

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 16, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-105-2004 - Approval of a Resolution fixing the time and place when complaints, protests, and objections to the Final Assessment Roll will be heard for Special Improvement District No. 1499 - Alexander Road (US-95 to Rancho Drive) (\$78,002.48 - Capital Projects Fund - Special Assessments) - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$78,002.48

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Budget Funds Available

Dept./Division: Public Works/SID

☐

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

This resolution defines the time and place for a public hearing on the Final Assessment Roll for the construction and installation of pavement, "L" type curb and gutter, sidewalk, water laterals, and streetlights.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-105-2004

MOTION:

REESE – APPROVED Items 4-16, 18-27, 29, and 31-64 – **UNANIMOUS** with Ward 2 seat vacant

Items 3, 17, & 30: APPROVED under separate actions (see individual items)

Item 28: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:41 – 9:44)

1-1199

RESOLUTION NO. R-105-2004

A RESOLUTION CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1499 – ALEXANDER ROAD (US-95 TO RANCHO DRIVE); FIXING THE TIME AND PLACE WHEN COMPLAINTS, PROTESTS, AND OBJECTIONS TO THE FINAL ASSESSMENT ROLL FOR THE DISTRICT WILL BE HEARD; PROVIDING FOR THE MANNER OF GIVING NOTICE OF THE HEARING ON THE FINAL ASSESSMENT ROLL; PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH; RATIFYING ALL ACTION TAKEN CONSISTENT WITH THE PROVISIONS HEREOF; AND PROVIDING THE EFFECTIVE DATE HEREOF.

Summary: Public Hearing Notice

WHEREAS, the City Council of the City of Las Vegas in the County of Clark, State of Nevada, (hereinafter the "City Council" and the "City" respectively) pursuant to an ordinance heretofore adopted (hereinafter the "Creation Ordinance") created City of Las Vegas, Nevada, Special Improvement District No. 1499 – Alexander Road (US-95 to Rancho Drive) (hereinafter the "District") and ordered the acquisition of certain public improvements within the District (hereinafter the "Project"); and

WHEREAS, the City Council, by resolution heretofore adopted, has authorized the proper officers of the City to execute a construction contract on behalf of the City in accordance with NRS 271.335, for the Project, all as provided by law; and

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

WHEREAS, NRS 271.360 provides that the City Council may determine the cost of the Project to be assessed after making the construction contract, or after determining the net cost to the City, but not necessarily after the completion of the Project; and

WHEREAS, in accordance with NRS 271.360, the City Council has determined and does hereby declare that the net cost to the City for the Project (including all necessary incidentals which either have been or will be incurred in connection with the District) is \$2,361,669.42, of which \$2,283,666.94 is available from other sources and \$78,002.48 is to be assessed upon the benefited lots, tracts and parcels of land in the District, which the City Council has determined will receive special benefits and corresponding market value increases from the Project; and

WHEREAS, the City Council by resolution heretofore adopted, directed the City Engineer (with the assistance of the Engineering Integration Division) to make out a final assessment roll; and

WHEREAS, the City Council, together with the City Engineer, made out a final assessment roll for the District which contains, among other things, the names and addresses of the last known owners of the property to be assessed, a description of each lot, tract, or parcel of land to be assessed, and the amount of the proposed assessment to be levied thereon. The City Engineer has reported the final assessment roll to the City Council and the City Engineer has prepared and filed the final assessment roll with the City Clerk; and

WHEREAS, the City Council has determined, and does hereby determine, that all of the assessable property in the City which is specially benefited by the improvements to be acquired in the District and only that property, which is so specially benefited, is included on the final assessment roll; and

WHEREAS, the City Council has also determined, and does hereby determine, that the notice for a hearing on the final assessment roll, which is provided for herein, is reasonably calculated to inform each interested person of the proceedings concerning the District, which may directly and adversely affect his or her legally protected rights and interests.

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

Section 1. All actions, proceedings, matters, and things heretofore taken, had, and done by the City and the Officers thereof (not inconsistent with the provisions of this Resolution) concerning the District, be, and the same hereby are, ratified, approved and confirmed.

Section 2. A portion of the total cost of the District, to the City, including all necessary incidentals, which either have been or will be incurred in connection with the District, shall be paid by the assessable property in the District as designated in the Creation Ordinance. The total cost of the District shall be apportioned and the amount to be assessed shall be as follows:

Total Cost	Estimated Amount of Special Assessments	Amount Available from Other Sources
\$ 2,361,669.42	\$ 78,002.48	\$ 2,283,666.94

Section 3. The final assessment roll for the District has been examined by the City Council, is tentatively approved, and is ordered filed in the office of the City Clerk.

Section 4. Wednesday, July 21, 2004 at 1:00 P.M., at the City of Las Vegas Council Chambers, 400 Stewart Avenue, Las Vegas, Nevada, be, and the same hereby is, fixed as the date, time and place when the City Council will hear and consider complaints, protests and objections to the final assessment roll, to the amount of each of the assessments, and to the regularity of the proceedings in making such assessments (whether made verbally or in writing) by the owners of the assessable property specially benefited by the Project in "City of Las Vegas, Nevada, Improvement District No. 1499 – Alexander Road (US-95 to Rancho Drive)" and proposed to be assessed, or by any party or person interested, and by all parties or persons aggrieved by such assessments.

Section 5. The City Clerk shall give notice by publication in the Las Vegas Review-Journal, a newspaper of general circulation in the City and a newspaper of general circulation in the District. Such notice to be published at least once a week, for three consecutive publications, by three weekly insertions, the first such publication in said newspaper to be at least 15 days prior to the date of the protest hearing. It shall not be necessary that the notice be published on the same day of the week, but not less than 14 days shall intervene between the first publication in such newspaper and the last publication in the same newspaper. Service by publication shall be verified by the affidavit of the publishers and filed with the City Clerk. In accordance with NRS 271.380 (2), the City Clerk or Deputy City Clerk shall also give notice by registered or certified mail by depositing a copy of such notice in the United States mail, postage prepaid, as first-class mail, at least 20 days prior to such hearing, to the last known owner or owners of each tract being assessed at his or their last known address or addresses. Proof of mailing shall be made by the affidavit of the City Clerk or Deputy City Clerk and such proof shall be filed with the City Clerk, provided however, that failure to mail any such notice or notices shall not invalidate any assessment or any other proceedings concerning the District. Proof of the publication and proof of the mailing shall be maintained in the permanent records of the office of the City Clerk until all special assessments and special assessment bonds issued (if such special assessment bonds are hereafter issued) appertaining thereto, have been paid in full, both principal and interest, or any claim is barred by an appropriate statute of limitations. The City Council of City of Las Vegas hereby determines that the manner of giving notice herein provided by publication and by registered or certified mail is reasonably calculated to inform the parties of the proceedings concerning the District and the levying of assessments, which may directly and

adversely affect their legally protected interests. Such notice shall be provided in NRS 271.380 and shall be substantially in the following form:

(Start of Form)

NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1499 – ALEXANDER ROAD (US-95 TO RANCHO DRIVE).

NOTICE IS HEREBY GIVEN, that the Final Assessment Roll No. 2004-8 for City of Las Vegas, Nevada, Special Improvement District No. 1499 – Alexander Road (US-95 to Rancho Drive) (hereinafter the "District") in and for the City of Las Vegas in the County of Clark, State of Nevada, which has been made out by the City Council of City of Las Vegas, together with the City Engineer, has been filed on June 16, 2004, in the office of the City Clerk and since such date, the final assessment roll has been, and now is available for examination by any interested person during regular office hours, Monday through Friday 8:00 a.m. until 5:00 p.m. The boundaries of the District are described in the Special Improvement District No. 1499 Creation Ordinance heretofore adopted (hereinafter the "Creation Ordinance"). The boundaries of the District, which include the location of the Project and the lots, tracts and parcels of land to be assessed, shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements (as described below) or fronting a cul-de-sac which abuts or fronts a street to be improved by the improvements. The streets to be improved by the improvements are:

Alexander Road (SOUTH SIDE) - from the centerline of Rancho Drive westerly along Alexander Road approximately 692-feet (100-foot of right-of-way).

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases) provided, however, that an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly-shaped lots or tracts of 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 assessments will be levied on a front foot method for the installation of pavement, curb, gutter, sidewalk, residential driveways and street lights and on a square foot method for the installation of commercial driveways, provided 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 streets or streets being improved which also abut the cul-de-sac. Each property owner will be assessed for the cost of an eight foot (8') wide street pavement section, curb and gutter, sidewalks, driveway approaches and streetlights, where not already existing. The owners of property who elected to have water or sewer laterals installed will be assessed per foot of lateral installed on a per service or unit lot basis. Potable water and sewer main extensions will be assessed on a front foot basis. 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.

Such basis of assessments has been designated by the City Council in the Creation Ordinance heretofore adopted. The portion of the costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon each lot, tract or parcel of land or property in the District is stated in the final assessment roll. The City Council has determined that each of these tracts will receive special benefits (and corresponding market value increases) from the improvements in the Project.

The City Council will meet to hear and consider all complaints, protests, and objections to said final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in the District. Any person interested and any parties aggrieved by such assessments may be heard on Wednesday, July 21, 2004, at 1:00 p. m. at the City of Las Vegas Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada. Any complaint, protest, or objection to the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount thereof levied on each lot, tract or parcel of land, shall be deemed waived unless filed in writing with the City Clerk, on or before Friday, July 16, 2004, i.e., at least three days prior to the date set for the assessment hearing.

At the time and place so designated for the hearing, the City Council shall hear and determine all complaints, protests, and objections to the regularity of the proceedings in making such assessments, the correctness of such assessments, the amount levied on any particular lot, tract or parcel of land to be assessed, the amount of the benefits and corresponding market value increases, which have been so made in writing or verbally. The City Council shall further have the power to adjourn such hearing from time to time, and by resolution shall have power, in its discretion, to revise, correct, confirm, or set aside

any assessment and to order that such assessment may be made de novo. The owners of the property to be assessed are advised that this is the final chance to present any evidence as to the amount of the assessments (or other matters to be considered at the hearing) to the City Council. If a person objects to the final assessment roll or to the proposed assessments:

- (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 271.395.

Assessments shall be due and payable at the office of the City Treasurer without interest and without demand within 30 days after the ordinance levying the assessments becomes effective. All or any part of such assessments may also, at the election of the owner, be paid thereafter in twenty (20) substantially equal semi-annual installments of principal and interest. After the adoption of the assessment ordinance and before assessment bonds are issued (or if bonds are not issued) the City Council shall by resolution provide the maximum rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold, such rate will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three percent (3%) the "Index of Twenty Bonds", which is most recently published before the time bids for such bonds are received, or at a time a negotiated offer for the sale of such bonds is accepted. Penalties (at a rate not exceeding two percent (2%) per month on the unpaid balance of the assessment and accrued interest, or at any higher rate authorized by statute) shall be due for delinquencies. The owner of any property not in default as to any assessment installment or payment may, at any time, pay the whole or any installment of the unpaid principal with interest accruing thereon to the next interest payment date.

Pursuant to NRS 271.357, 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. A person whose application for a hardship determination has been approved by the City Council is entitled to have the principal amount of the assessment postponed, but is required to pay the interest on the unpaid balance of

the assessment at the same rate and upon the same terms as established by the City Council for the assessments. A person desiring to apply for a hardship determination shall file an application no later than July 16, 2004, with the Clark County Department of Social Services (CCSS), 1600 Pinto Lane, Las Vegas, Nevada 89106. Please contact CCSS at (702) 455-8687 for a pre-qualification screening.

Pursuant to NRS 271.395, within 15 days immediately succeeding the effective date of the assessment ordinance to be adopted following the hearing, any person who has filed a complaint, protest, or objection in writing shall have the right to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter, all actions or suits attacking the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount of the assessment levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation, shall be perpetually barred.

Dated this June 16, 2004.

BARBARA JO RONEMUS, City Clerk

(End of Form)

Section 6. The owner or owners of any lot, tract or parcel of land which is assessed in such final assessment roll, whether named or not in such roll, or any person interested, or any parties aggrieved, may, within three (3) days prior to the date set for the hearing, file with the office of the City Clerk his or her complaints, protests, or objections in writing to said assessment.

Section 7. Whenever any notice is mailed as herein provided, the fact that the person to whom it was addressed does not receive it shall not in any manner invalidate or affect the legality of the notice thereby given.

Section 8. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 9. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution or part of any resolution heretofore repealed.

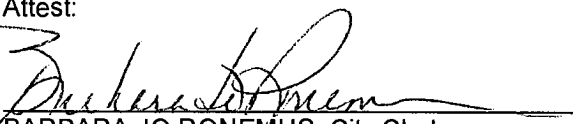
Section 10. If any section, paragraph, clause, or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall in no way affect any remaining provisions of this Resolution.

Section 11. The City Council has determined, and does hereby declare, that this Resolution shall be in effect immediately after its passage in accordance with law.

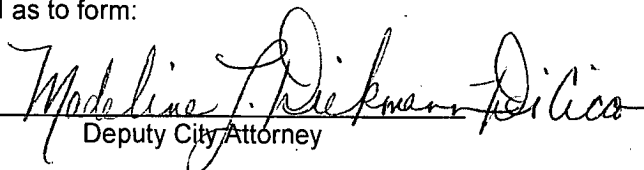
PASSED and APPROVED on June 16, 2004.


OSCAR B. GOODMAN, Mayor

Attest:


BARBARA JO RONEMUS, City Clerk

Approved as to form:

6-3-04 
Date Deputy City Attorney

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

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

1. The foregoing pages constitute a true, correct, complete and compared copy of a resolution adopted by the City Council of the City (hereinafter the "City Council") at a meeting held on June 16, 2004.

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

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

Those Voting Nay:	NONE

Those Absent:	NONE

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

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

(a) By posting a copy of the notice at least three working days before the meeting at the principal office of the City Council, or if there is no principal

office, at the building in which the meeting is to be held, and at least three (3) other separate, prominent places within the jurisdiction of the City Council, to wit:

- (i) Court Clerk's Office Bulletin Board
City Hall Plaza
Las Vegas, Nevada
- (ii) City Hall Plaza
Special Outside Posting Bulletin Board
Las Vegas, Nevada
- (iii) Las Vegas Library
833 Las Vegas Boulevard North
Las Vegas, Nevada
- (iv) Clark County Government Center
500 South Grand Central Parkway
Las Vegas, Nevada
- (v) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada

(b) By mailing a copy of the notice to each person, if any, who has requested notice of the meetings of the City Council in the same manner in which notice is required to be mailed to a member of the City Council. Such notice was delivered to the postal service no later than 9:00 a.m. on the third working day prior to the meeting.

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

6. A copy of such notice so given of the meeting of the City Council on June 16, 2004 is attached to this certificate as Exhibit "A".

IN WITNESS WHEREOF, I have hereunto set my hand on this June 16, 2004.

(SEAL)

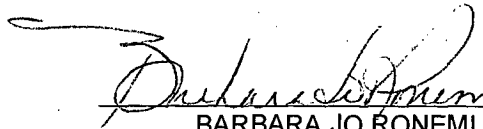

BARBARA JO RONEMUS, City Clerk

Exhibit "A"

(Attach Notice of Meeting and Agenda)

CITY COUNCIL AGENDA

JUNE 16, 2004
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City of Las Vegas

CITY COUNCIL AGENDA

COUNCIL CHAMBERS • 400 STEWART AVENUE • PHONE 229-6011

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

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

COUNCILMEMBERS: LARRY BROWN (Ward 4), VACANT (Ward 2),

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

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

JUNE 16, 2004

**Morning Session begins at 9:00 a.m.
Afternoon Session begins at 1:00 p.m.**

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

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

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

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

CEREMONIAL MATTERS

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION – REVEREND MIKE MAS, NATHAN ADELSON HOSPICE (CENTER FOR COMPASSIONATE CARE)
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF THE EMPLOYEE OF THE MONTH
- RECOGNITION OF THE 257TH TRANSPORTATION COMPANY, AN ARMY RESERVE UNIT
- RECOGNITION OF MASTER TODDY'S MUAY THAI BARE KNUCKLE TOURNAMENT WORLD CHAMPIONS
- RECOGNITION OF LEISURE SERVICES DEPARTMENT FOR NATIONAL AQUATICS HONORS
- RECOGNITION OF THE LAS VEGAS VALLEY WATER DISTRICT'S 50TH ANNIVERSARY
- PRESENTATION BY LAS VEGAS HOMELESS VETERANS STANDOWN COMMITTEE

BUSINESS ITEMS

1. Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time
2. Approval of the Final Minutes by reference of the Regular City Council Meetings of April 7, 2004 and April 21, 2004

CONSENT AGENDA

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

ADMINISTRATIVE - CONSENT

3. Approval of a contribution from Star Nursery to the City of Las Vegas consisting of \$100,000 worth of trees over the next 5 years
4. Approval of a net 3.00% cost of living adjustment (COLA) for eligible Appointive Employees effective with the first pay period in July 2004 (\$450,000 from the General, Special Revenue, Enterprise and Internal Service Funds)
5. Approval to amend the First Amended and Restated Memorandum of Understanding between City Parkway V and Las Vegas Performing Arts Center Foundation to extend negotiation of the Disposition and Development Agreement to December 31, 2004 - Ward 5 (Weekly)
6. Approval on offering a Voluntary Separation Program to certain employee groups that have 20+ years of service with the City of Las Vegas (Not to exceed \$6,300,000 - Multiple Funds)

FIELD OPERATIONS DEPARTMENT - CONSENT

7. Approval of First Amendment to the Area-Wide Natural Gas Fueling System Interlocal Agreement with the Regional Transportation Commission of Southern Nevada (\$150,000 - Internal Service Funds) - All Wards
8. Approval of an Interlocal Agreement with the Las Vegas Housing Authority for repair, maintenance, fuel and after hour call out services for vehicles and equipment (\$175,000 revenue) - All Wards
9. Approval of a Bus Stop Shelters and Benches Franchise Agreement between the City of Las Vegas and Bustop Shelters of Nevada, Incorporated dba Viacom Outdoor, for the construction, installation and maintenance of bus stop shelters, benches and trash receptacles - (\$75,000 annual revenue) - All Wards

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

10. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
11. Approval of transfer of fiscal year 2004 Budget Appropriations for Special Revenue Funds in the amount of \$3,600,200
12. Approval of transfer of fiscal year 2004 Budget Appropriations for Capital Project Funds in the amount of \$10,400,000
13. Approval of a Special Event License for Whole Foods Market, Inc., Location: Whole Foods Market, 8855 West Charleston Boulevard, Dates: June 19, 26, July 3, 10, 17, 24, 31, 2004, Type: Special Event Beer/Wine, Event: Wine Tastings, Responsible Person in Charge: Sandra Benton - Ward 2 (Vacant)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

14. Approval of a Special Event License for Mi Raza Mi Gente, Location: Freedom Park, 850 North Mojave Road, Dates: July 16-18, 2004, Type: Special Event Beer/Wine, Event: Las Vegas Fair-La Feria de Las Vegas, Responsible Person in Charge: Mauricio Fabian-Bahewa - Ward 3 (Reese)
15. Approval of Change of Business Name for a Supper Club License, Scottsdale Beverages, LLC, dba From: Escole, To: Cafe Bleu, 1451 Center Crossing Road, John P. Graham, Mgr, Jennifer E. White, Mgr, Scottsdale Group, LLC, Mmbr, 100%, John P. Graham, Mgr, Jennifer E. White, Mgr - Ward 2 (Vacant)
16. Approval of Independent Store Operator and Change of Business Name for a Beer/Wine/Cooler Off-sale License subject to Health Dept. regulations, From: Rancho Las Vegas Grocery Outlet, Inc., dba Rancho Las Vegas Grocery Outlet, Rancho Las Vegas Grocery Outlet, Inc., Independent Store Operator, Laura A. Bascom, Dir, Pres, 50%, Timothy M. Bascom, Dir, Secy, Treas, 50%, To: Duncan & Duncan, dba Grocery Outlet Rancho Las Vegas, 703 North Rancho Drive, David F. Duncan, Independent Store Operator and Barbara S. Duncan, Independent Store Operator, 100% jointly as husband and wife - Ward 5 (Weekly)
17. Approval of Change of Ownership and Business Name for a Tavern License and a new Restricted Gaming License for 15 slots subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission, From: D.T.'s Lounge, dba D.T.'s Lounge, Robert L. McMurray, Ptnr, 50%, Stephen G. Hibbard, Ptnr, 50%, To: Scotch 80's Limited (a Nevada Corporation), dba Squiggy's, 530 South Martin L. King Boulevard, Danny R. Piper, Dir, Pres, Treas, 50%, Joseph D. Bunch, Dir, Secy, 50% - Ward 5 (Weekly)
18. Approval of a new Slot Operator Space Lease Location Restricted Gaming License for 16 slots subject to confirmation of approval by the Nevada Gaming Commission, United Coin Machine Company, db at Moulin Rouge, 900 West Bonanza Road - Ward 5 (Weekly)
19. Preapproval of award of Bid No. 04.1730.15-CW, Durango Drive, Westcliff to Vegas Drive to the lowest responsive and responsible bidder or best bidder and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works (Monetary range of \$13,000,000 to \$14,000,000 - Road and Flood Capital Projects Fund) - Wards 2 and 4 (Vacant and Brown)
20. Approval of award of Bid No. 04.1730.01-LED, Sahara Avenue Sanitary Sewer Rehabilitation, Phase III and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: INSITUFORM TECHNOLOGIES, INC. (\$2,592,255 - Sanitation Enterprise Fund) - Ward 3 (Reese)
21. Approval of award of Bid No. 04.1730.16-LED, Holmby Channel Drainage Improvements and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: CRYSTAL CASCADES (\$1,333,333 - Road and Flood Capital Projects Fund) - Ward 1 (Moncrief)
22. Approval of revision to purchase order 218353 for Bulk Liquid Cationic Polymer - Department of Public Works - Award to: CYTEC INDUSTRIES, INC. (\$120,000 - Sanitation Enterprise Fund)
23. Approval of Contract No. 040174, Substance Abuse Testing Services - Department of Human Resources - Award recommended to: QUEST DIAGNOSTICS (\$300,000 - General Fund)
24. Approval of Contract No. 040357 for Symantec Governmental Alliance Program Master Contract for On iCommand software - Department of Information Technologies - Award recommended to: ASAP SOFTWARE (\$176,500 - Computer Services Internal Service Fund)
25. Approval of Contract No. 040254 for ProLaw Software, Support and Maintenance, Training and Professional Services - Department of Information Technologies - Award recommended to: PROLAW SOFTWARE (\$129,500 - City Facilities Capital Projects Fund and General Fund)
26. Approval of Contract No. 040293 for Software Escrow Services - Department of Information Technologies - Award recommended to: GUARD-IT CORPORATION (\$75,000 - Computer Services Internal Service Fund)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

27. Approval of award of Bid No. 040318-GL, Annual Requirements Contract for Swimming Pool Chemicals - Department of Leisure Services - Award recommended to: THATCHER COMPANY OF NEVADA (Estimated annual amount of \$40,000 - General Fund)
28. Approval of issuance of a purchase order for an annual requirements contract for Watson Marlowe OEM parts and service - Department of Public Works - Award recommended to: MIDWEST ASSOCIATES, INC. (Estimated annual amount of \$200,000 - Sanitation Enterprise Fund)
29. Approval of award of Bid No. 040360-LED, Relocate Skate Park Elements, Patriot Park to Mountain Ridge Park and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: THE TIBERTI COMPANY (\$55,000 - Capital Projects Fund) - Ward 6 (Mack)

FIRE AND RESCUE DEPARTMENT - CONSENT

30. Approval of an Interlocal Agreement between the City of Las Vegas and the County of Clark for the transfer of interoperable radio equipment for public safety communications - All Wards
31. Approval of a Secondary User's Agreement between the City of Las Vegas and Summerlin Hospital Medical Center for the transfer of interoperable radio equipment for public safety communications - All Wards

HUMAN RESOURCES DEPARTMENT - CONSENT

32. Approval of payment for a permanent partial disability award - Claim #WC03050114 - as required under the workers' compensation statutes (\$38,265 - Workers' Compensation Internal Service Fund)
33. Approval of Governmental Money Purchase Plan & Trust Adoption Agreement and Administrative Services Agreement with ICMA Retirement Corporation to establish a 401(a) final pay plan

MUNICIPAL COURT - CONSENT

34. Approval of annual purchase order for instructors and speaker services for Las Vegas Municipal Court's court-ordered defendant classes and programs provided by the Court's Alternative Sentencing and Education Division (ASED) - (Annual aggregate amount of \$273,300 - General Fund)
35. Approval of annual purchase order for interpreters/translators for Las Vegas Municipal Court's court-ordered classes, appointments, and curriculum materials provided by the Court's Alternative Sentencing and Education Division (ASED) - (Annual aggregate amount of \$32,000 - General Fund)
36. Approval of annual purchase order for Alternate Judge services for Municipal Court (Annual aggregate amount of \$60,000 - General Fund)
37. Approval of annual purchase order for interpretation services for Municipal Court (Annual aggregate amount of \$128,820 - General Fund)

NEIGHBORHOOD SERVICES DEPARTMENT - CONSENT

38. Approval of a Deferred Loan Agreement expending \$40,000 of Home Investment Partnership Program (HOME) funds for housing rehabilitation activities at 3709 El Cortez Avenue - Ward 1 (Moncrief)

PUBLIC WORKS DEPARTMENT - CONSENT

39. Approval of an Encroachment Request from Carter Burgess, Incorporated, on behalf of John K. Biegger and JRJ Properties, owners (northwest corner of Sahara Avenue and Decatur Boulevard) - Ward 1 (Moncrief)
40. Approval of an Encroachment Request from Pardee Homes Nevada, owner (northwest corner of Tee Pee Lane and Severance Lane) - Ward 6 (Mack)
41. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Emil M. Pahor and Ann A. Pahor Family Trust, owners (southeast corner of Sahara Avenue and Buffalo Drive, APN 163-10-101-003) - County (near Ward 1 - Moncrief)
42. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Joseph M. Sneed, owner (south of Madre Mesa, between Terry Lane and Michael Way, APN 138-13-313-006) - County (near Ward 5 - Weekly)
43. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Baughman and Turner, Incorporated, on behalf of Robert J. Pederson 1996 Trust, Robert J. Pederson, Trustee, Patricia M. Murphy, Thomas M. Murphy, Joey Bailey, Brian K. Anderson, and Suzanne Anderson, owners (north of Tropical Parkway, east of Fort Apache Road, APNs 125-29-201-018, 125-29-201-019, 125-29-201-020, 125-29-201-021, 125-29-201-022, and 125-29-201-024) - County (near Ward 6 - Mack)
44. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - AK Nielsen on behalf of Taz H. Cofer, owner (north of Tropical Parkway, west of Rio Vista Street, APN 125-27-610-053) - County (near Ward 6 - Mack)
45. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Summit Engineering Corporation on behalf of NW Development LLC, owner (northwest corner of Bright Angel Way and Jensen Street, APN 125-30-202-006) - County (near Ward 6 - Mack)
46. Approval of a Professional Services Agreement with the Louis Berger Group, Inc. for Construction Management Services on the Durango Drive - Westcliff Drive to Vegas Drive project (\$850,000 - Regional Transportation Commission) - Wards 2 and 4 (Vacant and Brown)
47. Approval of a First Amendment to the Engineering Design Services Agreement with Louis Berger Group, Inc. for additional engineering design services for the Rancho/Owens Sewer Rehabilitation project to include segments of Harris Avenue and Charleston Boulevard (\$50,000 - City of Las Vegas Sanitation Fund) - Wards 3 and 5 (Reese and Weekly)
48. Approval of a Title XVI Funding Allocation Agreement between the Southern Nevada Water Authority, the City of Las Vegas, City of Henderson, Clark County Water Reclamation District and the Las Vegas Valley Water District which will allow the City of Las Vegas to receive federal funds for the construction of the Northwest Water Resource Center - (County)
49. Approval of a Cooperative Agreement for the Las Vegas Freeway and Arterial System of Transportation (FAST) between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC), to provide the option for current CLV employees assigned to FAST to continue their involvement with FAST by transitioning to and becoming employees of the RTC - All Wards

RESOLUTIONS - CONSENT

50. R-101-2004 - Approval of a Resolution Adjusting the Boundaries of the City, Pursuant to a Request by the Clark County Assessor and in Accordance with State Law, by Detaching Therefrom Certain Territory Described Generally as Located on the North Side of Rocky Avenue, Between El Capitan Way and Homestead Road, and on the West Side of Homestead Road, From Rocky Avenue to Moccasin Road - Ward 6 (Mack)

RESOLUTIONS - CONSENT

51. R-102-2004 - Approval of a Resolution directing the City Treasurer to prepare the Forty-Second Assessment Lien Apportionment Report for Special Improvement District No. 404 - Summerlin Area (Levy Assessments) - Ward 2 (Vacant)
52. R-103-2004 - Approval of a Resolution approving the Forty-Second Assessment Lien Apportionment Report for Special Improvement District No. 404 - Summerlin Area (Levy Assessments) - Ward 2 (Vacant)
53. R-104-2004 - Approval of a Resolution Determining the Cost and Directing the City Engineer to prepare the Final Assessment Roll for Special Improvement District No. 1499 - Alexander Road (US-95 to Rancho Drive) (\$78,002.48 - Capital Projects Fund - Special Assessments) - Ward 6 (Mack)
54. R-105-2004 - Approval of a Resolution fixing the time and place when complaints, protests, and objections to the Final Assessment Roll will be heard for Special Improvement District No. 1499 - Alexander Road (US-95 to Rancho Drive) (\$78,002.48 - Capital Projects Fund - Special Assessments) - Ward 6 (Mack)
55. R-106-2004 - Approval of a Resolution directing the City Engineer to prepare preliminary plans for Special Improvement District No. 1505 - Sierra Oeste - Ward 6 (Mack)
56. R-107-2004 - Approval of a Resolution authorizing a temporary interfund loan from the Sanitation Enterprise Fund to the Road and Flood Capital Projects Fund, not to exceed \$2 million, to be repaid by an interlocal agreement from the Regional Transportation Commission (RTC) for the construction of the Durango/Summerlin Parkway Interchange - Wards 2 and 4 (Vacant and Brown)
57. R-108-2004 - Approval of a Resolution to Augment the City of Las Vegas fiscal year 2004 City Facilities Capital Project Fund Budget in the amount of \$350,000
58. R-109-2004 - Approval of a Resolution to Augment the City of Las Vegas Fiscal Year 2004 Special Improvement District (SID) Administration Special Revenue Fund Budget in the amount of \$234,729

REAL ESTATE COMMITTEE - CONSENT

59. Approval of a First Amendment to Interlocal Contract between the City of Las Vegas and the Board of Regents of the University and Community College System of Nevada, on behalf of the University of Nevada, Las Vegas, School of Architecture for the lease of property located at 400 South Las Vegas Boulevard - Ward 1 (Moncrief)
60. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 5 acres of land commonly known as a portion of APN 126-01-101-010 located off of Puli Drive between Moccasin Road and Iron Mountain Road for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
61. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 10 acres of land commonly known as Parcel Number 126-02-101-005 located south of Moccasin Road and west of Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
62. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 10 acres of land commonly known as APN 126-01-801-002 located in the vicinity of Iron Mountain Road and Hualapai Way for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
63. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 8 acres of land commonly known as APNs 126-02-401-002 and 126-02-401-004 located in the vicinity of Iron Mountain Road and Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)

REAL ESTATE COMMITTEE – CONSENT

64. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 12.5 acres of land commonly known as a portion of APN 126-01-401-003 located in the vicinity of Iron Mountain Road and Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)

DISCUSSION / ACTION ITEMS

CITY ATTORNEY - DISCUSSION

65. Discussion and possible action on Appeal of Work Card Denial: Pamela A. Mack, 4434 W. Del Oro Drive, Las Vegas, Nevada 89102
66. Discussion and possible action on Appeal of Work Card Denial: Stanley Ray Clinton, 4918 Drifting Pebble Street, North Las Vegas, Nevada 89030
67. Discussion and possible action on Appeal of Work Card Denial: Jose L. Lemus, 4193 Zavala #C, Las Vegas, Nevada 89103
68. Discussion and possible action on Appeal of Work Card Denial: Yvette L. Gray, 1318 Starmeadow Drive, North Las Vegas, Nevada 89030
69. Discussion and possible action on Appeal of Work Card Denial: Brandon D. Mobley, 7948 Decker Canyon #202, North Las Vegas, Nevada 89128

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

70. Discussion and possible action regarding rescission of action taken April 7, 2004, regarding a Six Month Review of a Massage Establishment License, Cathay Massage, Inc., dba Cathay Massage, Inc., 7450 West Cheyenne Avenue, Suite 113, Chen H. Liu, Dir, Pres, Secy, Treas, 100% - Ward 4 (Brown)
71. Discussion and possible action regarding a Six Month Review of a Massage Establishment License, Cathay Massage, Inc., dba Cathay Massage, Inc., 7450 West Cheyenne Avenue, Suite 113, Chen H. Liu, Dir, Pres, Secy, Treas, 100% - Ward 4 (Brown)
72. Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes and Health Dept. regulations, From: Gerardo S. Barraza, dba Juanita's Restaurant, Gerardo S. Barraza, 100%, To: Jesus Moreno, dba La Sierra Mexican Restaurant #2, 4440 East Washington Avenue, Suite 106, Jesus Moreno, 100% - Ward 3 (Reese)
73. Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Tavern License subject to the provisions of the fire codes and Health Dept. Regulations, From: Restaurant Enterprises, Inc., dba Venetian Restaurant, Thomas D'Antonio, Dir, Pres, Secy, Treas, 100%, To: The Slanted Clam, LLC, dba The Slanted Clam, 3713 West Sahara Avenue, Let's Eat Gaming Group, Inc., Mmbr, 50%, Mark J. DiMartino, Dir, Pres, Secy, Treas, 100%, Amy O, LLC, Mmbr, 50%, Barry J. Fieldman, Mgr, 100% - Ward 1 (Moncrief)
74. Discussion and possible action regarding a Review of a Beer/Wine/Cooler On-sale License, Gomez Entertainment, Inc., dba El Tapatio, 235 North Eastern Avenue, Suite 132, Anabel Gomez, Dir, Pres, Secy, Treas, 100% - Ward 3 (Reese)
75. Discussion and possible action regarding a 90-day Review of a Beer/Wine/Cooler Off-sale License, Mulugeta K. Bour, dba Oakey Discount Market, 1616 Las Vegas Boulevard South, Mulugeta K. Bour, 100% - Ward 1 (Moncrief)

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

76. Discussion and possible action regarding a Review of a Slot Route Operator Space Lease Location Restricted Gaming License for 5 slots, Green Valley Gaming, Inc., db at Oakey Discount Market, 1616 Las Vegas Boulevard South - Ward 1 (Moncrief)
77. Discussion and possible action regarding a Six-Month Review of a Beer/Wine/Cooler On-sale License subject to the provisions of the planning and fire codes and Health Dept. regulations, Tomasa Chavez, dba El Pollo Real Restaurant, 621 North Eastern Avenue, Tomasa Chavez, 100%, David Garcia, Gen Mgr - Ward 5 (Weekly)
78. ABEYANCE ITEM - Discussion and possible action regarding a Six-Month Review of a Tavern License, D. Westwood, Inc., dba Treasures, 2801 Westwood Drive, Ali Davari, Dir, Pres, Treas, 50%, Hassan Davari, Dir, Secy, 50% - Ward 1 (Moncrief)
79. Discussion and possible action regarding Temporary Approval of Change of Ownership, Location and Business Name for a Tavern License subject to the provisions of the fire codes and Health Dept. regulations, From: Tropics, LLC, dba Tropics Broiler & Bar, 1617 South Decatur Boulevard (Non-operational), Ken K. Kananu, Mgr, Mmbr, 42.5%, Gregory N. Becker, Mgr, Mmbr, 42.5%, Nancy K. Dehler, Mmbr, 15%, To: Artisan Cafe, LLC, dba Artisan Cafe, LLC, 1215 Las Vegas Boulevard South, Audrey N. DaSilva, Mgr, Mmbr, 100%, Douglas B. DaSilva, Principal - Ward 3 (Reese)

PUBLIC WORKS DEPARTMENT - DISCUSSION

80. Discussion and possible action regarding the realignment of Grand Montecito Parkway (SID 1502) between Deer Springs Way and Dorrell Road - Ward 6 (Mack)

RESOLUTIONS - DISCUSSION

81. R-110-2004 - Public hearing and possible action regarding a Resolution authorizing the issuance of a medium term obligation, not to exceed \$25,000,000 for the infrastructure construction of Union Park (formerly known as the 61-Acres) - Ward 5 (Weekly)

RECOMMENDING COMMITTEE REPORTS - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

82. 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
83. Bill No. 2004-41 - Revises the City's drought conservation measures in accordance with revisions to the Southern Nevada Water Authority's Drought Plan. Sponsored by: Councilman Larry Brown

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

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

84. Bill No. 2004-43 - Ordinance Creating Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) Sponsored by: Step Requirement

RECOMMENDING COMMITTEE REPORTS - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

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

85. Bill No. 2004-44 – Annexation No. ANX-4129 – Property location: On the southwest corner of Bronco Street and Peak Drive; Petitioned by: SF Investments, LLC; Acreage: 2.35 acres; Zoned: R-E (County zoning), U (R) (City equivalent). Sponsored by: Councilman Michael Mack
86. Bill No. 2004-45 – Establishes restrictions on the use and possession of electronic stun devices. Sponsored by: Councilman Gary Reese

NEW BILLS

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

87. Bill No. 2004-46 – Increases the salaries of the Municipal Court judges. Sponsored by: Mayor Oscar B. Goodman (Annual amount \$71,063.73 – General Fund)

1:00 P.M. - AFTERNOON SESSION

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

HEARINGS - DISCUSSION

89. Hearing to consider the appeal regarding the Zoning Violations/Nuisance Notice and Order to Comply regarding 6012 Iron Kettle Street. PROPERTY OWNERS: BRIAN J. & JANECE PINEGAR FAM TR - Ward 6 (Mack)
90. Hearing to consider the appeal regarding the Zoning Violations/Nuisance Notice and Order to Comply regarding 6318 West Sahara Avenue. PROPERTY OWNERS: C S S SAHARA LP - Ward 1 (Moncrief)
91. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 2110 Marlin Avenue. PROPERTY OWNER: JOSE DE JESUS GONZALES-JOYA ETAL – Ward 3 (Reese)
92. Public Hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located North of 4200 West Sahara Avenue on Arville (Vacant Lot), APN 162-06-412-003. PROPERTY OWNER: TRUSTEE CLARK COUNTY TREASURER, C/O WILTON PARTNERS ARVILLE #8, C/O J. LIN - Ward 1 (Moncrief)
93. Public hearing to consider the report of expenses to recover costs for abatement of dangerous buildings, a public nuisance and an imminent hazard located at 15 West Owens Avenue. PROPERTY OWNERS: WEST OWENS MANAGEMENT GROUP, LLC, CCS D PROPERTIES, INC., DAVID DIMARCO, SANDI DIMARCO, AND T & B DEL CORP. - Ward 5 (Weekly)

PLANNING & DEVELOPMENT DEPARTMENT

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

PLANNING & DEVELOPMENT DEPARTMENT – CONSENT

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

94. EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-4392 - APPLICANT: OLD TOWN, INC. - OWNER: ECT HOLDING, LIMITED LIABILITY COMPANY - Request for an Extension of Time for a Special Use Permit (SUP-1875) FOR A TAVERN and a Waiver of the minimum distance requirements from a tavern and protected uses at 1208 East Charleston Boulevard (APN: 162-02-110-001, 003, 011, and 013), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL
95. EXTENSION OF TIME RELATED TO EOT-4392 - VARIANCE - EOT-4393 - APPLICANT: OLD TOWN, INC. - OWNER: ECT HOLDING, LIMITED LIABILITY COMPANY - Request for an Extension of Time for a Variance (VAR-1879) TO ALLOW 172 PARKING SPACES WHERE 187 PARKING SPACES ARE REQUIRED at 1208 East Charleston Boulevard (APN: 162-02-110-001, 003, 011, and 013), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL
96. EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-4433 - APPLICANT: GERALD GARAPICH, AIA, LIMITED LIABILITY COMPANY - OWNER: GRAND TETON LODGE LAND, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit (U-0011-00) WHICH ALLOWED A PROPOSED TAVERN IN CONJUNCTION WITH AN APPROVED RESTAURANT on property located adjacent to the northeast corner of Grand Teton Drive and Durango Drive (a portion of APN: 125-09-401-006), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack). Staff recommends APPROVAL
97. EXTENSION OF TIME - REZONING - EOT-4438 - APPLICANT/OWNER: JAH ASIF - Request for an Extension of Time of an approved Rezoning FROM: R-2 (Medium-Low Density Residential) TO: N-S (Neighborhood Service) on 0.18 acres located at 2413 Maroney Avenue (APN: 162-02-410-096), Ward 3 (Reese). Staff recommends APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

98. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4147 - APPLICANT/OWNER: D.R. HORTON, INC. - Request for a Site Development Plan Review FOR A PROPOSED 126-UNIT CONDOMINIUM COMPLEX on 10.29 acres adjacent to the southwest corner of Grand Teton Drive and Tee Pee Lane (APN: 125-18-501-015), U (Undeveloped) Zone [MLA (Medium-Low Density Attached) General Plan Designation] under Resolution of Intent to R-PD12 (Residential Planned Development - 12 Units Per Acre) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-2-1 vote) recommends APPROVAL
99. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4163 - APPLICANT/OWNER: FOURTH & BONNEVILLE, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A PROPOSED EIGHT-LEVEL, 150,000 SQUARE-FOOT RETAIL AND PARKING STRUCTURE on 0.29 acres adjacent to the southeast corner of Fourth Street and Bonneville Avenue (APN: 139-34-311-133), C-1 (Limited Commercial) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

100. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4186 - APPLICANT: BONNIE ADAR-BURLA - OWNER: MABEL I ENRIGHT, ET AL - Request for a Site Development Plan Review and for a Waiver of the Las Vegas Medical District Streetscape Design Guidelines and Landscape Buffer Requirements FOR A PROPOSED 1,469 SQUARE FOOT OFFICE CONVERSION on 0.23 acres at 500 Rose Street (APN: 139-33-301-008), PD (Planned Development) Zone [MD-1 (Medical Support) Medical District Special Land Use Designation], Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
101. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4196 - APPLICANT: STORAGE ONE - OWNER: W J D, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and a reduction of the Required Perimeter Buffering FOR A PROPOSED MINI-WAREHOUSE AND RECREATIONAL VEHICLE STORAGE FACILITY on 2.85 acres adjacent to the west side of Rancho Drive between Lake Mead Boulevard and Coran Lane (APN: 139-19-611-003), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
102. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4298 - APPLICANT: STELLA LAKE PARTNERSHIP, LIMITED LIABILITY COMPANY - OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review and Waivers of Landscaping Requirements FOR A PROPOSED OFFICE BUILDING on 5.32 acres adjacent to the southeast corner of Lake Mead Boulevard and Stella Lake Street (a portion of APN: 139-21-313-002), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
103. MAJOR MODIFICATION TO THE LONE MOUNTAIN WEST MASTER PLAN - PUBLIC HEARING - MOD-4178 - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Major Modification to the Lone Mountain West Master Plan TO CHANGE THE FUTURE LAND USE DESIGNATION FROM PUBLIC FACILITY TO PARK/SCHOOL/RECREATION/OPEN SPACE on 12.99 acres adjacent to the east side of Puli Drive, approximately 640' north of Cheyenne Avenue (APN: a portion of 137-12-401-001), Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
104. REZONING RELATED TO MOD-4178 - PUBLIC HEARING - ZON-4179 - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] TO: C-V (Civic) on 22.99 acres adjacent to the northeast corner of the alignments of Cheyenne Avenue and Puli Drive (APN: a portion of 137-12-401-001 and 012), Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
105. MAJOR MODIFICATION TO THE LONE MOUNTAIN WEST MASTER PLAN - PUBLIC HEARING - MOD-4236 - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Major Modification to the Lone Mountain West Master Plan TO CHANGE THE FUTURE LAND USE DESIGNATION FROM PUBLIC FACILITY TO PARK/SCHOOL/RECREATION/OPEN SPACE on 5.00 acres adjacent to the southeast corner of Alexander Road and Puli Drive (APN: a portion of 137-12-101-008), Ward 4 (Brown). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL. NOTE: The APN should reflect that it is the northern portion of 137-12-101-008
106. REZONING RELATED TO MOD-4236 - PUBLIC HEARING - ZON-4234 - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] TO: C-V (Civic) on 5.00 acres adjacent to the southeast corner of the alignments of Gilmore Avenue and Puli Drive (APN: portion of 137-12-101-008), Ward 4 (Brown). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL. NOTE: The APN should reflect that it is the southern portion of 137-12-101-008
107. MASTER PLAN OF STREETS AND HIGHWAYS AMENDMENT - PUBLIC HEARING - MSH-4197 - APPLICANT/OWNER: CLIFF'S EDGE, LIMITED LIABILITY COMPANY - Request to Amend the Master Plan of Streets and Highways FOR THE ADDITION OF MAJOR ROADS WITHIN THE CLIFF'S EDGE MASTER PLAN generally located between Grand Teton Drive and Clark County 215, and between Puli Road and Hualapai Way, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

- 108.VACATION - PUBLIC HEARING - VAC-4098 - APPLICANT/OWNER: PULTE HOMES - Petition to Vacate public sewer and drainage easements in Antibes Street, south of Monte Viso Drive, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

- 109.VACATION - PUBLIC HEARING - VAC-4104 - APPLICANT: EVAN RANES - OWNER: MISSION SPRINGS PROPERTIES, LIMITED LIABILITY COMPANY - Petition to Vacate a twenty-foot (20') wide public alley generally located west of Maryland Parkway and north of Carson Avenue, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

- 110.VACATION - PUBLIC HEARING - VAC-4158 - APPLICANT/OWNER: PULTE HOMES - Petition to Vacate spandrel portions of Monte Viso Drive west of Rainbow Boulevard, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

- 111.ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - VAR-3902 - APPLICANT/OWNER: RICHARD AND JILL BURNS - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Variance TO ALLOW 25 FOOT FRONT SETBACKS WHERE 30 FEET IS THE MINIMUM SETBACK REQUIRED AND TO ALLOW 25 FOOT REAR SETBACKS WHERE 35 FEET IS THE MINIMUM SETBACK REQUIRED on 9.46 acres on the northwest corner of Maggie Avenue and Coke Street (APN: 125-09-501-002), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (5-1 vote) and staff recommend DENIAL

- 112.VARIANCE - PUBLIC HEARING - VAR-4193 - APPLICANT: BULLSEYE COMMERCIAL REAL ESTATE - OWNER: FARLEY ANDERSON, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW 131 PARKING SPACES WHERE 161 SPACES IS THE MINIMUM REQUIRED FOR A PROPOSED COMMERCIAL DEVELOPMENT ON 2.27 ACRES adjacent to the north side of Lake Mead Boulevard approximately 200 feet West of Torrey Pines Drive (APN: 138-23-201-008), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

- 113.VARIANCE - PUBLIC HEARING - VAR-4340 - APPLICANT: CATHOLIC CHARITIES OF SOUTHERN NEVADA - OWNER: DECATUR SHOPPING CENTER ASSOCIATES - Request for a Variance TO ALLOW A REDUCTION OF THE AMOUNT IN REQUIRED PARKING at 1401 North Decatur Boulevard, Suite #34 (APN: 138-25-503-007), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL (NOTE: This item will be stricken from the June 16, 2004 Council meeting and conducted on July 7, 2004 Council meeting to properly indicate the amount of parking spaces being requested which is 267 where 534 is required.)

- 114.SPECIAL USE PERMIT RELATED TO VAR-4340 - PUBLIC HEARING - SUP-4168 - APPLICANT: CATHOLIC CHARITIES OF SOUTHERN NEVADA - OWNER: DECATUR SHOPPING CENTER ASSOCIATES - Request for a Special Use Permit FOR A PROPOSED THRIFTSHOP, NON-PROFIT at 1401 North Decatur Boulevard, Suite 34 (APN: 138-25-503-007), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

- 115.REQUIRED TWO YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - RQR-4330 - APPLICANT/OWNER: FLOYD ARMSTRONG - Required Two Year Review of an approved Special Use Permit (U-0024-00) WHICH ALLOWED A SECONDHAND DEALER at 1228 South Main Street (APN: 162-03-110-097), C-M (Commercial/Industrial) Zone, Ward 1 (Moncrief). Staff recommends APPROVAL

- 116.SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4120 - APPLICANT: VAL-U-CASH - OWNER: RAINBOW EXPRESS VILLAGE LIMITED PARTNERSHIP - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED at 1750 South Rainbow Boulevard, Suite 10 (APN: 163-02-212-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

117. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4137 - APPLICANT: VINCENT YALDO - OWNER: THOMAS E. PATRICK, LIVING TRUST - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION) IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE at 4921 Vegas Drive (APN: 138-25-502-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL
118. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4140 - APPLICANT: NEVCORP - OWNER: GVIDAS NORTHRIDGE PLAZA LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED MASSAGE ESTABLISHMENT AND A WAIVER OF THE MINIMUM SEPARATION DISTANCE REQUIREMENT at 3900 North Rancho Drive, Suite 107 (APN: 138-12-110-012), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
119. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4169 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: MARK P. MILFORD AND LORILYN MILFORD TRUST - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1615 North Decatur Boulevard (APN: 138-24-804-013), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL
120. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4172 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: SHAHRAM AND TAWNYA SHEIKHAN - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 300 South Decatur Boulevard (APN: 138-36-601-004), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL
121. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4176 - APPLICANT/OWNER: 2651 CRIMSON CANYON, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED WAREHOUSE/DISTRIBUTION CENTER at 2651 Crimson Canyon Drive (APN: 138-15-310-013), C-PB (Planned Business Park) Zone, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
122. SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-4176 - PUBLIC HEARING - SDR-4174 - APPLICANT/OWNER: 2651 CRIMSON CANYON, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A PROPOSED WAREHOUSE/DISTRIBUTION CENTER, A WAIVER OF COMMERCIAL DEVELOPMENT STANDARDS, AND A REDUCTION IN THE AMOUNT OF REQUIRED PARKING LOT LANDSCAPING on 2.91 acres at 2651 Crimson Canyon Drive (APN: 138-15-310-013), C-PB (Planned Business Park) Zone, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
123. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4180 - APPLICANT/OWNER: REVIVAL TEMPLE CHURCH - Request for a Special Use Permit FOR A PROPOSED CHILD CARE CENTER IN AN EXISTING BUILDING at 1603 North Tonopah Drive (APN: 139-20-802-009), U (Undeveloped) Zone [M (Medium-Low Density Residential) General Plan Designation], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
124. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4189 - APPLICANT: BUDGET RENT-A-CAR - OWNER: HUALAPAI COMMONS LIMITED, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED AUTOMOBILE RENTAL FACILITY at 9851 West Charleston Boulevard (APN: 163-06-111-008), C-1 (Limited Commercial) Zone, Ward 2 (Vacant). The Planning Commission (7-0 vote) and staff recommend APPROVAL
125. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4195 - OWNER/APPLICANT: M G B, LIMITED LIABILITY COMPANY - Request for a Special Use Permit and a Reduction in the amount of required perimeter landscaping FOR AN EXISTING AUTO REPAIR GARAGE, MINOR at 2027 North Decatur Boulevard (APN: 138-24-611-062), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

126. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4201 - APPLICANT: ROMAN SANTOS - OWNER: BLALOCK FAMILY TRUST - Request for a Special Use Permit FOR A PROPOSED BAILBOND SERVICE at 20 East Bonneville Avenue (APN: 139-34-311-017), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL
127. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4203 - APPLICANT: LVRC HOLDINGS, LIMITED LIABILITY COMPANY - OWNER: FOUNTAIN DP, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED CONVALESCENT CARE FACILITY NURSING HOME at 3371 North Buffalo Drive (APN: 138-09-801-021), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation], Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
128. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4233 - APPLICANT: JERRY L. McNEIL - OWNER: LONNIE WALSTON - Request for a Special Use Permit FOR A PROPOSED BAIL BOND SERVICE at 1100 Martin L. King Boulevard, Suite #E (APN: 139-28-604-003), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
129. REZONING - PUBLIC HEARING - ZON-3884 - APPLICANT: KERRY O'BANNON TRUSTEE - OWNER: M M & K TRUST - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) AND FOR A WAIVER TO ALLOW A 50 FOOT WIDE LOT WHERE 60 FEET IS THE MINIMUM WIDTH REQUIRED on 0.16 acres at 626 South 10th Street (APN: 139-34-810-098), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
130. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3884 - PUBLIC HEARING - SDR-3885 - APPLICANT: KERRY O'BANNON TRUSTEE - OWNER: M M & K TRUST - Request for a Site Development Plan Review TO ADD 1,100 SQUARE FEET IN ADDITION TO CONVERTING AN EXISTING SINGLE FAMILY RESIDENCE INTO AN OFFICE AND WAIVERS OF COMMERCIAL LANDSCAPE REQUIREMENTS on 0.16 acres at 626 South 10th Street (APN: 139-34-810-098), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
131. REZONING - PUBLIC HEARING - ZON-4226 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Rezoning FROM: U (Undeveloped) [L (Low Density Residential) General Plan Designation] TO: R-PD5 (Residential Planned Development - 5 Units per Acre) on 15.18 acres adjacent to the northwest corner of Deer Springs Way and Tee Pee Lane (APN: 125-19-601-004, 009 thru 012), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
132. VARIANCE RELATED TO ZON-4226 - PUBLIC HEARING - VAR-4223 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Variance TO ALLOW 0.33 ACRES OF OPEN SPACE WHERE 1.35 ACRES IS THE MINIMUM REQUIRED FOR A PROPOSED 82-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 15.18 acres adjacent to the northwest corner of Deer Springs Way and Tee Pee Lane (APN: 125-19-601-004, 009 thru 012), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] [PROPOSED: R-PD5 (Residential Planned Development - 5 Units Per Acre)], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
133. WAIVER TO TITLE 18 RELATED TO ZON-4226 AND VAR-4223 - PUBLIC HEARING - WVR-4224 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Waiver to Title 18.12.160 TO ALLOW APPROXIMATELY 140 FEET BETWEEN STREET INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED IN CONJUNCTION WITH A PROPOSED 82-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT adjacent to the northwest corner of Deer Springs Way and Tee Pee Lane (APN: 125-19-601-004, 009 thru 012) U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] [PROPOSED: R-PD5 (Residential Planned Development - 5 Units Per Acre)], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

134. VACATION RELATED TO ZON-4226, VAR-4223 AND WVR-4224 - PUBLIC HEARING - VAC-4221 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Petition to Vacate U.S. Government Patent Easements generally located west of Tee Pee Lane, north of Deer Springs Way, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
135. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4226, VAR-4223, WVR-4224 AND VAC-4221 - PUBLIC HEARING - SDR-4227 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Site Development Plan Review FOR A PROPOSED 82-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 15.18 acres adjacent to the northwest corner of Deer Springs Way and Tee Pee Lane (APN: 125-19-601-004, 009 thru 012), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] [PROPOSED: R-PD5 (Residential Planned Development - 5 Units Per Acre)], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
136. ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-3977 - APPLICANT: DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: DR (Desert Rural Density Residential) TO: O (Office) on 1.38 acres adjacent to the northeast corner of Rancho Drive and Oakley Drive (APN: 162-04-210-101 thru 103), Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend DENIAL
137. ABEYANCE ITEM - REZONING RELATED TO GPA-3977 - PUBLIC HEARING - ZON-3981 - APPLICANT: DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL - Request for a Rezoning FROM: R-E (Residence Estates) TO: P-R (Professional Office and Parking) on 1.38 acres located adjacent to the northeast corner of Rancho Drive and Oakley Drive (APN: 162-04-210-101 thru 103), Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend DENIAL
138. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3977 AND ZON-3981 - PUBLIC HEARING - SDR-3982 - APPLICANT: DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 11,200 SQUARE-FOOT MEDICAL OFFICE on 1.38 acres adjacent to the northeast corner of Rancho Drive and Oakley Drive (APN: 162-04-210-101 thru 103), R-E (Residence Estates) Zone, [Proposed: P-R (Professional Office and Parking) Zone], Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend DENIAL
139. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4079 - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: KHUSROW ROOHANI TRUST, MICHAEL AND MICHELLE BARNEY, DURANGO ELKHORN LIMITED LIABILITY COMPANY, WAYNE AND JOANNE SCHLEKEWY, SPARTAN PROPERTIES LIMITED LIABILITY COMPANY, AND MICHAEL AND CAROL BUBONOVICH - Request to amend the Town Center Land Use Plan of the Centennial Hills Sector Plan FROM: ML-TC (MEDIUM LOW DENSITY RESIDENTIAL - TOWN CENTER) AND UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) TO: M-TC (MEDIUM DENSITY RESIDENTIAL - TOWN CENTER) on 15.19 acres between Elkhorn Road and Dorrell Lane, approximately 330 feet west of Durango Drive (APN: 125-20-101-007, 015 and 016), Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (5-0-2 vote) recommends APPROVAL
140. ZONING RELATED TO GPA-4079 - PUBLIC HEARING - ZON-4084 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: KHUSROW ROOHANI TRUST - Request for a Rezoning FROM: U (UNDEVELOPED) [TC (TOWN CENTER) GENERAL PLAN DESIGNATION] TO: TC (TOWN CENTER) on 10.00 acres adjacent to the north side of Dorrell Lane, approximately 330 feet west of Durango Drive (APN: 125-20-101-015 and 016), Ward 6 (Mack). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

141. SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4079 AND ZON-4084 - PUBLIC HEARING - SDR-4088 - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: KHUSROW ROOHANI TRUST, MICHAEL AND MICHELLE BARNEY, DURANGO ELKHORN LIMITED LIABILITY COMPANY, WAYNE AND JOANNE SCHLEKEWY, SPARTAN PROPERTIES LIMITED LIABILITY COMPANY, AND MICHAEL AND CAROL BUBONOVICH - Request for a Site Development Plan Review FOR A 209-LOT SINGLE RESIDENTIAL FAMILY DEVELOPMENT on 15.19 acres between Elkhorn Road and Dorrell Lane, approximately 330 feet west of Durango Drive (APN: 125-20-101-007, 015. and 016), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center)], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (5-0-2 vote) recommends APPROVAL
142. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

ADDENDUM

CITIZENS PARTICIPATION

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

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

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

Exhibit "B"

(Attach Affidavit of Publication of Notice of Public Hearing)

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

Donna Stark, being 1st duly sworn, deposes and says:

That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK
3441848

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 3 edition(s) of said newspaper issued from 07/02/2004 to 07/19/2004, on the following days: JULY 2, 12, 19, 2004

Signed: _____

Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

23

day of _____

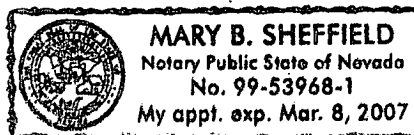
July

2004

Notary Public

Mary B. Sheffield

Please See Attached



2004 JUL 28 AM 10:19

RECEIVED
CITY CLERK

NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1499 - ALEXANDER ROAD (US-95 TO RANCHO DRIVE).

