

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: CITY MANAGER

DIRECTOR: DOUGLAS A. SELBY

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ADMINISTRATIVE:

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

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Recent events have called attention to the need to establish a policy to address the employment of state legislators and other elected and appointed government officials by the City of Las Vegas. Staff will present policy options for consideration by the City Council.

RECOMMENDATION:

Receive a presentation and direct staff to prepare an appropriate policy

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion directing the City Manager to move forward with establishing an employment policy, using the guidelines delineated to set the parameters, and to bring those parameters back to Council for consideration and approval at the 6/2/2004 Council meeting – **UNANIMOUS** with Ward 2 seat vacant

NOTE: COUNCILMAN WEEKLY asked CITY ATTORNEY JERBIC whether he should abstain, given that discussion was held about his liaison's recent filing for office. CITY ATTORNEY JERBIC advised COUNCILMAN WEEKLY that he did not have to abstain, because this involves a policy issue that could affect current and future City employees where a great deal of discretion is available to the Council.

MINUTES:

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

APPEARANCES:

OSCAR GOODMAN, Mayor

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Administrative

Item 65 – Discussion and possible action to establish an employment policy for state legislators and other elected or appointed government officials

MINUTES – Continued:

APPEARANCES - Continued:

DOUG SELBY, City Manager

MICHAEL MACK, Councilman

GARY REESE, Councilman

LAWRENCE WEEKLY, Councilman

LARRY BROWN, Councilman

JANET MONCRIEF, Councilwoman

BRAD JERBIC, City Attorney

(9:51– 10:15)

1-1594

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VERBATIM TRANSCRIPT – ITEM 65

Discussion and possible action to establish an employment policy for state legislators and other elected or appointed government officials

Appearance List:

OSCAR GOODMAN, Mayor

DOUG SELBY, City Manager

MICHAEL MACK, Councilman

GARY REESE, Councilman

LAWRENCE WEEKLY, Councilman

LARRY BROWN, Councilman

JANET MONCRIEF, Councilwoman

BRAD JERBIC, City Attorney

(9:51-10:15)

1- 1594

21 minutes

Typed by: Vicky Darling and Angela Crolli

Proofed by: Stacey Campbell

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27 **MAYOR GOODMAN**

28 Okay. We'll turn to Item 65. This is discussion and possible action to establish an employment
29 policy for state legislators and other elected or appointed government officials. I guess Dr.
30 Selby, we're back – again.

31

32 **DOUG SELBY**

33 Yes, Sir. We're back and there has been no change, in terms of rulings from the Supreme Court
34 from our meeting two weeks ago. So, we're still, I guess, going in somewhat uncharted
35 territory here.

36

37 **MAYOR GOODMAN**

38 All right. Well, I think we have to resolve it, one way or the other, as far as being acc, as a
39 Council, unless anybody disagrees with me. Does anybody wish to abey this? If not, I think we
40 should vote whatever our conscience is on this particular issue. Councilman Mack?

41

42 **COUNCILMAN MACK**

43 Thank you, Your Honor. I – agree with you. I don't think the Supreme Court is going to come
44 back with a decision anytime soon. And I know that we have one City employee that has filed
45 for an assembly position, and I think we need to be fair one way or the other what decision we're
46 going to make here.

47

48 **MAYOR GOODMAN**

49 All right. Well, I'll start off with the discussion and then we can have a motion. I've been going
50 back and forth with this one. Initially, I felt that everybody should have the right to run for
51 office and that certain restrictions could be imposed upon the individual whether they work for a
52 city or not, assuming that they're successful. And then in discussions with the Manager, I, I'm
53 going through an experience with one of our employees who was a state legislator and going
54 through an experience with one of our Department heads who was involved with the inter-
55 relationship between that employee and herself. I began to think that perhaps there's no way that
56 you're able to monitor or control the activities, even if you put restrictions or limitations on the

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57 person while they're serving when they come back to the City, because the truth of the matter is,
58 if they're elected for a two-year term, they're always going to be holding that office whether or
59 not they're in Carson City or not.

60 But on the other hand, and I go back and forth, as I say, I guess that's why this is a difficult issue,
61 it would seem to me that there could be limitations, such as if somebody chooses to run, is a City
62 employee, for state office, that they have to give up all of their City benefits from the time that
63 they choose to file, such as their salary, their retirement, their health. If they want to pay for
64 these things out of their own pocket, that would be appropriate, but as far as the City financing
65 them while they're running for office or while they're serving up at the Legislature, I think that
66 that would be appropriate, that's what causes the double dipping problem. And then when they
67 come back, and this is where, this is the tough part of it, Dr. Selby, when they come back, I have
68 to believe that our Department heads, having gone through this experience, learned some lessons.
69 And if in fact there's an abuse of power on the part of the person who was elected to state office,
70 when they come back into their City capacity and resume their job as a City employee, that it's
71 up to the Department head. I have enough confidence in them no matter how much power the
72 person who has returned from Carson may have exerted up in Carson City, I have to believe that
73 the Department head has to be in a position where they're able to monitor the activity and make
74 sure that that individual works the way they're supposed to work as a City employee, particularly
75 in light of our – salary and hiring freezes are concerned and the fact that we're trying to be lean,
76 as far as our budget is concerned. And if the Department head fails to step up and show
77 leadership and be able to monitor and control the employee, then the Department head has to be
78 held responsible, as well as the employee who may have exerted his or her influence upon their
79 return to the City.

80 So, those are my thoughts and that's where I'm leaning at this point in time. But I really would
81 like to hear my colleagues and their expressions. The easy thing to do, of course is to bar it.
82 That – that's an easy decision, say that there is no way in the world reasonable people can't
83 resolve these issues and then it's a done deal. But I – also think that's important that every
84 citizen has the – right to run for office, serve in office as long as they're not going to be abusing
85 their prior position when they return to the City. Mayor Pro Tem?

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86 **COUNCILMAN REESE**

87 Thank you, Your Honor. Michael Mack alluded to the fact that one of our City employees filed
88 for the assembly. This young man that filed for assembly, and this again, I was, like the Mayor, I
89 was teetering also, but to see a young man like this that filed for the assembly seat, he's very
90 active in the community, he's very active on serving on different boards. I think that there's
91 nobody better than this young man to represent the City anywhere, especially in an elected office
92 at the assembly, if he is so elected. I also believe, like the Mayor said, I think that if he is
93 elected, then he needs to take a leave of absence from the City of Las Vegas. There'll be no
94 vacation time, no sick leave papers filled out. He would just leave the City and during that time
95 if he wants to keep his insurance intact, I think he should have the ability to come out of his
96 pocket and pay for the insurance. And when he is, does come back, I think that if there are
97 certain committee meetings that he has to attend, I think he has to take a leave of absence
98 without pay or maybe use his vacation time while he's attending these meetings.

99 And again, I – think that there are certain people that can fill those positions working with the
100 City. And I've always felt like that anybody that works for the City should have the opportunity
101 to run. I – feel like what the Mayor said, that there has to be those rules, if you want to call them
102 that, in place so that we don't have the problems that we had before. And I think that we can
103 work those out. I think that there is, working through the City Manager, I think that they can put
104 those stipulations in place to where anybody that does run, they can have a little pamphlet, these
105 are what you have to do if you so decide to file. As far as any benefits that the City may receive,
106 I would hope that anybody that is elected that works for the City of Las Vegas, would go up
107 there and vote his conscience, listen to both sides and do what he thinks is right for the
108 constituents that elected him. I would hate to think that I would have any influence over him as
109 he would have any influence over me, if he did so come back. I would just ask that, like I would
110 with anybody, that I had the opportunity to sit down and discuss any items with that elected
111 official, just like I do with other elected officials.

112 And again, I compliment this young man for filing. I think that he had probably wanted to know
113 what we was going to do. He didn't ask. He just went out and did it. And so, I admire that and I
114 think that's what kind of turned me to, yes, we do have City employees that can represent the
115 City and with those things in place, I think that we can control what happens.

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116 **MAYOR GOODMAN**

117 Thank you.

118

119 **COUNCILMAN WEEKLY**

120 Your Honor, in all fairness, I do want to speak on this matter because the person in – which we
121 speaking to works for me, and I think it'd be, yeah, hello? So, at any rate, it would behoove me
122 not to say anything about this. I think what should happen, and I respect both of your comments,
123 thus far, that have been made, but when we dealt with this issue here dealing with Assemblyman

124 Wendell Williams, this is a very tough situation for me, a person who was truly a friend of mine
125 and not only a friend, but a mentor, who worked with me and helped me to become a public
126 servant, if you will. This situation was an extremely tough situation and so I'm just at the point
127 that I believe that whatever we do, we need to be consistent because the Assemblyman, he took a
128 beating for being a, an Assemblyman and working for the City. And I – know, and again, I
129 speak in terms of a person who, and I'm just going to say it, who was a friend of mine, as a result
130 of this, he's no longer a friend of mine anymore. You know, it was, it's a very tough situation.

131 And so, I think that we do need to be very consistent as to what we do here, and I know for Mr.
132 Barlow, he's spoken with our Deputy City Manager, Betsy Fretwell, in reference to what he
133 needs to do. And he clearly understands whatever direction this Council takes, he's willing to do
134 whatever he needs to do to step up to the plate and be responsible, because what we want to do is
135 make sure that we do what's in the best interest of the City of Las Vegas and what's in the best
136 interest of taxpayers. And, came to a surprise to me as well, I always knew, and I always
137 encourage my staff, this is not your final destination, being a City Council liaison, the sky is the
138 limit. I believe that anyone with a good heart, who feels as if they can be of, an asset to the
139 public, should have an opportunity to do this. But they are some strict boundaries that need to
140 take place, so that there is no appearance of impropriety or double dipping, or what have you.

141 And it's tough.

142 I thought Sharon Segerblom, I thought it was extremely tough for her to manage two
143 powerhouses like she had to do. And I always feel like, a position like this needs to directly
144 come from the Manager's Office. I think if Mr. Barlow is successful in his endeavor of
145 becoming an assemblyman, most definitely it'd be tough for him to work in my office, and well,

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146 he couldn't, I don't think. He'd have to resign from his position. And so, I think for him right
147 now, he's probably caught in limbo waiting to see what this Council is going to do. And I know
148 that we're waiting for higher ups to make a decision. But I agree, there needs to be some type of
149 definition that needs to be given to this policy today.

150

151 **MAYOR GOODMAN**

152 Thank you.

153

154 **COUNCILMAN WEEKLY**

155 And I respect your comments Councilman Reese and Mayor as well, as well as Councilman
156 Mack in dealing with this issue here. But I would hate to preclude any City employee from
157 wanting to be a public servant because the job can be very rewarding, it can be very, extremely
158 tough at times, but they're some parameters that we have to be honest with ourselves and look at,
159 even if we feel as if it could be a benefit to the City.

160

161 **MAYOR GOODMAN**

162 Thank you.

163

164 **COUNCILMAN WEEKLY**

165 Thank you.

166

167 **MAYOR GOODMAN**

168 Councilman Brown.

169

170 **COUNCILMAN BROWN**

171 Well, thank you, Your Honor. I agree wholeheartedly, as far as the experience we went through
172 recently, as certainly taught the City some lessons. I also have been very consistent with my
173 belief that the incident was a result of either an employee taking advantage or manipulating a
174 system or the system being so weak that allowed the opportunity to be taken advantage of. But
175 that – was separate from my belief that – has been echoed here today, that everyone should have

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176 the ability to run for office, to become a public servant, especially at the State level, an
177 assemblyman a senator. It's a very important part of the democratic process and our government
178 process, and I – would be, I wouldn't support taking that ability or that opportunity away.
179 One of the things that did strike home with me was the issue that came up, as far as how do you
180 allow a City employee to take one hundred and twenty days every two years and perhaps on sub-
181 committees taking days off or afternoons off. And I thought that was legitimate and fortunately
182 some of the staff at the Manager's level did some research and we had some additional
183 information gathered. And it's – not the same, but I don't think it's that much different from
184 some of the other allowances we make to balance our work force, not only with our vacation and
185 our sick – leave policy, but rightfully so, we allow the men and women that are in the service to
186 go overseas and we actually help them a little bit. We have a very strong leave of absence, as far
187 as pregnancy leave and the opportunity for that employee when they have a child to actually take
188 additional time off. And those examples that the system can work when it's managed properly
189 by the right people in that division or that department. And so that eased my concern, as far as
190 that specific issue. But I – will support allowing the opportunity with the constraints or with the
191 parameters that are going to be well defined because, again, I think it's – important that we don't
192 lose sight of an employee at the City. I think it's something we should be proud to have, an
193 employee willing to make a commitment and a sacrifice to serve at a higher level of the state and
194 to do that public service. I think that's a great reflection on the individual employee and it's a
195 great reflection on the City of Las Vegas that we provide that opportunity.

196

197 **MAYOR GOODMAN**

198 Thank you. Councilman Mack.

199

200 **COUNCILMAN MACK**

201 Thank you, Your Honor. I've shared and echoed the same sentiments as I've heard across the
202 board on the dais this morning regarding allowing our City employees to have that right, an
203 opportunity and for us to take it away, I don't know if it's our – place to take that opportunity
204 away. But I know that the City Manager's Office is racked its brain in figuring out scenarios and
205 how do you manage that, and at what level, I think the concern comes down to what if a

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206 Department head leaves for one hundred and twenty days or what level of service do they
207 provide and how do we replace them. Do we leave that position unoccupied? Do we put in an
208 interim? Do we replace that position? So, I know that we have to define that clearly. I see the
209 direction the Council is looking – to go with this and I – can appreciate that.

210 One thing that I heard, Your Honor, from you, that kind of differed from Councilman Reese is,
211 you mentioned something in reference to the day you file for office maybe those benefits and
212 salaries go away. And then Councilman Reese mentioned with the day you are elected. So, I
213 think that's (inaudible) filing (inaudible) for discussion (inaudible).

14
215 **MAYOR GOODMAN**

216 Well, I – believe filing is appropriate. Anybody who's filing for office who works full time to be
217 elected and would not be paying attention to their City business. So, I think, from the day of
218 filing. That would be my position.

219
220 **COUNCILMAN MACK**

221 Thank you, Your Honor.

222
223 **MAYOR GOODMAN**

24 Councilwoman Moncrief, do you – wish to be heard?

225
226 **COUNCILWOMAN MONCRIEF**

227 Yes, please. Thank you, Your Honor. I – have a question about that, in that the day they file
228 then they would lose all benefits? And then during that one hundred and twenty days that
229 they're up there, then they would lose the benefits at that point. Can they purchase their own
230 medical insurance? Is that okay?

231
232 **DOUG SELBY**

233 Yeah. It is – possible for them to cover those medical insurance costs themselves.

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234 **COUNCILWOMAN MONCRIEF**

235 Okay. I think it's very important that the City has representation up there, at the County or other
236 municipalities have representation and we don't, I feel like the City's losing out. So, I'll be
237 supporting this.

238

239 **MAYOR GOODMAN**

240 All right.

241

242 **COUNCILMAN REESE**

243 Your Honor?

244

245 **MAYOR GOODMAN**

246 Thank you. Yes.

247

248 **COUNCILMAN REESE**

249 I, I'm prepared to make a motion –

250

251 **MAYOR GOODMAN**

252 All right. Please.

253

254 **COUNCILMAN REESE**

255 I – would ask that we support our employees serving at the Legislature and I – think that we
256 could ask our City Manager to come back, we, there was different restrictions mentioned. I think
257 that we can give them direction, this is what we want to do and if – we so decide to. And –
258 again, I think what, the comment you made, from the time they file, they need to take a leave of
259 absence from the City until after the election to see whether they are elected. I don't know, I,
260 I've, I served two jobs and was – working two jobs during my campaign and stuff. So, I don't
261 know whether they would really have to take off that much time during the filing and the
262 election day. So, that there is something maybe we could discuss further, if we – so desired.

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263 But I think from the time that – they are elected, there needs to be things put in place about being
264 able to secure their medical insurance. And after their time is over, up at the Legislature, then
265 they have to have, The City, we can direct the City Manager to come back with a list of rules or
266 conditions or whatever, you know, so that the supervisor has an idea of what they have to do and
267 stuff. And come back – with, come back in a couple weeks, the next Council meeting, and kind
268 of lay out to us some of the things that have been said here today, that this would be what it is.
269 And, again, I think that a Department head, if they have any problem, even if they put this in,
270 some of the conditions, if the – Department head has a problem, then the Department head has to
271 go to the City Manager and report this is a problem and then they need to sit down and talk to the
272 employee. And if they, if it happens again, then the employee is terminated or something, right –
273 away.

274

275 **MAYOR GOODMAN**

276 Well, would it be – your suggestion that the City Manager, let's use the hypothetical, would have
277 like a) the – employee would have to go on a leave of absence upon filing, and then b) the –

278

279 **COUNCILMAN REESE**

280 Well, I – think – we could discuss that –

281

282 **MAYOR GOODMAN**

283 And then we could vote on that?

284

285 **COUNCILMAN REESE**

286 – right, that – item here, right now, you know?

287

288 **MAYOR GOODMAN**

289 Okay.

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290 **COUNCILMAN REESE**

291 I – really think that they can, they should be able to work with the City and, if they do have to
292 take off on Friday afternoon, then they need to just fill out a leave slip. I'm sure that Mr. Barlow
293 could do that. And we only have one employee that's doing that this year, and so I – think that
294 he needs to probably be able to work until the – election day, I feel. So, if anybody else don't
295 feel that way, then we could, I could amend my motion. But I think that we need to make, give
296 direction to our City Manager today, this is what we'd like to see, and then have him come back,
297 put these conditions into writing where we can see what we're – actually talking about, and then
298 maybe relooking at some of these conditions in two weeks.

299 But I think, my motion is to make sure that the employees know that they can file. And that's
300 number one. And then number two is the – list of the conditions that they have to – do in order
301 to run.

302

303 **MAYOR GOODMAN**

304 Right. Well, I – just feel that when somebody's working for the City in a capacity of, where
305 they're expected to work, you know, a ten-hour day or whatever the expectation is, that when
306 they're out there campaigning, it's – virtually impossible for them to fill that commitment. So, I
307 would still hang tough on the idea of, as soon as they file, from that point on, they have to give
308 up their benefits.

309

310 **COUNCILMAN REESE**

311 Well, then, I – guess my, that'd be my motion, then that we have, we look at those two. If you
312 could come back in two weeks with those two options: 1) that they, you know, the filing – date
313 and/or, of course, Mr. Barlow's already filed and, so, I don't know we need to make that decision
314 today or wait for two weeks.

315

316 **MAYOR GOODMAN**

317 Well, it's to his advantage if we wait two weeks.

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318 **COUNCILMAN REESE**

319 Yeah. So, we'll, we, that – would be my – motion then, Your Honor.

320

321 **COUNCILWOMAN MONCRIEF**

322 Excuse me, Your Honor.

323

324 **MAYOR GOODMAN**

325 Yes, yes.

326

327 **COUNCILWOMAN MONCRIEF**

328 The staff gave us one through five on this, it was a list of one through five, from extremely
329 lenient to that you couldn't run for office; is that correct, staff?

330

331 **DOUG SELBY**

332 That's correct, Councilwoman.

333

334 **COUNCILWOMAN MONCRIEF**

335 Okay. Are we going – this is extremely vague, what we're voting on today. Are we going to
336 have specifics?

337

338 **COUNCILMAN REESE**

339 Well, I – can explain it better.

340

341 **COUNCILWOMAN MONCRIEF**

342 Okay.

343

344 **COUNCILMAN REESE**

345 I'm – just saying, okay, I'm asking staff to incorporate everything that's been here, said here
346 today; okay? Now where we're talking about from the time they file or when they're elected.

347 Okay, that's – they can come back with those. But then everything else is, okay, we need to

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348 have something in, intact about the benefits that they may receive while they're serving up there.
349 I don't think that they should have any contact with the City other than maybe business that they
350 may have with the Legislature. They take a hundred and twenty-day leave without pay, and
351 then, when they do come back, I think there has to be parameters put in place like if they have –
352 a committee meeting they have to attend, they are going to have to take a leave of absence or a
353 leave of absence with, using their vacation pay. No sick leave. They can't ever use sick leave on
354 any – of this here. And then just, that if there is any problems, then the Department head needs
355 to go to the – City Manager with a complaint that there's been a problem and they only get one
356 time. I mean, they – come in then and they talk. And after that, if there's another problem, then
357 the employee's terminated.

358

359 **COUNCILMAN MACK**

360 Mayor – Pro Tem?

361

362 **COUNCILMAN REESE**

363 Yes?

364

365 **COUNCILMAN MACK**

366 If I could, maybe a Cliff Note version. I think today what we, you'd like to have is just a motion
367 to move forward and then come back with the parameters?

368

369 **COUNCILMAN REESE**

370 Yes.

371

372 **COUNCILMAN MACK**

373 Okay.

374

375 **COUNCILMAN REESE**

376 And that – was some of the parameters that we had and I was trying to put in place. And if
377 there's any others that you'd like to put in, feel free to – add to my motion.

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378 **DOUG SELBY**

379 Your – Honor, if I may.

380

381 **MAYOR GOODMAN**

382 Yes.

383

384 **DOUG SELBY**

385 The question came up about somebody winning election and possibly their job at the City being
386 incompatible, as Councilman Weekly mentioned. Does the Council have any guidance or –
387 suggestions along the lines of what we do with those employees, in terms of seeking another
388 position for them at the City or terminating them?

389

390 **COUNCILMAN MACK**

391 Mr. Selby, that'd be my suggestion, if – there's someone in a position, maybe they – can be
392 relocated to a different position or, but I think we need to explore that. I mean, for us to make
393 that decision here today and, I mean, there's so many different positions at the City that you
394 could range from being a Director all the way to, you know, a entry level position. I think you
395 have to look at it position by position. And I think it'd be up to the discretion of City Manager.

396

397 **COUNCILMAN REESE**

398 Well, I – would definitely ask Councilman Weekly, because he's been, he's experienced this
399 firsthand, both when he was in my office and – then as Councilman. What do – you feel? Do
400 you feel like, that if Mr. Barlow was elected, then he should be transferred to another
401 Department or –

402

403 **COUNCILMAN WEEKLY**

404 You know, I – possibly believe that would be the case. Because being a liaison to the Mayor and
405 Council would be kind of tough being a legislator as well. And so, I'm, I would believe that that
406 would probably be what's best for everybody's sake, for his possible position as well. I mean, I
407 just hate to see, in my opinion, and, again, I'm speaking in terms of, from a standpoint of a

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408 person who I consider a friend, who went through what they went through as a City employee
409 and went through these conversations. I'm pretty sure it's not an easy thing to deal with. And
410 so, like I said, I spoke with Mr. Barlow about this, and I'll be honest, I wish the – best for him. I
411 wish he's very successful in his endeavor. But I understand that this is a tough one. And I just
412 think that we just need to be consistent and we need to be very concise as to how we're gonna
413 handle this. Because, again, we want to make sure that we let City employees know that we
414 don't preclude anyone from wanting to seek public office.

415

416 **MAYOR GOODMAN**

417 I – personally think it has to be on a case-by-case basis with the particular, with the Manager
418 making contact with the Department head. With the superior or the supervisor of the individual
419 who has chosen to run, and then make a decision as to whether or not you believe that position is
420 compatible in, with the best interests of the City. But I think it has to be a case-by-case basis.

421

422 **COUNCILMAN REESE**

423 Are there any other additions to the motion?

424

425 **COUNCILMAN WEEKLY**

426 Well, let me ask Mr. Jerbic, because I spoke with you yesterday about this. I've already
427 disclosed that the person that we're speaking in terms of is my assistant, and am I okay to vote
428 on this item or do you think I need to abstain from this vote or what?

429

430 **BRAD JERBIC**

431 No, I think you're fine. I think that the disclosure's certainly appropriate. But this is a policy
432 issue where a great deal of discretion is available to the Council, including who you know and –
433 how it's gonna affect them, whether they're a current City employee or future City employee.
434 So, I think it's – not something you have to abstain on.

435

436 **COUNCILMAN WEEKLY**

437 Thank you.

**CITY COUNCIL MEETING OF
May 19, 2004**

VERBATIM TRANSCRIPT – ITEM 65

438 **COUNCILMAN REESE**

439 Councilwoman, do you have any other questions on the motion?

440

441 **COUNCILWOMAN MONCRIEF**

442 I just want to make it clear what we're voting on today. It's just that we're gonna move forward
443 that we're gonna allow them to – run for office and that staff is going –

444

445 **COUNCILMAN REESE**

446 With some of the parameters –

447

448 **COUNCILWOMAN MONCRIEF**

449 – to look into the specifics.

450

451 **COUNCILMAN REESE**

452 – with some of the parameters that we put on – record today.

453

454 **COUNCILWOMAN MONCRIEF**

455 Okay.

456

457 **MAYOR GOODMAN**

458 All right, that's the motion.

459

460 **COUNCILMAN REESE**

461 Mr. Selby, do you understand?

462

463 **DOUG SELBY**

464 I certainly did. Thank you.

465

466 **COUNCILMAN REESE**

467 Okay. Thank you.

CITY COUNCIL MEETING OF
May 19, 2004

VERBATIM TRANSCRIPT – ITEM 65

468 **MAYOR GOODMAN**

469 Very good. That's the motion. Let's vote, please. Sorry. Post. Motion carries. **(Motion**
470 **carried unanimously with Ward 2 seat vacant.)** Thank you.

471 **(END OF DISCUSSION)**

472 /vwd/ac;sc

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: CITY MANAGER
DIRECTOR: DOUGLAS A. SELBY

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:
ADMINISTRATIVE:

Report on the City of Las Vegas' participation in the e-government internet portal project - All Wards

Fiscal Impact

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

PURPOSE/BACKGROUND:

In an effort to continue "one stop" opportunities and to enhance communications services and delivery, the City of Las Vegas and other statewide entities have designed a web portal to address citizen needs. This effort will provide a more open government and will make it easier for the public to find specific government services among the various entities.

RECOMMENDATION:

Report only; no action required.

BACKUP DOCUMENTATION:

1. Governance Procedure Document
2. Site Overview
3. Submitted after meeting: hard copy of PowerPoint

MOTION:

None required. A report was given.

MINUTES:

DAVID RIGGLEMAN, Director of Communications, and LOUIS CARR, Manager, Development Division, Information Technologies, were present. MR. RIGGLEMAN reviewed the detailed PowerPoint document, a copy of which is made a part of the minutes. He noted this website (MyNevada.gov) project is to go "live" May 28 and gave credit to JOE MARCELLA, Director, Information Technologies, for his hard work on this project.

COUNCILMAN MACK noted that it is better when taxpayers can go online instead of inline for services, because it saves them money. He commended MESSRS. MARCELLA, RIGGLEMAN, and CARR for bringing this to fruition.

(10:15 – 10:22)

1-2632

MyNevada.gov News and Featured Items Procedure

The Public Information Officers on the Design team shall meet occasionally to review this procedure. As the project develops, this document may change. *(Last updated 5-6-04)*

Until another system is set up, the news links on the MyNevada.gov home page and the "More News" page will be updated manually using the following procedure.

1. **By Wednesdays at noon:** Each Public Information Officer (PIO) compiles a list of "soft" news headlines and associated Web page links. PIO sends news headline and link to the news information on the agency's Web site. The PIO also may wish to add or delete an item on the "Featured Items" list. This should be noted in the e-mail
2. Each PIO sends information via e-mail to Lisa Story, Las Vegas Valley Water District, at lisa.story@lvvwd.com.
3. **By Thursdays at noon:** Story will compile list of all news and featured items into one list and e-mail to Bonnie Cohen, City of Las Vegas, at bcohen@lasvegasnevada.gov
4. **By Fridays at 5 p.m.:** Cohen will update associated news pages and featured items on home page. Target completion is Fridays at 5 p.m., but other priorities or issues may result in a later posting.
5. Should Story or Cohen not be available due to vacation, they will designate a temporary contact to handle these tasks. Should either be ill, the postings will go online later than planned.

NEWS HEADLINES AND LINKS

Content and focus of news links

- News headlines/links should focus on cultural activities, events and services.
- Due to the manual nature of the updates--and the limited staff resources--news postings may not go online for up to a week. Thus, news tied to specific dates should be provided at least two weeks in advance.
- News should not be politically oriented.
- News is open to all Nevada government agencies as long as those organizations maintain their own content.
- Topics should be considered "soft" news and features.

Frequency

- News items should appear on the Home page for about one week before moving to the "More News" page.
- Each entity may place up to three items per week in the news section. However, due to limited space, rank your news items by importance so that the most important items appear on the Home page.

Style Standards

- Use AP Style Guide for news headlines and text standards unless otherwise noted.

FEATURED ITEMS INFORMATION

This section of the MyNevada.gov Home page will some day promote web-based applications that are part of MyNevada.gov. Until those applications exist, government agencies are invited to feature new or popular applications that are part of the agency's web site.

Content and focus of "Featured Items"

- Choose a self-service, online application that allows customers to do business with your agency or find information without contacting your agency (i.e. pay parking tickets, find a court date, find their watering group)
- Choose something that is not already featured through links or on the Home page.
- Provide a title for this service that is explanatory and also regional. For example, add "Northern Nevada" or the appropriate county name if the service will help only people in that county, city, etc.

MyNevada.gov Content Update Procedures

In order to perform any of the tasks outlined in this procedure, you must have installed a security certificate on your computer and have been provided access to the MyNevada.gov administrative Web site. See the "Certificate Instructions" procedure for details and contact the MyNevada.gov Public Information Officer (PIO) lead to request a user name and password.

You can only access the administration portion of MyNevada.gov from a computer on which you have secured a security certificate.

Reviewing all links for a particular agency:

1. Click on the "Government Agencies" tab in the top navigation.
2. Click on the appropriate agency name (i.e. Clark, Las Vegas, Washoe, etc.)
3. Review the link name and URL.
4. To edit or delete, click on the link.
5. Make the change and click "Submit." Or, click "Delete" to delete the entry.

Adding links:

1. Click on the "Insert Links" tab in the top navigation.
2. **Link Name:** Type the name of the link as you would like it to appear on the Web site.
3. **URL:** Cut and paste the full URL into this area.
4. **Entity:** Choose the appropriate city, county or state agency under which this information should fall.
5. **Category:** Select the appropriate category under which this information should appear. Please follow the MyNevada.gov list of Categories and Subcategories.
6. **Subcategory:** Select the appropriate subcategory. Make sure you are choosing the subcategory that falls under the category you selected.
7. Click "Submit."

**A list of Categories and associated Subcategories is attached to this document. Should you need a new category and subcategory added, contact the MyNevada.gov PIO lead or Technical lead.. All PIOs need to be informed of additions and changes as this will affect how they input information as well.*

Editing Agencies

1. Click on "Database Administration" in the top navigation.
2. Select an Agency from the list.
3. Click on "Edit Selected."
4. Assign appropriate Agency type and/or parent agency.
5. Click "Submit."

Adding Agencies

1. Click on "Database Administration" in the top navigation.
2. Click on "Insert New."
3. Type the name of the agency.
4. Assign an "Agency Type" (i.e. city, county, state, auxiliary) and "Parent Agency."
5. Click "Submit."

Editing and adding categories and subcategories

The list of categories and associated subcategories are listed at the end of this document. Should you need a new category and subcategory added, contact the MyNevada.gov PIO lead or Technical lead. All PIOs need to be informed of additions and changes as this will affect how they input information as well.

Accessing Categories and Subcategories while on MyNevada.gov

1. Click on "User Manual" in the top, right corner under the photos.
2. Click on "Categories and Subcategories" in the left-hand navigation.
3. Click on the topic name.
4. Scroll down the page to the full list of Categories and Subcategories.

Editing Categories

1. Click on "Database Administration" in the top navigation.
2. Select a Category from the list.
3. Click on "Edit Selected."
4. Change the name.
5. Click "Submit"

**Note: This should be cleared through the MyNevada.gov lead PIO, who will notify all participating PIOs that a category name has been modified.*

Adding Categories

1. Click on "Database Administration" in the top navigation.
2. Click on "Insert New"
3. Type the name of the new category.
4. Click "Submit."

Editing Subcategories

1. Click on "Database Administration" in the top navigation.
2. Select a Subcategory from the list.
3. Click on "Edit Selected."
4. Rename the subcategory and/or re-assign the parent category.
5. Click "Submit" to change or "Delete" to remove this subcategory.

List of Categories and associated Subcategories

<u>TOPIC</u>	<u>CATEGORY</u>	<u>SUBCATEGORY</u>
Nevada Government	State Government	State Officials and Boards Elections - State Meetings & Agendas - State State Services
	County Government	Elected Officials - County Elections - County Meetings & Agendas - County
	Municipal Government	Elected Officials - Municipal Elections - Municipal Meetings & Agendas - Municipal
	Courts	Family Court District Courts District Attorney Municipal Courts Traffic Court Justice Court
Living in Nevada	<i>Also includes list of "Transportation" and "Utilities"</i>	
	Education	K-12 Universities & Colleges Nevada Department of Education Literacy Coalition Millenium Scholarship
	Public Safety	Fire Police Secret Witness D.A.R.E. Missing Children Sheriff Highway Patrol Animal Control Emergency Management Homeland Security
	Parks & Culture	Parks & Recreation Libraries Museums Art & History Events
	Social Services	Child & Family Health Medicaid Mental Health Welfare Veteran's Services Housing & Urban Development

<u>TOPIC</u>	<u>CATEGORY</u>	<u>SUBCATEGORY</u>
Jobs	Government Jobs	Current Openings Employment Offices Nevada JobConnect Work Permits
	Unemployment	Nevada Unemployment Services Employment Training & Rehabilitation
Moving to Nevada	<i>Also includes Education, Employment, Transportation</i>	
	Utilities	Water and Sewer Gas Public Utilities Commission Power Telecommunications Sanitation Services & Solid Waste
Visiting Nevada	<i>Also includes Parks & Culture</i>	
	Transportation	Airports Driver's Licenses Maps Public Transit Vehicle Registration
	Misc. Visiting	Convention & Visitors Media
Doing Business	Permits & Licenses	Building Permits Business Licenses Marriage Licenses Animal License Child Care License Work Permits Special Events Permits Misc. Permits & Licenses
	Records	Birth-Death Records Marriage Records Assessor Clerk-Treasurer Recorder-Auditor
	Misc. Business	Taxes Zoning & Planning Chambers of Commerce

DATE: May 28, 2004
CONTACT: David Riggleman, City of Las Vegas, 229-2207
Joseph Marcella, City of Las Vegas, 229-

Government services easier to find with MyNevada.gov

A consortium of municipal agencies has launched the MyNevada.gov Web site to help Nevada citizens better access government information and services.

"Many times, people don't know or care which government agency provides what service. They just want to pay their parking ticket, get a marriage license or find out who to call about an issue," said Joseph Marcella, Chief Information Office for the City of Las Vegas and a founding member of the Nevada eGovernment Alliance that created the Web portal. "MyNevada.gov is a Web portal that allows people to search by city or county and by topic to more quickly find the government services they need."

Information is divided into several categories, including "Doing Business," "Jobs," "Living in Nevada" and "Moving to Nevada." Users also can search for government services by the city and county in which they live. MyNevada.gov visitors can request additional Web services be added to the site by using the "Feedback" link on the Home page. These suggestions will help the eGovernment Alliance develop future phases of the site.

The Nevada eGovernment Alliance is comprised of several Nevada agencies. All state and local government entities are invited to join the alliance, which has plans to expand MyNevada.gov based on user needs.

Current members include:

- City of Henderson
- City of Las Vegas
- City of North Las Vegas
- Clark County
- Henderson District Public Libraries
- Las Vegas Metropolitan Police Department
- Las Vegas Valley Water District
- State of Nevada
- State of Nevada Library and Archives

MyNevada.gov Website



Welcome to MyNevada.gov Your portal to Nevada state & local services

Search

Search NV Govt. Services

Choose a County:

OR a City:

Home

Doing Business

Nevada Government

Living in Nevada

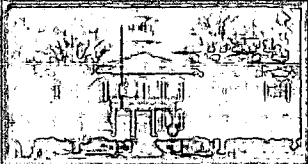
Jobs

Moving to Nevada

Visiting Nevada

Feedback

About MyNevada.gov



Nevada State Capitol

News

- North Las Vegas Junior Golf Classic set for July
- Henderson celebrates 50 years
- Sign up for Las Vegas leisure activities
- Get the latest update on new Clark County roads
- Washoe Library System offers online catalog

More News...

Education

- K-12
- Universities/Colleges
- Millenium Scholarship

Parks & Culture

- Libraries
- Museums
- Arts & History

Permits/Licenses

- Building
- Business
- Marriage

Public Safety

- Fire
- Police
- Sheriff

Social Services

- Child & Family
- Health
- Veteran's Services

Utilities

- Gas
- Power
- Water & Sewer

Featured Items

- Kiss' water web site
- Southern Nevada GIS maps
- Northern Nevada Landscape Guide
- Southern Nevada Plant Search
- Pay Las Vegas parking tickets

Favorite Links

- Register to vote
- Get a Drivers License
- Get a Marriage License
- Get a Building Permit

Home

Doing Business

Government

Living

Jobs

Moving

Visiting

Feedback

About MyNevada.gov

Privacy Policy

MyNevada.gov is sponsored by the Nevada community of governing agencies, service organizations and major utilities.

5/19/04 CC
#66

● ● **MyNevada.gov**

What is MyNevada.gov ?

A website designed to help citizens and businesses gain better access to online government information and services.

Why is it needed?

Helps citizens and businesses determine where to go for needed services.

Advantage?

Designed as an easy-to-navigate portal or “window.”

Furtheres the council's priority for open government and cost efficient service delivery.

MyNevada.gov

Created by the Nevada eGovernment Alliance, a consortium of municipal agencies.

Current active members:

- City of Henderson
- City of Las Vegas
- City of North Las Vegas
- Clark County
- Henderson District Public Libraries
- Las Vegas Metropolitan Police Department
- Las Vegas Valley Water District
- State of Nevada
- State of Nevada Library and Archives

All Nevada government agencies are welcome.

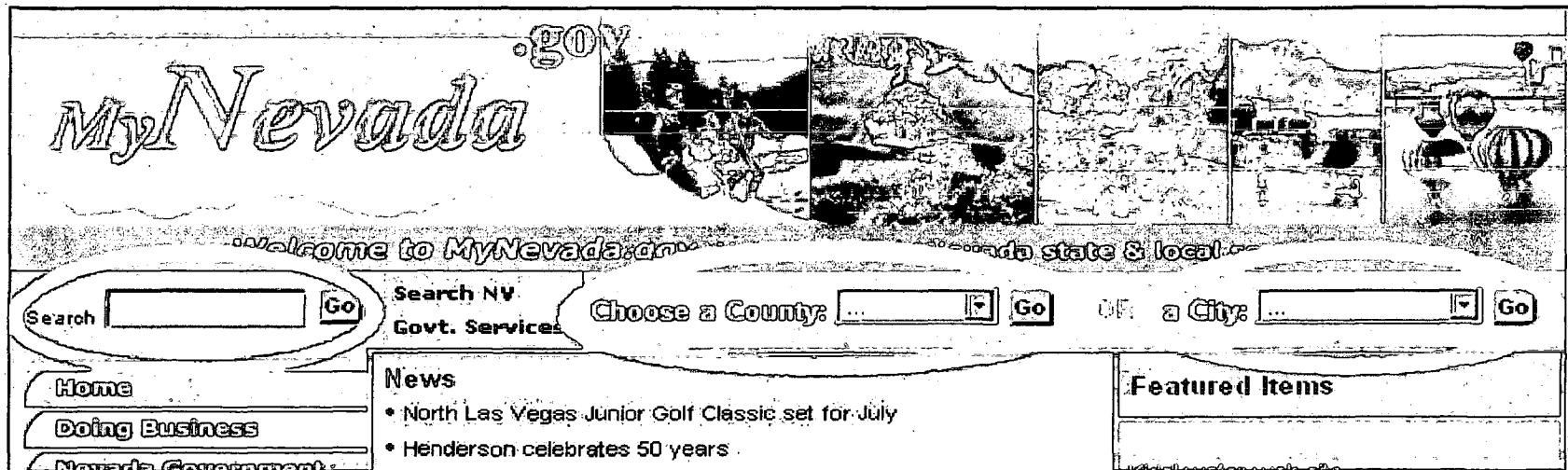
The screenshot shows the MyNevada.gov website. At the top, there's a banner with the text "myNevada.gov" and "Welcome to MyNevada.gov Your portal to Nevada state & local services". Below the banner, there's a search bar with a "Go" button and a "Search NV Govt. Services" button. To the right of the search bar, there are dropdown menus for "Choose a County:" and "a City:" with "Go" buttons. On the left side, there's a vertical menu with links: Home, Doing Business, Nevada Government, Living in Nevada, Jobs, Moving to Nevada, Visiting Nevada, Feedback, and About MyNevada.gov. The main content area on the right has a heading "About MyNevada.gov" and text explaining that the Nevada eGovernment Alliance created MyNevada.gov as a resource for citizens, businesses, and visitors. It also mentions that the alliance is comprised of a growing number of government agencies that are cooperatively working to develop an online tool offering seamless access to government information and services. Below this text, there's a section titled "Current Nevada eGovernment Alliance partners include:" which displays a grid of logos for the following organizations: State of Nevada, City of Henderson, City of Las Vegas, City of North Las Vegas, Clark County, Las Vegas Valley Water District, Las Vegas Metropolitan Police Department, Henderson District Public Libraries, and State of Nevada Library and Archives. At the bottom of the page, there's a footer with links: Home | Doing Business | Government | Living | Jobs | Moving | Visiting | Feedback | About MyNevada.gov | Privacy Policy. A small note at the very bottom states: "MyNevada.gov is sponsored by the Nevada community of governing agencies, service organizations and major utilities."

MyNevada.gov

The initial release of MyNevada.gov includes news and links to all state and local government online services.

News • North Las Vegas Junior Golf Classic set for July • Henderson celebrates 50 years • Sign up for Las Vegas leisure activities • Get the latest update on new Clark County roads • Washoe Library System offers online catalog More News...			Featured Items - Kids' water web site - Southern Nevada GIS maps - Northern Nevada Landscape Guide - Southern Nevada Plant Search - Pay Las Vegas parking tickets	
Education - K-12 - Universities/Colleges - Millenium Scholarship	Parks & Culture - Libraries - Museums - Arts & History	Permits/Licenses - Building - Business - Marriage	Favorite Links • Register to vote • Get a Drivers License • Get a Marriage License • Get a Building Permit	
Public Safety - Fire - Police - Sheriff	Social Services - Child & Family - Health - Veteran's Services	Utilities - Gas - Power - Water & Sewer		

MyNevada.gov

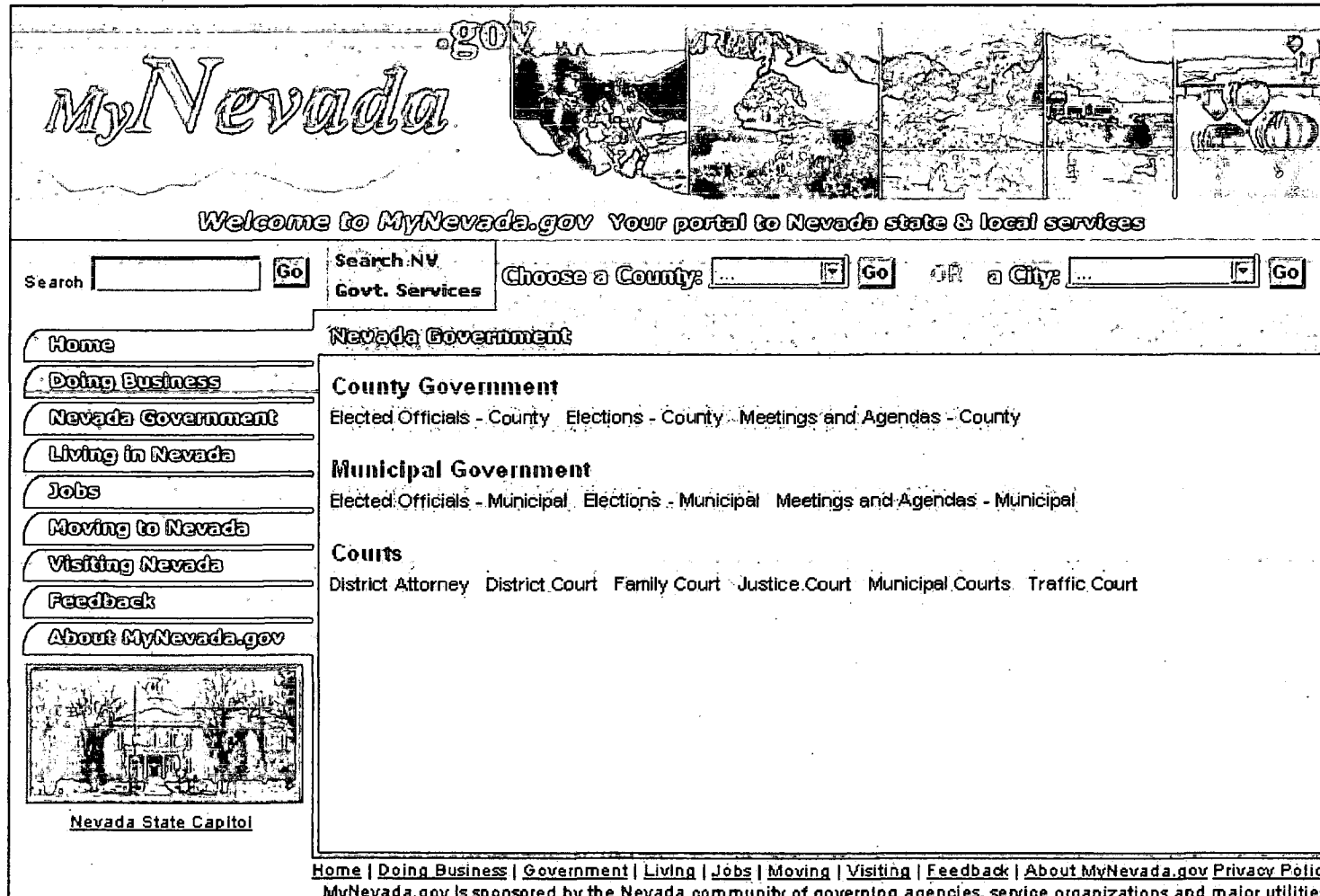


Citizens will find information using a variety of methods:

- Utilize the "Search" box.
- Look for general topic information like Doing Business, Jobs, Visiting or even Moving to Nevada.
- Select a Nevada county or city.

MyNevada.gov

Left navigation provides a menu of general topics.



The screenshot shows the MyNevada.gov website. At the top, there is a banner with the text "MyNevada.gov" and a collage of images representing Nevada's landscape and culture. Below the banner, a welcome message reads: "Welcome to MyNevada.gov Your portal to Nevada state & local services".

The main navigation area is divided into two sections. On the left, there is a vertical menu with the following links: Home, Doing Business, Nevada Government, Living in Nevada, Jobs, Moving to Nevada, Visiting Nevada, Feedback, and About MyNevada.gov. Below this menu is a small image of the Nevada State Capitol building, with the caption "Nevada State Capitol" underneath.

On the right, there is a search bar with the text "Search" and a "Go" button. Next to it is a dropdown menu labeled "Choose a County:" with a "Go" button. To the right of this is another dropdown menu labeled "a City:" with a "Go" button. Below the search bar, there is a section titled "Nevada Government" which contains the following links: County Government, Elected Officials - County, Elections - County, Meetings and Agendas - County, Municipal Government, Elected Officials - Municipal, Elections - Municipal, Meetings and Agendas - Municipal, Courts, District Attorney, District Court, Family Court, Justice Court, Municipal Courts, and Traffic Court.

At the bottom of the page, there is a footer with the following text: "Home | Doing Business | Government | Living | Jobs | Moving | Visiting | Feedback | About MyNevada.gov Privacy Policy. MyNevada.gov is sponsored by the Nevada community of governing agencies, service organizations and major utilities."

MyNevada.gov

Choose a county, and a list of government services and municipalities within that county is provided.

Search NV Govt. Services	Choose a County: Clark Go	Choose a City: ... Go
News • North Las Vegas Junior Golf Classic set for • Henderson celebrates 50 years • Sign up for Las Vegas leisure activities. • Get the latest update on new Clark County • Washoe Library System offers online cata More News...	Clark Douglas Elko Esmeralda Eureka Humboldt Lander Lincoln Lyon Mineral Nye	Featured Items - Kids' water web site - Southern Nevada GIS maps - Northern Nevada Landscape Guide

MyNevada.gov

Then follow the links
directly to the
appropriate
government agency's
web services.

Clark

Permits & Licenses

[City of Las Vegas Animal License](#) [City of Las Vegas Building Permits](#) [City of Las Vegas Business License](#) [City of Las Vegas Child Care License](#) [City of Las Vegas Land Use](#) [City of Las Vegas Privilege Licenses](#) [City of Las Vegas Special Events Permits](#) [Clark County Air Quality Permit](#) [Clark County Animal License](#)

Jobs

[Boulder City Employment](#) [Boulder City Job Openings](#) [City of Henderson Employment](#) [City of Henderson Job Openings](#) [City of Las Vegas Human Resources](#) [City of Las Vegas Jobs](#) [City of North Las Vegas Employment](#) [City of North Las Vegas Job Openings](#) [Clark County Human Resources](#) [Clark County Job Openings](#)

Education

[Clark County School District](#) [Community College of Southern Nevada](#) [Great Basin College](#) [Literacy Coalition](#) [Millennium Scholarship](#) [Nevada Department of Education](#) [Nevada State College](#) [University of Nevada-Reno](#) [University of Nevada, Las Vegas](#) [Western Nevada Community College](#)

Elected Officials

[City Council of Boulder City](#) [Clark County Commissioners](#) [Henderson Mayor & City Council](#) [Las Vegas City Council](#) [Las Vegas Municipal Court Judges](#) [Mesquite City Council](#) [North Las Vegas City Council](#)

Law & Courts

[Clark County District Attorney](#) [Clark County Family Court](#) [Eighth Judicial District Court](#) [Las Vegas Justice Court](#) [Traffic Citations](#) [Las Vegas Municipal Court Judges](#) [Nevada Municipal Courts](#) [North Las Vegas Municipal Court](#)

Public Safety

[Animal Control](#) [Clark County Animal Control](#) [Clark County D.A.R.E.](#) [Clark County Fire Department](#) [Clark County Office of Emergency Management](#) [Clark County Sheriff](#) [Crime Stoppers](#) [Henderson Police Department](#) [Las Vegas Animal Control](#) [Las Vegas Emergency & Public Information](#) [Las Vegas Metropolitan Police Department](#)

Utilities

[Big Bend Water District](#) [Blue Diamond Water System](#) [Clark County Water Reclamation District](#) [Henderson Utility Services](#) [Jean Water System](#) [Kyle Canyon Water District](#) [Las Vegas Valley Water District](#) [Nevada Gas Providers](#) [Nevada Power Providers](#) [Nevada Public Utilities Water](#) [Nevada Telecommunications](#)

Parks & Culture

[Boulder City Library District](#) [Boulder City Parks & Recreation](#) [Boulder City Hoover Dam Museum](#) [City of Henderson Parks & Recreation](#) [City of Las Vegas Cultural Division](#) [City of Las Vegas History](#) [City of Las Vegas Leisure Services](#) [City of North Las Vegas Parks & Recreation](#) [Clark County Events](#) [Clark County Historical Markers](#)

Social Services

[Clark County Department of Juvenile Justice](#) [Clark County Family Services](#) [Clark County Health District](#) [Clark County Social Services](#) [Las Vegas Missing Children](#) [Nevada Division of Child & Family Services](#) [Nevada Division of Mental Health](#) [Nevada Medicaid](#) [Nevada Office of Veterans Services](#) [Nevada State Health Division](#)

Transportation

[City of Las Vegas GIS Maps](#) [Las Vegas Traffic Cams](#) [McCarran International Airport](#) [Nevada Drivers License](#) [Nevada Map](#) [Nevada Vehicle Registration](#) [Regional Transportation Commission](#)

Public Meetings & Agendas

[Boulder City Council Meetings](#) [Clark County Meetings](#) [Las Vegas Meetings and Agendas](#) [Las Vegas Valley Water District Meetings](#) [Mesquite City Council Agendas](#) [North Las Vegas Meetings & Agendas](#)

MyNevada.gov

Initial Phase and Future Improvements

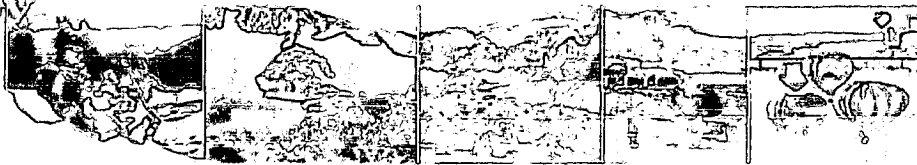
- Helps businesses and citizens** by simply redirecting visitors to appropriate resources.
- Preserves the identity (brand) of each government agency** by linking directly to their sites.
- Sets the foundation** for the development of cross-jurisdictional shared services.
- Future developments** will be based on user feedback.

MyNevada.gov

Site Promotion

- Goes “live” on May 27, 2004.
- Presentations at various council meetings.
- Presentations at various conference meetings and web groups.
- Linked to and from other websites.
- News release to be sent on Friday, May 28.

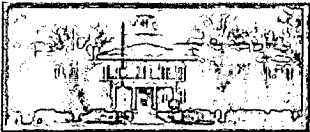
MyNevada.gov



Welcome to MyNevada.gov Your portal to Nevada state & local services

Search Search NV Govt. Services Choose a County: a City:

- Home
- Doing Business
- Nevada Government
- Living in Nevada
- Jobs
- Moving to Nevada
- Visiting Nevada
- Feedback
- About MyNevada.gov



Nevada State Capitol

About MyNevada.gov

The Nevada eGovernment Alliance created MyNevada.gov as a resource for citizens, businesses and visitors. MyNevada.gov currently serves as a portal to government online resources throughout the state.

The alliance is comprised of a growing number of government agencies that are cooperatively working to develop an online tool offering seamless access to government information and services.

Current Nevada eGovernment Alliance partners include:

 State of Nevada	 City of Henderson	 City of Las Vegas
 City of North Las Vegas	 Clark County	 Las Vegas Valley Water District
 Las Vegas Metropolitan Police Department	 Henderson District Public Libraries	 State of Nevada Library and Archives

About MyNevada.gov

All Nevada public agencies are welcome to join the Nevada eGovernment Alliance. Contact us if you are interested in joining. A member of the alliance will contact you within 10 business days.

[Home](#) | [Doing Business](#) | [Government](#) | [Living](#) | [Jobs](#) | [Moving](#) | [Visiting](#) | [Feedback](#) | [About MyNevada.gov](#) | [Privacy Policy](#)

MyNevada.gov is sponsored by the Nevada community of governing agencies, service organizations and major utilities.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

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

Discussion and possible action to ratify Scott Adams as Director of the Office of Business Development (\$133,000 - General Fund)

Fiscal Impact☐**No Impact****Amount:** \$133,000 + executive benefits☒**Budget Funds Available****Dept./Division:** City Manager/OBD☐**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

Scott Adams is currently Executive Director of Jefferson Economic Development and Port District Commission in Jefferson Parish, Louisiana (largest county in New Orleans Metro Area). He has been employed with Jefferson since December 1998. Prior to this, he was Director of Department of Planning and Economic Development for the City of Ft. Lauderdale, Florida. His extensive planning and economic development experience makes him highly qualified for this position.

RECOMMENDATION:

It is recommended by the City Manager that the City Council ratify the appointment of Scott Adams to the position of Director of the Office of Business Development with a starting date of approximately August 9, 2004 or sooner.

BACKUP DOCUMENTATION:

Resume of Scott Adams

MOTION:

GOODMAN – APPROVED as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

CITY MANAGER SELBY indicated that after two difficult recruitment processes, he is recommending the ratification of MR. ADAMS, who comes with great credentials and highly recommended.

MAYOR GOODMAN noted that MR. ADAMS has a tremendous job ahead of him, and he is going to be watched closely to make sure he can assist this Council to succeed with their desired goals for the downtown area.

AL GALLEGOS, citizen of Las Vegas, requested an introduction of MR. ADAMS; however, he was not present.

(10:22 – 10:26)

1-3010

SCOTT D. ADAMS, C.E.C.D.

1108 Joe Yenni Blvd., Apt. 132, Kenner, LA 70065

Work (504) 833-1881 • Home (504) 712-7855 • Cell (504) 669-2714 • Fax (504) 833-7676 • sadams@jedco.org

Experience

DECEMBER 1998 - PRESENT
Executive Director

Jefferson Economic Development and Port District Commission
Jefferson Parish, Louisiana (Largest County in New Orleans Metro Area)

Direct agency of 20 employees and \$2 million operating budget responsible for comprehensive economic development for entire Parish. Agency functions include business attraction/retention, operating two successful small business incubators, several small business loan programs, shallow water port function, marketing, economic development planning, and real estate project development. Completed successful turnaround of agency once subject to severe criticism to award winning respected agency. Highlights of accomplishments include:

- Packaging of a \$30 million mixed use marina
- Completion of a 5 year strategic economic development plan focusing on technology development
- Repositioning incubator program to focus on technology
- Spearheaded successful effort to revamp state incentives
- Creation of a parish economic development incentive deal closing fund
- First ever tax-exempt and taxable industrial development bonds
- Worked dozens of expansion and attraction projects

JANUARY 1996-DECEMBER 1998
Director

Department of Planning and Economic Development
City of Ft. Lauderdale, Florida

Directed Department of 100 employees with \$15 million budget which included Divisions of Planning & Zoning, Public Information, Housing & Community Development, Economic Development, Docks & Waterways, and the Executive Airport. Also had responsibility for the City's Community Redevelopment Agency and designated Community Redevelopment Areas. Was initial director for newly combined Department and successfully merged functions to create cohesive unit. Highlights of accomplishments include:

- Opening of new marina focusing on mega yacht market
- Opening of downtown waterfront entertainment project
- Rewrite of entire city zoning ordinance
- Initiated revision of City comprehensive plan
- Initiated national corporate headquarters campaign
- Closed 7 business attraction/expansion deals totaling over 3000 jobs
- Planning/construction of downtown heliport
- Coordination of city development requirements for dozens of development projects totaling nearly one billion dollars

JUNE 1992-JANUARY 1996
Executive Director

New Orleans Regional Medical Center, Inc.
New Orleans, Louisiana

Started up new non-profit corporation dedicated to the development of the 40 block medical complex located in downtown New Orleans. Was a partnership of Tulane University Medical Center, LSU Medical Center, and downtown hospitals and medical entities with responsibilities for economic development, redevelopment, planning and development of shared services. Accomplishments included:

- Drafting and adoption of a joint facility master plan
- Federal, state, and local grants totaling \$4 million for:
 - Land acquisition
 - Infrastructure improvements
 - Marketing
- Developing feasibility/concept for a 300 room medical conference hotel now under development
- Initiated plan for a shared power plant now completed
- Formed effective police/security initiative

APRIL 1990-JUNE 1992
Executive Vice President
President

Greater Norfolk Corporation
Hampton Roads Biomedical Research Park
Norfolk, Virginia

Served as head of two entities, one responsible for macro level economic development planning in Norfolk and one for development of a biomedical research park adjacent to the Eastern Virginia Medical School campus. Accomplishments included:

- Coordination of downtown master plan implementation involving several major downtown projects
- Fundraising and bond feasibility/approval for National Maritime Center waterfront attraction
- Initiated plan for development of downtown campus for Tidewater Community College
- Developed feasibility of biomedical business incubator

FEBRUARY 1986-APRIL 1990**Executive Director
Deputy Director****Downtown Development Authority
Jacksonville, Florida**

Was promoted to Executive Director of agency with staff of 20 and \$1.5 million operating budget. Responsible for planning and development coordination in downtown Jacksonville, which included three developments of regional impact and three community redevelopment areas. Highlights of accomplishments include:

- Completion of core business district master plan
- Initiation of northbank riverwalk
- Opening of the Jacksonville Landing, a Rouse Co. waterfront festival marketplace
- Land acquisition of downtown block for parking garage
- R.O.W. planning/negotiation for downtown people mover transit system
- \$3 million Urban Development Action Grant for Convention Center Hotel project
- Development coordination of three office headquarters projects totaling 1.4 million square feet

NOVEMBER 1982-FEBRUARY 1986**Assistant Executive Director
Manager of Planning and Public Services****Center City Commission
Memphis, Tennessee**

Started as Manager of Planning and Public Services and was promoted to Assistant Executive Director of downtown development agency with staff of 20 and \$1 million budget responsible for coordination and stimulation of development of downtown Memphis. Responsible for agency operations, public improvement fund, planning, and Center City Revenue Finance Corporation (bond and tax abatement incentives) Highlights of accomplishments include:

- Completion of \$400,000 Center City Development Plan, the basis for dozens of future projects and investments
- Initiation of the Biomedical Research Zone, an in-town technology park project
- Negotiation of several public/private infrastructure agreements with project developers
- Management of several downtown public works projects
- Packaging of development incentives for dozens of downtown real estate projects of all types totaling several hundred million dollars
- Pioneering of several major downtown housing initiatives
- Facilitation of proposals for development of several major downtown attractions to include music halls of fame, Beale Street, and the Pyramid Arena

JULY 1977-NOVEMBER 1982**Community Development Planner
Principal Planner****Department of Community Development
Region 2 Planning Commission
City of Jackson, Michigan**

Position was transferred from Regional Planning Commission to the City Department of Community Development. Responsible for general city planning assistance and planning for City Community Development Block Grant Program. Also served as staff support to the Downtown Development Authority of the City of Jackson.

Education

B.S., Urban Planning, Michigan State University, 1977
AIP Student Award for Outstanding Achievement
Given to Top Graduate
Part-Time Instructor, Jackson Community College, 1979-82
Guest Lecturer, Memphis State University, Florida State University, and Tulane University

Professional

Certified Economic Developer (CEcD), International Economic Development Council
Member, Urban Land Institute
Past Member, American Institute of Certified Planners
Consultant, Downtown Development and Main Street Programs: Gainesville, Fl., Lake City, Fl., Ottawa, Illinois, and Hannibal, Missouri

Civic

Board Member, Jefferson Chamber of Commerce
Board Member, New Orleans/River Region Chamber of Commerce
Board Member, Louisiana Technology Council
Member, Louisiana Industrial Development Executives Association
Vice Chairman, Jefferson Parish Workforce Investment Board

References Furnished Upon Request

SCOTT D. ADAMS

1108 Joe Yenni Blvd., Apt. 132, KENNER, LA 70065

Work (504) 833 -1881 • Home (504) 712-7855 • Cell (504) 669-2714 • Fax (504) 833 -7676 • sadams@jedco.org

January 14, 2004

Mr. David Harris
Shannon Executive Search
241 Lathrop Way
Sacramento, CA 95815

Dear Mr. Harris:

Please accept this letter as indication of my interest in the position of Director of Business Development for the City of Las Vegas. My resume is enclosed for your information.

I hold a degree in Urban Planning from Michigan State University and have 27 years of substantial experience in economic development. My assets include:

- I was formerly the Director of Planning and Economic Development for the City of Ft. Lauderdale, FL. I was responsible for integrating many diverse development and economic development related functions into a 100 employee synergistic team for the purpose of creating and retaining jobs, new tax base and a better quality of life for residents of the City of Ft. Lauderdale. The city is similar to Las Vegas as it is also the center of a high growth area but faced with redevelopment issues and related concerns.
- Closing many deals for both retention/expansion and attraction. These cut across IT, biotech, and other areas. Specific examples include Citrix, Omnipoint, Reliagene, GenScan, Barrister Global Resources, Terramatrix, Hotel Booking Solutions, Diamond Data Systems, Northrop Grumman Ship Systems and more.
- I have spearheaded here in Jefferson Parish a new 5 year plan focusing on technology development. This has included completing a tech audit of the Parish, a tech strategy, and initial development of a 500 acre tech park.
- Redevelopment experience in several cities leading to significant change. These initiatives were planning driven.
- Good management skills and the ability to work in a wide range of working environments to include a city manager form of government under deputy city managers.

I am currently earning total cash compensation of \$140,000 per year, and would require appointment at the high end of the salary range. I believe I could meet my current earning power via the tax and benefits differences between Las Vegas and my current situation.

I trust you will give me serious consideration, and in the event there is mutual interest, I would be pleased to discuss my candidacy further at your convenience.

Sincerely,



Scott D. Adams

SCOTT D. ADAMS

Executive Director – 5 years, 3 months
Jefferson Economic Development and Port District Commission
Jefferson Parish, LA

Director – 2 years, 11 months
Department of Planning and Economic Development
City of Ft. Lauderdale, FL

Executive Director – 3 years, 7 months
New Orleans Regional Medical Center, Inc.
New Orleans, LA

Executive Vice President & President – 2 years, 2 months
Greater Norfolk Corp.
Hampton Roads Biomedical Research Park
Norfolk, VA

Executive Director & Deputy Director – 4 years, 2 months
Downtown Development Authority
Jackson, FL

Assistant Executive Director & Manager of Planning and Public Services – 3
years, 3 months
Center City Commission
Memphis, TN

BS, Urban Planning
Michigan State Univ.

Current salary: \$ 136,000 (+\$300 auto allowance)

Reports to:	Board of 21
Staff Size:	19 (100 at Ft. Lauderdale)
Direct Reports:	2 Deputy Directors
Budget:	\$2 million (\$15 million at Ft. Lauderdale)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Andrea M. Robertson, 3028 Vegas Drive, Las Vegas, Nevada 89119

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

1. Appellant Letter of Appeal and City Clerk Notification Letter to Appellant
2. Submitted after final agenda - Withdrawal of job offer from 7-Eleven #20687

MOTION:

REESE – Motion to bring forward and STRIKE Items 59 and 68 and Hold in ABEYANCE Items 64, 69, 70, and 85 to 6/2/2004 – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no discussion.

(9:47 – 9:48)

1-1443

RECEIVED
CITY CLERK

2004 APR 27 A 9:58

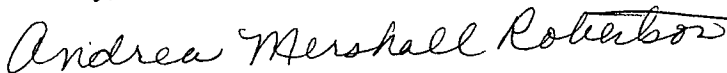
April 27, 2004

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

To Whom It May Concern:

I wish to appeal to the City Council the denial by the Metropolitan Police Department of my Work Card application.

Sincerely,



Andrea M. Robertson
3028 Vegas Drive
Las Vegas, NV 89119



April 27, 2004

Andrea M. Robertson
3028 Vegas Drive
Las Vegas, NV 89119

Re: **WORK CARD APPEAL**

Dear Ms. Robertson:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of May 19, 2004.

Your appeal is scheduled to be heard during the morning session of the meeting, which commences at 9:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so.

If a letter is submitted to the Council, it must be from the licensee or principal who must be approved for suitability under Las Vegas Municipal Code Chapter 6.06 (the owner of the business, other principal or key employee) for the establishment in which you are seeking employment. Also, you should bring to the hearing all other materials which may assist you in your appeal.

Sincerely,

A handwritten signature in cursive script, appearing to read "Doreen Araujo".

**DOREEN ARAUJO
DEPUTY CITY CLERK II**

/pc

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

5-17-04

To Whom it may Concern,

I withdraw my offer of Employment to
Andrea Robertson. The position that she would
have been hired For has already Been Filled.

