Direct: 895-2951

Fax: 895-2025

E-mail: millie.mcclain@ccmail.nevada.edu

Member: 11/00-01/05

Janeth Alvarado, Home Maker, Secretary

6298 Navajo Gorge Court

Las Vegas, NV 89142

Home: 313-3191

Cell:

E-mail: bandit1go@aol.com

Member: 11/00-01/05

Carlos C. Gallegos, Resident

2962 Cedar Avenue

Las Vegas, NV 89101

Home: 682-2716

E-mail: gallegos73@hotmail.com

Member: 03/3-01/05

Francisco Herrera, Resident

2947 Poplar Ave.

Las Vegas, NV 89101

Home: 419-4398

Bus: 731-7110

Member 04/03-01/05



East Las Vegas Community Development Corporation (ELV CDC) 4/13/04

**BOARD OF DIRECTORS
2003 - 2005**

Felipe I. Rodriguez, B.A. F.C.
Rodriguez Partners
850 E. Desert Inn Road, Ste# 1004
Las Vegas, NV 89109
Home: 858-0159
Bus: 858-0159
Fax: 434-0912
E-mail: firodl@aol.com
Member: 11/00-01/05

Sylvia Villalva, MA, Teacher
Clark County School District
9733 Craighead Lane
Las Vegas, NV 89117
Home: 256-0182
Cell: 272-6720
Business: 799-7159 X 2025
E-Mail: Villalva@earthlink.com
E-mail: Sylvia_Villalva@ccsd.net
Member: 01/97-01/05

Elaine S. Ward, Student
11267 Alga Ct.
Las Vegas, NV 89141
Home: 433-9273
E-mail: elainew@lvcm.com
Member: 01/02-01/05

EXECUTIVE DIRECTOR
Margarita V. Rebolal, BS
3031 E. Charleston Blvd. Suite C
Las Vegas, NV. 89101
Home: 214-8283
Bus: 307-1710
Fax: 307-1712
Cell: 334-4082
E-mail: ELV CDC2@aol.com
E-mail: Coquinlv@aol.com

Debbie Prosser, Resident
2967 Poplar Avenue
Las Vegas, NV 89101
Home: 464-3007
Cell: 524-4139
E-mail: dprosser@nvwg.cap.gov
Member: 01/03-01/05

Elias Samorano, Serv. Coord.
City of Las Vegas, Rafael Riviera Center
3962 E. Carey, #2
Las Vegas, NV 89115
Bus: 229-4602
Fax: 382-5960
Cell: 808-2561
E-mail: esamorano@ci.las-vegas.nv.us
Member: 11/00-01/05

Margarita Rivera Wharton, MS
NBS, Inc., Deputy Executive Director
4832 Cascade Pools Ave
Las Vegas, NV 89131
Home: 515-1184
Bus: 647-1069
argaritaw@nevbsi.org
E-mail: Gpuertoricantita@aol.co
Member: 01 /02-01/05

HOUSING COUNSELOR
Rose M. Salter
3114 De Vinci Ct.
North Las Vegas, NV 89031
Home: 242-4258
Cell: 498-1557
E-mail: rsalter2@aol.com



East Las Vegas Community Development Corporation (ELVCDC) 4/13/04

ADVISORY BOARD

2003-2005

**Kenneth J. LoBene, Senior Community
Builder**

U.S. Department of Housing and Urban
Development
333 N. Rancho Dr. Suite 700
Las Vegas, NV. 89106
Bus: 388-6513
Fax: 388-6244
E-mail: Kenneth_J_LoBene@hud.gov

Jay Hiner, CRA, Comm. Dev. Officer
Nevada State Bank
3345 S. Maryland Pkwy
Las Vegas, NV 89102
Bus: 642-2482
Fax: 642-5433

E. Louie Overstreet, Ph.D
Executive Director Urban
Chamber of Commerce
1048 West Owens Avenue
Las Vegas, NV 89106
Bus: 648-6222
Fax: 648-6223
E-mail: lvurbanchamber@wizard.com

Lilliam Lujan Hickey,
U.S. Hispanics Chamber of Commerce
Regional Chair
6717 Cherry Grove Ave.
Las Vegas, NV 89156
Bus: 459-5017
Fax: 459-5018
Home: 453-5855

Anita LaRuy, Juris Doctor
Director, City North Las Vegas Library
2300 Civic Center Drive
North Las Vegas, NV 89030
Bus: 633-1070
Fax: 649-2576
E-mail: anital@ci.north-las-vegas.nv.us

Brian A. Sagert, MBA
Director of Modernization/Development
Housing Authority of the City of Las Vegas
2800 E. Walnut
Las Vegas, NV 89101
Bus: 922-6070
Cell: 604-1983
E-mail: bsagert@yahoo.com

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: ORLANDO SANCHEZ

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of additional Home Investment Partnership Program (HOME) funds in the amount of \$4,000 for additional housing rehabilitation activities at 265 South 17th Street - Ward 5 (Weekly)

Fiscal Impact

☐

No Impact

Amount: \$4,000

☒

Budget Funds Available

Dept./Division: Neigh. Svcs./Neigh. Devel.

☐

Augmentation Required

Funding Source: HOME

PURPOSE/BACKGROUND:

This housing rehabilitation project was approved by City Council on January 21, 2004 for an original amount of \$30,000 in HOME funds. Additional funding in the amount of \$4,000 is being requested to cover costs related to the installation of a new mechanical system. The existing system was found to be old and defective. System replacement will be more cost effective than repair.

RECOMMENDATION:

Staff recommends City Council approve the additional funding.

BACKUP DOCUMENTATION:

None

MOTION:

REESE - APPROVED Items 3-42, 47-54, 56-58, 61, 67 - **UNANIMOUS** with **MONCRIEF** excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 - 9:45)

1-988

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Supplemental Interlocal Contract for Durango Drive, Westcliff Drive to Vegas Drive between the City of Las Vegas and the Southern Nevada Regional Transportation Commission to increase funding and change the scope of the project (\$6,273,000 - Southern Nevada Regional Transportation Commission) - Ward 2 (L.B. McDonald)

Fiscal Impact

☐

No Impact

☒

Budget Funds Available

☐

Augmentation Required

Amount: \$6,273,000

Dept./Division: Public Works/City Engineer

Funding Source: Regional Transportation Commission

PURPOSE/BACKGROUND:

Supplemental Interlocal Contract #401a will increase funding for Engineering and Construction and change the scope of the project to include construction of auxiliary lanes along Summerlin Parkway, a pedestrian underpass and trails, limited new landscaping and traffic signal interconnect. The Southern Nevada Regional Transportation Commission approved this contract at their March 11, 2004 meeting. Total cost of this project shall not exceed \$14,423,000.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Supplemental Interlocal Contract #401a

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

SUPPLEMENTAL INTERLOCAL CONTRACT
DURANGO DRIVE, WESTCLIFF DRIVE TO VEGAS DRIVE

THIS SUPPLEMENTAL INTERLOCAL CONTRACT, made and entered into this 21 day of April, 2004 by and between the CITY OF LAS VEGAS, a municipal corporation, hereinafter referred to as the "CITY" and the Regional Transportation Commission of Southern Nevada hereinafter referred to as "RTC".

WITNESSETH

WHEREAS, pursuant to Chapter 373 of the Nevada Revised Statutes, a Project to design, purchase right-of-way, perform construction inspection and construct roadway improvements for Durango Drive, Westcliff Drive to Vegas Drive, located wholly within the CITY, has been approved by the Regional Transportation Commission.

WHEREAS, the parties have executed an Interlocal Contract dated April 17, 2002 for the design and construction of Durango Drive, Westcliff Drive to Vegas Drive; and

WHEREAS, the CITY requests a change in the scope of the project, to increase funding and to receive a revised Authorization to Proceed.

NOW, THEREFORE, in consideration of the covenants, conditions, agreements, and promises of the parties hereto, the RTC authorizes the CITY to proceed with the PROJECT as it is mutually understood and agrees as follows.

SECTION I – SCOPE OF THE PROJECT shall be revised to read as follows:

SECTION I - SCOPE OF PROJECT

This Interlocal Contract applies to improvements associated with Durango Drive, Westcliff Drive to Vegas Drive. The basic improvements will result in full roadway improvements, drainage

improvements, traffic signals, median islands and/or median access according to adjacent land use, pavement markings and signing. Construction of auxiliary lanes along Summerlin Parkway between the ramp termini of Buffalo and the new Durango Interchange screen (sound) walls between the proposed interchange improvements and adjacent existing apartments and City park facilities, a pedestrian underpass and trails, limited new landscaping and traffic signal interconnect conduit south of Westcliff Drive to Charleston Boulevard. Additionally, modifications to existing CLV Right of Way lines on BLM parcels will be made to define Summerlin Parkway right of way between Rampart and Buffalo. Other basic improvements such as curb and gutter, sidewalks and streetlights may be funded by the CITY with a Special Improvement District.

SECTION II – PROJECT COSTS shall be revised to read as follows:

SECTION II - PROJECT COSTS

The RTC agrees to provide funding for project costs according to Section 6.1 REIMBURSEMENT COSTS of the Policies and Procedures Manual of the RTC within the limits specified below:

1. The total cost for engineering design, contract administration, surveying, inspection, testing, right-of-way engineering, right-of-way negotiations and acquisition, utility relocation and construction shall not exceed \$14,423,000 which includes all of the above items.
2. The CITY will be granted an "Authorization to Proceed" for engineering design at a cost not to exceed \$1,882,400, right-of-way drawings, descriptions and obtaining appraisals in an amount not to exceed \$10,000 and construction at a cost not to exceed \$12,530,600. The "Authorization to Proceed" shall state a specific amount within the

total estimated cost of the Project and, upon approval by the RTC, only that amount shall be encumbered and allocated.

All other terms of the Interlocal Contract dated April 17, 2002 shall remain unchanged.

IN WITNESS WHEREOF, this SUPPLEMENTAL INTERLOCAL CONTRACT is effective as of the date first set forth above.

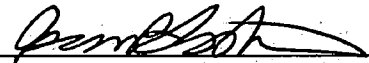
APPROVED AS TO LEGALITY AND FORM:

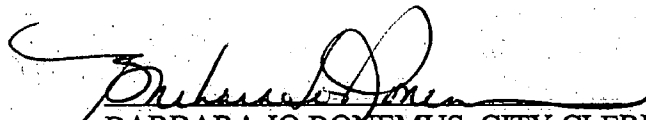

ZEV KAPLAN, GENERAL COUNSEL

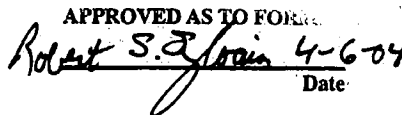
DATE OF COUNCIL ACTION:

CITY OF LAS VEGAS

4-21-04
ATTEST:

By: 
OSCAR B. GOODMAN, MAYOR


BARBARA JO RONEUMUS, CITY CLERK

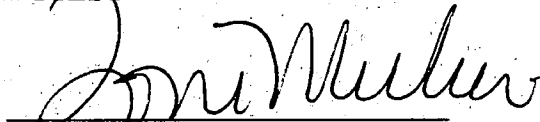
APPROVED AS TO FORM:

Date: 4-6-04

DATE OF COMMISSION ACTION:

REGIONAL TRANSPORTATION COMMISSION

3-11-04
ATTEST

By: 
BRUCE L. WOODBURY, CHAIRMAN


TONI MICHENER
EXECUTIVE ASSISTANT

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

Approval to file an amendment to Bureau of Land Management Right-of-Way Grant N-66120 for sewer purposes on portions of land lying within the Northwest Quarter of Section 12, Township 20 South, Range 59 East, Mount Diablo Meridian, generally located approximately 635 feet south of Alexander, west of Cliff Shadow Parkway, APN 137-12-101-008 - Ward 4 (Brown)

Fiscal Impact

☒ **No Impact**
☐ **Budget Funds Available**
☐ **Augmentation Required**

Amount:

Dept./Division: Public Works/City Engineer

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval to file a Right-of-Way Grant with the Bureau of Land Management for roadway, sanitary sewer, drainage, trail and streetscape amenity purposes on portions of land lying within Section 24, the Southwest Quarter and the East Half of Section 13, Township 19 South, Range 59 East, Mount Diablo Meridian, generally located between Hualapai Way and Puli Road on the east and west and by Grand Teton Drive and the Clark County Beltway on the north and south, APNs 126-13-401-014, -501-002, -701-006, 126-24-201-012, -301-011, -601-018 and -701-013 - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

☐

Budget Funds Available

☐

Augmentation Required

Amount:

Dept./Division: Public Works/City Engineer

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Brian G. Smith and Valerie C. Smith, owners (southeast corner of La Madre Way and Janell Drive, APN 125-33-402-010) - County (near Ward 6 - Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This request is to connect a single family dwelling located at the southeast corner of La Madre Way and Janell Drive. The owners propose to connect to an existing 8" City sewer line located in Janell Drive. The Planning Department has determined the project does conform to the City's General Plan for the area; there is sufficient capacity in the City Sanitary Sewer. The applicants have signed a "Sewer Connection Agreement." This property is within the Clark County Interlocal Annexation Exceptions area and cannot be annexed to the City.

RECOMMENDATION:

Public Works recommends approval subject to conformance with all City codes and departmental standards and off-site improvements.

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

REESE - APPROVED Items 3-42, 47-54, 56-58, 61, 67 - UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 - 9:45)

1-988

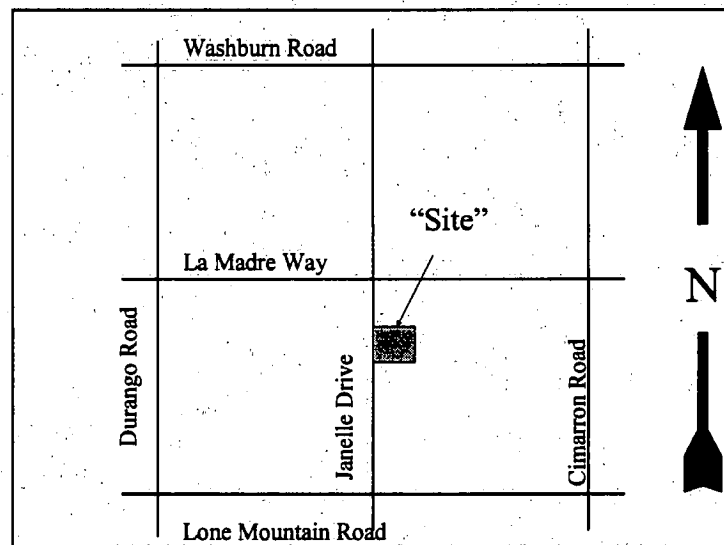
AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 21, 2004

DEPARTMENT: PUBLIC WORKS

ITEM DESCRIPTION: APPROVAL OF INTERLOCAL CONTRACT WITH CLARK COUNTY WATER RECLAMATION DISTRICT - BRIAN G. SMITH AND VALERIE C. SMITH, OWNERS (SOUTHEAST CORNER OF LA MADRE WAY AND JANELLE DRIVE, APN 125-33-402-010)

VICINITY MAP



INTERLOCAL CONTRACT

THIS CONTRACT is entered into as of the 19th day of March, 2004, by and between the CLARK COUNTY WATER RECLAMATION DISTRICT ("DISTRICT") and the CITY OF LAS VEGAS ("CITY"), both political subdivisions of the State of Nevada, located within Clark County, Nevada.

WITNESSETH:

WHEREAS, NRS 277.180 provides that one or more public agencies may enter into contracts for the performance of sewer service activity or any undertaking which the agency is authorized by law to perform; and

WHEREAS, the CITY provides sewage treatment at its own facilities; and

WHEREAS, DISTRICT sewer lines are not accessible to provide service to the area as shown in Exhibit "A," owned by Valerie C. and Brian G. Smith (approximately 0.5 acres -- vacant land; Parcel No. 125-33-402-010 which is within the boundaries of the DISTRICT and beyond the corporate limits of the CITY but which is more accessible to sewer service by the CITY; and

WHEREAS, DISTRICT and CITY are willing to enter into a CONTRACT whereby CITY will provide sewer service to that area as shown on the attached Exhibit "A."

NOW THEREFORE, in consideration of the mutual covenants and conditions hereinafter set forth, the parties agree as follows:

1. CITY, at its established rates and in accordance with all CITY resolutions and policies, shall allow connection to CITY sewage collection system by, and will provide sewer service to, that area as shown on attached Exhibit "A" which is located within Clark County.

2. Upon adoption of this CONTRACT, DISTRICT will require all customers/applicants who are located within the boundaries of Exhibit "A" to pay sewer service and System Development Approval (SDA) charges directly to the CITY. CITY will issue a receipt of payment to each customer/applicant; each customer/applicant shall submit this paid receipt and copy of approved application to the DISTRICT and obtain a DISTRICT SDA for issuance of a Clark County building permit(s).

3. This agreement shall be for a term of fifty (50) years or when DISTRICT sewer service becomes available, whichever should first occur. "Available" is defined to mean a sewer service line within 400 feet of the Customer's location with capacity to handle the Customer's discharge.

4. No joint venture is contemplated or established hereby, and neither of the parties shall be deemed to be the agent of the other for any purpose by virtue of this CONTRACT.

5. This CONTRACT shall not be deemed to be for the benefit of any entity or person who is not a party hereto, and neither this CONTRACT, nor any interest therein, may be assigned without the prior written consent of the nonassigning party.

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6. Each party warrants to the other that they have the authority and capacity to perform the provisions hereof.

WITNESS OUR HANDS the day and year first above written.

CLARK COUNTY WATER RECLAMATION DISTRICT

By 
PETER M. ARCHULETA, General Manager

CITY OF LAS VEGAS

By 
OSCAR B. GOODMAN, Mayor

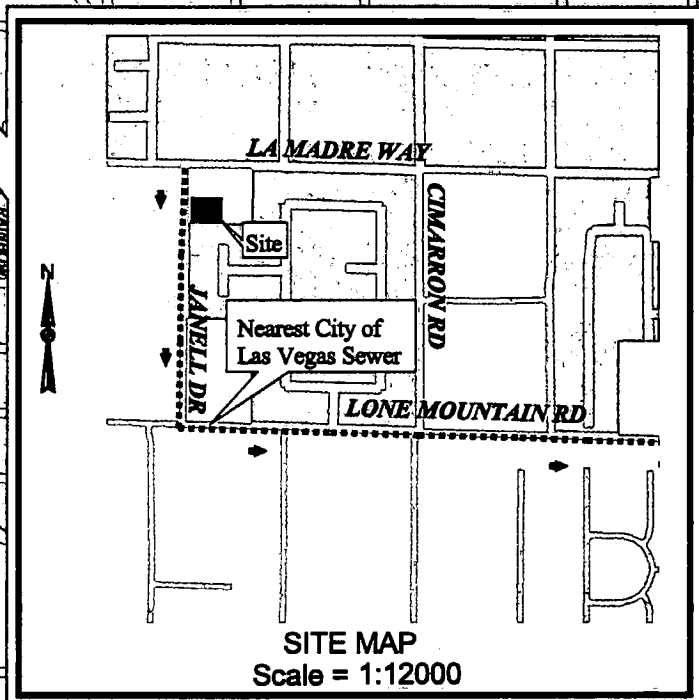
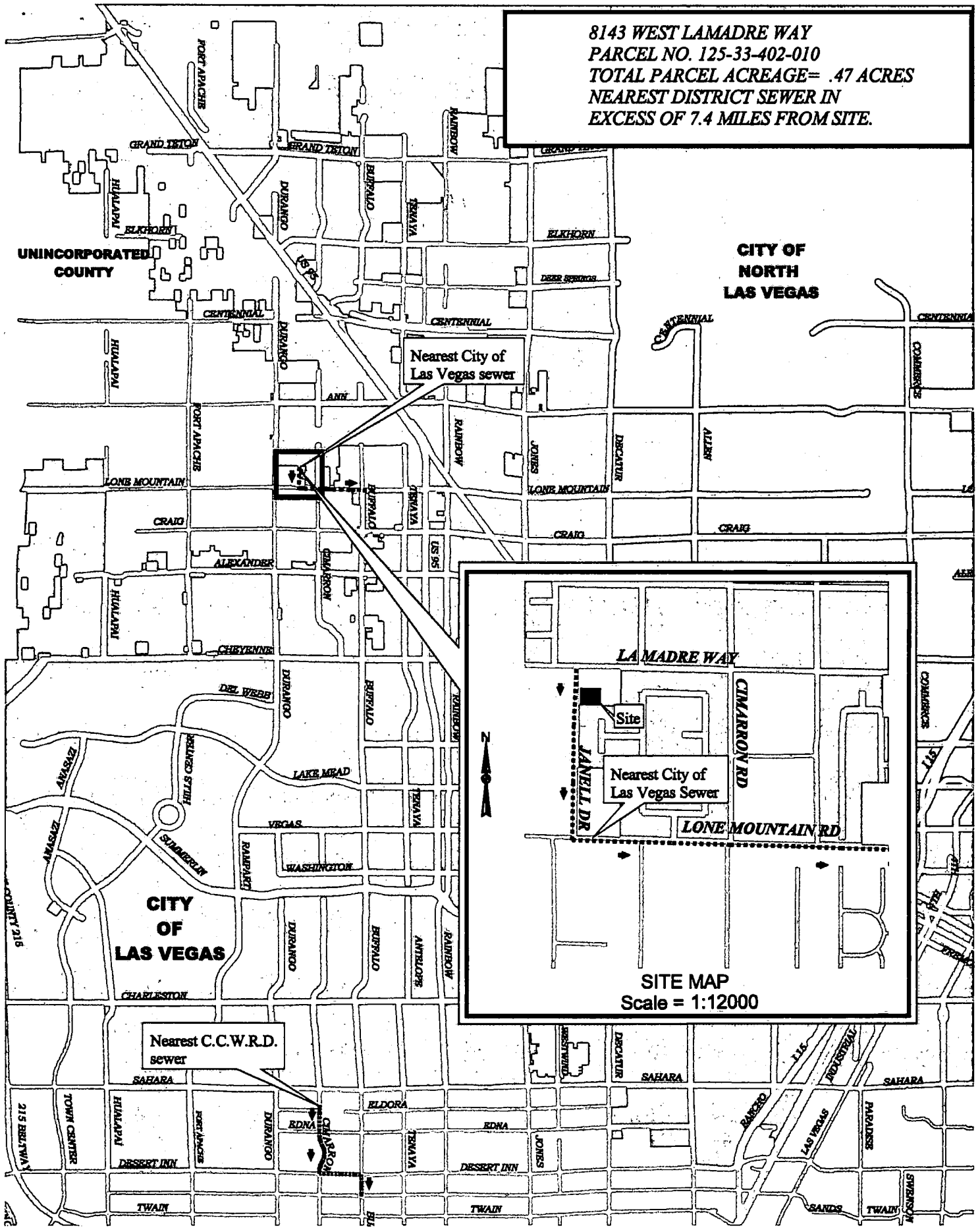
ATTEST:

By 
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

By  4-28-04
Deputy City Attorney

8143 WEST LAMADRE WAY
 PARCEL NO. 125-33-402-010
 TOTAL PARCEL ACREAGE= .47 ACRES
 NEAREST DISTRICT SEWER IN
 EXCESS OF 7.4 MILES FROM SITE.



Scale = 1:96000



Clark County
 Water Reclamation
 DISTRICT

ILA #279- EXHIBIT A

03/01/80

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Aaron B. Hirschi, owner (southeast corner of Bonita Vista Street and Corbett Street, APN 125-29-708-001) - County (near Ward 6 - Mack)

Fiscal Impact:

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This request is to connect a single family dwelling located at the southeast corner of Bonita Vista Street and Corbett Street. The owner proposes to connect to an existing 8" sewer line in Corbett Street. The Planning Department has determined the project does conform to the City's General Plan for the area; there is sufficient capacity in the City Sanitary Sewer. The applicant has signed a "Sewer Connection Agreement." This property is within the Clark County Interlocal Annexation Exceptions area and cannot be annexed to the City.

RECOMMENDATION:

Public Works recommends approval subject to conformance with all City codes and departmental standards and off-site improvements.

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

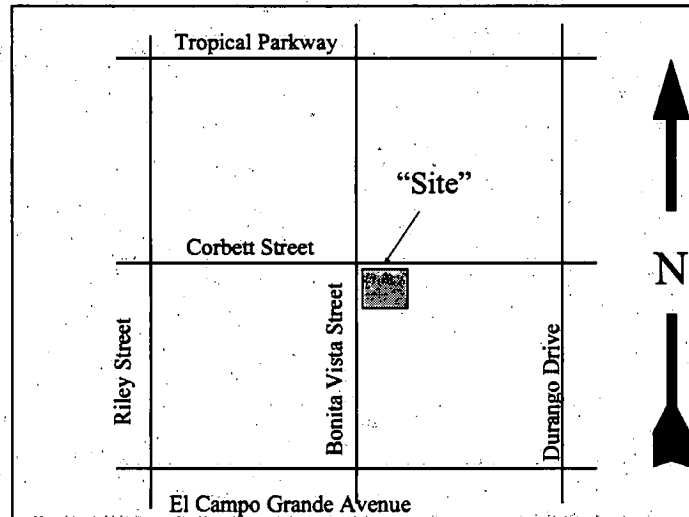
AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 21, 2004

DEPARTMENT: PUBLIC WORKS

ITEM DESCRIPTION: APPROVAL OF INTERLOCAL CONTRACT WITH CLARK COUNTY WATER RECLAMATION DISTRICT – AARON B. HIRSCHI, OWNER (SOUTHEAST CORNER OF BONITA VISTA STREET AND CORBETT STREET, APN 125-29-708-001)

VICINITY MAP



INTERLOCAL CONTRACT

THIS CONTRACT is entered into as of the 25th day of March, 2004, by and between the CLARK COUNTY WATER RECLAMATION DISTRICT ("DISTRICT") and the CITY OF LAS VEGAS ("CITY"), both political subdivisions of the State of Nevada, located within Clark County, Nevada.

WITNESSETH:

WHEREAS, NRS 277.180 provides that one or more public agencies may enter into contracts for the performance of sewer service activity or any undertaking which the agency is authorized by law to perform; and

WHEREAS, the CITY provides sewage treatment at its own facilities; and

WHEREAS, DISTRICT sewer lines are not accessible to provide service to the area as shown in Exhibit "A," owned by Aaron B. Hirschi (approximately 0.6 acres -- vacant land; Parcel No. 125-29-708-001 which is within the boundaries of the DISTRICT and beyond the corporate limits of the CITY but which is more accessible to sewer service by the CITY; and

WHEREAS, DISTRICT and CITY are willing to enter into a CONTRACT whereby CITY will provide sewer service to that area as shown on the attached Exhibit "A."

NOW THEREFORE, in consideration of the mutual covenants and conditions hereinafter set forth, the parties agree as follows:

1. CITY, at its established rates and in accordance with all CITY resolutions and policies, shall allow connection to CITY sewage collection system by, and will provide sewer service to, that area as shown on attached Exhibit "A" which is located within Clark County.

2. Upon adoption of this CONTRACT, DISTRICT will require all customers/applicants who are located within the boundaries of Exhibit "A" to pay sewer service and System Development Approval (SDA) charges directly to the CITY. CITY will issue a receipt of payment to each customer/applicant; each customer/applicant shall submit this paid receipt and copy of approved application to the DISTRICT and obtain a DISTRICT SDA for issuance of a Clark County building permit(s).

3. This agreement shall be for a term of fifty (50) years or when DISTRICT sewer service becomes available, whichever should first occur. "Available" is defined to mean a sewer service line within 400 feet of the Customer's location with capacity to handle the Customer's discharge.

4. No joint venture is contemplated or established hereby, and neither of the parties shall be deemed to be the agent of the other for any purpose by virtue of this CONTRACT.

5. This CONTRACT shall not be deemed to be for the benefit of any entity or person who is not a party hereto, and neither this CONTRACT, nor any interest therein, may be assigned without the prior written consent of the nonassigning party.

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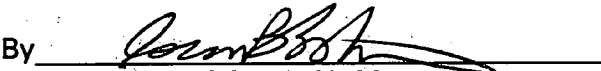
6. Each party warrants to the other that they have the authority and capacity to perform the provisions hereof.

WITNESS OUR HANDS the day and year first above written.

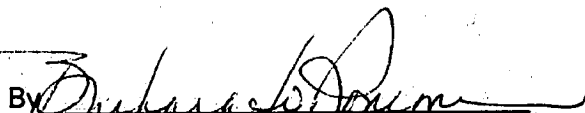
CLARK COUNTY WATER RECLAMATION DISTRICT

By 
PETER M. ARCHULETA, General Manager

CITY OF LAS VEGAS

By 
OSCAR B. GOODMAN, Mayor

ATTEST:

By 
BARBARA JO RONEMUS, City Clerk

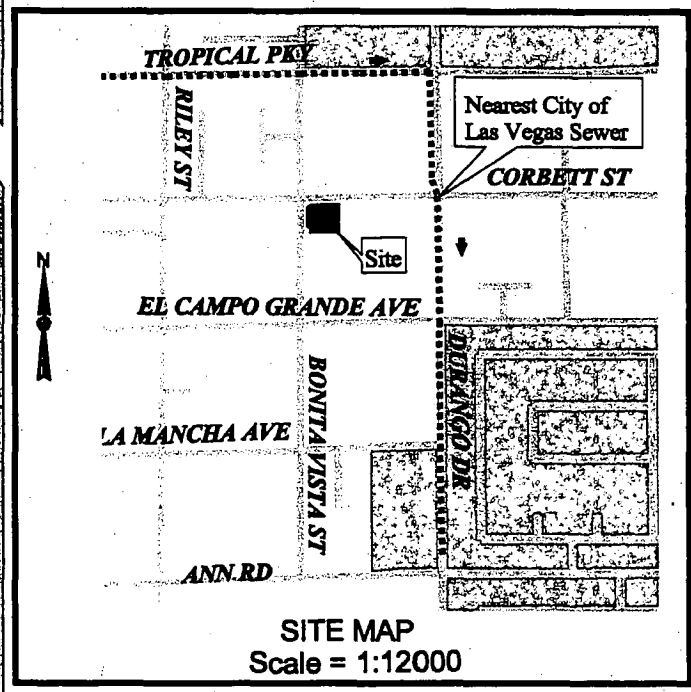
APPROVED AS TO FORM:

By  4-28-04
Deputy City Attorney

5894 N BONITA VISTA ST
 PARCEL NO. 125-29-708-001
 TOTAL PARCEL ACREAGE= 0.6 ACRES
 NEAREST DISTRICT SEWER IN
 EXCESS OF 8.5 MILES FROM SITE.

Nearest City of
 Las Vegas sewer

Nearest C.C.W.R.D.
 sewer



Scale = 1:96000



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Richard Bennett, owner (north of Tropical Parkway, between Fort Apache Road and Dapple Gray Road, APN 125-29-201-025) - County (near Ward 6 - Mack)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division: Public Works/City Engineer**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This request is to connect a single family dwelling located north of Tropical Parkway, between Fort Apache Road and Dapple Gray Road. The owner proposes to connect to an existing 12" sewer line located in Tropical Parkway. The Planning Department has determined the project does conform to the City's General Plan for the area; there is sufficient capacity in the City Sanitary Sewer. The applicant has signed a "Sewer Connection Agreement." This property is within the Clark County Interlocal Annexation Exceptions area and cannot be annexed to the City.

RECOMMENDATION:

Public Works recommends approval subject to conformance with all City codes and departmental standards and off-site improvements.

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – **UNANIMOUS** with **MONCRIEF** excused and Ward 2 seat vacant

Items 43-46 & 55:**APPROVED** under separate actions (see individual items)**Items 59, 60 & 62-66****STRICKEN** under separate actions (see individual items)**MINUTES:**

There was no related discussion.

(9:43 – 9:45)

1-988

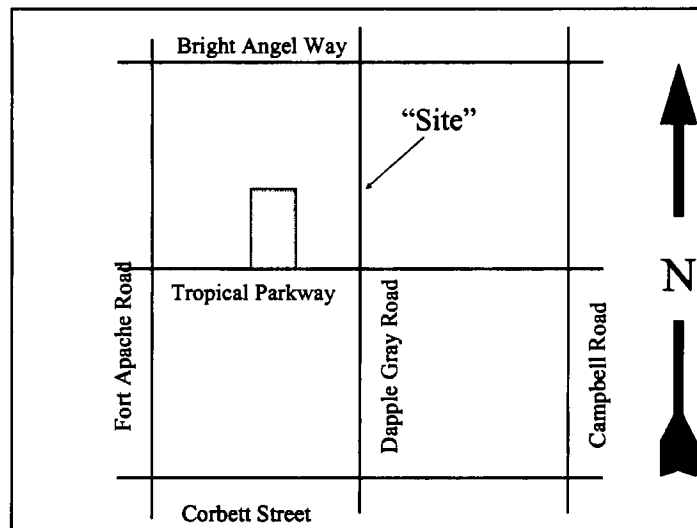
AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 21, 2004

DEPARTMENT: PUBLIC WORKS

ITEM DESCRIPTION: APPROVAL OF INTERLOCAL CONTRACT WITH CLARK COUNTY WATER RECLAMATION DISTRICT – RICHARD BENNETT, OWNER (NORTH OF TROPICAL PARKWAY, BETWEEN FORT APACHE ROAD AND DAPPLE GRAY ROAD, APN 125-29-201-025)

VICINITY MAP



INTERLOCAL CONTRACT

THIS CONTRACT is entered into as of the 19th day of March, 2004, by and between the CLARK COUNTY WATER RECLAMATION DISTRICT ("DISTRICT") and the CITY OF LAS VEGAS ("CITY"), both political subdivisions of the State of Nevada, located within Clark County, Nevada.

WITNESSETH:

WHEREAS, NRS 277.180 provides that one or more public agencies may enter into contracts for the performance of sewer service activity or any undertaking which the agency is authorized by law to perform; and

WHEREAS, the CITY provides sewage treatment at its own facilities; and

WHEREAS, DISTRICT sewer lines are not accessible to provide service to the area as shown in Exhibit "A," owned by Richard Bennett (approximately 0.5 acres -- vacant land; Parcel No. 125-29-201-025 which is within the boundaries of the DISTRICT and beyond the corporate limits of the CITY but which is more accessible to sewer service by the CITY; and

WHEREAS, DISTRICT and CITY are willing to enter into a CONTRACT whereby CITY will provide sewer service to that area as shown on the attached Exhibit "A."

NOW THEREFORE, in consideration of the mutual covenants and conditions hereinafter set forth, the parties agree as follows:

1. CITY, at its established rates and in accordance with all CITY resolutions and policies, shall allow connection to CITY sewage collection system by, and will provide sewer service to, that area as shown on attached Exhibit "A" which is located within Clark County.

2. Upon adoption of this CONTRACT, DISTRICT will require all customers/applicants who are located within the boundaries of Exhibit "A" to pay sewer service and System Development Approval (SDA) charges directly to the CITY. CITY will issue a receipt of payment to each customer/applicant; each customer/applicant shall submit this paid receipt and copy of approved application to the DISTRICT and obtain a DISTRICT SDA for issuance of a Clark County building permit(s).

3. This agreement shall be for a term of fifty (50) years or when DISTRICT sewer service becomes available, whichever should first occur. "Available" is defined to mean a sewer service line within 400 feet of the Customer's location with capacity to handle the Customer's discharge.

4. No joint venture is contemplated or established hereby, and neither of the parties shall be deemed to be the agent of the other for any purpose by virtue of this CONTRACT.

5. This CONTRACT shall not be deemed to be for the benefit of any entity or person who is not a party hereto, and neither this CONTRACT, nor any interest therein, may be assigned without the prior written consent of the nonassigning party.

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6. Each party warrants to the other that they have the authority and capacity to perform the provisions hereof.

WITNESS OUR HANDS the day and year first above written.

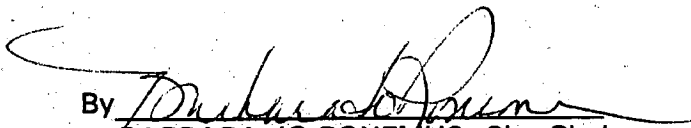
CLARK COUNTY WATER RECLAMATION DISTRICT

By 
PETER M. ARCHULETA, General Manager

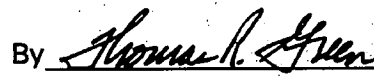
CITY OF LAS VEGAS

By 
OSCAR B. GOODMAN, Mayor

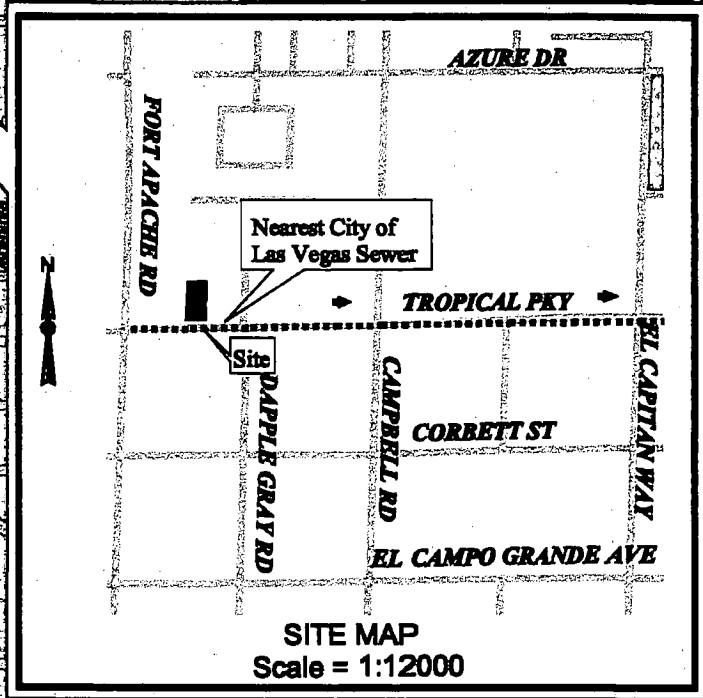
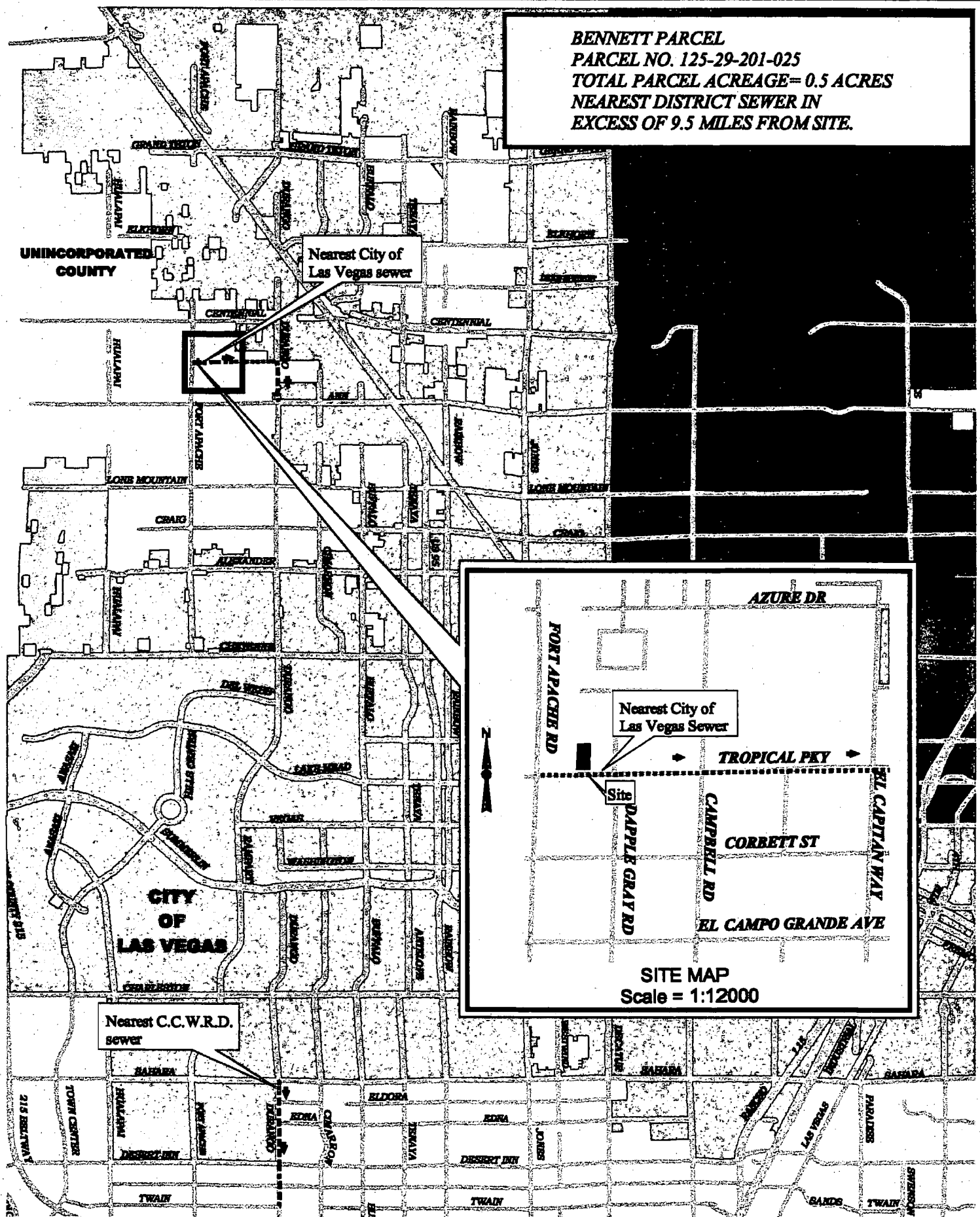
ATTEST:

By 
BARBARA JO RONEBUS, City Clerk

APPROVED AS TO FORM:

By  4-28-04
Deputy City Attorney

BENNETT PARCEL
PARCEL NO. 125-29-201-025
TOTAL PARCEL ACREAGE= 0.5 ACRES
NEAREST DISTRICT SEWER IN
EXCESS OF 9.5 MILES FROM SITE.



Scale = 1:96000



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Professional Services Agreement with Southwick Landscape Architects for the design services of Gilmore Cliff Shadows Park and Trail Head located at Gilmore Drive and Cliff Shadows Parkway (\$376,200 - Southern Nevada Public Lands Management Act) - Ward 4 (Brown)

Fiscal Impact

☐

No Impact

Amount: \$376,200

☒

Budget Funds Available

Dept./Division: PW/Engineering Integration

☐

Augmentation Required

Funding Source: SNPLMA

PURPOSE/BACKGROUND:

The City of Las Vegas desires to construct Gilmore Cliff Shadows Park and Trail Head on 13 acres adjacent to Cliff Shadows Parkway. These new park improvements will provide additional amenities for the citizens of Las Vegas.

RECOMMENDATION:

That the City Council approve the negotiated Professional Services Agreement with Southwick Landscape Architects for the design services of Gilmore Cliff Shadows Park and Trail Head in the amount of \$342,000 and approve an Additional Services contingency reserve of \$34,200.

BACKUP DOCUMENTATION:

Professional Services Agreement

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

PROFESSIONAL SERVICES AGREEMENT FOR GILMORE CLIFF SHADOWS PARK AND TRAIL HEAD

THIS PROFESSIONAL SERVICES AGREEMENT (the "Agreement") is made and entered into this 21 day of April, 2004, by and between the CITY OF LAS VEGAS, NEVADA, a municipal corporation of the State of Nevada (the "City") and SOUTHWICK LANDSCAPE ARCHITECTS, (the "Architect/ Consultant").

RECITALS

WHEREAS, the City intends to construct GILMORE CLIFF SHADOWS PARK AND TRAIL HEAD (herein the "Project"), within the City of Las Vegas, for an estimated Construction Cost of \$6,000,000.00; and

WHEREAS, the City desires to retain the services of the Architect/Consultant for the purpose of providing the design and the preparation of the bid documents necessary for the construction of the Project, said services as set forth in this Agreement and Exhibit "A" (Scope of Services) attached hereto; and

WHEREAS, the Architect/Consultant hereby represents to the City that the Architect/Consultant is properly licensed pursuant to Chapter 623, 623A or 625 as required for the Project, 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 Architect/Consultant agree as set forth below:

ARTICLE 1: ARCHITECT/CONSULTANT'S BASIC SERVICES

1.1 GENERAL

1.1.1 The Architect/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 "B" (Required Submittals), attached hereto.

1.1.2 The Architect/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 Architect/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 submittals 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 Architect/Consultant. The Time Schedule for Performance of the Architect/Consultant's services is set forth in Exhibit "C" (Architect/Consultant's Performance Schedule) attached hereto.

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

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

1.1.5 The Architect/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 Architect/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 Architect/Consultant or sub-consultants.

1.2 PROGRAMMING AND CONCEPTUAL DESIGN PHASE

1.2.1 PROGRAM AND BUDGET. The Architect/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 Architect/Consultant shall furnish eight (8) 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 *Architect/Consultant* proceeding with the basic services under the Schematic Design Phase.

1.2.2 SITE ANALYSIS. The *Architect/Consultant* shall prepare a written report (the "Site Utilization Report") analyzing the conditions affecting the Project. The *Architect/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 *Architect/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 *Architect/Consultant*, advising the *Architect/Consultant* of any changes, corrections or other responses. The *Architect/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 *Architect/Consultant* to proceed into the Schematic Design Phase.

1.3 SCHEMATIC DESIGN PHASE

1.3.1 The *Architect/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 *Architect/Consultant* shall conduct 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, and advise the City of any problem issues.

1.3.3 The *Architect/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 *Architect/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 *Architect/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 *Architect/Consultant*.

1.3.5 *Architect/Consultant* shall furnish the City with seven (7) 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 *Architect/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 *Architect/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 *Architect/Consultant* shall advise the City of any adjustments, which are necessary to the preliminary estimate of the Construction Cost of the Project. *Architect/Consultant* shall furnish the City with twelve (12) 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 *Architect/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 *Architect/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 *Architect/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 *Architect/Consultant* of responsibility for the professional and technical accuracy of such documents.

1.5.2 The *Architect/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 *Architect/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 *Architect/Consultant* shall obtain required 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 *Architect/Consultant* shall provide the required submittal copies, reports, specifications and calculations; four (4) copies of 70% Construction Documents, twelve (12) copies of 90% Construction Documents, three (3) copies of 100% Construction Documents. The *Architect/Consultant* shall not be responsible for the cost of processing any plan review or building permit(s). The *Architect/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 *Architect/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 *Architect/Consultant* shall prepare the final Contract Documents. The *Architect/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 *Architect/Consultant* proceeding with submittals to the City Purchasing Division for bidding or negotiation. The *Architect/Consultant* shall not be responsible for reproduction costs of the Contract Documents submitted, except as specifically required in Exhibit "A" and Exhibit "B".

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 *Architect/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 *Architect/Consultant* of 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 *Architect/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 *Architect/Consultant* to be the date of substantial completion of the Project, whichever first occurs.

1.7.2 *Architect/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 *Architect/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 *Architect/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 *Architect/Consultant*.

1.7.4 *Architect/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 *Architect/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 *Architect/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 *Architect/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 *Architect/Consultant* and Contractor shall communicate through the City's Representatives.

1.7.6 Based on the *Architect/Consultant's* observations of the progress of construction of the Project, the *Architect/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 *Architect/Consultant* to the City, based on the *Architect/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/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 *Architect/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 *Architect/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 *Architect/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 *Architect/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 *Architect/Consultant*, nor a decision made in good faith exercising or not exercising such authority, shall give rise to a duty or responsibility of the *Architect/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 *Architect/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 *Architect/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 *Architect/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 *Architect/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 *Architect/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 *Architect/Consultant* shall prepare Change Orders and Construction Change Directives with supporting documentation and data if deemed necessary by the *Architect/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 *Architect/Consultant* shall conduct observations to determine the date or dates of Substantial Completion and the date of final completion. The *Architect/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 *Architect/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 *Architect/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 *Architect/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 *Architect/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 *Architect/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 *Architect/Consultant* and the Contractor.

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

1.7.14 The *Architect/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 *Architect/Consultant* shall approve the Contractor's submittal and be responsible for drafting all final corrections and co-ordination items submitted by the Contractor. The *Architect/Consultant* shall prepare and submit one (1) set of completed documents in electronic and reproducible mylar form to the City.

1.7.15 The *Architect/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 *Architect/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 *Architect/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 *Architect/Consultant*. The duties, responsibilities and limitation of authority of Project Representatives shall be the same as the *Architect/Consultant*.

2.2.2 The *Architect/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 *Architect/Consultant* as described elsewhere in this Agreement.

2.3 ADDITIONAL SERVICES

2.3.1 The *Architect/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 *Architect/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 *Architect/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 *Architect/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 *Architect/Consultant* in order to avoid unreasonable delay in the orderly progress of the *Architect/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 *Architect/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 *Architect/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 *Architect/Consultant* or sub-consultants shall be submitted to the *Architect/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 *Architect/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 *Architect/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.

ARTICLE 4: CITY'S REVIEW PROCESS

- 4.1 Upon receipt of any documents furnished by the *Architect/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 *Architect/Consultant* and request documents which are Professionally complete and appropriate, per AIA Standards, and Exhibit "B" 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 *Architect/Consultant* to provide corrected and Professionally complete Phase submittals, that the documents remain insufficient, inadequate, or incomplete, the City may, i) declare the *Architect/Consultant* in default, or (ii) demand a letter of explanation from the *Architect/Consultant* as to the reason the furnished documents are insufficient, inadequate or incomplete. If the City elects the second option, the *Architect/Consultant*, at *Architect/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 *Architect/Consultant*, at *Architect/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 *Architect/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 *Architect/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 *Architect/Consultant* with comments and corrections noted thereon. The *Architect/Consultant* shall make the changes necessitated by the corrections or other comments into the final documents.

4.5 The *Architect/Consultant* shall review with the City alternative approaches to the design and construction of the Project. Prior to City's approval of the documents, *Architect/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 *Architect/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 *Architect/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 in Exhibit "D" (Fee Breakdown by Phase), which shall be paid pursuant to monthly invoices.

5.1.2 The Construction Phase Fee set forth in Exhibit "D" shall be paid based upon the percentage of construction completed for the Project.

5.1.3 In no event shall the total amount of compensation to be paid to the *Architect/Consultant* exceed the total fixed Fee set forth in Exhibit "D", unless written authorization is given by the City.

5.2 ADDITIONAL SERVICES COMPENSATION

5.2.1 The City agrees to compensate the *Architect/Consultant* for the Additional Services provided under Article 2, either a lump sum, or an hourly fee based upon the hourly fee schedule set forth in Exhibit "E" (*Architect/Consultant's* and Subconsultant's Hourly Rate Schedules) attached hereto, whichever is approved in writing by the City. For Additional Services of sub-consultants, the City shall compensate the *Architect/Consultant* a multiple of one and one tenth (1.10) times the amounts billed to the *Architect/Consultant* for such services. Additional Services shall not be compensated unless confirmed in writing by the City.

5.3 REIMBURSABLE EXPENSES

5.3.1 The *Architect/Consultant* has included all expenses in the fixed Fee compensation for Basic Services, and no Reimbursable Expenses are anticipated or authorized by this Agreement, except as may be specifically stated in Exhibit "E". Reimbursable Expenses may include, if authorized by the City in writing and in advance of the occurrence of the expense, such expenses as transportation expenses in connection with authorized out-town travel, extensive long distance telephone communications, 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, expense of renderings, models and mock-ups requested by the City beyond Basic Services, and the expense of overtime work requiring higher than regular rates. Reimbursable Expenses shall not be compensated unless confirmed in writing by the City.

5.4 INVOICE

5.4.1 The *Architect/Consultant* may invoice for approved and completed work on a monthly basis. The City Project Manager will notify the *Architect/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 *Architect/Consultant* shall expect prompt payment of the submitted invoice within a period of sixty (60) days. If the payment period exceeds sixty (60) days, the *Architect/Consultant* will contact the City Project Manager to resolve any problem or delay. If the resolution of any delay is not satisfactory to the *Architect/Consultant*, the *Architect/Consultant* may submit a seven (7) day written notice to the City. If payment is not received within the seven (7) day period, the *Architect/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 *Architect/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 *Architect/Consultant*.

5.5 RETAINAGE

5.5.1 Upon approval, the City shall pay to the *Architect/Consultant* ninety-five percent (95%) of the amount of the monthly invoice with the remaining five percent (5%) being retained for the purpose set forth in the Section "Right To Off-Set" of this Agreement.

5.5.2 If the *Architect/Consultant* is delayed by conditions within its control, as determined by the City after consultation with the *Architect/Consultant*, the City shall have the right to increase the amount of the retainage up to ten percent (10%) until such time as the *Architect/Consultant* has complied with the Performance Schedule or presented an acceptable plan for such compliance.

5.6 RIGHT TO OFF-SET

5.6.1 The City's Project Manager may subtract or offset the unpaid invoice from the *Architect/Consultant* any damages, costs and expenses caused by, resulting from, or arising out of the negligent acts or omissions of the *Architect/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 *Architect/Consultant*. The City's Project Manager shall provide a written statement to the *Architect/Consultant* of the damages, costs and expenses, which have been subtracted from any payment to the *Architect/Consultant* along with appropriate documentation and receipts, if any, and a description of the errors or deficiencies attributed to the *Architect/Consultant*. If the *Architect/Consultant* disputes the right or amount of the deduction made by the City, the *Architect/Consultant* may file a claim pursuant to Section 8.3 of this Agreement.

5.7 FINAL PAYMENT

5.7.1 Upon completion by the *Architect/Consultant* of the services required under this Agreement, and acceptance of such services by the City, (which acceptance will not be unreasonably withheld,) the *Architect/Consultant* will, within sixty (60) days of the City's acceptance, be paid the balance of any money due for such services, including the retained percentages.

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 *Architect/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 *Architect/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 *Architect/Consultant* and sub-consultants, the costs of the land, rights-of-way, financing or other costs that 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 *Architect/Consultant*, represent the *Architect/Consultant's* best judgment as a design professional familiar with the construction industry. It is recognized, however, that neither the *Architect/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 *Architect/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 *Architect/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 *Architect/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 by the amount of any increase in the Construction Cost occurring after execution of the Construction Contract.

6.2.3 If the Bidding or Negotiation Phase has not commenced within 90 days after the *Architect/Consultant* submits the Construction Documents to the City, the Project budget or fixed limit of Construction Cost may be adjusted by the *Architect/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 *Architect/Consultant*, without additional charge, shall modify the Contract Documents as necessary to comply with the fixed limit. This modification of Contract Documents shall be the limit of the *Architect/Consultant's* responsibility arising out of the establishment of the fixed limit.

ARTICLE 7: OWNERSHIP OF DOCUMENTS

7.1 The Construction Documents and other documents prepared by the *Architect/Consultant* for this Project are instruments of the *Architect/Consultant's* service for use by the City of Las Vegas with respect to this Project and, unless otherwise provided, the *Architect/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 *Architect/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 *Architect/Consultant* to redraw such documents.

7.2 The City retains contractual rights to all design concepts developed by the *Architect/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 *Architect/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 furnished to the *Architect/Consultant*. The decision of the City Manager shall be final and conclusive unless, within thirty (30) days after the date on which the *Architect/Consultant* receives its copy of such decision, the *Architect/Consultant* mails or otherwise furnishes the City Manager a written request to appeal the decision. Upon receipt of such request, the City and the *Architect/Consultant* shall come to an agreement as to the appointment of an arbitrator for purposes of hearing the appeal. If the parties cannot reach such an agreement, then each party shall select an arbitrator for purposes of the appeal, and the two shall select a third arbitrator within 20 days of their appointment. If the selected arbitrators are unable to agree upon the third arbitrator, the third arbitrator shall be selected by the American Arbitration Association or the Nevada Arbitration Association, whichever is designated by the City for such selection. The decision of the arbitrator, or arbitrators, as the case may be for the determination of any such appeal, shall be final and conclusive. The *Architect/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 *Architect/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.

8.1.2 If, during the performance of this Agreement, a dispute arises between the parties as to whether the services provided by the *Architect/Consultant* are services entitled to additional compensation, the *Architect/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 *Architect/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 *Architect/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 *Architect/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 *Architect/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 *Architect/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 *Architect/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 *Architect/Consultant* is named as an additional party by the City, the *Architect/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 *Architect/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 *Architect/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; d (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 *Architect/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 *Architect/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 *Architect/Consultant* hereunder, and finish this Agreement by such means as deemed appropriate by the City. The City may deduct from any balance due *Architect/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 *Architect/Consultant's* performance of this Agreement exceeds the balance due the *Architect/Consultant*, such excess shall be paid by the *Architect/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 *Architect/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 *Architect/Consultant*:

- A. Voluntarily terminates operations or consents to the appointment of a receiver, trustee or liquidator of all or a substantial portion of the *Architect/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 *Architect/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 *Architect/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 *Architect/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 *Architect/Consultant*, the cost thereof, plus an additional ten percent (10%) to cover City's overhead expenses, shall be promptly paid by the *Architect/Consultant* to the City.

9.2.4 The costs and expenses of completing the services of the *Architect/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 *Architect/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 *Architect/Consultant* for payment of Fees hereunder or the reimbursement of additional costs it incurred with any claims that City might have against the *Architect/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 thirty (30) consecutive days, the *Architect/Consultant* shall be compensated for services performed prior to issuance of the written notice of such suspension. When the Project is resumed, the *Architect/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 *Architect/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 *Architect/Consultant* for the services performed under this Agreement (unless there exists a dispute between the parties concerning such payment), and the *Architect/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 *Architect/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 individual designated as the Project Manager is indicated in **Exhibit "F"** (Key Personnel List), or if no name is so indicated, the *Architect/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 individual designated as the Project Representative is indicated in **Exhibit "F"** (Key Personnel List), or if no name is so indicated, the *Architect/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 ARCHITECT/CONSULTANT'S EMPLOYEES AND SUBCONSULTANTS

10.3.1 The services required under this Agreement shall be performed by the key employees, or by approved sub-consultants identified in Exhibit "F" (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 *Architect/Consultant* will, with City approval, replace such personnel. If the *Architect/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 *Architect/Consultant* shall not substitute the key personnel or sub-consultants without thirty (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 *Architect/Consultant* under this Agreement shall be in conformance with applicable federal, state and local statutes, acts, rules, codes, ordinances, laws and regulations. These include but are not limited to the building code, electrical code, plumbing code, fire code and related ordinances pertaining to fire safety, mechanical code and the heating, ventilation, air conditioning guide, uniform standards for public works construction for off-site improvements, State of Nevada Industrial Commission codes and safety orders, Nevada State Department of Health regulations, mandatory standards and policies of the State of Nevada energy conservation plan, Americans with Disabilities Act (ADA) guidelines and requirements including conformance to any ADA provisions and guidelines that have been issued in "final form" regardless of their adoption by the Department of Justice, municipal ordinances in effect at the Project site, and any other applicable Federal, state and local acts, rules, laws 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/Consultant* as the result of an increase in the scope of the Basic Services. Any claim of the *Architect/Consultant* for adjustment under this provision must be asserted by the *Architect/Consultant* in writing, as a Fee dispute under the provision of Article 8 thirty (30) days after the date the *Architect/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 *Architect/Consultant* is made.

10.6 INSURANCE

10.6.1 The *Architect/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 *Architect/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 *Architect/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 *Architect/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 for Professional Liability Insurance, 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 *Architect/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 *Architect/Consultant* and bona fide established commercial or selling agencies which are maintained by the *Architect/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, in its discretion, to deduct from the compensation to be paid to the *Architect/Consultant*, or otherwise 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 *Architect/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 sued 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 *Architect/Consultant* and any other *Architect/Consultant*, who is employed by the *Architect/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 *Architect/Consultant* or any other *Architect/Consultant* hired by the *Architect/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 *Architect/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 *Architect/Consultant* may assign, sublet, or transfer its interest 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 required to be given hereunder shall be deemed to have been given when (i) received by the party to whom it is directed by personal service, or (ii) deposited with the United States Postal Service addressed as follows:

CITY: Clair M. Lewis, ASLA, NV RLA#239
Office of Architectural Services
Department of Public Works
CITY OF LAS VEGAS
400 Stewart Avenue
Las Vegas, NV 89101

Phone: (702) 229-6535 Fax: (702) 384-4846

ARCHITECT/CONSULTANT: Stanton W. Southwick, ASLA, NV RLA# 221
Southwick Landscape Architects
6362 McLeod Drive, Suite 3
Las Vegas, NV 89120

Phone: (702) 597-3108 Fax: (702) 597-3177

10.12 CONFIDENTIALITY

10.12.1 The *Architect/Consultant* shall treat all information relating to the Project and all information supplied to the *Architect/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 in lieu thereof, the *Architect/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 *Architect/Consultant*, its subcontractors, agents or anyone employed by the *Architect/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 *Architect/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 *Architect/Consultant*, its subcontractors or agents, for and against which the *Architect/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 *Architect/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 *Architect/Consultant*.