NOTICE IS HEREBY GIVEN, that the Final Assessment Roll No. 2004-8 for City of Las Vegas, Nevada, Special Improvement District No. 1499 - Alexander Road (US-95 to Rancho Drive) (hereinafter the "District") in and for the City of Las Vegas in the County of Clark, State of Nevada, which has been made out by the City Council of City of Las Vegas, together with the City Engineer, has been filed on June 16, 2004, in the office of the City Clerk and since such date, the final assessment roll has been, and now is available for examination by any interested person during regular office hours, Monday through Friday 8:00 a.m. until 5:00 p.m. The boundaries of the District are described in the Special Improvement District No. 1499 Creation Ordinance heretofore adopted (hereinafter the "Creation Ordinance"). The boundaries of the District, which include the location of the Project and the lots, tracts and parcels of land to be assessed, shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements (as described below) or fronting a cul-de-sac which abuts or fronts a street to be improved by the improvements. The streets to be improved by the improvements are:

Alexander Road (SOUTH SIDE) - from the centerline of Rancho Drive westerly along Alexander Road approximately 692-feet (100-foot of right-of-way).

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases) provided, however, that an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly-shaped lots or tracts of 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 assessments will be levied on a front foot method for the installation of pavement, curb, gutter, sidewalk, residential driveways and street lights and on a square foot method for the installation of commercial driveways, provided 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 streets or streets being improved which also abut the cul-de-sac. Each property owner will be assessed for the cost of an eight foot (8') wide street pavement section, curb and gutter, sidewalks, driveway approaches and streetlights, where not already existing. The owners of property who elected to have water or sewer laterals installed will be assessed per foot of lateral installed on a per service or unit lot basis. Potable water and sewer main extensions will be assessed on a front foot basis. **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.**

Such basis of assessments has been designated by the City Council in the Creation Ordinance heretofore adopted. The portion of the costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon each lot, tract or parcel of land or property in the District is stated in the final assessment roll. The City Council has determined that each of these tracts will receive special benefits (and corresponding market value increases) from the improvements in the Project.

The City Council will meet to hear and consider all complaints, protests, and objections to said final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in the District. Any person interested and any parties aggrieved by such assessments may be heard on Wednesday, July 21, 2004, at 1:00 p.m. at the City of Las Vegas Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada. Any complaint, protest, or objection to the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount thereof levied on each lot, tract or parcel of land, shall be deemed waived unless filed in writing with the City Clerk, on or before Friday, July 16, 2004, i.e., at least three days prior to the date set for the assessment hearing.

At the time and place so designated for the hearing, the City Council shall hear and determine all complaints, protests, and objections to the regularity of the proceedings in making such assessments, the correctness of such assessments, the amount levied on any particular lot, tract or parcel of land to be assessed, the amount of the benefits and corresponding market value increases, which have been so made in writing or verbally. The City Council shall further have the power to adjourn such hearing from time to time, and by resolution shall have power, in its discretion, to revise, correct, confirm, or set aside any assessment and to order that such assessment may be made de novo. The owners of the property to be assessed are advised that this is the final chance to present any evidence as to the amount of the assessments (or other matters to be considered at the hearing) to the City Council. If a person objects to the final assessment roll or to the proposed assessments:

- (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 271.395.

Assessments shall be due and payable at the office of the City Treasurer without interest and without demand within 30 days after the ordinance levying the assessments becomes effective. All or any part of such assessments may also, at the election of the owner, be paid thereafter in twenty (20) substantially equal semi-annual installments of principal and interest. After the adoption of the assessment ordinance and before assessment bonds are issued (or if bonds are not issued) the City Council shall by resolution provide the maximum rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold, such rate will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three percent (3%) the "Index of Twenty Bonds", which is most recently published before the time bids for such bonds are received, or at a time a negotiated offer for the sale of such bonds is accepted. Penalties (at a rate not exceeding two percent (2%) per month on the unpaid balance of the assessment and accrued interest, or at any higher rate authorized by statute) shall be due for delinquencies. The owner of any property not in default as to any assessment installment or payment may, at any time, pay the whole or any installment of the unpaid principal with interest accruing thereon to the next interest payment date.

Pursuant to NRS 271.357, 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. A person whose application for a hardship determination has been approved by the City Council is entitled to have the principal amount of the assessment postponed, but is required to pay the interest on the unpaid balance of the assessment at the same rate and upon the same terms as established by the City Council for the assessments. A person desiring to apply for a hardship determination shall file an application no later than July 16, 2004, with the Clark County Department of Social Services (CCSS), 1600 Pinto Lane, Las Vegas, Nevada 89106. Please contact CCSS at (702) 455-8687 for a pre-qualification screening.

Pursuant to NRS 271.395, within 15 days immediately succeeding the effective date of the assessment ordinance to be adopted following the hearing, any person who has filed a complaint, protest, or objection in writing shall have the right to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter, all actions or suits attacking the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount of the assessment levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation, shall be perpetually barred.

Dated this June 16, 2004.

/s/ Barbara Jo Ronemus
BARBARA JO RONEMUS, City Clerk
PUB: July 2, 12, 19, 2004 LV Review Journal

Exhibit "C"

(Attach minutes of public hearing on July 21, 2004)

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

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Public hearing on local improvement district regarding: Special Improvement District No. 1499
- Alexander Road (US-95 to Rancho Drive) (\$78,002.48 - Capital Projects Fund/Special Assessments) - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$78,002.48

☒

Budget Funds Available

Dept./Division: Public Works/SID

☐

Augmentation Required

Funding Source: Capital Projects Fund/Special Assessments

PURPOSE/BACKGROUND:

Public hearing on the Final Assessment Roll for the construction and installation of pavement, "L" type curb and gutter, sidewalk, water laterals, and streetlights.

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 this assessment district would remedy the situation caused by one property owner not having off-site improvements constructed in this \$2.3 million dollar project. The property owner will be assessed \$78,002.48 and sent a letter to the City stating they were on vacation and did not oppose the assessment. He indicated the assessment was in order.

MAYOR GOODMAN declared the Public Hearing closed.

(2:03 - 2:04)

4-70

STATE OF NEVADA)
) ss.
CITY OF LAS VEGAS)

AFFIDAVIT OF MAILING
NOTICE OF HEARING

Barbara Jo Ronemus does hereby swear, upon oath according to law:

1. I am and at all times hereinafter mentioned was the duly qualified and sworn City Clerk of the City of Las Vegas, Nevada.

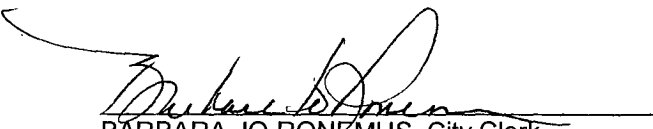
2. I mailed or caused to be mailed a notice entitled "NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1499 - ALEXANDER ROAD (US-95 TO RANCHO DRIVE)" by deposit in the United States mail, postage prepaid, as first-class mail, at the post office in the City of Las Vegas, Nevada, on July 1, 2004, being at least twenty (20) days prior to the hearing, on July 21, 2004 to the last known address of each last known owner of land within the District whose property will be assessed for the cost of the improvements, such addresses and owners being those appearing on the records of the County Assessor of Clark County, Nevada, and from such other sources as I, the City of Las Vegas and Public Works Department, deemed to be reliable.

3. A list of said owners and their addresses is hereto attached, marked Exhibit A and made a part hereof, all addresses therein being situate within the City of Las Vegas, Nevada, unless otherwise indicated, such names and addresses being the same as those shown on the "Tabulation of Parcels" or "Final Assessment Roll".

4. There is attached hereto, marked Exhibit B and made a part hereof, a full, true and correct copy of the notice as mailed as herein described.

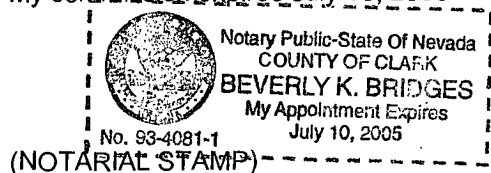
5. Copies of the affidavit of publication of said notice, verified by the affidavit of the publisher, and a copy of this affidavit are on file in the office of the City Clerk.

Further Affiant sayeth naught.


BARBARA JO RONEMUS, City Clerk

SUBSCRIBED and SWORN to before me in the City of Las Vegas, Nevada, this July 15, 2004.

My commission expires July 10, 2005



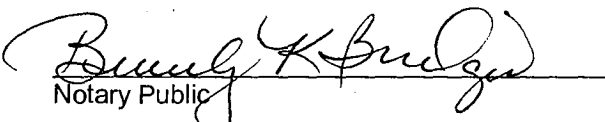

Notary Public

EXHIBIT "A"

(Attach List of Property Owners with Their Addresses)

City of Las Vegas
** ASSESSMENT ROLL **
Special Improvement District No. 1499
Alexander Road (US-95 to Rancho Drive)
Clark County

Page 2
Date 06/16/04 3:50p

FINAL ROLL 2004-8

PARCEL NUMBER	DESCRIPTION	PRIMARY PROPERTY OWNER	MARKET VALUE	ESTIMATED MAX BENEFIT	ASSESSMENT TOTAL
138-02-803-001	DOC: 20030407:02854 DATE: 04/07/03 PT SEC 02 20 60 PARCEL MAP FILE 28 PAGE 30 LOT 4	ACHIARDI, JACQUES & MICHELLE 3066 CADBURY DR LAS VEGAS NV 89121-5608	1087260.00	93020.00	78002.48
** REPORT TOTALS					78002.48

EXHIBIT "B"

(Attach Notice of Hearing as Mailed)

NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1499 - ALEXANDER ROAD (US-95 TO RANCHO DRIVE).

NOTICE IS HEREBY GIVEN, that the Final Assessment Roll No. 2004-8 for City of Las Vegas, Nevada, Special Improvement District No. 1499 - Alexander Road (US-95 to Rancho Drive) (hereinafter the "District") in and for the City of Las Vegas in the County of Clark, State of Nevada, which has been made out by the City Council of City of Las Vegas, together with the City Engineer, has been filed on June 16, 2004, in the office of the City Clerk and since such date, the final assessment roll has been, and now is available for examination by any interested person during regular office hours, Monday through Friday 8:00 a.m. until 5:00 p.m. The boundaries of the District are described in the Special Improvement District No. 1499 Creation Ordinance heretofore adopted (hereinafter the "Creation Ordinance"). The boundaries of the District, which include the location of the Project and the lots, tracts and parcels of land to be assessed, shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements (as described below) or fronting a cul-de-sac which abuts or fronts a street to be improved by the improvements. The streets to be improved by the improvements are:

Alexander Road (SOUTH SIDE) - from the centerline of Rancho Drive westerly along Alexander Road approximately 692-feet (100-foot of right-of-way).

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases) provided, however, that an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly-shaped lots or tracts of 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 assessments will be levied on a front foot method for the installation of pavement, curb, gutter, sidewalk, residential driveways and street lights and on a square foot method for the installation of commercial driveways, provided 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 streets or streets being improved which also abut the cul-de-sac. Each property owner will be assessed for the cost of an eight foot (8') wide street pavement section, curb and gutter, sidewalks, driveway approaches and streetlights, where not already existing. The owners of property who elected to have water or sewer laterals installed will be assessed per foot of lateral installed on a per service or unit lot basis. Potable water and sewer main extensions will be assessed on a front foot basis. **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.**

Such basis of assessments has been designated by the City Council in the Creation Ordinance heretofore adopted. The portion of the costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon each lot, tract or parcel of land or property in the District is stated in the final assessment roll. The City Council has determined that each of these tracts will receive special benefits (and corresponding market value increases) from the improvements in the Project.

The City Council will meet to hear and consider all complaints, protests, and objections to said final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in the District. Any person interested and any parties aggrieved by such assessments may be heard on Wednesday, July 21, 2004, at 1:00 p. m. at the City of Las Vegas Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada. Any complaint, protest, or objection to the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount thereof levied on each lot, tract or parcel of land, shall be deemed waived unless filed in writing with the City Clerk, on or before Friday, July 16, 2004, i.e., at least three days prior to the date set for the assessment hearing.

At the time and place so designated for the hearing, the City Council shall hear and determine all complaints, protests, and objections to the regularity of the proceedings in making such assessments, the correctness of such assessments, the amount levied on any particular lot, tract or parcel of land to be assessed, the amount of the benefits and corresponding market value increases, which have been so made in writing or verbally. The City Council shall further have the power to adjourn such hearing from time to time, and by resolution shall have power, in its discretion, to revise, correct, confirm, or set aside any assessment and to order that such assessment may be made de novo. The owners of the property to be assessed are advised that this is the final chance to present any evidence as to the amount of the assessments (or other matters to be considered at the hearing) to the City Council. If a person objects to the final assessment roll or to the proposed assessments:

- (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 271.395.

Assessments shall be due and payable at the office of the City Treasurer without interest and without demand within 30 days after the ordinance levying the assessments becomes effective. All or any part of such assessments may also, at the election of the owner, be paid thereafter in twenty (20) substantially equal semi-annual installments of principal and interest. After the adoption of the assessment ordinance and before assessment bonds are issued (or if bonds are not issued) the City Council shall by resolution provide the maximum rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold, such rate will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three percent (3%) the "Index of Twenty Bonds", which is most recently published before the time bids for such bonds are received, or at a time a negotiated offer for the sale of such bonds is accepted. Penalties (at a rate not exceeding two percent (2%) per month on the unpaid balance of the assessment and accrued interest, or at any higher rate authorized by statute) shall be due for delinquencies. The owner of any property not in default as to any assessment installment or payment may, at any time, pay the whole or any installment of the unpaid principal with interest accruing thereon to the next interest payment date.

Pursuant to NRS 271.357, 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. A person whose application for a hardship determination has been approved by the City Council is entitled to have the principal amount of the assessment postponed, but is required to pay the interest on the unpaid balance of the assessment at the same rate and upon the same terms as established by the City Council for the assessments. A person desiring to apply for a hardship determination shall file an application no later than July 16, 2004, with the Clark County Department of Social Services (CCSS), 1600 Pinto Lane, Las Vegas, Nevada 89106. Please contact CCSS at (702) 455-8687 for a pre-qualification screening.

Pursuant to NRS 271.395, within 15 days immediately succeeding the effective date of the assessment ordinance to be adopted following the hearing, any person who has filed a complaint, protest, or objection in writing shall have the right to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter, all actions or suits attacking the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount of the assessment levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation, shall be perpetually barred.

Dated this June 16, 2004.


BARBARA JO RONEMUS, City Clerk

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 16, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-106-2004 - Approval of a Resolution directing the City Engineer to prepare preliminary plans for Special Improvement District No. 1505 - Sierra Oeste - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The construction and installation of streetlights. The project is located within the Sierra Oeste subdivision south of Lake Mead Boulevard between Jones Boulevard and Torrey Pines Drive.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-106-2004

MOTION:

REESE – APPROVED Items 4-16, 18-27, 29, and 31-64 – **UNANIMOUS** with Ward 2 seat vacant

Items 3, 17, & 30: APPROVED under separate actions (see individual items)

Item 28: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:41 – 9:44)

1-1199

RESOLUTION NO. R-106-2004

A RESOLUTION DIRECTING THE CITY ENGINEER ON BEHALF OF THE CITY TO PREPARE AN ESTIMATE OF COST AND TO PREPARE AND FILE WITH THE CITY CLERK PRELIMINARY PLANS AND AN ASSESSMENT PLAT IN CONNECTION WITH A PROPOSED PROJECT IN SPECIAL IMPROVEMENT DISTRICT NO. 1505 - SIERRA OESTE, FOR THE ACQUISITION AND IMPROVEMENTS OF A PROJECT PURSUANT TO THE CONSOLIDATED LOCAL IMPROVEMENT LAW, AND ALL LAWS AMENDATORY THEREOF AND SUPPLEMENTAL THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.

Summary: Initial Resolution

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

WHEREAS, for the purpose of designation and identification, it is desirable that the hereinafter described Project be known and identified as City of Las Vegas, Nevada, Special Improvement District No. 1505 - Sierra Oeste (hereinafter the "Improvement District" or "District").

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

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

The Project includes the construction and installation of streetlights and all related appurtenances.

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

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

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

Section 5. The boundaries of the District shall be the area in which the improvements are located, i.e., in the Sierra Oeste residential subdivision, located on the south side of Lake Mead Boulevard approximately 800 feet west of Jones Boulevard, as shown on the preliminary plans and specifications and preliminary assessment roll to be provided as described above.

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

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

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

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

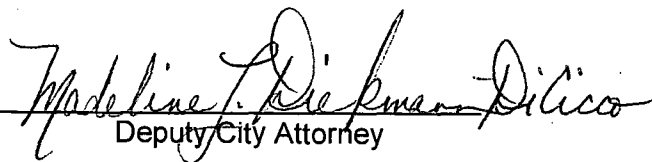
PASSED AND APPROVED this 16th day of June 2004.


OSCAR B. GOODMAN, Mayor

Attest:


BARBARA JO RONEMUS, City Clerk

Approved as to Form:

6-3-04 
Date Deputy City Attorney

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

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

1. The foregoing pages constitute a true, correct, complete and compared copy of a resolution adopted by the City Council of the City (hereinafter the "City Council") at a meeting held on June 16, 2004.

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

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

Those Voting Nay:	NONE

Those Absent:	NONE

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

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

(a) By posting a copy of the notice at least three working days before the meeting at the principal office of the City Council, or if there is no principal office, at the building in which the meeting is to be held, and at least three (3) other separate, prominent places within the jurisdiction of the City Council, to wit:

- (i) Court Clerk's Office Bulletin Board
City Hall Plaza
Las Vegas, Nevada
- (ii) City Hall Plaza
Special Outside Posting Bulletin Board
Las Vegas, Nevada
- (iii) Las Vegas Library
833 Las Vegas Boulevard North
Las Vegas, Nevada
- (iv) Clark County Government Center
500 South Grand Central Parkway
Las Vegas, Nevada
- (v) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada

(b) By mailing a copy of the notice to each person, if any, who has requested notice of the meetings of the City Council in the same manner in which notice is required to be mailed to a member of the City Council. Such notice was delivered to the postal service no later than 9:00 a.m. on the third working day prior to the meeting.

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

6. A copy of such notice so given of the meeting of the City Council on June 16, 2004, is attached to this certificate as Exhibit "A".

IN WITNESS WHEREOF, I have hereunto set my hand on this June 16, 2004.

(SEAL)


BARBARA JO RONEMUS, City Clerk

Exhibit "A"

(Attach Notice of Meeting and Agenda)

CITY COUNCIL AGENDA

JUNE 16, 2004

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City of Las Vegas

CITY COUNCIL AGENDA

COUNCIL CHAMBERS • 400 STEWART AVENUE • PHONE 229-6011

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

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

COUNCILMEMBERS: LARRY BROWN (Ward 4), VACANT (Ward 2),

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

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

JUNE 16, 2004

**Morning Session begins at 9:00 a.m.
Afternoon Session begins at 1:00 p.m.**

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

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

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

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

CEREMONIAL MATTERS

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION – REVEREND MIKE MAS, NATHAN ADELSON HOSPICE (CENTER FOR COMPASSIONATE CARE)
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF THE EMPLOYEE OF THE MONTH
- RECOGNITION OF THE 257TH TRANSPORTATION COMPANY, AN ARMY RESERVE UNIT
- RECOGNITION OF MASTER TODDY'S MUAY THAI BARE KNUCKLE TOURNAMENT WORLD CHAMPIONS
- RECOGNITION OF LEISURE SERVICES DEPARTMENT FOR NATIONAL AQUATICS HONORS
- RECOGNITION OF THE LAS VEGAS VALLEY WATER DISTRICT'S 50TH ANNIVERSARY
- PRESENTATION BY LAS VEGAS HOMELESS VETERANS STANDOWN COMMITTEE

BUSINESS ITEMS

1. Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time
2. Approval of the Final Minutes by reference of the Regular City Council Meetings of April 7, 2004 and April 21, 2004

CONSENT AGENDA

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

ADMINISTRATIVE - CONSENT

3. Approval of a contribution from Star Nursery to the City of Las Vegas consisting of \$100,000 worth of trees over the next 5 years
4. Approval of a net 3.00% cost of living adjustment (COLA) for eligible Appointive Employees effective with the first pay period in July 2004 (\$450,000 from the General, Special Revenue, Enterprise and Internal Service Funds)
5. Approval to amend the First Amended and Restated Memorandum of Understanding between City Parkway V and Las Vegas Performing Arts Center Foundation to extend negotiation of the Disposition and Development Agreement to December 31, 2004 - Ward 5 (Weekly)
6. Approval on offering a Voluntary Separation Program to certain employee groups that have 20+ years of service with the City of Las Vegas (Not to exceed \$6,300,000 - Multiple Funds)

FIELD OPERATIONS DEPARTMENT - CONSENT

7. Approval of First Amendment to the Area-Wide Natural Gas Fueling System Interlocal Agreement with the Regional Transportation Commission of Southern Nevada (\$150,000 - Internal Service Funds) - All Wards
8. Approval of an Interlocal Agreement with the Las Vegas Housing Authority for repair, maintenance, fuel and after hour call out services for vehicles and equipment (\$175,000 revenue) - All Wards
9. Approval of a Bus Stop Shelters and Benches Franchise Agreement between the City of Las Vegas and Bustop Shelters of Nevada, Incorporated dba Viacom Outdoor, for the construction, installation and maintenance of bus stop shelters, benches and trash receptacles - (\$75,000 annual revenue) - All Wards

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

10. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
11. Approval of transfer of fiscal year 2004 Budget Appropriations for Special Revenue Funds in the amount of \$3,600,200
12. Approval of transfer of fiscal year 2004 Budget Appropriations for Capital Project Funds in the amount of \$10,400,000
13. Approval of a Special Event License for Whole Foods Market, Inc., Location: Whole Foods Market, 8855 West Charleston Boulevard, Dates: June 19, 26, July 3, 10, 17, 24, 31, 2004, Type: Special Event Beer/Wine, Event: Wine Tastings, Responsible Person in Charge: Sandra Benton - Ward 2 (Vacant)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

14. Approval of a Special Event License for Mi Raza Mi Gente, Location: Freedom Park, 850 North Mojave Road, Dates: July 16-18, 2004, Type: Special Event Beer/Wine, Event: Las Vegas Fair-La Feria de Las Vegas, Responsible Person in Charge: Mauricio Fabian-Bahewa - Ward 3 (Reese)
15. Approval of Change of Business Name for a Supper Club License, Scottsdale Beverages, LLC, dba From: Escole, To: Cafe Bleu, 1451 Center Crossing Road, John P. Graham, Mgr, Jennifer E. White, Mgr, Scottsdale Group, LLC, Mmbr, 100%, John P. Graham, Mgr, Jennifer E. White, Mgr - Ward 2 (Vacant)
16. Approval of Independent Store Operator and Change of Business Name for a Beer/Wine/Cooler Off-sale License subject to Health Dept. regulations, From: Rancho Las Vegas Grocery Outlet, Inc., dba Rancho Las Vegas Grocery Outlet, Rancho Las Vegas Grocery Outlet, Inc., Independent Store Operator, Laura A. Bascom, Dir, Pres, 50%, Timothy M. Bascom, Dir, Secy, Treas, 50%, To: Duncan & Duncan, dba Grocery Outlet Rancho Las Vegas, 703 North Rancho Drive, David F. Duncan, Independent Store Operator and Barbara S. Duncan, Independent Store Operator, 100% jointly as husband and wife - Ward 5 (Weekly)
17. Approval of Change of Ownership and Business Name for a Tavern License and a new Restricted Gaming License for 15 slots subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission, From: D.T.'s Lounge, dba D.T.'s Lounge, Robert L. McMurray, Ptnr, 50%, Stephen G. Hibbard, Ptnr, 50%, To: Scotch 80's Limited (a Nevada Corporation), dba Squiggy's, 530 South Martin L. King Boulevard, Danny R. Piper, Dir, Pres, Treas, 50%, Joseph D. Bunch, Dir, Secy, 50% - Ward 5 (Weekly)
18. Approval of a new Slot Operator Space Lease Location Restricted Gaming License for 16 slots subject to confirmation of approval by the Nevada Gaming Commission, United Coin Machine Company, db at Moulin Rouge, 900 West Bonanza Road - Ward 5 (Weekly)
19. Preapproval of award of Bid No. 04.1730.15-CW, Durango Drive, Westcliff to Vegas Drive to the lowest responsive and responsible bidder or best bidder and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works (Monetary range of \$13,000,000 to \$14,000,000 - Road and Flood Capital Projects Fund) - Wards 2 and 4 (Vacant and Brown)
20. Approval of award of Bid No. 04.1730.01-LED, Sahara Avenue Sanitary Sewer Rehabilitation, Phase III and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: INSITUFORM TECHNOLOGIES, INC. (\$2,592,255 - Sanitation Enterprise Fund) - Ward 3 (Reese)
21. Approval of award of Bid No. 04.1730.16-LED, Holmby Channel Drainage Improvements and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: CRYSTAL CASCADES (\$1,333,333 - Road and Flood Capital Projects Fund) - Ward 1 (Moncrief)
22. Approval of revision to purchase order 218353 for Bulk Liquid Cationic Polymer - Department of Public Works - Award to: CYTEC INDUSTRIES, INC. (\$120,000 - Sanitation Enterprise Fund)
23. Approval of Contract No. 040174, Substance Abuse Testing Services - Department of Human Resources - Award recommended to: QUEST DIAGNOSTICS (\$300,000 - General Fund)
24. Approval of Contract No. 040357 for Symantec Governmental Alliance Program Master Contract for On iCommand software - Department of Information Technologies - Award recommended to: ASAP SOFTWARE (\$176,500 - Computer Services Internal Service Fund)
25. Approval of Contract No. 040254 for ProLaw Software, Support and Maintenance, Training and Professional Services - Department of Information Technologies - Award recommended to: PROLAW SOFTWARE (\$129,500 - City Facilities Capital Projects Fund and General Fund)
26. Approval of Contract No. 040293 for Software Escrow Services - Department of Information Technologies - Award recommended to: GUARD-IT CORPORATION (\$75,000 - Computer Services Internal Service Fund)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

27. Approval of award of Bid No. 040318-GL, Annual Requirements Contract for Swimming Pool Chemicals - Department of Leisure Services - Award recommended to: THATCHER COMPANY OF NEVADA (Estimated annual amount of \$40,000 - General Fund)
28. Approval of issuance of a purchase order for an annual requirements contract for Watson Marlowe OEM parts and service - Department of Public Works - Award recommended to: MIDWEST ASSOCIATES, INC. (Estimated annual amount of \$200,000 - Sanitation Enterprise Fund)
29. Approval of award of Bid No. 040360-LED, Relocate Skate Park Elements, Patriot Park to Mountain Ridge Park and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: THE TIBERTI COMPANY (\$55,000 - Capital Projects Fund) - Ward 6 (Mack)

FIRE AND RESCUE DEPARTMENT - CONSENT

30. Approval of an Interlocal Agreement between the City of Las Vegas and the County of Clark for the transfer of interoperable radio equipment for public safety communications - All Wards
31. Approval of a Secondary User's Agreement between the City of Las Vegas and Summerlin Hospital Medical Center for the transfer of interoperable radio equipment for public safety communications - All Wards

HUMAN RESOURCES DEPARTMENT - CONSENT

32. Approval of payment for a permanent partial disability award - Claim #WC03050114 - as required under the workers' compensation statutes (\$38,265 - Workers' Compensation Internal Service Fund)
33. Approval of Governmental Money Purchase Plan & Trust Adoption Agreement and Administrative Services Agreement with ICMA Retirement Corporation to establish a 401(a) final pay plan

MUNICIPAL COURT - CONSENT

34. Approval of annual purchase order for instructors and speaker services for Las Vegas Municipal Court's court-ordered defendant classes and programs provided by the Court's Alternative Sentencing and Education Division (ASED) - (Annual aggregate amount of \$273,300 - General Fund)
35. Approval of annual purchase order for interpreters/translators for Las Vegas Municipal Court's court-ordered classes, appointments, and curriculum materials provided by the Court's Alternative Sentencing and Education Division (ASED) - (Annual aggregate amount of \$32,000 - General Fund)
36. Approval of annual purchase order for Alternate Judge services for Municipal Court (Annual aggregate amount of \$60,000 - General Fund)
37. Approval of annual purchase order for interpretation services for Municipal Court (Annual aggregate amount of \$128,820 - General Fund)

NEIGHBORHOOD SERVICES DEPARTMENT - CONSENT

38. Approval of a Deferred Loan Agreement expending \$40,000 of Home Investment Partnership Program (HOME) funds for housing rehabilitation activities at 3709 El Cortez Avenue - Ward 1 (Moncrief)

PUBLIC WORKS DEPARTMENT - CONSENT

39. Approval of an Encroachment Request from Carter Burgess, Incorporated, on behalf of John K. Biegger and JRJ Properties, owners (northwest corner of Sahara Avenue and Decatur Boulevard) - Ward 1 (Moncrief)
40. Approval of an Encroachment Request from Pardee Homes Nevada, owner (northwest corner of Tee Pee Lane and Severance Lane) - Ward 6 (Mack)
41. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Emil M. Pahor and Ann A. Pahor Family Trust, owners (southeast corner of Sahara Avenue and Buffalo Drive, APN 163-10-101-003) - County (near Ward 1 - Moncrief)
42. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Joseph M. Sneed, owner (south of Madre Mesa, between Terry Lane and Michael Way, APN 138-13-313-006) - County (near Ward 5 - Weekly)
43. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Baughman and Turner, Incorporated, on behalf of Robert J. Pederson 1996 Trust, Robert J. Pederson, Trustee, Patricia M. Murphy, Thomas M. Murphy, Joey Bailey, Brian K. Anderson, and Suzanne Anderson, owners (north of Tropical Parkway, east of Fort Apache Road, APNs 125-29-201-018, 125-29-201-019, 125-29-201-020, 125-29-201-021, 125-29-201-022, and 125-29-201-024) - County (near Ward 6 - Mack)
44. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - AK Nielsen on behalf of Taz H. Cofer, owner (north of Tropical Parkway, west of Rio Vista Street, APN 125-27-610-053) - County (near Ward 6 - Mack)
45. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Summit Engineering Corporation on behalf of NW Development LLC, owner (northwest corner of Bright Angel Way and Jensen Street, APN 125-30-202-006) - County (near Ward 6 - Mack)
46. Approval of a Professional Services Agreement with the Louis Berger Group, Inc. for Construction Management Services on the Durango Drive - Westcliff Drive to Vegas Drive project (\$850,000 - Regional Transportation Commission) - Wards 2 and 4 (Vacant and Brown)
47. Approval of a First Amendment to the Engineering Design Services Agreement with Louis Berger Group, Inc. for additional engineering design services for the Rancho/Owens Sewer Rehabilitation project to include segments of Harris Avenue and Charleston Boulevard (\$50,000 - City of Las Vegas Sanitation Fund) - Wards 3 and 5 (Reese and Weekly)
48. Approval of a Title XVI Funding Allocation Agreement between the Southern Nevada Water Authority, the City of Las Vegas, City of Henderson, Clark County Water Reclamation District and the Las Vegas Valley Water District which will allow the City of Las Vegas to receive federal funds for the construction of the Northwest Water Resource Center - (County)
49. Approval of a Cooperative Agreement for the Las Vegas Freeway and Arterial System of Transportation (FAST) between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC), to provide the option for current CLV employees assigned to FAST to continue their involvement with FAST by transitioning to and becoming employees of the RTC - All Wards

RESOLUTIONS - CONSENT

50. R-101-2004 – Approval of a Resolution Adjusting the Boundaries of the City, Pursuant to a Request by the Clark County Assessor and in Accordance with State Law, by Detaching Therefrom Certain Territory Described Generally as Located on the North Side of Rocky Avenue, Between El Capitan Way and Homestead Road, and on the West Side of Homestead Road, From Rocky Avenue to Moccasin Road – Ward 6 (Mack)

RESOLUTIONS - CONSENT

51. R-102-2004 - Approval of a Resolution directing the City Treasurer to prepare the Forty-Second Assessment Lien Apportionment Report for Special Improvement District No. 404 - Summerlin Area (Levy Assessments) - Ward 2 (Vacant)
52. R-103-2004 - Approval of a Resolution approving the Forty-Second Assessment Lien Apportionment Report for Special Improvement District No. 404 - Summerlin Area (Levy Assessments) - Ward 2 (Vacant)
53. R-104-2004 - Approval of a Resolution Determining the Cost and Directing the City Engineer to prepare the Final Assessment Roll for Special Improvement District No. 1499 - Alexander Road (US-95 to Rancho Drive) (\$78,002.48 - Capital Projects Fund - Special Assessments) - Ward 6 (Mack)
54. R-105-2004 - Approval of a Resolution fixing the time and place when complaints, protests, and objections to the Final Assessment Roll will be heard for Special Improvement District No. 1499 - Alexander Road (US-95 to Rancho Drive) (\$78,002.48 - Capital Projects Fund - Special Assessments) - Ward 6 (Mack)
55. R-106-2004 - Approval of a Resolution directing the City Engineer to prepare preliminary plans for Special Improvement District No. 1505 - Sierra Oeste - Ward 6 (Mack)
56. R-107-2004 - Approval of a Resolution authorizing a temporary interfund loan from the Sanitation Enterprise Fund to the Road and Flood Capital Projects Fund, not to exceed \$2 million, to be repaid by an interlocal agreement from the Regional Transportation Commission (RTC) for the construction of the Durango/Summerlin Parkway Interchange - Wards 2 and 4 (Vacant and Brown)
57. R-108-2004 - Approval of a Resolution to Augment the City of Las Vegas fiscal year 2004 City Facilities Capital Project Fund Budget in the amount of \$350,000
58. R-109-2004 - Approval of a Resolution to Augment the City of Las Vegas Fiscal Year 2004 Special Improvement District (SID) Administration Special Revenue Fund Budget in the amount of \$234,729

REAL ESTATE COMMITTEE - CONSENT

59. Approval of a First Amendment to Interlocal Contract between the City of Las Vegas and the Board of Regents of the University and Community College System of Nevada, on behalf of the University of Nevada, Las Vegas, School of Architecture for the lease of property located at 400 South Las Vegas Boulevard - Ward 1 (Moncrief)
60. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 5 acres of land commonly known as a portion of APN 126-01-101-010 located off of Puli Drive between Moccasin Road and Iron Mountain Road for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
61. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 10 acres of land commonly known as Parcel Number 126-02-101-005 located south of Moccasin Road and west of Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
62. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 10 acres of land commonly known as APN 126-01-801-002 located in the vicinity of Iron Mountain Road and Hualapai Way for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)
63. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 8 acres of land commonly known as APNs 126-02-401-002 and 126-02-401-004 located in the vicinity of Iron Mountain Road and Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)

REAL ESTATE COMMITTEE – CONSENT

64. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 12.5 acres of land commonly known as a portion of APN 126-01-401-003 located in the vicinity of Iron Mountain Road and Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)

DISCUSSION / ACTION ITEMS

CITY ATTORNEY - DISCUSSION

65. Discussion and possible action on Appeal of Work Card Denial: Pamela A. Mack, 4434 W. Del Oro Drive, Las Vegas, Nevada 89102
66. Discussion and possible action on Appeal of Work Card Denial: Stanley Ray Clinton, 4918 Drifting Pebble Street, North Las Vegas, Nevada 89030
67. Discussion and possible action on Appeal of Work Card Denial: Jose L. Lemus, 4193 Zavala #C, Las Vegas, Nevada 89103
68. Discussion and possible action on Appeal of Work Card Denial: Yvette L. Gray, 1318 Starmeadow Drive, North Las Vegas, Nevada 89030
69. Discussion and possible action on Appeal of Work Card Denial: Brandon D. Mobley, 7948 Decker Canyon #202, North Las Vegas, Nevada 89128

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

70. Discussion and possible action regarding rescission of action taken April 7, 2004, regarding a Six Month Review of a Massage Establishment License, Cathay Massage, Inc., dba Cathay Massage, Inc., 7450 West Cheyenne Avenue, Suite 113, Chen H. Liu, Dir, Pres, Secy, Treas, 100% - Ward 4 (Brown)
71. Discussion and possible action regarding a Six Month Review of a Massage Establishment License, Cathay Massage, Inc., dba Cathay Massage, Inc., 7450 West Cheyenne Avenue, Suite 113, Chen H. Liu, Dir, Pres, Secy, Treas, 100% - Ward 4 (Brown)
72. Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes and Health Dept. regulations, From: Gerardo S. Barraza, dba Juanita's Restaurant, Gerardo S. Barraza, 100%, To: Jesus Moreno, dba La Sierra Mexican Restaurant #2, 4440 East Washington Avenue, Suite 106, Jesus Moreno, 100% - Ward 3 (Reese)
73. Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Tavern License subject to the provisions of the fire codes and Health Dept. Regulations, From: Restaurant Enterprises, Inc., dba Venetian Restaurant, Thomas D'Antonio, Dir, Pres, Secy, Treas, 100%, To: The Slanted Clam, LLC, dba The Slanted Clam, 3713 West Sahara Avenue, Let's Eat Gaming Group, Inc., Mmbr, 50%, Mark J. DiMartino, Dir, Pres, Secy, Treas, 100%, Amy O, LLC, Mmbr, 50%, Barry J. Fieldman, Mgr, 100% - Ward 1 (Moncrief)
74. Discussion and possible action regarding a Review of a Beer/Wine/Cooler On-sale License, Gomez Entertainment, Inc., dba El Tapatio, 235 North Eastern Avenue, Suite 132, Anabel Gomez, Dir, Pres, Secy, Treas, 100% - Ward 3 (Reese)
75. Discussion and possible action regarding a 90-day Review of a Beer/Wine/Cooler Off-sale License, Mulugeta K. Bour, dba Oakey Discount Market, 1616 Las Vegas Boulevard South, Mulugeta K. Bour, 100% - Ward 1 (Moncrief)

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

76. Discussion and possible action regarding a Review of a Slot Route Operator Space Lease Location Restricted Gaming License for 5 slots, Green Valley Gaming, Inc., db at Oakey Discount Market, 1616 Las Vegas Boulevard South - Ward 1 (Moncrief)
77. Discussion and possible action regarding a Six-Month Review of a Beer/Wine/Cooler On-sale License subject to the provisions of the planning and fire codes and Health Dept. regulations, Tomasa Chavez, dba El Pollo Real Restaurant, 621 North Eastern Avenue, Tomasa Chavez, 100%, David Garcia, Gen Mgr - Ward 5 (Weekly)
78. ABEYANCE ITEM - Discussion and possible action regarding a Six-Month Review of a Tavern License, D. Westwood, Inc., dba Treasures, 2801 Westwood Drive, Ali Davari, Dir, Pres, Treas, 50%, Hassan Davari, Dir, Secy, 50% - Ward 1 (Moncrief)
79. Discussion and possible action regarding Temporary Approval of Change of Ownership, Location and Business Name for a Tavern License subject to the provisions of the fire codes and Health Dept. regulations, From: Tropics, LLC, dba Tropics Broiler & Bar, 1617 South Decatur Boulevard (Non-operational), Ken K. Kananu, Mgr, Mmbr, 42.5%, Gregory N. Becker, Mgr, Mmbr, 42.5%, Nancy K. Dehler, Mmbr, 15%, To: Artisan Cafe, LLC, dba Artisan Cafe, LLC, 1215 Las Vegas Boulevard South, Audrey N. DaSilva, Mgr, Mmbr, 100%, Douglas B. DaSilva, Principal - Ward 3 (Reese)

PUBLIC WORKS DEPARTMENT - DISCUSSION

80. Discussion and possible action regarding the realignment of Grand Montecito Parkway (SID 1502) between Deer Springs Way and Dorrell Road - Ward 6 (Mack)

RESOLUTIONS - DISCUSSION

81. R-110-2004 - Public hearing and possible action regarding a Resolution authorizing the issuance of a medium term obligation, not to exceed \$25,000,000 for the infrastructure construction of Union Park (formerly known as the 61-Acres) - Ward 5 (Weekly)

RECOMMENDING COMMITTEE REPORTS - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

82. 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
83. Bill No. 2004-41 – Revises the City's drought conservation measures in accordance with revisions to the Southern Nevada Water Authority's Drought Plan. Sponsored by: Councilman Larry Brown

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

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

84. Bill No. 2004-43 – Ordinance Creating Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) Sponsored by: Step Requirement

RECOMMENDING COMMITTEE REPORTS - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

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

85. Bill No. 2004-44 – Annexation No. ANX-4129 – Property location: On the southwest corner of Bronco Street and Peak Drive; Petitioned by: SF Investments, LLC; Acreage: 2.35 acres; Zoned: R-E (County zoning), U (R) (City equivalent). Sponsored by: Councilman Michael Mack
86. Bill No. 2004-45 – Establishes restrictions on the use and possession of electronic stun devices. Sponsored by: Councilman Gary Reese

NEW BILLS

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

87. Bill No. 2004-46 – Increases the salaries of the Municipal Court judges. Sponsored by: Mayor Oscar B. Goodman (Annual amount \$71,063.73 – General Fund)

1:00 P.M. - AFTERNOON SESSION

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

HEARINGS - DISCUSSION

89. Hearing to consider the appeal regarding the Zoning Violations/Nuisance Notice and Order to Comply regarding 6012 Iron Kettle Street. PROPERTY OWNERS: BRIAN J. & JANECE PINEGAR FAM TR - Ward 6 (Mack)
90. Hearing to consider the appeal regarding the Zoning Violations/Nuisance Notice and Order to Comply regarding 6318 West Sahara Avenue. PROPERTY OWNERS: C S S SAHARA LP - Ward 1 (Moncrief)
91. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 2110 Marlin Avenue. PROPERTY OWNER: JOSE DE JESUS GONZALES-JOYA ETAL – Ward 3 (Reese)
92. Public Hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located North of 4200 West Sahara Avenue on Arville (Vacant Lot), APN 162-06-412-003. PROPERTY OWNER: TRUSTEE CLARK COUNTY TREASURER, C/O WILTON PARTNERS ARVILLE #8, C/O J. LIN - Ward 1 (Moncrief)
93. Public hearing to consider the report of expenses to recover costs for abatement of dangerous buildings, a public nuisance and an imminent hazard located at 15 West Owens Avenue. PROPERTY OWNERS: WEST OWENS MANAGEMENT GROUP, LLC, CCS D PROPERTIES, INC., DAVID DIMARCO, SANDI DIMARCO, AND T & B DEL CORP. - Ward 5 (Weekly)

PLANNING & DEVELOPMENT DEPARTMENT

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

PLANNING & DEVELOPMENT DEPARTMENT – CONSENT

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

94. EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-4392 - APPLICANT: OLD TOWN, INC. - OWNER: ECT HOLDING, LIMITED LIABILITY COMPANY - Request for an Extension of Time for a Special Use Permit (SUP-1875) FOR A TAVERN and a Waiver of the minimum distance requirements from a tavern and protected uses at 1208 East Charleston Boulevard (APN: 162-02-110-001, 003, 011, and 013), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL
95. EXTENSION OF TIME RELATED TO EOT-4392 - VARIANCE - EOT-4393 - APPLICANT: OLD TOWN, INC. - OWNER: ECT HOLDING, LIMITED LIABILITY COMPANY - Request for an Extension of Time for a Variance (VAR-1879) TO ALLOW 172 PARKING SPACES WHERE 187 PARKING SPACES ARE REQUIRED at 1208 East Charleston Boulevard (APN: 162-02-110-001, 003, 011, and 013), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL
96. EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-4433 - APPLICANT: GERALD GARAPICH, AIA, LIMITED LIABILITY COMPANY - OWNER: GRAND TETON LODGE LAND, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit (U-0011-00) WHICH ALLOWED A PROPOSED TAVERN IN CONJUNCTION WITH AN APPROVED RESTAURANT on property located adjacent to the northeast corner of Grand Teton Drive and Durango Drive (a portion of APN: 125-09-401-006), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack). Staff recommends APPROVAL
97. EXTENSION OF TIME - REZONING - EOT-4438 - APPLICANT/OWNER: JAH ASIF - Request for an Extension of Time of an approved Rezoning FROM: R-2 (Medium-Low Density Residential) TO: N-S (Neighborhood Service) on 0.18 acres located at 2413 Maroney Avenue (APN: 162-02-410-096), Ward 3 (Reese). Staff recommends APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

98. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4147 - APPLICANT/OWNER: D.R. HORTON, INC. - Request for a Site Development Plan Review FOR A PROPOSED 126-UNIT CONDOMINIUM COMPLEX on 10.29 acres adjacent to the southwest corner of Grand Teton Drive and Tee Pee Lane (APN: 125-18-501-015), U (Undeveloped) Zone [MLA (Medium-Low Density Attached) General Plan Designation] under Resolution of Intent to R-PD12 (Residential Planned Development - 12 Units Per Acre) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-2-1 vote) recommends APPROVAL
99. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4163 - APPLICANT/OWNER: FOURTH & BONNEVILLE, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A PROPOSED EIGHT-LEVEL, 150,000 SQUARE-FOOT RETAIL AND PARKING STRUCTURE on 0.29 acres adjacent to the southeast corner of Fourth Street and Bonneville Avenue (APN: 139-34-311-133), C-1 (Limited Commercial) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

100. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4186 - APPLICANT: BONNIE ADAR-BURLA - OWNER: MABEL I ENRIGHT, ET AL - Request for a Site Development Plan Review and for a Waiver of the Las Vegas Medical District Streetscape Design Guidelines and Landscape Buffer Requirements FOR A PROPOSED 1,469 SQUARE FOOT OFFICE CONVERSION on 0.23 acres at 500 Rose Street (APN: 139-33-301-008), PD (Planned Development) Zone [MD-1 (Medical Support) Medical District Special Land Use Designation], Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
101. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4196 - APPLICANT: STORAGE ONE - OWNER: W J D, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and a reduction of the Required Perimeter Buffering FOR A PROPOSED MINI-WAREHOUSE AND RECREATIONAL VEHICLE STORAGE FACILITY on 2.85 acres adjacent to the west side of Rancho Drive between Lake Mead Boulevard and Coran Lane (APN: 139-19-611-003), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
102. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4298 - APPLICANT: STELLA LAKE PARTNERSHIP, LIMITED LIABILITY COMPANY - OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review and Waivers of Landscaping Requirements FOR A PROPOSED OFFICE BUILDING on 5.32 acres adjacent to the southeast corner of Lake Mead Boulevard and Stella Lake Street (a portion of APN: 139-21-313-002), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
103. MAJOR MODIFICATION TO THE LONE MOUNTAIN WEST MASTER PLAN - PUBLIC HEARING - MOD-4178 - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Major Modification to the Lone Mountain West Master Plan TO CHANGE THE FUTURE LAND USE DESIGNATION FROM PUBLIC FACILITY TO PARK/SCHOOL/RECREATION/OPEN SPACE on 12.99 acres adjacent to the east side of Puli Drive, approximately 640' north of Cheyenne Avenue (APN: a portion of 137-12-401-001), Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
104. REZONING RELATED TO MOD-4178 - PUBLIC HEARING - ZON-4179 - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] TO: C-V (Civic) on 22.99 acres adjacent to the northeast corner of the alignments of Cheyenne Avenue and Puli Drive (APN: a portion of 137-12-401-001 and 012), Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
105. MAJOR MODIFICATION TO THE LONE MOUNTAIN WEST MASTER PLAN - PUBLIC HEARING - MOD-4236 - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Major Modification to the Lone Mountain West Master Plan TO CHANGE THE FUTURE LAND USE DESIGNATION FROM PUBLIC FACILITY TO PARK/SCHOOL/RECREATION/OPEN SPACE on 5.00 acres adjacent to the southeast corner of Alexander Road and Puli Drive (APN: a portion of 137-12-101-008), Ward 4 (Brown). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL. NOTE: The APN should reflect that it is the northern portion of 137-12-101-008
106. REZONING RELATED TO MOD-4236 - PUBLIC HEARING - ZON-4234 - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] TO: C-V (Civic) on 5.00 acres adjacent to the southeast corner of the alignments of Gilmore Avenue and Puli Drive (APN: portion of 137-12-101-008), Ward 4 (Brown). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL. NOTE: The APN should reflect that it is the southern portion of 137-12-101-008
107. MASTER PLAN OF STREETS AND HIGHWAYS AMENDMENT - PUBLIC HEARING - MSH-4197 - APPLICANT/OWNER: CLIFF'S EDGE, LIMITED LIABILITY COMPANY - Request to Amend the Master Plan of Streets and Highways FOR THE ADDITION OF MAJOR ROADS WITHIN THE CLIFF'S EDGE MASTER PLAN generally located between Grand Teton Drive and Clark County 215, and between Puli Road and Hualapai Way, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

- 108.VACATION - PUBLIC HEARING - VAC-4098 - APPLICANT/OWNER: PULTE HOMES - Petition to Vacate public sewer and drainage easements in Antibes Street, south of Monte Viso Drive, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