Thanks

Scott 

7-ELEVEN #20687
(702) 647-5790

2004 MAY 18 P 2:47

RECEIVED
CITY CLERK

Submitted after final agenda

Date 5/18/04 Item #68

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Tamara Lynn Carrera, 555 E. Silverado Ranch, Apt. #1062, Las Vegas, Nevada 89123

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTION:

REESE – Motion to bring forward and STRIKE Items 59 and 68 and Hold in ABEYANCE Items 64, 69, 70, and 85 to 6/2/2004 – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no discussion.

(9:47 – 9:48)

1-1443

May 4, 2004

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

To Whom It May Concern:

I wish to appeal to the City Council the denial by the Metropolitan Police Department of my Work Card application.

Sincerely,



Tamara Lynn Carrera
555 E. Silverado Ranch, Apt. #1062
Las Vegas, NV 89123



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN

LAWRENCE WEEKLY

MICHAEL MACK
NET MONCRIEF

DOUGLAS A. SELBY
CITY MANAGER

May 4, 2004

Tamara Lynn Carrera
555 E. Silverado Ranch, Apt. #1062
Las Vegas, NV 89123

Re: **WORK CARD APPEAL**

Dear Ms. Carrera:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of May 19, 2004.

Your appeal is scheduled to be heard during the morning session of the meeting, which commences at 9:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so.

If a letter is submitted to the Council, it must be from the licensee or principal who must be approved for suitability under Las Vegas Municipal Code Chapter 6.06 (the owner of the business, other principal or key employee) for the establishment in which you are seeking employment. Also, you should bring to the hearing all other materials which may assist you in your appeal.

Sincerely,

A handwritten signature in cursive script, reading "Gabriela Portillo-Brenner".

GABRIELA PORTILLO-BRENNER
DEPUTY CITY CLERK II

/pc

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Don L. Hampton, 893, W. Balzar, Las Vegas, Nevada 89106

Fiscal Impact

☒

No Impact

☐

Budget Funds Available

☐

Augmentation Required

Amount:

Dept./Division:

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTION:

REESE – Motion to bring forward and STRIKE Items 59 and 68 and Hold in ABEYANCE Items 64, 69, 70, and 85 to 6/2/2004 – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no discussion.

(9:47 – 9:48)

1-1443

RECEIVED
CITY CLERK

2004 MAY -5 P 12: 09

May 5, 2004

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

To Whom It May Concern:

I wish to appeal to the City Council the denial by the Metropolitan Police Department of my Work Card application.

Sincerely,

Don L. Hampton
893 Balzar
Las Vegas, NV 89106

A handwritten signature in black ink, appearing to read "Don Hampton", with a long horizontal line extending to the right.



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY

MICHAEL MACK
NET MONCRIEF

DOUGLAS A. SELBY
CITY MANAGER

May 5, 2004

Don L. Hampton
893 W. Balzar
Las Vegas, NV 89106

Re: WORK CARD APPEAL

Dear Mr. Hampton:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of May 19, 2004.

Your appeal is scheduled to be heard during the morning session of the meeting, which commences at 9:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so.

If a letter is submitted to the Council, it must be from the licensee or principal who must be approved for suitability under Las Vegas Municipal Code Chapter 6.06 (the owner of the business, other principal or key employee) for the establishment in which you are seeking employment. Also, you should bring to the hearing all other materials which may assist you in your appeal.

Sincerely,

A handwritten signature in cursive script that reads "Angela Crolli".

**ANGELA CROLLI
DEPUTY CITY CLERK II**

/pc

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Held in Abeyance from May 5, 2004. Tina P. Morton, 305 Bonanza Way, Las Vegas, NV 89101

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED the recommendation of the Las Vegas Metropolitan Police Department, thereby, granting a site-specific work card, subject to a one-year (5/18/2005) review – **UNANIMOUS** with Ward 2 seat vacant

MINUTES:

The appellant was present.

SERGEANT REAGAN ALEXANDER, Las Vegas Metropolitan Police Department (Metro), referred the Council to the Confidential Report. He confirmed the Mayor's comment that the employer is aware of MS. MORTON'S history and is willing to hire her despite her background. He agreed with COUNCILMAN REESE'S suggestion to issue a site-specific work card subject to a one-year review.

(10:26 – 10:27)

1-3190

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Held in Abeyance from May 5, 2004. Keith L. Brooks, 825 Camden Lane Court, North Las Vegas, Nevada 89030

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED the recommendation of the Las Vegas Metropolitan Police Department, thereby, granting a site-specific work card, subject to a one-year (5/18/2005) review – **UNANIMOUS** with Ward 2 seat vacant

MINUTES:

The appellant was present, accompanied by his attorney, KEVIN KELLY, 302 E. Carson Avenue.

SERGEANT REAGAN ALEXANDER, Las Vegas Metropolitan Police Department (Metro), stated the Confidential Report reflects the information obtained regarding MR. BROOKS' background. The employer is aware of MR. BROOKS' criminal history and is willing to hire him despite his background. He suggested issuing a site-specific work card subject to a one-year review.

ATTORNEY KELLY indicated that MR. BROOKS has been sober for some time, has graduated from Community College, and has done everything possible to demonstrate his rehabilitation. He requested the Council's approval.

(10:27 – 10:30)

1-3285

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Held in Abeyance from May 5, 2004. Caren Lynn Lopez, 4421 W. Washington Avenue, Las Vegas, NV 89107

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED the recommendation of the Las Vegas Metropolitan Police Department, thereby, granting a site-specific work card, subject to a one-year (5/18/2005) review – **UNANIMOUS** with **MONCRIEF** not voting and Ward 2 seat vacant

MINUTES:

The appellant was present.

SERGEANT REAGAN ALEXANDER, Las Vegas Metropolitan Police Department (Metro), referred the Council to the Confidential Report for information. He indicated the employer issued a letter of support for MS. LOPEZ. It is the same employer as MS. MORTON'S under Item 71. He suggested issuing a site-specific work card subject to a one-year review.

MAYOR GOODMAN called forward ELIAS FARA, the employer, and thanked him for giving people a second chance, because, as a former criminal defense attorney, he knows firsthand how difficult it was for his clients to find a job. MR. FARA is doing a great service for the community.

(10:30 – 10:33)

1-3412

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

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

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Hearing, discussion and possible action regarding disciplinary complaint.

RECOMMENDATION:

Recommend revocation of Restaurant-Take Out License No. R05-00110-6-032996, Coin Operated Amusement License No. C08-01422-2-032996, and Retail Tobacco License No. C05-01286-B-032996.

BACKUP DOCUMENTATION:

1. Complaint for Disciplinary Action
2. Submitted at meeting: Original Affidavit of Service and Original Order Approving Complaint and Notice of Hearing

MOTION:

WEEKLY – STRKE as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

BILL HENRY, Sr. Litigation Counsel, submitted the Order Approving Complaint and Notice of Hearing, as well as the Affidavit of Service. He then indicated that GEORGE FOLEY, SR., on behalf of CAREY SAM ANDERSON, surrendered the licenses at issue to the Business Services Manager. Therefore, MR. HENRY requested this matter be stricken.

(10:33 – 10:34)

1-3605

1
2
3
4 BEFORE THE CITY COUNCIL
5 OF THE CITY OF LAS VEGAS, NEVADA

6 * * *

7 IN THE MATTER OF:

8 DEPARTMENT OF FINANCE AND
9 BUSINESS SERVICES on behalf of the
10 CITY OF LAS VEGAS, NEVADA,

11 Petitioner,

12 vs.

13 CAREY SAM ANDERSON d/b/a
14 ANDERSON SNACK SHACK,

15 Respondent.

**COMPLAINT FOR
DISCIPLINARY ACTION**

16 The DEPARTMENT OF FINANCE AND BUSINESS SERVICES, on behalf of the
17 CITY OF LAS VEGAS, NEVADA (Department), Petitioner, brings this Complaint for
18 Disciplinary Action against CAREY SAM ANDERSON d/b/a ANDERSON SNACK SHACK,
19 516 Jackson Avenue, Las Vegas, Clark County, Nevada, Respondent, and states:

20 Respondent CAREY SAM ANDERSON, holds Restaurant-Take Out License No. R05-
21 00110-6-032996, Coin Operated Amusement License No. C08-01422-2-032996, and Retail
22 Tobacco License No. C05-01286-B-032996.

23 **SUMMARY OF ALLEGATIONS**

24 ANDERSON SNACK SHACK operates as a take-out food business. It is a nuisance.
25 From July 2000 to date, there have been hundreds of calls for service requiring the Las Vegas
26 Metropolitan Police Department to respond to ANDERSON SNACK SHACK. The Clark
27 County Health District has conducted multiple inspections of ANDERSON SNACK SHACK
28 and found it to be filthy and in disrepair. ANDERSON SNACK SHACK has operated as a

1 food establishment without a valid health permit. Cease and Desist Orders were issued.
2 ANDERSON SNACK SHACK, contrary to law, has not maintained adequate records of gross
3 sales and inventory. Las Vegas Metropolitan Police officers, on multiple occasions, have
4 found evidence of sale and consumption of alcohol on the premises. CAREY SAM
5 ANDERSON has pled nolo contendere to Doing Business Without a License and Selling
6 Liquor Without a License, and been found guilty, in the Las Vegas Municipal Court.
7 ANDERSON SNACK SHACK, on December 22, 2003, was found to be an imminent hazard
8 because it placed peoples' lives, health or property in high risk of peril.

9 THE LAW

10 LVMC § 6.02.330(C), (G) and (H) subject a licensee to discipline:

11 The licensee may be subject to disciplinary action by the
12 City Council for good cause, which may, without limitation,
include:

13

14 (C) The licensee or any of its principals has been
15 convicted of an act which constitutes a crime which involves
16 moral turpitude or involves any local, state or federal law or
regulation which relates to the same or a similar business;

17

18 (G) The premises on which the business is conducted do
19 not satisfy local, state or federal law or regulations which pertain
to the activity which is actually engaged in;

20 (H) The actual business activity constitutes a public or
21 private nuisance, or has been or is being conducted in an
unlawful, illegal or impermissible manner. [Emphasis added.]

22 LVMC § 6.02.340 also subjects a licensee to discipline:

23 Whenever this Title requires any act to be done or
24 prohibits or makes unlawful the doing of any act, the failure to
25 do any such required act or the doing of any such prohibited or
unlawful act shall subject the person who commits such
violation to disciplinary action. [Emphasis added.]

26 LVMC § 6.02.350 subjects a licensee to discipline for the acts of principals and
27 subordinates:

28

1 A licensee under this Chapter shall be subject to
2 disciplinary action not only for acts or omissions done by such
3 licensee but also for acts and omissions done by the principals,
4 managers, agents, representatives, servants or employees of such
5 licensee.

6 NUISANCE

7 CALLS FOR SERVICE

8 Between July 2000 and June 2001 there were 193 calls for service to the Las Vegas
9 Metropolitan Police Department from ANDERSON SNACK SHACK. During calendar year
10 2000 there were 167 calls for service. During calendar year 2003 there were 56 calls for
11 service.

12 NARCOTICS

13 During the month of August 2003 Metropolitan Police officers determined that
14 ANDERSON SNACK SHACK operates between the hours of 11 p.m. and 5 a.m. They
15 conducted a surveillance. Their surveillance revealed that most of the people who entered the
16 business did so with nothing in their hands and left with nothing in their hands. Metropolitan
17 Police officers observing subjects standing outside the business formed the opinion that hand-
18 to-hand narcotics sales were occurring and people were smoking crack cocaine.

19 On September 12, 2003, officers of the Las Vegas Metropolitan Police Department
20 engaged CAREY SAM ANDERSON in conversation concerning narcotics activity at
21 ANDERSON SNACK SHACK. With reference to people using narcotics at his business, he
22 stated: "They mostly stay outside except when the police chase them in." When asked what
23 these people do with their narcotics once they come into ANDERSON SNACK SHACK,
24 CAREY SAM ANDERSON stated that they usually dump the narcotics into the pockets of the
25 pool tables. When asked what he, CAREY SAM ANDERSON, had done to deal with or
26 eliminate this activity, Mr. Anderson had no response.

27 LVMC § 6.02.330(H) relevantly provides:

28 The licensee may be subject to disciplinary action by the
City Council for good cause, which may, without limitation,
include:

1 (H) The actual business activity constitutes a public or
2 private nuisance, or has been or is being conducted in an
unlawful, illegal or impermissible manner.

3 **HEALTH CODE VIOLATIONS**

4 On June 12, 2003, an environmental health specialist from the Clark County Health
5 District inspected ANDERSON SNACK SHACK. He found it to be unpermitted, filthy, and
6 ordered that all food service operations cease and desist. The inspector followed up June 30,
7 2003, made the same observations, and once again ordered that all food operations cease and
8 desist. A third inspection was conducted by the Clark County Health District specialist
9 October 1, 2003, and he found the facility was filthy, the restrooms had no ventilation, the
10 window did not open, the floor, walls, and ceiling were in disrepair, the trash areas were
11 filthy, and that ANDERSON SNACK SHACK was still selling food without a health permit.
12 Once again, he directed that all food service operations cease and desist.

13 LVMC § 6.02.330(G) and (H) relevantly provide:

14 The licensee may be subject to disciplinary action by the
15 City Council for good cause, which may, without limitation,
include:

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17 (G) The premises on which the business is conducted do
18 not satisfy local, state or federal law or regulations which pertain
to the activity which is actually engaged in;

19 (H) The actual business activity constitutes a public or
20 private nuisance, or has been or is being conducted in an
unlawful, illegal or impermissible manner.

21 **INADEQUATE TAX RECORDS**

22 The Department attempted to audit the gross sales and inventory records of
23 ANDERSON SNACK SHACK on June 12, June 26, and July 15, 2003. ANDERSON
24 SNACK SHACK did not cooperate with the first two audit attempts, and provided insufficient
25 records for the third.

26 LVMC § 6.02.210 provides:

27 (A) The Director and any other person designated by him
28 shall have access to the books of such businesses as are

1 contemplated in Section 6.02.180 et seq. for the purpose of
2 auditing the amount of gross sales and inventory, as applicable.

3 (B) It is unlawful for a licensee to fail to keep adequate
4 records of gross sales and of inventory (where applicable), and
5 to fail to produce adequate records to the Director within
6 seventy-two hours on demand by the Director or any other
7 person designated by him.

8 (C) "Adequate records" for the purpose of this Section
9 means:

10 (1) Original copies of all sales invoices and credit slips for
11 a period of one year preceding the date of the audit and all cash
12 receipts journals for a period of three years preceding the date of
13 the audit; [Emphasis added.]

14 SALE AND CONSUMPTION OF ALCOHOL

15 On September 12, 2003, Las Vegas Metropolitan Police officers inspected
16 ANDERSON SNACK SHACK. They observed several open containers of hard liquor next to
17 people in the business. They observed paper and plastic cups behind the bar. These cups
18 matched cups being used by the individuals. Several empty beer cans were found in the
19 garbage behind the counter. A fifth of cognac, a quart of gin, three 1.75 liter containers of
20 whiskey, a quart of #10 gin, a partially-consumed one-half pint of whiskey, a partially-
21 consumed 1.75 liter bottle of vodka, a quart of whiskey, a partially-consumed quart of vodka,
22 a partially-consumed bottle of tequila, and twelve 12-ounce cans of beer were seized by Las
23 Vegas Metropolitan Police officers because ANDERSON SNACK SHACK is not licensed to
24 sell alcohol.

25 On October 24, 2003, Las Vegas Metropolitan Police officers and the manager of the
26 Business Services Division of the Department of Finance inspected ANDERSON SNACK
27 SHACK. CAREY SAM ANDERSON and four patrons were present. An inspection of the
28 refrigerators revealed two 12-ounce cans of beer. A further inspection of the business
revealed eleven opened and partially-consumed bottles of hard liquor.

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in the Las Vegas Municipal Court with Doing Business Without a License, under Case
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3 LVMC § 6.50.280 provides:

4 No person shall engage in the business of **selling alco-**
5 **holic beverages**, advertise the same or **permit the consumption**
6 of alcoholic beverages on the premises of any business establish-
ment without first obtaining and thereafter maintaining a valid
unexpired alcoholic beverage license pursuant to this Code.
[Emphasis added.]

8 OPERATING A FOOD ESTABLISHMENT WITHOUT A VALID HEALTH PERMIT

9 An environmental health specialist from the Clark County Health District found
10 ANDERSON SNACK SHACK to be **selling food without a health permit** on June 12, 2003,
11 June 30, 2003, and October 1, 2003.

12 NRS 446.870(1) provides:

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14 for any person to operate a food establishment unless he pos-
sesses a valid permit issued to him by the health authority.

15 IMMINENT HAZARD

16 On December 22, 2003, a code enforcement agent from the City Department of
17 Neighborhood Services cited ANDERSON SNACK SHACK as an imminent hazard. The final
18 notice recited that the property was unsafe, unhealthy, needed major repair work such as
19 drywall, painting, hot water, proper doors, security latches, and door signage. It was further
20 recited in the final notice that "owner has failed to comply with all previous requests to
21 comply. Therefore, the building is [again] red tagged."

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23 "**Imminent hazard**" means any condition associated with
24 real property that places a person's life, health or property in
25 high risk of peril when such condition is immediate, impending,
or on the point of happening or menacing. [Emphasis added.]

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27 Every person who causes or maintains a public **nuisance**
28 or chronic nuisance, or who wilfully omits or refuses to perform
any legal duty relating to the abatement of such a nuisance:

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2 added.]

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11 (H) The actual business activity constitutes a public or
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13 **lawful**, illegal or impermissible **manner**. [Emphasis added.]

14 ALLEGATION

15 CAREY SAM ANDERSON d/b/a ANDERSON SNACK SHACK has operated his
16 business in violation of Titles 6 and 9 of the Las Vegas Municipal Code, as well as NRS
17 Chapter 446. He holds three City business licenses and is subject to discipline.

18 SANCTION

19 LVMC § 6.02.360 provides:

20 Upon a showing of good cause and in the discretion of the
21 City Council, disciplinary action against a holder may take the
22 form of cancellation, **revocation**, refusal to renew, **suspension**,
23 **imposition of conditions** or restrictions or civil **fine** in an
24 amount not to exceed one thousand dollars for each day that the
25 violation which forms the subject matter of the complaint that
26 recommends such disciplinary action is demonstrated to have
27 been in existence, or any combination of such actions, as the
28 particular situation may require. The Council may also impose
against the licensee the actual costs incurred, and a reasonable
amount for attorney's fees, resulting from the imposition of
disciplinary action. The disciplinary actions available in this
Section shall be in addition to, and not exclusive of, any other
civil or criminal remedy which otherwise might be available.
[Emphasis added.]

WHEREFORE, the Petitioner respectfully requests the City Council to:

A. Approve the Complaint for Disciplinary Action and order a disciplinary hearing
at which the Respondent shall appear and show cause why the license that is the subject of this
Complaint should not be suspended or revoked, or other disciplinary action taken; or

1 B. Grant such other and further relief as the Council deems appropriate.

2 DATED this 25th day of March, 2004.

3 RESPECTFULLY SUBMITTED:

4
5 By:


6 MARK R. VINCENT, Director
Finance and Business Services

7 BRADFORD R. JERBIC
8 City Attorney

9 By:


10 WILLIAM P. HENRY
Senior Litigation Counsel
11 Nevada Bar No. 101
400 Stewart Avenue, Ninth Floor
12 Las Vegas, NV 89101
Attorneys for CITY OF LAS VEGAS

ORIGINAL

BEFORE THE CITY COUNCIL
OF THE CITY OF LAS VEGAS, NEVADA

* * *

IN THE MATTER OF:

DEPARTMENT OF FINANCE AND
BUSINESS SERVICES on behalf of the
CITY OF LAS VEGAS,

Petitioner,

vs.

CAREY SAM ANDERSON d/b/a
ANDERSON SNACK SHACK,

Respondent.

AFFIDAVIT OF SERVICE

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

SAUL ALTER, being first duly sworn, says: That at all times herein affiant was and is a citizen of the United States, over 18 years of age, and not a party to or interested in the proceeding in which this affidavit is made. That affiant received one copy of the Order Approving Complaint and Notice of Hearing along with the Complaint for Disciplinary Action on April 8, 2004, and served the same on CAREY SAM ANDERSON, Respondent herein, by serving him at 2521 Royal Street, North Las Vegas, Clark County, Nevada, April 15, 2004.

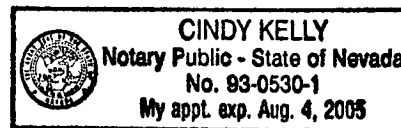
DATED this 20 day of April, 2004.

Saul Alter

SAUL ALTER

SUBSCRIBED AND SWORN TO before
me this 20th day of April, 2004.

Cindy Kelly
NOTARY PUBLIC



ORIGINAL

BEFORE THE CITY COUNCIL
OF THE CITY OF LAS VEGAS, NEVADA

* * *

IN THE MATTER OF:

DEPARTMENT OF FINANCE AND
BUSINESS SERVICES on behalf of the
CITY OF LAS VEGAS, NEVADA,

Petitioner,

vs.

CAREY SAM ANDERSON d/b/a
ANDERSON SNACK SHACK,

Respondent.

**ORDER APPROVING
COMPLAINT AND NOTICE OF HEARING**

TO: CAREY SAM ANDERSON d/b/a ANDERSON SNACK SHACK, Respondent:

The Complaint for Disciplinary Action by the DEPARTMENT OF FINANCE AND BUSINESS SERVICES on behalf of the CITY OF LAS VEGAS, NEVADA, against you dated March 25, 2004, a copy of which is attached to this Order and Notice, having come before the City Council of the City of Las Vegas, Nevada, at its regular meeting held on April 7, 2004, and the Council being satisfied that probable grounds exist for disciplinary action against you as alleged in the Complaint for Disciplinary Action;

IT IS ORDERED that the issuance of the Complaint for Disciplinary Action and a hearing on the Complaint for Disciplinary Action are approved.

YOU ARE HEREBY NOTIFIED that the hearing will be held before the City Council of the City of Las Vegas, Nevada, at the Council Chambers, City Hall, 400 Stewart Avenue, Las Vegas, Nevada, 89101, on May 19, 2004, beginning at the hour of 9 a.m.

.....

Submitted at City Council

Date 5/19/04 Item # 74

1 The hearing will be upon the charges in the Complaint for Disciplinary Action which
2 has been served upon you. You may be present at the hearing and you may be represented by
3 a lawyer. You may present any relevant evidence you have, and you will be given full
4 opportunity to cross examine all witnesses testifying against you.

5 YOU ARE FURTHER NOTIFIED that within twenty (20) days after service of the
6 Complaint for Disciplinary Action, but not later than five (5) days before the hearing date, you
7 must file with the City Clerk, First Floor, City Hall, 400 Stewart Avenue, Las Vegas,
8 Nevada, 89101, and serve a copy upon the City Attorney of your answer to the charges made
9 in the Complaint for Disciplinary Action, and set forth any affirmative defenses you intend to
10 raise.

11 YOU ARE ALSO NOTIFIED that your failure to file an answer to the Complaint for
12 Disciplinary Action or to appear at the hearing shall constitute an admission to all the matters
13 contained in the Complaint for Disciplinary Action as provided by Las Vegas Municipal Code
14 § 6.88.100.

15 DATED this 7th day of April, 2004.

16 THE CITY COUNCIL OF THE
17 CITY OF LAS VEGAS, NEVADA

18 By:

19 Oscar B. Goodman
20 OSCAR B. GOODMAN
Mayor

21 ATTEST:

22 Barbara Jo Ronemus
23 BARBARA JO RONEMUS, City Clerk

24 APPROVED AS TO LEGAL FORM:

25 William P. Henry
26 WILLIAM P. HENRY
27 Senior Litigation Counsel

28 7 APR 12 2004
Date

1
2
3
4 BEFORE THE CITY COUNCIL
5 OF THE CITY OF LAS VEGAS, NEVADA

6 * * *

7 IN THE MATTER OF:

8 DEPARTMENT OF FINANCE AND
9 BUSINESS SERVICES on behalf of the
CITY OF LAS VEGAS, NEVADA,

10 Petitioner,

11 vs.

12 CAREY SAM ANDERSON d/b/a
13 ANDERSON SNACK SHACK,

14 Respondent.

**COMPLAINT FOR
DISCIPLINARY ACTION**

15
16 The DEPARTMENT OF FINANCE AND BUSINESS SERVICES, on behalf of the
17 CITY OF LAS VEGAS, NEVADA (Department), Petitioner, brings this Complaint for
18 Disciplinary Action against CAREY SAM ANDERSON d/b/a ANDERSON SNACK SHACK,
19 516 Jackson Avenue, Las Vegas, Clark County, Nevada, Respondent, and states:

20 Respondent CAREY SAM ANDERSON, holds Restaurant-Take Out License No. R05-
21 00110-6-032996, Coin Operated Amusement License No. C08-01422-2-032996, and Retail
22 Tobacco License No. C05-01286-B-032996.

23 **SUMMARY OF ALLEGATIONS**

24 ANDERSON SNACK SHACK operates as a take-out food business. It is a nuisance.
25 From July 2000 to date, there have been hundreds of calls for service requiring the Las Vegas
26 Metropolitan Police Department to respond to ANDERSON SNACK SHACK. The Clark
27 County Health District has conducted multiple inspections of ANDERSON SNACK SHACK
28 and found it to be filthy and in disrepair. ANDERSON SNACK SHACK has operated as a

1 food establishment without a valid health permit. Cease and Desist Orders were issued.
2 ANDERSON SNACK SHACK, contrary to law, has not maintained adequate records of gross
3 sales and inventory. Las Vegas Metropolitan Police officers, on multiple occasions, have
4 found evidence of sale and consumption of alcohol on the premises. CAREY SAM
5 ANDERSON has pled nolo contendere to Doing Business Without a License and Selling
6 Liquor Without a License, and been found guilty, in the Las Vegas Municipal Court.
7 ANDERSON SNACK SHACK, on December 22, 2003, was found to be an imminent hazard
8 because it placed peoples' lives, health or property in high risk of peril.

9 THE LAW

10 LVMC § 6.02.330(C), (G) and (H) subject a licensee to discipline:

11 The licensee may be subject to disciplinary action by the
12 City Council for good cause, which may, without limitation,
include:

13

14 (C) The licensee or any of its principals has been
15 **convicted** of an act which constitutes a crime which involves
16 moral turpitude or involves any local, state or federal law or
regulation which relates to the same or a similar business;

17

18 (G) The **premises** on which the business is conducted do
19 not satisfy local, state or federal law or regulations which pertain
to the activity which is actually engaged in;

20 (H) The actual business activity constitutes a public or
21 private **nuisance**, or has been or is being conducted in an
unlawful, illegal or impermissible manner. [Emphasis added.]

22 LVMC § 6.02.340 also subjects a licensee to discipline:

23 Whenever this Title **requires any act to be done or**
24 **prohibits or makes unlawful the doing of any act**, the failure to
25 do any such required act or the doing of any such prohibited or
unlawful act shall **subject the person who commits such**
violation to disciplinary action. [Emphasis added.]

26 LVMC § 6.02.350 subjects a licensee to discipline for the acts of principals and
27 **subordinates:**

28

1 A licensee under this Chapter shall be subject to
2 disciplinary action not only for acts or omissions done by such
3 licensee but also for acts and omissions done by the principals,
4 managers, agents, representatives, servants or employees of such
5 licensee.

6 NUISANCE

7 CALLS FOR SERVICE

8 Between July 2000 and June 2001 there were 193 calls for service to the Las Vegas
9 Metropolitan Police Department from ANDERSON SNACK SHACK. During calendar year
10 2000 there were 167 calls for service. During calendar year 2003 there were 56 calls for
11 service.

12 NARCOTICS

13 During the month of August 2003 Metropolitan Police officers determined that
14 ANDERSON SNACK SHACK operates between the hours of 11 p.m. and 5 a.m. They
15 conducted a surveillance. Their surveillance revealed that most of the people who entered the
16 business did so with nothing in their hands and left with nothing in their hands. Metropolitan
17 Police officers observing subjects standing outside the business formed the opinion that hand-
18 to-hand narcotics sales were occurring and people were smoking crack cocaine.

19 On September 12, 2003, officers of the Las Vegas Metropolitan Police Department
20 engaged CAREY SAM ANDERSON in conversation concerning narcotics activity at
21 ANDERSON SNACK SHACK. With reference to people using narcotics at his business, he
22 stated: "They mostly stay outside except when the police chase them in." When asked what
23 these people do with their narcotics once they come into ANDERSON SNACK SHACK,
24 CAREY SAM ANDERSON stated that they usually dump the narcotics into the pockets of the
25 pool tables. When asked what he, CAREY SAM ANDERSON, had done to deal with or
26 eliminate this activity, Mr. Anderson had no response.

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6 ordered that all food service operations cease and desist. The inspector followed up June 30,
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24 SNACK SHACK did not cooperate with the first two audit attempts, and provided insufficient
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Section shall be in addition to, and not exclusive of, any other
civil or criminal remedy which otherwise might be available.
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WHEREFORE, the Petitioner respectfully requests the City Council to:

A. Approve the Complaint for Disciplinary Action and order a disciplinary hearing
at which the Respondent shall appear and show cause why the license that is the subject of this
Complaint should not be suspended or revoked, or other disciplinary action taken; or

1 B. Grant such other and further relief as the Council deems appropriate.

2 DATED this 25th day of March, 2004.

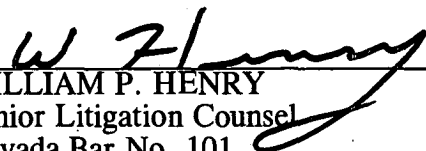
3 RESPECTFULLY SUBMITTED:

4
5 By:


MARK R. VINCENT, Director
Finance and Business Services

6
7 BRADFORD R. JERBIC
City Attorney

8
9 By:


WILLIAM P. HENRY
Senior Litigation Counsel
Nevada Bar No. 101
400 Stewart Avenue, Ninth Floor
Las Vegas, NV 89101
Attorneys for CITY OF LAS VEGAS

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding Change of Ownership and Business Name for a Package License subject to the provisions of the fire codes and Health Dept. regulations, From: Mario's Northtown Market, Incorporated, dba Mario's Westside Market, Samuel G. Johnson, Jr., Dir, Pres, and Carol A. Johnson, Dir, Secy, Treas, 100% jointly as husband and wife, To: Mario's Westside Market, LLC, dba Mario's Westside Market, LLC, 1960 North Martin L. King Boulevard, Maruilio Berlanga, Jr., Mmbr, 50%, William R. O'Connor, Mmbr, 50% - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Change of Ownership and Business Name for a Package License

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council meeting

BACKUP DOCUMENTATION:

None

MOTION:

WEEKLY – APPROVED a temporary license subject to a six-month (11/17/2004) review – UNANIMOUS with Ward 2 seat vacant

NOTE: Subsequent to this meeting, the approval was rescinded on July 21, 2004. Therefore, this item will not appear on the November 17, 2004 Council agenda.

MINUTES:

The applicants were present.

JIM DiFIORE, Manager, Business Services, deferred to SERGEANT REAGAN ALEXANDER, Las Vegas Metropolitan Police Department (Metro), to answer any questions.

MAYOR GOODMAN confirmed with SERGEANT ALEXANDER that the applicants are related to the market owner, who is vouching for them. SERGEANT ALEXANDER indicated that full disclosure was made. MR. O'CONNOR stated that his father ran the store for many years. He had problems in the past, but he wants the opportunity to work hard and be a productive member of the community. MR. BERLANGA said that he want to help the community as much as possible.

CITY COUNCIL MEETING OF MAY 19, 2004

Finance and Business Services

Item 75 - Discussion and possible action regarding Change of Ownership and Business Name for a Package License subject to the provisions of the fire codes and Health Dept. regulations, From: Mario's Northtown Market, Incorporated, dba Mario's Westside Market, Samuel G. Johnson, Jr., Dir, Pres, and Carol A. Johnson, Dir, Secy, Treas, 100% jointly as husband and wife, To: Mario's Westside Market, LLC, dba Mario's Westside Market, LLC, 1960 North Martin L. King Boulevard, Marulio Berlanga, Jr., Mmbr, 50%, William R. O'Connor, Mmbr, 50% - Ward 5 (Weekly)

MINUTES – Continued:

COUNCILMAN WEEKLY mentioned that the applicants have probably sponsored more youth programs in the community than any other business owner in this neighborhood. They worked very closely with the new CVS drugstore to help upgrade the surrounding area. He felt they deserved an opportunity.

(10:34 – 10:38)

1-3681

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, Russell E. Coelho, dba Ohana Martial Arts Academy, 4838 West Lone Mountain Road, Russell E. Coelho, 100% - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council meeting

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Russell Coelho
3. Map

MOTION:

MACK – APPROVED the temporary license, subject to provisions as recommended, with the manager of Business Services granted the authority to approve the permanent license after completion of appropriate process – **UNANIMOUS** with **WEEKLY** not voting and Ward 2 seat vacant

MINUTES:

The applicant was present.

JIM DiFIORE, Manager, Business Services, indicated that the applicant met the criteria for a temporary license. He recommended approval with authorization for him to issue the permanent license, contingent upon a favorable police report.

MR. COELHO showed his black belt certificate and indicated that it is a matter of record that he worked three years with the Los Angeles Police Department. He pointed out that Ohana means family, and that his studio will be about family.

(10:38 – 10:41)

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

ITEM DESCRIPTION: Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, Russell E. Coelho, dba Ohana Martial Arts Academy, 4838 West Lone Mountain Road

The applicant is requesting approval of a temporary license as provided by LVMC 6.06.051, which reads as follows:

(A) City Council may grant a temporary license pending its decision regarding a license application in order to determine:

- 1) The applicant's fitness for a license; and
- (2) The appropriateness of the applicant's business location.

(B) A temporary license shall not be granted under this Section unless:

- (1) All principals required to be approved for suitability have submitted a complete investigation packet for determination of suitability and paid all applicable fees;
- (2) The Director makes a preliminary finding that all of the principals of the business are suitable; and
- (3) The applicant has submitted a completed and accurate license application and has paid all required application fees.

The attached letter dated April 19, 2004 from the applicant outlines the request for temporary license.

The applicant submitted all of the required documentation and paid all applicable fees for investigation on April 30, 2004. Based on a review of the SCOPE printout and documentation from the Los Angeles Police Department furnished to this Department by the applicant, we have determined he is preliminarily suitable to hold a temporary martial arts instruction business license until the investigation is complete.

In the event the Special Investigations Section, Las Vegas Metropolitan Police Department, should develop an area of concern with this individual this item will be brought back before the Council for appropriate action.

April 19, 2004

To: The Department of Finance and Business Services
From: Russell E. Coelho
Re: Request for a Temporary Privilege License.

To whom it may concern,

On April 14, 2004 I signed a three-year lease commencing on May 1st 2004. It was my understanding at the time that the requirements for the Privilege License for the City of Las Vegas were the same as Clark County. This is not in fact the case, thru the Las Vegas City it would take 4 months.

The financial hardship for me and the Ohana Martial Arts Academy would be devastating. I am a Volunteer for West LAPD, teaching Martial Arts in their Kids Jeopardy program. I carry a LAPD identification card, issued in February 2004, by Officer Ralph Strand, who heads up the program for West LAPD, I filled out a 14 page background form that was used to verify all personal and background information. This was done each of the three years that I have been with West LAPD. I will provide a copy of this card and I will provide you his Officer Strands phone number so immediate contact can be made. In addition to the 14-page document, I was electronically fingerprinted by LAPD.

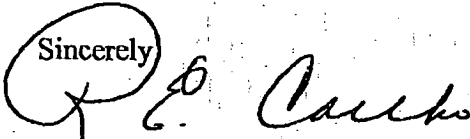
Officer Rasheed Ford carried out the background check for West LAPD.

I am prepared to start our Martial Arts program, if I have to wait for the 4-month period I will be forced to terminate my lease with the Burns Family LLC. carrying with it severe financial penalties. The address is 4830 W. Lone Mountain Road within the city of Las Vegas.

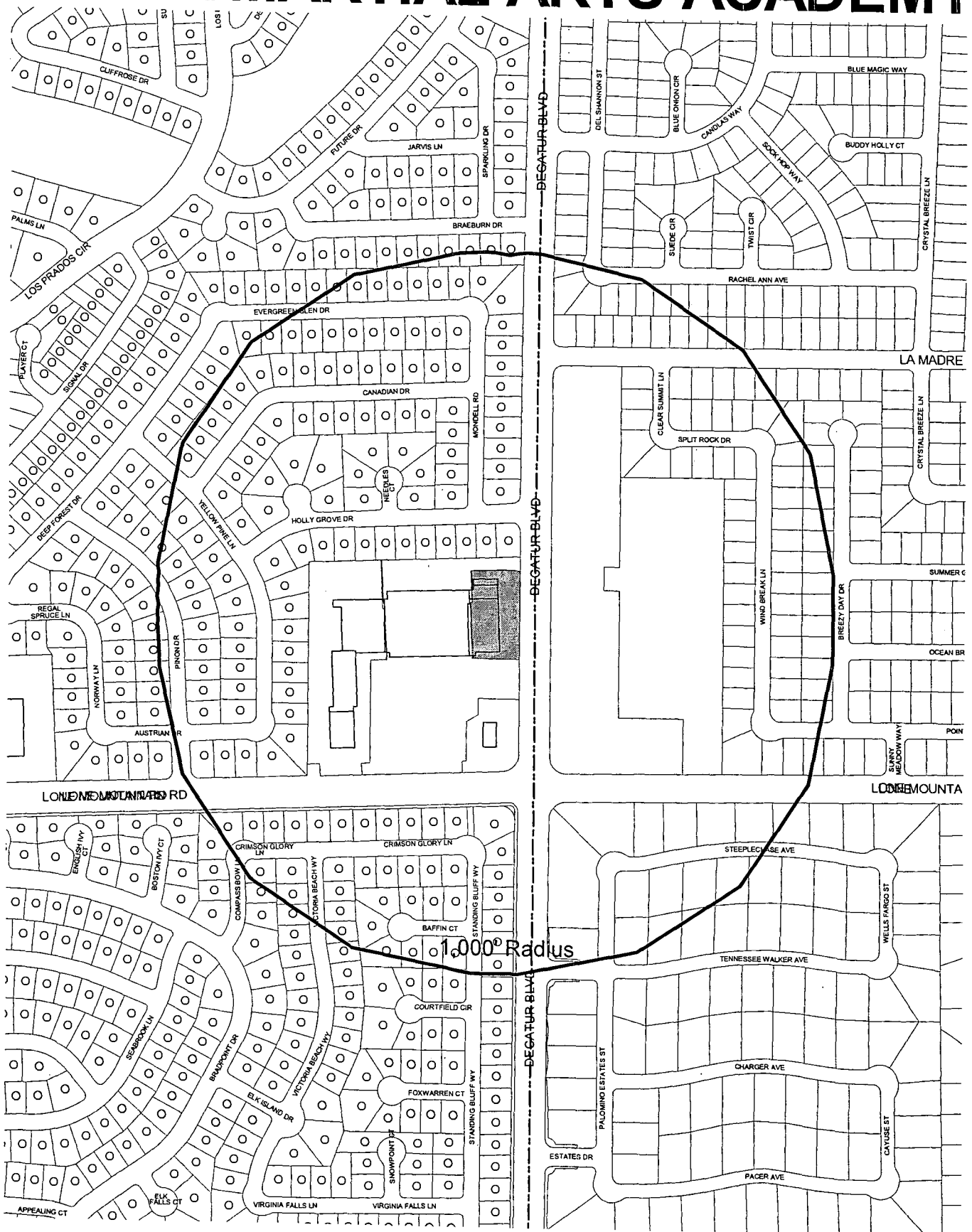
I therefore request a Temporary Privilege License so my business can start and would also give the City the time necessary to see that my background, references, and the Las Vegas Metro Police will find that my past is impeccable.

Please consider my request I need your help.

Sincerely


Russell E. Coelho

OHANA MARTIAL ARTS ACADEMY



0 200 400 Feet



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

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

Discussion and possible action to establish policies and procedures to address properties that are declared an imminent hazard - All Wards

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

Recent events have called attention for the need to establish policies and procedures to address primarily renter occupied properties that are declared an imminent hazard. Staff will present a draft policy and procedures for consideration by the City Council.

RECOMMENDATION:

Receive a presentation and direct staff to prepare an appropriate policy.

BACKUP DOCUMENTATION:

Submitted after the meeting: Policy for Properties Declared an Imminent Hazard and/or Public Nuisance

MOTION:

REESE – APPROVED to establish policies and procedures – UNANIMOUS with GOODMAN not voting and Ward 2 seat vacant

MINUTES:

ORLANDO SANCHEZ, Director, Neighborhood Services, indicated that this has been an ongoing issue since he was manager of the Neighborhood Response Division. The Sky Vue Mobile Home Park is the only property for which the City has had to use public funds to assist with alternative housing. The purpose of this matter is to establish a policy for properties that are declared a public nuisance. He then handed each of the Council members a copy of the draft policy, which is made a part of the minutes, and briefly reviewed it.

COUNCILMAN WEEKLY commented that he and MR. SANCHEZ have discussed the assistance program for those people, notably for the elderly, that cannot afford to abate their properties. However, he is concerned about making sure that people clearly understand this process. He also questioned whether this new policy would have some teeth, because this issue has been ongoing for many years. MR. SANCHEZ indicated that a lien must be placed on properties where property owners have qualified for housing rehab deferred loans to make sure that the property owner is not going to flip the property and obtain a profit. A lien is usually placed for up to five years on a \$25,000 loan, prohibiting the sale of the property. If the property sells before the five years, the City gets back the \$25,000, to be forwarded HUD. The lien expires after five years.

CITY COUNCIL MEETING OF MAY 19, 2004

Neighborhood Services

Item 77 – Discussion and possible action to establish policies and procedures to address properties that are declared an imminent hazard – All Wards

MINUTES – Continued:

COUNCILMAN WEEKLY asked MR. SANCHEZ how the City deals with properties, such as the one on the corner of “F” and Washington, because he has seen Nevada Department of Transportation maps depicting part of this area as a potential beautified entryway into the parkway that leads to the new IRS facility and the development within the 61 acres. Part of the area is to be beautified, and even part of the street has been renamed; yet the other part is left with blight. MR. SANCHEZ answered that this policy is for properties considered an imminent hazard. A presentation was recently made regarding changes to the ordinance for abandoned/vacant properties. He is in the process of hiring a new Code Enforcement Officer to enforce the changes. These changes will strengthen the ordinance, but the proper process must be adhered to in dealing with private property. If structurally sound, a building can be kept vacant for a period of time. Drastic changes should be noticed within the next six to nine months.

MAYOR GOODMAN stressed that the Council has to decide whether it is going to be proactive or reactive. If the decision is to be proactive, then the necessary budget must be created. However, he felt that, if affordable, the City should be in a position to protect those that cannot protect themselves, and to help those on the verge of becoming homeless achieve housing, especially given the commitment made by this Council to stop people from becoming homeless. He is very proud of the concerted efforts that were made to assist the victims of Sky Vue.

AL GALLEGOS, citizen of Las Vegas, indicated that he is concerned about the notion of the City Marshals being removed from the Sky Vue Park, because there is still a lot of personal property left. He requested the Marshals be allowed to remain another week to allow the residents time to decide what they are going to do with their personal belongings.

NOTE: MAYOR GOODMAN directed the City Attorney’s Office to establish a process for the City to get reimbursed for expenses incurred in providing public assistance to tenants of properties declared a hazard.

(10:41 – 10:56)

2-228

Policy for Properties Declared an Imminent Hazard and/or Public Nuisance

No:		Type:	Policy
Department:	Office of the City Manager		
Approval Date:		Approval:	

Background

Since 1999, the Department of Neighborhood Services in conjunction with the Building and Safety Department and/or the Fire and Rescue Department have ordered the closure of twenty multi-family occupied properties as a direct result of owner noncompliance with a Notice and Order. Of the twenty properties closed, only two properties required the city to put together a team of service providers known as a triage team to assist the tenants in finding alternative housing and other available public services. In such instances, it has not been the practice of the city to provide monetary assistance in any form to individuals or families requiring assistance. One notable exception is the Sky Vue Mobile Home Park, in which both city and county funds were used to assist residents to find alternate housing.

Purpose

To establish a policy for properties that are declared an imminent hazard and/or public nuisance.

Scope

Primarily renter-occupied, multi-family properties

Policy

As part of the City's efforts to promote a safe living environment for all its residents and to protect them against conditions that are declared to be an imminent hazard and/or a public nuisance as defined under Title 9, Chapter 9.04, Section 9.04/086 (A), the following policy outlines areas of responsibility for particular departments and agencies as well as triggering events that may cause the use of public funds to assist dislocated tenants as the result of a non-responsive property owner causing a property to be declared an imminent hazard for the health, safety and welfare of the residents and ordered vacated and closed.

- The city of Las Vegas will utilize all resources at its disposal to gain compliance from the property owner to bring the property into compliance prior to the declaration of the property as an imminent hazard to the health, safety, and welfare of the residents.
- A property shall be declared an imminent hazard only after:
 1. All resources and avenues have been exhausted,

CC Mtg. of
5/19/04
#77

2. The owner of the property has been determined to be non-responsive, and
 3. A final notice has been issued to the owner containing a detailed list of areas of concerns and a timeline for completion of such repairs shall a property be declared an imminent hazard.
- If the condition of the property is determined by the official to be an immediate and imminent hazard to the health, safety, and welfare of the residents who reside at the property, the property must be closed immediately. The department or agency declaring the imminent hazard will coordinate efforts with the City Attorney's Office and City Manager's Office to determine a schedule that will include the notification of the owner, posting of the property with a notice to be vacated and closed, and the closing of the property.
 - Upon request of a governmental agency having jurisdiction with the city, the city will offer assistance as necessary in order to protect the well being of the residents of the property.
 - The city will treat the residents of the property with respect and dignity.
 - Although the city has no legal obligation to provide monetary assistance to the dislocated residents of a property, the city may choose to allocate some form of material assistance in the form of cash payments, direct services, or other means, depending on the situation and assessed needs of the residents.
 - If the city elects to provide monetary assistance to the dislocated residents—either in the form of direct payments or services—the City Attorney's Office shall pursue with all legal means necessary the owner(s) of said property to ensure that the city is reimbursed for any related costs caused by the noncompliance of the property owners and/or the closure of the property.
 - If a property is declared a "Chronic Nuisance" under title 9.04 of Las Vegas Municipal Code the court may order the owner to pay reasonable expenses for the relocation of the tenants and/or related public funds that may have been expended on the property.

The provisions contained in this Policy shall apply to all renter-occupied and owner-occupied properties, unless the provisions are inconsistent with the provisions of other documents whose authority supersedes this policy. In case of such conflict, the provisions of the documents whose authority supersedes the City's Policy shall apply.

It is the intent of this Policy to comply with federal, state, and local laws or statutes, as well as city policies, procedures, and rules.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action to rescind a previous approval of a request by Thomas and Mack Co. for a Water Feature Exemption on property located at 2300 W. Sahara Avenue, Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This item previously came before the City Council on April 21, 2004 and was approved. Mayor Goodman has asked that this item be placed back on the City Council agenda for reconsideration.

RECOMMENDATION:

The City Council rescind the previous Approval and rehear the item.

BACKUP DOCUMENTATION:

None

MOTION:

GOODMAN – APPROVED to Rescind the previous action – UNANIMOUS with Ward 2 seat vacant

MINUTES:

This item was initially trailed, pending the Mayor's return, after ROBERT GENZER, Director, Planning and Development, advised that the Mayor requested this matter be placed on the agenda. Upon the Mayor's return, he explained that he requested rescission because it was brought to his attention that he should have disclosed a business relationship with Peter Thomas.

(10:56/11:04 – 11:07)

2-716/2-982

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

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)

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

The Thomas and Mack Company is requesting a waiver from the restrictions applied to three water features located at 2300 W. Sahara Avenue in accordance with Chapter 14.11 of the Municipal Code. This chapter allows the City Council to grant such a waiver upon approval and implementation of a water reduction plan sufficient to save 50 times the amount of water used by the subject water feature. This can be achieved by removing 50 square feet of turf for every one square foot of that water feature.

Staff finds that the water reduction plan submitted depicts the removal of 37,405 square feet of turf. Removal of that amount of turf is adequate to support an exemption for the subject water feature, which is 634 square feet in size. It is recommended that should this request be approved, it is subject to the conditions listed on the attached agenda memo.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:**GOODMAN – APPROVED – UNANIMOUS with Ward 2 seat vacant**

NOTE: MAYOR GOODMAN disclosed that he has a 4% interest in APEX Industrial Park, and the Thomas Family Trust has a like interest in APEX; however, he did not believe that his action on a policy level affects the Thomas and Mack Co., Peter Thomas, or the Peter Thomas Irrevocable Trust. Consequently, he felt that disclosure was sufficient. CITY ATTORNEY JERBIC advised that full disclosure was appropriate for this matter, as opposed to the ordinance, which applies to everybody in the Valley, not just the Thomas and Mack Co.

MINUTES:

ROBERT GENZER, Director, Planning and Development, was present.

CITY COUNCIL MEETING OF MAY 19, 2004

Planning and Development

Item 79 – 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)

MINUTES – Continued:

MAYOR GOODMAN remarked that this matter initiated the discussion COUNCILMAN BROWN led to allow water features if it resulted in significant water savings. He fully participated in those discussions because he felt that the Council should be proactive with the drought issue. He advocated COUNCILMAN BROWN'S position before the Water Authority and ultimately prevailed. However, it never dawned on him that there could have been a conflict of interest. But, candidly, Thomas and Mack Co. spent a lot of money to be able to keep the reflective pool while saving hundreds of thousands of gallons of water.

(10:56/11:04 – 11:07)

2-716/2-982

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004

DEPARTMENT: Planning and Development

ITEM DESCRIPTION: 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)

Recommended Conditions of Approval:

1. An annual fee of \$250.00 to be paid in each subsequent year in which Drought Watch or Drought Alert is declared.
2. This approval is for the subject water features only. This turf conversion shall not apply to any future water features constructed on this property.
3. This approval will not apply during any time in which a condition of Drought Emergency is declared.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

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

Discussion and possible action on a request to install speed humps on Monroe Avenue between Lamb Boulevard and Marion Drive (\$7,800 - Neighborhood Traffic Management Program) - Ward 3 (Reese)

Fiscal Impact☐**No Impact**☒**Budget Funds Available**☐**Augmentation Required****Amount:** \$7,800**Dept./Division:** Public Works/Traffic Eng.**Funding Source:** Neighborhood Traffic Management Program**PURPOSE/BACKGROUND:**

Residents on Monroe Avenue between Lamb Boulevard and Marion Drive have requested the installation of speed humps on their street. Traffic counts showed that there were 1067 vehicles a day traveling the street. The 85th percentile speed was 39 mph. Monroe Avenue is a primary emergency response route.

RECOMMENDATION:

Staff recommendation: Approval

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED installation of speed humps subject to the Fire Department determining that Monroe is no longer a primary emergency response route – **UNANIMOUS** with Ward 2 seat vacant

MINUTES:

RICHARD GOECKE, Director, Public Works, explained that the newly adopted Fire Code in February 2004 prohibits the installation of traffic calming devices on emergency response routes. He, therefore, noted that the recommendation for this matter should be for approval, subject to Fire and Rescue removing Monroe as a primary emergency response route. As far as Item 81, MR. GOECKE indicated that staff recommends approval, and it is in order.

DIANA SHELL, 4898 E. Van Buren, and LUCINDA KIRKBERG, 4878 E. Van Buren, expressed their support of installing the speed humps. There is a lot of speeding cut-through traffic in the neighborhood and several accidents have occurred. The humps will hopefully deter that, as well as some of the drag racing that has been taking place.

CITY COUNCIL MEETING OF MAY 19, 2004

Public Works

Item 80 - Discussion and possible action on a request to install speed humps on Monroe Avenue between Lamb Boulevard and Marion Drive (\$7,800 - Neighborhood Traffic Management Program) - Ward 3 (Reese)

MINUTES – Continued:

LANITA HUFF, 1409 Smokey Lane Circle, opposed the installation of speed humps, as she considers them to be a nuisance. Speed humps on Monroe would only help six of the 42 homes on Monroe, which to her is a misuse of taxpayers' money. She urged the Council to deny this item.

COUNCILMAN REESE expressed his support of the speed humps on Monroe Avenue, subject to the Fire Department's approval, because he feels that Monroe currently serves as a cut-through street from Lamb to Nellis Boulevards. The residents might be burdened with having to drive slower, but it is worth it, especially with the nearby school.

See Item 81 for other related discussion.

(10:56 – 11:04)

2-735

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

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

Discussion and possible action on a request to install speed humps on Van Buren Avenue between Marion Drive and Nellis Boulevard (\$13,000 - Neighborhood Traffic Management Program) - Ward 3 (Reese)

Fiscal Impact☐**No Impact****Amount:** \$13,000☒**Budget Funds Available****Dept./Division:** Public Works/Traffic Eng.☐**Augmentation Required****Funding Source:** Neighborhood Traffic Management Program**PURPOSE/BACKGROUND:**

Residents on Van Buren Avenue between Marion Drive and Nellis Boulevard have requested the installation of speed humps on their street. Traffic counts showed that there were approximately 500 vehicles a day traveling the street. The 85th percentile speed was 36 mph. Van Buren Avenue is not an emergency response route.

RECOMMENDATION:

Staff recommendation: No objection

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED installation of speed humps between Nellis and Marion – UNANIMOUS with Ward 2 seat vacant

MINUTES:

RICHARD GOECKE, Director, Public Works, was present.

COUNCILMAN REESE noted that a lot of traffic cuts through this area, and there are a lot of big trucks using the route.

NOTE: COUNCILMAN REESE directed Public Works staff to continue the speed humps to Marion and Lamb after construction is completed in that area. He also directed Public Works staff to review and explore the sections of the Municipal Code related to the installation and to bring back any recommended changes to improve the existing Code.

At the request of COUNCILMAN MACK, MR. GOECKE clarified that the bid opening for the Montecito Parkway was delayed from 5/20/2004 to 6/1/2004 to allow Triple Five to work out some of the details with the other existing developers in the area. If a resolution is not reached, staff will proceed with the project as initially identified.

CITY COUNCIL MEETING OF MAY 19, 2004

Public Works

Item 81 – Discussion and possible action on a request to install speed humps on Van Buren Avenue between Marion Drive and Nellis Boulevard (\$13,000 – Neighborhood Traffic Management Program) – Ward 3 (Reese)

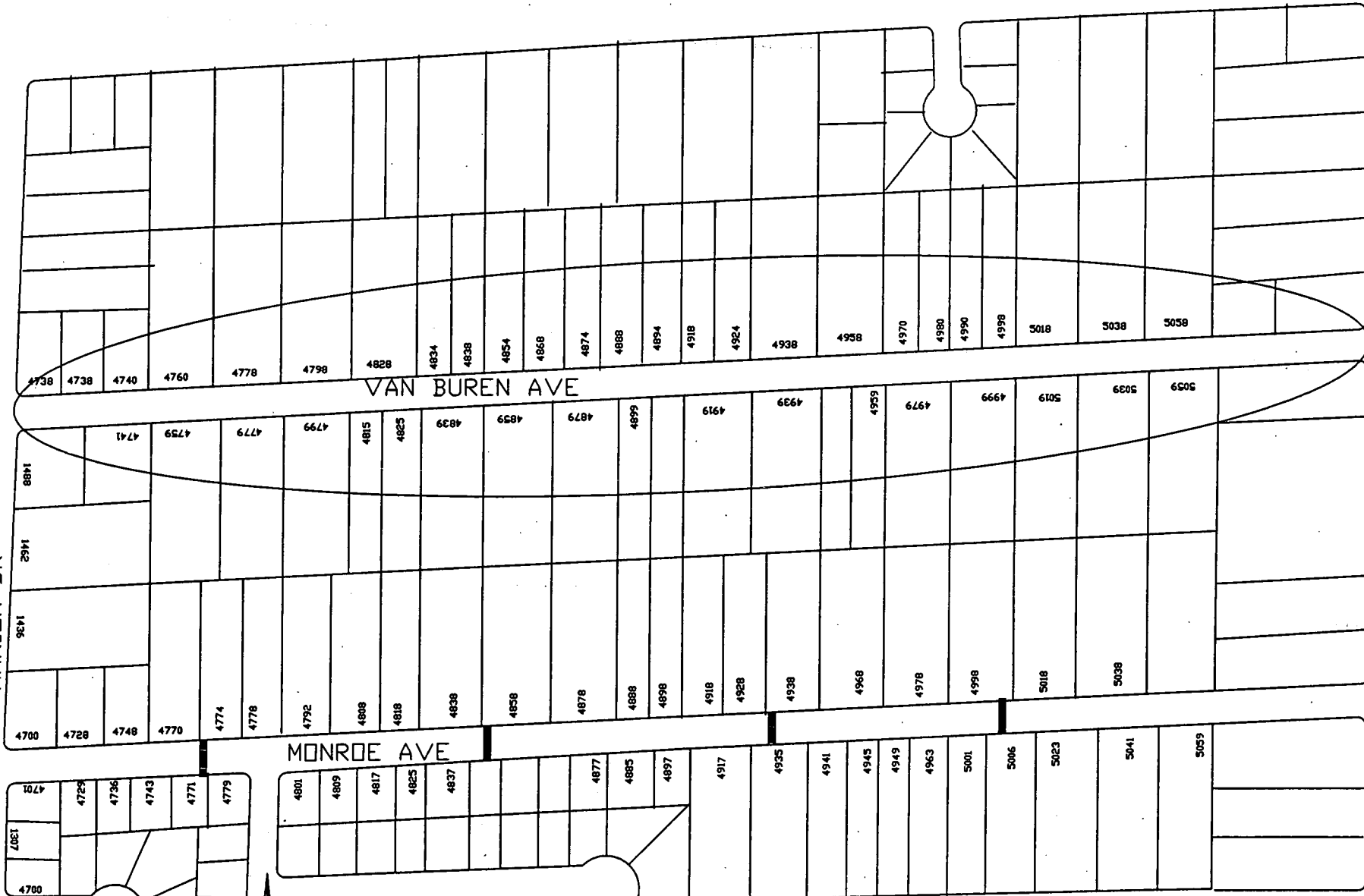
MINUTES – Continued:

See Item 80 for other related discussion.

(10:56 – 11:04)

2-735

MARION DR



NELLIS BLVD

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: CITY CLERK**DIRECTOR: BARBARA JO (RONI) RONEMUS** ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****BOARDS & COMMISSIONS:**

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

Fiscal Impact

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

PURPOSE/BACKGROUND:

Each member of Council appoints one member subject to ratification by the Council with terms concurrent with the term of the appointing City Council member. All members of this board must be City residents and fill unexpired terms. Additionally, no fewer than one and no more than three members must be currently licensed as owners or operators of child care facilities within the City. The other four citizen members are not required to fill a specific category. Lolanda Bunch, Councilman Weekly's appointment, has resigned and it will be necessary to fill this unexpired term. At the Council Meeting of May 5, 2004, this item was abeyed to May 19, 2004.

RECOMMENDATION:

Councilman Weekly to recommend his coterminous appointee, filling Ms. Bunch's unexpired term. The appointee must be a city resident, may be a licensed operator of a child care facility or may be a citizen member.

BACKUP DOCUMENTATION:

1. Resignation letter from Lolanda Bunch
2. Current Listing and Authority – Child Care Licensing Board
3. Board Interest Forms from Lilliane G. Brumwell and Tanya Ruddy

MOTION:

WEEKLY – Motion to APPOINT LILLIANE G. GRUMWELL (Weekly's recommendation), 7229 Painted Shadow Way, Las Vegas, Nevada 89149, - UNANIMOUS with GOODMAN abstaining because this board monitors acts of the Meadows Pre-school where his wife is involved and Ward 2 seat vacant

Clerk to notify

CITY COUNCIL MEETING OF MAY 19, 2004
Boards and Commissions
Item 82 – Child Care Licensing Board

MINUTES:

JIM DiFIORE, Manager, Business Services, recommended the appointment of MS. BRUMWELL. COUNCILMAN WEEKLY thanked MR. DiFIORE for his review of the applications and his recommendation. He encouraged any other people interested in serving to apply.

(11:07 – 11:09)

2-1133

Godsend Learning Center

1001 North Tonopah Drive

Las Vegas NV 89106

702-647-5712 Fax 702-647-4975

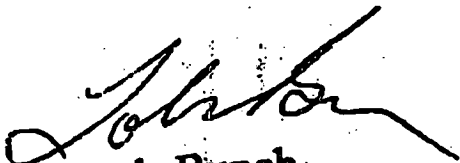
Attn: Wendy Smith

In Reference to:

Child Care Licensing Board

I Lolanda Bunch hereby give my resignation from the child care licensing board, and give up all other privileged duties in retrospect to this appointed position. On this 10th day of March 2004.

Cordially Yours,


Lolanda Bunch

RECEIVED
FINANCE AND
BUSINESS SERVICES
2004 MAR 10 P 2:38

2004 MAR 10 P 3:19

RECEIVED
CITY CLERK

CHILD CARE LICENSING BOARD

<u>MEMBERS</u>	<u>ADDRESS</u>	<u>ZIP CODE</u>	<u>ORIGINAL APPT.</u>	<u>TERM EXPIRES</u>
1) HAYES, MARY JANE * (Brown appointment)	2612 Ashby Avenue (Ward 4) Licensed Operator of Child Care Facility Representative	02	10-3-2001	6-2005
2) GRECO, STEVEN J.. (L. B. McDonald appointment)	1212 Enderly Lane (Ward 2)	44	10-29-2003	6-2005
3) CLODT, TERRY D. (Mayor Goodman appointment) (Mayor Pro-Tem Reese appointed for Mayor Goodman)	6936 Rosinwood St. (Ward 6)	31	12-17-2003	6-2007
4) SALM, MARYANNE (Reese appointment)	1047 East Oakey Blvd. (Ward 3)	04	6-18-2003	6-2007
5) PROUD, JULIE (Moncrief's appointment)	2509 Callita Court (Ward 1)	02	12-5-2001 (Reappt. 7-2-2003).	6-2007
6) BUNCH, LOLANDA (Weekly's appointment) RESIGNED	3406 Hillside Garden Drive Licensed Operator of Child Care Facility Representative	35	2-4-2004	6-2007
7.) JUNE GUNDERSON (Mack's appointment)	5409 Lucky Clover Street (Ward 6)	49	12-17-2003	6-2005

AUTHORITY: L.V.M.C. 6.24. Created by Ord. #860, 8-10-60. Bill #92-7, Ord. 3631, 3-4-92, restructured board. Bill #2001-70, Ord. 5346, 8-1-01, financial disclosure statement. Bill #2003-77; Ord. 5635 First Amendment; expanded and defined membership and amended licensing provisions. Ord. 5664 further defined restrictions on membership concerning childcare licensees.

MEMBERS: 7 MEMBERS appointed by the City Council, with each member of the Council making one appointment.

TERM: 4 years, with term to run concurrent with term of the elected official who made the appointment.

NOTES: MUST BE CITY RESIDENT. MUST FILL UNEXPIRED TERMS IF APPROPRIATE.
NO LIMIT TO NUMBER OF TERMS, WHICH MAY BE SERVED.
(City Financial Disclosure no longer required due to adoption of Bill #2001-70, Ord. #5346, adopted 8-1-01. State Financial Disclosure no longer required due to passage of AB611 during 1999 Nevada State Legislature stipulating uncompensated Boards no longer required to file State form.) (Council to give special consideration to the background of appointees - qualifications, ability, education, experience, training, profession or occupation, availability and willingness to serve, etc.)

RESTRICTION: *No fewer than one and no more than three members must be currently licensed as owners or operators of child care facilities within the City, with an owner/operator who transfers or terminates ownership eligible to complete their term. The other four citizen members are not required to fill a specific category

PURPOSE: Hears all applications for child care facility licenses and advises the City Council, and makes recommendations on amendments to the Child Care Chapter of the City Code.

MEETINGS: Meets second Wednesday of each month, 3:00 p.m., Council Chambers.

RECEIVED
CITY CLERK

2004 APR 29 P 4:19

City of Las Vegas Board, Commission, or Committee Interest Form

Name: Lilhane G. BrumwellHome Street Address: 7229 Painted Shadow WayCity: LV ZIP Code: 89149Work Street Address: 9900 Shiloh School LaneCity: LV ZIP Code: 89129Employer: Challenger School Occupation: DirectorHome Phone Number: 893-1277 Work Phone Number: 878-6418 x2Other Phone Number: 349-0310 Email Address: lbrumwell@ChallengerSchool

Please list the boards, commissions, or committees that you are interested in
serving on:

Child Care Licensing Board**For office use only**CLV Y ☒ N ☐Ward 6Date 4/29/04

Please list any boards, commissions, or committees that you serve on, or have served on in the past (Use additional pages, if necessary):

NA

Please discuss your qualifications to serve on any boards, commissions, or committees (Use additional pages, if necessary):

See attached

Please list any of your relatives or friends that work for the entity in which you would be serving:

None known

Feel free to attach a resume to this form. Upon submitting this form, all information will be considered public information. This form will be kept on file for 6 months from date of submittal. It is the applicant's responsibility to submit a new form after that time. This form does not constitute an application for employment. Please do not to submit this form electronically. It should be printed, completed and mailed along with a letter and resume.

Please submit to: City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Fax: (702) 382-4803

**You may be required to be resident of the City of Las Vegas to serve certain boards, committees, or commissions.*



CHALLENGER[®]

S C H O O L

I am very much interested in being considered as a member of the Childcare Licensing Board. I have been a resident of the city of Las Vegas since October of 2000.

- I am the Director and Child care License holder for a center-based preschool
- I have been employed with my present employer for seven years
- I have my Child Development Associate Credential.

I am interested in becoming a member of the Childcare Licensing Board because I believe it provides a much-needed service for the community, which enhances the quality of childcare in the state. As a director of a preschool it is necessary for me to work with a variety of people, using my administrative skills as well as my communication and interpersonal skills effectively.



City of Las Vegas
Board, Commission, or Committee Interest Form

2004 MAY -4 9:25

RECEIVED
CITY CLERK

Name: Tanya Ruddy
Home Street Address: 1231 Darmak Dr.
City: Las Vegas ZIP Code: 89102
Work Street Address: 324 E. Essex
City: Las Vegas ZIP Code: 89107
Employer: CCSD Occupation: Special Education Teacher
Home Phone Number: 877-9188 Work Phone Number: 799-4200
Other Phone Number: 379-3046 Email Address: _____

Please list the boards, commissions, or committees that you are interested in
serving on:

The Child Care Licensing
Board

For office use only

CLV (Y) NWard 1Date 5.4.04

Please list any boards, commissions, or committees that you serve on, or have served on in the past (Use additional pages, if necessary):

N/A

Please discuss your qualifications to serve on any boards, commissions, or committees (Use additional pages, if necessary):

Currently, I have a degree in Special Education, and I am working on a Masters in General Education.

Please list any of your relatives or friends that work for the entity in which you would be serving:

N/A

Feel free to attach a resume to this form. Upon submitting this form, all information will be considered public information. This form will be kept on file for 6 months from date of submittal. It is the applicant's responsibility to submit a new form after that time. This form does not constitute an application for employment. Please do not to submit this form electronically. It should be printed, completed and mailed along with a letter and resume.