10.14 ARCHITECT/CONSULTANT WARRANTIES

10.14.1 The *Architect/Consultant* warrants that it has sufficient working capital to complete this Agreement with funds as disbursed from the City to the *Architect/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 *Architect/Consultant* warrants that he is properly and professionally licensed to perform the work herein and is authorized and licensed to do business in the City of Las Vegas and the State of Nevada.

10.14.2 *Architect/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 *Architect/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 *Architect/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 "G"** (Disclosure of Ownership/Principals) all of the principals, including partners, of the *Architect/Consultant*, as well as all persons and entities holding more than one (1%) percent interest in the *Architect/Consultant* or any principals of the *Architect/Consultant*. If the *Architect/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 "G"** the requirements of this Section shall be deemed satisfied. During the term of this Agreement, the *Architect/Consultant* shall notify the City of Las Vegas in writing of any material change in the above disclosure on **Exhibit "G"**, within (15) days of such change.

10.15 SUBCONTRACTS

10.15.1 The *Architect/Consultant* agrees to include in all sub-contracts, in connection with sub-consultants, the conditions imposed under this Agreement, including the following:

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

A provision that the sub-consultants have no more rights against the City than that of the *Architect/Consultant*;

A provision that the sub-consultant 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 sub-consultant will obtain and maintain professional errors and omissions insurance coverage in connection with the subcontracted work in an amount equal to that required of the *Architect/Consultant*; and

A provision that the sub-consultant agrees to be bound to the documents, "General Conditions" of the construction contract and "Division One" of the construction specifications, 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 *Architect/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 *Architect/Consultant* each shall require similar waivers from their respective contractors, consultants and agents.

10.16.4 The *Architect/Consultant* acknowledges the City's requirement to incorporate the City's "Instructions to Bidders", "General Conditions" and "Division One", incorporated herein by reference, into the contracts prepared for bidding on the Project covered by this Agreement. The *Architect/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 *Architect/Consultant* and supersedes 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 *Architect/Consultant* and shall be in force and effect from and after the day on which the City gives notice to the *Architect/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.

CITY OF LAS VEGAS

By 
Oscar Goodman, Mayor

ATTEST


Barbara Jo Ronemus, City Clerk

ARCHITECT/CONSULTANT

By 
Stanton W. Southwick, ASLA, NV RLA#221, Southwick
Landscape Architects

APPROVED AS TO FORM

 3/31/04
Deputy City Attorney Date

LIST OF EXHIBITS

Any conflicts between the proceeding Agreement and the following Exhibits shall be governed by the Agreement.

EXHIBIT " A " SCOPE OF SERVICES

EXHIBIT " B " REQUIRED SUBMITTALS

EXHIBIT " C " ARCHITECT/CONSULTANT'S PERFORMANCE SCHEDULE

EXHIBIT " D " FEE BREAKDOWN BY PHASE

EXHIBIT " E " ARCHITECT/CONSULTANT'S AND SUBCONSULTANT'S HOURLY RATE SCHEDULES

EXHIBIT " F " KEY PERSONNEL LIST

EXHIBIT " G " DISCLOSURE OF OWNERSHIP/PRINCIPALS

EXHIBIT "A"

SCOPE OF SERVICES

ARTICLE 1: GENERAL

1.1 Upon authorization to proceed as described in **Exhibit "C"**, the *Architect/Consultant* shall provide the following in accordance with the Schedule (**Exhibit "C"**) included herein. The Scope of Service set forth in this Exhibit and the compensation to the *Architect/Consultant* for said Scope of Services is based upon the *Architect/Consultant* and the City each performing its responsibilities in a timely manner.

1.2 SCOPE OF SERVICES

1.2.1 The following scope of services is in addition to the scope required elsewhere in this Agreement. This scope is to be considered preliminary and may be altered as this Project develops. Alterations of scope will not impact Fee amounts unless increased scope or workload is encountered by the *Architect/Consultant*. If increased scope or workload is encountered, the *Architect/Consultant* is to notify the City in writing, and an adjusted fee will be negotiated prior to any work.

1.3 GENERAL REQUIREMENTS

1.3.1 All Drawings shall be prepared using AutoDesk's AutoCAD Release 14 or newer release in accordance with industry accepted standards, including the American Institute of Architects (AIA) Computer Aided Design (CAD) Layer Guidelines. Specifications shall be prepared in Construction Specification Institute (CSI) format using the software program Microsoft Word 2000 or newer release.

1.3.2 Except where the Design Standards call for "no substitutions", and where the *Architect/Consultant* specifies materials and equipment by brand names, provide three or more brand names with model numbers for each item specified and include the statement "or equal under the Substitution requirements of Section 01600".

1.3.3 Coordination and quality control checks shall be made in accordance with a disciplined procedure and scheduled accordingly.

1.3.4 Verify, using commercially available software with current virus definitions, that digital electronic submittals are free of electronic "viruses", "worms", "Trojan horses", and other programs or data stored on the host computer or the electronic submittal. The City will check incoming electronic submittals for such afflictions, utilizing commercially available software and at the first indication of such an affliction, the entire electronic submittal will be considered unacceptable and will be returned to the *Architect/Consultant*. The *Architect/Consultant* shall remove the unwanted programs or the unwanted programs or data and further verify the integrity of the electronic submittal. The *Architect/Consultant* shall bear the expense of correction, checking and resubmittal and shall not be released from submittal requirements per the agreement.

1.3.5 Each submittal shall be in accordance with the appropriate submittal requirements listed herein. Incomplete submittals shall be rejected. All costs associated with the re-submittal shall be borne by the *Architect/Consultant*.

1.3.6 All work shall be in full compliance with applicable codes, ordinances and other regulatory conditions.

1.3.7 All work shall be in full compliance with the applicable City of Las Vegas "Design Standards for Buildings, Parks, and Parking Facilities", incorporated herein by reference, and that any failure in this regard shall be at the sole expense of the *Architect/Consultant* to correct specifically including any additional construction costs resulting from such failures in the construction bid documents. The *Architect/Consultant* agrees to include this requirement into subcontract agreements with subconsultants providing services for the Project.

1.3.8 No disclaimers are allowed on any documents, except as required due to City of Las Vegas Building Department's request for inclusion and stamping of documents not prepared by the *Architect/Consultant* such as reports of testing and details of fire rated assemblies or similar copyrighted documents.

1.3.9 Throughout the design phases of the project, participate in regularly scheduled weekly design meetings with the City. Coordinate attendance of subconsultants and other parties as appropriate to the progress of the work and to avoid delay. Unless the City elects to do so and provides written instrument stating such, record, prepare and distribute to all attendees and other affected parties, a meeting summary documenting decisions made and actions required by attendees and other affected parties, in a format acceptable to the City, within 5 days following each meeting.

1.4 DEFINITIONS

1.4.1 "Construction Cost Estimate" as used herein is a forecast of construction cost prepared on the basis of detailed analysis of materials and labor for all items of work.

1.4.2 "Construction Budget" as used herein represents the dollar value for which funding will be obtained, including 5% bidding contingency and 10% construction contingency, and against which expenditures will be monitored.

1.4.3 "Drawings and Specifications" as used herein, shall be deemed in all instances to include architectural, structural, mechanical, plumbing, electrical, civil, and landscape drawings and specifications, and any drawing and specification prepared by specialty consultants.

ARTICLE 2: THE CITY'S RESPONSIBILITIES

2.1 The City will be responsible for performing all work necessary to complete their obligation to the *Architect/Consultant* to allow the *Architect/Consultant* to complete their work.

2 The City shall provide the *Architect/Consultant* with:

2.2.1 Programmatic information, including a requirement list for current and future needs and operational requirements including all committed facility schedules that impact design and/or construction.

2.2.2 Approved budget limitations for the Project. The City and the *Architect/Consultant* shall mutually agree upon a Construction Cost Budget for the work described herein prior to completion of the Schematic Design Phase.

2.2.3 Any other information required to complete the work, as available, which is not in the *Architect/Consultant's* Scope of Services.

2.2.4 Access arrangements for the *Architect/Consultant* to enter upon public and private property as required to perform their services.

2.2.5 Design Review Comments to be incorporated into the documents. Comment documentation may be provided as red-lined drawings, electronic format and/or hard copies.

2.3 The City shall:

2.3.1 Acquire any required rights to the Project Site or air rights to adjacent Sites as deemed necessary by the City.

2.3.2 Designate a management team to review designs and submittals, and to work with the *Architect/Consultant* to achieve an acceptable, cost effective design.

2.3.3 Provide and conduct all bidding activities, including printing and distribution of bid and constructions documents, except as specifically required to be provided by the *Architect/Consultant*.

ARTICLE 3: THE ARCHITECT/CONSULTANT'S RESPONSIBILITIES

3.1 The *Architect/Consultant* shall be responsible for performing all work necessary to complete the following schedule of work, more fully described following:

3.1.1 Programming and Conceptual Design Phase

3.1.2 Schematic Design and Master Planning Phase

3.1.3 Design Development Phase

3.1.4 Construction Document Phase

3.1.5 Bidding Phase

3.1.6 Construction Administration Phase

3.1.7 Post Construction Phase

3.2 COST ESTIMATES

3.2.1 The *Architect/Consultant* shall prepare and provide a detailed independent Construction Cost Estimate with each submittal. Provide unit costs, quantities and other estimating parameters for each component or work, reflecting current market conditions and costs. Reconcile each successive estimate to the one provided at the preceding submittal. Provide the estimate in the format and breakdown designated by the City. Work with the City to reconcile the *Architect/Consultant's* estimates with the City's estimates.

3.2.2 If, at any time during the course of the Project, it becomes evident that the Construction Cost Estimate will exceed the Construction Cost Budget (developed by the City and agreed upon by the *Architect/Consultant* and the City), notify the City and propose design solutions that will bring the Project within the Construction Cost Budget. Execute approved solutions as required at no additional costs to the City.

3.3 DESIGN SUBMITTALS

3.3.1 Prior to each design submittal, check all documents for technical accuracy, compliance with applicable codes and ordinances, complete incorporation of all Design Review Comments (DRC), and coordination within and between design disciplines.

4 GEOTECHNICAL DATA

3.4.1 Geotechnical Report. Regardless whether the geotechnical report is being provided for the Project by the City or *Architect/Consultant*, it shall be prepared as two separately bound reports, containing and utilized as follows:

3.4.1.1 Geotechnical Data Report is a compilation of geotechnical information about the Project site discovered during investigations of the site required for preparation of the Soils Report. This report may include boring logs and tests, but excludes interpretations and recommendations. The Geotechnical Data Report will be included and incorporated into the Contract Documents, with the following instructions to the Contractor:

This Geotechnical Data Report is provided for inspection and review only. The City cannot and does not warrant the accuracy or reliability of the information included in the Geotechnical Data Report. Such borings and data are subject to sampling errors. The Geotechnical Data Report was prepared for design purposes and may not provide sufficient data for bid preparation by some contractors. Bidders and the Contractor are solely responsible for assumptions, deductions, interpretations and conclusions they may make or obtain from any such information. The information contained in the Geotechnical Data Report is not to be used by the Contractor for any design work including the design of temporary construction facilities. The Geotechnical Data Report is provided in the Contract Documents with the express understanding of the preceding.

3.4.1.2 Geotechnical Interpretive Report is the geotechnical investigation report or geotechnical interpretive report prepared for the design of the Project including the initial report, attachments, and appendices. This report may include boring logs, tests, interpretations and recommendations. The Geotechnical Interpretive Report shall not be made available to bidders or incorporated as a part of the bid documents or Contract Documents. It is understood that information contained in the Geotechnical Interpretive Report is to be solely used for the design of the Project and estimating purposes and not by others for any purpose including construction. Bidders and the Contractor are solely responsible for assumptions, deductions and conclusions they may make or obtain from any such information.

3.4.2 It is understood that the City may make and distribute copies of reports and boring logs as necessary in connection with the Project without incurring obligation for additional compensation.

3.4.3 Specification. The City will provide the *Architect/Consultant* with a sample specification "Section 02050 – Subsurface Conditions" to demonstrate how this split report is to be utilized in placing the Contractor at risk for all unknown subsurface conditions, which the *Architect/Consultant* shall use to model his bid documents after in achieving the same purpose.

3.5 PROGRAMMING AND CONCEPTUAL DESIGN PHASE

3.5.1 Upon authorization by the City to Proceed with the Programming and Conceptual Design Phase, the *Architect/Consultant* shall:

3.5.1.1 Prepare a geotechnical report for the Project.

3.5.1.2 Prepare a boundary and topographic survey for the Project.

- 3.5.1.3 Receive from the City the preliminary space requirements list for current and future needs, budget and other requirements for the Project.
- 3.5.1.4 Prepare for the City's approval, a Draft Architectural Program, which details the goals, needs, spatial, and adjacency requirements of the Project.
- 3.5.1.5 Prepare a conceptual level Construction Cost Estimate.
- 3.5.1.6 Prepare a formal Programming and Conceptual Design Submittal. The *Architect/Consultant* will provide six (6) copies of the final document from this phase for distribution.
- 3.5.1.7 Participate in a Design Review Meeting in which the City will present and discuss comments and cost estimates generated during the review of the Draft Architectural Program. Provide a Final Architectural Program, which incorporates the City's review comments.

3.6 SCHEMATIC DESIGN (SD) AND MASTER PLANNING PHASE

- 3.6.1 Upon authorization by the City to proceed with the Schematic Design Phase, the *Architect/Consultant* shall:
 - 3.6.1.1 Prepare for the City's approval, preliminary design studies incorporating the requirements of the Final Architectural Program and the approved Programming and Conceptual Design Submittal.
 - 3.6.1.2 Prepare schematic level outline specifications that describe the quality of construction materials proposed for the design.
 - 3.6.1.3 Prepare a schematic level Construction Cost Estimate.
 - 3.6.1.4 Review and respond to all Design Review Comments in the format directed by the City. Incorporate requested changes into appropriate documents. All incorporated changes shall be fully coordinated within and between disciplines.
 - 3.6.1.5 Prepare a formal Schematic Design Submittal. Schematic documents shall include site master plan, floor plans, elevations, sections, finishes and other drawings as necessary to describe the Project. The *Architect/Consultant* shall provide six (6) copies of the final documents from this phase for distribution.
 - 3.6.1.6 The *Architect/Consultant's* design team shall participate in a Design Review Meeting in which the City will present and discuss comments generated during review of the Schematic Design Submittal. Comments regarding the Schematic Design Submittal shall be incorporated into the Design Development Submittal.

7 DESIGN DEVELOPMENT (DD) PHASE

- 3.7.1 Upon authorization by the City to proceed with the Design Development Phase, the *Architect/Consultant* shall:
 - 3.7.1.1 Prepare for the City's approval, design development level drawings incorporating the requirements of the approved Schematic Design Review and respond to all Design Review Comments in the format directed by the City. Incorporate requested changes into appropriate documents. All incorporated changes shall be fully coordinated within and between disciplines. Design Development documents shall minimally include:
 - 3.7.1.1.1 Building data and code analyses. (Provided by CLV)
 - 3.7.1.1.2 Utility plans, including both on-site and off-site improvements.
 - 3.7.1.1.3 Paving and grading plans, including both on-site and off-site improvements.
 - 3.7.1.1.4 Planting plans.
 - 3.7.1.1.5 Irrigation plans.
 - 3.7.1.1.6 Architectural site plans. (Provided by CLV)
 - 3.7.1.1.7 Floor plans, indicating the size of rooms and furniture arrangements. (Provided by CLV)
 - 3.7.1.1.8 Reflected ceiling plans. (Provided by CLV)
 - 3.7.1.1.9 Roof plans. (Provided by CLV)

- 3.7.1.1.10 Elevations. (Provided by CLV)
- 3.7.1.1.11 Building and wall sections. (Provided by CLV)
- 3.7.1.1.12 Finish schedules. (Provided by CLV)
- 3.7.1.1.13 Foundation plans. (Provided by CLV)
- 3.7.1.1.14 Framing plans. (Provided by CLV)
- 3.7.1.1.15 Heating, ventilating and air conditioning (HVAC) plans. (Provided by CLV)
- 3.7.1.1.16 Plumbing plans. (Provided by CLV)
- 3.7.1.1.17 Lighting plans. (Provided by CLV)
- 3.7.1.1.18 Power plans (Provided by CLV)
- 3.7.1.1.19 Low voltage system plans.
- 3.7.1.1.20 Signage plans.
- 3.7.1.1.21 Any other drawings necessary to describe the Project sufficiently, and to prepare an accurate cost estimate.

3.7.1.2 Prepare a complete list of sections to be included in the Specification. Include in the Specifications submittal, "Part 1 – Section Includes" and completed "Part 2 – Products" for each section.

3.7.1.3 Prepare a color board; illustrating proposed exterior and interior materials and finishes for the City's review and approval.

3.7.1.4 Prepare a detailed Construction Cost Estimate.

3.7.1.5 Prepare a formal Design Development Submittal. The *Architect/Consultant* shall provide ten (10) copies of the final documents from this phase for distribution.

3.7.1.6 The *Architect/Consultant*'s design team shall participate in a Design Review Meeting in which the City will present and discuss comments generated during review of the Design Development Submittal.

3.7.1.7 Upon reconciliation of the *Architect/Consultant*'s Cost Estimate to the City's Cost Budget, the *Architect/Consultant*'s design team shall participate in a Value Engineering Session with City personnel.

CONSTRUCTION DOCUMENTS (CD) PHASE

3.8.1 The *Architect/Consultant*'s authorization to proceed beyond the Design Development Phase shall be only upon written notification by the City. Upon receipt of such written notification, the *Architect/Consultant* shall:

3.8.1.1 Prepare from approved Design Development Phase documents, Construction Documents for the City's approval, consisting of drawings, specifications and other documents as listed, that set forth in detail the requirements for construction of the entire Project.

3.8.1.1.1 General

3.8.1.1.2 Civil

3.8.1.1.3 Landscape

3.8.1.1.4 Architectural

3.8.1.1.5 Structural

3.8.1.1.6 Mechanical/Plumbing

3.8.1.1.7 Electrical

3.8.1.1.8 Specifications

3.8.1.2 Provide ten (10) copies each of 50 percent, 90 percent and 100 percent final documents from this phase for distribution, and provide five (5) copies each at 70 percent final documents.

3.8.1.3 Review and respond to all Design Review Comments prior to each successive submittal in the format directed by the City. Incorporate requested changes into appropriate documents. Fully coordinate all changes within and between disciplines.

3.8.1.4 Prepare and submit a detailed Construction Cost Estimate at the 50 percent, 90 percent, and 100 percent CD Submittals. Estimates must be prepared by an experienced professional construction estimator with a thorough knowledge of the local construction market.

3.8.1.5 Estimator shall include with the 90 percent Construction Cost Estimate the number of calendar days required for the contractor to complete the Work, to be used in the bid documents and construction contract.

3.8.1.6 Participate in Design Review Meetings in which the City will present and discuss comments generated during review of the 50 percent and 90 percent CD Submittals. Comments regarding the 50 percent CD Submittal shall be incorporated into the 90 percent CD Submittal. Comments regarding the 90 percent CD Submittal shall be incorporated into the Final 100 percent CD Submittal. The meetings will take place prior to starting each phase of the CD submittals.

3.8.1.7 Prepare 50 percent Construction Documents, including the following:

3.8.1.7.1 General

3.8.1.7.1.1 Completed title sheets, abbreviations, legends and site plans.

3.8.1.7.1.2 Responses to 100 percent Design Development review comments and incorporation into the documents as required.

3.8.1.7.1.3 Incorporation of all requirements and specific direction given by the City prior to the 50 percent CD Submittal.

3.8.1.7.1.4 Reference of all applicable codes, Project data and design numbers for rated assemblies.

3.8.1.7.2 Civil

3.8.1.7.2.1 Existing facilities plans showing all existing topography and improvements.

3.8.1.7.2.2 Utility distribution plans with sizes of all new and existing utilities.

3.8.1.7.2.3 Rough grading plans.

3.8.1.7.2.4 Finish paving and grading plans.

3.8.1.7.2.5 Details with references to the plans.

3.8.1.7.2.6 Final calculations required to meet all levels of completion.

3.8.1.7.3 Landscape

3.8.1.7.3.1 Landscaping plans denoting all materials and sizes....

3.8.1.7.3.2 Irrigation plans with sizing of all piping.

3.8.1.7.3.3 Details with references to the plans.

3.8.1.7.4 Architectural

3.8.1.7.4.1 Floor plans with all dimensions and room finishes noted.

3.8.1.7.4.2 All door, window, hardware, and glazing schedules complete.

3.8.1.7.4.3 Roof and reflected ceiling plans that reflect coordination with structural, mechanical, and electrical systems.

3.8.1.7.4.4 All elevations and sections.

3.8.1.7.4.5 Enlarged plans of specific rooms or areas as needed to accurately portray the work.

3.8.1.7.4.6 Interior and exterior details.

3.8.1.7.4.7 All section and detail bubbles completed to indicate the location of the sections and details.

3.8.1.7.5 Structural

3.8.1.7.5.1 Foundation plans including all dimensions.

3.8.1.7.5.2 Intermediate floor framing plans with complete section cuts and detail references.

3.8.1.7.5.3 Complete section and detail sheets.

3.8.1.7.5.4 Completed and detailed roof framing plans.

3.8.1.7.5.5 Final calculations required to meet this level of completion.

3.8.1.7.6 Mechanical/Plumbing

- 3.8.1.7.6.1 All HVAC sizing (ducts and equipment).
- 3.8.1.7.6.2 All air flow quantities noted.
- 3.8.1.7.6.3 All mechanical equipment and fixture schedules completed.
- 3.8.1.7.6.4 All pipe sizes noted.
- 3.8.1.7.6.5 Cathodic protection requirements specified.
- 3.8.1.7.6.6 Points-of-connection including invert elevations.
- 3.8.1.7.6.7 Completed rise diagrams.
- 3.8.1.7.6.8 All control diagrams shown and completed.
- 3.8.1.7.6.9 All details completed and referenced to the plans.
- 3.8.1.7.6.10 Final calculations required to meet this level of completion.

3.8.1.7.7 Electrical

- 3.8.1.7.7.1 All power, lighting and auxiliary systems plans reflecting complete circuiting.
- 3.8.1.7.7.2 Required single line drawings.
- 3.8.1.7.7.3 Completed panel schedules.
- 3.8.1.7.7.4 Electrical room details showing equipment in plan and elevation.
- 3.8.1.7.7.5 All special systems including grounding wells.
- 3.8.1.7.7.6 All details completed and referenced to the plans.
- 3.8.1.7.7.7 Fire alarm riser diagrams and zone schedules.
- 3.8.1.7.7.8 Final calculations required to meet this level of completion.

3.8.1.7.8 Specifications

- 3.8.1.7.8.1 Completed Project Specification sections (Parts 1, 2 and 3) for each discipline.
- 3.8.1.7.8.2 Final form technical specifications in CSI format.

3.8.1.8 Prepare 70 percent Construction Documents, including the following:

- 3.8.1.8.1.1 Complete drawings and specifications as required to reach a mid-point in the completion of the documents between the 50% and 90% requirements.

3.8.1.9 Prepare 90 Percent Construction Documents, including the following:

3.8.1.9.1 Drawings

- 3.8.1.9.1.1 Complete drawings containing all the information required for the 50 percent Construction Documents.

3.8.1.9.2 Specifications

- 3.8.1.9.2.1 Complete specifications. All sections shall be accurately cross-referenced and Divisions 0 and 1 shall be correctly incorporated.

3.8.1.9.3 Calculations

- 3.8.1.9.3.1 Complete Civil, structural, mechanical, plumbing, and electrical calculations.

3.8.1.9.4 General

- 3.8.1.9.4.1 Incorporation of all requirements and specific direction given to the *Architect/Consultant* prior to the 90 percent CD Submittal.
- 3.8.1.9.4.2 Identify the need for special inspection services and specify types of special inspection required in the construction documents.

3.8.1.10 Prepare Final Construction Documents, including the following:

3.8.1.10.1 Drawings

3.8.1.10.1.1 Complete drawings, READY FOR BID stamped and signed by the architects and engineers of record registered in the State of Nevada.

3.8.1.10.2 Specifications

3.8.1.10.2.1 Complete specifications, READY FOR BID stamped and signed by the architect and engineers of record registered in the State of Nevada. All sections shall be accurately cross-referenced and Divisions 0 and 1 shall be correctly incorporated.

3.8.1.10.3 Calculations

3.8.1.10.3.1 Complete Civil, structural, mechanical, plumbing, and electrical calculations, stamped and signed by the engineers of record registered in the State of Nevada.

3.8.1.10.4 General

3.8.1.10.4.1 Incorporation of all requirements and specific direction given to the *Architect/Consultant* prior to the Final CD Submittal.

3.8.1.10.4.2 Submit documents, stamped and signed by the engineers and architects of record in the State of Nevada, and participate in the City's Permitting Process. Submit documents to and coordinate with other agencies and utilities for their review and approval including the submittal to the building department for permit approval. Incorporate all comments and corrections from governmental agencies and utilities into the drawings and specifications, and update the Construction Cost Estimate. The *Architect/Consultant* does hereby acknowledge, understand and agree that the Office of Architectural Services, acting as the City's representative for purposes of the Project, does not have any control, authority or influence over the decisions or requirements of other departments of the City acting in a regulatory capacity including, but not limited to, the Building Department, Fire Department, Planning Department and Department of Public Works of the City of Las Vegas. The City's representative acts in a capacity similar to that of a representative working for a private property owner which is to ensure that the City receives a quality product, delivered on schedule, for a fair price. Furthermore, the Office of Architectural Services does not speak or act for any regulatory authority, nor does any regulatory authority speak or act for the Office of Architectural Services. The *Architect/Consultant* agrees that its relationship with the regulatory authorities having jurisdiction over the Project is separate from its relationship with the City, and that the *Architect/Consultant's* interaction with each regulatory authority is to be conducted without assistance from the City.

3.9 BIDDING PHASE

3.9.1 Upon authorization by the City to proceed with the bidding phase, the *Architect/Consultant* shall:

3.9.1.1 While the Project is being advertised for bids, all questions concerning intent shall be referenced to the City for resolution. In the event that items requiring interpretation in the drawings or specifications are discovered during the bidding period, said items shall be analyzed by the *Architect/Consultant* for decisions by the City as to the proper procedure required. Corrective actions taken will be either in the form of an addendum prepared by the *Architect/Consultant* and issued by the City, or by a construction change directive issued after award of the Construction Contract. In either case, *Architect/Consultant* shall prepare all necessary documents at no additional cost to the City, and update the Construction Cost Estimate. All documents shall be prepared on 8-1/2" X 11" size paper unless otherwise approved in writing by the City.

3.9.1.2 Addendum revisions shall be made on the appropriate CAD drawing or word-processing specification files, and then electronically clipped out for issuance in 8-1/2" X 11" format. Revisions shall be indicated and logged on each document. *Architect/Consultant* shall maintain a log of all revisions to the documents.

3.9.1.3 Attend and participate in the Pre-bid meeting.

3.9.1.4 Participate in bid evaluation and recommendations.

3.10 CONSTRUCTION ADMINISTRATION PHASE

3.10.1 Upon authorization by the City to proceed with the construction phase, the *Architect/Consultant* shall:

3.10.1.1 Attend and participate in the Pre-construction Conference with the Construction Contractor.

3.10.1.2 The *Architect/Consultant's* construction administration team shall participate in a "Partnering Meeting" with the City and the Construction Contractor for discussion of shared goals, processes, and procedures during the construction process. The meeting dates, times, and place will be determined by the City.

3.10.1.3 Attend and participate in weekly Construction Progress Meetings.

3.10.1.4 Advise the City of any defects or deficiencies in work by the Construction Contractor which the *Architect/Consultant* observes while visiting the site. The *Architect/Consultant* shall have no authority to issue instructions on behalf of the City, or to deputize another to do so. All agreements shall be between the City and the Construction Contractor.

3.10.1.5 During construction, expeditiously furnish all necessary additional drawings for supplementing, clarifying and/or correcting purposes and for construction change directives required by errors or omissions. Construction change directive revisions shall be made on the CAD drawing or word-processing specifications files, and then electronically clipped out for issuance. Revisions shall be indicated and logged on each document. The *Architect/Consultant* shall maintain a log of all revisions to the documents.

3.10.1.6 Promptly review and approve submittals and shop drawings for compliance with the Construction Documents. This work shall include submittals and shop drawings submitted for specified products and products submitted under an "or equal" and "or approved equal" provisions of the specifications. A prompt turn-around time from receipt by the *Architect/Consultant* to dispatch by the *Architect/Consultant* is mandatory for review and distribution. Re-submittal review and distribution time shall be prompt and not exceed seven (7) calendar days. After three (3) submittals, if the same item has not been approved, the City shall be notified of such.

3.10.1.7 Promptly respond to Requests for Information (RFIs). The work shall address all RFIs submitted including Contractor fixes and alternate means of construction, field/site conditions and those deemed to be frivolous, out of scope, and as a result of the *Architect/Consultant's* errors and omissions. Determination of appropriate methods and means of construction remain the responsibility of the Contractor. The *Architect/Consultant* shall have seven (7) calendar days from receipt of an RFI to prepare and distribute a response to the City. The *Architect/Consultant* shall have two (2) days to prepare and distribute a revised response.

3.10.1.8 Provide a Drainage Compliance Report, sealed by the Civil Engineer of record for the Project, acceptable to the City of Las Vegas Department of Building and Safety.

3.10.1.9 Participate in the development and resolution of Punch Lists.

3.10.1.10 Review the equipment operations and maintenance manuals for Contractor-furnished equipment, as submitted by Construction Contractor, accuracy and completeness.

3.11 POST CONSTRUCTION PHASE

3.11.1 The *Architect/Consultant* shall:

3.11.1.1 Based upon the *Architect/Consultant's* knowledge of the changes in the Project during the Construction Phase and the "posted Set" provided by the Construction Contractor, prepare Record Documents for the Project. The Record Drawings shall be prepared using the software package AutoCAD. Submit electronic files and signed Mylar plots of the drawings.

3.11.1.2 Participate in a warranty walk-through eleven months after warranty commencement. Assist the City in the development and resolution of a warranty issues list.

END OF EXHIBIT "A"

EXHIBIT "B"

REQUIRED SUBMITTALS

ARTICLE 1: GENERAL

- 1.1 The *Architect/Consultant* shall provide the following submittals, delivered to the City unless noted otherwise. Reference the entire Agreement and other Exhibits for additional submittals and requirements.

ARTICLE 2: PROGRAMMING AND CONCEPTUAL DESIGN PHASE

- 2.1 Boundary and Topographic Survey.
2.2 Programming Report.
2.3 Conceptual Design Drawings.
2.4 Construction Cost Estimate.

ARTICLE 3: SCHEMATIC DESIGN AND MASTER PLANNING PHASE

- 3.1 Schematic Design Drawings and Specification Outline.
3.2 Construction Cost Estimate.

ARTICLE 4: DESIGN DEVELOPMENT PHASE

- 4.1 Drawings and Specifications.
4.2 Presentation Drawings, mounted.
4.3 Materials Board.
4.4 Flood/Hydrology Report draft, if required by governing authorities
4.5 Construction Cost Estimate.

ARTICLE 5: CONSTRUCTION DOCUMENT PHASE

- 5.1 If required by governing authorities, Flood/Hydrology Reports submitted to Regional Flood Control and City of Las Vegas Land Development Section, and written notice to the City of the submittal dates for each.
5.2 If required by governing authorities, Traffic Study submitted to City of Las Vegas Traffic/Electrical Field Operations Section, and written notice to the City of the submittal date.
5.3 Nevada Power, Sprint, and Las Vegas Valley Water District applications to their design departments, and written notice to the City of the submittal dates for each.
5.4 Construction drawings and specifications as described in the Scope of Services (Exhibit "A") at 50%, 70%, 90%, and 100% completion, utilizing the City's standard cover sheet and title block, including Construction Cost Estimates with each submittal.
5.5 Building Permit Application.
5.6 Building Department and Land Development plan review permit applications.
5.7 Construction drawings and specifications ready for issuance of all required permits and printing for bidding phase distribution, which incorporate all governmental, agency, and utility company design comments and corrections.

ARTICLE 6: BIDDING PHASE

- 6.1 Requested and necessary addenda.

ARTICLE 7: CONSTRUCTION ADMINISTRATION PHASE

- 7.1 If requested by the Contractor (including his subcontractors acting through the Contractor), provide the Contractor with copies of the drawings including the civil topography, survey, horizontal control, and other related design work produced by the *Architect/Consultant* under this Agreement, in AutoCAD file format suitable for use by the Contractor for his intended use including field survey layout work for the Project. The *Architect/Consultant* shall make this a contractual obligation of his sub-consultants. The *Architect/Consultant* may require the Contractor to sign a hold harmless agreement as a condition for releasing the electronic files.
7.2 Meeting Minutes if requested by the City's Project Representative.
7.3 Drainage Compliance Report.

ARTICLE 8: POST CONSTRUCTION PHASE

8.1 Final Record Drawings in both electronic and Mylar format.

END OF EXHIBIT "B"

EXHIBIT "C"

ARCHITECT/CONSULTANT'S PERFORMANCE SCHEDULE

ARTICLE 1: NOTICE TO PROCEED

- 1.1 The start date for the *Architect/Consultant's* scope of services shall be, without any further notice requirement, the date of this Agreement or the date that this Agreement is approved by the City Council, whichever occurs first.

ARTICLE 2: PHASE SCHEDULE

- 2.1 The maximum allowed time to complete each phase of the work is shown in the following table:

PHASE	CALENDAR DAYS TO COMPLETE	REMARKS
Programming and Conceptual Design	56	Includes 2 week City review period.
Schematic Design	56	Includes 2 week City review period.
Design Development	49	Includes 1 week City review period.
Construction Documents	126	City review is concurrent with drawings. See notes below for definition of the Days for this phase.
Bidding		City determined.
Construction		City determined.
Post Construction		City determined.
TOTAL	287	

- 2.2 The City review periods shown in the table may occur over several periods during each phase or may occur at the conclusion of each phase. Unused review days may be carried forward for use in successive phases of the Project.
- 2.3 The Calendar Days to Complete for the Construction Documents phase shown in the table begins upon authorization to proceed for this phase and completes upon application acceptance of the submission to the Building Department and Land Development for the building permit plan review process. The scope of services for the Construction Documents phase continues beyond the date of submission and includes the drawing and specification review activities, and completes when the documents incorporate the required revisions and comments received from all agencies required for approval of the design, and the bidding package is complete, ready for printing and distribution.

ARTICLE 3: AVOIDABLE SCHEDULE DELAYS

- 3.1 The *Architect/Consultant* declares that they are experienced and knowledgeable with all governmental, agency, and utility company design approval processes, procedures, applications, fees, design standards, reviews, required corrective actions, and time schedules required for the Project, and that the schedule set forth for the Scope of Services is reasonable and achievable within these design approval parameters.
- 3.2 Although it is acknowledged that neither the City nor the *Architect/Consultant* have full control over these design approval processes, the *Architect/Consultant* shall be responsible for any damages to the City resulting from their actions or lack of actions, including but not limited to their failure to make timely submittals, their failure to routinely follow-up on submittals, their failure to notify the City of anticipated delays and required design changes, and their failure to process and re-submit comments and corrections received in a timely manner.
- 3.3 Specifically, the *Architect/Consultant* is aware of the following local conditions for timely processing of required design approvals:
- 3.3.1 The City of Las Vegas building permit application and drawing submittal process is a dual submittal process, one package to the Department of Building and Safety, and a separate package to the Department of Public Works, Land Development Section.

- 3.3.2 The Flood Study and Traffic Study need to be approved prior to Land Development accepting the construction permit application, and that these reviews can take many weeks to obtain.
- 3.3.3 The Land Development approval process generally takes longer than the Building Department approval process, and the submittals do not need to be simultaneous.
- 3.3.4 Upon approval of the Land Development package, the civil engineer of record is required to insert prints of the approved Land Development drawings into the Department of Building and Safety drawing package submittal prior to the final review and approval of the Building Department submittal, that this action is generally on the critical path of the Project schedule.
- 3.3.5 The Nevada Power Company design submittal precedes the Sprint submittal, and needs to occur a minimum of six (6) weeks prior to the submission of the building permit application for the Project. That the failure to submit the application as soon as the City has approved the site plan and the electrical engineer of record has estimated the electrical loads, generally results in the City having to bid and award the Construction Contract without the benefit of the power drawing, thus resulting in the need to proceed with the power construction work by change order rather than competitive bid during the Project bidding schedule, resulting in additional costs.
- 3.3.6 The application to the Las Vegas Water District must occur no later than six (6) weeks prior to the submission of the building permit application for the Project. The District conducts a dual approval process involving design plan review simultaneous with the interlocal agreement process, which requires official approval by both the District Board and the City Council. The District utilizes a "sticker" approval process prior to signatures.
- 3.4 **The Architect/Consultant hereby agrees to reimburse the City for any damages, delays, and additional costs associated with any avoidable delays the Architect/Consultant could or should have prevented or mitigated, and that a lack of familiarity with the local processes shall not provide relief for this responsibility.**

END OF EXHIBIT "C"

EXHIBIT "D"

FEE BREAKDOWN BY PHASE

PHASE	PERCENT	FEE	REMARKS
Programming and Conceptual Design	10%	\$34,200.00	
Schematic Design	10%	\$34,200.00	
Design Development	15%	\$51,300.00	
Construction Documents	35%	\$119,700.00	
Bidding	5%	\$17,100.00	
Construction	20%	\$68,400.00	[The combined Fee for Construction and Post Construction phases shall not be less than 25% of the total Fee.]
Post Construction	5%	\$17,100.00	
Contingency-10%		\$34,200.00	
	TOTAL	\$376,200.00	

END OF EXHIBIT "D"

EXHIBIT "E"

ARCHITECT/CONSULTANT'S AND SUBCONSULTANT'S HOURLY RATE SCHEDULES

ARCHITECT/CONSULTANT HOURLY RATES

The following hourly rates are to be used as the basis for negotiation of Additional Services as required. These labor rates are valid for the duration of the Project and include salary costs, overhead, administration and profit.

CLASSIFICATION	HOURLY RATE
Principal	\$120.00
Project Architect/Manager	\$105.00
Architect/Engineer	\$95.00
Designer	\$65.00
Specification Writer	\$65.00
Drafter/CAD Operator	\$65.00
Work Processor/Clerical	\$45.00

SUBCONSULTANT'S HOURLY RATES

Reference section 5.2.1 for the allowed sub-consultant billing multiplier.

Subconsultant: T & GRF (Civil Engineer)	
CLASSIFICATION	HOURLY RATE
Principal	\$150.00
Project Manager	\$125.00
Senior Civil Designer	\$85.00
Civil Designer I	\$55.00
Administrative Assistant	\$55.00

Subconsultant: Profession Design Associates, Inc. (Electrical Engineer)	
CLASSIFICATION	HOURLY RATE
Principal	\$150.00
Project Manager	\$120.00
Engineer	\$92.00
Designer	\$65.00
Specification Writer	\$75.00
Drafter/CAD Operator	\$65.00
Work Processor/Clerical	\$50.00

Subconsultant: Wright Engineers (Structural Engineer)	
CLASSIFICATION	HOURLY RATE
Principal	\$180.00
Senior Project Manager	\$145.00
Project Manager	\$105.00
Project Coordinator	\$105.00
Processor	\$75.00
Drafter/CAD Operator	\$105.00
Work Processor/Clerical	\$75.00

ADDITIONAL SERVICES None authorized or anticipated as of the date of this Agreement.

REIMBURSABLE EXPENSES None authorized or anticipated as of the date of this Agreement.

END OF EXHIBIT "E"

EXHIBIT "F"

KEY PERSONNEL LIST

CITY PERSONNEL

PROJECT MANAGER: Clair M. Lewis, ASLA, NV RLA#239

PROJECT REPRESENTATIVE: Gary Barr, Architect

ARCHITECT/CONSULTANT'S PROJECT STAFF

The following personnel will be assigned by the *Architect/Consultant* to work on the Project. Any changes require City Project Manager's approval.

PROJECT REPRESENTATIVE: Stanton W. Southwick, ASLA, NV RLA# 221

PRINCIPAL: Stanton Southwick, ASLA, NV RLA# 221

PROJECT ARCHITECT: Cassi Dawes, ASLA, NV RLA# 579

ARCHITECT/CONSULTANT'S SUBCONSULTANTS

The following subconsultants will be contracted with and utilized by the *Architect/Consultant* to work on the Project. Any changes require the City Project Manager's approval.

CIVIL ENGINEER: T& GRF Civil Engineering, Guy Ruddy, P.E.

STRUCTURAL ENGINEER: Wright Engineers, Tye Havey, P.E.

MECHANICAL ENGINEER: N/A

ELECTRICAL ENGINEER: Professional Design Associates, Inc., Tom Foster, P.E.

LANDSCAPE DESIGN: Southwick Landscape Architects, Stanton Southwick, ASLA

COST ESTIMATOR: Southwick Landscape Architects, Stanton Southwick, ASLA

INTERIOR DESIGN: N/A

SKATEPARK DESIGN: N/A

AQUATIC DESIGN: N/A

GEOTECHNICAL ENGINEER: Ninyo & Moore, Brad Olsen, P.E.

LAND SURVEYOR: T& GRF Civil Engineering, Guy Ruddy, P.E.

END OF EXHIBIT "F"

EXHIBIT "G"

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: Southwick Landscape Architects	
Address: 6362 McLeod Drive, Suite 3, Las Vegas, NV 89120	
Telephone: 702-597-3108	
EIN or DUNS: 88-473752	

Block 2	<u>Description</u>
Subject Matter of Contract/Agreement: Programming and CD's., SD's, DD's, CD's, Bidding, Construction, Post Construction	
RFP #:	

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.	Stanton W. Southwick, President	6362 McLeod Drive, Ste. 3, Las Vegas, NV 89120	702-597-3108
2.	Howard K. Stewart, Sec./Tres.	6362 McLeod Drive, Ste. 3, Las Vegas, NV 89120	702-597-3108
3.	Berry S. Ellison	6362 McLeod Drive, Ste. 3, Las Vegas, NV 89120	702-597-3108
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.

NA

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.

Stanton W. Southwick
Name

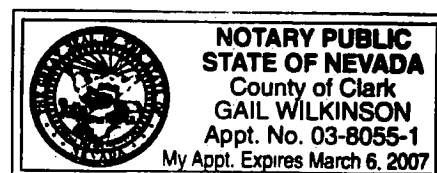
3.30.04

Date

Subscribed and sworn to before me this 30th day of

March, 2004.

Gail Wilkinson
Notary Public



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an Interlocal Agreement between the City of Las Vegas and the Las Vegas Valley Water District to allow the installation of fire protection water service for the Operation and Maintenance Building at the Water Pollution Control Facility (\$654 - Sanitation Fund) - Clark County

Fiscal Impact

☐

No Impact

Amount: \$654

☒

Budget Funds Available

Dept./Division: Public Works/Environmental

☐

Augmentation Required

Funding Source: Sanitation Fund

PURPOSE/BACKGROUND:

This Interlocal Agreement allows the Water Pollution Control Facility to install fire protection water service for a single fire hydrant to serve the new Operation and Maintenance Building. The cost associated with this interlocal agreement is a one time fee of \$654.00.

RECOMMENDATION:

The Director of Public Works recommends that the City Council approve this interlocal agreement.

BACKUP DOCUMENTATION:

1. Interlocal Agreement
2. Application for Connection and Request for Service

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

**INTERLOCAL AGREEMENT FOR
CITY OF LAS VEGAS
WATER POLLUTION CONTROL FACILITY - PLANT EXPANSION**

THIS AGREEMENT made and entered into by and between the CITY OF LAS VEGAS, a political subdivision of the State of Nevada, hereinafter called "CITY", and the LAS VEGAS VALLEY WATER DISTRICT, a quasi-municipal corporation of the state of Nevada, hereinafter called "DISTRICT".

RECITALS

WHEREAS, the DISTRICT is engaged in the business of distributing potable water in the City of Las Vegas, Nevada, and portions of the County of Clark, Nevada; and

WHEREAS, the CITY is engaged in a plant expansion project, generally located on Vegas Valley Drive, east of Sloan Lane, further described as Clark County Assessor's Parcel Number(s) 161-10-401-004, and is desirous of continuing to receive potable water from the DISTRICT; and

WHEREAS, the CITY desires to design and construct modifications to existing water facilities, and other appurtenant work as part of said project within the DISTRICT's service area; and

WHEREAS, the DISTRICT is willing to continue to serve said real property with water pursuant to its Service Rules as adopted by its Board of Directors and subject to the CITY performing all of the terms, conditions and provisions hereinafter set forth and required of the CITY; and

WHEREAS, the CITY is willing to construct at its sole cost and expense the required water facilities for the purpose of providing a fire protection water service to said real property; and

WHEREAS, both the CITY and the DISTRICT are authorized to enter into interlocal agreements pursuant to NRS 277.180.

NOW, this Agreement WITNESSETH:

ARTICLE I

CITY AGREES:

- A. At CITY'S sole cost and expense to furnish all necessary materials, labor, and equipment for the construction of the water main(s), fire hydrants and laterals, service connections, backflow prevention assemblies, and appurtenances, from the main to the point where the water being delivered leaves the piping owned by the DISTRICT, hereinafter called "WATER FACILITIES," shown on that certain plan or plans entitled:

**WATER POLLUTION CONTROL FACILITY - PLANT EXPANSION
Site Yard Piping**

- B. That said WATER FACILITIES shall be constructed in the locations shown, and in accordance with the above-mentioned plan, as approved by the DISTRICT, and in conformance with DISTRICT specifications.
- C. That all work shall be subject to inspection and approval by an authorized representative of the DISTRICT and the DISTRICT shall be notified a minimum of 48 hours in advance of actual construction start and 24 hours prior to an inspection of any part of the work, in order that necessary inspection can be arranged.
- D. To comply with the DISTRICT'S Service Rules that are in force on the effective date of this Agreement including those sections pertaining to the water commitment process and construction of the WATER FACILITIES identified in Article I, paragraph A above.

- E. At CITY'S sole cost and expense, to perform all survey work necessary to ensure installation of the WATER FACILITIES to the location and grades called for in the plans.
- F. At CITY'S sole cost and expense, to disinfect and pressure test the WATER FACILITIES to the satisfaction of the DISTRICT and the health authorities having jurisdiction.
- G. That connections to existing mains shall be made only in the presence of an authorized representative of the DISTRICT and at the times specified by the DISTRICT.
- H. That all WATER FACILITIES shall be located outside of driveways, driveway approaches, or other areas subject to vehicular traffic. In the event any WATER FACILITIES are located within those areas either inadvertently or otherwise, the CITY shall cause such WATER FACILITIES to be relocated outside of the driveways, driveway approaches or other areas described above, in accordance with DISTRICT's requirements, or shall reimburse the DISTRICT for the cost of relocating said WATER FACILITIES. If extraordinary conditions exist that would prevent compliance with this requirement, CITY may submit to the DISTRICT a written request for a waiver of this requirement pursuant to the DISTRICT's Service Rules.
- I. To furnish to the DISTRICT easements, in a form satisfactory to the DISTRICT, where WATER FACILITIES are approved to be installed in other than dedicated street or alleys. Said easements shall conform to the requirements as indicated on the approved water plans and be perpetual. The conditions of said easements shall be such that no buildings, structures, trees, shrubs, or other improvements which would interfere with its use by DISTRICT can be placed upon it, that DISTRICT will have the right to operate, maintain, repair, replace, and/or change the size and/or number of WATER FACILITIES; and that proper access to all parts of the easement by DISTRICT forces and equipment is provided. The conditions of said easements shall further provide that the property owner agrees to pay any and all costs incurred by the DISTRICT to make and/or maintain said easements accessible to the DISTRICT. It may be provided that other utility lines can be installed in said easement, so long as they do not interfere with its use by DISTRICT, and are in compliance with state laws and regulations.
- J. Should any defective material or workmanship affecting the WATER FACILITIES installed by the CITY be disclosed within one (1) year of the date of completion and acceptance of the WATER FACILITIES by the DISTRICT, CITY shall immediately cause the defect to be corrected, or shall reimburse DISTRICT for its cost to correct said defect. For the purpose of this Agreement, failures including, but not limited to, any leak or break in the WATER FACILITIES, or any pavement settlement, shall be considered conclusive evidence of defective materials and/or workmanship.
- K. That upon completion of construction of the work and acceptance of the work by the DISTRICT, the CITY will provide final acceptance of all work associated with the project and the final acceptance shall include providing the DISTRICT with all its right, title, and interest, in and to the WATER FACILITIES. The CITY will warrant at the time of said final acceptance that there are no encumbrances for material and labor claims.
- L. That installation of said WATER FACILITIES does not assure or guarantee that a complete water service will be available in the future. Until such time as a complete service connection is approved by the DISTRICT and a water commitment is obtained from the DISTRICT, no water may be taken from the new WATER FACILITIES installed under this Agreement.
- M. That all water will be taken through metered service connections, in accordance with DISTRICT'S Service Rules. The CITY will require its contractor to install the meters in a timely manner.
- N. To require its contractor to protect all existing water facilities during construction and to promptly undertake the repair of damaged facilities upon authorization of the DISTRICT.

- O. The DISTRICT, its officers and employees shall be immune for any breach of this Agreement caused by an incorrect date being produced, calculated or generated by a computer or other information system that is owned or operated by the DISTRICT, its officers or employees, regardless of the cause of the error (reference NRS 41.0321).

ARTICLE II

DISTRICT AGREES:

- A. That upon completion of construction of the WATER FACILITIES, acceptance of same by the DISTRICT, and fulfillment by the CITY of all requirements of this Agreement, to thereafter operate and maintain WATER FACILITIES installed pursuant to this Agreement in accordance with the DISTRICT'S Service Rules as the same are established and amended.
- B. That construction water may be provided through metered fire hydrants in accordance with the DISTRICT'S Service Rules.

ARTICLE III

IT IS MUTUALLY AGREED:

- A. That all WATER FACILITIES installed under this Agreement shall be and remain the exclusive property of the DISTRICT, and shall become a part of the DISTRICT'S general water distribution system after acceptance by the DISTRICT.
- B. That construction water shall only be provided through metered fire hydrants and/or metered service connections in accordance with the DISTRICT'S Service Rules.
- C. That if this Agreement terminates in accordance with its terms, right, title and interest of all or any portion of the WATER FACILITIES installed, as determined solely and exclusively by the DISTRICT, shall become the exclusive property of the DISTRICT for the DISTRICT to use, modify, or to dispose of as the DISTRICT deems appropriate.
- D. That noncompliance or violation of the DISTRICT'S Service Rules or any provision of this Agreement by CITY or its officers, employees, agents, contractors, licensees or invitees shall be cause for the DISTRICT, at its sole discretion, to discontinue water service to CITY'S project without challenge by CITY and without liability for any damages caused by said discontinuation.
- E. That the CITY will be responsible for any loss, damage, liability, cost or expense, except those exempted by law, caused by the actions or inactions of its employees, consultants, contractors, or agents arising under this Agreement. The CITY shall protect, indemnify, and hold the DISTRICT, its officers, employees, and agents harmless from and against any and all claims, damages, losses, expenses, suits, actions, judgements, and awards including attorney's fees and court costs which may be brought against it or them as a result of or by reason of or arising out of or as a consequence of the construction of the WATER FACILITIES contemplated in this Agreement. The CITY does not waive the conditions and limitations of NRS Chapter 41.
- F. That this Agreement shall not be deemed to be for the benefit of any entity or person who is not a party hereto, and is not a commitment for water service, and neither this Agreement, nor any interest therein, may be assigned without the prior written consent of the non-assigning party.
- G. That this Agreement represents the entire understanding of the CITY and the DISTRICT relative to the installation of the WATER FACILITIES in conjunction with the CITY'S project.

- H. That should any part of this Agreement be rendered void, invalid, or unenforceable by any court of law, for any reason, such determination shall not render void, invalid, or unenforceable, any other part of this Agreement.
- I. That the laws of the State of Nevada will govern as to the interpretation, validity, and effect of this Agreement.
- J. That each party shall not discriminate against employees or applicants based on race, color, religion, sex, age, or national origin, and shall take affirmative action to ensure that applicants are employed and employees are treated without regard to the above-mentioned factors and agrees to post in conspicuous places for employees and applicants' notices provided by the Federal Civil Rights Commission setting forth these provisions. Each party further agrees that solicitation for employees shall state that qualified applicants will receive consideration without regard to the above-mentioned factors and will send to labor unions or collectives with which he/it has an agreement a notice of the commitments required herein and each party will comply with all local, state and federal laws prohibiting discrimination in hiring or employment opportunities.

IN WITNESS WHEREOF, the parties hereto have entered into this Interlocal Agreement on the _____ day of _____, 2004.

APPROVED:

Robert S. Glavin 4-7-04

City Attorney

ATTEST:

BARBARA JO RONEMUS, City Clerk

CITY OF LAS VEGAS

BY: _____
OSCAR B. GOODMAN, Mayor

APPROVED:

Charles K. Hauser
CHARLES K. HAUSER, General Counsel

ATTEST:

PATRICIA MULROY, Secretary
Las Vegas Valley Water District

LAS VEGAS VALLEY WATER DISTRICT

BY: _____
MYRNA WILLIAMS, President
Board of Directors



April 5, 2004

PATRICIA MULROY
GENERAL MANAGER

THOMAS A. MINWEGEN, P.E.
DEPUTY GENERAL MANAGER
ENGINEERING/OPERATIONS

RICHARD J. WIMMER
DEPUTY GENERAL MANAGER
ADMINISTRATION

CHARLES K. HAUSER
GENERAL COUNSEL

City of Las Vegas
Department of Public Works – Environmental Division
400 Stewart Avenue
Las Vegas, NV 89101

Attention: Daphnee Legarza, Project Manager

**SUBJECT: Water Plan Review - CLV – WATER POLLUTION CONTROL FACILITY
PLANT EXPANSION (Interlocal Agreement #110026)**

The water plan review package for the subject project has been reviewed and the water plan check prints and checklist have been forwarded to your engineer. The Interlocal Agreement and Application for Service are being transmitted directly to you for your action, along with a copy of the checklist. The fees for your project, as shown on the application, will be ~~\$850.~~ *054.*

The attached Interlocal Agreement will be presented to our Board of Directors for approval on April 20, 2004. It is our understanding that it will be presented to the City Council for approval on April 21, 2004. If there are any changes to the date for council approval, please notify me. After council approval, please return both copies of the signed agreement to the District. After the agreement is executed by the District, a copy will be forwarded to you for your records.

To obtain approval of the water plan for construction, the District must be in receipt of the properly signed Interlocal Agreement and Application for Service. The plans may then be submitted to the Engineering Services Division for signature, as identified in their checklist. The review checklist identifies the water commitment status and specific requirements for this project, which is located in an area where the static water pressure is in excess of 80 psi.

If you have any questions, please contact Debbie Sommerfeld at 258-3291.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert D. Baggs, Jr.".

Robert D. Baggs, Jr.
Development Services Administrator

RDB/DJS

cc: HDR Engineering, Inc.

BOARD OF DIRECTORS

Myrna Williams, President • Yvonne Atkinson Gates, Vice-President
Mark James, Mary Kincaid-Chauncey, Chip Maxfield, Rory Reid, Bruce L. Woodbury

Las Vegas Valley Water District
APPLICATION FOR CONNECTION
AND REQUEST FOR SERVICE

AGREEMENT NO. #110026
BY: Leslie M. 4/5/04
CHECKED BY: [Signature]

ACCOUNT NO. _____
A/T #: _____ JOB ORDER #: _____
DATE: _____

Project Name: CLV - WATER POLLUTION CONTROL FACILITY PLANT EXPANSION

Service Location(s): Vegas Valley Drive - 6000 Block

Service Address: 6005 Vegas Valley Drive

Developer: City of Las Vegas (3)

Social Security or Tax I.D. No.: 88-6000198

Billing Address: 400 Stewart Avenue

Las Vegas, NV 89101

Telephone No. () 229-6560

Property Owner: City of Las Vegas

FEES, CHARGES AND DEPOSITS

SERVICE CONNECTION INSTALLATION

COMPLETE SERVICE / SERVICE EXCLUDING METER (27301)

SIZE: _____ \$ _____

RS ONLY (25700)

① \$ _____ / ea. \$ _____

② \$ _____ / ea. \$ _____

③ \$ _____ / ea. \$ _____

AUTOMATED METER READING DEVICE (AMRD) (27301 R-7723)

1 ① \$ 104. / ea. \$ 104.

SERVICES > 2" INSTALLED BY PRIVATE CONTRACTOR

1 8 TYPE: RPDA \$ -0-
TYPE: _____ \$ -0-

BACKFLOW PREVENTION (27301) (BY PRIVATE CONTRACTOR)

TYPE: _____ \$ _____
TYPE: _____ \$ _____

INSTALLATIONS ON ACTUAL COST BASIS - DEPOSIT (25703)

SIZE: _____ TYPE: _____ \$ _____

FACILITIES CONNECTION CHARGE (27312)

① \$ _____ / ea. \$ _____
② \$ _____ / ea. \$ _____
③ \$ _____ / ea. \$ _____

FRONTAGE CONNECTION CHARGE*

LF ① \$ _____ / ea. \$ _____
LF ② \$ _____ / ea. \$ _____
LF ③ \$ _____ / ea. \$ _____

OVERSIZING CHARGE (27313)

① \$ _____ / ea. \$ _____
② \$ _____ / ea. \$ _____
③ \$ _____ / ea. \$ _____

APPLICATION FEE (41300)

① \$ _____ / ea. \$ _____
② \$ _____ / ea. \$ _____
③ \$ _____ / ea. \$ _____

INSPECTION FEE (41301)

1 RPDA ① \$ 550. / ea. \$ 550.
② \$ _____ / ea. \$ _____
③ \$ _____ / ea. \$ _____

OTHER CHARGES / CREDITS:

SUBTOTAL: \$ 654.

REGIONAL CONNECTION CHARGE (30601) ADD ONE:

BY: _____ \$ _____
BY: _____ \$ _____
TOTAL: \$ 654.00

ACKNOWLEDGEMENT

Developer and Property Owner understand and agree:

1. Water service will be provided in accordance with the Las Vegas Valley Water District Service Rules.
2. All water delivered through a service connection will be metered and billed to the Developer until the Developer requests that the service be shut off. The use of idlers is prohibited. Meters must be installed by the Developers' contractor before any water is drawn through the service connection.
3. In the event of abandonment or cessation of construction, prepaid installation and connection charges may be used by the District to pursue completion of all or part of the project.
4. Location and elevation of service connections to be installed by the District must be identified (staked) by owner prior to installation. The cost of adjustment to location or elevation after installation will be borne by owner.
5. Service connection(s) identified on this application to be installed on an actual cost basis are subject to audit of final cost. If final costs exceed the deposit amount, the property owner promises to pay the difference within 30 days after receipt of notice.
6. Failure to pay any charges when due will subject the property to a lien and/or discontinuance of water service.
7. If box is marked see attached form for special pressure assessment. ☐

Developer:

x [Signature]
Signature
x Richard D. Gascio
Director of Public Works

Property Owner:

x [Signature]
Signature
x Richard D. Gascio
Director of Public Works

Acknowledgement has been signed by:

☐ Owner of Record ☐ Legally Designated Representative

General Comments:

Existing 4" Compound Service
Acct# 0575939

OFFICE USE

Fees Paid By: _____
Customer Will Stake By: _____ M/R # _____
Cross Street: W/O Tree Line Drive
Side of Street: South P.Z.: 1930 H
Q.S.: 161-10 SW Land Use: 20-630
Main Size / Type / Loc / DWG _____

Service Removal Requested For:

Service No. _____ Meter Size: _____
Service No. _____ Meter Size: _____

STATUS COMMENTS:

***FRONTAGE CONNECTION CHARGE DISTRIBUTION**

23113	\$ _____	Refundable	
27306	\$ _____	Retainable	SRM NO. _____
24111	\$ _____		
24111	\$ _____		
24105	\$ _____		
27309	\$ _____	District	

CASHIER'S VALIDATION

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-60-2004 - Approval of a Resolution Adopting a Revised Fee Schedule for LVMC Title 13 and Chapter 11.50 (pertaining to public improvement work and temporary traffic control work)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Last year the Council adopted a fee schedule related to public improvement work and temporary traffic control. It has been determined that a correction is needed in the amount of the plan replot fee, and that certain fees related to resurfacing and patching of slurry seal should be removed at the present time. This Resolution will adopt a revised fee schedule accordingly.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution and authorize its execution.