- 109.VACATION - PUBLIC HEARING - VAC-4104 - APPLICANT: EVAN RANES - OWNER: MISSION SPRINGS PROPERTIES, LIMITED LIABILITY COMPANY - Petition to Vacate a twenty-foot (20') wide public alley generally located west of Maryland Parkway and north of Carson Avenue, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

- 110.VACATION - PUBLIC HEARING - VAC-4158 - APPLICANT/OWNER: PULTE HOMES - Petition to Vacate spandrel portions of Monte Viso Drive west of Rainbow Boulevard, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

- 111.ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - VAR-3902 - APPLICANT/OWNER: RICHARD AND JILL BURNS - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Variance TO ALLOW 25 FOOT FRONT SETBACKS WHERE 30 FEET IS THE MINIMUM SETBACK REQUIRED AND TO ALLOW 25 FOOT REAR SETBACKS WHERE 35 FEET IS THE MINIMUM SETBACK REQUIRED on 9.46 acres on the northwest corner of Maggie Avenue and Coke Street (APN: 125-09-501-002), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (5-1 vote) and staff recommend DENIAL

- 112.VARIANCE - PUBLIC HEARING - VAR-4193 - APPLICANT: BULLSEYE COMMERCIAL REAL ESTATE - OWNER: FARLEY ANDERSON, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW 131 PARKING SPACES WHERE 161 SPACES IS THE MINIMUM REQUIRED FOR A PROPOSED COMMERCIAL DEVELOPMENT ON 2.27 ACRES adjacent to the north side of Lake Mead Boulevard approximately 200 feet West of Torrey Pines Drive (APN: 138-23-201-008), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

- 113.VARIANCE - PUBLIC HEARING - VAR-4340 - APPLICANT: CATHOLIC CHARITIES OF SOUTHERN NEVADA - OWNER: DECATUR SHOPPING CENTER ASSOCIATES - Request for a Variance TO ALLOW A REDUCTION OF THE AMOUNT IN REQUIRED PARKING at 1401 North Decatur Boulevard, Suite #34 (APN: 138-25-503-007), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL **(NOTE: This item will be stricken from the June 16, 2004 Council meeting and conducted on July 7, 2004 Council meeting to properly indicate the amount of parking spaces being requested which is 267 where 534 is required.)**

- 114.SPECIAL USE PERMIT RELATED TO VAR-4340 - PUBLIC HEARING - SUP-4168 - APPLICANT: CATHOLIC CHARITIES OF SOUTHERN NEVADA - OWNER: DECATUR SHOPPING CENTER ASSOCIATES - Request for a Special Use Permit FOR A PROPOSED THRIFTSHOP, NON-PROFIT at 1401 North Decatur Boulevard, Suite 34 (APN: 138-25-503-007), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

- 115.REQUIRED TWO YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - RQR-4330 - APPLICANT/OWNER: FLOYD ARMSTRONG - Required Two Year Review of an approved Special Use Permit (U-0024-00) WHICH ALLOWED A SECONDHAND DEALER at 1228 South Main Street (APN: 162-03-110-097), C-M (Commercial/Industrial) Zone, Ward 1 (Moncrief). Staff recommends APPROVAL

- 116.SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4120 - APPLICANT: VAL-U-CASH - OWNER: RAINBOW EXPRESS VILLAGE LIMITED PARTNERSHIP - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED at 1750 South Rainbow Boulevard, Suite 10 (APN: 163-02-212-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

117. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4137 - APPLICANT: VINCENT YALDO - OWNER: THOMAS E. PATRICK, LIVING TRUST - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION) IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE at 4921 Vegas Drive (APN: 138-25-502-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

118. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4140 - APPLICANT: NEVCORP - OWNER: GVIDAS NORTHRIDGE PLAZA LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED MASSAGE ESTABLISHMENT AND A WAIVER OF THE MINIMUM SEPARATION DISTANCE REQUIREMENT at 3900 North Rancho Drive, Suite 107 (APN: 138-12-110-012), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

119. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4169 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: MARK P. MILFORD AND LORILYN MILFORD TRUST - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1615 North Decatur Boulevard (APN: 138-24-804-013), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL

120. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4172 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: SHAHRAM AND TAWNYA SHEIKHAN - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 300 South Decatur Boulevard (APN: 138-36-601-004), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL

121. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4176 - APPLICANT/OWNER: 2651 CRIMSON CANYON, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED WAREHOUSE/DISTRIBUTION CENTER at 2651 Crimson Canyon Drive (APN: 138-15-310-013), C-PB (Planned Business Park) Zone, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

122. SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-4176 - PUBLIC HEARING - SDR-4174 - APPLICANT/OWNER: 2651 CRIMSON CANYON, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A PROPOSED WAREHOUSE/DISTRIBUTION CENTER, A WAIVER OF COMMERCIAL DEVELOPMENT STANDARDS, AND A REDUCTION IN THE AMOUNT OF REQUIRED PARKING LOT LANDSCAPING on 2.91 acres at 2651 Crimson Canyon Drive (APN: 138-15-310-013), C-PB (Planned Business Park) Zone, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

123. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4180 - APPLICANT/OWNER: REVIVAL TEMPLE CHURCH - Request for a Special Use Permit FOR A PROPOSED CHILD CARE CENTER IN AN EXISTING BUILDING at 1603 North Tonopah Drive (APN: 139-20-802-009), U (Undeveloped) Zone [M (Medium-Low Density Residential) General Plan Designation], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

124. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4189 - APPLICANT: BUDGET RENT-A-CAR - OWNER: HUALAPAI COMMONS LIMITED, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED AUTOMOBILE RENTAL FACILITY at 9851 West Charleston Boulevard (APN: 163-06-111-008), C-1 (Limited Commercial) Zone, Ward 2 (Vacant). The Planning Commission (7-0 vote) and staff recommend APPROVAL

125. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4195 - OWNER/APPLICANT: M G B, LIMITED LIABILITY COMPANY - Request for a Special Use Permit and a Reduction in the amount of required perimeter landscaping FOR AN EXISTING AUTO REPAIR GARAGE, MINOR at 2027 North Decatur Boulevard (APN: 138-24-611-062), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

126. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4201 - APPLICANT: ROMAN SANTOS - OWNER: BLALOCK FAMILY TRUST - Request for a Special Use Permit FOR A PROPOSED BAILBOND SERVICE at 20 East Bonneville Avenue (APN: 139-34-311-017), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL
127. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4203 - APPLICANT: LVRC HOLDINGS, LIMITED LIABILITY COMPANY - OWNER: FOUNTAIN DP, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED CONVALESCENT CARE FACILITY NURSING HOME at 3371 North Buffalo Drive (APN: 138-09-801-021), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation], Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
128. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4233 - APPLICANT: JERRY L. McNEIL - OWNER: LONNIE WALSTON - Request for a Special Use Permit FOR A PROPOSED BAIL BOND SERVICE at 1100 Martin L. King Boulevard, Suite #E (APN: 139-28-604-003), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
129. REZONING - PUBLIC HEARING - ZON-3884 - APPLICANT: KERRY O'BANNON TRUSTEE - OWNER: M M & K TRUST - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) AND FOR A WAIVER TO ALLOW A 50 FOOT WIDE LOT WHERE 60 FEET IS THE MINIMUM WIDTH REQUIRED on 0.16 acres at 626 South 10th Street (APN: 139-34-810-098), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
130. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3884 - PUBLIC HEARING - SDR-3885 - APPLICANT: KERRY O'BANNON TRUSTEE - OWNER: M M & K TRUST - Request for a Site Development Plan Review TO ADD 1,100 SQUARE FEET IN ADDITION TO CONVERTING AN EXISTING SINGLE FAMILY RESIDENCE INTO AN OFFICE AND WAIVERS OF COMMERCIAL LANDSCAPE REQUIREMENTS on 0.16 acres at 626 South 10th Street (APN: 139-34-810-098), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
131. REZONING - PUBLIC HEARING - ZON-4226 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Rezoning FROM: U (Undeveloped) [L (Low Density Residential) General Plan Designation] TO: R-PD5 (Residential Planned Development - 5 Units per Acre) on 15.18 acres adjacent to the northwest corner of Deer Springs Way and Tee Pee Lane (APN: 125-19-601-004, 009 thru 012), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
132. VARIANCE RELATED TO ZON-4226 - PUBLIC HEARING - VAR-4223 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Variance TO ALLOW 0.33 ACRES OF OPEN SPACE WHERE 1.35 ACRES IS THE MINIMUM REQUIRED FOR A PROPOSED 82-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 15.18 acres adjacent to the northwest corner of Deer Springs Way and Tee Pee Lane (APN: 125-19-601-004, 009 thru 012), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] [PROPOSED: R-PD5 (Residential Planned Development - 5 Units Per Acre)], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
133. WAIVER TO TITLE 18 RELATED TO ZON-4226 AND VAR-4223 - PUBLIC HEARING - WVR-4224 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Waiver to Title 18.12.160 TO ALLOW APPROXIMATELY 140 FEET BETWEEN STREET INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED IN CONJUNCTION WITH A PROPOSED 82-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT adjacent to the northwest corner of Deer Springs Way and Tee Pee Lane (APN: 125-19-601-004, 009 thru 012) U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] [PROPOSED: R-PD5 (Residential Planned Development - 5 Units Per Acre)], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

134. VACATION RELATED TO ZON-4226, VAR-4223 AND WVR-4224 - PUBLIC HEARING - VAC-4221 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Petition to Vacate U.S. Government Patent Easements generally located west of Tee Pee Lane, north of Deer Springs Way, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
135. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4226, VAR-4223, WVR-4224 AND VAC-4221 - PUBLIC HEARING - SDR-4227 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Site Development Plan Review FOR A PROPOSED 82-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 15.18 acres adjacent to the northwest corner of Deer Springs Way and Tee Pee Lane (APN: 125-19-601-004, 009 thru 012), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] [PROPOSED: R-PD5 (Residential Planned Development - 5 Units Per Acre)], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
136. ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-3977 - APPLICANT: DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: DR (Desert Rural Density Residential) TO: O (Office) on 1.38 acres adjacent to the northeast corner of Rancho Drive and Oakley Drive (APN: 162-04-210-101 thru 103), Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend DENIAL
137. ABEYANCE ITEM - REZONING RELATED TO GPA-3977 - PUBLIC HEARING - ZON-3981 - APPLICANT: DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL - Request for a Rezoning FROM: R-E (Residence Estates) TO: P-R (Professional Office and Parking) on 1.38 acres located adjacent to the northeast corner of Rancho Drive and Oakley Drive (APN: 162-04-210-101 thru 103), Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend DENIAL
138. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3977 AND ZON-3981 - PUBLIC HEARING - SDR-3982 - APPLICANT: DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 11,200 SQUARE-FOOT MEDICAL OFFICE on 1.38 acres adjacent to the northeast corner of Rancho Drive and Oakley Drive (APN: 162-04-210-101 thru 103), R-E (Residence Estates) Zone, [Proposed: P-R (Professional Office and Parking) Zone], Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend DENIAL
139. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4079 - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: KHUSROW ROOHANI TRUST, MICHAEL AND MICHELLE BARNEY, DURANGO ELKHORN LIMITED LIABILITY COMPANY, WAYNE AND JOANNE SCHLEKEWY, SPARTAN PROPERTIES LIMITED LIABILITY COMPANY, AND MICHAEL AND CAROL BUBONOVICH - Request to amend the Town Center Land Use Plan of the Centennial Hills Sector Plan FROM: ML-TC (MEDIUM LOW DENSITY RESIDENTIAL - TOWN CENTER) AND UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) TO: M-TC (MEDIUM DENSITY RESIDENTIAL - TOWN CENTER) on 15.19 acres between Elkhorn Road and Dorrell Lane, approximately 330 feet west of Durango Drive (APN: 125-20-101-007, 015 and 016), Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (5-0-2 vote) recommends APPROVAL
140. ZONING RELATED TO GPA-4079 - PUBLIC HEARING - ZON-4084 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: KHUSROW ROOHANI TRUST - Request for a Rezoning FROM: U (UNDEVELOPED) [TC (TOWN CENTER) GENERAL PLAN DESIGNATION] TO: TC (TOWN CENTER) on 10.00 acres adjacent to the north side of Dorrell Lane, approximately 330 feet west of Durango Drive (APN: 125-20-101-015 and 016), Ward 6 (Mack). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

141. SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4079 AND ZON-4084 - PUBLIC HEARING - SDR-4088 - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: KHUSROW ROOHANI TRUST, MICHAEL AND MICHELLE BARNEY, DURANGO ELKHORN LIMITED LIABILITY COMPANY, WAYNE AND JOANNE SCHLEKEWY, SPARTAN PROPERTIES LIMITED LIABILITY COMPANY, AND MICHAEL AND CAROL BUBONOVICH - Request for a Site Development Plan Review FOR A 209-LOT SINGLE RESIDENTIAL FAMILY DEVELOPMENT on 15.19 acres between Elkhorn Road and Dorrell Lane, approximately 330 feet west of Durango Drive (APN: 125-20-101-007, 015 and 016), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center)], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (5-0-2 vote) recommends APPROVAL

142. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

ADDENDUM

CITIZENS PARTICIPATION

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

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

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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 16, 2004

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

R-107-2004 - Approval of a Resolution authorizing a temporary interfund loan from the Sanitation Enterprise Fund to the Road and Flood Capital Projects Fund, not to exceed \$2 million, to be repaid by an interlocal agreement from the Regional Transportation Commission (RTC) for the construction of the Durango/Summerlin Parkway Interchange - Wards 2 and 4 (Vacant and Brown)

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

The City will be entering into an interlocal agreement with the Regional Transportation Commission (RTC) for the construction of the Durango/Summerlin Parkway Interchange. The total cost is approximately \$14 million. This \$2 million loan allows the City to encumber the full \$14 million contract in advance of the actual payments which will ultimately be reimbursed by RTC, and is funded through two separate interlocal agreements with the RTC: one for \$12.5 million and one for \$1.5 million. The \$1.5 million contract is expected to be funded later this summer or early fall.

RECOMMENDATION:

It is recommended that the City Council adopt this resolution.

BACKUP DOCUMENTATION:

Resolution No. R-107-2004

MOTION:

REESE – APPROVED Items 4-16, 18-27, 29, and 31-64 – **UNANIMOUS** with Ward 2 seat vacant

Items 3, 17, & 30: APPROVED under separate actions (see individual items)

Item 28: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:41 – 9:44)

1-1199

RESOLUTION NO. R-107-2004

**A RESOLUTION AUTHORIZING A TEMPORARY
INTERFUND LOAN**

WHEREAS, the City's Road and Flood Capital Project Fund is in need of a temporary interfund loan to meet an immediate obligation (for the purpose of assisting in financing a Road project (the "Project") in the amount of \$2,000,000) in advance of receipt by that fund of sufficient revenues to pay such expenses from the Clark County Regional Transportation Commission;

WHEREAS, the City has available in its Sanitation Enterprise Fund monies that could be temporarily loaned to the Road and Flood Capital Projects Fund for the purpose of funding the Project without adversely affecting the Sanitation Enterprise Fund; and

WHEREAS, Nevada Administrative Code ("NAC") Section 350.150 requires that temporary interfund loans be authorized by resolution.

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

Section 1. A temporary interfund loan from the Sanitation Enterprise Fund to the Road and Flood Capital Projects Fund is hereby authorized for the purpose of funding the Project.

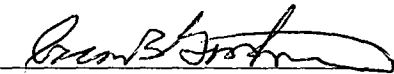
Section 2. City Council hereby finds and determines that the lending of such money has in no way an adverse or deleterious effect upon the Sanitation Enterprise Fund making the loan.

Section 3. The loan shall be made at such time as determined by the Finance Director of the City as the time funds are needed to fund the Project. The loan shall be interest free and will be fully due and payable one year after the date on which it is made.

Section 4. The City Clerk is hereby directed to forward a copy of this resolution to the Department of Taxation in accordance with NAC 350.150(1)(h).

PASSED, ADOPTED AND APPROVED *June 16, 2004.*

(SEAL)


Mayor

APPROVED AS TO FORM:


Clerk

 *6/3/04*

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 16, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-108-2004 - Approval of a Resolution to Augment the City of Las Vegas fiscal year 2004 City Facilities Capital Project Fund Budget in the amount of \$350,000

Fiscal Impact

☐

No Impact

Amount: \$350,000

☐

Budget Funds Available

Dept./Division: Finance & Budget Division

☒

Augmentation Required

Funding Source: City Facilities CPF

PURPOSE/BACKGROUND:

Augment the Fiscal Year 2004 City Facilities Capital Project Fund Budget in the amount of \$350,000. On April 21, 2004, City Council approved agenda item 61, authorizing Public Works to purchase real property located at the northeast corner of Carson Avenue and 8th Street for the sum of \$323,049.80 plus closing costs. Item 61 indicated augmentation would be required to appropriate funding from available fund balance.

RECOMMENDATION:

Staff recommends approval of the augmentation to the City Facilities Capital Project Fund Budget.

BACKUP DOCUMENTATION:

1. Resolution No. R-108-2004
2. Augmentation Worksheet

MOTION:

REESE – APPROVED Items 4-16, 18-27, 29, and 31-64 – **UNANIMOUS** with Ward 2 seat vacant

Items 3, 17, & 30: **APPROVED** under separate actions (see individual items)

Item 28: **STRICKEN** under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:41 – 9:44)

1-1199

RESOLUTION NO. R-108-2004

RESOLUTION TO AUGMENT THE FISCAL YEAR 2004 CITY FACILITIES CAPITAL PROJECT FUND BUDGET OF THE CITY OF LAS VEGAS

WHEREAS, the resources of the City Facilities Capital Project Fund are now determined to be \$22,788,295 as itemized in Exhibit A, which is attached hereto; and

WHEREAS, the increase in available resources results from an increase in the beginning fund balance in the Fiscal Year 2004 Final Budget for the City Facilities Capital Project Fund of the City of Las Vegas, Nevada; and

WHEREAS, pursuant to NRS 354.598005, the City of Las Vegas is desirous of augmenting the Fiscal Year 2004 Budget for the purpose of effecting an increase in appropriations for expenditures related to a real estate purchase unplanned in original budget;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Las Vegas, Nevada, at a regular meeting thereof held on the 16th day of June, 2004, that the Fiscal Year 2004 Budget for the City Facilities Capital Project Fund be increased from \$12,475,246 to \$12,825,246; and

BE IT FURTHER RESOLVED that expenditures totaling \$350,000, as itemized in Exhibit A, which is attached hereto, be approved and authorized; and

BE IT FURTHER RESOLVED that said augmentation as described above shall be effective upon delivery of a certified copy of the Resolution to the Nevada State Department of Taxation.

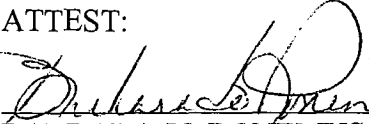
THE FOREGOING RESOLUTION was approved this 16 day of June, 2004.

CITY OF LAS VEGAS

By: 

OSCAR B. GOODMAN, Mayor

ATTEST:


BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

 6/3/04

CITY OF LAS VEGAS
FISCAL YEAR 2004
AUGMENTATION
CITY FACILITIES CAPITAL PROJECT FUND

	<u>Current Budget</u>	<u>Adjustment</u>	<u>Amended Budget</u>
Revenues:			
Miscellaneous	\$ 946,246	\$	\$ 946,246
Transfers In	4,180,000		4,180,000
Beginning Fund Balance	17,312,049	350,000	17,662,049
TOTAL	<u>\$ 22,438,295</u>	<u>\$ 350,000</u>	<u>\$ 22,788,295</u>
 Expenditures			
General Government	\$ 11,238,246	\$ 350,000	\$ 11,588,246
Transfers Out	1,237,000		1,237,000
Ending Fund Balance	9,963,049		9,963,049
TOTAL	<u>\$ 22,438,295</u>	<u>\$ 350,000</u>	<u>\$ 22,788,295</u>

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 16, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-109-2004 - Approval of a Resolution to Augment the City of Las Vegas Fiscal Year 2004 Special Improvement District (SID) Administration Special Revenue Fund Budget in the amount of \$234,729

Fiscal Impact

☐

No Impact

Amount: \$234,729

☐

Budget Funds Available

Dept./Division: Finance and Budget Division

☒

Augmentation Required

Funding Source: SID Administration SRF

PURPOSE/BACKGROUND:

Augment the Fiscal Year 2004 SID Administration Special Revenue Fund Budget in the amount of \$234,729.

RECOMMENDATION:

Staff recommends approval of the augmentation to the SID Administration Special Revenue Fund Budget.

BACKUP DOCUMENTATION:

1. Resolution No. R-109-2004
2. Augmentation Worksheet

MOTION:

REESE – APPROVED Items 4-16, 18-27, 29, and 31-64 – **UNANIMOUS** with Ward 2 seat vacant

Items 3, 17, & 30: APPROVED under separate actions (see individual items)

Item 28: STRICKEN under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:41 – 9:44)

1-1199

RESOLUTION NO. R-109-2004

RESOLUTION TO AUGMENT THE FISCAL YEAR 2004 SPECIAL IMPROVEMENT DISTRICT (SID) ADMINISTRATION SPECIAL REVENUE FUND BUDGET OF THE CITY OF LAS VEGAS

WHEREAS, the resources of the SID Administration Special Revenue Fund are now determined to be \$7,319,750 as itemized in Exhibit A, which is attached hereto; and

WHEREAS, the increase in available resources results from an increase in the beginning fund balance in the Fiscal Year 2004 Final Budget for the SID Administration Special Revenue Fund of the City of Las Vegas, Nevada; and

WHEREAS, pursuant to NRS 354.598005, the City of Las Vegas is desirous of augmenting the Fiscal Year 2004 Budget for the purpose of effecting an increase in appropriations for expenditures related to unplanned debt refunding in original budget;

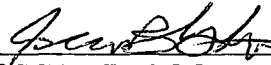
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Las Vegas, Nevada, at a regular meeting thereof held on the 2nd day of June, 2004, that the Fiscal Year 2004 Budget for the SID Administration Special Revenue Fund be increased from \$1,359,508 to \$1,593,837; and

BE IT FURTHER RESOLVED that expenditures totaling \$234,729, as itemized in Exhibit A, which is attached hereto, be approved and authorized; and

BE IT FURTHER RESOLVED that said augmentation as described above shall be effective upon delivery of a certified copy of the Resolution to the Nevada State Department of Taxation.

THE FOREGOING RESOLUTION was approved this 16 day of June, 2004.

CITY OF LAS VEGAS

By: 
OSCAR B. GOODMAN, Mayor

ATTEST:


BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

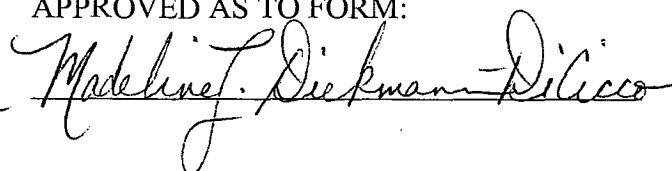


Exhibit A

CITY OF LAS VEGAS
FISCAL YEAR 2004
AUGMENTATION
SPECIAL IMPROVEMENT DISTRICT ADMINISTRATION SPECIAL REVENUE FUND

	<u>Current Budget</u>	<u>Adjustment</u>	<u>Amended Budget</u>
Revenues:			
Miscellaneous	\$ 1,321,052	\$	\$ 1,321,052
Beginning Fund Balance	5,763,969	234,729	5,998,698
TOTAL	<u>\$ 7,085,021</u>	<u>\$ 234,729</u>	<u>\$ 7,319,750</u>
Expenditures:			
General Government	\$ 1,311,608	\$ 234,729	\$ 1,546,337
Transfers Out	47,500		47,500
Ending Fund Balance	5,725,913		5,725,913
TOTAL	<u>\$ 7,085,021</u>	<u>\$ 234,729</u>	<u>\$ 7,319,750</u>

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 16, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of a First Amendment to Interlocal Contract between the City of Las Vegas and the Board of Regents of the University and Community College System of Nevada, on behalf of the University of Nevada, Las Vegas, School of Architecture for the lease of property located at 400 South Las Vegas Boulevard - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/Real Estate

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The current Interlocal Contract expired May 31, 2004. Both parties, in their collective efforts to provide facilities of higher learning in the downtown area, desire to amend the Interlocal Contract to extend the lease term through May 31, 2005, with a renewal option of three additional terms of one year each.

RECOMMENDATION:

The 6/14/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

1. First Amendment to Interlocal Contract
2. Site Map

MOTION:

REESE – APPROVED Items 4-16, 18-27, 29, and 31-64 – **UNANIMOUS** with Ward 2 seat vacant

Items 3, 17, & 30: APPROVED under separate actions (see individual items)

Item 28: STRICKEN under separate action (see individual item)

MINUTES:

Under Item 3, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all the Real Estate items on the consent agenda and joins with the recommendation of staff that the Council approve each item.

(9:41 – 9:44)

1-1199

**FIRST AMENDMENT TO INTERLOCAL CONTRACT FOR THE LEASE
OF PROPERTY AT FIFTH STREET SCHOOL FOR UNLV SCHOOL OF
ARCHITECTURE**

This First Amendment to the Lease ("this Amendment") is made on this 16 day of June, 2004, by and between the City of Las Vegas (Lessor) and the Board of Regents of the University and Community College System of Nevada, on behalf of the University of Nevada, Las Vegas, School of Architecture (Lessee)

Whereas, Lessee leases office space from Lessor located at 400 Las Vegas boulevard South and;

Whereas, the current lease expires May 31, 2004 and;

Whereas, it is the mutual desire to the parties hereto to amend said Lease, the parties agree as follows:

1. Lessor and Lessee have agreed to extend the Lease Term through May 31, 2005.
2. If Lessee is not in default of this Lease, Lessee may request to renew the Lease for three (3) additional option terms of one (1) year each by giving a written request to renew at least forty-five (45) days prior to the expiration of the Lease term and each Lease term option year. Lessor has to agree in writing to the requested option term or respond to Lessee that the option term shall not be allowed and give notice as to the date the office space shall be vacated.

Except as expressly amended herein, all other terms and conditions of this Lease shall remain in full force and effect.

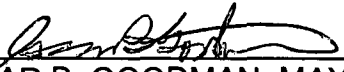
...

...

IN WITNESS THEREOF, each of said parties hereto has caused its name to be here into subscribed.

CITY OF LAS VEGAS

ATTEST:

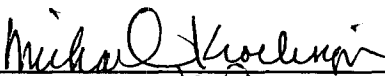

OSCAR B. GOODMAN, MAYOR

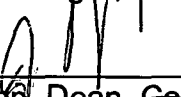
"Lessor"

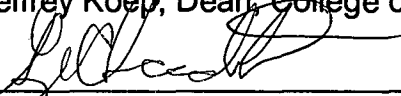

BARBARA JO RONEUMUS, CITY CLERK

APPROVED AS TO FORM:

 5/14/04
DEPUTY CITY ATTORNEY/DATE

Recommended By: 
Michael Kroelinger, Director, School of Architecture

Recommended By: 
Jeffrey Koep, Dean, College of Fine Arts

Recommended By: 
George Scaduto, Interim Vice President Finance

BOARD OF REGENTS OF THE UNIVERSITY AND COMMUNITY COLLEGE
SYSTEM OF NEVADA ACTING ON BEHALF OF THE UNIVERSITY OF
NEVADA, LAS VEGAS – "Lessee"

Approved By: 
Carol C. Carter, President



Site Map

- Street Centerline
- Building Footprints
- Parcels
- City of Las Vegas
- USA

Real Estate & Asset Mgmnt



5/18/2004

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 16, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 5 acres of land commonly known as a portion of APN 126-01-101-010 located off of Puli Drive between Moccasin Road and Iron Mountain Road for use as a Public Park) \$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)

Fiscal Impact

☐

No Impact

Amount: \$100 filing fee

☒

Budget Funds Available

Dept./Division: Public Works/Real Estate

☐

Augmentation Required

Funding Source: PW/Real Estate/Rental of Land

PURPOSE/BACKGROUND:

Public Works/Real Estate has identified this site as ideal for a future public park location to meet the growing demands for recreation facilities to service current and future citizens in this area.

RECOMMENDATION:

The 6/14/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

1. Application
2. Site Map

MOTION:

REESE – APPROVED Items 4-16, 18-27, 29, and 31-64 – **UNANIMOUS** with Ward 2 seat vacant

Items 3, 17, & 30: APPROVED under separate actions (see individual items)

Item 28: STRICKEN under separate action (see individual item)

MINUTES:

Under Item 3, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all the Real Estate items on the consent agenda and joins with the recommendation of staff that the Council approve each item.

(9:41 – 9:44)

1-1199

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
APPLICATION FOR LAND FOR
RECREATION OR PUBLIC PURPOSES

(Act of June 14, 1926, as amended; 43 U.S.C. 869; 869-4)

FORM APPROVED
OMB No. 1004-0012
Expires: June 30, 1996

Date
41-21-04

Serial Number
(BLM use only)

Home phone (include area code)

Business phone (include area code)

(702) 229-1021

1a. Applicant's name

City of Las Vegas

b. Address (include zip code)

400 E. Stewart Ave.
Las Vegas, NV 89101

2. Give legal description of lands applied for (include metes and bounds description, if necessary)

SUBDIVISION

SECTION

TOWNSHIP

RANGE

MERIDIAN

E 1/2 SE 1/4 SW 1/4 NW 1/4

1

19S.

59E.

Mount Diablo

County of

Clark

State of

NV

Containing (acres)

5

3a. This application is for ☐ Lease ☒ Purchase (If lease, indicate year)

b. Proposed use is ☐ Public Recreation ☐ Other Public Purposes

4. Describe the proposed use of the land. The description must specifically identify an established or definitely proposed project. Attach a detailed plan and schedule for development, a management plan which includes a description of how any revenues will be used, and any known environmental or cultural concerns specific to the land.

See attached Plan of Development

If applicant is State or Political subdivision thereof, cite your statutory or other authority to hold land for these purposes.

Authority is derived from Chapter 268 of NRS and the Charter for the City of Las Vegas adopted by the Nevada Legislature, Chapter 515, Statutes of Nevada 1971, p.1063.

Attach a copy of your authority for filing this application and to perform all acts incident thereto.

If land described in this application has not been classified for recreation and/or Public purposes pursuant to the Recreation and Public purposes Act, consider this application as a petition for such classification.

Continued on reverse)

8. Are all activities, facilities, services, financial aid, or other benefits as a result of your proposed development provided without regard to race, color, religion, national origin, sex, or age? ☒ Yes ☐ No (If "no," describe the situation or activity and your plans for achieving compliance.)

9. Are all activities, facilities, and services constructed or provided as a result of your proposed development accessible to and usable by persons with disabilities? ☒ Yes ☐ No (If "no," describe the situation or activity and the reasons for nonaccessibility).

Applicant's Signature

David H. Hays

Date

Title 18 U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representation as to any matter within its jurisdiction.

GENERAL INSTRUCTIONS

1. Type or print plainly in ink.
2. Submit application and related plans to the BLM District or Resource Area Office in which the land is located.
3. Study controlling regulations in 43 CFR 2740 (Sales) and 43 CFR 2912 (Leases).
4. If applicant is non-governmental association or corporation, attach a copy of your charter, articles of incorporation or other creating authority. If this information has been previously filed with any BLM office, refer to previous filing by date, place, and case serial number.
5. If applicant is non-governmental association or corporation, attach a copy of your authority to operate in the State where the lands applied for are located. If previously filed with any BLM office, refer to previous filing by date, place, and case serial number.

SPECIFIC INSTRUCTIONS

(Items not listed are self-explanatory)

Item

Item

2. If land is surveyed, give complete legal description. If land is unsurveyed, description should be by metes and bounds connected, if feasible, by course and distance with a corner of public land survey. If possible, approximate legal subdivisions of unsurveyed lands should be stated. Acreage applied for must not exceed that specified by regulations.
- 3a. Generally, title to lands will not be granted upon initial approval of an application. In order to assure proper development or use plans, the general practice will be to issue a lease or lease with option to purchase after development is essentially completed. In any case, term of lease may not exceed 20 years for non-profit organizations or 25 years for governmental agencies, instrumentalities or political subdivisions.
4. Leases and patents under this act are conditioned upon continuing public enjoyment of the purposes for which the land is classified. The plan of development, use, and maintenance must show, at a minimum:
 - a. A need for proposed development by citing population trends, shortage of facilities in area, etc.
 - b. That the land will benefit an existing or definitely proposed public project authorized by proper authority.
 - c. Type and general location of all proposed improvements, including public access (roads, trails, etc.). This showing may
- blueprints in any combination available and necessary to describe the finished project. Site designs should be provided for intensive use sites and general information about improvements existing or planned on lands within the overall project.
- d. An estimate of the construction costs, how the proposed project will be financed, including a list of financial sources, and an estimated timetable for actual construction of all improvements and facilities.
- e. A plan of management to include operating rules, proposed source and disposition of revenues arising from the proposed operation, personnel requirements, etc.
- f. A specific maintenance plan to include, for example, sewage and garbage disposal, road maintenance, upkeep and repair of grounds and physical facilities, etc.
- g. Applications for solid waste disposal sites must comply with guidelines established by the Environmental Protection Agency (40 CFR 258) and must include a detailed physical description of the site including a map, description of ground water situation, soil characteristics and management plan.
6. This may consist of a copy of a delegation of authority, resolution or other evidence of authority from the governing board of the applicant's organization, copy of the by-laws of the organization, or

APPLICATION FOR LAND
FOR
RECREATION AND PUBLIC PURPOSE

PARK SITE

CITY OF LAS VEGAS
LAS VEGAS, NEVADA

LEGAL DESCRIPTION

The parcel legally described as:

Mount Diablo Base & Meridian, Nevada

Township 19 South, Range 59 East,

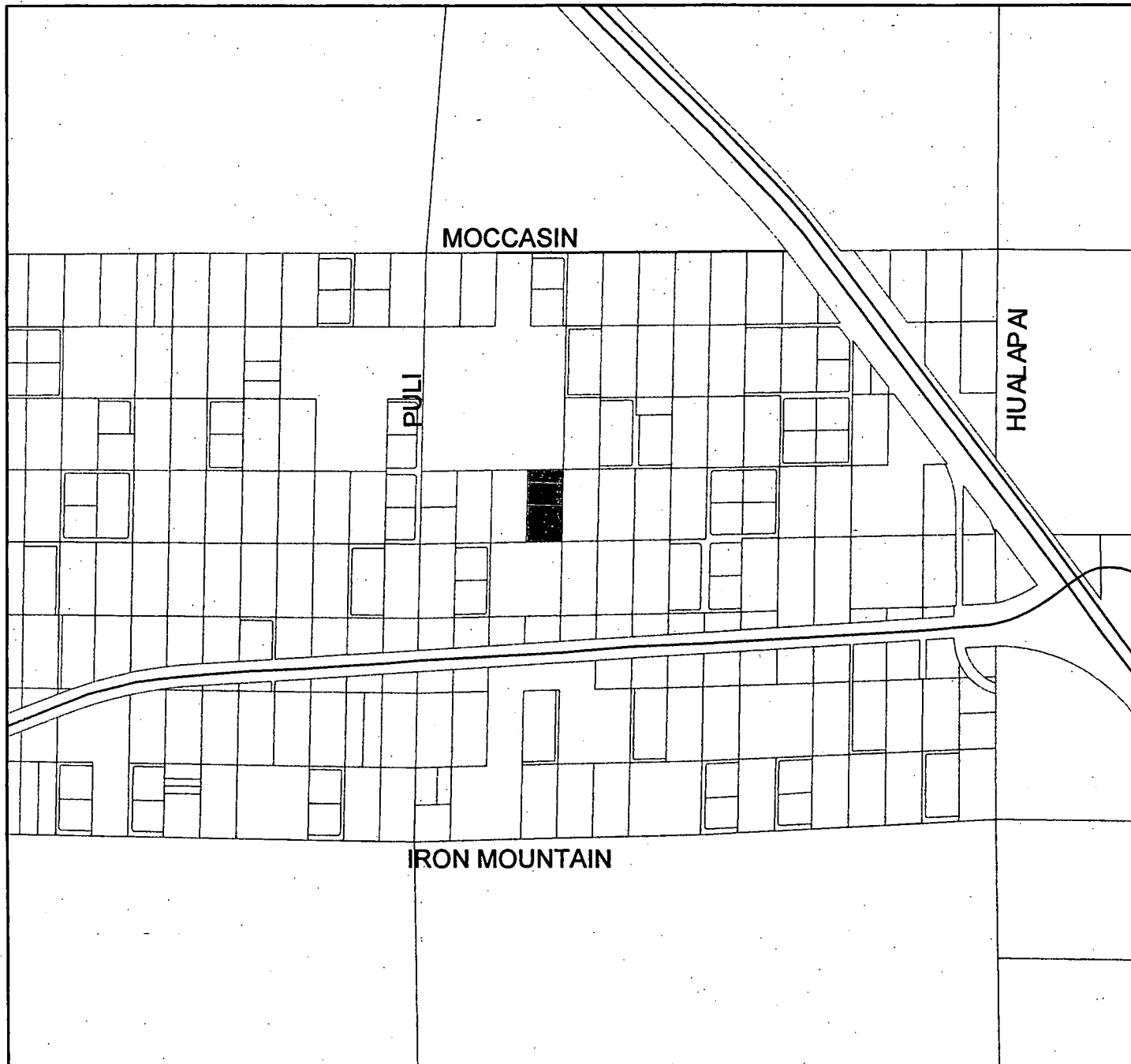
Section : 1

E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$.

Consisting of approximately 5 acres

ATTACHMENT 1

SITE MAP



Site Map

Legend

-  Selected Site
-  scl_majors
-  Parcels

Real Estate & Asset Mgmnt



5/17/2004

PLAN OF DEVELOPMENT

It is anticipated that this park facility would be complete in one phase.
A complete plan of development along with maps will be submitted at a later date.

Work would include:

- Street Grading and Paving
- Offsite Improvements
- Composition Paths
- Street Striping and Signage
- Site Earthwork
- Site Electrical
- Walking Path
- Dumpsite Enclosure
- Landscaping
- Playground
- Restrooms
- Volleyball Court
- Equestrian trail along west side of park

STATEMENT OF NEED

The City of Las Vegas is one of the fastest growing communities in the country and most of this growth has occurred in the northwest sector of the City. During the past four years, from the period from 1997 to 2001 the population increased by an estimated 310,164 citizens. This tremendous growth is expected to continue for several years.

As the City of Las Vegas continues to grow, increased demands will be placed upon the City to provide for new parks and recreation facilities for existing and future residents.

It is imperative for the City of Las Vegas to plan, acquire and develop parks and recreational facilities in a timely manner, to ensure that these services will be available when needed. The City intends on phasing its park development as the demand for recreational facilities increases. Due to revenue reform at the state and federal levels and the budget constraints of a growing community, the City finds it necessary to minimize the cost of park site acquisition.

It is intended that this project will provide a location where individual recreational needs will be possible. The park will be geared to all ages and abilities. The facility will include individual group picnic shelters, parking, restrooms, tot lot play area, walking paths, and open spaces.

MANAGEMENT PLAN

The City of Las Vegas Agrees to the following commitments which will be incorporated by reference in the conveyance of the subject land:

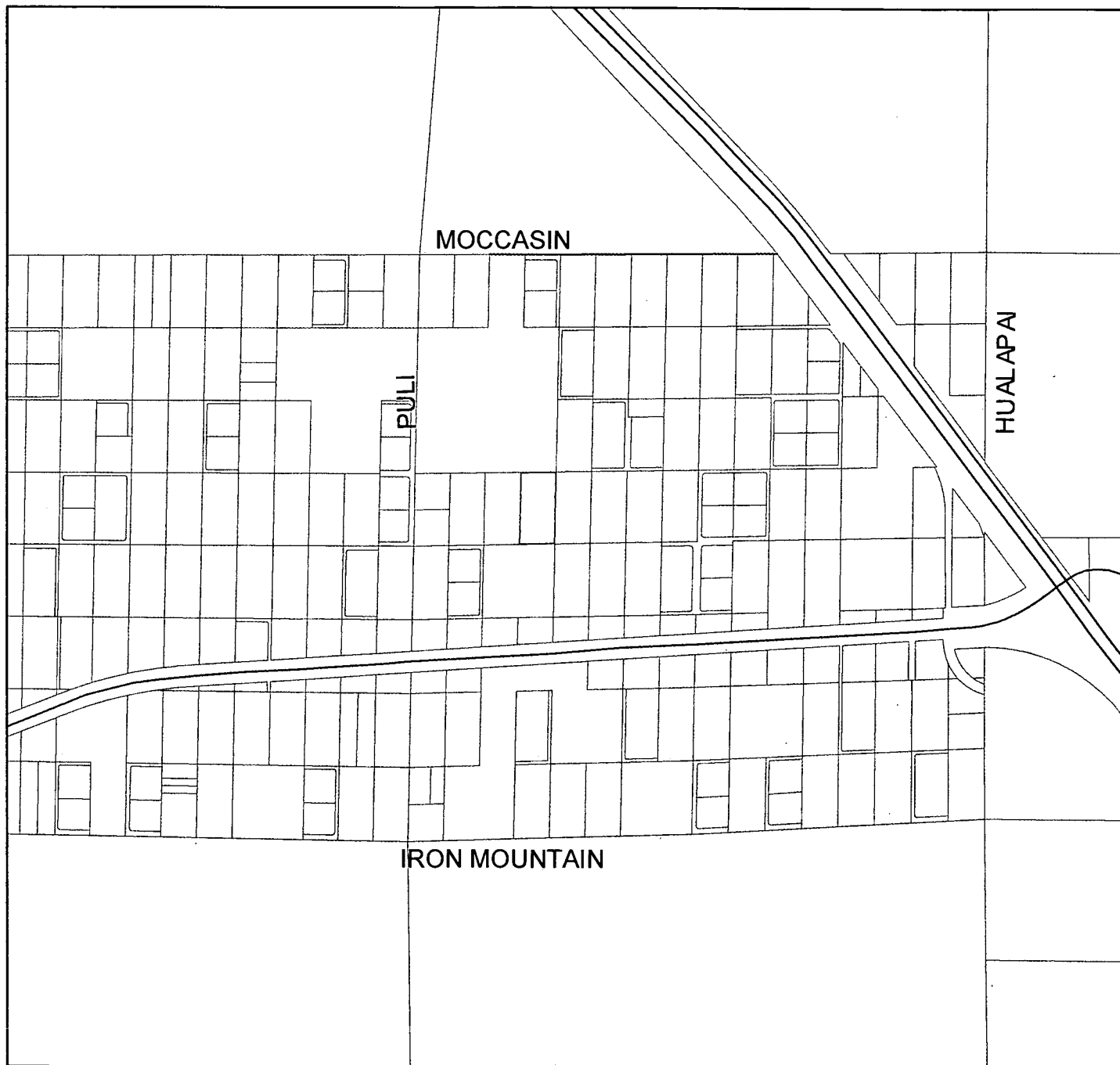
1. To maintain the lands open to use by the public for recreational purposes without discrimination or favor.
2. To make no more than a reasonable charge for the use of facilities on the land (whether by concession or otherwise) and to charge no more for entrance to use the park than is charged at other comparable installations managed by State and local agencies. The City Council will submit to the Bureau of Land Management a schedule of charges. All charges shall be subject to review for conformance with this requirement and appropriate modifications by the Secretary of the Interior or his delegate after reasonable notice and opportunity for hearing.
3. To develop and manage the land in accordance with the approved program of utilization submitted with this application.
4. To secure the approval of the Secretary of the Interior or his delegate on all plans of construction prior to commencing actual construction.
5. To maintain in satisfactory condition the facilities on this land.

FUNDING

It is anticipated the City of Las Vegas will provide for the construction of the facilities with general funds, future park bonds and Residential Construction Impact Fees.

MAINTENANCE

The City of Las Vegas agrees to maintain the Park Site in a satisfactory manner during all phases of development. Funding for maintenance and custodial services shall become a part of the annual operating budgets.



Site Map

Legend

-  Selected Site
-  scl_majors
-  Parcels

Real Estate & Asset Mgmnt



5/17/2004

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 16, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 10 acres of land commonly known as Parcel Number 126-02-101-005 located south of Moccasin Road and west of Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)

Fiscal Impact

☐

No Impact

Amount: \$100 filing fee

☒

Budget Funds Available

Dept./Division: Public Works/Real Estate

☐

Augmentation Required

Funding Source: PW/Real Estate/Rental of Land

PURPOSE/BACKGROUND:

Public Works/Real Estate has identified this site as ideal for a future public park location to meet the growing demands for recreation facilities to service current and future citizens in this area.

RECOMMENDATION:

The 6/14/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

1. Application
2. Site Map

MOTION:

REESE – APPROVED Items 4-16, 18-27, 29, and 31-64 – **UNANIMOUS** with Ward 2 seat vacant

Items 3, 17, & 30: APPROVED under separate actions (see individual items)

Item 28: STRICKEN under separate action (see individual item)

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(9:41 – 9:44)

1-1199

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

APPLICATION FOR LAND FOR
RECREATION OR PUBLIC PURPOSES

(Act of June 14, 1926, as amended; 43 U.S.C. 869; 869-4)

FORM APPROVED
OMB No. 1004-0012
Expires: June 30, 1996

Date
4-21-04

Serial Number
(BLM use only)

Home phone (include area code)

1a. Applicant's name
City of Las Vegas

b. Address (include zip code)
400 E. Stewart Ave.
Las Vegas, NV 89101

Business phone (include area code)
(702) 229-1021

2. Give legal description of lands applied for (include metes and bounds description, if necessary)

SUBDIVISION	SECTION	TOWNSHIP	RANGE	MERIDIAN
Lots 24 & 29	2	19 S.	59 E	Mount Diablo

County of Clark State of NV Containing (acres) 10

3a. This application is for ☒ Lease ☒ Purchase (If lease, indicate year)

b. Proposed use is ☐ Public Recreation ☐ Other Public Purposes

4. Describe the proposed use of the land. The description must specifically identify an established or definitely proposed project. Attach a detailed plan and schedule for development, a management plan which includes a description of how any revenues will be used, and any known environmental or cultural concerns specific to the land.

See attached Plan of Development

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Authority is derived from Chapter 268 of NRS and the Charter for the City of Las Vegas adopted by the Nevada Legislature, Chapter 515, Statutes of Nevada 1971, p.1063.

5. Attach a copy of your authority for filing this application and to perform all acts incident thereto.

7. If land described in this application has not been classified for recreation and/or Public purposes pursuant to the Recreation and Public urposes Act, consider this application as a petition for such classification.

8. Are all activities, facilities, services, financial aid, or other benefits as a result of your proposed development provided without regard to race, color, religion, national origin, sex, or age? ☒ Yes ☐ No (If "no," describe the situation or activity and your plans for achieving compliance.)

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Item

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APPLICATION FOR LAND
FOR
RECREATION AND PUBLIC PURPOSE

PARK SITE

CITY OF LAS VEGAS
LAS VEGAS, NEVADA

LEGAL DESCRIPTION

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Mount Diablo Base & Meridian, Nevada

Township 19 South, Range 59 East,

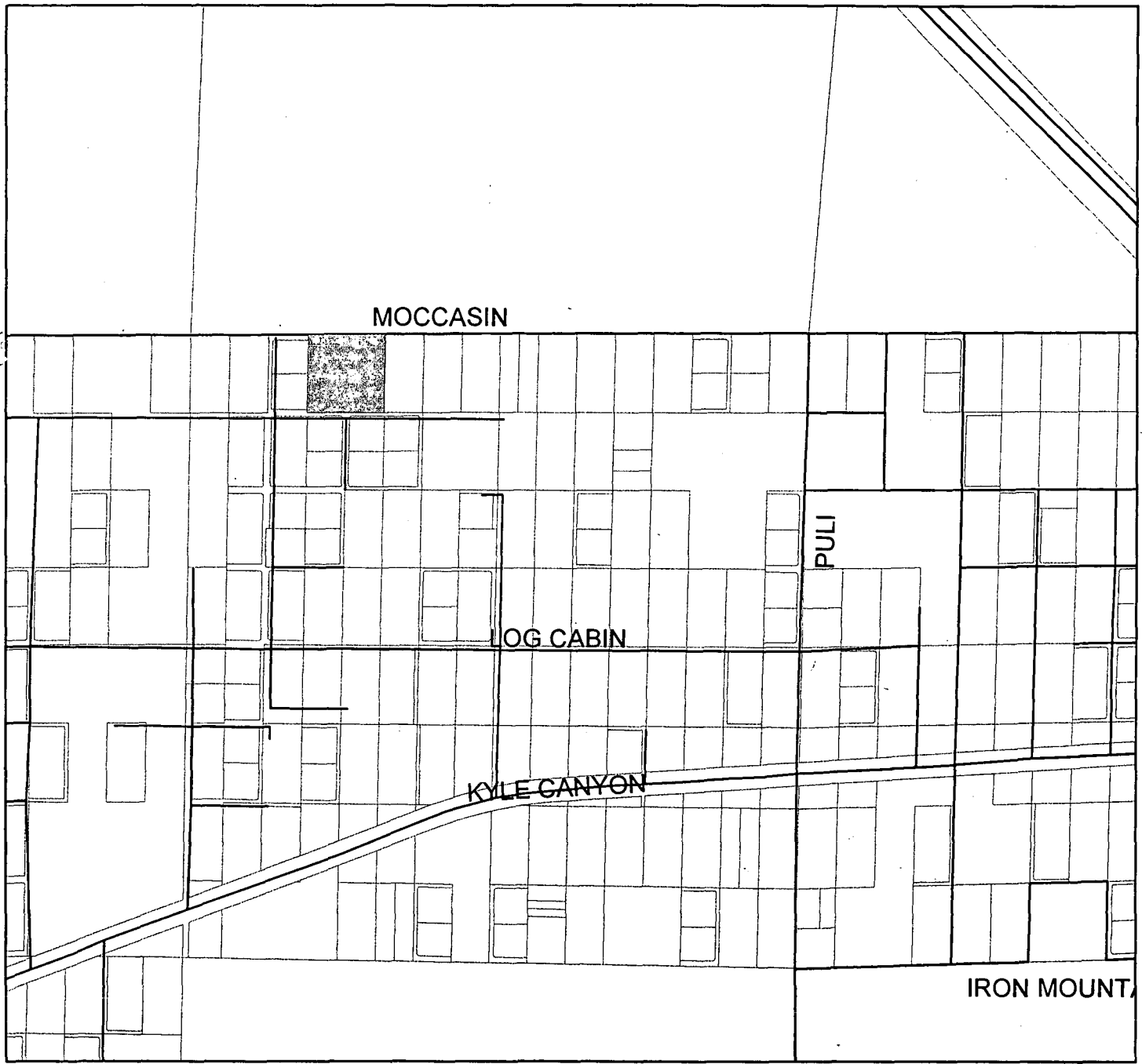
Section : 2

Government Lots: 24 & 29

Consisting of approximately 10 acres

ATTACHMENT 1

SITE MAP



Site Map

Legend

-  Selected Site
-  Street Centerline
-  Parcels

Real Estate & Asset Mgmnt



3/31/2004

PLAN OF DEVELOPMENT

It is anticipated that this park facility would be complete in one phase.
A complete plan of development along with maps will be submitted at a later date.

Work would include:

- Street Grading and Paving
- Offsite Improvements
- Composition Paths
- Street Striping and Signage
- Site Earthwork
- Site Electrical
- Walking Path
- Dumpsite Enclosure
- Landscaping
- Playground
- Restrooms
- Volleyball Court
- Equestrian trail along west side of park

STATEMENT OF NEED

The City of Las Vegas is one of the fastest growing communities in the country and most of this growth has occurred in the northwest sector of the City. During the past four years, from the period from 1997 to 2001 the population increased by an estimated 310,164 citizens. This tremendous growth is expected to continue for several years.

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MANAGEMENT PLAN

The City of Las Vegas Agrees to the following commitments which will be incorporated by reference in the conveyance of the subject land:

1. To maintain the lands open to use by the public for recreational purposes without discrimination or favor.
2. To make no more than a reasonable charge for the use of facilities on the land (whether by concession or otherwise) and to charge no more for entrance to use the park than is charged at other comparable installations managed by State and local agencies. The City Council will submit to the Bureau of Land Management a schedule of charges. All charges shall be subject to review for conformance with this requirement and appropriate modifications by the Secretary of the Interior or his delegate after reasonable notice and opportunity for hearing.
3. To develop and manage the land in accordance with the approved program of utilization submitted with this application.
4. To secure the approval of the Secretary of the Interior or his delegate on all plans of construction prior to commencing actual construction.
5. To maintain in satisfactory condition the facilities on this land.

FUNDING

It is anticipated the City of Las Vegas will provide for the construction of the facilities with general funds, future park bonds and Residential Construction Impact Fees.

MAINTENANCE

The City of Las Vegas agrees to maintain the Park Site in a satisfactory manner during all phases of development. Funding for maintenance and custodial services shall become a part of the annual operating budgets.



Site Map

-  Selected Site
-  Street Centerline
-  Parcels

Real Estate & Asset Mgmnt



6/01/2004

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 16, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 10 acres of land commonly known as APN 126-01-801-002 located in the vicinity of Iron Mountain Road and Hualapai Way for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)

Fiscal Impact

☐

No Impact

Amount: \$100 filing fee

☒

Budget Funds Available

Dept./Division: Public Works/Real Estate

☐

Augmentation Required

Funding Source: PW/Real Estate/Rental of Land

PURPOSE/BACKGROUND:

Public Works/Real Estate has identified this site as ideal for a future public park location to meet the growing demands for recreation facilities to service current and future citizens in this area.

RECOMMENDATION:

The 6/14/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

1. Application
2. Site Map

MOTION:

REESE – APPROVED Items 4-16, 18-27, 29, and 31-64 – **UNANIMOUS** with Ward 2 seat vacant

Items 3, 17, & 30: APPROVED under separate actions (see individual items)

Item 28: STRICKEN under separate action (see individual item)

MINUTES:

Under Item 3, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all the Real Estate items on the consent agenda and joins with the recommendation of staff that the Council approve each item.