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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: CITY CLERK

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

SUBJECT:

BOARDS & COMMISSIONS:

ABEYANCE ITEM - CLARK COUNTY DISTRICT BOARD OF HEALTH – Sherry Colquitt,
Term Expiration 5-15-2004

Fiscal Impact

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

PURPOSE/BACKGROUND:

This Board is governed by NRS 439.390 and LVMC 2.36 stipulating that the District Board of Health shall consist of two members from each participating entity, with one member to be an elected official. Currently, Sherry Colquitt and Councilman Reese serve as the City's two representatives on this Board. Members appointed to this Board serve two-year terms. There is no City residency requirement, nor is there a limit to the number of terms which may be served. Ms. Colquitt is eligible and wishes to be reappointed if the Council so desires. At the Council Meeting of May 5, 2004, this item was abeyed to May 19, 2004.

RECOMMENDATION:

Procedure for this Board requires appointment by the City Council. Options are to reappoint Ms. Colquitt or appoint a new member to fill this seat.

BACKUP DOCUMENTATION:

Current listing and Authority - Clark County District Board of Health

MOTION:

REESE – Motion to REAPPOINT SHERRY COLQUITT – UNANIMOUS with Ward 2 seat vacant

Clerk to notify

MINUTES:

COUNCILMAN REESE stated that MS. COLQUITT has served on this Board faithfully, for which he expressed his appreciation. He noted that she made application at the Sunrise Hospital Trauma Unit.

(11:09 – 11:10)

2-1181

6-20-2003

CLARK COUNTY DISTRICT BOARD OF HEALTH

	MEMBER	ADDRESS	ZIP CODE	DATE APPT.	TERM EXP.
1.	REESE, GARY (City Councilman)	400 Stewart Ave.	89101	6-21-1995	6-2005 (Reap. 6-18-2003)
2.	COLQUITT, SHERRY (Reese's recom.)	8801 Lusso Court (Ward 2)	89134	4-15-1992	5-15-2004

Authority: NRS 439.390 & LVMC 2.36

Term: 2 years.

Appointees: Two members to be appointed by the City Council.
(One member is to be a Council member.)

Notes: No limit to number of terms which may be served.
Citizen appointee does not have to reside in the City.
No financial disclosure requirement for this board.

Dr. Donald Kwalick
Chief Health Officer
Clark County Health Department
625 Shadow Lane
Las Vegas NV 89106

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: CITY CLERK**DIRECTOR:** BARBARA JO (RONI) RONEMUS ☐ CONSENT ☒ DISCUSSION**SUBJECT:****BOARDS & COMMISSIONS:**

Discussion and possible action on the appointment of members to the Neighborhood Partners Fund Board for Fiscal Year 2005

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

The Neighborhood Partners Fund Board consists of 13 members and was created to review Neighborhood Partners Fund applications and recommend awards to the City Council. It is designed to assist citizens in improving the quality of life for City of Las Vegas neighborhoods and directly responds to two of the City Council's priorities: Support and encourage affordability, livability, and pride in our neighborhoods and provide an open government which allows access, participation, and respectful communication using traditional and technically advanced methods. This Board is being reconvened to review these applications and select the recipients for FY 2005. Each member's term will expire April 30 of each year.

RECOMMENDATION:

Procedure for this Board is appointment by Mayor and each member of Council. The Department of Neighborhood Services recommends the following appointments:

Mayor or his designee – Rachel Gritton; Ward 1 Staff Designee – Lito Rayos; Ward 1 Neighborhood Representative – Bob Goldstein; Ward 3 Staff Designee – Loretta Arrington; Ward 3 Neighborhood Representative – Allen Jacobsen; Ward 4 Staff Designee – Darcy Hayes; Ward 4 Neighborhood Representative – Lenny Taylor; Ward 5 Staff Designee – Kelly Benavidez; Ward 5 Neighborhood Representative – Tyrone Thompson; Ward 6 Staff Designee – Lisa Clearwater Campbell; Ward 6 Neighborhood Representative – Debbie Kinsora

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Current Listing and Authority – Neighborhood Partners Fund Board

MOTION:

REESE – APPROVED appointments as recommended, with the additional appointments of **AUDRIE DODGE** and **CHARLIE DESIDERIO** to represent Ward 2 – **UNANIMOUS** with Ward 2 seat vacant

CITY COUNCIL MEETING OF MAY 19, 2004
Boards & Commissions
Item 84 – Neighborhood Partners Fund Board

MINUTES:

MAYOR GOODMAN read the names of the recommended appointments.

MARIA CASTILLO-COUCH, Neighborhood Services, indicated that the eleven recommended appointees are sufficient to meet quorum requirements. However, there is no Ward 2 representative. CHARLIE DESIDERIO, who has previously served, is interested in representing Ward 2. COUNCILMAN REESE supported appointing MR. DESIDERIO to represent Ward 2, as well as AUDRIE DODGE, Ward 2 Senior Executive Assistant.

(11:10 – 11:13)

2-1223

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004

DEPARTMENT: CITY CLERK

ITEM DESCRIPTION: Discussion and possible action on the appointment of members to the Neighborhood Partners Fund Board for Fiscal Year 2005

The Neighborhood Partners Fund Program grants up to \$5,000 to registered, neighborhood-based organizations for self-help projects that will improve the physical, public safety, cultural, recreational, or educational conditions of their neighborhood. The total amount available to disburse for these projects for FY2004-2005 is \$75,000. Registered neighborhood associations wishing to participate in the NPF program must submit a completed application by April 19, 2004. These applications are reviewed by the NPF Board, which will meet during the month of May and June. The Board will make its recommendation to Council in July 2004.

Registered neighborhood-based organizations have to match the city's grant contribution with volunteer time, in-kind donations of goods and services and/or financial contributions. Projects must be completed during fiscal year 2004-2005 and are required to take place within the boundaries of the registered neighborhood-based organization or areas immediately adjacent. The NPF program also requires neighborhood residents to be directly involved in all phases of the project. NPF cannot be used to fund the organization's operating budget or other city services.

Attached are the Department of Neighborhood Services' recommended appointments.

City of Las Vegas

CITY COUNCIL MEETING DATE: MAY 19, 2004

AGENDA MEMO--PAGE TWO

FY 2004-2005 Neighborhood Partners Fund Board

Representative	Proposed Name
Mayor or his designee	Rachel Gritton, City Hall
Ward 1 Staff Designee	Lito Rayos, City Hall
Ward 1 Neighborhood Representative	Bob Goldstein 1600 S. Valley View #2088 Las Vegas NV 89102 855-4025 870-1587
Ward 2 Staff Designee	VACANT
Ward 2 Neighborhood Representative	VACANT
Ward 3 Staff Designee	Loretta Arrington, City Hall
Ward 3 Neighborhood Representative	Allen Jacobsen 237 N. 20 th Street Las Vegas NV 89101 383-8629
Ward 4 Staff Designee	Darcy Hayes, City Hall
Ward 4 Neighborhood Representative	Lenny Taylor, 3432 Coconino Lane. Las Vegas, NV 89129 656-1779/531-1816
Ward 5 Staff Designee	Kelly Benavidez, City Hall
Ward 5 Neighborhood Representative	Tyrone Thompson, 2716 Rising Legend Way, Las Vegas, NV 89106 218-9762 cell
Ward 6 Staff Designee	Lisa Campbell, City Hall
Ward 6 Neighborhood Representative	Debbie Kinsora 6013 Golden Saddle Las Vegas, NV 89130 396-0699

NEIGHBORHOOD PARTNERS FUND BOARD

<u>MEMBERS</u>	<u>ADDRESS</u>	<u>ZIP CODE</u>	<u>ORIGINAL APPT.</u>	<u>TERM EXPIRES</u>
1) ELENA PEREZ MAYOR GOODMAN' S STAFF DESIGNEE	400 Stewart Avenue	01	5/1/2002 (Reapp. 4/16/2003)	4/30/2004
2) LORETTA ARRINGTON CITY COUNCIL – WARD 3 STAFF DESIGNEE	400 Stewart Avenue	01	5/17/2000 (Reapp. 5/1/2002) (Reapp. 4/16/2003)	4/30/2004
3) ALLEN JACOBSEN NEIGHBORHOOD REP-WARD 3	237 N. 20 TH ST.	01	4/16/2003	4/30/2004
4) DOUGLAS RANKIN CITY COUNCIL - WARD 1 STAFF DESIGNEE	400 Stewart Avenue	01	6/22/1998 (Reapp. 5/1/2002) (Reapp. 4/16/2003)	4/30/2004
5) BOB GOLDSTEIN NEIGHBORHOOD REP-WARD 1	1600 S. Valley View Bl. #2088	02	4/16/2003	4/30/2004
6) TRINA ROBINSON CITY COUNCIL REP-WARD 2 STAFF DESIGNEE	400 Stewart Avenue	01	5/1/2002 (Reapp. 4/16/2003)	4/30/2004
7) CHARLES DESIDERIO NEIGHBORHOOD REP-WARD 2	1312 Bainberry Ridge Ln.	07	4/16/2003	4/30/2004
8) DARCY HAYES CITY COUNCIL-WARD - 4 STAFF DESIGNEE	400 Stewart Avenue	01	4/16/2003	4/30/2004
9) TONY BRUGES NEIGHBORHOOD REP - WARD 4	4009 Poppy Fields Drive	29	8/4/1999 (Reapp. 5/1/2002) (Reapp. 4/16/2003)	4/30/2004
10) KELLY BENAVIDEZ CITY COUNCIL-WARD 5 STAFF DESIGNEE	400 Stewart Avenue	01	5/1/2002 (Reapp. 4/16/2003)	4/30/2004
11) TYRONE THOMPSON NEIGHBORHOOD REP – WARD 5	2716 Rising Legend Way	06	5/1/2002 (Reapp. 5/1/2002) (Reapp. 4/16/2003)	4/30/2004
12) LISA CAMPBELL CITY COUNCIL-WARD 6 STAFF DESIGNEE	400 Stewart Avenue	01	4/16/2003	4/30/2004
13) DEBBIE KINSORA NEIGHBORHOOD REP - WARD 6	6013 Golden Saddle	30	5/1/2002 (Reapp. 4/16/2003)	4/30/2004

Note: See Page 2 for additional information.

NEIGHBORHOOD PARTNERS FUND BOARD

- AUTHORITY:** Created by Council Action on 3-9-98 with bylaws approved on 6-22-98. By-Laws were amended on 2-16-2000 to increase the membership to 13 members.
- MEMBERS:** 13 MEMBERS appointed by the Mayor and City Council comprised as follows:
Mayor or her/his designee
Council Liaison or Staff Designee of the Councilmember for each of the six Council Wards
One Neighborhood Representative for each of the six Council Wards
- TERM:** Members shall each serve a term of one year, Expiration dates were set on 5/18/2000 so all members terms expired at the same time.
Members may be reappointed to consecutive one-year terms as necessary
(Must fill un-expired term. Membership is not assignable or transferable.)
- NOTES:** Members Need Not Be City Residents
No Financial Disclosure Required
- PURPOSE:** Review Neighborhood Partners Fund applications and recommend awards to the City of Las Vegas City Council
- MEETINGS:** Department of Neighborhood Services - Call of the Chair and the Board may establish regular meetings by resolution. Meetings are subject to the provisions of the Open Meeting Law.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: BUSINESS DEVELOPMENT**DIRECTOR: CHRIS KNIGHT (ACTING)**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Discussion and possible action regarding an Agreement to Negotiate Exclusively with CityMark Development, LLC, regarding negotiation of a Disposition and Development Agreement for the site located at 3rd Street and Bonneville Avenue totaling approximately 2.38 acres and owned by Office District Parking I, Inc., APN 139-34-311-095 to -102 and -105 to -110 (receipt of \$50,000 deposit) - Ward 1 (Moncrief)

Fiscal Impact☒**No Impact****Amount:** \$50,000 deposit☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

On January 7, 2004, Office District Parking I, Inc., a wholly owned subsidiary of the City, was authorized to proceed with a Request For Development Proposals (RFP) for the site located at 3rd Street and Bonneville Avenue (the Site). The RFP expressly sought development proposals for urban density residential projects from financially strong developers that furthered the development goals and objectives set forth in the Las Vegas Downtown Centennial Plan. A staff review committee evaluated the development proposals received and recommends CityMark Development, LLC, as the Developer with the best overall proposal for the Site. Execution of an Agreement to Negotiate Exclusively (ENA) will allow staff 60 days to negotiate a Disposition and Development Agreement (DDA) with CityMark Development, LLC for the Site.

RECOMMENDATION:

The 5/17/2004 Real Estate Committee and staff recommend this item be abeyed to the 6/1/2004 Real Estate Committee meeting

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Agreement to Negotiate Exclusively
3. Site Map

MOTION:

REESE – Motion to bring forward and STRIKE Items 59 and 68 and Hold in ABEYANCE Items 64, 69, 70, and 85 to 6/2/2004 – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no discussion.

(9:47 – 9:48)

1-1443

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004

DEPARTMENT: BUSINESS DEVELOPMENT

ITEM DESCRIPTION: Discussion and possible action regarding an Agreement to Negotiate Exclusively with CityMark Development, LLC to negotiate a Disposition and Development Agreement for 3rd Street and Bonneville Avenue

1. On January 7, 2004, Office District Parking I, Inc. (ODP), a wholly owned subsidiary of the City, received Council authorization to proceed with a Request for Development Proposals (RFP) for the site at 3rd Street and Bonneville Avenue (the Site). The RFP expressly sought development proposals for urban density residential projects from financially strong developers that furthered the development goals and objectives set forth in the Las Vegas Downtown Centennial Plan.
2. ODP solicited proposals from developers with experience in developing urban density residential projects and received seven proposals for the acquisition of the property to develop mixed-use, residential projects on the Site.
3. The developer selection process involved a review and ranking by a staff review committee of the submitted proposals on behalf of ODP. The submitted proposals were ranked based upon the following factors: a. Developer's financial capability; b. Developer's experience; c. Strength of development concept; d. Neighborhood compatibility; and, e. Development economics (including offering price and terms).
4. A staff review committee evaluated the development proposals received and recommends CityMark Development, LLC (CityMark) as the Developer with the best overall proposal for the Site. The CityMark proposal is for an urban density residential project of 316 units for-sale at market rate (including 10 live/work units), approximately 14,000 square feet of mixed-use retail space at street level and 600 parking spaces on site.
5. Approval of this Agreement to Negotiate Exclusively (ENA) would allow ODP and CityMark, sixty (60) days to negotiate the terms of a Disposition and Development Agreement (DDA). Terms of a DDA that would be subject to negotiation include (but are not limited to): a. Purchase price; b. Earnest money deposit; c. Scope of improvements; and, d. Schedule of performance.
6. The proposed ENA requires that CityMark pay a non-refundable deposit to ODP of \$50,000 as consideration for the exclusivity provisions provided therein. CityMark will be given a credit of \$50,000 towards its required Earnest Money Deposit subject to the successful negotiation of a DDA.
7. ODP will seek to negotiate a DDA that provides for the optimum redevelopment and Purchase Price equal to the \$4,576,000 appraised value of the Site.
8. Upon negotiation of mutually agreeable terms, the DDA will be presented to City Council for consideration.

AGREEMENT TO NEGOTIATE EXCLUSIVELY

THIS AGREEMENT TO NEGOTIATE EXCLUSIVELY is entered into this _____ day of _____, 2004, by and between the Office District Parking I, Inc., a Nevada nonprofit corporation (hereinafter "Seller") and CityMark Development, LLC, a California Limited Liability Company (hereinafter "Developer"), on the terms and provisions set forth below.

WHEREAS, Developer desires to undertake to develop certain real property depicted on Exhibit "A" attached hereto and incorporated herein (hereinafter "Site"); and

WHEREAS, Developer desires to enter into exclusive negotiations with Seller concerning the Developer's plans for the development of the Site WITH THE INTENT TO ENTER INTO A "DISPOSITION AND DEVELOPMENT AGREEMENT" AT THE CONCLUSION OF THE NEGOTIATING PERIOD, as defined hereafter.

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

I. [\$100] Negotiations

A. [\$101] Good Faith Negotiations

Seller and Developer agree for the Negotiation Period set forth below to negotiate diligently and in good faith to prepare a Disposition and Development Agreement (hereinafter "DDA") to be considered for execution between Seller and Developer, in the manner set forth herein, with respect to the development of the Site located in downtown Las Vegas as shown on the Legal Description of Exhibit "A". Seller agrees, for the period set forth below,

not to negotiate with any other person or entity regarding development of the Site or any portion thereof.

B. [§102] Negotiation Period

The duration of this Agreement shall be sixty (60) days from the date of execution of this Agreement by Seller (hereinafter "Negotiation Period"). If upon expiration of the Negotiation Period, Developer has not signed and submitted the DDA to Seller, then this Agreement shall automatically terminate.

II. [§200] Development Concept

A. [§201] Scope of Development

The negotiations hereunder shall be based on a development concept, which shall include the development of:

A project with total gross square footage of approximately 430,000 square feet consisting of 316 for-sale, market rate residential units (including 10 live/work units), 14,100 square feet of street-level, retail and 600 parking spaces on site that will be preferably located in structured parking.

Negotiation of the DDA is contingent upon Developer's submittal of conceptual design and architectural plans.

B. [§202] Developer's Findings, Determinations, Studies and Reports

Developer shall submit to Seller written progress reports every two weeks

describing the status of Developer's performance since the preceding report, including any reports and studies completed, and the expected progress to be made in the next succeeding period. Upon reasonable notice, requested by Seller, Developer agrees to make oral progress reports advising Seller or the Las Vegas City Council on all matters and all studies being made by Developer. ALL REPORTS AND STUDIES SHALL BECOME THE PROPERTY OF Seller.

III. [§300] Purchase Price and/or Other Consideration

Upon the execution of this Agreement by both parties, Developer shall pay Seller a non-refundable sum of Fifty Thousand Dollars (\$50,000.00) as consideration for the exclusivity provisions defined herein (the "Deposit"). The purchase price and/or other consideration to be paid by Developer under the DDA will be established by Seller after negotiation with Developer. Such purchase price and/or other consideration will be based upon such factors as market conditions, density of development, costs of development, risks of Seller, risks of Developer, estimated or actual Developer profit, public purpose and/or fair value for the uses permitted to be developed and financial requirements of Seller and the City, and will be subject to approval by Seller and the Las Vegas City Council after a public hearing as required by law. The Earnest Money Deposit required under the DDA will be an amount equal to ten percent (10%) of said purchase price and the Deposit will be credited towards the Earnest Money Deposit only if the DDA has been executed by the Developer by the expiration of the Negotiation Period.

IV. [§400] Developer

A. [§401] Nature of Developer

Developer is CityMark Development, LLC, a California Limited Liability Company.

B. [§402] Office of Developer

The principal office of Developer is:

701 B Street, Suite 1100
San Diego, California 92101
Phone: (619) 231-1161
FAX: (619) 235-4691

C. [§403] Full Disclosure of Principals

Developer is required to make full disclosure to Seller of its principals, officers, major stockholders, major partners, joint venture partners, key managerial employees and other associates, and all other material information concerning Developer and its associates. Any significant change in the principals, associates, partners, joint venture, negotiators, development manager, consultants, professionals and directly-involved managerial employees of Developer is subject to the approval of Seller.

Pursuant to Resolution R-105-99 adopted by the Las Vegas City Council effective October 1, 1999, Developer warrants that it has disclosed, on the form attached hereto as Exhibit "B", all principals, including, partners or members of CityMark Development, LLC, as well as all persons and entities holding more than 1% interest in said company or any principal, partner or member of the same. Throughout the term hereof, Developer shall provide written notification of any material change in the above disclosure within 15 days of any such change, pursuant to Section X (Notices).

V. [§500] Developer's Financial Capacity

A. [§501] Financial Ability

Prior to execution of the DDA, Developer shall submit to Seller satisfactory evidence of its ability to finance and complete the development.

B. [§502] Construction Financing

Developer's proposed method of obtaining construction financing for the development of the Site shall be submitted concurrently with Developer's proposed DDA to Seller for approval.

C. [§503] Long-Term Development Financing

Developer's proposed method of obtaining long-term development financing shall be submitted concurrently with Developer's proposed DDA to Seller for approval.

D. [§504] Full Disclosure of Financing

Developer will be required to make and maintain full disclosure to Seller of its methods of financing to be used in the development of the Site.

VI. [§600] Developer's Responsibilities

A. [§601] Return of Site to Original Condition

Developer hereby agrees to return the Site to its original condition upon completion of any investigations requiring access to the Site. This includes replacement of a dust palative which may be disturbed by vehicles and personnel permitted to access the Site.

B. [§602] Indemnification and Hold Harmless

Developer will indemnify and hold harmless the City and Seller, its officers, employees and agents from and against any claims, demands or causes of action caused by Developer or persons acting on behalf of Developer in carrying out their responsibilities in

accessing the Site.

VII. [§700] Seller's Responsibilities

A. [§701] Intentionally Deleted.

B. [§702] Seller Assistance and Cooperation

Seller shall cooperate fully in providing Developer with appropriate information and assistance.

C. [§703] RIGHT TO ENTER

AS SET FORTH IN EXHIBIT "C," SELLER GIVES DEVELOPER THE RIGHT TO ENTER THE SITE TO CARRY OUT ITS DUE DILIGENCE INSPECTION OF THE SITE AND THE DEVELOPER ACKNOWLEDGES AND UNDERSTANDS THE CONDITIONS AND EXCEPTIONS UNDER WHICH SAID RIGHT IS GRANTED.

VIII. [§800] Real Estate Commission

The City or Seller shall not be liable for any real estate commission or brokerage fees, which may arise herefrom. Developer represents that it has engaged no broker, agent or finder in connection with this transaction, and Developer agrees to hold Seller harmless from any claim by any broker or finder retained by Developer.

IX. [§900] Limitations of this Agreement

By its execution of this Agreement, Seller is not committing itself to or agreeing to undertake:

(a) disposition of land to Developer; or (b) any other acts or activities requiring the subsequent independent exercise of discretion by the City or any City department or board thereof.

This Agreement does not constitute a disposition of property or exercise of control over property by the City or Seller. Execution of this Agreement by Seller is merely an agreement to enter into a period of exclusive negotiations according to the terms hereof, reserving final discretion and approval by Seller and the Las Vegas City Council as to any and all proceedings and decisions in connection therewith.

X. [§1000 CONFLICT OF INTEREST]

A. An official of the City, who is authorized in such capacity and on behalf of Seller to negotiate, make, accept or approve, or take part in negotiating, making, accepting, or approving this Agreement, payments under this Agreement, or work under this Agreement, shall not be directly or indirectly interested personally in this Agreement or in any part hereof. No officer, employee, architect, attorney, engineer or inspector of, or for the City, who is authorized in such capacity and on behalf of the City to exercise any legislative, executive, supervisory or other similar functions in connection with this Agreement, shall become directly or indirectly interested personally in this Agreement or in any part hereof, any material supply contract, subcontract, insurance contract, or any other contract pertaining to this Agreement.

B. Each party represents that it is unaware of any financial or economic interest of any public officer or employee of the City relating to this Agreement. Notwithstanding any other provision of this Agreement, if such interest becomes known, the City may immediately terminate this Agreement for default or convenience, based on the culpability of the parties.

C. Developer represents and warrants that it has, in accordance with the

current policy of the City, disclosed the ownership and principals of Developer on Exhibit "B", "Certificate – Disclosure of Ownership/Principals", and that it has a continuing obligation to update this disclosure whenever there is a material change in the information.

XI. [§1100] Notices

All legal notices required pursuant to the terms and conditions of this Agreement shall be in writing, unless an emergency situation dictates otherwise. Any notice required to be given under the terms of this Agreement shall be deemed to have been given when (i) received by the party to whom it is directed by hand delivery or personal service, (ii) transmitted by facsimile with confirmation of transmission, or (iii) sent by U.S. mail via certified mail-return receipt requested at the following addresses:

If to Developer:

Richard Gustafson-President
CityMark Development, LLC
701 B Street, Suite 1100
San Diego, California 92101
Phone: (619) 231-1161
FAX: (619) 235-4691

If to Seller:

Jacque Hinchman-Acting Economic Development Manager
Office of Business Development
400 Stewart
Las Vegas, 89101
Phone: (702) 229-6551
FAX: (702) 385-3128

And

Kathy Rainey-Manager
Purchasing & Contracts
City Hall, First Floor
400 Stewart Avenue
Las Vegas, NV 89101
Phone: (702) 229-6021
Fax: (702) 384-9964

An original signed copy, via U. S. Mail, shall follow facsimile transmissions.
...

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to Negotiate
Exclusively on the date set forth above.

Office District Parking I, Inc.

By _____
Douglas A. Selby, President

ATTEST:

APPROVED AS TO FORM:

Thomas R. Green 5/10/04
Date

CityMark Development, LLC, a California Limited
Liability Company

By _____
Richard Gustafson, President
"Developer"

EXHIBIT "A"

Legal Description

Lots One (1) through Sixteen (16), inclusive, and Lots Twenty-One (21) through Thirty-Two (32), inclusive, all in Block Twenty-Five (25) of Clark's Las Vegas Townsite, as shown by map thereof on file in Book 1 of Plats, Page 37, in the Office of the County Recorder, Clark County, Nevada.

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 Contracting Entity
CityMark Development LLC
Name
701 B Street, Suite 1100
Address
San Diego, CA 92101
Telephone
(619) 231-1161
EIN or DUNS
33-0886689

Block 2 Description
Subject Matter of Contract/Agreement
3 rd Street & Bonneville Avenue Development
RFP No. 040158-LR

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.	Richard Gustafson/President	701 B Street, Suite 1100 San Diego	(619)231-1161
2.	Russell Haley/Vice President	701 B Street, Suite 1100 San Diego, CA	(619) 231-1161
3.	Vince Hoenigman/Secretary	701 B Street, Suite 1100, San Diego, CA	(619) 231-1161
4.			
5.			
6.			
7.			
8.			
9.			
10.			

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

Block 5 DISCLOSURE OF OWNERSHIP AND PRINCIPALS – ALTERNATE

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

Name of Attached Document: N/A

Date of Attached Document: _____ Number of Pages: _____

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


 Name Richard Gustafson

3/26/04
 Date

Subscribed and sworn to before me this 26 day of

March, 2004

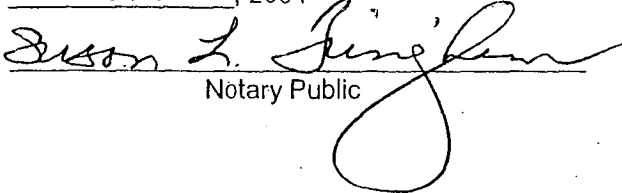

 Notary Public



EXHIBIT "C"

RIGHT-OF-ENTRY FORM

FOR

CTYMARK DEVELOPMENT, LLC

The Office District Parking I, Inc., hereby authorizes Right-of-Entry onto parcels #139-34-311-095 to -102 & -105 to -110, located at 3rd Street and Bonneville Avenue to CityMark Development, LLC. For the purpose of performing surveys, environmental and/or geotechnical services on said Office District Parking I, Inc. owned parcels.

Office District Parking I, Inc. contact Person is: Ms. Jacque Hinchman, 702-229-6551

CityMark Development, LLC contact person is: Mr. Richard Gustafson, 619-231-1161

Office District Parking I, Inc.

by: _____
Douglas A. Selby, President

_____ Date

INDEMNIFICATION

Subject to NRS 41.035, CityMark Development, LLC hereby agrees to protect, indemnify, and hold Office District Parking I, Inc., its officers, employees and agents, harmless from and against any and all claims, damages, losses, expenses, suits, actions, decrees, judgments, awards, attorneys' fees and court costs, which Office District Parking I, Inc., its officers, employees or agents, may suffer or which may be sought against or are recovered or obtainable from Office District Parking I, Inc., its officers, employees or agents, as a result of, or by reason of, or arising out of or in consequence of any act or omission, negligent or otherwise, of CityMark Development, LLC or its officers employees, contractors, subcontractors, agents, volunteers or anyone who is directly or indirectly employed by, or is acting in concert with, CityMark Development, LLC, officers, its employees, contractors, subcontractors, volunteers or agents in the performance of this Agreement.

In this connection, CityMark Development, LLC expressly agrees, at its sole cost and expense, to defend the Office District Parking I, Inc., its officers, employees and agents, in any suit or action that may be brought against it or them, or any of them by reason of any act or omission, negligent or otherwise, against which CityMark Development, LLC has agreed to indemnify the Office District Parking I, Inc., its officers, employees and agents. If CityMark Development, LLC fails to do so, Office District Parking I, Inc. shall have the right, but not the obligation to defend same and to charge all of the direct and incidental costs of such defense, including attorneys' fees and court costs, to CityMark Development, LLC.

CityMark Development, LLC agrees to restore the site to its original condition as much as possible, and agrees to conduct its testing in a manner which will cause the least amount of disruption to the present users. This agreement does not constitute or imply any binding contracts or other commitments by Office District Parking I, Inc. to CityMark Development, LLC. CityMark Development, LLC agrees that it proceeds at its own risk and agrees that the results of said testing shall be shared with Office District Parking, LLC.

CityMark Development, LLC

by: _____
Richard Gustafson, President

_____ Date

[illegible]

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

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

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Motorized scooters and motorized skateboards are subject to State laws that govern operator licensing and minimum vehicle equipment. A significant number of these scooters and skateboards are being operated on City streets in violation of State law, and it appears that many who purchase these items are not made aware of the restrictions. This bill will require merchants to disclose this information in connection with the sale of motorized scooters and motorized skateboards.

RECOMMENDATION:

ADOPTION at 5/19/2004 City Council meeting as First Amendment pursuant to the 5/3/2004 Recommending Committee.

First Reading – 4/21/2004; First Publication – 5/7/2004

BACKUP DOCUMENTATION:

Bill No. 2004-30 - First Amendment

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as a First Amendment as Ordinance No. 5695 – UNANIMOUS with Ward 2 seat vacant

Clerk to proceed with second publication

MINUTES:

COUNCILMAN MACK noted that the merchants will be required to provide the information both in English and Spanish.

(11:13 – 11:14)

2-1320

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

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

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

State and local laws currently prohibit certain acts to promote or facilitate fights between animals. This bill go a step further and prohibit the breeding or training of animals for the purpose of using them in an animal fighting venture.

RECOMMENDATION:

ADOPTION at 5/19/2004 City Council meeting pursuant to the 5/3/2004 Recommending Committee.

First Reading – 4/21/2004; First Publication – 5/7/2004

BACKUP DOCUMENTATION:

Bill No. 2004-31

MOTION:

WEEKLY – Second Reading and **BILL ADOPTED** as recommended as Ordinance No. 5696 – **UNANIMOUS** with Ward 2 seat vacant

Clerk to proceed with second publication

MINUTES:

JANIE GREENSPUN GAIL appeared representing the Lied Animal Shelter, 655 N. Mojave Road, and as Chairman of the Board of the Animal Foundation. She thanked COUNCILMAN MACK for this ordinance, as the staff of the Animal Shelter sees firsthand the brutality and devastation caused by animal fighting. A lot of children witness this type of activity, and then grow up to believe it is normal. She clarified for COUNCILMAN WEEKLY that dogs are not the only animals used in animal fighting. There is also cockfighting. Any form of animal fighting is abusive and cruel, and the people involved in animal fighting are also known to be abusive to their children and spouses.

CITY COUNCIL MEETING OF MAY 19, 2004
Recommending
Item 87 – Bill No. 2004-31

MINUTES – Continued:

MAYOR GOODMAN did not believe that the language in this ordinance would cover cockfighting. He opined that a good lawyer could make a real distinction between a fowl and an animal, particularly with language “including pigeon or other bird” under Section 2-B. COUNCILMAN MACK deferred to the City Attorney’s Office for advice. CHIEF DEPUTY CITY ATTORNEY VAL STEED commented that Title 7 of the Las Vegas Municipal Code defines “animal” and may include fowl and pigeons. CITY ATTORNEY JERBIC suggested that, if there is a problem with the definition of “animal” under Title 7, an amendment would be made to this ordinance in the future. However, before recessing the meeting, CITY ATTORNEY JERBIC pointed out that the definition of “animal” under Title 7 covers birds.

(11:14 – 11:20/11:24 – 11:26)

2-1357/2-1758

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-32 – Ordinance Creating Special Improvement District No. 607 - Cliff's Edge.
Sponsored By: Step Requirement

Fiscal Impact

☐

No Impact

Amount: \$51,187,785

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

Acquisition, construction and installation of street, sanitary sewer, storm sewer/drainage improvements, and water main projects. Costs will be recovered over a 20 year period through the levy and collection of special assessments.

RECOMMENDATION:

ADOPTION at 5/19/2004 City Council meeting as First Amendment pursuant to the 5/3/2004 Recommending Committee.

First Reading – 4/21/2004; First Publication – 5/7/2004

BACKUP DOCUMENTATION:

Bill No. 2004-32 - First Amendment

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as a First Amendment as Ordinance No. 5697 – UNANIMOUS with Ward 2 seat vacant

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(11:20)
2-1576

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-33 – Levies Assessments for Special Improvement District No. 607 - Cliff's Edge.
Sponsored By: Step Requirement

Fiscal Impact

☐

No Impact

Amount: \$51,187,785

☒

Budget Funds Available

Dept./Division: Public Works/SID

☐

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

Acquisition, construction and installation of street, sanitary sewer, storm sewer/drainage improvements, and water main projects. Costs will be recovered over a 20 year period through the levy and collection of special assessments.

RECOMMENDATION:

ADOPTION at 5/19/2004 City Council meeting as First Amendment pursuant to the 5/3/2004 Recommending Committee.

First Reading – 4/21/2004; First Publication – 5/7/2004

BACKUP DOCUMENTATION:

Bill No. 2004-33 - First Amendment

MOTION:

WEEKLY – Second Reading and **BILL ADOPTED** as a First Amendment as Ordinance No. 5698 – **UNANIMOUS** with Ward 2 seat vacant

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(11:20 – 11:21)
2-1599

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-34 – Levies Assessment for Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance FY2005). Sponsored by: Step Requirement

Fiscal Impact

☐

No Impact

Amount: \$41,902.50

☒

Budget Funds Available

Dept./Division: Public Works/SID

☐

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

Levies the assessment 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 estimated maintenance costs from July, 2004 through June, 2005.

RECOMMENDATION:

ADOPTION at 5/19/2004 City Council meeting pursuant to the 5/3/2004 Recommending Committee.

First Reading – 4/21/2004; First Publication – 5/7/2004

BACKUP DOCUMENTATION:

Bill No. 2004-34

MOTION:

WEEKLY – Second Reading and **BILL ADOPTED** as recommended as Ordinance No. 5699 – **UNANIMOUS** with Ward 2 seat vacant

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(11:21)

2-1618

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

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)

Fiscal Impact

☒

No Impact

Amount: \$51,185,000

☐

Budget Funds Available

Dept./Division: Cliff's Edge Agency Fund

☐

Augmentation Required

Funding Source: SID assessments in district 607

PURPOSE/BACKGROUND:

The bonds are being issued by the City pursuant to the Nevada Consolidated Local Improvement Law (NRS 271) in order to finance the acquisition of certain public improvements for property located in the City's Special Improvement District No. 607 pursuant to the District Financing Agreement between the developer (Cliff's Edge) and the City. The bonds do not constitute a debt of the City.

RECOMMENDATION:

ADOPTION at 5/19/2004 City Council meeting as First Amendment pursuant to the 5/3/2004 Recommending Committee.

First Reading – 4/21/2004; First Publication – 5/7/2004

BACKUP DOCUMENTATION:

Bill No. 2004-35 - First Amendment

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as a First Amendment as Ordinance No. 5700 – UNANIMOUS with Ward 2 seat vacant

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(11:21 – 11:22)

2-1696

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-36 – An ordinance amending Ordinance No. 5533 authorizing the issuance by the City of Las Vegas of its General Obligation (Limited Tax) Parking Bonds (Additionally Secured by Pledged Revenues), Series 2002A, and providing other matters relating thereto - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Because the parking garage originally planned for this bond issue is now no longer feasible, the City has changed the use of the proceeds to the construction of a second tower for the City Hall campus. Additionally, the pledged source for repayment has been changed from the parking enterprise fund to consolidated tax. We obtained approval from the Clark County Debt Management Commission on December 5, 2003 and a consent has been issued by the insurer of the bonds.

RECOMMENDATION:

ADOPTION at 5/19/2004 City Council meeting pursuant to the 5/17/2004 Recommending Committee.

First Reading – 5/5/2004; First Publication – 5/8/2004

BACKUP DOCUMENTATION:

Bill No. 2004-36

MOTION:

WEEKLY – Second Reading and **BILL ADOPTED** as recommended as Ordinance No. 5701 – UNANIMOUS with Ward 2 seat vacant.

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(11:22 – 11:23)

2-1668

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-38 – Bond Ordinance providing for the issuance by the City of Las Vegas of its Registered Local Improvement District Bonds Series 2004B, for Special Improvement Districts (SID) numbers 1474 and 1486 in an amount not to exceed \$750,000 - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$750,000

☒

Budget Funds Available

Dept./Division: Finance & Business Services

☐

Augmentation Required

Funding Source: SID assessments in the respective districts.

PURPOSE/BACKGROUND:

The City has created the improvement district in compliance with NRS 271. NRS Chapter 350 authorizes the issuance of bonds for the SID district to repay short term financing (Internal Service Fund). The term of these bonds will be ten years and will be funded with the SID assessments in the district.

RECOMMENDATION:

ADOPTION at 5/19/2004 City Council meeting pursuant to the 5/17/2004 Recommending Committee.

First Reading – 5/5/2004; First Publication – 5/8/2004

BACKUP DOCUMENTATION:

Bill No. 2004-38

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5702 – UNANIMOUS with Ward 2 seat vacant

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(11:23)

2-1697

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-39 – Bond Ordinance providing for the issuance by the City of Las Vegas of its Registered Local Improvement District Bonds Series 2004A, for Special Improvement District (SID) number 1481 in an amount not to exceed \$2,800,000 - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$2,800,000

☒

Budget Funds Available

Dept./Division: Finance & Business Services

☐

Augmentation Required

Funding Source: SID assessments in the respective districts.

PURPOSE/BACKGROUND:

The City has created the improvement district in compliance with NRS 271. NRS Chapter 350 authorizes the issuance of bonds for the SID district to repay short term financing (Interim Warrant). The term of these bonds will be twenty years and will be funded with the SID assessments in the district.

RECOMMENDATION:

ADOPTION at 5/19/2004 City Council meeting pursuant to the 5/17/2004 Recommending Committee.

First Reading – 5/5/2004; First Publication – 5/8/2004

BACKUP DOCUMENTATION:

Bill No. 2004-39

MOTION:

WEEKLY – Second Reading and **BILL ADOPTED** as recommended as Ordinance No. 5703 – **UNANIMOUS** with Ward 2 seat vacant

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(11:23 – 11:24)

2-1725

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2004-37 – Prohibits the sale of new vehicles (cars and trucks) on Sundays. Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

In 2001, the Southern Nevada Regional Planning Coalition adopted a resolution recommending that area local governments adopt ordinances to prohibit motor vehicle dealers from selling new vehicles (cars and trucks) on Sundays. Clark County adopted such an ordinance in 2001, and it has been proposed that the City do likewise.

RECOMMENDATION:

ADOPTION at 6/2/2004 City Council meeting pursuant to the 5/17/2004 Recommending Committee.

First Reading – 5/5/2004; First Publication – 5/21/2004

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

6/2/2004 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2004-40 – Annexation No. ANX-3978 – Property location: On the west side of Calverts Street, 810 feet south of Tropical Parkway; Petitioned by: Ronny Acevedo and Gilmar Acevedo; Acreage: 1.02 acres; Zoned: R-E (County zoning), U (R) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the west side of Calverts Street, 810 feet south of Tropical Parkway. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (June 25, 2004) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2004-40 and Location Map

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

6/1/2004 Recommending Committee

6/2/2004 Council Agenda

(11:24 – 11:26)

2-1758

1
2
3
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6
7
8 **BILL NO. 2004-40**

9 **ORDINANCE NO. _____**

10 AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO
11 PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS
12 INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE
CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-3978)

13 Sponsored by: Councilman Michael Mack Summary: Annexes property described
14 generally as located on the west side of
15 Calverts Street, 810 feet south of Tropical
Parkway.

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

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

21 That portion of the Northwest Quarter (NW 1/4) of the Southwest Quarter
22 (SW 1/4) of Section 25, Township 19 South, Range 60 East, M.D.M., in the
23 County of Clark, State of Nevada, being LOT 349 (also known as LOT 29,
24 ST. FRANCIS PARK, recorded June 8, 1929 in Book 1 of Plats, Page 109
of Clark County, Nevada Records) and adjacent west half street of
CALVERTS STREET (17.50 feet wide as measured from centerline thereof)
as shown on Record of Survey in File 52, Page 70 recorded October 18, 1989
of Clark County, Nevada Records, described as follows:

25 COMMENCING at the northwest corner of the Northwest Quarter (NW 1/4)
26 of the Southwest Quarter (SW 1/4) of said Section 25, said corner also being
27 the centerline intersection of TROPICAL PARKWAY and JONES
28 BOULEVARD; thence along the centerline of said TROPICAL PARKWAY
and the north line of the Northwest Quarter (NW 1/4) of the Southwest
Quarter (SW 1/4) of said Section 25, North 89°39'14" East, 1112.48 feet to
the centerline intersection of TROPICAL PARKWAY and CALVERTS

1 STREET; thence departing said north line, along the centerline of said
2 CALVERTS STREET, South 00°01'59" West, 853.57 feet to the POINT OF
3 BEGINNING at the easterly projection of the north line of said LOT 349;
4 thence along said easterly projection and north line of said LOT 349, South
5 89°41'00" West, 222.51 feet to the northwest corner of said LOT 349; thence
6 along the west line of said LOT 349, South 00°02'08" West, 200.15 feet to
7 the southwest corner of said LOT 349; thence along the south line of said
8 LOT 349 and the easterly projection of said south line, North 89°41'36" East,
9 222.51 feet to the centerline of said CALVERTS STREET; thence along the
10 centerline of said CALVERTS STREET, North 00°01'59" East, 200.19 feet
11 to the POINT OF BEGINNING.

12 Written by:
13 Brian Yu PLS
14 731 S. Fourth Street,
15 Public Works,
16 City of Las Vegas

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

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

SECTION 3: The City will provide police protection through the Las Vegas
Metropolitan Police Department, fire protection, street maintenance, and library services
immediately upon annexation. Garbage collection by the company franchised by the City
will also be provided immediately. The City sanitary sewer system will serve the proposed

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

15 SECTION 4: The annexation of the described territory shall become
16 effective on the 25th day of June, 2004, and on that date the City will have the funds
17 appropriated in sufficient amount to finance the extension into the described territory of
18 police protection, fire protection, street maintenance, street sweeping, and street lighting
19 maintenance.

20 SECTION 5: The described territory, together with the inhabitants and
21 property thereof, shall, from and after the 25th day of June, 2004, be subject to all debts,
22 laws, ordinances and regulations in force in the City and shall be entitled to the same
23 privileges and benefits as other parts of the City, and shall be subject to municipal taxes
24 levied by the City.

25 SECTION 6: The City Engineer is hereby instructed to cause to be prepared
26 an accurate map or plat of the described territory and to record the map or plat, together with
27 a certified copy of this ordinance, in the office of the County Recorder of Clark County,
28 Nevada, which recording shall be done prior to the 25th day of June, 2004.

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

PASSED, ADOPTED and APPROVED this _____ day of _____, 2004.

By OSCAR B. GOODMAN, Mayor

BARBARA JO RONEMUS, City Clerk

Val Steed 5-5-04
Date

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

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

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13 By OSCAR B. GOODMAN, Mayor

14 ATTEST:

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16 BARBARA JO RONEMUS, City Clerk

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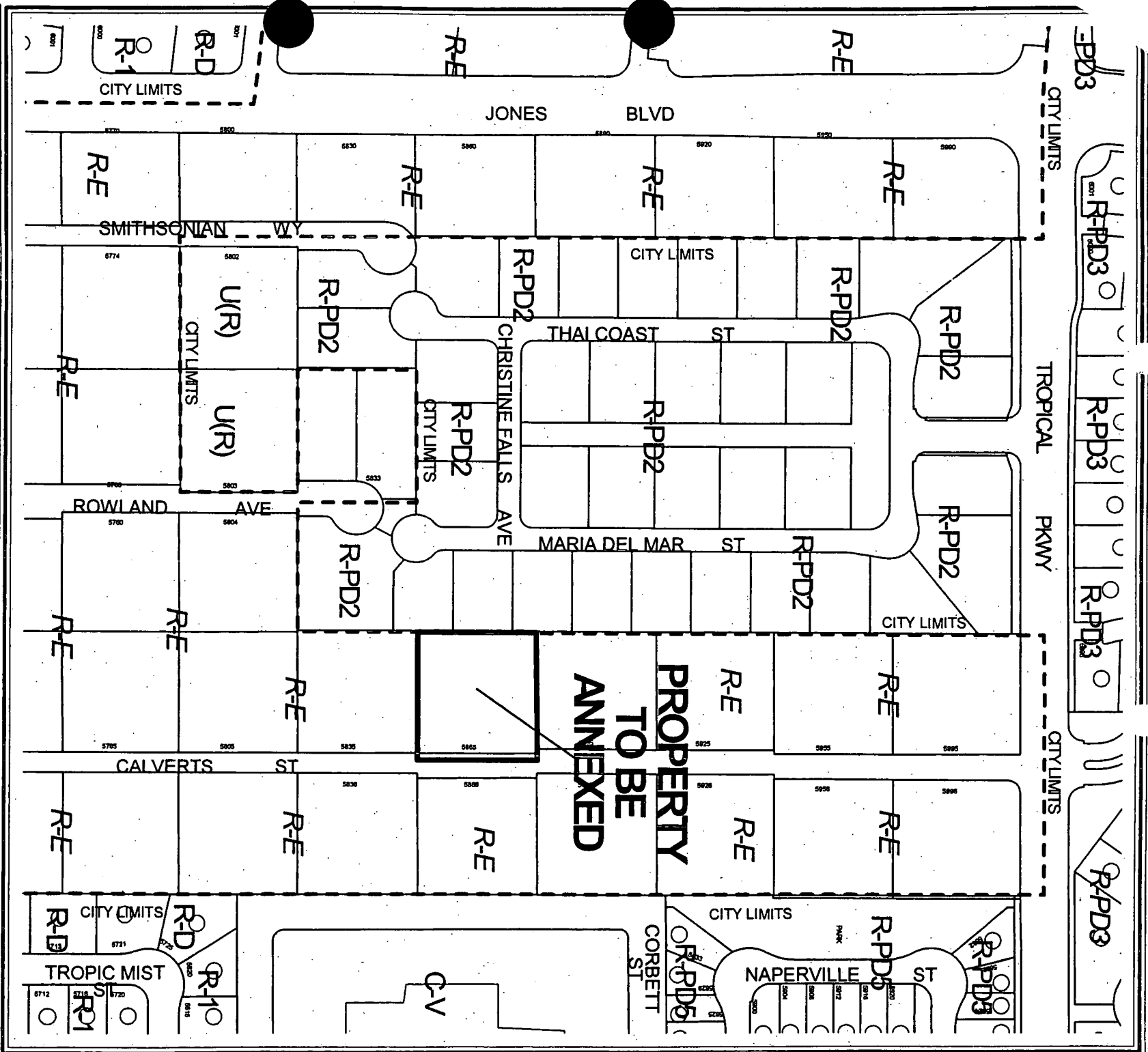
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CASE: ANX-3978

0 100 200 Feet



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2004-41 – Revises the City's drought conservation measures in accordance with revisions to the Southern Nevada Water Authority's Drought Plan. Proposed by: Douglas A. Selby, City Manager (Note: CITY ATTORNEY JERBIC indicated that COUNCILMAN BROWN would be sponsoring this bill.)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will revise the City's drought conservation measures to conform to recent revisions in the Southern Nevada Water Authority's Drought Plan. In particular, the bill will 1) modify the restrictions on the washing of vehicles and the use of outdoor mist cooling systems, and 2) provide more flexibility in allowing fountains and water features in circumstances where consumptive use reductions cannot be achieved on site.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2004-41

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

6/1/2004 Recommending Committee

6/2/2004 Council Agenda

CITY ATTORNEY JERBIC noted that COUNCILMAN BROWN would be sponsoring this bill.

(11:24 – 11:26)

2-1758

1 **BILL NO. 2004-41**

2 **ORDINANCE NO. _____**

3 **AN ORDINANCE TO REVISE THE CITY'S DROUGHT CONSERVATION MEASURES IN**
4 **ACCORDANCE WITH REVISIONS TO THE SOUTHERN NEVADA WATER AUTHORITY'S**
5 **DROUGHT PLAN, AND TO PROVIDE FOR OTHER RELATED MATTERS.**

6 Proposed by: Douglas A. Selby, City Manager

Summary: Revises the City's drought
conservation measures in accordance with
revisions to the Southern Nevada Water
Authority's Drought Plan.

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

10 **SECTION 1:** Title 14, Chapter 11, Section 30, of the Municipal Code of the City of
11 Las Vegas, Nevada, 1983 Edition, and Ordinance No. 5647, are hereby amended so that Section
12 14.11.030 reads as follows:

13 **14.11.030:** (A) The Drought Plan adopted by the SNWA in February 2003 and approved by
14 the City Council in March 2003, and any amendments adopted by SNWA, shall serve as the basis for
15 adopting this Chapter, and as a guideline in its interpretation. The Drought Plan was adopted in order
16 to preserve, protect and encourage the conservation of water resources. The Plan describes different
17 stages of water supply conditions as follows:

- 18 (1) No Drought
19 (2) Drought Watch
20 (3) Drought Alert
21 (4) Drought Emergency

22 (B) The provisions of this Chapter shall apply whenever a Drought Watch, Drought
23 Alert or Drought Emergency condition has been declared by the Board of Directors of SNWA and
24 remains in effect. Unless the context otherwise requires, whenever a provision of this Chapter does
25 not specify whether it applies to a Drought Watch, Drought Alert or Drought Emergency condition,
26 the provision shall apply when any of those conditions are in effect. In the event of conflict between
27 the provisions of this Chapter and other applicable ordinances, regulations or the Service Rules, the
28 most stringent provisions will prevail. However, with respect to any provision of the Service Rules

1 that is less stringent than the provisions of this Chapter, the District may enforce that provision
2 instead.

3 (C) In the case of a Drought Emergency, the provisions of this Chapter pertaining
4 to a Drought Alert shall continue to apply. However, based upon the recommendations of SNWA and
5 a citizens advisory committee, the City shall have the authority to adopt additional restrictions that are
6 deemed necessary in order to protect the public health, safety and welfare. Upon the adoption and
7 publication of those additional restrictions, they shall become binding on water users within the City.

8 SECTION 2: Title 14, Chapter 11, Section 40, of the Municipal Code of the City of
9 Las Vegas, Nevada, 1982 Edition, is hereby amended to read as follows:

10 14.11.040: Except as otherwise provided, [The] the provisions of this Chapter shall apply to the
11 use of water that is delivered by a purveyor or provider of water from or through a public water supply
12 system, including recycled, reclaimed, raw, non-potable and potable water.

13 SECTION 3: Title 14, Chapter 11, Section 160, of the Municipal Code of the City of
14 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

15 14.11.160: [(A)] During Drought Watch and Drought Alert conditions, outdoor mist cooling
16 systems are not restricted within residential development. In commercial operations, outdoor mist
17 cooling systems relating to animal safety are permitted, but those relating to human comfort are
18 permitted only during the months of June, July and August, and only between the hours of 12:00 noon
19 and 10 p.m.

20 [(B) During Drought Alert conditions, all outdoor mist cooling systems relating to
21 human comfort are prohibited.]

22 SECTION 4: Title 14, Chapter 11, Section 180, of the Municipal Code of the City of
23 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

24 14.11.180: [(A)] Under Drought Watch and Drought Alert conditions, the washing of personal
25 vehicles upon residential properties is limited to once per week per vehicle and requires a positive
26 shut-off nozzle. Commercial vehicles may be washed without limitation as to frequency, but only:

27 (1) At a commercial facility in accordance with applicable laws and
28 regulations, or;

1 (2) By means of a high-pressure, low volume sprayer using less than ten
2 gallons per vehicle.

3 [(B) Under Drought Alert conditions, no vehicles of any kind may be washed except:

4 (1) At a commercial facility in accordance with applicable laws and
5 regulations; or

6 (2) By means of a high-pressure, low volume sprayer using less than ten
7 gallons per vehicle.]

8 SECTION 5: Title 14, Chapter 11, Section 190, of the Municipal Code of the City of
9 Las Vegas, Nevada, 1983 Edition, and Ordinance No. 5647, are hereby amended so that Section
10 14.11.190 reads as follows:

11 14.11.190: (A) Fountains and water features [that utilize potable or non-potable water provided
12 by the District, or water that has been reprocessed by the customer,] are prohibited[.] upon property
13 that is serviced by the District. The following features, however, are exempt from this prohibition:

14 (1) Swimming pools;

15 (2) Fountains and water features that are supplied by privately-owned water
16 rights or by water rights obtained by means of a State-issued permit;

17 [(2)] (3) Not more than one fountain or other water feature at any single-family
18 residence, provided that the surface area of the fountain or other water feature does not exceed two
19 hundred square feet during a Drought Watch condition, or twenty-five square feet during a Drought
20 Alert condition;

21 [(3)] (4) Not more than one fountain or other water feature within the common
22 areas of a single-family or multi-family development, provided that the fountain or other water feature
23 is not an entryway or streetscape feature and its surface area does not exceed two hundred square feet
24 during a Drought Watch condition, or twenty-five square feet during a Drought Alert condition;

25 [(4)] (5) Fountains or water features that are necessary and functional
26 components serving other allowable uses, such as storage ponds on a golf course or aeration devices;

27 [(5)] (6) Fountains or water features within public parks and public or private
28 recreational water parks, provided that the fountains or water features have a recreational function and

1 are not merely decorative;

2 ~~[(6)]~~ (7) Indoor water features, or features with the majority of the total water
3 volume contained indoors or underground. If practical alternatives exist for separating indoor and
4 outdoor components, they shall be separated and managed accordingly. (Example: timers on shut-off
5 valves);

6 ~~[(7)]~~ (8) Fountains or water features necessary to sustain aquatic animals,
7 provided that the animals have been actively managed within the water feature prior to the declaration
8 of drought.

9 (B) The following fountains or water features may be exempted from the
10 prohibition contained in Subsection (A) in accordance with the remaining provisions of this Section:

11 (1) Fountains or water features that are integral to the operation of a resort
12 hotel or a coalition of resort hotels; or

13 (2) Other fountains or water features that are proposed to be allowed in
14 exchange for water use reduction activities in accordance with Subsection (D) of this Section.

15 (C) In order to be eligible for an exemption pursuant to Subsection (B), an applicant
16 must submit a request for exemption and a water use reduction plan. The request for exemption must
17 be submitted in writing to the City Manager, to be forwarded to the City Council for consideration.
18 The water use reduction plan must be submitted to the District, with a copy to the City, and must
19 contain such information, and be in a format, that is satisfactory to the District. Any exemption shall
20 be conditioned upon the posting of one or more signs in proximity to the exempted fountain or water
21 feature stating that the fountain or water feature is operating in compliance with this Chapter and that
22 a water use reduction plan is on file with the District and the City.

23 (D) The granting of any exemption pursuant to Subsection (B)(2) of this Section
24 shall be subject to the following conditions:

25 (1) The fountains or water features for which an exemption is sought must
26 not be operational at the time the exemption is applied for, except as permitted in Subsection (F) of
27 this Section;

28 (2) The submitted water use reduction plan must provide for a minimum

1 total water savings of greater than fifty times the consumptive use of the operation of the fountain or
2 water feature;

3 (3) The water use reduction plan must have been [approved by] submitted
4 to the District and implemented by the applicant; [and]

5 (4) In the event that the required consumptive use savings cannot be
6 achieved on the property that has the fountain or water feature, the applicant [may submit for approval
7 a plan to achieve the necessary savings through consumptive water use reduction on other property
8 within the City that is available for the applicant to implement water use reduction] must pay to the
9 City a fee of ten dollars for every square foot of surface area of the fountain beyond that which is
10 accounted for in the removal of turf on the property to achieve the required consumptive use savings.
11 If there is no turf on the subject property, the ten dollar per square foot fee must be paid for the entire
12 square footage of the water feature; and

13 (5) In order to maintain an exemption beyond the calendar year in which
14 the exemption was granted, during any portion of a calendar year in which either a Drought Watch or
15 Drought Alert condition is declared, an annual fee of two hundred fifty dollars must be paid to the
16 City. The first annual fee is payable:

17 (a) For exemptions granted during the first six months of a calendar
18 year, at the beginning of the next succeeding calendar year.

19 (b) For exemptions granted during the last six months of a calendar
20 year, at the beginning of the second succeeding calendar year.

21 (E) In order to continue to operate any fountain or water feature that is integral to
22 the operation of a resort hotel or a coalition of resort hotels, that is prohibited by Subsection (A) of
23 this Section, and that is in operation on the effective date of this Ordinance, a request for exemption
24 and water use reduction plan must be submitted within ninety days after the effective date of this
25 Ordinance. If the exemption is not approved, the fountain or water feature may not be operated except
26 as permitted in Subsection (F) of this Section.

27 (F) Nothing in this Section that prohibits or limits the operation of fountains or
28 water features shall be deemed to:

- 1 (1) Prohibit the construction of fountains or water features; or
2 (2) Require a fountain or water feature to be drained if maintaining a
3 recirculating water pool is necessary in order to maintain pumps, pond liners, and ancillary equipment,
4 but in such a case the recirculating water pool may only be operated between the hours of 1:00 am and
5 4:00 am.

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

14 SECTION 7: Whenever in this ordinance any act is prohibited or is made or declared
15 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
16 required or the failure to do any act is made or declared to be unlawful or an offense or a
17 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
18 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
19 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
20 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

21 SECTION 8: All ordinances or parts of ordinances or sections, subsections, phrases,

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

3 PASSED, ADOPTED and APPROVED this _____ day of _____, 2004.

4 APPROVED:

5
6 By _____
OSCAR B. GOODMAN, Mayor

7 ATTEST:

8
9 BARBARA JO RONEMUS, City Clerk

10 APPROVED AS TO FORM:

11 Val Steep 5-6-04
12 Date

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

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

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APPROVED:

13

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By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BARBARA JO RONEMUS, City Clerk

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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2004-42 – Adopts development agreement with El Capitan Associates, LLC, regarding property located at the southwest corner of Durango Drive and Dorrell Lane. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

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No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

In May 2002, the City Council approved in concept a development agreement with El Capitan Associates, LLC, regarding property located at the southwest corner of Durango Drive and Dorrell Lane. An updated version of the Agreement will be presented to Council during Planning and Development's afternoon calendar on May 19, 2004. Pursuant to State law, such an agreement must be adopted by ordinance. This bill will accomplish that adoption.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

1. Bill No. 2004-42
2. El Capitan Development Agreement

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

6/1/2004 Recommending Committee

6/2/2004 Council Agenda

(11:24 – 11:26)

2-1758

THE MORNING SESSION RECESSED AT 11:26 A.M.

BILL NO. 2004-42

ORDINANCE NO. _____

AN ORDINANCE TO ADOPT THAT CERTAIN DEVELOPMENT AGREEMENT ENTITLED "EL CAPITAN DEVELOPMENT AGREEMENT," ENTERED INTO BETWEEN THE CITY AND EL CAPITAN ASSOCIATES, LLC, AND TO PROVIDE FOR OTHER RELATED MATTERS.

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

Summary: Adopts development agreement with El Capitan Associates, LLC, regarding property located at the southwest corner of Durango Drive and Dorrell Lane.

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

SECTION 1: That certain development agreement entitled "El Capitan Development Agreement," which was approved by the City Council on May 1, 2002, and May 19, 2004, and which is attached, is hereby adopted in conformance with the provisions of NRS Chapter 278.

SECTION 2: The development agreement adopted by Section 1 shall be recorded in the office of the County Recorder in accordance with the provisions of NRS Chapter 278.

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

SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases,

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

3 PASSED, ADOPTED and APPROVED this _____ day of _____, 2004.

4 APPROVED:

6 By _____
7 OSCAR B. GOODMAN, Mayor

8 ATTEST:

9
10 BARBARA JO RONEMUS, City Clerk

11 APPROVED AS TO FORM:

12 Val Steel 5-11-04
13 Date

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

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

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APPROVED:

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By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BARBARA JO RONEMUS, City Clerk

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EL CAPITAN DEVELOPMENT AGREEMENT

SECTION 1 RECITALS AND PURPOSE

THIS EL CAPITAN DEVELOPMENT AGREEMENT (the "Agreement") is made and entered into this _____ day of _____, 2004, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada, and EL CAPITAN ASSOCIATES, LLC, a Nevada limited liability company, the owner of the real property described on Exhibit "A" attached hereto and incorporated herein by reference (hereinafter the "Owner").

1.01 Owner is the owner of that certain real property described on Exhibit "A" attached hereto (hereinafter the "Property"), containing approximately 15 acres of land, which is the subject of this Agreement. ~~Owner represents that it is under contract to purchase the Property with fee title ownership.~~ AS

1.02 The City has authority, pursuant to NRS Section 278.0201 et seq. and the Development Agreement Chapter of the Municipal Code of the City, to enter into development agreements with persons having a legal or equitable interest in real property to establish plans for the development of such property.

1.03 The City Council, having given notice as required by law, held a public hearing on Owner's Zoning Applications seeking approval of a master plan amendment, zone change, and site development plan approval; whereby the City approved such applications. The Owner also is seeking this Agreement and the execution hereof by the City and the Owner in conformance with the Applicable Rules.

1.04 The Development Agreement Chapter grants to the City the power to enter into and perform development agreements and on _____ the City Council adopted Ordinance No _____ approving this Agreement and authorizing the execution hereof by duly constituted officers of the City. Said ordinance took effect on _____. The City agrees to record a certified copy of the ordinances required by NRS 278.0207.

1.05 The City desires to enter into this Agreement in conformity with the requirements of NRS and as otherwise permitted by law and this Agreement to provide for public services, public uses and urban infrastructure, to promote the health, safety and general welfare of the city and its inhabitants.

1.06 In exchange for these and other benefits to the City, and in accordance with the legislative intent evidenced by the state statute authorizing development agreements and

the intent of the City in adopting an ordinance allowing development agreements, Owner will receive reasonable assures that Owner may develop the Property in accordance with Applicable Rules during the Term and subject to the conditions established in this Agreement.

NOW, THEREFORE, the parties hereto, for the promises and consideration contained herein, the receipt and sufficiency of which is hereby acknowledged, mutually agree to the following:

SECTION 2 DEFINITIONS

2.01 Definitions. For all purposes of this Agreement, except as otherwise expressly provided or unless the context otherwise requires, the following terms shall have the following meanings:

- 2.01 (a) "Agreement" has the meaning assigned to it in the first paragraph hereof. "Agreement" at any given time includes all addenda and exhibits incorporated by reference and all amendments, which have become effective as of such time.
- 2.01 (b) "Applicable Rules" means and refers to the rules, regulations, ordinances, laws, general or specific plans, and official policies promulgated by the City which govern the development of the Town Center area.
- 2.01 (c) "Code" means city of Las Vegas Municipal Code, including all rules, regulations, standards, criteria, manuals and other references adopted therein.
- 2.01 (d) "City" means city of Las Vegas, together with its successors and assigns.
- 2.01 (e) "City General Plan" means the Centennial Hills Sector Plan adopted by the City Council on May 25, 1999, the Las Vegas 2020 Master Plan adopted by the City Council on September 6, 2000, and all amendments thereto.
- 2.01 (f) "Development Agreement Chapter" means Chapter 19.18.090 of the Code.
- 2.01 (g) "Effective Date" means the date, on or after the adoption by the City of an ordinance approving execution of this Agreement and execution by both parties, and following satisfaction of the other conditions set forth herein, this Agreement is recorded in the Office of the County Clerk of Clark County.

- 2.01 (h) "Term" means the term of this Agreement together with any extension agreed upon pursuant to the terms hereof.
- 2.01 (i) "Zoning Applications" means GPA-0056-01 and Z-0099-01, approved by the City Council on April 3, 2002; and Z-0099-01(1), approved by the City Council on May 1, 2002.

SECTION 3

PLANNING AND DEVELOPMENT OF THE PLANNED COMMUNITY

3.01 Permitted Uses and Development Standards. Pursuant to NRS 278.0201, this Agreement must set forth the maximum height and size of structures to be constructed on the Property, the density of uses and the permitted uses of the land.

The City agrees the Property may be developed to the density and with the land uses set forth in the Town Center Development Standards Manual, and as approved by the Site Development Plan Review [Z-0099-01 (1)] showing 274 units (18 units per acre); 12,390 square feet of commercial; maximum building height of three (3) stories; 5.36 acres of open space; and 533 parking spaces. Also indicated were the following deviations from Town Center Development Standards: Parking adjacent to Durango Drive for the commercial uses; Landscape fingers only in the commercial portion of the property; and Hitt Family Court developed as a Town Center tertiary omitting the sidewalk on the north side of the street in favor of full landscaping.

3.02 Time for Development of Property. Subject to the terms of this Agreement and the Applicable Rules and Zoning Applications, Owner shall commence construction within two (2) years. Completion of the commercial development of the Property shall occur prior to completion of 51% of residential development.

3.03 Duration of Agreement. This agreement shall run for a term of ten (10) years from the effective date.

3.04 Reliance on Zoning Applications. The City agrees that Owner will be permitted to carry out and complete the development and construction of the Property in accordance with adopted regulations at the time of building permit application.

SECTION 4

MASTER PLANNING, ZONING AND PERMITTED LAND USES

4.01 City General Plan. The City agrees to retain the existing City General Plan with respect to the entire Property to conform to the Zoning Applications.

4.02 Zoning. The City agrees to maintain existing Zoning of the Property as per Council approval by application of the Owner.

SECTION 5 WATER CONSERVATION AND RESERVATION

5.01 Water Conservation. Owner agrees to use its best efforts to encourage water conservation at the Property.

5.02 Water Reservation. The parties acknowledge that the City currently has no role in the allocation of water to customers in the Las Vegas Valley Water District.

SECTION 6 PARKS

6.01 Park Fees and Residential Construction Tax. Chapter 8.24 of the Code imposes a "residential construction tax" upon the privilege of constructing apartment houses and residential dwelling units. Owner shall comply with the residential construction tax.

SECTION 7 TRANSPORTATION

7.01 Off-site Improvements. Owner shall develop and construct those off-site street improvements in accordance to the Zoning Applications, and shall dedicate to the City such right-of-way identified by the City in the Zoning Applications. Owner agrees to participate in the Durango Drive Special Improvement District, if such district is created, which may consist of curb, gutter, sidewalk, a sanitary sewer line, streetlights, water and storm drain, dry utility crossing sleeves, irrigation sleeves, pavement, striping, traffic signals, including conduits and foundations, signage, landscape, medians and any other roadway or utility appurtenances deemed necessary.

7.02 Dedication. Owner shall dedicate 60 feet of right-of-way adjacent to this site for Durango Drive. Dedicate 40 feet of right-of-way adjacent to this site for Dorrell Lane, 30 feet for Hitt Family Court, a 54-foot radius on the southwest corner of Durango Drive and Dorrell Lane and a 25-foot radius on the northwest corner of Durango Drive and Hitt Family Court. Also, dedicate appropriate cul-de-sac radii for the terminations of Hitt Family Court and the approved stub streets at the southwest corner of this development prior to the issuance of any permits.