BACKUP DOCUMENTATION:

Resolution No. R-60-2004

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – **UNANIMOUS** with **MONCRIEF** excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

RESOLUTION ADOPTING A REVISED FEE SCHEDULE FOR
LVMC TITLE 13 AND CHAPTER 11.50

WHEREAS, LVMC 13.40.050 authorizes the City Council of the City of Las Vegas to establish a fee schedule pertaining to public improvement work governed by Title 13 of the Municipal Code; and

WHEREAS, LVMC Chapter 11.50, pertaining to temporary traffic control, also contemplates and refers to a fee schedule to be adopted pursuant to LVMC 13.40.150 for purposes of charging development-related fees; and

WHEREAS, on April 16, 2003, the City Council, by means of Resolution No. R-51-2003, adopted a fee schedule for the purposes mentioned above; and

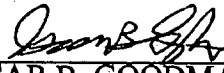
WHEREAS, the City Council desires to adopt by resolution a revised fee schedule in order to make certain adjustments in the fees contained therein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS as follows:

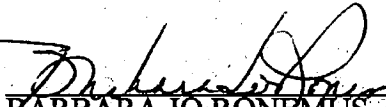
1. The Revised Fee Schedule attached hereto is hereby adopted pursuant to LVMC 13.40.050.
2. The Revised Fee Schedule attached hereto shall replace and supersede the Fee Schedule adopted by means of Resolution No. R-51-2003.

PASSED, ADOPTED, AND APPROVED this 21 day of April, 2004.

CITY OF LAS VEGAS

BY 
OSCAR B. GOODMAN, Mayor

ATTEST:


BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM

Val Steef 4-7-04
Date

REVISED FEE SCHEDULE FOR LVMC TITLE 13 AND CHAPTER 11.50
(ADOPTED PURSUANT TO LVMC 13.40.050)
(Revised April 2004)

FEE DESCRIPTION	FEE AMOUNT
MAP, PLAN & PERMIT-RELATED FEES	PER ITEM AS STATED
Final map processing fee (basic)	\$100 per map
Additional (per lot) final map processing fee	\$10 per lot
Fee for application to deviate from standard (basic)	\$250 per application
Additional fee for deviation from standard	\$50 per deviation
Plan check fee for initial submittal	1.25% of approved bond estimate (with a \$500 minimum for a commercial project or residential subdivision, and a \$100 minimum for a single residence)
Plan check fee for any resubmittal to make required corrections if made later than one year following notification or if plans have been substantially redesigned	1.25% of approved bond estimate (with a \$500 minimum for a commercial project or residential subdivision, and a \$100 minimum for a single residence)
Express civil plan check application fee	\$300 per application
Express civil plan check hourly fee	\$600 per hour (1 hour minimum)
Plan revision fee	\$100 per sheet affected by revisions
Plan replot fee	\$200 per sheet (includes associated plan revision fee)
Minor excavation permit fee (for excavations affecting at most one traffic lane or 20 feet longitudinally)	\$50 per permit request
Flood zone determination fee	\$20 per determination
INSPECTION FEES	PER ITEM AS STATED
Inspection fee (fee for first \$25,000 of approved estimate)	3% of approved estimate amount for first \$25,000 (with a \$150 minimum for a commercial project or residential subdivision, and a \$50 minimum for a single residence)
Inspection fee (additional fee for approved estimate amount in excess of \$25,000, up to \$100,000)	2.75% of approved estimate amount in excess of \$25,000, up to \$100,000)
Inspection fee (additional fee for approved estimate amount in excess of \$100,000)	1.5% of approved estimate amount in excess
Reinspection fee	\$100 per reinspection
Retest fee	\$100 per retest

SPECIAL DOCUMENT FEES	PER ITEM AS STATED
Improvement agreement fee	\$100 per agreement
Bond assumption fee	\$250 per replacement bond
Bond reduction fee	\$150 per reduction
Covenant running with land fee	\$150 per application
Encroachment fee	\$25 per encroachment
TECHNICAL STUDY FEES (INCLUDING WITHOUT LIMITATION DRAINAGE/FLOOD STUDIES, TRAFFIC IMPACT ANALYSIS)	PER SUBMITTAL OR RESUBMITTAL
Master technical study review fee	\$1000 for master traffic impact analysis, \$400 for other
Fee for update/revision/amendment to approved master technical study	\$400
Individual technical study review fee	\$400 for drainage/flood study; \$300 for traffic impact analysis
Fee for update/revision/amendment to approved individual technical study	\$100
TRAFFIC BARRICADE-RELATED FEES	PER ITEM AS STATED
Traffic barricade plan permit fee	\$50 per plan or review
Traffic barricade plan renewal fee	\$100 per renewal
Fee for noncompliance with traffic barricade plan (basic)	\$100 per day per noncompliance
Fee for noncompliance with traffic barricade plan (additional fee, per unit of equipment)	\$10 per unit per day
Fee for placement of traffic barricades by City	Cost as determined by City
RIGHT-OF-WAY CONSTRUCTION-RELATED FEES	PER ITEM AS STATED
Fee for failure to obtain permit for work in right-of-way	\$100 per day per noncompliance, plus double the plan check fees and inspection fees described above
Fee for failure to comply with permit for work in right-of-way	\$100 per day per noncompliance
Roadway/sidewalk lane rental fee (arterial right-of-way)	\$100 per lane per cumulative week (calculated using the formula identified by the asterisk below)
Roadway/sidewalk lane rental fee (collector right-of-way)	\$75 per lane per cumulative week (calculated using the formula identified by the asterisk below)
Roadway/sidewalk lane rental fee (residential right-of-way)	\$50 per lane per week cumulative week (calculated using the formula identified by the asterisk below)

* $(0.5n(n+1))ab$, where n=Number of weeks, a=Lane rental fee, b=Number of lanes

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-61-2004 - Approval of a Resolution directing the Engineer to prepare preliminary plans and an assessment plat for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Acquisition, construction and installation of street, sanitary sewer, storm sewer/drainage improvements, and water main projects.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-61-2004

MOTION:

MACK – APPROVED Items 43, 44, 45, and 46 as amended – **UNANIMOUS** with **MONCRIEF** excused and Ward 2 seat vacant

MINUTES:

CITY ATTORNEY JERBIC requested Items 43 through 46 be considered together. He indicated that between the time the resolutions were prepared and this Council meeting Cliff's Edge changed its name to Providence. Consequently, the resolutions will have to be amended to reflect the name change. Items 43, 44, and 45 should be amended to change the summary and the title to replace the name "Cliff's Edge" to say "Providence, formerly known as Cliff's Edge," and then everywhere else in the document replace the name "Cliff's Edge" with the name "Providence." For Item 46, he recommended the summary and the first paragraph be changed to say "Providence, formerly known as Cliff's Edge" where the name Cliff's Edge appears, and then substitute the name "Cliff's Edge" with the name "Providence" everywhere else in the document. He recommended approval of the resolutions with the suggested changes.

(9:47)

1-1131

Summary - A resolution directing the City Engineer to prepare preliminary plans and an assessment plat for the City of Las Vegas, Nevada, Special Improvement District No. 607 (Providence).

RESOLUTION NO. R-61-2004

A RESOLUTION DIRECTING THE CITY ENGINEER ON BEHALF OF THE CITY OF LAS VEGAS, NEVADA TO PREPARE AND FILE WITH THE CITY CLERK PRELIMINARY PLANS AND AN ASSESSMENT PLAT IN CONNECTION WITH PROPOSED IMPROVEMENTS IN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 607 (PROVIDENCE).

WHEREAS, the City Council (the "Council") of the City of Las Vegas (the "City") in the State of Nevada, pursuant to NRS 271.710 has received a petition from the owners of certain property located in the City requesting the formation of a special improvement district (the "District"); and

WHEREAS, the Petition requests the formation of the District and the acquisition and improvement of a street project, storm sewer project, sanitary sewer project, and water project (the "Project") pursuant to Chapter 271, NRS;

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

Section 0. The City Engineer (the "Engineer") is hereby 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 cost of the Project (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. The Project consists of the acquisition and construction of certain improvements within the District to include streets, sanitary sewers, storm sewers, and water mains, in and along the property described in Section 2 of this resolution, and all appurtenances and incidentals necessary, useful or desirable, including real and other property therefor, which is more particularly described (with all segment lengths to be current approximations subject to minor adjustment) as set forth below.

Storm Drain Projects

These projects provide for the safe conveyance of both off-site storm runoff discharged by the Kyle Canyon Detention Basin that is currently conveyed through the project by natural washes and on-site storm water within the District area on alignments that do not follow the on-site roadway project alignments. The projects include 18" to 78" RCP storm drain and all appurtenant facilities.

Sanitary Sewer Projects

These projects provide for the conveyance of sanitary sewer flows within the District to existing and proposed off-site sewer facilities outside of the District area. They include the installation of 8" to 15" sanitary sewer mains, manholes, and all appurtenant facilities.

Roadway Projects – Improvements "A"

These projects provide for the transportation needs within the District area and provide access to the off-site road network. These projects include rough grading, excavation of embankments, sub-grade preparation, curb and gutter, median islands, paving, and temporary striping and signage associated with a roadway segment. The project also includes the cost of on-site storm drain facilities that follow the roadway alignments and all appurtenances.

Roadway Projects – Streetlights "B"

These projects include the cost of trenching, conduit, pull boxes, service points, and transformers for streetlights and streetlight installation for a particular road segment. These improvements also include, where applicable, costs for future traffic signal poles when installed for use as the streetlight pole at applicable intersections, future traffic signal underground improvements, including associated conduit and pull boxes.

Roadway Projects – Final Paving "C"

These projects include the cost of the final paving for a roadway segment, including final striping, valve/manhole adjustments, and signage adjustments.

Potable Water Projects

These projects provide for the distribution of potable water and water for fire protection to residential and commercial sub-developments within the District. These projects include the installation of 10" to 42" water mains, reservoirs, tanks, pumping stations and all appurtenant facilities. There are two (2) pressure zones within the District area.

Project Master Plan

This project provides for the costs associated with master planning the project including traffic and drainage studies, survey, mapping, and engineering which allows for the completion of the development projects.

The District projects are described in the following paragraphs.

Project 1.1 Off-Site Storm Drain: Kyle Canyon Detention Basin to Puli Road

This project consists of approximately 2300 lineal feet of 78" RCP and all appurtenant facilities. This project runs from Kyle Canyon Detention Basin to the intersection of Puli Road and Grand Teton Drive. Projected construction completion date is June 2004.

Project 1.2 On-Site Storm Drain: Alpine Ridge Way and Severance Lane from Farm Road to Egan Crest Way

This project consists of approximately 2350 lineal feet of 48" and 66" RCP and all appurtenant facilities. This project runs from Farm Road to Severance Lane on Alpine Ridge Way. Also runs from Alpine Ridge Way to Egan Crest Way on Severance Lane. Projected construction completion date is June 2005.

Project 1.3 On-Site Storm Drain: The Paseo from Shaumber Road to Egan Crest Way

This project consists of approximately 2640 lineal feet of 48" RCP and all appurtenant facilities. This project runs from Shaumber Road to Egan Crest Way in the Paseo on the Elkhorn Road alignment. Projected construction completion date is April 2005.

Project 2.1 Off-Site Sanitary Sewer: Severance Lane from Hualapai Way to Grand Canyon Drive

This project consists of approximately 2660 lineal feet of 12" and 15" sewer pipeline and all appurtenant facilities. This project runs from Hualapai Way to Grand Canyon Drive on Severance Lane. Projected construction completion date is September 2004.

Project 2.2 Off-Site Sanitary Sewer: Elkhorn Road from Hualapai Way to Grand Canyon Drive

This project consists of approximately 2660 lineal feet of 12" and 15" sewer pipeline and all appurtenant facilities. This project runs from Hualapai Way to Grand Canyon Drive on Elkhorn Road. Projected construction completion date is September 2004.

Project 2.3 Off-Site Sanitary Sewer: Deer Springs Way from Hualapai Way to Tee Pee Lane

This project consists of approximately 3953 lineal feet of 12" sewer pipeline and all appurtenant facilities. This project runs from Hualapai Way to Tee Pee Lane on Deer Springs Way. Projected construction completion date is September 2004.

Project 2.4 Off-Site Sanitary Sewer: Centennial Parkway from Shaumber Road to Park Street

This project consists of approximately 9751 lineal feet of 12" sewer pipeline and all appurtenant facilities. The cost to oversize from a nominal 8" to a 12" sewer pipeline is not included in the District. This project runs from approximately 330' east of Shaumber Road and Centennial Parkway to Michelli Crest Way, south to Reiss Lane, east to Hualapai Way, south to Tropical Parkway, east to Park Street. Projected construction completion date is October 2004.

Project 2.5 Sanitary Sewer: Centennial Parkway from Puli Road to the Western Beltway

This project consists of approximately 1730 lineal feet of 12" sanitary sewer pipeline from Puli Road to the Western Beltway on Centennial Parkway, approximately 800 lineal feet of 8" sanitary sewer pipeline along the right of way of the Western Beltway north of Centennial Parkway, approximately 1730 lineal feet of 8" sanitary sewer pipeline north of Centennial in Shaumber Road, and all associated appurtenant facilities. Projected construction completion date is January 2005.

Project 2.6 Sanitary Sewer: Deer Springs Way from Shaumber Road to Hualapai Way

This project consists of approximately 4160 lineal feet of 8" and 1360 lineal feet of 10" sewer pipeline and all appurtenant facilities from 740' north of Deer Springs on Shaumber Road, along Deer Springs Way from Shaumber Road to Hualapai Way, and from the Western Beltway to Deer Springs Way on Egan Crest Way. Projected construction completion date is July 2005.

Project 2.7 Sanitary Sewer: Dorrell Lane from Shaumber Road to Hualapai Way

This project consists of approximately 5320 lineal feet of 8" sanitary sewer pipeline from 1360' north of Dorrell Lane on Shaumber Road then continuing along Dorrell Lane from Shaumber Road to Hualapai Way, approximately 1360 lineal feet of 10" sanitary sewer pipeline from Dorrell Lane to Elkhorn Road on Hualapai Way, and all appurtenant facilities. The projected construction completion date is February 2005.

Project 2.8 Sanitary Sewer: Elkhorn Road from 1600' West of Egan Crest Way to Hualapai Way

This project consists of approximately 4450 lineal feet of 8" sanitary sewer pipeline and all appurtenant facilities. This project runs from 1600' west of Egan Crest Way to Hualapai Way on the Elkhorn Road alignment and includes 1490' on Egan Crest Way, north of Elkhorn Road. The projected construction completion date is December 2004.

Project 2.9 Sanitary Sewer: Farm Road from Shaumber Road to Hualapai Way

This project consists of approximately 4930 lineal feet of 10" sanitary sewer pipeline on Farm Road from Shaumber Road to Hualapai Way and on Egan Crest Way 930' north of Farm Road, approximately 2260 lineal feet of 8" sanitary sewer pipeline of which 1310' is located on Shaumber Road north of Farm Road and 950' is located on Hualapai Way north of Farm Road, approximately 1380 lineal feet of 12" sanitary sewer pipeline on Hualapai Way south from Farm Road, and all appurtenant facilities. The projected construction completion date is December 2005.

Project 2.10 Sanitary Sewer: Grand Teton Drive from Puli Road to Hualapai Way

This project consists of approximately 5600 lineal feet of 12" sanitary sewer pipeline on Grand Teton Drive from Puli Road to Hualapai Way, approximately 2400 lineal feet of 8" sanitary sewer pipeline located south of Grand Teton Drive of which 700' is on Shaumber Road, 1000' is on Egan Crest Way and 700' is on Hualapai Way, and all associated appurtenant facilities. Projected construction completion date is February 2005.

Project 3.1A Roadway Improvements: Centennial Parkway from Puli Road to the Western Beltway

This project consists of approximately 1730 lineal feet of 48'-wide half-street improvements on Centennial Parkway. This phase includes rough grade, base materials, 30" to 36" storm drain pipelines with all associated appurtenant facilities, curb & gutter, sidewalk, curb inlets, bus turnouts, excavation, 5" thick asphalt paving, temporary striping and signage. This project runs from Puli Road to the Western Beltway on Centennial Parkway. Projected construction completion date is April 2006.

Project 3.1B Streetlights: Centennial Parkway from Puli Road to the Western Beltway

This project consists of approximately 1730 lineal feet of streetlight conduit, streetlights and all appurtenant facilities. This project runs from Puli Road to the Western Beltway on Centennial Parkway. Projected construction completion date is June 2006.

Project 3.2A Roadway Improvements: Dorrell Lane from Puli Road to Hualapai Way

This project consists of approximately 5450 lineal feet of full-street improvements on Dorrell Lane. This phase includes rough grade, base materials, 24" to 54" storm drain pipeline with all appurtenant facilities, curb inlets, curb & gutter, excavation, 14'-wide medians, 66'-wide and 52'-wide 4" thick asphalt paving, temporary striping and signage. This project runs from Puli Road to Hualapai Way on Dorrell Lane. The projected construction completion date is March 2006.

Project 3.2B Streetlights: Dorrell Lane from Puli Road to Hualapai Way

This project consists of approximately 5450 lineal feet of streetlight conduit, streetlights and all appurtenant facilities. This project runs from Puli Road to Hualapai Way on Dorrell Lane. Projected construction completion date is May 2006.

Project 3.2C Final Paving: Dorrell Lane from Puli Road to Hualapai Way

This project consists of approximately 5450 lineal feet of 52'-wide and 66'-wide open grade pavement, final striping and signage. This project runs from Puli Road to Hualapai Way on Dorrell Lane. Projected construction completion date is July 2006.

Project 3.3A Roadway Improvements: Elkhorn Road from Egan Crest Way to Hualapai Way

This project consists of approximately 1360 lineal feet of full-street improvements on Elkhorn Road. This phase includes rough grade, base materials, 48" and 60" storm drain pipelines with all appurtenant facilities, curb inlets, curb & gutter, excavation, 14'-wide medians, 62'-wide 4" thick asphalt paving, temporary striping and signage. This project runs from Egan Crest Way to Hualapai Way on Elkhorn Road. The projected construction completion date is January 2006.

Project 3.3B Streetlights: Elkhorn Road from Egan Crest Way to Hualapai Way

This project consists of approximately 1360 lineal feet of streetlight conduit, streetlights and all appurtenant facilities. This project runs from Egan Crest Way to Hualapai Way on Elkhorn Road. Projected construction completion date is March 2006

Project 3.3C Final Paving: Elkhorn Road from Egan Crest Way to Hualapai Way

This project consists of approximately 1360 lineal feet of 62'-wide open grade pavement, final striping and signage. This project runs from Egan Crest Way to Hualapai Way on Elkhorn Road. Projected construction completion date is June 2006.

Project 3.4A Roadway Improvements: Farm Road from Puli Road to Hualapai Way

This project consists of approximately 5450 lineal feet of full-street improvements on Farm Road. This phase includes rough grade, base materials, 36" and 60" storm drain pipeline with all appurtenant facilities, curb inlets, curb & gutter, excavation, 14'-wide medians, 66'-wide and 52'-wide 4" thick asphalt paving, temporary striping and signage. This project runs from Puli Road to Hualapai Way on Farm Road. The projected construction completion date is May 2006.

Project 3.4B Streetlights: Farm Road from Puli Road to Hualapai Way

This project consists of approximately 5450 lineal feet of streetlight conduit, streetlights and all appurtenant facilities. This project runs from Puli Road to Hualapai Way on Farm Road. Projected construction completion date is July 2006.

Project 3.4C Final Paving: Farm Road from Puli Road to Hualapai Way

This project consists of approximately 5450 lineal feet of 66'-wide and 52'-wide open grade pavement, final striping and signage. This project runs from Puli Road to Hualapai Way on Farm Road. Projected construction completion date is September 2006.

Project 3.5A Roadway Improvements: Grand Teton Drive from Puli Road to Hualapai Way

This project consists of approximately 5600 lineal feet of 48'-wide half-street improvements on Grand Teton Drive. This phase includes rough grade, base materials, 66" storm drain pipeline and all associated appurtenant facilities, curb & gutter, curb inlets, bus turnouts, excavation, 5" thick asphalt paving, temporary striping and signage. This project runs from Puli Road to Hualapai Way on Grand Teton Drive. Projected construction completion date is September 2006.

Project 3.5B Streetlights: Grand Teton Drive from Puli Road to Hualapai Way

This project consists of approximately 5600 lineal feet of streetlight conduit, streetlights and all appurtenant facilities. This project runs from Puli Road to Hualapai Way on Grand Teton Drive. Projected construction completion date is November 2006.

Project 3.6A Roadway Improvements: Puli Road from Centennial Parkway to Grand Teton Drive

This project consists of approximately 10600 lineal feet of 38'-wide half-street improvements on Puli Road. This phase includes rough grade, base materials, 18" to 42" storm drain pipeline, curb & gutter, curb inlets, bus turnouts, excavation, 4" thick asphalt paving, temporary striping and signage. This project runs from Centennial Parkway to Grand Teton Drive on Puli Road. Projected construction completion date is October 2006.

Project 3.6B Streetlights: Puli Road from Centennial Parkway to Grand Teton Drive

This project consists of 10600 lineal feet of streetlight conduit, streetlights and all appurtenant facilities. Traffic signal underground improvements will be installed on Puli Road at the intersections of Centennial Parkway, Dorrell Lane, Farm Road, and Grand Teton Drive. This project runs from Centennial Parkway to Grand Teton Drive on Puli Road. Projected construction completion date is December 2006.

Project 3.7A Roadway Improvements: Shaumber Road from Centennial Parkway to Grand Teton Drive

This project consists of approximately 10600 lineal feet of full-street improvements on Shaumber Road. This phase includes rough grade, base materials, 18" to 60" storm drain pipeline with all appurtenant facilities, curb inlets, curb & gutter, excavation, 14'-wide medians, 52'-wide 4" thick asphalt paving, temporary striping and signage. This project runs from Centennial Parkway to Grand Teton Drive on Shaumber Road. The projected construction completion date is April 2006.

Project 3.7B Streetlights: Shaumber Road from Centennial Parkway to Grand Teton Drive

This project consists of approximately 10600 lineal feet of streetlight conduit, streetlights and all appurtenant facilities. This project runs from Centennial Parkway to Grand Teton Drive on Shaumber Road. Projected construction completion date is June 2006.

Project 3.7C Final Paving: Shaumber Road from Centennial Parkway to Grand Teton Drive

This project consists of approximately 10600 lineal feet of 52'-wide open grade pavement, final striping and signage. This project runs from Centennial Parkway to Grand Teton Drive on Shaumber Road. Projected construction completion date is August 2006.

Project 3.8A Roadway Improvements: Egan Crest Way from Dorrell Lane to Grand Teton Drive

This project consists of approximately 6800 lineal feet of full-street improvements on Egan Crest Way. This phase includes rough grade, base materials, 30" to 78" storm drain pipeline with all appurtenant facilities, curb inlets, curb & gutter, excavation, 14'-wide medians, 66'-wide and 52'-wide 4" thick asphalt paving, temporary striping and signage. This project runs from Dorrell Lane to Grand Teton Drive on Egan Crest Way. The projected construction completion date is April 2006.

Project 3.8B Streetlights: Egan Crest Way from Dorrell Lane to Grand Teton Drive

This project consists of 6800 lineal feet of streetlight conduit, streetlights and all appurtenant facilities. Traffic signal underground improvements will be installed on Egan Crest way at the intersections of Dorrell Lane, Elkhorn Road, Farm Road, and Grand Teton Drive. This project runs from Dorrell Lane to Grand Teton Drive on Egan Crest Way. Projected construction completion date is June 2006.

Project 3.8C Final Paving: Egan Crest Way from Dorrell Lane to Grand Teton Drive

This project consists of approximately 6800 lineal feet of 66'-wide and 52'-wide open grade pavement, final striping and signage. This project runs from Dorrell Lane to Grand Teton Drive on Egan Crest Way. Projected construction completion date is September 2006.

Project 3.9A Roadway Improvements: Hualapai Way from the Western Beltway to Grand Teton Drive

This project consists of approximately 8100 lineal feet of full-street and half-street improvements on Hualapai Way. This phase includes rough grade, base materials, 24" to 78" storm drain pipeline with all appurtenant facilities, curb inlets, curb & gutter, bus turnouts, excavation, 14'-wide medians, 72'-wide and 48'-wide 5" thick asphalt paving, temporary striping and signage. This project runs from the Western Beltway to Grand Teton Drive on Hualapai Way. The projected construction completion date is February 2006.

Project 3.9B Streetlights: Hualapai Way from the Western Beltway to Grand Teton Drive

This project consists of 8100 lineal feet of streetlight conduit, streetlights and all appurtenant facilities. Traffic signal underground improvements will be installed on Hualapai Way at the intersections of Dorrell Lane, Elkhorn Road, Farm Road, and Grand Teton Drive with all appurtenant facilities. This project runs from the Western Beltway to Grand Teton Drive on Hualapai Way. Projected construction completion date is April 2006.

Project 3.9C Final Paving: Hualapai Way from the Western Beltway to Grand Teton Drive

This project consists of approximately 8100 lineal feet of 72'-wide and 48'-wide open grade pavement, final striping and signage. This project runs from the Western Beltway to Grand Teton Drive on Hualapai Way. The projected construction completion date is June 2006.

Project 4.1 On-Site 3090 Water Main: Egan Crest Way from Grand Teton Drive to Dorrell Lane

This project consists of approximately 5940 lineal feet of 10" and 12" water pipeline and all appurtenant facilities. This project runs from Grand Teton Drive to Dorrell Lane on Egan Crest Way. Projected construction completion date is July 2005.

Project 4.2 On-Site 3090 Water Main: Grand Teton Drive from Pressure Zone Boundary to 330' west of Hualapai Way

This project consists of approximately 2640 lineal feet of 12" water pipeline and all appurtenant facilities. This project runs from the 3090 and 3205 Pressure Zone Boundary to 330' west of Hualapai Way on Grand Teton Drive. Projected construction completion date is October 2005.

Project 4.3 On-Site 3090 Water Main: Farm Road from Pressure Zone Boundary to Hualapai Way

This project consists of approximately 2600 lineal feet of 10" water pipeline and all appurtenant facilities. This project runs from east of the 3090 and 3205 Pressure Zone Boundary to west of Hualapai Way on Farm Road. Projected construction completion date is August 2005.

Project 4.4 On-Site 3090 Water Main: Elkhorn Road from Pressure Zone Boundary to 660' east of Egan Crest Way

This project consists of approximately 2640 lineal feet of 10" water pipeline and all appurtenant facilities. This project runs from the Pressure Zone Boundary to 660' east of Egan Crest Way on Elkhorn Road. Projected construction completion date is July 2005.

Project 4.5 On-Site 3090 Water Main: Dorrell Lane from Shaumber Road to Egan Crest Way

This project consists of approximately 2730 lineal feet of 10" water pipeline and all appurtenant facilities. This project runs from Shaumber Road to Egan Crest Way on Dorrell Lane. Projected construction completion date is April 2005.

Project 4.6 On-Site 3090 Water Main: Shaumber Road from Dorrell Lane to Centennial Parkway

This project consists of approximately 3960 lineal feet of 12" water pipeline and all appurtenant facilities. This project runs from Dorrell Lane to Centennial Parkway on Shaumber Road. Projected construction completion date is March 2005.

Project 4.7 On-Site 3205 Water Main: Shaumber Road from Grand Teton Drive to Elkhorn Road

This project consists of approximately 5280 lineal feet of 12" and 24" water pipeline and all appurtenant facilities. This project runs from Grand Teton Drive to Elkhorn Road on Shaumber Road, and Shaumber Road to 660' east on Elkhorn Road. Projected construction completion date is August 2005.

Project 4.8 On-Site 3205 Water Main: Puli Road from Centennial Parkway to Dorrell Lane

This project consists of approximately 5210 lineal feet of 24" water pipeline and all appurtenant facilities. This project runs from Centennial Parkway to Dorrell Lane on Puli Road, and Puli Road to Shaumber Road on Dorrell Lane. Projected construction completion date is September 2005.

Project 4.9 On-Site 3205 Water Main: Grand Teton Drive from Puli Road to Pressure Zone Boundary

This project consists of approximately 2310 lineal feet of 12" and 16" water pipeline and all appurtenant facilities. This project runs from Puli Road to the 3090 and 3205 Pressure Zone Boundary on Grand Teton Drive. Projected construction completion date is November 2005.

Project 4.10 On-Site 3090 Water Main: Farm Road from Egan Crest Way to 1320' west of Egan Crest Way

This project consists of approximately 1320 lineal feet of 12" water pipeline and all appurtenant facilities. This project runs on Farm Road from Egan Crest Way 1320' west. Projected construction completion date is August 2005.

Project 4.11 On-Site 3090 Water Main: Centennial Parkway from Puli Road to 1320' east of the Western Beltway

This project consists of approximately 6270 lineal feet of 24" water pipeline and all appurtenant facilities. This project runs from Puli Road to 1320' east of the Western Beltway on Centennial Parkway. Projected construction completion date is July 2005.

Project 4.12 Off-Site Water: Providence 2975 Reservoir - (OVA2-109026)

This project consists of a permanent reservoir for the 2975 pressure zone. It will be located on the north side of Elkhorn Road between Shaumber Road and Alpine Ridge Way. The Las Vegas Valley Water District (LVVWD) will fund the construction cost of this project. The District will fund the design and agency review costs. Projected construction completion date is June 2006.

Project 4.13 Off-Site Water: Providence 3090/3205 Pumping Station (OVA2-109031)

This project consists of permanent pumping stations on Alpine Ridge Way and Elkhorn Road for pressure zones 3090 and 3205. The LVVWD will fund the construction cost of this project. The District will fund the design and agency review costs. Projected construction completion date is June 2006.

Project 4.14 On-Site Water: Providence 2975 Reservoir Inlet/Outlet Pipeline - (OVA2-109330)

This project consists of 2970 lineal feet of 48" water pipeline oversized from a 30" water pipeline. The project runs along the Elkhorn Road alignment from the 2975 Reservoir to Hualapai Way. The LVVWD will pay for the construction cost of this project less the Developer's contribution. The District will fund the design and agency review costs plus the Developer's contribution. Projected construction completion date is December 2005.

Project 4.15 Off-Site Water: Providence 3205 North Interim Tank & Inlet/Outlet Pipeline - (OVA2-109154)

This project consists of a 5 million gallon interim tank for the 3205-pressure zone, approximately 4500 lineal feet of 24" inlet/outlet pipeline, an earthen berm for flood protection and an access road. The interim tank is at the intersection of Witch Mountain Street and Centennial Parkway and the inlet outlet/pipeline runs from the tank to Puli Road. Projected construction completion date is March 2006.

Project 4.16 On-Site Egan Crest Way 3090 Zone North Pipeline

This project consists of approximately 14955 lineal feet of 30" and 36" water pipeline and all appurtenant facilities. The waterlines in this project will be oversized from 12", 16", 20", and 24" waterlines. The cost to oversize the waterlines are not included in the District. This project runs from Centennial Parkway to Dorrell Lane on Shaumber Road,

Shaumber Road to Egan Crest Way on Dorrell Lane, Dorrell Lane to Grand Teton Drive on Egan Crest Way and Egan Crest Way to 3090 Zone Pumping Station on Elkhorn Road. Projected construction completion date is July 2005.

Project 4.17 On-Site 3205 Zone North Pipeline

This project consists of approximately 12015 lineal feet of 30" and 42" water pipeline and all appurtenant facilities. The waterlines in this project will be oversized from 12" and 20" waterlines. The cost to oversize the waterlines are not included in the District. This project runs from Dorrell Lane to Grand Teton Drive on Puli Road, Puli Road to Shaumber Road on Farm Road, Farm Road to Elkhorn Road on Shaumber Road and Shaumber Road to the 3205 Zone Pumping Station on Elkhorn Road. Projected construction completion date is July 2005.

Project 4.18 On-Site 2795 Water Main – Elkhorn Road and Dorrell Lane from Hualapai Way to 660' west of Hualapai Way

This project consists of approximately 1320 lineal feet of 10" water pipeline and all appurtenant facilities. This project runs from Hualapai Way to 660' west on both Elkhorn Road and Dorrell Lane. Projected construction completion date is July 2005.

Project 5.1 Project Master Plan

This project includes costs associated with master planning the project including survey, mapping, traffic studies, drainage studies, and master planning engineering.

Section 0. The boundaries of the District, including the property to be assessed, is described as follows:

**LEGAL DESCRIPTION
PROVIDENCE
S.I.D. NO. 607
ASSESSABLE PROPERTY**

THIS LEGAL DESCRIBES A PARCEL OF LAND GENERALLY LOCATED SOUTHWESTERLY OF GRAND TETON DRIVE AND HUALAPAI WAY FOR SPECIAL IMPROVEMENT DISTRICT DESCRIPTION PURPOSES.

BEING PORTIONS OF SECTION 13 AND PORTIONS OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CLARK COUNTY, NEVADA, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 13, SAME BEING THE CENTERLINE INTERSECTION OF GRAND TETON DRIVE AND PULI ROAD; THENCE NORTH 87°50'15" EAST, ALONG THE NORTH LINE OF SAID SECTION 13, COINCIDENT WITH THE CENTERLINE OF SAID GRAND TETON DRIVE, 687.41 FEET; THENCE SOUTH 00°49'59" EAST, DEPARTING SAID NORTH LINE AND SAID CENTERLINE, 659.40 FEET; THENCE NORTH 87°56'49" EAST, 343.30 FEET; THENCE NORTH 00°47'57" WEST, 660.07 FEET TO THE NORTH LINE OF SAID SECTION 13, SAME BEING THE CENTERLINE OF GRAND TETON DRIVE; THENCE NORTH

87°50'15" EAST, ALONG SAID NORTH LINE AND ALONG SAID CENTERLINE, 1718.52 FEET; THENCE NORTH 87°49'54" EAST, CONTINUING ALONG SAID NORTH LINE AND ALONG SAID CENTERLINE, 2063.72 FEET; THENCE SOUTH 00°20'43" EAST, DEPARTING SAID NORTH LINE AND SAID CENTERLINE, 668.87 FEET; THENCE NORTH 87°58'52" EAST, 686.70 FEET TO THE EAST LINE OF SAID SECTION 13, SAME BEING THE CENTERLINE OF HUALAPAI WAY; THENCE SOUTH 00°14'47" EAST, ALONG SAID EAST LINE AND ALONG SAID CENTERLINE, 1006.02 FEET; THENCE SOUTH 88°11'24" WEST, DEPARTING SAID EAST LINE AND SAID CENTERLINE, 684.89 FEET; THENCE SOUTH 00°20'43" EAST, 334.60 FEET; THENCE NORTH 88°14'56" EAST, 342.15 FEET; THENCE SOUTH 00°17'45" EAST, 669.92 FEET; THENCE NORTH 88°22'02" EAST, 341.55 FEET TO THE EAST LINE OF SAID SECTION 13, SAME BEING THE CENTERLINE OF HUALAPAI WAY;

THENCE SOUTH 00°19'04" EAST, ALONG SAID EAST LINE AND ALONG SAID CENTERLINE, 2674.27 FEET TO THE NORTHEAST CORNER OF SECTION 24, SAID TOWNSHIP AND RANGE; THENCE SOUTH 00°08'16" WEST, ALONG THE EAST LINE OF SAID SECTION 24 AND ALONG SAID CENTERLINE, 2010.01 FEET; THENCE DEPARTING SAID EAST LINE AND SAID CENTERLINE, ALONG THE FOLLOWING TWENTY-ONE (21) COURSES: (1) SOUTH 88°49'24" WEST, 340.19 FEET; (2) SOUTH 00°08'25" WEST, 669.93 FEET; (3) SOUTH 88°50'11" WEST, 340.21 FEET; (4) NORTH 00°08'34" EAST, 1339.70 FEET; (5) SOUTH 88°48'37" WEST, 680.32 FEET; (6) SOUTH 00°08'51" WEST, 1339.39 FEET; (7) SOUTH 88°50'46" WEST, 339.29 FEET; (8) SOUTH 00°08'10" WEST, 334.58 FEET; (9) SOUTH 88°51'59" WEST, 339.14 FEET; (10) SOUTH 00°06'42" WEST, 334.46 FEET; (11) SOUTH 88°53'13" WEST, 338.99 FEET; (12) NORTH 00°05'14" EAST, 668.66 FEET; (13) NORTH 00°05'44" EAST, 669.37 FEET; (14) SOUTH 88°49'41" WEST, 339.49 FEET; (15) SOUTH 88°51'15" WEST, 681.95 FEET; (16) NORTH 00°08'09" EAST, 668.77 FEET; (17) SOUTH 88°48'43" WEST, 681.28 FEET; (18) SOUTH 00°11'38" WEST, 1336.56 FEET; (19) SOUTH 00°11'10" EAST, 1335.91 FEET; (20) NORTH 88°55'50" EAST, 339.85 FEET; (21) SOUTH 00°07'16" EAST, 1336.70 FEET TO THE SOUTH LINE OF SAID SECTION 24, SAME BEING THE CENTERLINE OF CENTENNIAL PARKWAY; THENCE SOUTH 89°00'28" WEST, ALONG SAID SOUTH LINE AND ALONG SAID CENTERLINE, 1691.81 FEET TO THE WEST LINE OF SAID SECTION 24, SAME BEING THE CENTERLINE OF PULI ROAD; THENCE NORTH 00°27'06" WEST ALONG SAID WEST LINE AND ALONG SAID CENTERLINE, 2668.61 FEET; THENCE NORTH 00°19'26" EAST, CONTINUING ALONG SAID WEST LINE AND ALONG SAID CENTERLINE, 2670.69 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 13; THENCE NORTH 00°55'58" WEST, ALONG THE WEST LINE OF SAID SECTION 13, AND ALONG THE CENTERLINE OF SAID PULI ROAD, 2635.04 FEET; THENCE NORTH 00°54'05" WEST, CONTINUING ALONG SAID WEST LINE AND ALONG SAID CENTERLINE, 2632.30 FEET TO THE **POINT OF BEGINNING**, AS SHOWN ON THE EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION", ATTACHED HERETO AND MADE A PART HEREOF.

CONTAINING 1013.83 ACRES, MORE OR LESS AS DETERMINED BY COMPUTER METHODS.

EXCEPTING THEREFROM THE SOUTH HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 13, SAID TOWNSHIP AND RANGE;

CONTAINING 20.70 ACRES, MORE OR LESS AS DETERMINED BY COMPUTER METHODS.

FURTHER EXCEPTING THEREFROM THE EAST HALF (E 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) AND THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 13, SAID TOWNSHIP AND RANGE;

CONTAINING 62.44 ACRES, MORE OR LESS AS DETERMINED BY COMPUTER METHODS.

CONTAINING A TOTAL AREA OF 930.69 ACRES, MORE OR LESS AS DETERMINED BY COMPUTER METHODS.

BASIS OF BEARINGS:

NORTH 87°50'15" EAST, BEING THE BEARING OF THE NORTH LINE OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 13, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, AS SHOWN ON THAT CERTAIN RECORD OF SURVEY ON FILE IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA, IN FILE 124 OF SURVEYS, PAGE 94.

**LEGAL DESCRIPTION
NON-ASSESSABLE PARCELS**

KYLE CANYON OUTFALL (PROJECT 1.1)

BEING A PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 14 AND A PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 11, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CLARK COUNTY, NEVADA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SECTION 14, SAID TOWNSHIP AND RANGE, SAME BEING THE CENTERLINE INTERSECTION OF PULI ROAD AND GRAND TETON DRIVE; THENCE SOUTH 89°08'54" WEST, 57.85 FEET; THENCE SOUTH 28°43'52" WEST, 2026.30 FEET; THENCE SOUTH 02°30'14" WEST, 311.87 FEET; THENCE NORTH 89°22'31" WEST, 242.93 FEET; THENCE NORTH 00°00'00" EAST, 322.76 FEET; THENCE NORTH 90°00'00" EAST, 93.06 FEET; THENCE NORTH 28°43'52" EAST, 2007.59 FEET; THENCE SOUTH 89°08'54" WEST, 19.65 FEET; THENCE NORTH 00°42'00" WEST, 250.92 FEET; THENCE NORTH 89°35'30" EAST, 257.65 FEET; THENCE SOUTH 01°03'45" WEST, 249.06 FEET TO THE POINT OF BEGINNING, AS SHOWN ON THE "EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION", ATTACHED HERETO AND MADE A PART HEREOF.

CONTAINING 10.24 ACRES, MORE OR LESS, AS DETERMINED BY COMPUTER METHODS.

L.V.V.W.D. RESERVOIR SITE (PROJECTS 1.3, 2.5, 2.6, 3.7, 4.4, 4.7, 4.12, 4.13, 4.14, 4.16, 4.17)

BEING THE SOUTH HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 13, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, AS SHOWN ON THE "EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION", ATTACHED HERETO AND MADE A PART HEREOF.

CONTAINING 20.70 ACRES, MORE OR LESS, AS DETERMINED BY COMPUTER METHODS.

SEVERANCE LANE OFF-SITE SEWER ALIGNMENT (PROJECT 2.1)

BEING THE SOUTH 20.00 FEET OF THE NORTH HALF (N 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 18, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA.

CONTAINING 1.22 ACRES (53,261 SQUARE FEET), MORE OR LESS, AS DETERMINED BY COMPUTER METHODS.

ELKHORN ROAD OFF-SITE SEWER ALIGNMENT (PROJECT 2.2)

BEING THE NORTH 20.00 FEET OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 19, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA.

CONTAINING 1.83 ACRES (79,883 SQUARE FEET), MORE OR LESS, AS DETERMINED BY COMPUTER METHODS.

DEER SPRINGS WAY OFF-SITE SEWER ALIGNMENT (PROJECT 2.3)

BEING THE SOUTH 20.00 FEET OF THE SOUTH HALF (S 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 19, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA.

THE SOUTH 20.00 FEET OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 19, SAID TOWNSHIP AND RANGE.

THE NORTH 20.00 FEET OF THE EAST HALF (E 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 19, SAID TOWNSHIP AND RANGE.

THE NORTH 20.00 FEET OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 19, SAID TOWNSHIP AND RANGE.

THE NORTH 20.00 FEET OF THE WEST HALF (W 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 19, SAID TOWNSHIP AND RANGE.

CONTAINING 2.14 ACRES (93,121 SQUARE FEET), MORE OR LESS, AS DETERMINED BY COMPUTER METHODS.

CENTENNIAL PARKWAY OFF-SITE SEWER ALIGNMENT (PROJECT 2.4)

BEING PORTIONS OF SECTION 25, TOWNSHIP 19 SOUTH, RANGE 59 EAST, AND PORTIONS OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

THE NORTH 20.00 FEET OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 25, SAID TOWNSHIP AND RANGE;

THE NORTH 20.00 FEET OF THE WEST HALF (W 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 25, SAID TOWNSHIP AND RANGE;

THE WEST 20.00 FEET OF THE EAST HALF (E 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 25 SAID TOWNSHIP AND RANGE;

THE WEST 20.00 FEET OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4), OF SECTION 25, SAID TOWNSHIP AND RANGE;

THE NORTH 20.00 FEET OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID TOWNSHIP AND RANGE;

THE NORTH 20.00 FEET AND THE EAST 20.00 FEET OF THE SOUTH HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 25, SAID TOWNSHIP AND RANGE;

THE NORTH 20.00 FEET OF THE EAST 20.00 FEET OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 25, SAID TOWNSHIP AND RANGE;

THE NORTH 20.00 FEET OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 30, SAID TOWNSHIP AND RANGE;

THE NORTH 20.00 FEET OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF

SECTION 30, SAID TOWNSHIP AND RANGE, AS SHOWN ON THE "EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION", ATTACHED HERETO AND MADE A PART HEREOF.

CONTAINING A TOTAL AREA OF 5.23 ACRES, MORE OR LESS, AS DETERMINED BY COMPUTER METHODS.

PROJECT 2.5

BEING A PORTION OF THE SOUTH HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CLARK COUNTY, NEVADA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST SIXTEENTH CORNER COMMON TO SECTION 24 AND SECTION 25, SAID TOWNSHIP AND RANGE; THENCE NORTH 89°00'28" EAST, ALONG THE SOUTH LINE OF SAID SOUTH HALF (S 1/2), A DISTANCE OF 308.25 FEET; THENCE NORTH 00°59'32" WEST, DEPARTING SAID SOUTH LINE, 50.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 3205.00 FEET, SAME BEING THE POINT OF BEGINNING, A RADIAL LINE TO SAID BEGINNING BEARS NORTH 65°16'28" WEST;

THENCE NORTHEASTERLY, 733.09 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13°06'20"; THENCE NORTH 88°58'09" EAST, 38.65 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 3175.00 FEET, A RADIAL LINE TO SAID BEGINNING BEARS NORTH 51°43'53" WEST; THENCE SOUTHWESTERLY, 736.01 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13°16'55"; THENCE SOUTH 89°00'28" WEST, 33.33 FEET TO **THE POINT OF BEGINNING**, AS SHOWN ON THE "EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION", ATTACHED HERETO AND MADE A PART HEREOF.

CONTAINING 22,036 SQUARE FEET (0.51 ACRES), MORE OR LESS, AS DETERMINED BY COMPUTER METHODS.

PROJECT 2.6

BEING A PORTION OF THE WEST HALF (W 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CLARK COUNTY, NEVADA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID WEST HALF (W 1/2); THENCE NORTH 88°50'11" EAST, ALONG THE NORTH LINE OF SAID WEST HALF (W 1/2), A DISTANCE OF 680.41 FEET; THENCE SOUTH 00°11'31" WEST, DEPARTING SAID NORTH LINE, 20.01 FEET; THENCE SOUTH 88°50'11" WEST, 630.39 FEET; THENCE SOUTH 00°09'39" WEST, 793.78 FEET; THENCE SOUTH 71°11'39" WEST, 52.87 FEET; THENCE NORTH 00°09'39" EAST, 829.81 FEET TO **THE POINT OF BEGINNING**, AS

SHOWN ON THE "EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION", ATTACHED HERETO AND MADE A PART HEREOF.

CONTAINING 53,698 SQUARE FEET (1.23 ACRES), MORE OR LESS, AS DETERMINED BY COMPUTER METHODS.

PROJECT 2.6

BEING A PORTION OF THE WEST HALF (W 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CLARK COUNTY, NEVADA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID WEST HALF (W 1/2); THENCE NORTH 88°50'46" EAST, ALONG THE NORTH LINE OF SAID WEST HALF (W 1/2), A DISTANCE OF 339.29 FEET; THENCE SOUTH 00°05'14" WEST, DEPARTING SAID NORTH LINE, 668.66 FEET; THENCE SOUTH 32°25'37" EAST, 484.87 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 3175.00 FEET, A RADIAL LINE TO SAID BEGINNING BEARS NORTH 23°27'37" WEST; THENCE SOUTHWESTERLY, 101.00 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°49'22"; THENCE NORTH 32°25'37" WEST, 499.88 FEET; THENCE NORTH 00°05'14" EAST, 645.65 FEET; THENCE SOUTH 88°50'46" WEST, 238.89 FEET; THENCE NORTH 00°20'25" WEST, 50.01 FEET TO **THE POINT OF BEGINNING**, AS SHOWN ON THE "EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION", ATTACHED HERETO AND MADE A PART HEREOF.

CONTAINING 2.97 ACRES (129,380 SQUARE FEET), MORE OR LESS, AS DETERMINED BY COMPUTER METHODS.

PROJECTS 2.6, 2.7, 3.2, 3.7, 4.5, 4.6, 4.16

BEING A PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CLARK COUNTY, NEVADA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER (SE 1/4); THENCE NORTH 88°48'43" EAST, ALONG THE NORTH LINE SAID SOUTHEAST QUARTER (SE 1/4), A DISTANCE OF 681.28 FEET; THENCE SOUTH 00°08'09" WEST, DEPARTING SAID NORTH LINE, 668.77 FEET; THENCE NORTH 88°51'15" EAST, 681.95 FEET; THENCE SOUTH 00°04'41" WEST, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER (SE 1/4), A DISTANCE OF 669.26 FEET; THENCE SOUTH 88°53'47" WEST, DEPARTING SAID EAST LINE AND ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER (SE 1/4), A DISTANCE OF 1365.23; THENCE NORTH 00°11'38" EAST, DEPARTING SAID SOUTH LINE AND ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER (SE 1/4), A DISTANCE OF 1336.56 FEET TO **THE POINT OF BEGINNING**;

CONTAINING 31.40 ACRES, MORE OR LESS, AS DETERMINED BY COMPUTER METHODS.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL OF LAND:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER (SE 1/4); THENCE NORTH 88°48'43" EAST, ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER (SE 1/4), 89.83 FEET; THENCE SOUTH 01°11'17" EAST, DEPARTING SAID NORTH LINE, 70.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 88°48'43" EAST, 527.96 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 44.00 FEET, A RADIAL LINE TO SAID BEGINNING BEARS NORTH 38°12'45" EAST; THENCE SOUTHEASTERLY, 39.87 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 51°55'24"; THENCE SOUTH 00°08'09" WEST, 474.56 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 85.00 FEET; THENCE SOUTHWESTERLY, 29.30 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19°45'00" TO THE BEGINNING OF A REVERSE CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 85.00 FEET, A RADIAL LINE TO SAID BEGINNING BEARS NORTH 70°06'51" WEST; THENCE SOUTHEASTERLY, 194.02 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 130°46'54" TO THE BEGINNING OF A REVERSE CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 85.00 FEET, A RADIAL LINE TO SAID BEGINNING BEARS NORTH 20°53'45" WEST; THENCE NORTHEASTERLY, 29.30 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19°45'00"; THENCE NORTH 88°51'15" EAST, 532.53 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 15.00 FEET; THENCE SOUTHEASTERLY, 23.88 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 91°13'26"; THENCE SOUTH 00°04'41" WEST, 549.18 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 15.00 FEET; THENCE SOUTHWESTERLY, 23.25 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 88°49'06"; THENCE SOUTH 88°53'47" WEST, 1223.97 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 44.00 FEET; THENCE NORTHWESTERLY, 39.72 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 51°43'24"; THENCE NORTH 00°01'10" EAST, 1156.12 FEET TO THEN BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 90.00 FEET, A RADIAL LINE TO SAID BEGINNING BEARS SOUTH 22°51'58" EAST; THENCE NORTHEASTERLY, 71.37 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 45°26'12" **TO THE POINT OF BEGINNING, AS SHOWN ON THE "EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION", ATTACHED HERETO AND MADE A PART HEREOF.**

CONTAINING 25.62 ACRES, MORE OR LESS, AS DETERMINED BY COMPUTER METHODS.

CONTAINING A TOTAL AREA OF 5.78 ACRES, MORE OR LESS, AS DETERMINED BY COMPUTER METHODS.

PROJECTS 2.6, 3.2

BEING A PORTION OF THE WEST HALF (W 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CLARK COUNTY, NEVADA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID WEST HALF (W 1/2); THENCE NORTH 00°08'51" EAST, ALONG THE WEST LINE OF SAID WEST HALF (W 1/2), A DISTANCE OF 1339.39 FEET; THENCE NORTH 88°48'37" EAST, DEPARTING SAID WEST LINE AND ALONG THE NORTH LINE OF SAID WEST HALF (W 1/2), 680.32 FEET; THENCE SOUTH 00°08'34" WEST, DEPARTING SAID NORTH LINE, 65.02 FEET; THENCE SOUTH 88°48'37" WEST, 559.76 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 90.00 FEET, A RADIAL LINE TO SAID BEGINNING BEARS SOUTH 71°43'06" EAST; THENCE SOUTHWESTERLY, 97.82 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 62°16'19"; THENCE SOUTH 00°08'51" WEST, 1195.31 FEET; THENCE NORTH 88°50'11" EAST, 630.41 FEET; THENCE SOUTH 00°08'34" WEST, ALONG THE EAST LINE OF SAID WEST HALF (W 1/2), A DISTANCE OF 20.01 FEET; THENCE SOUTH 88°50'11" WEST, DEPARTING SAID EAST LINE AND ALONG THE SOUTH LINE OF SAID WEST HALF (W 1/2), A DISTANCE OF 680.43 FEET TO **THE POINT OF BEGINNING**, AS SHOWN ON THE "EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION", ATTACHED HERETO AND MADE A PART HEREOF.

CONTAINING 2.83 ACRES (123,449 SQUARE FEET), MORE OR LESS, AS DETERMINED BY COMPUTER METHODS.

PROJECTS 2.6, 3.7, 4.6, 4.16

BEING A PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CLARK COUNTY, NEVADA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER (NE 1/4); THENCE NORTH 00°11'10" WEST, ALONG THE WEST LINE SAID NORTHEAST QUARTER (NE 1/4), A DISTANCE OF 1335.91 FEET TO THE NORTH LINE OF SAID NORTHEAST QUARTER (NE 1/4); THENCE NORTH 88°53'47" EAST, DEPARTING SAID WEST LINE AND ALONG SAID NORTH LINE, 1365.23 FEET; THENCE SOUTH 00°20'25" EAST, DEPARTING SAID NORTH LINE, 50.01 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 85.00 FEET, A RADIAL LINE TO SAID BEGINNING BEARS SOUTH 20°51'09" EAST; THENCE WESTERLY, 58.60 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 39°29'55" TO THE BEGINNING OF A REVERSE CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 85.00 FEET, A RADIAL LINE OT SAID BEGINNING BEARS NORTH 18°38'46" EAST; THENCE WESTERLY, 29.30 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19°45'00"; THENCE SOUTH 88°53'47" WEST, 1199.40 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 44.00 FEET; THENCE WESTERLY, 38.00 FEET ALONG SAID CURVE

THROUGH A CENTRAL ANGLE OF 49°28'35"; THENCE SOUTH 00°01'10" WEST, 1225.59 FEET; THENCE NORTH 88°55'50" EAST, 687.71 FEET;

THENCE SOUTH 00°03'23" EAST, 50.01 FEET TO THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE 1/4); THENCE SOUTH 88°55'50" WEST, ALONG SAID SOUTH LINE, 729.71 TO THE POINT OF BEGINNING, AS SHOWN ON THE "EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION", ATTACHED HERETO AND MADE A PART HEREOF.

CONTAINING 3.53 ACRES (153,627 SQUARE FEET), MORE OR LESS, AS DETERMINED BY COMPUTER METHODS.

PROJECTS 2.6, 3.9

BEING THE NORTH 20.00 FEET AND THE EAST 80.00 FEET OF THE EAST HALF (E 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CLARK COUNTY, NEVADA, AS SHOWN ON THE "EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION", ATTACHED HERETO AND MADE A PART HEREOF.

CONTAINING 58,832 SQUARE FEET (1.35 ACRES), MORE OR LESS, AS DETERMINED BY COMPUTER METHODS.

PROJECTS 2.7, 2.9, 2.10, 3.9

BEING THE WEST 50.00 FEET OF SECTION 18, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CLARK COUNTY, NEVADA;

THE WEST 50.00 FEET OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 19, SAID TOWNSHIP AND RANGE;

AND THE WEST 50.00 FEET OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 19, SAID TOWNSHIP AND RANGE;

CONTAINING 9.99 ACRES, MORE OR LESS, AS DETERMINED BY COMPUTER METHODS.

PROJECTS 2.9, 3.4, 4.10

BEING A PORTION OF THE EAST HALF (E 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 13, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CLARK COUNTY, NEVADA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF EAST HALF (E 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 13, SAID TOWNSHIP AND RANGE; THENCE SOUTH 00°32'25" EAST, ALONG THE EAST LINE OF SAID EAST HALF (E 1/2), A DISTANCE OF 80.02 FEET; THENCE SOUTH 88°20'44" WEST, DEPARTING SAID EAST LINE, 634.00 FEET;

THENCE SOUTH 00°38'46" EAST, 1179.38 FEET; THENCE NORTH 88°31'50" EAST, 630.79 FEET; THENCE NORTH 88°34'47" EAST, 1.00 FEET; THENCE SOUTH 00°32'25" EAST, ALONG THE EAST LINE AND SAID EAST HALF (E 1/2), A DISTANCE OF 65.01 FEET; THENCE SOUTH 88°31'50" WEST, DEPARTING SAID EAST LINE AND ALONG THE SOUTH LINE OF SAID EAST HALF (E 1/2), A DISTANCE OF 681.67 FEET; THENCE NORTH 00°38'46" WEST, DEPARTING SAID SOUTH LINE AND ALONG THE WEST LINE OF SAID EAST HALF (E 1/2), A DISTANCE OF 1324.23 FEET; THENCE NORTH 88°20'44" EAST, DEPARTING SAID WEST LINE AND ALONG THE NORTH LINE OF SAID EAST HALF (E 1/2), A DISTANCE OF 684.16 FEET TO **THE POINT OF BEGINNING**, AS SHOWN ON THE "EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION", ATTACHED HERETO AND MADE A PART HEREOF.

CONTAINING 3.63 ACRES (158,004 SQUARE FEET), MORE OR LESS, AS DETERMINED BY COMPUTER METHODS.

PROJECTS 2.9, 3.4, 3.8, 4.1, 4.10, 4.16

BEING A PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 13, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CLARK COUNTY, NEVADA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER (NW 1/4); THENCE NORTH 88°21'18" EAST, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER (NW 1/4), A DISTANCE OF 1366.89 FEET; THENCE SOUTH 00°26'16" EAST, DEPARTING SAID NORTH LINE AND ALONG THE EAST LINE OF SAID NORTHWEST QUARTER (NW 1/4), 1331.88 FEET; THENCE SOUTH 88°34'47" WEST, DEPARTING SAID EAST LINE AND ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER (NW 1/4), A DISTANCE OF 1364.42 FEET; THENCE NORTH 00°32'25" WEST, DEPARTING SAID SOUTH LINE AND ALONG THE WEST LINE OF SAID NORTHWEST QUARTER (NW 1/4), A DISTANCE OF 65.01 FEET; THENCE NORTH 88°34'47" EAST, DEPARTING SAID WEST LINE, 1294.52 FEET; THENCE NORTH 00°26'16" WEST, 1142.37 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 90.00 FEET, A RADIAL LINE TO SAID BEGINNING BEARS SOUTH 19°02'00" WEST; THENCE NORTHWESTERLY, 67.44 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 42°56'02"; THENCE SOUTH 88°21'18" WEST, 1245.40 FEET; THENCE SOUTH 88°20'44" WEST, 1.56 FEET; THENCE NORTH 00°32'25" WEST, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER (NW 1/4), A DISTANCE OF 80.02 FEET TO **THE POINT OF BEGINNING**, AS SHOWN ON THE "EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION", ATTACHED HERETO AND MADE A PART HEREOF.

CONTAINING 6.48 ACRES (282,483 SQUARE FEET), MORE OR LESS, AS DETERMINED BY COMPUTER METHODS.

PROJECTS 2.10, 3.5, 4.2, 4.9

BEING THE SOUTH 120.00 FEET OF SECTION 12, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, AS SHOWN ON THE "EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION", ATTACHED HERETO AND MADE A PART HEREOF.

CONTAINING 14.54 ACRES, NOMINAL, BASED UPON A STANDARD SECTION.

PROJECT 3.1

BEING THE NORTH 50.00 FEET OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4), AND THE NORTH 50.00 FEET OF THE WEST HALF (W 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 25, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, AS SHOWN ON THE "EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION", ATTACHED HERETO AND MADE A PART HEREOF.

CONTAINING 1.59 ACRES, NOMINAL, BASED UPON A STANDARD SECTION.

PROJECTS 3.6, 4.17

BEING THE EAST 120.00 FEET OF SECTION 14, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, AS SHOWN ON THE "EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION", ATTACHED HERETO AND MADE A PART HEREOF.

CONTAINING 14.54 ACRES, NOMINAL, BASED UPON A STANDARD SECTION.

PROJECTS 3.6, 4.8, 4.17

BEING THE EAST 120.00 FEET OF SECTION 23, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, AS SHOWN ON THE "EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION", ATTACHED HERETO AND MADE A PART HEREOF.

CONTAINING 14.54 ACRES, NOMINAL, BASED UPON A STANDARD SECTION.

PROJECT 4.11

BEING PORTIONS OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CLARK COUNTY, NEVADA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 50.00 FEET OF THE EAST HALF (E 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4);

THE SOUTH 50.00 FEET OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4); AND

THE SOUTH 50.00 FEET OF THE WEST HALF (W 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER

(SE 1/4), AS SHOWN ON THE "EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION", ATTACHED HERETO AND MADE A PART HEREOF.

CONTAINING 67,668 SQUARE FEET (1.55 ACRES), MORE OR LESS, AS DETERMINED BY COMPUTER METHODS.