(9:41 – 9:44)

1-1199

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

APPLICATION FOR LAND FOR
RECREATION OR PUBLIC PURPOSES

(Act of June 14, 1926, as amended; 43 U.S.C. 869; 869-4)

FORM APPROVED
OMB No. 1004-0012
Expires: June 30, 1996

Date 4-21-04	Serial Number (BLM use only)

Home phone (include area code)

1a. Applicant's name City of Las Vegas	b. Address (include zip code) 400 E. Stewart Ave. Las Vegas, NV 89101	Business phone (include area code) (702) 229-1021

2. Give legal description of lands applied for (include metes and bounds description, if necessary)				
SUBDIVISION	SECTION	TOWNSHIP	RANGE	MERIDIAN
W 1/2 NE 1/4 SW 1/4 SE 1/4, E 1/2 NW 1/4 SW 1/4 SE 1/4. 1		19S.	60E.	mont Diablo

County of Clark	State of NV	Containing (acres) 10

3a. Application is for ☒ Lease ☒ Purchase (If lease, indicate year)

b. Proposed use is ☐ Public Recreation ☐ Other Public Purposes

4. Describe the proposed use of the land. The description must specifically identify an established or definitely proposed project. Attach a detailed plan and schedule for development, a management plan which includes a description of how any revenues will be used, and any known environmental or cultural concerns specific to the land.

See attached Plan of Development

5. If applicant is State or Political subdivision thereof, cite your statutory or other authority to hold land for these purposes.
Authority is derived from Chapter 268 of NRS and the Charter for the City of Las Vegas adopted by the Nevada Legislature, Chapter 515, Statutes of Nevada 1971, p. 1063.

6. Attach a copy of your authority for filing this application and to perform all acts incident thereto.

7. If land described in this application has not been classified for recreation and/or Public purposes pursuant to the Recreation and Public purposes Act, consider this application as a petition for such classification.

8. Are all activities, facilities, services, financial aid, or other benefits as a result of your proposed development provided without regard to race, color, religion, national origin, sex, or age? ☒ Yes ☐ No (If "no," describe the situation or activity and your plans for achieving compliance.)

9. Are all activities, facilities, and services constructed or provided as a result of your proposed development accessible to and usable by persons with disabilities? ☒ Yes ☐ No (If "no," describe the situation or activity and the reasons for nonaccessibility).

Applicant's Signature

David H. Hays

Date

Title 18 U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representation as to any matter within its jurisdiction.

GENERAL INSTRUCTIONS

1. Type or print plainly in ink.
2. Submit application and related plans to the BLM District or Resource Area Office in which the land is located.
3. Study controlling regulations in 43 CFR 2740 (Sales) and 43 CFR 2912 (Leases).
4. If applicant is non-governmental association or corporation, attach a copy of your charter, articles of incorporation or other creating authority. If this information has been previously filed with any BLM office, refer to previous filing by date, place, and case serial number.
5. If applicant is non-governmental association or corporation, attach a copy of your authority to operate in the State where the lands applied for are located. If previously filed with any BLM office, refer to previous filing by date, place, and case serial number.

SPECIFIC INSTRUCTIONS

(Items not listed are self-explanatory)

Item

Item

2. If land is surveyed, give complete legal description. If land is unsurveyed, description should be by metes and bounds connected, if feasible, by course and distance with a corner of public land survey. If possible, approximate legal subdivisions of unsurveyed lands should be stated. Acreage applied for must not exceed that specified by regulations.
- 3a. Generally, title to lands will not be granted upon initial approval of an application. In order to assure proper development or use plans, the general practice will be to issue a lease or lease with option to purchase after development is essentially completed. In any case, term of lease may not exceed 20 years for non-profit organizations or 25 years for governmental agencies, instrumentalities or political subdivisions.
4. Leases and patents under this act are conditioned upon continuing public enjoyment of the purposes for which the land is classified. The plan of development, use, and maintenance must show, at a minimum:
 - a. A need for proposed development by citing population trends, shortage of facilities in area, etc.
 - b. That the land will benefit an existing or definitely proposed public project authorized by proper authority.
 - c. Type and general location of all proposed improvements, including public access (roads, trails, etc.). This showing may

blueprints in any combination available and necessary to describe the finished project. Site designs should be provided for intensive use sites and general information about improvements existing or planned on lands within the overall project.

- d. An estimate of the construction costs, how the proposed project will be financed, including a list of financial sources, and an estimated timetable for actual construction of all improvements and facilities.
 - e. A plan of management to include operating rules, proposed source and disposition of revenues arising from the proposed operation, personnel requirements, etc.
 - f. A specific maintenance plan to include, for example, sewage and garbage disposal, road maintenance, upkeep and repair of grounds and physical facilities, etc.
 - g. Applications for solid waste disposal sites must comply with guidelines established by the Environmental Protection Agency (40 CFR 258) and must include a detailed physical description of the site including a map, description of ground water situation, soil characteristics and management plan.
6. This may consist of a copy of a delegation of authority, resolution or other evidence of authority from the governing board of the applicant's organization, copy of the by-laws of the organization, or

APPLICATION FOR LAND
FOR
RECREATION AND PUBLIC PURPOSE

PARK SITE

CITY OF LAS VEGAS
LAS VEGAS, NEVADA

LEGAL DESCRIPTION

The parcel legally described as:

Mount Diablo Base & Meridian, Nevada

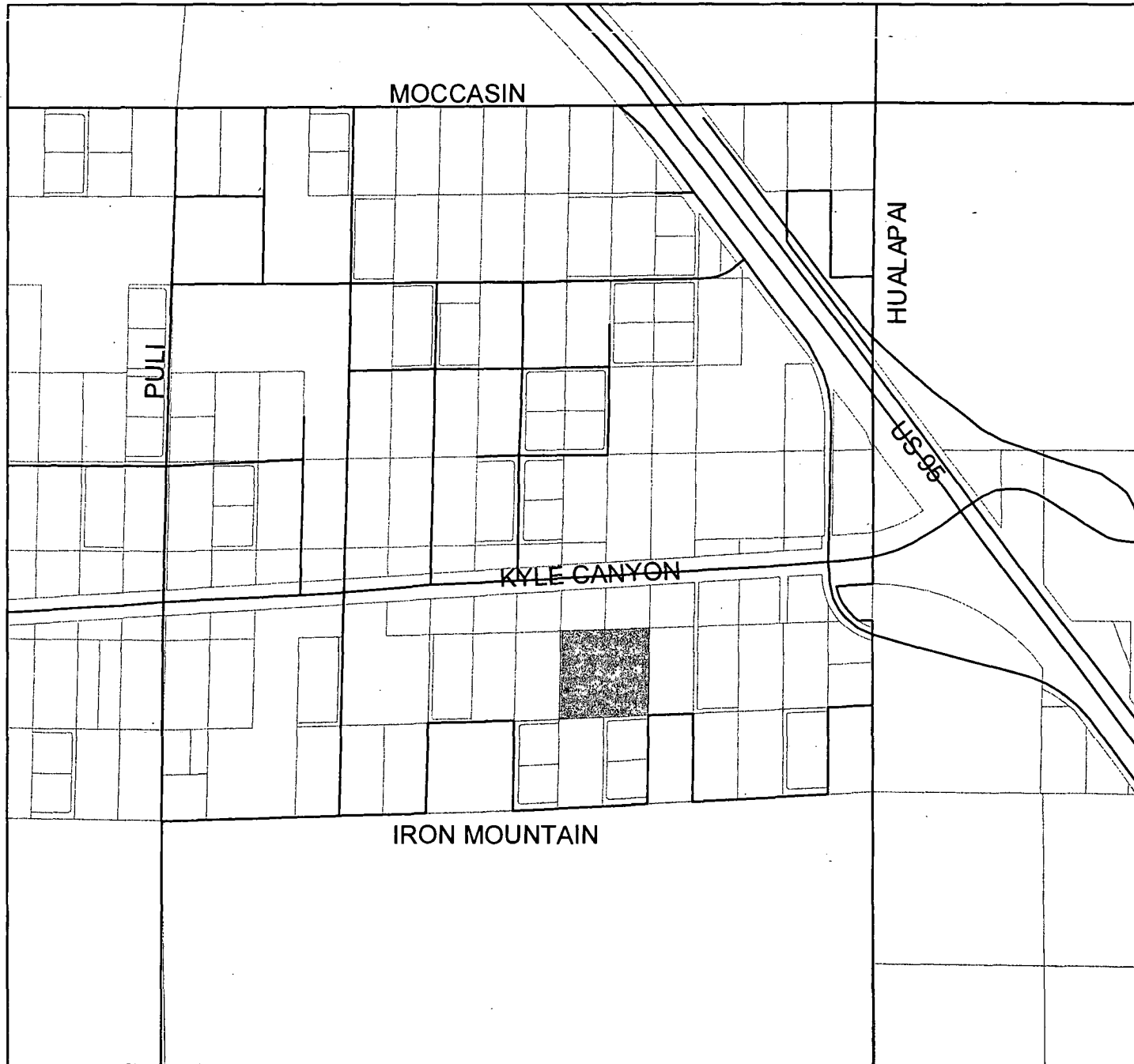
Township 19 South, Range 60 East,
Section : 1

$W\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}$

Consisting of approximately 10 acres

ATTACHMENT 1

SITE MAP



Site Map

Legend

-  Selected Site
-  Street Centerline
-  Parcels

Real Estate & Asset Mgmnt



3/31/2004

PLAN OF DEVELOPMENT

It is anticipated that this park facility would be complete in one phase.
A complete plan of development along with maps will be submitted at a later date.

Work would include:

- Street Grading and Paving
- Offsite Improvements
- Composition Paths
- Street Striping and Signage
- Site Earthwork
- Site Electrical
- Walking Path
- Dumpsite Enclosure
- Landscaping
- Playground
- Restrooms
- Volleyball Court
- Equestrian trail along west side of park

STATEMENT OF NEED

The City of Las Vegas is one of the fastest growing communities in the country and most of this growth has occurred in the northwest sector of the City. During the past four years, from the period from 1997 to 2001 the population increased by an estimated 310,164 citizens. This tremendous growth is expected to continue for several years.

As the City of Las Vegas continues to grow, increased demands will be placed upon the City to provide for new parks and recreation facilities for existing and future residents.

It is imperative for the City of Las Vegas to plan, acquire and develop parks and recreational facilities in a timely manner, to ensure that these services will be available when needed. The City intends on phasing its park development as the demand for recreational facilities increases. Due to revenue reform at the state and federal levels and the budget constraints of a growing community, the City finds it necessary to minimize the cost of park site acquisition.

It is intended that this project will provide a location where individual recreational needs will be possible. The park will be geared to all ages and abilities. The facility will include individual group picnic shelters, parking, restrooms, tot lot play area, walking paths, and open spaces.

MANAGEMENT PLAN

The City of Las Vegas Agrees to the following commitments which will be incorporated by reference in the conveyance of the subject land:

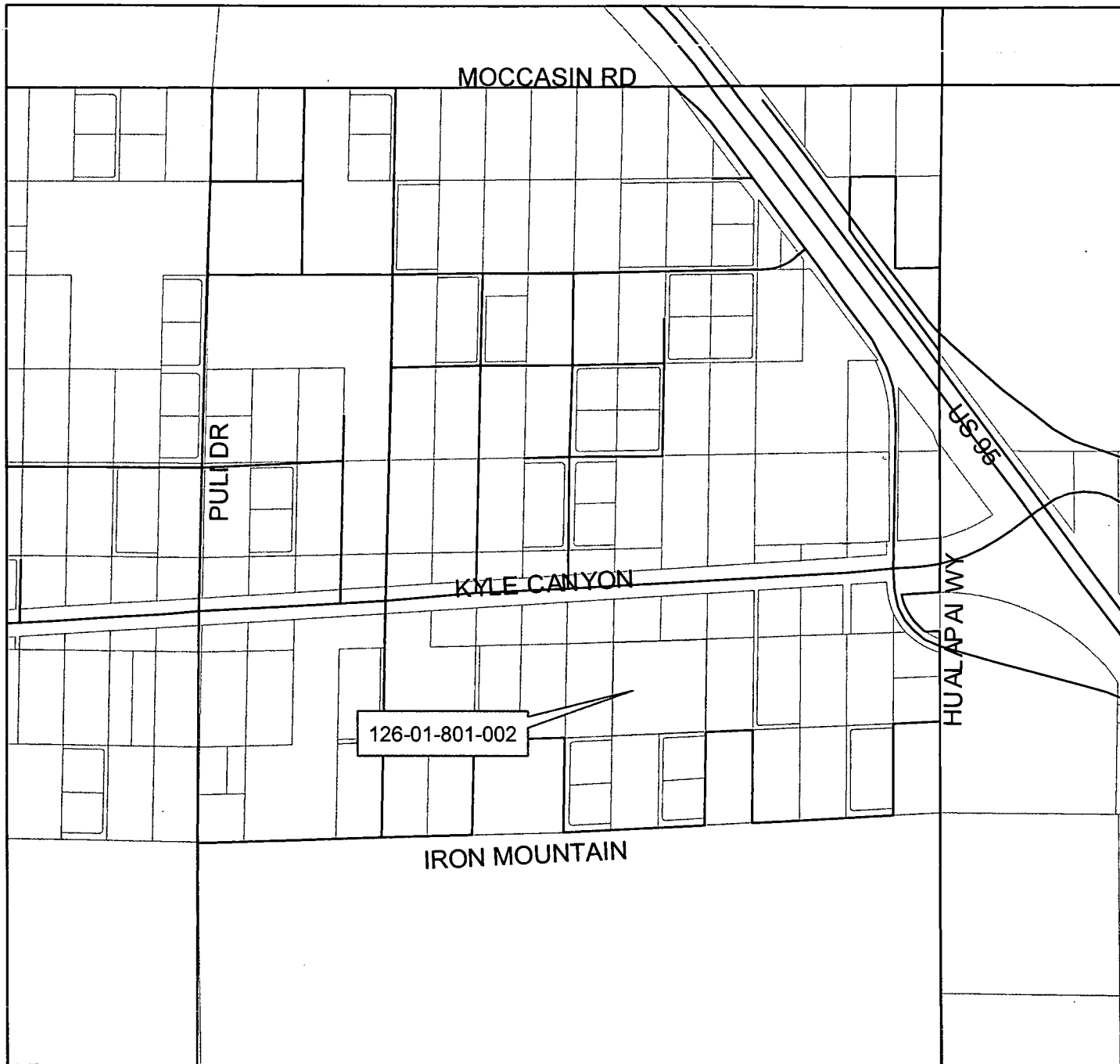
1. To maintain the lands open to use by the public for recreational purposes without discrimination or favor.
2. To make no more than a reasonable charge for the use of facilities on the land (whether by concession or otherwise) and to charge no more for entrance to use the park than is charged at other comparable installations managed by State and local agencies. The City Council will submit to the Bureau of Land Management a schedule of charges. All charges shall be subject to review for conformance with this requirement and appropriate modifications by the Secretary of the Interior or his delegate after reasonable notice and opportunity for hearing.
3. To develop and manage the land in accordance with the approved program of utilization submitted with this application.
4. To secure the approval of the Secretary of the Interior or his delegate on all plans of construction prior to commencing actual construction.
5. To maintain in satisfactory condition the facilities on this land.

FUNDING

It is anticipated the City of Las Vegas will provide for the construction of the facilities with general funds, future park bonds and Residential Construction Impact Fees.

MAINTENANCE

The City of Las Vegas agrees to maintain the Park Site in a satisfactory manner during all phases of development. Funding for maintenance and custodial services shall become a part of the annual operating budgets.



Site Map

-  Selected Site
-  Street Centerline
-  Parcels

Real Estate & Asset Mgmt



6/01/2004

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 16, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 8 acres of land commonly known as APNs 126-02-401-002 and 126-02-401-004 located in the vicinity of Iron Mountain Road and Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)

Fiscal Impact

☐

No Impact

Amount: \$100 filing fee

☒

Budget Funds Available

Dept./Division: Public Works/Real Estate

☐

Augmentation Required

Funding Source: PW/Real Estate/Rental of Land

PURPOSE/BACKGROUND:

Public Works/Real Estate has identified this site as ideal for a future public park location to meet the growing demands for recreation facilities to service current and future citizens in this area.

RECOMMENDATION:

The 6/14/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

1. Application
2. Site Map

MOTION:

REESE – APPROVED Items 4-16, 18-27, 29, and 31-64 – **UNANIMOUS** with Ward 2 seat vacant

Items 3, 17, & 30: APPROVED under separate actions (see individual items)

Item 28: STRICKEN under separate action (see individual item)

MINUTES:

Under Item 3, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all the Real Estate items on the consent agenda and joins with the recommendation of staff that the Council approve each item.

(9:41 – 9:44)

1-1199

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
**APPLICATION FOR LAND FOR
RECREATION OR PUBLIC PURPOSES**

(Act of June 14, 1926, as amended; 43 U.S.C. 869; 869-4)

FORM APPROVED
OMB No. 1004-0012
Expires: June 30, 1996

Date 4-21-04	Serial Number (BLM use only)

Home phone (include area code)

1a. Applicant's name City of Las Vegas	b. Address (include zip code) 400 E. Stewart Ave. Las Vegas, NV 89101	Business phone (include area code) (702) 229-1021

2. Give legal description of lands applied for (include metes and bounds description, if necessary)

SUBDIVISION	SECTION	TOWNSHIP	RANGE	MERIDIAN
E 1/2 NE 1/4 SW 1/4 SW 1/4 E 1/2 NW 1/4 SW 1/4 SW 1/4	2	19S.	59E.	mount Diablo

County of Clark	State of NV	Containing (acres) 8

3a. Application is for ☒ Lease ☒ Purchase (If lease, indicate year)

b. Proposed use is ☐ Public Recreation ☐ Other Public Purposes

4. Describe the proposed use of the land. The description must specifically identify an established or definitely proposed project. Attach a detailed plan and schedule for development, a management plan which includes a description of how any revenues will be used, and any known environmental or cultural concerns specific to the land.

See attached Plan of Development

5. If applicant is State or Political subdivision thereof, cite your statutory or other authority to hold land for these purposes.

Authority is derived from Chapter 268 of NRS and the Charter for the City of Las Vegas adopted by the Nevada Legislature, Chapter 515, Statutes of Nevada 1971, p.1063.

6. Attach a copy of your authority for filing this application and to perform all acts incident thereto.

7. If land described in this application has not been classified for recreation and/or Public purposes pursuant to the Recreation and Public purposes Act, consider this application as a petition for such classification.

Continued on reverse)

8. Are all activities, facilities, services, financial aid, or other benefits as a result of your proposed development provided without regard to race, color, religion, national origin, sex, or age? ☒ Yes ☐ No (If "no," describe the situation or activity and your plans for achieving compliance.)

9. Are all activities, facilities, and services constructed or provided as a result of your proposed development accessible to and usable by persons with disabilities? ☒ Yes ☐ No (If "no," describe the situation or activity and the reasons for nonaccessibility.)

Applicant's Signature

Daniel R. Board

Date

Title 18 U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representation as to any matter within its jurisdiction.

GENERAL INSTRUCTIONS

1. Type or print plainly in ink.
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5. If applicant is non-governmental association or corporation, attach a copy of your authority to operate in the State where the lands applied for are located. If previously filed with any BLM office, refer to previous filing by date, place, and case serial number.

SPECIFIC INSTRUCTIONS

(Items not listed are self-explanatory)

Item

2. If land is surveyed, give complete legal description. If land is unsurveyed, description should be by metes and bounds connected, if feasible, by course and distance with a corner of public land survey. If possible, approximate legal subdivisions of unsurveyed lands should be stated. Acreage applied for must not exceed that specified by regulations.
- 3a. Generally, title to lands will not be granted upon initial approval of an application. In order to assure proper development or use plans, the general practice will be to issue a lease or lease with option to purchase after development is essentially completed. In any case, term of lease may not exceed 20 years for non-profit organizations or 25 years for governmental agencies, instrumentalities or political subdivisions.
4. Leases and patents under this act are conditioned upon continuing public enjoyment of the purposes for which the land is classified. The plan of development, use, and maintenance must show, at a minimum:
 - a. A need for proposed development by citing population trends, shortage of facilities in area, etc.
 - b. That the land will benefit an existing or definitely proposed public project authorized by proper authority.
 - c. Type and general location of all proposed improvements, including public access (roads, trails, etc.). This showing may

Item

- blueprints in any combination available and necessary to describe the finished project. Site designs should be provided for intensive use sites and general information about improvements existing or planned on lands within the overall project.
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6. This may consist of a copy of a delegation of authority, resolution or other evidence of authority from the governing board of the applicant's organization, conv of the by-laws of the organization or

APPLICATION FOR LAND
FOR
RECREATION AND PUBLIC PURPOSE

PARK SITE

CITY OF LAS VEGAS
LAS VEGAS, NEVADA

LEGAL DESCRIPTION

The parcel legally described as:

Mount Diablo Base & Meridian, Nevada

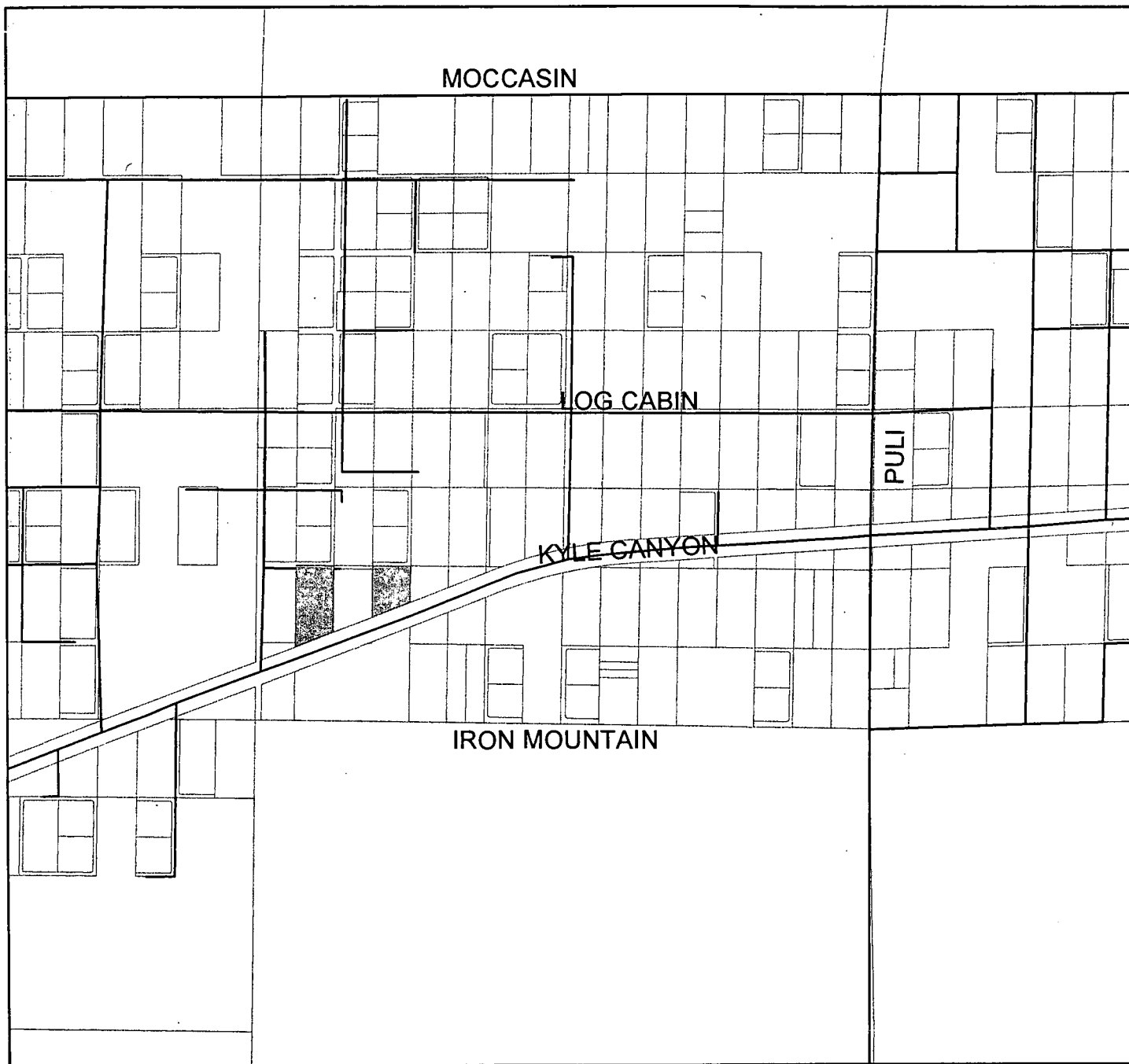
Township 19 South, Range 59 East,
Section : 2

$E\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}SW\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}SW\frac{1}{4}$

Consisting of approximately 8 acres

ATTACHMENT 1

SITE MAP



Site Map

Legend

-  Selected Sites
-  Street Centerline
-  Parcels

Real Estate & Asset Mgmnt



3/31/2004

PLAN OF DEVELOPMENT

It is anticipated that this park facility would be complete in one phase. A complete plan of development along with maps will be submitted at a later date.

Work would include:

- Street Grading and Paving
- Offsite Improvements
- Composition Paths
- Street Striping and Signage
- Site Earthwork
- Site Electrical
- Walking Path
- Dumpsite Enclosure
- Landscaping
- Playground
- Restrooms
- Volleyball Court
- Equestrian trail along west side of park

STATEMENT OF NEED

The City of Las Vegas is one of the fastest growing communities in the country and most of this growth has occurred in the northwest sector of the City. During the past four years, from the period from 1997 to 2001 the population increased by an estimated 310,164 citizens. This tremendous growth is expected to continue for several years.

As the City of Las Vegas continues to grow, increased demands will be placed upon the City to provide for new parks and recreation facilities for existing and future residents.

It is imperative for the City of Las Vegas to plan, acquire and develop parks and recreational facilities in a timely manner, to ensure that these services will be available when needed. The City intends on phasing its park development as the demand for recreational facilities increases. Due to revenue reform at the state and federal levels and the budget constraints of a growing community, the City finds it necessary to minimize the cost of park site acquisition.

It is intended that this project will provide a location where individual recreational needs will be possible. The park will be geared to all ages and abilities. The facility will include individual group picnic shelters, parking, restrooms, tot lot play area, walking paths, and open spaces.

MANAGEMENT PLAN

The City of Las Vegas Agrees to the following commitments which will be incorporated by reference in the conveyance of the subject land:

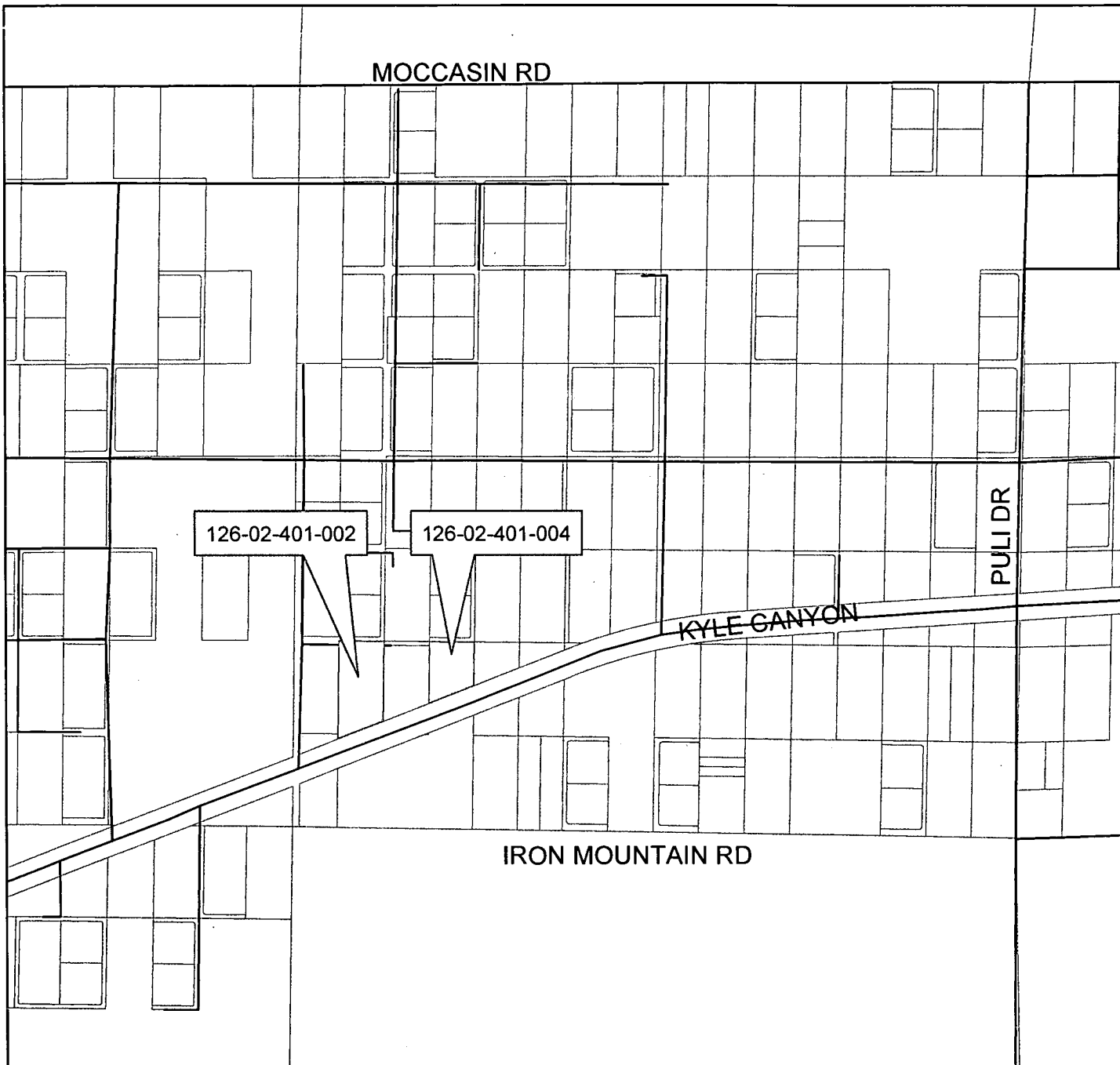
1. To maintain the lands open to use by the public for recreational purposes without discrimination or favor.
2. To make no more than a reasonable charge for the use of facilities on the land (whether by concession or otherwise) and to charge no more for entrance to use the park than is charged at other comparable installations managed by State and local agencies. The City Council will submit to the Bureau of Land Management a schedule of charges. All charges shall be subject to review for conformance with this requirement and appropriate modifications by the Secretary of the Interior or his delegate after reasonable notice and opportunity for hearing.
3. To develop and manage the land in accordance with the approved program of utilization submitted with this application.
4. To secure the approval of the Secretary of the Interior or his delegate on all plans of construction prior to commencing actual construction.
5. To maintain in satisfactory condition the facilities on this land.

FUNDING

It is anticipated the City of Las Vegas will provide for the construction of the facilities with general funds, future park bonds and Residential Construction Impact Fees.

MAINTENANCE

The City of Las Vegas agrees to maintain the Park Site in a satisfactory manner during all phases of development. Funding for maintenance and custodial services shall become a part of the annual operating budgets.



Site Map

- Street Centerline
- Parcels
- Selected Site

Real Estate & Asset Mgmnt



6/01/2004

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 16, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for 12.5 acres of land commonly known as a portion of APN 126-01-401-003 located in the vicinity of Iron Mountain Road and Puli Drive for use as a Public Park (\$100 - Public Works/Real Estate/Rental of Land) - Clark County (near Ward 6 - Mack)

Fiscal Impact

☐

No Impact

Amount: \$100 filing fee

☒

Budget Funds Available

Dept./Division: Public Works/Real Estate

☐

Augmentation Required

Funding Source: PW/Real Estate/Rental of Land

PURPOSE/BACKGROUND:

Public Works/Real Estate has identified this site as ideal for a future public park location to meet the growing demands for recreation facilities to service current and future citizens in this area.

RECOMMENDATION:

The 6/14/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

1. Application
2. Site Map

MOTION:

REESE – APPROVED Items 4-16, 18-27, 29, and 31-64 – **UNANIMOUS** with Ward 2 seat vacant

Items 3, 17, & 30: APPROVED under separate actions (see individual items)

Item 28: STRICKEN under separate action (see individual item)

MINUTES:

Under Item 3, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all the Real Estate items on the consent agenda and joins with the recommendation of staff that the Council approve each item.

(9:41 – 9:44)

1-1199

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

APPLICATION FOR LAND FOR
RECREATION OR PUBLIC PURPOSES

(Act of June 14, 1926, as amended; 43 U.S.C. 869; 869-4)

FORM APPROVED
OMB No. 1004-0012
Expires: June 30, 1996

Date 4-21-04	Serial Number (BLM use only)

Home phone (include area code)

1a. Applicant's name City of Las Vegas	b. Address (include zip code) 400 E. Stewart Ave. Las Vegas, NV 89101	Business phone (include area code) (702) 229-1021

2. Give legal description of lands applied for (include metes and bounds description, if necessary)				
SUBDIVISION	SECTION	TOWNSHIP	RANGE	MERIDIAN
NW 1/4 SE 1/4 SW 1/4, SW 1/4 SW 1/4 NE 1/4 SW 1/4.	1	19 S.	59 E	Mount Diablo

County of Clark	State of NV	Containing (acres) 12.5

3a. application is for ☒ Lease ☒ Purchase (If lease, indicate year)
b. Proposed use is ☐ Public Recreation ☐ Other Public Purposes

4. Describe the proposed use of the land. The description must specifically identify an established or definitely proposed project. Attach a detailed plan and schedule for development, a management plan which includes a description of how any revenues will be used, and any known environmental or cultural concerns specific to the land.

See attached Plan of Development

5. If applicant is State or Political subdivision thereof, cite your statutory or other authority to hold land for these purposes. Authority is derived from Chapter 268 of NRS and the Charter for the City of Las Vegas adopted by the Nevada Legislature, Chapter 515, Statutes of Nevada 1971, p.1063.
6. Attach a copy of your authority for filing this application and to perform all acts incident thereto.
7. If land described in this application has not been classified for recreation and/or Public purposes pursuant to the Recreation and Public urposes Act, consider this application as a petition for such classification.

8. Are all activities, facilities, services, financial aid, or other benefits as a result of your proposed development provided without regard to race, color, religion, national origin, sex, or age? ☒ Yes ☐ No (If "no," describe the situation or activity and your plans for achieving compliance.)

9. Are all activities, facilities, and services constructed or provided as a result of your proposed development accessible to and usable by persons with disabilities? ☒ Yes ☐ No (If "no," describe the situation or activity and the reasons for nonaccessibility).

Applicant's Signature

David R. [Signature]

Date

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GENERAL INSTRUCTIONS

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SPECIFIC INSTRUCTIONS

(Items not listed are self-explanatory)

Item

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 - a. A need for proposed development by citing population trends, shortage of facilities in area, etc.
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Item

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6. This may consist of a copy of a delegation of authority, resolution or other evidence of authority from the governing board of the applicant's organization, copy of the by-laws of the organization, or

LEGAL DESCRIPTION

The parcel legally described as:

Mount Diablo Base & Meridian, Nevada

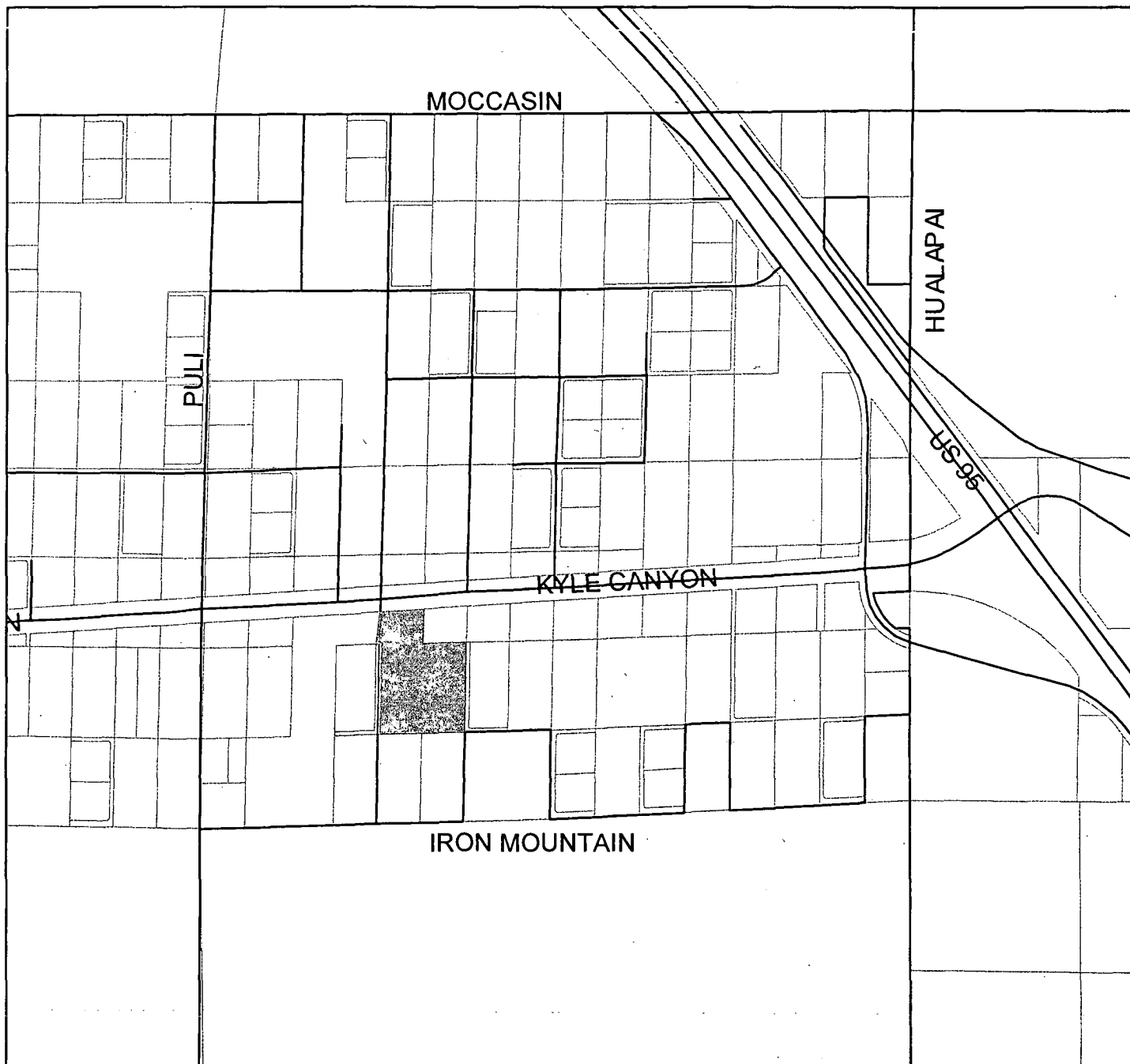
Township 19 South, Range 59 East,
Section : 1

NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$

Consisting of approximately 12.5 acres

ATTACHMENT 1

SITE MAP



Site Map

Legend

-  Selected Site
-  Street Centerline
-  Parcels

Real Estate & Asset Mgmnt



3/31/2004

PLAN OF DEVELOPMENT

It is anticipated that this park facility would be complete in one phase.
A complete plan of development along with maps will be submitted at a later date.

Work would include:

- Street Grading and Paving
- Offsite Improvements
- Composition Paths
- Street Striping and Signage
- Site Earthwork
- Site Electrical
- Walking Path
- Dumpsite Enclosure
- Landscaping
- Playground
- Restrooms
- Volleyball Court
- Equestrian trail along west side of park

STATEMENT OF NEED

The City of Las Vegas is one of the fastest growing communities in the country and most of this growth has occurred in the northwest sector of the City. During the past four years, from the period from 1997 to 2001 the population increased by an estimated 310,164 citizens. This tremendous growth is expected to continue for several years.

As the City of Las Vegas continues to grow, increased demands will be placed upon the City to provide for new parks and recreation facilities for existing and future residents.

It is imperative for the City of Las Vegas to plan, acquire and develop parks and recreational facilities in a timely manner, to ensure that these services will be available when needed. The City intends on phasing its park development as the demand for recreational facilities increases. Due to revenue reform at the state and federal levels and the budget constraints of a growing community, the City finds it necessary to minimize the cost of park site acquisition.

It is intended that this project will provide a location where individual recreational needs will be possible. The park will be geared to all ages and abilities. The facility will include individual group picnic shelters, parking, restrooms, tot lot play area, walking paths, and open spaces.

MANAGEMENT PLAN

The City of Las Vegas Agrees to the following commitments which will be incorporated by reference in the conveyance of the subject land:

1. To maintain the lands open to use by the public for recreational purposes without discrimination or favor.
2. To make no more than a reasonable charge for the use of facilities on the land (whether by concession or otherwise) and to charge no more for entrance to use the park than is charged at other comparable installations managed by State and local agencies. The City Council will submit to the Bureau of Land Management a schedule of charges. All charges shall be subject to review for conformance with this requirement and appropriate modifications by the Secretary of the Interior or his delegate after reasonable notice and opportunity for hearing.
3. To develop and manage the land in accordance with the approved program of utilization submitted with this application.
4. To secure the approval of the Secretary of the Interior or his delegate on all plans of construction prior to commencing actual construction.
5. To maintain in satisfactory condition the facilities on this land.

FUNDING

It is anticipated the City of Las Vegas will provide for the construction of the facilities with general funds, future park bonds and Residential Construction Impact Fees.

MAINTENANCE

The City of Las Vegas agrees to maintain the Park Site in a satisfactory manner during all phases of development. Funding for maintenance and custodial services shall become a part of the annual operating budgets.



Site Map

- Street Centerline
- Parcels
- Selected Site

Real Estate & Asset Mgmnt



6/01/2004

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 16, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Pamela A. Mack, 4434 W. Del Oro Drive, Las Vegas, Nevada 89102

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 28, 65, 66, 67, 68, 69, and 80 – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:40 – 9:41)

1-1147

May 24, 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,

Pamela A. Mack

Pamela A. Mack
4434 W. Del Oro Drive
Las Vegas, NV 89102



May 24, 2004

Pamela A. Mack
4434 W. Del Oro Drive
Las Vegas, NV 89102

Re: **WORK CARD APPEAL**

Dear Ms. Mack:

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 June 16, 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 "Stacey Campbell".

**STACEY CAMPBELL
DEPUTY CITY CLERK I**

/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: JUNE 16, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Stanley Ray Clinton, 4918 Drifting Pebble Street, North Las Vegas, Nevada 89030

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 28, 65, 66, 67, 68, 69, and 80 – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:40 – 9:41)

1-1147

RECEIVED
CITY CLERK

2004 MAY 25 P 2: 53

May 25, 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,

Stanley Ray Clifton
4918 Drifting Pebble Street
North Las Vegas, NV 89031

A handwritten signature in cursive script that reads "Stanley Ray Clifton". The signature is written in dark ink and is positioned to the right of the typed name and address.



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY FIESE
MAYOR PRO TEM

LARRY BROWN
LORRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF

DOUGLAS A. SELBY
CITY MANAGER

May 25, 2004

Stanley Ray Clifton
4918 Drifting Pebble Street
North Las Vegas, NV 89030

Re: WORK CARD APPEAL

Dear Mr. Clifton:

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 **June 16, 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 "Beverly K. Bridges".

**BEVERLY K. BRIDGES
CHIEF DEPUTY CITY CLERK**

/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: JUNE 16, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Jose L. Lemus, 4193 Zavala #C, Las Vegas, Nevada 89103

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 28, 65, 66, 67, 68, 69, and 80 – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:40 – 9:41)

1-1147

RECEIVED
CITY CLERK

2004 MAY 32 A 8: 19

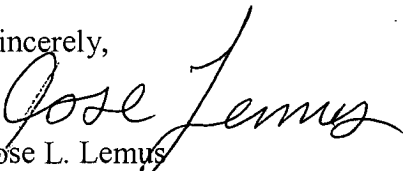
June 1, 2004

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,


Jose L. Lemus
4193 Zavala #C
Las Vegas, NV 89103



June 1, 2004

Jose L. Lemus
4193 Zavala #C
Las Vegas, NV 89103

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
RENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF

DOUGLAS A. SELBY
CITY MANAGER

Re: **WORK CARD APPEAL**

Dear Mr. Lemus:

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 **June 16, 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 "Stacey Campbell".

**STACEY CAMPBELL
DEPUTY CITY CLERK**

/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: JUNE 16, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Yvette L. Gray, 1318
Starmeadow Drive, North Las Vegas, Nevada 89030

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 28, 65, 66, 67, 68, 69, and 80 –
UNANIMOUS with Ward 2 seat vacant**

MINUTES:

There was no related discussion.

(9:40 – 9:41)

1-1147

RECEIVED
CITY CLERK

2004 JUN -3 P 4: 40

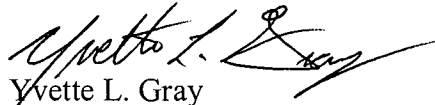
June 3, 2004

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,



Yvette L. Gray
1318 Star Meadow Drive
North Las Vegas, NV 89030



June 3 2004

Yvette L. Gray
1318 Starmeadow Drive
North Las Vegas, NV 89030

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
RENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF

DOUGLAS A. SELBY
CITY MANAGER

Re: **WORK CARD APPEAL**

Dear Ms. Gray:

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 **June 16, 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,


STACEY CAMPBELL
DEPUTY CITY CLERK

/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: JUNE 16, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Brandon D. Mobley, 7948 Decker Canyon #202, North Las Vegas, Nevada 89128

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 28, 65, 66, 67, 68, 69, and 80 – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:40 – 9:41)

1-1147

RECEIVED
CITY CLERK

2004 JUN -4 P 12:00

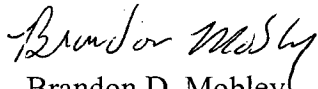
June 4, 2004

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

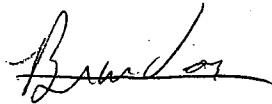
To Whom It May Concern:

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

Sincerely,



Brandon D. Mobley
7948 Decker Canyon #202
Las Vegas, NV 89128





June 42004

Brandon D. Mobley
7948 Decker Canyon #202
Las Vegas, NV 89128

Re: **WORK CARD APPEAL**

Dear Mr. Mobley:

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 **June 16, 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 "Vicky Darling".

VICKY DARLING
ASSISTANT DEPUTY CITY CLERK

/pc

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

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
JEROME WEEKLY
MICHAEL MACK
JANET MONCRIEF

DOUGLAS A. SELBY
CITY MANAGER

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

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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 16, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding rescission of action taken April 7, 2004, regarding a Six Month Review of a Massage Establishment License, Cathay Massage, Inc., dba Cathay Massage, Inc., 7450 West Cheyenne Avenue, Suite 113, Chen H. Liu, Dir, Pres, Secy, Treas, 100% - Ward 4 (Brown)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Possible rescission of action taken on April 7, 2004, regarding a Six Month Review of a Massage Establishment License

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

None

MOTION:

BROWN – APPROVED the rescission setting aside the previous decision on this matter – UNANIMOUS with Ward 2 seat vacant

NOTE: MAYOR GOODMAN disclosed that he and MR. TERRY are longtime friends and were once law partners. However, the Mayor did not believe that their relationship would affect his determinations regarding this matter. CITY ATTORNEY JERBIC indicated that the Mayor's disclosure was sufficient.

MINUTES:

NOTE: A combined Verbatim Transcript of Items 70 and 71 is made a part of the Final Minutes under Item 70.

APPEARANCES:

OSCAR GOODMAN, Mayor

BILL HENRY, Sr. Litigation Counsel

BILL TERRY, Attorney, appeared representing Chen H. Liu, who was also present, and accompanied by his assistant LINDA NORVELL

GARY REESE, Councilman

BRAD JERBIC, City Attorney

LARRY BROWN, Councilman

(9:54 – 9:58)

1-1668

CITY COUNCIL MEETING OF
June 16, 2004

COMBINED VERBATIM TRANSCRIPT – ITEM 70 AND ITEM 71

1 Discussion and possible action regarding rescission of action taken April 7, 2004, regarding
2 a Six Month Review of a Massage Establishment License, Cathay Massage, Inc., dba
3 Cathay Massage, Inc., 7450 West Cheyenne Avenue, Suite 113, Chen J. Liu, Dir, Pres, Secy,
4 Treas, 100% - Ward 4 (Brown) AND Discussion and possible action regarding a Six Month
5 Review of a Massage Establishment License, Cathay Massage, Inc., dba Cathay Massage,
6 Inc., 7450 West Cheyenne Avenue, Suite 113, Chen J. Liu, Dir, Pres, Secy, Treas, 100% -
7 Ward 4 (Brown)

8
9 **Appearance List:**

10 OSCAR GOODMAN, Mayor

11 BILL HENRY, Sr. Litigation Counsel

12 BILL TERRY, Attorney, appeared representing Chen H. Liu, who was also present, and
13 accompanied by his assistant LINDA NORVELL

14 GARY REESE, Councilman

15 BRAD JERBIC, City Attorney

16 LARRY BROWN, Councilman

17
18
19 (9:54 – 9:58)

20 1-1668

21
22 4 minutes

23 Typed by: Angela Crolli

24 Proofed by: Stacey Campbell

CITY COUNCIL MEETING OF
June 16, 2004

COMBINED VERBATIM TRANSCRIPT – ITEM 70 AND ITEM 71

25 **MAYOR GOODMAN**

26 Item Number seventy is discussion and possible action regarding rescission of action taken April
27 7th, two thousand and four, concerning a Six Month Review of a Massage Establishment
28 License, Cathay Massage, Inc., located at 7450 West Cheyenne Avenue in Suite 113. And this is
29 in Ward 4.

30

31 **BILL HENRY**

32 Good morning, Mayor.

33

34 **MAYOR GOODMAN**

35 Mr. Henry.

36

37 **BILL HENRY**

38 I'm here with Mr. Terry, who represents the former licensee and I believe he's here with his
39 associate, who he can introduce.

40

41 **BILL TERRY**

42 Ms. Linda Norvell and the, and Mr. Liu.

43

44 **MAYOR GOODMAN**

45 Do you have the <inaudible>.

46

47 **COUNCILMAN REESE**

48 I think we need to take action on seventy so we can hear seventy-one.

49

50 **MAYOR GOODMAN**

51 Oh, Item 71 too. I'll read that into the record too. Thank you, Mayor Pro Tem. Seventy-one is
52 discussion and possible action regarding a Six Month Review of a Massage Establishment
53 License for Cathay Massage at that same location and site, and of course, that's in Ward 4 as
54 well.

CITY COUNCIL MEETING OF

June 16, 2004

COMBINED VERBATIM TRANSCRIPT – ITEM 70 AND ITEM 71

55 **COUNCILMAN REESE**

56 We need to take action on seventy, first.

57

58 **MAYOR GOODMAN**

59 We'll take action on seventy, first. Right. Mr. Terry, I don't think the mic was working, if
60 you'd be kind enough to do that again?

61

62 **BILL TERRY**

63 Surely. Linda Norvell, my associate. Mr. Liu the proprietor.

64

65 **MAYOR GOODMAN**

66 Very good. I want the record to reflect, Mayor Pro Tem, that Mr. Terry and myself are long-
67 standing friends. We were partners in the practice of law. I have tremendous respect for his
68 ability and his integrity. I don't believe that my relationship with him would in anyway affect
69 my determinations, as far as this item is concerned. Is that sufficient?

70

71 **BRAD JERBIC**

72 That's sufficient, Your Honor.

73

74 **MAYOR GOODMAN**

75 All right. Very good. Mr. Henry.

76

77 **BILL HENRY**

78 Mr. Mayor, when this item was last before you, it was discussion and possible action on the
79 continuance of a temporary license emanating out of Councilman Brown's Ward. The former
80 licensee was represented by different counsel and the Council decided not to continue the
81 license. Since then, the licensee substituted counsel. Mr. Terry petitioned for redress in the
82 District Court and I entered into a stipulation with Mr. Terry to, in essence, freeze the litigation
83 at the point of having filed the petition and to bring this back before you to see if you would be
84 willing to reconsider the matter and rehear it.

CITY COUNCIL MEETING OF

June 16, 2004

COMBINED VERBATIM TRANSCRIPT – ITEM 70 AND ITEM 71

85 **MAYOR GOODMAN**

86 So, that's – item number seventy.

87

88 **BILL HENRY**

89 Yes.

90

91 **MAYOR GOODMAN**

92 That would be the discussion and possible action regarding rescission. Is that correct?

93

94 **BILL HENRY**

95 Yes. The grounds for the writ, I think, would probably also be apropos to your decision. In
96 essence, they are that there was some confusion in the notice given to the licensee as – to what,
97 in essence, what charges he had to answer to before you. And also, there appeared to be some
98 confusion on the part of his predecessor counsel as to how he would get access to the
99 confidential report that the Metropolitan Police prepare. And for all of those reasons, the matter
100 is back before you today.

101

102 **MAYOR GOODMAN**

103 All right. Thank you. Councilman Brown, what's your pleasure on item number thirty, seventy?

104

105 **COUNCILMAN BROWN**

106 On – Item number seventy, I got back to town yesterday afternoon and – Mr. Terry had left a
107 package with our office. I have not been able to go through it. It's very comprehensive. **So, on**
108 **seventy, I would move for approval, as far as the original rescission with the intent to hold**
109 **this City Council hearing to the July 7th City Council meeting.**

110

111 **MAYOR GOODMAN**

112 On item number seventy-one?

CITY COUNCIL MEETING OF
June 16, 2004

COMBINED VERBATIM TRANSCRIPT – ITEM 70 AND ITEM 71

113 **COUNCILMAN BROWN**

114 I just –

115

116 **BILL HENRY**

117 Yeah. I – think the way that you would do that is, if you wish to, is to make a motion to
118 reconsider and to set aside the previous decision. And if that motion carries, then, I think you
119 would abey seventy-one until the next hearing, which, I think, is the seventh of next month.

120

121 **COUNCILMAN BROWN**

122 Yes. So moved.

123

124 **MAYOR GOODMAN**

125 All right. Very good. That's the motion. Let's vote on that. It's very clear. Post. Motion
126 carries. **(Motion carried unanimously with Ward 2 seat vacant)**. So, seventy carries and
127 seventy-one will be abeyed.