7.02.1 Traffic Impact Analysis. Owner shall dedicate appropriate right-of-way and construct those necessary traffic control measures in accordance with the approved Traffic Impact Analysis as required by the related Zoning Applications.

7.03 Maintenance. Owner agrees to maintain all private improvements, such as landscaping, within the public right-of-way.

SECTION 8
FLOOD CONTROL

- 8.01 Flood Control. Owner shall construct those necessary flood control measures in accordance to the Drainage Plan and Technical Drainage Study as required by the related Zoning Applications.

SECTION 9
SEWERS

- 9.01 Sewers. Owner shall construct those necessary public sewer lines in accordance with the related Zoning Applications.

IN WITNESS HEREOF, the parties execute this Agreement as of the date first written above.

CITY OF LAS VEGAS

ATTEST:

Barbara Jo Ronemus, City Clerk

BY: _____
OSCAR B. GOODMAN, Mayor

Approved as to form:
Thomas R. Green 5/11/04
Deputy City Attorney Date
_____, 2004.

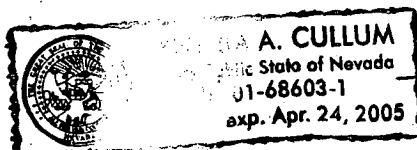
Subscribed and sworn to before me by
Oscar B. Goodman, Mayor of the City of
Las Vegas, Nevada this ____ day of
_____, 2004.

Notary Public

EL CAPITAN ASSOCIATES, LLC

BY: _____
NAME:
TITLE:

Subscribed and sworn to before me this this
10th day of May, 2004 by _____
Dan K. Shabo



Cynthia A. Cullum
Notary Public

EXHIBIT "A"

PARCEL I:

The East Half (E 1/2) of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 20, Township 19 South, Range 60 East, M.D.B. & M.

PARCEL II:

The West Half (W 1/2) of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 20, Township 19 South, Range 60 East, M.D.B. & M.

PARCEL III:

The East Half (E 1/2) of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 20, Township 19 South, Range 60 East, M.D.B. & M.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: CITY CLERK

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

SUBJECT:

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

MOTION:

REESE – Motion to Accept the WITHDRAWAL Without Prejudice of Item 124 [ZON-3708], to TABLE Item 149 [GPA-4078] and Item 150 [ZON-4080] and to HOLD IN ABEYANCE Item 114 [VAR-3902] and Item 118 [SUP-3394] to 6/2/2004 and Item 115 [RQR-3930], Item 116 [ROC-4121] and Item 119 [SUP-3972] to 7/7/2004 – UNANIMOUS with Ward 2 seat vacant

MINUTES:

COUNCILMAN MACK asked that Item 114 [VAR-3902] be abeyed to allow the applicant time to meet again with his staff as well as adjacent neighbors. ATTORNEY ANDRAS F. BABERO, appeared on behalf of the applicant and concurred with COUNCILMAN MACK.

ROBERT GENZER, Director, Planning and Development Department, questioned whether Item 115 [RQR-3930] should be abeyed since it is related to Item 116 [ROC-4121], which is scheduled for abeyance to 7/7/2004. COUNCILMAN WEEKLY asked if the applicant of Item 115 [RQR-3930] requested abeyance. ATTORNEY JAY BROWN, 520 South 4th Street, appeared on behalf of the applicant and stated that an abeyance was not requested. However, if staff felt an abeyance was necessary, the applicant would concur with that decision. MR. GENZER explained it was not necessary. COUNCILMAN WEEKLY requested both items be held in abeyance until 7/7/2004.

DEPUTY CITY ATTORNEY BRYAN SCOTT reminded MAYOR GOODMAN that although he had indicated in the past that he would be abstaining on Item 118 [SUP-3394] and Item 119 [SUP-3972], he could vote on the motion to abey those items because it was not substantive. MAYOR GOODMAN disclosed that he would be abstaining on Item 115 [RQR-3930] and Item 116 [ROC-4121] because of a business relationship with ATTORNEY JAY BROWN and on Item 117 [RQR-4021], Item 118 [SUP-3394] and Item 119 [SUP-3972] due to the content of the opinion from the City Attorney's office dated May 17, 2004, (a copy of which has been filed with the Clerk.) MAYOR GOODMAN stated he would be voting on the motion to abey these items.

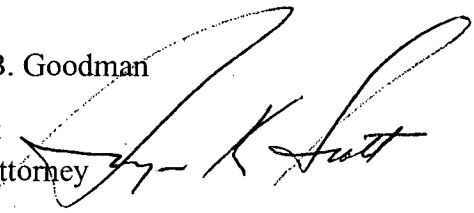
No one appeared in opposition.

(1:04 – 1:06)

Memorandum

City of Las Vegas Office of the City Attorney

To: Mayor Oscar B. Goodman

From: Bryan K. Scott
Deputy City Attorney 

CC: Bradford R. Jerbic
City Attorney

Date: May 17, 2004

Re: Request for Opinion on Abstentions for 5/19/04 City Council Meeting

This memorandum is written in response to your request for an opinion from the City Attorney's Office regarding whether you are required to abstain on items 117, 118 and 119 which are to be considered by the City Council at its May 19, 2004 meeting.

Items 117, 118 and 119 involve Special Use Permits for off-premise advertising signs (billboards) at various locations within the City's jurisdiction. You have informed me that partners in your law firm (Goodman & Chesnoff) are negotiating with several off-premise (billboard) sign companies to perform legal work on their behalf. The approval of the billboards by the City Council may benefit your law partners financially, which in turn could benefit you financially, depending on your partnership agreement with the law firm. Additionally, with regard to item 117, the representative of the applicant (Jeanne Levy Family Trust) has indicated on its Statement of Financial Interest that the partners of this venture, Andrew Levy and the Jeanne Levy Family Trust, are partners with you in Apex Industrial Park.

NRS 281.501(2) provides:

In addition to the requirements of the code of ethical standards, a public officer shall not vote upon or advocate the passage or failure of . . . a matter with respect to which the independence of judgment of a reasonable person in his situation would be materially affected by (b) His pecuniary interests; or (c) His commitment in a private capacity to the interests of others.

NRS 281.501(8) defines "commitment in a private capacity to the interests of others" as a commitment to a person: (d) with whom he has a substantial and continuing business relationship; or (e) any other commitment or relationship that is substantially similar to commitment or relationship described in this subsection.

In light of the above, it is the conclusion of the City Attorney that you should disclose the factual circumstances surrounding your potential conflicts on the record and abstain from the discussions and votes on all of the above-referenced items.

If any of the above-referenced items are abeyed, tabled or withdrawn at the May 19, 2004 meeting, you may vote on the motion to abey, table or withdraw the item as abeyance, withdrawal or tabling motions are not substantive

Date 5/19/04 Item #99

motions. If any of those items come back to the City Council for rehearing, you will again need to disclose your conflicts and abstain from voting.

If you have any additional questions regarding any of the above, please feel free to contact me at ext. 6621.

BKS:b

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 were comprised of roadway improvements, curbs and gutters, 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)

3-172

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.

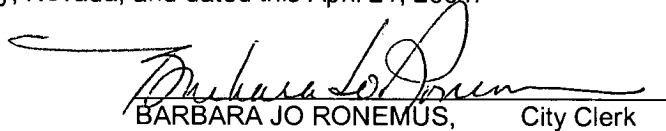
The City Council of the City of Las Vegas has determined that one-half or more of the total cost of each of the improvements in the District, shall be paid with monies derived from sources other than the levy of special assessments and accordingly may take advantage of the exception stated in paragraph (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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

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

Hearing to consider the appeal regarding the Notice and Order to Abate Dangerous Building /Demolition regarding 1401 Comstock Drive. PROPERTY OWNERS: WILLIS J. JR. & GLINDA BOWDEN - Ward 5 (Weekly)

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

The subject property was determined to be a public nuisance as defined in the Uniform Code of Abatement of Dangerous Buildings, 1997 Edition, Sections 302, 202, and 102 – Unsafe Buildings or Structures, of the 1997 Uniform Building Code. A Notice and Order to abate Dangerous Building/Demolition was mailed to the property owners to demolish the structure(s), cause the property to be cleaned, and install “No Trespassing” signs. Today’s hearing is to consider the Appeal to the Notice and Order to Comply filed by Willis J. Bowden, Jr.

RECOMMENDATION:

That the City Council approve the Notice and Order to Abate Dangerous Building/Demolition.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Notice and Order to Abate Dangerous Building/Demolition
4. Notice of Appeal
5. Notices of Appeal Hearing
6. Chronological List of Events
7. Video shown but not submitted

MOTION:

WEEKLY – APPROVED the action of Neighborhood Services – **UNANIMOUS** with Ward 2 seat vacant

MINUTES:

DAVID SEMENZA, Neighborhood Services, described the property as being damaged by fire on July 4, 2003. Initially, the department was unable to contact the owner to find out what his

CITY COUNCIL MEETING OF MAY 19, 2004
Neighborhood Services Department
Item 101 – 1401 Comstock Drive

MINUTES Continued:

intentions were for the building. Due to lack of contact, the building was set for demolition. Subsequently, the owner was found and has since appealed and requested an opportunity to speak before Council. MR. SEMENZA suggested the owner tell Council the history of the building as well as his intentions.

WILLIS BOWDEN, property owner, explained that there are two insurance companies trying to determine which will be responsible for processing the claim for fire damage. The building was a group home and was insured with both residential and business coverage. He received a letter from his attorney, which gave a timeline of approximately 9 months before a decision could be made determining which insurance company would process the claim. MAYOR GOODMAN questioned the intent for the building and was told MR. BOWDEN wants to rebuild. MR. BOWDEN explained he also has an interested party who may purchase the property and restore the building.

COUNCILMAN WEEKLY asked for a recommendation. MR. SEMENZA replied that because the owner was unable to be contacted, demolition was the original recommendation. COUNCILMAN WEEKLY questioned how demolition would affect litigation over the building. DEPUTY CITY ATTORNEY DAN STILL suggested relying upon MR. SEMENZA'S determination of whether the building met the criteria to be considered dangerous. He said the Council could take action regardless of the building being involved in litigation.

COUNCILMAN WEEKLY considered the building a dangerous structure and a nuisance. MAYOR GOODMAN confirmed with DEPUTY CITY ATTORNEY DAN STILL that the rights of MR. BOWDEN to receive compensation from his insurance company would not be affected by any action Council could take. MR. BOWDEN opposed the demolition because although the building looks very bad from the outside, the inside was protected by the sprinkler system. COUNCILMAN WEEKLY voiced concerns about the building standing as is for almost one year.

DAN CONTRERAS, Bonanza Village, indicated neighbors are concerned about the building and also a tree and other items in the center of the horse trail. He asked that when the demolition takes place, the tree and debris be removed as well. MAYOR GOODMAN indicated he thought that would be a different department and issue. MR. CONTRERAS also asked that the abandoned shed behind the property be demolished because it is a hazard and the property is near a school. MR. BOWDEN said the building is secured, and no trespassing signs have been posted. MAYOR GOODMAN informed MR. BOWDEN he could speak with the City Attorney to discuss independent actions; however, the hazardous building could not be left to jeopardize the public's safety.

(1:07 – 1:14)

3-209

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004

DEPARTMENT: Neighborhood Services

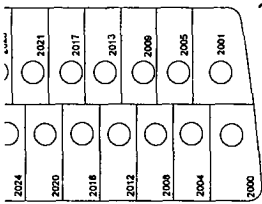
ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of dangerous building/demolition located at 1401 Comstock Drive. PROPERTY OWNERS: WILLIS J. JR. & GLINDA BOWDEN - Ward 5 (Weekly)

The subject property was deemed to be a public nuisance as defined in the Uniform Code of Abatement of Dangerous Buildings, 1997 Edition, Sections 302, 202, and 102 - Unsafe Buildings or Structures, of the 1997 Uniform Building Code.

A Notice and Order to Abate Dangerous Building/Demolition was sent to the property owners by regular and certified mail recommending that they demolish the structure(s), cause the property to be cleaned, and to post "No Trespassing" signs on the property. A copy of the notice was also posted on the property.

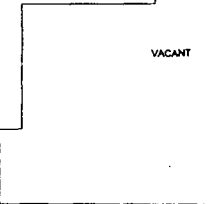
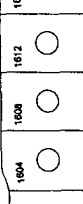
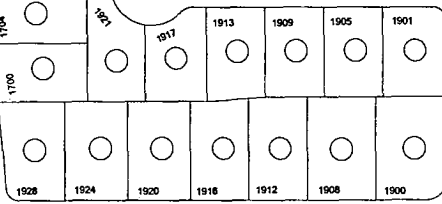
Today's public hearing is to consider the appeal from the Notice and Order to Abate Dangerous Building/Demolition filed by Willis J. Bowden, Jr.

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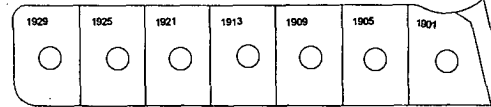
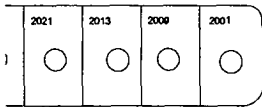


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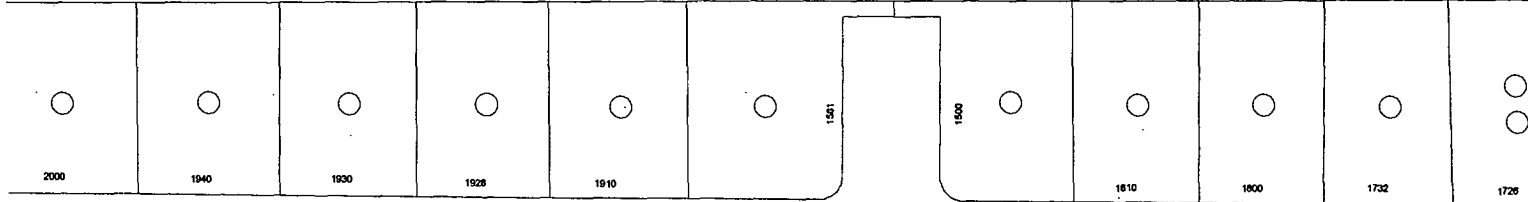
PINK ICE CT



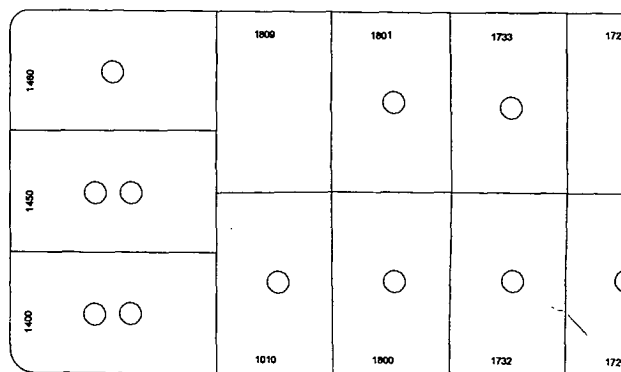
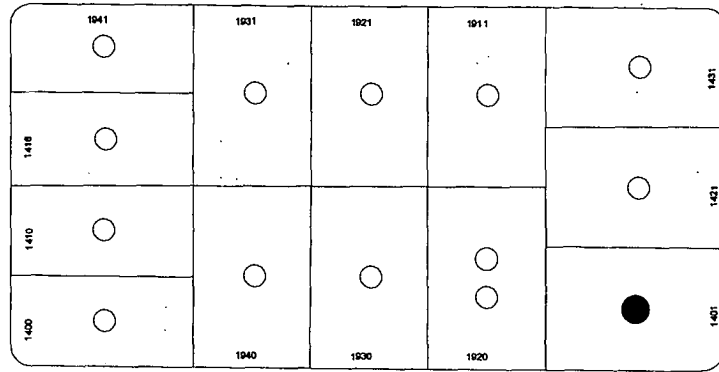
GARNET GABLE AVE



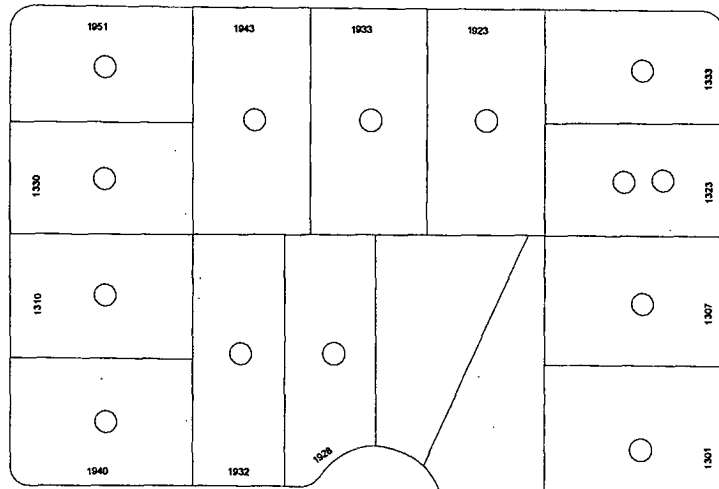
WILCOSS DR



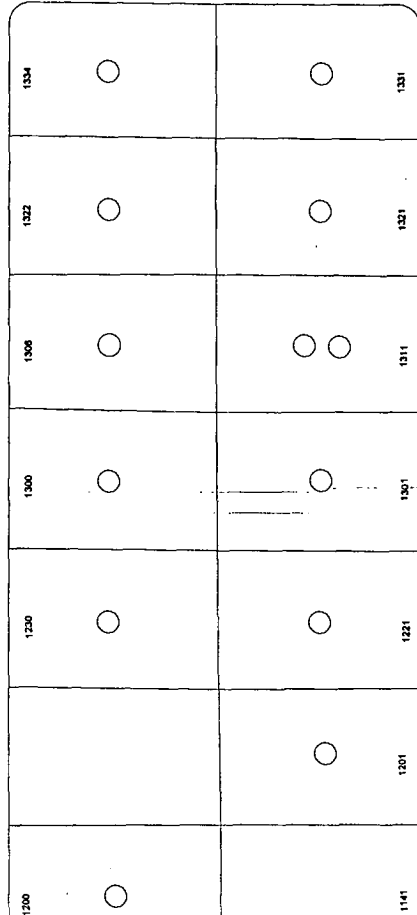
GOLD HILL AVE



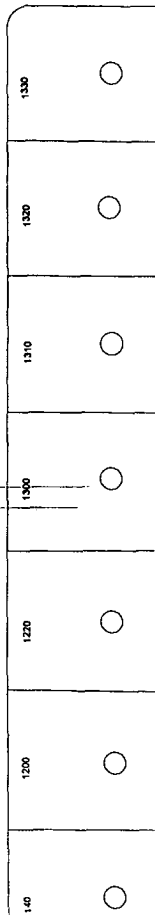
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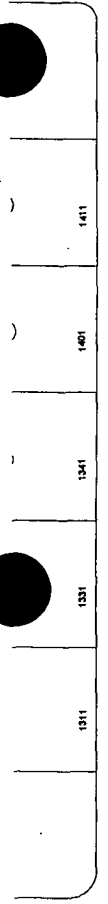
COMSTOCK DR



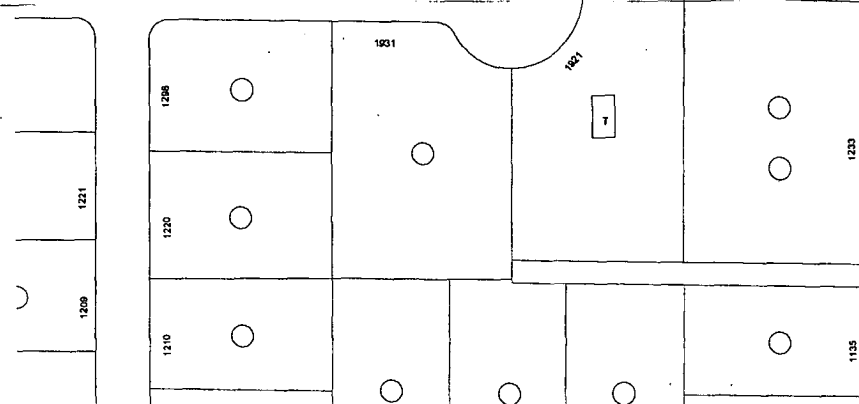
RALSTON DR



VIRGINIA CITY AVE



MILLS CIR





LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF

DOUGLAS A. SELBY
CITY MANAGER

April 27, 2004

Reference 13788
Certified/Regular Mail
Return Receipt Requested

WILLIS BOWDEN
6349 WATERDRAGON AVE.
LAS VEGAS, NV 89110

ZONING VIOLATIONS/NUISANCE NOTICE AND ORDER
TO COMPLY

You are hereby notified as owner(s) of the property located at 1401 COMSTOCK AVE, Las Vegas, NV, Parcel # 13928110077, that you are in violation of Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances.

Las Vegas Municipal Code 9.04.045 authorizes the City of Las Vegas to access and collect a re-inspection fee of \$75.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of \$45.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection.

You are hereby ordered to correct the nuisance: High weeds, trash and debris

As the property owner(s), you will be responsible for all costs incurred to correct this condition. A 15% percent administrative fee shall be added to the costs of the contract price. You will be notified of a public hearing to be conducted by the City Council to review the costs, and their decision shall be final and conclusive. Upon approval of the costs by the City Council, a Lien of Assessment shall then be collected at the same time and in the same manner as ordinary taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to such assessment.

If you disagree with the assessment of Neighborhood Response, then within ten days

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

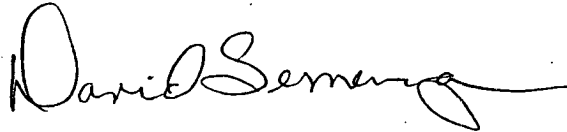
VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

Reference: 13788
1401 Comstock Ave
Page 2

after service of the notice of violation, the owner or responsible party may appeal to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. Within fifteen days after the appeal has been filed, the appellant shall be given written notice of the procedure and time frame for the hearing of the appeal. The appeal shall be heard by the City council or by the Council's designee, with a right of final appeal to the Council. The decision of the City Council or the Council's designee, in cases where a designee hears an appeal and no further appeal is taken, shall be final and conclusive. An owner or responsible party failing to appeal as provided in this Section shall be deemed to have waived any and all objections to the existence of a public nuisance and the abatement of such nuisance.

Failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter. It is recommended that you contact the Department of Neighborhood Services, Neighborhood Response Division, by telephoning (702) 229-6615 concerning your intentions with regard to the referenced property at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "David Semenza", with a long, sweeping horizontal stroke extending to the right.

David Semenza, Manager
Department of Neighborhood Services
Neighborhood Response Division

20040322
01339

RECORDED AT THE REQUEST OF:

LAS VEGAS CITY

03-22-2004

12:54

TXA

OFFICIAL RECORDS

BOOK/INSTR: 20040322-01339

PAGE COUNT:

4

FEE:
RPTT:

17.00
.00



NEIGHBORHOOD SERVICES DEPARTMENT

DIRECTOR
ORLANDO SANCHEZ

NOTICE AND ORDER

March 15, 2004

REFERENCE # 10569

Certified/Regular Mail

Return Receipt Requested

WILLIS J JR & GLINDA BOWDEN
1401 Comstock Dr.
Las Vegas, NV 89106

**TEN (10) DAY NOTICE AND ORDER TO ABATE DANGEROUS
BUILDING/DEMOLITION**

You are hereby notified as recorded owner(s) of the property located at 1401 Comstock Dr., Las Vegas, Nevada, Parcel # 139-28-110-077, the structure(s) has been found to be a public nuisance as defined in the Uniform Code of Abatement of Dangerous Buildings, 1997 Edition, Section 202, and is also a dangerous building under 302 of the same code.

The building(s) is deemed to be a dangerous building under Section 302 for the following reasons:

(4) *Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose or location.*

(5) *Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.*

(11) *Whenever the building or structure, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its nonsupporting members, enclosing or outside walls or coverings.*

MAYOR OSCAR B. GOODMAN

CITY COUNCIL: GARY REESE (MAYOR PRO-TEM) • LARRY BROWN • LYNETTE B. McDONALD
LAWRENCE WEEKLY • MICHAEL MACK • JANET MONCRIEF

CITY MANAGER: DOUGLAS A. SELBY

CITY OF LAS VEGAS • 400 STEWART AVENUE • LAS VEGAS, NEVADA 89101

4-22-04

RECEIVED
CITY CLERK

TO:

2004 APR 21 P 2:24

From: Willis J. Bowden Jr.

Re: Demolition of 1401 Comstock Dr. LV. NV. 89106
Reference # 10569

Parcel # 139-28-110-077

As of 4-22-04 the immediate plans are to re-construct the property in a timely fashion. The property is insured with Foremost Insurance Company who is presently in the process of appealing my claim. I pray that the Neighborhood Services Department provide leniency toward me and my family and allow ample time (3-6 months) to settle the claim and re-construct the property. If you have any questions please contact me at 6349 Water-dragon Ave, Las Vegas, NV. 89110 or contact my attorney Mr. Spring Smith. My phone is (702) 459-9548

Thank you,

Willis J. Bowden Jr.



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
NET MONCRIEF

DOUGLAS A. SELBY
CITY MANAGER

May 7, 2004

CERTIFIED & REGULAR MAIL

Willis J. Bowden, Jr.
1401 Comstock Drive
Las Vegas, Nevada 89106

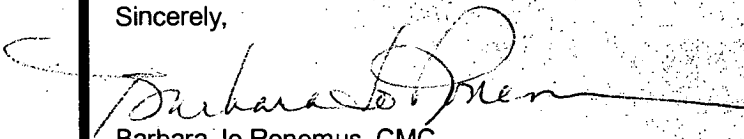
Re: Notice of Appeal Hearing – Ten Day Notice and Order to Abate Dangerous Building/Demolition on property located at 1401 Comstock Drive.

Dear Mr. Bowden:

You are hereby notified that a hearing has been scheduled before the Las Vegas City Council at 400 Stewart Avenue, Las Vegas, Nevada on the 19th day of May, 2004, at the hour of 1:00 p.m. This hearing is in response to your letter dated April 22, 2004 requesting the same, concerning the Ten Day Notice and Order to Abatement Dangerous Building/Demolition on property located at 1401 Comstock Drive.

If you have any questions or need further information please do not hesitate to contact our office at 229-6311.

Sincerely,


Barbara Jo Ronemus, CMC
City Clerk

BJR/bkb

cc: Orlando Sanchez, Director, Neighborhood Services
David Semenza, Manager, Neighborhood Response, Neighborhood Services
Dan Still, Deputy City Attorney
Paul Wilkins, Director, Department of Building & Safety
Ricky Barlow, Ward 5 Liaison

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
NET MONCRIEF

DOUGLAS A. SELBY
CITY MANAGER

May 10, 2004

CERTIFIED & REGULAR MAIL

Willis J. Bowden, Jr.
6349 Waterdragon Avenue
Las Vegas, Nevada 89110

Re: Notice of Appeal Hearing – Ten Day Notice and Order to Abate Dangerous Building/Demolition on property located at 1401 Comstock Drive.

Dear Mr. Bowden:

You are hereby notified that a hearing has been scheduled before the Las Vegas City Council at 400 Stewart Avenue, Las Vegas, Nevada on the 19th day of May, 2004, at the hour of 1:00 p.m. This hearing is in response to your letter dated April 22, 2004 requesting the same, concerning the Ten Day Notice and Order to Abatement Dangerous Building/Demolition on property located at 1401 Comstock Drive.

If you have any questions or need further information please do not hesitate to contact our office at 229-6311.

Sincerely,


Barbara Jo Ronemus, CMC
City Clerk

BJR/bkb

cc: Orlando Sanchez, Director, Neighborhood Services
David Semenza, Manager, Neighborhood Response, Neighborhood Services
Dan Still, Deputy City Attorney
Paul Wilkins, Director, Department of Building & Safety
Ricky Barlow, Ward 5 Liaison

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Willis J. Bolden, Jr.
6349 Waterdragon Avenue
Las Vegas, Nevada 89110

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X ☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7003 3110 0003 1079 9758

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

City of Las Vegas400 Stewart Ave
Las Vegas, NV 89101-2927**CODEENF Case****Report Date** 05/06/2004 03:20 PM**Submitted By**

Page 1

Case # 10569**Case Information****Stages**

	Date / Time	By
Processed		
Resolved	02/27/2004 16:40	790055
Expires		

Associated Information

Case Group	☒ Auto Reviews Bill Group
Priority	
Resolution Code	
Source Name	

Applications Affected☐ Building Application ☐ Project Application ☐ Use Application ☐ License Application ☐ Case**Description of Case**

PER FAX: HOUSE BURNED ABOUT 6 MONTHS AGO & IS HAZARD SINE KIDS PLAY AROUND AND GET ONTO THE LOT

Project #
Size/Area**Project/Phase Name**
Size Description**Phase #****Customer Service**
Service #**Problem****Resolution Code****Resolved Date**

No Customer Service Log Entries

Property/Site Information**Address** 1401 COMSTOCK DR
LAS VEGAS 89106-**Location****Owner/Tenant**

There are no contacts for this site

Linked Addresses

No Addresses are linked to this Application

A/P Linked Addresses

No Addresses are linked to this Application

Linked Parcels

13928110077

A/P Linked Parcels

No Parcels are linked to this Application

Applicants/Contacts

No Applicant Contacts

Contractors

No Contractors

Item Description**Item Status**

Fees	Status	Paid Date	Amount
------	--------	-----------	--------

Total Unpaid 0.00

Total Paid 0.00

City of Las Vegas400 Stewart Ave
Las Vegas, NV 89101-2927**CODEENF Case****Report Date** 05/06/2004 03:20 PM**Submitted By**

Page 2

Inspections Insp.#	Insp Type Preference	#	Ord/Grp Inspected By	Assigned To Comments	Call	Scheduled
29570	CODE INITI	4	0	810045		03/17/2004 06:00
982400						
27376	CODE INITI	1	0	860034		03/15/2004 00:00
810293		940274				
28538	CODE INITI	3	0	870076		03/16/2004 00:00
980036		870076				
28245	CODE INITI	2	0	940274		03/15/2004 06:00
970038		870076				

Review Activities Act.#	Act Type	Status	Waived Comments	Issued	Started
Completed	Comp By				

There are no Review Activities for this Report

Check Conditions Condition Assigned	Approval Supervisor	Approved By Required	Approved Date Comments	Applied By	Applied Date
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No Conditions

Employee Employee ID	Last	First	MI	Comments
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No Employee Entries

Log Action Comments	Description	Entered By	Start	Stop
---------------------------	-------------	------------	-------	------

MISC	MISCELLANEOUS	780042	05/06/2004 15:19	
APPEAL OF N&O SCHEDULE FOR 05-21-04 CC AGENDA				
PHONE	TELEPHONE CONVERSATION	810045	04/20/2004 13:56	05/19/2004 13:59
DSJ OWNER CALLED WANTED TO FILE AN APPEAL TO DEMO ORDER.MAY 19TH COUNCIL AGENDA.				
RESEAR	RESEARCH	810045	04/08/2004 10:16	04/08/2004 10:16
DS BROKER ON PROPERTY IS VIANCE EASTER 242-0614. 1ST UNITED MORTGAGE. LEFT PHONE MESSAGE FOR HIM TODAY				
MISC	MISCELLANEOUS	810293	04/07/2004 09:35	04/07/2004 09:35
Received Certified Letter back Return to Sender, Unclaimed. Sent letter to C/E for filing.				
LETTER	LETTER	810293	03/26/2004 10:42	03/26/2004 10:42
Received Regular letter back Box Closed, No Forwarding Order on File. Sent letter to C/E for filing.				
RECORD	RECORD	970568	03/22/2004 14:27	03/22/2004 14:27
JL) RECORDED N&O LETTER AT CLARK COUNTY. BOOK: 20040322 INST: 01339.				
LETTER	LETTER	810293	03/18/2004 08:53	03/18/2004 08:53
Per David Semenza, Sent Ten (10) Day Notice & Order to Abate Dangerous Building/Demolition letter to owner, Willis J. & Glinda Bowden Jr.				
INSP	INSPECTION	982400	03/16/2004 11:06	03/16/2004 11:18
24) THE FRONT CHAIN LINK GATE IS UNLOCKED, THE EAST SIDE GATE TO REAR YARD IS UNLOCKED. THERE ARE HIGH WEEDS IN FRONT AND SIDE YARDS. THE REAR METAL SHED IS STILL OPEN. THE FIRE LEFT THE ROOF OPEN AND THE ATTIC OPENING IS NOT BOARDED (EAST SIDE OF HOUSE)				
INSP	INSPECTION	982400	03/16/2004 11:06	03/16/2004 11:18
24) THE PRE-VIDEO WAS DONE PREVIOUSLY ON DAVE'S REQUEST. REFER TO DS. NOTHING DONE TO MITIGATE THE PROBLEM.				

City of Las Vegas400 Stewart Ave
Las Vegas, NV 89101-2927**CODEENF Case****Report Date** 05/06/2004 03:20 PM**Submitted By**

Page 3

Log Action Comments	Description	Entered By	Start	Stop
NOPOST 19) POSTED NOTICE	NOTICE AND ORDER POSTED	970038	03/04/2004 15:10	03/04/2004 15:10
INSP 19) POSTED NOTICE CB 3/15	INSPECTION	970038	03/04/2004 15:10	03/04/2004 15:15
INSP 24) BEFORE ABATEMENT VIDEO: MAIN STRUCTURE & ACCESSORY BLDG IN R/Y AREA ARE SECURE, WITH EXCEPTION OF THE ROOF THAT WAS BURNED IN THE FIRE. ALL WINDOWS & DOORS ARE BOARDED AND/OR PADLOCKED, THE ATIC HAS AN OPENING ON THE E' SIDE OF HOUSE THAT NEEDS TO	INSPECTION	980036	03/04/2004 00:00	03/04/2004 00:00
INSP 24) CONT. BE BOARDED BUT ONE CANNOT ACCESS WITHOUT A LADDER. THE METAL SHED IN R/Y IS OPEN/ACCESSIBLE TO ANYONE. THE HUGE R/Y IS PRETTY CLEAN, ONLY SOME MINOR R/W ON REAR PATIO. R/Y IS ENCLOSED BUT THE E' SIDE GATE NEEDS A PADLOCK.	INSPECTION	980036	03/04/2004 00:00	03/04/2004 00:00
MISC N&O letter attached in OLE.	MISCELLANEOUS	810293	03/03/2004 10:26	03/03/2004 10:26
NOTICE Sent Boarded/Vacant Building Nuisance Notice letter to owner, Willis J. & Glinda R. Bowden Jr. Post: 3/4. C/B: 3/15. Sent file to #27.	NOTICE AND ORDER ISSUED	810293	03/03/2004 10:05	03/03/2004 10:25
NOREQ Per David Semenza, Send Boarded/Vacant Building Nuisance Notice letter to owners.	NOTICE AND ORDER REQUESTED	810293	03/03/2004 09:21	03/03/2004 09:21

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

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

Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 4113 Sunrise Avenue. PROPERTY OWNER: WASHINGTON MUTUAL HOME LOANS, INC., C/O J. TOLENTINO – Ward 3 (Reese)

Fiscal Impact☐**No Impact****Amount: \$3,733.60**☒**Budget Funds Available****Dept./Division: Neigh. Services/Response**☐**Augmentation Required****Funding Source: General Fund****PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, Weaver Construction was hired to abate the problem by boarding and securing all doors, windows, and openings; removing all dead/dry vegetation, trash, debris, litter, refuse, waste, vehicles, vehicle parts, and miscellaneous items; removing or repairing the chain link fence; and by posting "No Trespassing" signs on the property.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$3,733.60 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien
8. Video shown but not submitted

MOTION:

REESE – APPROVED the action of Neighborhood Services – UNANIMOUS with GOODMAN not voting and Ward 2 seat vacant

CITY COUNCIL MEETING OF MAY 19, 2004
Neighborhood Services Department
Item 102 – 4113 Sunrise Avenue

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

The property owner was not present.

DAVID SEMENZA, Neighborhood Services, presented a video of the subject property and stated that the condition of the property was a public hazard and an attractive nuisance. The abandoned building was open and accessible with vehicles left on the property. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken or appeal filed, Weaver Construction was hired to abate the problem. They cleaned and secured the property, removed the vehicles and posted "No Trespassing" signs. MR. SEMENZA recommended the City Council approve the report of expenses in the amount of \$3,733.60 in order that the charges be filed and recorded against the property, constituting a special assessment and lien and authorize that the Notice and Lien of Assessment be filed and recorded with the County Treasurer's Office.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the public hearing closed.

(1:14 – 1:15)

3-412

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004

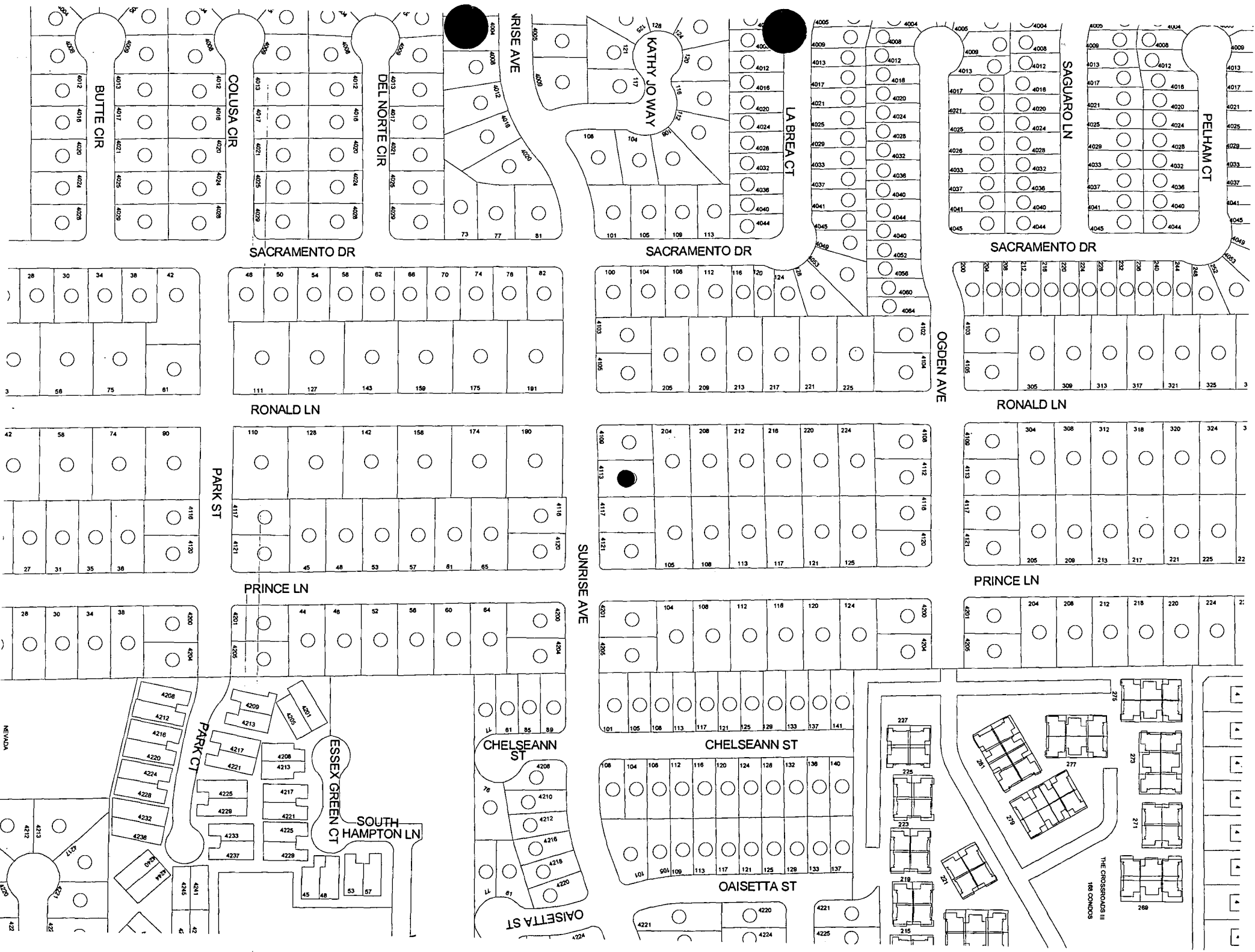
DEPARTMENT: Neighborhood Services

ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 4113 Sunrise Avenue. PROPERTY OWNER: WASHINGTON MUTUAL HOME LOANS, INC., C/O J. TOLENTINO – Ward 3 (Reese)

Weaver Construction completed work on March 18, 2004 at a cost of \$2,964.00, a boarding fee of \$325.00, plus a 15% administrative fee, for a total of \$3,733.60.

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the "Uniform Code for the Abatement of "Dangerous Building", the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.



Memorandum

City of Las Vegas
Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk
From: David Semenza, Manager – Neighborhood Response Division
CC: File
Date: May 3, 2004
Re: Report of Expenses for the abatement of Dangerous Building located at 4113 Sunrise Ave.
- Ward 3 (Reese)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Dangerous Building," the Department of Neighborhood Services caused the above-referenced property to be corrected by boarding and securing all doors, windows, and openings; removing all dead/dry vegetation, trash, debris, litter, refuse, waste, vehicles, vehicle parts, and miscellaneous items; removing or repairing the chain link fence; and by posting "No Trespassing" signs on the property. Weaver Construction completed work on March 18, 2004 at a cost of \$2,964.00, which was accepted by the Department of Neighborhood Services.

Contract Amount	\$ 2,964.00
AMOUNT DUE	2,964.00
Boarding Fee	325.00
Administrative processing fee	444.60
TOTAL AMOUNT DUE	\$ <u>3,733.60</u>

OWNER OF RECORD: WASHINGTON MUTUAL HOME LOANS, INC.
C/O J. TOLENTINO

PROPERTY ABATED: 4113 SUNRISE AVENUE

ASSESSOR'S PARCEL: 140 31 711 020

LEGAL DESCRIPTION: PARK RIDGE ADD TRACT #2 AMD
PLAT BOOK 14 PAGE 77
LOT 1 BLOCK 5

DS:jg

WEAVER CONSTRUCTION

"GENERAL ENGINEERING"
2590 NORTH NELLIS BLVD.
LAS VEGAS, NEVADA 89115

EXHIBIT A

DISCLOSURE OF PRINCIPALS

The principals and partners of Weaver Construction and
all persons and entities holding more than a 1% interest in
Weaver Construction or any principal of
Weaver Construction are the following:

<u>FULL NAME</u>	<u>BUSINESS ADDRESS</u>	<u>BUSINESS PHONE</u>
1. Phil Weaver	2590 N. Nellis Blvd. LV, NV	644-1088
2.		
3.		
4.		
5.		
6.		

Continue list until full and complete disclosure is made

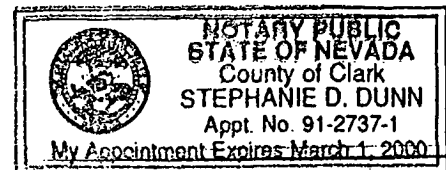
I certify under penalty of perjury, that the foregoing list is full and complete.

Weaver Construction

BY: Phyllis Weaver
Phyllis Weaver, Office Mgr.

Subscribed and sworn to before me
this 28 day of October, 1999.

Stephanie D. Dunn
Notary Public





LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN

LAWRENCE WEEKLY

MICHAEL MACK

NET MONCRIEF

DOUGLAS A. SELBY
CITY MANAGER

NOTICE OF PUBLIC HEARING MAY 19, 2004

Pursuant to Uniform Code for the Abatement of Dangerous Building, 1994 Edition, Section 302, adopted by the LVMC 16.08. NOTICE IS HEREBY GIVEN THAT ON **Wednesday, May 19, 2004** at the hour of **1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following **REPORT OF EXPENSES** submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

Abatement of the property by boarding and securing all doors, windows, and openings; removing all dead/dry vegetation, debris, litter, refuse, waste, vehicles, vehicle parts, and miscellaneous items; removing or repairing the chain link fence; and by posting "No Trespassing" signs on property located at **4113 SUNRISE AVENUE** legally described as **PARK RIDGE ADD TRACT #2, AMD PLAT BOOK 14, PAGE 77, LOT 1 BLOCK 5**. Owner of record at time of abatement: **WASHINGTON MUTUAL HOME LOANS, INC. - WARD 3 (REESE)**

The Director of Neighborhood Services certifies in the report that the sum of \$3,733.60 was expended (\$2,964.00 to Weaver Construction for cleaning the property; \$325.00 Boarding Fee; and \$444.60 Administrative Processing Fee).

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

BARBARA JO RONEMUS
CITY CLERK

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011

TDD 702.386.9108

www.lasvegasnevada.gov

Address: 4113 SUNRISE AVE

CITZ

WHITE OLD MERCURY TYPE VEH; FRONT END JACKED UP ACROSS THE STREET FROM THIS ADDRESS (4113 SUNRISE IS WHERE THIS REPAIR WORK BEING CONDUCTED)12/03 VEHICLE REPAIR GOING ON 12/15/03 COMPLAINT CALLED IN New complaint on 02/23/04 fence at address is now fallen on sidewalk and obstructing public right of way. Newspapers are all over d/w. Complainant also stated that owner has heart problems and someone should check to see if he is alive.

Parcel(s)

Parcel:	Size:	Subdivision Name:
14031711020	0.16 ACRE	PARK RIDGE ADD TRACT #2 AMD

Owner Information:

10-Aug-02	WASHINGTON MUTUAL HOME LOANS INC % J TOLENTINO
	539 S 4TH AVE; LOUISVILLE, KY 40202-2535

Inspection Summary

Inspector:	Status:	Scheduled DT:	Start Dt:	Comp DT:	Min:
960066	Failed	2/24/2004	02/25/2004 14:00	02/25/2004 14:20	20
960392	Passed Partial	3/11/2004	02/27/2004 9:50	02/27/2004 9:55	5
960066	Closed	3/11/2004	03/02/2004 9:16	03/02/2004 9:16	0
870076	Passed	3/31/2004	04/05/2004 11:00	04/05/2004 11:15	15
Time in Minuets:					40

Violation Details

Violation	Violation DT	Resolve DT	Location:
A-VEHICLE	2/25/2004	4/5/2004	Property Remove all vehicles from entire property (front, rear, & side) Red T-bird, Brown Nissan, White S-10 pick-up, vehicle in rear yard.
A-STORAGE	2/25/2004	4/5/2004	Front & rear yards Remove all tools, parts, etc.
A-REFUSE/WST	2/25/2004	4/5/2004	All yards, front & rear Remove all carparts, boxes, papers, trash, debris.
A-PAINTING	2/25/2004	4/5/2004	Front yard Repair or remove damaged fence.
A-NUISANCE	2/25/2004	4/5/2004	Property Remove vehicle batteries and open oil containers.
A-BLD HOUSE	2/25/2004	4/5/2004	Property Lack of essential services, ie, water, power, gas: ten (10) day vacate any persons living and/or squatting in residence.
A-BLD DNGR	2/25/2004	4/5/2004	Property Secure any open/broken doors, windows, front window broken at time of inspection.

Log

Type:	Date:	Employee:	Min:
MISC	5/3/2004 3:36:00 PM	L. GORDON	0
MAILED LETTER AND REPORT OF EXPENSES TO PROPERTY OWNER - 5-10 CC AGENDA.			
MISC	4/14/2004 7:18:00 AM	LAURA DEARMOND	0
Ld) SENT WEAVER CONSTRUCTION INVOICE \$2,964.00 TO FINANCE & FILE TO JG			

INSP	4/5/2004 11:00:00 AM	LAURA DEARMOND	15
24) SECURE, CLEAN, BOARDS PAINTED WHITE, GATES LOCKED, YARDS CLEAN, BOLTED SECURE, LOOKS GOOD! POST VIDEO DONE			
VIDREQ	3/25/2004 12:50:00 PM	LAURA DEARMOND	0
Ld) REC'D INVOICE & FAXED VIDEO REQUEST TO PH			
RECORD	3/18/2004 1:52:00 PM	JESSICA LARRAMENDY	0
JL) Recorded N&O at Clark County. Book: 20040318 Inst: 02030..			
BIDA	3/15/2004 8:14:00 AM	LAURA DEARMOND	0
Ld) AWARDED TO WEAVER CONSTRUCTION, WILL ABATE 3/17			
DIRECT	3/12/2004 10:23:00 AM.	KATHY STEWART	0
Per David Semenza, Hold off award for a few days, mortgage company is suppose to abate. I have file.			
BIDR	3/12/2004 8:00:00 AM	KATHY STEWART	0
Received the following bids from contractors (1) Weaver Construction - \$2,964; (2) CASA Enterprises - \$4,294.			
PHONE	3/8/2004 11:17:00 AM	DAVID SEMENZA	10080
LAWRENCE WEISE (MORTGAGE CO.)438-6522, CALLED TO SAY THEY WERE GOING TO CLEAN THE PROPERTY. I TOLD THEM I WOULD CHECK ON IT AND NOT GIVE THEM MUCH TIME TO GET STARTED.DS]			
BIDS	3/8/2004 9:48:00 AM	KATHY STEWART	0
Faxed Invitation to Bid to contractors. Bids due back on Thursday, 3/11/04.			
DIRECT	3/8/2004 8:28:00 AM	KATHY STEWART	0
Per David Semenza, get bids.			
MISC	3/5/2004 1:51:00 PM	KATHY STEWART	0
Received Certified & Regular letters back Return to Sender, Not Deliverable as Addressed. Forwarding Order Expired. Sent letters to C/E for filing.			
MISC	3/2/2004 9:16:00 AM	VICTORIA ROSEMORE	1
16) CHANGED FROM VEH INF TO CODE ENF AS REQUESTED BY LD.			
INSP	2/27/2004 9:50:00 AM	LAURA DEARMOND	5
17) NO CHANGE			
NOPOST	2/27/2004 9:50:00 AM	LAURA DEARMOND	0
17) POSTED N&O			
MISC	2/26/2004 4:19:00 PM	KATHY STEWART	0
N&O letter attached in OLE.			
NOTICE	2/26/2004 3:45:00 PM	KATHY STEWART	30
Sent Notice & Order to Abate Dangerous Building letter to owner, Washington Mutual Home Loans Inc. Post: 3/1. C/B: 3/11. Sent file to #21			
NOREQ	2/26/2004 7:29:00 AM	ANTHONY GUARINO	0
21) REFER TO 24 FOR N&O- DANG BUILDING APPROVAL CB 3-8			
INSP	2/25/2004 2:00:00 PM	KATHY STEWART	20
CONT'D) wood, etc. in rear. Nissan car on front yard, no L/P. Front chain link fence in disrepair, laying in r-o-w. Dead bushes/vegetation along r-o-w. Water shut off 4/03. Refer to office - Dangerous Building N&O.			
INSP	2/25/2004 2:00:00 PM	KATHY STEWART	20
CONT'D) boxes, debris, trash. Red T-bird in carport, dismantled, no L/P, inoperable. Parts, storage, debris through out property. Cannot access rear (locked) but can see from gate, S-10 p/u car in rear yard, dismantled; trash/debris, litter, parts, boxes			
INSP	2/25/2004 2:00:00 PM	KATHY STEWART	20
21) Long on-going problem property. I have contacted Washington Mutual many times in the past. They have norecord of this property. Tenant Joe Gonzalez appears to be gone, front window next to front door broken, can see inside, it's trashed.			
PHONE	2/23/2004 9:20:00 AM	ERIN HERNANDEZ	0
new complaint on address fence is now fallen on sidewalk and obstructing public right of way. Newspapers are all over d/w.			
PHONE	12/15/2003 1:01:00 AM	ERIN HERNANDEZ	1
COMPLAINT OF VEH REPAIR			

Time in minuets:

10192

APN 140-31-711-020

Ref # - 7322

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **WASHINGTON MUTUAL HOME LOANS, INC., C/O J. TOLENTINO**
(Reputed Owner(s)) at time of abatement.

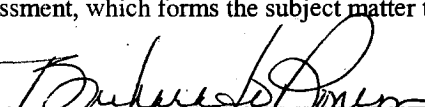
Assessor's Parcel No.: **APN 140-31-711-020**
Commonly known as: **4113 SUNRISE AVENUE**
Legal Description: **PARK RIDGE ADD TRACT #2 AMD
PLAT BOOK 14 PAGE 77
LOT 1 BLOCK 5**

On **March 18, 2004**, as provided in the Municipal Code, 16.08, Section 302, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of **\$3,733.50** were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on **May 19, 2004**, ordered the above charges in the amount of **\$3,733.50**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.


BARBARA JO RONEMUS, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

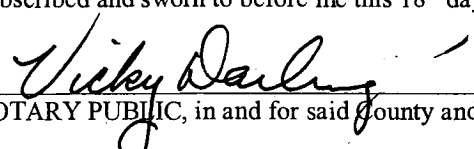
STATE OF NEVADA)

COUNTY OF CLARK)

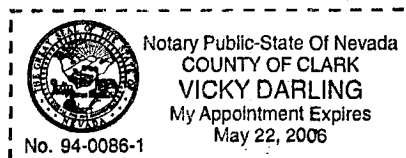
BARBARA JO RONEMUS, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.


BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 18th day of June, 2004


NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE
LAS VEGAS, NV 89101



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

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

Public hearing to consider the report of expenses to recover costs for abatement of dangerous building/demolition located at 1813 Euclid Avenue. PROPERTY OWNERS: VERA L. LOVELADY - Ward 3 (Reese)

Fiscal Impact☐**No Impact****Amount: \$8,395.00**☒**Budget Funds Available****Dept./Division: Neigh. Services/Response**☐**Augmentation Required****Funding Source: General Fund****PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, the Department of Neighborhood Services hired CamAir to perform an asbestos survey, and C & W Enterprises, Inc. to abate the problem. The subject property was corrected by demolishing the structure; removing all litter, trash, debris, and overgrown dead/dry vegetation; and by posting "No Trespassing/Dumping" signs on the property.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$8,395 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treas.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien
8. Video shown but not submitted.

MOTION:

REESE – APPROVED the action of Neighborhood Services – UNANIMOUS with Ward 2 seat vacant

CITY COUNCIL MEETING OF MAY 19, 2004
Neighborhood Services Department
Item 103 – 1813 Euclid Avenue

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

The property owner was not present.

DAVID SEMENZA, Neighborhood Services, presented a video of the subject property and stated he believed the owner to be deceased. He explained the City had boarded the building in 2000 and it has been broken into and vandalized repeatedly and has become a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken or appeal filed, C & W Enterprises, Inc., was hired to demolish the structure and clean and secure the property. MR. SEMENZA recommended the City Council approve the report of expenses in the amount of \$8,395.00 in order that the charges be filed and recorded against the property, constituting a special assessment and lien and authorize that the Notice and Lien of Assessment be filed and recorded with the County Treasurer's Office.

BRIAN EAGLEHELPER, Paseo Verde Drive, told Council he has been having a problem with being left at the bus stop. MAYOR GOODMAN directed DEPUTY CITY MANAGER BETSY FRETWELL to assist him.

No one appeared in opposition.

MAYOR GOODMAN declared the public hearing closed.

(1:15 – 1:18)

3-461

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004

DEPARTMENT: Neighborhood Services

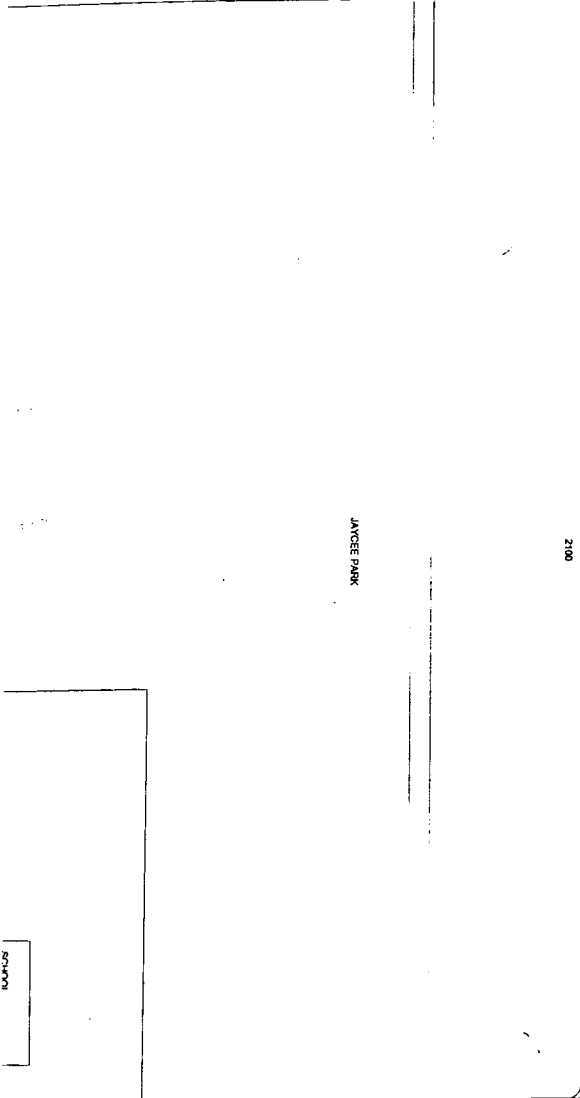
ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of dangerous building/demolition located at 1813 Euclid Avenue. PROPERTY OWNERS: VERA L. LOVELADY - Ward 3 (Reese)

On December 15, 2003, CamAir performed an asbestos survey on the property at a cost of \$300.00; C & W Enterprises, Inc. completed demolition on January 2, 2004, at a cost of \$7,000.00; plus a 15% administrative fee, for a total of \$8,395.00.

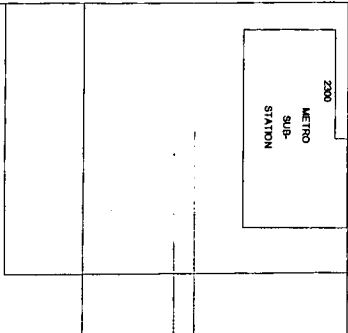
Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the "Uniform Code for the Abatement of Dangerous Buildings", the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.

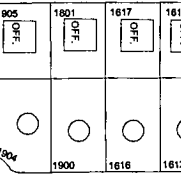
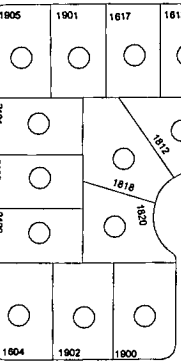
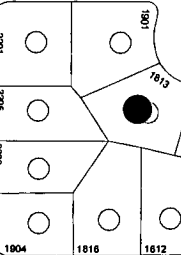
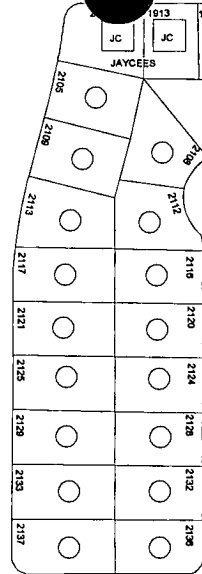
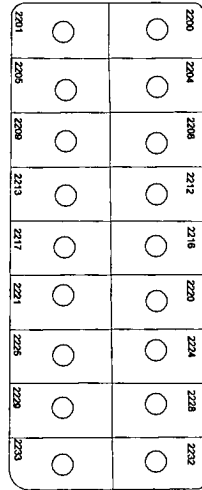
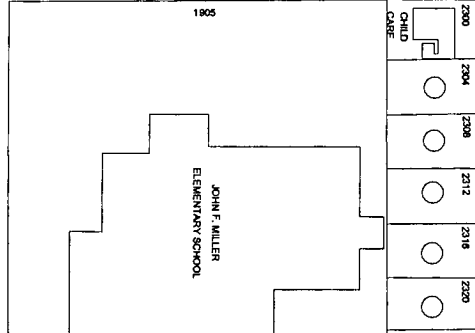
RAVLE



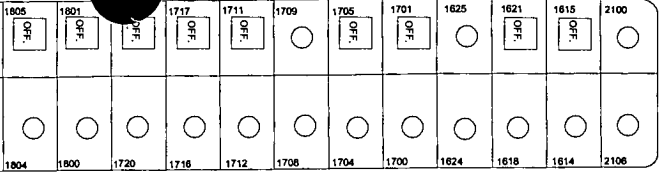
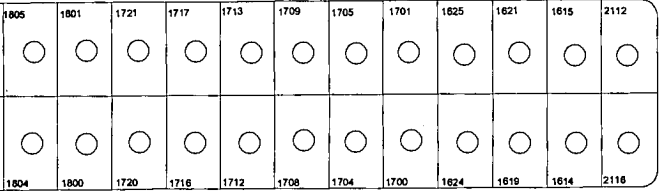
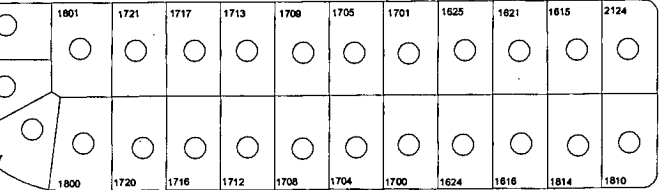
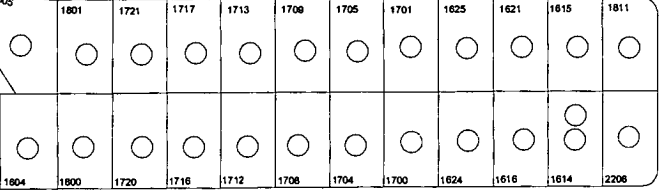
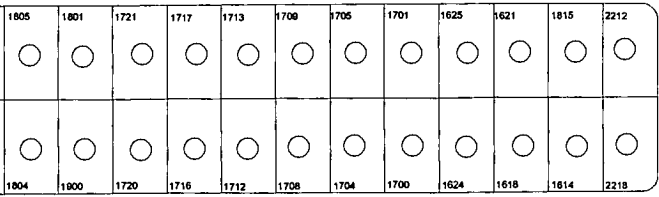
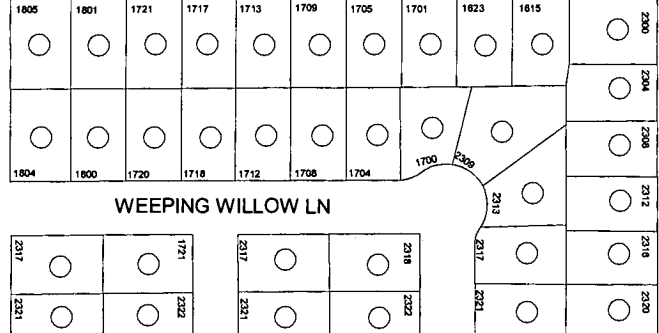
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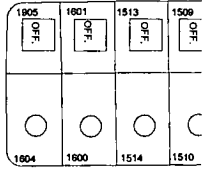
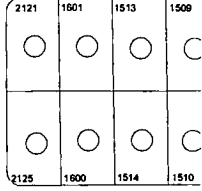
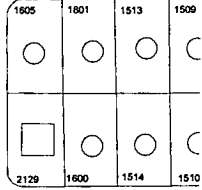
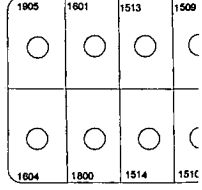
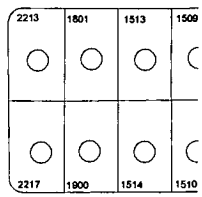
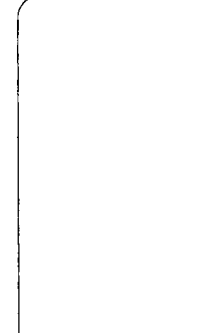
ST LOUIS ST



ATLANTIC ST



OAKEY BLVD



Memorandum

City of Las Vegas
Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk

From: David Semenza, Manager – Neighborhood Response Division

CC: File

Date: May 3, 2004

Re: Report of Expenses for the abatement of Dangerous Building/Demolition located at 1813 Euclid Ave. - Ward 3 (Reese)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Dangerous Building," the Department of Neighborhood Services caused the above-referenced property to be corrected by demolishing the structure; removing all litter, trash, debris, and overgrown dead/dry vegetation; and by posting "No Trespassing/Dumping" signs on the property.

On December 15, 2003, CamAir performed an asbestos survey on the property at a cost of \$300.00; C & W Enterprises, Inc. completed demolition on January 2, 2004, at a cost of \$7,000.00. The Department of Neighborhood Services accepted these costs.

Asbestos Contract Amount	\$	300.00
Demolition Contract Amount		7,000.00
AMOUNT DUE		7,300.00
Administrative processing fee		<u>1,095.00</u>
TOTAL AMOUNT DUE	\$	8,395.00

OWNER OF RECORD: VERA L. LOVELADY

PROPERTY ABATED: 1813 EUCLID AVENUE

ASSESSOR'S PARCEL: 162 01 310 055

LEGAL DESCRIPTION: EASTWOOD TRACT #2
PLAT BOOK 3 PAGE 84
LOT 14 BLOCK 4

DS:JG

CamAir
3233 Barbuda Rd.
Las Vegas, NV 89117

Disclosure of Principals

The principals and partners of CamAir, and all persons and entities holding more than 1% interest in CamAir or any principal of CamAir are the following:

Full Name	Business Address	Business Phone
1. DENNIS J. KISH	3233 BARBUDA RD, LV, NV 89117	(702) 610-4226
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____
7. _____	_____	_____

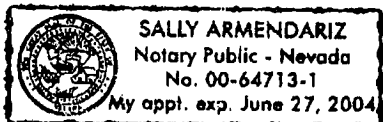
Continue list until full and complete disclosure is made.

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

By: CamAir DENNIS J. KISH
D-J-K

STATE OF NEVADA)
COUNTY OF CLARK)

Subscribed and sworn to before me, a Notary Public,
on this 26th day of December, 2002, by Dennis J. Kish.



[Signature]
NOTARY PUBLIC in and for said
County and State

C & W Enterprises, Inc.
3160 S. Valley View Blvd, Suite 204
Las Vegas, NV 89102

Disclosure of Principals

The principals and partners of *C & W Enterprises, Inc.*, and all persons and entities holding more than 1% interest in *C & W Enterprises, Inc.* or any principal of *C & W Enterprises, Inc.* are the following:

	Full Name	Business Address	Business Phone
1.	<u>Tony Moreno</u>	<u>3160 S. Valley View #204</u>	<u>732-8961</u>
2.	<u>Jose Moreno</u>	<u>3160 S. Valley View #204</u>	<u>732-8961</u>
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____
6.	_____	_____	_____
7.	_____	_____	_____

Continue list until full and complete disclosure is made.

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

C & W Enterprises, Inc.

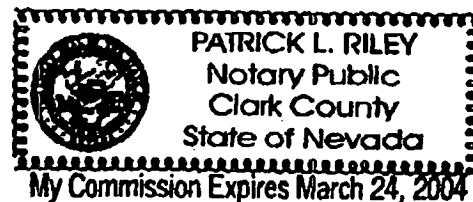
By: _____

Jose Moreno
Print Name

STATE OF NEVADA)
)
COUNTY OF CLARK)

Subscribed and sworn to before me, a Notary Public,
on this 17th day of AUGUST, 2000.