PROJECT 4.15

BEING THE SOUTH 50.00 FEET OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 23, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CLARK COUNTY, NEVADA;

EXCEPTING THEREFROM THE EAST 120.00 FEET THEREOF;

THE SOUTH 50.00 FEET OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 18, SAID TOWNSHIP AND RANGE;

AND THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 18, SAID TOWNSHIP AND RANGE.

CONTAINING 14.53 ACRES, MORE OR LESS, AS DETERMINED BY COMPUTER METHODS.

Section 3. Except as shown on the preliminary plans for the District, to be filed by the Engineer in the office of the City Clerk, the location of the Project and the District shall be as described in Sections 1 and 2 hereof, respectively.

Section 4. 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 determine is most desirable, for the construction, acquisition, improvement and installation of the Project. 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 the Engineer are necessary or essential to the completion of such work or improvement attributable to the costs in the District and the payment of the cost thereof. Such preliminary estimate shall also include the amounts estimated to be deposited from bond proceeds in reserve and other funds for the bonds to be issued by the City to provide the funds for the acquisition and improvement of the Project. The entire cost of the Project is of special benefit and shall be paid by special assessment against the lots, tracts and parcels of land benefited.

Section 5. The Engineer is hereby directed to prepare and file with the City Clerk an assessment plat showing the area to be assessed, a description of each lot, tract or parcel of land, the name and address of the owner, and the amount of estimated maximum benefits to be

assessed against each lot, tract and parcel of land, which are assessable and specially benefitted; such estimated benefits may be shown by an attached addendum to the plat, which may be designated as the preliminary assessment roll or tabulation of parcels. An equitable adjustment will be made for assessments to be levied against wedge or V or other irregularly shaped lots, tracts or parcels of land, if any, and for any lot, tract or parcel of land not specially benefitted by the Project so that assessments according to benefits are to be equal and uniform. In any event, the assessments shall be against all lots, tracts and parcels of land benefitted by the Project proportionally to benefits received. Such basis of assessments is hereby designated by the Council.

Section 0. All of the costs of the Project are to be paid from special assessments. Assessments will be levied on an area basis; except that for property which has been subdivided, in which case the Assessments will be levied on a per lot basis.

Section 0. The officers of the City are authorized and directed to take all action necessary to effectuate the provisions of this resolution.

Section 0. All action, proceedings and matters previously taken, had and done by the City and the officers of the City (not inconsistent with the provisions of this resolution) concerning the District and the Project, be, and the same hereby are, ratified, approved and confirmed.

Section 0. All bylaws, orders and resolutions, or parts thereof, in conflict with this resolution, are repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any bylaw, order, or resolution, or part thereof, previously repealed.

Section 0. If any section, paragraph, clause or provision of this resolution shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 11. The Council has determined and does hereby declare that this resolution shall be in effect upon its passage in accordance with law.

PASSED AND ADOPTED this April 21, 2004.



Oscar B. Goodman, Mayor

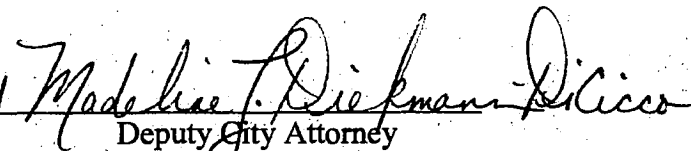
(SEAL)

Attest:



Barbara Jo Ronemus, City Clerk

Approved as to Form:

4-8-'04 

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 Las Vegas (the "City"), in the State of Nevada, do hereby certify:

1. The foregoing pages are a true and correct copy of a resolution (the "Resolution") passed and adopted by the Council at a regular meeting of the Council held on April 21, 2004. A quorum of the Council was in attendance at the meeting.

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 the Council as follows:

Those Voting Aye:

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

Those Voting Nay: NONE

Those Absent: NONE

Those Abstaining: NONE

3. The members of the Council were present at such meeting and voted on the passage of such Resolution as set forth above.

4. The Resolution was approved and authenticated by the signature, of the Mayor, sealed with the City seal, attested by myself as the City Clerk and recorded in the minutes of the Council.

5. All members of the Council were given due and proper notice of the meeting. Public notice of the meeting was given and the meeting was held and conducted in full

compliance with the provisions of NRS 241.020. A copy of the notice of the meeting was posted not later than 9:00 a.m. at least 3 working days in advance of the meeting at:

- (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

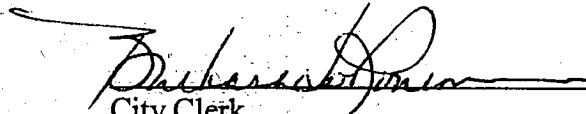
0. A copy of the notice was mailed to each person, if any, who has requested notice of the meetings of the Council in the same manner in which notice is required to be mailed to a member of the Council. Such notice, if mailed, was delivered to the postal service no later than 9:00 a.m. on the third working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

0. A copy of the notice was posted on the City's website no later than 9:00 a.m. on the third working day prior to the meeting.

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

0. A copy of the notice so given of the meeting of the Council held on April 21, 2004, is attached to this certificate as Exhibit A.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City
this April 23 2004.



City Clerk

(SEAL)

EXHIBIT A

(Attach copy of posted Agenda)

CITY COUNCIL AGENDA

APRIL 21, 2004

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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 21, 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 - REVEREND ROBERT FOWLER, VICTORY MISSION BAPTIST CHURCH
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF THE EMPLOYEE OF THE MONTH
- RECOGNITION OF THE AWARD-WINNING DOOLITTLE COMMUNITY CENTER JAM SQUAD
- PRESENTATION BY THE VETERANS DAY PARADE COMMITTEE

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. Discussion and possible action to appoint a City Council member for Ward 2

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 - CONSENT

3. Approval to authorize the president of City Parkway IV and V to execute Modification No.1 to the Amended Designated Services Agreement for City Parkway Center Project with Design Workshop, Inc. to include the development of Design Guidelines and Development Standards (DGDS) for the Union Park development (61-acres site) (not to exceed \$300,000) Industrial Development SRF - Ward 5 (Weekly)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

4. Approval of Service and Material Checks/Payroll Checks/Wires Transfers/Other Checks and Investments
5. Approval to renew the Interlocal Agreement for Coordination of Franchise-Related Activities with Clark County, Henderson, North Las Vegas and Boulder City (\$40,000-General Fund)- All Wards
6. Approval of a Special Event License for Univision Radio-Las Vegas, Location: Lorenzi Park, 3333 West Washington Avenue, Date: May 2, 2004, Type: Special Event General, Event: Cinco de Mayo 2004, Responsible Person in Charge: Zulema Benjamin - Ward 5 (Weekly)
7. Approval of a Special Event License for Grace in the Desert Episcopal Church, Location: Grace in the Desert Episcopal Church, 2004 Spring Gate Lane, Date: April 24, 2004, Type: Special Event Beer/Wine, Event: Church Spring Festival & BBQ, Responsible Person in Charge: Donald W. Pickell - Ward 4 (Brown)
8. Approval of Change of Ownership for a Beer/Wine/Cooler On-sale License From: Instant Impressions, Inc., Michael G. Maguire, Dir, Pres, 37.5%, Judy A. Maguire, Dir, Secy, 37.5%, Steven D. Gradwell, Dir, Treas, 10%, To: Garrett Equities Incorporated, LLC, dba The Wild Flower Cafe and Florist, 3818 Meadows Lane, Millicent Washington, Mgr, Mmbr, 100% - Ward 1 (Moncrief)
9. Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale License, From: Pollos Tumi - Partnership, dba Pollos Tumi, Luis I. Pedemonte, Ptnr, 50%, Carlos A. Lazarte, Ptnr, 50%, To: Carlos Lazarte, dba Las Americas, 2319 South Eastern Avenue, Carlos A. Lazarte, 100% - Ward 3 (Reese)
10. Approval of Franchise Managers for a Beer/Wine/Cooler Off-sale License, 7-Eleven of Nevada, Inc., dba 7-Eleven Food Store #13699C, 2409 Tam Drive, Heon J. Kim, Franchise Mgr, Jeong M. Kim, Franchise Mgr - Ward 1 (Moncrief)
11. Approval of Change of Business Name for a Wholesale General License, Johnson Brothers of Nevada, Inc., dba From: Alternative Beverage Distributors, To: Johnson Brothers of Nevada, 4409 McGuire Street, Scott Belsaas, Dir, Pres, Michael Johnson, Dir, VP, Secy, 50%, Todd Johnson, Dir, VP, Treas, 50% - North Las Vegas
12. Approval of Change of Business Name for a Tavern License and a Non-restricted Limited Gaming License for 35 slots, TLC Gaming, Inc., dba From: Hurricane Harrys, To: José Hogs Casino & Cantina, 3190 West Sahara Avenue, Terry L. Caudill, Dir, Pres, Secy, Treas, 95%, Timothy G. Lager, 5% - Ward 1 (Moncrief)
13. Approval of Change of Business Name for a Tavern License and a Restricted Gaming License for 15 slots, Polonez Polish Deli & Restaurant, Inc., dba From: Polonez Polish Deli & Restaurant, To: Euro Place Ristorante, 1243 East Sahara Avenue, Boguslaw M. Sobol, Dir, Pres, Secy, Treas, 100% - Ward 3 (Reese)
14. Approval of Change of Location for a Burglar Alarm Service, Security Alarm Monitoring Service, Inc., dba Security Alarm Monitoring Service, Inc., From: 2421 Tech Center Court, #100, To: 5445 Royal Vista Lane, Martin J. Pollinger, Pres, 50%, Christopher L. Mullins, Secy, Treas, 50% - Ward 6 (Mack)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

15. Approval of new Martial Arts Instruction Business License, Marc Laimon, dba Cobra Kai Jiu Jitsu, 2104 Highland Avenue, Marc J. Laimon, 100% - Ward 1 (Moncrief)
16. Approval of Change of Location for a Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, AKS Karate, Inc., dba AKS Karate, Inc., From: 6704 West Cheyenne Avenue, To: 2333 North Jones Boulevard, Suite 104, Robert I. Navoa, Dir, Pres, 60%, Raymond L. Mingo, Dir, VP, 40%, Arlene A. Navoa, Dir, Secy, Tamika K.R. Simmons, Dir, Treas - Ward 5 (Weekly)
17. Approval of Change of Location for a Class II Secondhand Dealer License subject to the provisions of the fire codes, Gilbert Levy, dba G & G Liquidators, From: 401 West Bonanza Road, To: 3021 Sheridan Street, Gilbert Levy, 100% - Ward 1 (Moncrief)
18. Preapproval of award of Bid No. 04.1730.07-LED, Grand Montecito Parkway - Centennial Parkway to Elkhorn Road to the lowest responsive and responsible or best bidder and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Pubic Works (\$6,000,000 - Special Assessment Capital Projects Fund) - Ward 6 (Mack)
19. Approval of award of Bid No. 03:15341.16-LED, Firefighters Memorial Park, Phase II, 6401 West Oakley Boulevard and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: RAFAEL CONSTRUCTION, INC. (\$719,000 - Parks and Leisure Activities Capital Projects Fund) - Ward 1 (Moncrief)
20. Approval of rejection of all non-responsive bids and award of Bid Number 040086-TG, Annual Requirements Contract for Medical Supplies - Department of Fire and Rescue - Award recommended to: BOUNDTREE MEDICAL LLC (\$400,000 - General Fund)
21. Approval of Agreement Modification No. 2, Gaming Concession at Downtown Transportation Center, 300 N. Casino Center Blvd. - Department of Field Operations - Award to: UNITED COIN MACHINE COMPANY (\$297,000 revenue - General Fund) - Ward 5 (Weekly)
22. Approval of issuance of a purchase order for a mobile abrasive cutting system - Department of Fire and Rescue - Award recommended to: APPLIED NEW TECHNOLOGY AG (\$129,015 - Multi-Purpose Special Revenue Fund)
23. Approval of award of Bid No. 040227-DAR, Annual Requirements Contract for Fasteners - Various Departments - Award recommended to: FASTENAL COMPANY (Estimated annual amount of \$100,000 - Various Funds)
24. Approval of revision to purchase order 218380 for annual requirements contract for crack seal - Department of Field Operations - Award to: LAS VEGAS PAVING CORPORATION (\$124,000 - Public Works Capital Projects Fund) - All Wards
25. Approval of Amendment Number 1 to Automated Vehicle Fueling System Contract - Departments of Field Operations and Fire and Rescue - Award to: SER-CON, INC. (\$73,051.37 - Automotive Operations ISF and Fire and Rescue CPF)
26. Approval of Contract No. 040215-KF, Radiological Services - Department of Fire and Rescue - Award recommended to: DESERT RADIOLOGY (Estimated annual amount of \$60,000 - General Fund)
27. Approval of issuance of a purchase order for one Class 6 Cargo Truck under Bid No. 040030-DAR, Open End Contract for Class 6 Cargo Truck - Department of Field Operations - Award to: MCCANDLESS INTERNATIONAL TRUCKS, INC. (\$58,904 - Automotive Operations Internal Service Fund)
28. Approval of issuance of a purchase order for one Mid-Size Tractor Mower under Bid No. 040075-DAR, Open End Contract for Mid-Size Tractor Mower and Trailer - Department of Field Operations - Award recommended to: SIMPSON NORTON (\$36,982 - Automotive Operations Internal Service Fund)
29. Approval of issuance of a purchase order for a One-Ton Truck under Bid No. 040118-DAR, Open End Contract for One-Ton Trucks - Department of Field Operations - Award to: GAUDIN FORD (\$31,536.31 - Automotive Operations Internal Service Fund)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

30. Approval of issuance of a purchase order for a One-Ton Dedicated CNG Fuel Extended Locksmith Van under Bid No. 040160-DAR, Open End Contract for One-Ton Dedicated CNG Fuel Extended Locksmith Van - Department of Field Operations - Award recommended to: BILL HEARD CHEVROLET (\$30,370.71 - Automotive Operations Internal Service Fund)
31. Approval of revision to purchase order 217174 for Hewlett Packard printer maintenance- Department of Information Technologies - Award to: INTERTECH COMPUTER PRODUCTS (\$10,000 - Computer Services Internal Service Fund)

NEIGHBORHOOD SERVICES DEPARTMENT - CONSENT

32. Approval of a Third Amendment to Agreement To Grant Redevelopment Set Aside Housing Funds to East Las Vegas Community Development Corporation allowing subordinations of the City of Las Vegas Deeds of Trust to enable homeowners the ability to refinance homes under specific circumstances at Mi Casa en el Sol for 40 new townhomes located on the 2900 block of Cedar Avenue and Poplar Avenue - Ward 3 (Reese)
33. Approval of additional Home Investment Partnership Program (HOME) funds in the amount of \$4,000 for additional housing rehabilitation activities at 265 South 17th Street - Ward 5 (Weekly)

PUBLIC WORKS DEPARTMENT - CONSENT

34. Approval of Supplemental Interlocal Contract for Durango Drive, Westcliff Drive to Vegas Drive between the City of Las Vegas and the Southern Nevada Regional Transportation Commission to increase funding and change the scope of the project (\$6,273,000 - Southern Nevada Regional Transportation Commission) - Ward 2 (L.B. McDonald)
35. Approval to file an amendment to Bureau of Land Management Right-of-Way Grant N-66120 for sewer purposes on portions of land lying within the Northwest Quarter of Section 12, Township 20 South, Range 59 East, Mount Diablo Meridian, generally located approximately 635 feet south of Alexander, west of Cliff Shadow Parkway, APN 137-12-101-008 - Ward 4 (Brown)
36. Approval to file a Right-of-Way Grant with the Bureau of Land Management for roadway, sanitary sewer, drainage, trail and streetscape amenity purposes on portions of land lying within Section 24, the Southwest Quarter and the East Half of Section 13, Township 19 South, Range 59 East, Mount Diablo Meridian, generally located between Hualapai Way and Puli Road on the east and west and by Grand Teton Drive and the Clark County Beltway on the north and south, APNs 126-13-401-014, -501-002, -701-006, 126-24-201-012, -301-011, -601-018 and -701-013 - Ward 6 (Mack)
37. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Brian G. Smith and Valerie C. Smith, owners (southeast corner of La Madre Way and Janell Drive, APN 125-33-402-010) - County (near Ward 6 - Mack)
38. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Aaron B. Hirschi, owner (southeast corner of Bonita Vista Street and Corbett Street, APN 125-29-708-001) - County (near Ward 6 - Mack)
39. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Richard Bennett, owner (north of Tropical Parkway, between Fort Apache Road and Dapple Gray Road, APN 125-29-201-025) - County (near Ward 6 - Mack)
40. Approval of a Professional Services Agreement with Southwick Landscape Architects for the design services of Gilmore Cliff Shadows Park and Trail Head located at Gilmore Drive and Cliff Shadows Parkway (\$376,200 - Southern Nevada Public Lands Management Act) - Ward 4 (Brown)

PUBLIC WORKS DEPARTMENT - CONSENT

41. Approval of an Interlocal Agreement between the City of Las Vegas and the Las Vegas Valley Water District to allow the installation of fire protection water service for the Operation and Maintenance Building at the Water Pollution Control Facility (\$654 - Sanitation Fund) - Clark County

RESOLUTIONS - CONSENT

42. R-60-2004 - Approval of a Resolution Adopting a Revised Fee Schedule for LVMC Title 13 and Chapter 11.50 (pertaining to public improvement work and temporary traffic control work)
43. R-61-2004 - Approval of a Resolution directing the Engineer to prepare preliminary plans and an assessment plat for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)
44. R-62-2004 - Approval of a Resolution directing the Engineer to prepare full and detailed plans, cost estimates and an assessment plat for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)
45. R-63-2004 - Approval of a Resolution declaring necessity for creating and ordering the preparation of an assessment roll for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)
46. R-64-2004 - Approval of a Resolution validating and confirming the assessment roll for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)
47. R-65-2004 - Approval of a Resolution directing the City Treasurer to prepare the Fifty-Ninth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
48. R-66-2004 - Approval of a Resolution approving the Fifty-Ninth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
49. R-67-2004 - Approval of a Resolution directing the City Treasurer to prepare the Tenth Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
50. R-68-2004 - Approval of a Resolution approving the Tenth Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
51. R-69-2004 - Approval of a Resolution overruling complaints, protests, and objections and confirming the final assessment roll for Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance FY2005) (\$41,902.50 - Capital Projects Fund - Special Assessments) - Ward 1 (Moncrief)
52. R-70-2004 - Approval of a Resolution Making Provisional Order and Directing that Notice of Public Hearing thereon be given regarding Special Improvement District No. 1490 - Tenaya Way (Northern Beltway To Elkhorn Road) (Capital Projects Fund - Special Assessments) - Ward 6 (Mack)
53. R-71-2004 - Approval of a Resolution to establish a twenty percent minimum fund balance for the Group Insurance Internal Service Fund (ISF) based on prior year expenditures
54. R-72-2004 - Approval of a Resolution Amending Schedule 25-I, 30 MPH Speed Limits, to Add a Speed Limit of 30 MPH on Greenmoor Lane between Pavilion Center Drive and Anasazi Way; Laurelglén Drive between Pavilion Center Drive and Sageberry Drive; Park Run Drive between Pavilion Center Drive and Town Center Drive; Pavilion Center Drive between Charleston Boulevard and Laurelglén Drive; and Sageberry Drive between Pavilion Center Drive and Laurelglén Drive - Ward 2 (L.B. McDonald)
55. R-73-2004 - Approval of a Resolution Amending Schedule 25-II, 35 MPH Speed Limits, to Add a Speed Limit of 35 MPH on Washington Avenue between Martin L. King Boulevard and D Street - Ward 5 (Weekly)
56. R-74-2004 - Approval of a Resolution Amending Schedule 25-IV, 45 MPH Speed Limits, to Add a Speed Limit of 45 MPH on Charleston Boulevard between the 215 Beltway and Hualapai Way - Ward 2 (L.B. McDonald)

RESOLUTIONS - CONSENT

57. R-75-2004 - Approval of a Resolution Amending Schedule 25-II, 35 MPH Speed Limits, to Add a Speed Limit of 35 MPH on Azure Drive between US 95 and Tenaya Way; Bradley Road from the 215 Beltway to the north City limits; Centennial Center Boulevard between Ann Road and Durango Drive; Farm Road between Durango Drive and Tenaya Way; Farm Road between Jones Boulevard and Decatur Boulevard; Tenaya Way between Ann Road and Skypointe Drive; and Tropical Parkway between Durango Drive and US 95 - Ward 6 (Mack)

REAL ESTATE COMMITTEE - CONSENT

58. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 488 acres of land commonly known as APNs 125-01-001-001 and 125-01-701-001 located in the vicinity of Decatur Boulevard and Moccasin Road for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
59. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 10 acres of land commonly known as APN 126-02-101-005 located south of Moccasin Road and west of Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
60. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 8 acres of land commonly known as APNs 126-02-401-002 and 126-02-401-004 located in the vicinity of Iron Mountain Road and Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
61. Approval to authorize staff to purchase real property known as APN 139-34-612-026 located on the northeast corner of Carson Avenue and 8th Street from the State of Nevada Department of Conservation and Natural Resources Division of State Lands (\$323,049.80 plus closing costs - City Facilities Capital Project Fund) - Ward 5 (Weekly)
62. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 10 acres of land commonly known as APN 126-01-801-002 located in the vicinity of Iron Mountain Road and Hualapai Way for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
63. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 15 acres of land commonly known as portions of APNs 126-01-101-010 and 126-01-301-004 located off of Puli Drive between Moccasin Road and Iron Mountain Road for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
64. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 12.5 acres of land commonly known as a portion of APN 126-01-401-003 located in the vicinity of Iron Mountain Road and Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
65. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 5 acres of land commonly known as APN 126-01-501-001 located in the vicinity of Moccasin Road in between Puli Drive and Hualapai Way for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
66. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 5 acres of land commonly known as APN 126-01-601-002 located in the vicinity of Moccasin Road and Hualapai Way for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

- 67. Discussion and possible action regarding final payment to Southwest Sports Realty, L.P. - (Not to exceed \$120,000 - Industrial Development Special Revenue Fund)
- 68. Report and possible action on a presentation by Clark County Health District staff concerning the "Urban Rodent Surveillance Project"

CITY ATTORNEY - DISCUSSION

- 69. Discussion and possible action on Appeal of Work Card Denial: Held in Abeyance from March 17, 2004. Charles H. Lloyd, 301 Orland Street #25, Las Vegas, Nevada 89108
- 70. Discussion and possible action on Appeal of Work Card Denial: Jose Dennis Medrano-Arriola, 3756 Wynn Road #317, Las Vegas, Nevada 89103
- 71. Discussion and possible action on Appeal of Work Card Denial: Ms. Miaelizabeth Fenstermaker, 1400 So. Casino Center #22, Las Vegas, Nevada 89104
- 72. Discussion and possible action on Appeal of Work Card Denial: Desiree Dawn Gordon, 2700 Sadie Lane, Henderson, Nevada 89074
- 73. Discussion and possible action on Appeal of Work Card Denial: Chanpheng Phromprakay, 5010 Indian River Drive #149, Las Vegas, Nevada 89103

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

- 74. Discussion and possible action to fund the removal and relocation of skate element equipment from Patriot Park to Mountain Ridge Park (\$100,000 - Parks & Leisure Activities Capital Projects Fund) - Ward 6 (Mack)
- 75. ABEYANCE ITEM - 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)
- 76. ABEYANCE ITEM - Discussion and possible action regarding an Appeal of Denial of Business License for an Independent Massage Therapist License, Nicholas A. Hoover, dba Nicholas A. Hoover, 4200 East Bonanza Road, #123, Nicholas A. Hoover, 100% - Ward 3 (Reese)
- 77. ABEYANCE ITEM - 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)
- 78. Discussion and possible action regarding a Six Month Review of a Child Care Family Home License, Joyce Cathey, 1720 East Oakey Boulevard, Joyce Cathey, 100% - Ward 3 (Reese)
- 79. Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes, T & G Entertainment Investments, LLC, dba Peter Piper Pizza, 7981 West Tropical Parkway, TGEI, LLC, Managing Mmbr, 52%, Ted E. Kingston, Mmbr, 100%, John G. Barton, Mgr, John G. Barton Mmbr, 42% - Ward 6 (Mack)
- 80. Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes, Makino Premium Outlet LV, LLC, dba Makino Las Vegas Seafood Buffet, 775 South Grand Central Parkway, #1301, Las Vegas Kitchen, LLC, Mgr, 100%, Masako Ishitsuka, Mmbr, Mgr, 100% - Ward 5 (Weekly)

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

81. Discussion and possible action regarding Temporary Approval of a new Supper Club License subject to the provisions of the fire codes and Health Dept. regulations, Scottsdale Beverages, LLC, dba Escole, 1451 Center Crossing Road, John P. Graham, Mgr, Jennifer E. White, Mgr, Renee Brattin, Mgr, Scottsdale Group, LLC, Mmbr, 100%, John P. Graham, Mgr, Jennifer E. White, Mgr, Renee Brattin, Mgr - Ward 2 (L.B. McDonald)
82. Discussion and possible action regarding Temporary Approval of Change of Ownership for a Beer/Wine/Cooler On-sale License subject to Health Dept. regulations, From: Peter Piper, Inc., Daniel E. Rubin, Dir, COB, Joseph R. Pederson, Pres, CEO, John G. Jordan, VP, Don Gordon, VP, Neil R. Simon, Dir, Secy, William J. Hunckler, III, Dir, Robin P. Selati, Dir, To: T & G Entertainment Investments, LLC, dba Peter Piper Pizza, 560 South Decatur Boulevard, TGEI, LLC, Managing Mmbr, 52%, Ted E. Kingston, Mmbr, 100%, John G. Barton, Mgr, John G. Barton, Mmbr, 42% - Ward 1 (Moncrief)
83. Discussion and possible action regarding Temporary Approval of a Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, Sentinel Combat Institute, LLC, dba Sentinel Combat Institute, LLC, 8450 West Sahara Avenue, Suite 112, Lance W. Burton, Mgr, Mmbr, 100% - Ward 1 (Moncrief)
84. Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Martial Arts Instruction Business License subject to the provisions of the fire codes, From: Kicks, Inc., dba Collins Karate for Kids, David A. Riach, Jr., Dir, Pres, Secy, Treas, 66.66%, Andre Collins, VP, 33.33%, To: Karate for Kids of Green Valley and Henderson, Inc., dba Karate for Kids, 4840 East Bonanza Road, Suites 2 and 3, Leland R. Brandon, Dir, Pres, 50%, Marci D. Brandon, Secy, Treas, 50% - Ward 3 (Reese)
85. Discussion and possible action regarding a Six Month Review of a Restricted Gaming License for 7 slots, Shoshani and Jarjees, dba Family Food II, 1602 H Street, Salar Shoshani, Ptrn, 50%, Thamer Jarjees, Ptrn, 50% - Ward 5 (Weekly)
86. Discussion and possible action regarding amendment to Bid No. 03.15341.08-LED, Washington Buffalo Park, Phase 1A and 1B - located at the southwest corner of Washington Avenue and Buffalo Drive for issuance of a change order to Asphalt Products Corporation for installation of artificial turf in the amount of \$3,800,000 - Public Works (Parks & Leisure Activities CPF) Ward 4 (Brown)

NEIGHBORHOOD SERVICES DEPARTMENT - DISCUSSION

87. Report and possible action on the City of Las Vegas' prototype Tenant Based Rental Assistance (TBRA) Program for Homeless and Near Homeless regarding allocating \$300,000 in Fiscal Year 2004-2005 Federal HOME funds and \$26,275 Fiscal Year 2004-2005 Community Development Block Grant Public Service (CDBG-PS) funds to HELP of Southern Nevada to operate the prototype TBRA Program for one additional year - All Wards
88. Report and possible action to proceed with a plan to abate vacant and abandoned property located within the City of Las Vegas - All Wards
89. Report and possible action on the Sky Vue Mobile Home Park 15 West Owens Avenue to provide monetary compensation to Clark County Social Services for temporary housing of displaced residents in an amount not to exceed \$40,000 (General Fund-Winter Shelter Fund) - Ward 5 (Weekly)

PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION

90. Discussion and possible action on a request by Thomas and Mack Co. for a Water Feature Exemption on property located at 2300 W. Sahara Avenue - Ward 1 (Moncrief)

RESOLUTIONS - DISCUSSION

91. R-76-2004 - Discussion and possible action on a Resolution transferring 2002 Private Activity Bond Volume Cap of \$6,158,617 to George Gekakis Incorporated to construct new affordable senior housing located near the Southeast corner of West Cheyenne Avenue and Jones Boulevard - Ward 5 (Weekly)

BOARDS & COMMISSIONS - DISCUSSION

92. ABEYANCE ITEM - CHILD CARE LICENSING BOARD – Lolanda Bunch, Term Expiration 6-2007 (Resigned)

RECOMMENDING COMMITTEE REPORTS - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

93. TABLED ITEM - Bill No. 2003-78 – Establishes locational restrictions for the uses “auto pawn,” “auto title loan,” and “specified financial institution.” Sponsored by: Councilwoman Janet Moncrief
94. 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
95. 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
96. 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
97. Bill No. 2004-21 – Updates the City’s emergency management provisions. Sponsored by: Mayor Oscar B. Goodman
98. 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)
99. Bill No. 2004-25 – Establishes zoning requirements for swap meets. Sponsored by: Councilman Gary Reese
100. 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
101. 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
102. 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

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.

103. 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
104. 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
105. 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

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.

- 106. Bill No. 2004-30 – Requires merchants to make certain disclosures in connection with the sale of motorized scooters and motorized skateboards. Sponsored by: Councilman Michael Mack
- 107. Bill No. 2004-31 – Prohibits the breeding or training of animals for the purpose of using them in an animal fighting venture. Sponsored by: Councilman Michael Mack
- 108. Bill No. 2004-32 – Ordinance Creating Special Improvement District No. 607 - Cliff's Edge. Sponsored By: Step Requirement
- 109. Bill No. 2004-33 – Levies Assessments for Special Improvement District No. 607 - Cliff's Edge. Sponsored By: Step Requirement
- 110. Bill No. 2004-34 – Levies Assessment for Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance FY2005). Sponsored by: Step Requirement
- 111. Bill No. 2004-35 – Authorizing the issuance of Local Improvement Bonds, Series 2004 for the City of Las Vegas, Nevada Special Improvement District No. 607 Cliff's Edge not to exceed \$51,185,000. - Ward 6 (Mack)

1:00 P.M. - AFTERNOON SESSION

- 112. 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

- 113. ABEYANCE ITEM - 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)
- 114. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 4550 E. Washington Avenue. PROPERTY OWNER: ASSISTED LIVING CENTER ETAL, C/O E COOK – Ward 3 (Reese)
- 115. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 1611 Euclid Avenue. PROPERTY OWNER: GARY STEPHEN BLAKE – Ward 3 (Reese)
- 116. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 3224 Brady Avenue. PROPERTY OWNER: SECRETARY VETERANS AFFAIRS – Ward 3 (Reese)

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.

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

117. REVIEW OF CONDITION - ROC-3901 - APPLICANT/OWNER: PERMA-BUILT HOMES - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Review of Condition NO. 7 OF AN APPROVED TENTATIVE MAP FOR ELKHORN/GRAND CANYON UNIT TWO (TM-0034-02), WHICH REQUIRED PEDESTRIAN ACCESS AT THE END OF TWO CUL-DE-SACS adjacent to the southeast corner of Grand Canyon Drive and Severance Lane (APN 125-18-897-004), R-1 (Single Family Residential) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend DENIAL
118. REVIEW OF CONDITION - PUBLIC HEARING - ROC-4119 - APPLICANT/OWNER: CONCORDIA HOMES OF NEVADA - Request for a Review of Condition No. 3 of an approved Site Development Plan Review [Z-0069-02(1)], WHICH ESTABLISHED THE FRONT SETBACK TO GARAGE DOORS FOR A SINGLE FAMILY RESIDENTIAL DEVELOPMENT on property located adjacent to the southeast corner of Deer Springs Way and Campbell Road (APN 125-20-301-006 and 007), T-C (Town Center) Zone, Ward 6 (Mack). Staff recommends DENIAL (NOTE: To allow a 10' maximum setback to garage, where 5' maximum and 18' minimum is allowed)
119. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3817 - APPLICANT: ADVANCED HOUSE CALLS - OWNER: GREGORY AND MARY BRYAN - Request for a Site Development Plan Review FOR A PARKING LOT AND WAIVERS OF PERIMETER LANDSCAPE BUFFER AND PARKING LOT LANDSCAPE FINGERS on 0.34 acres adjacent to the east side of Jones Boulevard, approximately 300 feet south of Upland Boulevard (APN 138-36-112-005 and 006), R-1 (Single Family Residential) Zone under Resolution of Intent to P-R (Professional Office and Parking), Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL
120. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3853 - APPLICANT: ARLT CORPORATION - OWNER: ARLT FAMILY TRUST - Request for a Site Development Plan Review FOR A 14,126 SQUARE FOOT OFFICE BUILDING on 1.10 acres adjacent to the southwest corner of Martin L. King Boulevard and Wheeler Peak Drive (APN 139-21-416-001), C-PB (Planned Business Park) Zone, Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
121. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3923 - APPLICANT/ OWNER: SANTA FE STATION, INC. - Request for a Site Development Plan Review FOR A PROPOSED CASINO EXPANSION AND THEATER ADDITION on 34.1 acres at 4949 North Rancho Drive (APN 125-34-801-001), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
122. ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - VAR-3288 - APPLICANT: PAUL AND SANDY BROSSEAU - Request for a Variance to ALLOW A 5 FOOT SIDE SETBACK WHERE 10 FEET IS REQUIRED FOR an addition to an existing single family dwelling at 304 Canyon Drive (APN 139-32-211-031), R-E (Residence Estates) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL
123. VARIANCE - PUBLIC HEARING - VAR-3762 - APPLICANT: STERLING S. DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Variance TO ALLOW 25 FOOT FRONT SETBACKS WHERE 30 FEET IS THE MINIMUM SETBACK REQUIRED AND TO ALLOW 30 FOOT REAR SETBACKS WHERE 35 FEET IS THE MINIMUM SETBACK REQUIRED on 9.32 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 (5-0-2 vote) and staff recommend DENIAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

124. REQUIRED SIX MONTH REVIEW - PUBLIC HEARING - RQR-3930 - APPLICANT: NEISSAN KOROGHLI - OWNER: FREMONT PLACE, LIMITED LIABILITY COMPANY - Required Six Month Review of an approved Special Use Permit (U-0106-02) WHICH ALLOWED A LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION) IN CONJUNCTION WITH AN EXISTING CONVENIENCE STORE/ DELICATESSEN at 228 Las Vegas Boulevard North (APN 139-34-511-001, 002 and 003), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
125. REVIEW OF CONDITION RELATED TO RQR-3930 - PUBLIC HEARING - ROC-4121 - APPLICANT: NEISSAN KOROGHLI - OWNER: FREMONT PLACE, LIMITED LIABILITY COMPANY - Request for a Review of Conditions FOR AN APPROVED SPECIAL USE PERMIT (U-0106-02), TO REMOVE CONDITION NOS. 1 THROUGH 4 FOR A LIQUOR ESTABLISHMENT (OFF-PREMISES CONSUMPTION) IN CONJUNCTION WITH AN EXISTING CONVENIENCE STORE/DELICATESSEN at 228 Las Vegas Boulevard North (APN 139-34-511-001, 002 and 003), C-2 (General Commercial) Zone, Ward 5 (Weekly). Staff recommends DENIAL
126. REQUIRED FOUR YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - RQR-3732 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: STORAGE EQUITIES - Required Four Year Review of an approved Special Use Permit (U-0159-89) FOR A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 275 South Martin L. King Boulevard (APN 139-33-501-012), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
127. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES, LIMITED PARTNERSHIP - Appeal filed by LAS Consulting, Inc. 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 adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue (APN 163-02-816-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL
128. ABEYANCE ITEM - 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
129. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3747 - APPLICANT: EXPRESS CASH & LOANS - OWNER: NERCE'S 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
130. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3844 - APPLICANT: JOSE AND ELIZA DIAZ - OWNER: MIGUEL FAMILY TRUST 1993, ET AL - Request for a Special Use Permit FOR A BANQUET FACILITY at 1520 North Eastern Avenue, Suite #101, 102 and 103 (APN 139-25-101-020), C-1 (Limited Commercial) and C-2 (General Commercial) Zones, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
131. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3748 - APPLICANT: CONTINENTAL CURRENCY OF NEVADA, INC. - OWNER: TONOPAH-CRAIG ROAD COMPANY, LIMITED PARTNERSHIP - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED AND AUTO TITLE LOAN at 4458 North Rancho Drive (APN 138-02-601-001), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
132. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3875 - APPLICANT: HUGH CANADY - OWNER: CDS MEMBER, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR GASOLINE SALES IN CONJUNCTION WITH A 4,500 SQUARE FOOT CONVENIENCE STORE at 1600 North Martin L. King Boulevard (APN 139-21-804-006), C-1 (Limited Commercial), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

133. ABEYANCE ITEM - REZONING - PUBLIC HEARING - ZON-2457 - DONNA F. BEAM REVOCABLE TRUST - Request for a Rezoning FROM: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) Zone on 3.88 acres adjacent to the northeast and southeast corners of Smoke Ranch Road and Buffalo Drive (APN 138-15-402-001 and 138-22-101-001) Ward 4 (Brown). The Planning Commission (4-2 vote) and staff recommend APPROVAL
134. SPECIAL USE PERMIT RELATED TO ZON-2457 - PUBLIC HEARING - SUP-3896 - APPLICANT: INVESTMENT EQUITY BUILDERS - OWNER: DONNA F. BEAM REVOCABLE TRUST - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (TAVERN) AND A WAIVER FROM THE 1,500 FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING SCHOOL, CHURCH, AND CITY PARK adjacent to the northeast corner of Smoke Ranch Road and Buffalo Drive (APN 138-15-402-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial)], Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (5-0-2 vote) recommends APPROVAL
135. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-2457 AND SUP-3896 - PUBLIC HEARING - SDR-2458 - DONNA F. BEAM REVOCABLE TRUST - Request for a Site Development Plan Review FOR TWO PROPOSED COMMERCIAL BUILDINGS on 3.88 acres adjacent to the northeast and southeast corners of Smoke Ranch Road and Buffalo Drive (APN 138-15-402-001 and 138-22-101-001) U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 4 (Brown). The Planning Commission (4-2 vote) and staff recommend APPROVAL
136. ABEYANCE ITEM - 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
137. REZONING - PUBLIC HEARING - ZON-3825 - APPLICANT/OWNER: JAN PAUL KOCH - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.26 acres at 701 South 7th Street (APN 139-34-810-008 and 009), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
138. VARIANCE RELATED TO ZON-3825 - PUBLIC HEARING - VAR-3826 - APPLICANT/OWNER: JAN PAUL KOCH - Request for a Variance TO ALLOW 9 PARKING SPACES WHERE 12 PARKING SPACES ARE REQUIRED FOR A PROPOSED OFFICE BUILDING AND TO ALLOW A COVERED TRASH ENCLOSURE TO BE LOCATED WITHIN THE 50 FEET RESIDENTIAL ADJACENCY DISTANCE SEPARATION REQUIREMENT on 0.26 acres at 701 7th Street (APN 139-34-810-008 and 009), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
139. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3825 AND VAR-3826 - PUBLIC HEARING - SDR-3824 - APPLICANT/OWNER: JAN PAUL KOCH - Request for a Site Development Plan Review FOR A PROPOSED LAW OFFICE AND A WAIVER OF LANDSCAPE AND COMMERCIAL STANDARDS on 0.26 acres at 701 7th Street (APN 139-34-810-008 and 009), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
140. REZONING - PUBLIC HEARING - ZON-3888 - APPLICANT: CITY OF LAS VEGAS - OWNERS: MULTIPLE - Request for a Rezoning FROM: M (INDUSTRIAL), C-M (COMMERCIAL INDUSTRIAL), C-2 (GENERAL COMMERCIAL) AND C-V (CIVIC) TO: C-M (COMMERCIAL INDUSTRIAL), C-2 (GENERAL COMMERCIAL), C-1 (LIMITED COMMERCIAL), R-3 (MEDIUM DENSITY RESIDENTIAL), AND C-V (CIVIC) on properties generally located within the area bounded by Washington Avenue, Owens Avenue, the Union Pacific Railroad and Bruce Street (APN 139-26-102-002, 003, 139-26-201-015, 018, 139-27-502-004, 139-27-504-003, 006, 007, 008, 009 and 010, 139-27-602-003, 004, 139-27-603-001, 002, 008, and 018), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

141. REZONING - PUBLIC HEARING - ZON-3909 - APPLICANT/OWNER: LEONARD KRYK - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.16 acres at 1007 Salem Drive (APN 138-35-804-001), Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
142. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3909 - PUBLIC HEARING - SDR-3911 - APPLICANT/OWNER: LEONARD KRYK - Request for a Site Development Plan Review FOR A PROPOSED OFFICE AND A WAIVER OF LANDSCAPE STANDARDS on 0.16 acres at 1007 Salem Drive (APN 138-35-804-001), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
143. REZONING - PUBLIC HEARING - ZON-3910 - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: U (UNDEVELOPED) [ROW (RIGHT OF WAY) GENERAL PLAN DESIGNATION] TO: C-V (CIVIC) on 10.0 acres on the northeast corner of Tenaya Way and Summerlin Parkway (a portion of APN 138-27-301-019), Ward 2 (L.B. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL
144. 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 21, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-62-2004 - Approval of a Resolution directing the Engineer to prepare full and detailed plans, cost estimates and an assessment plat for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Acquisition, construction and installation of street, sanitary sewer, storm sewer/drainage improvements, and water main projects.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-62-2004

MOTION:

MACK – APPROVED Items 43, 44, 45, and 46 as amended – **UNANIMOUS** with **MONCRIEF** excused and Ward 2 seat vacant

MINUTES:

See Item 43 for all discussion.

(9:47)

1-1131

Summary - A resolution directing the City Engineer to prepare full and detailed plans, cost estimates and an assessment plat for City of Las Vegas, Nevada, Special Improvement District No. 607 (Providence).

RESOLUTION NO. R-62-2004

A RESOLUTION DIRECTING THE CITY ENGINEER TO PREPARE AND FILE WITH THE CITY CLERK FULL AND DETAILED PLANS, COST ESTIMATES AND AN ASSESSMENT PLAT IN CONNECTION WITH PROPOSED IMPROVEMENTS IN THE CITY OF LAS VEGAS SPECIAL IMPROVEMENT DISTRICT NO. 607 (PROVIDENCE).

WHEREAS, the City Council (the "Council") of City of Las Vegas (the "City") in the State of Nevada (the "State"), pursuant to NRS 271.710 has received a petition from the owners of certain property located in the City requesting the formation of a special improvement district (the "District"); and

WHEREAS, the Petition requests the formation of the District and the acquisition and improvement of a street project, storm sewer project, sanitary sewer project, and water project (the "Project") pursuant to Chapter 271 of NRS; and

WHEREAS, pursuant to the direction of the Council set forth in a resolution previously adopted (the "Preliminary Resolution"), the City Engineer (the "Engineer") has presented to the Council the following documents:

(1) Preliminary plans and specifications, with construction drawings, showing a typical section of the contemplated improvements, the type or types of material and approximate thickness and wideness, for the District,

(2) A preliminary estimate of the total cost of the Project, including in said estimate the incidental expenses,

(3) An assessment plat or map, including as an addendum thereto the "Tabulation of Parcels" or "Preliminary Assessment Roll," showing the descriptions of the property to be assessed, the amounts of the preliminary assessments, the amount of the maximum benefits, the market values of such parcels, and the name and address of the owner, and

(4) The Engineer's Report to the City Council on Benefits which describes the special benefits to be received by property in the District from construction of the improvements; and

WHEREAS, the Council has reviewed such documents and, subject to any changes and modifications suggested by the Council to the Engineer at this meeting, has found such documents to be satisfactory to the Council;

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

Section 0. The Council has determined, and does hereby determine, that it is advisable to acquire and improve the Project.

Section 0. The Engineer is requested and directed to prepare in the manner required by law and present to the Council:

A. An accurate estimate of the total cost of the Project, including each of the incidental expenses;

B. Full and detailed plans and specifications for the Project with construction drawings; showing a typical section of the contemplated improvements for the District; and

C. A map and assessment plat showing the location of each portion of the Project and the property to be assessed.

Section 0. All actions, proceedings and matters previously taken, had and done by the City and the officers of the City (not inconsistent with the provisions of this resolution), concerning the District and the Project be, and the same hereby are, ratified, approved and confirmed.

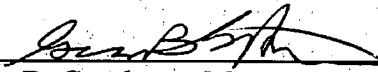
Section 0. The officers of the City be, and they hereby are, authorized and directed to take all action necessary to effectuate the provisions of this resolution.

Section 0. All bylaws, orders and 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 bylaw, order or resolution, or part thereof, previously repealed.

Section 0. If any section, paragraph, clause or provision of this resolution shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

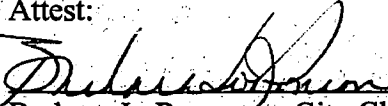
Section 7. The Council has determined and does hereby declare that this resolution shall be in effect upon its passage in accordance with law.

PASSED AND ADOPTED this April 21, 2004.


Oscar B. Goodman, Mayor

(SEAL)

Attest:


Barbara Jo Ronemus, City Clerk

Approved as to Form:

4-8-'04 
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 Las Vegas (the "City"), in the State of Nevada, do hereby certify:

0. The foregoing pages are a true and correct copy of a resolution (the "Resolution") passed and adopted by the Council at a regular meeting of the Council held on April 21, 2004. A quorum of the Council was in attendance at the meeting.

0. 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 the Council as follows:

Those Voting Aye:

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

Those Voting Nay: NONE

Those Absent: NONE

Those Abstaining: NONE

0. The members of the Council were present at such meeting and voted on the passage of such Resolution as set forth above.

0. The Resolution was approved and authenticated by the signature, of the Mayor, sealed with the City seal, attested by myself as the City Clerk and recorded in the minutes of the Council.

0. All members of the Council were given due and proper notice of the meeting. Public notice of the meeting was given and the meeting was held and conducted in full

compliance with the provisions of NRS 241.020. A copy of the notice of the meeting was posted not later than 9:00 a.m. at least 3 working days in advance of the meeting at:

- (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

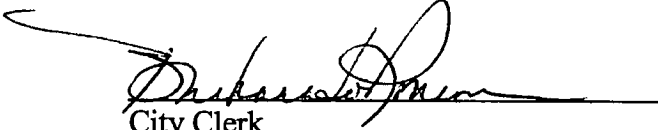
0. A copy of the notice was mailed to each person, if any, who has requested notice of the meetings of the Council in the same manner in which notice is required to be mailed to a member of the Council. Such notice, if mailed, was delivered to the postal service no later than 9:00 a.m. on the third working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

0. A copy of the notice was posted on the City's website no later than 9:00 a.m. on the third working day prior to the meeting.

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

0. A copy of the notice so given of the meeting of the Council held on April 21, 2004, is attached to this certificate as Exhibit A.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City this April 27, 2004.


City Clerk

(SEAL)

EXHIBIT A

(Attach copy of posted Agenda)

CITY COUNCIL AGENDA

APRIL 21, 2004

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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 21, 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 - REVEREND ROBERT FOWLER, VICTORY MISSION BAPTIST CHURCH
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF THE EMPLOYEE OF THE MONTH
- RECOGNITION OF THE AWARD-WINNING DOOLITTLE COMMUNITY CENTER JAM SQUAD
- PRESENTATION BY THE VETERANS DAY PARADE COMMITTEE

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. Discussion and possible action to appoint a City Council member for Ward 2

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 - CONSENT

3. Approval to authorize the president of City Parkway IV and V to execute Modification No.1 to the Amended Designated Services Agreement for City Parkway Center Project with Design Workshop, Inc. to include the development of Design Guidelines and Development Standards (DGDS) for the Union Park development (61-acres site) (not to exceed \$300,000) Industrial Development SRF - Ward 5 (Weekly)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

4. Approval of Service and Material Checks/Payroll Checks/Wires Transfers/Other Checks and Investments
5. Approval to renew the Interlocal Agreement for Coordination of Franchise-Related Activities with Clark County, Henderson, North Las Vegas and Boulder City (\$40,000-General Fund)- All Wards
6. Approval of a Special Event License for Univision Radio-Las Vegas, Location: Lorenzi Park, 3333 West Washington Avenue, Date: May 2, 2004, Type: Special Event General, Event: Cinco de Mayo 2004, Responsible Person in Charge: Zulema Benjamin - Ward 5 (Weekly)
7. Approval of a Special Event License for Grace in the Desert Episcopal Church, Location: Grace in the Desert Episcopal Church, 2004 Spring Gate Lane, Date: April 24, 2004, Type: Special Event Beer/Wine, Event: Church Spring Festival & BBQ, Responsible Person in Charge: Donald W. Pickell - Ward 4 (Brown)
8. Approval of Change of Ownership for a Beer/Wine/Cooler On-sale License From: Instant Impressions, Inc., Michael G. Maguire, Dir, Pres, 37.5%, Judy A. Maguire, Dir, Secy, 37.5%, Steven D. Gradwell, Dir, Treas, 10%, To: Garrett Equities Incorporated, LLC, dba The Wild Flower Cafe and Florist, 3818 Meadows Lane, Millicent Washington, Mgr, Mmbr, 100% - Ward 1 (Moncrief)
9. Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale License, From: Pollos Tumi - Partnership, dba Pollos Tumi, Luis I. Pedemonte, Ptnr, 50%, Carlos A. Lazarte, Ptnr, 50%, To: Carlos Lazarte, dba Las Americas, 2319 South Eastern Avenue, Carlos A. Lazarte, 100% - Ward 3 (Reese)
10. Approval of Franchise Managers for a Beer/Wine/Cooler Off-sale License, 7-Eleven of Nevada, Inc., dba 7-Eleven Food Store #13699C, 2409 Tam Drive, Heon J. Kim, Franchise Mgr, Jeong M. Kim, Franchise Mgr - Ward 1 (Moncrief)
11. Approval of Change of Business Name for a Wholesale General License, Johnson Brothers of Nevada, Inc., dba From: Alternative Beverage Distributors, To: Johnson Brothers of Nevada, 4409 McGuire Street, Scott Belsaas, Dir, Pres, Michael Johnson, Dir, VP, Secy, 50%, Todd Johnson, Dir, VP, Treas, 50% - North Las Vegas
12. Approval of Change of Business Name for a Tavern License and a Non-restricted Limited Gaming License for 35 slots, TLC Gaming, Inc., dba From: Hurricane Harrys, To: José Hogs Casino & Cantina, 3190 West Sahara Avenue, Terry L. Caudill, Dir, Pres, Secy, Treas, 95%, Timothy G. Lager, 5% - Ward 1 (Moncrief)
13. Approval of Change of Business Name for a Tavern License and a Restricted Gaming License for 15 slots, Polonez Polish Deli & Restaurant, Inc., dba From: Polonez Polish Deli & Restaurant, To: Euro Place Ristorante, 1243 East Sahara Avenue, Boguslaw M. Sobol, Dir, Pres, Secy, Treas, 100% - Ward 3 (Reese)
14. Approval of Change of Location for a Burglar Alarm Service, Security Alarm Monitoring Service, Inc., dba Security Alarm Monitoring Service, Inc., From: 2421 Tech Center Court, #100, To: 5445 Royal Vista Lane, Martin J. Pollinger, Pres, 50%, Christopher L. Mullins, Secy, Treas, 50% - Ward 6 (Mack)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

15. Approval of new Martial Arts Instruction Business License, Marc Laimon, dba Cobra Kai Jiu Jitsu, 2104 Highland Avenue, Marc J. Laimon, 100% - Ward 1 (Moncrief)
16. Approval of Change of Location for a Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, AKS Karate, Inc., dba AKS Karate, Inc., From: 6704 West Cheyenne Avenue, To: 2333 North Jones Boulevard, Suite 104, Robert I. Navoa, Dir, Pres, 60%, Raymond L. Mingo, Dir, VP, 40%, Arlene A. Navoa, Dir, Secy, Tamika K.R. Simmons, Dir, Treas - Ward 5 (Weekly)
17. Approval of Change of Location for a Class II Secondhand Dealer License subject to the provisions of the fire codes, Gilbert Levy, dba G & G Liquidators, From: 401 West Bonanza Road, To: 3021 Sheridan Street, Gilbert Levy, 100% - Ward 1 (Moncrief)
18. Preapproval of award of Bid No. 04.1730.07-LED, Grand Montecito Parkway - Centennial Parkway to Elkhorn Road to the lowest responsive and responsible or best bidder and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Pubic Works (\$6,000,000 - Special Assessment Capital Projects Fund) - Ward 6 (Mack)
19. Approval of award of Bid No. 03.15341.16-LED, Firefighters Memorial Park, Phase II, 6401 West Oakley Boulevard and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: RAFAEL CONSTRUCTION, INC. (\$719,000 - Parks and Leisure Activities Capital Projects Fund) - Ward 1 (Moncrief)
20. Approval of rejection of all non-responsive bids and award of Bid Number 040086-TG, Annual Requirements Contract for Medical Supplies - Department of Fire and Rescue - Award recommended to: BOUNDTREE MEDICAL LLC (\$400,000 - General Fund)
21. Approval of Agreement Modification No. 2, Gaming Concession at Downtown Transportation Center, 300 N. Casino Center Blvd. - Department of Field Operations - Award to: UNITED COIN MACHINE COMPANY (\$297,000 revenue - General Fund) - Ward 5 (Weekly)
22. Approval of issuance of a purchase order for a mobile abrasive cutting system - Department of Fire and Rescue - Award recommended to: APPLIED NEW TECHNOLOGY AG (\$129,015 - Multi-Purpose Special Revenue Fund)
23. Approval of award of Bid No. 040227-DAR, Annual Requirements Contract for Fasteners - Various Departments - Award recommended to: FASTENAL COMPANY (Estimated annual amount of \$100,000 - Various Funds)
24. Approval of revision to purchase order 218380 for annual requirements contract for crack seal - Department of Field Operations - Award to: LAS VEGAS PAVING CORPORATION (\$124,000 - Public Works Capital Projects Fund) - All Wards
25. Approval of Amendment Number 1 to Automated Vehicle Fueling System Contract - Departments of Field Operations and Fire and Rescue - Award to: SER-CON, INC. (\$73,051.37 - Automotive Operations ISF and Fire and Rescue CPF)
26. Approval of Contract No. 040215-KF, Radiological Services - Department of Fire and Rescue - Award recommended to: DESERT RADIOLOGY (Estimated annual amount of \$60,000 - General Fund)
27. Approval of issuance of a purchase order for one Class 6 Cargo Truck under Bid No. 040030-DAR, Open End Contract for Class 6 Cargo Truck - Department of Field Operations - Award to: MCCANDLESS INTERNATIONAL TRUCKS, INC. (\$58,904 - Automotive Operations Internal Service Fund)
28. Approval of issuance of a purchase order for one Mid-Size Tractor Mower under Bid No. 040075-DAR, Open End Contract for Mid-Size Tractor Mower and Trailer - Department of Field Operations - Award recommended to: SIMPSON NORTON (\$36,982 - Automotive Operations Internal Service Fund)
29. Approval of issuance of a purchase order for a One-Ton Truck under Bid No. 040118-DAR, Open End Contract for One-Ton Trucks - Department of Field Operations - Award to: GAUDIN FORD (\$31,536.31 - Automotive Operations Internal Service Fund)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

30. Approval of issuance of a purchase order for a One-Ton Dedicated CNG Fuel Extended Locksmith Van under Bid No. 040160-DAR, Open End Contract for One-Ton Dedicated CNG Fuel Extended Locksmith Van - Department of Field Operations - Award recommended to: BILL HEARD CHEVROLET (\$30,370.71 - Automotive Operations Internal Service Fund)
31. Approval of revision to purchase order 217174 for Hewlett Packard printer maintenance- Department of Information Technologies - Award to: INTERTECH COMPUTER PRODUCTS (\$10,000 - Computer Services Internal Service Fund)

NEIGHBORHOOD SERVICES DEPARTMENT - CONSENT

32. Approval of a Third Amendment to Agreement To Grant Redevelopment Set Aside Housing Funds to East Las Vegas Community Development Corporation allowing subordinations of the City of Las Vegas Deeds of Trust to enable homeowners the ability to refinance homes under specific circumstances at Mi Casa en el Sol for 40 new townhomes located on the 2900 block of Cedar Avenue and Poplar Avenue - Ward 3 (Reese)
33. Approval of additional Home Investment Partnership Program (HOME) funds in the amount of \$4,000 for additional housing rehabilitation activities at 265 South 17th Street - Ward 5 (Weekly)

PUBLIC WORKS DEPARTMENT - CONSENT

34. Approval of Supplemental Interlocal Contract for Durango Drive, Westcliff Drive to Vegas Drive between the City of Las Vegas and the Southern Nevada Regional Transportation Commission to increase funding and change the scope of the project (\$6,273,000 - Southern Nevada Regional Transportation Commission) - Ward 2 (L.B. McDonald)
35. Approval to file an amendment to Bureau of Land Management Right-of-Way Grant N-66120 for sewer purposes on portions of land lying within the Northwest Quarter of Section 12, Township 20 South, Range 59 East, Mount Diablo Meridian, generally located approximately 635 feet south of Alexander, west of Cliff Shadow Parkway, APN 137-12-101-008 - Ward 4 (Brown)
36. Approval to file a Right-of-Way Grant with the Bureau of Land Management for roadway, sanitary sewer, drainage, trail and streetscape amenity purposes on portions of land lying within Section 24, the Southwest Quarter and the East Half of Section 13, Township 19 South, Range 59 East, Mount Diablo Meridian, generally located between Hualapai Way and Puli Road on the east and west and by Grand Teton Drive and the Clark County Beltway on the north and south, APNs 126-13-401-014, -501-002, -701-006, 126-24-201-012, -301-011, -601-018 and -701-013 - Ward 6 (Mack)
37. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Brian G. Smith and Valerie C. Smith, owners (southeast corner of La Madre Way and Janell Drive, APN 125-33-402-010) - County (near Ward 6 - Mack)
38. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Aaron B. Hirschi, owner (southeast corner of Bonita Vista Street and Corbett Street, APN 125-29-708-001) - County (near Ward 6 - Mack)
39. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Richard Bennett, owner (north of Tropical Parkway, between Fort Apache Road and Dapple Gray Road, APN 125-29-201-025) - County (near Ward 6 - Mack)
40. Approval of a Professional Services Agreement with Southwick Landscape Architects for the design services of Gilmore Cliff Shadows Park and Trail Head located at Gilmore Drive and Cliff Shadows Parkway (\$376,200 - Southern Nevada Public Lands Management Act) - Ward 4 (Brown)

PUBLIC WORKS DEPARTMENT - CONSENT

41. Approval of an Interlocal Agreement between the City of Las Vegas and the Las Vegas Valley Water District to allow the installation of fire protection water service for the Operation and Maintenance Building at the Water Pollution Control Facility (\$654 - Sanitation Fund) - Clark County

RESOLUTIONS - CONSENT

42. R-60-2004 - Approval of a Resolution Adopting a Revised Fee Schedule for LVMC Title 13 and Chapter 11.50 (pertaining to public improvement work and temporary traffic control work)
43. R-61-2004 - Approval of a Resolution directing the Engineer to prepare preliminary plans and an assessment plat for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)
44. R-62-2004 - Approval of a Resolution directing the Engineer to prepare full and detailed plans, cost estimates and an assessment plat for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)
45. R-63-2004 - Approval of a Resolution declaring necessity for creating and ordering the preparation of an assessment roll for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)
46. R-64-2004 - Approval of a Resolution validating and confirming the assessment roll for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)
47. R-65-2004 - Approval of a Resolution directing the City Treasurer to prepare the Fifty-Ninth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
48. R-66-2004 - Approval of a Resolution approving the Fifty-Ninth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
49. R-67-2004 - Approval of a Resolution directing the City Treasurer to prepare the Tenth Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
50. R-68-2004 - Approval of a Resolution approving the Tenth Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
51. R-69-2004 - Approval of a Resolution overruling complaints, protests, and objections and confirming the final assessment roll for Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance FY2005) (\$41,902.50 - Capital Projects Fund - Special Assessments) - Ward 1 (Moncrief)
52. R-70-2004 - Approval of a Resolution Making Provisional Order and Directing that Notice of Public Hearing thereon be given regarding Special Improvement District No. 1490 - Tenaya Way (Northern Beltway To Elkhorn Road) (Capital Projects Fund - Special Assessments) - Ward 6 (Mack)
53. R-71-2004 - Approval of a Resolution to establish a twenty percent minimum fund balance for the Group Insurance Internal Service Fund (ISF) based on prior year expenditures
54. R-72-2004 - Approval of a Resolution Amending Schedule 25-I, 30 MPH Speed Limits, to Add a Speed Limit of 30 MPH on Greenmoor Lane between Pavilion Center Drive and Anasazi Way; Laurelglenn Drive between Pavilion Center Drive and Sageberry Drive; Park Run Drive between Pavilion Center Drive and Town Center Drive; Pavilion Center Drive between Charleston Boulevard and Laurelglenn Drive; and Sageberry Drive between Pavilion Center Drive and Laurelglenn Drive - Ward 2 (L.B. McDonald)
55. R-73-2004 - Approval of a Resolution Amending Schedule 25-II, 35 MPH Speed Limits, to Add a Speed Limit of 35 MPH on Washington Avenue between Martin L. King Boulevard and D Street - Ward 5 (Weekly)
56. R-74-2004 - Approval of a Resolution Amending Schedule 25-IV, 45 MPH Speed Limits, to Add a Speed Limit of 45 MPH on Charleston Boulevard between the 215 Beltway and Hualapai Way - Ward 2 (L.B. McDonald)