128

129 **COUNCILMAN BROWN**

130 I would – move to hold item seventy-one until the July 7th, 2004 City Council meeting.

131

132 **MAYOR GOODMAN**

133 Very good. Let's vote on that, please. Post. Motion carries. Thank you. **(Motion carried**
134 **unanimously with Ward 2 seat vacant)**

135

136 **BILL HENRY**

137 Thank you.

138

139 **MAYOR GOODMAN**

140 Very good.

CITY COUNCIL MEETING OF
June 16, 2004

COMBINED VERBATIM TRANSCRIPT – ITEM 70 AND ITEM 71

141 **BILL TERRY**

142 Thank you, Mr. Mayor, members.

143

144 **(END OF DISCUSSION)**

145 /ac;slc

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 16, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding a Six Month Review of a Massage Establishment License, Cathay Massage, Inc., dba Cathay Massage, Inc., 7450 West Cheyenne Avenue, Suite 113, Chen H. Liu, Dir, Pres, Secy, Treas, 100% - Ward 4 (Brown)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding a Six Month Review of a Massage Establishment License

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

None

MOTION:

BROWN – ABEYANCE to 7/7/2004 – UNANIMOUS with Ward 2 seat vacant

NOTE: Under Item 70, MAYOR GOODMAN disclosed that he has been a longtime friend of MR. TERRY, but he did not believe that their friendship would have any affect on his voting ability on this matter. CITY ATTORNEY JERBIC indicated that the Mayor's disclosure was sufficient.

MINUTES:

NOTE: A combined Verbatim Transcript of Items 70 and 71 is made a part of the Final Minutes under Item 70.

APPEARANCES:

OSCAR GOODMAN, Mayor

BILL HENRY, Sr. Litigation Counsel

BILL TERRY, Attorney, appeared representing Chen H. Liu, who was also present, and accompanied by his assistant LINDA NORVELL

GARY REESE, Councilman

BRAD JERBIC, City Attorney

LARRY BROWN, Councilman

(9:54 – 9:58)

1-1668

CITY COUNCIL MEETING OF

June 16, 2004

COMBINED VERBATIM TRANSCRIPT – ITEM 70 AND ITEM 71

1 Discussion and possible action regarding rescission of action taken April 7, 2004, regarding
2 a Six Month Review of a Massage Establishment License, Cathay Massage, Inc., dba
3 Cathay Massage, Inc., 7450 West Cheyenne Avenue, Suite 113, Chen J. Liu, Dir, Pres, Secy,
4 Treas, 100% - Ward 4 (Brown) AND Discussion and possible action regarding a Six Month
5 Review of a Massage Establishment License, Cathay Massage, Inc., dba Cathay Massage,
6 Inc., 7450 West Cheyenne Avenue, Suite 113, Chen J. Liu, Dir, Pres, Secy, Treas, 100% -
7 Ward 4 (Brown)

8
9 **Appearance List:**

10 OSCAR GOODMAN, Mayor

11 BILL HENRY, Sr. Litigation Counsel

12 BILL TERRY, Attorney, appeared representing Chen H. Liu, who was also present, and
13 accompanied by his assistant LINDA NORVELL

14 GARY REESE, Councilman

15 BRAD JERBIC, City Attorney

16 LARRY BROWN, Councilman

17
18
19 (9:54 – 9:58)

20 1-1668

21
22 4 minutes

23 Typed by: Angela Crolli

24 Proofed by: Stacey Campbell

CITY COUNCIL MEETING OF
June 16, 2004

COMBINED VERBATIM TRANSCRIPT – ITEM 70 AND ITEM 71

25 **MAYOR GOODMAN**

26 Item Number seventy is discussion and possible action regarding rescission of action taken April
27 7th, two thousand and four, concerning a Six Month Review of a Massage Establishment
28 License, Cathay Massage, Inc., located at 7450 West Cheyenne Avenue in Suite 113. And this is
29 in Ward 4.

30

31 **BILL HENRY**

32 Good morning, Mayor.

33

34 **MAYOR GOODMAN**

35 Mr. Henry.

36

37 **BILL HENRY**

38 I'm here with Mr. Terry, who represents the former licensee and I believe he's here with his
39 associate, who he can introduce.

40

41 **BILL TERRY**

42 Ms. Linda Norvell and the, and Mr. Liu.

43

44 **MAYOR GOODMAN**

45 Do you have the <inaudible>.

46

47 **COUNCILMAN REESE**

48 I think we need to take action on seventy so we can hear seventy-one.

49

50 **MAYOR GOODMAN**

51 Oh, Item 71 too. I'll read that into the record too. Thank you, Mayor Pro Tem. Seventy-one is
52 discussion and possible action regarding a Six Month Review of a Massage Establishment
53 License for Cathay Massage at that same location and site, and of course, that's in Ward 4 as
54 well.

CITY COUNCIL MEETING OF

June 16, 2004

COMBINED VERBATIM TRANSCRIPT – ITEM 70 AND ITEM 71

55 **COUNCILMAN REESE**

56 We need to take action on seventy, first.

57

58 **MAYOR GOODMAN**

59 We'll take action on seventy, first. Right. Mr. Terry, I don't think the mic was working, if
60 you'd be kind enough to do that again?

61

62 **BILL TERRY**

63 Surely. Linda Norvell, my associate. Mr. Liu the proprietor.

64

65 **MAYOR GOODMAN**

66 Very good. I want the record to reflect, Mayor Pro Tem, that Mr. Terry and myself are long-
67 standing friends. We were partners in the practice of law. I have tremendous respect for his
68 ability and his integrity. I don't believe that my relationship with him would in anyway affect
69 my determinations, as far as this item is concerned. Is that sufficient?

70

71 **BRAD JERBIC**

72 That's sufficient, Your Honor.

73

74 **MAYOR GOODMAN**

75 All right. Very good. Mr. Henry.

76

77 **BILL HENRY**

78 Mr. Mayor, when this item was last before you, it was discussion and possible action on the
79 continuance of a temporary license emanating out of Councilman Brown's Ward. The former
80 licensee was represented by different counsel and the Council decided not to continue the
81 license. Since then, the licensee substituted counsel. Mr. Terry petitioned for redress in the
82 District Court and I entered into a stipulation with Mr. Terry to, in essence, freeze the litigation
83 at the point of having filed the petition and to bring this back before you to see if you would be
84 willing to reconsider the matter and rehear it.

CITY COUNCIL MEETING OF

June 16, 2004

COMBINED VERBATIM TRANSCRIPT – ITEM 70 AND ITEM 71

85 **MAYOR GOODMAN**

86 So, that's – item number seventy.

87

88 **BILL HENRY**

89 Yes.

90

91 **MAYOR GOODMAN**

92 That would be the discussion and possible action regarding rescission. Is that correct?

93

94 **BILL HENRY**

95 Yes. The grounds for the writ, I think, would probably also be apropos to your decision. In
96 essence, they are that there was some confusion in the notice given to the licensee as – to what,
97 in essence, what charges he had to answer to before you. And also, there appeared to be some
98 confusion on the part of his predecessor counsel as to how he would get access to the
99 confidential report that the Metropolitan Police prepare. And for all of those reasons, the matter
100 is back before you today.

101

102 **MAYOR GOODMAN**

103 All right. Thank you. Councilman Brown, what's your pleasure on item number thirty, seventy?

104

105 **COUNCILMAN BROWN**

106 On – Item number seventy, I got back to town yesterday afternoon and – Mr. Terry had left a
107 package with our office. I have not been able to go through it. It's very comprehensive. **So, on**
108 **seventy, I would move for approval, as far as the original rescission with the intent to hold**
109 **this City Council hearing to the July 7th City Council meeting.**

110

111 **MAYOR GOODMAN**

112 On item number seventy-one?

CITY COUNCIL MEETING OF

June 16, 2004

COMBINED VERBATIM TRANSCRIPT – ITEM 70 AND ITEM 71

113 **COUNCILMAN BROWN**

114 I just –

115

116 **BILL HENRY**

117 Yeah. I – think the way that you would do that is, if you wish to, is to make a motion to
118 reconsider and to set aside the previous decision. And if that motion carries, then, I think you
119 would abey seventy-one until the next hearing, which, I think, is the seventh of next month.

120

121 **COUNCILMAN BROWN**

122 Yes. So moved.

123

124 **MAYOR GOODMAN**

125 All right. Very good. That's the motion. Let's vote on that. It's very clear. Post. Motion
126 carries. **(Motion carried unanimously with Ward 2 seat vacant)**. So, seventy carries and
127 seventy-one will be abeyed.

128

129 **COUNCILMAN BROWN**

130 I would – move to hold item seventy-one until the July 7th, 2004 City Council meeting.

131

132 **MAYOR GOODMAN**

133 Very good. Let's vote on that, please. Post. Motion carries. Thank you. **(Motion carried**
134 **unanimously with Ward 2 seat vacant)**

135

136 **BILL HENRY**

137 Thank you.

138

139 **MAYOR GOODMAN**

140 Very good.

CITY COUNCIL MEETING OF
June 16, 2004

COMBINED VERBATIM TRANSCRIPT – ITEM 70 AND ITEM 71

141 **BILL TERRY**

142 Thank you, Mr. Mayor, members.

143

144 **(END OF DISCUSSION)**

145 /ac;slc

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 16, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes and Health Dept. regulations, From: Gerardo S. Barraza, dba Juanita's Restaurant, Gerardo S. Barraza, 100%, To: Jesus Moreno, dba La Sierra Mexican Restaurant #2, 4440 East Washington Avenue, Suite 106, Jesus Moreno, 100% - Ward 3 (Reese)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale License

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes and Health Dept. regulations with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Jesus Moreno

MOTION:

REESE – 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 **BROWN** not voting and **Ward 2** seat vacant

MINUTES:

The applicant was present, accompanied by his interpreter, **RAFAEL CAMACHO**.

JIM DiFIORE, Manager, Business Services, indicated that the applicant met the requirements for consideration of a temporary license. He suggested approval as recommended.

COUNCILMAN REESE confirmed with **MR. CAMACHO** that **MR. MORENO** understood the conditions.

(9:58 – 10:00)

1-1850

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 16, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

ITEM DESCRIPTION: Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale License, To: Jesus Moreno, dba La Sierra Mexican Restaurant #2, 4440 East Washington Avenue, Suite 106

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 May 14, 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 May 25, 2004. Based on a review of the SCOPE printout furnished to this Department and the fact that Mr. Moreno currently holds an alcoholic beverage license in Clark County, we have determined that he is preliminarily suitable to hold a temporary alcoholic beverage 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 applicant this item will be brought back before the Council for appropriate action.

May 14, 2004

City of Las Vegas
Department of Finance &
Business License.

I Jesus Moreno, presently residing at 1772 Pineapple Tree Ct.
Las Vegas Nevada 89142, hereby request that a temporal Beer
and Wine License permit can be granted. I hope that you will
be able to provide this permit. If this permit is granted my
economic situation will be in good condition, since that I will
be able to kept the present clientela of this business.
Enclosed all documentation needed.

Thank you for your attention and help to this request.

Sincerely,

Jesus Moreno

JESUS MORENO
(702) 241-4403

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 16, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Tavern License subject to the provisions of the fire codes and Health Dept. Regulations, From: Restaurant Enterprises, Inc., dba Venetian Restaurant, Thomas D'Antonio, Dir, Pres, Secy, Treas, 100%, To: The Slanted Clam, LLC, dba The Slanted Clam, 3713 West Sahara Avenue, Let's Eat Gaming Group, Inc., Mmbr, 50%, Mark J. DiMartino, Dir, Pres, Secy, Treas, 100%, Amy O, LLC, Mmbr, 50%, Barry J. Fieldman, Mgr, 100% - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Tavern License

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes and Health Dept. Regulations with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Jeffrey A. Silver, Esq.

MOTION:

MONCRIEF –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 GOODMAN abstaining because MR. FIELDMAN is his partner in McKenna Corporation, which has an interest in the Showcase Mall, and Ward 2 seat vacant

MINUTES:

The applicants were present, accompanied by ATTORNEY JEFF SILVER.

JIM DiFIORE, Manager, Business Services, stated that the sale of this license was recently approved in U.S. Bankruptcy Court, and, to this day, there has been no derogatory information on the suitability of the applicants. He suggested approval of the temporary license as recommended.

CITY COUNCIL MEETING OF JUNE 16, 2004

Finance and Business Services

Item 73 - Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Tavern License subject to the provisions of the fire codes and Health Dept. Regulations, From: Restaurant Enterprises, Inc., dba Venetian Restaurant, Thomas D'Antonio, Dir, Pres, Secy, Treas, 100%, To: The Slanted Clam, LLC, dba The Slanted Clam, 3713 West Sahara Avenue, Let's Eat Gaming Group, Inc., Mmbr, 50%, Mark J. DiMartino, Dir, Pres, Secy, Treas, 100%, Amy O, LLC, Mmbr, 50%, Barry J. Fieldman, Mgr, 100% - Ward 1 (Moncrief)

MINUTES – Continued:

MR. SILVER stated that MESSRS. FIELDMAN and DiMARTINO intend to open at this famous restaurant location for one day to serve drinks, and then close down for several months to remodel the restaurant in order to meet the tavern license requirements. He thanked MR. DiFIORE and EDDIE RAINES for their assistance in processing this application. He requested the Council's support.

In response to COUNCILWOMAN MONCRIEF'S query regarding the type of food that will be served, MR. DiMARTINO answered that the restaurant will serve tavern food, such as pizza, hamburgers, and seafood. ATTORNEY SILVER added that MR. DiMARTINO, as the owner of The Tillerman Restaurant, is an expert on seafood.

(10:00 – 10:03)

1-1910

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 16, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

ITEM DESCRIPTION: Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Tavern License, To: The Slanted Clam, LLC, dba The Slanted Clam, 3713 West Sahara Avenue

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 May 17, 2004 from the applicant's counsel outlines the request for temporary license.

The applicant submitted all of the required documentation and paid all applicable fees for investigation on May 18, 2004. Based on a review of the SCOPE printouts furnished to this Department and the fact that Mr. DiMartino currently holds alcoholic beverage licenses for other restaurants he operates in Clark County, we have determined they are preliminarily suitable to hold a temporary alcoholic beverage 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 applicant this item will be brought back before the Council for appropriate action.

GORDON & SILVER, LTD.

GERALD M. GORDON
JEFFREY A. SILVER
BRADLEY J. RICHARDSON
JOSEPH S. KISTLER
WILLIAM M. NOALL
ERIC R. OLSEN

THOMAS H. FELL
RICHARD L. GALIN
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STEVEN J. OSHINS
OF COUNSEL

KRISTIN GENC
(Licensed only in California)

ERIKA PIKE TURNER
GREGORY E. GARMAN
LYNDA P. KING
MATTHEW C. ZIRZOW
LAURA C. RODRIGUEZ
AMBRISH S. SIDHU

ELDA M. LUNA
LOUIS V. CSOKA
PARAS B. BARNETT
MAUREEN E. MATCHETT
JOSEPH T. KOZLOWSKI
BRYAN J. PACK

May 17, 2004

VIA HAND DELIVERY

Eddie Raines
Business License Officer
City of Las Vegas
400 E. Stewart Avenue
Las Vegas, NV 89101

Re: The Slanted Clam, LLC

Dear Eddie:

This office represents the above referenced entity with respect to the lease of the location formerly known as Venetian Restaurant, located at 3713 West Sahara Avenue, Las Vegas, Nevada.

In 1999, a group of investors loaned funds to Accumulated Investments, Inc., the owner of the Venetian Restaurant. The lenders took back a deed of trust on the property (located at 3700, 3713 and 3717 West Sahara Avenue, Las Vegas, NV). In May, 2002 that loan was declared to be in default, however, the lenders were prevented from proceeding with an immediate foreclosure because the debtor filed bankruptcy. The Bankruptcy Court finally lifted the automatic stay and the property was transferred to the noteholders at a public foreclosure sale held on or about December 10, 2003.

On January 29, 2004, the Trustee's deed was corrected to reflect that in the foreclosure sale, each of the noteholders held an undivided ownership in the property.

Barry Fieldman obtained a special power of attorney from each of the noteholders, authorizing him to act on their behalf to convey their respective individual interests in the property to Sahara Venetian, LLC. That Deed is attached. Sahara Venetian, LLC became the new landlord for The Slanted Clam, LLC.

The operating assets, excluding the liquor license, were also acquired through the bankruptcy foreclosure. The principals of the Slanted Clam, Barry Fieldman and Mark DiMartino, have approached the Bankruptcy Trustee to sell them the tavern liquor license. The Trustee, James Lisowski, Sr., has filed with the U.S. Bankruptcy Court an Application for Order Shortening Time re: Motion to Sell Tavern License at Private Sale and to Pay All Past Due Fees

GORDON & SILVER, LTD.

ATTORNEYS AT LAW

Eddie Raines, Business License Officer

May 17, 2004

Page 2

to City of Las Vegas. Mr. Lisowski is anticipating a hearing date on May 20, 2004, to approve the sale to our client, a copy of the Scheduling Order is attached.

As you are aware, the tavern liquor license expires at this location on June 29, 2004. It is our understanding that the Las Vegas City Council meets on June 16, 2004. We would respectfully request the placement of this application on the June 16, 2004 agenda with the following action items:

1. The transfer of the Venetian Tavern Liquor License to The Slanted Clam, LLC, subject to final Bankruptcy Court Approval and payment of fees.
2. The grant of a temporary liquor license to The Slanted Clam, LLC and its principals, Barry Fieldman and Mark DiMartino. Since the personal interests of Mr. Fieldman and Mr. DiMartino are held in personal holding companies, this action should include the temporary approval of Amy O, LLC and Let's Eat Gaming Group, Inc.
3. Approval of a temporary closure (following the reopening) to permit a complete remodel of the business premises, not to exceed six months.

Mr. DiMartino currently holds liquor licenses for other restaurants he operates in Clark County, however Mr. Fieldman has not previously been licensed. Notwithstanding, in order to maintain the "grandfather" status of the tavern liquor license the location must be ready to open and make a sale prior to the June 29, 2004 deadline.

While there is no gaming requirement associated with preserving the grandfather liquor license and no gaming will occur in connection with the temporary opening, a space lease agreement with Golden Gaming, LLC has been negotiated to operate a restricted slots at the location following the reopening.

The Slanted Clam, LLC is comprised as follows:

Amy O, LLC, 50% owner

Barry Fieldman, 100% interest owner and Manager of the LLC

Let's Eat Gaming Group, Inc., 50% owner

Mark DiMartino, 100% shareholder and sole officer and director of the Corporation.

GORDON & SILVER, LTD.

ATTORNEYS AT LAW

Eddie Raines, Business License Officer

May 17, 2004

Page 3

In connection therewith, please find enclosed the original and one copy of the following documents:

THE SLANTED CLAM, LLC

1. File stamped copy of the Articles of Organization;
2. File stamped List of Managers/Members filed with Secretary of State;
3. Operating Agreement;
4. Lease Agreement
5. Option to Purchase Real Property;
6. Nevada Business Registration;
7. Documents evidencing ownership of property;
8. Floor plan.

Amy O, LLC (50% owner)

1. File stamped copy of the Articles of Organization;
2. File stamped List of Managers/Members filed with Secretary of State;
3. Operating Agreement.

Let's Eat Gaming Group, Inc. (50% owner)

1. File stamped copy of the Articles of Incorporation;
2. File stamped List of Officers filed with Secretary of State;
3. Copy of issued stock certificate;
4. Minutes of First Meeting;
5. Bylaws.

Barry Fieldman, 100% interest owner of Amy O, LLC

1. Personal History Questionnaire;
2. Personal Financial Questionnaire (with Attachments);
3. Release of Information;

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ATTORNEYS AT LAW

Eddie Raines, Business License Officer

May 17, 2004

Page 4

4. Tax Returns for years 2001 and 2002. Please note an extension has been requested for year end 2003;
5. Copy of Passport.

Mark DiMartino, 100% shareholder of Let's Eat Gaming Group, Inc.

1. Personal History Questionnaire;
2. Personal Financial Questionnaire (with Attachments);
3. Release of Information;
4. Tax Returns for years 2001, 2002 and 2003;
5. Copy of Passport.

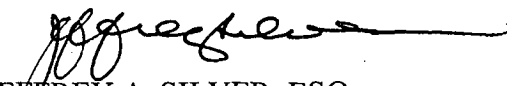
The Slanted Clam, LLC, Amy O, LLC and Let's Eat Gaming Group, Inc. are all newly formed entities, therefore, there are no tax returns, financial statements or bank statements included with this filing.

Also enclosed are investigation fees in the amount of \$200 (liquor licensing only), suitability fees of \$300 (\$150 per principal), payable to LVMPD and a check in the amount of \$30 as the processing fee, payable to the City of Las Vegas.

Thank you for your assistance in this application. If you require further information, or have any questions concerning the enclosed documents, please do not hesitate to contact me.

Very truly yours,

GORDON & SILVER, LTD.



JEFFREY A. SILVER, ESQ.

JAS:cji
Enclosures

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 16, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding a Review of a Beer/Wine/Cooler On-sale License, Gomez Entertainment, Inc., dba El Tapatio, 235 North Eastern Avenue, Suite 132, Anabel Gomez, Dir, Pres, Secy, Treas, 100% - Ward 3 (Reese)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding a Review of a Beer/Wine/Cooler On-sale License

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

REESE – APPROVED the permanent license, prohibiting any nightclub activity – UNANIMOUS with Ward 2 seat vacant

MINUTES:

The applicant was present, accompanied by Certified Court Interpreter CARIDAD PFIEFER

JIM DiFIORE, Manager, Business Services, and STACY RODD, Detective, Las Vegas Metropolitan Police Department, were present. MR. DiFIORE reported that this license was approved in June 2003 on a temporary basis. MS. GOMEZ intended to sell this business and look for a new location where she could open a tavern operation. At that time, the Council granted MR. DiFIORE the authority to extend the temporary license until the sale went through, or to suspend or revoke the license if there were any violations of the Business License codes. Inspections over the last year have found minor infractions relative to work cards and alcohol awareness cards, but MS. GOMEZ has turned the business into what it was intended to be, a restaurant serving alcohol with the food. However, MS. GOMEZ has not been successful in selling the business, and her temporary license would be expiring 6/17/2004. MR. DiFIORE suggested COUNCIL issue the license on a permanent basis or on a conditional basis until she can sell the business, prohibiting any nightclub activity.

CITY COUNCIL MEETING OF JUNE 16, 2004

Finance and Business Services

Item 74 – Discussion and possible action regarding a Review of a Beer/Wine/Cooler On-sale License, Gomez Entertainment, Inc., dba El Tapatio, 235 North Eastern Avenue, Suite 132, Anabel, Gomez, Dir, Pres, Secy, Treas, 100% - Ward 3 (Reese)

MINUTES – Continued:

Through the interpreter, MS. GOMEZ requested approval.

COUNCILMAN REESE confirmed with MS. GOMEZ that she intends to keep the business open as a restaurant, does not intend to sell in the immediate future, and that she understands that nightclub activity is prohibited.

(10:03 – 10:06)

1-2048

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 16, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

ITEM DESCRIPTION: Discussion and possible action regarding a Review of a Beer/Wine/Cooler On-sale License, Gomez Entertainment, Inc., dba El Tapatio, 235 North Eastern Avenue, Suite 132

On June 18, 2003 the City Council granted a 90-day temporary approval of this license and authorized staff to grant an extension or to revoke the license, if necessary. Also, the license was conditioned as follows:

Beer/Wine/Coolers may only be served in conjunction with meals for consumption on the premises, and
Dancing or live music is prohibited.

Since the approval, the Department has extended the temporary license four times. The current temporary license expires June 17, 2004. Our records indicate the following inspections have been conducted:

July 18, 2003 – The business was in compliance with regulations and conditions.

September 17, 2003 – Cease & Desist notice was issued – No one on premises with a valid work card

October 23, 2003 – Cease & desist notice was issued – No one on premises with a valid work card, alcohol awareness card and no employee list was available

February 13, 2004 – The business was closed – 5 day notice to quit or pay rent posted

February 20, 2004 – The business was in compliance with regulations and conditions.

March 19, 2004 – Notice of Non-compliance and enforcement notice issued for no work card and failure to maintain employee list

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 16, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding a 90-day Review of a Beer/Wine/Cooler Off-sale License, Mulugeta K. Bour, dba Oakey Discount Market, 1616 Las Vegas Boulevard South, Mulugeta K. Bour, 100% - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding a 90-day Review of a Beer/Wine/Cooler Off-sale License

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

MONCRIEF – APPROVED as recommended, with the single-sale rule lifted and authorizing staff to bring the matter back before the Council if any problems arise – **UNANIMOUS** with Ward 2 seat vacant

MINUTES:

The applicant was present.

JIM DiFIORE, Manager, Business Services, and STACY RODD, Detective, Las Vegas Metropolitan Police Department (Metro), were present. MR. DiFIORE indicated that this matter was scheduled for a 90-day review after the Council had voted to approve the temporary license and extension of such, with the condition that there would be no sale of single alcohol containers. Both Business Services and Metro staff made several inspections and found no violations. Business Services staff would have no problem in lifting the single-sale rule, but would request authority to bring the matter back before the Council should any problems arise.

As a matter of information, MR. DiFIORE explained that Metro had problems with the store when it was not under the ownership of MR. BOUR. When MR. BOUR acquired the store, Council granted him a temporary license to see if he could eliminate some of the problems.

CITY COUNCIL MEETING OF JUNE 16, 2004

Finance and Business Services

Item 75 – Discussion and possible action regarding a 90-day Review of a Beer/Wine/Cooler Off-sale License, Mulugeta K. Bour, dba Oakey Discount Market, 1616 Las Vegas Boulevard South, Mulugeta K. Bour, 100% - Ward 1 (Moncrief)

MINUTES – Continued:

COUNCILWOMAN MONCRIEF mentioned that she had a meeting with MR. BOUR, at which time he assured her that he would contact her office if any problems occur, and that he will work with Metro.

MAYOR GOODMAN asked MR. BOUR to please continue to adhere to the Code.

See related Item 76 for other discussion.

(10:06 – 10:09)

1-2181

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 16, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

ITEM DESCRIPTION: Discussion and possible action regarding a 90-day Review of a Beer/Wine/Cooler Off-sale License, Mulugeta K. Bour, dba Oakey Discount Market, 1616 Las Vegas Boulevard South

On March 5, 2003 the City Council granted approval of this temporary license subject to a six-month review and conditioned the license prohibiting single sales of alcoholic beverages. Sales of alcoholic beverages were limited to standard industry packaging. On September 3, 2003 the City Council conducted the six-month review and extended the temporary subject to another six-month review with the same conditions as the original approval. On March 17, 2004 the City Council conducted another six-month review and extended the temporary subject to a 90-day review with the same conditions once again placed on the license.

This Department conducted an unannounced inspection of the premises on April 9, 2004. The business was found to be in compliance with LVMC 6.50 and the conditions placed on the license after discussion with the owner regarding the placement of the NO SINGLE SALES signs.

A report from the Special Investigations Section, Las Vegas Metropolitan Police Department, will be furnished to the City Council prior to the meeting.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 16, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding a Review of a Slot Route Operator Space Lease Location Restricted Gaming License for 5 slots, Green Valley Gaming, Inc., db at Oakey Discount Market, 1616 Las Vegas Boulevard South - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding a Review of a Slot Route Operator Space Lease Location Restricted Gaming License for 5 slots

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

MONCRIEF – APPROVED as recommended, with the single-sale rule lifted and authorizing staff to bring the matter back before the Council if any problems arise – UNANIMOUS with Brown not voting and Ward 2 seat vacant

MINUTES:

The applicant was present, as well as RONALD MICHALAK, Green Valley Gaming.

JIM DiFIORE, Manager, Business Services, and STACY RODD, Detective, Las Vegas Metropolitan Police Department (Metro), were present. MR. DiFIORE made the same recommendation as for Item 75.

See related Item 75 for other discussion.

(10:09 – 10:10)

1-2295

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 16, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

ITEM DESCRIPTION: Discussion and possible action regarding a Review of a Slot Route Operator Space Lease Location Restricted Gaming License for 5 slots, Green Valley Gaming, Inc., db at Oakey Discount Market, 1616 Las Vegas Boulevard South

On March 17, 2004 the City Council granted approval of this temporary license subject to review on June 16, 2004 in conjunction with a 90-day review of the beer/wine/cooler off-sale license approved for this business on September 3, 2003.

This Department conducted an unannounced inspection of the premises on April 9, 2004. The business was found to be in compliance with LVMC 6.50 and the conditions placed on the license after discussion with the owner regarding the placement of the NO SINGLE SALES signs.

A report from the Special Investigations Section, Las Vegas Metropolitan Police Department, will be furnished to the City Council prior to the meeting.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 16, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding a Six-Month Review of a Beer/Wine/Cooler On-sale License subject to the provisions of the planning and fire codes and Health Dept. regulations, Tomasa Chavez, dba El Pollo Real Restaurant, 621 North Eastern Avenue, Tomasa Chavez, 100%, David Garcia, Gen Mgr - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding a Six-Month Review of a Beer/Wine/Cooler On-sale License

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

WEEKLY – APPROVED the extension of the temporary license with a six-month review effective at time of opening – **UNANIMOUS** with **REESE** abstaining because this business is located near his barbershop and Ward 2 seat vacant

MINUTES:

The applicant was present, accompanied by ATTORNEY CHRIS ROSS.

JIM DiFIORE, Manager, Business Services, deferred to STACY RODD, Detective, Las Vegas Metropolitan Police Department (Metro), for a report. DETECTIVE RODD referred to the Confidential Report and alluded to a particular incident where MR. GARCIA was operating a vehicle without a license, as well as another incident involving some questionable phone calls made at the point of contact with the police.

MAYOR GOODMAN asked if the arrest of an applicant for DUI would be relevant to the applicant's beer/wine license for a restaurant. CITY ATTORNEY JERBIC conceded that it would seem less relevant than drunk driving or other criminal activity. But if Metro feels that the activity should be included in the report because it reflects on the character and suitability of the applicant, the Council has the discretion on how much weight to give it.

CITY COUNCIL MEETING OF JUNE 16, 2004

Finance and Business Services

Item 77 – Discussion and possible action regarding a Six-Month Review of a Beer/Wine/Cooler On-sale License subject to the provisions of the planning and fire codes and Health Dept. regulations, Tomasa Chavez, dba El Pollo Real Restaurant, 621 North Eastern Avenue, Tomasa Chavez, 100%, David Garcia, Gen Mgr - Ward 5 (Weekly)

MINUTES – Continued:

ATTORNEY ROSS stated that MR. GARCIA sought his services in December to represent him on a DUI liquor charge in the City of Las Vegas. However, as of last week, the City has not filed formal criminal charges and no insurance claim has been made on that accident. Also, the store MR. GARCIA is operating has not been open.

MAYOR GOODMAN asked why no charges have been filed when, according to the report, MR. GARCIA was intoxicated to the level of 2.0. DETECTIVE RODD answered that Metro did its part, but it has no control over what happens in the courts. CITY ATTORNEY JERBIC indicated he would research the matter as to why charges have not been pressed.

MAYOR GOODMAN said that, according to the report, MR. GARCIA was on the telephone when he was pulled over and said to the officer that the Mayor frequents his restaurant, as though he was trying to influence the situation. However, MAYOR GOODMAN did not believe that any officer would be influenced. DETECTIVE RODD countered that any officer would feel that the detainee was trying to influence the situation if while the officer was addressing the violation, the detainee mentioned that he had dinner with the Mayor and that he was on the telephone with COUNCILMAN WEEKLY.

COUNCILMAN WEEKLY asked ATTORNEY ROSS if it was true that MR. GARCIA mentioned him and the Mayor to the officer. ATTORNEY ROSS answered that MR. GARCIA has always represented to him that he has been working with both the offices of the Mayor and COUNCILMAN WEEKLY in trying to address this situation, because MR. GARCIA feels that there is a huge personality conflict between him and the officer. ATTORNEY ROSS did not believe MR. GARCIA was trying to influence the situation. DETECTIVE RODD indicated that he had never met MR. GARCIA, and he was operating off the investigative report submitted to his office.

COUNCILMAN WEEKLY advised MR. GARCIA not to take advantage of the kindness the Mayor displayed when this matter first appeared for consideration before the City Council and the assistance KELLY BENAVIDEZ, Ward 5 Liaison, has given him. COUNCILMAN WEEKLY urged him to be more responsible.

MAYOR GOODMAN noted that CITY ATTORNEY JERBIC advised him that the charges against MR. GARCIA are still under consideration, pending additional paperwork.

(10:10 – 10:19)

1-2344

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 16, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

ITEM DESCRIPTION: Discussion and possible action regarding a Six-Month Review of a Beer/Wine/Cooler On-sale License, Tomasa Chavez, dba El Pollo Real Restaurant, 621 North Eastern Avenue

On December 17, 2003 the City Council granted approval of this license subject to a six-month review due to an area of concern in the police report.

A report from the Special Investigations Section, Las Vegas Metropolitan Police Department, will be furnished to the City Council prior to the meeting.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 16, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - Discussion and possible action regarding a Six-Month Review of a Tavern License, D. Westwood, Inc., dba Treasures, 2801 Westwood Drive, Ali Davari, Dir, Pres, Treas, 50%, Hassan Davari, Dir, Secy, 50% - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding a Six-Month Review of a Tavern License

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Submitted at meeting: Written Opinion for Mayor Goodman regarding abstentions for Items 78, 119, and 120 (filed under Item 78)
3. Submitted at meeting: Written Opinion for Councilman Mack regarding abstentions for Items 78 and 116 (filed under Item 78)
4. Submitted at meeting: copy of Penal Code for Insurance Fraud with attached Plaintiff's Notice of Seizure and Intended Forfeiture sent to City Attorney Jerbic from Houston District Attorney of Harris County
5. Submitted at meeting: statistical data sheet for adult clubs by Mark Fiorentino
6. Submitted at meeting: packet of 12 Exhibits in support of D. Westwood, Inc., dba Treasures from Mark Fiorentino
7. Submitted at meeting: Supplemental Written Opinion for Mayor Goodman regarding abstentions for Items 78, 99, 119, and 120

MOTION:

MONCRIEF – ABEYANCE to 9/1/2004, noting for clarification the Council's initial intent to issue a temporary liquor license, including a six-month temporary extension of the liquor license at the time this matter was held in abeyance in March, pursuant to 6.06.052 of the Las Vegas City Code– UNANIMOUS with GOODMAN abstaining, pursuant to the City Attorney's written opinion, because his son ROSS GOODMAN is an attorney for Treasures, MACK abstaining, pursuant to the City Attorney's written opinion, because his company Mack Consulting, an advertising and public relations company, does work for Treasures, and Ward 2 seat vacant

CITY COUNCIL MEETING OF JUNE 16, 2004

Finance and Business Services

Item 78 - Discussion and possible action regarding a Six-Month Review of a Tavern License, D. Westwood, Inc., dba Treasures, 2801 Westwood Drive, Ali Davari, Dir, Pres, Treas, 50%, Hassan Davari, Dir, Secy, 50% - Ward 1 (Moncrief)

MOTION – Continued:

NOTE: MAYOR GOODMAN disclosed that he would also be abstaining, pursuant to the City Attorney's written opinion, on Items 119 and 120, pertaining to billboards, because his son ERIC GOODMAN represents some billboard companies. The Mayor submitted the written opinion on the advice of CITY ATTORNEY JERBIC that it would be appropriate to file it with the City Clerk in order to reduce the size of the quorum.

NOTE: COUNCILMAN MACK disclosed that he would also be abstaining, pursuant to the City Attorney's written opinion, on Item 116, involving a special use permit for proposed financial institution, because it is closely related to his brother STEVEN MACK and an approval could impact his special use permit. COUNCILMAN MACK submitted the written opinion on the advice of CITY ATTORNEY JERBIC that it would be appropriate to file it with the City Clerk in order to reduce the size of the quorum.

MINUTES:

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

APPEARANCES:

OSCAR GOODMAN, Mayor
GARY REESE, Mayor Pro Tem
MICHAEL MACK, Councilman
BRAD JERBIC, City Attorney
JANET MONCRIEF, Councilwoman
JIM DiFIORE, Manager of Business Services
MARK FIORENTINO, Attorney
PAUL NUGENT, Attorney
LARRY BROWN, Councilman
TOM McGOWAN
TOM GREEN, Chief Deputy City Attorney
LAWRENCE WEEKLY, Councilman
JOHN LORETTO, Detective, LVMPD
STACY RODD, Detective, LVMPD
BARBARA JO RONEMUS, City Clerk
BILL HENRY, Senior Litigation Counsel

NOTE: On behalf of Business Licensing staff and CITY ATTORNEY JERBIC, COUNCILWOMAN MONCRIEF requested that ATTORNEY PAUL NUGENT submit documentation for a complete audit before 9/1/2004, including the construction records of the Treasures building. Additionally, COUNCILMAN BROWN directed CITY ATTORNEY JERBIC to be specific in the documentation he petitions to avoid future confusion.

(10:19 – 10:20/10:26-1:03)

1-2760/1-2872/2-1/3-1

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 16, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

ITEM DESCRIPTION: ABEYANCE ITEM - Discussion and possible action regarding a Six-Month Review of a Tavern License, D. Westwood, Inc., dba Treasures, 2801 Westwood Drive

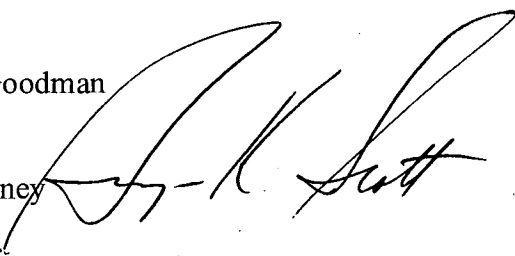
On February 21, 2001 the City Council approved this license subject to a six-month review after the date of opening (September 15, 2003) due to areas of concern in the police report.

A report from the Special Investigations Section, Las Vegas Metropolitan Police Department, will be furnished to the City Council prior to the meeting.

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: June 14, 2004

Re: Request for Opinion on Abstentions for 6/16/04 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 78, 119 and 120 which are to be considered by the City Council at its June 16, 2004 meeting.

Item 78 involves a six-month review of a tavern license for Treasures, a sexually-oriented business, in Ward 1. You have informed me that your son, Ross Goodman, Esq. has been retained by Treasures to represent its interests in various legal issues, including the representation of several entertainers (dancers) at Treasures who have been charged with, among other things, solicitation of prostitution. The approval or denial of Treasures' tavern license will affect its business and possibly your son's business relationship with Treasures.

Items 119 and 120 involve Special Use Permits for off-premise advertising signs (billboards) at different 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.

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: (b) who is related to him by blood, adoption or marriage within the third degree of consanguinity or affinity; (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.

Submitted at City Council

Date 6/16/04 Item #78, #119, #120

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 the above-referenced items.

If any of the above-referenced items are abeyed, tabled or withdrawn at the June 16, 2004 Council meeting, you may vote on the motion to abey, table or withdraw the item as abeyance, withdrawal or tabling motions are not substantive motions. If any of the above-referenced items come back to the City Council for a hearing, you will again need to disclose your conflicts and abstain from the discussion and vote.

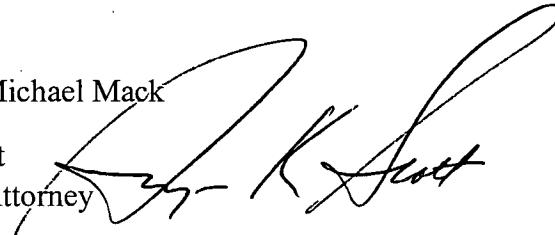
If you have any additional questions regarding any of the above, please feel free to contact me at ext. 6621.

BKS:b

Memorandum

City of Las Vegas Office of the City Attorney

To: Councilman Michael Mack

From: Bryan K. Scott
Deputy City Attorney 

CC: Bradford R. Jerbic
City Attorney

Date: June 15, 2004

Re: Request for Opinion on Abstentions for 6/16/04 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 78 and 116 which are scheduled to be heard by the Las Vegas City Council on June 16, 2004.

Item 78 involves a six-month review of a tavern license for Treasures, a sexually-oriented business, in Ward 1. You have informed me that you are a paid consultant for Treasures and as such, advise Treasures' management on advertising and public relations issues. The approval or disapproval of Treasures' tavern license will affect its business and possibly your business relationship with Treasures.

Item 116 involves a Special Use Permit for a proposed Financial Institution, Specified at 1750 S. Rainbow Boulevard. You have informed me that Super Pawn is owned by your Brother, Steven Mack, and that you are a paid consultant for Super Pawn. Part of Super Pawn's business involves the loaning of money to individuals on a short-term basis, similar to that of the applicants in item 116. The approval of this Special Use Permit could affect Super Pawn's business.

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 (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: (b) who is related to him by blood, adoption or marriage within the third degree of consanguinity or affinity, (c) who employs him . . . or (d) with whom he has a substantial and continuing business relationship.

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.

Submitted at City Council

Date 6/16/04 Item #78
#116

If any of the above-referenced items are abeyed, tabled or withdrawn at the June 16, 2004 Council meeting, you may vote on the motion to abey, table or withdraw the item as abeyance, withdrawal or tabling motions are not substantive motions. If any of the above-referenced items come back to the City Council for a hearing, you will again need to disclose your conflicts and abstain from the discussion and vote.

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

BKS:b

- (3) "Peace officer" means a person who is elected, appointed, or employed by a governmental entity and who is a peace officer under Article 2.12, Code of Criminal Procedure, or other law.
- (4) "Proceeds" means funds acquired or derived directly or indirectly from, produced through, or realized through an act.

SEC. 34.02. MONEY LAUNDERING

- (a) A person commits an offense if the person knowingly:
- (1) acquires or maintains an interest in, receives, conceals, possesses, transfers, or transports the proceeds of criminal activity;
 - (2) conducts, supervises, or facilitates a transaction involving the proceeds of criminal activity; or
 - (3) invests, expends, or receives, or offers to invest, expend, or receive, the proceeds of criminal activity or funds that the person believes are the proceeds of criminal activity.
- (b) For purposes of Subsection (a)(3) of this section, a person is presumed to believe that funds are the proceeds of criminal activity if a peace officer or a person acting at the direction of a peace officer represents to the person that the funds are proceeds of criminal activity, regardless of whether the peace officer or person acting at the peace officer's direction discloses the person's status as a peace officer or that the person is acting at the direction of a peace officer.
- (c) It is a defense to prosecution under this section that the person acted with intent to facilitate the lawful seizure, forfeiture, or disposition of funds or other legitimate law enforcement purpose pursuant to the laws of this state or the United States.
- (d) It is a defense to prosecution under this section that the transaction was necessary to preserve a person's right to representation as guaranteed by the Sixth Amendment of the United States Constitution and by Article 1, Section 10, of the Texas Constitution or that the funds were received as bona fide legal fees by a licensed attorney and at the time of their receipt, the attorney did not have actual knowledge that the funds were derived from criminal activity.
- (e) An offense under this section is:
- (1) a felony of the third degree if the value of the funds is \$3,000 or more but less than \$20,000;
 - (2) a felony of the second degree if the value of the funds is \$20,000 or more but less than \$100,000; or
 - (3) a felony of the first degree if the value of the funds is \$100,000 or more.

SEC. 34.03. ASSISTANCE BY ATTORNEY GENERAL

The attorney general, if requested to do so by a prosecuting attorney, may assist in the prosecution of an offense under this chapter.

CHAPTER 35. INSURANCE FRAUD

SEC. 35.01. DEFINITIONS

In this chapter:

- (1) "Health care goods" means a tangible product, device, medicine, or other object provided in conjunction with a health care service.
- (2) "Health care provider" means a person who renders health care services or an agent or employee of an organization that renders or provides a facility and means to render health care services. The term includes a physician, surgeon, person who may be selected by an insured or a beneficiary under Article 21.52, Insurance Code, and person defined as a provider of health care under Section 152.003, Occupations Code.
- (3) "Health care service" means a service that is intended to improve or maintain the physical or mental condition of an individual and that is rendered, directed, or supervised by a health care provider.
- (4) "Insurer" means a person who engages in the business of insurance in this state, including:
 - (A) an insurer that is not authorized to do business in this state;
 - (B) a health maintenance organization;
 - (C) a group hospital service corporation regulated under Chapter 20, Insurance Code; and
 - (D) any person who self-insures and provides health care benefits to the person's employees.
- (5) "Statement" means an oral or written communication or a record or documented representation of fact evidencing a loss, injury, or expense. The term includes computer-generated information.

Amendment to statute citation in subsection (2) effective Sept. 1, 2001 (HB 2812, §14.830).

SEC. 35.02. INSURANCE FRAUD

- (a) A person commits an offense if, with intent to defraud or deceive an insurer, the person causes to be prepared or presents to an insurer in support of a claim for payment under a health or property and casualty insurance policy a statement that the person knows contains false or misleading information concerning a matter that is material to the claim, and the matter affects a person's right to a payment or the amount of payment to which a person is entitled.
- (b) A person commits an offense if, with intent to defraud or deceive an insurer, the person solicits, offers, pays, or receives a benefit in connection with the furnishing of health care goods or services for which a claim for payment is submitted under a health or property and casualty insurance policy.
- (c) For purposes of Subsection (a), information concerning a matter that is material to a claim for payment under an insurance policy includes information concerning:
- (1) whether health care goods or services were provided;
 - (2) whether health care goods or services were medically necessary under professionally accepted standards;
 - (3) the nature of the health care goods or services provided;

2004-2858
NO. _____

THE STATE OF TEXAS

V.

APPROXIMATELY \$2,168,462.06

§
§
§
§
§

IN THE DISTRICT COURT
OF HARRIS COUNTY, TEXAS
____ JUDICIAL DISTRICT

**PLAINTIFF'S NOTICE OF SEIZURE
AND INTENDED FORFEITURE**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, the State of Texas as Plaintiff by and through her District Attorney for Harris County, Texas, and files this Notice of Seizure and Intended Forfeiture of APPROXIMATELY \$2,168,462.06 and alleges the following:

I.

This proceeding is brought under and by virtue of Chapter 59 of the Texas Code of Criminal Procedure. The Plaintiff alleges that discovery is intended to be conducted under Discovery Plan Level 2, in accordance with Rule 190, of the Texas Code of Civil Procedure.

II.

Jurisdiction is conferred upon this Court by virtue of Article V, Section 8 of the Texas Constitution and Article 59.04 of the Code of Criminal Procedure, and the occurrences recited hereinafter.

III.

Petitioner complains of ALI DAVARI, hereinafter referred to as RESPONDENT, as owner and possessor of APPROXIMATELY \$2,168,462.06. FURTHER, Petitioner complains of HASSAN DAVARI, hereinafter referred to as CO-RESPONDENT, as co-owner and co-possessor of APPROXIMATELY \$2,168,462.06.

DEPUTY
04 JUN -1 PM 3:06
HARRIS COUNTY CLERK
CHARLES T. BACCHUS
CLERK OF DISTRICT COURT

IV.

Petitioner alleges that said property is contraband as defined by Article 59.01 of the Code of Criminal Procedure and is thereby subject to forfeiture. Said property was seized on the 25th day of MAY 2004, in Harris County, Texas.

V.

Petitioner alleges the last known residence or place of business of RESPONDENT, ALI DAVARI is 15906 TAHOE, HOUSTON, TEXAS 77040. FURTHER, Petitioner alleges the last known residence or place of business of CO-RESPONDENT, HASSAN DAVARI is 2 RIVERCREST, HOUSTON, TEXAS 77042.

VI.

Petitioner alleges that the above property bears no known liens or other encumbrances by any other person or entity.

WHEREFORE, PREMISES CONSIDERED, the State of Texas prays that upon hearing, this Court enter a finding that the said APPROXIMATELY \$2,168,462.06 is contraband and upon such finding to order the forfeiture of said property to the State of Texas with the Harris County District Attorney's Office, Special Crimes Bureau, acting as agent for the State, and then to be administered and disposed of by said office in compliance with Article 59.06 of the Code of Criminal Procedure.

Respectfully submitted,



KAREN L. MORRIS
Assistant District Attorney
Harris County, Texas
1201 Franklin, Suite 600
Houston, Texas 77002
Phone: (713) 755-5461
Facsimile: (713) 755-6863
Office Bar No. 99999997
Attorney Bar No. 14491100
Attorney for Plaintiff

NOTICE OF SEIZURE

INCIDENT NO. 2004SZ006056901

HPD Case No. 56538804W

TO THE DISTRICT ATTORNEY OF HARRIS COUNTY, SPECIAL CRIMES BUREAU:

YOU ARE HEREBY NOTIFIED that on May 25, 2004, The undersigned peace officer, Special Agent Wayne T. Chaney, who is duly employed by the following law enforcement agency, Department of Homeland Security, Bureau of Immigration & Customs Enforcement [ICE], along with the Houston Police Department, seized the below listed property:

\$210,832.20 in funds represented by Coastal Banc Official Check # 1627830.

\$776,872.88 in funds represented by Wells Fargo Bank Cashier's Check # 0675201687

\$109,685.89 in funds represented by Compass Bank Cashier's Check # 4880181131

\$1,071,071.09 in funds represented by Compass Bank Cashier's Check # 4880181130

The undersigned peace officer believes that said property constitutes the proceeds of a felony offense and is contraband as defined by Chapter 59 of the Code of Criminal Procedure for the following reasons:

The SAC Houston Asset Removal Team has identified Ali DAVARI and Hussan DAVARI as structuring cash withdrawals from several of their bank accounts in the Houston area. During a six-month period, the DAVARI have withdrawn approximately 2.5 million dollars in cash, in increments of approximately \$9,500 from their bank accounts. Ali and Hussan DAVARI own D HOUSTON Inc., which are numerous sexual oriented businesses in the Houston, Texas area. The Houston Police Department has been participating with the Houston Asset Removal Team in this ongoing investigation.

On May 25, 2004, the Houston Asset Removal Team executed three seizure warrants for bank accounts utilized by the DAVARIS. The following accounts and funds were seized:

Wells Fargo account# 5400113514 \$ 776,872.88

Coastal Bank account# 351207154 \$ 210,832.20

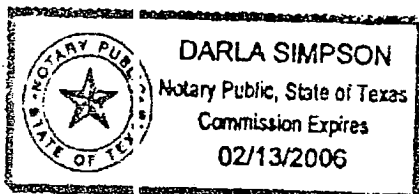
Compass Bank account# 75070934 \$ 109,685.89

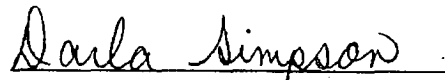
38994409 \$ 1,071,071.09

Total \$2,168,462.06


Peace Officer's Signature

SWORN TO AND SUBSCRIBED before me on this the 26th day of May, 2004.




Darla Simpson
Notary Public in and for
Harris County, Texas

THE STATE OF TEXAS

SEARCH WARRANT AFFIDAVIT

COUNTY OF HARRIS

AFFIDAVIT FOR SEARCH WARRANT

I, Wayne T. Chaney, a Senior Special Agent of the Department of Homeland Security, U.S. Immigration & Customs Enforcement [ICE], Houston Field Office, do solemnly swear that I have reason to believe and do believe that there is at Compass Bank, account number 75070934 and account number 38994409, in the name of D. HOUSTON, INC, d.b.a. TREASURES, property acquired by a violation of the laws of the State of Texas, Texas Penal Code, Chapter 34 (Money Laundering), namely property constituting the proceeds of criminal activity classified as a felony, and this property is contraband as defined by Chapter 59 of the Texas Code of Criminal Procedure.

There is in Harris County, Texas, a place and premise described and located as follows:

1. Compass Bank, 7050 Portwest, Suite 100, Houston, Harris County, Texas 77024.

Said proceeds are currently within the Compass Bank, account number 75070934 and account number 38994409, in the name of D. HOUSTON, INC, d.b.a. TREASURES.

MY BELIEF IS BASED ON THE FOLLOWING FACTS:

Your Affiant has been employed as a Senior Special Agent of the U.S. Immigration & Customs Enforcement [ICE], Department of Homeland Security [formerly the United States Customs Service], for approximately sixteen years. Your Affiant has conducted criminal investigations related to drug smuggling and drug trafficking, conspiracies, money laundering, and the seizure and forfeiture of criminally derived assets. Your Affiant has received advanced training in financial investigative techniques and criminal procedures, methods of money laundering, and asset forfeiture.

For the past three years, your Affiant has been assigned to investigate financial and currency violations as part of a multi-agency Task Force dedicated to the identification, disruption, and dismantling of the financial systems and infrastructures used by criminal organizations to illegally launder currency. This Task Force targets currency violators, unregulated financial systems, cash smuggling, fraudulent import/export schemes and other activities. This Task Force is made up of agents, officers and analysts from the U.S. Immigration & Customs Enforcement and the Houston Police Department.

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The information contained in this affidavit is known to me personally through my own investigation, or was communicated to me by other agents, officers and analysts participating in this case.

INTRODUCTION

Your Affiant has reason to believe that Compass Bank account number 75070934 and Compass Bank account number 38994409 contain funds subject to seizure and forfeiture by the State of Texas under the provisions of Chapter 59 of the Texas Code of Criminal Procedure because the funds therein represent the proceeds of criminal activity under Chapter 34 (Money Laundering) of the Texas Penal Code.

On or about December 12, 2003, ICE officers received information from JP Morgan Chase Bank [Chase Bank] that their customer D. HOUSTON, INC, a "Sexually Oriented Business" was suspected of intentionally "structuring" checks that they were cashing to circumvent the Currency Transaction Reporting requirements for cash transactions. Further investigation determined that D. HOUSTON, INC, was also "structuring" checks to cash from one of their accounts at Compass Bank, account number 75070934.

Under Title 31, United States Code, Section 5313, and Title 31 of the Code of Federal Regulations, Part 103.22, financial institutions are required to file a Currency Transaction Report [CTR] with the Internal Revenue Service for each currency transaction in excess of \$10,000.

X { "Structuring" is an attempt by a violator to evade the federal currency reporting requirements. "Structuring" in this case means the cashing of checks at one or more financial institutions to receive currency from each bank in an amount of less than \$10,000, however, the aggregate total of the checks cashed is over \$10,000.