Patrick L. Riley
NOTARY PUBLIC in and for said
County and State





LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN

LAWRENCE WEEKLY

MICHAEL MACK

NET MONCRIEF

DOUGLAS A. SELBY
CITY MANAGER

NOTICE OF PUBLIC HEARING MAY 19, 2004

Pursuant to Uniform Code for the Abatement of Dangerous Building, 1994 Edition, Section 302, adopted by the LVMC 16.08. NOTICE IS HEREBY GIVEN THAT ON **Wednesday, May 19, 2004** at the hour of **1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following **REPORT OF EXPENSES** submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

Abatement of the property by demolishing the structure; removing all litter, trash, debris, and overgrown dead/dry vegetation; and by posting "No Trespassing" signs on property located at **1813 EUCLID AVENUE** legally described as **EASTWOOD TRACT #2, PLAT BOOK 3, PAGE 84, LOT 14 BLOCK 4**. Owner of record at time of abatement: **VERA L. LOVELADY - WARD 3 (REESE)**

The Director of Neighborhood Services certifies in the report that the sum of \$8,395.00 was expended (\$300.00 to CamAir for an asbestos survey; \$7,000.00 to C & W Enterprises, Inc. for the demolition; and \$1,095.00 Administrative Processing Fee).

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

BARBARA JO RONEMUS
CITY CLERK

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

Complaint 110702-093 1813 EUCLID AVE

T/D IN YARD OF VACANT BOARDED HOUSE.

Litter Violations: Trash and Debris

Taken By: LN

>> 1 Open This is 4 of 4.

Ward 3 1- 2527-62

Parcel: 162 01 310 055

LOVELADY VERA L
1813 EUCLID AVE
LAS VEGAS NV 89104-4006
LAS VEGAS NV 89104-4006
EASTWOOD TRACT #2
T BOOK 3 PAGE 84
LOT 14 BLOCK 4

Complainant: BH
Respond To:
Phone:
Owner:

Spl. Project:

11-08-02 23) 1350) REAR GATE OPEN, T&D ALL YARDS, GRAFFITI ON FRONT OF STRUCTURE. THIS WAS BOARDED BY KO CONST. 6/20/2000. THIS PROPERTY IS ON THE VACANT/BOARDED BLDG LIST. RE-030800-342 RE-BOB HYDE.

01-25-03 20) RECEIVED A CALL FROM AREA METRO OFFICER TO ASSIST IN GETTING THE BUILDING BOARDED UP AGAIN. PHOTOS TAKEN, THOM COOLEY IN ATTENDANCE. THOM THINKS THAT THERE IS ENOUGH DAMAGE TO THE STRUCTURE THAT PERHAPS WE SHOULD GO FOR A DANGEROUS BUILDING ORDER. WILL EMAIL PHOTOS TO DAVE SEMENZA TO REVIEW.

07-03 ks) SENT TEN (10) DAY NOTICE & ORDER TO ABATE DANGEROUS BUILDING/DEMOLITION LETTER TO TO PAUL WILKINS, BUILDING DEPARTMENT, FOR SIGNATURE.

06-30-03 KS) SENT TEN (10) DAY NOTICE & ORDER TO ABATE DANGEROUS BUILDING/DEMOLITION LETTER TO OWNER, CLARK COUNTY TREASURER. POST: 7/01. C/B 7/11. SENT FILE TO #20.

07-01-03 20) POSTED TEN (10) DAY NOTICE & ORDER TO ABATE DANGEROUS BUILDING/DEMOLITION. C/B: 7/11.

07-07-03 KS) REC'D CERTIFIED CARD BACK SIGNED BY CLARK COUNTY MAIL SERVICE. SENT CERTIFIED CARD TO C/E FOR FILING.

12-04-03 ks) PER DAVID SEMENZA, FAXED INVITATION TO BID FOR ABESTOS SURVEY & FINAL CLEARANCE WITH REPORT TO CONSULTANTS. BIDS DUE BACK 12/10/03.

12-11-03 ks) RECEIVED BIDS BACK FROM CONSULTANTS (1) CAMAIR - \$600; (2) NINYO & MOORE - \$700.
ks) PER DAVID SEMENZA, AWARD TO THE LOWEST BIDDER. FAXED AWARD LETTER TO CAMAIR. REPORT DUE BACK IN SEVEN DAYS.

12-19-03 ks) FAXED INVITATION TO BID TO CONTRACTORS WITH ASBESTOS SURVEY. BIDS DUE BACK FROM CONTRACTORS ON 12/24/03

12-26-03 ks) RECEIVED BIDS FROM CONTRACTORS (1) C&W ENTERPRISES - \$7,000; (2) WEAVER CONSTRUCTION - \$7,500; (3) SOIL SOLUTIONS - \$8,240.
24) PRE-VIDEO FILMED. LITTER, HIGH WEEDS, REFUSE & WASTE IN

ALL YARDS. BOARDS HAVE BEEN PULLED OFF OR PULLED AWAY FROM OPENINGS. REAR DOOR IS OPEN. MAJOR VAGRANT DAMAGE INSIDE. THIS PLACE SHOULD BE DEMO'D! GRAFFITI ALSO.

12-29-03 ks) PER DAVID SEMENZA, OKAY TO AWARD TO LOWEST BIDDER. FAXED AWARD LETTER TO C & W ENTERPRISES TO DEMO THE PROPERTY. CONTRACTOR WILL CALL WITH A START DATE.

12-30-03 ks) RECEIVED LATE BID FROM K.O. CONSTRUCTION - \$7,969.

01-06-04 JL) RECORDED N&O AT CLARK COUNTY TODAY.
BOOK: 20040106 INST: 00917.

01-07-04 ks) RECEIVED INVOICE (\$7,000) FROM C&W ENTERPRISES FOR COMPLETION OF ABATMENT (DEMOLITION OF PROPERTY). SENT REQUEST FOR AFTER ABATEMENT VIDEO TO PAM HINES.

01-12-04 24) 1230-1240 HRS., PRE VIDEO COMPLETED. UNACCEPTABLE TO VIDEO. DIRT NEEDS TO BE FLATTENED OUT, DEEP GROOVES. ONE TINY "NO TRESPASSING" SIGN ON CHAIN LINK-NO REFERENCE TO 207.200. CALLED JACK @ C&W. HE'LL HAVE IT DONE IN 1-2 DAYS, AND CALL ME.

01-27-04 24) NOTHING HAS BEEN DONE YET. HAVEN'T HEARD FROM JACK AT C&W. WILL CALL HIM TOMORROW TO GET A DATE TO ABATE.

04-04 ks) SENT INVOICE (\$300) FROM CAMAIR FOR ASBESTOS SURVEY TO FINANCE FOR PAYMENT.

04-06-04 JL) REC'D FAX REGARDING STATUS OF INVOICE (\$7,000.00). EMAILED #24 TO SEE IF SHE WOULD CONTACT SONIA AT 732-8961 REGARDING WHAT NEEDED TO BE DONE AT THE PROPERTY STILL AND THAT PAYMENT WOULD NOT BE MADE UNTIL
24) LEFT TEL. MSG ON SONIA'S VOICEMAIL REGARDING MANY PREVIOUS CONTACTS AND INSPECTIONS MADE. NEXT MOVE WAS THEIRS TO COMPLETE PROJECT.

04-15-04 24) POST VIDEO COMPLETED. TAPE TO DS.

04-20-04 ks) Okay to pay invoice per David Semenza. Sent invoice (\$7,000) to Finance for payment. Sent copy of invoice to Laura @ C/E for filing. Gave file to Jackie Gordon for Council.

05-03-04 JG) MAILED LETTER AND REPORT OF EXPENSES TO PROPERTY OWNER - 5-19 CITY COUNCIL AGENDA.

APN 162-01-310-055
Ref # - 110702-093

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: VERA L. LOVELADY
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.: **APN 162-01-310-055**
Commonly known as: **1813 EUCLID AVENUE**
Legal Description: **EASTWOOD TRACT #2**
PLAT BOOK 3 PAGE 84
LOT 14 BLOCK 4

On **January 2, 2004**, as provided in the Municipal Code, 16.08, Section 302, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of **\$8,395.00** were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

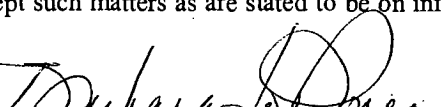
The Las Vegas City Council, at a duly noticed public hearing held on **May 19, 2004**, ordered the above charges in the amount of **\$8,395.00**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

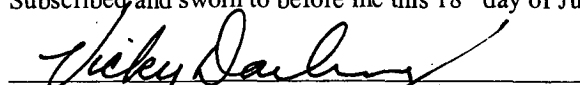

BARBARA JO RONEMUS, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
COUNTY OF CLARK)

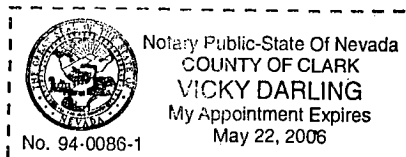
BARBARA JO RONEMUS, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.


BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 18th day of June, 2004


NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE
LAS VEGAS, NV 89101



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT
DIRECTOR: ROBERT S. GENZER

PLANNING & DEVELOPMENT DEPARTMENT PM SESSION:

CONSENT AGENDA

NO ITEMS

DISCUSSION/ACTION ITEMS

- SITE DEVELOPMENT PLAN REVIEW
- 104 **SD-0062-00** - Applicant: Baughman & Turner, Inc. – Owner: Ron and Lynn Foglia
- DIRECTOR'S BUSINESS
- 105 **DIR-4432** - Applicant: Brenner and Associates, Inc. – Owner: El Capitan Associates, Limited Liability Company
- DIRECTOR'S BUSINESS - PUBLIC HEARING
- 106 **DIR-3934** - Applicant/Owner: Howard Hughes Corporation
- REVIEW OF CONDITION - PUBLIC HEARING
- 107 **ROC-4194** - Applicant/Owner: Plaster Development
- SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING
- 108 **SDR-3898** - Applicant/Owner: Luz Maria Medrano
- 109 **SDR-4069** - Applicant: Novad Construction - Owner: RCN Properties, Limited Liability Company & Zority Quan, Limited Liability Company
- MASTER SIGN PLAN - PUBLIC HEARING
- 110 **MSP-4062** - Applicant/Owner: Santa Fe Station, Inc.
- VACATION - PUBLIC HEARING
- 111 **VAC-4011** - Applicant/Owner: Southwest Homes, Limited Liability Company
- 112 **VAC-4012** - Applicant: R&S Investment Group – Owner: Decatur III, Limited Liability Company
- 113 **VAC-4041** - Applicant/Owner: Richmond American Homes
- VARIANCE - PUBLIC HEARING
- 114 **VAR-3902** - Applicant/Owner: Richard and Jill Burns

City of Las Vegas

PLANNING & DEVELOPMENT - Page Two

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City Council Meeting of May 19, 2004

- REQUIRED SIX MONTH REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING
- 115 **ABEYANCE ITEM - RQR-3930** - Applicant: Neissan Koroghli – Owner: Fremont Place, Limited Liability Company
- REVIEW OF CONDITION RELATED TO RQR-3930 - PUBLIC HEARING
- 116 **ABEYANCE ITEM - ROC-4121** - Applicant: Neissan Koroghli – Owner: Fremont Place, Limited Liability Company
- REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING
- 117 **RQR-4021** - Applicant: Clear Channel Outdoor – Owner: Jeanne Levy Family Trust
- SPECIAL USE PERMIT - PUBLIC HEARING
- 118 **ABEYANCE ITEM - SUP-3394** - Las Vegas Billboards on behalf of West Sahara Associated, Limited Partnership
- 119 **ABEYANCE ITEM - SUP-3972** - Applicant: Regan National Advertising - Owner: J.G. Sahara, Limited Liability Company
- 120 **ABEYANCE ITEM - SUP-3986** - Applicant: Mustafa Kavrukler – Owner: Rita Quam Family Trust
- 121 **ABEYANCE ITEM - SUP-3653** - Applicant: Shadow Hills Plaza, Limited Liability Company
- SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-3653 - PUBLIC HEARING
- 122 **ABEYANCE ITEM - SDR-3651** - Applicant: Shadow Hills Plaza, Limited Liability Company
- SPECIAL USE PERMIT - PUBLIC HEARING
- 123 **SUP-4046** - Applicant: Gary and Gina Shanks - Owners: Mack Smith, Jr. and Booker T. Burney
- REZONING - PUBLIC HEARING
- 124 **ABEYANCE ITEM - ZON-3708** - Applicant/Owner: Emerald Crest Holdings, Limited Liability Company
- 125 **ZON-4013** - Applicant/Owner: Cliff's Edge, Limited Liability Company
- 126 **ZON-4014** - Applicant: Ahern Rentals – Owner: Nevada Department of Transportation
- SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4014 - PUBLIC HEARING
- 127 **SDR-4015** - Applicant: Ahern Rentals – Owner: Nevada Department of Transportation
- REZONING - PUBLIC HEARING
- 128 **ZON-4059** - Applicant/Owner: Roman Catholic Bishop of Las Vegas

City of Las Vegas

PLANNING & DEVELOPMENT - Page Three

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City Council Meeting of May 19, 2004

- SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4059 - PUBLIC HEARING
- 129 **SDR-4107** - Applicant/Owner: Roman Catholic Bishop of Las Vegas
- REZONING - PUBLIC HEARING
- 130 **ZON-4066** - Applicant/Owner: Treasure Land Development Company, Limited Liability Company
- SPECIAL USE PERMIT RELATED TO ZON-4066 - PUBLIC HEARING
- 131 **SUP-4128** - Applicant/Owner: Treasure Land Development Company, Limited Liability Company
- VACATION RELATED TO ZON-4066 AND SUP-4128 - PUBLIC HEARING
- 132 **VAC-4068** - Applicant/Owner: Treasure Land Development Company, Limited Liability Company
- REZONING - PUBLIC HEARING
- 133 **ZON-4082** - Applicant/Owner: Sahara Rancho Office Center, Limited Liability Company
- VARIANCE RELATED TO ZON-4082 - PUBLIC HEARING
- 134 **VAR-4251** - Applicant/Owner: Sahara Rancho Office Center, Limited Liability Company
- SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4082 AND VAR-4251 - PUBLIC HEARING
- 135 **SDR-4086** - Applicant/Owner: Sahara Rancho Office Center, Limited Liability Company
- SPECIAL USE PERMITS RELATED TO ZON-4082, VAR-4251 AND SDR-4086 - PUBLIC HEARING
- 136 **SUP-4089** - Applicant/Owner: Sahara Rancho Office Center, Limited Liability Company
- 137 **SUP-4090** - Applicant/Owner: Sahara Rancho Office Center, Limited Liability Company
- REZONING - PUBLIC HEARING
- 138 **ZON-4083** - Applicant/Owner: ARG Jones II, Limited Liability Company

City of Las Vegas

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City Council Meeting of May 19, 2004

- VARIANCE RELATED TO ZON-4083 - PUBLIC HEARING
139 **VAR-4190** - Applicant/Owner: ARG Jones II, Limited Liability Company
- SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4083 AND VAR-4190 - PUBLIC HEARING
140 **SDR-4085** - Applicant/Owner: ARG Jones II, Limited Liability Company
- GENERAL PLAN AMENDMENT - PUBLIC HEARING
141 **GPA-4044** - Applicant: Nevada Power Company - Owner: Bureau Of Land Management
142 **GPA-4042** - Applicant: Nevada State Bank - Owner: Sidney & Paula Fry Family Trust
- REZONING RELATED TO GPA-4042 - PUBLIC HEARING
143 **ZON-4043** - Applicant: Nevada State Bank - Owner: Sidney & Paula Fry Family Trust
- SPECIAL USE PERMIT RELATED TO GPA-4042 AND ZON-4043 - PUBLIC HEARING
144 **SUP-4045** - Applicant: Nevada State Bank - Owner: Sidney & Paula Fry Family Trust
- SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4042, ZON-4043 AND SUP-4045 - PUBLIC HEARING
145 **SDR-4060** - Applicant: Nevada State Bank - Owner: Sidney & Paula Fry Family Trust
- GENERAL PLAN AMENDMENT - PUBLIC HEARING
146 **GPA-4063** - Applicant: Pulte Homes – Owner: Laura Sommer
- SPECIAL USE PERMIT RELATED TO GPA-4063 - PUBLIC HEARING
147 **SUP-4065** - Applicant: Pulte Homes – Owner: Laura Sommer
- SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4063 AND SUP-4065 - PUBLIC HEARING
148 **SDR-4064** - Applicant: Pulte Homes – Owner: Laura Sommer
- GENERAL PLAN AMENDMENT - PUBLIC HEARING
149 **GPA-4078** - Applicant/Owner: Quality Homes
- REZONING RELATED TO GPA-4078 - PUBLIC HEARING
150 **ZON-4080** - Applicant/Owner: Quality Homes

City of Las Vegas

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City Council Meeting of May 19, 2004

GENERAL PLAN AMENDMENT - PUBLIC HEARING

151 **GPA-4110** - Applicant/Owner: Cheyenne Mini-Storage, Limited Liability Company

REZONING RELATED TO GPA-4110 - PUBLIC HEARING

152 **ZON-4111** - Applicant/Owner: Cheyenne Mini-Storage, Limited Liability Company

SPECIAL USE PERMIT RELATED TO GPA-4110 AND ZON-4111 - PUBLIC HEARING

153 **SUP-4113** - Applicant/Owner: Cheyenne Mini-Storage, Limited Liability Company

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4110, ZON-4111 AND SUP-4113 - PUBLIC HEARING

154 **SDR-4112** - Applicant/Owner: Cheyenne Mini-Storage, Limited Liability Company

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - SD-0062-00 - APPLICANT: BAUGHMAN & TURNER, INC. - OWNER: RONALD AND LYNN FOGLIA - Request for a Site Development Plan Review and a Waiver of Landscaping Requirements FOR A 2,580 SQUARE FOOT OFFICE BUILDING on 0.21 acres located on the north side of Transverse Drive, approximately 160 feet west of Jones Boulevard (APN: 163-01-101-008), R-E (Residence Estates) Zone under Resolution of Intent to O (Office), Ward 1 (Moncrief). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MONCRIEF - ABEYANCE to 6/2/2004 - UNANIMOUS with Ward 2 seat vacant

MINUTES:

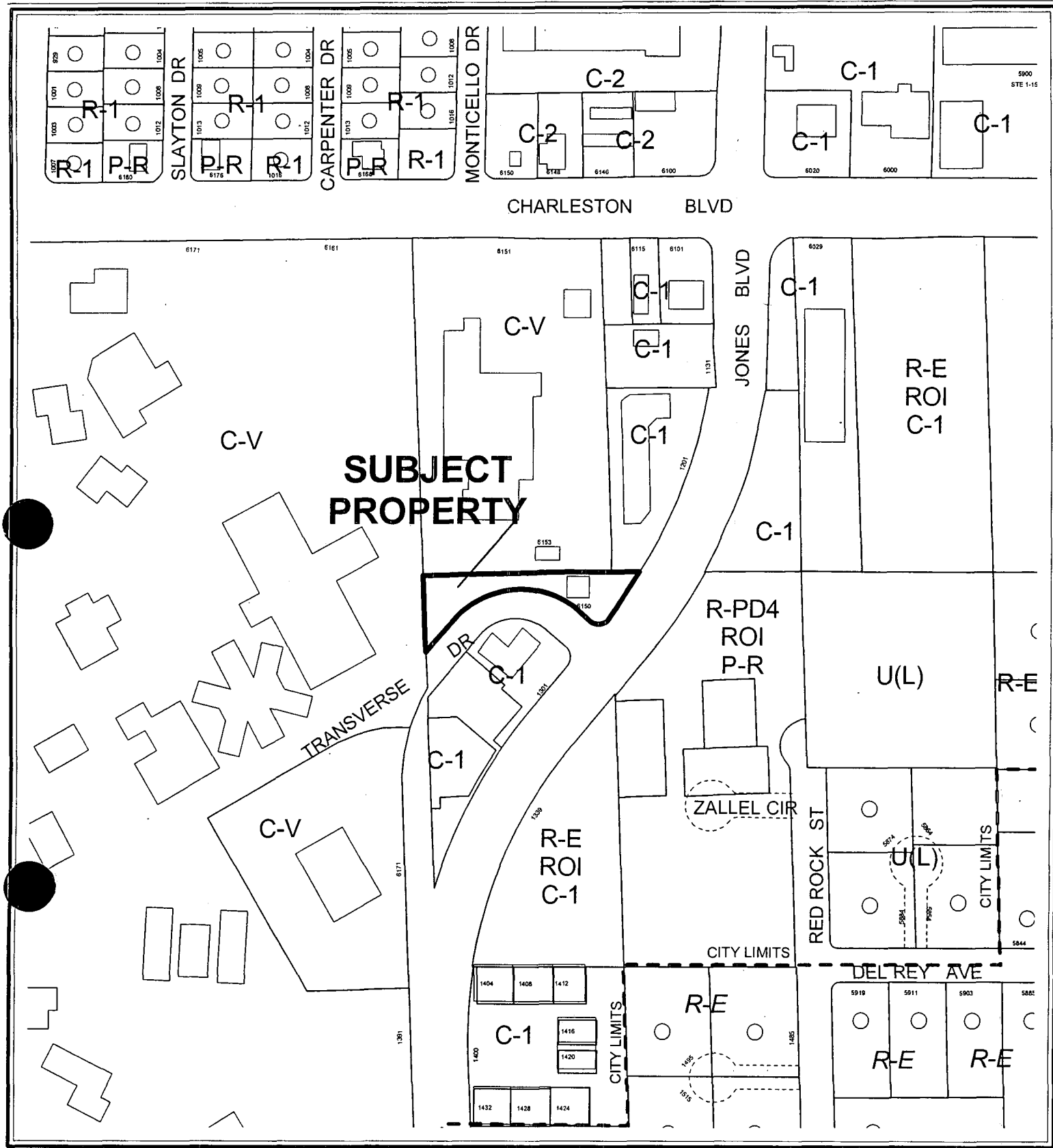
DAVID TURNER, Baughman and Turner, appeared on behalf of applicant. He stated that the applicant concurred with staff recommendations. However, the applicant was requesting Council consider allowing a three foot wide landscape planter with shrubs along the west property line as opposed to the five foot wide planter with box trees that staff recommended. He explained there are site limitations due to the triangular shape of the area and existing utilities.

COUNCILWOMAN MONCRIEF stated that this item had been tabled at the Planning Commission in 2001 and that she had not spoken with the applicant about it. She indicated she wanted to hold the item for two-weeks and requested the applicant contact her office to discuss this item further. MR. TURNER agreed.

No one appeared in opposition.

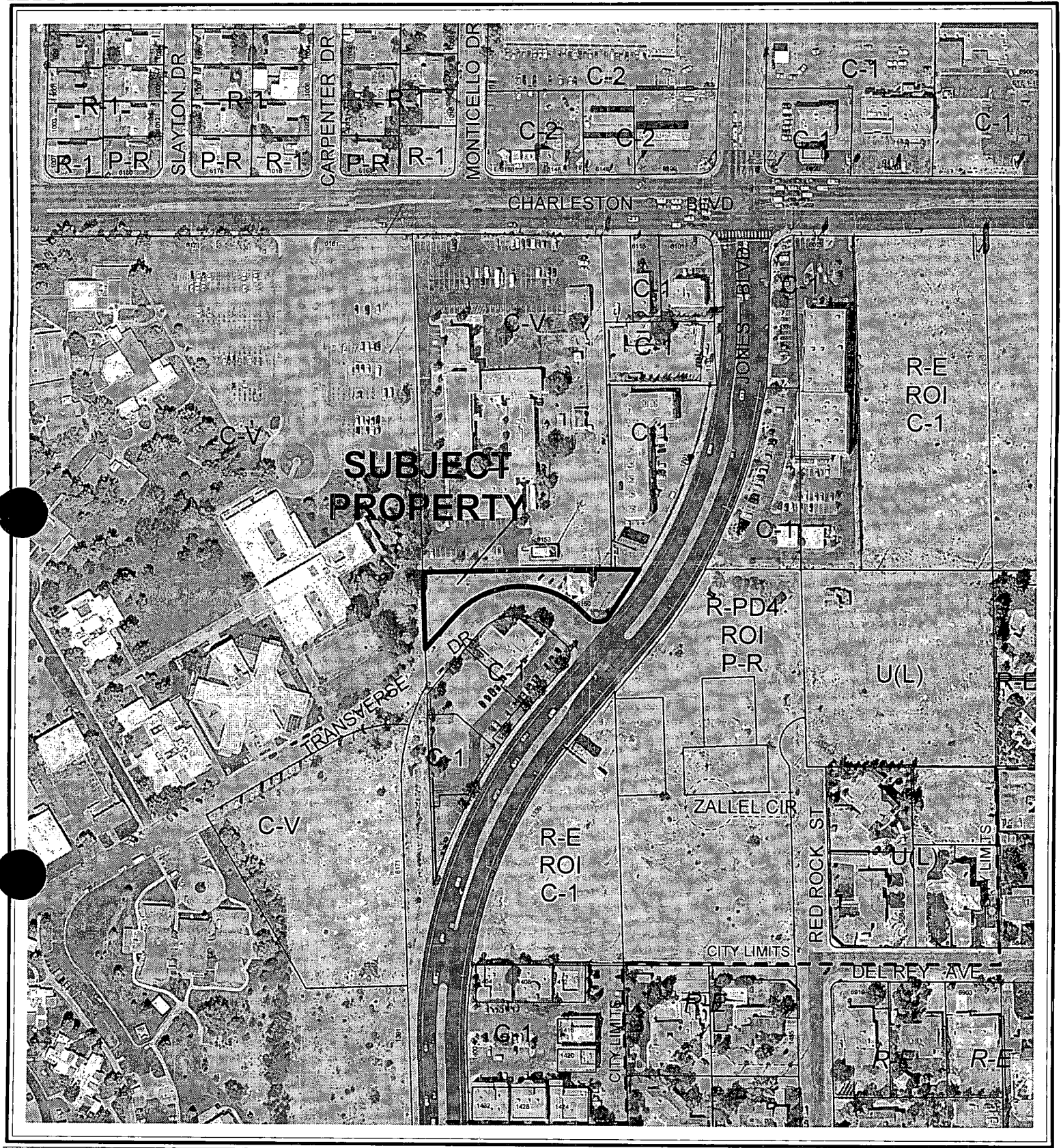
(1:18 - 1:20)

3-554



CASE: SD-0062-00

ZONING OF SUBJECT PROPERTY: O (OFFICE)



CASE: SD-0062-00

ZONING OF SUBJECT PROPERTY: O (OFFICE)



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SD-0062-00 - APPLICANT: BAUGHMAN & TURNER, INC. –
OWNER: RONALD AND LYNN FOGLIA

**** CONDITIONS ****

Staff recommends APPROVAL

Planning and Development

1. Submit for staff review a revised site plan indicating conformance to the approved Conditions for V-0005-00 which required the building be moved to the north to provide a minimum front yard setback of 8 feet-9 inches and a rear yard setback of 12 feet.
2. Submit for staff review a revised site plan indicating conformance to the site plan approved for V-0005-00 which required that the driveway adjacent to the west side of the building be reduced to 12 feet, and to provide a five foot wide landscape planter along the west property line with 24 inch box trees placed 30 feet on center.
3. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed buildings. Lighting standards within the parking lots shall be no more than 15 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.
4. All exterior lighting shall meet the standards of Title 19.08.060(C).
5. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission and shall be permanently maintained in a satisfactory manner.

Public Works

7. Construct all incomplete half-street improvements on Transverse Drive adjacent to this site concurrent with development of this site.
8. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

9. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review for a 2,580 square foot office building and a Waiver of the required landscaping requirements on property located on the north side of Transverse Drive, approximately 160 west of Jones Boulevard. (APN: 163-01-101-008)

BACKGROUND INFORMATION

A) Previous Actions

- 06/23/97 The City Council approved a Rezoning (Z-0037-97) to O (Office) and a General Plan Amendment (GPA-0018-97) to O (Office) on the subject property. The Planning Commission and staff recommended approval on May 22, 1997.
- 05/17/00 The City Council approved a Variance (V-0005-00) to allow reduced setbacks on the subject property. The Board of Zoning Adjustment and staff recommended approval on April 4, 2000.
- 01/03/01 The City Council *tabled* the Site Development Plan Review (SD-0062-00) for a 2,580 square foot office building on the subject property. The Planning Commission and staff recommended approval on November 16, 2000.

DETAILS OF APPLICATION REQUEST

A) Existing Land Use

Subject Property: Undeveloped
North: Church with Daycare and School
South: Office
East: Office
West: State of Nevada Facility and Offices

B) Planned Land Use

Subject Property: O (Office)
North: PF (Public Facility)
South: PF (Public Facility)
East: PF (Public Facility)
West: PF (Public Facility)

C) Existing Zoning

Subject Property: O (Office)
North: C-V (Civic)
South: C-1 (Limited Commercial)
East: O (Office)
West: C-V (Civic)

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A Feet	20,036 Square Feet	N/A
Min. Lot Width	100 Feet		Y
Min. Setbacks			
• Front	25 Feet	5 Feet	N
• Side	10 Feet	29 Feet	Y
• Corner	15 Feet	N/A	N/A
• Rear	15 Feet	15 Feet	Y
Max. Lot Coverage	30 %	13%	Y
Max. Building Height	2 Stories / 35 Feet	2 Stories / 25 Feet	Y
Parking	15 Spaces	15 Spaces	Y

The proposed site plan does not meet the minimum requirements with regard to the front setback. The City Council approved a Variance (V-0005-00) to allow a 5 foot front yard setback where 25 feet is the minimum setback required.

The subject parcel is triangular in shape with the 2,580 square foot building placed approximately in the center of the site. Access will be provided by two driveways off of Transverse Drive, with one-way traffic circulation on-site. Parking will be provided on the western and eastern edges of the property. Landscaping will be provided in approximately ten-foot wide planters along Transverse Drive, and around the perimeter of the building. The proposed elevations depict a modern design, two-story building with a stucco exterior and tile roof.

ANALYSIS

• **Zoning**

The subject property is zoned O (Office) which corresponds to the General Plan Designation of O (Office). The requested office development is in conformance with both the General Plan Designation and the Zoning District.

- Site Plan

The site plan submitted with this application does not represent the City Council action regarding the Variance (V-0005-00) for the subject site. The proposed office building was to be moved to the north and west on the subject site, thus increasing the front setback to a minimum of eight feet – nine inches and reducing the rear setback to 12 feet. In addition, the driveway adjacent to the west side of the building was to be reduced to 12 feet, with 5 feet of landscaping provided along the west property line. Staff recommends a Condition that requires compliance with the Conditions of Approval for V-0005-00.

On March 25, 2004, the applicant submitted a request to have this item put back on the City Council agenda. Revised site plans were also submitted. However, the site plan still does not conform to the approved Variance, which allowed for reduced setbacks.

- Waivers

The applicant has requested a waiver of the landscape guidelines. Staff can support this waiver, to certain allowance, based on the unusual shape of the property. However, based on the City Council approval of V-0005-00, which required a five foot wide planter along the west property line and increased amount of landscaping along Transverse Lane, staff recommends a Condition that requires that the landscaping shown for that approval be provided.

- Landscape Plan

The submitted landscape plan does not meet the standards of the Las Vegas Urban Design Standards and Guidelines regarding on-site perimeter landscaping. The Guidelines require that a 15-foot wide planter be constructed along all public right-of-way, as well as an eight-foot wide planter along all interior property lines. The applicant has requested a waiver of these guidelines. Staff can support this waiver, to certain allowance, based on the unusual shape of the property. However, based on the City Council approval of V-0005-00, which required a five foot wide planter along the west property line and increased amount of landscaping along Transverse Lane, staff recommends a Condition that requires that the landscaping shown for that approval be adhered to.

- Elevation

The elevations depict a two-story structure with a stucco exterior and tile roof. Staff finds that this proposal is consistent with similar type buildings within the City of Las Vegas, particularly with this project's "sister" development to the east.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **"The proposed development is compatible with adjacent development and development in the area;"**

This proposal is consistent with similar type buildings within the City of Las Vegas, particularly with this project's "sister" development to the east.

2. **"The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;"**

The site plan submitted with this application does not represent the City Council action regarding the Variance (V-0005-00) for the subject site. The proposed office building was to be moved to the north and west on the subject site, thus increasing the front setback to a minimum of eight feet – nine inches and reducing the rear setback to 12 feet. In addition, the driveway adjacent to the west side of the building was to be reduced to 12 feet, with 5 feet of landscaping provided along the west property line. Staff recommends a Condition that requires compliance with the Conditions of Approval for V-0005-00.

Further, the submitted landscape plan does not meet the standards of the Las Vegas Urban Design Standards and Guidelines regarding on-site perimeter landscaping. The Guidelines require that a 15-foot wide planter be constructed along all public right-of-way, as well as an eight-foot wide planter along all interior property lines. The applicant has requested a waiver of these guidelines. Staff can support this waiver based on the unusual shape of the property. However, based on the City Council approval of V-0005-00, which required a five foot wide planter along the west property line and increased amount of landscaping along Transverse Lane, staff recommends a Condition that requires that the landscaping shown for that approval be adhered to.

3. **"Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;"**

The site access and circulation will not negatively impact adjacent roadways.

4. **"Building and landscape materials are appropriate for the areas and for the City;"**

The building and landscape materials for this site are common throughout the City of Las Vegas and will not be a detriment to the area.

5. **"Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;"**

The elevations depict a two-story structure with a stucco exterior and tile roof. Staff finds that this proposal is consistent with similar type buildings within the City of Las Vegas, particularly with this project's "sister" development to the east.

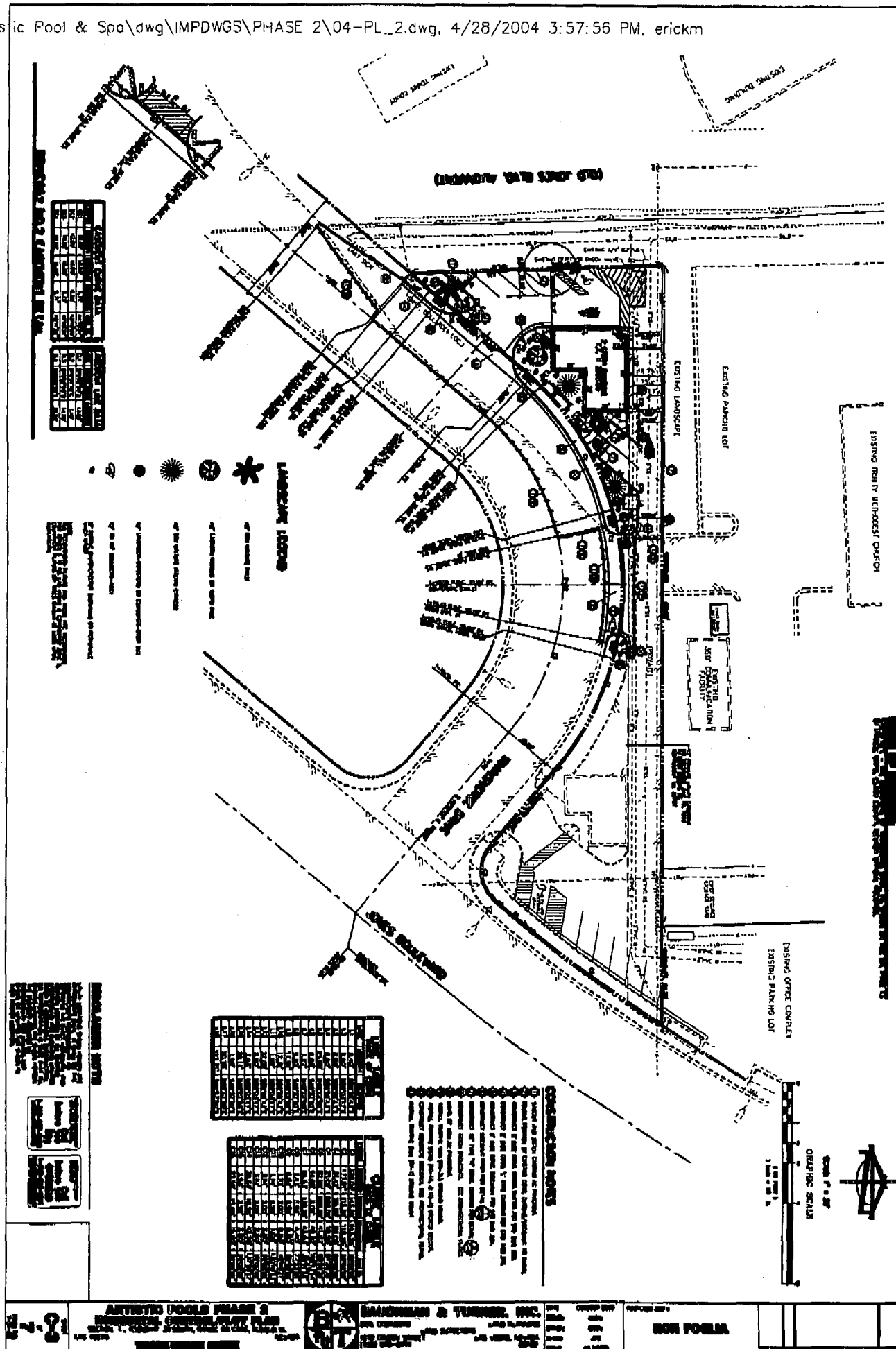
6. **“Appropriate measures are taken to secure and protect the public health, safety and general welfare.”**

With appropriate landscaping and buffering this project will not be a detriment to the health, safety, and welfare of the general public.

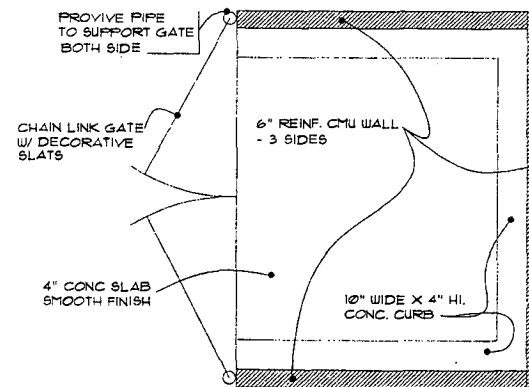
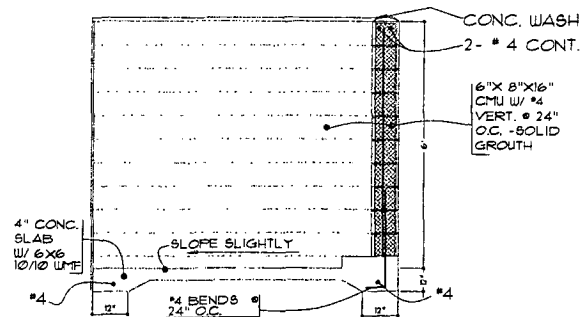
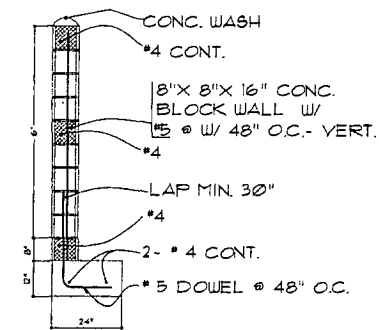
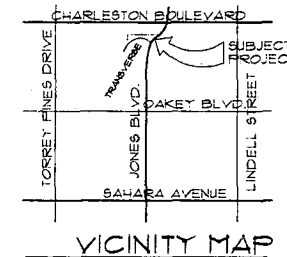
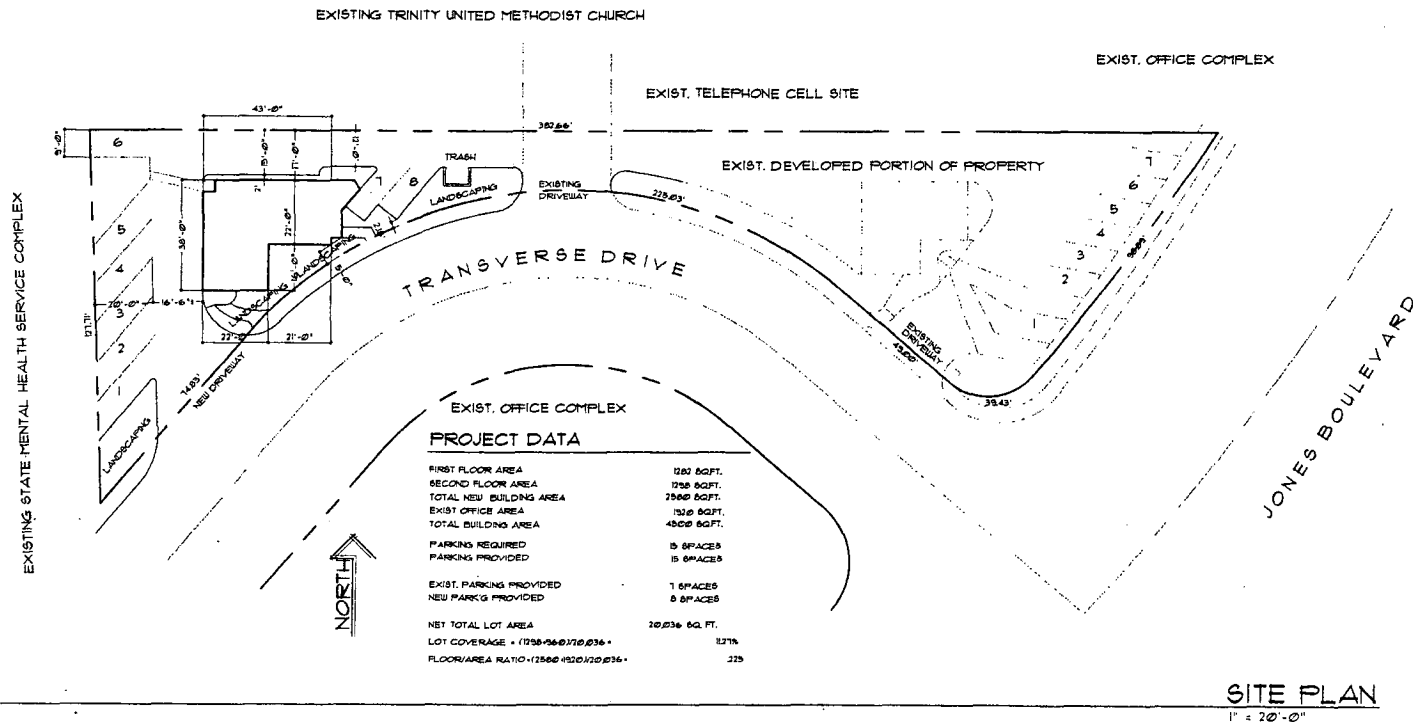
NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0



SD-0062-00
05-19-04 CC



SD-0062-00

05-19-04 CC

(702) 870-5065

3355 SPRING MOUNTAIN ROAD #226 LAS VEGAS, NEVADA 89102

KEN PERRY ARCHITECT 3355 SPRING MOUNTAIN ROAD #226 LAS VEGAS, NEVADA 89102

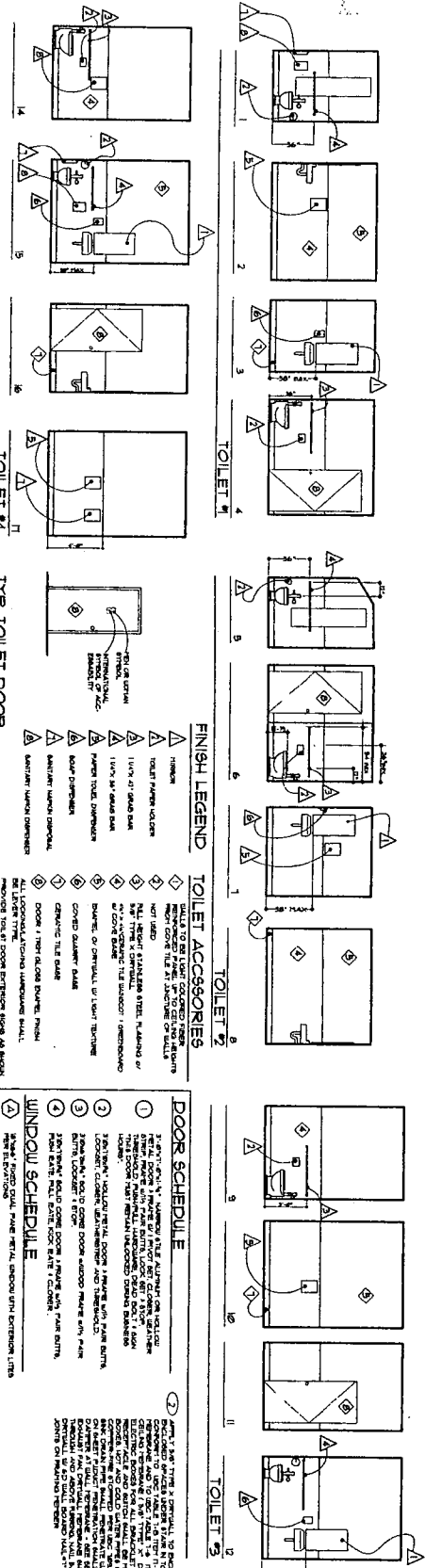
OFFICE BUILDING AT ARTISTIC PLAZA

17 MARCH 2004

1.

SCALE 1/4" = 1'-0"

INTERIOR ELEVATION



FINISH LEGEND

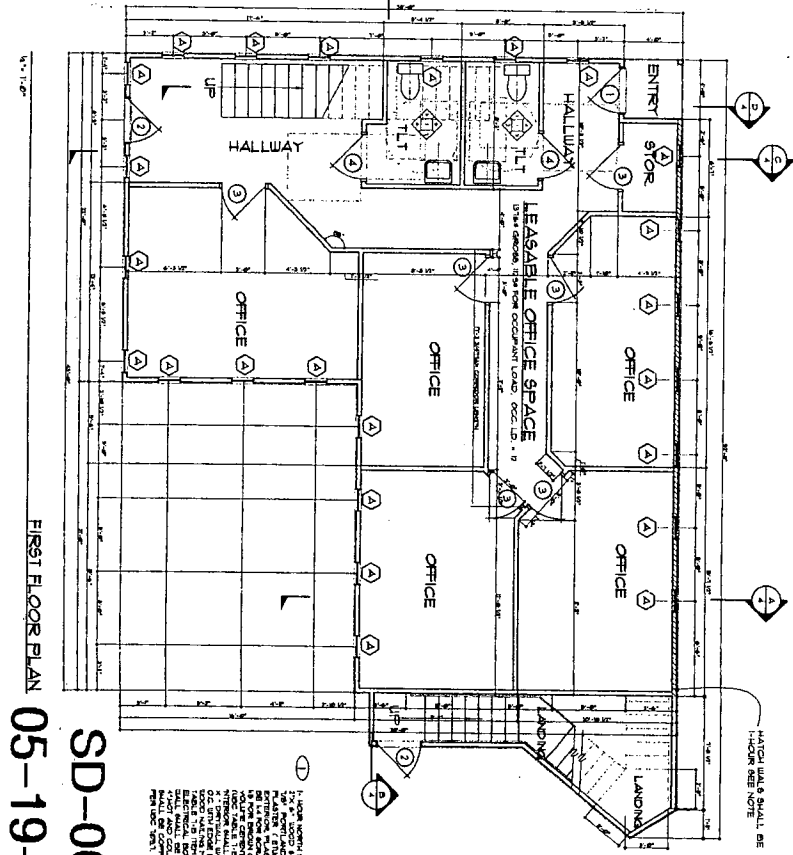
- 1. WALLS TO BE LIGHT COLORED GYP. BOARD
- 2. WALLS TO BE LIGHT COLORED GYP. BOARD
- 3. WALLS TO BE LIGHT COLORED GYP. BOARD
- 4. WALLS TO BE LIGHT COLORED GYP. BOARD
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- 12. WALLS TO BE LIGHT COLORED GYP. BOARD

DOOR SCHEDULE

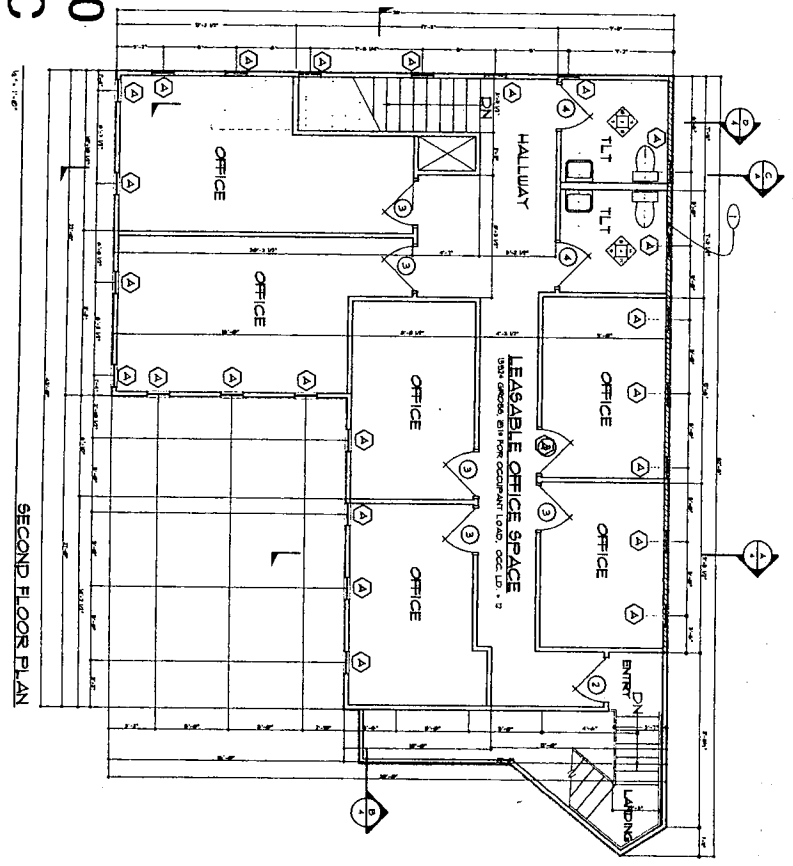
- 1. 2'-0" x 7'-0" WOOD DOOR WITH 1/2" GLASS INSERT
- 2. 2'-0" x 7'-0" WOOD DOOR WITH 1/2" GLASS INSERT
- 3. 2'-0" x 7'-0" WOOD DOOR WITH 1/2" GLASS INSERT
- 4. 2'-0" x 7'-0" WOOD DOOR WITH 1/2" GLASS INSERT
- 5. 2'-0" x 7'-0" WOOD DOOR WITH 1/2" GLASS INSERT
- 6. 2'-0" x 7'-0" WOOD DOOR WITH 1/2" GLASS INSERT
- 7. 2'-0" x 7'-0" WOOD DOOR WITH 1/2" GLASS INSERT
- 8. 2'-0" x 7'-0" WOOD DOOR WITH 1/2" GLASS INSERT
- 9. 2'-0" x 7'-0" WOOD DOOR WITH 1/2" GLASS INSERT
- 10. 2'-0" x 7'-0" WOOD DOOR WITH 1/2" GLASS INSERT
- 11. 2'-0" x 7'-0" WOOD DOOR WITH 1/2" GLASS INSERT
- 12. 2'-0" x 7'-0" WOOD DOOR WITH 1/2" GLASS INSERT

WINDOW SCHEDULE

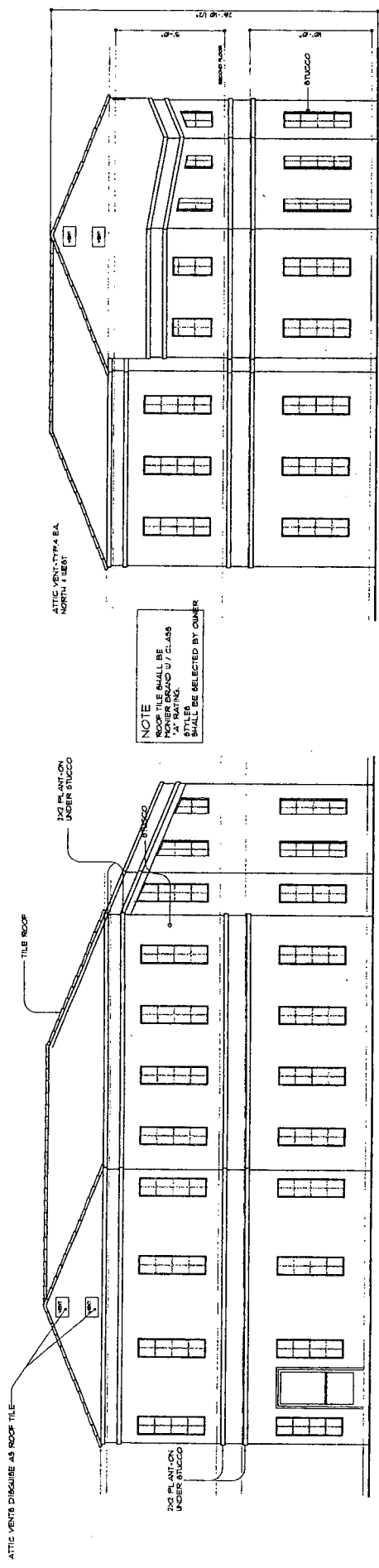
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- 2. 2'-0" x 4'-0" WOOD WINDOW WITH 1/2" GLASS
- 3. 2'-0" x 4'-0" WOOD WINDOW WITH 1/2" GLASS
- 4. 2'-0" x 4'-0" WOOD WINDOW WITH 1/2" GLASS
- 5. 2'-0" x 4'-0" WOOD WINDOW WITH 1/2" GLASS
- 6. 2'-0" x 4'-0" WOOD WINDOW WITH 1/2" GLASS
- 7. 2'-0" x 4'-0" WOOD WINDOW WITH 1/2" GLASS
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- 9. 2'-0" x 4'-0" WOOD WINDOW WITH 1/2" GLASS
- 10. 2'-0" x 4'-0" WOOD WINDOW WITH 1/2" GLASS
- 11. 2'-0" x 4'-0" WOOD WINDOW WITH 1/2" GLASS
- 12. 2'-0" x 4'-0" WOOD WINDOW WITH 1/2" GLASS



SD-0062-00
05-19-04 CC

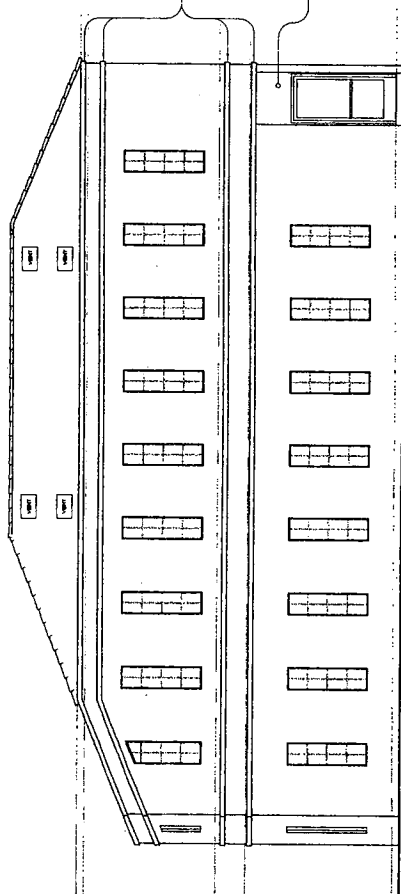


SECOND FLOOR PLAN



SOUTH ELEVATION

1/4" = 1'-0"

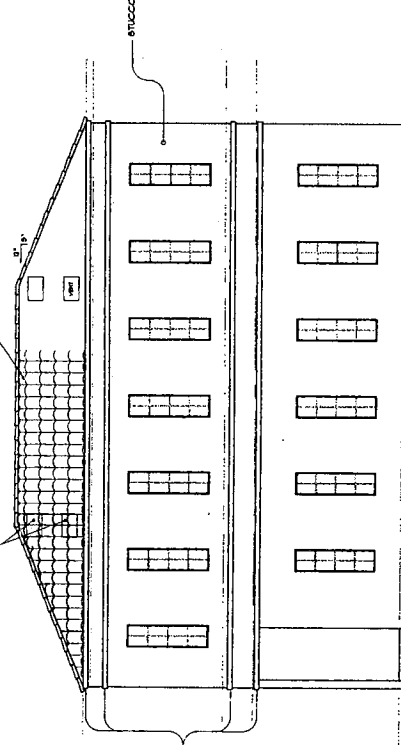


NORTH ELEVATION

1/4" = 1'-0"

EAST ELEVATION

1/4" = 1'-0"



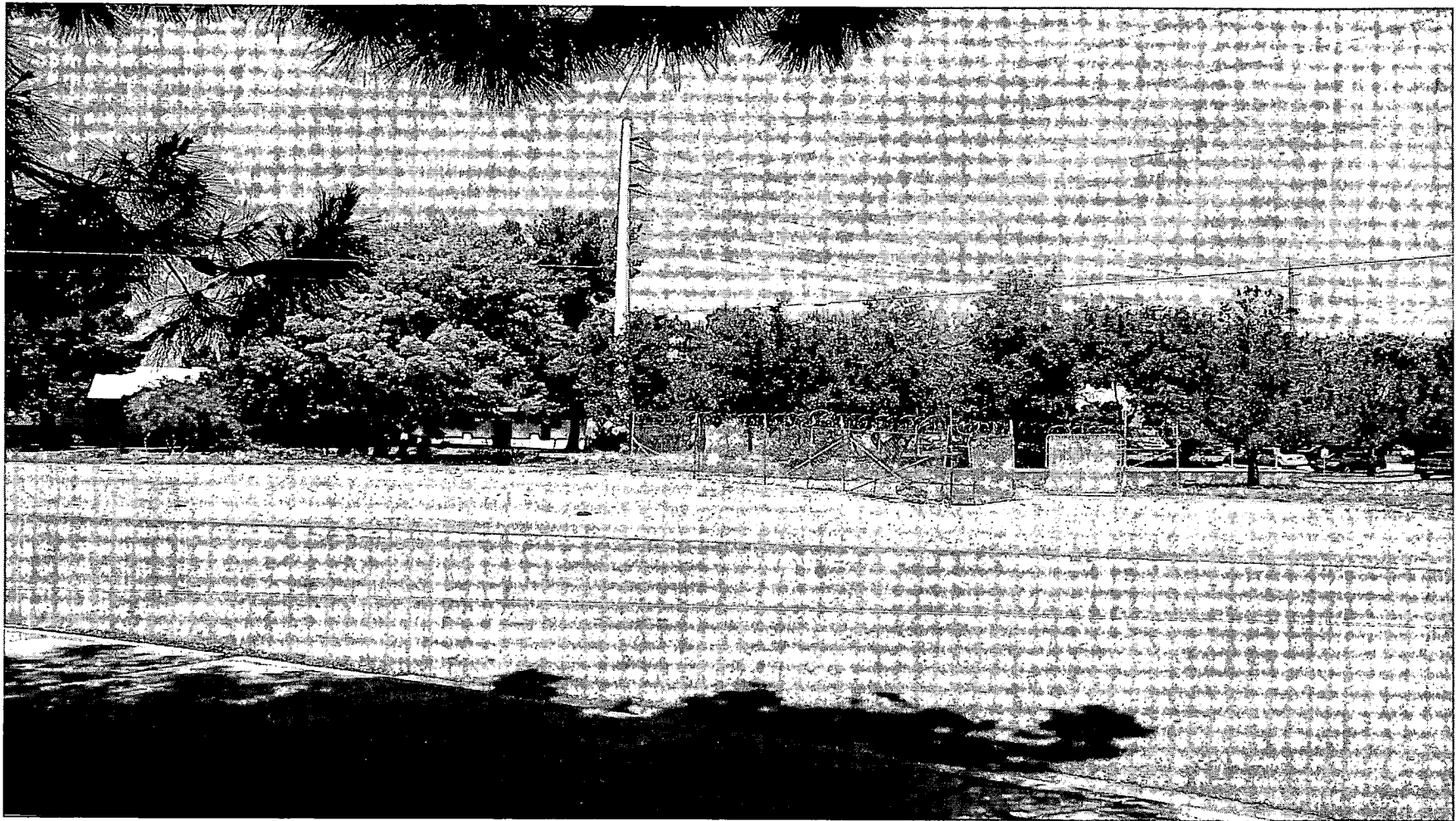
WEST ELEVATION

1/4" = 1'-0"

ATTIC VENT CALCULATION

AREA REQUIRED = 960 / 300000 = 32 SQ. IN.
USE 12\"/>

SD-0062-00
05-19-04 CC



**SD-0062-00 - APPLICANT: BAUGHMAN & TURNER, INC. – OWNER: RON AND LYNN
FOGLIA**

North side of Transverse Drive, approximately 160 feet west of Jones Boulevard

MAY 19, 2004 CITY COUNCIL MEETING

Picture taken 04/29/04



**SD-0062-00 - APPLICANT: BAUGHMAN & TURNER, INC. – OWNER: RON AND LYNN
FOGLIA**

**North side of Transverse Drive, approximately 160 feet west of Jones Boulevard
MAY 19, 2004 CITY COUNCIL MEETING**

Picture taken 04/29/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

DIRECTOR'S BUSINESS - DIR-4432 - OWNER: EL CAPITAN ASSOCIATES, LIMITED LIABILITY COMPANY, APPLICANT: BRENNER AND ASSOCIATES, INC.
- Request for a Development Agreement for a condominium conversion for a 284-unit development including 10 retail units on 15.2 acres adjacent to the southwest corner of Durango Drive and Dorrell Lane (APN: 125-20-201-024), Ward 6 (Mack). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to:

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report
4. El Capitan Development Agreement

MOTION:

MACK – APPROVED – UNANIMOUS with Ward 2 seat vacant

MINUTES:

GARY LICKER, Consulting Planner, and ERIN GOLLBRUTH of El Capitan Associates, appeared on behalf of the applicant. MR. LICKER concurred with staff recommendation and asked for Council's assistance with a problem relating to fire sprinklers. He explained that the tentative map was filed on February 24th and was scheduled to go before the Planning Commission on April 8th. Because of problems with the development agreement, it was not heard at that time and is now scheduled for the June 10th Planning Commission meeting. Since application, a Building Department regulation has changed, and the applicant may now be required to install fire sprinklers in 88 units that are already constructed. The remaining units will have sprinklers. The applicant is requesting the wording of the requirements read as if the item had been heard at the April 8th Planning Commission.

ROBERT GENZER, Director, Planning and Development Department, commented that the basis of concern is the change in the Fire Department regulation. He opined that should the Fire Department consider the date of application as the date by which the Building Department regulations be adhered to, the concern would be eliminated. He acknowledged, without blame to

CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 105 – DIR-4432

MINUTES – Continued:

anyone, that there have been many delays involved with the processing of the development agreement. MR. GENZER stated that if the Fire Department waived the requirement on this project, the Planning Department would not object.

COUNCILMAN MACK emphasized that the Council is committed to affordable housing and he feels more condominium projects such as this one will be brought before Council in the future. He commended the developers on the effort put into this project. He questioned if there were conditions on this project that limited out of state investors purchasing multiple units to use as rentals which adds to the strain on single-family homebuyers. MR. LICKER responded that the applicant is concerned about the market and is currently developing marketing requirements. He discussed other factors that are contributing to the rise in the market. He stated that he could also make the argument that should the Council require the developer to make the fire conversions, the costs on this project would rise for the homebuyer. COUNCILMAN MACK replied that although he understood MR. LICKER'S comments, he was leaving the decision regarding the fire sprinklers up to the Fire Department and staff because it is a public safety issue. COUNCILMAN MACK commended the project saying it fit well with the original vision of Town Center.

COUNCILMAN REESE commented that he is opposed to having existing units sold to individuals due to problems experienced in his ward at Washington and Lamb. He explained the difficulty in trying to resolve issues with multiple owners. MR. LICKER replied that, regarding this project, Reality Management Inc., which manages over nine thousand units and is very experienced and qualified, would manage the LLC and would be organizing the condo association as well.

No one appeared in opposition.

(1:20 – 1:28)

3-603

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: DIR-4432 - EL CAPITAN ASSOCIATES, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

Staff recommends APPROVAL.

**** STAFF REPORT ****

APPLICATION REQUEST

Discussion and possible action to approve a Development Agreement between the City of Las Vegas and El Capitan Associates, Limited Liability Company, for a condominium conversion of a 284-unit project, including 10 retail units, adjacent to the southwest corner of Durango Drive and Dorrell Lane.

This Development Agreement will provide for the planning and development of the site, and the regulation and maintenance of development and infrastructure (including parks and trails, water, sanitation, flood control, transportation and off-site improvements) within the site, and will outline the roles and responsibilities of the City and the master developer in the development of this site.

BACKGROUND INFORMATION

Previous Actions

- 04/03/02 The City Council approved a request for a Rezoning (Z-0099-01) from U (Undeveloped) [TC (Town Center) General Plan Designation] to TC (Town Center) Zone on 15.16 acres located adjacent to the west side of El Capitan Way approximately 660 feet south of Elkhorn Road. Staff had recommended approval. The Planning Commission and staff recommended approval on 02/28/02.
- 05/01/02 The City Council approved a request for a Site Development Plan Review (Z-0099-01(1)) for a proposed 274-unit multi-family residential development and 16,000 square feet of commercial floor space on 15.16 acres located adjacent to the west side of El Capitan Way approximately 660 feet south of Elkhorn Road. The Planning Commission and staff recommended approval on 03/28/02.
- 05/01/02 The City Council approved a related Development Agreement (DA-0001-02) for this development. The Planning Commission and staff recommended approval on 03/28/02.
- 04/08/04 The Planning Commission tabled a request for a Tentative Map (TMP-3991) to allow for the preparation of a Development Agreement and the approval of that Agreement through an ordinance, pursuant to the Town Center Development Standards Manual. Staff recommended approval of the Tentative Map.

ANALYSIS

The related Tentative Map (TMP-3991) will allow the multi-unit mixed-use project, which is under construction on the site and consists of 274 multi-family residential units and 10 retail units, to be converted to a condominium project. The Development Agreement is required pursuant to Section A.3.C of the Town Center Development Standards Manual, which requires that development within the UC-TC (Urban Center Mixed Use - Town Center) special land use designation be authorized by development agreement, pursuant to Title 19.18.090.

The Development Agreement will address the apportioning of responsibilities between the city and the master developer for the planning and development of the site, and the regulation and maintenance of development and infrastructure (including parks and trails, water, sanitation, flood control, transportation and off-site improvements) within the site, and will outline the roles and responsibilities of the City and the master developer in the development of this site.

The Agreement as presented at this time addresses the issues of concern to staff identified during the review process.

RECOMMENDATION

Approval of this Development Agreement is recommended.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

EL CAPITAN DEVELOPMENT AGREEMENT

SECTION 1 RECITALS AND PURPOSE

THIS EL CAPITAN DEVELOPMENT AGREEMENT (the "Agreement") is made and entered into this _____ day of _____, 2004, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada, and EL CAPITAN ASSOCIATES, LLC, a Nevada limited liability company, the owner of the real property described on Exhibit "A" attached hereto and incorporated herein by reference (hereinafter the "Owner").

1.01 Owner is the owner of that certain real property described on Exhibit "A" attached hereto (hereinafter the "Property"), containing approximately 15 acres of land, which is the subject of this Agreement. ~~Owner represents that it is under contract to purchase the Property with fee title ownership.~~ *DS*

1.02 The City has authority, pursuant to NRS Section 278.0201 et seq. and the Development Agreement Chapter of the Municipal Code of the City, to enter into development agreements with persons having a legal or equitable interest in real property to establish plans for the development of such property.

1.03 The City Council, having given notice as required by law, held a public hearing on Owner's Zoning Applications seeking approval of a master plan amendment, zone change, and site development plan approval; whereby the City approved such applications. The Owner also is seeking this Agreement and the execution hereof by the City and the Owner in conformance with the Applicable Rules.