RESOLUTIONS - CONSENT

57. R-75-2004 - Approval of a Resolution Amending Schedule 25-II, 35 MPH Speed Limits, to Add a Speed Limit of 35 MPH on Azure Drive between US 95 and Tenaya Way; Bradley Road from the 215 Beltway to the north City limits; Centennial Center Boulevard between Ann Road and Durango Drive; Farm Road between Durango Drive and Tenaya Way; Farm Road between Jones Boulevard and Decatur Boulevard; Tenaya Way between Ann Road and Skypointe Drive; and Tropical Parkway between Durango Drive and US 95 - Ward 6 (Mack)

REAL ESTATE COMMITTEE – CONSENT

58. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 488 acres of land commonly known as APNs 125-01-001-001 and 125-01-701-001 located in the vicinity of Decatur Boulevard and Moccasin Road for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
59. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 10 acres of land commonly known as APN 126-02-101-005 located south of Moccasin Road and west of Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
60. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 8 acres of land commonly known as APNs 126-02-401-002 and 126-02-401-004 located in the vicinity of Iron Mountain Road and Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
61. Approval to authorize staff to purchase real property known as APN 139-34-612-026 located on the northeast corner of Carson Avenue and 8th Street from the State of Nevada Department of Conservation and Natural Resources Division of State Lands (\$323,049.80 plus closing costs - City Facilities Capital Project Fund) - Ward 5 (Weekly)
62. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 10 acres of land commonly known as APN 126-01-801-002 located in the vicinity of Iron Mountain Road and Hualapai Way for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
63. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 15 acres of land commonly known as portions of APNs 126-01-101-010 and 126-01-301-004 located off of Puli Drive between Moccasin Road and Iron Mountain Road for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
64. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 12.5 acres of land commonly known as a portion of APN 126-01-401-003 located in the vicinity of Iron Mountain Road and Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
65. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 5 acres of land commonly known as APN 126-01-501-001 located in the vicinity of Moccasin Road in between Puli Drive and Hualapai Way for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
66. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 5 acres of land commonly known as APN 126-01-601-002 located in the vicinity of Moccasin Road and Hualapai Way for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

67. Discussion and possible action regarding final payment to Southwest Sports Realty, L.P. - (Not to exceed \$120,000 - Industrial Development Special Revenue Fund)
68. Report and possible action on a presentation by Clark County Health District staff concerning the "Urban Rodent Surveillance Project"

CITY ATTORNEY - DISCUSSION

69. Discussion and possible action on Appeal of Work Card Denial: Held in Abeyance from March 17, 2004. Charles H. Lloyd, 301 Orland Street #25, Las Vegas, Nevada 89108
70. Discussion and possible action on Appeal of Work Card Denial: Jose Dennis Medrano-Arriola, 3756 Wynn Road #317, Las Vegas, Nevada 89103
71. Discussion and possible action on Appeal of Work Card Denial: Ms. Mielizabeth Fenstermaker, 1400 So. Casino Center #22, Las Vegas, Nevada 89104
72. Discussion and possible action on Appeal of Work Card Denial: Desiree Dawn Gordon, 2700 Sadie Lane, Henderson, Nevada 89074
73. Discussion and possible action on Appeal of Work Card Denial: Chanpheng Phromprakay, 5010 Indian River Drive #149, Las Vegas, Nevada 89103

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

74. Discussion and possible action to fund the removal and relocation of skate element equipment from Patriot Park to Mountain Ridge Park (\$100,000 - Parks & Leisure Activities Capital Projects Fund) - Ward 6 (Mack)
75. ABEYANCE ITEM - 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)
76. ABEYANCE ITEM - Discussion and possible action regarding an Appeal of Denial of Business License for an Independent Massage Therapist License, Nicholas A. Hoover, dba Nicholas A. Hoover, 4200 East Bonanza Road, #123, Nicholas A. Hoover, 100% - Ward 3 (Reese)
77. ABEYANCE ITEM - 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)
78. Discussion and possible action regarding a Six Month Review of a Child Care Family Home License, Joyce Cathey, 1720 East Oakey Boulevard, Joyce Cathey, 100% - Ward 3 (Reese)
79. Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes, T & G Entertainment Investments, LLC, dba Peter Piper Pizza, 7981 West Tropical Parkway, TGEI, LLC, Managing Mmbr, 52%, Ted E. Kingston, Mmbr, 100%, John G. Barton, Mgr, John G. Barton Mmbr, 42% - Ward 6 (Mack)
80. Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes, Makino Premium Outlet LV, LLC, dba Makino Las Vegas Seafood Buffet, 775 South Grand Central Parkway, #1301, Las Vegas Kitchen, LLC, Mgr, 100%, Masako Ishitsuka, Mmbr, Mgr, 100% - Ward 5 (Weekly)

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

81. Discussion and possible action regarding Temporary Approval of a new Supper Club License subject to the provisions of the fire codes and Health Dept. regulations, Scottsdale Beverages, LLC, dba Escote, 1451 Center Crossing Road, John P. Graham, Mgr, Jennifer E. White, Mgr, Renee Brattin, Mgr, Scottsdale Group, LLC, Mmbr, 100%, John P. Graham, Mgr, Jennifer E. White, Mgr, Renee Brattin, Mgr - Ward 2 (L.B. McDonald)
82. Discussion and possible action regarding Temporary Approval of Change of Ownership for a Beer/Wine/Cooler On-sale License subject to Health Dept. regulations, From: Peter Piper, Inc., Daniel E. Rubin, Dir, COB, Joseph R. Pederson, Pres, CEO, John G. Jordan, VP, Don Gordon, VP, Neil R. Simon, Dir, Secy, William J. Hunckler, III, Dir, Robin P. Selati, Dir, To: T & G Entertainment Investments, LLC, dba Peter Piper Pizza, 560 South Decatur Boulevard, TGEI, LLC, Managing Mmbr, 52%, Ted E. Kingston, Mmbr, 100%, John G. Barton, Mgr, John G. Barton, Mmbr, 42% - Ward 1 (Moncrief)
83. Discussion and possible action regarding Temporary Approval of a Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, Sentinel Combat Institute, LLC, dba Sentinel Combat Institute, LLC, 8450 West Sahara Avenue, Suite 112, Lance W. Burton, Mgr, Mmbr, 100% - Ward 1 (Moncrief)
84. Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Martial Arts Instruction Business License subject to the provisions of the fire codes, From: Kicks, Inc., dba Collins Karate for Kids, David A. Riach, Jr., Dir, Pres, Secy, Treas, 66.66%, Andre Collins, VP, 33.33%, To: Karate for Kids of Green Valley and Henderson, Inc., dba Karate for Kids, 4840 East Bonanza Road, Suites 2 and 3, Leland R. Brandon, Dir, Pres, 50%, Marci D. Brandon, Secy, Treas, 50% - Ward 3 (Reese)
85. Discussion and possible action regarding a Six Month Review of a Restricted Gaming License for 7 slots, Shoshani and Jarjees, dba Family Food II, 1602 H Street, Salar Shoshani, Ptnr, 50%, Thamer Jarjees, Ptnr, 50% - Ward 5 (Weekly)
86. Discussion and possible action regarding amendment to Bid No. 03.15341.08-LED, Washington Buffalo Park, Phase 1A and 1B - located at the southwest corner of Washington Avenue and Buffalo Drive for issuance of a change order to Asphalt Products Corporation for installation of artificial turf in the amount of \$3,800,000 - Public Works (Parks & Leisure Activities CPF) Ward 4 (Brown)

NEIGHBORHOOD SERVICES DEPARTMENT - DISCUSSION

87. Report and possible action on the City of Las Vegas' prototype Tenant Based Rental Assistance (TBRA) Program for Homeless and Near Homeless regarding allocating \$300,000 in Fiscal Year 2004-2005 Federal HOME funds and \$26,275 Fiscal Year 2004-2005 Community Development Block Grant Public Service (CDBG-PS) funds to HELP of Southern Nevada to operate the prototype TBRA Program for one additional year - All Wards
88. Report and possible action to proceed with a plan to abate vacant and abandoned property located within the City of Las Vegas - All Wards
89. Report and possible action on the Sky Vue Mobile Home Park 15 West Owens Avenue to provide monetary compensation to Clark County Social Services for temporary housing of displaced residents in an amount not to exceed \$40,000 (General Fund-Winter Shelter Fund) - Ward 5 (Weekly)

PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION

90. Discussion and possible action on a request by Thomas and Mack Co. for a Water Feature Exemption on property located at 2300 W. Sahara Avenue - Ward 1 (Moncrief)

RESOLUTIONS - DISCUSSION

91. R-76-2004 - Discussion and possible action on a Resolution transferring 2002 Private Activity Bond Volume Cap of \$6,158,617 to George Gekakis Incorporated to construct new affordable senior housing located near the Southeast corner of West-Cheyenne Avenue and Jones Boulevard - Ward 5 (Weekly)

BOARDS & COMMISSIONS - DISCUSSION

92. ABEYANCE ITEM - CHILD CARE LICENSING BOARD – Lolanda Bunch, Term Expiration 6-2007 (Resigned)

RECOMMENDING COMMITTEE REPORTS - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

93. TABLED ITEM - Bill No. 2003-78 – Establishes locational restrictions for the uses “auto pawn,” “auto title loan,” and “specified financial institution.” Sponsored by: Councilwoman Janet Moncrief
94. 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
95. 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
96. 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
97. Bill No. 2004-21 – Updates the City’s emergency management provisions. Sponsored by: Mayor Oscar B. Goodman
98. 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)
99. Bill No. 2004-25 – Establishes zoning requirements for swap meets. Sponsored by: Councilman Gary Reese
100. 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
101. 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
102. 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

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.

103. 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
104. 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
105. 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

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.

- 106. Bill No. 2004-30 – Requires merchants to make certain disclosures in connection with the sale of motorized scooters and motorized skateboards. Sponsored by: Councilman Michael Mack
- 107. Bill No. 2004-31 – Prohibits the breeding or training of animals for the purpose of using them in an animal fighting venture. Sponsored by: Councilman Michael Mack
- 108. Bill No. 2004-32 – Ordinance Creating Special Improvement District No. 607 - Cliff's Edge. Sponsored By: Step Requirement
- 109. Bill No. 2004-33 – Levies Assessments for Special Improvement District No. 607 - Cliff's Edge. Sponsored By: Step Requirement
- 110. Bill No. 2004-34 – Levies Assessment for Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance FY2005). Sponsored by: Step Requirement
- 111. Bill No. 2004-35 – Authorizing the issuance of Local Improvement Bonds, Series 2004 for the City of Las Vegas, Nevada Special Improvement District No. 607 Cliff's Edge not to exceed \$51,185,000. - Ward 6 (Mack)

1:00 P.M. - AFTERNOON SESSION

- 112. 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

- 113. ABEYANCE ITEM - 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)
- 114. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 4550 E. Washington Avenue. PROPERTY OWNER: ASSISTED LIVING CENTER ETAL, C/O E COOK – Ward 3 (Reese)
- 115. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 1611 Euclid Avenue. PROPERTY OWNER: GARY STEPHEN BLAKE – Ward 3 (Reese)
- 116. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 3224 Brady Avenue. PROPERTY OWNER: SECRETARY VETERANS AFFAIRS – Ward 3 (Reese)

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.

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

117. REVIEW OF CONDITION - ROC-3901 – APPLICANT/OWNER: PERMA-BUILT HOMES - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Review of Condition NO. 7 OF AN APPROVED TENTATIVE MAP FOR ELKHORN/GRAND CANYON UNIT TWO (TM-0034-02), WHICH REQUIRED PEDESTRIAN ACCESS AT THE END OF TWO CUL-DE-SACS adjacent to the southeast corner of Grand Canyon Drive and Severance Lane (APN 125-18-897-004), R-1 (Single Family Residential) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend DENIAL
118. REVIEW OF CONDITION - PUBLIC HEARING - ROC-4119 - APPLICANT/OWNER: CONCORDIA HOMES OF NEVADA - Request for a Review of Condition No. 3 of an approved Site Development Plan Review [Z-0069-02(1)], WHICH ESTABLISHED THE FRONT SETBACK TO GARAGE DOORS FOR A SINGLE FAMILY RESIDENTIAL DEVELOPMENT on property located adjacent to the southeast corner of Deer Springs Way and Campbell Road (APN 125-20-301-006 and 007), T-C (Town Center) Zone, Ward 6 (Mack). Staff recommends DENIAL (NOTE: To allow a 10' maximum setback to garage, where 5' maximum and 18' minimum is allowed)
119. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3817 - APPLICANT: ADVANCED HOUSE CALLS - OWNER: GREGORY AND MARY BRYAN - Request for a Site Development Plan Review FOR A PARKING LOT AND WAIVERS OF PERIMETER LANDSCAPE BUFFER AND PARKING LOT LANDSCAPE FINGERS on 0.34 acres adjacent to the east side of Jones Boulevard, approximately 300 feet south of Upland Boulevard (APN 138-36-112-005 and 006), R-1 (Single Family Residential) Zone under Resolution of Intent to P-R (Professional Office and Parking), Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL
120. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3853 - APPLICANT: ARLT CORPORATION - OWNER: ARLT FAMILY TRUST - Request for a Site Development Plan Review FOR A 14,126 SQUARE FOOT OFFICE BUILDING on 1.10 acres adjacent to the southwest corner of Martin L. King Boulevard and Wheeler Peak Drive (APN 139-21-416-001), C-PB (Planned Business Park) Zone, Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
121. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3923 - APPLICANT/ OWNER: SANTA FE STATION, INC. - Request for a Site Development Plan Review FOR A PROPOSED CASINO EXPANSION AND THEATER ADDITION on 34.1 acres at 4949 North Rancho Drive (APN 125-34-801-001), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
122. ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - VAR-3288 - APPLICANT: PAUL AND SANDY BROUSSEAU - Request for a Variance to ALLOW A 5 FOOT SIDE SETBACK WHERE 10 FEET IS REQUIRED FOR an addition to an existing single family dwelling at 304 Canyon Drive (APN 139-32-211-031), R-E (Residence Estates) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL
123. VARIANCE - PUBLIC HEARING - VAR-3762 - APPLICANT: STERLING S. DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Variance TO ALLOW 25 FOOT FRONT SETBACKS WHERE 30 FEET IS THE MINIMUM SETBACK REQUIRED AND TO ALLOW 30 FOOT REAR SETBACKS WHERE 35 FEET IS THE MINIMUM SETBACK REQUIRED on 9.32 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 (5-0-2 vote) and staff recommend DENIAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

124. REQUIRED SIX MONTH REVIEW - PUBLIC HEARING - RQR-3930 - APPLICANT: NEISSAN KOROGHLI - OWNER: FREMONT PLACE, LIMITED LIABILITY COMPANY - Required Six Month Review of an approved Special Use Permit (U-0106-02) WHICH ALLOWED A LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION) IN CONJUNCTION WITH AN EXISTING CONVENIENCE STORE/ DELICATESSEN at 228 Las Vegas Boulevard North (APN 139-34-511-001, 002 and 003), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
125. REVIEW OF CONDITION RELATED TO RQR-3930 - PUBLIC HEARING - ROC-4121 - APPLICANT: NEISSAN KOROGHLI - OWNER: FREMONT PLACE, LIMITED LIABILITY COMPANY - Request for a Review of Conditions FOR AN APPROVED SPECIAL USE PERMIT (U-0106-02), TO REMOVE CONDITION NOS. 1 THROUGH 4 FOR A LIQUOR ESTABLISHMENT (OFF-PREMISES CONSUMPTION) IN CONJUNCTION WITH AN EXISTING CONVENIENCE STORE/DELICATESSEN at 228 Las Vegas Boulevard North (APN 139-34-511-001, 002 and 003), C-2 (General Commercial) Zone, Ward 5 (Weekly). Staff recommends DENIAL
126. REQUIRED FOUR YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - RQR-3732 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: STORAGE EQUITIES - Required Four Year Review of an approved Special Use Permit (U-0159-89) FOR A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 275 South Martin L. King Boulevard (APN 139-33-501-012), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
127. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES, LIMITED PARTNERSHIP - Appeal filed by LAS Consulting, Inc. 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 adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue (APN 163-02-816-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL
128. ABEYANCE ITEM - 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
129. ABEYANCE ITEM - 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
130. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3844 - APPLICANT: JOSE AND ELIZA DIAZ - OWNER: MIGUEL FAMILY TRUST 1993, ET AL - Request for a Special Use Permit FOR A BANQUET FACILITY at 1520 North Eastern Avenue, Suite #101, 102 and 103 (APN 139-25-101-020), C-1 (Limited Commercial) and C-2 (General Commercial) Zones, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
131. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3748 - APPLICANT: CONTINENTAL CURRENCY OF NEVADA, INC. - OWNER: TONOPAH-CRAIG ROAD COMPANY, LIMITED PARTNERSHIP - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED AND AUTO TITLE LOAN at 4458 North Rancho Drive (APN 138-02-601-001), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
132. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3875 - APPLICANT: HUGH CANADY - OWNER: CDS MEMBER, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR GASOLINE SALES IN CONJUNCTION WITH A 4,500 SQUARE FOOT CONVENIENCE STORE at 1600 North Martin L. King Boulevard (APN 139-21-804-006), C-1 (Limited Commercial), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

- 133.ABEYANCE ITEM - REZONING - PUBLIC HEARING - ZON-2457 - DONNA F. BEAM REVOCABLE TRUST - Request for a Rezoning FROM: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) Zone on 3.88 acres adjacent to the northeast and southeast corners of Smoke Ranch Road and Buffalo Drive (APN 138-15-402-001 and 138-22-101-001) Ward 4 (Brown). The Planning Commission (4-2 vote) and staff recommend APPROVAL
- 134.SPECIAL USE PERMIT RELATED TO ZON-2457 - PUBLIC HEARING - SUP-3896 - APPLICANT: INVESTMENT EQUITY BUILDERS - OWNER: DONNA F. BEAM REVOCABLE TRUST - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (TAVERN) AND A WAIVER FROM THE 1,500 FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING SCHOOL, CHURCH, AND CITY PARK adjacent to the northeast corner of Smoke Ranch Road and Buffalo Drive (APN 138-15-402-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial)], Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (5-0-2 vote) recommends APPROVAL
- 135.ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-2457 AND SUP-3896 - PUBLIC HEARING - SDR-2458 - DONNA F. BEAM REVOCABLE TRUST - Request for a Site Development Plan Review FOR TWO PROPOSED COMMERCIAL BUILDINGS on 3.88 acres adjacent to the northeast and southeast corners of Smoke Ranch Road and Buffalo Drive (APN 138-15-402-001 and 138-22-101-001) U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 4 (Brown). The Planning Commission (4-2 vote) and staff recommend APPROVAL
- 136.ABEYANCE ITEM - 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
- 137.REZONING - PUBLIC HEARING - ZON-3825 - APPLICANT/OWNER: JAN PAUL KOCH - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.26 acres at 701 South 7th Street (APN 139-34-810-008 and 009), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
- 138.VARIANCE RELATED TO ZON-3825 - PUBLIC HEARING - VAR-3826 - APPLICANT/OWNER: JAN PAUL KOCH - Request for a Variance TO ALLOW 9 PARKING SPACES WHERE 12 PARKING SPACES ARE REQUIRED FOR A PROPOSED OFFICE BUILDING AND TO ALLOW A COVERED TRASH ENCLOSURE TO BE LOCATED WITHIN THE 50 FEET RESIDENTIAL ADJACENCY DISTANCE SEPARATION REQUIREMENT on 0.26 acres at 701 7th Street (APN 139-34-810-008 and 009), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
- 139.SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3825 AND VAR-3826 - PUBLIC HEARING - SDR-3824 - APPLICANT/OWNER: JAN PAUL KOCH - Request for a Site Development Plan Review FOR A PROPOSED LAW OFFICE AND A WAIVER OF LANDSCAPE AND COMMERCIAL STANDARDS on 0.26 acres at 701 7th Street (APN 139-34-810-008 and 009), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
- 140.REZONING - PUBLIC HEARING - ZON-3888 - APPLICANT: CITY OF LAS VEGAS - OWNERS: MULTIPLE - Request for a Rezoning FROM: M (INDUSTRIAL), C-M (COMMERCIAL INDUSTRIAL), C-2 (GENERAL COMMERCIAL) AND C-V (CIVIC) TO: C-M (COMMERCIAL INDUSTRIAL), C-2 (GENERAL COMMERCIAL), C-1 (LIMITED COMMERCIAL), R-3 (MEDIUM DENSITY RESIDENTIAL), AND C-V (CIVIC) on properties generally located within the area bounded by Washington Avenue, Owens Avenue, the Union Pacific Railroad and Bruce Street (APN 139-26-102-002, 003, 139-26-201-015, 018, 139-27-502-004, 139-27-504-003, 006, 007, 008, 009 and 010, 139-27-602-003, 004, 139-27-603-001, 002, 008, and 018), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

141. REZONING - PUBLIC HEARING - ZON-3909 - APPLICANT/OWNER: LEONARD KRYK - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.16 acres at 1007 Salem Drive (APN 138-35-804-001), Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
142. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3909 - PUBLIC HEARING - SDR-3911 - APPLICANT/OWNER: LEONARD KRYK - Request for a Site Development Plan Review FOR A PROPOSED OFFICE AND A WAIVER OF LANDSCAPE STANDARDS on 0.16 acres at 1007 Salem Drive (APN 138-35-804-001), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
143. REZONING - PUBLIC HEARING - ZON-3910 - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: U (UNDEVELOPED) [ROW (RIGHT OF WAY) GENERAL PLAN DESIGNATION] TO: C-V (CIVIC) on 10.0 acres on the northeast corner of Tenaya Way and Summerlin Parkway (a portion of APN 138-27-301-019), Ward 2 (L.B. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL
144. 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 21, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-63-2004 - Approval of a Resolution declaring necessity for creating and ordering the preparation of an assessment roll for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Acquisition, construction and installation of street, sanitary sewer, storm sewer/drainage improvements, and water main projects.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-63-2004

MOTION:

MACK – APPROVED Items 43, 44, 45, and 46 as amended – **UNANIMOUS** with **MONCRIEF** excused and Ward 2 seat vacant

MINUTES:

See Item 43 for all discussion.

(9:47)

1-1131

Summary – A resolution declaring the necessity of the creation of the City of Las Vegas, Nevada, Special Improvement District No. 607 (Providence) and ordering the preparation of an assessment roll.

RESOLUTION NO. R-63-2004

**A RESOLUTION DECLARING THE NECESSITY OF THE
CREATION OF THE CITY OF LAS VEGAS, NEVADA
SPECIAL IMPROVEMENT DISTRICT NO. 607
(PROVIDENCE) AND ORDERING THE PREPARATION
OF AN ASSESSMENT ROLL FOR SUCH DISTRICT.**

WHEREAS, the City Council (the "Council") of City of Las Vegas (the "City") in the State of Nevada (the "State"), pursuant to NRS 271.710 has received a petition from the owners of certain property located in the City requesting the formation of a special improvement district (the "District"); and

WHEREAS, the Petition requests the formation of the District and the acquisition and improvement of a street project, storm sewer project, sanitary sewer project, and water project (the "Project") pursuant to Chapter 271 of NRS; and

WHEREAS, the City and Cliffs Edge, LLC, a Nevada limited liability company (the "Developer"), and other owners of property in the District entered into agreements for the acquisition and improvement of the Project, which agreements contain the terms and conditions required by NRS 271.710 and 271.720; and

WHEREAS, the City Engineer (the "Engineer") has presented to the Council the following documents:

- 0) An accurate estimate of the total cost of the Project for the District, including in said estimate the incidental expenses;
- 0) Full and detailed plans and specifications for the Project, with construction drawings, showing a typical section of the contemplated improvements for the District; and
- 0) A map and assessment plat showing the location of each portion of the Project and the property to be assessed; and
- 0) The Engineer's Report to the City Council on Benefits (the "Report") which describes the special benefits to be received by property in the District from construction of the improvements; and

WHEREAS, the Council has reviewed the documents listed above and has found such documents to be satisfactory to the Council;

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

Section 0. Based upon the foregoing, the Council hereby finds and determines that (a) the public convenience and necessity require the creation of the District and (b) the creation of the District is economically sound and feasible.

Section 0. The Council has determined and does hereby declare that the estimated net cost to the City of the Project (including all necessary incidental expenses, which either have been or will be incurred in connection with the District) is approximately \$51,187,785. All of such cost, as determined by the Council, is to be assessed against the benefited lots, tracts and parcels of land in the District.

Section 0. The Engineer is hereby authorized, ordered and directed to make out and prepare an assessment roll for the District in accordance with NRS 271.375, containing, among other things: (1) the name and address of the last-known owner or owners of each lot, tract or parcel of land to be assessed, or if not known, that the name is "unknown," (2) a description of each lot, tract or parcel of land to be assessed, and the amount of the proposed assessment to be levied thereon, apportioned upon the basis for assessments as described in the Report.

Section 0. Immediately upon the adoption of this resolution the City Clerk shall cause a copy of this resolution to be furnished to the Engineer. When the Engineer has made out and prepared the assessment roll pursuant to Section 3 of this resolution, it shall report the assessment roll to the Council and shall cause the same to be filed in the office of the City Clerk and numbered. The Engineer shall submit an executed certificate, which certificate, duly executed, shall accompany the assessment roll and be as follows:

(Form of Engineer's Certificate)

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

To the City Council of the City of Las Vegas, Nevada:

I hereby certify and report that the foregoing is the assessment roll and assessments made by me for the purpose of paying that part of the cost which you decided should be paid and borne by special assessments for the City of Las Vegas, Nevada, Special Improvement District No. 607 (Providence); that in making such assessments, I have, as near as may be and according to my best judgment, conformed in all things to the provisions of Chapter 271 of Nevada Revised Statutes.

Engineer

Dated at Las Vegas, Nevada this _____, 2004.

(End of form of Engineer's Certificate)

Section 5. The Council approves the printing and distribution of the preliminary official statement for the bonds to be issued to finance the Project in substantially the form on file with the City Clerk (the "Preliminary Official Statement") with such amendments, additions and deletions as are in accordance with the facts and not inconsistent herewith. The Director of Finance and Business Services is authorized to deem the Preliminary Official Statement final for purposes of S.E.C. Rule 15c2-12.

Section 6. The officers of the City be, and they hereby are, are authorized and directed to take all action necessary to effectuate the provisions of this resolution.

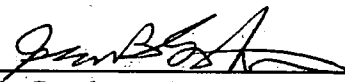
Section 7. All action, proceedings and matters previously taken, had and done by the City and the officers of the City (not inconsistent with the provisions of this resolution) concerning the District and the Project be, and the same hereby are, ratified, approved and confirmed.

Section 8. All bylaws, orders and resolutions, or parts thereof, in conflict with this resolution, are repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any bylaw, order, or resolution, or part thereof, previously repealed.

Section 9. If any section, paragraph, clause or provision of this resolution shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 10. The Council has determined and does hereby declare that this resolution shall be in effect upon its passage in accordance with law.

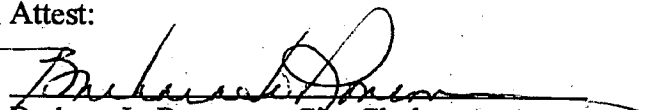
PASSED AND ADOPTED this April 21, 2004.



Oscar B. Goodman, Mayor

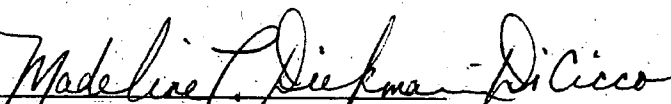
(SEAL)

Attest:



Barbara Jo Ronemus, City Clerk

Approved as to Form:

4-8-'04 
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 Las Vegas (the "City"), in the State of Nevada, do hereby certify:

0. The foregoing pages are a true and correct copy of a resolution (the "Resolution") passed and adopted by the Council at a regular meeting of the Council held on April 21, 2004. A quorum of the Council was in attendance at the meeting.

0. 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 the Council as follows:

Those Voting Aye:

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

Those Voting Nay:	NONE
Those Absent:	NONE
Those Abstaining:	NONE

0. The members of the Council were present at such meeting and voted on the passage of such Resolution as set forth above.

0. The Resolution was approved and authenticated by the signature, of the Mayor, sealed with the City seal, attested by myself as the City Clerk and recorded in the minutes of the Council.

0. All members of the Council were given due and proper notice of the meeting. Public notice of the meeting was given and the meeting was held and conducted in full

compliance with the provisions of NRS 241.020. A copy of the notice of the meeting was posted not later than 9:00 a.m. at least 3 working days in advance of the meeting at:

- (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

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

0. A copy of the notice was posted on the City's website no later than 9:00 a.m. on the third working day prior to the meeting.

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

0. A copy of the notice so given of the meeting of the Council held on April 21, 2004, is attached to this certificate as Exhibit A.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City
this April 27, 2004.


City Clerk

(SEAL)

EXHIBIT A

(Attach copy of posted Agenda)

CITY COUNCIL AGENDA

APRIL 21, 2004

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City of Las Vegas

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 21, 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 - REVEREND ROBERT FOWLER, VICTORY MISSION BAPTIST CHURCH
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF THE EMPLOYEE OF THE MONTH
- RECOGNITION OF THE AWARD-WINNING DOOLITTLE COMMUNITY CENTER JAM SQUAD
- PRESENTATION BY THE VETERANS DAY PARADE COMMITTEE

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. Discussion and possible action to appoint a City Council member for Ward 2

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 - CONSENT

3. Approval to authorize the president of City Parkway IV and V to execute Modification No.1 to the Amended Designated Services Agreement for City Parkway Center Project with Design Workshop, Inc. to include the development of Design Guidelines and Development Standards (DGDS) for the Union Park development (61-acres site) (not to exceed \$300,000) Industrial Development SRF - Ward 5 (Weekly)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

4. Approval of Service and Material Checks/Payroll Checks/Wires Transfers/Other Checks and Investments
5. Approval to renew the Interlocal Agreement for Coordination of Franchise-Related Activities with Clark County, Henderson, North Las Vegas and Boulder City (\$40,000-General Fund)- All Wards
6. Approval of a Special Event License for Univision Radio-Las Vegas, Location: Lorenzi Park, 3333 West Washington Avenue, Date: May 2, 2004, Type: Special Event General, Event: Cinco de Mayo 2004, Responsible Person in Charge: Zulema Benjamin - Ward 5 (Weekly)
7. Approval of a Special Event License for Grace in the Desert Episcopal Church, Location: Grace in the Desert Episcopal Church, 2004 Spring Gate Lane, Date: April 24, 2004, Type: Special Event Beer/Wine, Event: Church Spring Festival & BBQ, Responsible Person in Charge: Donald W. Pickell - Ward 4 (Brown)
8. Approval of Change of Ownership for a Beer/Wine/Cooler On-sale License From: Instant Impressions, Inc., Michael G. Maguire, Dir, Pres, 37.5%, Judy A. Maguire, Dir, Secy, 37.5%, Steven D. Gradwell, Dir, Treas, 10%, To: Garrett Equities Incorporated, LLC, dba The Wild Flower Cafe and Florist, 3818 Meadows Lane, Millicent Washington, Mgr, Mmbr, 100% - Ward 1 (Moncrief)
9. Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale License, From: Pollos Tumi - Partnership, dba Pollos Tumi, Luis I. Pedemonte, Ptnr, 50%, Carlos A. Lazarte, Ptnr, 50%, To: Carlos Lazarte, dba Las Americas, 2319 South Eastern Avenue, Carlos A. Lazarte, 100% - Ward 3 (Reese)
10. Approval of Franchise Managers for a Beer/Wine/Cooler Off-sale License, 7-Eleven of Nevada, Inc., dba 7-Eleven Food Store #13699C, 2409 Tam Drive, Heon J. Kim, Franchise Mgr, Jeong M. Kim, Franchise Mgr - Ward 1 (Moncrief)
11. Approval of Change of Business Name for a Wholesale General License, Johnson Brothers of Nevada, Inc., dba From: Alternative Beverage Distributors, To: Johnson Brothers of Nevada, 4409 McGuire Street, Scott Belsaas, Dir, Pres, Michael Johnson, Dir, VP, Secy, 50%, Todd Johnson, Dir, VP, Treas, 50% - North Las Vegas
12. Approval of Change of Business Name for a Tavern License and a Non-restricted Limited Gaming License for 35 slots, TLC Gaming, Inc., dba From: Hurricane Harrys, To: José Hogs Casino & Cantina, 3190 West Sahara Avenue, Terry L. Caudill, Dir, Pres, Secy, Treas, 95%, Timothy G. Lager, 5% - Ward 1 (Moncrief)
13. Approval of Change of Business Name for a Tavern License and a Restricted Gaming License for 15 slots, Polonez Polish Deli & Restaurant, Inc., dba From: Polonez Polish Deli & Restaurant, To: Euro Place Ristorante, 1243 East Sahara Avenue, Boguslaw M. Sobol, Dir, Pres, Secy, Treas, 100% - Ward 3 (Reese)
14. Approval of Change of Location for a Burglar Alarm Service, Security Alarm Monitoring Service, Inc., dba Security Alarm Monitoring Service, Inc., From: 2421 Tech Center Court, #100, To: 5445 Royal Vista Lane, Martin J. Pollinger, Pres, 50%, Christopher L. Mullins, Secy, Treas, 50% - Ward 6 (Mack)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

15. Approval of new Martial Arts Instruction Business License, Marc Laimon, dba Cobra Kai Jiu Jitsu, 2104 Highland Avenue, Marc J. Laimon, 100% - Ward 1 (Moncrief)
16. Approval of Change of Location for a Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, AKS Karate, Inc., dba AKS Karate, Inc., From: 6704 West Cheyenne Avenue, To: 2333 North Jones Boulevard, Suite 104, Robert I. Navoa, Dir, Pres, 60%, Raymond L. Mingo, Dir, VP, 40%, Arlene A. Navoa, Dir, Secy, Tamika K.R. Simmons, Dir, Treas - Ward 5 (Weekly)
17. Approval of Change of Location for a Class II Secondhand Dealer License subject to the provisions of the fire codes, Gilbert Levy, dba G & G Liquidators, From: 401 West Bonanza Road, To: 3021 Sheridan Street, Gilbert Levy, 100% - Ward 1 (Moncrief)
18. Preapproval of award of Bid No. 04.1730.07-LED, Grand Montecito Parkway - Centennial Parkway to Elkhorn Road to the lowest responsive and responsible or best bidder and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Pubic Works (\$6,000,000 - Special Assessment Capital Projects Fund) - Ward 6 (Mack)
19. Approval of award of Bid No. 03.15341.16-LED, Firefighters Memorial Park, Phase II, 6401 West Oakley Boulevard and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: RAFAEL CONSTRUCTION, INC. (\$719,000 - Parks and Leisure Activities Capital Projects Fund) - Ward 1 (Moncrief)
20. Approval of rejection of all non-responsive bids and award of Bid Number 040086-TG, Annual Requirements Contract for Medical Supplies - Department of Fire and Rescue - Award recommended to: BOUNDTREE MEDICAL LLC (\$400,000 - General Fund)
21. Approval of Agreement Modification No. 2, Gaming Concession at Downtown Transportation Center, 300 N. Casino Center Blvd. - Department of Field Operations - Award to: UNITED COIN MACHINE COMPANY (\$297,000 revenue - General Fund) - Ward 5 (Weekly)
22. Approval of issuance of a purchase order for a mobile abrasive cutting system - Department of Fire and Rescue - Award recommended to: APPLIED NEW TECHNOLOGY AG (\$129,015 - Multi-Purpose Special Revenue Fund)
23. Approval of award of Bid No. 040227-DAR, Annual Requirements Contract for Fasteners - Various Departments - Award recommended to: FASTENAL COMPANY (Estimated annual amount of \$100,000 - Various Funds)
24. Approval of revision to purchase order 218380 for annual requirements contract for crack seal - Department of Field Operations - Award to: LAS VEGAS PAVING CORPORATION (\$124,000 - Public Works Capital Projects Fund) - All Wards
25. Approval of Amendment Number 1 to Automated Vehicle Fueling System Contract - Departments of Field Operations and Fire and Rescue - Award to: SER-CON, INC. (\$73,051.37 - Automotive Operations ISF and Fire and Rescue CPF)
26. Approval of Contract No. 040215-KF, Radiological Services - Department of Fire and Rescue - Award recommended to: DESERT RADIOLOGY (Estimated annual amount of \$60,000 - General Fund)
27. Approval of issuance of a purchase order for one Class 6 Cargo Truck under Bid No. 040030-DAR, Open End Contract for Class 6 Cargo Truck - Department of Field Operations - Award to: MCCANDLESS INTERNATIONAL TRUCKS, INC. (\$58,904 - Automotive Operations Internal Service Fund)
28. Approval of issuance of a purchase order for one Mid-Size Tractor Mower under Bid No. 040075-DAR, Open End Contract for Mid-Size Tractor Mower and Trailer - Department of Field Operations - Award recommended to: SIMPSON NORTON (\$36,982 - Automotive Operations Internal Service Fund)
29. Approval of issuance of a purchase order for a One-Ton Truck under Bid No. 040118-DAR, Open End Contract for One-Ton Trucks - Department of Field Operations - Award to: GAUDIN FORD (\$31,536.31 - Automotive Operations Internal Service Fund)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

30. Approval of issuance of a purchase order for a One-Ton Dedicated CNG Fuel Extended Locksmith Van under Bid No. 040160-DAR, Open End Contract for One-Ton Dedicated CNG Fuel Extended Locksmith Van - Department of Field Operations - Award recommended to: BILL HEARD CHEVROLET (\$30,370.71 - Automotive Operations Internal Service Fund)
31. Approval of revision to purchase order 217174 for Hewlett Packard printer maintenance- Department of Information Technologies - Award to: INTERTECH COMPUTER PRODUCTS (\$10,000 - Computer Services Internal Service Fund)

NEIGHBORHOOD SERVICES DEPARTMENT - CONSENT

32. Approval of a Third Amendment to Agreement To Grant Redevelopment Set Aside Housing Funds to East Las Vegas Community Development Corporation allowing subordinations of the City of Las Vegas Deeds of Trust to enable homeowners the ability to refinance homes under specific circumstances at Mi Casa en el Sol for 40 new townhomes located on the 2900 block of Cedar Avenue and Poplar Avenue - Ward 3 (Reese)
33. Approval of additional Home Investment Partnership Program (HOME) funds in the amount of \$4,000 for additional housing rehabilitation activities at 265 South 17th Street - Ward 5 (Weekly)

PUBLIC WORKS DEPARTMENT - CONSENT

34. Approval of Supplemental Interlocal Contract for Durango Drive, Westcliff Drive to Vegas Drive between the City of Las Vegas and the Southern Nevada Regional Transportation Commission to increase funding and change the scope of the project (\$6,273,000 - Southern Nevada Regional Transportation Commission) - Ward 2 (L.B. McDonald)
35. Approval to file an amendment to Bureau of Land Management Right-of-Way Grant N-66120 for sewer purposes on portions of land lying within the Northwest Quarter of Section 12, Township 20 South, Range 59 East, Mount Diablo Meridian, generally located approximately 635 feet south of Alexander, west of Cliff Shadow Parkway, APN 137-12-101-008 - Ward 4 (Brown)
36. Approval to file a Right-of-Way Grant with the Bureau of Land Management for roadway, sanitary sewer, drainage, trail and streetscape amenity purposes on portions of land lying within Section 24, the Southwest Quarter and the East Half of Section 13, Township 19 South, Range 59 East, Mount Diablo Meridian, generally located between Hualapai Way and Puli Road on the east and west and by Grand Teton Drive and the Clark County Beltway on the north and south, APNs 126-13-401-014, -501-002, -701-006, 126-24-201-012, -301-011, -601-018 and -701-013 - Ward 6 (Mack)
37. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Brian G. Smith and Valerie C. Smith, owners (southeast corner of La Madre Way and Janell Drive, APN 125-33-402-010) - County (near Ward 6 - Mack)
38. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Aaron B. Hirschi, owner (southeast corner of Bonita Vista Street and Corbett Street, APN 125-29-708-001) - County (near Ward 6 - Mack)
39. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Richard Bennett, owner (north of Tropical Parkway, between Fort Apache Road and Dapple Gray Road, APN 125-29-201-025) - County (near Ward 6 - Mack)
40. Approval of a Professional Services Agreement with Southwick Landscape Architects for the design services of Gilmore Cliff Shadows Park and Trail Head located at Gilmore Drive and Cliff Shadows Parkway (\$376,200 - Southern Nevada Public Lands Management Act) - Ward 4 (Brown)

PUBLIC WORKS DEPARTMENT - CONSENT

41. Approval of an Interlocal Agreement between the City of Las Vegas and the Las Vegas Valley Water District to allow the installation of fire protection water service for the Operation and Maintenance Building at the Water Pollution Control Facility (\$654 - Sanitation Fund) - Clark County

RESOLUTIONS - CONSENT

42. R-60-2004 - Approval of a Resolution Adopting a Revised Fee Schedule for LVMC Title 13 and Chapter 11.50 (pertaining to public improvement work and temporary traffic control work)
43. R-61-2004 - Approval of a Resolution directing the Engineer to prepare preliminary plans and an assessment plat for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)
44. R-62-2004 - Approval of a Resolution directing the Engineer to prepare full and detailed plans, cost estimates and an assessment plat for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)
45. R-63-2004 - Approval of a Resolution declaring necessity for creating and ordering the preparation of an assessment roll for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)
46. R-64-2004 - Approval of a Resolution validating and confirming the assessment roll for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)
47. R-65-2004 - Approval of a Resolution directing the City Treasurer to prepare the Fifty-Ninth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
48. R-66-2004 - Approval of a Resolution approving the Fifty-Ninth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
49. R-67-2004 - Approval of a Resolution directing the City Treasurer to prepare the Tenth Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
50. R-68-2004 - Approval of a Resolution approving the Tenth Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
51. R-69-2004 - Approval of a Resolution overruling complaints, protests, and objections and confirming the final assessment roll for Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance FY2005) (\$41,902.50 - Capital Projects Fund - Special Assessments) - Ward 1 (Moncrief)
52. R-70-2004 - Approval of a Resolution Making Provisional Order and Directing that Notice of Public Hearing thereon be given regarding Special Improvement District No. 1490 - Tenaya Way (Northern Beltway To Elkhorn Road) (Capital Projects Fund - Special Assessments) - Ward 6 (Mack)
53. R-71-2004 - Approval of a Resolution to establish a twenty percent minimum fund balance for the Group Insurance Internal Service Fund (ISF) based on prior year expenditures
54. R-72-2004 - Approval of a Resolution Amending Schedule 25-I, 30 MPH Speed Limits, to Add a Speed Limit of 30 MPH on Greenmoor Lane between Pavilion Center Drive and Anasazi Way; Laurelglenn Drive between Pavilion Center Drive and Sageberry Drive; Park Run Drive between Pavilion Center Drive and Town Center Drive; Pavilion Center Drive between Charleston Boulevard and Laurelglenn Drive; and Sageberry Drive between Pavilion Center Drive and Laurelglenn Drive - Ward 2 (L.B. McDonald)
55. R-73-2004 - Approval of a Resolution Amending Schedule 25-II, 35 MPH Speed Limits, to Add a Speed Limit of 35 MPH on Washington Avenue between Martin L. King Boulevard and D Street - Ward 5 (Weekly)
56. R-74-2004 - Approval of a Resolution Amending Schedule 25-IV, 45 MPH Speed Limits, to Add a Speed Limit of 45 MPH on Charleston Boulevard between the 215 Beltway and Hualapai Way - Ward 2 (L.B. McDonald)

RESOLUTIONS - CONSENT

57. R-75-2004 - Approval of a Resolution Amending Schedule 25-II, 35 MPH Speed Limits, to Add a Speed Limit of 35 MPH on Azure Drive between US 95 and Tenaya Way; Bradley Road from the 215 Beltway to the north City limits; Centennial Center Boulevard between Ann Road and Durango Drive; Farm Road between Durango Drive and Tenaya Way; Farm Road between Jones Boulevard and Decatur Boulevard; Tenaya Way between Ann Road and Skypointe Drive; and Tropical Parkway between Durango Drive and US 95 - Ward 6 (Mack)

REAL ESTATE COMMITTEE - CONSENT

58. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 488 acres of land commonly known as APNs 125-01-001-001 and 125-01-701-001 located in the vicinity of Decatur Boulevard and Moccasin Road for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
59. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 10 acres of land commonly known as APN 126-02-101-005 located south of Moccasin Road and west of Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
60. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 8 acres of land commonly known as APNs 126-02-401-002 and 126-02-401-004 located in the vicinity of Iron Mountain Road and Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
61. Approval to authorize staff to purchase real property known as APN 139-34-612-026 located on the northeast corner of Carson Avenue and 8th Street from the State of Nevada Department of Conservation and Natural Resources Division of State Lands (\$323,049.80 plus closing costs - City Facilities Capital Project Fund) - Ward 5 (Weekly)
62. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 10 acres of land commonly known as APN 126-01-801-002 located in the vicinity of Iron Mountain Road and Hualapai Way for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
63. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 15 acres of land commonly known as portions of APNs 126-01-101-010 and 126-01-301-004 located off of Puli Drive between Moccasin Road and Iron Mountain Road for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
64. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 12.5 acres of land commonly known as a portion of APN 126-01-401-003 located in the vicinity of Iron Mountain Road and Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
65. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 5 acres of land commonly known as APN 126-01-501-001 located in the vicinity of Moccasin Road in between Puli Drive and Hualapai Way for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
66. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 5 acres of land commonly known as APN 126-01-601-002 located in the vicinity of Moccasin Road and Hualapai Way for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

67. Discussion and possible action regarding final payment to Southwest Sports Realty, L.P. - (Not to exceed \$120,000 - Industrial Development Special Revenue Fund)
68. Report and possible action on a presentation by Clark County Health District staff concerning the "Urban Rodent Surveillance Project"

CITY ATTORNEY - DISCUSSION

69. Discussion and possible action on Appeal of Work Card Denial: Held in Abeyance from March 17, 2004. Charles H. Lloyd, 301 Orland Street #25, Las Vegas, Nevada 89108
70. Discussion and possible action on Appeal of Work Card Denial: Jose Dennis Medrano-Arriola, 3756 Wynn Road #317, Las Vegas, Nevada 89103
71. Discussion and possible action on Appeal of Work Card Denial: Ms. Miaelizabeth Fenstermaker, 1400 So. Casino Center #22, Las Vegas, Nevada 89104
72. Discussion and possible action on Appeal of Work Card Denial: Desiree Dawn Gordon, 2700 Sadie Lane, Henderson, Nevada 89074
73. Discussion and possible action on Appeal of Work Card Denial: Chanpheng Phromprakay, 5010 Indian River Drive #149, Las Vegas, Nevada 89103

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

74. Discussion and possible action to fund the removal and relocation of skate element equipment from Patriot Park to Mountain Ridge Park (\$100,000 - Parks & Leisure Activities Capital Projects Fund) - Ward 6 (Mack)
75. ABEYANCE ITEM - 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)
76. ABEYANCE ITEM - Discussion and possible action regarding an Appeal of Denial of Business License for an Independent Massage Therapist License, Nicholas A. Hoover, dba Nicholas A. Hoover, 4200 East Bonanza Road, #123, Nicholas A. Hoover, 100% - Ward 3 (Reese)
77. ABEYANCE ITEM - 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)
78. Discussion and possible action regarding a Six Month Review of a Child Care Family Home License, Joyce Cathey, 1720 East Oakey Boulevard, Joyce Cathey, 100% - Ward 3 (Reese)
79. Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes, T & G Entertainment Investments, LLC, dba Peter Piper Pizza, 7981 West Tropical Parkway, TGEI, LLC, Managing Mmbr, 52%, Ted E. Kingston, Mmbr, 100%, John G. Barton, Mgr, John G. Barton Mmbr, 42% - Ward 6 (Mack)
80. Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes, Makino Premium Outlet LV, LLC, dba Makino Las Vegas Seafood Buffet, 775 South Grand Central Parkway, #1301, Las Vegas Kitchen, LLC, Mgr, 100%, Masako Ishitsuka, Mmbr, Mgr, 100% - Ward 5 (Weekly)

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

81. Discussion and possible action regarding Temporary Approval of a new Supper Club License subject to the provisions of the fire codes and Health Dept. regulations, Scottsdale Beverages, LLC, dba Escole, 1451 Center Crossing Road, John P. Graham, Mgr, Jennifer E. White, Mgr, Renee Brattin, Mgr, Scottsdale Group, LLC, Mmbr, 100%, John P. Graham, Mgr, Jennifer E. White, Mgr, Renee Brattin, Mgr - Ward 2 (L.B. McDonald)
82. Discussion and possible action regarding Temporary Approval of Change of Ownership for a Beer/Wine/Cooler On-sale License subject to Health Dept. regulations, From: Peter Piper, Inc., Daniel E. Rubin, Dir, COB, Joseph R. Pederson, Pres, CEO, John G. Jordan, VP, Don Gordon, VP, Neil R. Simon, Dir, Secy, William J. Hunckler, III, Dir, Robin P. Selati, Dir, To: T & G Entertainment Investments, LLC, dba Peter Piper Pizza, 560 South Decatur Boulevard, TGEI, LLC, Managing Mmbr, 52%, Ted E. Kingston, Mmbr, 100%, John G. Barton, Mgr, John G. Barton, Mmbr, 42% - Ward 1 (Moncrief)
83. Discussion and possible action regarding Temporary Approval of a Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, Sentinel Combat Institute, LLC, dba Sentinel Combat Institute, LLC, 8450 West Sahara Avenue, Suite 112, Lance W. Burton, Mgr, Mmbr, 100% - Ward 1 (Moncrief)
84. Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Martial Arts Instruction Business License subject to the provisions of the fire codes, From: Kicks, Inc., dba Collins Karate for Kids, David A. Riach, Jr., Dir, Pres, Secy, Treas, 66.66%, Andre Collins, VP, 33.33%, To: Karate for Kids of Green Valley and Henderson, Inc., dba Karate for Kids, 4840 East Bonanza Road, Suites 2 and 3, Leland R. Brandon, Dir, Pres, 50%, Marci D. Brandon, Secy, Treas, 50% - Ward 3 (Reese)
85. Discussion and possible action regarding a Six Month Review of a Restricted Gaming License for 7 slots, Shoshani and Jarjees, dba Family Food II, 1602 H Street, Salar Shoshani, Ptnr, 50%, Thamer Jarjees, Ptnr, 50% - Ward 5 (Weekly)
86. Discussion and possible action regarding amendment to Bid No. 03.15341.08-LED, Washington Buffalo Park, Phase 1A and 1B - located at the southwest corner of Washington Avenue and Buffalo Drive for issuance of a change order to Asphalt Products Corporation for installation of artificial turf in the amount of \$3,800,000 - Public Works (Parks & Leisure Activities CPF) Ward 4 (Brown)

NEIGHBORHOOD SERVICES DEPARTMENT - DISCUSSION

87. Report and possible action on the City of Las Vegas' prototype Tenant Based Rental Assistance (TBRA) Program for Homeless and Near Homeless regarding allocating \$300,000 in Fiscal Year 2004-2005 Federal HOME funds and \$26,275 Fiscal Year 2004-2005 Community Development Block Grant Public Service (CDBG-PS) funds to HELP of Southern Nevada to operate the prototype TBRA Program for one additional year - All Wards
88. Report and possible action to proceed with a plan to abate vacant and abandoned property located within the City of Las Vegas - All Wards
89. Report and possible action on the Sky Vue Mobile Home Park 15 West Owens Avenue to provide monetary compensation to Clark County Social Services for temporary housing of displaced residents in an amount not to exceed \$40,000 (General Fund-Winter Shelter Fund) - Ward 5 (Weekly)

PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION

90. Discussion and possible action on a request by Thomas and Mack Co. for a Water Feature Exemption on property located at 2300 W. Sahara Avenue - Ward 1 (Moncrief)

RESOLUTIONS - DISCUSSION

91. R-76-2004 - Discussion and possible action on a Resolution transferring 2002 Private Activity Bond Volume Cap of \$6,158,617 to George Gekakis Incorporated to construct new affordable senior housing located near the Southeast corner of West Cheyenne Avenue and Jones Boulevard - Ward 5 (Weekly)

BOARDS & COMMISSIONS - DISCUSSION

92. ABEYANCE ITEM - CHILD CARE LICENSING BOARD – Lolanda Bunch, Term Expiration 6-2007 (Resigned)

RECOMMENDING COMMITTEE REPORTS - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

93. TABLED ITEM - Bill No. 2003-78 – Establishes locational restrictions for the uses “auto pawn,” “auto title loan,” and “specified financial institution.” Sponsored by: Councilwoman Janet Moncrief
94. 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
95. 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
96. 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
97. Bill No. 2004-21 – Updates the City’s emergency management provisions. Sponsored by: Mayor Oscar B. Goodman
98. 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)
99. Bill No. 2004-25 – Establishes zoning requirements for swap meets. Sponsored by: Councilman Gary Reese
100. 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
101. 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
102. 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

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.

103. 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
104. 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
105. 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

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.

106. Bill No. 2004-30 – Requires merchants to make certain disclosures in connection with the sale of motorized scooters and motorized skateboards. Sponsored by: Councilman Michael Mack
107. Bill No. 2004-31 – Prohibits the breeding or training of animals for the purpose of using them in an animal fighting venture. Sponsored by: Councilman Michael Mack
108. Bill No. 2004-32 – Ordinance Creating Special Improvement District No. 607 - Cliff's Edge. Sponsored By: Step Requirement
109. Bill No. 2004-33 – Levies Assessments for Special Improvement District No. 607 - Cliff's Edge. Sponsored By: Step Requirement
110. Bill No. 2004-34 – Levies Assessment for Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance FY2005). Sponsored by: Step Requirement
111. Bill No. 2004-35 – Authorizing the issuance of Local Improvement Bonds, Series 2004 for the City of Las Vegas, Nevada Special Improvement District No. 607 Cliff's Edge not to exceed \$51,185,000. - Ward 6 (Mack)

1:00 P.M. - AFTERNOON SESSION

112. 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

113. ABEYANCE ITEM - 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)
114. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 4550 E. Washington Avenue. PROPERTY OWNER: ASSISTED LIVING CENTER ETAL, C/O E COOK – Ward 3 (Reese)
115. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 1611 Euclid Avenue. PROPERTY OWNER: GARY STEPHEN BLAKE – Ward 3 (Reese)
116. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 3224 Brady Avenue. PROPERTY OWNER: SECRETARY VETERANS AFFAIRS – Ward 3 (Reese)

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.

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

117. REVIEW OF CONDITION - ROC-3901 - APPLICANT/OWNER: PERMA-BUILT HOMES - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Review of Condition NO. 7 OF AN APPROVED TENTATIVE MAP FOR ELKHORN/GRAND CANYON UNIT TWO (TM-0034-02), WHICH REQUIRED PEDESTRIAN ACCESS AT THE END OF TWO CUL-DE-SACS adjacent to the southeast corner of Grand Canyon Drive and Severance Lane (APN 125-18-897-004), R-1 (Single Family Residential) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend DENIAL.
118. REVIEW OF CONDITION - PUBLIC HEARING - ROC-4119 - APPLICANT/OWNER: CONCORDIA HOMES OF NEVADA - Request for a Review of Condition No. 3 of an approved Site Development Plan Review [Z-0069-02(1)], WHICH ESTABLISHED THE FRONT SETBACK TO GARAGE DOORS FOR A SINGLE FAMILY RESIDENTIAL DEVELOPMENT on property located adjacent to the southeast corner of Deer Springs Way and Campbell Road (APN 125-20-301-006 and 007), T-C (Town Center) Zone, Ward 6 (Mack). Staff recommends DENIAL (NOTE: To allow a 10' maximum setback to garage, where 5' maximum and 18' minimum is allowed)
119. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3817 - APPLICANT: ADVANCED HOUSE CALLS - OWNER: GREGORY AND MARY BRYAN - Request for a Site Development Plan Review FOR A PARKING LOT AND WAIVERS OF PERIMETER LANDSCAPE BUFFER AND PARKING LOT LANDSCAPE FINGERS on 0.34 acres adjacent to the east side of Jones Boulevard, approximately 300 feet south of Upland Boulevard (APN 138-36-112-005 and 006), R-1 (Single Family Residential) Zone under Resolution of Intent to P-R (Professional Office and Parking), Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL.
120. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3853 - APPLICANT: ARLT CORPORATION - OWNER: ARLT FAMILY TRUST - Request for a Site Development Plan Review FOR A 14,126 SQUARE FOOT OFFICE BUILDING on 1.10 acres adjacent to the southwest corner of Martin L. King Boulevard and Wheeler Peak Drive (APN 139-21-416-001), C-PB (Planned Business Park) Zone, Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL.
121. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3923 - APPLICANT/ OWNER: SANTA FE STATION, INC. - Request for a Site Development Plan Review FOR A PROPOSED CASINO EXPANSION AND THEATER ADDITION on 34.1 acres at 4949 North Rancho Drive (APN 125-34-801-001), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL.
122. ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - VAR-3288 - APPLICANT: PAUL AND SANDY BROUSSEAU - Request for a Variance to ALLOW A 5 FOOT SIDE SETBACK WHERE 10 FEET IS REQUIRED FOR an addition to an existing single family dwelling at 304 Canyon Drive (APN 139-32-211-031), R-E (Residence Estates) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.
123. VARIANCE - PUBLIC HEARING - VAR-3762 - APPLICANT: STERLING S. DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Variance TO ALLOW 25 FOOT FRONT SETBACKS WHERE 30 FEET IS THE MINIMUM SETBACK REQUIRED AND TO ALLOW 30 FOOT REAR SETBACKS WHERE 35 FEET IS THE MINIMUM SETBACK REQUIRED on 9.32 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 (5-0-2 vote) and staff recommend DENIAL.