The "Structuring" of currency, which is a felony violation under Title 31, USC Section 5313(a) and 5324(a), caused the currency to become the proceeds of a "Criminal Activity" under Chapter 34 of the Texas Penal Code, Money Laundering. This is because under Chapter 34 "Criminal Activity" is "classified as a felony under the laws of this state or the United States." Accordingly, Compass Bank, account number 75070934, contains funds subject to seizure and forfeiture by the State of Texas under the provisions of Chapter 59 of the Texas Code of Criminal Procedure, because the funds therein represent the proceeds of criminal activity (structuring) under Chapter 34 of the Texas Penal Code.

Furthermore, funds that are contained in Compass Bank, account number 38994409, were traced back to the bank in which the "structuring" scheme started. Therefore, the funds in Compass Bank, account number 38994409, are funds which constitute property involved in or are traceable to criminal activity (the structuring) under Chapter 34 of the Texas Penal Code. Moreover, these funds are subject to seizure and

forfeiture by the State of Texas under the provisions of Chapter 59 of the Texas Code of Criminal Procedure.

FACTS

D. HOUSTON, INC, d.b.a. TREASURES is located at 5647 Westheimer, Houston, TX 77056, and was incorporated in Texas on May 30, 1995. According to the Articles of Incorporation, ALI M. "DAVID" DAVARI and HASSAN "GEORGE" DAVARI are listed as the two members of the Board of Directors of D. HOUSTON, INC. According to the Harris County Assumed Name Records, on July 3, 1995, D. HOUSTON, INC, registered TREASURES as its assumed name.

According to the Compass Bank signature cards, accounts number 75070934 and 38994409 were opened in the name of D. HOUSTON, INC, d.b.a. TREASURES, and the authorized signers on both accounts are ALI DAVARI, President, and HASSAN DAVARI, Vice-president. Compass Bank account number 75070934 was opened on June 24, 1999. Compass Bank account number 38994409 was opened on March 5, 1998.

ICE officers initially received information from Chase Bank that D. HOUSTON, INC, d.b.a. TREASURES, was suspected of intentionally "structuring" checks that they were cashing to circumvent the Currency Transaction Reporting requirements. ICE officers were advised that when a Chase Bank Officer became aware that TREASURES was cashing checks for \$9,000 on a daily basis this Bank Officer became concerned that they were structuring their cash withdrawals. This Bank Officer spoke to the manager of TREASURES and told him that he should withdraw the amount of money he needed to operate the club, as opposed to \$9,000 every day. The Bank Officer told the manager of TREASURES that withdrawing the same amount every day was suspicious.

The Chase Bank Officer said that the cash withdrawals in the same amount continued, therefore, the decision was made to close the account. A letter was sent to D. HOUSTON, INC advising them that their account would be closed on December 5, 2003. In this letter it states the "reason for the closure is Excessive structured withdrawal activity."

A review of the bank statements and checks for Chase Bank account number 179-906911-65, show that from September 23, 2003 through November 26, 2003, D. HOUSTON, INC, negotiated 17 checks for cash, all in the amount of \$9,000, totaling \$153,000.

Further investigation determined that D. HOUSTON, INC, also had an account at Wells Fargo Bank, account number 54000113514. Information regarding this account shows that beginning on June 17, 2002, D. HOUSTON, INC, was cashing checks just under the \$10,000 CTR reporting requirement. A review of the information and records received from Wells Fargo Bank, shows that from June 17, 2002 through February 25,

2004, three hundred and eighty-five [385] checks were cashed totaling \$3,632,445, all just under \$10,000 each. In fact, from June 17, 2002 through December 2, 2003, three hundred and thirty-two [332] checks were written and negotiated for cash, and each one of these checks was in the exact amount of \$9,500. However, beginning on December 3, 2003, D. HOUSTON, INC., began varying the amounts of the checks that they were cashing. From December 3, 2003 through February 25, 2004, fifty-three [53] checks were cashed, and only three were for \$9,500, and the remainder varied in amounts from \$9,400 to a low of \$8,250.

It is significant to note that only after D. HOUSTON, INC.'s account at Chase was closed, effective December 5, 2003, because of "excessive structured withdrawal activity" did they begin to vary the amount of their cash withdrawals from their Wells Fargo Bank account.

Additional information showed that on November 26, 2003, D. HOUSTON, INC., opened account number 3111000851, at Texas Capital Bank, N.A. A Bank Officer advised that D. HOUSTON, INC., would make one deposit a month and then the funds would be withdrawn by checks payable to the bank that were cashed. This Bank Officer said that because these checks were always just under the \$10,000 CTR reporting requirement, that this structuring activity caused her to be suspicious about the account. Additionally, she was suspicious as to why they needed so much cash.

A review of the Texas Capital Bank account records for account number 3111000851, shows that from December 12, 2003 through February 27, 2004, that 40 checks, between \$1,800 and \$9,500, were cashed for a total of \$305,000.

This Bank Officer said that she spoke to Norm, the TREASURES manager, and asked him why they needed so much cash. She said the TREASURES manager told her that the cash was needed to pay the dancers. The Bank Officer said that because the banking activity did not change that she told Norm that the account would have to be closed. The account was closed in early March 2004.

Additional information showed that D. HOUSTON, INC., d.b.a. TREASURES, maintained a bank account at Compass Bank, account number 75070934. Compass Bank records show that from September 2, 2003 through February 27, 2004, D. HOUSTON, INC., wrote 119 checks to cash, all under \$10,000. These 119 checks to cash totaled \$1,041,190. It should be noted that all of the 61 checks from September 2, 2003 through December 2, 2003, were for \$9,500 exactly; and it was not until December 3, 2003, that the amounts of the checks to cash began to vary. It was only after D. HOUSTON, INC.'s account at Chase Bank was closed for excessive structuring activity, were the cash withdrawal amounts at Compass Bank varied from between \$6,400 to \$9,500.

An analysis of the Compass Bank records for account number 75070934, shows that from September 2, 2003 through February 26, 2004, only two deposits were made into this account each month. Account records show that these funds were checks

written from D. HOUSTON, INC.'s bank account number 5400113514, at Wells Fargo Bank. Accordingly, funds are being transferred from D. HOUSTON, INC.'s Wells Fargo Bank to their Compass Bank account to be structured out, in an attempt to circumvent the CTR reporting Requirements.

A review of CTRs filed by First Bank Houston [now Wells Fargo Bank] under the name of D. HOUSTON, INC, showed that on December 9, 1997, HASSAN DAVARI was identified as the transactor for a cash withdrawal of \$19,000.00 from account number 113603. Another CTR was filed by First Bank for a cash withdrawal of \$10,185.00 from account number 113603, on October 4, 1999. It identified ALI DAVARI as the transactor.

CTR forms require, among other things, the identity of the individual who conducted the transaction and the individual or organization for which the transaction was completed. Accordingly, these two CTRs identifying each HASSAN DAVARI and ALI DAVARI as the transactor shows their knowledge of the CTR reporting requirements for cash transactions over \$10,000, as early as 1997 and 1999, respectively.

Your Affiant knows that persons committing financial crimes, including money launderers, wish to evade audit and law enforcement scrutiny. Therefore, when they become aware of or are notified of the CTR reporting requirements, they begin breaking down deposits and withdrawals of cash into amounts of \$10,000 or less. This active step is referred to as "structuring", and in this case involves making cash withdrawals in amounts of less than \$10,000, from more than one bank on the same day.

According to a Bank Officer, D. HOUSTON, INC.'s Wells Fargo Bank, account number 5400113514, was the operating account for TREASURES. A review of all of the bank records determined that all of the funds that were deposited into Compass Bank, Texas Capital Bank, and Chase Bank accounts were checks from the Wells Fargo Bank account. Instead of writing one check from their Wells Fargo Bank operating account for the amount of currency Norm said they needed, they transferred funds to their other accounts, then wrote checks to cash out of these accounts. In addition, they wrote checks to cash out of their Wells Fargo Bank account. These checks to cash were all under the \$10,000 CTR reporting amount, but together they added up to more than \$10,000 in currency withdrawals in a single day.

Their purpose in devising and implementing this scheme was to enable them to withdraw more than \$10,000 on any single day, without a CTR being filed. By using different banks, and the other banks not knowing they were doing the same thing at other banks, D. HOUSTON, INC, was knowingly and willfully circumventing the CTR reporting requirements.

There were 123 days that banks were open from September 2, 2003 through February 27, 2004, and D. HOUSTON, INC.'s bank records show that on 110 of those

days, they structured two or more cash withdrawals, each under \$10,000, from bank accounts that they had at separate banks.

For the period September 2, 2003 through February 27, 2004, multiple structured cash withdrawals were made from the following D. HOUSTON, INC, bank accounts:

<u>Bank</u>	<u>Multiple "Structured" Cash Withdrawals Over \$10,000 per Day</u>
Compass Bank, # 75070934	\$1,012,690.00
Well Fargo Bank, # 5400113514	\$1,003,845.00
Texas Capital Bank, # 3111000851	\$305,000.00
<u>Chase Bank, # 179-90669155-65</u>	<u>\$153,000.00</u>
Total	\$2,474,835.00

Compass Bank account number 38994409 was opened on March 4, 1998. This account is in the name of D. HOUSTON, INC, d.b.a. TREASURES, and its authorized signers are ALI DAVARI and HASSAN DAVARI. On August 30, 2003, the account balance was \$8,236.35, and from August 30, 2003 until February 2, 2004, the only account activity was a \$15 bank service charge each month. On February 2, 2004, an \$800,000 check was deposited into this account from the D. HOUSTON, INC, d.b.a. TREASURES, operating account at Wells Fargo Bank, account number 5400113514. On February 17, 2004, a check for \$300,000 was deposited into the Compass Bank from the D. HOUSTON, INC.'s operating account at Wells Fargo Bank. These funds from D. HOUSTON, INC.'s operating account, totaling \$1,100,000, are still on deposit in the Compass Bank, account number 38994409.

Through information and records from Wells Fargo Bank, it has been established that from June 17, 2002 through February 27, 2004, D. HOUSTON, INC, structured \$3,632,445 in checks, all under \$10,000, that were written and negotiated for cash. This currency represents funds involved in, and are the proceeds of, illegal structuring, and is property subject to seizure and forfeiture. Furthermore, funds transferred directly from the Wells Fargo Bank account to the other bank accounts identified in this affidavit owned by D. HOUSTON, INC, is property traceable to the Wells Fargo Bank account, and therefore, is property "involved in" the money laundering offenses specified herein.

Conclusion

Based upon bank records, other information, and their pattern of banking activity, D. HOUSTON, INC, ALI DAVARI, HASSAN DAVARI and Norm, the manager of TREASURES, were aware of the CTR reporting requirement. However, because they did not want CTRs filed on their cash withdrawals, they entered into this scheme of withdrawing cash from more than one bank so they could withdraw more than \$10,000 currency in a single day. These cash withdrawals were made undetected and without a CTR being filed.

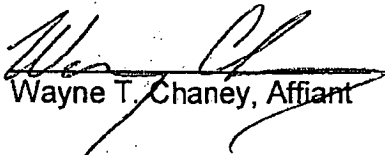
Instead of writing one check to cash from their Wells Fargo Bank operating account for the entire amount of currency, D. HOUSTON, INC, transferred funds to their accounts at Compass Bank, Texas Capital Bank, and Chase Bank, then wrote checks to cash out of these account, plus their Wells Fargo Bank account. These checks to cash were all under the \$10,000 CTR reporting amount, but together they added up to more then \$10,000 in currency withdrawals in a single day. For the period September 2, 2003 through February 27, 2004, the total multiple structured cash withdrawals from all of the D. HOUSTON, INC, bank accounts totaled \$2,474,835.

Additionally, your Affiant believes the sheer volume of 115 separate currency withdrawals by D. HOUSTON, INC, from Compass Bank, account number 75070934, in amounts of \$9,500.00 or below, from September 2, 2003 through February 27, 2004, for an aggregate total of \$1,041,190, in structured transactions is indicative of flagrant and aggravated structuring of currency transactions.

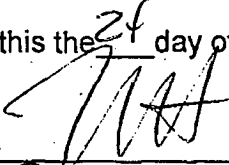
Furthermore, funds that are contained in Compass Bank, account number 38994409, were traced from the Wells Fargo Bank account, the account from which all of the "structured" funds came from. Therefore, the funds in Compass Bank are funds which constitute property involved in or are traceable to criminal activity (the structuring) under Chapter 34 of the Texas Penal Code.

This affidavit establishes that the cash withdrawals out of the D. HOUSTON, INC, Bank Account at Compass Bank is part of an established pattern of cash withdrawals from multiple banks in an attempt to circumvent the CTR filing requirements in violation of Title 31 U.S.C. Section 5324. This affidavit also establishes that all funds contained in the Compass Bank, account number 75070934 and account number 38994409 constitute property involved in or traceable to criminal activity (structuring) under Chapter 34 of the Texas Penal Code. Moreover, these funds are subject to seizure and forfeiture by the State of Texas under the provisions of Chapter 59 of the Texas Code of Criminal Procedure.

WHEREFORE, PREMISES CONSIDERED, your Affiant respectfully requests that a warrant be issued authorizing your Affiant, or any other peace officer of the State of Texas to enter the aforementioned premises, which is the Compass Bank, 7050 Portwest, Suite 100, Houston, Harris County, Texas 77024, with authority to search for and to seize any and all funds in account number 75070934 and account number 38994409, in the name of D. HOUSTON, INC, d.b.a. TREASURES, described in this affidavit which constitute implements, instruments, instrumentalities and proceeds that are kept or located at the above stated suspected place in violation of the Texas Penal Code, Chapter 34, and the Texas Code of Criminal Procedure, Chapter 59.


Wayne T. Chaney, Affiant

Sworn to and subscribed before me, on this the 24 day of May, 2004.



Judge, 24 District Court
Harris County, Texas

THE STATE OF TEXAS

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S/W RETURN AND INVENTORY

COUNTY OF HARRIS

§

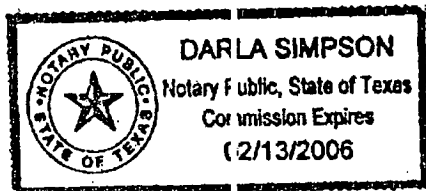
The undersigned, being a peace officer under the laws of the State of Texas and being duly sworn on oath, certifies that the foregoing warrant came to hand on the 24 day of May of 2004, A.D, and that it was executed on the 25 day of May of 2004, A.D, by making the search directed therein and pursuant thereto seizing the following property:

Two cashiers checks from Compass Bank

# 4880181130	for	\$ 1,071,071.00
# 4880181131	for	\$ 104,685.89

Wang Chy
AFFIANT

26th Sworn to and Subscribed before me, the undersigned authority, on this the day of May of 2004, A.D.



Darla Simpson
NOTARY PUBLIC in and for
The State of Texas

THE STATE OF TEXAS

SEARCH WARRANT

COUNTY OF HARRIS

TO THE SHERIFF, ANY PEACE OFFICER OR SPECIAL INVESTIGATOR OF
HARRIS COUNTY, TEXAS

GREETINGS:

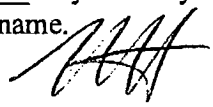
WHEREAS, I am a Magistrate in and for Harris County, Texas, and WHEREAS, Wayne T. Chaney a Senior Special Agent of the United States Department of Homeland Security, Bureau of Immigration and Customs Enforcement, Houston Field Office and Special Investigator pursuant to Art. 2.12, Texas Code of Criminal Procedure and hereafter called Affiant, came before me this day with an affidavit (which is attached hereto and is specially incorporated by reference for all purposes), requesting a warrant; and WHEREAS, I have made inquiry of the basis of said beliefs of the Affiant and find that; the affidavit sets forth substantial facts establishing that probable cause does exist for the issuance of a warrant, that the person, place or thing to be searched is not one which is prohibited nor beyond the authorization of this magistrate and that the search is requested upon proper grounds.

THEREFORE, YOU ARE COMMANDED to go straightaway to Compass Bank, 7050 Portwest, Suite 100, Houston, Harris County, Texas 77024, for the purpose of searching for and seizing the proceeds currently within accounts number 75070934 and 38994409 in a manner authorized by law including but not limited to any and all proceeds, and any and all incoming items, credited to that account, in violation of the Texas Penal Code, Chapter 34 and is property constituting the proceeds of criminal activity classified as a felony, and this property is contraband as defined by Chapter 59 of the Texas Code of Criminal Procedure.

HEREIN FAIL NOT, as the peace officer to whom this warrant is delivered, you shall execute it without delay and within three whole days and due return make by faithfully completing the form attached hereto designated for said purpose. It is further ORDERED that Compass Bank, may comply with this warrant by converting the funds found in said accounts to a cashier's check payable to the HARRIS COUNTY DISTRICT ATTORNEY'S OFFICE. The officer executing this warrant, upon executing the return attached hereto is further authorized to deliver the seized funds to the HARRIS COUNTY DISTRICT ATTORNEY'S OFFICE for the purposes consistent with Chapter 59 of the Texas Code of Criminal Procedure.

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS.

SIGNED, ENTERED and ORDERED this 24 day of May of 2004 A.D, at 9:30 o'clock pm, to attest to which I subscribe my name.



Judge, 262 District Court
Harris County, Texas

THE STATE OF TEXAS

SEARCH WARRANT

COUNTY OF HARRIS

TO THE SHERIFF, ANY PEACE OFFICER OR SPECIAL INVESTIGATOR OF
HARRIS COUNTY, TEXAS

GREETINGS:

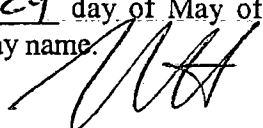
WHEREAS, I am a Magistrate in and for Harris County, Texas, and WHEREAS, Wayne T. Chaney a Senior Special Agent of the United States Department of Homeland Security, Bureau of Immigration and Customs Enforcement, Houston Field Office and Special Investigator pursuant to Art. 2.12, Texas Code of Criminal Procedure and hereafter called Affiant, came before me this day with an affidavit (which is attached hereto and is specially incorporated by reference for all purposes), requesting a warrant; and WHEREAS, I have made inquiry of the basis of said beliefs of the Affiant and find that; the affidavit sets forth substantial facts establishing that probable cause does exist for the issuance of a warrant, that the person, place or thing to be searched is not one which is prohibited nor beyond the authorization of this magistrate and that the search is requested upon proper grounds.

THEREFORE, YOU ARE COMMANDED to go straightaway to Coastal Banc, 5718 Westheimer, Houston, Harris County, Texas 77057, for the purpose of searching for and seizing the proceeds currently within account number 351207154 in a manner authorized by law including but not limited to any and all proceeds, and any and all incoming items, credited to that account, in violation of the Texas Penal Code, Chapter 34 and is property constituting the proceeds of criminal activity classified as a felony, and this property is contraband as defined by Chapter 59 of the Texas Code of Criminal Procedure.

HEREIN FAIL NOT, as the peace officer to whom this warrant is delivered, you shall execute it without delay and within three whole days and due return make by faithfully completing the form attached hereto designated for said purpose. It is further ORDERED that Coastal Banc may comply with this warrant by converting the funds found in said accounts to a cashier's check payable to the HARRIS COUNTY DISTRICT ATTORNEY'S OFFICE. The officer executing this warrant, upon executing the return attached hereto is further authorized to deliver the seized funds to the HARRIS COUNTY DISTRICT ATTORNEY'S OFFICE for the purposes consistent with Chapter 59 of the Texas Code of Criminal Procedure.

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS.

SIGNED, ENTERED and ORDERED this 24 day of May of 2004 A.D., at
9:30 o'clock AM to attest to which I subscribe my name.



Judge Z. L. Z. District Court
Harris County, Texas

THE STATE OF TEXAS

SEARCH WARRANT AFFIDAVIT

COUNTY OF HARRIS

AFFIDAVIT FOR SEARCH WARRANT

I, Wayne T. Chaney, a Senior Special Agent of the Department of Homeland Security, U.S. Immigration & Customs Enforcement [ICE], Houston Field Office, do solemnly swear that I have reason to believe and do believe that there is at Coastal Banc, account number 351207154, in the name of D. HOUSTON, INC, d.b.a. TREASURES, property acquired by a violation of the laws of the State of Texas, Texas Penal Code, Chapter 34 (Money Laundering), namely property constituting the proceeds of criminal activity classified as a felony, and this property is contraband as defined by Chapter 69 of the Texas Code of Criminal Procedure.

There is in Harris County, Texas, a place and premise described and located as follows:

Coastal Banc, 5718 Westheimer, Houston, Harris County, Texas 77057.

Said proceeds are currently within the Coastal Banc, account number 351207154, in the name of D. HOUSTON, INC, d.b.a. TREASURES.

MY BELIEF IS BASED ON THE FOLLOWING FACTS:

Your Affiant has been employed as a Senior Special Agent of the U.S. Immigration & Customs Enforcement [ICE], Department of Homeland Security [formerly the United States Customs Service], for approximately sixteen years. Your Affiant has conducted criminal investigations related to drug smuggling and drug trafficking, conspiracies, money laundering, and the seizure and forfeiture of criminally derived assets. Your Affiant has received advanced training in financial investigative techniques and criminal procedures, methods of money laundering, and asset forfeiture.

For the past three years, your Affiant has been assigned to investigate financial and currency violations as part of a multi-agency Task Force dedicated to the identification, disruption, and dismantling of the financial systems and infrastructures used by criminal organizations to illegally launder currency. This Task Force targets currency violators, unregulated financial systems, cash smuggling, fraudulent import/export schemes and other activities. This Task Force is made up of agents, officers and analysts from the U.S. Immigration & Customs Enforcement and the Houston Police Department.

The information contained in this affidavit is known to me personally through my own investigation, or was communicated to me by other agents, officers and analysts participating in this case.

INTRODUCTION

Your Affiant has reason to believe that Coastal Banc, account number 351207154, contains funds subject to seizure and forfeiture by the State of Texas under the provisions of Chapter 59 of the Texas Code of Criminal Procedure because the funds therein represent the proceeds of criminal activity under Chapter 34 (Money Laundering) of the Texas Penal Code.

On or about December 12, 2003, ICE officers received information from JP Morgan Chase Bank [Chase Bank] that their customer D. HOUSTON, INC, a "Sexually Oriented Business" was suspected of intentionally "structuring" checks that they were cashing to circumvent the Currency Transaction Reporting requirements for cash transactions.

Under Title 31, United States Code, Section 5313, and Title 31 of the Code of Federal Regulations, Part 103.22, financial institutions are required to file a Currency Transaction Report [CTR] with the Internal Revenue Service for each currency transaction in excess of \$10,000.

"Structuring" is an attempt by a violator to evade the federal currency reporting requirements. "Structuring" in this case means the cashing of checks at one or more financial institutions to receive currency from each bank in an amount of less than \$10,000, however, the aggregate total of the checks cashed is over \$10,000.

The "Structuring" of currency, which is a felony violation under Title 31, USC Section 5313(a) and 5324(a), caused the currency to become the proceeds of a "Criminal Activity" under Chapter 34 of the Texas Penal Code, Money Laundering. This is because under Chapter 34 "Criminal Activity" is "classified as a felony under the laws of this state or the United States." Accordingly, Compass Bank, account number 75070934, contains funds subject to seizure and forfeiture by the State of Texas under the provisions of Chapter 59 of the Texas Code of Criminal Procedure, because the funds therein represent the proceeds of criminal activity (structuring) under Chapter 34 of the Texas Penal Code.

FACTS

D. HOUSTON, INC, d.b.a. TREASURES is located at 5647 Westheimer, Houston, TX 77056 and was incorporated in Texas on May 30, 1995. According to the Articles of Incorporation, ALI M. "DAVID" DAVARI and HASSAN "GEORGE" DAVARI are listed as the two members of the Board of Directors of D. HOUSTON, INC. According to the Harris County Assumed Name Records, on July 3, 1995, D. HOUSTON, INC, registered TREASURES as its assumed name.

ICE officers initially received information from Chase Bank that D. HOUSTON, INC, d.b.a. TREASURES, was suspected of intentionally "structuring" checks that they were cashing to circumvent the Currency Transaction Reporting requirements. ICE officers were advised that when a Chase Bank Officer became aware that TREASURES was cashing checks for \$9,000 on a daily basis this Bank Officer became concerned that they were structuring their cash withdrawals. This Bank Officer spoke to the manager of TREASURES and told him that he should withdraw the amount of money he needed to operate the club, as opposed to \$9,000 every day. The Bank Officer told the manager of TREASURES that withdrawing the same amount every day was suspicious.

The Chase Bank Officer said that the cash withdrawals in the same amount continued, therefore, the decision was made to close the account. A letter was sent to D. HOUSTON, INC, advising them that their account would be closed on December 5, 2003. In this letter it states the "reason for the closure is Excessive structured withdrawal activity."

A review of the bank statements and checks for Chase Bank account number 179-906911-65, show that from September 23, 2003 through November 26, 2003, D. HOUSTON, INC, negotiated 17 checks for cash, all in the amount of \$9,000, totaling \$153,000.

Further investigation determined that D. HOUSTON, INC, also had an account at Wells Fargo Bank, account number 54000113514. Information regarding this account shows that beginning on June 17, 2002, D. HOUSTON, INC, was cashing checks just under the \$10,000 CTR reporting requirement. A review of the information and records received from Wells Fargo Bank, shows that from June 17, 2002 through February 25, 2004, three hundred and eighty-five [385] checks were cashed totaling \$3,632,445, all just under \$10,000 each. In fact, from June 17, 2002 through December 2, 2003, three hundred and thirty-two [332] checks were written and negotiated for cash, and each one of these checks was in the exact amount of \$9,500. However, beginning on December 3, 2003, D. HOUSTON, INC, began varying the amounts of the checks that they were cashing. From December 3, 2003 through February 25, 2004, fifty-three [53] checks were cashed, and only three were for \$9,500, and the remainder varied in amounts from \$9,400 to a low of \$8,250.

It is significant to note that only after D. HOUSTON, INC.'s account at Chase was closed, effective December 5, 2003, because of "excessive structured withdrawal activity" did they begin to vary the amount of their cash withdrawals from their Wells Fargo Bank account.

Additional information showed that on November 26, 2003, D. HOUSTON, INC, opened account number 3111000851, at Texas Capital Bank, N.A. A Bank Officer advised that D. HOUSTON, INC, would make one deposit a month and then the funds would be withdrawn by checks payable to the bank that were cashed. This Bank Officer said that because these checks were always just under the \$10,000 CTR reporting

requirement, that this structuring activity caused her to be suspicious about the account. Additionally, she was suspicious as to why they needed so much cash.

A review of the Texas Capital Bank account records for account number 3111000851, shows that from December 12, 2003 through February 27, 2004, that 40 checks, between \$1,800 and \$9,500, were cashed for a total of \$305,000.

This Bank Officer said that she spoke to Norm, the TREASURES manager, and asked him why they needed so much cash. She said the TREASURES manager told her that the cash was needed to pay the dancers. The Bank Officer said that because the banking activity did not change that she told Norm that the account would have to be closed. The account was closed in early March 2004.

Additional information showed that D. HOUSTON, INC, d.b.a. TREASURES, maintained a bank account at Compass Bank, account number 75070934. Compass Bank records show that from September 2, 2003 through February 27, 2004, D. HOUSTON, INC, wrote 119 checks to cash, all under \$10,000. These 119 checks to cash totaled \$1,041,190. It should be noted that all of the 61 checks from September 2, 2003 through December 2, 2003, were for \$9,500 exactly, and it was not until December 3, 2003, that the amounts of the checks to cash began to vary. It was only after D. HOUSTON, INC.'s account at Chase Bank was closed for excessive structuring activity, were the cash withdrawal amounts at Compass Bank varied from between \$6,400 to \$9,500.

An analysis of the Compass Bank records for account number 75070934, shows that from September 2, 2003 through February 26, 2004, only two deposits were made into this account each month. Account records show that these funds were checks written from D. HOUSTON, INC.'s bank account number 5400113514, at Wells Fargo Bank. Accordingly, funds are being transferred from D. HOUSTON, INC.'s Wells Fargo Bank to their Compass Bank account to be structured out, in an attempt to circumvent the CTR reporting Requirements.

After D. HOUSTON, INC.'s bank account at Texas Capital Bank was closed, they opened an account at Coastal Banc on March 1, 2004. According to the Coastal Banc signature card, account number 351207154 was opened in the name of D. HOUSTON, INC, d.b.a. TREASURES, and the authorized signers on this account is ALI "David" DAVARI, and HASSAN "George" DAVARI.

A review of the Coastal Banc records of account number 351207154, from March 1, 2004 through March 19, 2004, showed that two deposits were made. The first deposit was made on March 1, 2004, for \$105,000, and the second deposit was made on March 19, 2004, for \$100,000. The source for both of these deposits, totaling \$205,000, was D. HOUSTON, INC.'s Wells Fargo Bank operating account, account number 5400113514.

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A review of the withdrawals from D. HOUSTON, INC.'s Coastal Banc account, show that from March 9, 2004 through April 9, 2004, seven checks were written for amounts between \$7,250 and \$8,300, and these checks were cashed for a total of \$54,350. Additionally, two debits for \$8,000 and \$7,000 on March 8, 2004 and March 9, 2004, respectively, were withdrawn for cash. The total structured cash withdrawals from Coastal Banc, account number 351207154, was \$69,350.

A Coastal Banc Officer stated that he was suspicious of the withdrawals from this account because all of the sums were near, but below the CTR reporting requirements.

A review of CTRs filed by First Bank Houston [now Wells Fargo Bank] under the name of D. HOUSTON, INC, showed that on December 9, 1997, HASSAN DAVARI was identified as the transactor for a cash withdrawal of \$19,000.00 from account number 113603. Another CTR was filed by First Bank for a cash withdrawal of \$10,185.00 from account number 113603, on October 4, 1999. It identified ALI DAVARI as the transactor.

CTR forms require, among other things, the identity of the individual who conducted the transaction and the individual or organization for which the transaction was completed. Accordingly, these two CTRs identifying each HASSAN DAVARI and ALI DAVARI as the transactor shows their knowledge of the CTR reporting requirements for cash transactions over \$10,000, as early as 1997 and 1999, respectively.

Your Affiant knows that persons committing financial crimes, including money launderers, wish to evade audit and law enforcement scrutiny. Therefore, when they become aware of or are notified of the CTR reporting requirements, they begin breaking down deposits and withdrawals of cash into amounts of \$10,000 or less. This active step is referred to as "structuring", and in this case involves making cash withdrawals in amounts of less than \$10,000, from more than one bank on the same day.

According to a Bank Officer, D. HOUSTON, INC.'s Wells Fargo Bank, account number 5400113514, is the operating account for TREASURES. A review of all of the bank records determined that all of the funds that were deposited into Coastal Banc, Compass Bank, Texas Capital Bank, and Chase Bank accounts were checks from the Wells Fargo Bank account. Instead of writing one check from their Wells Fargo Bank operating account for the amount of currency the manager of TREASURES said they needed, they transferred funds to their other accounts, then wrote checks to cash out of these accounts. In addition, they wrote checks to cash out of their Wells Fargo Bank account. These checks to cash were all under the \$10,000 CTR reporting amount, but together they added up to more than \$10,000 in currency withdrawals in a single day.

Their purpose in devising and implementing this scheme was to enable them to withdraw more than \$10,000 on any single day, without a CTR being filed. By using different banks, and the other banks not knowing they were doing the same thing at

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other banks, D. HOUSTON, INC, was knowingly and willfully circumventing the CTR reporting requirements.

There were 123 days that banks were open from September 2, 2003 through February 27, 2004, and D. HOUSTON, INC.'s bank records show that on 110 of those days, they structured two or more cash withdrawals, each under \$10,000, from bank accounts that they had at separate banks.

For the period September 2, 2003 through February 27, 2004, multiple structured cash withdrawals were made from the following D. HOUSTON, INC, bank accounts:

<u>Bank</u>	<u>Multiple "Structured" Cash Withdrawals Over \$10,000 per Day</u>
Compass Bank, # 75070934	\$1,012,690.00
Well Fargo Bank, # 5400113514	\$1,003,845.00
Texas Capital Bank, # 3111000851	\$305,000.00
<u>Chase Bank, # 179-90669155-65</u>	<u>\$153,000.00</u>
Total	\$2,474,835.00

Once the D. HOUSTON, INC, bank account at Texas Capital Bank was closed, they opened another account at Coastal Banc. The banking activity they conducted at Coastal Banc, account number 351207154, follows the same pattern of banking activity of making one or two deposits a month and then "structuring" their withdrawals in the form of checks written to cash, all under the CTR reporting requirement of \$10,000. Between March 1, 2004 and April 9, 2004, two deposits were made into this account, for a total of \$205,000. Additionally, from March 9, 2004 through April 9, 2004, seven checks and two debit memos, all under the CTR reporting requirement, were cashed for a total amount of \$69,350.

Conclusion

Based upon bank records, other information, and their pattern of banking activity, D. HOUSTON, INC, ALI DAVARI, HASSAN DAVARI and Norm, the manager of TREASURES, were aware of the CTR reporting requirement. However, because they did not want CTRs filed on their cash withdrawals, they entered into this scheme of withdrawing cash from more than one bank so they could withdraw more than \$10,000 currency in a single day. These cash withdrawals were made undetected and without a CTR being filed.

Instead of writing one check to cash from their Wells Fargo Bank operating account for the entire amount of currency, D. HOUSTON, INC, transferred funds to their accounts at Coastal Banc, Compass Bank, Texas Capital Bank, and Chase Bank, then wrote checks to cash out of these accounts, plus their Wells Fargo Bank account. These checks to cash were all under the \$10,000 CTR reporting amount, but together they added up to more than \$10,000 in currency withdrawals in a single day. For the period

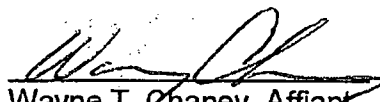
September 2, 2003 through February 27, 2004, the total multiple structured cash withdrawals from all of the D. HOUSTON, INC, bank accounts totaled \$2,474,835.

Your Affiant believes the pattern of structured withdrawals is continuing and is currently ongoing, in the D. HOUSTON, INC, bank account that they just opened on March 1, 2004. The withdrawals by D. HOUSTON, INC, from Coastal Banc, account number 351207154, in amounts below the CTR reporting requirements of \$69,350; in structured transactions is a continuation of their pattern of structuring and is indicative of flagrant and aggravated structuring of their currency transactions.

Furthermore, the \$205,000 in funds that were deposited into Coastal Banc, account number 351207154, were traced from the Wells Fargo Bank account, the account from which all of the "structured" funds came from. Therefore, the funds in Coastal Banc are funds which constitute property involved in or are traceable to criminal activity (the structuring) under Chapter 34 of the Texas Penal Code.

This affidavit establishes that the cash withdrawals out of the D. HOUSTON, INC, Bank Account at Coastal Banc is part of an established pattern of cash withdrawals from multiple banks in an attempt to circumvent the CTR filing requirements in violation of Title 31 U.S.C. Section 5324. This affidavit also establishes that all funds contained in the Coastal Banc, account number 351207154 constitute property involved in or traceable to criminal activity (structuring) under Chapter 34 of the Texas Penal Code. Moreover, these funds are subject to seizure and forfeiture by the State of Texas under the provisions of Chapter 59 of the Texas Code of Criminal Procedure.

WHEREFORE, PREMISES CONSIDERED, your Affiant respectfully requests that a warrant be issued authorizing your Affiant, or any other peace officer of the State of Texas to enter the aforementioned premises, which is the Coastal Banc, 5718 Westheimer, Houston, Harris County, Texas 77057, with authority to search for and to seize any and all funds in account number 351207154, in the name of D. HOUSTON, INC, d.b.a. TREASURES, described in this affidavit which constitute implements, instruments, instrumentalities and proceeds that are kept or located at the above stated suspected place in violation of the Texas Penal Code, Chapter 34, and the Texas Code of Criminal Procedure, Chapter 59.


Wayne T. Chaney, Affiant

Sworn to and subscribed before me, on this the 24 day of May, 2004.


Judge, 242 District Court
Harris County, Texas

THE STATE OF TEXAS

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S/W RETURN AND INVENTORY

COUNTY OF HARRIS

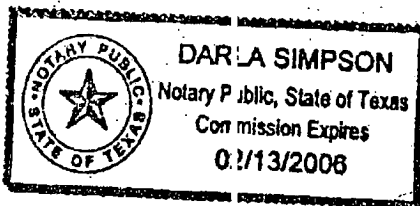
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The undersigned, being a peace officer under the laws of the State of Texas and being duly sworn on oath, certifies that the foregoing warrant came to hand on the 24 day of May of 2004, A.D, and that it was executed on the 25 day of May of 2004, A.D, by making the search directed therein and pursuant thereto seizing the following property:

official check from Coastal Bank
162,830 for # 210,832 20

Wong Chy
AFFIANT

Sworn to and Subscribed before me, the undersigned authority, on this the 26th day of May of 2004, A.D.



Darla Simpson
NOTARY PUBLIC in and for
The State of Texas

THE STATE OF TEXAS

SEARCH WARRANT

COUNTY OF HARRIS

TO THE SHERIFF, ANY PEACE OFFICER OR SPECIAL INVESTIGATOR OF
HARRIS COUNTY, TEXAS

GREETINGS:

WHEREAS, I am a Magistrate in and for Harris County, Texas, and WHEREAS, Wayne T. Chaney, a Senior Special Agent of the United States Department of Homeland Security, Bureau of Immigration and Customs Enforcement, Houston Field Office and Special Investigator pursuant to Art. 2.12, Texas Code of Criminal Procedure and hereafter called Affiant, came before me this day with an affidavit (which is attached hereto and is specially incorporated by reference for all purposes), requesting a warrant; and WHEREAS, I have made inquiry of the basis of said beliefs of the Affiant and find that; the affidavit sets forth substantial facts establishing that probable cause does exist for the issuance of a warrant, that the person, place or thing to be searched is not one which is prohibited nor beyond the authorization of this magistrate and that the search is requested upon proper grounds.

THEREFORE, YOU ARE COMMANDED to go straightaway to Wells Fargo Bank, 1000 Louisiana, Houston, Harris County, Texas 77002, for the purpose of searching for and seizing the proceeds currently within account number 5400113514 in a manner authorized by law including but not limited to any and all proceeds, and any and all incoming items, credited to that account, in violation of the Texas Penal Code, Chapter 34 and is property constituting the proceeds of criminal activity classified as a felony, and this property is contraband as defined by Chapter 59 of the Texas Code of Criminal Procedure.

HEREIN FAIL NOT, as the peace officer to whom this warrant is delivered, you shall execute it without delay and within three whole days and due return make by faithfully completing the form attached hereto designated for said purpose. It is further ORDERED that Wells Fargo Bank, may comply with this warrant by converting the funds found in said account to a cashier's check payable to the HARRIS COUNTY DISTRICT ATTORNEY'S OFFICE. The officer executing this warrant, upon executing the return attached hereto is further authorized to deliver the seized funds to the HARRIS COUNTY DISTRICT ATTORNEY'S OFFICE for the purposes consistent with Chapter 59 of the Texas Code of Criminal Procedure.

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS.

SIGNED, ENTERED and ORDERED this 24 day of May of 2004 A.D, at 9:20 o'clock PM, to attest to which I subscribe my name [Signature]

Judge 242 District Court
Harris County, Texas

THE STATE OF TEXAS

SEARCH WARRANT AFFIDAVIT

COUNTY OF HARRIS

AFFIDAVIT FOR SEARCH WARRANT

I, Wayne T. Chaney, a Senior Special Agent of the Department of Homeland Security, U.S. Immigration & Customs Enforcement [ICE], Houston Field Office, do solemnly swear that I have reason to believe and do believe that there is at Wells Fargo Bank, NA, account number 5400113514 [the Bank Account] in the name of D. HOUSTON, INC, d.b.a. TREASURES, property acquired by a violation of the laws of the State of Texas, Texas Penal Code, Chapter 34 (Money Laundering), namely property constituting the proceeds of criminal activity classified as a felony, and this property is contraband as defined by Chapter 59 of the Texas Code of Criminal Procedure.

There is in Harris County, Texas, a place and premise described and located as follows:

1. Wells Fargo Bank, 1000 Louisiana, Houston, Harris County, Texas 77002.

Said proceeds are currently within the Bank Account in the name of D. HOUSTON, INC, d.b.a. TREASURES.

MY BELIEF IS BASED ON THE FOLLOWING FACTS:

Your Affiant has been employed as a Senior Special Agent of the U.S. Immigration & Customs Enforcement [ICE], Department of Homeland Security [formerly the United States Customs Service], for approximately sixteen years. Your Affiant has conducted criminal investigations related to drug smuggling and drug trafficking, conspiracies, money laundering, and the seizure and forfeiture of criminally derived assets. Your Affiant has received advanced training in financial investigative techniques and criminal procedures, methods of money laundering, and asset forfeiture.

For the past three years, your Affiant has been assigned to investigate financial and currency violations as part of a multi-agency Task Force dedicated to the identification, disruption, and dismantling of the financial systems and infrastructures used by criminal organizations to illegally launder currency. This Task Force targets currency violators, unregulated financial systems, cash smuggling, fraudulent import/export schemes and other activities. This Task Force is made up of agents, officers and analysts from the U.S. Immigration & Customs Enforcement and the Houston Police Department.

The information contained in this affidavit is known to me personally through my own investigation, or was communicated to me by other agents, officers and analysts participating in this case.

INTRODUCTION

Your Affiant has reason to believe the Bank Account contains funds subject to seizure and forfeiture by the State of Texas under the provisions of Chapter 59 of the Texas Code of Criminal Procedure because the funds therein represent the proceeds of criminal activity under Chapter 34 (Money Laundering) of the Texas Penal Code.

On or about December 12, 2003, ICE officers received information from JP Morgan Chase Bank [Chase Bank] that their customer D. HOUSTON, INC, a "Sexually Oriented Business" was suspected of intentionally "structuring" checks that they were cashing to circumvent the Currency Transaction Reporting requirements for cash transactions.

Under Title 31, United States Code, Section 5313, and Title 31 of the Code of Federal Regulations, Part 103.22, financial institutions are required to file a Currency Transaction Report [CTR] with the Internal Revenue Service for each currency transaction in excess of \$10,000.

"Structuring" is an attempt by a violator to evade the federal currency reporting requirements. "Structuring" in this case means the cashing of checks at one or more financial institutions to receive currency from each bank in an amount of less than \$10,000, however, the aggregate total of the checks cashed is over \$10,000.

The "Structuring" of currency, which is a felony violation under Title 31, USC Section 5313(a) and 5324(a), caused the currency to become the proceeds of a "Criminal Activity" under Chapter 34 of the Texas Penal Code, Money Laundering. This is because under Chapter 34 "Criminal Activity" is "classified as a felony under the laws of this state or the United States." Accordingly, the Bank Account contains funds subject to seizure and forfeiture by the State of Texas under the provisions of Chapter 59 of the Texas Code of Criminal Procedure, because the funds therein represent the proceeds of criminal activity (structuring) under Chapter 34 of the Texas Penal Code.

FACTS

The owners of D. HOUSTON, INC, and signers on the Bank Account, are identified as ALI DAVARI, President, and HASSAN DAVARI, Vice-president. D. HOUSTON, INC, d.b.a. TREASURES is located at 5647 Westheimer, Houston, TX 77056, and was incorporated in Texas on May 30, 1995. According to the Articles of Incorporation, ALI M. "DAVID" DAVARI and HASSAN "GEORGE" DAVARI are listed as the two members of the Board of Directors of D. HOUSTON, INC. According to the Harris County Assumed Name Records, on July 3, 1995, D. HOUSTON, INC, registered TREASURES as its assumed name.

As stated on or about December 12, 2003, ICE officers received information from Chase Bank that D. HOUSTON, INC, d.b.a. TREASURES, was suspected of intentionally "structuring" checks that they were cashing to circumvent the Currency Transaction Reporting requirements.

ICE officers were advised that when a Chase Bank Officer became aware that TREASURES was cashing checks for \$9,000 on a daily basis this Bank Officer became concerned that they were structuring their cash withdrawals. This Bank Officer spoke to the manager of TREASURES and told him that he should withdraw the amount of money he needed to operate the club, as opposed to \$9,000 every day. The Bank Officer told the manager of TREASURES that withdrawing the same amount every day was suspicious.

The Chase Bank Officer said that the cash withdrawals in the same amount continued, therefore, the decision was made to close the account. A letter was sent to D. HOUSTON, INC advising them that their account would be closed on December 5, 2003. In this letter it states the "reason for the closure is Excessive structured withdrawal activity."

A review of the bank statements and checks for Chase Bank account number 179-906911-65, show that from September 23, 2003 through November 26, 2003, D. HOUSTON, INC, negotiated 17 checks for cash, all in the amount of \$9,000, totaling \$153,000.

Further investigation determined that D. HOUSTON, INC, also had an account at Wells Fargo Bank, account number 54000113514. Information regarding this account shows that beginning on June 17, 2002, D. HOUSTON, INC, was cashing checks just under the \$10,000 CTR reporting requirement. A review of the information and records received from Wells Fargo Bank, shows that from June 17, 2002 through February 25, 2004, three hundred and eighty-five [385] checks were cashed totaling \$3,632,445, all just under \$10,000 each. In fact, from June 17, 2002 through December 2, 2003, three hundred and thirty-two [332] checks were written and negotiated for cash, and each one of these checks was in the exact amount of \$9,500. However, beginning on December 3, 2003, D. HOUSTON, INC, began varying the amounts of the checks that they were cashing. From December 3, 2003 through February 25, 2004, fifty-three [53] checks were cashed, and only three were for \$9,500, and the remainder varied in amounts from \$9,400 to a low of \$8,250.

It is significant to note that only after D. HOUSTON, INC.'s account at Chase was closed, effective December 5, 2003, because of "excessive structured withdrawal activity" did they begin to vary the amount of their cash withdrawals from their Wells Fargo Bank account.

Additional information showed that on November 26, 2003, D. HOUSTON, INC, opened account number 3111000851, at Texas Capital Bank, N.A. A Bank Officer advised that D. HOUSTON, INC, would make one deposit a month and then the funds

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would be withdrawn by checks payable to the bank that were cashed. This Bank Officer said that because these checks were always just under the \$10,000 CTR reporting requirement, that this structuring activity caused her to be suspicious about the account. Additionally, she was suspicious as to why they needed so much cash.

A review of the Texas Capital Bank account records for account number 3111000851, shows that from December 12, 2003 through February 27, 2004, that 40 checks, between \$1,800 and \$9,500, were cashed for a total of \$305,000.

This Bank Officer said that she spoke to Norm, the TREASURES manager, and asked him why they needed so much cash. She said the TREASURES manager told her that the cash was needed to pay the dancers. The Bank Officer said that because the banking activity did not change that she told Norm that the account would have to be closed. The account was closed in early March 2004.

Additional information showed that D. HOUSTON, INC, d.b.a. TREASURES, opened a bank account at Compass Bank, account number 75070934, on June 24, 1999. Compass Bank records show that from September 2, 2003 through February 27, 2004, D. HOUSTON, INC, wrote 119 checks to cash, all under \$10,000. These 119 checks to cash totaled \$1,041,190. It should be noted that all of the 61 checks from September 2, 2003 through December 2, 2003, were for \$9,500 exactly, and it was not until December 3, 2003, that the amounts of the checks to cash began to vary. It was only after D. HOUSTON, INC.'s account at Chase Bank was closed for excessive structuring activity, were the cash withdrawal amounts at Compass Bank varied from between \$6,400 to \$9,500.

A review of CTRs filed by First Bank Houston [now Wells Fargo Bank] under the name of D. HOUSTON, INC, showed that on December 9, 1997, HASSAN DAVARI was identified as the transactor for a cash withdrawal of \$19,000.00 from account number 113603. Another CTR was filed by First Bank for a cash withdrawal of \$10,185.00 from account number 113603, on October 4, 1999. It identified ALI DAVARI as the transactor.

CTR forms require, among other things, the identity of the individual who conducted the transaction and the individual or organization for which the transaction was completed. Accordingly, these two CTRs identifying each HASSAN DAVARI and ALI DAVARI as the transactor shows their knowledge of the CTR reporting requirements for cash transactions over \$10,000, as early as 1997 and 1999, respectively.

Your Affiant knows that persons committing financial crimes, including money launderers, wish to evade audit and law enforcement scrutiny. Therefore, when they become aware of or are notified of the CTR reporting requirements, they begin breaking down deposits and withdrawals of cash into amounts of \$10,000 or less. This active step is referred to as "structuring", and in this case involves making cash withdrawals in amounts of less than \$10,000, from more than one bank on the same day.

According to a Bank Officer, D. HOUSTON, INC.'s Wells Fargo Bank, account number, 5400113514, was the operating account for TREASURES. Review of all of the bank records determined that all of the funds that were deposited into Compass Bank, Texas Capital Bank, and Chase Bank accounts were checks from the Wells Fargo Bank account. Instead of writing one check from their Wells Fargo Bank operating account for the amount of currency Norm said they needed, they transferred funds to their other accounts, then wrote checks to cash out of these accounts. In addition, they wrote checks to cash out of their Wells Fargo Bank account. These checks to cash were all under the \$10,000 CTR reporting amount, but together they added up to more than \$10,000 in currency withdrawals in a single day.

Their purpose in devising and implementing this scheme was to enable them to withdraw more than \$10,000 on any single day, without a CTR being filed. By using different banks, and the other banks not knowing they were doing the same thing at other banks, D. HOUSTON, INC, was knowingly and willfully circumventing the CTR reporting requirements.

There were 113 days that banks were open from September 2, 2003 through February 27, 2004, and D. HOUSTON, INC.'s bank records show that on 110 of those days, they structured two or more cash withdrawals, each under \$10,000, from bank accounts that they had at separate banks.

For the period September 2, 2003 through February 27, 2004, multiple structured cash withdrawals were made from the following D. HOUSTON, INC, bank accounts:

<u>Bank</u>	<u>Multiple "Structured" Cash Withdrawals Over \$10,000 per Day</u>
Well Fargo Bank	\$1,003,845.00
Compass Bank	\$1,012,690.00
Texas Capital Bank	\$305,000.00
<u>Chase Bank</u>	<u>\$153,000.00</u>
Total	\$2,474,835.00

Conclusion

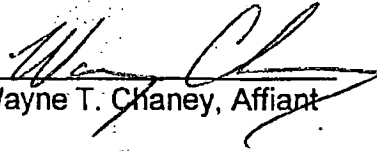
Based upon bank records, other information, and their pattern of banking activity, D. HOUSTON, INC, ALI DAVARI, HASSAN DAVARI and Norm, the manager of TREASURES, were aware of the CTR reporting requirement. However, because they did not want CTRs filed on their cash withdrawals, they entered into this scheme of withdrawing cash from more than one bank so they could withdraw more than \$10,000 currency in a single day. These cash withdrawals were made undetected and without a CTR being filed.

Instead of writing one check to cash from their Wells Fargo Bank operating account for the entire amount of currency, D. HOUSTON, INC, transferred funds to their accounts at Compass Bank, Texas Capital Bank, and Chase Bank, then wrote checks to cash out of these account, plus their Wells Fargo Bank account. These checks to cash were all under the \$10,000 CTR reporting amount, but together they added up to more then \$10,000 in currency withdrawals. For the period September 2, 2003 through February 27, 2004, the total multiple structured cash withdrawals from all of the D. HOUSTON, INC, bank accounts totaled \$2,474,835.

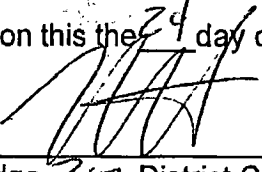
Additionally, your Affiant believes the sheer volume of 385 separate currency withdrawals from the Wells Fargo Bank account, in amounts of \$9,500.00 or below, from June 17, 2002 through February 25, 2004, for an aggregate total of \$3,632,445, in structured transactions is indicative of flagrant and aggravated structuring of currency transactions.

This affidavit establishes that the cash withdrawals out of the D. HOUSTON, INC, Bank Account at Wells Fargo Bank is part of an established pattern of cash withdrawals from multiple banks in an attempt to circumvent the CTR filing requirements in violation of Title 31 U.S.C. Section 5324. This affidavit also establishes that all funds contained in the Bank Account constitute property involved in or traceable to criminal activity (structuring) under Chapter 34 of the Texas Penal Code. Moreover, these funds are subject to seizure and forfeiture by the State of Texas under the provisions of Chapter 59 of the Texas Code of Criminal Procedure.

WHEREFORE, PREMISES CONSIDERED, your Affiant respectfully requests that a warrant be issued authorizing your Affiant, or any other peace officer of the State of Texas to enter the aforementioned premises, which is the Wells Fargo Bank, 1000 Louisiana, Houston Harris County, Texas 77002, with authority to search for and to seize any and all funds in account number 5400113514, in the name of D. HOUSTON, INC, described in this affidavit which constitute implements, instruments, instrumentalities and proceeds that are kept or located at the above stated suspected place in violation of the Texas Penal Code, Chapter 34, and the Texas Code of Criminal Procedure, Chapter 59.


Wayne T. Chaney, Affiant

Sworn to and subscribed before me, on this the ²⁴ day of May, 2004.


Judge, 242 District Court
Harris County, Texas

THE STATE OF TEXAS

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S/W RETURN AND INVENTORY

COUNTY OF HARRIS

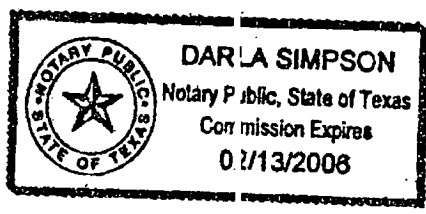
§

The undersigned, being a peace officer under the laws of the State of Texas and being duly sworn on oath, certifies that the foregoing warrant came to hand on the 24 day of May of 2004, A.D., and that it was executed on the 25 day of May of 2004, A.D., by making the search directed therein and pursuant thereto seizing the following property:

Seized one cashier check from Wells Fargo Bank
0675201687 for \$ 776,872.88

[Signature]
AFFIANT

26th Sworn to and Subscribed before me, the undersigned authority, on this the day of May of 2004, A.D.