1.04 The Development Agreement Chapter grants to the City the power to enter into and perform development agreements and on _____ the City Council adopted Ordinance No _____ approving this Agreement and authorizing the execution hereof by duly constituted officers of the City. Said ordinance took effect on _____. The City agrees to record a certified copy of the ordinances required by NRS 278.0207.

1.05 The City desires to enter into this Agreement in conformity with the requirements of NRS and as otherwise permitted by law and this Agreement to provide for public services, public uses and urban infrastructure, to promote the health, safety and general welfare of the city and its inhabitants.

1.06 In exchange for these and other benefits to the City, and in accordance with the legislative intent evidenced by the state statute authorizing development agreements and

the intent of the City in adopting an ordinance allowing development agreements, Owner will receive reasonable assures that Owner may develop the Property in accordance with Applicable Rules during the Term and subject to the conditions established in this Agreement.

NOW, THEREFORE, the parties hereto, for the promises and consideration contained herein, the receipt and sufficiency of which is hereby acknowledged, mutually agree to the following:

SECTION 2 DEFINITIONS

2.01 Definitions. For all purposes of this Agreement, except as otherwise expressly provided or unless the context otherwise requires, the following terms shall have the following meanings:

- 2.01 (a) "Agreement" has the meaning assigned to it in the first paragraph hereof. "Agreement" at any given time includes all addenda and exhibits incorporated by reference and all amendments, which have become effective as of such time.
- 2.01 (b) "Applicable Rules" means and refers to the rules, regulations, ordinances, laws, general or specific plans, and official policies promulgated by the City which govern the development of the Town Center area.
- 2.01 (c) "Code" means city of Las Vegas Municipal Code, including all rules, regulations, standards, criteria, manuals and other references adopted therein.
- 2.01 (d) "City" means city of Las Vegas, together with its successors and assigns.
- 2.01 (e) "City General Plan" means the Centennial Hills Sector Plan adopted by the City Council on May 25, 1999, the Las Vegas 2020 Master Plan adopted by the City Council on September 6, 2000, and all amendments thereto.
- 2.01 (f) "Development Agreement Chapter" means Chapter 19.18.090 of the Code.
- 2.01 (g) "Effective Date" means the date, on or after the adoption by the City of an ordinance approving execution of this Agreement and execution by both parties, and following satisfaction of the other conditions set forth herein, this Agreement is recorded in the Office of the County Clerk of Clark County.

- 2.01 (h) "Term" means the term of this Agreement together with any extension agreed upon pursuant to the terms hereof.
- 2.01 (i) "Zoning Applications" means GPA-0056-01 and Z-0099-01, approved by the City Council on April 3, 2002; and Z-0099-01(1), approved by the City Council on May 1, 2002.

SECTION 3

PLANNING AND DEVELOPMENT OF THE PLANNED COMMUNITY

3.01 Permitted Uses and Development Standards. Pursuant to NRS 278.0201, this Agreement must set forth the maximum height and size of structures to be constructed on the Property, the density of uses and the permitted uses of the land.

The City agrees the Property may be developed to the density and with the land uses set forth in the Town Center Development Standards Manual, and as approved by the Site Development Plan Review [Z-0099-01 (1)] showing 274 units (18 units per acre); 12,390 square feet of commercial; maximum building height of three (3) stories; 5.36 acres of open space; and 533 parking spaces. Also indicated were the following deviations from Town Center Development Standards: Parking adjacent to Durango Drive for the commercial uses; Landscape fingers only in the commercial portion of the property; and Hitt Family Court developed as a Town Center tertiary omitting the sidewalk on the north side of the street in favor of full landscaping.

3.02 Time for Development of Property. Subject to the terms of this Agreement and the Applicable Rules and Zoning Applications, Owner shall commence construction within two (2) years. Completion of the commercial development of the Property shall occur prior to completion of 51% of residential development.

3.03 Duration of Agreement. This agreement shall run for a term of ten (10) years from the effective date.

3.04 Reliance on Zoning Applications. The City agrees that Owner will be permitted to carry out and complete the development and construction of the Property in accordance with adopted regulations at the time of building permit application.

SECTION 4

MASTER PLANNING, ZONING AND PERMITTED LAND USES

4.01 City General Plan. The City agrees to retain the existing City General Plan with respect to the entire Property to conform to the Zoning Applications.

4.02 Zoning. The City agrees to maintain existing Zoning of the Property as per Council approval by application of the Owner.

SECTION 5 WATER CONSERVATION AND RESERVATION

5.01 Water Conservation. Owner agrees to use its best efforts to encourage water conservation at the Property.

5.02 Water Reservation. The parties acknowledge that the City currently has no role in the allocation of water to customers in the Las Vegas Valley Water District.

SECTION 6 PARKS

6.01 Park Fees and Residential Construction Tax. Chapter 8.24 of the Code imposes a "residential construction tax" upon the privilege of constructing apartment houses and residential dwelling units. Owner shall comply with the residential construction tax.

SECTION 7 TRANSPORTATION

7.01 Off-site Improvements. Owner shall develop and construct those off-site street improvements in accordance to the Zoning Applications, and shall dedicate to the City such right-of-way identified by the City in the Zoning Applications. Owner agrees to participate in the Durango Drive Special Improvement District, if such district is created, which may consist of curb, gutter, sidewalk, a sanitary sewer line, streetlights, water and storm drain, dry utility crossing sleeves, irrigation sleeves, pavement, striping, traffic signals, including conduits and foundations, signage, landscape, medians and any other roadway or utility appurtenances deemed necessary.

7.02 Dedication. Owner shall dedicate 60 feet of right-of-way adjacent to this site for Durango Drive. Dedicate 40 feet of right-of-way adjacent to this site for Dorrell Lane, 30 feet for Hitt Family Court, a 54-foot radius on the southwest corner of Durango Drive and Dorrell Lane and a 25-foot radius on the northwest corner of Durango Drive and Hitt Family Court. Also, dedicate appropriate cul-de-sac radii for the terminations of Hitt Family Court and the approved stub streets at the southwest corner of this development prior to the issuance of any permits.

7.02.1 Traffic Impact Analysis. Owner shall dedicate appropriate right-of-way and construct those necessary traffic control measures in accordance with the approved Traffic Impact Analysis as required by the related Zoning Applications.

7.03 Maintenance. Owner agrees to maintain all private improvements, such as landscaping, within the public right-of-way.

SECTION 8
FLOOD CONTROL

- 8.01 Flood Control. Owner shall construct those necessary flood control measures in accordance to the Drainage Plan and Technical Drainage Study as required by the related Zoning Applications.

SECTION 9
SEWERS

- 9.01 Sewers. Owner shall construct those necessary public sewer lines in accordance with the related Zoning Applications.

IN WITNESS HEREOF, the parties execute this Agreement as of the date first written above.

CITY OF LAS VEGAS

ATTEST:

Barbara Jo Ronemus, City Clerk

BY: _____
OSCAR B. GOODMAN, Mayor

Approved as to form:

Thomas R. Green 5/11/04
Deputy City Attorney Date

_____, 2004.

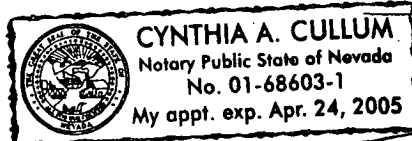
Subscribed and sworn to before me by
Oscar B. Goodman, Mayor of the City of
Las Vegas, Nevada this ____ day of
_____, 2004.

Notary Public

EL CAPITAN ASSOCIATES, LLC

BY: _____
NAME: _____
TITLE: _____

Subscribed and sworn to before me this this
10th day of MAY, 2004 by _____
Dan P. Skaw



Cynthia A. Cullum
notary public

EXHIBIT "A"

PARCEL I:

The East Half (E 1/2) of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 20, Township 19 South, Range 60 East, M.D.B. & M.

PARCEL II:

The West Half (W 1/2) of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 20, Township 19 South, Range 60 East, M.D.B. & M.

PARCEL III:

The East Half (E 1/2) of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 20, Township 19 South, Range 60 East, M.D.B. & M.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

DIRECTOR'S BUSINESS - PUBLIC HEARING - DIR-3934 - APPLICANT/OWNER: HOWARD HUGHES CORPORATION - Discussion and possible action on A REVISED DEVELOPMENT STANDARDS MANUAL FOR SUMMERLIN, Wards 2 and 4 (vacant and Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map – Not Applicable
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED subject to conditions as read for the record and amended as follows:
– The casinos and appurtenant structures may, and we're changing that to shall, not exceed 75 feet in height nor may they exceed 5 stories. – UNANIMOUS with WEEKLY not voting and Ward 2 seat vacant

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

JERRY ROBBINS, Howard Hughes Corporation, concurred with staff conditions and thanked staff for assistance with the manual. The Mayor acknowledged the efforts of everyone involved and commended them for their efforts that will benefit the community.

CHUCK ARKELL, 158 Euchilla Drive, Vice President of Summerlin Residents For Responsible Growth explained that the changes submitted by the applicant to subsection 8C of Section 2 represent the results of a compromise negotiated with the Howard Hughes Corporation to address the precedent issue raised during the Red Rock Station conflict this past January. At that time concerns were raised over the height of the planned Red Rock Casino. The proposal was for 1500 rooms and 300 feet high. This size casino represented a radical departure from the Summerlin Homebuyers disclosure that listed proposed site at 100 feet and 1000 rooms. After successfully negotiating with Station Casinos on a reduction of the casino height, Howard

CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 106 – DIR-3934

MINUTES – Continued:

Hughes Corporation agreed to limit the height of all remaining casino sites left in the Summerlin area, of which two remain in the City. The intent of the language is to limit the height of these casino sites to 75 feet. MR. ARKELL added that his group has no objections amending the words “may not” assuming that it meets legal requirements for the express purpose of height limitation. DEPUTY ATTORNEY BRYAN SCOTT advised that for a complete prohibition, the language should read, “shall not”. MAYOR GOODMAN explained the term “shall not” is mandatory and “may not” is discretionary. With that information, MR. ARKELL requested that the language be amended to read, “shall not”. MR. ROBBINS agreed. MR. ARKELL also asked that the changes in the Summerlin Master Plan be disclosed in the Summerlin Home Buyers notice within 30 days of City approval. DEPUTY ATTORNEY SCOTT and MAYOR GOODMAN informed him that the City had no jurisdiction over that publication.

COUNCILMAN BROWN directed staff to amend the condition reflecting the language of “may not” be changed to “shall not”. FLYNN FAGG, Urban Design Coordinator, Planning and Development Department, informed COUNCILMAN BROWN that it has been noted to amend the manual language and that the applicant agreed. COUNCILMAN BROWN asked for clarification regarding the language regarding the height of the building as 75 feet. MR. FAGG read the language aloud indicating a limitation of 75 feet and/or not exceeding 5 stories. COUNCILMAN BROWN congratulated MR. ARKELL, the Howard Hughes Corporation and staff on a job well done saying this project is an important development in the foothills.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.
(1:32 – 1:37)

3-1033

CONDITIONS:

Planning and Development

1. The attached Summerlin Development Standards Manual, dated February 10, 2004, shall replace all previously adopted versions.
2. Table 2.1 shall be amended to require Special Use Permit approval for Casinos in the Employment Center, Town Center, and Village Center districts.

Public Works

3. Revise the “Revised Development Standards Manual for Summerlin” to provide a minimum distance of 18 feet of driveway length between the back of sidewalk (or curb, if no sidewalk is proposed) and the face of the garage, to allow vehicles to park completely outside the vehicular or pedestrian travel corridor or provide a maximum distance of 5

CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 106 – DIR-3934

CONDITIONS – Continued:

feet in length to prevent a vehicle from parking in the driveway. A setback less than 18 feet may be provided to the garage for side-loaded garages if 18 feet of full width driveway is provided beyond the back of sidewalk (or curb, if no sidewalk is proposed).

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: DIR-3934 - APPLICANT/OWNER: HOWARD HUGHES CORPORATION

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. The attached Summerlin Development Standards Manual, dated February 10, 2004, shall replace all previously adopted versions.
2. Table 2.1 shall be amended to require Special Use Permit approval for Casinos in the Employment Center, Town Center, and Village Center districts.

Public Works

3. Revise the "Revised Development Standards Manual for Summerlin" to provide a minimum distance of 18 feet of driveway length between the back of sidewalk (or curb, if no sidewalk is proposed) and the face of the garage, to allow vehicles to park completely outside the vehicular or pedestrian travel corridor or provide a maximum distance of 5 feet in length to prevent a vehicle from parking in the driveway. A setback less than 18 feet may be provided to the garage for side-loaded garages if 18 feet of full width driveway is provided beyond the back of sidewalk (or curb, if no sidewalk is proposed).

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request to approve a revised Development Standards Manual for Summerlin.

B) Applicant's Justification

The applicant has stated that the revised development standards will assist City staff in reviewing submittals within the Summerlin Planned Community in accordance with their current standards.

BACKGROUND INFORMATION

A) Previous Actions

- 06/03/87 The zoning of a portion of the Summerlin property, totaling 4,651 acres, is reclassified from N-U to PC (Planned Community).
- 01/18/89 City Council approved the Summerlin Development Standards.
- 02/07/90 An additional 616 acres was rezoned as PC (Planned Community).
- 11/18/92 The revised Summerlin Development Standards are adopted by City Council.
- 06/02/93 Development Agreement DA-0001-93 is approved by City Council, which establishes the land use and development standards for Village 8.
- 02/16/94 Development Agreement DA-0002-93 is adopted by City Council, which establishes the land use and development standards for Villages 10, 11, 12 and 26.
- 01/27/97 City Council approved Development Agreement DA-0001-96, establishing the use and standards for 8,318.66 acres on the west side of the 215 beltway.
- 02/07/01 City Council approved a request for a review of a Development Agreement pertaining to a parcel of land located on the southeast corner of Village Center Circle and Trails Center Drive.
- 04/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item # 69/ff)

B) Pre-Application Meeting

01/27/04 At the pre-application conference, staff discussed changes to create greater continuity between Title 19 and the Summerlin Development Standards, including definitions, permitted uses, and development standards. In addition, concerns were raised relative to the review and approval process proposed for casinos within Summerlin. Fire Prevention Services objected to the reduced setbacks and street widths allowed under the new Special Lot Development Standards, unless residential sprinkler systems were to be required in all of the units developed under those standards.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application.

DETAILS OF PROPOSED CHANGES

The most recent version of the Summerlin Development Standards Manual was adopted by the City in 1992. The Howard Hughes Corporation has made numerous internal changes to their development standards over the years, but those changes have not been formally adopted by the City. The following text summarizes the changes that are proposed to the 1992 Summerlin Development Standards Manual:

Section 1: Introduction

Land Use Hierarchy

- The Community Center designation has been removed.

Section 2: Development Standards

Permitted Uses—Commercial

- Alcoholic Beverage Sales eliminated
- Aggregate Processing allowed in all districts subject to specific standards listed on pages 2-10 through 2-12.
- Auto Body Repair Shops now allowed by Special Use Permit in Town Center.
- Auto Service Stations not permitted in Neighborhood Focus districts.
- Bail Bondsman use no longer listed as a permitted use.
- Bed & Breakfast Inn added to the list of permitted uses.
- Boat Dealerships and Boat Storage separated; Boat Dealerships now require Special Use Permit approval.
- The Building Materials use will now require a Special Use Permit in Village Center districts.
- Car Washes no longer permitted in Neighborhood Focus districts.
- Casinos no longer require Special Use Permit approval except under certain conditions and height limits. (Staff recommends an amendment shown in Condition #2.)

- Cemeteries are now permitted in Employment Center District.
- Concrete/Asphaltic Batch Plants permitted in all districts subject to specific standards.
- Convenience Store (No Fuel Pumps) now permitted in Neighborhood Focus district.
- Day Care/Nursery School category created.
- Equipment rental removed from the list of permitted uses.
- Garage sales now permitted in Community Open Space district.
- Night Clubs now require Special Use Permit approval.
- Product Distribution/Storage category has been removed from the list of permitted uses.
- Recreational Vehicle Dealerships have now require Special Use Permit approval.
- Recreational Vehicle Storage has been created as a new use category.
- Second Hand Stores has been removed from the list of permitted uses.
- Special Care Facility has been added as a new use category.
- Thrift Stores will now require a Special Use Permit.
- Tire Stores have been added as a permitted use.
- Transient Open Lot Sales has been removed from the list of permitted uses.
- Video Rental (non-adult) has been added to the list of permitted uses.
- Wedding Chapels will now require Special Use Permit approval.

Permitted Uses—Housing Facilities

- Assisted Living Apartment added as a new use category.
- Catered Living Quarters and Extended Care Facilities have been removed from the list of permitted uses.
- Single Family Special Lot Development has been added to the list of permitted development types.

Permitted Uses—Public & Quasi-Public Uses

- Parking Lots/Structures will now require Special Use Permit approval in Neighborhood Focus districts.
- Wireless Communication Towers will be permitted in Neighborhood Focus districts upon Special Use Permit approval.

Permitted Uses—Community Support Uses

- Stadiums/Arenas will now require Special Use Permit approval.

Uses Not Permitted

- Auto Title Loans and Check Cashing are special listed as non-permitted.

Specific Land Use Standards. Specific standards have been added or significantly modified for the following uses:

- Aggregate Processing/Asphaltic/Concrete Batch Plants
- Boat and Recreational Vehicle Storage
- Casinos
- Crematories
- Clubs and Private Clubs
- Convenience Stores (with fuel pumps)

- Guest Houses/Casitas
- Home Occupation
- Any development not meeting the minimum standards must receive Special Use Permit approval through the standard process.

Property Development Standards

- The provisions for encroachments into required setbacks has been more specifically defined, including requirements for patio covers.
- Additional standards have been provided for detached accessory structures.
- New standards have been added for courtyard walls.
- Residential adjacency standards have been added.

Residential District Development Standards

- A new residential designation, Single Family Special Lot Development (SFSD) has been added to the permitted residential development types, and would allow up to 18 units per gross acre. Exhibits 2.2 through 2.9 provide typical graphic examples of the new development types.
- The density for Single Family Attached (SFA) has been increased from 14 units per gross acres to 18 units per gross acre.
- The side yard setback for Single Family Detached (SF2) has been decreased from six feet to five feet, and the height has been increased from 36 feet to 38 feet.
- The height of structures in the Single Family Detached (SF3) district has been increased from 36 feet to 45 feet.
- The height of structures in the Single Family Zero Lot Line (SFZL) district has been increased from 36 feet to 45 feet, and the front yard setback has been reduced from 18 feet to 10 feet.
- The height limit for the Low Density Multi-Family district has been increased from 36 feet to 45 feet; more stringent setback requirements have been established in conformance with the requirements for the MF2 and MF3 districts.
- Separate development standards for Retirement Residential uses are no longer provided.

Section 3: Parking Standards

Table 3.3 – Parking Standards

- The table of parking requirements has been expanded to match the list of permitted uses.

Parking Requirements

- The revised standards include parking alternatives and processes for parking-impaired developments such as are included in Title 19.

Section 4: Signage Standards

Permit Application

- Detailed submittal requirements have been added, noting that Summerlin approval is required prior to obtaining a permit from the City, and that a master signage plan is required for each development.

Signs Not Requiring a Building Permit and Sign Certificate

- Regulations have been added based on the requirements of Title 19 to allow certain signs without permits.

Prohibited Signs

- A list of prohibited signs has been added, and references signs not permitted by Title 19.

General Provisions

- The list of general signage provisions has been expanded to reference the City's Street Naming and Address Assignment Regulations, provide sight visibility line standards, and general aesthetic guidelines.

Section 5: Review Process

Administration

- Allows the Director to appoint a designee to perform the duties and functions provided in the development standards.

Table 5.1 – Land Use Category Comparison

- Adopts a Land Use Category Comparison which provides equivalent categories for standard City of Las Vegas zoning classifications.

Section 6: Glossary

Glossary

- Additional definitions have been provided in order to assist in interpretations and application of zoning requirements.

ANALYSIS

The proposed revisions to the Development Standards Manual will assist staff in issuing permits for development in conformance with adopted standards.

Permitted Uses: The revisions to the list of permitted uses are generally consistent with comparable City zoning districts and existing land uses within the Summerlin planned community. The only objection to the proposed revisions is that Casinos will not require Special Use Permit approval unless there is a recorded subdivision within 1,500 feet of the site at the time of development, the Casino exceeds 75 feet in height, or the associated hotel exceeds 750 guest rooms. Therefore, staff would recommend that a Special Use Permit be required in all cases.

Residential District Development Standards: The revised standards would allow a two-foot increase in height in the SF2 district, and a nine-foot height increase in the SF3 district, the SFZL district, and the MF1 district. Minor changes have also been made to the setback requirements for most of the districts as noted above. The density for the SFA district has been increased from 14 units per gross acre to 18 units per acre; regardless of this increase in permitted density, the overall density and number of residential units is limited by the approved development agreements and infrastructure capacity.

In addition to revisions to the existing residential districts, the revised document includes a new category, the Single Family Special Lot Development (SFSD). This new development category permits a variety of small-lot housing configurations, including cluster development, "zipper" lots, and alley-loaded garage configurations. Fire Prevention Services has objected to the minimal setbacks and width of private drive aisles, but would allow the proposed development types if the residential units were to include fire sprinklers.

Public Works has stated concerns about the requirements regarding residential driveway lengths. In order to prevent vehicles parked over public sidewalks, driveway lengths should be less than five feet from the back of curb, or more than 18 feet. Minor revisions should be made to the language of the residential development standards to make this requirement clear.

Parking Requirements: The proposed parking requirements are generally consistent with the parking requirements listed in Title 19, with the exception of the requirements for general retail uses. Title 19 requires one space per 175 square feet for commercial developments under 25,000 square feet, and one space per 250 square feet for developments with greater than 25,000 square feet; the Summerlin requirement is one space per 250 square feet regardless of the total square footage of the development. As this requirement is currently in place and no parking issues have arisen, there is no need for revisions to this standard.

Signage Standards: The additional verbiage relative to signage standards will assist staff in issuing permits for signage within the Summerlin planned community. No significant changes are proposed to the existing standards.

Review Process: No significant changes are proposed to the review process for development plans and building permits within Summerlin. Language has been added to allow the Planning and Development Director to appoint a designee to review applications and permits, which is consistent with department policy.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number DIR-3934 APN: _____

Name of Property Owner: The Howard Hughes Corporation

Name of Applicant: The Howard Hughes Corporation

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: N/A

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: Gerald M. Robbins

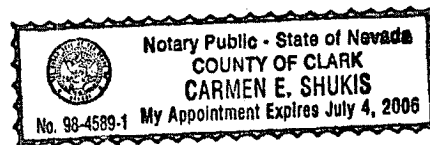
Print Name: Gerald M. Robbins

Subscribed and sworn before me

This 10th day of February, 2004

Carmen E. Shukis

Notary Public in and for said County and State



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REVIEW OF CONDITION - PUBLIC HEARING - **ROC-4194 - APPLICANT/OWNER: PLASTER DEVELOPMENT** - Request for a Review of Condition NO. 5 OF AN APPROVED SITE DEVELOPMENT PLAN REVIEW (SDR-3278), TO ALLOW A 5 TO 8 FOOT SETBACK TO GARAGE DOORS WHERE 18 FEET IS THE MINIMUM SETBACK REQUIRED FOR A 92-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 8.32 acres between Martin L. King Boulevard and Shadow Lane, approximately 1,250 feet north of Alta Drive (APN: 139-33-102-020), C-1 (Limited Commercial) Zone under Resolution of Intent to R-PD11 (Residential Planned Development - 11 Units Per Acre), Ward 5 (Weekly). Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions and deleting Condition 2– **UNANIMOUS** with Ward 2 seat vacant

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY BOB GRONAUER, 3300 Howard Hughes Parkway, representing Signature Homes, stated that there was a recent amendment to a condition regarding a five-foot or less or eighteen-foot or greater setback to the garage door. BART ANDERSON, Engineering Project Manager, Department of Public Works, agreed and stated that the condition was consistent with City requirements for driveway lengths.

COUNCILMAN WEEKLY thanked the applicant for meeting with the residents in this area. He also thanked MAYOR GOODMAN, STEPHANIE BOIXO, the Mayor's assistant, and MARGO WHEELER, Deputy Director, and ROBERT GENZER, Director of the Planning and Development Department. He explained the project would be a great residential addition for

CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 107 – ROC-4194

MINUTES – Continued:

the neighborhood. MR. GENZER stated that Condition 2 must be deleted because the Public Works condition replaces it.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(1:34 – 1:38)

3-1217

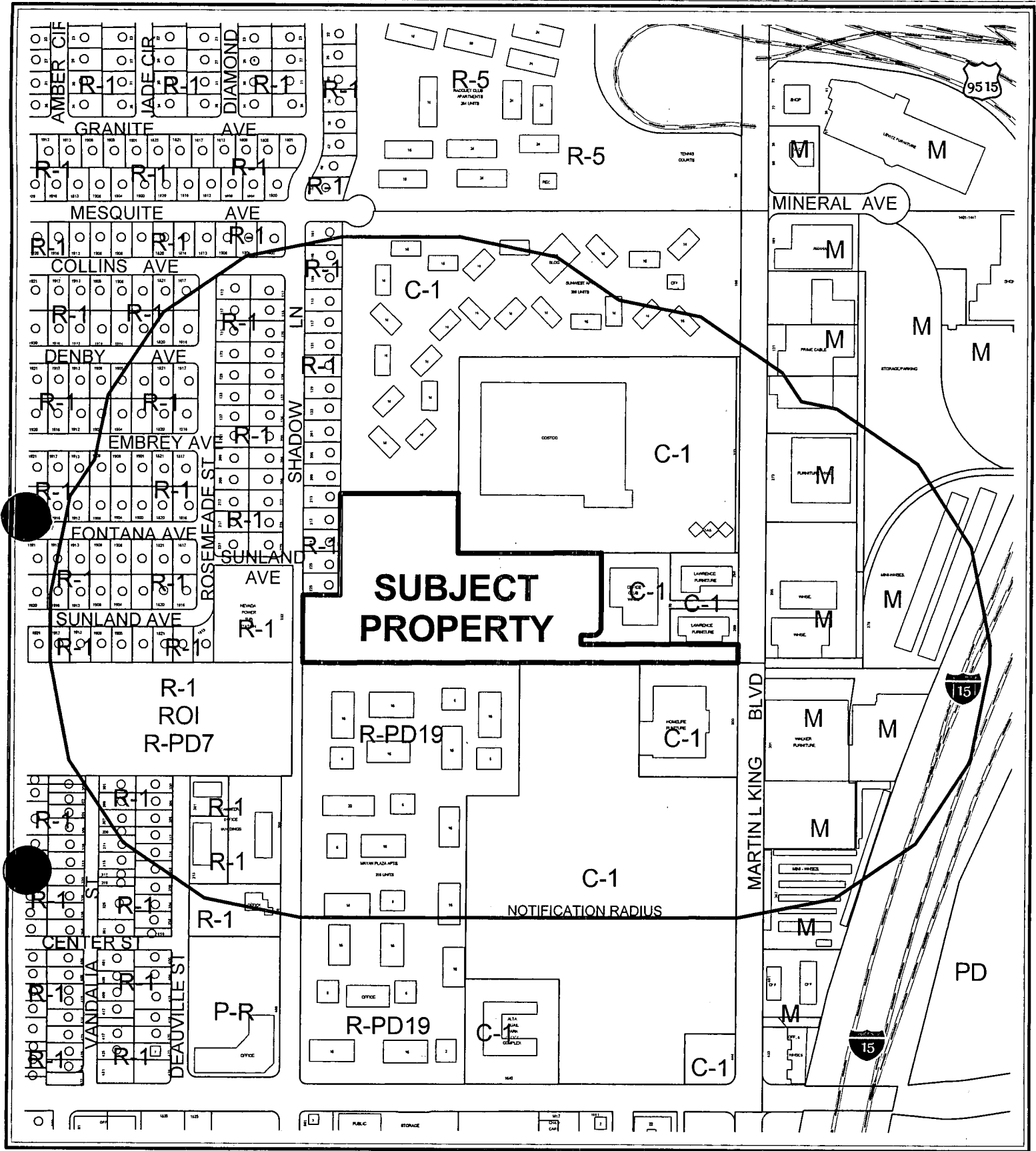
CONDITIONS:

Planning and Development

1. Conformance to all applicable Conditions of Approval for Site Development Plan Review SDR-3278.
2. The front setback shall be revised to be 8 feet or less; or 18 feet or greater to the garage door.

Public Works

3. Provide a minimum distance of 18 feet of driveway length between the back of sidewalk (or curb, if no sidewalk is proposed) and the face of the garage, to allow vehicles to park completely outside the vehicular or pedestrian travel corridor or provide a maximum distance of 5 feet in length to prevent a vehicle from parking in the driveway. A set back less than 18 feet may be provided to the garage for side loaded garages if 18 feet of full width driveway is provided beyond the back of sidewalk (or curb, if no sidewalk is proposed).

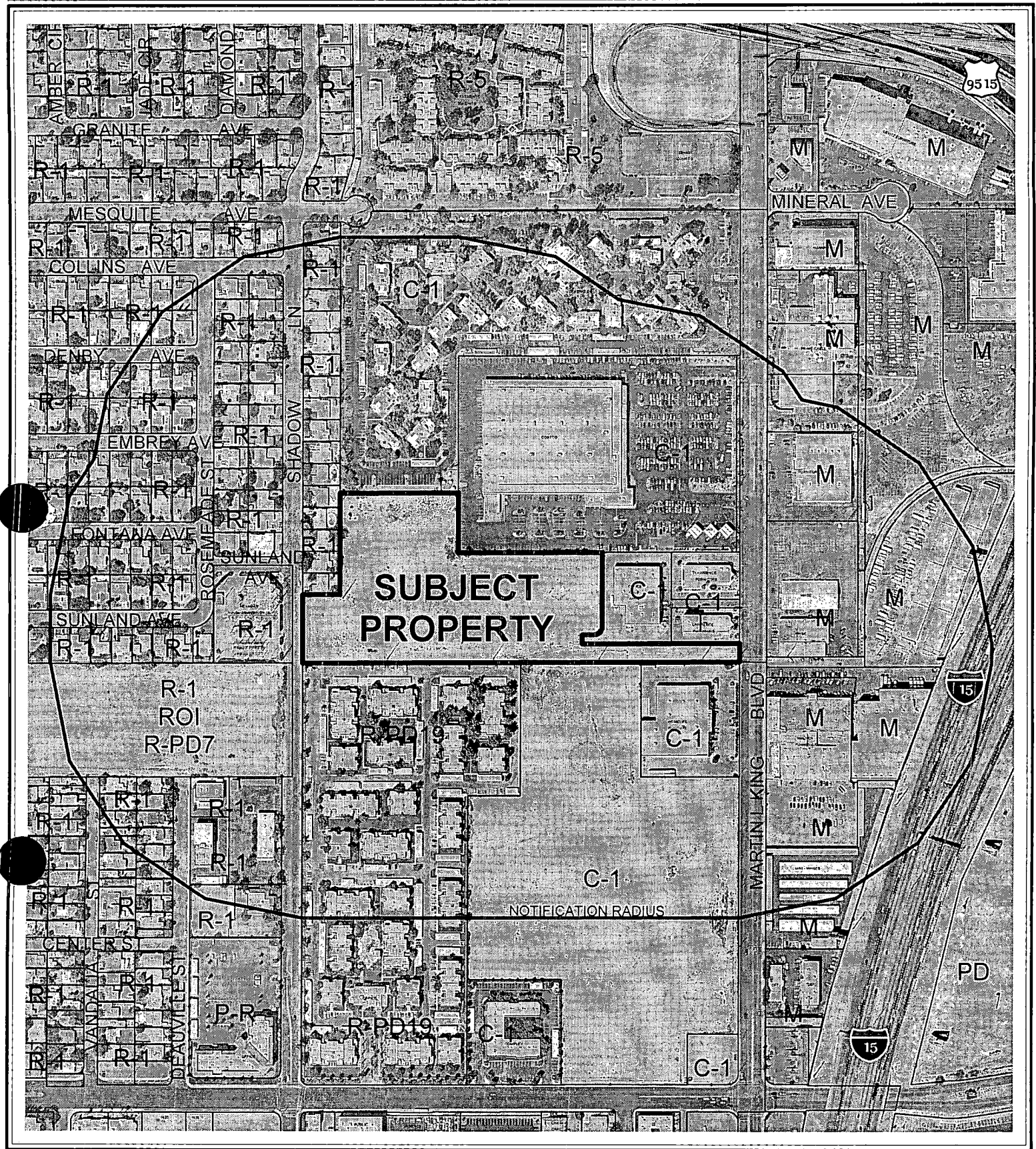


CASE: ROC-4194

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL) UNDER RESOLUTION OF INTENT TO R-PD11
(RESIDENTIAL PLANNED DEVELOPMENT - 11 UNITS PER ACRE)



CASE: ROC-4194

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL) UNDER RESOLUTION OF INTENT TO R-PD11
(RESIDENTIAL PLANNED DEVELOPMENT - 11 UNITS PER ACRE)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-4194 - APPLICANT/OWNER: PLASTER DEVELOPMENT

**** CONDITIONS ****

Staff recommends DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to all applicable Conditions of Approval for Site Development Plan Review SDR-3278.
2. The front setback shall be revised to be 8 feet or less; or 18 feet or greater to the garage door.

Public Works

3. Provide a minimum distance of 18 feet of driveway length between the back of sidewalk (or curb, if no sidewalk is proposed) and the face of the garage, to allow vehicles to park completely outside the vehicular or pedestrian travel corridor or provide a maximum distance of 5 feet in length to prevent a vehicle from parking in the driveway. A set back less than 18 feet may be provided to the garage for side loaded garages if 18 feet of full width driveway is provided beyond the back of sidewalk (or curb, if no sidewalk is proposed).

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Review of Condition No. 5 of an approved Site Development Plan Review (SDR-3278) which established a minimum 18 foot front setback to garage doors and structures for a single family residential development on property located between Martin L. King Boulevard and Shadow Lane, approximately 1,250 feet north of Alta Drive.

B) Applicant's Justification

The applicant's justification letter indicates they are requesting to revise the front setback to the front of the dwellings, including the garage doors, for this development.

BACKGROUND DATA

01/07/04 The City Council approved a Rezoning (ZON-3276) to R-PD11 (Residential Planned Development – 11 Units Per Acre) and a Site Development Plan Review (SDR-3278) for the single family development on this site. The Planning Commission recommended approval on December 4, 2003. The Planning and Development Department recommendation was for denial.

DETAILS OF APPLICATION REQUEST

The applicant is proposing to change the following approved setback for this development.

Change the front setback to garage doors or front of structures to a maximum of 5 to 8 feet where a minimum of 18 feet was established by Condition of Approval Number 5.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

Existing Zoning

Subject Property:	C-1 (Limited Commercial) under Resolution of Intent to R-PD11 (Residential Planned Development – 11 Units Per Acre)
North:	C-1 (Limited Commercial)
South:	R-PD19 (Residential Planned Development - 19 Units Per Acre) and C-1 (Limited Commercial)
East:	C-1 (Limited Commercial)
West:	R-1 (Single Family Residential) and R-PD7 (Residential Planned Development - 7 Units Per Acre)

Existing Land Use

Subject Property: Undeveloped
North: Apartments and Retail Commercial (Costco)
South: Apartments and Undeveloped and Retail Commercial (Furniture Store)
East: Retail Commercial (Furniture Store and Office Supply)
West: Nevada Power substation and Single Family Residential

ANALYSIS & FINDINGS

SITE PLAN

Condition of Approval Number 5 for the Site Development Plan Review reads: "The setbacks for this development shall be a minimum of 18 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 3 feet on the side, 3 feet on the corner side, and 10 feet in the rear". The applicant is requesting the condition be changed to allow 5 to 8 feet for the front setback to the structure.

This change not is acceptable as it will result in driveways up to 8 feet in length that will provide the appearance of a parking space, but it not be large enough to accommodate a vehicle. Residents attempting to park in front of the garage will put their vehicles in a position where they partially block the private access drive. It is common practice to require the setbacks to a garage door to be 5 feet or less, or 18 feet or greater. This either prevents someone from trying to park in this area or provides enough space for a vehicle to be properly parked. Therefore, the recommendation for the 5 to 8 foot maximum setback is denial. If this request is approved, a condition has been added requiring the front setback be five feet or less; or 18 feet or greater.

The Department of Public Works provided the following comments:

Public Works is concerned with setbacks in regard to driveway lengths; a maximum of 5 feet should be provided to deter anyone from parking a vehicle on an insufficient driveway or a minimum of 18 feet of driveway length should be provided to accommodate a vehicle. These lengths are measured between the back of sidewalk (or curb, if no sidewalk is proposed) and the face of the garage.

Public Works notes that the letter of request submitted for this action indicates that the front yard set back will be a distance of 5 to 8 feet in length but does not question or address the set back to the garage. Therefore, Public Works would not have any comments on the Review of Condition No. 5 of an approved Site Development Plan Review SDR-3278 for the front yard setback but would provide the following condition of approval for the driveway length requirements.

Provide a minimum distance of 18 feet of driveway length between the back of sidewalk (or curb, if no sidewalk is proposed) and the face of the garage, to allow vehicles to park completely outside the vehicular or pedestrian travel corridor or provide a maximum distance of 5 feet in length to prevent a vehicle from parking in the driveway. A set back less than 18 feet may be provided to the garage for side loaded garages if 18 feet of full width driveway is provided beyond the back of sidewalk (or curb, if no sidewalk is proposed).

FINDINGS

In order to approve a Site Development Plan Review application, pursuant to Las Vegas Municipal Code Section 19A.18.050, the Planning Commission or City Council to affirm all of the following:

1. **"The proposed development is compatible with adjacent development and development in the area."**

The proposed setback change will not affect this project's compatibility with the surrounding developments.

2. **"The proposed development is consistent with the General Plan, Title 19A, the Design Standards Manual, the Landscape, wall and buffer standards, and other duly-adopted City plans, policies, and standards."**

The request to change to the setback is consistent with Title 19, which allows for the establishment of setbacks for T-C (Town Center) zoned residential projects to create setbacks on a case by case basis. However, the proposed 5 to 8 foot maximum setback to the garage is not appropriate for this development.

3. **"Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic."**

The proposed setback changes will not affect site circulation and traffic in the area.

4. **"Building and landscape materials are appropriate for the area and for the City."**

The proposed setback change will change the building or landscape materials for this development.

5. **"Building elevations, design characteristics, and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area."**

The proposed setback changes will not affect this project's appearance and compatibility with the surrounding developments.

6. **"Appropriate measures taken to secure and protect the public health, safety and general welfare."**

The proposed development will be subject to inspection by the City and will not compromise the health safety and welfare of the general public.

NOTICES MAILED 131 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ROC-4194 APN: 139-33-102-020
Name of Property Owner: PLASTER DEVELOPMENT DBA
Name of Applicant: SIGNATURE HOMES

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

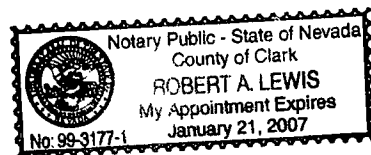
Signature of Property Owner/Authorized Agent: Gary L. Cavender

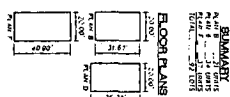
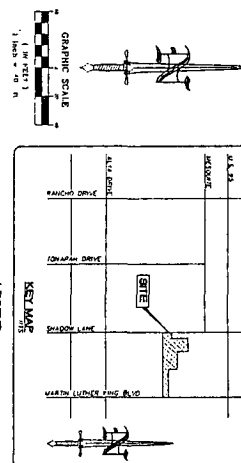
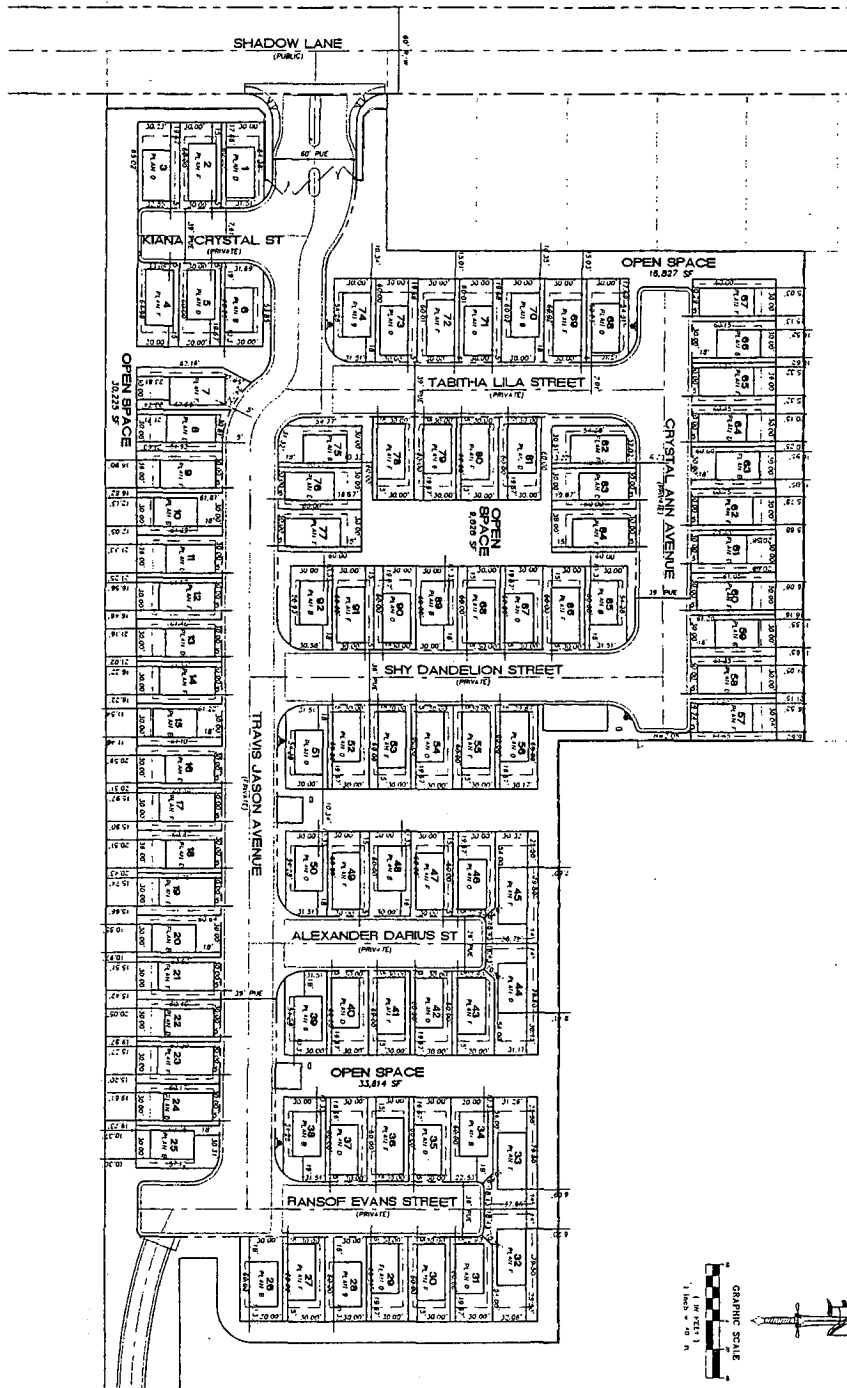
Print Name: GARY L. CAVENDER
PLASTER DEVELOPMENT DBA
SIGNATURE HOMES

Subscribed and sworn before me

This 29th day of MARCH, 2004

Robert A. Lewis
Notary Public in and for said County and State

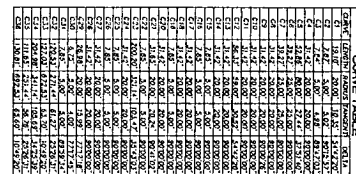




BUILDING SETBACKS
 FROM LOT LINE: 10'-0" (MIN.)
 FROM ADJ. LOT: 10'-0" (MIN.)
 FROM STREET: 10'-0" (MIN.)
 FROM SIDEWALK: 5'-0" (MIN.)
 FROM FENCE: 5'-0" (MIN.)
 FROM CURB: 5'-0" (MIN.)
 FROM DRIVE: 10'-0" (MIN.)
 FROM RAILROAD: 10'-0" (MIN.)
 FROM AIRCRAFT: 10'-0" (MIN.)
 FROM POWER LINE: 10'-0" (MIN.)
 FROM TELEPHONE: 10'-0" (MIN.)
 FROM FLOOD: 10'-0" (MIN.)
 FROM OTHER: 10'-0" (MIN.)

ROC-4194
 5-19-04 CC

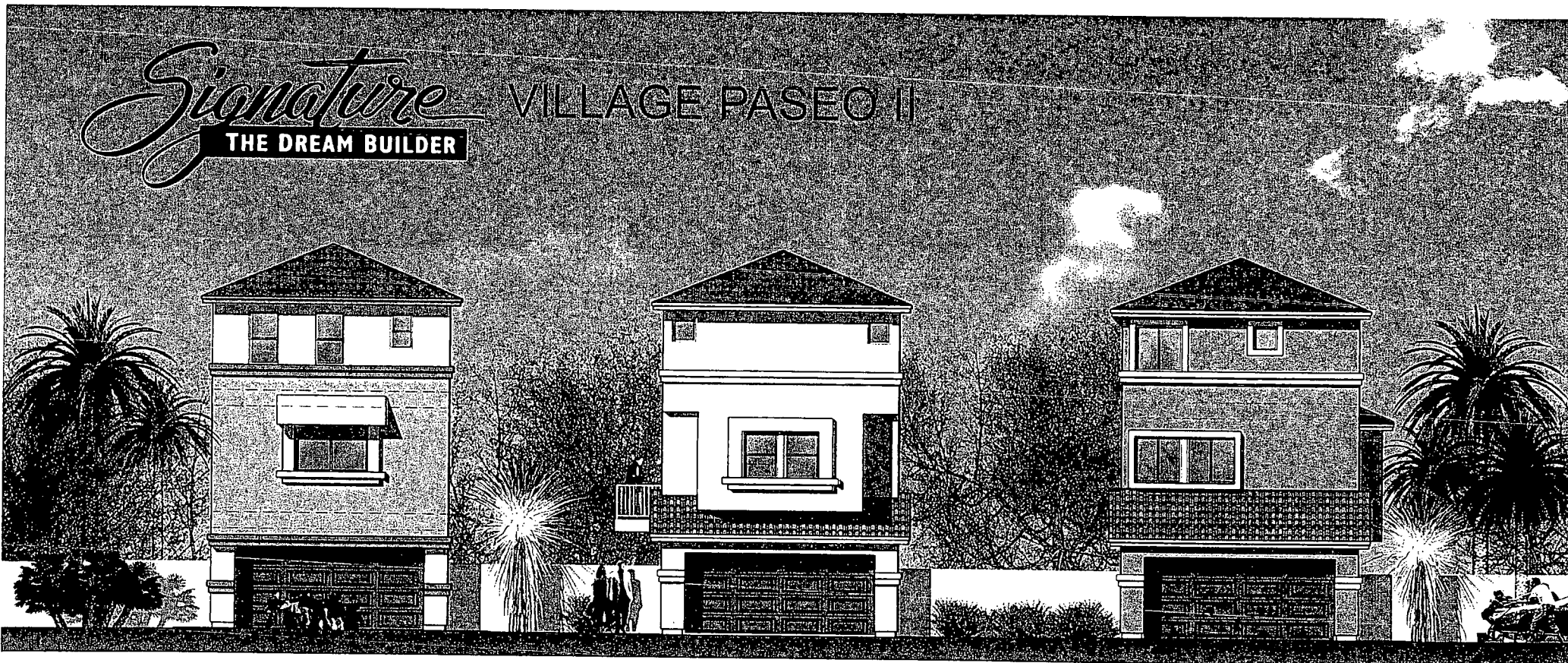
STAFF



Map showing the project location in the northwest corner of the intersection of Highway 101 and Highway 102. The map includes Highway 101, Highway 102, and Highway 103. A north arrow is present, pointing towards the top-left. The project location is marked with a small rectangle in the northwest corner, adjacent to Highway 101 and Highway 102.

Signature
THE DREAM BUILDER

VILLAGE PASEO II



PLAN B

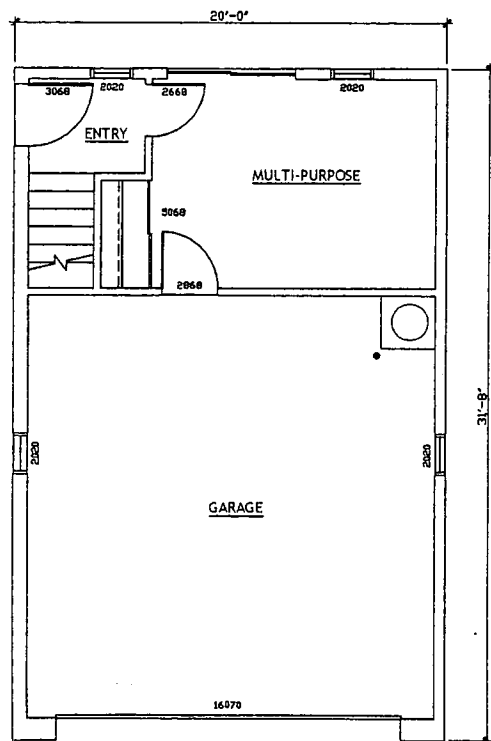
PLAN D

PLAN F

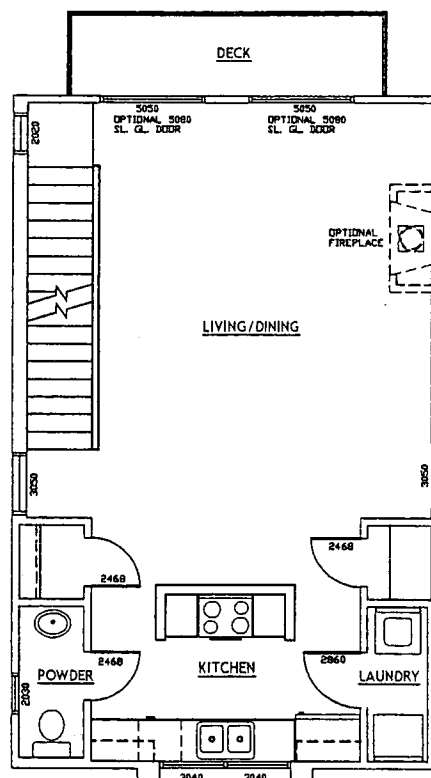
ROC-4194
5-19-04 CC

STAFF

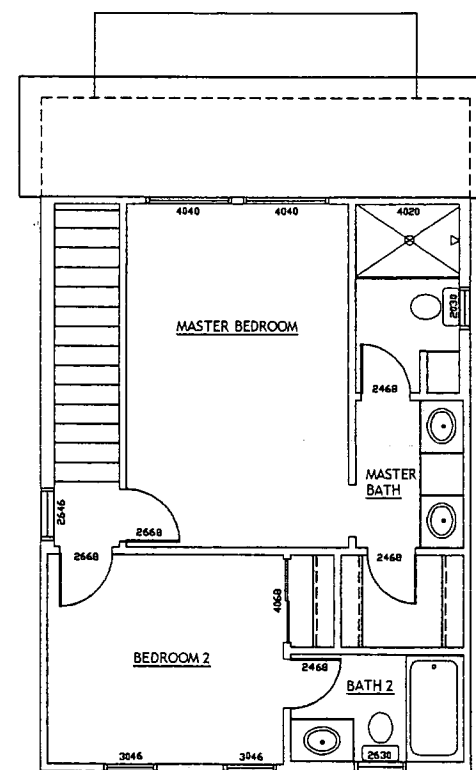




PLAN B
FIRST FLOOR



PLAN B
SECOND FLOOR



PLAN B
THIRD FLOOR

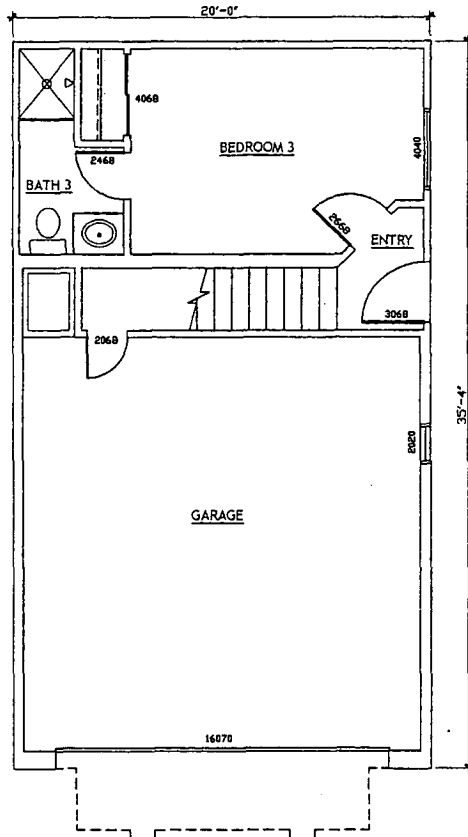
BUILDING AREAS

FIRST FLOOR	213 S.F.
SECOND FLOOR	593 S.F.
THIRD FLOOR	500 S.F.
TOTAL LIVING	1,306 S.F.
GARAGE	405 S.F.
DECK	60 S.F.

ROC-4194

5-19-04 CC

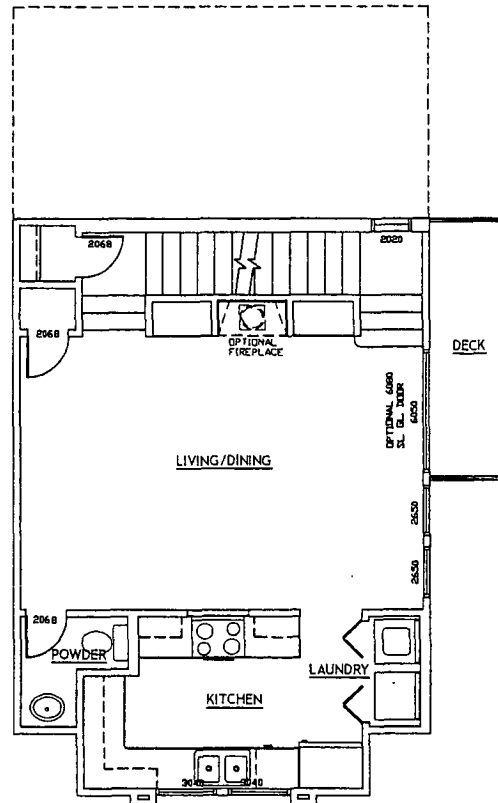
STAFF



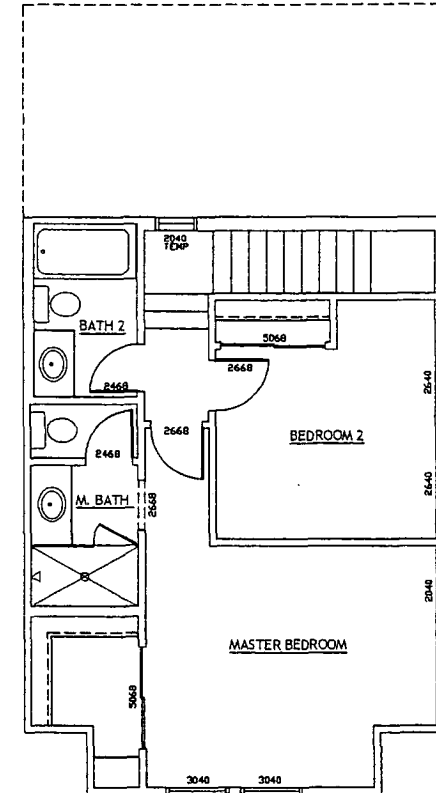
**PLAN D
FIRST FLOOR**

BUILDING AREAS

FIRST FLOOR	277 S.F.
SECOND FLOOR	479 S.F.
THIRD FLOOR	494 S.F.
TOTAL LIVING	1,250 S.F.
GARAGE	430 S.F.
DECK	51 S.F.



**PLAN D
SECOND FLOOR**

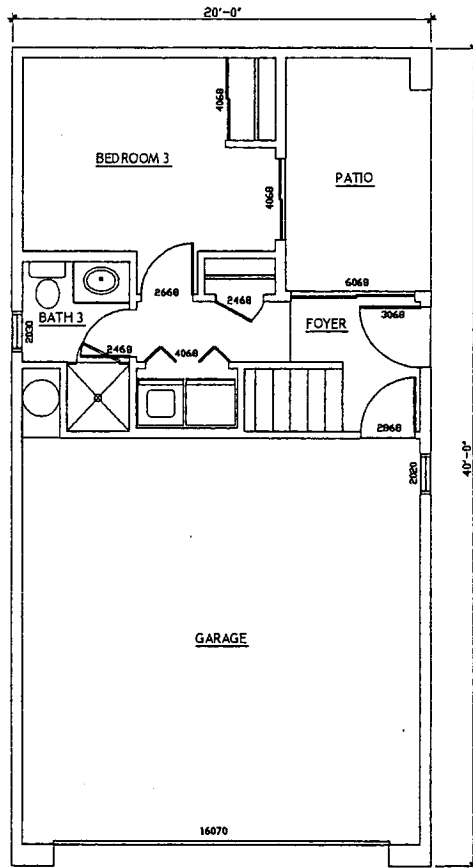


**PLAN D
THIRD FLOOR**

ROC-4194

5-19-04 CC

STAFF

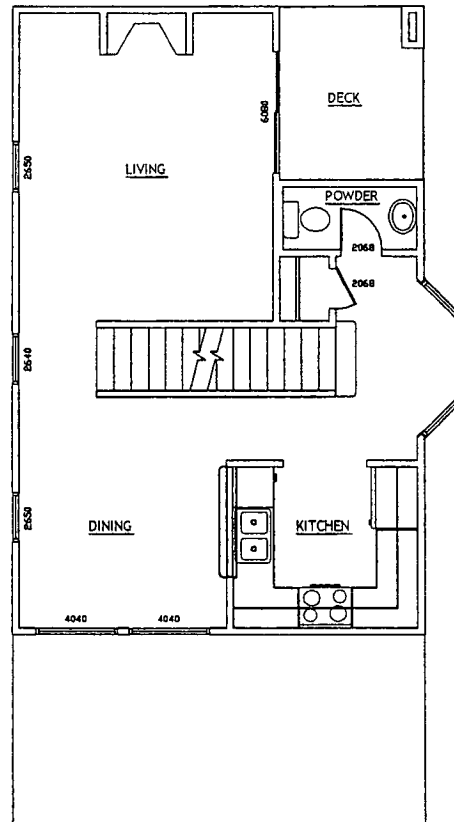


**PLAN F
FIRST FLOOR**

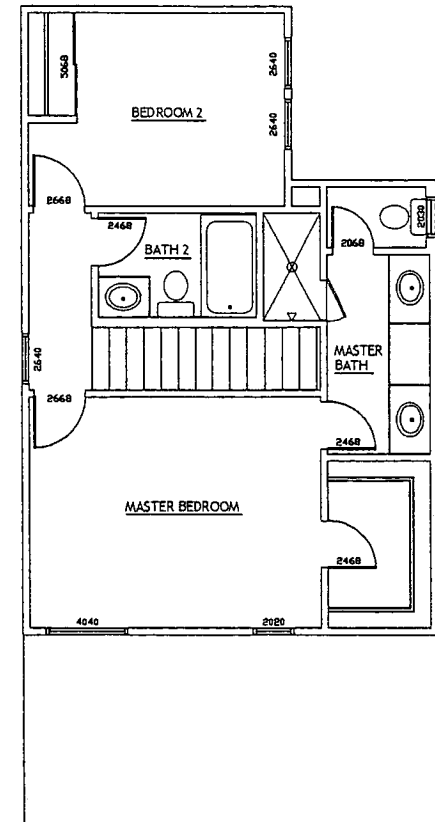
BUILDING AREAS

FIRST FLOOR	289 S.F.
SECOND FLOOR	527 S.F.
THIRD FLOOR	520 S.F.
TOTAL LIVING	1,336 S.F.

GARAGE	412 S.F.
PATIO	83 S.F.
DECK	60 S.F.



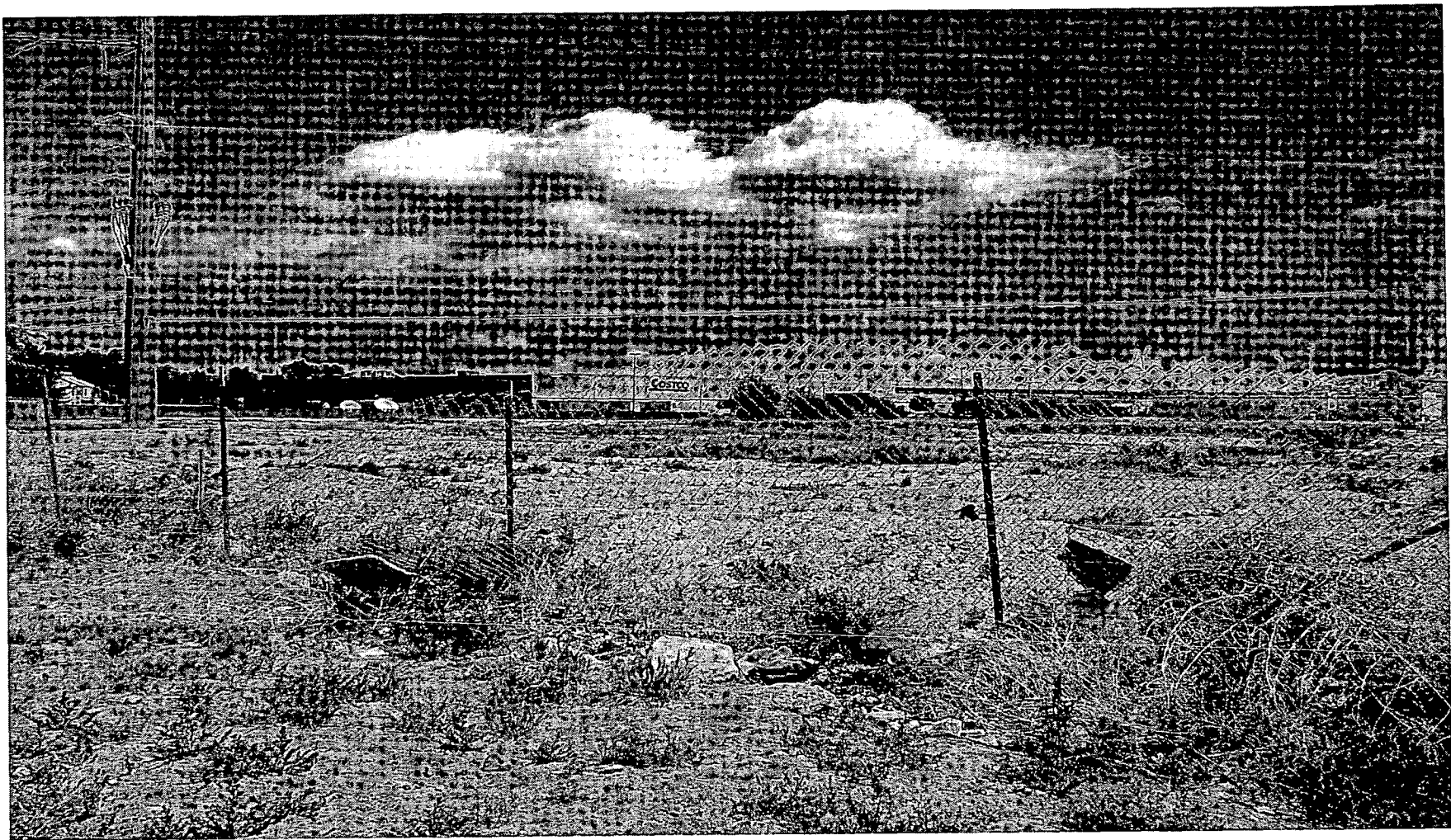
**PLAN F
SECOND FLOOR**



**PLAN F
THIRD FLOOR**

**ROC-4194
5-19-04 CC**

STAFF

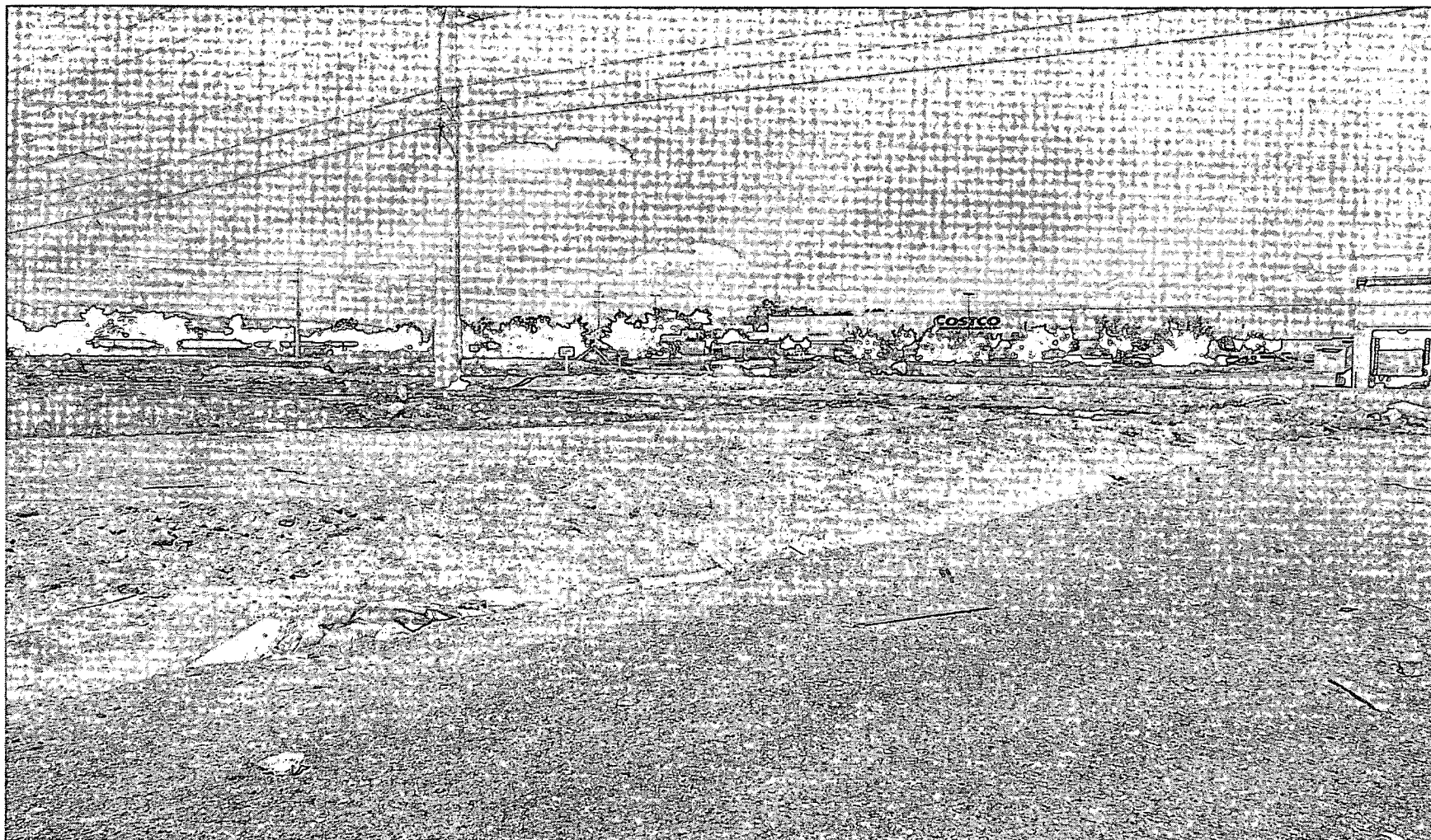


ROC-4194 - APPLICANT/OWNER: PLASTER DEVELOPMENT

Between Martin L. King Boulevard and Shadow Lane, approximately 1,250 feet north of Alta Drive

MAY 19, 2004 CITY COUNCIL MEETING

Picture taken 04/29/04



ROC-4194 - APPLICANT/OWNER: PLASTER DEVELOPMENT

Between Martin L. King Boulevard and Shadow Lane, approximately 1,250 feet north of Alta Drive

MAY 19, 2004 CITY COUNCIL MEETING

Picture taken 04/29/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 19, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3898 -
APPLICANT/OWNER: LUZ MARIA MEDRANO - Request for a Site Development Plan Review FOR A SEVEN UNIT MULTI FAMILY DEVELOPMENT AND WAIVERS OF THE 10 FOOT WIDE PERIMETER LANDSCAPE PLANTER on 0.29 acres at 1404 North 23rd Street (APN: 139-26-508-007), SC (Service Commercial), Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions and amending Condition 2 to read:

2. All development shall be in conformance with the site plan and building elevations, date stamped *May 19, 2004*, except as amended by conditions herein.
– UNANIMOUS with Ward 2 seat vacant

NOTE: An initial motion for approval by WEEKLY which carried unanimously with Ward 2 seat vacant was reconsidered by GOODMAN, which carried unanimously with Ward 2 vacant.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

LUZ MARIA MEDRANO concurred with all conditions and staff recommendations. She explained that to accommodate code, she has altered the design from seven units to six units and has the approval of staff. DAVID CLAPSADDLE, Planning Supervisor, Planning and Development Department, agreed that the design is improved with this reduction and that the concern of overbuilding the site has been alleviated.