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

124. REQUIRED SIX MONTH REVIEW - PUBLIC HEARING - RQR-3930 - APPLICANT: NEISSAN KOROGHLI - OWNER: FREMONT PLACE, LIMITED LIABILITY COMPANY - Required Six Month Review of an approved Special Use Permit (U-0106-02) WHICH ALLOWED A LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION) IN CONJUNCTION WITH AN EXISTING CONVENIENCE STORE/ DELICATESSEN at 228 Las Vegas Boulevard North (APN 139-34-511-001, 002 and 003), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
125. REVIEW OF CONDITION RELATED TO RQR-3930 - PUBLIC HEARING - ROC-4121 - APPLICANT: NEISSAN KOROGHLI - OWNER: FREMONT PLACE, LIMITED LIABILITY COMPANY - Request for a Review of Conditions FOR AN APPROVED SPECIAL USE PERMIT (U-0106-02), TO REMOVE CONDITION NOS. 1 THROUGH 4 FOR A LIQUOR ESTABLISHMENT (OFF-PREMISES CONSUMPTION) IN CONJUNCTION WITH AN EXISTING CONVENIENCE STORE/DELICATESSEN at 228 Las Vegas Boulevard North (APN 139-34-511-001, 002 and 003), C-2 (General Commercial) Zone, Ward 5 (Weekly). Staff recommends DENIAL
126. REQUIRED FOUR YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - RQR-3732 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: STORAGE EQUITIES - Required Four Year Review of an approved Special Use Permit (U-0159-89) FOR A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 275 South Martin L. King Boulevard (APN 139-33-501-012), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
127. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES, LIMITED PARTNERSHIP - Appeal filed by LAS Consulting, Inc. 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 adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue (APN 163-02-816-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL
128. ABEYANCE ITEM - 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
129. ABEYANCE ITEM - 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
130. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3844 - APPLICANT: JOSE AND ELIZA DIAZ - OWNER: MIGUEL FAMILY TRUST 1993, ET AL - Request for a Special Use Permit FOR A BANQUET FACILITY at 1520 North Eastern Avenue, Suite #101, 102 and 103 (APN 139-25-101-020), C-1 (Limited Commercial) and C-2 (General Commercial) Zones, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
131. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3748 - APPLICANT: CONTINENTAL CURRENCY OF NEVADA, INC. - OWNER: TONOPAH-CRAIG ROAD COMPANY, LIMITED PARTNERSHIP - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED AND AUTO TITLE LOAN at 4458 North Rancho Drive (APN 138-02-601-001), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
132. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3875 - APPLICANT: HUGH CANADY - OWNER: CDS MEMBER, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR GASOLINE SALES IN CONJUNCTION WITH A 4,500 SQUARE FOOT CONVENIENCE STORE at 1600 North Martin L. King Boulevard (APN 139-21-804-006), C-1 (Limited Commercial), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

- 133.ABEYANCE ITEM - REZONING - PUBLIC HEARING - ZON-2457 - DONNA F. BEAM REVOCABLE TRUST - Request for a Rezoning FROM: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) Zone on 3.88 acres adjacent to the northeast and southeast corners of Smoke Ranch Road and Buffalo Drive (APN 138-15-402-001 and 138-22-101-001) Ward 4 (Brown). The Planning Commission (4-2 vote) and staff recommend APPROVAL
- 134.SPECIAL USE PERMIT RELATED TO ZON-2457 - PUBLIC HEARING - SUP-3896 - APPLICANT: INVESTMENT EQUITY BUILDERS - OWNER: DONNA F. BEAM REVOCABLE TRUST - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (TAVERN) AND A WAIVER FROM THE 1,500 FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING SCHOOL, CHURCH, AND CITY PARK adjacent to the northeast corner of Smoke Ranch Road and Buffalo Drive (APN 138-15-402-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial)], Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (5-0-2 vote) recommends APPROVAL
- 135.ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-2457 AND SUP-3896 - PUBLIC HEARING - SDR-2458 - DONNA F. BEAM REVOCABLE TRUST - Request for a Site Development Plan Review FOR TWO PROPOSED COMMERCIAL BUILDINGS on 3.88 acres adjacent to the northeast and southeast corners of Smoke Ranch Road and Buffalo Drive (APN 138-15-402-001 and 138-22-101-001) U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 4 (Brown). The Planning Commission (4-2 vote) and staff recommend APPROVAL
- 136.ABEYANCE ITEM - 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
- 137.REZONING - PUBLIC HEARING - ZON-3825 - APPLICANT/OWNER: JAN PAUL KOCH - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.26 acres at 701 South 7th Street (APN 139-34-810-008 and 009), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
- 138.VARIANCE RELATED TO ZON-3825 - PUBLIC HEARING - VAR-3826 - APPLICANT/OWNER: JAN PAUL KOCH - Request for a Variance TO ALLOW 9 PARKING SPACES WHERE 12 PARKING SPACES ARE REQUIRED FOR A PROPOSED OFFICE BUILDING AND TO ALLOW A COVERED TRASH ENCLOSURE TO BE LOCATED WITHIN THE 50 FEET RESIDENTIAL ADJACENCY DISTANCE SEPARATION REQUIREMENT on 0.26 acres at 701 7th Street (APN 139-34-810-008 and 009), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
- 139.SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3825 AND VAR-3826 - PUBLIC HEARING - SDR-3824 - APPLICANT/OWNER: JAN PAUL KOCH - Request for a Site Development Plan Review FOR A PROPOSED LAW OFFICE AND A WAIVER OF LANDSCAPE AND COMMERCIAL STANDARDS on 0.26 acres at 701 7th Street (APN 139-34-810-008 and 009), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
- 140.REZONING - PUBLIC HEARING - ZON-3888 - APPLICANT: CITY OF LAS VEGAS - OWNERS: MULTIPLE - Request for a Rezoning FROM: M (INDUSTRIAL), C-M (COMMERCIAL INDUSTRIAL), C-2 (GENERAL COMMERCIAL) AND C-V (CIVIC) TO: C-M (COMMERCIAL INDUSTRIAL), C-2 (GENERAL COMMERCIAL), C-1 (LIMITED COMMERCIAL), R-3 (MEDIUM DENSITY RESIDENTIAL), AND C-V (CIVIC) on properties generally located within the area bounded by Washington Avenue, Owens Avenue, the Union Pacific Railroad and Bruce Street (APN 139-26-102-002, 003, 139-26-201-015, 018, 139-27-502-004, 139-27-504-003, 006, 007, 008, 009 and 010, 139-27-602-003, 004, 139-27-603-001, 002, 008, and 018), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

141. REZONING - PUBLIC HEARING - ZON-3909 - APPLICANT/OWNER: LEONARD KRYK - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.16 acres at 1007 Salem Drive (APN 138-35-804-001), Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
142. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3909 - PUBLIC HEARING - SDR-3911 - APPLICANT/OWNER: LEONARD KRYK - Request for a Site Development Plan Review FOR A PROPOSED OFFICE AND A WAIVER OF LANDSCAPE STANDARDS on 0.16 acres at 1007 Salem Drive (APN 138-35-804-001), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
143. REZONING - PUBLIC HEARING - ZON-3910 - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: U (UNDEVELOPED) [ROW (RIGHT OF WAY) GENERAL PLAN DESIGNATION] TO: C-V (CIVIC) on 10.0 acres on the northeast corner of Tenaya Way and Summerlin Parkway (a portion of APN 138-27-301-019), Ward 2 (L.B. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL
144. 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 21, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-64-2004 - Approval of a Resolution validating and confirming the assessment roll for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Acquisition, construction and installation of street, sanitary sewer, storm sewer/drainage improvements, and water main projects.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-64-2004

MOTION:

MACK – APPROVED Items 43, 44, 45, and 46 as amended – **UNANIMOUS** with **MONCRIEF** excused and Ward 2 seat vacant

MINUTES:

See Item 43 for all discussion.

(9:47)

1-1131

Summary - A resolution confirming the assessment roll for the City of Las Vegas, Nevada, Special Improvement District No. 607 (Providence).

RESOLUTION R-64-2004

**A RESOLUTION VALIDATING AND CONFIRMING THE
ASSESSMENT ROLL FOR THE CITY OF LAS VEGAS,
NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 607.**

WHEREAS, the City Council (the "Council") of City of Las Vegas, Nevada (the "City"), has previously determined and does hereby declare that the net cost to the City of all the streets, storm drainage, sanitary sewer, and water improvements (collectively, the "Project") for the City of Las Vegas, Nevada, Special Improvement District No. 607 (Providence) (the "District") (including all necessary incidental expenses that either have been or will be incurred in connection with the District) is \$51,187,785, all of which is to be assessed against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, the Council by a resolution duly adopted, directed the City Engineer (the "Engineer") to make out a preliminary assessment roll; and

WHEREAS, the Council, together with the Engineer, made out an assessment roll for the District, which contains, among other things, the names and addresses of the last-known owners of each lot, tract and parcel of land to be assessed, or if such name is not known, stating that the name is "unknown," a description of each lot, tract or parcel of land to be assessed, and the amount of the proposed assessment to be levied thereon, and the Engineer has reported such assessment roll to the Council and filed the same with the City Clerk; and

WHEREAS, the Council has determined, and does hereby again determine, that all of the assessable property in the District that is specially benefited by the Project, and only the property that is so specially benefited, is included on the assessment roll previously filed with the City Clerk on the date hereof;

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

Section 1. The Council hereby validates and confirms the assessment roll for the District as made out by the Council together with the Engineer, and filed in the records of the office of the City Clerk on the date hereof.

Section 2. The officers of the City be, and they hereby are, authorized and directed to take all action necessary to effectuate the provisions of this resolution.

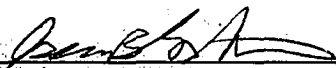
Section 3. All actions, proceedings and matters previously taken, had and done by the City and the officers of the City (not inconsistent with the provisions of this resolution) concerning the District and the Project, including, but not limited to, the acquisition and improvement of the Project and the validation and confirmation of the assessment roll and the assessments therein, be, and the same hereby are, ratified, approved and confirmed.

Section 4. All bylaws, orders and resolutions, or parts thereof, in conflict with this resolution, are repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any bylaw, order, or resolution, or part thereof, previously repealed.

Section 5. If any section, paragraph, clause or provision of this resolution shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 6. The Council has determined and does hereby declare that this resolution shall be in effect upon its passage in accordance with law.

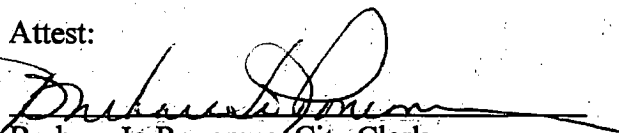
PASSED AND ADOPTED this April 21, 2004.



Oscar B. Goodman, Mayor

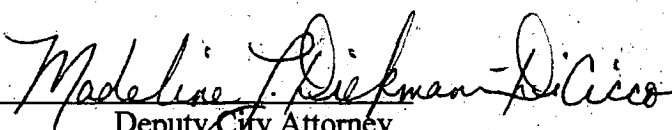
(SEAL)

Attest:



Barbara Jo Ronemus, City Clerk

Approved as to Form:

4-8-'04 
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 Las Vegas (the "City"), in the State of Nevada, do hereby certify:

1. The foregoing pages are a true and correct copy of a resolution (the "Resolution") passed and adopted by the Council at a regular meeting of the Council held on April 21, 2004. A quorum of the Council was in attendance at the meeting.

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 the Council as follows:

Those Voting Aye:

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

Those Voting Nay: NONE

Those Absent: NONE

Those Abstaining: NONE

3. The members of the Council were present at such meeting and voted on the passage of such Resolution as set forth above.

4. The Resolution was approved and authenticated by the signature, of the Mayor, sealed with the City seal, attested by myself as the City Clerk and recorded in the minutes of the Council.

5. All members of the Council were given due and proper notice of the meeting. Public notice of the meeting was given and the meeting was held and conducted in full

compliance with the provisions of NRS 241.020. A copy of the notice of the meeting was posted not later than 9:00 a.m. at least 3 working days in advance of the meeting at:

- (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

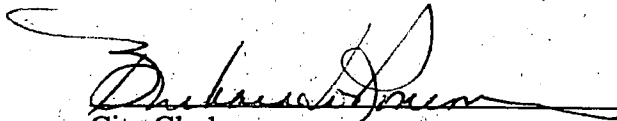
0. A copy of the notice was mailed to each person, if any, who has requested notice of the meetings of the Council in the same manner in which notice is required to be mailed to a member of the Council. Such notice, if mailed, was delivered to the postal service no later than 9:00 a.m. on the third working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

0. A copy of the notice was posted on the City's website no later than 9:00 a.m. on the third working day prior to the meeting.

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

9. A copy of the notice so given of the meeting of the Council held on April 21, 2004, is attached to this certificate as Exhibit A.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City
this April 27, 2004.


City Clerk

(SEAL)

EXHIBIT A

(Attach copy of posted Agenda)

City of Las Vegas

CITY COUNCIL AGENDA

APRIL 21, 2004

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City of Las Vegas

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 21, 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 - REVEREND ROBERT FOWLER, VICTORY MISSION BAPTIST CHURCH
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF THE EMPLOYEE OF THE MONTH
- RECOGNITION OF THE AWARD-WINNING DOOLITTLE COMMUNITY CENTER JAM SQUAD
- PRESENTATION BY THE VETERANS DAY PARADE COMMITTEE

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. Discussion and possible action to appoint a City Council member for Ward 2

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 - CONSENT

3. Approval to authorize the president of City Parkway IV and V to execute Modification No.1 to the Amended Designated Services Agreement for City Parkway Center Project with Design Workshop, Inc. to include the development of Design Guidelines and Development Standards (DGDS) for the Union Park development (61-acres site) (not to exceed \$300,000) Industrial Development SRF - Ward 5 (Weekly)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

4. Approval of Service and Material Checks/Payroll Checks/Wires Transfers/Other Checks and Investments
5. Approval to renew the Interlocal Agreement for Coordination of Franchise-Related Activities with Clark County, Henderson, North Las Vegas and Boulder City (\$40,000-General Fund)- All Wards
6. Approval of a Special Event License for Univision Radio-Las Vegas, Location: Lorenzi Park, 3333 West Washington Avenue, Date: May 2, 2004, Type: Special Event General, Event: Cinco de Mayo 2004, Responsible Person in Charge: Zulema Benjamin - Ward 5 (Weekly)
7. Approval of a Special Event License for Grace in the Desert Episcopal Church, Location: Grace in the Desert Episcopal Church, 2004 Spring Gate Lane, Date: April 24, 2004, Type: Special Event Beer/Wine, Event: Church Spring Festival & BBQ, Responsible Person in Charge: Donald W. Pickell - Ward 4 (Brown)
8. Approval of Change of Ownership for a Beer/Wine/Cooler On-sale License From: Instant Impressions, Inc., Michael G. Maguire, Dir, Pres, 37.5%, Judy A. Maguire, Dir, Secy, 37.5%, Steven D. Gradwell, Dir, Treas, 10%, To: Garrett Equities Incorporated, LLC, dba The Wild Flower Cafe and Florist, 3818 Meadows Lane, Millicent Washington, Mgr, Mmbr, 100% - Ward 1 (Moncrief)
9. Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale License, From: Pollos Tumi - Partnership, dba Pollos Tumi, Luis I. Pedemonte, Ptnr, 50%, Carlos A. Lazarte, Ptnr, 50%, To: Carlos Lazarte, dba Las Americas, 2319 South Eastern Avenue, Carlos A. Lazarte, 100% - Ward 3 (Reese)
10. Approval of Franchise Managers for a Beer/Wine/Cooler Off-sale License, 7-Eleven of Nevada, Inc., dba 7-Eleven Food Store #13699C, 2409 Tam Drive, Heon J. Kim, Franchise Mgr, Jeong M. Kim, Franchise Mgr - Ward 1 (Moncrief)
11. Approval of Change of Business Name for a Wholesale General License, Johnson Brothers of Nevada, Inc., dba From: Alternative Beverage Distributors, To: Johnson Brothers of Nevada, 4409 McGuire Street, Scott Belsaas, Dir, Pres, Michael Johnson, Dir, VP, Secy, 50%, Todd Johnson, Dir, VP, Treas, 50% - North Las Vegas
12. Approval of Change of Business Name for a Tavern License and a Non-restricted Limited Gaming License for 35 slots, TLC Gaming, Inc., dba From: Hurricane Harrys, To: José Hogs Casino & Cantina, 3190 West Sahara Avenue, Terry L. Caudill, Dir, Pres, Secy, Treas, 95%, Timothy G. Lager, 5% - Ward 1 (Moncrief)
13. Approval of Change of Business Name for a Tavern License and a Restricted Gaming License for 15 slots, Polonez Polish Deli & Restaurant, Inc., dba From: Polonez Polish Deli & Restaurant, To: Euro Place Ristorante, 1243 East Sahara Avenue, Boguslaw M. Sobol, Dir, Pres, Secy, Treas, 100% - Ward 3 (Reese)
14. Approval of Change of Location for a Burglar Alarm Service, Security Alarm Monitoring Service, Inc., dba Security Alarm Monitoring Service, Inc., From: 2421 Tech Center Court, #100, To: 5445 Royal Vista Lane, Martin J. Pollinger, Pres, 50%, Christopher L. Mullins, Secy, Treas, 50% - Ward 6 (Mack)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

15. Approval of new Martial Arts Instruction Business License, Marc Laimon, dba Cobra Kai Jiu Jitsu, 2104 Highland Avenue, Marc J. Laimon, 100% - Ward 1 (Moncrief)
16. Approval of Change of Location for a Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, AKS Karate, Inc., dba AKS Karate, Inc., From: 6704 West Cheyenne Avenue, To: 2333 North Jones Boulevard, Suite 104, Robert I. Navoa, Dir, Pres, 60%, Raymond L. Mingo, Dir, VP, 40%, Arlene A. Navoa, Dir, Secy, Tamika K.R. Simmons, Dir, Treas - Ward 5 (Weekly)
17. Approval of Change of Location for a Class II Secondhand Dealer License subject to the provisions of the fire codes, Gilbert Levy, dba G & G Liquidators, From: 401 West Bonanza Road, To: 3021 Sheridan Street, Gilbert Levy, 100% - Ward 1 (Moncrief)
18. Preapproval of award of Bid No. 04.1730.07-LED, Grand Montecito Parkway - Centennial Parkway to Elkhorn Road to the lowest responsive and responsible or best bidder and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Pubic Works (\$6,000,000 - Special Assessment Capital Projects Fund) - Ward 6 (Mack)
19. Approval of award of Bid No. 03.15341.16-LED, Firefighters Memorial Park, Phase II, 6401 West Oakley Boulevard and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: RAFAEL CONSTRUCTION, INC. (\$719,000 - Parks and Leisure Activities Capital Projects Fund) - Ward 1 (Moncrief)
20. Approval of rejection of all non-responsive bids and award of Bid Number 040086-TG, Annual Requirements Contract for Medical Supplies - Department of Fire and Rescue - Award recommended to: BOUNDTREE MEDICAL LLC (\$400,000 - General Fund)
21. Approval of Agreement Modification No. 2, Gaming Concession at Downtown Transportation Center, 300 N. Casino Center Blvd. - Department of Field Operations - Award to: UNITED COIN MACHINE COMPANY (\$297,000 revenue - General Fund) - Ward 5 (Weekly)
22. Approval of issuance of a purchase order for a mobile abrasive cutting system - Department of Fire and Rescue - Award recommended to: APPLIED NEW TECHNOLOGY AG (\$129,015 - Multi-Purpose Special Revenue Fund)
23. Approval of award of Bid No. 040227-DAR, Annual Requirements Contract for Fasteners - Various Departments - Award recommended to: FASTENAL COMPANY (Estimated annual amount of \$100,000 - Various Funds)
24. Approval of revision to purchase order 218380 for annual requirements contract for crack seal - Department of Field Operations - Award to: LAS VEGAS PAVING CORPORATION (\$124,000 - Public Works Capital Projects Fund) - All Wards
25. Approval of Amendment Number 1 to Automated Vehicle Fueling System Contract - Departments of Field Operations and Fire and Rescue - Award to: SER-CON, INC. (\$73,051.37 - Automotive Operations ISF and Fire and Rescue CPF)
26. Approval of Contract No. 040215-KF, Radiological Services - Department of Fire and Rescue - Award recommended to: DESERT RADIOLOGY (Estimated annual amount of \$60,000 - General Fund)
27. Approval of issuance of a purchase order for one Class 6 Cargo Truck under Bid No. 040030-DAR, Open End Contract for Class 6 Cargo Truck - Department of Field Operations - Award to: MCCANDLESS INTERNATIONAL TRUCKS, INC. (\$58,904 - Automotive Operations Internal Service Fund)
28. Approval of issuance of a purchase order for one Mid-Size Tractor Mower under Bid No. 040075-DAR, Open End Contract for Mid-Size Tractor Mower and Trailer - Department of Field Operations - Award recommended to: SIMPSON NORTON (\$36,982 - Automotive Operations Internal Service Fund)
29. Approval of issuance of a purchase order for a One-Ton Truck under Bid No. 040118-DAR, Open End Contract for One-Ton Trucks - Department of Field Operations - Award to: GAUDIN FORD (\$31,536.31 - Automotive Operations Internal Service Fund)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

30. Approval of issuance of a purchase order for a One-Ton Dedicated CNG Fuel Extended Locksmith Van under Bid No. 040160-DAR, Open End Contract for One-Ton Dedicated CNG Fuel Extended Locksmith Van - Department of Field Operations - Award recommended to: BILL HEARD CHEVROLET (\$30,370.71 - Automotive Operations Internal Service Fund)
31. Approval of revision to purchase order 217174 for Hewlett Packard printer maintenance- Department of Information Technologies - Award to: INTERTECH COMPUTER PRODUCTS (\$10,000 - Computer Services Internal Service Fund)

NEIGHBORHOOD SERVICES DEPARTMENT - CONSENT

32. Approval of a Third Amendment to Agreement To Grant Redevelopment Set Aside Housing Funds to East Las Vegas Community Development Corporation allowing subordinations of the City of Las Vegas Deeds of Trust to enable homeowners the ability to refinance homes under specific circumstances at Mi Casa en el Sol for 40 new townhomes located on the 2900 block of Cedar Avenue and Poplar Avenue - Ward 3 (Reese)
33. Approval of additional Home Investment Partnership Program (HOME) funds in the amount of \$4,000 for additional housing rehabilitation activities at 265 South 17th Street - Ward 5 (Weekly)

PUBLIC WORKS DEPARTMENT - CONSENT

34. Approval of Supplemental Interlocal Contract for Durango Drive, Westcliff Drive to Vegas Drive between the City of Las Vegas and the Southern Nevada Regional Transportation Commission to increase funding and change the scope of the project (\$6,273,000 - Southern Nevada Regional Transportation Commission) - Ward 2 (L.B. McDonald)
35. Approval to file an amendment to Bureau of Land Management Right-of-Way Grant N-66120 for sewer purposes on portions of land lying within the Northwest Quarter of Section 12, Township 20 South, Range 59 East, Mount Diablo Meridian, generally located approximately 635 feet south of Alexander, west of Cliff Shadow Parkway, APN 137-12-101-008 - Ward 4 (Brown)
36. Approval to file a Right-of-Way Grant with the Bureau of Land Management for roadway, sanitary sewer, drainage, trail and streetscape amenity purposes on portions of land lying within Section 24, the Southwest Quarter and the East Half of Section 13, Township 19 South, Range 59 East, Mount Diablo Meridian, generally located between Hualapai Way and Puli Road on the east and west and by Grand Teton Drive and the Clark County Beltway on the north and south, APNs 126-13-401-014, -501-002, -701-006, 126-24-201-012, -301-011, -601-018 and -701-013 - Ward 6 (Mack)
37. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Brian G. Smith and Valerie C. Smith, owners (southeast corner of La Madre Way and Janell Drive, APN 125-33-402-010) - County (near Ward 6 - Mack)
38. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Aaron B. Hirschi, owner (southeast corner of Bonita Vista Street and Corbett Street, APN 125-29-708-001) - County (near Ward 6 - Mack)
39. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Richard Bennett, owner (north of Tropical Parkway, between Fort Apache Road and Dapple Gray Road, APN 125-29-201-025) - County (near Ward 6 - Mack)
40. Approval of a Professional Services Agreement with Southwick Landscape Architects for the design services of Gilmore Cliff Shadows Park and Trail Head located at Gilmore Drive and Cliff Shadows Parkway (\$376,200 - Southern Nevada Public Lands Management Act) - Ward 4 (Brown)

PUBLIC WORKS DEPARTMENT - CONSENT

41. Approval of an Interlocal Agreement between the City of Las Vegas and the Las Vegas Valley Water District to allow the installation of fire protection water service for the Operation and Maintenance Building at the Water Pollution Control Facility (\$654 - Sanitation Fund) - Clark County

RESOLUTIONS - CONSENT

42. R-60-2004 - Approval of a Resolution Adopting a Revised Fee Schedule for LVMC Title 13 and Chapter 11.50 (pertaining to public improvement work and temporary traffic control work)
43. R-61-2004 - Approval of a Resolution directing the Engineer to prepare preliminary plans and an assessment plat for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)
44. R-62-2004 - Approval of a Resolution directing the Engineer to prepare full and detailed plans, cost estimates and an assessment plat for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)
45. R-63-2004 - Approval of a Resolution declaring necessity for creating and ordering the preparation of an assessment roll for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)
46. R-64-2004 - Approval of a Resolution validating and confirming the assessment roll for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)
47. R-65-2004 - Approval of a Resolution directing the City Treasurer to prepare the Fifty-Ninth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
48. R-66-2004 - Approval of a Resolution approving the Fifty-Ninth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
49. R-67-2004 - Approval of a Resolution directing the City Treasurer to prepare the Tenth Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
50. R-68-2004 - Approval of a Resolution approving the Tenth Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
51. R-69-2004 - Approval of a Resolution overruling complaints, protests, and objections and confirming the final assessment roll for Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance FY2005) (\$41,902.50 - Capital Projects Fund - Special Assessments) - Ward 1 (Moncrief)
52. R-70-2004 - Approval of a Resolution Making Provisional Order and Directing that Notice of Public Hearing thereon be given regarding Special Improvement District No. 1490 - Tenaya Way (Northern Beltway To Elkhorn Road) (Capital Projects Fund - Special Assessments) - Ward 6 (Mack)
53. R-71-2004 - Approval of a Resolution to establish a twenty percent minimum fund balance for the Group Insurance Internal Service Fund (ISF) based on prior year expenditures
54. R-72-2004 - Approval of a Resolution Amending Schedule 25-I, 30 MPH Speed Limits, to Add a Speed Limit of 30 MPH on Greenmoor Lane between Pavilion Center Drive and Anasazi Way; Laurelglenn Drive between Pavilion Center Drive and Sageberry Drive; Park Run Drive between Pavilion Center Drive and Town Center Drive; Pavilion Center Drive between Charleston Boulevard and Laurelglenn Drive; and Sageberry Drive between Pavilion Center Drive and Laurelglenn Drive - Ward 2 (L.B. McDonald)
55. R-73-2004 - Approval of a Resolution Amending Schedule 25-II, 35 MPH Speed Limits, to Add a Speed Limit of 35 MPH on Washington Avenue between Martin L. King Boulevard and D Street - Ward 5 (Weekly)
56. R-74-2004 - Approval of a Resolution Amending Schedule 25-IV, 45 MPH Speed Limits, to Add a Speed Limit of 45 MPH on Charleston Boulevard between the 215 Beltway and Hualapai Way - Ward 2 (L.B. McDonald)

RESOLUTIONS - CONSENT

57. R-75-2004 - Approval of a Resolution Amending Schedule 25-II, 35 MPH Speed Limits, to Add a Speed Limit of 35 MPH on Azure Drive between US 95 and Tenaya Way; Bradley Road from the 215 Beltway to the north City limits; Centennial Center Boulevard between Ann Road and Durango Drive; Farm Road between Durango Drive and Tenaya Way; Farm Road between Jones Boulevard and Decatur Boulevard; Tenaya Way between Ann Road and Skypointe Drive; and Tropical Parkway between Durango Drive and US 95 - Ward 6 (Mack)

REAL ESTATE COMMITTEE - CONSENT

58. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 488 acres of land commonly known as APNs 125-01-001-001 and 125-01-701-001 located in the vicinity of Decatur Boulevard and Moccasin Road for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
59. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 10 acres of land commonly known as APN 126-02-101-005 located south of Moccasin Road and west of Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
60. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 8 acres of land commonly known as APNs 126-02-401-002 and 126-02-401-004 located in the vicinity of Iron Mountain Road and Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
61. Approval to authorize staff to purchase real property known as APN 139-34-612-026 located on the northeast corner of Carson Avenue and 8th Street from the State of Nevada Department of Conservation and Natural Resources Division of State Lands (\$323,049.80 plus closing costs - City Facilities Capital Project Fund) - Ward 5 (Weekly)
62. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 10 acres of land commonly known as APN 126-01-801-002 located in the vicinity of Iron Mountain Road and Hualapai Way for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
63. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 15 acres of land commonly known as portions of APNs 126-01-101-010 and 126-01-301-004 located off of Puli Drive between Moccasin Road and Iron Mountain Road for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
64. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 12.5 acres of land commonly known as a portion of APN 126-01-401-003 located in the vicinity of Iron Mountain Road and Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
65. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 5 acres of land commonly known as APN 126-01-501-001 located in the vicinity of Moccasin Road in between Puli Drive and Hualapai Way for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
66. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 5 acres of land commonly known as APN 126-01-601-002 located in the vicinity of Moccasin Road and Hualapai Way for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

- 67. Discussion and possible action regarding final payment to Southwest Sports Realty, L.P. - (Not to exceed \$120,000 - Industrial Development Special Revenue Fund)
- 68. Report and possible action on a presentation by Clark County Health District staff concerning the "Urban Rodent Surveillance Project"

CITY ATTORNEY - DISCUSSION

- 69. Discussion and possible action on Appeal of Work Card Denial: Held in Abeyance from March 17, 2004. Charles H. Lloyd, 301 Orland Street #25, Las Vegas, Nevada 89108
- 70. Discussion and possible action on Appeal of Work Card Denial: Jose Dennis Medrano-Arriola, 3756 Wynn Road #317, Las Vegas, Nevada 89103
- 71. Discussion and possible action on Appeal of Work Card Denial: Ms. Miaelizabeth Fenstermaker, 1400 So. Casino Center #22, Las Vegas, Nevada 89104
- 72. Discussion and possible action on Appeal of Work Card Denial: Desiree Dawn Gordon, 2700 Sadie Lane, Henderson, Nevada 89074
- 73. Discussion and possible action on Appeal of Work Card Denial: Chanpheng Phromprakay, 5010 Indian River Drive #149, Las Vegas, Nevada 89103

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

- 74. Discussion and possible action to fund the removal and relocation of skate element equipment from Patriot Park to Mountain Ridge Park (\$100,000 - Parks & Leisure Activities Capital Projects Fund) - Ward 6 (Mack)
- 75. ABEYANCE ITEM - 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)
- 76. ABEYANCE ITEM - Discussion and possible action regarding an Appeal of Denial of Business License for an Independent Massage Therapist License, Nicholas A. Hoover, dba Nicholas A. Hoover, 4200 East Bonanza Road, #123, Nicholas A. Hoover, 100% - Ward 3 (Reese)
- 77. ABEYANCE ITEM - 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)
- 78. Discussion and possible action regarding a Six Month Review of a Child Care Family Home License, Joyce Cathey, 1720 East Oakley Boulevard, Joyce Cathey, 100% - Ward 3 (Reese)
- 79. Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes, T & G Entertainment Investments, LLC, dba Peter Piper Pizza, 7981 West Tropical Parkway, TGEI, LLC, Managing Mmbr, 52%, Ted E. Kingston, Mmbr, 100%, John G. Barton, Mgr, John G. Barton Mmbr, 42% - Ward 6 (Mack)
- 80. Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes, Makino Premium Outlet LV, LLC, dba Makino Las Vegas Seafood Buffet, 775 South Grand Central Parkway, #1301, Las Vegas Kitchen, LLC, Mgr, 100%, Masako Ishitsuka, Mmbr, Mgr, 100% - Ward 5 (Weekly)

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

81. Discussion and possible action regarding Temporary Approval of a new Supper Club License subject to the provisions of the fire codes and Health Dept. regulations, Scottsdale Beverages, LLC, dba Escole, 1451 Center Crossing Road, John P. Graham, Mgr, Jennifer E. White, Mgr, Renee Brattin, Mgr, Scottsdale Group, LLC, Mmbr, 100%, John P. Graham, Mgr, Jennifer E. White, Mgr, Renee Brattin, Mgr - Ward 2 (L.B. McDonald)
82. Discussion and possible action regarding Temporary Approval of Change of Ownership for a Beer/Wine/Cooler On-sale License subject to Health Dept. regulations, From: Peter Piper, Inc., Daniel E. Rubin, Dir, COB, Joseph R. Pederson, Pres, CEO, John G. Jordan, VP, Don Gordon, VP, Neil R. Simon, Dir, Secy, William J. Hunckler, III, Dir, Robin P. Selati, Dir, To: T & G Entertainment Investments, LLC, dba Peter Piper Pizza, 560 South Decatur Boulevard, TGEI, LLC, Managing Mmbr, 52%, Ted E. Kingston, Mmbr, 100%, John G. Barton, Mgr, John G. Barton, Mmbr, 42% - Ward 1 (Moncrief)
83. Discussion and possible action regarding Temporary Approval of a Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, Sentinel Combat Institute, LLC, dba Sentinel Combat Institute, LLC, 8450 West Sahara Avenue, Suite 112, Lance W. Burton, Mgr, Mmbr, 100% - Ward 1 (Moncrief)
84. Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Martial Arts Instruction Business License subject to the provisions of the fire codes, From: Kicks, Inc., dba Collins Karate for Kids, David A. Riach, Jr., Dir, Pres, Secy, Treas, 66.66%, Andre Collins, VP, 33.33%, To: Karate for Kids of Green Valley and Henderson, Inc., dba Karate for Kids, 4840 East Bonanza Road, Suites 2 and 3, Leland R. Brandon, Dir, Pres, 50%, Marci D. Brandon, Secy, Treas, 50% - Ward 3 (Reese)
85. Discussion and possible action regarding a Six Month Review of a Restricted Gaming License for 7 slots, Shoshani and Jarjees, dba Family Food II, 1602 H Street, Salar Shoshani, Ptnr, 50%, Thamer Jarjees, Ptnr, 50% - Ward 5 (Weekly)
86. Discussion and possible action regarding amendment to Bid No. 03.15341.08-LED, Washington Buffalo Park, Phase 1A and 1B - located at the southwest corner of Washington Avenue and Buffalo Drive for issuance of a change order to Asphalt Products Corporation for installation of artificial turf in the amount of \$3,800,000 - Public Works (Parks & Leisure Activities CPF) Ward 4 (Brown)

NEIGHBORHOOD SERVICES DEPARTMENT - DISCUSSION

87. Report and possible action on the City of Las Vegas' prototype Tenant Based Rental Assistance (TBRA) Program for Homeless and Near Homeless regarding allocating \$300,000 in Fiscal Year 2004-2005 Federal HOME funds and \$26,275 Fiscal Year 2004-2005 Community Development Block Grant Public Service (CDBG-PS) funds to HELP of Southern Nevada to operate the prototype TBRA Program for one additional year - All Wards
88. Report and possible action to proceed with a plan to abate vacant and abandoned property located within the City of Las Vegas - All Wards
89. Report and possible action on the Sky Vue Mobile Home Park 15 West Owens Avenue to provide monetary compensation to Clark County Social Services for temporary housing of displaced residents in an amount not to exceed \$40,000 (General Fund-Winter Shelter Fund) - Ward 5 (Weekly)

PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION

90. Discussion and possible action on a request by Thomas and Mack Co. for a Water Feature Exemption on property located at 2300 W. Sahara Avenue - Ward 1 (Moncrief)

RESOLUTIONS - DISCUSSION

91. R-76-2004 - Discussion and possible action on a Resolution transferring 2002 Private Activity Bond Volume Cap of \$6,158,617 to George Gekakis Incorporated to construct new affordable senior housing located near the Southeast corner of West Cheyenne Avenue and Jones Boulevard - Ward 5 (Weekly)

BOARDS & COMMISSIONS - DISCUSSION

92. ABEYANCE ITEM - CHILD CARE LICENSING BOARD – Lolanda Bunch, Term Expiration 6-2007 (Resigned)

RECOMMENDING COMMITTEE REPORTS - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

93. TABLED ITEM - Bill No. 2003-78 – Establishes locational restrictions for the uses “auto pawn,” “auto title loan,” and “specified financial institution.” Sponsored by: Councilwoman Janet Moncrief
94. 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
95. 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
96. 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
97. Bill No. 2004-21 – Updates the City’s emergency management provisions. Sponsored by: Mayor Oscar B. Goodman
98. 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)
99. Bill No. 2004-25 – Establishes zoning requirements for swap meets. Sponsored by: Councilman Gary Reese
100. 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
101. 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
102. 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

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.

103. 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
104. 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
105. 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

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.

- 106. Bill No. 2004-30 – Requires merchants to make certain disclosures in connection with the sale of motorized scooters and motorized skateboards. Sponsored by: Councilman Michael Mack
- 107. Bill No. 2004-31 – Prohibits the breeding or training of animals for the purpose of using them in an animal fighting venture. Sponsored by: Councilman Michael Mack
- 108. Bill No. 2004-32 – Ordinance Creating Special Improvement District No. 607 - Cliff's Edge. Sponsored By: Step Requirement
- 109. Bill No. 2004-33 – Levies Assessments for Special Improvement District No. 607 - Cliff's Edge. Sponsored By: Step Requirement
- 110. Bill No. 2004-34 – Levies Assessment for Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance FY2005). Sponsored by: Step Requirement
- 111. Bill No. 2004-35 – Authorizing the issuance of Local Improvement Bonds, Series 2004 for the City of Las Vegas, Nevada Special Improvement District No. 607 Cliff's Edge not to exceed \$51,185,000. - Ward 6 (Mack)

1:00 P.M. - AFTERNOON SESSION

- 112. 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

- 113. ABEYANCE ITEM - 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)
- 114. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 4550 E. Washington Avenue. PROPERTY OWNER: ASSISTED LIVING CENTER ETAL, C/O E COOK – Ward 3 (Reese)
- 115. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 1611 Euclid Avenue. PROPERTY OWNER: GARY STEPHEN BLAKE – Ward 3 (Reese)
- 116. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 3224 Brady Avenue. PROPERTY OWNER: SECRETARY VETERANS AFFAIRS – Ward 3 (Reese)

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.

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

117. REVIEW OF CONDITION - ROC-3901 - APPLICANT/OWNER: PERMA-BUILT HOMES - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Review of Condition NO. 7 OF AN APPROVED TENTATIVE MAP FOR ELKHORN/GRAND CANYON UNIT TWO (TM-0034-02), WHICH REQUIRED PEDESTRIAN ACCESS AT THE END OF TWO CUL-DE-SACS adjacent to the southeast corner of Grand Canyon Drive and Severance Lane (APN 125-18-897-004), R-1 (Single Family Residential) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend DENIAL.
118. REVIEW OF CONDITION - PUBLIC HEARING - ROC-4119 - APPLICANT/OWNER: CONCORDIA HOMES OF NEVADA - Request for a Review of Condition No. 3 of an approved Site Development Plan Review [Z-0069-02(1)], WHICH ESTABLISHED THE FRONT SETBACK TO GARAGE DOORS FOR A SINGLE FAMILY RESIDENTIAL DEVELOPMENT on property located adjacent to the southeast corner of Deer Springs Way and Campbell Road (APN 125-20-301-006 and 007), T-C (Town Center) Zone, Ward 6 (Mack). Staff recommends DENIAL (NOTE: To allow a 10' maximum setback to garage, where 5' maximum and 18' minimum is allowed)
119. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3817 - APPLICANT: ADVANCED HOUSE CALLS - OWNER: GREGORY AND MARY BRYAN - Request for a Site Development Plan Review FOR A PARKING LOT AND WAIVERS OF PERIMETER LANDSCAPE BUFFER AND PARKING LOT LANDSCAPE FINGERS on 0.34 acres adjacent to the east side of Jones Boulevard, approximately 300 feet south of Upland Boulevard (APN 138-36-112-005 and 006), R-1 (Single Family Residential) Zone under Resolution of Intent to P-R (Professional Office and Parking), Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL.
120. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3853 - APPLICANT: ARLT CORPORATION - OWNER: ARLT FAMILY TRUST - Request for a Site Development Plan Review FOR A 14,126 SQUARE FOOT OFFICE BUILDING on 1.10 acres adjacent to the southwest corner of Martin L. King Boulevard and Wheeler Peak Drive (APN 139-21-416-001), C-PB (Planned Business Park) Zone, Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL.
121. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3923 - APPLICANT/ OWNER: SANTA FE STATION, INC. - Request for a Site Development Plan Review FOR A PROPOSED CASINO EXPANSION AND THEATER ADDITION on 34.1 acres at 4949 North Rancho Drive (APN 125-34-801-001), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL.
122. ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - VAR-3288 - APPLICANT: PAUL AND SANDY BROUSSEAU - Request for a Variance to ALLOW A 5 FOOT SIDE SETBACK WHERE 10 FEET IS REQUIRED FOR an addition to an existing single family dwelling at 304 Canyon Drive (APN 139-32-211-031), R-E (Residence Estates) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.
123. VARIANCE - PUBLIC HEARING - VAR-3762 - APPLICANT: STERLING S. DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Variance TO ALLOW 25 FOOT FRONT SETBACKS WHERE 30 FEET IS THE MINIMUM SETBACK REQUIRED AND TO ALLOW 30 FOOT REAR SETBACKS WHERE 35 FEET IS THE MINIMUM SETBACK REQUIRED on 9.32 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 (5-0-2 vote) and staff recommend DENIAL.

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

124. REQUIRED SIX MONTH REVIEW - PUBLIC HEARING - RQR-3930 - APPLICANT: NEISSAN KOROGHLI - OWNER: FREMONT PLACE, LIMITED LIABILITY COMPANY - Required Six Month Review of an approved Special Use Permit (U-0106-02) WHICH ALLOWED A LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION) IN CONJUNCTION WITH AN EXISTING CONVENIENCE STORE/ DELICATESSEN at 228 Las Vegas Boulevard North (APN 139-34-511-001, 002 and 003), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
125. REVIEW OF CONDITION RELATED TO RQR-3930 - PUBLIC HEARING - ROC-4121 - APPLICANT: NEISSAN KOROGHLI - OWNER: FREMONT PLACE, LIMITED LIABILITY COMPANY - Request for a Review of Conditions FOR AN APPROVED SPECIAL USE PERMIT (U-0106-02), TO REMOVE CONDITION NOS. 1 THROUGH 4 FOR A LIQUOR ESTABLISHMENT (OFF-PREMISES CONSUMPTION) IN CONJUNCTION WITH AN EXISTING CONVENIENCE STORE/DELICATESSEN at 228 Las Vegas Boulevard North (APN 139-34-511-001, 002 and 003), C-2 (General Commercial) Zone, Ward 5 (Weekly). Staff recommends DENIAL
126. REQUIRED FOUR YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - RQR-3732 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: STORAGE EQUITIES - Required Four Year Review of an approved Special Use Permit (U-0159-89) FOR A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 275 South Martin L. King Boulevard (APN 139-33-501-012), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
127. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES, LIMITED PARTNERSHIP - Appeal filed by LAS Consulting, Inc. 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 adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue (APN 163-02-816-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL
128. ABEYANCE ITEM - 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
129. ABEYANCE ITEM - 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
130. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3844 - APPLICANT: JOSE AND ELIZA DIAZ - OWNER: MIGUEL FAMILY TRUST 1993, ET AL - Request for a Special Use Permit FOR A BANQUET FACILITY at 1520 North Eastern Avenue, Suite #101, 102 and 103 (APN 139-25-101-020), C-1 (Limited Commercial) and C-2 (General Commercial) Zones, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
131. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3748 - APPLICANT: CONTINENTAL CURRENCY OF NEVADA, INC. - OWNER: TONOPAH-CRAIG ROAD COMPANY, LIMITED PARTNERSHIP - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED AND AUTO TITLE LOAN at 4458 North Rancho Drive (APN 138-02-601-001), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
132. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3875 - APPLICANT: HUGH CANADY - OWNER: CDS MEMBER, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR GASOLINE SALES IN CONJUNCTION WITH A 4,500 SQUARE FOOT CONVENIENCE STORE at 1600 North Martin L. King Boulevard (APN 139-21-804-006), C-1 (Limited Commercial), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

133. ABEYANCE ITEM - REZONING - PUBLIC HEARING - ZON-2457 - DONNA F. BEAM REVOCABLE TRUST - Request for a Rezoning FROM: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) Zone on 3.88 acres adjacent to the northeast and southeast corners of Smoke Ranch Road and Buffalo Drive (APN 138-15-402-001 and 138-22-101-001) Ward 4 (Brown). The Planning Commission (4-2 vote) and staff recommend APPROVAL
134. SPECIAL USE PERMIT RELATED TO ZON-2457 - PUBLIC HEARING - SUP-3896 - APPLICANT: INVESTMENT EQUITY BUILDERS - OWNER: DONNA F. BEAM REVOCABLE TRUST - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (TAVERN) AND A WAIVER FROM THE 1,500 FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING SCHOOL, CHURCH, AND CITY PARK adjacent to the northeast corner of Smoke Ranch Road and Buffalo Drive (APN 138-15-402-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial)], Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (5-0-2 vote) recommends APPROVAL
135. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-2457 AND SUP-3896 - PUBLIC HEARING - SDR-2458 - DONNA F. BEAM REVOCABLE TRUST - Request for a Site Development Plan Review FOR TWO PROPOSED COMMERCIAL BUILDINGS on 3.88 acres adjacent to the northeast and southeast corners of Smoke Ranch Road and Buffalo Drive (APN 138-15-402-001 and 138-22-101-001) U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 4 (Brown). The Planning Commission (4-2 vote) and staff recommend APPROVAL
136. ABEYANCE ITEM - 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
137. REZONING - PUBLIC HEARING - ZON-3825 - APPLICANT/OWNER: JAN PAUL KOCH - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.26 acres at 701 South 7th Street (APN 139-34-810-008 and 009), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
138. VARIANCE RELATED TO ZON-3825 - PUBLIC HEARING - VAR-3826 - APPLICANT/OWNER: JAN PAUL KOCH - Request for a Variance TO ALLOW 9 PARKING SPACES WHERE 12 PARKING SPACES ARE REQUIRED FOR A PROPOSED OFFICE BUILDING AND TO ALLOW A COVERED TRASH ENCLOSURE TO BE LOCATED WITHIN THE 50 FEET RESIDENTIAL ADJACENCY DISTANCE SEPARATION REQUIREMENT on 0.26 acres at 701 7th Street (APN 139-34-810-008 and 009), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
139. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3825 AND VAR-3826 - PUBLIC HEARING - SDR-3824 - APPLICANT/OWNER: JAN PAUL KOCH - Request for a Site Development Plan Review FOR A PROPOSED LAW OFFICE AND A WAIVER OF LANDSCAPE AND COMMERCIAL STANDARDS on 0.26 acres at 701 7th Street (APN 139-34-810-008 and 009), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
140. REZONING - PUBLIC HEARING - ZON-3888 - APPLICANT: CITY OF LAS VEGAS - OWNERS: MULTIPLE - Request for a Rezoning FROM: M (INDUSTRIAL), C-M (COMMERCIAL INDUSTRIAL), C-2 (GENERAL COMMERCIAL) AND C-V (CIVIC) TO: C-M (COMMERCIAL INDUSTRIAL), C-2 (GENERAL COMMERCIAL), C-1 (LIMITED COMMERCIAL), R-3 (MEDIUM DENSITY RESIDENTIAL), AND C-V (CIVIC) on properties generally located within the area bounded by Washington Avenue, Owens Avenue, the Union Pacific Railroad and Bruce Street (APN 139-26-102-002, 003, 139-26-201-015, 018, 139-27-502-004, 139-27-504-003, 006, 007, 008, 009 and 010, 139-27-602-003, 004, 139-27-603-001, 002, 008, and 018), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

141. REZONING - PUBLIC HEARING - ZON-3909 - APPLICANT/OWNER: LEONARD KRYK - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.16 acres at 1007 Salem Drive (APN 138-35-804-001), Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
142. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3909 - PUBLIC HEARING - SDR-3911 - APPLICANT/OWNER: LEONARD KRYK - Request for a Site Development Plan Review FOR A PROPOSED OFFICE AND A WAIVER OF LANDSCAPE STANDARDS on 0.16 acres at 1007 Salem Drive (APN 138-35-804-001), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
143. REZONING - PUBLIC HEARING - ZON-3910 - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: U (UNDEVELOPED) [ROW (RIGHT OF WAY) GENERAL PLAN DESIGNATION] TO: C-V (CIVIC) on 10.0 acres on the northeast corner of Tenaya Way and Summerlin Parkway (a portion of APN 138-27-301-019), Ward 2 (L.B. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL
144. 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 21, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-65-2004 - Approval of a Resolution directing the City Treasurer to prepare the Fifty-Ninth 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 Escala Unit No. 2.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-65-2004

MOTION:

REESE - APPROVED Items 3-42, 47-54, 56-58, 61, 67 - **UNANIMOUS** with **MONCRIEF** excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 - 9:45)

1-988

RESOLUTION NO. R-65-2004

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

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

WHEREAS, by Ordinance No. 5291 and Amended Ordinance No. 5591 that were duly passed, adopted and approved by the City Council of the City (hereinafter the "City Council") on the 7th day of February, 2001, and the 16th day of April, 2003, respectively, the City Council created and amended "City of Las Vegas, Nevada, Special Improvement District No. 808 (Summerlin Area)" (hereinafter the "District") for the purposes of providing for the acquisition, construction and installation of street, road, sanitary sewer, storm sewer/drainage improvements, and water main projects (hereinafter the "Project"), by defraying the entire cost and expense of the Project by special assessments, against the 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 137-34-714-007, 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 21st 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 137-34-714-007, 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.

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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 21st day of April, 2004.


 OSCAR B. GOODMAN, Mayor

Approved as to form:

4-8-04 Madeline Riefman DiCenzo
Date Deputy City Attorney

ATTEST:


BARBARA JO RONEUMUS, City Clerk

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-66-2004 - Approval of a Resolution approving the Fifty-Ninth 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 Escala Unit No. 2.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-66-2004

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – **UNANIMOUS** with **MONCRIEF** excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

RESOLUTION NO. R-66-2004

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

WHEREAS, the City Council of the City of Las Vegas (hereinafter the "City Council" and the "City", respectively), in the County of Clark and State of Nevada, has taken the requisite legal action that is preliminary to, and in the creation of, "City of Las Vegas, Nevada, Special Improvement District No. 808 (Summerlin Area)" (hereinafter the "District"), for the purposes of providing for the acquisition, construction and installation of street, road, sanitary sewer, storm sewer/drainage improvements, and water main projects (hereinafter the "Project"), and of defraying the entire cost and expense of the Project, by special assessments, against the 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

WHEREAS, the City Council, pursuant to NRS 271.425, has directed the City Treasurer of the City (hereinafter the "City Treasurer") to apportion, on an equitable basis, the uncollected and heretofore unapportioned amounts of the special assessments that were levied upon that certain lot or parcel of property situate within the District and identified by the Clark County, Nevada, County Assessor's parcel number as Parcel 137-34-714-007, 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 21st day of April, 2004, filed with the City
4 Clerk a copy of his report of such apportionment that is entitled "Fifty-Ninth 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 21st day of April, 2004,
11 as follows:

12 SECTION 1. That certain document entitled "Fifty-Ninth 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 137-34-714-007,
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 21st day of April, 2004.


OSCAR B. GOODMAN, Mayor

Approved as to form:

4-8-'04 Madeline P. DiCicco
Date Deputy City Attorney

ATTEST:


BARBARA JO RONEUMUS, City Clerk

APN: 137-34-714-007

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

FIFTY-NINTH ASSESSMENT LIEN APPORTIONMENT REPORT
(April 21, 2004)

RETURN TO:

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

RECEIVED
CITY CLERK
2004 APR 21 P 3:01

FIFTY-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 137-34-714-007, in the amount of \$209,885.12, is hereby apportioned among the lots or parcels into which said parcel has been divided, as follows:

LEGAL DESCRIPTION			PER PARCEL ASSESSMENT
APN	BLOCK	LOT	
137-34-718-001	A	21 ¹	\$ 4,562.72
137-34-718-002	A	22 ¹	\$ 4,562.72
137-34-718-003	A	23 ¹	\$ 4,562.72
137-34-718-004	A	24 ¹	\$ 4,562.72
137-34-718-005	A	25 ¹	\$ 4,562.72
137-34-718-006	A	26 ¹	\$ 4,562.72
137-34-718-007	A	27 ¹	\$ 4,562.72
137-34-718-008	A	28 ¹	\$ 4,562.72
137-34-718-009	A	29 ¹	\$ 4,562.72
137-34-718-010	A	30 ¹	\$ 4,562.72
137-34-718-011	A	31 ¹	\$ 4,562.72
137-34-718-012	A	32 ¹	\$ 4,562.72
137-34-718-013	A	33 ¹	\$ 4,562.72
137-34-718-014	A	34 ¹	\$ 4,562.72
137-34-718-015	A	35 ¹	\$ 4,562.72
137-34-718-016	A	36 ¹	\$ 4,562.72
137-34-718-017	A	37 ¹	\$ 4,562.72
137-34-718-018	A	38 ¹	\$ 4,562.72
137-34-718-019	A	39 ¹	\$ 4,562.72
137-34-718-020	A	40 ¹	\$ 4,562.72
137-34-718-021	A	41 ¹	\$ 4,562.72
137-34-718-022	A	42 ¹	\$ 4,562.72
137-34-718-023	A	43 ¹	\$ 4,562.72
137-34-718-024	A	44 ¹	\$ 4,562.72
137-34-718-025	A	45 ¹	\$ 4,562.72

LEGAL DESCRIPTION			PER PARCEL ASSESSMENT
APN	BLOCK	LOT	
137-34-718-026	A	46 ¹	\$ 4,562.72
137-34-718-027	A	47 ¹	\$ 4,562.72
137-34-718-028	A	48 ¹	\$ 4,562.72
137-34-718-029	A	49 ¹	\$ 4,562.72
137-34-718-030	B	81 ¹	\$ 4,562.72
137-34-718-031	B	82 ¹	\$ 4,562.72
137-34-718-032	B	83 ¹	\$ 4,562.72
137-34-718-033	B	84 ¹	\$ 4,562.72
137-34-718-034	B	85 ¹	\$ 4,562.72
137-34-718-035	B	86 ¹	\$ 4,562.72
137-34-718-036	B	87 ¹	\$ 4,562.72
137-34-718-037	B	88 ¹	\$ 4,562.72
137-34-718-038	B	89 ¹	\$ 4,562.72
137-34-718-039	B	90 ¹	\$ 4,562.72
137-34-718-040	B	91 ¹	\$ 4,562.72
137-34-718-041	B	92 ¹	\$ 4,562.72
137-34-718-042	B	93 ¹	\$ 4,562.72
137-34-718-043	B	94 ¹	\$ 4,562.72
137-34-718-044	B	95 ¹	\$ 4,562.72
137-34-718-045	B	96 ¹	\$ 4,562.72
137-34-718-046	B	97 ¹	\$ 4,562.72
TOTAL			\$ 209,885.12

¹ of Escala Unit No. 2 as recorded in Book 115 of Plats, Page 44 in the Office of the County Recorder, Clark County, Nevada

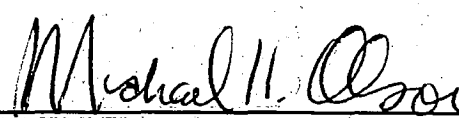
DATED this 21st day of April 2004.

I concur with the apportionments as stated above.



DON BOETTCHER, Vice President of Land Acquisitions
PN II, Inc., A Nevada Corporation
d/b/a Pulte Homes of Nevada

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 21, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-67-2004 - Approval of a Resolution directing the City Treasurer to prepare the Tenth 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 Escala Unit No. 2.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-67-2004

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – **UNANIMOUS** with **MONCRIEF** excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

RESOLUTION NO. R-67-2004

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

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

WHEREAS, by Ordinance No. 5597 that was duly passed, adopted and approved by the City Council of the City (hereinafter the "City Council") on the 7th day of May, 2003, the City Council created "City of Las Vegas, Nevada, Special Improvement District No. 809 (Summerlin Area)" (hereinafter the "District") for the purposes of providing for the acquisition, construction and installation of street, road, sanitary sewer, storm sewer/drainage improvements, and water main projects (hereinafter the "Project"), by defraying the entire cost and expense of the Project by special assessments, against the 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

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///

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 137-34-714-007, 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 21st 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 137-34-714-007, 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.

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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 21st day of April, 2004.


OSCAR B. GOODMAN, Mayor

Approved as to form:

4-8-04 Modeling P. Dickman DiCicco
Date Deputy City Attorney

ATTEST:


BARBARA JO RONEMUS, City Clerk

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-68-2004 - Approval of a Resolution approving the Tenth 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 Escala Unit No. 2.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-68-2004

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – **UNANIMOUS** with **MONCRIEF** excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

1 RESOLUTION NO. R-68-2004

2 A RESOLUTION RELATING TO CITY OF LAS VEGAS, NEVADA,
3 SPECIAL IMPROVEMENT DISTRICT NO. 809 (SUMMERLIN AREA);
4 APPROVING THE TENTH 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
137-34-714-007, 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 21st day of April, 2004, filed with the City
4 Clerk a copy of his report of such apportionment that is entitled "Tenth 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 21st day of April, 2004,
11 as follows:

12 SECTION 1. That certain document entitled "Tenth 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 137-34-714-007,
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.

PASSED, ADOPTED AND APPROVED this 21st day of April, 2004.

4-8-'04 Madeline L. Dickman-DiCicco
Date Deputy City Attorney


BARBARA JO RONEMUS, City Clerk

APN: 137-34-714-007

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

TENTH ASSESSMENT LIEN APPORTIONMENT REPORT
(April 21, 2004)

RETURN TO:

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

2004 APR 21 P 3:01

RECEIVED
CITY CLERK

TENTH 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 137-34-714-007, in the amount of \$272,137.16, is hereby apportioned among the lots or parcels into which said parcel has been divided, as follows:

LEGAL DESCRIPTION			PER PARCEL ASSESSMENT
APN	BLOCK	LOT	
137-34-718-001	A	21 ¹	\$ 5,916.03
137-34-718-002	A	22 ¹	\$ 5,916.03
137-34-718-003	A	23 ¹	\$ 5,916.03
137-34-718-004	A	24 ¹	\$ 5,916.03
137-34-718-005	A	25 ¹	\$ 5,916.03
137-34-718-006	A	26 ¹	\$ 5,916.03
137-34-718-007	A	27 ¹	\$ 5,916.03
137-34-718-008	A	28 ¹	\$ 5,916.03
137-34-718-009	A	29 ¹	\$ 5,916.03
137-34-718-010	A	30 ¹	\$ 5,916.03
137-34-718-011	A	31 ¹	\$ 5,916.03
137-34-718-012	A	32 ¹	\$ 5,916.03
137-34-718-013	A	33 ¹	\$ 5,916.03
137-34-718-014	A	34 ¹	\$ 5,916.03
137-34-718-015	A	35 ¹	\$ 5,916.03
137-34-718-016	A	36 ¹	\$ 5,916.03
137-34-718-017	A	37 ¹	\$ 5,916.03
137-34-718-018	A	38 ¹	\$ 5,916.03
137-34-718-019	A	39 ¹	\$ 5,916.03
137-34-718-020	A	40 ¹	\$ 5,916.03
137-34-718-021	A	41 ¹	\$ 5,916.03
137-34-718-022	A	42 ¹	\$ 5,916.03
137-34-718-023	A	43 ¹	\$ 5,916.03
137-34-718-024	A	44 ¹	\$ 5,916.03
137-34-718-025	A	45 ¹	\$ 5,916.02

LEGAL DESCRIPTION			PER PARCEL ASSESSMENT
APN	BLOCK	LOT	
137-34-718-026	A	46 ¹	\$ 5,916.02
137-34-718-027	A	47 ¹	\$ 5,916.02
137-34-718-028	A	48 ¹	\$ 5,916.02
137-34-718-029	A	49 ¹	\$ 5,916.02
137-34-718-030	B	81 ¹	\$ 5,916.02
137-34-718-031	B	82 ¹	\$ 5,916.02
137-34-718-032	B	83 ¹	\$ 5,916.02
137-34-718-033	B	84 ¹	\$ 5,916.02
137-34-718-034	B	85 ¹	\$ 5,916.02
137-34-718-035	B	86 ¹	\$ 5,916.02
137-34-718-036	B	87 ¹	\$ 5,916.02
137-34-718-037	B	88 ¹	\$ 5,916.02
137-34-718-038	B	89 ¹	\$ 5,916.02
137-34-718-039	B	90 ¹	\$ 5,916.02
137-34-718-040	B	91 ¹	\$ 5,916.02
137-34-718-041	B	92 ¹	\$ 5,916.02
137-34-718-042	B	93 ¹	\$ 5,916.02
137-34-718-043	B	94 ¹	\$ 5,916.02
137-34-718-044	B	95 ¹	\$ 5,916.02
137-34-718-045	B	96 ¹	\$ 5,916.02
137-34-718-046	B	97 ¹	\$ 5,916.02
TOTAL			\$ 272,137.16

¹ of Escala Unit No. 2 as recorded in Book 115 of Plats, Page 44 in the Office of the County Recorder, Clark County, Nevada

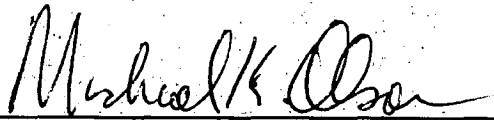
DATED this 21st day of April 2004.

I concur with the apportionments as stated above.



DON BOETTCHER, Vice President of Land Acquisitions
PN II, Inc., A Nevada Corporation
d/b/a Pulte Homes of Nevada

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 21, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-69-2004 - Approval of a Resolution overruling complaints, protests, and objections and confirming the final assessment roll for Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance FY2005) (\$41,902.50 - Capital Projects Fund - Special Assessments) - Ward 1 (Moncrief)

Fiscal Impact

☐

No Impact

☒

Budget Funds Available

☐

Augmentation Required

Amount: \$41,902.50

Dept./Division: Public Works/SID

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

This resolution disposes of protests and confirms the final assessment roll for the annual maintenance costs of street beautification improvements along Alta Drive from Rancho Drive to approximately 275 feet west of Lacy Lane. The fiscal amount reflects the maintenance costs from July, 2004 through June, 2005.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-69-2004

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – **UNANIMOUS** with **MONCRIEF** excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

RESOLUTION NO. R-69-2004

A RESOLUTION CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1485 - ALTA DRIVE (LANDSCAPE MAINTENANCE FY2005); OVERRULING COMPLAINTS, PROTESTS AND OBJECTIONS MADE TO THE ASSESSMENTS AT THE HEARING OF SAID ASSESSMENT ROLL; VALIDATING AND CONFIRMING THE ASSESSMENT ROLL; PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH; RATIFYING ALL ACTION TAKEN CONSISTENT WITH THE PROVISIONS HEREOF; AND PROVIDING THE EFFECTIVE DATE HEREOF.