Darla Simpson
NOTARY PUBLIC in and for
The State of Texas

Location	Months in Operations	Charges	Charges Pending	Convictions	Acquittal	Resolved	Enforcement Visits	Charges per Visit
2003 Erotic Dance Violations								
Club A	12	1	0	0		1	1	1.0
Club B	12	8	3	0		5	4	2.0
Club C	12	3	0	1		2	2	1.5
Club D	12	5	0	5		0	3	1.7
Club E	12	20	8	3		9	6	3.3
Club F	12	20	5	4		11	4	5.0
Club G	12	9	4	1		4	2	4.5
Treasures	3.5	10	8	1	1	0	3	3.3
Totals		76	28	15	1	32	25	3.0

2004 Erotic Dance Violations								
Club A	5.5	1	1	0		0	1	1.0
Club B	5.5	23	22	0		1	6	3.8
Club C	5.5	0	0	0		0	1	-
Club D	5.5	13	10	3		0	3	4.3
Club E	5.5	19	19	0		0	3	6.3
Club F	5.5	17	15	2		0	4	4.3
Club G	5.5	5	5	0		0	2	2.5
Treasures	5.5	14	14	0		0	3	4.7
Totals		92	86	5		1	23	4.0

2003 / 2004 Combined Erotic Dance Violations								
Club A	17.5	2	1	0		1	2	1.0
Club B	17.5	31	25	0		6	10	3.1
Club C	17.5	3	0	1		2	3	1.0
Club D	17.5	18	10	8		0	6	3.0
Club E	17.5	39	27	3		9	9	4.3
Club F	17.5	37	20	6		11	8	4.6
Club G	17.5	14	9	1		4	4	3.5
Treasures	9	24	22	1	1	1	6	4.0
Totals		168	114	20	1	34	48	3.5

2003 Solicit Prostitution								
Club A	12	0	0	0		0	0	-
Club B	12	2	0	0		2	1	2.0
Club C	12	0	0	0		0	0	-
Club D	12	2	0	0		2	1	2.0
Club E	12	6	0	2		4	3	2.0
Club F	12	6	5	0		1	3	2.0
Club G	12	1	0	1		0	1	1.0
Treasures	3.5	4	4	0		0	2	2.0
Totals		21	9	3	0	9	11	1.9

NOTE: For the purposes of this report the following explanations apply:

1) Metro visits reflect the number of visits for enforcement purposes and does not include visits for the purposes of compliance checks, investigation and/or administrative issues.

2) The term "resolved" encompasses a variety of negotiated resolutions which may have resulted in an amendment to the original charge at the successful conclusion of specified terms/conditions and/or dismissals pursuant to negotiations.

Submitted at City Council

Date 6/16/04 Item #78

EXHIBITS IN SUPPORT
OF
D. WESTWOOD, INC., DBA
TREASURES
LAS VEGAS CITY COUNCIL

JUNE 16, 2004

Submitted at City Council

Date 6/16/04 Item # 78

TREASURES

Outline of Compliance Reports

1. **Summary of Compliance Measures**
2. **Compliance Policy**
3. **Compliance Regulations**
4. **Erotic Dance Establishment Code Enforcement Log**
5. **Erotic Dance Establishment Code Training Log**
6. **Communication Log with Metro & City Business Licensing**
7. **Solicitation and Illegal Drugs Warnings**
8. **Log of K-9 Searches**
9. **Discipline Report**
10. **Affidavit of Tom Dillard, Professional Investigators**
11. **City Attorney Summary of Erotic Dance and Solicitation Citations, 2003-2004**
12. **LVMPD Calls for Service Log**

TREASURES

Summary of Compliance Measures

- Developed a Compliance Policy to govern the operation of Treasures, which includes the following:
 - Immediate termination for conviction of solicitation or prostitution.
 - Title 6 violations:
 - For the first offense, the employee or entertainer is reprimanded and placed on probation pending the disposition of the violation.
 - For the second offense, the employee is suspended without pay for two weeks, while the entertainer is prohibited from performing at Treasures for two weeks.
 - For the third offense, the employee is terminated and the entertainer is prohibited from ever performing at Treasures in the future.
- Developed separate Compliance Regulations for management, employees and entertainers.
- Required entertainers to sign an agreement requiring:
 - Conformance to all City regulations governing erotic dance establishments;
 - Consent to background checks; and
 - Consent to random drug searches.
- Tracked all citations received by any employee or entertainer in order to implement disciplinary action.
- Maintained a log of all instances where management warned an entertainer that her performance was approaching a violation of the erotic dance code.
- Maintained a log of all disciplinary actions taken by Treasures against any employee or entertainer.
- Placed signs notifying employees and entertainers that prostitution, solicitation and the use of illegal drugs are strictly prohibited and shall result in immediate termination or dismissal.
- Placed table-cards throughout the establishment warning customers that solicitation of prostitution and the use of illegal drugs are prohibited.
- Implemented the random use of a drug-sniffing dog to check for the presence of illegal drugs in the establishment.

- Prohibited entertainers from leaving the establishment with any patron (defined as any person who enters Treasures other than employees or entertainers).
- Established a "one-foot on the floor" rule requiring all entertainers to maintain one foot on the floor at all times when performing lap dances. This rule makes it very difficult for entertainers to violate the erotic dance code during their performances.
- Installed a computerized fingerprint and database system for the tracking of each entertainer in the establishment.
- Hired Compliance Officers for the sole purpose and function of enforcing the erotic dance code.
- Instituted the use of laser pens by management as a more efficient and simplified method of enforcement of the erotic dance code.
- Hired a private investigator to assist with the following:
 - Provide guidance on the implementation of Treasures' Compliance Policy.
 - Hire appropriate personnel for management and security positions.
 - Provide weekly training classes to management and entertainers on the erotic dance code.
 - Conduct background checks on all managers, and on all entertainers who have performed at Treasures at least 20 times within the last 60 days.
 - Conduct undercover inspections of Treasures to weed out "bad apples."

TREASURES

COMPLIANCE POLICY

Overview

The owners of Treasures have adopted and will enforce a "no tolerance" compliance policy. All managers, employees and entertainers will be required to abide by all applicable state, county and city regulations governing the operation of erotic dance entertainments and liquor establishments, and also abide by all club policies. The purpose and goal of Treasures' compliance policy is to foster an environment that encourages full compliance with all laws and regulations governing Treasures.

Club managers, employees and entertainers will be trained, both prior to beginning work and on a continuing basis. Training will include a comprehensive review of all applicable laws, regulations and club policies, and a detailed system of enforcement. Enforcement will be the responsibility of all managers, employees and entertainers. Any person who participates in illegal conduct, or who knowingly allows such conduct to occur will be disciplined and/or terminated, or prohibited from performing at Treasures, as the case may be.

Treasures' compliance policy also includes a reporting system to ensure that managers and owners are continuously advised on all matters affecting club operations. Employees and entertainers are required to report to a manager whenever they witness activity that violates any law or regulation. Club managers, in turn, are required to provide a report to club owners at least twice per month.

The following pages detail the job requirements and responsibilities relating to Treasures' compliance policy. The requirements are in addition to other general club policies and detailed regulations governing management, entertainers and employees. All questions should be referred to a manager.

General Requirements **(Applies To All Employees and Entertainers)**

1. All employees and entertainers must have a valid, unexpired work card prior to working in the club.
2. Employment applications must be signed by the applicant. The applicant will be required to disclose any criminal convictions he or she has had in the last five (5) years. The club will not hire any person who has been convicted of any crime involving prostitution or illegal drugs within five (5) years of the application date. The club also reserves the right to refuse employment to any person who is arrested or convicted for any other reason.

3. Any employee convicted of a crime involving prostitution or illegal drugs during the person's employment with the club will be immediately terminated. Any entertainer convicted of a crime involving prostitution or illegal drugs during the person's employment with the club will be prohibited from any future use of the facilities at Treasures and the Entertainer Agreement will be terminated.
4. All employees and entertainers must complete a training course on the applicable laws and regulations governing adult entertainment and liquor licensees. Employees and entertainers will be required to sign a document evidencing completion of the course and understanding of the law prior to working in the club.
5. Any employee or entertainer who participates in any activity that violates Title 6 of the Las Vegas Municipal Code, or who knowingly allows such activity to occur, will be disciplined as follows:
 - For the first offense, the employee or entertainer will be reprimanded and placed on probation. A report of the reprimand will be retained in the appropriate personnel file for a period of six (6) months. The period of probation will be determined by management based upon the severity of the offense, or until the determination of any pending citation. Management may immediately suspend an employee or entertainer based upon the severity of the offense, repeated violations, and/or the surrounding circumstances.
 - For a second offense, the employee will be suspended, without pay, for a minimum period of two (2) weeks, and the entertainer will be prohibited from performing at Treasures for a minimum period of two (2) weeks. The suspension period may be extended by management based upon the severity of the offense, repeated violations, and/or the surrounding circumstances.
 - For the third offense, the employee will be terminated and prohibited from any future employment in the club, and the entertainer will be prohibited from performing at Treasures and the Entertainer Agreement will be terminated.
6. Any employee who consumes illegal drugs, or who engages in prostitution or solicitation of prostitution, while working in the club may be immediately terminated and prohibited from any future employment in the club. An entertainer who consumes illegal drugs, or who engages in prostitution or solicitation of prostitution, while performing at the club may be immediately removed from the premises and prohibited from performing at Treasures, and may result in termination of the Entertainer Agreement.
7. Any employee or entertainer who reports to work while either intoxicated or under the influence of illegal drugs will be disciplined as follows:
 - For the first offense, the employee will be suspended, without pay, for a period of two (2) weeks, and the entertainer will be prohibited from use of the facilities at Treasures for a period of two (2) weeks.

- For the second offense, the employee will be terminated and prohibited from any future employment in the club, and the entertainer will be prohibited from performing at Treasures and the Entertainer Agreement will be terminated.

Manager Requirements

1. Club managers have the primary responsibility for ensuring that: (a) the club operates in compliance with all applicable laws and regulations; and (b) the club's owners receive regular reports on club operations.
2. Club managers will be required to conduct training sessions for all employees and entertainers. The sessions will include a study of each of the following:
 - The provisions of Title 6 of the Las Vegas Municipal Code governing erotic dance establishments and liquor licensees.
 - Club policies regarding proper conduct when dealing with customers, entertainers and employees.
 - Club policies regarding the reporting of any activity that violates any applicable law or regulation.
3. Each club manager shall take an active role in ensuring compliance with club policies and all applicable laws and regulations. Managers are required to supervise club operations throughout their entire shift, and to promptly take action deemed appropriate to ensure compliance.
4. Club managers will be responsible for enforcing all of the club's policies regarding the hiring, training and disciplining (including termination) of club employees, and for the engagement, oversight and action against entertainers in violation of applicable laws and/or club policies.
5. Each manager shall, at least twice per month, report the following to the club owners:
 - Any report the manager has received, regardless of the source of the report, regarding: (a) activity that is either illegal or violates club policy; and (b) the action taken for each reported activity.
 - Any activity the manager witnessed that was illegal or violated club policy, and the action taken.
 - Any citation, notice of noncompliance, complaint or notification received from any governmental or law enforcement agency, and the action taken.
 - Any disciplinary action the manager took during the reporting period that related to the club's compliance policies.

- Any recommendations that the manager deems appropriate to ensure continued compliance with club policies and the applicable laws and regulations.
6. Failure to comply with any of these requirements will result in disciplinary action and/or termination.

Entertainer Requirements

1. Prior to beginning work in the club, all entertainers must sign a certificate that indicates they have read and understand: (a) the provisions of Title 6 of the Las Vegas Municipal Code governing erotic dance establishments and liquor licensees; (b) club policies regarding proper conduct of employees and entertainers; and (c) club policies regarding suspension and/or termination of employees and entertainers who fail to comply with either the applicable provisions or club policy.
2. Prior to beginning work in the club, all entertainers must provide proof that:
 - She is at least twenty-one (21) years of age; and
 - She has a valid, unexpired work card.
3. Entertainers must notify a manager immediately if any of the following occurs:
 - The entertainer sees a potential conflict arising between customers.
 - The entertainer sees any customer or employee in possession of a weapon.
 - A customer or employee tries to sell the entertainer drugs or asks the entertainer for drugs.
 - A customer tries to solicit prostitution.
4. An entertainer must not, under any circumstances:
 - Publicly display or expose any portion of her genitals in any area of the club open to the public;
 - fondle or caress any customer;
 - allow herself to be fondled or caressed by any customer; or
 - engage in prostitution, solicitation of prostitution, or pandering.
5. Failure to comply with these requirements will result in disciplinary action, which may include loss of privileges to perform at Treasures on a temporary or permanent basis and/or termination of the Entertainer Agreement.

Additional Compliance / Security Measures

1. Metal detectors may be installed at all customer entry points to the club. Weapons will be prohibited.
2. The club owners may, if deemed necessary, contract with private, undercover security personnel to provide them monthly reports on potential prostitution, drug or other illegal activity. The identity of these personnel will be known only to the owners. Any employees involved in such activity will be terminated.
3. The club owners will meet with City and LVMPD enforcement officials on an as needed basis to report on the status of all compliance related issues.
4. Treasures has installed an entertainer identification system to ensure that management will know which entertainers are in the club at all times. This system includes both a bar code placed on the back of the entertainers' work cards and fingerprint identification technology. Both of these elements are linked to a computer database and tracking software.

TREASURES

COMPLIANCE REGULATIONS

MANAGEMENT

In addition to management compliance with each of the following regulations, it is management's *primary* responsibility to ensure *all* persons working at Treasures comply with Treasures' compliance policy and compliance regulations.

1. **Prostitution:** Prostitution, solicitation of prostitution, and pandering is prohibited in the City of Las Vegas. Management is responsible for ensuring compliance with and enforcement of the prohibition of these activities in Treasures. Failure to properly to do so will subject management to discipline pursuant to Treasures' Compliance Policy.

2. **Entertainer/Customer Contact:** No entertainer shall fondle or caress any patron, and no patron shall fondle or caress any entertainer. "Fondle or caress" means conduct or affectionate touching that is intended to sexually arouse (may include "sexual conduct"). "Sexual conduct" means the engaging in or the commission of an act of sexual intercourse, oral-genital contact, or the touching of the sexual organ, pubic region, buttock or female breast of a person for the purpose of arousing or gratifying the sexual desire of another person.

To simplify this rule remember the following: Neither an entertainer nor a patron can touch the other's breast, buttock or genital area. To do so would be considered fondling or caressing in a sexual manner. This is prohibited in the City of Las Vegas.

Management is responsible for ensuring compliance with and enforcement of this rule. Failure to enforce this rule will subject management to discipline pursuant to Treasures' Compliance Policy.

3. **Exposure:** No person shall publicly display or expose, with less than a full opaque covering (not transparent or see-through), any portion of a person's genitals, pubic area or buttocks in a lewd and obscene fashion.

It is unlawful for any person, while acting as an employee, waiter, waitress, performer or entertainer in any live act, play, demonstration or exhibition or while serving food or drink to any customer, to do any of the following acts on the premises where alcoholic beverages are licensed to be sold:

- Expose his or her genitals, pubic hair, perineum, anal region or pubic hair region; or
- Expose or use any device, costume or covering which gives the appearance of or simulates the genitals, pubic hair, perineum, anal region or pubic hair region.

A person shall be deemed to be a waiter, waitress, performer or entertainer if such person acts in that capacity without regard to whether or not such person is paid any compensation.

It is unlawful for any licensee, agent or employee to allow, cause, permit, procure, counsel or assist any person to perform any of the acts set forth above on the premises where alcoholic beverages are licensed or sold. No entertainer shall serve or handle food or beverage.

4. **Entertainer Records:** Management shall record and maintain a list containing the name, age, address and work card (new and renewal) of each entertainer for a period of three years. This list shall be submitted to LVMPD on a monthly basis.
5. **Entertainer's Work Card:** No entertainer shall work at Treasures without a valid, unexpired work card. Note that work cards may be denied for fraudulent statements on the application, for crimes of fraud, prostitution or solicitation within the last two years, and for code violations within the last year. Work card information shall be recorded and maintained as per item four above.
6. **Entertainer's Age:** An entertainer shall not be employed unless proof is provided that she is at least twenty-one (21) years of age.
7. **Dance Areas:** Dancing shall only take place within an area which is visible:
 - Immediately upon entrance to the establishment premises;
 - Immediately from the entry room;
 - Immediately from one fixed staffed security station; or
 - Immediately from a service bar area of the establishment's premises.However, no erotic dancing shall be visible to the outside sidewalk or street areas.
Dance areas must not be obscured by any curtain or door that restricts view from one of the above-described areas.
Patrons are not allowed to enter private rooms with entertainers.
Video cameras and supervised monitors qualify as meeting the "one fixed staffed security station" requirement.
8. **Video Cameras:** Management is responsible for ensuring that all video cameras are working properly at all times, and for training employees charged with supervising the video monitors in conduct prohibited by law.
9. **Drugs/Alcohol:** Any person who consumes illegal drugs while working in the club will be immediately terminated and prohibited from any future employment in the club. Any person who reports to work while either intoxicated or under the influence of illegal drugs will be disciplined per the penalties outlined in the regulations for employees and entertainers.
10. **Violation of City Code:** Any person who participates in any activity that violates Title 6 of the Las Vegas Municipal Code (attached), or who knowingly allows such activity to occur, will be disciplined per the penalties outlined in the regulations for employees and entertainers.
Management is responsible for ensuring compliance with and enforcement of Title 6. Failure to do so will subject management to discipline pursuant to Treasures' Compliance Policy.
11. **Tipping Taxicabs:** No person working at Treasures may provide a gratuity, tip or other form of compensation to any taxicab driver for diverting or attempting to divert a prospective customer from any commercial establishment to Treasures.

12. **Tips from Entertainers:** Entertainers shall not provide a gratuity, tip or other form of compensation to management, security or other persons charged with enforcing provisions of Title 6 of the Las Vegas Municipal Code regulating entertainer conduct.
13. **Liquor License:** All licenses must be conspicuously displayed. Service of alcohol is prohibited without a valid liquor license. Management must understand that a liquor license, like a sexually oriented business license, is granted as a matter of privilege not of right. The license is subject to *suspension or revocation* by the City of Las Vegas for violations of the code. It is management's responsibility to ensure compliance with and enforcement of the liquor code.
14. **Work Cards, Liquor:** The following individuals must have a valid, unexpired work card to be employed in the retail sale of alcoholic beverages:
- A manager; and,
 - Any employee who pours or serves alcoholic beverages for on premises consumption.
15. **Unlawful Sale of Liquor:** City code prohibits the sale of any alcoholic beverage:
- Without a valid unexpired license;
 - To a person who is intoxicated;
 - For delivery to a personal residence pursuant to a telephone call request;
 - Through a drive-in or walk-up window, door or other opening;
 - In any manner not authorized by the license; or
 - By a person who is intoxicated.
16. **Sale of Alcohol to Minor:** It is unlawful to sell, serve, give away or dispense alcohol to a minor. It is a defense to any criminal prosecution or proceeding for the suspension or revocation of any license that the licensee, agent or employee, immediately prior to furnishing the alcoholic beverage to a minor, demanded and was shown a bona fide documentary evidence of the age and identity of the minor issued by a governmental agency, including a motor vehicle operator's license.
Management shall require all employees serving alcohol to demand proof of age from any customer who appears to be 30 years of age or younger.
17. **Employee Age, Liquor:** It is unlawful for any person to employ a person under the age of 21 to sell or handle alcoholic beverages, or to allow a person under the age of 21 to sell or handle alcoholic beverages at such person's place of business. Management is responsible for ensuring all employees at Treasures are at least 21 years of age.
18. **Alcohol Awareness Program:** No person may be employed by a licensee to serve, sell, distribute alcoholic beverages, or perform security guard functions unless such person has successfully completed a comprehensive alcohol awareness training course of not less than four hours in duration and has completed an alcohol awareness training refresher course not less than two hours in duration every five years from the date of their most recent course certification. The alcohol awareness training card, or a copy thereof, must be available during the work shift on the premises where the employee is serving, selling or distributing alcoholic beverages for inspection by Metro, the City or other government personnel.
Licenses of all licensees which do not comply with the requirements of alcohol awareness

certification are *automatically suspended* until compliance is shown.

Management shall be responsible for ensuring all employees serving, selling or distributing alcoholic beverages, or performing security guard functions, are properly certified.

19. Management Report: Each manager shall, on the 1st and 15th of each month, report the following to the club owners (sample form is attached):

- Any report the manager has received, regardless of the source of the report, regarding: (a) activity that is either illegal or violates club policy; and (b) the action taken for each reported activity.
- Any activity the manager witnessed that was illegal or violated club policy, and the action taken.
- Any citation, notice of noncompliance, complaint or notification received from any governmental or law enforcement agency, and the action taken.
- Any disciplinary action the manager took during the reporting period that related to the club's compliance policies.
- Any recommendations that the manager deems appropriate to ensure continued compliance with club policies and the applicable laws and regulations.

Management shall immediately report to the club owners occurrence of any of the first three items listed above.

I have fully read and understand the regulations set-out above. Any regulations which I did not understand or for which I had questions, I was given an opportunity to have the regulations further explained to me. I agree to abide by all state and local laws governing Treasures and all compliance regulations required by Treasures, and I agree to cooperate fully with Treasures' legal counsel with respect to the same.

Name

Date

Signature

TREASURES

Bi-Monthly Management Report

Name: _____

Date: _____

Any report received, regardless of the source of the report, regarding: (a) activity that is either illegal or violates club policy; and (b) the action taken for each reported activity.

Any activity witnessed that was illegal or violated club policy, and the action taken.

Any citation, notice of noncompliance, complaint or notification received from any governmental or law enforcement agency, and the action taken.

Any disciplinary action taken during the reporting period that related to the club's compliance policies.

Any recommendations deemed appropriate to ensure continued compliance with club policies and the applicable laws and regulations.

TREASURES

COMPLIANCE REGULATIONS

ENTERTAINERS/INDEPENDENT CONTRACTORS

Entertainers shall be required to read, understand and comply with all of the following regulations. Entertainers shall comply with all the applicable laws, rules and regulations for the United States, State of Nevada, County of Clark and the City of Las Vegas. Specifically, entertainers agree to comply with all applicable provisions of the Las Vegas Municipal Code governing prostitution, solicitation, and conduct of entertainers in erotic dance establishments. These provisions are applicable to all other clubs similarly situated in the City of Las Vegas. Failure to comply with the following regulations may subject the entertainer to discipline pursuant to Treasures' Compliance Policy and/or termination of the Entertainer Agreement.

1. **Prostitution:** Prostitution, solicitation of prostitution, and pandering is prohibited in the City of Las Vegas. Any entertainer engaged in such conduct shall be immediately removed from the premises and subject to discipline pursuant to Treasures' Compliance Policy. Entertainers are prohibited from leaving the premises with a patron.
2. **Entertainer/Customer Contact:** No entertainer shall fondle or caress any patron, nor permit a patron to fondle or caress any entertainer. "Fondle or caress" means conduct or affectionate touching that is intended to sexually arouse (may include "sexual conduct"). "Sexual conduct" means the engaging in or the commission of an act of sexual intercourse, oral-genital contact, or the touching of the sexual organ, pubic region, buttock or female breast of a person for the purpose of arousing or gratifying the sexual desire of another person.
Any entertainer violating this rule shall be immediately removed from the premises and subject to discipline pursuant to Treasures' Compliance Policy.
3. **Exposure:** No entertainer shall publicly display or expose, with less than a full opaque covering (not transparent or see-through), any portion of her genitals, pubic area or buttocks in a lewd and obscene fashion.
Any entertainer failing to comply with this rule shall be immediately removed from the premises and subject to discipline pursuant to Treasures' Compliance Policy.
4. **Work Card/I.D.:** No entertainer shall perform at Treasures without a valid, unexpired work card. Each entertainer must present her work card to management prior to entering the club. Note that work cards may be denied for fraudulent statements on the application, for crimes of fraud, prostitution or solicitation within the last two (2) years, and for code violations within the last year. Upon entering the club, each entertainer must also confirm her identity via fingerprint identification.

5. **Age:** Each entertainer must provide proof to management that she is at least twenty-one (21) years of age prior to entering the club.
6. **Tips by Entertainers:** Entertainers shall not provide a gratuity, tip or other form of compensation to management, security or other person charged with enforcing provisions of Title 6 of the Las Vegas Municipal Code regulating entertainer conduct.
7. **Drugs/Alcohol:** An entertainer who consumes illegal drugs while performing at the club shall be immediately removed from the premises and prohibited from any future use of the facilities at Treasures, and shall result in termination of the Entertainer Agreement. Any person who reports to work while either intoxicated or under the influence of illegal drugs shall be subject to the following:
 - For the first offense, the entertainer will be prohibited from performing at Treasures for a period of two (2) weeks.
 - For the second offense, the Entertainer Agreement will be terminated and the entertainer will be prohibited from performing at Treasures.
8. **Violation of City Code:** An entertainer performing at Treasures who participates in any activity that violates Title 6 of the Las Vegas Municipal Code, or who knowingly allows such activity to occur, shall be subject to the following:
 - For the first offense, the entertainer will be reprimanded and placed on probation. A report of the reprimand will be retained in the appropriate personnel file for a period of six (6) months. The period of probation will be determined by management based upon the severity of the offense, or until the determination of any pending citation. Management may immediately suspend an employee or entertainer based upon the severity of the offense, repeated violations, and/or the surrounding circumstances.
 - For a second offense, the entertainer will be prohibited from performing at Treasures for a minimum period of two (2) weeks. The suspension period may be extended by management based upon the severity of the offense, repeated violations, and/or the surrounding circumstances.
 - For the third offense, the entertainer will be prohibited from performing at Treasures and the Entertainer Agreement will be terminated.

I have fully read and understand the regulations setout above. Any regulations which I did not understand or for which I had questions, I was given an opportunity to have the regulations further explained to me. I agree to abide by all state and local laws governing Treasures and all compliance regulations required by Treasures, and I agree to cooperate fully with Treasures management and legal counsel with respect to the same.

Name

Date

Signature

TREASURES

COMPLIANCE REGULATIONS

EMPLOYEES

Employees shall be required to read, understand and comply with all of the following regulations. Failure to comply may result in disciplinary action pursuant to Treasures' Compliance Policy.

1. **Exposure:** No person shall publicly display or expose, with less than a full opaque covering (not transparent or see-through), any portion of a person's genitals, pubic area or buttocks in a lewd and obscene fashion.
It is unlawful for any person, while acting as an employee, waiter, waitress, performer or entertainer in any live act, play, demonstration or exhibition or while serving food or drink to any customer, to do any of the following acts on the premises where alcoholic beverages are licensed to be sold:
 - Expose his or her genitals, pubic hair, perineum, anal region or pubic hair region; or
 - Expose or use any device, costume or covering which gives the appearance of or simulates the genitals, pubic hair, perineum, anal region or pubic hair region.A person shall be deemed to be a waiter, waitress, performer or entertainer if such person acts in that capacity without regard to whether or not such person is paid any compensation. It is unlawful for any licensee, agent or employee to allow, cause, permit, procure, counsel or assist any person to perform any of the acts set forth above on the premises where alcoholic beverages are licensed or sold. No entertainer shall serve or handle food or beverage.
2. **Entertainer/Customer Contact:** No entertainer shall fondle or caress any patron, and no patron shall fondle or caress any entertainer. "Fondle or caress" means conduct or affectionate touching that is intended to sexually arouse (may include "sexual conduct"). "Sexual conduct" means the engaging in or the commission of an act of sexual intercourse, oral-genital contact, or the touching of the sexual organ, pubic region, buttock or female breast of a person for the purpose of arousing or gratifying the sexual desire of another person.
3. **Prostitution:** Prostitution, solicitation of prostitution, and pandering is prohibited in the City of Las Vegas. Any person working at Treasures must report to management any knowledge of any such conduct. Failure to do so shall subject the employee to disciplinary action pursuant to Treasures' Compliance Policy.
4. **Work Card:** No employee, including security guards, shall work at Treasures without a valid, unexpired work card. Note that work cards may be denied for fraudulent statements on the application, for crimes of fraud, prostitution or solicitation within the last two (2) years, and for code violations within the last year.

5. **Tipping Taxicabs:** No person working at Treasures may provide a gratuity, tip or other form of compensation to any taxicab driver for diverting or attempting to divert a prospective customer from any commercial establishment to Treasures.
6. **Drugs/Alcohol:** Any person who consumes illegal drugs while working in the club will be immediately terminated and prohibited from any future employment in the club. Any person who reports to work while either intoxicated or under the influence of illegal drugs will be disciplined as follows:
 - For the first offense, the employee will be suspended, without pay, for a period of two (2) weeks.
 - For the second offense, the employee will be terminated and prohibited from any future employment in the club.
7. **Violation of City Code:** Any employee or entertainer who participates in any activity that violates Title 6 of the Las Vegas Municipal Code (attached), or who knowingly allows such activity to occur, will be disciplined as follows:
 - For the first offense, the employee will be reprimanded and placed on probation. A report of the reprimand will be retained in the appropriate personnel file for a period of six (6) months. The period of probation will be determined by management based upon the severity of the offense, or until the determination of any pending citation. Management may immediately suspend an employee or entertainer based upon the severity of the offense, repeated violations, and/or the surrounding circumstances.
 - For a second offense, the employee will be suspended, without pay, for a minimum period of two (2) weeks. The suspension period may be extended by management based upon the severity of the offense, repeated violations, and/or the surrounding circumstances.
 - For the third offense, the employee will be terminated and prohibited from any future employment in the club.
8. **Work Cards, Liquor:** The following individuals must have a valid, unexpired work card to be employed in the retail sale of alcoholic beverages:
 - A manager; and,
 - Any employee who pours or serves alcoholic beverages for on premises consumption.
9. **Unlawful Sale of Liquor:** City code prohibits the sale of any alcoholic beverage:
 - Without a valid unexpired license;
 - To a person who is intoxicated;
 - For delivery to a personal residence pursuant to a telephone call request;
 - Through a drive-in or walk-up window, door or other opening;
 - In any manner not authorized by the license; or
 - By a person who is intoxicated.
10. **Sale of Alcohol to Minor:** It is unlawful to sell, serve, give away or dispense alcohol to a minor. It is a defense to any criminal prosecution or proceeding for the suspension or revocation of any license that the licensee, agent or employee, immediately prior to furnishing the alcoholic beverage to a minor, demanded and was shown a bona fide documentary evidence of the age and identity of the minor issued by a governmental agency, including a motor vehicle

operator's license.

All employees serving alcohol to must demand proof of age from any customer who appears to be 30 years of age or younger.

11. **Alcohol Awareness Program:** No person may be employed by a licensee to serve, sell, distribute alcoholic beverages, or perform security guard functions unless such person has successfully completed a comprehensive alcohol awareness training course of not less than four hours in duration and has completed an alcohol awareness training refresher course not less than two hours in duration every five years from the date of their most recent course certification.

The alcohol awareness training card, or a copy thereof, must be available during the work shift on the premises where the employee is serving, selling or distributing alcoholic beverages for inspection by Metro, the City or other government personnel.

Licenses of all licensees which do not comply with the requirements of alcohol awareness certification are automatically suspended until compliance is shown.

I have fully read and understand the regulations set-out above. Any regulations which I did not understand or for which I had questions, I was given an opportunity to have the regulations further explained to me. I agree to abide by all state and local laws governing Treasures and all compliance regulations required by Treasures, and I agree to cooperate fully with Treasures management and legal counsel with respect to the same.

Name

Date

Signature

TREASURES

Erotic Dance Establishment Enforcement Log

Date	Entertainer	Violation	By	Action Taken
11/17/03	Toni	Behavior	Sean	Verbal
11/24/03	Daisy	Left with Customer	Sean	Verbal
11/24/03	Lux	Left with Customer	Sean	Verbal
12/09/03	Jaguar	Behavior	Sean	Verbal
12/11/03	Ariel	Behavior	Sean	Verbal
12/11/03	Queen	Behavior	Sean	Verbal
12/11/03	Serina	Behavior	Sean	Verbal
03/08/04	Sam	EDC	Orlando	Tapped
03/08/04	Thumper	EDC	Orlando	Tapped
03/17/04	Blu	EDC	David	Verbal
03/17/04	Gina	EDC	Joseph	Tapped
03/17/04	Kendra	EDC	Joseph	Tapped
03/17/04	Lalyn	EDC	Joseph	Tapped
03/17/04	Serina	EDC	Joseph	Tapped
03/18/04	Amaya	EDC	Joseph	Tapped
03/18/04	Ariel	EDC	Joseph	Tapped
03/18/04	Gina	EDC	Ed	Tapped
03/18/04	Gizelle	Massage	David	Verbal
03/18/04	Olivia	Behavior	Ed	Tapped
03/18/04	Petra	EDC	Joseph	Tapped
03/18/04	Ray Driana	EDC	Joseph	Tapped
03/18/04	Serina	EDC	Ed	Tapped
03/19/04	Amanda	EDC	Orlando	Tapped
03/19/04	Amber	EDC	Ed	Tapped
03/19/04	Ariel	EDC	Ed	Tapped
03/19/04	Lachelle	EDC	Orlando	Tapped
03/19/04	Mary Jane	EDC	Joseph	Tapped
03/19/04	Serina	EDC	Ed	Tapped
03/19/04	Stacy	EDC	Joseph	Tapped
03/19/04	Victoria	EDC	Joseph	Tapped
03/19/04	Victoria	EDC	Ed	Suspended
03/20/04	Ariel	EDC	Joseph	Tapped
03/20/04	Cassidy	EDC	Joseph	Tapped
03/20/04	Honey Joe	EDC	Joseph	Tapped
03/21/04	Amber	EDC	Joseph	Tapped
03/21/04	Amber	EDC	Jacko	Tapped
03/21/04	Lizanne	EDC	Jacko	Tapped
03/21/04	Serina	EDC	Joseph	Tapped
03/21/04	Simone	EDC	Jacko	Tapped

TREASURES

Erotic Dance Establishment Enforcement Log

Date	Entertainer	Violation	By	Action Taken
03/21/04	Yanna	EDC	Jacko	Tapped
03/22/04	Berlin	Money	Sean	Verbal
03/22/04	Honey	EDC	Sean	Tapped
03/22/04	Honey Joe	EDC	Jacko	Tapped
03/22/04	Jaina	EDC	Sean	Tapped
03/22/04	Jocelyn	EDC	Jacko	Tapped
03/22/04	Mariah	EDC	David	Verbal
03/22/04	Nikki	Money	Sean	Verbal
03/22/04	Victoria Marie	EDC	Jacko	Tapped
03/22/04	Zionna	EDC	Jacko	Tapped
03/23/04	Bree	EDC	Orlando	Tapped
03/23/04	Candace	EDC	Jacko	Tapped
03/23/04	Daisey	EDC	Orlando	Tapped
03/23/04	Dennys	EDC	Jacko	Tapped
03/23/04	Emma	EDC	Jacko	Tapped
03/23/04	Kendal	EDC	Jacko	Tapped
03/23/04	Lolita	EDC	Jacko	Tapped
03/23/04	Mary Jane	EDC	Orlando	Tapped
03/23/04	Misha	EDC	Jacko	Tapped
03/23/04	Ryder	EDC	Jacko	Tapped
03/23/04	Tika	EDC	Jacko	Tapped
03/23/04	Yukosoni	EDC	Orlando	Tapped
03/24/04	Amaya	EDC	Joseph	Tapped
03/24/04	Ariel	EDC	Ed	Tapped
03/24/04	Bree	EDC	Sean	Tapped
03/24/04	Gina	EDC	Sean	Tapped
03/24/04	Honey Joe	EDC	Joseph	Tapped
03/24/04	Imani	EDC	Joseph	Tapped
03/24/04	Mala	EDC	Ed	Tapped
03/24/04	Mary Jane	EDC	Sean	Tapped
03/24/04	Shay	EDC	Sean	Tapped
03/24/04	Simone	EDC	Sean	Tapped
03/24/04	Stormey	EDC	Joseph	Tapped
03/24/04	Sunflower	EDC	Sean	Tapped
03/24/04	Tia	EDC	Joseph	Tapped
03/25/04	Amber	EDC	Sean	Tapped
03/25/04	Amya	EDC	Sean	Tapped
03/25/04	Chloe	EDC	Ed	Tapped
03/25/04	Chris	EDC	Joseph	Tapped

TREASURES

Erotic Dance Establishment Enforcement Log

Date	Entertainer	Violation	By	Action Taken
03/25/04	Gina	EDC	Sean	Tapped
03/25/04	Honey Joe	EDC	Joseph	Tapped
03/25/04	Honey Joe	EDC	Sean	Tapped
03/25/04	Mary	EDC	David	Verbal
03/25/04	McKenzie	EDC	Orlando	Tapped
03/25/04	Rita	EDC	Joseph	Tapped
03/26/04	Billie	EDC	Mike	Tapped
03/26/04	Eileen	EDC	Jacko	Tapped
03/26/04	Ginger	EDC	Jacko	Tapped
03/26/04	Hollo	EDC	Ed	Tapped
03/26/04	Ireland	EDC	Joseph	Tapped
03/26/04	Lachelle	EDC	Jacko	Tapped
03/26/04	Lila	EDC	Joseph	Tapped
03/26/04	Madison	EDC	David	Verbal
03/26/04	Mala	EDC	Mike	Tapped
03/26/04	Neriah	EDC	Joseph	Tapped
03/26/04	Nirvana	EDC	Jacko	Tapped
03/26/04	Nyah	EDC	Mike	Tapped
03/26/04	Svieta	EDC	Jacko	Tapped
03/26/04	Svieta	EDC	Mike	Tapped
03/26/04	Tojo	EDC	Jacko	Tapped
03/27/04	Amaya	EDC	Mike	Tapped
03/27/04	Antoinette	EDC	Jacko	Tapped
03/27/04	Dolce	EDC	Jacko	Tapped
03/27/04	Eden	EDC	Joseph	Tapped
03/27/04	Eden	EDC	Jacko	Tapped
03/27/04	Eileen	EDC	Orlando	Tapped
03/27/04	Jaina	Money	Sean	Verbal
03/27/04	Jaina	EDC	Mike	Tapped
03/27/04	Jaina	EDC	David	Suspended
03/27/04	Maritime	EDC	Mike	Tapped
03/27/04	Nirvana	EDC	Orlando	Tapped
03/27/04	Petra	EDC	Joseph	Tapped
03/27/04	Sassy	EDC	Orlando	Tapped
03/27/04	Stacy	EDC	Jacko	Tapped
03/27/04	Svieta	EDC	Jacko	Tapped
03/28/04	Amaya	EDC	Mike	Tapped
03/28/04	Amy	EDC	Sean	Tapped
03/28/04	Eden	EDC	Jacko	Tapped

TREASURES

Erotic Dance Establishment Enforcement Log

Date	Entertainer	Violation	By	Action Taken
03/28/04	Gina	EDC	Jacko	Tapped
03/28/04	Jaina	Money	Sean	Tapped
03/28/04	Joci	EDC	Jacko	Tapped
03/28/04	Lachelle	EDC	Mike	Tapped
03/28/04	Lalyn	EDC	Mike	Tapped
03/28/04	Portia	EDC	Sean	Tapped
03/28/04	Teal	EDC	Mike	Tapped
03/29/04	Daryl	EDC	Sean	Tapped
03/29/04	Eden	EDC	Jacko	Tapped
03/29/04	Eden	EDC	Sean	Tapped
03/29/04	Kate	Stage	Sean	Verbal
03/29/04	Lizanne	EDC	Sean	Tapped
03/29/04	Mala	EDC	Jacko	Tapped
03/29/04	Mala	EDC	Sean	Tapped
03/30/04	Annie	EDC	Sean	Tapped
03/30/04	Davina	EDC	Sean	Tapped
03/30/04	Eden	EDC	Sean	Tapped
03/30/04	Jo Jo	EDC	Sean	Tapped
03/30/04	Mary Jane	EDC	Sean	Tapped
03/30/04	Pentran	EDC	Sean	Tapped
03/30/04	Sunflower	EDC	Sean	Tapped
03/31/04	Berlin	EDC	Joseph	Tapped
03/31/04	Billie	EDC	Joseph	Tapped
03/31/04	Candace	EDC	Orlando	Tapped
03/31/04	Emma	EDC	Ed	Tapped
03/31/04	Emma	EDC	Orlando	Tapped
03/31/04	Gina	EDC	Orlando	Tapped
03/31/04	Jewel	EDC	Joseph	Tapped
03/31/04	Lauranay	EDC	Joseph	Tapped
03/31/04	Lizanne	EDC	Sean	Tapped
03/31/04	Lolita	EDC	Joseph	Tapped
03/31/04	Mala	EDC	Orlando	Tapped
03/31/04	Malasia	EDC	Ed	Tapped
03/31/04	Paulina	EDC	Ed	Tapped
03/31/04	Paulina	EDC	Orlando	Tapped
03/31/04	Teela	EDC	Sean	Tapped
04/01/04	Lauranay	EDC	Joseph	Tapped
04/01/04	Lizanne	EDC	Joseph	Tapped
04/01/04	Suzette	EDC	Orlando	Tapped

TREASURES

Erotic Dance Establishment Enforcement Log

Date	Entertainer	Violation	By	Action Taken
04/01/04	Taylor	EDC	Joseph	Tapped
04/01/04	Trinity	EDC	Joseph	Tapped
04/02/04	Aaliyah	EDC	Jacko	Tapped
04/02/04	Ariel	EDC	Joseph	Tapped
04/02/04	Bailey	EDC	Jacko	Tapped
04/02/04	Clarissa	EDC	Jacko	Tapped
04/02/04	Franchesca	EDC	Joseph	Tapped
04/02/04	Gina	EDC	Joseph	Tapped
04/02/04	James	EDC	Joseph	Tapped
04/02/04	Jojo	EDC	Jacko	Tapped
04/02/04	Josie	EDC	Joseph	Tapped
04/03/04	Amy	EDC	Sean	Tapped
04/03/04	Ariel	EDC	Joseph	Tapped
04/03/04	Cameo	EDC	Orlando	Tapped
04/03/04	Kylie	EDC	Joseph	Tapped
04/03/04	Leia	EDC	Joseph	Tapped
04/03/04	Marey	Behavior	Sean	Tapped
04/03/04	Stormey	EDC	Joseph	Tapped
04/03/04	Tia	EDC	Joseph	Tapped
04/03/04	Trinity Faith	EDC	Orlando	Tapped
04/04/04	Ariel	EDC	Ed	Tapped
04/04/04	Cameo	EDC	Ed	Tapped
04/04/04	Devina	EDC	Joseph	Tapped
04/04/04	Honey	EDC	Sean	Tapped
04/04/04	Kaman	EDC	Joseph	Tapped
04/04/04	Lachelle	EDC	Mike	Tapped
04/04/04	Lexi	EDC	Sean	Tapped
04/04/04	Lucy Lou	EDC	Jacko	Tapped
04/04/04	Marcy	Behavior	Sean	Tapped
04/04/04	Michi	EDC	Joseph	Tapped
04/04/04	Paulina	EDC	Mike	Tapped
04/04/04	Stormey	EDC	Ed	Tapped
04/05/04	Billie	EDC	Mike	Tapped
04/05/04	Harmony	EDC	Mike	Tapped
04/05/04	Teal	EDC	Mike	Tapped
04/06/04	Billie	EDC	Mike	Tapped
04/06/04	Ginger	EDC	Jacko	Tapped
04/06/04	Landry	EDC	Jacko	Tapped
04/06/04	Lotus	EDC	Jacko	Tapped

TREASURES

Erotic Dance Establishment Enforcement Log

Date	Entertainer	Violation	By	Action Taken
04/06/04	Monique	EDC	Jacko	Tapped
04/06/04	Nikki	EDC	Mike	Tapped
04/06/04	Teal	EDC	Mike	Tapped
04/07/04	Amaya	Behavior	Mike	Warning
04/07/04	Eden	EDC	Joseph	Tapped
04/07/04	Eden	EDC	Jacko	Tapped
04/07/04	Gina	EDC	Jacko	Tapped
04/07/04	Harmony	EDC	Jacko	Tapped
04/07/04	Innocent	EDC	Mike	Tapped
04/07/04	Kori	EDC	Jacko	Tapped
04/07/04	Lucy Lou	EDC	Jacko	Tapped
04/07/04	Mala	EDC	Jacko	Tapped
04/07/04	Mariah	EDC	Mike	Tapped
04/07/04	Mary	EDC	Mike	Tapped
04/07/04	Mindy	EDC	Mike	Tapped
04/07/04	Nyah	EDC	David	Verbal
04/07/04	Nynh	EDC	Jacko	Tapped
04/07/04	Teal	EDC	Mike	Tapped
04/09/04	Amaya	EDC	Mike	Tapped
04/09/04	Ava	EDC	Jacko	Tapped
04/09/04	Billie	EDC	Mike	Tapped
04/09/04	Elizabeth	EDC	Mike	Tapped
04/09/04	Gina	EDC	Jacko	Tapped
04/09/04	Josie	EDC	Jacko	Tapped
04/09/04	Kiralee	EDC	Jacko	Tapped
04/09/04	Maritime	EDC	Mike	Tapped
04/09/04	Milani	EDC	Jacko	Tapped
04/09/04	Romina	EDC	David	Tapped
04/09/04	Ryder	EDC	Jacko	Tapped
04/09/04	Sophiea	EDC	Jacko	Tapped
04/09/04	Stormey	EDC	Jacko	Tapped
04/09/04	Svieta	EDC	Mike	Tapped
04/10/04	Alex	EDC	Jacko	Tapped
04/10/04	Elizabeth	EDC	Mike	Tapped
04/10/04	Lachelle	EDC	Mike	Tapped
04/10/04	Paula	EDC	Mike	Tapped
04/12/04	Genesie	EDC	Jacko	Tapped
04/12/04	Ginger	EDC	Jacko	Tapped
04/12/04	Jojo	EDC	Jacko	Tapped

TREASURES

Erotic Dance Establishment Enforcement Log

Date	Entertainer	Violation	By	Action Taken
04/12/04	Lalyn	EDC	Jacko	Tapped
04/12/04	Lita	EDC	Jacko	Tapped
04/12/04	Megan	EDC	Jacko	Tapped
04/12/04	Monique	EDC	Jacko	Tapped
04/12/04	Sunflower	EDC	Jacko	Tapped
04/12/04	Svieta	EDC	Jacko	Tapped
04/13/04	Danielle	EDC	Orlando	Tapped
04/13/04	Felony	EDC	Orlando	Tapped
04/13/04	Kaydence	EDC	Orlando	Tapped
04/13/04	Nya	EDC	Orlando	Tapped
04/13/04	Satori	EDC	Jacko	Tapped
04/14/04	Corey	EDC	Orlando	Tapped
04/14/04	Innocent	EDC	Mike	Tapped
04/14/04	Innocent	EDC	David	Verbal
04/14/04	Kiki	EDC	David	Verbal
04/14/04	Lachelle	EDC	Mike	Tapped
04/14/04	Nyah	Left with Customer	David	Suspended
04/14/04	Svieta	EDC	David	Verbal
04/16/04	Cheryl	EDC	Jacko	Tapped
04/16/04	Franchesca	EDC	Jacko	Tapped
04/16/04	Phoenix	EDC	Jacko	Tapped
04/17/04	Ava	EDC	Jacko	Tapped
04/17/04	Cotton	EDC	Bryan	Lazer
04/17/04	Dolce	EDC	Bryan	Verbal
04/17/04	Eve	EDC	Bryan	Lazer
04/17/04	Eve	Behavior	Jacko	Verbal
04/17/04	Jordan	EDC	Bryan	Verbal
04/17/04	Martell	Behavior	Jacko	Verbal
04/17/04	Maxine	EDC	Jacko	Tapped
04/17/04	Raquel	EDC	Jacko	Tapped
04/17/04	Sunflower	EDC	Jacko	Tapped
04/17/04	Svieta	EDC	Bryan	Tapped
04/17/04	Yukosoni	EDC	Jacko	Tapped
04/18/04	Emma	EDC	Sean	Tapped
04/18/04	Gucci	EDC	Sean	Tapped
04/18/04	Honey Joe	EDC	Sean	Lazer
04/18/04	Jenny	EDC	Sean	Lazer
04/18/04	Jenny Sung	EDC	Jacko	Tapped
04/18/04	Mala	EDC	Sean	Tapped

TREASURES

Erotic Dance Establishment Enforcement Log

Date	Entertainer	Violation	By	Action Taken
04/18/04	Roselle	EDC	Sean	Tapped
04/18/04	Simone	EDC	Sean	Verbal
04/19/04	Ava	EDC	Jacko	Tapped
04/19/04	Aviva	EDC	Jacko	Tapped
04/19/04	Candace	EDC	Jacko	Tapped
04/19/04	Cheryl	EDC	Jacko	Tapped
04/19/04	Ira	EDC	Sean	Tapped
04/19/04	Leaonna	EDC	Sean	Lazer
04/19/04	Mia	EDC	Sean	Lazer
04/19/04	Ornella	EDC	Jacko	Tapped
04/19/04	Sassy	EDC	Jacko	Tapped
04/19/04	Stacy	EDC	Sean	Lazer
04/19/04	Yukosoni	EDC	Sean	Tapped
04/20/04	Callie	Behavior	Sean	Verbal
04/20/04	Gina	EDC	Jacko	Tapped
04/20/04	Innocent	EDC	David	Verbal
04/20/04	Isabella	EDC	Jacko	Tapped
04/20/04	McKenzie	EDC	Sean	Lazer
04/20/04	Ornella	Massage	Sean	Lazer
04/20/04	Shay	EDC	Jacko	Tapped
04/20/04	Shy	EDC	Jacko	Tapped
04/20/04	Stacy	Money	Sean	Verbal
04/20/04	Suzette	EDC	Jacko	Tapped
04/21/04	Rita	EDC	Ed	Tapped
04/21/04	Suzette	EDC	Ed	Tapped
04/21/04	May May	EDC	Joseph	Tapped
04/21/04	Fawn	EDC	Joseph	Tapped
04/21/04	Shawni	EDC	Joseph	Tapped
04/21/04	Paige	EDC	Joseph	Verbal
04/21/04	Casey	EDC	Joseph	Verbal
04/22/04	Casey	Behavior	Ed	Verbal
04/22/04	Ireland	EDC	Joseph	Tapped
04/22/04	Bambi	EDC	Joseph	Verbal
04/22/04	Collette	EDC	Joseph	Lazer
04/22/04	Brooklyn	EDC	Joseph	Lazer
04/22/04	Yana	EDC	Joseph	Tapped
04/22/04	Milani	EDC	Joseph	Tapped
04/22/04	Marcy	EDC	David	Verbal
04/22/04	Marcy	EDC	David	Verbal

TREASURES

Erotic Dance Establishment Enforcement Log

Date	Entertainer	Violation	By	Action Taken
04/23/04	Marcy	EDC	Sean	Tapped
04/23/04	Stevey	Money	Ed	Verbal
04/23/04	Candace	EDC	Jacko	Tapped
04/23/04	Lita	EDC	Jacko	Tapped
04/23/04	Yana	EDC	Jacko	Tapped
04/23/04	Franchesca	EDC	Jacko	Tapped
04/23/04	Milani	EDC	Jacko	Tapped
04/23/04	Yana	EDC	Joseph	Lazer
04/23/04	Justine	EDC	Joseph	Lazer
04/23/04	Ina	EDC	Joseph	Verbal
04/23/04	Daphne	EDC	Joseph	Verbal
04/23/04	Brady	EDC	Joseph	Lazer
04/23/04	Ariel	EDC	Joseph	Tapped
04/24/04	Candace	EDC	Joseph	Lazer
04/24/04	Ariel	EDC	Joseph	Lazer
04/24/04	Amaya	EDC	Joseph	Verbal
04/24/04	Genesie	EDC	Joseph	Lazer
04/24/04	Collette	EDC	Joseph	Lazer
04/24/04	Bree	EDC	Joseph	Tapped
04/24/04	Cookie	EDC	Jacko	Tapped
04/24/04	Isabella	EDC	Jacko	Tapped
04/24/04	Lita	EDC	Jacko	Tapped
04/24/04	Milani	EDC	Jacko	Tapped
04/24/04	Starry	EDC	Jacko	Tapped
04/24/04	Summer-Shae	Behavior	Sean	Suspended
04/24/04	Cookie	EDC	Mike	Tapped
04/24/04	Honey Joe	EDC	Mike	Tapped
04/25/04	Cotton	EDC	Jacko	Tapped
04/25/04	Ashley	EDC	Jacko	Tapped
04/25/04	Vicki	EDC	Jacko	Tapped
04/25/04	Honey Joe	EDC	Jacko	Tapped
04/25/04	Lori	EDC	Jacko	Tapped
04/25/04	Casey	EDC	Joseph	Lazer
04/25/04	Amaya	EDC	Joseph	Lazer
04/25/04	Honey Joe	EDC	Joseph	Lazer
04/26/04	Yukosoni	EDC	Jacko	Tapped
04/26/04	Suzette	EDC	Jacko	Tapped
04/26/04	Ashley	EDC	Jacko	Tapped
04/26/04	Megan	EDC	Jacko	Tapped