CITY COUNCIL MEETING OF MAY19, 2004
Planning and Development Department
Item 108 – SDR-3898

MINUTES – Continued:

COUNCILMAN WEEKLY appreciated MS. MEDRANO'S design change to six units and stated the project should be a great enhancement to the area. ROBERT GENZER, Director, Planning and Development Department, suggested a condition be added limiting the project to six units or amend Condition 2 to reflect the site plan as approved at the May 19, 2004 City Council Meeting.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(1:41 – 1:43)

3-1341

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped April 22, 2004, except as amended by conditions herein.
3. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
4. All mechanical equipment, air conditioners and trash areas shall be fully screened pursuant to code requirements.
5. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
6. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
7. Any interior property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Exterior walls can also use wrought iron panels with decorative pilasters. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
8. All City Code requirements and design standards of all City departments must be satisfied.

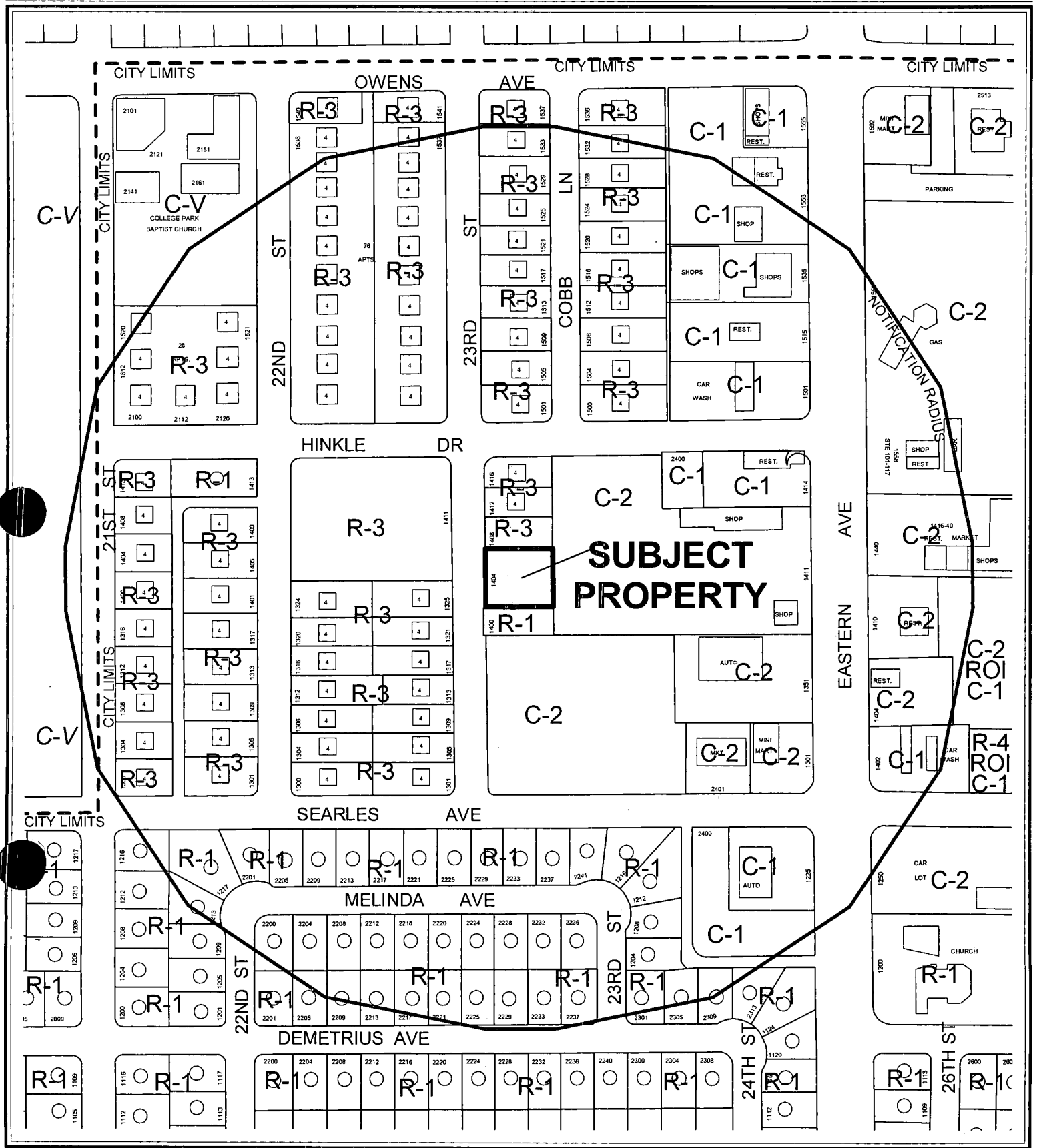
CITY COUNCIL MEETING OF MAY19, 2004
Planning and Development Department
Item 108 – SDR-3898

CONDITIONS: Continued:

9. No turf shall be permitted in the non-recreational common areas, medians and amenity zones in this development.

Public Works

10. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
11. Construct all incomplete half-street improvements on 23rd Street adjacent to this site concurrent with development of this site.
12. Landscape and maintain all unimproved rights-of-way on 23rd Street adjacent to this site.
13. Submit an Encroachment Agreement for all landscaping and private improvements located in the 23rd Street public right-of-way adjacent to this site prior to occupancy of this site.
14. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.



CASE: SDR-3898

RADIUS: 750 FT

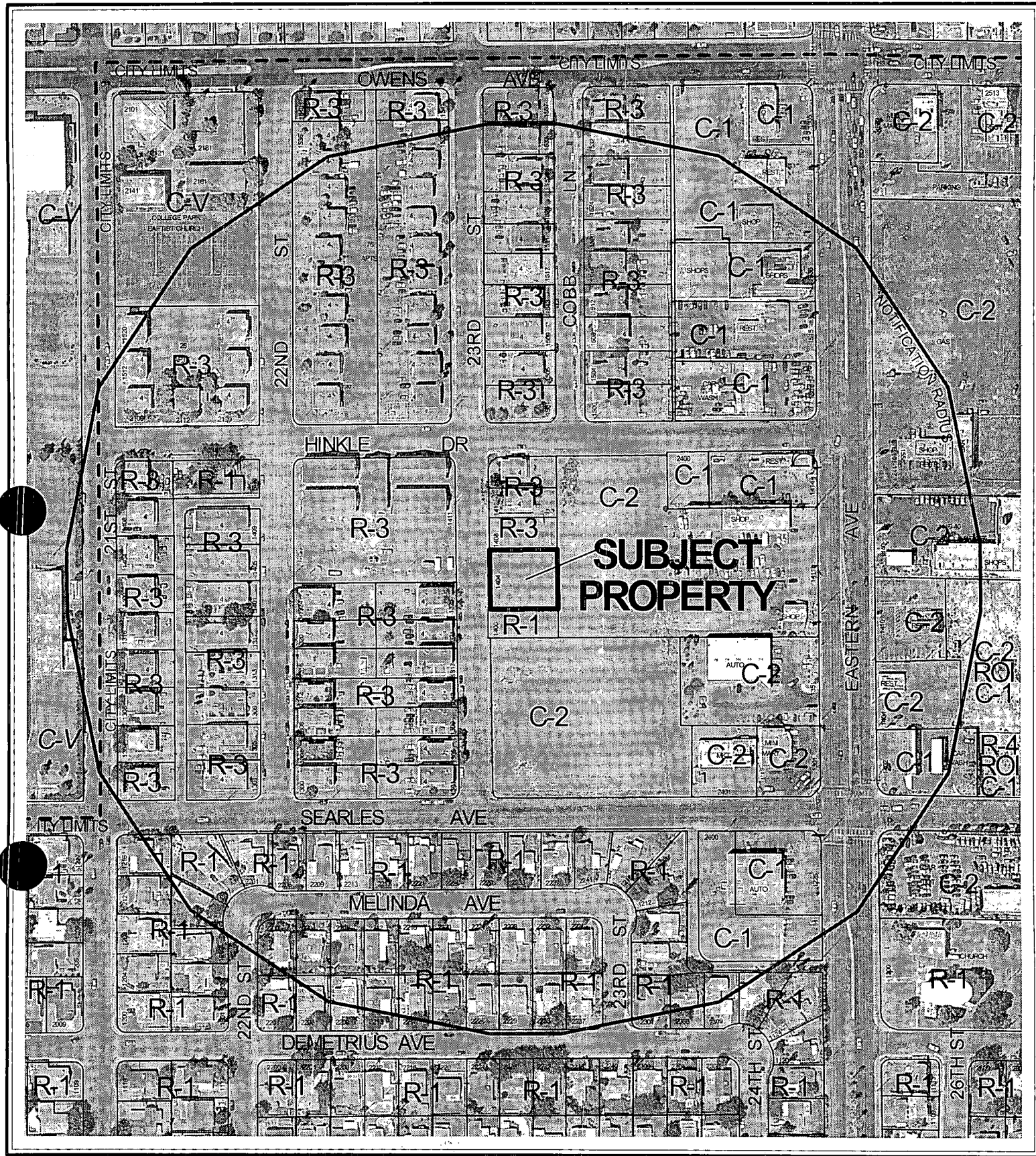
ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)

0 100 200 Feet



108





CASE: **SDR-3898**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)

0 100 200 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-3898 - APPLICANT/OWNER: LUZ MARIA MEDRANO

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped April 22, 2004, except as amended by conditions herein.
3. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
4. All mechanical equipment, air conditioners and trash areas shall be fully screened pursuant to code requirements.
5. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
6. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
7. Any interior property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Exterior walls can also use wrought iron panels with decorative pilasters. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
8. All City Code requirements and design standards of all City departments must be satisfied.
9. No turf shall be permitted in the non-recreational common areas, medians and amenity zones in this development.

Public Works

10. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
11. Construct all incomplete half-street improvements on 23rd Street adjacent to this site concurrent with development of this site.
12. Landscape and maintain all unimproved rights-of-way on 23rd Street adjacent to this site.
13. Submit an Encroachment Agreement for all landscaping and private improvements located in the 23rd Street public right-of-way adjacent to this site prior to occupancy of this site.
14. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This request is for a Site Development Plan Review for a two building, 7-unit multi-family development on 0.29 acres located at 1404 North 23rd Street. One building will have three units and the other will have four. The application includes a waiver of the 10-foot front landscaping buffer.

B) *Applicant's Justification*

The applicant believes the project will be a good enhancement for the area.

BACKGROUND INFORMATION

A) *Previous Actions*

- 3/30/04 The applicant met with Planning and Development staff to review design options that might permit the applicant the ability to comply with standards of the title 19.
- 04/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #23/kw)

B) *Neighborhood Meetings*

- 11/14/03 The following was discussed:
- Keeping the seven units as the minimum will make the provision of parking and landscaping difficult.
 - The sides along the building will be landscaped.
 - Waivers will be asked for parking and perimeter landscaping.
 - The correct setbacks need to be shown.
 - A landscaping table listing types and quantity of plants and trees is required.
 - A parking analysis is needed.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.29

B) Existing Land Use

Subject Property: Vacant land
North: Vacant and multi-family
South: Vacant land
East: Vacant land and commercial
West: Multi-family

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: SC (Service Commercial)
South: SC (Service Commercial)
East: SC (Service Commercial)
West: M (Medium Density Residential)

D) Existing Zoning

Subject Property: R-3 (Medium Density Residential)
North: R-3 (Medium Density Residential)
South: R-1 (Single Family Residential)
East: C-2 (General Commercial)
West: R-3 (Medium Density Residential)

E) General Plan Compliance: Southeast General Plan

The R-3 (Medium Density Residential) zoning permits a maximum of 25 dwelling units per gross acre. This category includes a variety of multi-family units such as plexes, townhouses, and low-density apartments. The zoning of the site is non-conforming in terms of land use as the land use is SC (Service Commercial).

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Clark County Notification		X
Project of Regional Significance		X

PROJECT DESCRIPTION

The proposed development will result in a density of 24 dwelling units per acre. The project consists of seven residential apartment units contained in two buildings on 0.29 acres of land, with three units in one building and four units in the other. Open, landscaped area surrounds the buildings and may include programmable open space. All of the units will contain two bedrooms, with 11 surface parking spaces. Handicap spaces are not shown. Vehicular access to

the site is from 23rd Street. The proposed buildings have flat roofs and exterior stairwells. The proposed development is compatible with the existing multi-family development around the site but does not conform to the general plan designation. The land to the north and west is developed with multi-family projects. The land to the east is zoned C-2 (General Commercial).

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	6,500 sq ft	12,600 sq ft	Y
Dwelling Units per Gross Acre	13-25	25	Y
Min. Lot Width	N/A	N/A	N/A
Min. Setbacks			
• Front	20 Feet	47.25 ft	Y
• Side	5 Feet	5 ft	Y
• Corner	5 Feet	N/A	N/A
• Rear	20 Feet	20 ft	Y
Min. Distance Between Buildings	10 Feet	10 ft	Y
Max. Lot Coverage	N/A	N/A	N/A
Max. Building Height	2 Stories or 35 Feet	23 ft	Y
Trash Enclosure	Screened and roofed	Not shown	N
Mech. Equipment	Screened	Not shown	

The proposal meets the requirements for setbacks and building height. The site plan doesn't show a trash enclosure. A condition has been added to require a modified site plan that shows the location of a trash enclosure.

A2) Residential Adjacency Standards

The Residential Adjacency Standards do not apply to the subject proposal.

A3) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	Units	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Two Bedroom Multi-family	7	1-3/4 per unit plus one guest space per 6 units	14	1	15	0

The proposal meets the standards of Title 19 for parking except for the provision of handicap spaces. A condition has been added that will require a revised site plan that will show the location of one handicap parking space.

A4) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/6 Space	1 Trees	0
Buffer:			
• Min. Trees	1 Trees/ 30Linear Feet	8 Trees	0
• Min. Zone Width- Side	6 Feet		5
• Min. Zone Width- Rear	6 Feet		0
• Min. Zone Width- Front	6 Feet		Waived
• Wall height	6 feet		Not Shown

The proposal is deficient in the provision of landscaping where landscaping can be done. A condition has been added to required revised landscaping plan that will show 24-inch box trees in a buffer around the perimeter of the site along the north rear and south sides, beginning and ending at the edge of the front parking lot. The area between and behind the buildings should also be landscaped using similar manner as the perimeter. For each 24-inch box tree 4- 5 gallon and 4- 1 gallon shrubs are required.

A5) Sign Standards

Insufficient information has been provided to be able to review potential signage for the site. All signage will be reviewed under a separate review.

B) General Analysis and Discussion

• **Zoning**

The proposed development is consistent with the current R-3 zoning and is compatible with surrounding development.

- **Site Plan**

By repositioning of one stair the site plan can be modified to allow more landscaped areas in the front parking area, a location for the trash enclosure, and space for the required handicap parking space.

The four-plex should be replaced with a second triplex. This would allow for more landscaping, perhaps even eliminate the need for the waiver of the front landscaping.

- **Waivers**

The applicant requested that the front landscaping requirement of Title 19 be waived. The waiver cannot be supported as the site plan can be easily redesigned to accommodate the required landscaping.

- **Landscape Plan**

The landscape plan shows that the proposal is totally inadequate in terms providing the tenants of the buildings outdoor amenities that would make the complex a pleasant place to live.

- **Elevation**

The elevations are plain and unimaginative. The proposed elevations with exterior stairwells and little articulation do not meet the intent of Title 19's design standards. A few boxouts, shutters, contrasting material areas, stone or brick veneers, gables, hip roofs, etc. can be added to the buildings and would result in attractive places to live.

- **Floor Plan**

The floor plans show a typical design found in multi-family developments.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **"The proposed development is compatible with adjacent development and development in the area;"**

The proposed multi-family development is compatible with existing multi-family units in the surrounding area.

2. **"The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;"**

The proposed development is consistent with R-3 (Medium Density Residential) zoning district. With relocation of a portion of the provided landscaping by redesigning of the plan and replacing the four-plex with the another tri-plex, the project will conform to landscaping standards. However, the project is also lacking the visual quality intended by the Title 19's design standards.

3. **"Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;"**

Site access will be via 23rd Street, a local street. The roadway network is deemed adequate to meet the traffic generated by the proposed development.

4. **"Building and landscape materials are appropriate for the areas and for the City;"**

The proposed building materials are typical of multi-family developments in other parts of the city and are appropriate.

The plan submitted that shows landscaping is incomplete. There are areas on the plan that could/ should have landscaping but show nothing. A table of materials is not on the plan that would describe the little landscaping that is shown. A condition has been added that will require a completed landscaping plan be submitted to the Planning and Development Department.

5. **"Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;"**

The proposed elevations are plain and un-imaginative; they do not meet the intent of Title 19's design standards.

6. **"Appropriate measures are taken to secure and protect the public health, safety and general welfare."**

The proposed development will be subject to the Uniform Building Code, and therefore the development will not compromise the public health, safety or welfare.

NOTICES MAILED 124 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-3898** APN: 139-26-508-007
Name of Property Owner: LUZ MARIA MEDRADO
Name of Applicant: LUZ MARIA MEDRADO

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

 Yes

 X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

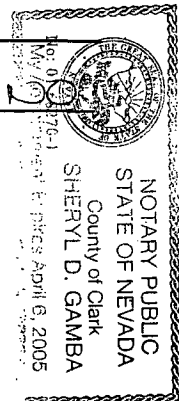
Print Name: LUZ MARIA MEDRADO

Subscribed and sworn before me

This 9 day of February, 2004

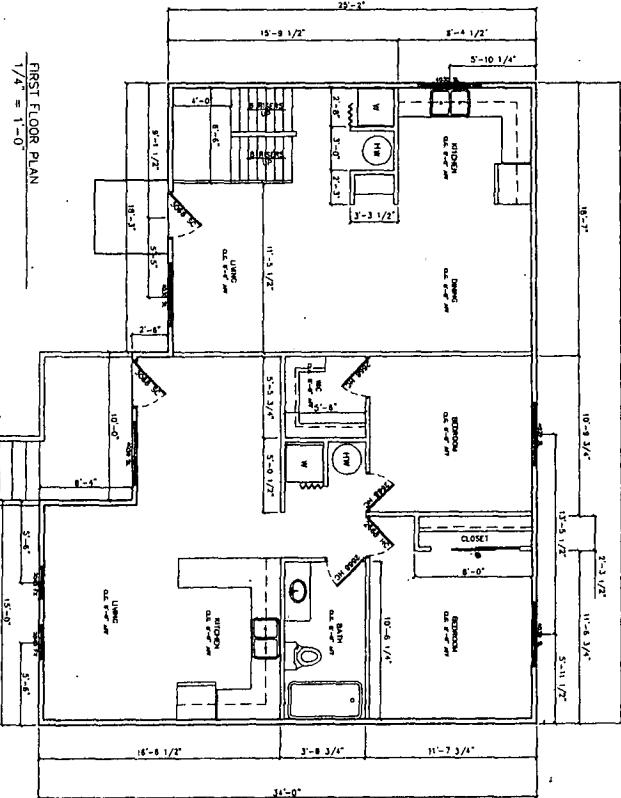
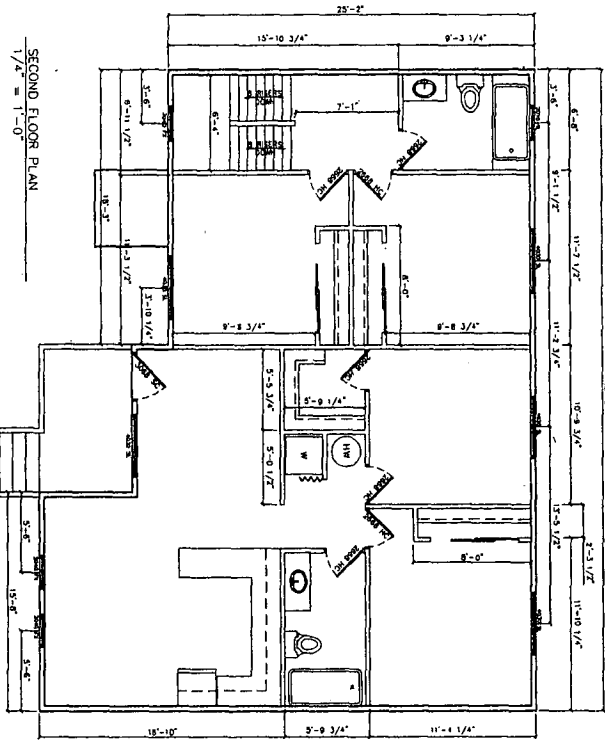
Sheryl D. Gamba
Notary Public in and for said County and State

STATE OF NV CLARK CO.
SUBSCRIBED AND SWORN TO BEFORE ME
THIS 9 DAY OF February, 2004
BY LUZ MARIA MEDRADO
Sheryl D. Gamba
NOTARY PUBLIC



FLOOR PLAN NOTES

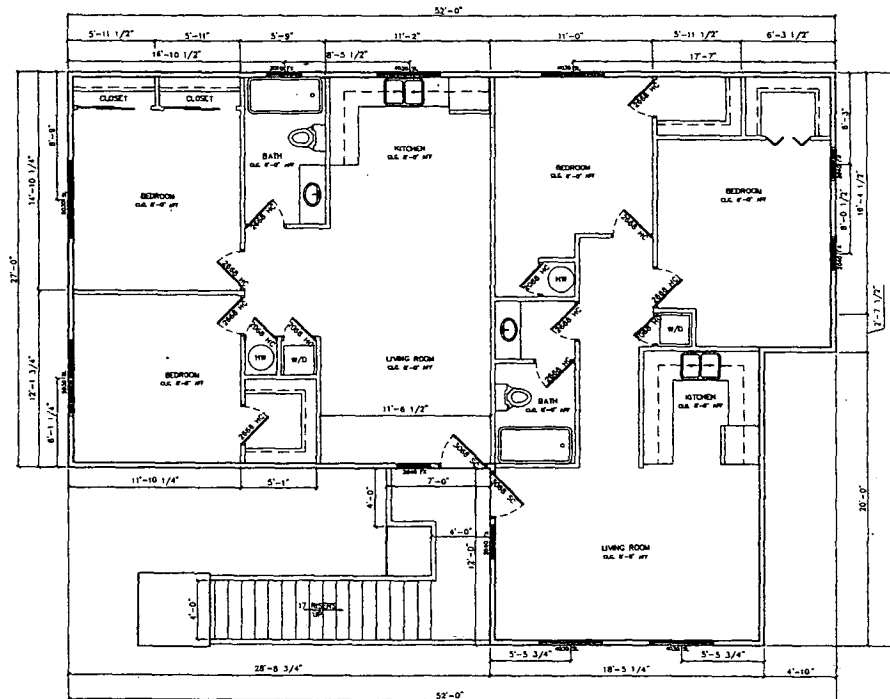
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. FINISHES ARE TO BE DETERMINED BY THE ARCHITECT.
3. ALL WALLS ARE TO BE 1/2" THICK UNLESS OTHERWISE NOTED.
4. ALL FLOORS ARE TO BE 4" THICK CONCRETE UNLESS OTHERWISE NOTED.
5. ALL CEILINGS ARE TO BE 8' UNLESS OTHERWISE NOTED.
6. ALL ROOFS ARE TO BE 6" THICK CONCRETE UNLESS OTHERWISE NOTED.
7. ALL STAIRS ARE TO BE 10' WIDE UNLESS OTHERWISE NOTED.
8. ALL ELEVATORS ARE TO BE 8' WIDE UNLESS OTHERWISE NOTED.
9. ALL HALLWAYS ARE TO BE 6' WIDE UNLESS OTHERWISE NOTED.
10. ALL ROOMS ARE TO BE 8' WIDE UNLESS OTHERWISE NOTED.
11. ALL KITCHENS ARE TO BE 10' WIDE UNLESS OTHERWISE NOTED.
12. ALL BATHS ARE TO BE 6' WIDE UNLESS OTHERWISE NOTED.
13. ALL TOILETS ARE TO BE 6' WIDE UNLESS OTHERWISE NOTED.
14. ALL SINKS ARE TO BE 18" WIDE UNLESS OTHERWISE NOTED.
15. ALL STOVES ARE TO BE 30" WIDE UNLESS OTHERWISE NOTED.
16. ALL REFRIGERATORS ARE TO BE 36" WIDE UNLESS OTHERWISE NOTED.
17. ALL DISHWASHERS ARE TO BE 24" WIDE UNLESS OTHERWISE NOTED.
18. ALL CUPBORDS ARE TO BE 30" WIDE UNLESS OTHERWISE NOTED.
19. ALL COUNTERTOPS ARE TO BE 30" WIDE UNLESS OTHERWISE NOTED.
20. ALL ISLANDS ARE TO BE 48" WIDE UNLESS OTHERWISE NOTED.
21. ALL SEATING ARE TO BE 18" WIDE UNLESS OTHERWISE NOTED.
22. ALL TABLES ARE TO BE 30" WIDE UNLESS OTHERWISE NOTED.
23. ALL CHAIRS ARE TO BE 18" WIDE UNLESS OTHERWISE NOTED.
24. ALL BEDS ARE TO BE 72" WIDE UNLESS OTHERWISE NOTED.
25. ALL SOFAS ARE TO BE 72" WIDE UNLESS OTHERWISE NOTED.
26. ALL ARMCHAIRS ARE TO BE 30" WIDE UNLESS OTHERWISE NOTED.
27. ALL COUCHES ARE TO BE 72" WIDE UNLESS OTHERWISE NOTED.
28. ALL CHAIRS ARE TO BE 18" WIDE UNLESS OTHERWISE NOTED.
29. ALL TABLES ARE TO BE 30" WIDE UNLESS OTHERWISE NOTED.
30. ALL CHAIRS ARE TO BE 18" WIDE UNLESS OTHERWISE NOTED.



SDR-3898
4-22-04 PC

FLOOR PLAN NOTES

- 1 - ALL DIMENSIONS ARE FACE OF STUD TO FACE OF STUD (U.N.D.)
- 2 - DIMENSIONS FOR WINDOWS AND DOORS ARE TO CENTERLINE (U.N.D.)
- 3 - FLOOR SHALL BE 4" MIN. 3,500 PSI CONC. SLAB ON GRADE w/ #2 4" x 6" W.B. @ 10" MIN. VERTICAL w/ SELECTED FULL. PROVIDE CONTROL JOINTS AT CORNERS OF AREAS NO GREATER THAN 300 SF. EXPANSION JOINTS AT EXISTING WALLS AND EXTERIOR SLABS AND SIDEWALKS. NO SPECIAL STRUCTURAL DESIGN OR INSPECTION IS REQUIRED.
- 4 - SAFETY GLAZING IS REQUIRED HANGING TO THE EXISTING DOORS AND SHALL COMPLY WITH U.L.C. 3408.
- 5 - ALL EXIST. DOORS SHALL BE OPERABLE FROM THE INSIDE WITHOUT A KEY OR SPECIAL KNOWLEDGE.
- 6 - CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS PRIOR TO CONSTRUCTION.
- 7 - PATCH AND/OR REPAIR ALL MATERIAL AFFECTED BY CONSTRUCTION.
- 8 - ALL FINISHES ARE BY GENERAL CONTRACTOR AND SHALL BE APPROVED BY THE ARCHITECT AND/OR THE OWNER.
- 9 - PROVIDE ROOF VENTILATION EXHAUST FOR GAS WATER HEATER.
- 10 - SEE MECHANICAL/PLUMBING/ELECTRICAL DRAWINGS FOR ALL SPECIAL HOODS, CONNECTIONS, FLOOR DRAINS, ETC.
- 11 - THE FIREPLACE (GAS ROOM HEATER MUST BE INSTALLED BY A QUALIFIED INSTALLER) IN ACCORDANCE WITH LOCAL BUILDING CODES AND WITH CURRENT NATIONAL FUEL GAS CODE AND 2.223.
- 12 - ALL WET AREAS 5/8" TYPE MODULUR RESISTANT CVP. BD.
- 13 - 5/8" TYPE X CVP. BD. WHERE NOTED BY FIRE RATING.
- 14 - ALL WALLS AND CEILING LIDS SHALL BE 1/2" MIN. CVP. BD. (U.N.D.)
- 15 - GARAGE WALLS AND CEILING ATTACHED TO STRUCTURE SHALL BE ONE HOUR FIRE RATED.
- 16 - PERMANENTLY WIRED SMOKE DETECTORS WITH BATTERY BACKUP SHALL BE LOCATED IN EACH BEDROOM AND CENTRALLY LOCATED IN HALLWAYS. DETECTORS SHALL SOUND AN ALARM ALONGSIDE IN ALL AREAS OF THE UNIT.



FIRST & SECOND FLOOR PLAN
1/4" = 1'-0"

DRAWN BY:

PROPOSED 3-PLEX & 4-PLEX
4-PLEX FLOOR PLAN

DATE: AUGUST 21, 2003 REVISED:

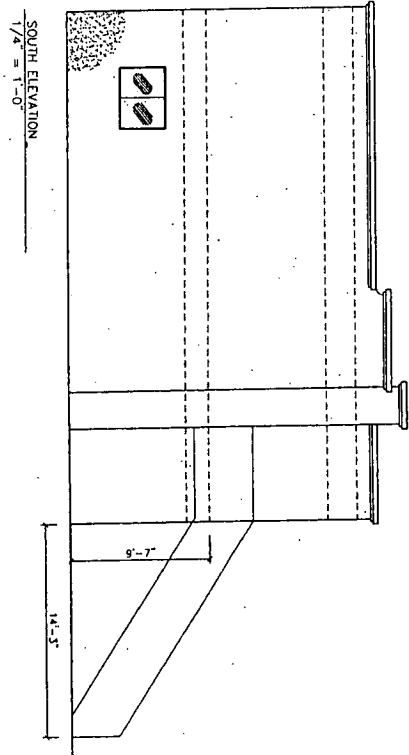
1404 23RD STREET
LAS VEGAS, NEVADA

SHEET #

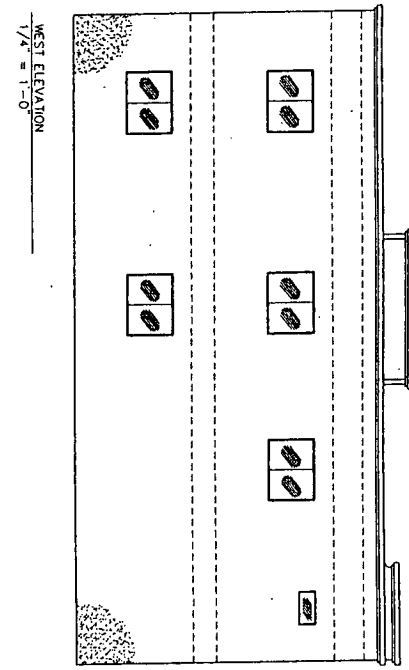
3 OF 6

SCALE: 1/4" = 1'-0"

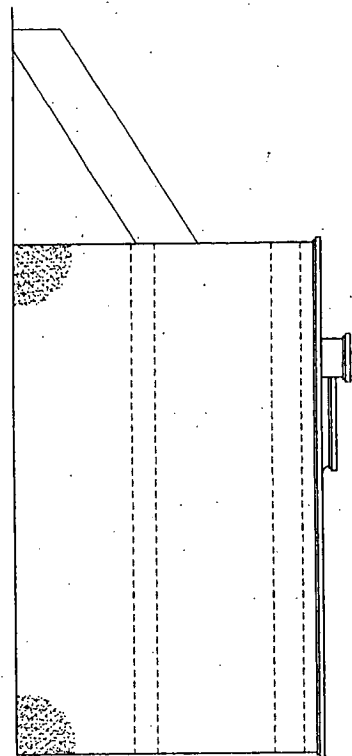
SDR-3898
4-22-04 PC



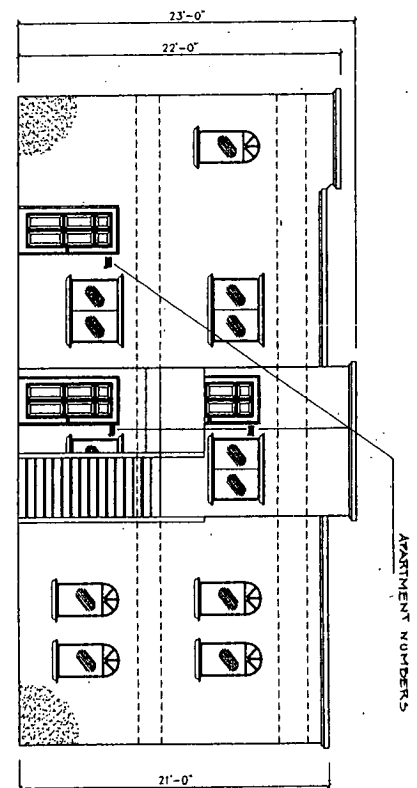
SOUTH ELEVATION
1/4" = 1'-0"



WEST ELEVATION
1/4" = 1'-0"



NORTH ELEVATION
1/4" = 1'-0"

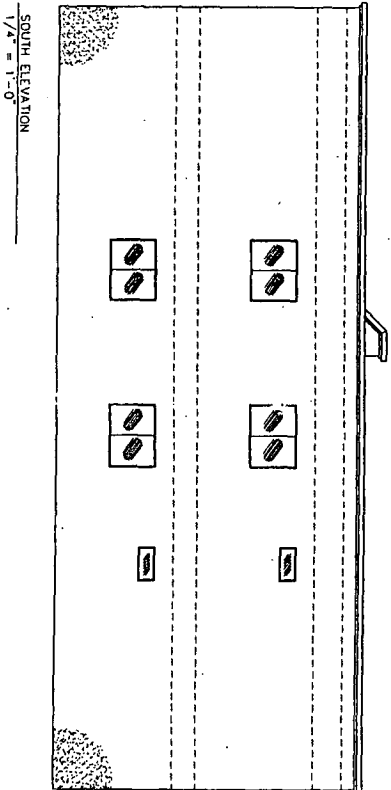
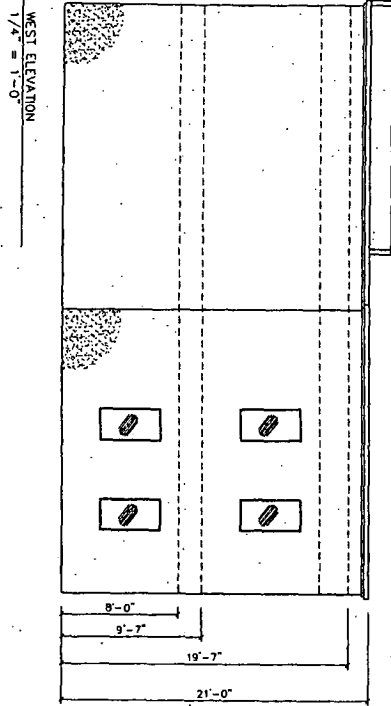
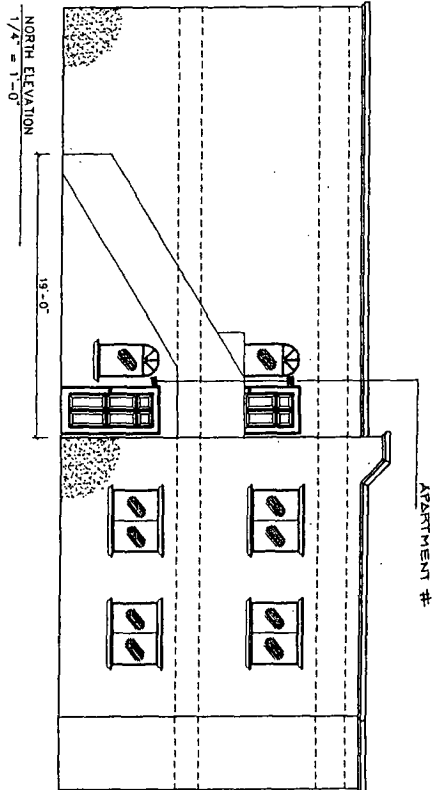
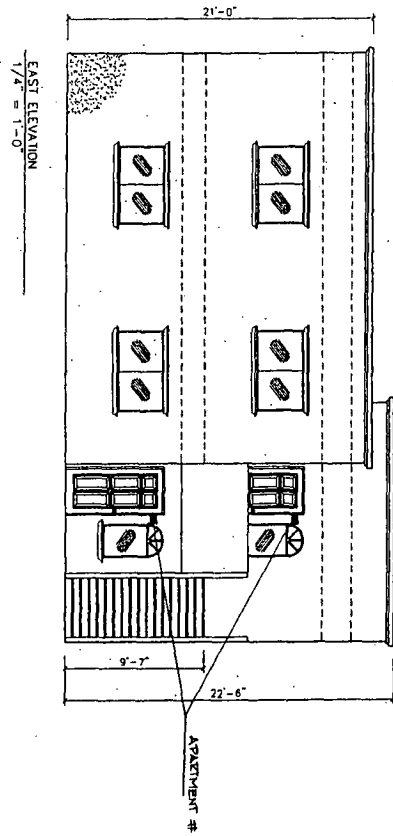


EAST ELEVATION
1/4" = 1'-0"

APARTMENT NUMBERS

SDR-3898
4-22-04 PC

SHEET # 6 OF 6 SCALE: 1/4" = 1'-0"	1404 23RD STREET LAS VEGAS, NEVADA	PROPOSED 3-PLEX & 4-PLEX 3-PLEX FLOOR PLAN DATE: AUGUST 21, 2003 REVISED:	DRAWN BY:
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SHEET #
3 OF 6
SCALE: 1/4" = 1'-0"

1404 23RD STREET
LAS VEGAS, NEVADA

PROPOSED 3-PLEX & 4-PLEX

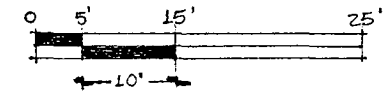
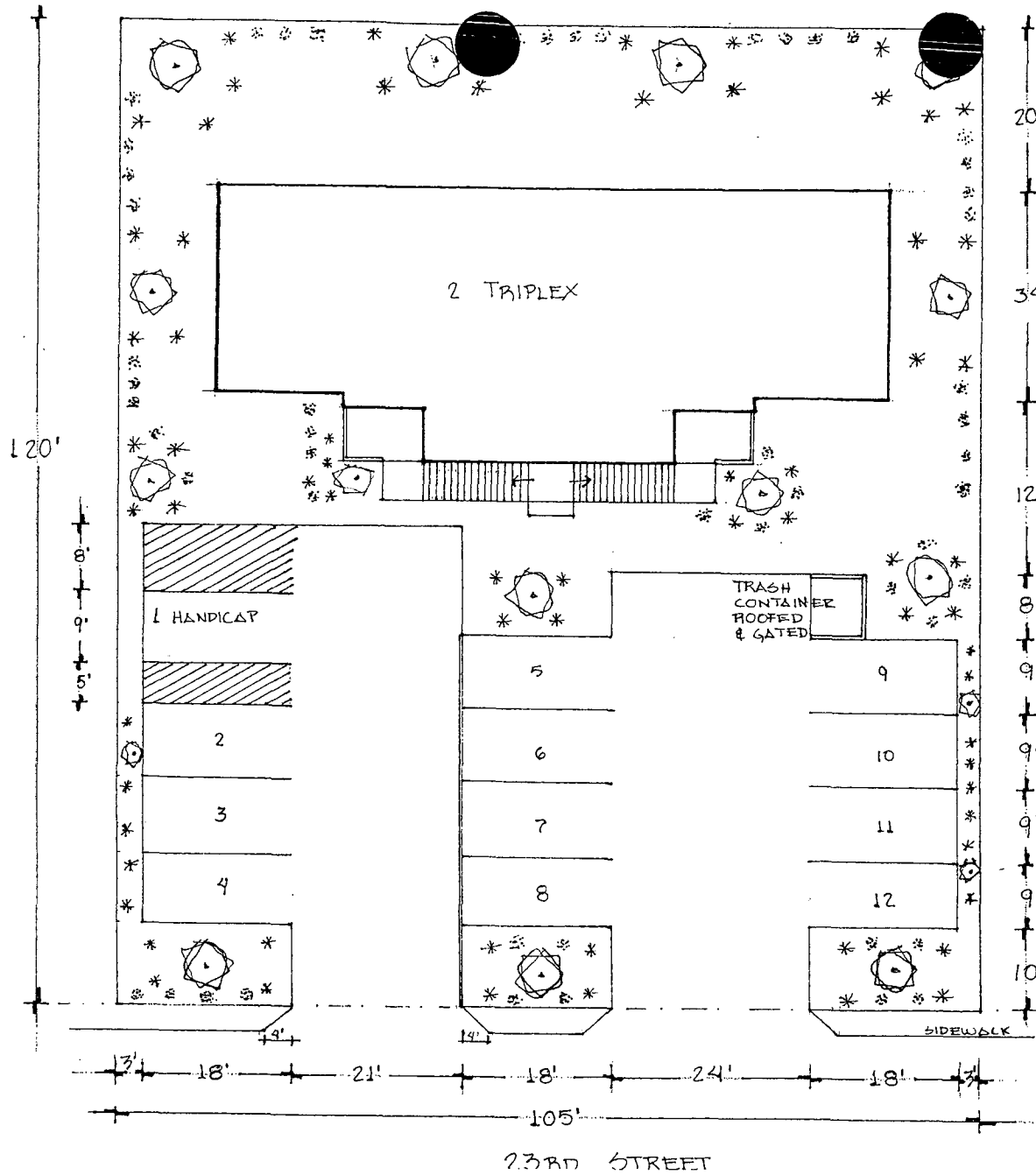
3-PLEX FLOOR PLAN

DATE: AUGUST 21, 2003

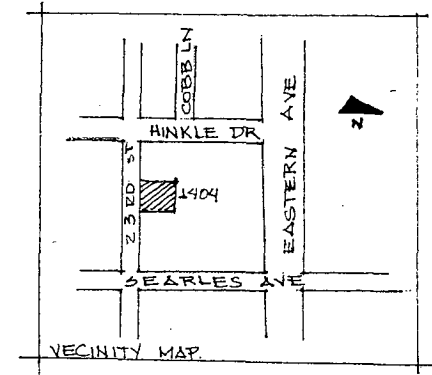
REVISED:

DRAWN BY:

SDR-3898
4-22-04 PC



SCALE: 3/4" = 10'-0"



CALIFORNIA PEPPER TREE

* PAMPAS GRASS 4/TREE 1gal.

☼ DESERT CASSIA 4/TREE 4gal.

PROPOSED 2 TRIPLEX

SITE PLAN

APRIL 2004 DRAWN: LUZ MEDANO

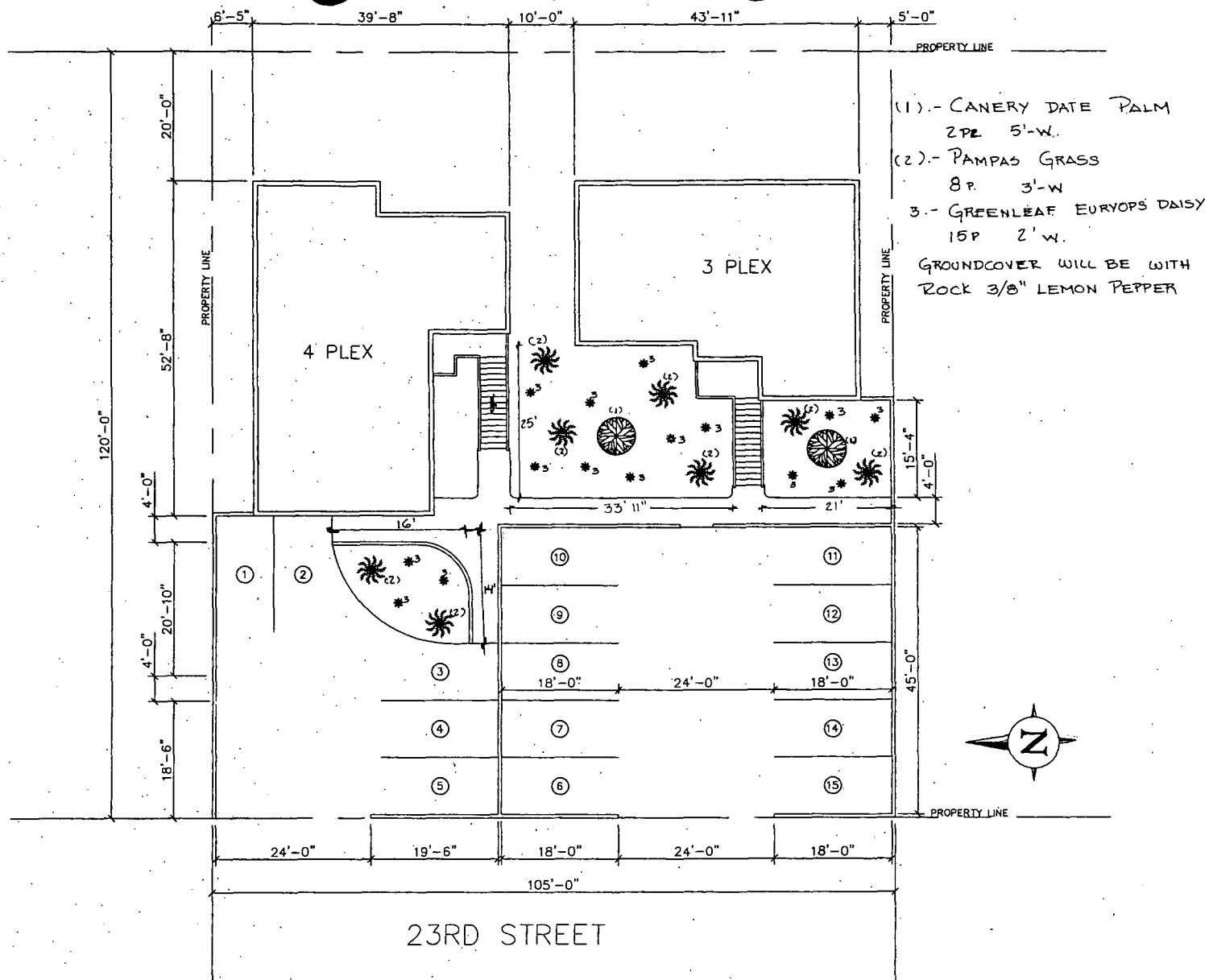
1404 23RD ST

LAS VEGAS NV

AP# 139-26-608-007

REVISED
4/16/04

SDR-3898
4-22-04 PC



DRAWN BY:

PROPOSED 3-PLEX & 4-PLEX
SITE PLAN

DATE: AUGUST 21, 2003 REVISED:

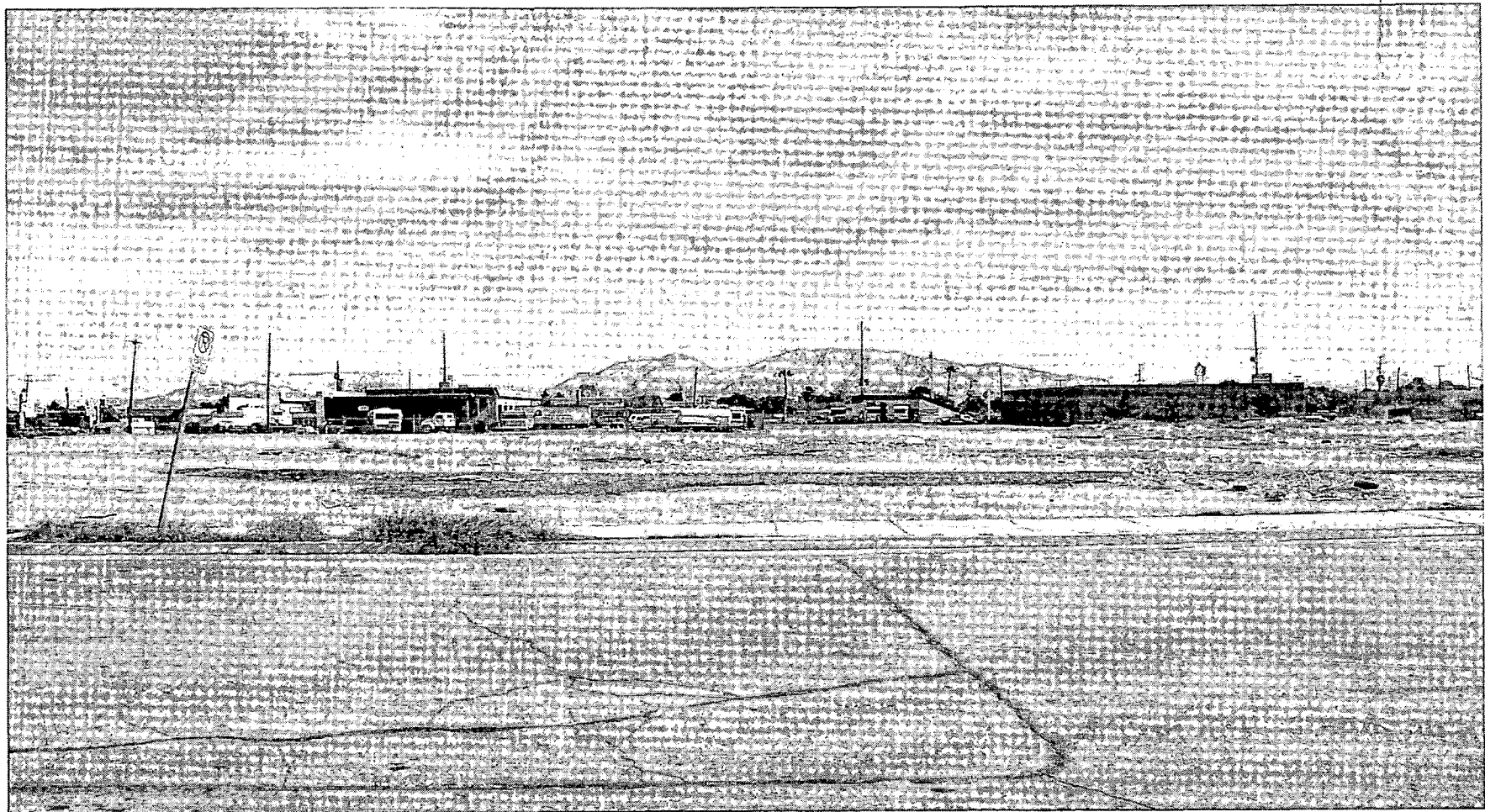
1404 23RD STREET
LAS VEGAS, NEVADA

SHEET #

2 OF 6

SCALE: 1/8" = 1'-0"

SDR-3898
4-22-04 PC



SDR-3898 - APPLICANT/OWNER: LUZ MARIA MEDRANO
1404 NORTH 23RD STREET
APRIL 22, 2004 PLANNING COMMISSION

3/4/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4069 -
APPLICANT: NOVAD CONSTRUCTION - OWNER: RCN PROPERTIES, LIMITED
LIABILITY COMPANY & ZORITY QUAN, LIMITED LIABILITY COMPANY -
 Request for a Site Development Plan Review FOR TWO MEDICAL OFFICE BUILDINGS
 AND WAIVER OF LANDSCAPING REQUIREMENTS on 1.49 acres adjacent to the northeast
 corner of Smoke Ranch Road and Professional Court (APN: 138-15-410-049 and 050), C-PB
 (Planned Business Park) Zone, Ward 4 (Brown). The Planning Commission (5-0 vote) and staff
 recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS with Ward 2 seat vacant

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ARAMESH AKHAVAN, 1871 Fox Canyon Circle, appeared on behalf of the applicant and
 concurred with staff recommendations.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(1:43 – 1:44)

3-1459

CONDITIONS:

Planning and Development

1. Prior to submittal of civil improvement plans the site plan shall be revised to show two 15
 foot by 25 foot loading zones.

CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 109 – SDR-4069

CONDITIONS - Continued:

2. Prior to the submittal of building permits the landscape plan shall be revised to indicate seven additional 24-inch box trees spread throughout the site.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations date stamped May 19, 2004, except as amended by conditions herein.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
6. All mechanical equipment and air conditioners shall be fully screened in views from the abutting streets.
7. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. All City Code requirements and design standards of all City departments must be satisfied.
11. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.

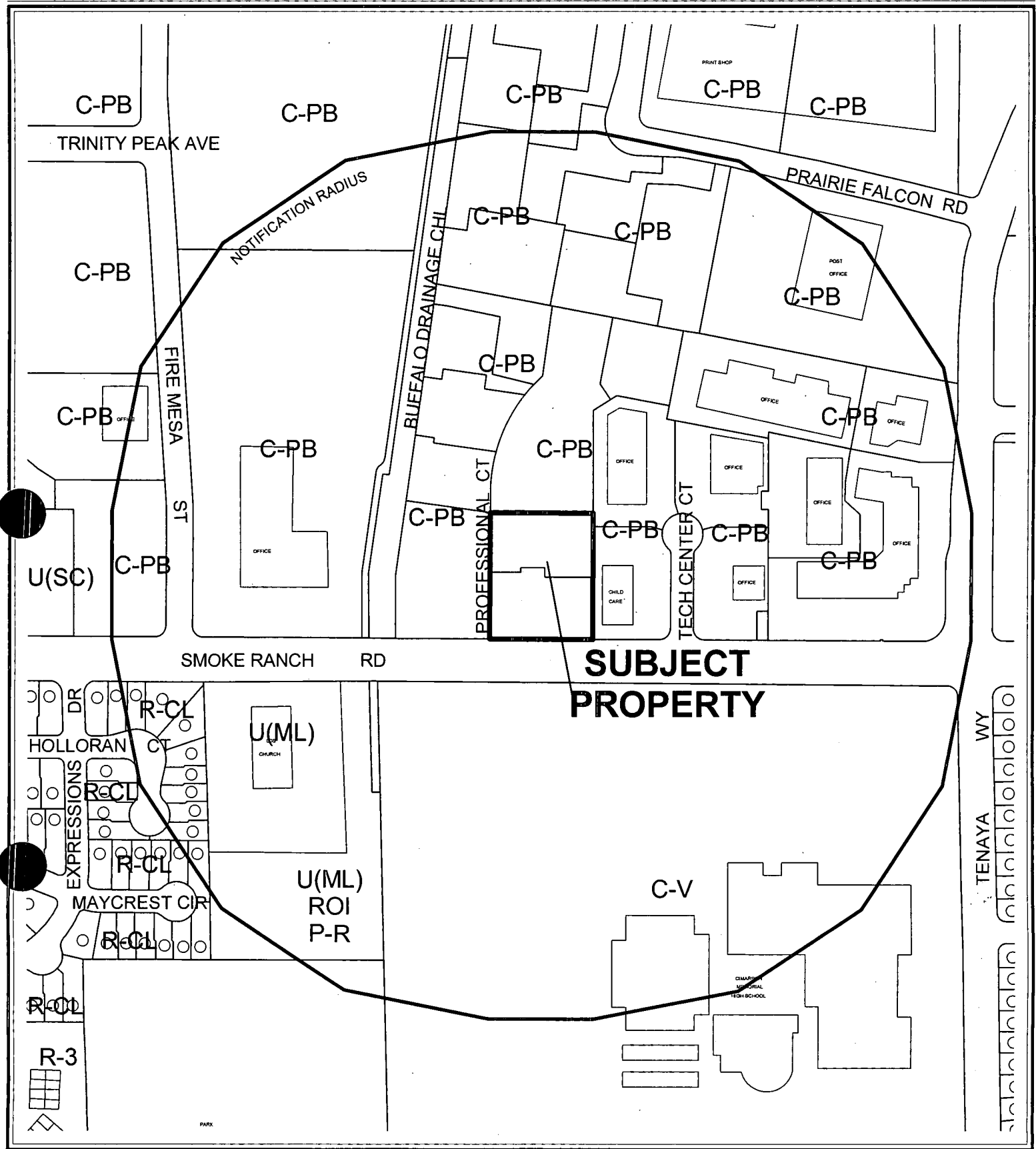
Public Works

12. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities. All existing paving damaged or removed by this development

CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 109 – SDR -4069

CONDITIONS - Continued:

- shall be restored at its original location and to its original width concurrent with development of this site.
13. Provide a copy of a recorded Joint Access Agreement between the adjoining parcels comprising this site and for use of the private drive known as “Professional Court”, prior to the issuance of any permits.
 14. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
 15. Site development to comply with all applicable conditions of approval for Z-68-85 and all other subsequent site-related actions.

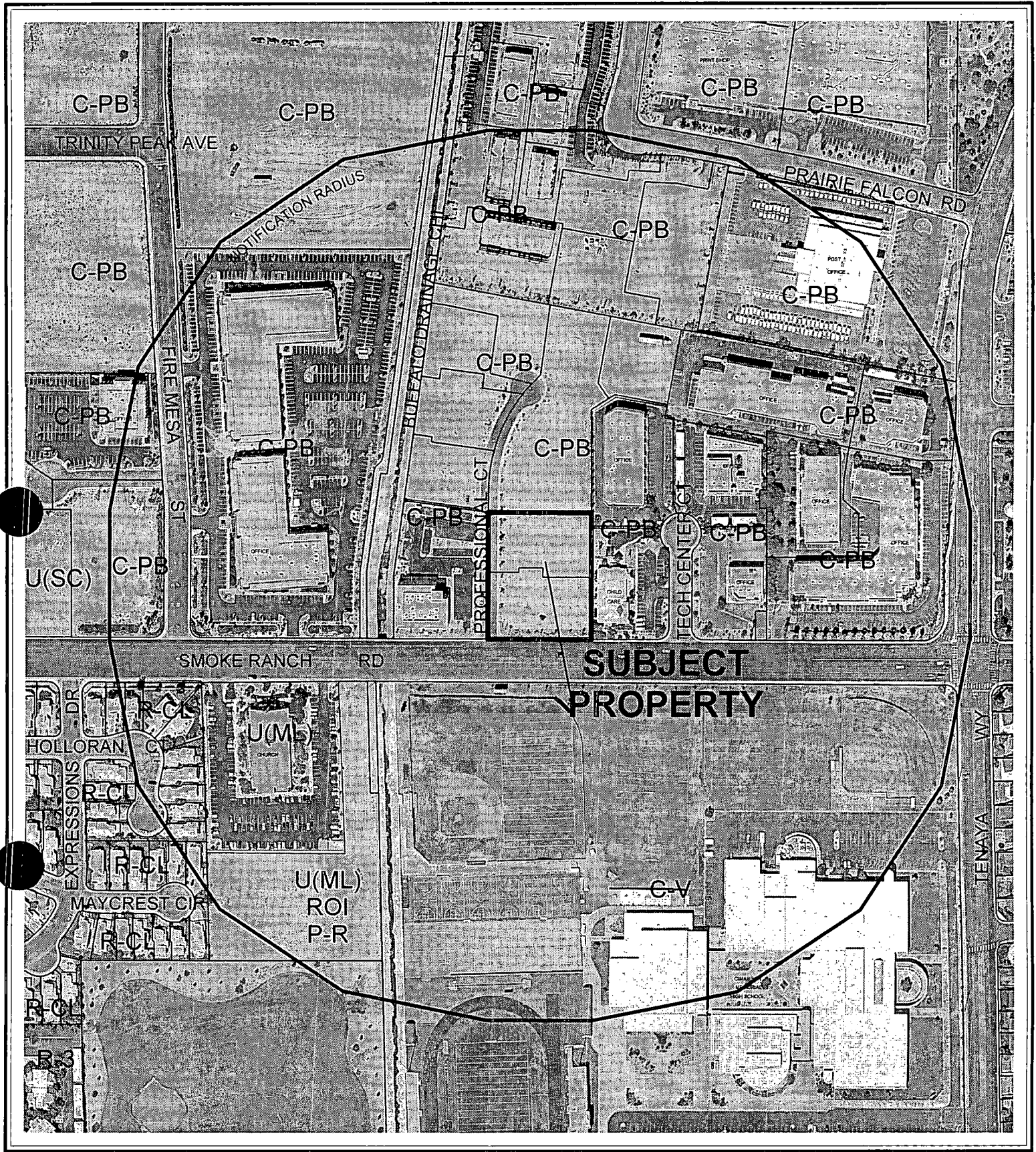


CASE: SDR-4069

RADIUS: 850 FT

ZONING OF SUBJECT PROPERTY: C-PB (PLANNED BUSINESS PARK)





CASE: **SDR-4069**

RADIUS: 850 FT

ZONING OF SUBJECT PROPERTY: C-PB (PLANNED BUSINESS PARK)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-4069 - APPLICANT: NOVAD CONSTRUCTION -
OWNER: RCN PROPERTIES, LIMITED LIABILITY COMPANY & ZORITY QUAN,
LIMITED LIABILITY COMPANY**

**** CONDITIONS ****

The Planning Commission (5-0 vote) and staff recommends APPROVAL, subject to:

Planning and Development

1. Prior to submittal of civil improvement plans the site plan shall be revised to show two 15 foot by 25 foot loading zones.
2. Prior to the submittal of building permits the landscape plan shall be revised to indicate seven additional 24-inch box trees spread throughout the site.
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12. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
13. Provide a copy of a recorded Joint Access Agreement between the adjoining parcels comprising this site and for use of the private drive known as "Professional Court", prior to the issuance of any permits.
14. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
15. Site development to comply with all applicable conditions of approval for Z-68-85 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This a request for a Site development Plan Review for two medical office buildings and a waiver of the parking lot landscaping standards on 1.49 acres adjacent to the northeast corner of Smoke Ranch Road and Professional Court.

B) Applicant's Justification

The applicant states that the project is conforming to the Las Vegas Technology Center and city code requirements in design and function. The request for a waiver of landscaping is justified in that the extent of the landscaping for the rest of the site will make up for minor deviations.

BACKGROUND INFORMATION

A) Previous Actions

- 12/04/96 The City Council approved a Plot Plan and Elevation Review [Z-0068-85(31)] of a three-story hospital to be located 650 feet west of Tenaya Way and Smoke Ranch Road. The Planning Commission and staff recommended approved on November 7, 1996.
- 10/12/98 The City Council approved a Site Development Plan review [Z-0068-85(46)] for an office park proposed west of Tenaya Way and along the north side of Smoke Ranch Road. The Planning Commission and staff recommended approval on September 10, 1998.
- 02/22/99 The City Council approved a General Plan Amendment (GPA-0047-98) from SC (Service Commercial) to LI/R (Light Industry/Research) and a Rezoning (Z-0087-98) from C-1 (Limited Commercial) to C-PB (Planned Business Park) for this site as part of a larger request for the entire Las Vegas Technology Center expansion area. The Planning Commission and staff recommended approval January 28, 1999.
- 01/17/99 The City Council approved a Development Standard Review and Master Plan Review [Z-0087-98(1) and Z-0066-87(4)] for the Las Vegas Technology Center Phase II. The Planning Commission and staff recommended approval on October 14, 1999.
- 03/09/04 The Las Vegas Technology Center Architectural Review Committee granted approval of the project.

04/22/04 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item # 66/pl)

B) Pre-Application Meeting

02/03/04 Discussion at the pre-application meeting covered the landscape requirements and the need for the applicant to request a waiver of the standards if they could not be met; the parking requirements for the proposed offices; and that the architectural review committee approval letter would need to be submitted with the application.

C) Neighborhood Meetings

A neighborhood meeting is not required as a part of this Site Development Plan Review application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.49

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Public School
East: Office, Child Care Center
West: Office

C) Planned Land Use

Subject Property: LI/R (Light Industrial / Research)
North: LI/R (Light Industrial / Research)
South: PF (Public Facility)
East: LI/R (Light Industrial / Research)
West: LI/R (Light Industrial / Research)

D) Existing Zoning

Subject Property: C-PB (Planned Business Park)
North: C-PB (Planned Business Park)
South: C-V (Civic)
East: C-PB (Planned Business Park)
West: C-PB (Planned Business Park)

E) General Plan Compliance

The site is designated as LI/R (Light Industry/Research) in the Southwest Sector Plan of the General Plan. This category allows areas for clean, low-intensity (non-polluting and non-nuisance) industrial areas, including light manufacturing, assembling and processing, warehousing and distribution, and research, development and testing laboratories. Typical supporting and ancillary general uses are also allowed. The proposed single-story office buildings are in conformance with this designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		
Technology Center	X	
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

This project lies within the Las Vegas Technology Center. The subject property, as part of a larger request was added to the Las Vegas Technology Center in 1999.

PROJECT DESCRIPTION

The proposed buildings will be located within southwest portion of the Las Vegas Technology Park. Access will be from Professional Court by a shared drive located approximately 130 feet north of Smoke Ranch Road.

The two buildings are mirror images, placed on the two parcels facing each other with the main access drive defining the parking areas for each parcel. The building to the south is pushed to the southwest corner of the parcel appropriately setback from Smoke Ranch Road and Professional Court. The building to the north is pushed to the northwest corner of its parcel also appropriately setback from Professional Court and the property adjacent to the north. Additional parking is provided along the east property line.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required	Provided		Compliance
		Building 1 (South)	Building 2 (North)	
Min. Lot Size	N.A.	33,690 Square Feet	31,216 Square Feet	Y
Min. Lot Width	100 Feet	147.5 Feet	132.5 Feet	Y
Min. Setbacks				
• Front	20 Feet	20 Feet	20 Feet	Y
• Side	10 Feet	50 Feet & 10 Feet	50 Feet	Y
• Corner	20 Feet	30 Feet	Not Applicable	Y
• Rear	15 Feet	78 Feet	78 Feet	Y
Maximum Lot Coverage	50 %	18%	20%	Y
Maximum Building Height	Three Stories or 55 Feet	One Story, 24 Feet	One Story, 24 Feet	Y
Trash Enclosure	Screened & Covered	One – Screened & Covered	One – Screened & Covered	Y
Loading Zone	Two	None	None	N
Mech. Equipment	Fully Screened	Fully Screened	Fully Screened	Y

With the exception of the provision of two required loading spaces, the proposed office buildings meet or exceed all of the development standards of Title 19.08.