Summary: Assessment Protest Resolution

WHEREAS, the City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively) in the County of Clark and State of Nevada, pursuant to an ordinance heretofore adopted (hereinafter the "District Ordinance") created Las Vegas, Nevada, Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance) (hereinafter the "District") to defray the annual maintenance costs of a street beautification project, (hereinafter the "Maintenance Project") within the District; and

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

WHEREAS, in accordance with NRS 271.360 and NRS 271.378, the City Council heretofore determined and does hereby declare that the net cost to the City for the Maintenance Project for FY2005 (including all necessary incidentals which either have been or will be incurred in connection with the District) is \$41,902.50, of which \$0.00 is available from other sources and of which \$41,902.50 is to be assessed upon the benefited lots, tracts and parcels of land in the District, which the City Council has determined will receive special benefits (and corresponding market value increases) from the Maintenance Project; and

WHEREAS, the City Council by resolution heretofore adopted and directed the Director of Public Works with the assistance of the Engineering Integration Division (hereinafter, the "Engineer") to make out a final assessment roll; and

WHEREAS, the City Council, together with the Engineer, made out an assessment roll for the District which contains, among other things, the names and addresses of the last known owners of the property to be assessed, a description of each lot, tract, or parcel of land to be assessed, the amount of

the proposed assessment to be levied thereon; the Engineer has reported the assessment roll to the City Council and the Engineer has filed the assessment roll with the City Clerk; and

WHEREAS, the City Council, by resolution heretofore adopted, established a date, time and location at which the City Council would hear and consider any and all complaints, protests and objections to the assessment roll and to the assessments contained therein; and

WHEREAS, the Engineer (with the assistance of the Engineering Integration Division) has, in accordance with the provisions of the law relating thereto, given the requisite legal notice by both mail and publication that complaints, protests and objections to assessments for the Maintenance Project should be filed with the City Clerk, and that the City Council would hear and consider any and all complaints, protests, or objections on Wednesday, April 7, 2004, at 1:00 p.m., at the Las Vegas City Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada; and

WHEREAS, the City Council met at said place and time to hear and consider all complaints, protests and objections made or filed; and

WHEREAS, all complaints, protests and objections, both written and oral, were heard and considered by the City Council on April 7, 2004, and after extensive review and deliberation hereby are found to be without sufficient merit and hereby overruled. However, the City Council has, nevertheless, concluded that it is necessary and equitable that the assessment roll be corrected and revised as follows:

Parcel Number	Ownership	Revised Amount of Final Assessment

and

WHEREAS, pursuant to NRS 271.357 and NRS 271.360 the City Council has considered all applications for hardship determinations and the recommendations of the Department of Social Services and hereby approves the following applications for hardship determination:

Parcel Number	Ownership	Assessment

and

WHEREAS, the City Council has determined, and does hereby again determine, that all of the assessable property in the City, which is specially benefited by the Maintenance Project, and only property which is so specially benefited, is included on the assessment roll heretofore filed with the City Clerk on March 3, 2004, and

WHEREAS, the City Council has determined, and does hereby determine, that the notice, both mailed and published, for the hearing held on April 7, 2004, on said assessment roll was reasonably calculated to inform each interested person of the proceedings concerning the District, which may directly and adversely affect his or her legally protected rights and interests.

NOW, THEREFORE, BE IT RESOLVED BY THE LAS VEGAS CITY COUNCIL, IN THE COUNTY OF CLARK AND THE STATE OF NEVADA; THAT:

Section 1. This Resolution shall be known as and may be cited by the short title "District No. 1485 (FY2005) Assessment Protest Resolution" (herein the "Resolution").

Section 2. All complaints, protests and objections, both written and oral, hereby are found to be without sufficient merit and hereby overruled.

Section 3. The City Council hereby validates and confirms the assessment roll for the District, as made out by the City Council, together with the Engineer, and filed in the records of the office of the City Clerk on March 3, 2004, as hereinabove modified, revised, corrected and made de novo.

Section 4. 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 Special Improvement District No. 1485 – Alta Drive (Landscape Maintenance FY2005), including, but not limited to, the maintenance of the street beautification improvements, and the levy of assessments for that purpose, the determination that the tracts in the District will receive special benefits and market value

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

Section 5. 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.

Section 6. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution or part of any resolution heretofore repealed.

Section 7. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

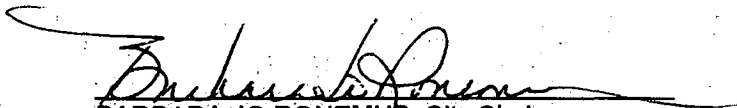
Section 8. The City Council has determined, and does hereby declare, that this Resolution shall be in effect immediately after its passage in accordance with law.

Passed and approved on April 21, 2004.



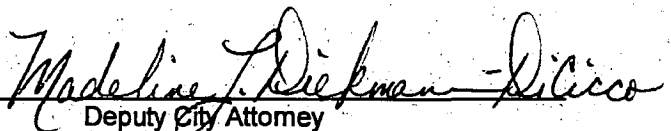
OSCAR B. GOODMAN, Mayor

Attest:



BARBARA JO RONEMUS, City Clerk

Approved as to form:

4-8-'04 
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 21, 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:

NONE

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 21, 2004, is attached to this certificate as Exhibit "A".

IN WITNESS WHEREOF, I have hereunto set my hand on this April 21, 2004.

(SEAL)

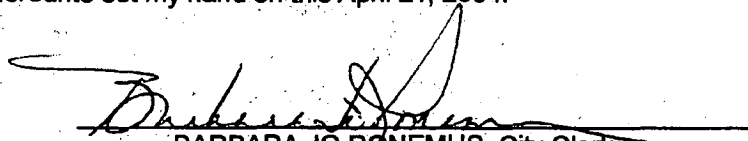

BARBARA JO RONEMUS, City Clerk

Exhibit "A"

(Attach Notice of Meeting and Agenda)

CITY COUNCIL AGENDA

APRIL 21, 2004

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City of Las Vegas

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 21, 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 - REVEREND ROBERT FOWLER, VICTORY MISSION BAPTIST CHURCH
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF THE EMPLOYEE OF THE MONTH
- RECOGNITION OF THE AWARD-WINNING DOOLITTLE COMMUNITY CENTER JAM SQUAD
- PRESENTATION BY THE VETERANS DAY PARADE COMMITTEE

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. Discussion and possible action to appoint a City Council member for Ward 2

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 - CONSENT

3. Approval to authorize the president of City Parkway IV and V to execute Modification No.1 to the Amended Designated Services Agreement for City Parkway Center Project with Design Workshop, Inc. to include the development of Design Guidelines and Development Standards (DGDS) for the Union Park development (61-acres site) (not to exceed \$300,000) Industrial Development SRF - Ward 5 (Weekly)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

4. Approval of Service and Material Checks/Payroll Checks/Wires Transfers/Other Checks and Investments
5. Approval to renew the Interlocal Agreement for Coordination of Franchise-Related Activities with Clark County, Henderson, North Las Vegas and Boulder City (\$40,000-General Fund)- All Wards
6. Approval of a Special Event License for Univision Radio-Las Vegas, Location: Lorenzi Park, 3333 West Washington Avenue, Date: May 2, 2004, Type: Special Event General, Event: Cinco de Mayo 2004, Responsible Person in Charge: Zulema Benjamin - Ward 5 (Weekly)
7. Approval of a Special Event License for Grace in the Desert Episcopal Church, Location: Grace in the Desert Episcopal Church, 2004 Spring Gate Lane, Date: April 24, 2004, Type: Special Event Beer/Wine, Event: Church Spring Festival & BBQ, Responsible Person in Charge: Donald W. Pickell - Ward 4 (Brown)
8. Approval of Change of Ownership for a Beer/Wine/Cooler On-sale License From: Instant Impressions, Inc., Michael G. Maguire, Dir, Pres, 37.5%, Judy A. Maguire, Dir, Secy, 37.5%, Steven D. Gradwell, Dir, Treas, 10%, To: Garrett Equities Incorporated, LLC, dba The Wild Flower Cafe and Florist, 3818 Meadows Lane, Millicent Washington, Mgr, Mmbr, 100% - Ward 1 (Moncrief)
9. Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale License, From: Pollos Tumi - Partnership, dba Pollos Tumi, Luis I. Pedemonte, Ptnr, 50%, Carlos A. Lazarte, Ptnr, 50%, To: Carlos Lazarte, dba Las Americas, 2319 South Eastern Avenue, Carlos A. Lazarte, 100% - Ward 3 (Reese)
10. Approval of Franchise Managers for a Beer/Wine/Cooler Off-sale License, 7-Eleven of Nevada, Inc., dba 7-Eleven Food Store #13699C, 2409 Tam Drive, Heon J. Kim, Franchise Mgr, Jeong M. Kim, Franchise Mgr - Ward 1 (Moncrief)
11. Approval of Change of Business Name for a Wholesale General License, Johnson Brothers of Nevada, Inc., dba From: Alternative Beverage Distributors, To: Johnson Brothers of Nevada, 4409 McGuire Street, Scott Belsaas, Dir, Pres, Michael Johnson, Dir, VP, Secy, 50%, Todd Johnson, Dir, VP, Treas, 50% - North Las Vegas
12. Approval of Change of Business Name for a Tavern License and a Non-restricted Limited Gaming License for 35 slots, TLC Gaming, Inc., dba From: Hurricane Harrys, To: José Hogs Casino & Cantina, 3190 West Sahara Avenue, Terry L. Caudill, Dir, Pres, Secy, Treas, 95%, Timothy G. Lager, 5% - Ward 1 (Moncrief)
13. Approval of Change of Business Name for a Tavern License and a Restricted Gaming License for 15 slots, Polonez Polish Deli & Restaurant, Inc., dba From: Polonez Polish Deli & Restaurant, To: Euro Place Ristorante, 1243 East Sahara Avenue, Boguslaw M. Sobol, Dir, Pres, Secy, Treas, 100% - Ward 3 (Reese)
14. Approval of Change of Location for a Burglar Alarm Service, Security Alarm Monitoring Service, Inc., dba Security Alarm Monitoring Service, Inc., From: 2421 Tech Center Court, #100, To: 5445 Royal Vista Lane, Martin J. Pollinger, Pres, 50%, Christopher L. Mullins, Secy, Treas, 50% - Ward 6 (Mack)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

15. Approval of new Martial Arts Instruction Business License, Marc Laimon, dba Cobra Kai Jiu Jitsu, 2104 Highland Avenue, Marc J. Laimon, 100% - Ward 1 (Moncrief)
16. Approval of Change of Location for a Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, AKS Karate, Inc., dba AKS Karate, Inc., From: 6704 West Cheyenne Avenue, To: 2333 North Jones Boulevard, Suite 104, Robert I. Navoa, Dir, Pres, 60%, Raymond L. Mingo, Dir, VP, 40%, Arlene A. Navoa, Dir, Secy, Tamika K.R. Simmons, Dir, Treas - Ward 5 (Weekly)
17. Approval of Change of Location for a Class II Secondhand Dealer License subject to the provisions of the fire codes, Gilbert Levy, dba G & G Liquidators, From: 401 West Bonanza Road, To: 3021 Sheridan Street, Gilbert Levy, 100% - Ward 1 (Moncrief)
18. Preapproval of award of Bid No. 04.1730.07-LED, Grand Montecito Parkway - Centennial Parkway to Elkhorn Road to the lowest responsive and responsible or best bidder and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Pubic Works (\$6,000,000 - Special Assessment Capital Projects Fund) - Ward 6 (Mack)
19. Approval of award of Bid No. 03.15341.16-LED, Firefighters Memorial Park, Phase II, 6401 West Oakley Boulevard and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: RAFAEL CONSTRUCTION, INC. (\$719,000 - Parks and Leisure Activities Capital Projects Fund) - Ward 1 (Moncrief)
20. Approval of rejection of all non-responsive bids and award of Bid Number 040086-TG, Annual Requirements Contract for Medical Supplies - Department of Fire and Rescue - Award recommended to: BOUNDTREE MEDICAL LLC (\$400,000 - General Fund)
21. Approval of Agreement Modification No. 2, Gaming Concession at Downtown Transportation Center, 300 N. Casino Center Blvd. - Department of Field Operations - Award to: UNITED COIN MACHINE COMPANY (\$297,000 revenue - General Fund) - Ward 5 (Weekly)
22. Approval of issuance of a purchase order for a mobile abrasive cutting system - Department of Fire and Rescue - Award recommended to: APPLIED NEW TECHNOLOGY AG (\$129,015 - Multi-Purpose Special Revenue Fund)
23. Approval of award of Bid No. 040227-DAR, Annual Requirements Contract for Fasteners - Various Departments - Award recommended to: FASTENAL COMPANY (Estimated annual amount of \$100,000 - Various Funds)
24. Approval of revision to purchase order 218380 for annual requirements contract for crack seal - Department of Field Operations - Award to: LAS VEGAS PAVING CORPORATION (\$124,000 - Public Works Capital Projects Fund) - All Wards
25. Approval of Amendment Number 1 to Automated Vehicle Fueling System Contract - Departments of Field Operations and Fire and Rescue - Award to: SER-CON, INC. (\$73,051.37 - Automotive Operations ISF and Fire and Rescue CPF)
26. Approval of Contract No. 040215-KF, Radiological Services - Department of Fire and Rescue - Award recommended to: DESERT RADIOLOGY (Estimated annual amount of \$60,000 - General Fund)
27. Approval of issuance of a purchase order for one Class 6 Cargo Truck under Bid No. 040030-DAR, Open End Contract for Class 6 Cargo Truck - Department of Field Operations - Award to: MCCANDLESS INTERNATIONAL TRUCKS, INC. (\$58,904 - Automotive Operations Internal Service Fund)
28. Approval of issuance of a purchase order for one Mid-Size Tractor Mower under Bid No. 040075-DAR, Open End Contract for Mid-Size Tractor Mower and Trailer - Department of Field Operations - Award recommended to: SIMPSON NORTON (\$36,982 - Automotive Operations Internal Service Fund)
29. Approval of issuance of a purchase order for a One-Ton Truck under Bid No. 040118-DAR, Open End Contract for One-Ton Trucks - Department of Field Operations - Award to: GAUDIN FORD (\$31,536.31 - Automotive Operations Internal Service Fund)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

30. Approval of issuance of a purchase order for a One-Ton Dedicated CNG Fuel Extended Locksmith Van under Bid No. 040160-DAR, Open End Contract for One-Ton Dedicated CNG Fuel Extended Locksmith Van - Department of Field Operations - Award recommended to: BILL HEARD CHEVROLET (\$30,370.71 - Automotive Operations Internal Service Fund)
31. Approval of revision to purchase order 217174 for Hewlett Packard printer maintenance- Department of Information Technologies - Award to: INTERTECH COMPUTER PRODUCTS (\$10,000 - Computer Services Internal Service Fund)

NEIGHBORHOOD SERVICES DEPARTMENT - CONSENT

32. Approval of a Third Amendment to Agreement To Grant Redevelopment Set Aside Housing Funds to East Las Vegas Community Development Corporation allowing subordinations of the City of Las Vegas Deeds of Trust to enable homeowners the ability to refinance homes under specific circumstances at Mi Casa en el Sol for 40 new townhomes located on the 2900 block of Cedar Avenue and Poplar Avenue - Ward 3 (Reese)
33. Approval of additional Home Investment Partnership Program (HOME) funds in the amount of \$4,000 for additional housing rehabilitation activities at 265 South 17th Street - Ward 5 (Weekly)

PUBLIC WORKS DEPARTMENT - CONSENT

34. Approval of Supplemental Interlocal Contract for Durango Drive, Westcliff Drive to Vegas Drive between the City of Las Vegas and the Southern Nevada Regional Transportation Commission to increase funding and change the scope of the project (\$6,273,000 - Southern Nevada Regional Transportation Commission) - Ward 2 (L.B. McDonald)
35. Approval to file an amendment to Bureau of Land Management Right-of-Way Grant N-66120 for sewer purposes on portions of land lying within the Northwest Quarter of Section 12, Township 20 South, Range 59 East, Mount Diablo Meridian, generally located approximately 635 feet south of Alexander, west of Cliff Shadow Parkway, APN 137-12-101-008 - Ward 4 (Brown)
36. Approval to file a Right-of-Way Grant with the Bureau of Land Management for roadway, sanitary sewer, drainage, trail and streetscape amenity purposes on portions of land lying within Section 24, the Southwest Quarter and the East Half of Section 13, Township 19 South, Range 59 East, Mount Diablo Meridian, generally located between Hualapai Way and Puli Road on the east and west and by Grand Teton Drive and the Clark County Beltway on the north and south, APNs 126-13-401-014, -501-002, -701-006, 126-24-201-012, -301-011, -601-018 and -701-013 - Ward 6 (Mack)
37. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Brian G. Smith and Valerie C. Smith, owners (southeast corner of La Madre Way and Janell Drive, APN 125-33-402-010) - County (near Ward 6 - Mack)
38. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Aaron B. Hirschi, owner (southeast corner of Bonita Vista Street and Corbett Street, APN 125-29-708-001) - County (near Ward 6 - Mack)
39. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Richard Bennett, owner (north of Tropical Parkway, between Fort Apache Road and Dapple Gray Road, APN 125-29-201-025) - County (near Ward 6 - Mack)
40. Approval of a Professional Services Agreement with Southwick Landscape Architects for the design services of Gilmore Cliff Shadows Park and Trail Head located at Gilmore Drive and Cliff Shadows Parkway (\$376,200 - Southern Nevada Public Lands Management Act) - Ward 4 (Brown)

PUBLIC WORKS DEPARTMENT - CONSENT

41. Approval of an Interlocal Agreement between the City of Las Vegas and the Las Vegas Valley Water District to allow the installation of fire protection water service for the Operation and Maintenance Building at the Water Pollution Control Facility (\$654 - Sanitation Fund) - Clark County

RESOLUTIONS - CONSENT

42. R-60-2004 - Approval of a Resolution Adopting a Revised Fee Schedule for LVMC Title 13 and Chapter 11.50 (pertaining to public improvement work and temporary traffic control work)
43. R-61-2004 - Approval of a Resolution directing the Engineer to prepare preliminary plans and an assessment plat for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)
44. R-62-2004 - Approval of a Resolution directing the Engineer to prepare full and detailed plans, cost estimates and an assessment plat for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)
45. R-63-2004 - Approval of a Resolution declaring necessity for creating and ordering the preparation of an assessment roll for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)
46. R-64-2004 - Approval of a Resolution validating and confirming the assessment roll for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)
47. R-65-2004 - Approval of a Resolution directing the City Treasurer to prepare the Fifty-Ninth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
48. R-66-2004 - Approval of a Resolution approving the Fifty-Ninth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
49. R-67-2004 - Approval of a Resolution directing the City Treasurer to prepare the Tenth Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
50. R-68-2004 - Approval of a Resolution approving the Tenth Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
51. R-69-2004 - Approval of a Resolution overruling complaints, protests, and objections and confirming the final assessment roll for Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance FY2005) (\$41,902.50 - Capital Projects Fund - Special Assessments) - Ward 1 (Moncrief)
52. R-70-2004 - Approval of a Resolution Making Provisional Order and Directing that Notice of Public Hearing thereon be given regarding Special Improvement District No. 1490 - Tenaya Way (Northern Beltway To Elkhorn Road) (Capital Projects Fund - Special Assessments) - Ward 6 (Mack)
53. R-71-2004 - Approval of a Resolution to establish a twenty percent minimum fund balance for the Group Insurance Internal Service Fund (ISF) based on prior year expenditures
54. R-72-2004 - Approval of a Resolution Amending Schedule 25-I, 30 MPH Speed Limits, to Add a Speed Limit of 30 MPH on Greenmoor Lane between Pavilion Center Drive and Anasazi Way; Laurelglenn Drive between Pavilion Center Drive and Sageberry Drive; Park Run Drive between Pavilion Center Drive and Town Center Drive; Pavilion Center Drive between Charleston Boulevard and Laurelglenn Drive; and Sageberry Drive between Pavilion Center Drive and Laurelglenn Drive - Ward 2 (L.B. McDonald)
55. R-73-2004 - Approval of a Resolution Amending Schedule 25-II, 35 MPH Speed Limits, to Add a Speed Limit of 35 MPH on Washington Avenue between Martin L. King Boulevard and D Street - Ward 5 (Weekly)
56. R-74-2004 - Approval of a Resolution Amending Schedule 25-IV, 45 MPH Speed Limits, to Add a Speed Limit of 45 MPH on Charleston Boulevard between the 215 Beltway and Hualapai Way - Ward 2 (L.B. McDonald)

RESOLUTIONS - CONSENT

57. R-75-2004 - Approval of a Resolution Amending Schedule 25-II, 35 MPH Speed Limits, to Add a Speed Limit of 35 MPH on Azure Drive between US 95 and Tenaya Way; Bradley Road from the 215 Beltway to the north City limits; Centennial Center Boulevard between Ann Road and Durango Drive; Farm Road between Durango Drive and Tenaya Way; Farm Road between Jones Boulevard and Decatur Boulevard; Tenaya Way between Ann Road and Skypointe Drive; and Tropical Parkway between Durango Drive and US 95 - Ward 6 (Mack)

REAL ESTATE COMMITTEE - CONSENT

58. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 488 acres of land commonly known as APNs 125-01-001-001 and 125-01-701-001 located in the vicinity of Decatur Boulevard and Moccasin Road for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
59. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 10 acres of land commonly known as APN 126-02-101-005 located south of Moccasin Road and west of Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
60. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 8 acres of land commonly known as APNs 126-02-401-002 and 126-02-401-004 located in the vicinity of Iron Mountain Road and Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
61. Approval to authorize staff to purchase real property known as APN 139-34-612-026 located on the northeast corner of Carson Avenue and 8th Street from the State of Nevada Department of Conservation and Natural Resources Division of State Lands (\$323,049.80 plus closing costs - City Facilities Capital Project Fund) - Ward 5 (Weekly)
62. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 10 acres of land commonly known as APN 126-01-801-002 located in the vicinity of Iron Mountain Road and Hualapai Way for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
63. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 15 acres of land commonly known as portions of APNs 126-01-101-010 and 126-01-301-004 located off of Puli Drive between Moccasin Road and Iron Mountain Road for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
64. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 12.5 acres of land commonly known as a portion of APN 126-01-401-003 located in the vicinity of Iron Mountain Road and Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
65. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 5 acres of land commonly known as APN 126-01-501-001 located in the vicinity of Moccasin Road in between Puli Drive and Hualapai Way for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
66. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 5 acres of land commonly known as APN 126-01-601-002 located in the vicinity of Moccasin Road and Hualapai Way for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

67. Discussion and possible action regarding final payment to Southwest Sports Realty, L.P. - (Not to exceed \$120,000 - Industrial Development Special Revenue Fund)
68. Report and possible action on a presentation by Clark County Health District staff concerning the "Urban Rodent Surveillance Project"

CITY ATTORNEY - DISCUSSION

69. Discussion and possible action on Appeal of Work Card Denial: Held in Abeyance from March 17, 2004. Charles H. Lloyd, 301 Orland Street #25, Las Vegas, Nevada 89108
70. Discussion and possible action on Appeal of Work Card Denial: Jose Dennis Medrano-Arriola, 3756 Wynn Road #317, Las Vegas, Nevada 89103
71. Discussion and possible action on Appeal of Work Card Denial: Ms. Miaelizabeth Fenstermaker, 1400 So. Casino Center #22, Las Vegas, Nevada 89104
72. Discussion and possible action on Appeal of Work Card Denial: Desiree Dawn Gordon, 2700 Sadie Lane, Henderson, Nevada 89074
73. Discussion and possible action on Appeal of Work Card Denial: Chanpheng Phromprakay, 5010 Indian River Drive #149, Las Vegas, Nevada 89103

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

74. Discussion and possible action to fund the removal and relocation of skate element equipment from Patriot Park to Mountain Ridge Park (\$100,000 - Parks & Leisure Activities Capital Projects Fund) - Ward 6 (Mack)
75. ABEYANCE ITEM - 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)
76. ABEYANCE ITEM - Discussion and possible action regarding an Appeal of Denial of Business License for an Independent Massage Therapist License, Nicholas A. Hoover, dba Nicholas A. Hoover, 4200 East Bonanza Road, #123, Nicholas A. Hoover, 100% - Ward 3 (Reese)
77. ABEYANCE ITEM - 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)
78. Discussion and possible action regarding a Six Month Review of a Child Care Family Home License, Joyce Cathey, 1720 East Oakley Boulevard, Joyce Cathey, 100% - Ward 3 (Reese)
79. Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes, T & G Entertainment Investments, LLC, dba Peter Piper Pizza, 7981 West Tropical Parkway, TGEI, LLC, Managing Mmbr, 52%, Ted E. Kingston, Mmbr, 100%, John G. Barton, Mgr, John G. Barton Mmbr, 42% - Ward 6 (Mack)
80. Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes, Makino Premium Outlet LV, LLC, dba Makino Las Vegas Seafood Buffet, 775 South Grand Central Parkway, #1301, Las Vegas Kitchen, LLC, Mgr, 100%, Masako Ishitsuka, Mmbr, Mgr, 100% - Ward 5 (Weekly)

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

81. Discussion and possible action regarding Temporary Approval of a new Supper Club License subject to the provisions of the fire codes and Health Dept. regulations, Scottsdale Beverages, LLC, dba Escole, 1451 Center Crossing Road, John P. Graham, Mgr, Jennifer E. White, Mgr, Renee Brattin, Mgr, Scottsdale Group, LLC, Mmbr, 100%, John P. Graham, Mgr, Jennifer E. White, Mgr, Renee Brattin, Mgr - Ward 2 (L.B. McDonald)
82. Discussion and possible action regarding Temporary Approval of Change of Ownership for a Beer/Wine/Cooler On-sale License subject to Health Dept. regulations, From: Peter Piper, Inc., Daniel E. Rubin, Dir, COB, Joseph R. Pederson, Pres, CEO, John G. Jordan, VP, Don Gordon, VP, Neil R. Simon, Dir, Secy, William J. Hunckler, III, Dir, Robin P. Selati, Dir, To: T & G Entertainment Investments, LLC, dba Peter Piper Pizza, 560 South Decatur Boulevard, TGEI, LLC, Managing Mmbr, 52%, Ted E. Kingston, Mmbr, 100%, John G. Barton, Mgr, John G. Barton, Mmbr, 42% - Ward 1 (Moncrief)
83. Discussion and possible action regarding Temporary Approval of a Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, Sentinel Combat Institute, LLC, dba Sentinel Combat Institute, LLC, 8450 West Sahara Avenue, Suite 112, Lance W. Burton, Mgr, Mmbr, 100% - Ward 1 (Moncrief)
84. Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Martial Arts Instruction Business License subject to the provisions of the fire codes, From: Kicks, Inc., dba Collins Karate for Kids, David A. Riach, Jr., Dir, Pres, Secy, Treas, 66.66%, Andre Collins, VP, 33.33%, To: Karate for Kids of Green Valley and Henderson, Inc., dba Karate for Kids, 4840 East Bonanza Road, Suites 2 and 3, Leland R. Brandon, Dir, Pres, 50%, Marci D. Brandon, Secy, Treas, 50% - Ward 3 (Reese)
85. Discussion and possible action regarding a Six Month Review of a Restricted Gaming License for 7 slots, Shoshani and Jarjees, dba Family Food II, 1602 H Street, Salar Shoshani, Ptnr, 50%, Thamer Jarjees, Ptnr, 50% - Ward 5 (Weekly)
86. Discussion and possible action regarding amendment to Bid No. 03.15341.08-LED, Washington Buffalo Park, Phase 1A and 1B - located at the southwest corner of Washington Avenue and Buffalo Drive for issuance of a change order to Asphalt Products Corporation for installation of artificial turf in the amount of \$3,800,000 - Public Works (Parks & Leisure Activities CPF) Ward 4 (Brown)

NEIGHBORHOOD SERVICES DEPARTMENT - DISCUSSION

87. Report and possible action on the City of Las Vegas' prototype Tenant Based Rental Assistance (TBRA) Program for Homeless and Near Homeless regarding allocating \$300,000 in Fiscal Year 2004-2005 Federal HOME funds and \$26,275 Fiscal Year 2004-2005 Community Development Block Grant Public Service (CDBG-PS) funds to HELP of Southern Nevada to operate the prototype TBRA Program for one additional year - All Wards
88. Report and possible action to proceed with a plan to abate vacant and abandoned property located within the City of Las Vegas - All Wards
89. Report and possible action on the Sky Vue Mobile Home Park 15 West Owens Avenue to provide monetary compensation to Clark County Social Services for temporary housing of displaced residents in an amount not to exceed \$40,000 (General Fund-Winter Shelter Fund) - Ward 5 (Weekly)

PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION

90. Discussion and possible action on a request by Thomas and Mack Co. for a Water Feature Exemption on property located at 2300 W. Sahara Avenue - Ward 1 (Moncrief)

RESOLUTIONS - DISCUSSION

91. R-76-2004 - Discussion and possible action on a Resolution transferring 2002 Private Activity Bond Volume Cap of \$6,158,617 to George Gekakis Incorporated to construct new affordable senior housing located near the Southeast corner of West Cheyenne Avenue and Jones Boulevard - Ward 5 (Weekly)

BOARDS & COMMISSIONS - DISCUSSION

92. ABEYANCE ITEM - CHILD CARE LICENSING BOARD – Lolanda Bunch, Term Expiration 6-2007 (Resigned)

RECOMMENDING COMMITTEE REPORTS - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

93. TABLED ITEM - Bill No. 2003-78 – Establishes locational restrictions for the uses “auto pawn,” “auto title loan,” and “specified financial institution.” Sponsored by: Councilwoman Janet Moncrief
94. 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
95. 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
96. 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
97. Bill No. 2004-21 – Updates the City’s emergency management provisions. Sponsored by: Mayor Oscar B. Goodman
98. 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)
99. Bill No. 2004-25 – Establishes zoning requirements for swap meets. Sponsored by: Councilman Gary Reese
100. 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
101. 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
102. 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

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.

103. 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
104. 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
105. 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

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.

106. Bill No. 2004-30 – Requires merchants to make certain disclosures in connection with the sale of motorized scooters and motorized skateboards. Sponsored by: Councilman Michael Mack
107. Bill No. 2004-31 – Prohibits the breeding or training of animals for the purpose of using them in an animal fighting venture. Sponsored by: Councilman Michael Mack
108. Bill No. 2004-32 – Ordinance Creating Special Improvement District No. 607 - Cliff's Edge. Sponsored By: Step Requirement
109. Bill No. 2004-33 – Levies Assessments for Special Improvement District No. 607 - Cliff's Edge. Sponsored By: Step Requirement
110. Bill No. 2004-34 – Levies Assessment for Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance FY2005). Sponsored by: Step Requirement
111. Bill No. 2004-35 – Authorizing the issuance of Local Improvement Bonds, Series 2004 for the City of Las Vegas, Nevada Special Improvement District No. 607 Cliff's Edge not to exceed \$51,185,000. - Ward 6 (Mack)

1:00 P.M. - AFTERNOON SESSION

112. 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

113. ABEYANCE ITEM - 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)
114. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 4550 E. Washington Avenue. PROPERTY OWNER: ASSISTED LIVING CENTER ETAL, C/O E COOK – Ward 3 (Reese)
115. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 1611 Euclid Avenue. PROPERTY OWNER: GARY STEPHEN BLAKE – Ward 3 (Reese)
116. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 3224 Brady Avenue. PROPERTY OWNER: SECRETARY VETERANS AFFAIRS – Ward 3 (Reese)

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.

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

117. REVIEW OF CONDITION - ROC-3901 - APPLICANT/OWNER: PERMA-BUILT HOMES - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Review of Condition NO. 7 OF AN APPROVED TENTATIVE MAP FOR ELKHORN/GRAND CANYON UNIT TWO (TM-0034-02), WHICH REQUIRED PEDESTRIAN ACCESS AT THE END OF TWO CUL-DE-SACS adjacent to the southeast corner of Grand Canyon Drive and Severance Lane (APN 125-18-897-004), R-1 (Single Family Residential) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend DENIAL
118. REVIEW OF CONDITION - PUBLIC HEARING - ROC-4119 - APPLICANT/OWNER: CONCORDIA HOMES OF NEVADA - Request for a Review of Condition No. 3 of an approved Site Development Plan Review [Z-0069-02(1)], WHICH ESTABLISHED THE FRONT SETBACK TO GARAGE DOORS FOR A SINGLE FAMILY RESIDENTIAL DEVELOPMENT on property located adjacent to the southeast corner of Deer Springs Way and Campbell Road (APN 125-20-301-006 and 007), T-C (Town Center) Zone, Ward 6 (Mack). Staff recommends DENIAL (NOTE: To allow a 10' maximum setback to garage, where 5' maximum and 18' minimum is allowed)
119. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3817 - APPLICANT: ADVANCED HOUSE CALLS - OWNER: GREGORY AND MARY BRYAN - Request for a Site Development Plan Review FOR A PARKING LOT AND WAIVERS OF PERIMETER LANDSCAPE BUFFER AND PARKING LOT LANDSCAPE FINGERS on 0.34 acres adjacent to the east side of Jones Boulevard, approximately 300 feet south of Upland Boulevard (APN 138-36-112-005 and 006), R-1 (Single Family Residential) Zone under Resolution of Intent to P-R (Professional Office and Parking), Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL
120. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3853 - APPLICANT: ARLT CORPORATION - OWNER: ARLT FAMILY TRUST - Request for a Site Development Plan Review FOR A 14,126 SQUARE FOOT OFFICE BUILDING on 1.10 acres adjacent to the southwest corner of Martin L. King Boulevard and Wheeler Peak Drive (APN 139-21-416-001), C-PB (Planned Business Park) Zone, Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
121. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3923 - APPLICANT/ OWNER: SANTA FE STATION, INC. - Request for a Site Development Plan Review FOR A PROPOSED CASINO EXPANSION AND THEATER ADDITION on 34.1 acres at 4949 North Rancho Drive (APN 125-34-801-001), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
122. ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - VAR-3288 - APPLICANT: PAUL AND SANDY BROSSEAU - Request for a Variance to ALLOW A 5 FOOT SIDE SETBACK WHERE 10 FEET IS REQUIRED FOR an addition to an existing single family dwelling at 304 Canyon Drive (APN 139-32-211-031), R-E (Residence Estates) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL
123. VARIANCE - PUBLIC HEARING - VAR-3762 - APPLICANT: STERLING S. DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Variance TO ALLOW 25 FOOT FRONT SETBACKS WHERE 30 FEET IS THE MINIMUM SETBACK REQUIRED AND TO ALLOW 30 FOOT REAR SETBACKS WHERE 35 FEET IS THE MINIMUM SETBACK REQUIRED on 9.32 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 (5-0-2 vote) and staff recommend DENIAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

124. REQUIRED SIX MONTH REVIEW - PUBLIC HEARING - RQR-3930 - APPLICANT: NEISSAN KOROGHLI - OWNER: FREMONT PLACE, LIMITED LIABILITY COMPANY - Required Six Month Review of an approved Special Use Permit (U-0106-02) WHICH ALLOWED A LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION) IN CONJUNCTION WITH AN EXISTING CONVENIENCE STORE/ DELICATESSEN at 228 Las Vegas Boulevard North (APN 139-34-511-001, 002 and 003), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
125. REVIEW OF CONDITION RELATED TO RQR-3930 - PUBLIC HEARING - ROC-4121 - APPLICANT: NEISSAN KOROGHLI - OWNER: FREMONT PLACE, LIMITED LIABILITY COMPANY - Request for a Review of Conditions FOR AN APPROVED SPECIAL USE PERMIT (U-0106-02), TO REMOVE CONDITION NOS. 1 THROUGH 4 FOR A LIQUOR ESTABLISHMENT (OFF-PREMISES CONSUMPTION) IN CONJUNCTION WITH AN EXISTING CONVENIENCE STORE/DELICATESSEN at 228 Las Vegas Boulevard North (APN 139-34-511-001, 002 and 003), C-2 (General Commercial) Zone, Ward 5 (Weekly). Staff recommends DENIAL
126. REQUIRED FOUR YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - RQR-3732 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: STORAGE EQUITIES - Required Four Year Review of an approved Special Use Permit (U-0159-89) FOR A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 275 South Martin L. King Boulevard (APN 139-33-501-012), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
127. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES, LIMITED PARTNERSHIP - Appeal filed by LAS Consulting, Inc. 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 adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue (APN 163-02-816-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL
128. ABEYANCE ITEM - 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
129. ABEYANCE ITEM - 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
130. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3844 - APPLICANT: JOSE AND ELIZA DIAZ - OWNER: MIGUEL FAMILY TRUST 1993, ET AL - Request for a Special Use Permit FOR A BANQUET FACILITY at 1520 North Eastern Avenue, Suite #101, 102 and 103 (APN 139-25-101-020), C-1 (Limited Commercial) and C-2 (General Commercial) Zones, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
131. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3748 - APPLICANT: CONTINENTAL CURRENCY OF NEVADA, INC. - OWNER: TONOPAH-CRAIG ROAD COMPANY, LIMITED PARTNERSHIP - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED AND AUTO TITLE LOAN at 4458 North Rancho Drive (APN 138-02-601-001), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
132. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3875 - APPLICANT: HUGH CANADY - OWNER: CDS MEMBER, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR GASOLINE SALES IN CONJUNCTION WITH A 4,500 SQUARE FOOT CONVENIENCE STORE at 1600 North Martin L. King Boulevard (APN 139-21-804-006), C-1 (Limited Commercial), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

133. ABEYANCE ITEM - REZONING - PUBLIC HEARING - ZON-2457 - DONNA F. BEAM REVOCABLE TRUST - Request for a Rezoning FROM: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) Zone on 3.88 acres adjacent to the northeast and southeast corners of Smoke Ranch Road and Buffalo Drive (APN 138-15-402-001 and 138-22-101-001) Ward 4 (Brown). The Planning Commission (4-2 vote) and staff recommend APPROVAL
134. SPECIAL USE PERMIT RELATED TO ZON-2457 - PUBLIC HEARING - SUP-3896 - APPLICANT: INVESTMENT EQUITY BUILDERS - OWNER: DONNA F. BEAM REVOCABLE TRUST - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (TAVERN) AND A WAIVER FROM THE 1,500 FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING SCHOOL, CHURCH, AND CITY PARK adjacent to the northeast corner of Smoke Ranch Road and Buffalo Drive (APN 138-15-402-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial)], Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (5-0-2 vote) recommends APPROVAL
135. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-2457 AND SUP-3896 - PUBLIC HEARING - SDR-2458 - DONNA F. BEAM REVOCABLE TRUST - Request for a Site Development Plan Review FOR TWO PROPOSED COMMERCIAL BUILDINGS on 3.88 acres adjacent to the northeast and southeast corners of Smoke Ranch Road and Buffalo Drive (APN 138-15-402-001 and 138-22-101-001) U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 4 (Brown). The Planning Commission (4-2 vote) and staff recommend APPROVAL
136. ABEYANCE ITEM - 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
137. REZONING - PUBLIC HEARING - ZON-3825 - APPLICANT/OWNER: JAN PAUL KOCH - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.26 acres at 701 South 7th Street (APN 139-34-810-008 and 009), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
138. VARIANCE RELATED TO ZON-3825 - PUBLIC HEARING - VAR-3826 - APPLICANT/OWNER: JAN PAUL KOCH - Request for a Variance TO ALLOW 9 PARKING SPACES WHERE 12 PARKING SPACES ARE REQUIRED FOR A PROPOSED OFFICE BUILDING AND TO ALLOW A COVERED TRASH ENCLOSURE TO BE LOCATED WITHIN THE 50 FEET RESIDENTIAL ADJACENCY DISTANCE SEPARATION REQUIREMENT on 0.26 acres at 701 7th Street (APN 139-34-810-008 and 009), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
139. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3825 AND VAR-3826 - PUBLIC HEARING - SDR-3824 - APPLICANT/OWNER: JAN PAUL KOCH - Request for a Site Development Plan Review FOR A PROPOSED LAW OFFICE AND A WAIVER OF LANDSCAPE AND COMMERCIAL STANDARDS on 0.26 acres at 701 7th Street (APN 139-34-810-008 and 009), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
140. REZONING - PUBLIC HEARING - ZON-3888 - APPLICANT: CITY OF LAS VEGAS - OWNERS: MULTIPLE - Request for a Rezoning FROM: M (INDUSTRIAL), C-M (COMMERCIAL INDUSTRIAL), C-2 (GENERAL COMMERCIAL) AND C-V (CIVIC) TO: C-M (COMMERCIAL INDUSTRIAL), C-2 (GENERAL COMMERCIAL), C-1 (LIMITED COMMERCIAL), R-3 (MEDIUM DENSITY RESIDENTIAL), AND C-V (CIVIC) on properties generally located within the area bounded by Washington Avenue, Owens Avenue, the Union Pacific Railroad and Bruce Street (APN 139-26-102-002, 003, 139-26-201-015, 018, 139-27-502-004, 139-27-504-003, 006, 007, 008, 009 and 010, 139-27-602-003, 004, 139-27-603-001, 002, 008, and 018), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

141. REZONING - PUBLIC HEARING - ZON-3909 - APPLICANT/OWNER: LEONARD KRYK - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.16 acres at 1007 Salem Drive (APN 138-35-804-001), Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
142. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3909 - PUBLIC HEARING - SDR-3911 - APPLICANT/OWNER: LEONARD KRYK - Request for a Site Development Plan Review FOR A PROPOSED OFFICE AND A WAIVER OF LANDSCAPE STANDARDS on 0.16 acres at 1007 Salem Drive (APN 138-35-804-001), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
143. REZONING - PUBLIC HEARING - ZON-3910 - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: U (UNDEVELOPED) [ROW (RIGHT OF WAY) GENERAL PLAN DESIGNATION] TO: C-V (CIVIC) on 10.0 acres on the northeast corner of Tenaya Way and Summerlin Parkway (a portion of APN 138-27-301-019), Ward 2 (L.B. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL
144. 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 21, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-70-2004 - Approval of a Resolution Making Provisional Order and Directing that Notice of Public Hearing thereon be given regarding 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. The cost of the SID is estimated to be \$646,166.67.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-70-2004

MOTION:

REESE – APPROVED Items 3-42, 47-54, 56-58, 61, 67 – **UNANIMOUS** with **MONCRIEF** excused and Ward 2 seat vacant

Items 43-46 & 55:

APPROVED under separate actions (see individual items)

Items 59, 60 & 62-66

STRICKEN under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-988

RESOLUTION NO. R-70-2004

A RESOLUTION MAKING A PROVISIONAL ORDER TO THE EFFECT THAT CERTAIN IMPROVEMENTS IN THE CITY SHALL BE ACQUIRED PURSUANT TO THE CONSOLIDATED LOCAL IMPROVEMENTS LAW TO BE KNOWN AS CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1490 – TENAYA WAY (NORTHERN BELTWAY TO ELKHORN ROAD); AND CALLING A HEARING ON THE PROJECT.

Summary: Provisional Order

WHEREAS, the City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively) of the County of Clark in the State of Nevada, is of the opinion that the interest of the City requires the creation of a special improvement district pursuant to the Consolidated Local Improvements Law and 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, the City Engineer, together with the Engineering Integration Division of the City and certain consulting engineers (collectively, hereinafter the "Engineer") has filed at the office of the City Clerk, in connection with the Project and with the proposed City of Las Vegas, Nevada, Special Improvement District No. 1490 – Tenaya Way (Northern Beltway to Elkhorn Road) the following:

(A) Preliminary plans and specifications showing a typical section of the contemplated improvements, the type or types of material, approximate thickness and wideness for the Project;

(B) A preliminary estimate of the total cost of the Project and of each type of construction, the estimate being made in a lump sum or by unit prices, and further, including in the total estimate, without limiting the generality of the foregoing, the advertising, appraising, engineering, legal, interest on interim warrants, if any, discount on any bonds, printing, and such other expenses as in the judgment of the Engineer are necessary or essential to the completion of such work or improvement, and the payment of the cost thereof;

(C) An assessment plat or map, including an addendum thereto (designated as a "Tabulation of Parcels") showing the descriptions of the property to be assessed, showing the area to be assessed, the market values, a description of each lot, tract or parcel of land, the name and address of each owner, the amounts of estimated

preliminary assessments, the amount of maximum benefits (and corresponding market value increases) estimated to be assessed against each lot, tract or parcel of land in the assessment area, such estimate being based on the method of assessment set forth herein (an equitable adjustment having been made for assessments to be levied against wedge or "V" or other irregularly-shaped lots or lands, or for any lot, tract or parcel of land not specially benefited for other reasons in direct proportion to its front footage, so that assessments according to benefits will be equal and uniform); and

(D) The Engineer's Report to the City Council on Benefits, as to the method of determining benefits and corresponding market value increases and as to whether the creation of the District is economically sound and feasible; and

WHEREAS, the City Council has examined the improvement plans, assessment plat, including the addendum thereto, typical section of contemplated improvements, preliminary estimate of the cost, estimate of maximum benefits, and Engineer's Report, so filed with the City Clerk, and has found, and does hereby declare the same to be satisfactory in all respects; and

WHEREAS, the City Council has also determined, and does hereby determine, that all of the assessable property in the City which is specially benefited by the improvements to be acquired in the Special Improvement District No. 1490 – Tenaya Way (Northern Beltway to Elkhorn Road) and only the property which is so specially benefited, is included in the District; and

WHEREAS, the City Council has determined, and does hereby determine, that less than one-half of the cost of the improvements in the District shall be paid with funds from the levy of assessments; and

WHEREAS, the City Council has determined and does hereby determine that the exception provided by NRS 271.306(2)(a) does exist with respect to the costs of the improvements in the District, as more than one-half of the total costs will be paid with money derived from sources other than the levy of special assessments.

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

Section 1. The special improvement district shall be designated "City of Las Vegas, Nevada, Special Improvement District No. 1490 – Tenaya Way (Northern Beltway to Elkhorn Road)" (hereinafter the "District").

Section 2. This Resolution shall be known as, and may be cited by, the short title "Special Improvement District 1490 Provisional Order Resolution" (hereinafter the "Resolution").

Section 3. The City Council hereby ratifies the preparation, by the Engineer, of and does accept the plans and specifications, assessment plat (including the addendum and exhibits thereto), typical section of the contemplated improvements, preliminary estimate of cost, the Engineer's Report on Benefits, and the estimate of maximum benefits (and corresponding market value increases) to be assessed against each lot, tract, or parcel of land in the assessment area.

Section 4. The Project shall be acquired at an estimated preliminary total cost of \$4,006,778.00, including engineering, legal, and incidental expenses, as more particularly hereinafter set forth and as described in the plans and specifications herein accepted, reference to which is hereby made and which are available for public inspection at the office of the City Clerk at 400 Stewart Avenue, Las Vegas, Nevada 89101.

Section 5. The City Council has also determined and does hereby declare as follows:

1. The public convenience and necessity requires the creation of the District and construction of the Project;
2. The creation of the District is economically sound and feasible; and
3. The market value of each of the benefited lots, tracts and parcels of land in the District will be increased by an amount directly attributable to the Project for which the assessment is made.

Section 6. The boundaries of the District, within which is located the Project and the lots, tracts and parcels of land to be assessed, shall be as designated in the form of notice set forth in Section 7 of this Resolution. It is estimated that the total cost shall be apportioned as follows:

Estimated Amount of Special Assessments	Amount Available from Other Sources	Total Cost
\$ 646,166.67	\$ 3,360,611.33	\$ 4,006,778.00

The amounts to be assessed shall be made upon all tracts benefited in proportion to the special benefits received, as more fully described in the form of notice set forth in Section 7 of this Resolution.

Section 7. On Wednesday, May 19, 2004, at 1:00 p.m. in the City Council Chambers, 400 Stewart Avenue, Las Vegas, Nevada (i.e., a time at least 20 days after the adoption of this Resolution) the City Council will consider the ordering of the Project and will hear all complaints, protests, and objections that may be made in writing, and filed as hereafter provided, or made verbally at the hearing, concerning the same, by the owners of land to be assessed or any interested person. The owners of the property to be assessed or any other persons interested therein, may file a written protest or objection, and may appear before the City Council and be heard as to the propriety and advisability of making such improvements, as to the estimated cost thereof, as to the manner of payment therefor, as to the amount thereof to be assessed against the property to be improved, and as to the amount of special benefits and corresponding market value increases. Twenty (20) days' prior notice, in writing, of such time and place shall be given to such property owners, postage prepaid, as first-class mail, to each property owner at his last known address, the names and addresses of such property owners are to be obtained from the records of the County Assessor or from such other sources as the City Clerk deems reliable. Such notice shall also be given to the owner and each tenant of mobile home parks, if any, located on any tracts to be assessed. Any such list of names and addresses may be revised from time to time, but such list need not be revised more frequently than at twelve month intervals. Notice shall also be given by posting in three (3) public places at or near the site of the Project at least twenty (20) days prior to the hearing. Proof of such mailing and posting shall be made by the affidavit of the City Clerk or Deputy City Clerk, proof of same to be filed with the City Clerk, provided that failure to mail such notice or notices shall not invalidate any assessment nor any other of the proceedings hereunder. Notice of the time and place of such hearing shall also be given by publication in the Las Vegas Review-Journal, a daily newspaper published in Las Vegas and of general circulation in the City of Las Vegas, Nevada, once each week for three (3) consecutive weekly publications, by three (3) weekly insertions, the first publication in such newspaper to be at least fifteen (15) days prior to the date of the protest hearings. Not less than fourteen (14) days shall intervene between the first publication and the last publication in such newspaper. Such service by publication shall be verified by the affidavit of the publishers and filed with the City Clerk. The proof of publication, the proof of mailing and the proof of posting shall be maintained in the records of the office of

the City Clerk until all the assessments pertaining to the District shall have been paid in full principal, interest and any penalties or collection costs. Said notice shall be in substantially the following form:

(Form of Notice)

**NOTICE OF HEARING ON PROPOSED PROJECT AND ASSESSMENTS WITHIN
THE PROPOSED CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT
DISTRICT NO. 1490 – TENAYA WAY (NORTHERN BELTWAY TO ELKHORN ROAD)**

NOTICE IS HEREBY GIVEN to the property owners within the proposed City of Las Vegas, Nevada, Special Improvement District No. 1490 – Tenaya Way (Northern Beltway to Elkhorn Road) (hereinafter the "District") and to all interested persons that:

The City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively) of the County of Clark in the State of Nevada, has provisionally ordered the acquisition of a Sewer Project, Street Project and a Water Project (collectively, the "Project") as more particularly described as follows:

TENAYA WAY (BOTH SIDES) - from the northern right-of-way line of Centennial Parkway north along Tenaya Way to the centerline of Elkhorn Road (80-foot right-of-way).

Except as shown on the preliminary plans and specifications now on file in the office of the City Clerk and in the office of the Special Improvement District in Las Vegas, Nevada, the character of such Project shall be described more particularly as follows: The improvements on Tenaya Way will consist of the grading, regrading, graveling, and asphalt paving as necessary for at least four (4) travel lanes, a two-way center left turn lane with raised medians at the signalized or future signalized intersections, "L" type curb and gutter, sidewalks, commercial or residential driveway approaches, storm drain facilities, potable water mains and laterals, sanitary sewer mains and laterals and streetlights. The streetlights will be installed at the back of the sidewalk at appropriate intervals. At the request of the owners of property in the District (filed with the office of the Special Improvement District prior to March 26, 2004) water and sewer laterals will be installed from the existing or proposed main lines in Tenaya Way to such property. Sewer lines within the District are owned and maintained by the City. The City will require that properties connecting to the sewer line pay a connection fee and be annexed to the City at the time of hookup. THE CITY HAS NO OBLIGATION TO PROVIDE WATER OR SEWER SERVICE TO ANY PROPERTY WITHIN THE DISTRICT REGARDLESS OF WHETHER THE CITY COUNCIL PROCEEDS WITH ALL OR ANY PART OF THE PROJECT.

The preliminary estimated total cost of the Project and the amount to be assessed is as follows:

Estimated Amount of Special Assessments	Amount Available from Other Sources	Total Cost
\$ 646,166.67	\$ 3,360,611.33	\$ 4,006,778.00

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases). However, an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly shaped lots or lands, if any, and for any lot, tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform. The portion of the costs to be assessed against and the maximum amount of benefits estimated (and corresponding market value increases) to be conferred upon each piece or parcel of property in the District is stated in the assessment plat and addendum thereto designated "Tabulation of Parcels" or preliminary assessment roll. In cases of wedge or "V" or any other irregularly shaped tracts, the amount apportioned thereto shall be in proportion to the special benefits thereby derived.

The assessments will be levied on a front foot basis, provided that those tracts which front a cul-de-sac and which abut or front a street or streets being improved will be assessed on a "unit lot" basis, i.e., all lots abutting the cul-de-sac are to be assessed the same amount based upon the front footage of those lots abutting the street or streets being improved which also abut the cul-de-sac. Each property owner will be assessed for the cost of a 8-foot wide street pavement section (unless the property owner has development plans in progress and has been conditioned by City Council for installation of a half-street pavement section), curb and gutter, sidewalks, driveway approaches and streetlights, where not already existing. The owners of property who elect to have water or sewer laterals installed will be assessed per foot of lateral installed on a per service or unit lot basis.

The boundaries of the District shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements or fronting a cul-de-sac which abuts or fronts a street to be improved by the improvements.

All persons interested are hereby advised that the preliminary plans and specifications (showing a typical section of the contemplated improvements) and the assessment plat, including a tabulation of parcels or preliminary assessment roll, a preliminary estimate of the total cost, a description of the lots, tracts and parcels of land to be assessed, the portion of the cost to be assessed thereagainst, and the amount of maximum benefits (including the corresponding market value increases) estimated to be conferred on each piece or parcel of property, the Engineer's report as to the method of determining benefits, and all proceedings in the premises are on file in the office of the Special Improvement District, Department of Public Works, and at the office of the City Clerk, 400 Stewart Avenue, Las Vegas, Nevada. All of the foregoing can be seen and examined by any property owner or other interested persons during regular business hours, from 8:00 a.m. to 5:00 p.m., Monday through Friday.

It is anticipated that there will be grade or elevation changes in connection with the acquisition of the Project. Such grade or elevation changes are substantial and are as shown on the preliminary plans and specifications. All interested persons are hereby referred to the preliminary plans and specifications, which relate to the details of the Project.

On Wednesday, May 19, 2004, at 1:00 p.m., in the City Council Chambers at 400 Stewart Avenue, in Las Vegas, Nevada, the City Council will consider the ordering of the proposed Project, and will hear all complaints, protests and objections that may be made in writing and filed as hereafter provided, or made verbally at the hearing, concerning the same, by the owner of any tract to be assessed or any interested person. The owners of the property to be assessed, or any other person interested therein, may appear before the City Council and be heard as to the propriety and advisability of acquiring and improving such Project, as to the estimated cost thereof, as to the manner of payment therefor, as to the amount thereof to be assessed, the benefits estimated to be conferred against each tract, and the corresponding market value increases expected for each tract in the District.

The City Council requests that any property owner or interested person wishing to protest or object, do so in writing at the office of the City Clerk at least three (3) days before the time set for such hearing, i.e., on or before Friday, May 14, 2004. On the date and at the time and place fixed for such hearing, any and all property owners interested in the Project may, by written complaint, protest or objection, present their views to the City Council, or present them orally, and the City Council may adjourn the hearing from time to time to discuss and consider said issues before it. Any person filing a written

protest or objection as hereinabove provided, shall have the right within thirty (30) days after the City Council has finally passed on such protest or objection to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination, but thereafter, all actions or suits attacking the validity of the proceedings and the amount of benefits shall be perpetually barred. A PROPERTY OWNER'S ONLY CHANCE TO PRESENT EVIDENCE TO DEMONSTRATE THAT HIS OR HER ESTIMATED ASSESSMENTS ARE EXCESSIVE WILL BE AT THE PUBLIC HEARING AND A PROPERTY OWNER WILL NOT BE ABLE TO PRESENT ANY ADDITIONAL EVIDENCE UPON SUBSEQUENT APPEAL TO DISTRICT COURT.

A person should object to the formation of the District, using the procedure outlined in this notice, if his support for the District is based upon a statement or representation concerning the Project that is not contained in the language of this notice.

If a person objects to the amount of maximum benefits estimated to be assessed or to the legality of the proposed assessments in any respect:

- (1) He is entitled to be represented by counsel at the hearing;
- (2) Any evidence he desires to present on these issues must be presented at the hearing; and
- (3) Evidence on these issues that is not presented at the hearing may not thereafter be presented in an action brought pursuant to NRS 271.315.

The City Council of the City of Las Vegas has determined that one-half or more of the total cost of each of the improvements in the District, shall be paid with monies derived from sources other than the levy of special assessments and accordingly may take advantage of the exception stated in paragraph (a) of subsection (2) of NRS 271.306, (which exception is that the City, at its option, may proceed with the improvements in the District regardless of the percentage of protests).

After such hearing, the City Council shall determine the advisability of undertaking each part of the Project, and, if it determines to proceed, shall determine the kind and character of such improvements to be made, and shall authorize the advertising for bids for performing such work and furnishing all necessary materials with the lowest and best bidder or bidders. The City Council may determine not to proceed with all or any part of the Project regardless of the protests or objections.

After the determination of the actual cost of the Project, assessments shall be levied in accordance with the laws of the State of Nevada. In no event shall the assessments exceed the estimated maximum special benefits to the property assessed or the reasonable market value of the property being assessed (as determined by the City Council). The City Council shall provide that the assessments may be payable without interest and without demand during a specified cash payment period and the City Council shall provide that the assessments may be paid at the election of the owner in twenty (20) substantially equal semi-annual installments of principal and interest. The City Council shall also provide the time and terms of payment of such assessments and shall fix penalties to be collected upon delinquent payments. The City Council shall also provide the rate of interest on unpaid installments of assessments, which will not exceed the maximum rate of interest permitted under the statutes of the State. If assessment bonds are issued, such rate will not exceed by more than 1% of the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than 3% the "Index of Twenty Bonds", which shall have been most recently published before the time bids for the bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. If bonds are not sold for the District, the City Council shall by resolution establish the rate of interest on unpaid and deferred installments of assessments.

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

hereof. A person desiring to apply for a Hardship Determination shall file an application no later than May 14, 2004, with the Clark County Department of Social Services, 1600 Pinto Lane, Las Vegas, Nevada 89106, (702) 455-8687.

By order of the City Council of the City, Nevada, and dated this April 21, 2004.

BARBARA JO RONEMUS, City Clerk

(End of Form of Notice)

Section 8. That all action, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Resolution) concerning the City of Las Vegas, Nevada, Special Improvement District No. 1490 – Tenaya Way (Northern Beltway to Elkhorn Road) be, and the same hereby are, ratified, approved and confirmed.

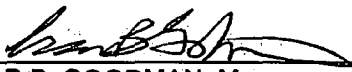
Section 9. That the officers of the City are directed to effectuate the provisions of this Resolution.

Section 10. That all resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such inconsistency.

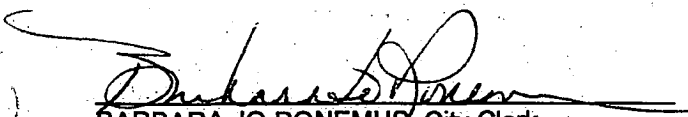
Section 11. That the invalidity of any provision of this Resolution shall not affect any remaining provisions hereof.

Section 12. That the City Council has determined, and does hereby declare, that this Resolution shall be in effect after its passage in accordance with the law.

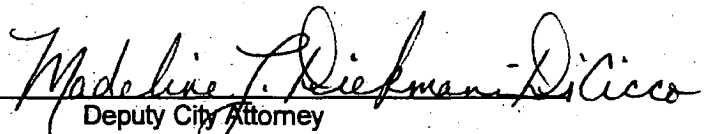
PASSED, ADOPTED AND APPROVED this 21st day of April, 2004.


OSCAR B. GOODMAN, Mayor

Attest:


BARBARA JO RONEMUS, City Clerk

Approved as to Form:

4-8-'04 
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 21, 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

Those Voting Nay:	NONE

Those Absent:	Janet Moncrief

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 21, 2004, is
attached to this certificate as Exhibit "A".

IN WITNESS WHEREOF, I have hereunto set my hand on this April 21, 2004.

(SEAL)


BARBARA JO RONEMUS, City Clerk

Exhibit "A"

(Attach Notice of Meeting and Agenda)

CITY COUNCIL AGENDA

APRIL 21, 2004

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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 21, 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 - REVEREND ROBERT FOWLER, VICTORY MISSION BAPTIST CHURCH
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF THE EMPLOYEE OF THE MONTH
- RECOGNITION OF THE AWARD-WINNING DOOLITTLE COMMUNITY CENTER JAM SQUAD
- PRESENTATION BY THE VETERANS DAY PARADE COMMITTEE

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. Discussion and possible action to appoint a City Council member for Ward 2

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 - CONSENT

3. Approval to authorize the president of City Parkway IV and V to execute Modification No.1 to the Amended Designated Services Agreement for City Parkway Center Project with Design Workshop, Inc. to include the development of Design Guidelines and Development Standards (DGDS) for the Union Park development (61-acres site) (not to exceed \$300,000) Industrial Development SRF - Ward 5 (Weekly)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

4. Approval of Service and Material Checks/Payroll Checks/Wires Transfers/Other Checks and Investments
5. Approval to renew the Interlocal Agreement for Coordination of Franchise-Related Activities with Clark County, Henderson, North Las Vegas and Boulder City (\$40,000-General Fund)- All Wards
6. Approval of a Special Event License for Univision Radio-Las Vegas, Location: Lorenzi Park, 3333 West Washington Avenue, Date: May 2, 2004, Type: Special Event General, Event: Cinco de Mayo 2004, Responsible Person in Charge: Zulema Benjamin - Ward 5 (Weekly)
7. Approval of a Special Event License for Grace in the Desert Episcopal Church, Location: Grace in the Desert Episcopal Church, 2004 Spring Gate Lane, Date: April 24, 2004, Type: Special Event Beer/Wine, Event: Church Spring Festival & BBQ, Responsible Person in Charge: Donald W. Pickell - Ward 4 (Brown)
8. Approval of Change of Ownership for a Beer/Wine/Cooler On-sale License From: Instant Impressions, Inc., Michael G. Maguire, Dir, Pres, 37.5%, Judy A. Maguire, Dir, Secy, 37.5%, Steven D. Gradwell, Dir, Treas, 10%, To: Garrett Equities Incorporated, LLC, dba The Wild Flower Cafe and Florist, 3818 Meadows Lane, Millicent Washington, Mgr, Mmbr, 100% - Ward 1 (Moncrief)
9. Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale License, From: Pollos Tumi - Partnership, dba Pollos Tumi, Luis I. Pedemonte, Ptnr, 50%, Carlos A. Lazarte, Ptnr, 50%, To: Carlos Lazarte, dba Las Americas, 2319 South Eastern Avenue, Carlos A. Lazarte, 100% - Ward 3 (Reese)
10. Approval of Franchise Managers for a Beer/Wine/Cooler Off-sale License, 7-Eleven of Nevada, Inc., dba 7-Eleven Food Store #13699C, 2409 Tam Drive, Heon J. Kim, Franchise Mgr, Jeong M. Kim, Franchise Mgr - Ward 1 (Moncrief)
11. Approval of Change of Business Name for a Wholesale General License, Johnson Brothers of Nevada, Inc., dba From: Alternative Beverage Distributors, To: Johnson Brothers of Nevada, 4409 McGuire Street, Scott Belsaas, Dir, Pres, Michael Johnson, Dir, VP, Secy, 50%, Todd Johnson, Dir, VP, Treas, 50% - North Las Vegas
12. Approval of Change of Business Name for a Tavern License and a Non-restricted Limited Gaming License for 35 slots, TLC Gaming, Inc., dba From: Hurricane Harrys, To: José Hogs Casino & Cantina, 3190 West Sahara Avenue, Terry L. Caudill, Dir, Pres, Secy, Treas, 95%, Timothy G. Lager, 5% - Ward 1 (Moncrief)
13. Approval of Change of Business Name for a Tavern License and a Restricted Gaming License for 15 slots, Polonez Polish Deli & Restaurant, Inc., dba From: Polonez Polish Deli & Restaurant, To: Euro Place Ristorante, 1243 East Sahara Avenue, Boguslaw M. Sobol, Dir, Pres, Secy, Treas, 100% - Ward 3 (Reese)
14. Approval of Change of Location for a Burglar Alarm Service, Security Alarm Monitoring Service, Inc., dba Security Alarm Monitoring Service, Inc., From: 2421 Tech Center Court, #100, To: 5445 Royal Vista Lane, Martin J. Pollinger, Pres, 50%, Christopher L. Mullins, Secy, Treas, 50% - Ward 6 (Mack)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

15. Approval of new Martial Arts Instruction Business License, Marc Laimon, dba Cobra Kai Jiu Jitsu, 2104 Highland Avenue, Marc J. Laimon, 100% - Ward 1 (Moncrief)
16. Approval of Change of Location for a Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, AKS Karate, Inc., dba AKS Karate, Inc., From: 6704 West Cheyenne Avenue, To: 2333 North Jones Boulevard, Suite 104, Robert I. Navoa, Dir, Pres, 60%, Raymond L. Mingo, Dir, VP, 40%, Arlene A. Navoa, Dir, Secy, Tamika K.R. Simmons, Dir, Treas - Ward 5 (Weekly)
17. Approval of Change of Location for a Class II Secondhand Dealer License subject to the provisions of the fire codes, Gilbert Levy, dba G & G Liquidators, From: 401 West Bonanza Road, To: 3021 Sheridan Street, Gilbert Levy, 100% - Ward 1 (Moncrief)
18. Preapproval of award of Bid No. 04.1730.07-LED, Grand Montecito Parkway - Centennial Parkway to Elkhorn Road to the lowest responsive and responsible or best bidder and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Pubic Works (\$6,000,000 - Special Assessment Capital Projects Fund) - Ward 6 (Mack)
19. Approval of award of Bid No. 03.15341.16-LED, Firefighters Memorial Park, Phase II, 6401 West Oakley Boulevard and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: RAFAEL CONSTRUCTION, INC. (\$719,000 - Parks and Leisure Activities Capital Projects Fund) - Ward 1 (Moncrief)
20. Approval of rejection of all non-responsive bids and award of Bid Number 040086-TG, Annual Requirements Contract for Medical Supplies - Department of Fire and Rescue - Award recommended to: BOUNDTREE MEDICAL LLC (\$400,000 - General Fund)
21. Approval of Agreement Modification No. 2, Gaming Concession at Downtown Transportation Center, 300 N. Casino Center Blvd. - Department of Field Operations - Award to: UNITED COIN MACHINE COMPANY (\$297,000 revenue - General Fund) - Ward 5 (Weekly)
22. Approval of issuance of a purchase order for a mobile abrasive cutting system - Department of Fire and Rescue - Award recommended to: APPLIED NEW TECHNOLOGY AG (\$129,015 - Multi-Purpose Special Revenue Fund)
23. Approval of award of Bid No. 040227-DAR, Annual Requirements Contract for Fasteners - Various Departments - Award recommended to: FASTENAL COMPANY (Estimated annual amount of \$100,000 - Various Funds)
24. Approval of revision to purchase order 218380 for annual requirements contract for crack seal - Department of Field Operations - Award to: LAS VEGAS PAVING CORPORATION (\$124,000 - Public Works Capital Projects Fund) - All Wards
25. Approval of Amendment Number 1 to Automated Vehicle Fueling System Contract - Departments of Field Operations and Fire and Rescue - Award to: SER-CON, INC. (\$73,051.37 - Automotive Operations ISF and Fire and Rescue CPF)
26. Approval of Contract No. 040215-KF, Radiological Services - Department of Fire and Rescue - Award recommended to: DESERT RADIOLOGY (Estimated annual amount of \$60,000 - General Fund)
27. Approval of issuance of a purchase order for one Class 6 Cargo Truck under Bid No. 040030-DAR, Open End Contract for Class 6 Cargo Truck - Department of Field Operations - Award to: MCCANDLESS INTERNATIONAL TRUCKS, INC. (\$58,904 - Automotive Operations Internal Service Fund)
28. Approval of issuance of a purchase order for one Mid-Size Tractor Mower under Bid No. 040075-DAR, Open End Contract for Mid-Size Tractor Mower and Trailer - Department of Field Operations - Award recommended to: SIMPSON NORTON (\$36,982 - Automotive Operations Internal Service Fund)
29. Approval of issuance of a purchase order for a One-Ton Truck under Bid No. 040118-DAR, Open End Contract for One-Ton Trucks - Department of Field Operations - Award to: GAUDIN FORD (\$31,536.31 - Automotive Operations Internal Service Fund)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

30. Approval of issuance of a purchase order for a One-Ton Dedicated CNG Fuel Extended Locksmith Van under Bid No. 040160-DAR, Open End Contract for One-Ton Dedicated CNG Fuel Extended Locksmith Van - Department of Field Operations - Award recommended to: BILL HEARD CHEVROLET (\$30,370.71 - Automotive Operations Internal Service Fund)
31. Approval of revision to purchase order 217174 for Hewlett Packard printer maintenance- Department of Information Technologies - Award to: INTERTECH COMPUTER PRODUCTS (\$10,000 - Computer Services Internal Service Fund)

NEIGHBORHOOD SERVICES DEPARTMENT - CONSENT

32. Approval of a Third Amendment to Agreement To Grant Redevelopment Set Aside Housing Funds to East Las Vegas Community Development Corporation allowing subordinations of the City of Las Vegas Deeds of Trust to enable homeowners the ability to refinance homes under specific circumstances at Mi Casa en el Sol for 40 new townhomes located on the 2900 block of Cedar Avenue and Poplar Avenue - Ward 3 (Reese)
33. Approval of additional Home Investment Partnership Program (HOME) funds in the amount of \$4,000 for additional housing rehabilitation activities at 265 South 17th Street - Ward 5 (Weekly)

PUBLIC WORKS DEPARTMENT - CONSENT

34. Approval of Supplemental Interlocal Contract for Durango Drive, Westcliff Drive to Vegas Drive between the City of Las Vegas and the Southern Nevada Regional Transportation Commission to increase funding and change the scope of the project (\$6,273,000 - Southern Nevada Regional Transportation Commission) - Ward 2 (L.B. McDonald)
35. Approval to file an amendment to Bureau of Land Management Right-of-Way Grant N-66120 for sewer purposes on portions of land lying within the Northwest Quarter of Section 12, Township 20 South, Range 59 East, Mount Diablo Meridian, generally located approximately 635 feet south of Alexander, west of Cliff Shadow Parkway, APN 137-12-101-008 - Ward 4 (Brown)
36. Approval to file a Right-of-Way Grant with the Bureau of Land Management for roadway, sanitary sewer, drainage, trail and streetscape amenity purposes on portions of land lying within Section 24, the Southwest Quarter and the East Half of Section 13, Township 19 South, Range 59 East, Mount Diablo Meridian, generally located between Hualapai Way and Puli Road on the east and west and by Grand Teton Drive and the Clark County Beltway on the north and south, APNs 126-13-401-014, -501-002, -701-006, 126-24-201-012, -301-011, -601-018 and -701-013 - Ward 6 (Mack)
37. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Brian G. Smith and Valerie C. Smith, owners (southeast corner of La Madre Way and Janell Drive, APN 125-33-402-010) - County (near Ward 6 - Mack)
38. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Aaron B. Hirschi, owner (southeast corner of Bonita Vista Street and Corbett Street, APN 125-29-708-001) - County (near Ward 6 - Mack)
39. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Richard Bennett, owner (north of Tropical Parkway, between Fort Apache Road and Dapple Gray Road, APN 125-29-201-025) - County (near Ward 6 - Mack)
40. Approval of a Professional Services Agreement with Southwick Landscape Architects for the design services of Gilmore Cliff Shadows Park and Trail Head located at Gilmore Drive and Cliff Shadows Parkway (\$376,200 - Southern Nevada Public Lands Management Act) - Ward 4 (Brown)

PUBLIC WORKS DEPARTMENT - CONSENT

41. Approval of an Interlocal Agreement between the City of Las Vegas and the Las Vegas Valley Water District to allow the installation of fire protection water service for the Operation and Maintenance Building at the Water Pollution Control Facility (\$654 - Sanitation Fund) - Clark County

RESOLUTIONS - CONSENT

42. R-60-2004 - Approval of a Resolution Adopting a Revised Fee Schedule for LVMC Title 13 and Chapter 11.50 (pertaining to public improvement work and temporary traffic control work)
43. R-61-2004 - Approval of a Resolution directing the Engineer to prepare preliminary plans and an assessment plat for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)
44. R-62-2004 - Approval of a Resolution directing the Engineer to prepare full and detailed plans, cost estimates and an assessment plat for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)
45. R-63-2004 - Approval of a Resolution declaring necessity for creating and ordering the preparation of an assessment roll for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)
46. R-64-2004 - Approval of a Resolution validating and confirming the assessment roll for Special Improvement District No. 607 - Cliff's Edge - Ward 6 (Mack)
47. R-65-2004 - Approval of a Resolution directing the City Treasurer to prepare the Fifty-Ninth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
48. R-66-2004 - Approval of a Resolution approving the Fifty-Ninth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
49. R-67-2004 - Approval of a Resolution directing the City Treasurer to prepare the Tenth Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
50. R-68-2004 - Approval of a Resolution approving the Tenth Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
51. R-69-2004 - Approval of a Resolution overruling complaints, protests, and objections and confirming the final assessment roll for Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance FY2005) (\$41,902.50 - Capital Projects Fund - Special Assessments) - Ward 1 (Moncrief)
52. R-70-2004 - Approval of a Resolution Making Provisional Order and Directing that Notice of Public Hearing thereon be given regarding Special Improvement District No. 1490 - Tenaya Way (Northern Beltway To Elkhorn Road) (Capital Projects Fund - Special Assessments) - Ward 6 (Mack)
53. R-71-2004 - Approval of a Resolution to establish a twenty percent minimum fund balance for the Group Insurance Internal Service Fund (ISF) based on prior year expenditures
54. R-72-2004 - Approval of a Resolution Amending Schedule 25-I, 30 MPH Speed Limits, to Add a Speed Limit of 30 MPH on Greenmoor Lane between Pavilion Center Drive and Anasazi Way; Laurelglen Drive between Pavilion Center Drive and Sageberry Drive; Park Run Drive between Pavilion Center Drive and Town Center Drive; Pavilion Center Drive between Charleston Boulevard and Laurelglen Drive; and Sageberry Drive between Pavilion Center Drive and Laurelglen Drive - Ward 2 (L.B. McDonald)
55. R-73-2004 - Approval of a Resolution Amending Schedule 25-II, 35 MPH Speed Limits, to Add a Speed Limit of 35 MPH on Washington Avenue between Martin L. King Boulevard and D Street - Ward 5 (Weekly)
56. R-74-2004 - Approval of a Resolution Amending Schedule 25-IV, 45 MPH Speed Limits, to Add a Speed Limit of 45 MPH on Charleston Boulevard between the 215 Beltway and Hualapai Way - Ward 2 (L.B. McDonald)

RESOLUTIONS - CONSENT

57. R-75-2004 - Approval of a Resolution Amending Schedule 25-II, 35 MPH Speed Limits; to Add a Speed Limit of 35 MPH on Azure Drive between US 95 and Tenaya Way; Bradley Road from the 215 Beltway to the north City limits; Centennial Center Boulevard between Ann Road and Durango Drive; Farm Road between Durango Drive and Tenaya Way; Farm Road between Jones Boulevard and Decatur Boulevard; Tenaya Way between Ann Road and Skypointe Drive; and Tropical Parkway between Durango Drive and US 95 - Ward 6 (Mack)

REAL ESTATE COMMITTEE - CONSENT

58. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 488 acres of land commonly known as APNs 125-01-001-001 and 125-01-701-001 located in the vicinity of Decatur Boulevard and Moccasin Road for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
59. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 10 acres of land commonly known as APN 126-02-101-005 located south of Moccasin Road and west of Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
60. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 8 acres of land commonly known as APNs 126-02-401-002 and 126-02-401-004 located in the vicinity of Iron Mountain Road and Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
61. Approval to authorize staff to purchase real property known as APN 139-34-612-026 located on the northeast corner of Carson Avenue and 8th Street from the State of Nevada Department of Conservation and Natural Resources Division of State Lands (\$323,049.80 plus closing costs - City Facilities Capital Project Fund) - Ward 5 (Weekly)
62. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 10 acres of land commonly known as APN 126-01-801-002 located in the vicinity of Iron Mountain Road and Hualapai Way for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
63. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 15 acres of land commonly known as portions of APNs 126-01-101-010 and 126-01-301-004 located off of Puli Drive between Moccasin Road and Iron Mountain Road for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
64. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 12.5 acres of land commonly known as a portion of APN 126-01-401-003 located in the vicinity of Iron Mountain Road and Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
65. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 5 acres of land commonly known as APN 126-01-501-001 located in the vicinity of Moccasin Road in between Puli Drive and Hualapai Way for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
66. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 5 acres of land commonly known as APN 126-01-601-002 located in the vicinity of Moccasin Road and Hualapai Way for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

67. Discussion and possible action regarding final payment to Southwest Sports Realty, L.P. - (Not to exceed \$120,000 - Industrial Development Special Revenue Fund)
68. Report and possible action on a presentation by Clark County Health District staff concerning the "Urban Rodent Surveillance Project"

CITY ATTORNEY - DISCUSSION

69. Discussion and possible action on Appeal of Work Card Denial: Held in Abeyance from March 17, 2004. Charles H. Lloyd, 301 Orland Street #25, Las Vegas, Nevada 89108
70. Discussion and possible action on Appeal of Work Card Denial: Jose Dennis Medrano-Arriola, 3756 Wynn Road #317, Las Vegas, Nevada 89103
71. Discussion and possible action on Appeal of Work Card Denial: Ms. Mializabeth Fenstermaker, 1400 So. Casino Center #22, Las Vegas, Nevada 89104
72. Discussion and possible action on Appeal of Work Card Denial: Desiree Dawn Gordon, 2700 Sadie Lane, Henderson, Nevada 89074
73. Discussion and possible action on Appeal of Work Card Denial: Chanpheng Phromprakay, 5010 Indian River Drive #149, Las Vegas, Nevada 89103

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

74. Discussion and possible action to fund the removal and relocation of skate element equipment from Patriot Park to Mountain Ridge Park (\$100,000 - Parks & Leisure Activities Capital Projects Fund) - Ward 6 (Mack)
75. ABEYANCE ITEM - 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)
76. ABEYANCE ITEM - Discussion and possible action regarding an Appeal of Denial of Business License for an Independent Massage Therapist License, Nicholas A. Hoover, dba Nicholas A. Hoover, 4200 East Bonanza Road, #123, Nicholas A. Hoover, 100% - Ward 3 (Reese)
77. ABEYANCE ITEM - 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)
78. Discussion and possible action regarding a Six Month Review of a Child Care Family Home License, Joyce Cathey, 1720 East Oakey Boulevard, Joyce Cathey, 100% - Ward 3 (Reese)
79. Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes, T & G Entertainment Investments, LLC, dba Peter Piper Pizza, 7981 West Tropical Parkway, TGEI, LLC, Managing Mmbr, 52%, Ted E. Kingston, Mmbr, 100%, John G. Barton, Mgr, John G. Barton Mmbr, 42% - Ward 6 (Mack)
80. Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes, Makino Premium Outlet LV, LLC, dba Makino Las Vegas Seafood Buffet, 775 South Grand Central Parkway, #1301, Las Vegas Kitchen, LLC, Mgr, 100%, Masako Ishitsuka, Mmbr, Mgr, 100% - Ward 5 (Weekly)

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

81. Discussion and possible action regarding Temporary Approval of a new Supper Club License subject to the provisions of the fire codes and Health Dept. regulations, Scottsdale Beverages, LLC, dba Escole, 1451 Center Crossing Road, John P. Graham, Mgr, Jennifer E. White, Mgr, Renee Brattin, Mgr, Scottsdale Group, LLC, Mmbr, 100%, John P. Graham, Mgr, Jennifer E. White, Mgr, Renee Brattin, Mgr - Ward 2 (L.B. McDonald)
82. Discussion and possible action regarding Temporary Approval of Change of Ownership for a Beer/Wine/Cooler On-sale License subject to Health Dept. regulations, From: Peter Piper, Inc., Daniel E. Rubin, Dir, COB, Joseph R. Pederson, Pres, CEO, John G. Jordan, VP, Don Gordon, VP, Neil R. Simon, Dir, Secy, William J. Hunckler, III, Dir, Robin P. Selati, Dir, To: T & G Entertainment Investments, LLC, dba Peter Piper Pizza, 560 South Decatur Boulevard, TGEI, LLC, Managing Mmbr, 52%, Ted E. Kingston, Mmbr, 100%, John G. Barton, Mgr, John G. Barton, Mmbr, 42% - Ward 1 (Moncrief)
83. Discussion and possible action regarding Temporary Approval of a Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, Sentinel Combat Institute, LLC, dba Sentinel Combat Institute, LLC, 8450 West Sahara Avenue, Suite 112, Lance W. Burton, Mgr, Mmbr, 100% - Ward 1 (Moncrief)
84. Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Martial Arts Instruction Business License subject to the provisions of the fire codes, From: Kicks, Inc., dba Collins Karate for Kids, David A. Riach, Jr., Dir, Pres, Secy, Treas, 66.66%, Andre Collins, VP, 33.33%, To: Karate for Kids of Green Valley and Henderson, Inc., dba Karate for Kids, 4840 East Bonanza Road, Suites 2 and 3, Leland R. Brandon, Dir, Pres, 50%, Marci D. Brandon, Secy, Treas, 50% - Ward 3 (Reese)
85. Discussion and possible action regarding a Six Month Review of a Restricted Gaming License for 7 slots, Shoshani and Jarjees, dba Family Food II, 1602 H Street, Salar Shoshani, Ptnr, 50%, Thamer Jarjees, Ptnr, 50% - Ward 5 (Weekly)
86. Discussion and possible action regarding amendment to Bid No. 03.15341.08-LED, Washington Buffalo Park, Phase 1A and 1B - located at the southwest corner of Washington Avenue and Buffalo Drive for issuance of a change order to Asphalt Products Corporation for installation of artificial turf in the amount of \$3,800,000 - Public Works (Parks & Leisure Activities CPF) Ward 4 (Brown)

NEIGHBORHOOD SERVICES DEPARTMENT - DISCUSSION

87. Report and possible action on the City of Las Vegas' prototype Tenant Based Rental Assistance (TBRA) Program for Homeless and Near Homeless regarding allocating \$300,000 in Fiscal Year 2004-2005 Federal HOME funds and \$26,275 Fiscal Year 2004-2005 Community Development Block Grant Public Service (CDBG-PS) funds to HELP of Southern Nevada to operate the prototype TBRA Program for one additional year - All Wards
88. Report and possible action to proceed with a plan to abate vacant and abandoned property located within the City of Las Vegas - All Wards
89. Report and possible action on the Sky Vue Mobile Home Park 15 West Owens Avenue to provide monetary compensation to Clark County Social Services for temporary housing of displaced residents in an amount not to exceed \$40,000 (General Fund-Winter Shelter Fund) - Ward 5 (Weekly)

PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION

90. Discussion and possible action on a request by Thomas and Mack Co. for a Water Feature Exemption on property located at 2300 W. Sahara Avenue - Ward 1 (Moncrief)

RESOLUTIONS - DISCUSSION

91. R-76-2004 - Discussion and possible action on a Resolution transferring 2002 Private Activity Bond Volume Cap of \$6,158,617 to George Gekakis Incorporated to construct new affordable senior housing located near the Southeast corner of West Cheyenne Avenue and Jones Boulevard - Ward 5 (Weekly)

BOARDS & COMMISSIONS - DISCUSSION

92. ABEYANCE ITEM - CHILD CARE LICENSING BOARD – Lolanda Bunch, Term Expiration 6-2007 (Resigned)

RECOMMENDING COMMITTEE REPORTS - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

93. TABLED ITEM - Bill No. 2003-78 – Establishes locational restrictions for the uses “auto pawn,” “auto title loan,” and “specified financial institution.” Sponsored by: Councilwoman Janet Moncrief
94. 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
95. 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
96. 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
97. Bill No. 2004-21 – Updates the City’s emergency management provisions. Sponsored by: Mayor Oscar B. Goodman
98. 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)
99. Bill No. 2004-25 – Establishes zoning requirements for swap meets. Sponsored by: Councilman Gary Reese
100. 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
101. 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
102. 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

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.

103. 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
104. 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
105. 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

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.

- 106. Bill No. 2004-30 – Requires merchants to make certain disclosures in connection with the sale of motorized scooters and motorized skateboards. Sponsored by: Councilman Michael Mack
- 107. Bill No. 2004-31 – Prohibits the breeding or training of animals for the purpose of using them in an animal fighting venture. Sponsored by: Councilman Michael Mack
- 108. Bill No. 2004-32 – Ordinance Creating Special Improvement District No. 607 - Cliff's Edge. Sponsored By: Step Requirement
- 109. Bill No. 2004-33 – Levies Assessments for Special Improvement District No. 607 - Cliff's Edge. Sponsored By: Step Requirement
- 110. Bill No. 2004-34 – Levies Assessment for Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance FY2005). Sponsored by: Step Requirement
- 111. Bill No. 2004-35 – Authorizing the issuance of Local Improvement Bonds, Series 2004 for the City of Las Vegas, Nevada Special Improvement District No. 607 Cliff's Edge not to exceed \$51,185,000. - Ward 6 (Mack)

1:00 P.M. - AFTERNOON SESSION

- 112. 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

- 113. ABEYANCE ITEM - 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)
- 114. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 4550 E. Washington Avenue. PROPERTY OWNER: ASSISTED LIVING CENTER ETAL, C/O E COOK – Ward 3 (Reese)
- 115. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 1611 Euclid Avenue. PROPERTY OWNER: GARY STEPHEN BLAKE – Ward 3 (Reese)
- 116. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 3224 Brady Avenue. PROPERTY OWNER: SECRETARY VETERANS AFFAIRS – Ward 3 (Reese)

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.

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

117. REVIEW OF CONDITION - ROC-3901 - APPLICANT/OWNER: PERMA-BUILT HOMES - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Review of Condition NO. 7 OF AN APPROVED TENTATIVE MAP FOR ELKHORN/GRAND CANYON UNIT TWO (TM-0034-02), WHICH REQUIRED PEDESTRIAN ACCESS AT THE END OF TWO CUL-DE-SACS adjacent to the southeast corner of Grand Canyon Drive and Severance Lane (APN 125-18-897-004), R-1 (Single Family Residential) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend DENIAL
118. REVIEW OF CONDITION - PUBLIC HEARING - ROC-4119 - APPLICANT/OWNER: CONCORDIA HOMES OF NEVADA - Request for a Review of Condition No. 3 of an approved Site Development Plan Review [Z-0069-02(1)], WHICH ESTABLISHED THE FRONT SETBACK TO GARAGE DOORS FOR A SINGLE FAMILY RESIDENTIAL DEVELOPMENT on property located adjacent to the southeast corner of Deer Springs Way and Campbell Road (APN 125-20-301-006 and 007), T-C (Town Center) Zone, Ward 6 (Mack). Staff recommends DENIAL (NOTE: To allow a 10' maximum setback to garage, where 5' maximum and 18' minimum is allowed)
119. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3817 - APPLICANT: ADVANCED HOUSE CALLS - OWNER: GREGORY AND MARY BRYAN - Request for a Site Development Plan Review FOR A PARKING LOT AND WAIVERS OF PERIMETER LANDSCAPE BUFFER AND PARKING LOT LANDSCAPE FINGERS on 0.34 acres adjacent to the east side of Jones Boulevard, approximately 300 feet south of Upland Boulevard (APN 138-36-112-005 and 006), R-1 (Single Family Residential) Zone under Resolution of Intent to P-R (Professional Office and Parking), Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL
120. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3853 - APPLICANT: ARLT CORPORATION - OWNER: ARLT FAMILY TRUST - Request for a Site Development Plan Review FOR A 14,126 SQUARE FOOT OFFICE BUILDING on 1.10 acres adjacent to the southwest corner of Martin L. King Boulevard and Wheeler Peak Drive (APN 139-21-416-001), C-PB (Planned Business Park) Zone, Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
121. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3923 - APPLICANT/ OWNER: SANTA FE STATION, INC. - Request for a Site Development Plan Review FOR A PROPOSED CASINO EXPANSION AND THEATER ADDITION on 34.1 acres at 4949 North Rancho Drive (APN 125-34-801-001), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
122. ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - VAR-3288 - APPLICANT: PAUL AND SANDY BROUSSEAU - Request for a Variance to ALLOW A 5 FOOT SIDE SETBACK WHERE 10 FEET IS REQUIRED FOR an addition to an existing single family dwelling at 304 Canyon Drive (APN 139-32-211-031), R-E (Residence Estates) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL
123. VARIANCE - PUBLIC HEARING - VAR-3762 - APPLICANT: STERLING S. DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Variance TO ALLOW 25 FOOT FRONT SETBACKS WHERE 30 FEET IS THE MINIMUM SETBACK REQUIRED AND TO ALLOW 30 FOOT REAR SETBACKS WHERE 35 FEET IS THE MINIMUM SETBACK REQUIRED on 9.32 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 (5-0-2 vote) and staff recommend DENIAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

124. REQUIRED SIX MONTH REVIEW - PUBLIC HEARING - RQR-3930 - APPLICANT: NEISSAN KOROGHLI - OWNER: FREMONT PLACE, LIMITED LIABILITY COMPANY - Required Six Month Review of an approved Special Use Permit (U-0106-02) WHICH ALLOWED A LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION) IN CONJUNCTION WITH AN EXISTING CONVENIENCE STORE/ DELICATESSEN at 228 Las Vegas Boulevard North (APN 139-34-511-001, 002 and 003), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
125. REVIEW OF CONDITION RELATED TO RQR-3930 - PUBLIC HEARING - ROC-4121 - APPLICANT: NEISSAN KOROGHLI - OWNER: FREMONT PLACE, LIMITED LIABILITY COMPANY - Request for a Review of Conditions FOR AN APPROVED SPECIAL USE PERMIT (U-0106-02), TO REMOVE CONDITION NOS. 1 THROUGH 4 FOR A LIQUOR ESTABLISHMENT (OFF-PREMISES CONSUMPTION) IN CONJUNCTION WITH AN EXISTING CONVENIENCE STORE/DELICATESSEN at 228 Las Vegas Boulevard North (APN 139-34-511-001, 002 and 003), C-2 (General Commercial) Zone, Ward 5 (Weekly). Staff recommends DENIAL
126. REQUIRED FOUR YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - RQR-3732 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: STORAGE EQUITIES - Required Four Year Review of an approved Special Use Permit (U-0159-89) FOR A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 275 South Martin L. King Boulevard (APN 139-33-501-012), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
127. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES, LIMITED PARTNERSHIP - Appeal filed by LAS Consulting, Inc. 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 adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue (APN 163-02-816-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL
128. ABEYANCE ITEM - 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
129. ABEYANCE ITEM - 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
130. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3844 - APPLICANT: JOSE AND ELIZA DIAZ - OWNER: MIGUEL FAMILY TRUST 1993, ET AL - Request for a Special Use Permit FOR A BANQUET FACILITY at 1520 North Eastern Avenue, Suite #101, 102 and 103 (APN 139-25-101-020), C-1 (Limited Commercial) and C-2 (General Commercial) Zones, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
131. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3748 - APPLICANT: CONTINENTAL CURRENCY OF NEVADA, INC. - OWNER: TONOPAH-CRAIG ROAD COMPANY, LIMITED PARTNERSHIP - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED AND AUTO TITLE LOAN at 4458 North Rancho Drive (APN 138-02-601-001), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
132. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3875 - APPLICANT: HUGH CANADY - OWNER: CDS MEMBER, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR GASOLINE SALES IN CONJUNCTION WITH A 4,500 SQUARE FOOT CONVENIENCE STORE at 1600 North Martin L. King Boulevard (APN 139-21-804-006), C-1 (Limited Commercial), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

133. ABEYANCE ITEM - REZONING - PUBLIC HEARING - ZON-2457 - DONNA F. BEAM REVOCABLE TRUST - Request for a Rezoning FROM: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) Zone on 3.88 acres adjacent to the northeast and southeast corners of Smoke Ranch Road and Buffalo Drive (APN 138-15-402-001 and 138-22-101-001) Ward 4 (Brown). The Planning Commission (4-2 vote) and staff recommend APPROVAL
134. SPECIAL USE PERMIT RELATED TO ZON-2457 - PUBLIC HEARING - SUP-3896 - APPLICANT: INVESTMENT EQUITY BUILDERS - OWNER: DONNA F. BEAM REVOCABLE TRUST - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (TAVERN) AND A WAIVER FROM THE 1,500 FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING SCHOOL, CHURCH, AND CITY PARK adjacent to the northeast corner of Smoke Ranch Road and Buffalo Drive (APN 138-15-402-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial)], Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (5-0-2 vote) recommends APPROVAL
135. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-2457 AND SUP-3896 - PUBLIC HEARING - SDR-2458 - DONNA F. BEAM REVOCABLE TRUST - Request for a Site Development Plan Review FOR TWO PROPOSED COMMERCIAL BUILDINGS on 3.88 acres adjacent to the northeast and southeast corners of Smoke Ranch Road and Buffalo Drive (APN 138-15-402-001 and 138-22-101-001) U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 4 (Brown). The Planning Commission (4-2 vote) and staff recommend APPROVAL
136. ABEYANCE ITEM - 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
137. REZONING - PUBLIC HEARING - ZON-3825 - APPLICANT/OWNER: JAN PAUL KOCH - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.26 acres at 701 South 7th Street (APN 139-34-810-008 and 009), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
138. VARIANCE RELATED TO ZON-3825 - PUBLIC HEARING - VAR-3826 - APPLICANT/OWNER: JAN PAUL KOCH - Request for a Variance TO ALLOW 9 PARKING SPACES WHERE 12 PARKING SPACES ARE REQUIRED FOR A PROPOSED OFFICE BUILDING AND TO ALLOW A COVERED TRASH ENCLOSURE TO BE LOCATED WITHIN THE 50 FEET RESIDENTIAL ADJACENCY DISTANCE SEPARATION REQUIREMENT on 0.26 acres at 701 7th Street (APN 139-34-810-008 and 009), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
139. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3825 AND VAR-3826 - PUBLIC HEARING - SDR-3824 - APPLICANT/OWNER: JAN PAUL KOCH - Request for a Site Development Plan Review FOR A PROPOSED LAW OFFICE AND A WAIVER OF LANDSCAPE AND COMMERCIAL STANDARDS on 0.26 acres at 701 7th Street (APN 139-34-810-008 and 009), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
140. REZONING - PUBLIC HEARING - ZON-3888 - APPLICANT: CITY OF LAS VEGAS - OWNERS: MULTIPLE - Request for a Rezoning FROM: M (INDUSTRIAL), C-M (COMMERCIAL INDUSTRIAL), C-2 (GENERAL COMMERCIAL) AND C-V (CIVIC) TO: C-M (COMMERCIAL INDUSTRIAL), C-2 (GENERAL COMMERCIAL), C-1 (LIMITED COMMERCIAL), R-3 (MEDIUM DENSITY RESIDENTIAL), AND C-V (CIVIC) on properties generally located within the area bounded by Washington Avenue, Owens Avenue, the Union Pacific Railroad and Bruce Street (APN 139-26-102-002, 003, 139-26-201-015, 018, 139-27-502-004, 139-27-504-003, 006, 007, 008, 009 and 010, 139-27-602-003, 004, 139-27-603-001, 002, 008, and 018), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

141. REZONING - PUBLIC HEARING - ZON-3909 - APPLICANT/OWNER: LEONARD KRYK - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.16 acres at 1007 Salem Drive (APN 138-35-804-001), Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
142. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3909 - PUBLIC HEARING - SDR-3911 - APPLICANT/OWNER: LEONARD KRYK - Request for a Site Development Plan Review FOR A PROPOSED OFFICE AND A WAIVER OF LANDSCAPE STANDARDS on 0.16 acres at 1007 Salem Drive (APN 138-35-804-001), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
143. REZONING - PUBLIC HEARING - ZON-3910 - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: U (UNDEVELOPED) [ROW (RIGHT OF WAY) GENERAL PLAN DESIGNATION] TO: C-V (CIVIC) on 10.0 acres on the northeast corner of Tenaya Way and Summerlin Parkway (a portion of APN 138-27-301-019), Ward 2 (L.B. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL
144. 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

Exhibit "B"

(Attach Affidavit of Publication of Notice of Hearing)

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

Donna Stark, being 1st duly sworn, deposes and says:

That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK
3328293

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 3 edition(s) of said newspaper issued from 05/03/2004 to 05/17/2004, on the following days: MAY 3, 10, 17, 2004

Signed: _____

Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

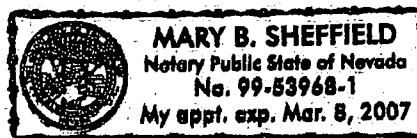
24

day of _____ 2004

May

Mary B. Sheffield

Notary Public



2004 MAY 28 A 10:15

RECEIVED
CITY CLERK

**NOTICE OF HEARING ON PROPOSED PROJECT AND ASSESSMENTS WITHIN THE PROPOSED
CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 1490 - TENAYA WAY
(NORTHERN BELTWAY TO ELKHORN ROAD)**

NOTICE IS HEREBY GIVEN to the property owners within the proposed City of Las Vegas, Nevada, Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) (hereinafter the "District") and to all interested persons that:

The City Council of the City of Las Vegas (hereinafter the "City Council" and "City," respectively) of the County of Clark in the State of Nevada, has provisionally ordered the acquisition of a Sewer Project, Street Project and a Water Project (collectively, the "Project") as more particularly described as follows:

TENAYA WAY (BOTH SIDES) - from the northern right-of-way line of Centennial Parkway north along Tenaya Way to the centerline of Elkhorn Road (80-foot right-of-way).

Except as shown on the preliminary plans and specifications now on file in the office of the City Clerk and in the office of the Special Improvement District in Las Vegas, Nevada, the character of such Project shall be described more particularly as follows: The Improvements on Tenaya Way will consist of the grading, repaving, graveling, and asphalt paving as necessary for at least four (4) travel lanes, a two-way center left turn lane with raised medians at the signalized or future signalized intersections, "T" type curb and gutter, sidewalks, commercial or residential driveway approaches, storm drain facilities, potable water mains and laterals, sanitary sewer mains and laterals and streetlights. The streetlights will be installed at the back of the sidewalk at appropriate intervals. At the request of the owners of property in the District (filed with the office of the Special Improvement District prior to March 26, 2004) water and sewer laterals will be installed from the existing or proposed main lines in Tenaya Way to such property. Sewer lines within the District are owned and maintained by the City. The City will require that properties connecting to the sewer line pay a connection fee and be annexed to the City at the time of hookup. THE CITY HAS NO OBLIGATION TO PROVIDE WATER OR SEWER SERVICE TO ANY PROPERTY WITHIN THE DISTRICT REGARDLESS OF WHETHER THE CITY COUNCIL PROCEEDS WITH ALL OR ANY PART OF THE PROJECT.

The preliminary estimated total cost of the Project and the amount to be assessed is as follows:

Estimated Amount of Special Assessments	Amount Available from Other Sources	Total Cost
\$ 646,168.67	\$ 3,360,611.33	\$ 4,006,778.00

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases). However, an equitable adjustment will be made for assessments to be levied against wedges or "V" or other irregularly shaped lots or lands, if any, and for any lot, tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform. The portion of the costs to be assessed against and the maximum amount of benefits estimated (and corresponding market value increases) to be conferred upon each piece or parcel of property in the District is stated in the assessment plat and addendum thereto designated "Tabulation of Parcels" or preliminary assessment roll. In cases of wedge or "V" or any other irregularly shaped tracts, the amount apportioned thereto shall be in proportion to the special benefits thereby derived.

The assessments will be levied on a front foot basis, provided that those tracts which front a cut-de-sec and which abut or front a street or streets being improved will be assessed on a "unit for" basis, i.e., all lots abutting the cut-de-sec are to be assessed the same amount based upon the front footage of those lots abutting the street or streets being improved which also abut the cut-de-sec. Each property owner will be assessed for the cost of a 8-foot wide street pavement section (unless the property owner has development plans in progress and has been conditioned by City Council for installation of a half-street pavement section), curb and gutter, sidewalks, driveway approaches and streetlights, where not already existing. The owners of property who elect to have water or sewer laterals installed will be assessed per foot of lateral installed on a per service or unit lot basis.

The boundaries of the District shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements or fronting a cut-de-sec which abuts or fronts a street to be improved by the improvements.

All persons interested are hereby advised that the preliminary plans and specifications (showing a typical section of the contemplated improvements) and the assessment plat, including a tabulation of parcels or preliminary assessment roll, a preliminary estimate of the total cost, a description of the lots, tracts and parcels of land to be assessed, the portion of the cost to be assessed thereagainst, and the amount of maximum benefits (including the corresponding market value increases) estimated to be conferred on each piece or parcel of property, the Engineer's report as to the method of determining benefits, and all proceedings in the premises are on file in the office of the Special Improvement District, Department of Public Works, and at the office of the City Clerk, 400 Stewart Avenue, Las Vegas, Nevada. All of the foregoing can be seen and examined by any property owner or other interested persons during regular business hours, from 8:00 a.m. to 5:00 p.m., Monday through Friday.

It is anticipated that there will be grade or elevation changes in connection with the acquisition of the Project. Such grade or elevation changes are substantial and are as shown on the preliminary plans and specifications. All interested persons are hereby referred to the preliminary plans and specifications, which relate to the details of the Project.

On Wednesday, May 19, 2004, at 1:00 p.m., in the City Council Chambers at 400 Stewart Avenue, in Las Vegas, Nevada, the City Council will consider the ordering of the proposed Project, and will hear all complaints, protests and objections that may be made in writing and filed as hereafter provided, or made verbally at the hearing, concerning the same, by the owner of any tract to be assessed or any interested person. The owners of the property to be assessed, or any other person interested therein, may appear before the City Council and be heard as to the property and advisability of acquiring and improving such Project, as to the estimated cost thereof, as to the manner of payment therefor, as to the amount thereof to be assessed, the benefits estimated to be conferred against each tract, and the corresponding market value increases expected for each tract in the District.

The City Council requests that any property owner or interested person wishing to protest or object, do so in writing at the office of the City Clerk at least three (3) days before the time set for such hearing, i.e., on or before Friday, May 14, 2004. On the date and at the time and place fixed for such hearing, any and all property owners interested in the Project may, by written complaint, protest or objection, present their views to the City Council, or present them orally, and the City Council may adjourn the hearing from time to time to discuss and consider said issues before it. Any person filing a written protest or objection as hereinafter provided, shall have the right within thirty (30) days after the City Council has finally passed on such protest or objection to commence an action or suit in any court of competent jurisdiction to compel or set aside such determination, but thereafter, all actions or suits attacking the validity of the proceedings and the amount of benefits shall be perpetually barred. A PROPERTY OWNER'S ONLY CHANCE TO PRESENT EVIDENCE TO DEMONSTRATE THAT HIS OR HER ESTIMATED ASSESSMENTS ARE EXCESSIVE WILL BE AT THE PUBLIC HEARING AND A PROPERTY OWNER WILL NOT BE ABLE TO PRESENT ANY ADDITIONAL EVIDENCE UPON SUBSEQUENT APPEAL TO DISTRICT COURT.

A person should object to the formation of the District, using the procedure outlined in this notice. If his support for the District is based upon a statement or representation concerning the Project that is not contained in the language of this notice.

If a person objects to the amount of maximum benefits estimated to be assessed or to the legality of the proposed assessments in any respect:

- (1) He is entitled to be represented by counsel at the hearing.
- (2) Any evidence he desires to present on these issues must be presented at the hearing, and
- (3) Evidence on these issues that is not presented at the hearing may not thereafter be presented in an action brought pursuant to NRS 271.315.

The City Council of the City of Las Vegas has determined that one-half or more of the total cost of each of the improvements in the District, shall be paid with monies derived from sources other than the levy of special assessments and accordingly may take advantage of the exception stated in paragraph (a) of subsection (2) of NRS 271.306, (which exception is that the City, at its option, may proceed with the improvements in the District regardless of the percentage of protest).

After such hearing, the City Council shall determine the advisability of undertaking each part of the Project, and, if it is determined to proceed, shall determine the kind and character of such improvements to be made, and shall authorize the advertising for bids for performing such work and furnishing all necessary materials with the lowest and best bidder or bidders. The City Council may determine not to proceed with all or any part of the Project regardless of the protests or objections.

After the determination of the actual cost of the Project, assessments shall be levied in accordance with the laws of the State of Nevada. In no event shall the assessments exceed the estimated maximum special benefits to the property assessed or the reasonable market value of the property being assessed (as determined by the City Council). The City Council may, without interest and without demand during a specified cash

RECEIVED
CITY CLERK

Exhibit "C"

(Attach minutes of public hearing on May 19, 2004)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Public hearing on proposed local improvement district for Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) - 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, sidewalks, driveway approaches, water laterals and mains, sewer laterals and mains, and streetlights. The cost of the SID is estimated to be \$646,166.67.

RECOMMENDATION:

Public hearing only; no action required.

BACKUP DOCUMENTATION:

Notice of Hearing

MOTION:

None required. Public Hearing held.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

RICHARD GOECKE, Director, Public Works Department, explained that the total project costs of \$4,778,000.00 comprised of roadway improvements, curb and gutter, sidewalks, street lights, and water and sewer laterals where appropriate. The assessments total \$646,166.67 and are a combination of RTC funds, Sanitation funds and City and County funds because the project involves both City and County land. The item was in order.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(1:06 - 1:07)

STATE OF NEVADA
CITY OF LAS VEGAS

)
) ss.
)

AFFIDAVIT OF MAILING
NOTICE OF HEARING

Barbara Jo Ronemus does hereby swear, upon oath according to law:

1. I am and at all times hereinafter mentioned was the duly qualified and sworn City Clerk of the City of Las Vegas, Nevada.

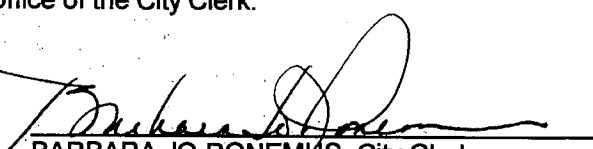
2. I mailed or caused to be mailed a notice entitled "NOTICE OF HEARING ON PROPOSED PROJECT AND ASSESSMENTS WITHIN THE PROPOSED CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 1490 - TENAYA WAY (NORTHERN BELTWAY TO ELKHORN ROAD)" by deposit in the United States mail, postage prepaid, as first-class mail, at the post office in the City of Las Vegas, Nevada, on April 29, 2004, being at least twenty (20) days prior to the hearing, on May 19, 2004, to the last known address of each last known owner of land within the District whose property will be assessed for the cost of the improvements, such addresses and owners being those appearing on the records of the County Assessor of Clark County, Nevada, and from such other sources as I, the City of Las Vegas and Public Works Department deemed to be reliable.

3. A list of said owners and their addresses is hereto attached, marked Exhibit A and made a part hereof, all addresses therein being situate within the City of Las Vegas, Nevada, unless otherwise indicated, such names and addresses being the same as those shown on the "Tabulation of Parcels" or "Preliminary Assessment Roll".

4. There is attached hereto, marked Exhibit B and made a part hereof, a full, true and correct copy of the notice as mailed as herein described.

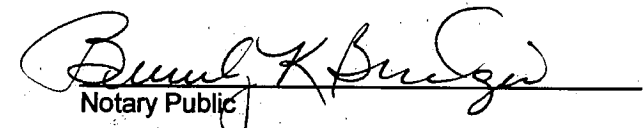
5. Copies of the affidavit of publication of said notice, verified by the affidavit of the publisher, and a copy of this affidavit are on file in the office of the City Clerk.

Further Affiant sayeth naught.


BARBARA JO RONEMUS, City Clerk

SUBSCRIBED and SWORN to before me in the City of Las Vegas, Nevada, this May 25 2004.

My commission expires 7-10-2005.


Notary Public

(NOTARIAL STAMP)

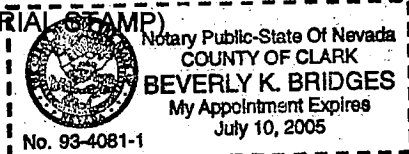


EXHIBIT "A"

(Attach List of Property Owners with Their Addresses)

City of Las Vegas
** ASSESSMENT ROLL **
Special Improvement District No. 1490
TENAYA WAY (NORTHERN BELTWAY - ELKHORN)
Clark County

Page 2
Date 04/21/04 2:15p

PRELIMINARY ESTIMATE

PARCEL NUMBER	DESCRIPTION	PRIMARY PROPERTY OWNER	MARKET VALUE	ESTIMATED MAX BENEFIT	ASSESSMENT TOTAL
125-22-404-002	DOC: 20030515:03187 DATE: 05/15/03 PT SEC 22 19 60 PARCEL MAP FILE 99 PAGE 50 LOT 1	CARINA, CORPORATION 2881 BUSINESS PARK #210 LAS VEGAS NV 89128-9020	1210500.00	141540.00	117950.55
125-22-404-003	DOC: 19990511:01923 DATE: 05/11/99 PT SEC 22 19 60 PARCEL MAP FILE 99 PAGE 50 LOT 2	SHIRON, CORPORATION P O BOX 572920 TARZANA CA 91357-2920	1155000.00	315760.00	263130.74
125-22-501-001	DOC: 20000308:00009 DATE: 03/08/00 ALL NW4 NE4 SEC 22 19 60	GREENGALE, PROPERTIES L L C %AMER NV CORP %LEGAL DEPT 901 N GREEN VALLEY PKWY #200 HENDERSON NV 89074-7105	3360000.00	124280.00	103563.52
125-22-601-023	DOC: 20000308:00009 DATE: 03/08/00 PT SEC 22 19 60 PARCEL MAP FILE 100 PAGE 9 LOT 1	GREENGALE, PROPERTIES L L C %AMER NV CORP %LEGAL DEPT 901 N GREEN VALLEY PKWY #200 HENDERSON NV 89074-7105	247800.00	15540.00	12947.60
125-22-601-024	DOC: 20000308:00009 DATE: 03/08/00 PT SEC 22 19 60 PARCEL MAP FILE 100 PAGE 9 LOT 2	GREENGALE, PROPERTIES L L C %AMER NV CORP %LEGAL DEPT 901 N GREEN VALLEY PKWY #200 HENDERSON NV 89074-7105	324000.00	15540.00	12947.60

City of Las Vegas
** ASSESSMENT ROLL **
Special Improvement District No. 1490
TENAYA WAY (NORTHERN BELTWAY - ELKHORN)
Clark County

Page 3
Date 04/21/04 2:15p

PRELIMINARY ESTIMATE

PARCEL NUMBER	DESCRIPTION	PRIMARY PROPERTY OWNER	MARKET VALUE	ESTIMATED MAX BENEFIT	ASSESSMENT TOTAL
125-22-601-025	DOC: 20030612:03852 DATE: 06/12/03 PT SEC 22 19 60 PARCEL MAP FILE 100 PAGE 9 LOT 3	LEMASTER, JEFFREY & MICHELLE 7775 W CRAIG RD LAS VEGAS NV 89129-5411	324000.00	15540.00	12947.60
125-22-601-026	DOC: 20030612:03852 DATE: 06/12/03 PT SEC 22 19 60 PARCEL MAP FILE 100 PAGE 9 LOT 4	LEMASTER, JEFFREY & MICHELLE 7775 W CRAIG RD LAS VEGAS NV 89129-5411	489900.00	15540.00	12947.60
125-22-801-011	DOC: 20000830:01847 DATE: 08/30/00 PT SEC 22 19 60 LAND DIVISION 656:615944 LOT 1	WELLMAN, PHILIP & DORIS LIVING TR WELLMAN PHILIP M & DORIS A TRS 38678 DAHLIA WY PALM DESERT CA 92211-5055	280000.00	71490.00	59572.64
125-22-804-001	DOC: 19880610:00320 DATE: 06/10/98 PT SW4 SE4 SEC 22 19 60	MABUHAY COMMERCIAL INVEST L L C P O BOX 6531 WOODLAND HILLS CA 91365-6531	105000.00	60190.00	50158.82
** REPORT TOTALS					646166.67

EXHIBIT "B"

(Attach Notice of Hearing as Mailed)

**NOTICE OF HEARING ON PROPOSED PROJECT AND ASSESSMENTS WITHIN
THE PROPOSED CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT
DISTRICT NO. 1490 – TENAYA WAY (NORTHERN BELTWAY TO ELKHORN ROAD)**

NOTICE IS HEREBY GIVEN to the property owners within the proposed City of Las Vegas, Nevada, Special Improvement District No. 1490 – Tenaya Way (Northern Beltway to Elkhorn Road) (hereinafter the "District") and to all interested persons that:

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TENAYA WAY (BOTH SIDES) - from the northern right-of-way line of Centennial Parkway north along Tenaya Way to the centerline of Elkhorn Road (80-foot right-of-way).

Except as shown on the preliminary plans and specifications now on file in the office of the City Clerk and in the office of the Special Improvement District in Las Vegas, Nevada, the character of such Project shall be described more particularly as follows: The improvements on Tenaya Way will consist of the grading, regrading, graveling, and asphalt paving as necessary for at least four (4) travel lanes, a two-way center left turn lane with raised medians at the signalized or future signalized intersections, "L" type curb and gutter, sidewalks, commercial or residential driveway approaches, storm drain facilities, potable water mains and laterals, sanitary sewer mains and laterals and streetlights. The streetlights will be installed at the back of the sidewalk at appropriate intervals. At the request of the owners of property in the District (filed with the office of the Special Improvement District prior to March 26, 2004) water and sewer laterals will be installed from the existing or proposed main lines in Tenaya Way to such property. Sewer lines within the District are owned and maintained by the City. The City will require that properties connecting to the sewer line pay a connection fee and be annexed to the City at the time of hookup. THE CITY HAS NO OBLIGATION TO PROVIDE WATER OR SEWER SERVICE TO ANY PROPERTY WITHIN THE DISTRICT REGARDLESS OF WHETHER THE CITY COUNCIL PROCEEDS WITH ALL OR ANY PART OF THE PROJECT.

The preliminary estimated total cost of the Project and the amount to be assessed is as follows:

<u>Estimated Amount of Special Assessments</u>	<u>Amount Available from Other Sources</u>	<u>Total Cost</u>
\$ 646,166.67	\$ 3,360,611.33	\$ 4,006,778.00

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases). However, an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly shaped lots or lands, if any, and for any lot, tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform. The portion of the costs to be assessed against and the maximum amount of benefits estimated (and corresponding market value increases) to be conferred upon each piece or parcel of property in the District is stated in the assessment plat and addendum thereto designated "Tabulation of Parcels" or preliminary assessment roll. In cases of wedge or "V" or any other irregularly shaped tracts, the amount apportioned thereto shall be in proportion to the special benefits thereby derived.

The assessments will be levied on a front foot basis, provided that those tracts which front a cul-de-sac and which abut or front a street or streets being improved will be assessed on a "unit lot" basis, i.e., all lots abutting the cul-de-sac are to be assessed the same amount based upon the front footage of those lots abutting the street or streets being improved which also abut the cul-de-sac. Each property owner will be assessed for the cost of a 8-foot wide street pavement section (unless the property owner has development plans in progress and has been conditioned by City Council for installation of a half-street pavement section), curb and gutter, sidewalks, driveway approaches and streetlights, where not already existing. The owners of property who elect to have water or sewer laterals installed will be assessed per foot of lateral installed on a per service or unit lot basis.

The boundaries of the District shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements or fronting a cul-de-sac which abuts or fronts a street to be improved by the improvements.

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It is anticipated that there will be grade or elevation changes in connection with the acquisition of the Project. Such grade or elevation changes are substantial and are as shown on the preliminary plans and specifications. All interested persons are hereby referred to the preliminary plans and specifications, which relate to the details of the Project.

On Wednesday, May 19, 2004, at 1:00 p.m., in the City Council Chambers at 400 Stewart Avenue, in Las Vegas, Nevada, the City Council will consider the ordering of the proposed Project, and will hear all complaints, protests and objections that may be made in writing and filed as hereafter provided, or made verbally at the hearing, concerning the same, by the owner of any tract to be assessed or any interested person. The owners of the property to be assessed, or any other person interested therein, may appear before the City Council and be heard as to the propriety and advisability of acquiring and improving such Project, as to the estimated cost thereof, as to the manner of payment therefor, as to the amount thereof to be assessed, the benefits estimated to be conferred against each tract, and the corresponding market value increases expected for each tract in the District.

The City Council requests that any property owner or interested person wishing to protest or object, do so in writing at the office of the City Clerk at least three (3) days before the time set for such hearing, i.e., on or before Friday, May 14, 2004. On the date and at the time and place fixed for such hearing, any and all property owners interested in the Project may, by written complaint, protest or objection, present their views to the City Council, or present them orally, and the City Council may adjourn the hearing from time to time to discuss and consider said issues before it. Any person filing a written protest or objection as hereinabove provided, shall have the right within thirty (30) days after the City Council has finally passed on such protest or objection to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination, but thereafter, all actions or suits attacking the validity of the proceedings and the amount of benefits shall be perpetually barred. A PROPERTY OWNER'S ONLY CHANCE TO PRESENT EVIDENCE TO DEMONSTRATE THAT HIS OR HER ESTIMATED ASSESSMENTS ARE EXCESSIVE WILL BE AT THE PUBLIC HEARING AND A PROPERTY OWNER WILL NOT BE ABLE TO PRESENT ANY ADDITIONAL EVIDENCE UPON SUBSEQUENT APPEAL TO DISTRICT COURT.

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- (3) Evidence on these issues that is not presented at the hearing may not thereafter be presented in an action brought pursuant to NRS 271.315.

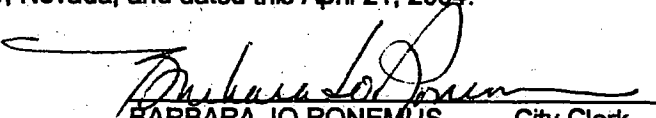
The City Council of the City of Las Vegas has determined that one-half or more of the total cost of each of the improvements in the District, shall be paid with monies derived from sources other than the levy of special assessments and accordingly may take advantage of the exception stated in paragraph (a) of subsection (2) of NRS 271.306, (which exception is that the City, at its option, may proceed with the improvements in the District regardless of the percentage of protests).

After such hearing, the City Council shall determine the advisability of undertaking each part of the Project, and, if it determines to proceed, shall determine the kind and character of such improvements to be made, and shall authorize the advertising for bids for performing such work and furnishing all necessary materials with the lowest and best bidder or bidders. The City Council may determine not to proceed with all or any part of the Project regardless of the protests or objections.

After the determination of the actual cost of the Project, assessments shall be levied in accordance with the laws of the State of Nevada. In no event shall the assessments exceed the estimated maximum special benefits to the property assessed or the reasonable market value of the property being assessed (as determined by the City Council). The City Council shall provide that the assessments may be payable without interest and without demand during a specified cash payment period and the City Council shall provide that the assessments may be paid at the election of the owner in twenty (20) substantially equal semi-annual installments of principal and interest. The City Council shall also provide the time and terms of payment of such assessments and shall fix penalties to be collected upon delinquent payments. The City Council shall also provide the rate of interest on unpaid installments of assessments, which will not exceed the maximum rate of interest permitted under the statutes of the State. If assessment bonds are issued, such rate will not exceed by more than 1% of the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than 3% the "Index of Twenty Bonds", which shall have been most recently published before the time bids for the bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. If bonds are not sold for the District, the City Council shall by resolution establish the rate of interest on unpaid and deferred installments of assessments.

Pursuant to NRS 271.357 and NRS 271.360, the City has established a procedure to allow any person whose principal residence will be included in the District to apply for a Hardship Determination. Any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the same rate and terms as are established for other assessments in the manner provided. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the term of the bonds expires; (c) the property owner's application for renewal of the Hardship Determination is disapproved; (d) the property owner fails to pay interest on the unpaid balance of assessments in a timely manner; or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 hereof. A person desiring to apply for a Hardship Determination shall file an application no later than May 14, 2004, with the Clark County Department of Social Services, 1600 Pinto Lane, Las Vegas, Nevada 89106, (702) 455-8687.

By order of the City Council of the City, Nevada, and dated this April 21, 2004.


BARBARA JO RONEMUS, City Clerk