A2) Residential Adjacency Standards

The request meets Code residential adjacency standards.

A3) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Office, Medical and Dental	12,000 SF.	1/200 GFA for the first 2,000 S.F., 1/175 GFA thereafter.	65	3	63	8

The 71 total parking spaces provided exceeds the 68 spaces required for the medical office use in Table 1 of Title 19.10. The 8 handicap designated parking spaces also exceeds the 3 spaces required by Table 2 of Title 19.10.

A4) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/ 6 Spaces	10 Trees	3 Trees
Buffer:			
• Min. Trees	1 Tree/ 30 Linear Feet	34 Trees	34 Trees
• Min. Zone Width	8 Feet		10 Feet
• Wall height	6 Feet		Not Shown

The applicant has asked for a waiver to the parking lot landscaping and building landscaping standards. They are providing only three parking lot trees where 10 are required, and four feet of landscaping in front of the buildings where 6 feet is required. The remainder of the landscaping requirements of Title 19.12 are met or exceeded by the submitted landscape plan.

A5) Sign Standards

Pursuant to Title 19.14, the following Sign Standards apply to the subject proposal:

Signage was not included in the submittal of this request. Any signage for the site will be reviewed at time of permit, and will be subject to the standards of Title 19.14 and the Las Vegas Technology Center Standards.

B) General Analysis and Discussion

- Zoning

The proposed office buildings are a permitted use within the C-PB (Planned Business Park) zoning district.

- Site Plan

The proposed site design is in conformance with the standards of the Las Vegas Technology Center. The site plan depicts an attractive site layout with adequate parking provided for the office use.

- Waivers

The applicant requests that the parking lot and building landscaping requirement be waived. A minimal number of parking lot trees will be provided within the parking area, some of the reduction is tied to site visibility issues of the main access drive. The reduction of building landscaping is from 6 feet to 4 feet and is minor in nature and the landscape materials are sufficient.

- Landscape Plan

Additional trees should be included in the perimeter landscape planters along Smoke Ranch Road and Professional Court to offset the lack of parking lot landscaping internal to the site. A condition is recommended to ensure that all landscape be provided where it is possible.

- Elevation

The submitted elevations are appropriate for the area and depict the high quality of development anticipated for the Technology Center.

- Floor Plan

The design is consistent for this type of development in the Technology Center.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **"The proposed development is compatible with adjacent development and development in the area;"**

The proposed office development will be comparable in design elements to existing Las Vegas Technology Center development and will be compatible with future office development.

2. **"The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;"**

The proposed project is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, wall and buffer standards, and other duly-adopted City plans, policies, and standards, with implementation of the recommended conditions.

3. **"Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;"**

The site access and circulation will not negatively impact adjacent roadways, including Smoke Ranch Road that is fully developed as a 100-foot wide Primary Arterial Roadway.

4. **“Building and landscape materials are appropriate for the areas and for the City;”**

The proposed building materials and colors are compatible with the desert environment and are appropriate. The proposed landscaping will conform to the approved landscape plan for the overall Technology Park site and the requirements of the Las Vegas Urban Design Guidelines and Standards.

5. **“Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;”**

The building elevations are appealing and are compatible with newer, recent development in the area, and will foster an aesthetic environment that is compatible with development in the area.

6. **“Appropriate measures are taken to secure and protect the public health, safety and general welfare.”**

The proposed development will be subject to permits and final inspection for a Certificate of Occupancy, and therefore will not compromise the health, safety and general welfare.

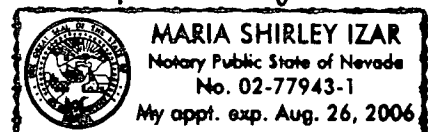
PLANNING COMMISSION ACTION

The Planning Commission amended condition #12 as shown.

NOTICES MAILED 35 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-4069** APN: 138-15-410-050 NEW
138-15-410-034 OLD

Name of Property Owner: ZORRY-QUAD LLC

Name of Applicant: AROMESH AKHAVAN

To the best of your knowledge, does the Mayor or any member of the City Council, Planning Commission, or a Hearings Officer have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

 Yes X No

If yes, please indicate the member of the City Council, Planning Commission or Hearings Officer who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN:

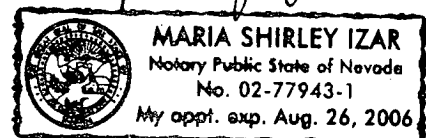
Signature of Property Owner/Authorized Agent: _____

Subscribed and sworn before me

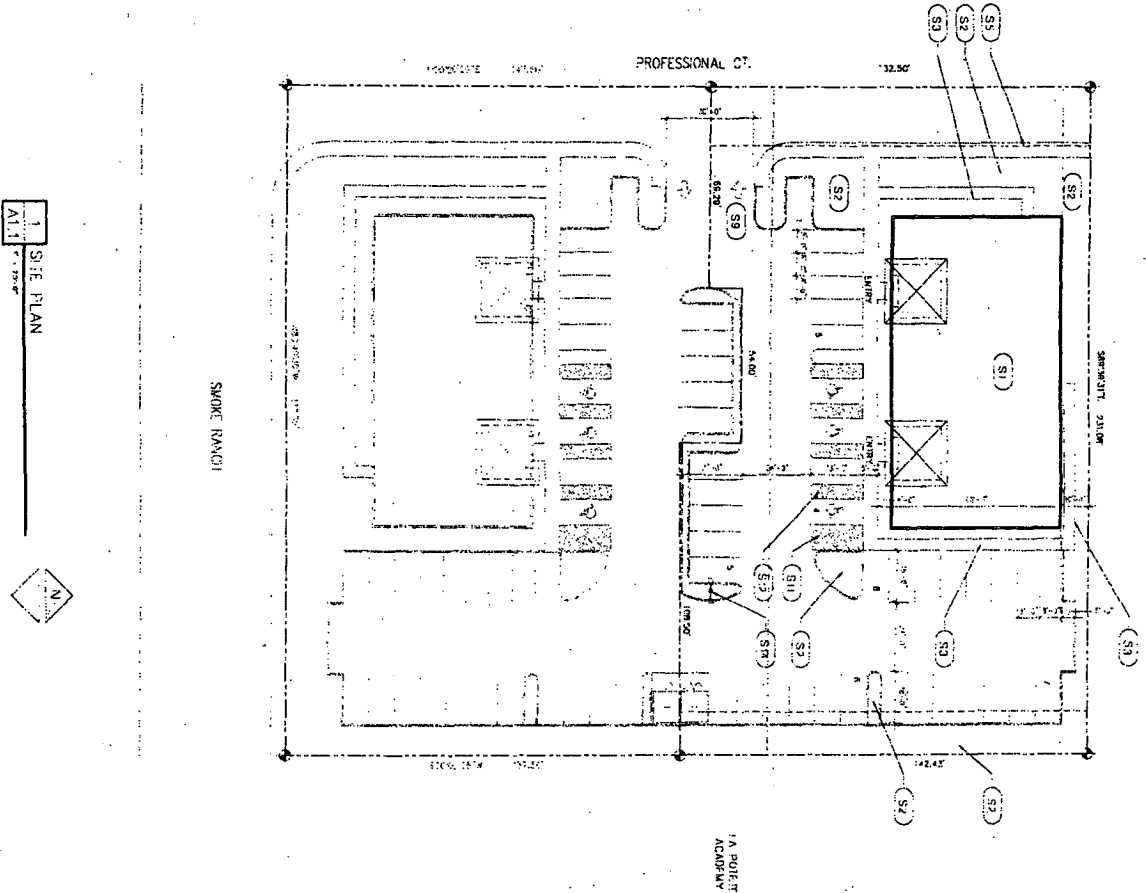
This 21 day of March, 2004

Notary Public in and for said County and State

Maria Shulygar



EXISTING
OFFICE BUILDING



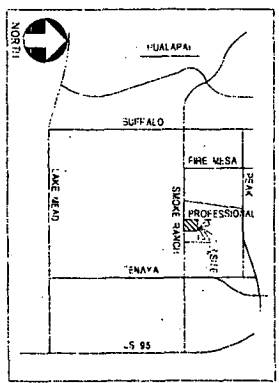
1 SITE PLAN
A1.1



SITE LEGEND	
1	APPROXIMATE PROPERTY LINES
2	EXISTING BUILDING FOOTPRINT
3	PROPOSED BUILDING FOOTPRINT
4	PROPOSED PARKING AREAS
5	PROPOSED DRIVEWAYS
6	PROPOSED LANDSCAPING AREAS
7	PROPOSED UTILITY LINES
8	PROPOSED FENCE LINE
9	PROPOSED SIGNAGE
10	PROPOSED LIGHTING

SITE ANALYSIS	
1	EXISTING BUILDING FOOTPRINT
2	PROPOSED BUILDING FOOTPRINT
3	PROPOSED PARKING AREAS
4	PROPOSED DRIVEWAYS
5	PROPOSED LANDSCAPING AREAS
6	PROPOSED UTILITY LINES
7	PROPOSED FENCE LINE
8	PROPOSED SIGNAGE
9	PROPOSED LIGHTING
10	PROPOSED FLOOD ZONE
11	PROPOSED EROSION CONTROL
12	PROPOSED WIND BREAKS
13	PROPOSED SOUND BARRIERS
14	PROPOSED SECURITY FENCE
15	PROPOSED ACCESS ROADS
16	PROPOSED EGRESS ROUTES
17	PROPOSED FIRE EXITS
18	PROPOSED EMERGENCY ASSEMBLY AREAS
19	PROPOSED EMERGENCY EVACUATION ROUTES
20	PROPOSED EMERGENCY RESPONSE AREAS
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100	PROPOSED EMERGENCY RESPONSE AREAS

KEYNOTES	
S1	NEW OFFICE BUILDING
S2	LANDSCAPING AREA
S3	NEW CONCRETE DRIVEWAY
S4	CLUB HOUSE, 10,000 SQ. FT.
S5	EXISTING DRIVEWAY
S6	NEW 20' X 20' PARKING SPACE
S7	4' CONCRETE DRIVE
S8	NEW TRASH ENCLOSURE
S9	NEW DRIVEWAY, CONCRETE
S10	CLUB AND GOLF
S11	ACCESSIBLE ROUTE TO A
S12	ACCESSIBLE ROUTE TO B
S13	ACCESSIBLE ROUTE TO C
S14	ACCESSIBLE ROUTE TO D
S15	ACCESSIBLE ROUTE TO E
S16	ACCESSIBLE ROUTE TO F
S17	ACCESSIBLE ROUTE TO G
S18	ACCESSIBLE ROUTE TO H
S19	ACCESSIBLE ROUTE TO I
S20	ACCESSIBLE ROUTE TO J
S21	ACCESSIBLE ROUTE TO K
S22	ACCESSIBLE ROUTE TO L
S23	ACCESSIBLE ROUTE TO M
S24	ACCESSIBLE ROUTE TO N
S25	ACCESSIBLE ROUTE TO O
S26	ACCESSIBLE ROUTE TO P
S27	ACCESSIBLE ROUTE TO Q
S28	ACCESSIBLE ROUTE TO R
S29	ACCESSIBLE ROUTE TO S
S30	ACCESSIBLE ROUTE TO T
S31	ACCESSIBLE ROUTE TO U
S32	ACCESSIBLE ROUTE TO V
S33	ACCESSIBLE ROUTE TO W
S34	ACCESSIBLE ROUTE TO X
S35	ACCESSIBLE ROUTE TO Y
S36	ACCESSIBLE ROUTE TO Z
S37	ACCESSIBLE ROUTE TO AA
S38	ACCESSIBLE ROUTE TO AB
S39	ACCESSIBLE ROUTE TO AC
S40	ACCESSIBLE ROUTE TO AD
S41	ACCESSIBLE ROUTE TO AE
S42	ACCESSIBLE ROUTE TO AF
S43	ACCESSIBLE ROUTE TO AG
S44	ACCESSIBLE ROUTE TO AH
S45	ACCESSIBLE ROUTE TO AI
S46	ACCESSIBLE ROUTE TO AJ
S47	ACCESSIBLE ROUTE TO AK
S48	ACCESSIBLE ROUTE TO AL
S49	ACCESSIBLE ROUTE TO AM
S50	ACCESSIBLE ROUTE TO AN
S51	ACCESSIBLE ROUTE TO AO
S52	ACCESSIBLE ROUTE TO AP
S53	ACCESSIBLE ROUTE TO AQ
S54	ACCESSIBLE ROUTE TO AR
S55	ACCESSIBLE ROUTE TO AS
S56	ACCESSIBLE ROUTE TO AT
S57	ACCESSIBLE ROUTE TO AU
S58	ACCESSIBLE ROUTE TO AV
S59	ACCESSIBLE ROUTE TO AW
S60	ACCESSIBLE ROUTE TO AX
S61	ACCESSIBLE ROUTE TO AY
S62	ACCESSIBLE ROUTE TO AZ
S63	ACCESSIBLE ROUTE TO BA
S64	ACCESSIBLE ROUTE TO BB
S65	ACCESSIBLE ROUTE TO BC
S66	ACCESSIBLE ROUTE TO BD
S67	ACCESSIBLE ROUTE TO BE
S68	ACCESSIBLE ROUTE TO BF
S69	ACCESSIBLE ROUTE TO BG
S70	ACCESSIBLE ROUTE TO BH
S71	ACCESSIBLE ROUTE TO BI
S72	ACCESSIBLE ROUTE TO BJ
S73	ACCESSIBLE ROUTE TO BK
S74	ACCESSIBLE ROUTE TO BL
S75	ACCESSIBLE ROUTE TO BM
S76	ACCESSIBLE ROUTE TO BN
S77	ACCESSIBLE ROUTE TO BO
S78	ACCESSIBLE ROUTE TO BP
S79	ACCESSIBLE ROUTE TO BQ
S80	ACCESSIBLE ROUTE TO BR
S81	ACCESSIBLE ROUTE TO BS
S82	ACCESSIBLE ROUTE TO BT
S83	ACCESSIBLE ROUTE TO BU
S84	ACCESSIBLE ROUTE TO BV
S85	ACCESSIBLE ROUTE TO BW
S86	ACCESSIBLE ROUTE TO BX
S87	ACCESSIBLE ROUTE TO BY
S88	ACCESSIBLE ROUTE TO BZ
S89	ACCESSIBLE ROUTE TO CA
S90	ACCESSIBLE ROUTE TO CB
S91	ACCESSIBLE ROUTE TO CC
S92	ACCESSIBLE ROUTE TO CD
S93	ACCESSIBLE ROUTE TO CE
S94	ACCESSIBLE ROUTE TO CF
S95	ACCESSIBLE ROUTE TO CG
S96	ACCESSIBLE ROUTE TO CH
S97	ACCESSIBLE ROUTE TO CI
S98	ACCESSIBLE ROUTE TO CJ
S99	ACCESSIBLE ROUTE TO CK
S100	ACCESSIBLE ROUTE TO CL



SITE LOCATION / VICINITY MAP

SDR-4069
4-22-04 PC

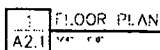
A1.1

SITE
PLAN

Sun City Medical Center
Las Vegas Technology Center

NOVAD Construction
Las Vegas, Nevada

EVAN WAUSE
architect

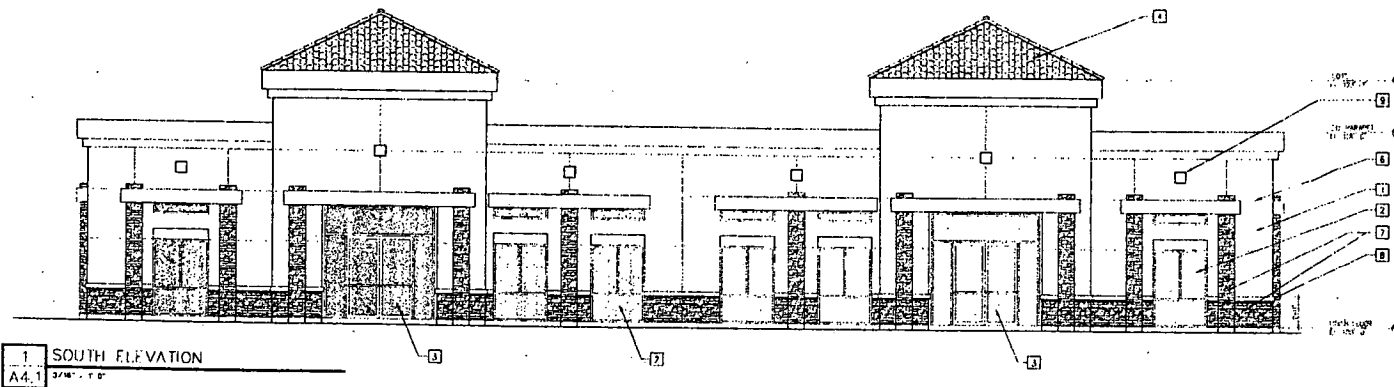


**FLOOR
PLAN**

Project No. 62042-1-1000
 Date Recd. 10/1/55
 Order No. 10/1/55
 Drawing No. 10/1/55
 Date 10/1/55
 Sheet No. 10/1/55

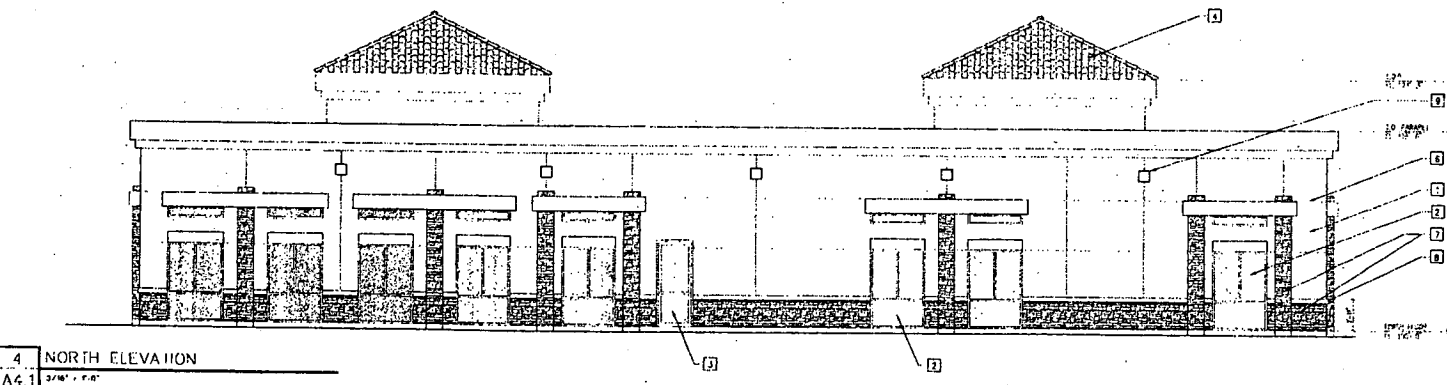
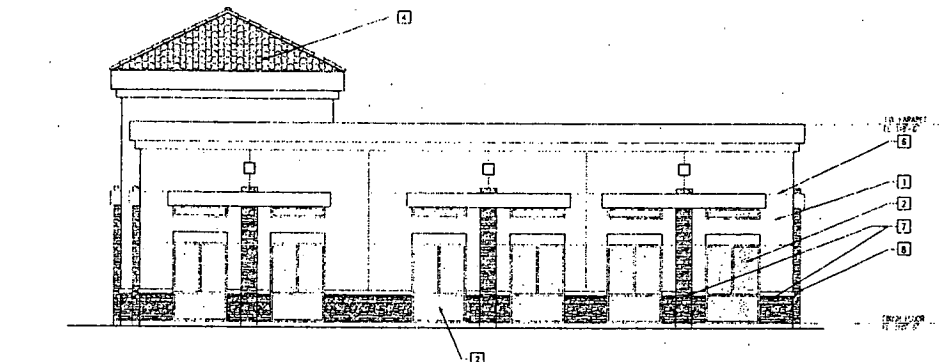
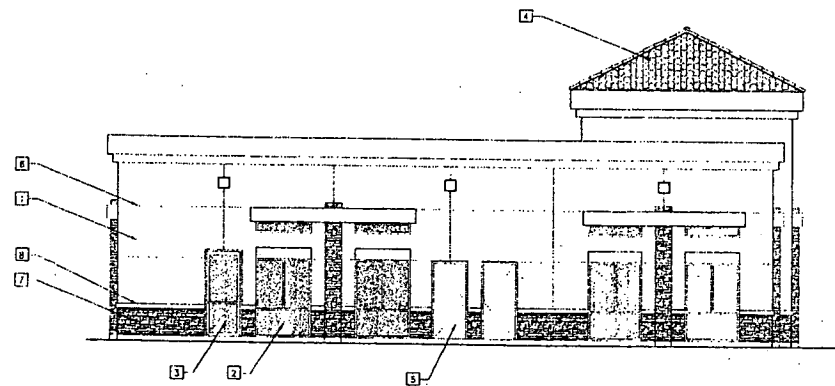
A2.1

SDR-4069
4-22-04 PC



KEYNOTES

- 1 1/2" STUCCO (EX. CLUMPT PLASTER)
- 2 ALUM. AND GLASS WINDOW SYSTEM W/ 1" INSULATED GLASSING (BROOKLYN WINDOW)
- 3 STONE/STONE ENTRANCE W/ 1" INSULATION (ALUM. & GLASS) BROOKLYN WINDOW
- 4 CONCRETE ROOF TILE (5-10") ON PLYND. DECK OVER NO. TRUSSES
- 5 METAL DOOR, P13
- 6 STUCCO CORNER JOINT (1/2") SET 1/2" A/L
- 7 STONE/STONE WINDOW
- 8 5" STUCCO BAND (STUCCO OVER MOIST. WD. 10%)
- 9 EXTERIOR LIGHT FIXTURE BY LUMBER
- 10 N/A



EVAN VAUSE
architect

PO BOX 530433 T: (702) 750-0802
Henderson, NV P: (702) 885-0271
evan@evanva.com

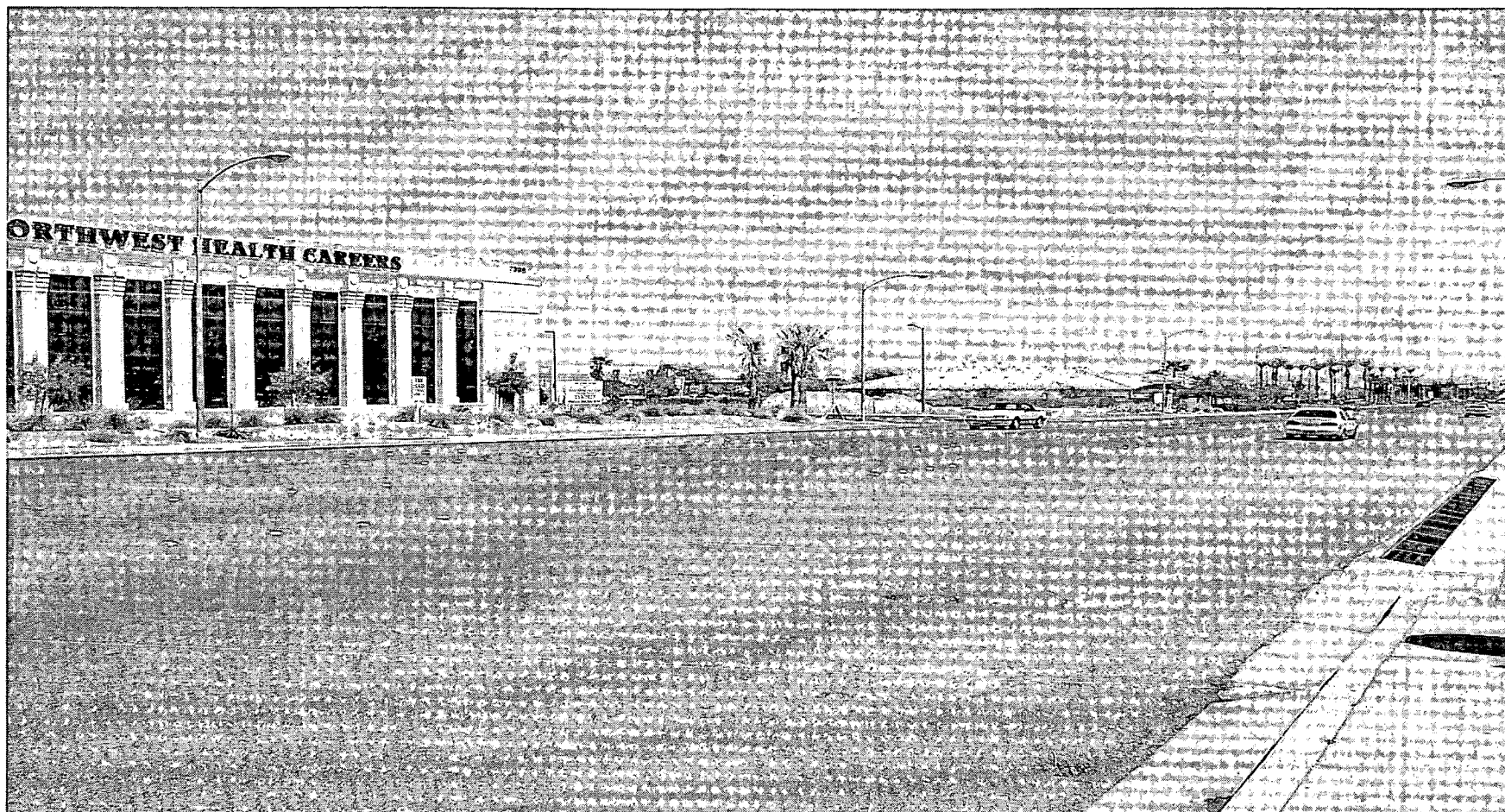
Sun City Medical Center
Las Vegas Technology Center
NOVAD Construction
Las Vegas, Nevada

EXTERIOR
ELEVATIONS

Project No. EVAN02 1000-
Site Name: SUN CITY MEDICAL CENTER
Drawn By: J.C.
Checked By: J.C.
Date: 10/24/04
Sheet No.

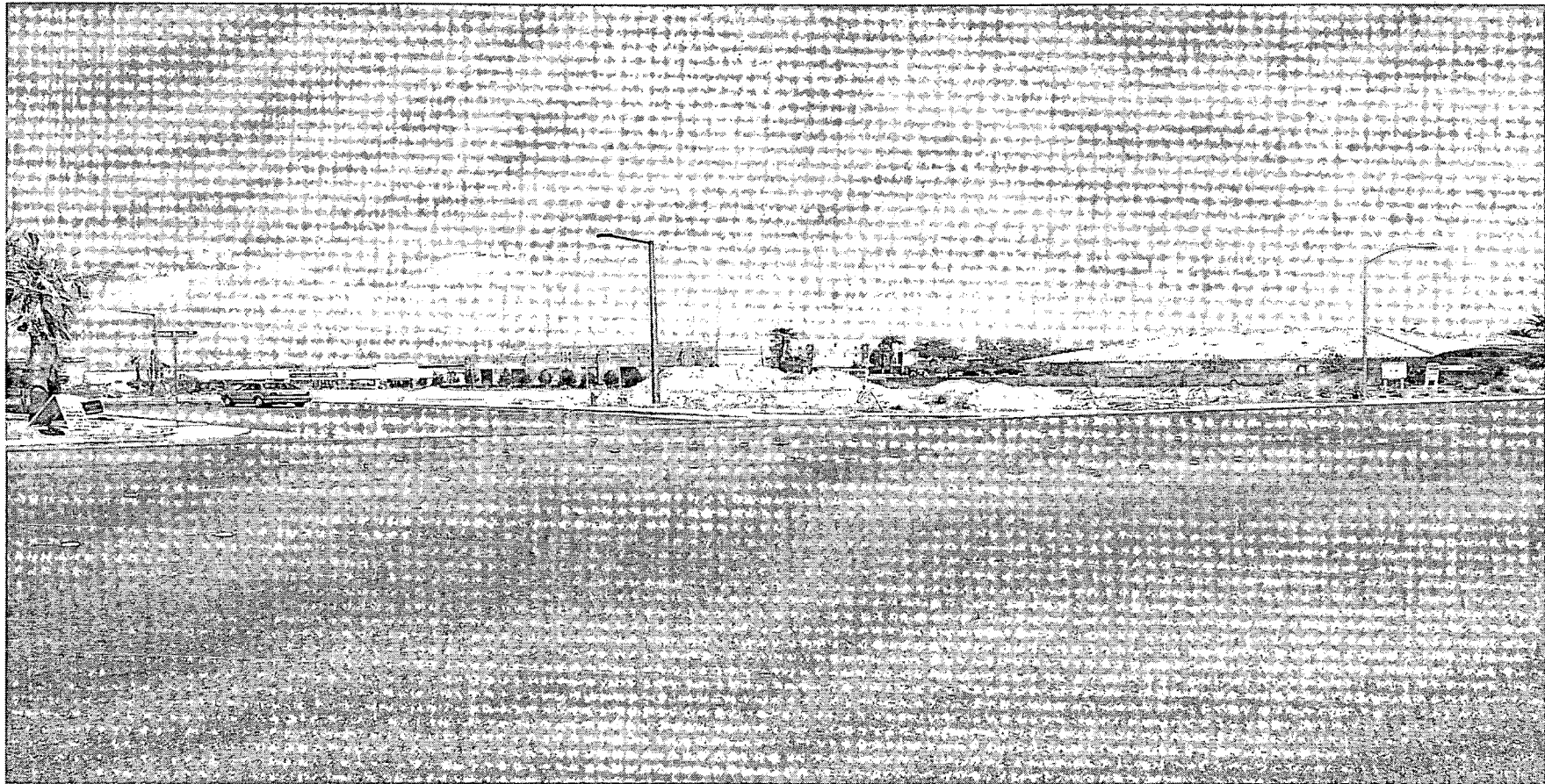
A4.1

SDR-4069
4-22-04 PC



SDR-4069 - APPLICANT: NOVAD CONSTRUCTION - OWNER: RCN PROPERTIES, LIMITED LIABILITY
COMPANY & ZORITY QUAN, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF SMOKE RANCH ROAD AND PROFESSIONAL COURT
APRIL 22, 2004 PLANNING COMMISSION

4/9/04



SDR-4069 - APPLICANT: NOVAD CONSTRUCTION - OWNER: RCN PROPERTIES, LIMITED LIABILITY
COMPANY & ZORITY QUAN, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF SMOKE RANCH ROAD AND PROFESSIONAL COURT
APRIL 22, 2004 PLANNING COMMISSION

4/9/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 19, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

MASTER SIGN PLAN - PUBLIC HEARING - MSP-4062 - **APPLICANT/OWNER: SANTA FE STATION, INC.** - Request for amendments to Master Sign Plans MSP-0008-01 and MSP-2881 FOR SIGNS ON THE MOVIE THEATRE ADDITION TO AN EXISTING HOTEL AND CASINO at 4949 North Rancho Drive (APN: 125-34-801-001), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with Ward 2 seat vacant

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

GREG BORGEL, 300 South 4th Street, appeared on behalf of applicant and accepted all conditions. COUNCILMAN MACK agreed that the proposed signage is appropriate for a major movie theatre.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(1:44 – 1:45)

3-1486

CONDITIONS:

Planning and Development

1. Conformance with the sign elevations and documentation as submitted in conjunction with this request.

CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 110 – MSP-4062

CONDITIONS - Continued:

2. All signage shall have proper permits obtained through the Building and Safety Department.
3. Any future amendments to the Master Sign Plan that are in compliance with the requirements of Title 19.14 for the subject zoning district may be reviewed and approved administratively by the Planning and Development Department.

Public Works

4. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-32-85 and all other subsequent site-related actions.
5. Signs shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

AGENDA MEMO

CITYCOUNCIL MEETING DATE: MAY 19, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: MSP-4062 – APPLICANT/OWNER: SANTA FE STATION, INC.

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance with the sign elevations and documentation as submitted in conjunction with this request.
2. All signage shall have proper permits obtained through the Building and Safety Department.
3. Any future amendments to the Master Sign Plan that are in compliance with the requirements of Title 19.14 for the subject zoning district may be reviewed and approved administratively by the Planning and Development Department.

Public Works

4. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-32-85 and all other subsequent site-related actions.
5. Signs shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for an amendment to Master Sign Plans MSP-0008-01 and MSP-2881 for signs on the movie theater addition to an existing hotel and casino at 4949 North Rancho Drive.

B) Applicant's Justification

The applicant has stated that the proposed signage will assist patrons in locating the new theater portion of the casino complex, and that the signage has been designed so as to not conflict with other signage on the property.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|--|
| 06/19/85 | The City Council approved a Rezoning (Z-0032-85) request from R-E (Residence Estates) and C-2 (General Commercial) to C-2 (General Commercial) for the subject property. The Planning Commission recommended approval of the action at their meeting of June 13, 1985. |
| 03/15/89 | The City Council approved a Special Use Permit (U-0182-88) for the development of a hotel and casino. |
| 08/10/98 | The City Council approved a Site Development Plan [Z-0032-85(9)] for a three-story parking garage on the subject property. The Planning Commission and staff recommended approval. |
| 10/12/00 | The Planning Commission approved a Site Development Plan [Z-0032-85(10)] for a four-story parking garage on the subject property. Staff recommended approval. |
| 12/07/00 | The Planning Commission approved a Site Development Plan [Z-0032-85(12)] for a temporary reduction in the amount of on-site landscaping and in the amount of on-site parking. Staff recommended approval. |
| 09/19/01 | The City Council approved a Master Sign Plan (MSP-0008-01) for the property, and approved a Review of Condition [Z-0032-85(14)] relative to allowing signage on the northeast face of the parking garage. The Planning Commission recommended approval of the requests at their meeting of August 9, 2001. Staff recommended denial. |

- 12/22/01 The Planning and Development Department administratively approved a Site Development Plan [Z-0032-85(13)] for a 27,300 square foot addition to the existing hotel and casino.
- 12/17/03 The City Council approved a request to permit new freestanding signage on the site (MSP-2881). The Planning Commission had recommended denial of the request at their meeting of 25 September 2003. Staff recommended denial.
- 03/25/04 The Planning Commission recommended approval of a Site Development Plan Review (SDR-3923) application for a proposed expansion of the casino and the addition of a movie theater. The item is scheduled to be heard by City Council on April 21, 2004.
- 04/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #15/ff)

B) Pre-Application Meeting

- 02/24/04 At the pre-application conference, staff discussed the code requirements and application process. It was noted that a master sign plan and amended sign plan had been approved for the property, and that the theater signage should be included as part of the master sign plan for the complex.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 34.17 acres

B) Existing Land Use

Subject Property: Hotel/Casino

North: Commercial Center, U.S. 95 Interchange

South: Service Station Use, Fire Station, Office Use, Child Care Facility, Single-Family Use

East: Sexually Oriented Business Use, Auto Repair Use, Undeveloped

West: U.S. 95, Golf Course Use

C) Planned Land Use

Subject Property: GC (General Commercial), R.O.W (Right-of-Way)

North: GC (General Commercial)

South: O (Office), P (Parks/Recreation/Open Space), PF (Public Facilities)

East: SC (Service Commercial), GC (General Commercial)

West: R.O.W (Right-of-Way), P (Parks/Recreation/Open Space)

D) Existing Zoning

Subject Property: C-2 (General Commercial)
North: C-2 (General Commercial)
South: C-V (Civic), R-E (Residence Estates), U (PR) [Undeveloped (Professional Office/ Parking) General Plan Designation], and Unincorporated Clark County
East: C-2 (General Commercial)
West: U.S. 95, R-PD5 (Residential Planned Development- 5 Units Per Acre)

E) General Plan Compliance

The property is designated GC (General Commercial) by the Centennial Hills Sector Plan. The GC (General Commercial) designation permits retail, service, wholesale, office and other general business uses of an intense commercial character.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Study Area		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

The property is not subject to any special districts or zones.

MASTER SIGN PLAN REQUIREMENTS FOR ON-PREMISE SIGNAGE		
THRESHOLD	YES	NO
Non-Residential project with a site larger than 15 acres	X	
Non-Restricted Gaming Establishment	X	

A Master Sign Plan is required due to the fact that the property is over 15 acres in size and a non-restricted casino.

ANALYSIS

A) Zoning Code Compliance

The proposed sign plan includes a marquee sign, which will be incorporated as part of an architectural element at the southwest corner of the theater building, and wall signs on the south and west elevations. No changes will be made to the other existing signage on the property.

A1) Residential Protection Standards

The proposed signs will be located over 600 feet from the nearest residential property, and therefore will not be subject to Residential Protection Standards.

A2) Sign Standards

Pursuant to Title 19.14, the following Sign Standards apply to the subject proposal:

**Marquee Sign: Sign A
Standards**

	Allowed	Provided
Maximum Number	1/Elevation 4 total	1 total
Maximum Area	20%/elevation	10%/elevation
Maximum Height	Shall not extend above building height	Below height of architectural element
Minimum Setback	3 feet from back of curb	125 feet
Illumination	Internal, external, animated, electronic	Internal, external

**Wall Signs: Sign B, Sign C
Standards**

	Allowed	Provided
Maximum Number	N/A	N/A
Maximum Area	20% /elevation	1%, 7%
Maximum Projection	4 Feet	8"
Illumination	Internal, external, animated, electronic	Internal

The proposed marquee sign, which will be incorporated as an architectural element of the building, will conform to the square footage limitation imposed by the code. The wall signage is also in conformance with the square footage limitation.

B) General Analysis and Discussion

The applicant has filed an application to add a 16-screen movie theater to the existing casino complex. The City Council is scheduled to review the request at their meeting of April 21, 2004; the Planning Commission recommended approval of the request at the meeting March 25, 2004. The proposed amendment to the sign plan will specify the signage that will identify the movie theater.

The theater building will include a tapered 110-foot high marquee element that is designed as an integral feature of the building. The marquee element will include individually illuminated letters applied to the north and south faces, with horizontal neon banding to separate the letters. The marquee signage will not include any electronic reader board or changeable text to display movie titles. While Title 19 does not permit marquee signage to extend above the roof of a building, the proposed marquee structure is a permanent element of the building, and integrated with the architectural character and materials of the building.

Two wall signs are proposed for the new theater structure; a wall sign over the exterior entrance on the west side of the building, and a wall sign located at the southeast corner of the building. The wall signage will be internally illuminated, and conforms to the square footage limitation listed in Title 19.

NOTICES MAILED 201 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **MSP-4062** APN: 125-34-801-001Name of Property Owner: Santa Fe Station, Inc.Name of Applicant: Santa Fe Station, Inc.

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

X Yes

_____ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: Lynette B. McDonald is on the Board of Directors
of Station Casinos, Inc., the parent corporation of the Owner/Applicant

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: [Signature]

Print Name: Richard J. Hastings

Assistant Secretary

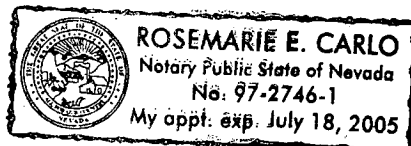
Subscribed and sworn before me

This 8TH day of March, 2004

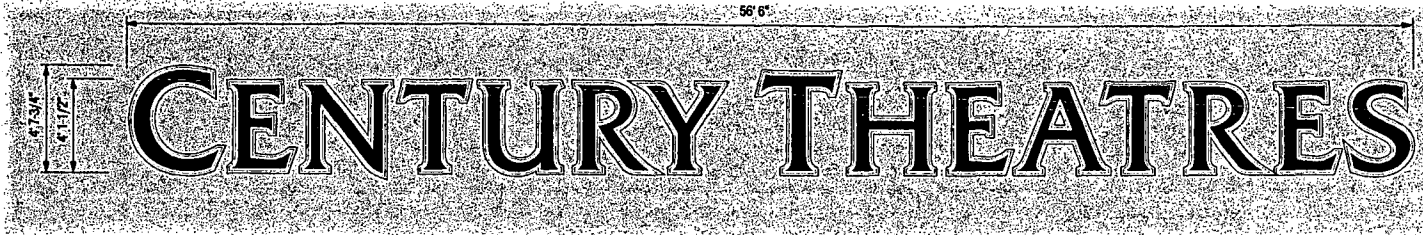
[Signature]

Notary Public in and for said County and State

Revised 2/12/02



f:\depot\Application Packet\Statement of Financial Interest.doc



A Sign Elevation Typical Letters Greater Than 4" scale: 3/16" = 1' 0"



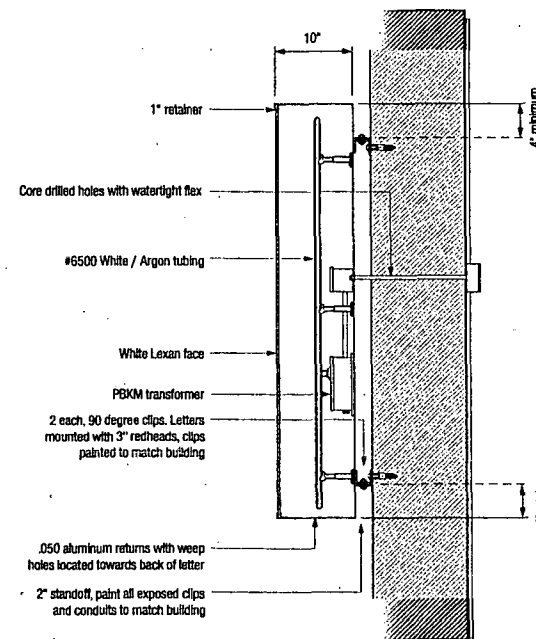
C Sign Elevation Typical Letters Less Than 4" scale: 3/16" = 1' 0"

A Specifications Typical Letters Greater Than 4'

Item	Description	Vendor	Specification
Letter Faces	Polycarbonate	GE	White Lexan
Letter Decoration	Vinyl	3M	Light Tomato Red #3630-43 with white 1-1/4" show-thru outline
"Century" Retainers	.050 aluminum	Matthews Acrylic Polyurethane	Faces painted white #282-202, satin sides painted Blue PMS #287, satin
Returns	.050 aluminum	Matthews Acrylic Polyurethane	Painted Blue PMS #287, satin
"Century" Illum.	Four tube	Voltarc	#6500 White/Argon

C Specifications Typical Letters Less Than 4'

Item	Description	Vendor	Specification
Faces	3/16" acrylic	Acrylite	White #015-2
Face Decoration	Vinyl	3M	Light Tomato Red #3630-43 with white show-thru outline
Trimcap	1"	Silvatrim	Painted Blue PMS #287, satin
Returns	.050 aluminum	Matthews Acrylic Polyurethane	Painted Blue PMS #287, satin, insides painted white
Illumination	Double tube	Voltarc	#6500 White/Argon

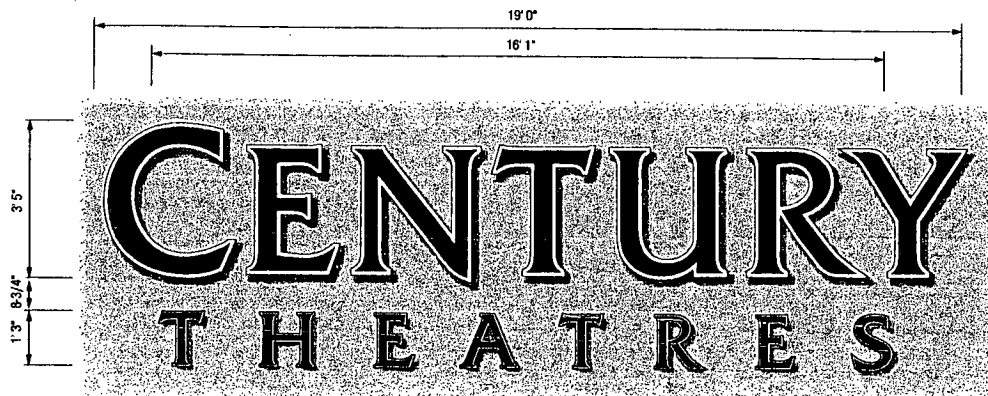


— Sign Section scale: 3/4" = 1' 0"

Sign Type Individual Letters - Horizontal Layout
Date: January 27th, 2001
Sheet: 3

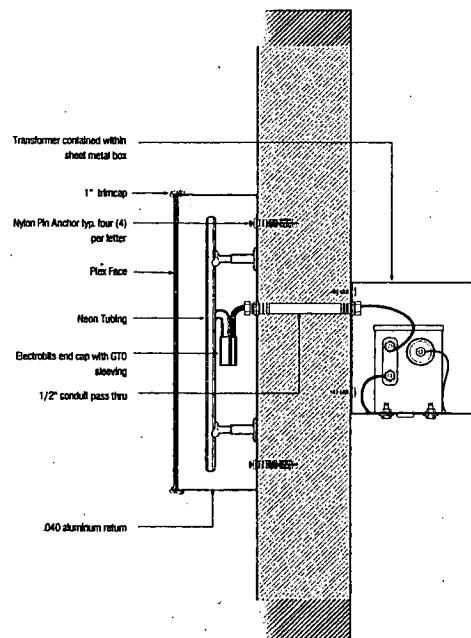
Revision

MSP-4062
4-22-04 PC



B Sign Elevation Typical Letters Less Than 4' scale: 3/8" = 1' 0"
Channel Letters with Remote Transformers

Item	Description	Vendor	Specification
Faces	3/16" acrylic	Acrylite	White #015-2
Face Decoration	Vinyl	3M	Light Tomato Red #3630-43 with white show-thru outline
Trimcap	1"	Silvaflex	Painted Blue PMS #287, satin
Returns	.050 aluminum	Matthews Acrylic Polyurethane	Painted Blue PMS #287, satin, insides painted white
"Century" Illumination	Double tube	Voltarc	#6500 White/Argon
"Theatres" Illumination	Single tube	Voltarc	#6500 White/Argon

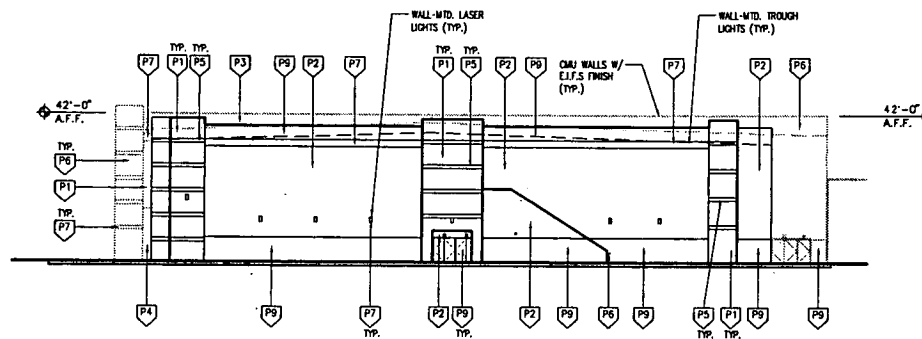


Sign Section not to scale

Sign Type Individual Letters - Stacked Layout
Date: January 27th, 2001
Sheet 2

Revision

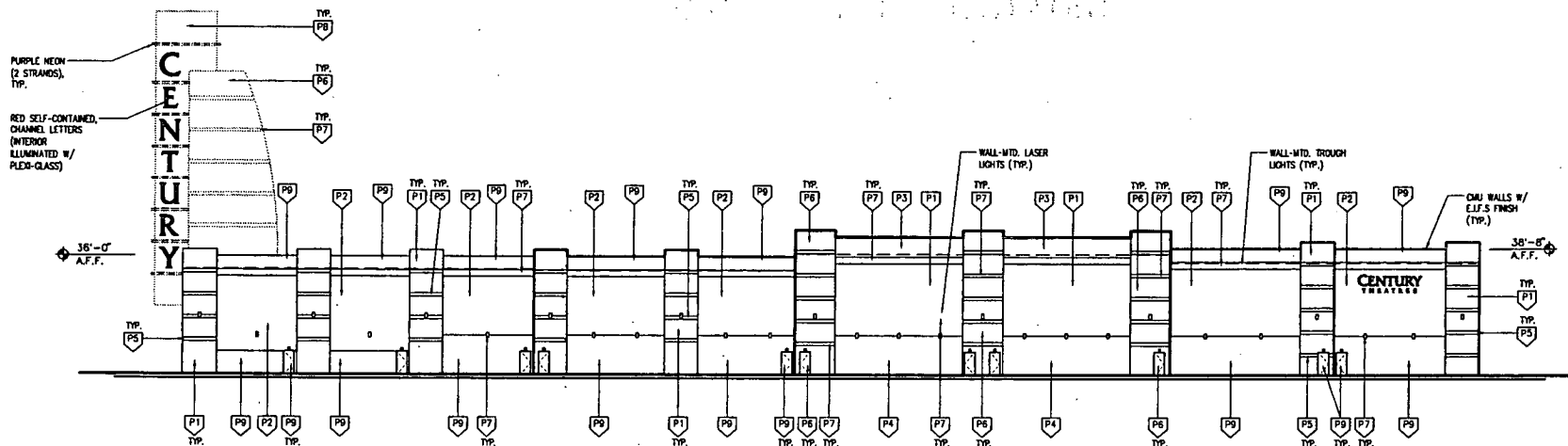
MSP-4062
4-22-04 PC



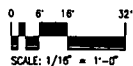
3 EAST EXTERIOR ELEVATION

COLOR LEGEND

- P1 ONION SKIN TAN - IC1 #421
- P2 SUGAR MAPLE - IC1 #536
- P3 GOLDEN CHAMPAGNE - IC1 #549
- P4 DEEP RUSSET - IC1 #264
- P5 CLEMATIS VINE - IC1 #1585
- P6 COPPER PENNY - IC1 #363
- P7 PURPLE FIRE - IC1 #1615
- P8 BLUE BLOOD - IC1 #1523
- P9 ROSAUE - IC1 #129
- P10 RIDING HOOD - IC1 #166
- P11 PRELUDE BLUE - IC1 #1519
- P12 GREENSWARD - IC1 #1106
- P13 CAROTENE - IC1 #402



4 SOUTH EXTERIOR ELEVATION

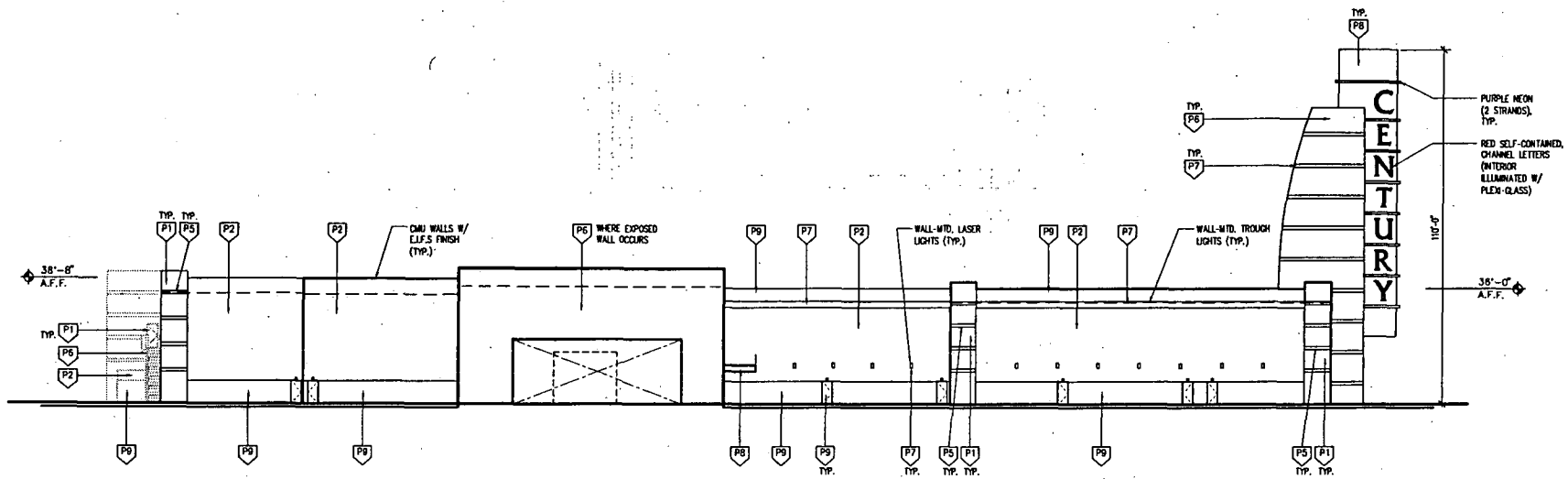


EXTERIOR ELEVATIONS

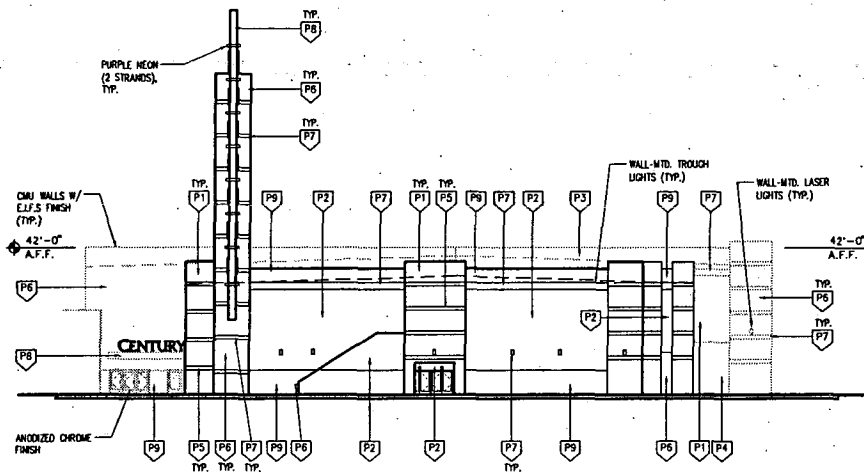
STATION CASINOS - SANTA FE STADIUM 16
LAS VEGAS, NEVADA

CENTURY
THEATRES

MSP-4062
4-22-04 PC



① NORTH EXTERIOR ELEVATION



② WEST EXTERIOR ELEVATION

COLOR LEGEND

- P1 ONION SKIN TAN - ICI #421
- P2 SUGAR MAPLE - ICI #536
- P3 GOLDEN CHAMPAGNE - ICI #549
- P4 DEEP RUSSET - ICI #264
- P5 CLEMATIS VINE - ICI #1585
- P6 COPPER PEBBLE - ICI #383
- P7 PURPLE FIRE - ICI #1615
- P8 BLUE BLOOD - ICI #1523
- P9 ROSAUE - ICI #129
- T1 RIDING HOOD - ICI #166
- T2 PRELUDE BLUE - ICI #1519
- T3 GREENSWARD - ICI #1106
- T4 CAROTENE - ICI #402

0 8' 16' 32'
SCALE: 1/16" = 1'-0"

EXTERIOR ELEVATIONS

STATION CASINOS - SANTA FE STADIUM 16
LAS VEGAS, NEVADA

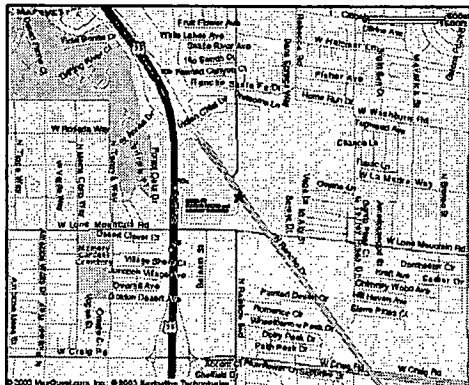
CENTURY
THEATRES

MSP-4062
4-22-04 PC

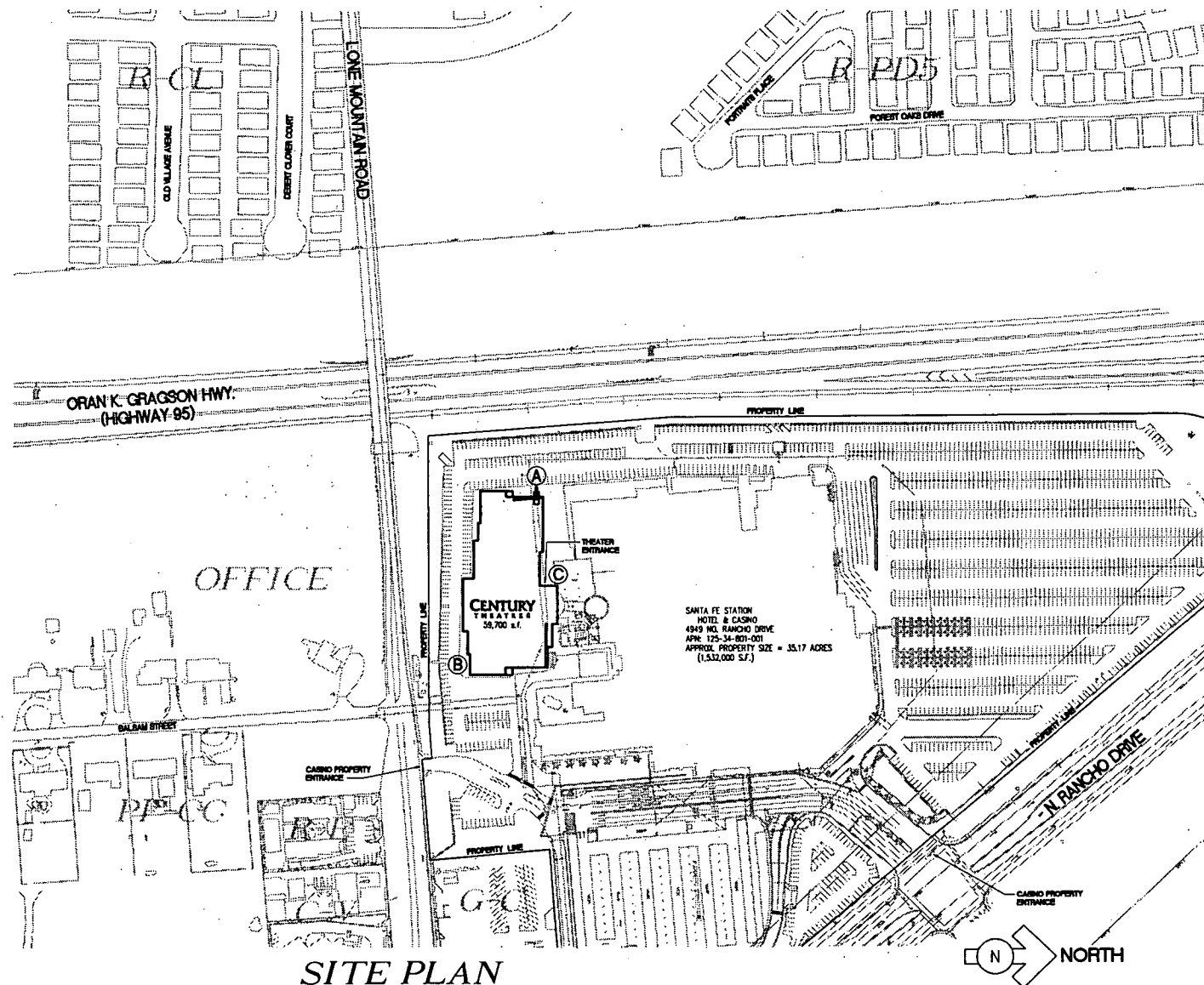
FEHLMAN
LABARGE
ARCHITECTS
PLANNING

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MARCH 8, 2004



VICINITY MAP



SITE PLAN

STATION CASINOS - SANTA FE STADIUM 16
LAS VEGAS, NEVADA

CENTURY
THEATRES

MSP-4062
4-22-04 PC

4522 Eighth Avenue
Suite A
San Diego, CA 92101
Tel (619) 234-4700
Fax (619) 234-8138

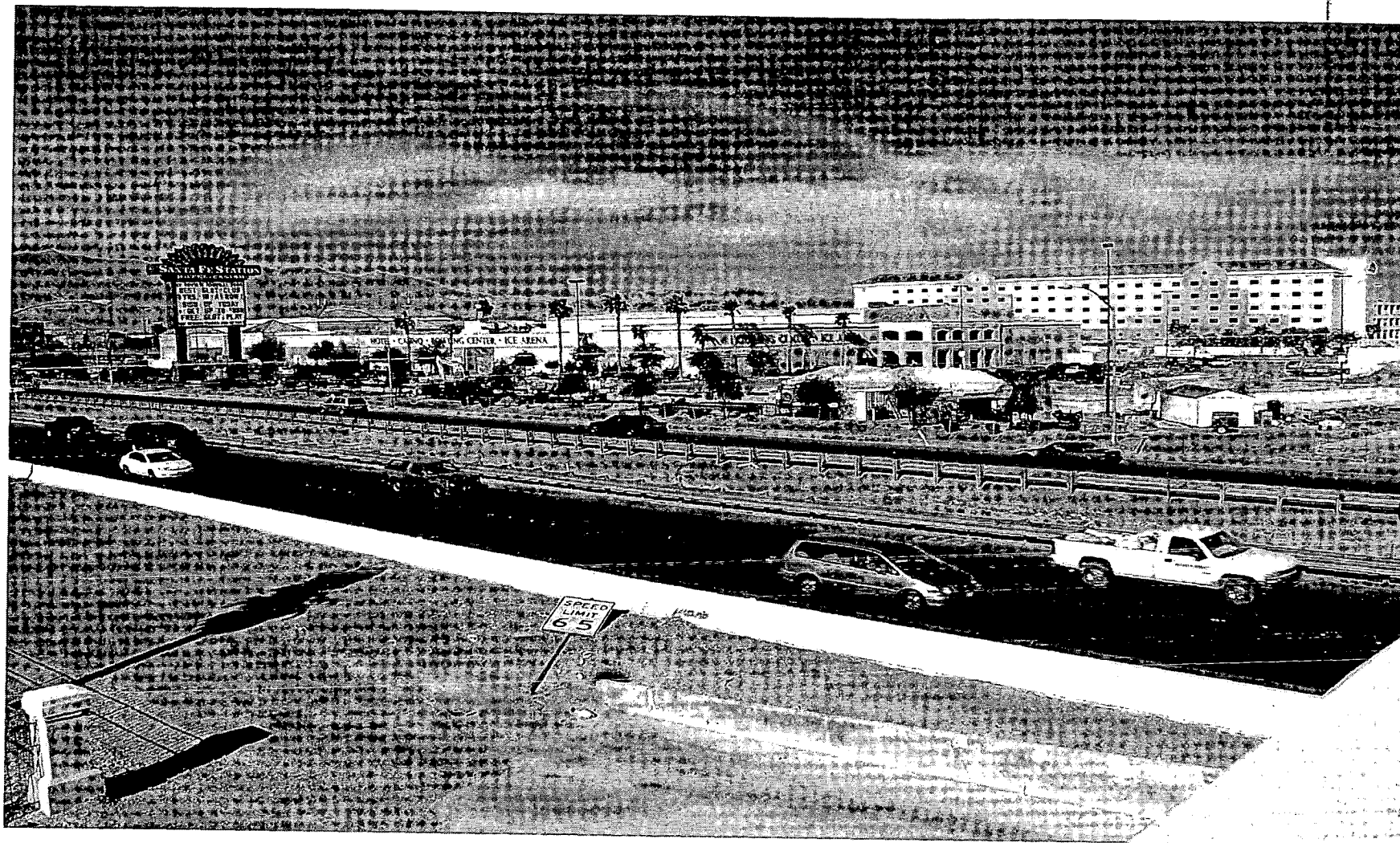
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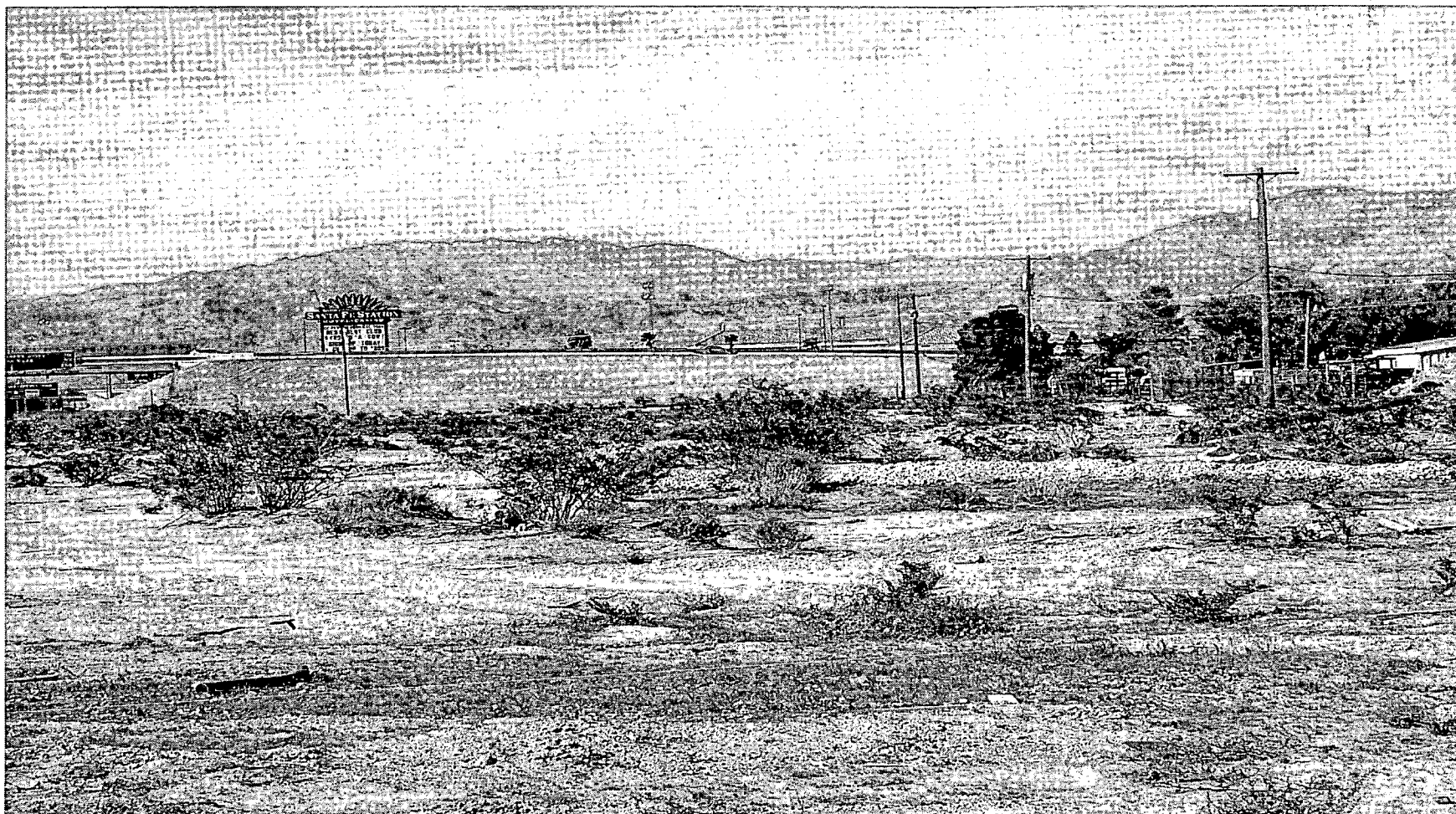
MSP-4062 - APPLICANT/OWNER: SANTA FE STATION, INC.
4949 NORTH RANCHO DRIVE
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