TREASURES

Erotic Dance Establishment Enforcement Log

Date	Entertainer	Violation	By	Action Taken
04/26/04	Adrianna	EDC	Jacko	Tapped
04/27/04	Lori	EDC	Jacko	Tapped
04/27/04	Sassy	EDC	Jacko	Tapped
04/27/04	Whitney	EDC	Jacko	Tapped
04/27/04	Maja	EDC	Jacko	Tapped
04/27/04	Annalisa	EDC	Jacko	Tapped
04/27/04	Sophiea	EDC	Jacko	Tapped
04/27/04	Amanda	EDC	Jacko	Tapped
04/27/04	Luscious	EDC	Jacko	Tapped
04/28/04	Sassy	EDC	Jacko	Tapped
04/28/04	Hailey	EDC	Jacko	Tapped
04/28/04	Alexia	EDC	Jacko	Tapped
04/28/04	Ginger	EDC	Jacko	Tapped
04/29/04	Casey	EDC	Mike	Tapped
04/29/04	Kelsey	EDC	Mike	Tapped
04/29/04	Collette	EDC	Mike	Tapped
04/29/04	Angel	EDC	Mike	Tapped
04/29/04	Bianca	EDC	Mike	Tapped
04/29/04	Lachelle	EDC	Orlando	Tapped
04/30/04	Jada	EDC	Ed	Tapped
04/30/04	Ayah	EDC	Jacko	Tapped
04/30/04	Trinity Faith	EDC	Jacko	Tapped
04/30/04	Nina	EDC	Jacko	Tapped
04/30/04	Trina	EDC	Joseph	Lazer
04/30/04	Sassy	EDC	Joseph	Lazer
04/30/04	Hailey	EDC	Joseph	Tapped
04/30/04	Logan	EDC	Joseph	Lazer
04/30/04	Genesie	EDC	Joseph	Tapped
04/30/04	Alice	EDC	Joseph	Lazer
04/30/04	Autum	EDC	Joseph	Tapped
04/30/04	Lizanne	EDC	Joseph	Lazer
04/30/04	Nyah	EDC	Joseph	Verbal
04/30/04	Misha	EDC	Joseph	Lazer
04/30/04	Luscious	EDC	Joseph	Tapped
04/30/04	Drew	EDC	Joseph	Lazer
04/30/04	Nyah	EDC	Mike	Tapped
05/01/04	Nyah	EDC	Ed	Suspended
05/01/04	Burgandy	EDC	Jacko	Tapped
05/01/04	Jillian	EDC	Joseph	Lazer

TREASURES

Erotic Dance Establishment Enforcement Log

Date	Entertainer	Violation	By	Action Taken
05/01/04	Pandora	EDC	Joseph	Lazer
05/01/04	Samantha	EDC	Joseph	Lazer
05/01/04	Tia	EDC	Joseph	Tapped
05/01/04	Didi	EDC	Joseph	Lazer
05/01/04	Hailey	EDC	Mike	Tapped
05/02/04	Rhianna	EDC	Jacko	Tapped
05/02/04	June	EDC	Jacko	Tapped
05/02/04	Mala	EDC	Jacko	Tapped
05/02/04	Sara	EDC	Jacko	Tapped
05/02/04	Yanna	EDC	Jacko	Tapped
05/02/04	Drew	EDC	Joseph	Lazer
05/02/04	Rhianna	EDC	Joseph	Lazer
05/02/04	Innocent	EDC	Mike	Verbal
05/03/04	Amelia	EDC	Mike	Tapped
05/04/04	Mala	EDC	Orlando	Tapped
05/04/04	Saray	EDC	Orlando	Tapped
05/04/04	Berlin	EDC	Orlando	Tapped
05/05/04	Chelsea	EDC	Joseph	Lazer
05/05/04	Genesie	EDC	Joseph	Lazer
05/05/04	Sylvia	EDC	Joseph	Verbal
05/06/04	Marci	EDC	David	Verbal
05/06/04	Alexia	EDC	Ed	Verbal
05/06/04	Drew	EDC	Joseph	Lazer
05/06/04	Bree	EDC	Joseph	Lazer
05/06/04	Lauranay	EDC	Joseph	Lazer
05/07/04	Trinity Faith	EDC	Ed	Tapped
05/07/04	Sassy	EDC	Jacko	Lazer
05/07/04	Hailey	EDC	Jacko	Lazer
05/07/04	Franchesca	EDC	Jacko	Lazer
05/07/04	Daphne	EDC	Jacko	Lazer
05/07/04	Ryder	EDC	Jacko	Lazer
05/07/04	Rita	EDC	Jacko	Lazer
05/07/04	Eden	EDC	Jacko	Lazer
05/07/04	Jillian	EDC	Joseph	Lazer
05/07/04	Fawn	EDC	Joseph	Lazer
05/07/04	Candace	EDC	Joseph	Tapped
05/07/04	Eden	EDC	Joseph	Tapped
05/08/04	Bree	EDC	Ed	Tapped
05/08/04	Franchesca	EDC	Ed	Verbal

TREASURES

Erotic Dance Establishment Enforcement Log

Date	Entertainer	Violation	By	Action Taken
05/08/04	Honey Joe	EDC	Jacko	Tapped
05/08/04	Destiny	EDC	Joseph	Lazer
05/08/04	Eden	EDC	Joseph	Verbal
05/08/04	Maya	EDC	Joseph	Lazer
05/09/04	Yummy	EDC	Joseph	Lazer
05/09/04	Fawn	EDC	Joseph	Lazer
05/09/04	Mariah	EDC	Joseph	Lazer
05/10/04	Laylin	EDC	Sean	Tapped
05/10/04	Lux	EDC	Sean	Tapped
05/10/04	Kendra	EDC	Sean	Tapped
05/11/04	Sassy	EDC	Sean	Tapped
05/11/04	Margarette	EDC	Sean	Tapped
05/11/04	Sassy	EDC	Sean	Tapped
05/11/04	Paige	EDC	Sean	Tapped
05/12/04	Lorissa	EDC	David	Verbal
05/12/04	Santori	EDC	Ed	Verbal
05/12/04	Genesie	EDC	Ed	Verbal
05/12/04	Eden	EDC	Joseph	Lazer
05/12/04	Fawn	EDC	Joseph	Lazer
05/12/04	Daphne	EDC	Joseph	Lazer
05/12/04	Vicki	EDC	Joseph	Lazer
05/12/04	Kendra	EDC	Sean	Tapped
05/12/04	Lux	EDC	Sean	Tapped
05/12/04	Eden	EDC	Sean	Tapped
05/12/04	Candace	EDC	Sean	Tapped
05/12/04	Eden	EDC	Sean	Tapped
05/12/04	Rene	EDC	Orlando	Tapped
05/13/04	Fawn	EDC	Ed	Tapped
05/13/04	Bree	EDC	Joseph	Tapped
05/13/04	Mary Jane	EDC	Joseph	Tapped
05/13/04	Jordon	EDC	Mike	Tapped
05/13/04	Kiki	EDC	Mike	Tapped
05/14/04	Charlie	EDC	Orlando	Tapped
05/14/04	Alexia	EDC	Joseph	Tapped
05/14/04	Lynette	EDC	Joseph	Lazer
05/14/04	Daphne	EDC	Joseph	Tapped
05/14/04	Lauren	EDC	Joseph	Lazer
05/14/04	Alexia	EDC	Jacko	Tapped
05/14/04	Ava	EDC	Jacko	Tapped

TREASURES

Erotic Dance Establishment Enforcement Log

Date	Entertainer	Violation	By	Action Taken
05/14/04	Charlie	EDC	Jacko	Tapped
05/14/04	Rene	EDC	Jacko	Tapped
05/14/04	Yummy	EDC	Jacko	Tapped
05/15/04	Justine	EDC	Ed	Tapped
05/15/04	Eden	EDC	Orlando	Tapped
05/15/04	Jen Lin	EDC	Joseph	Lazer
05/15/04	Hollywood	EDC	Joseph	Lazer
05/15/04	Lauranay	EDC	Joseph	Lazer
05/15/04	Saray	EDC	Joseph	Lazer
05/15/04	Zara	EDC	Joseph	Lazer
05/15/04	Jazzabelle	EDC	Jacko	Tapped
05/15/04	Vicki	EDC	Jacko	Tapped
05/15/04	Eden	EDC	Jacko	Tapped
05/15/04	Roselle	EDC	Jacko	Tapped
05/15/04	Rhianna	EDC	Jacko	Tapped
05/16/04	Login	EDC	Joseph	Tapped
05/16/04	Lita	EDC	Joseph	Tapped
05/16/04	Summer	EDC	Joseph	Tapped
05/18/04	Shawni	EDC	Orlando	Tapped
05/18/04	Savanah	EDC	Mike	Tapped
05/18/04	Ava	EDC	Mike	Tapped
05/18/04	Jazzabelle	EDC	Mike	Tapped
05/19/04	Zara	EDC	Ed	Tapped
05/20/04	Maya	EDC	Joseph	Lazer
05/20/04	Elizabeth	EDC	Joseph	Lazer
05/20/04	Vanessa Rae	EDC	Mike	Tapped
05/20/04	Victoria Lynn	EDC	Mike	Tapped
05/20/04	Maya	EDC	Mike	Tapped
05/20/04	Elizabeth	EDC	Mike	Tapped
05/20/04	Candace	EDC	Orlando	Tapped
05/20/04	Seven	EDC	David	Verbal
05/21/04	Ginger	EDC	Joseph	Lazer
05/21/04	Lalyn	EDC	Joseph	Lazer
05/21/04	Rhianna	EDC	Joseph	Lazer
05/21/04	Hailey	EDC	Joseph	Lazer
05/21/04	Rhianna	EDC	Mike	Tapped
05/21/04	Ginger	EDC	Mike	Lazer
05/21/04	Lalyn	EDC	Mike	Lazer
05/21/04	Candace	EDC	Orlando	Tapped

TREASURES

Erotic Dance Establishment Enforcement Log

Date	Entertainer	Violation	By	Action Taken
05/21/04	Daphne	Left w/ Customer	Orlando	Suspended
05/21/04	Alexandria	EDC	David	Verbal
05/22/04	Carrie Jo	EDC	Joseph	Lazer
05/22/04	Louisa	EDC	Joseph	Lazer
05/22/04	Ina	EDC	Joseph	Lazer
05/22/04	Yukosoni	EDC	Joseph	Lazer
05/22/04	Yukosoni	EDC	Mike	Verbal
05/22/04	Trinity Faith	EDC	Mike	Tapped
05/22/04	Carrie Jo	EDC	Orlando	Tapped
05/22/04	Candace	EDC	Orlando	Tapped
05/22/04	Franchesca	EDC	Bryan	Lazer
05/22/04	Franchesca	EDC	Bryan	Verbal
05/23/04	Lauren	Money	Sean	Verbal
05/23/04	Candace	EDC	Jacko	Lazer
05/23/04	Hailey	EDC	Jacko	Lazer
05/23/04	Josie	EDC	Jacko	Lazer
05/23/04	Justine	EDC	Jacko	Lazer
05/23/04	Mya	EDC	Jacko	Lazer
05/23/04	Rhianna	EDC	Jacko	Lazer
05/23/04	Sofie	EDC	Jacko	Lazer
05/23/04	Stacy	EDC	Jacko	Lazer
05/23/04	Victoria Lynn	EDC	Jacko	Lazer
05/23/04	Yukosoni	EDC	Jacko	Lazer
05/23/04	Carrie Jo	EDC	Jacko	Lazer
05/23/04	Sarat	EDC	Mike	Lazer
05/23/04	Sylvia	EDC	Mike	Tapped
05/24/04	Mary Jane	EDC	Sean	Lazer
05/24/04	Bree	EDC	Sean	Lazer
05/24/04	Victoria Lynn	EDC	Sean	Lazer
05/24/04	Bree	Insubordination	Sean	Verbal
05/24/04	Kimmi	EDC	Sean	Lazer
05/24/04	Fawn	Insubordination	Sean	Verbal
05/24/04	Ava	EDC	Sean	Lazer
05/24/04	Burgandy	EDC	Mike	Tapped
05/25/04	Ann	EDC	Sean	Lazer
05/25/04	Emma	EDC	Sean	Tapped
05/25/04	Shawni	EDC	Sean	Lazer
05/26/04	Ginger	EDC	Orlando	Tapped
05/26/04	Chavonne	EDC	Joseph	Tapped

TREASURES

Erotic Dance Establishment Enforcement Log

Date	Entertainer	Violation	By	Action Taken
05/26/04	Ann	EDC	Joseph	Lazer
05/26/04	Milani	EDC	Joseph	Tapped
05/26/04	Saray	EDC	Joseph	Lazer
05/26/04	Simone	EDC	Joseph	Lazer
05/26/04	Victoria Lynn	EDC	Ed	Tapped
05/27/04	Monet	EDC	Joseph	Lazer
05/27/04	Nikki	EDC	Joseph	Lazer
05/27/04	Suzette	EDC	Joseph	Lazer
05/27/04	Yukosoni	EDC	Joseph	Tapped
05/27/04	Candace	EDC	Joseph	Lazer
05/28/04	Candace	Insubordination	Orlando	Verbal
05/28/04	Sunflower	EDC	Joseph	Tapped
05/28/04	Minay	EDC	Joseph	Lazer
05/28/04	Candace	EDC	Joseph	Lazer
05/28/04	Vada	EDC	Joseph	Lazer
05/28/04	Vicki	EDC	Joseph	Lazer
05/28/04	Victoria Lynn	EDC	Jacko	Lazer
05/28/04	Kamea	EDC	David	Verbal
05/29/04	Jezzabelle	EDC	Ed	Tapped
05/29/04	Nina	EDC	Joseph	Lazer
05/29/04	Monet	EDC	Joseph	Lazer
05/29/04	Collette	EDC	Joseph	Lazer
05/29/04	Candace	EDC	Joseph	Lazer
05/29/04	Mary Jane	EDC	Joseph	Lazer
05/29/04	Candace	EDC	Jacko	Lazer
05/29/04	Lila	EDC	Jacko	Lazer
05/29/04	Zara	EDC	Jacko	Lazer
05/30/04	Peaches	EDC	Joseph	Lazer
05/30/04	Maui	EDC	Joseph	Lazer
05/30/04	Berlin	EDC	Joseph	Lazer
05/30/04	Misha	EDC	Jacko	Lazer
05/30/04	Peaches	EDC	Jacko	Lazer
05/30/04	Rhianna	EDC	Jacko	Lazer
05/30/04	Whitney	EDC	Jacko	Lazer
06/02/04	Simone	EDC	Joseph	Lazer
06/02/04	Maya	EDC	Joseph	Tapped
06/02/04	Honey Joe	EDC	Joseph	Suspended
06/02/04	Seven	EDC	David	Lazer
06/02/04	Seven	EDC	David	Lazer

TREASURES

Erotic Dance Establishment Enforcement Log

Date	Entertainer	Violation	By	Action Taken
06/03/04	Ginger	EDC	Ed	Tapped
06/03/04	Siri	EDC	Joseph	Lazer
06/03/04	Maja	EDC	Joseph	Lazer
06/03/04	Bree	EDC	Joseph	Lazer
06/03/04	Mary Jane	EDC	Joseph	Lazer
06/03/04	Shawni	EDC	Mike	Tapped
06/03/04	Siri	EDC	Mike	Lazer
06/03/04	Franchesca	EDC	Mike	Lazer
06/04/04	Phoenix	EDC	Ed	Tapped
06/04/04	Elizabeth	EDC	Joseph	Tapped
06/04/04	Siri	EDC	Joseph	Lazer
06/04/04	Lalyn	EDC	Joseph	Lazer
06/04/04	Chavonne	EDC	Joseph	Tapped
06/04/04	Sassy	EDC	Joseph	Verbal
06/04/04	Innocent	EDC	David	Tapped
06/04/04	Siri	EDC	Mike	Tapped
06/04/04	Ava	EDC	Mike	Tapped
06/05/04	Grace	EDC	Ed	Tapped
06/05/04	Simone	EDC	Joseph	Tapped
06/05/04	Lavranay	EDC	Joseph	Lazer
06/05/04	Alice	EDC	Joseph	Tapped
06/05/04	Chi Chi	EDC	Joseph	Lazer
06/05/04	Gicell	EDC	Mike	Lazer
06/05/04	Minay	EDC	Mike	Lazer
06/05/04	Leslie	EDC	Mike	Tapped
06/06/04	Bambi	EDC	Joseph	Lazer
06/06/04	Alexia	EDC	Joseph	Tapped
06/06/04	Neenie	EDC	Joseph	Tapped
06/06/04	Sicily	EDC	Joseph	Tapped
06/06/04	Alexia	EDC	Jacko	Tapped
06/06/04	Alice	EDC	Jacko	Tapped
06/06/04	Sicily	EDC	Jacko	Tapped
06/06/04	Venice	EDC	Jacko	Tapped
06/06/04	Lydsey	EDC	Mike	Verbal
06/06/04	Mariah	EDC	Mike	Verbal
06/06/04	Megan	EDC	Mike	Tapped
06/0704	Lauren	EDC	David	Verbal
06/0704	Lynette	EDC	Mike	Tapped
06/0704	Sassy	EDC	Mike	Tapped

TREASURES

Erotic Dance Establishment Enforcement Log

Date	Entertainer	Violation	By	Action Taken
06/07/04	Genesie	EDC	Mike	Lazer
06/08/04	Stevie	EDC	Orlando	Tapped
06/08/04	Cotton	EDC	Orlando	Tapped
06/09/04	Ina	EDC	Joseph	Tapped
06/09/04	Sunshine	EDC	Joseph	Lazer
06/09/04	Krissy	EDC	Joseph	Tapped
06/10/04	Romina	EDC	Ed	Tapped



TREASURES

Training Log

Date	Instructor	# of Attendees
Friday, 4/9/04	Tom Dillard	10
Thursday, 4/22/04	Tom Dillard	55
Saturday, 4/24/04	Tom Dillard	15
Thursday, 4/29/04	Tom Dillard	21
Thursday, 5/13/04	Tom Dillard	9
Monday, 5/17/04	Tom Dillard	6
Monday, 5/24/04	Tom Dillard	22*
Wednesday, 5/26/04	Tom Dillard	4
Wednesday, 6/2/04	Tom Dillard	4
Thursday, 6/3/04	Tom Dillard	10
Tuesday, 6/8/04	Tom Dillard	3
Wednesday, 6/9/04	Tom Dillard	13
Thursday, 6/10/04	Tom Dillard	9
Monday, 6/14/04	Tom Dillard	6
Total # of Attendees		187

* Jim DiFiore, Manager of Business License Department attended

TREASURES

Communication Log with Las Vegas Metropolitan Police Department and City of Las Vegas Business License Department

Date	Department	Purpose	Time In	Time Out	Notes
September 15, 2003	Sgt. Arnone	Entertainer & Employee List	8:00 PM	8:00 PM	Faxed
September 16, 2003	Special Investigations	First Public Night	7:00 PM	7:30 PM	Courtesy visit for first night of operation to public.
September 19, 2003	Sgt. Arnone	Entertainer & Employee List	8:00 PM	8:00 PM	Faxed
September 26, 2003	Sgt. Arnone	Entertainer & Employee List	8:00 PM	8:00 PM	Faxed
September 30, 2003	Vice	Undercover	10:00 PM	10:45 PM	Two counts of Solicitation of Prostitution by Sunflower (Angela Wise).
October 3, 2003	Sgt. Arnone	Entertainer & Employee List	8:00 PM	8:00 PM	Faxed
October 10, 2003	Special Investigations	Inspection	11:00 PM	1:00 AM	Four EDC violations (Jessica, Brook, Bambi & McKenna). Non-compliance to Treasures for non-supervision by Host.
October 10, 2003	Sgt. Arnone	Entertainer & Employee List	8:00 PM	8:00 PM	Faxed
October 17, 2003	Sgt. Arnone	Entertainer & Employee List	8:00 PM	8:00 PM	Faxed
October 19, 2003	Metro Officers	Motorcycle Incident	8:30 AM	10:00 AM	DUI against Dennis Rodman.
October 22, 2003	Sgt. Arnone	Entertainer & Employee List	8:00 PM	8:00 PM	Faxed
October 23, 2003	Sgt. Arnone	Rodman Incident Report	8:00 PM	8:00 PM	Faxed copy of staff incident report regarding Dennis Rodman Incident
October 24, 2003	Special Investigations	Discuss cooperation with Metro regarding Rodman Incident.	9:30 PM	10:30 PM	Three EDC violations (Vonda, Ice & Tia). Three counts of non-compliance to Treasures for EDC.
October 24, 2003	Sgt. Arnone	Entertainer & Employee List	8:00 PM	8:00 PM	Faxed
October 31, 2003	Vice	Undercover	9:00 PM	11:00 PM	Three Solicitation of Prostitution by Jackie O, Shawni & Paige.
November 1, 2003	Sgt. Arnone	Entertainer & Employee List	8:00 PM	8:00 PM	Faxed
November 2, 2003	Metro Officers	Entertainer would not leave	4:45 AM	5:00 AM	Entertainer problems, would not leave club.
November 4, 2003	Sgt. Arnone	Suspension Notice	6:00 PM	6:00 PM	Faxed copy of Sean & Jacko Suspension Notice for not cooperating with Metro's investigation during Rodman incident
November 7, 2003	Jim DiFiore	Suspension Notice	6:00 PM	6:00 PM	Faxed copy of Sean & Jacko Suspension Notice for not cooperating with Metro's investigation during Rodman incident
November 14, 2003	Sgt. Arnone	Entertainer & Employee List	8:00 PM	8:00 PM	Faxed
November 21, 2003	Sgt. Arnone	Entertainer & Employee List	8:00 PM	8:00 PM	Faxed
December 19, 2003	Sgt. Arnone	Entertainer & Employee List	8:00 PM	8:00 PM	Faxed
January 16, 2004	Special Investigations	Inspection	9:00 PM	9:45 PM	One against the Valet Company, one to the bartender/waiter (Shawn) for not having a Sheriff's Card & one non-compliance to Treasures for allowing an employee to work without a Sheriff's Card.
January 16, 2004	Sgt. Arnone	Entertainer & Employee List	8:00 PM	8:00 PM	Faxed
January 29, 2004	Sgt. Arnone	Entertainer & Employee List	8:00 PM	8:00 PM	Faxed including copy of Valet Company Business License & Insurance, copy of Thomas Fennelly sherriff's card & suspension notice.
February 27, 2004	Sgt. Arnone	Entertainer & Employee List	8:00 PM	8:00 PM	Faxed

TREASURES

Communication Log with Las Vegas Metropolitan Police Department and City of Las Vegas Business License Department

Date	Department	Purpose	Time In	Time Out	Notes
March 5, 2004	Special Investigations	Inspection	10:00 PM	12:15 AM	Nine EDC violations (Mary Jane, Lizzy, Carmen, Thumper, Luna, Luci, Bree, Porche & Kasia). One obstruction by waitress Karie Brown. Four non-compliance to Treasures (obstruction, massage, 8 EDC & one ent. not on list.
March 11, 2004	Special Investigations	Follow up Inspection	10:30 PM	12:00 AM	Wanted to see if the club was cleaner after last week's raid. Did not acknowledge club was cleaner, but did not cite anyone.
March 12, 2004	Sgt. Arnone	Copy of Valet Business License	4:00 PM	4:05 PM	Faxed copy of Ace Valet Business License
March 26, 2004	Sgt. Arnone	Entertainer & Employee List	8:00 PM	8:00 PM	Faxed
March 30, 2004	Detective Lilienthal	Warrants for theft charges	10:10 AM	10:30 AM	Spoke to David Wachs. Detective states entertainer has outstanding warrants for theft charges.
April 14, 2004	Sgt. Garcia - Metro	Regarding Entertainer "Chello" domestic issues.	6:15 PM	10:45 PM	Spoke to David Wachs and then called for Orlando. Tried to return call, but number was not available.
April 19, 2004	Fingerprint Bureau	Transfer Cards	2:00 PM	2:10 PM	Drop off Transfers
April 20, 2004	Sgt. Arnone	Entertainer & Employee List	8:00 PM	8:00 PM	Faxed
April 23, 2004	Fingerprint Bureau	Transfer Cards	3:00 PM	3:10 PM	Drop off Transfers
April 29, 2004	Fingerprint Bureau	Transfer Cards	3:00 PM	3:10 PM	Drop off Transfers
April 30, 2004	Special Investigations	Inspection	12:30 AM	1:45 AM	Two EDC violations (Desire & Raydrianna). One obstruction by Shot Girl, Aschell. One non-compliance for allowing two EDC violations and one for allowing obstruction.
May 6, 2004	Fingerprint Bureau	Transfer Cards	3:00 PM	3:10 PM	Drop off Transfers
May 13, 2004	Fingerprint Bureau	Transfer Cards	3:00 PM	3:10 PM	Drop off Transfers
May 18, 2004	Sgt. Arnone	Ent. & Empl. List	10:00 PM	10:05 PM	Emailed
May 21, 2004	Fingerprint Bureau	Transfer Cards	1:00 PM	1:10 PM	Drop off Transfers
May 23, 2004	Metro Officers	Inspection	11:40 PM	11:50 PM	Stated that Special Investigations call them (3 officers) to inspect "one of our employees letting in a group of high school kids in the club". Did walk through and left.
May 25, 2004	Business Licensing	Class	8:00 PM	8:40 PM	Jim Difore accepted our invitation to attend on the classes given by Tom Dillard.
May 26, 2004	Metro Officers	Information	9:30 PM	9:45 PM	Two metro officers stopped by to inquire about a possible female and male customer being here Tuesday @ 3-4 am. She might have been assaulted. Nobody recognized the picture of her being in the club.
May 28, 2004	Fingerprint Bureau	Transfer Cards	1:30 PM	1:40 PM	Drop off Transfers
June 3, 2004	Fingerprint Bureau	Transfer Cards	2:30 PM	2:35 PM	Drop off Transfers
June 4, 2004	Sgt. Arnone	Ent. & Empl. List	1:15 AM	1:20 AM	Emailed
June 5, 2004	Metro Officers	Information	9:00 PM	9:10 PM	Wanted information regarding one of our former kitchen staff.
June 10, 2004	Fingerprint Bureau	Transfer Cards	2:00 PM	2:10 PM	Drop off Transfers
June 10, 2004	Metro Officers	Information	7:30 PM	7:40 PM	Correcting information regarding one of our kitchen staff.

TREASURES

Solicitation & Illegal Drugs Warning Notices

- Table Card warning customers that prostitution, solicitation and the use of illegal drugs is prohibited.
- Notice to Entertainers and Employees that prostitution, solicitation and the use of illegal drugs is prohibited.
- Notice to Entertainers that massaging customers is prohibited.
- Notice to Entertainers that a valid Sheriff's Card is required for entry into the establishment.

TABLE DANCES

\$20.00

TREASURES WELCOMES YOU AND HOPES YOU HAVE A WONDERFUL TIME! WE ASK THAT YOU COMPLY WITH THE FOLLOWING STATE AND LOCAL LAWS: CUSTOMERS AND ENTERTAINERS MAY NOT TOUCH EACH OTHER IN A SEXUAL MANNER. SOLICITATION OR PROSTITUTION IS ILLEGAL AND IS STRICTLY PROHIBITED. THE USE OF ILLICIT DRUGS IS ILLEGAL AND IS STRICTLY PROHIBITED. CUSTOMERS IN VIOLATION OF THESE RULES WILL BE REMOVED FROM THE PREMISES.

GENTLEMEN'S CLUB & RESTAURANT
TREASURES

TREASURES
GENTLEMEN'S CLUB & RESTAURANT

TREASURES WELCOMES YOU AND HOPES YOU HAVE A WONDERFUL TIME! TO MAINTAIN COMPLIANCE WITH LOCAL AND STATE LAWS, WE MUST INFORM YOU OF THE FOLLOWING RULES: POSSESSION AND/OR USE OF A CONTROLLED SUBSTANCE IS ILLEGAL. VIOLATION OF THESE PROVISIONS WILL NOT BE TOLERATED AND SHALL RESULT IN YOUR IMMEDIATE REMOVAL FROM THE PREMISES AND REPORTING OF THE INCIDENT TO LOCAL LAW ENFORCEMENT.

\$20.00

TABLE DANCES

Treasurer

NOTICE

PROSTITUTION AND SOLICITATION
OF PROSTITUTIONS
ILLEGAL AND STRICTLY
PROHIBITED AT TREASURES
ANYONE VIOLATING THIS POLICY
SHALL BE DENIED THE RIGHT TO
USE THIS FACILITY.

THE USE OR CONSUMPTION OF
ILLEGAL DRUGS
IS STRICTLY PROHIBITED
AT TREASURES. VIOLATION OF
THIS POLICY SHALL RESULT IN
DISCIPLINARY ACTION AND/OR
DENIAL OF THE RIGHT TO USE

Measures

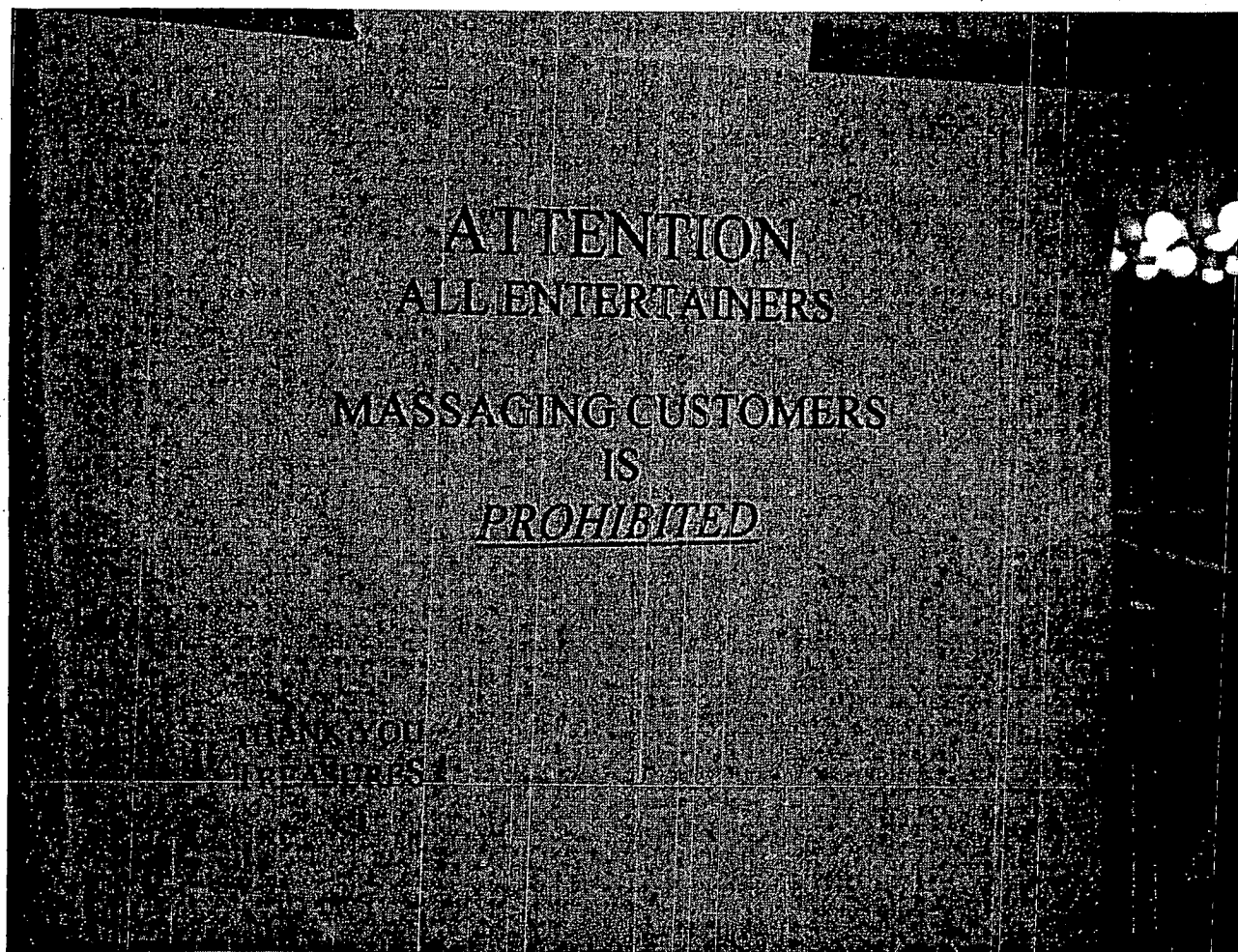
NOTICE

PROSECUTION AND SOLICITATION
OF NEGROES, NEGROES IN
LEGAT AND SUGGEST

PROHIBITED AFTER MEASURES
ANYONE WHO VIOLATES THIS POLICY
SHALL BE DENIED THE RIGHT TO
ESTABLISH A CHIEF

THE USE OF CO-SUPPLYING OF
LEGAL PRACTICES
IS STRICTLY PROHIBITED

THE ASSURES POLARIZATION OF
THE POLICE, SHAVE, RECONSTRUCTION
DISCIPLINE, ACTION AND/OR
DENIAL OF THE RIGHT TO USE
THEIR GUN



ENTERTAINERS

YOU NEED TO SHOW RECEIPT THAT YOU

HAVE PAID YOUR FEES AND YOUR

SHERIFF'S CARD TO ENTER

LOCKERROOM

THANK YOU, MGMT

TREASURES

Log of K-9 Searches

Date of Inspection	Location of Inspection	Results of Inspection
May 13, 2004	Lockers, showers and bathroom in dancer's locker	K-9 Randy did not alert to any area.
May 18, 2004	Entire building, inside and outside	K-9 Randy did not alert to any area.

*** Nevada Detector Dog Services is the company contracted to provide the service.
Credentials are attached.



1736 E. Charleston Boulevard • PMB 89
Las Vegas, Nevada 89104-1952

To: Tom Dillard, Professional Investigators Inc.

CC:

From: John J. Kelly III

Date: Thursday, May 13, 2004

Re: Narcotic Detector Dog Search at Treasures

On 05/13/2004 at approximately 2015 hrs, I conducted a search at Treasures with narcotic detector dog "Randy". The area searched was the lockers, showers and bathroom in the dancer's locker room. K-9 Randy did not alert to any area during the search.

Sincerely,

John J. Kelly III
President
Nevada Detector Dog Services
kelly@nevadak9.com



1736 E. Charleston Boulevard • PMB 89
Las Vegas, Nevada 89104-1982

To: Tom Dillard, Professional Investigators Inc.

CC:

From: John J. Kelly III

Date: Tuesday, May 18, 2004

Re: Narcotic Detector Dog Search at Treasures

On 05/18/2004 at approximately 1005 hrs, I conducted a search at Treasures with narcotic detector dog "Randy". The entire building was searched both inside and outside. K-9 Randy did not alert to any area during the search.

Sincerely,

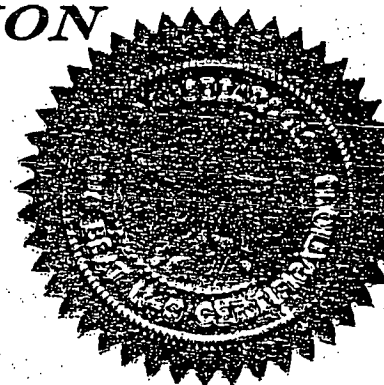
John J. Kelly III
President
Nevada Detector Dog Services
kelly@nevadak9.com



K-9 Drug Detection Certification

This certifies accomplishment in
K-9 DRUG CERTIFICATION

Has been achieved on this 13th day of February
In the year 2004, by John Kelly &
Randy- A German Shepherd



Drug Beat K-9 Certifications
2623 W Farm Road 112
Springfield Missouri 65803
Phone(417)869-7699
Fax(417)869-8772

Certifying Agent
Cameron Ford

_____Cameron Ford_____
Agent



[Home] [Company Info.] [Contact] [Feedback]

Nevada Detector Dog Services was formed by Police Canine Professionals in July of 2001. Our main business is training and working with narcotic detector dogs. We have over 20 years of canine experience with all of our handlers having at least 5 years experience as a Police Canine Officer or Military Dog Handler. Each of our canines have at least 3 years of work experience.

Nevada Detector Dog Services also provide consulting services and training for canine units or departments/companies interested in starting units. Nevada Detector Dog Services is licensed by the the State of Nevada.

John J. Kelly III - President/Trainer

John J. Kelly III has 20 years of Law Enforcement experience. He has over 16 years of Police Canine experience which started as a K-9 officer with several police departments in Alabama. In 1991 he became a Canine Enforcement Officer with U.S. Customs Service. Working on the Mexican border and in the Pacific Northwest he was involved in over 100 drug seizures worth over \$17,000,000. John has worked with the FBI, DEA and numerous state and local authorities.

John has attended the U.S. Customs Canine Enforcement Officer Course at Front Royal, Virginia where he graduated number one in his class. He also attended U.S. Customs Advanced Canine Enforcement Officer course and Canine Procurement Officer course. During his career with U.S. Customs he served as a Field Training Officer with included training





Kregg P.J. Jorgenson

Kregg P.J. Jorgenson is a graduate of the Federal Law Enforcement Training Center's U.S. Customs Service Academy, as well as the Contraband Enforcement Team course in Brunswick, Georgia. The veteran officer is also a graduate of the U.S. Customs Service Canine Enforcement Officer Course at Front Royal, Virginia. In this capacity he has worked with local and regional law enforcement agencies, the DEA, and other government agencies.

A Vietnam combat veteran Jorgenson holds the Combat Infantryman's Badge, the Silver Star, the Bronze Star, and three Purple Hearts. He is the author of five Random House/Ballantine imprint books on the war as well as several small press novels.

He has earned black belts in karate and judo and an instructor's certificate in Filipino Arnis (stick and knife fighting). He is a frequent contributor to Tae Kwon Do Times Magazine

Terence Kelsall

In the United Kingdom Terence Kelsall's professional law enforcement career spanned over 20 years with the Royal Military Police and as a Police Constable Sergeant.

He has served with exemplary service in Great Britain, Hong Kong, and Northern Ireland in various Law enforcement capacities, in anti-terrorist roles, VIP security, Officer



training, Investigations, and Bodyguard Training Instruction. As a Police Sergeant he was also in charge of supervising search teams, securing crime scenes, and gathering crucial evidence for forensic analysis. Further responsibilities included providing critical planning and implementation of anti-terrorist procedures, carrying out reconnaissance operations, searching and securing VIP sites at corporate facilities, and formulating action plans targeting particular criminal activities.

[Home]

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TREASURES

Discipline Report

Tab	Date	Person	Violation	From	To	Notes
1	09/26/03	Liz	Insubordination	09/26/03		Terminated
2	09/30/03	Sunflower	Two Counts of Solicitation			Probation Agreement
3	10/04/03	Gina	Insubordination	10/04/03	11/03/03	One month suspension
4	10/09/03	Omni	Insubordination	10/09/03		Terminated
5	10/10/03	Lady Jade	Insubordination	10/10/03		Terminated
6	10/10/03	Jessica	Citation for EDC			Probation Agreement
7	10/10/03	McKenna	Citation for EDC			Probation Agreement
8	10/10/03	Bambi	Citation for EDC			Probation Agreement
9	10/10/03	Brooke	Citation for EDC			Probation Agreement
10	10/19/03	Jill	Left with Customer	10/19/03		Terminated
11	10/24/03	Tia	Citation for EDC			Inactive
12	10/24/03	Ice	Citation for EDC			Probation Agreement
13	10/24/03	Vonda Millar	Citation for EDC/Work card violation			Probation pending outcome of citation
14	10/31/03	Paige	Solicitation/EDC			Probation Agreement
15	10/31/03	Shawni	Citation for EDC			Probation Agreement
16	11/01/03	Kiara	Repeat EDC	11/01/03	12/01/03	One month suspension
17	11/02/03	Jacko Smiley	Non-cooperation with Metro	11/02/03	11/09/03	One week suspension
18	11/02/03	Sean Zuzik	Non-cooperation with Metro	11/02/03	11/09/03	One week suspension
19	11/02/03	Lori	Insubordination	11/02/03		Terminated
20	11/03/03	Davita	Left with Customer	11/03/03	02/02/04	Three month suspension
21	11/03/03	Olivia Devine	Insubordination	11/03/03		Terminated
22	11/06/03	Renata	Insubordination	11/06/03		Terminated
23	11/08/03	Giisel	Insubordination	11/08/04		Terminated
24	11/10/03	Dale Montgomery	Violation of House Policy	11/10/03		Terminated
25	11/13/03	Jackie O	Repeat EDC/Probation	11/13/03		Terminated
26	11/16/03	Sydney	Insubordination	11/16/03		Terminated
27	11/17/03	Yoko	Repeat EDC	11/17/03	12/16/03	One month suspension
28	11/19/03	Gina Lynn	Insubordination	11/19/03		Terminated
29	11/19/03	Lara	Left with Customer	11/19/03	12/18/03	One month suspension
30	11/23/03	Charlie Killian	Poor Work Performance	11/23/03		Terminated

TREASURES

Discipline Report

Tab	Date	Person	Violation	From	To	Notes
31	12/03/03	Elan	Insubordination	12/30/03	01/29/04	One month suspension
32	12/05/03	Jeanette Dixon	Poor Work Performance	12/05/03		Terminated
33	12/05/03	Ashley	Insubordination	12/05/03	03/04/04	Three month suspension
34	12/10/03	Luicianna	Repeat EDC	12/10/03	03/09/04	Three month suspension
35	12/13/03	Coryma	Insubordination	12/13/03	03/12/04	Three month suspension
36	12/13/03	Ashlynn	Insubordination	12/13/03	03/12/04	Three month suspension
37	12/20/03	Zuri	Insubordination	12/20/04	01/19/04	One month suspension
38	12/25/03	Foxxxy	Repeat EDC	12/25/03	01/24/04	One month suspension
39	01/07/04	Toni	Insubordination	01/07/04		Terminated
40	01/15/04	Eden	Repeat EDC	01/16/04	01/23/04	One week suspension
41	01/21/04	Iman	Insubordination	01/21/04	01/21/04	Sent Home by Sean
42	01/22/04	Thomas Fennelly	No sherriff's card	01/22/04	01/28/04	One week suspension
43	01/22/04	Tawny	Repeat EDC	01/22/04		Terminated
44	02/01/04	Coco	Insubordination	02/01/04		Terminated
45	02/01/04	Jovan	Insubordination	02/01/04	04/30/04	Three month suspension
46	02/01/04	Jovan	Theft	02/01/04		Terminated
47	02/04/04	Christine	Repeat EDC	02/04/04	04/03/04	Two month suspension
48	02/05/04	Julianna	Repeat EDC	02/05/04	03/04/04	One month suspension
49	02/06/04	Mike Kalbach	Violation of House Policy	02/07/04	02/13/04	One week suspension
50	02/06/04	Sasha	Insubordination	02/06/04		Terminated
51	02/16/04	Kaydene	Repeat EDC	02/16/04	03/15/04	One month suspension
52	02/21/04	Carlaya	Insubordination	02/21/04		Terminated
53	02/22/04	Sincere	Left with Customer	02/22/04	03/21/04	One month suspension
54	02/23/04	Lisa	Insubordination	02/23/03		Terminated
55	02/23/04	Yvonne	Left with Customer	02/23/04	03/22/04	One month suspension
56	02/24/04	Katrina	Insubordination/refuse to show sheriff card	02/24/04	05/23/04	Three month suspension
57	02/24/04	Bryce	Insubordination/using false sheriff card	02/24/04		Terminated
58	02/27/04	Lisa Hall	Violation of House Policy	02/27/04	03/04/04	One week suspension
59	02/27/04	Adina	Insubordination	02/27/04	04/26/04	Two month suspension

TREASURES

Discipline Report

Tab	Date	Person	Violation	From	To	Notes
60	02/28/04	Queen	Theft	02/28/04		Terminated
61	03/02/04	Kat	Insubordination	03/02/04	04/01/04	One month suspension
62	03/03/04	Raquel	Insubordination	03/03/04	03/12/04	Ten day suspension
63	03/04/04	Tiffany	Theft	03/04/04		Terminated
64	03/05/04	Iman	Insubordination	03/05/04		Terminated
65	03/05/04	Luci	Citation for EDC			Probation Agreement
66	03/05/04	Mary Jane	Citation for EDC			Probation Agreement
67	03/05/04	Lizzy	Citation for EDC			Probation Agreement
68	03/05/04	Carmen	Citation for EDC			Probation Agreement
69	03/05/04	Thumper	Citation for EDC			Probation Agreement
70	03/05/04	Luna	Citation for EDC			Probation Agreement
71	03/05/04	Bree	Citation for EDC			Probation Agreement
72	03/05/04	Porche	Citation for EDC			Probation Agreement
73	03/05/04	Kasia	Citation for EDC			Probation Agreement
74	03/05/04	Karie Brown	Citation for Obstruction			Probation Agreement
75	03/05/04	Porche	Citation for EDC			Probation pending outcome of citation
76	03/08/04	Josh Green	Poor Work Performance	03/08/04		Terminated
77	03/08/04	Allera	Insubordination	03/08/04	04/07/04	One month suspension
78	03/13/04	Anadii	Repeat EDC	03/13/04	04/12/04	One month suspension
79	03/13/04	Malone	Insubordination	03/13/04	04/12/04	One month suspension
80	03/19/04	Victoria	Repeat EDC	03/19/04	03/20/04	Sent Home by Ed & Terminated
81	03/22/04	Sunflower	Repeat EDC	03/22/04	03/23/04	Sent Home by Orlando
82	03/23/04	Fire	Repeat EDC	03/23/04	06/22/04	Three month suspension
83	03/27/04	Jaina	Repeat EDC	03/27/04	03/28/04	Sent Home by David
84	04/04/04	Ed Lee	Giving Cocktails & Dances	04/04/04	04/10/04	One week suspension
85	04/04/04	Orlando Mafucci	Violation of House Policy	04/04/04	04/10/04	One week suspension
86	04/10/04	Joseph Martins	Violation of House Policy	04/11/04	04/17/04	One week suspension
87	04/15/04	Nyah	Left with Customer	04/15/04	04/24/04	Ten day suspension
88	04/16/04	Julianna	Left with Customer	04/16/04	05/15/04	One month suspension

TREASURES

Discipline Report

Tab	Date	Person	Violation	From	To	Notes
89	04/22/04	Serina	Repeat EDC	04/21/04	05/20/04	One month suspension
90	04/24/04	Summer-Shae	Insubordination	04/24/04	05/03/04	Ten day suspension
91	04/26/04	Cotton	Asked for Drugs	04/26/04	05/10/04	Two week suspension
92	04/30/04	Raydrianna	Citation for EDC			Probation Agreement
93	04/30/04	Desire	Citation for EDC			Probation Agreement
94	05/01/04	Nyah	Repeat EDC	05/01/04	07/31/04	Three month suspension
95	05/05/04	Mala	Insubordination	05/05/04	06/04/04	One month suspension
96	05/12/04	Paige	Violation of House Policy	05/12/04	06/11/04	One month suspension
97	05/16/04	Jillian	Left with Customer	05/16/04	06/15/04	One month suspension
98	05/16/04	Tiffany Ann	Left with Customer	05/16/04	06/15/04	One month suspension
99	05/16/04	Lita	Insubordination	05/16/04	05/23/04	One week suspension
100	05/16/04	Eden	Left with Customer	05/16/04	05/15/04	Three month suspension
101	05/17/04	Emma	Left with Customer	05/17/04	05/24/04	One week suspension
102	05/22/04	Daphne	Left with Customer	05/21/04	06/04/04	Two week suspension
103	06/02/04	Honey Jo	Repeat EDC	06/03/04	06/09/04	One week suspension
104	06/04/04	Yukosony	Repeat EDC	06/04/04	06/17/04	Two week suspension
105	06/04/04	Honey Jo	Repeat EDC	06/04/04	06/17/04	Two week suspension
106	06/04/04	Candace	Repeat EDC	06/04/04	06/17/04	Two week suspension
107	06/08/04	Pannka Kinaphone	Unacceptable History	06/08/04		Terminated
108	06/08/04	Valencia	Insubordination	06/08/04	06/15/04	One week suspension

1 STATE OF NEVADA)
2) ss.
3 COUNTY OF CLARK)

4 **AFFIDAVIT OF THOMAS D. DILLARD**

5 I, Thomas D. Dillard, after being first duly sworn, depose and state that I have full
6 knowledge of the facts contained herein, believe the same to be true and accurate to the best of
7 my knowledge, information, and belief, and if called, will testify to the following:

8 1. I am a licensed private investigator in the State of Nevada and the President of
9 Professional Investigators, Inc., a private investigation firm located at 123 N. 9th St., Las Vegas,
10 Nevada, 89101.

11 2. On February 27, 2004, Professional Investigators, Inc. was retained by the law firm of
12 Kummer Kaempfer Bonner & Renshaw. Professional Investigators, Inc. was requested, in part,
13 to conduct undercover investigations of establishments licensed by the City of Las Vegas as
14 erotic dance establishments, and focus on the conduct of entertainers, security, and management.

15 3. Over the following three (3) months, Professional Investigators, Inc. conducted over
16 thirty (30) separate investigations in these establishments.

17 4. Following each investigation, Professional Investigators, Inc. created reports detailing the
18 activity at the respective establishments. Based upon my review of the reports, I believe that the
19 reports are a true and accurate summary of the activities occurring at the establishments.

20 5. True and correct copies of the operatives' reports are kept at the law firm of Kummer
21 Kaempfer Bonner & Renshaw.

22 6. Based upon a review of the reports generated during the investigations over the past three
23 (3) months, I have been able to derive the following conclusions:

24 a.) As of the date of this Affidavit, Treasures has far fewer incidents of conduct in
violation of the Erotic Dance Establishment Code of the City of Las Vegas, and of

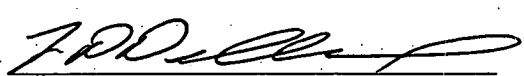
1 conduct that could be construed as violative of other applicable law, than the other
2 clubs investigated. Additionally, many of the incidents that the investigations
3 uncovered were far less egregious than those incidents occurring at other clubs.

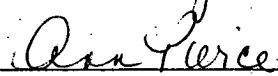
4 b.) As of the date of this Affidavit, Treasures' managers and security personnel
5 intervened and have prevented a significant number of incidents that potentially
6 would rise to the level of illegal conduct to a far greater extent than similar
7 personnel at other establishments.

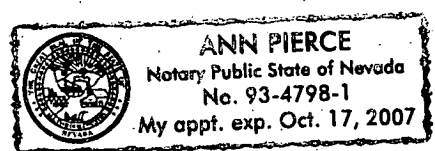
8 7. Based on the above, it is my conclusion that the decrease in non-compliant activity at
9 Treasures is due, in substantial part, to proactive measures instituted by Treasures in cooperation
10 with Professional Investigators, Inc.

11 FURTHER YOUR AFFIANT SAYETH NAUGHT.

12
13 DATED this 15th day of June, 2004

14
15 
16 Thomas D. Dillard

17 SUBSCRIBED and SWORN
18 to before me this
19 15th day of June, 2004
20 
21 Notary Public



Summary of City Attorney Citations

Establishment Name	Total Number of Cases Listed As Pending	Number of Cases Tried 2003-04	Number of Cases Resolved Before Trial	Percentage Resolved v. Tried
Club A	2	0	0	0
Club B	29	0	11	100
Club C	3	1	2	66
Club D	23	1	9	89
Club E	48	3	21	86
Club F	42	0	25	100
Club G	18	0	9	100
Treasures	28	8	0	0

TREASURES

City Attorney Summary of Erotic Dance and Solicitation Citations, 2003-2004

Date	Event	Case #	Violation	Disposition	Club
2/27/2004	40227.2752	1-3320185A	EDC	Arraignment July 21, Department 6	E
6/5/2003	30605.2637	1-2816765A	EDC	Dismissed at Pretrial on August 23, 2003, Dept. 4	B
7/2/2003	30702.2134	1-3008190A	Solicit Prostitution	Case closed on October 9, 2003; \$290 fine, Dept. 3	G
10/2/2003	31002.3118	1-2976360A	EDC	Trial July 20, Dept. 5	E
3/5/2004	40305.2544	1-3320228A	EDC	Arraignment June 9, 2004, Dept. 5	B
4/16/2004	40416.3181	1-3320361A	EDC	Arraignment July 13, 2004, Dept. 3	G
4/16/2004	40416.3181	1-3320361B	No Work Card	Arraignment July 13, 2004, Dept. 3	G
4/9/2004	40409.2943	1-3320297A	EDC	Arraignment July 15, 2004, Dept. 5	D
8/1/2003	30801.2769	1-2976335A	EDC	Sentenced to stay out of trouble for six months, \$350 fine, status check on 10/14/2004 for dismissal, Dept. 4	E
6/4/2003	30604.3161	1-2816761A	EDC	Sentenced to stay out of trouble for three months, \$500 fine, next date 3/3/2004 for dismissal, Dept. 6	C
5/8/2003	30508.2495	1-2816760A	EDC	Plead guilty on June 19, 2003, received \$170 fine, Dept. 5	D
8/25/2003	30825.2799		Solicit Prostitution	January 5, 2004, plead down to loitering with a \$1,125 fine and ordered to surrender workcard, Dept. 1	D
8/25/2003	30825.2799		Solicit Prostitution	Dismissed by City Attorney at trial per negotiation	D
3/11/2003	30311.2895	1-2975743A	EDC	Dismissed on April 8, 2003, \$170 fine, Dept. 5	F
10/10/2003	31010.3122	1-2976375A	EDC	May 6, 2004, found guilty at trial, \$353 fine, Dept. 1, currently on appeal to the 8th Judicial Court	Treasures
8/1/2003	30801.2769	1-2975777A	EDC	On October 21, 2003, sentenced to stay out of trouble for six months and \$300 fine, execution and review date 6/20/2004, Dept. 5	E
2/20/2004	40220.278	1-3320203A	EDC	On May 18, 2004, plead guilty and received \$187 fine, Dept. 5	D
10/3/2003	31003.2925	1-2976313A	EDC	Bench warrant issued on March 29, 2004, Dept. 6	F
5/7/2004	40507.309	1-581260A	EDC	Set for arraignment on July 15, 2004, Dept. 5	B
1/22/2003	30122.2496	1-2975729A	EDC	11/25/03 sentenced to stay out of trouble for six months and dismissed, Dept. 5	B
2/20/2004	40220.278	1-3320204A	EDC	Bench warrant issued on May 18, 2004, Dept. 6	D
4/16/2004	40416.3181	1-5320382A	EDC	Arraignment set for July 13, 2004, Dept. 1	G
5/27/2004	40527.3045	1-3320426A	EDC	Pending entry	E
6/14/2003	30613.3012	1-2816774A	EDC	On October 6, 2003, was dismissed at trial with a \$350 fine, Dept. 4	F
2/27/2004	40227.2752	1-3320189A	EDC	Walk-in arraignment set for June 22, 2004, Dept. 5	E
5/24/2004	40527.3313		EDC	Pending entry	F

Date	Event	Case #	Violation	Disposition	Club
3/28/2003	30328.29	1-2816755A	EDC	May 8, 2003 dismissed for lack of evidence, Dept. 5	G
10/31/2003	31031.2943		Solicit Prostitution	Set for trial June 23, 2004, Dept. 5	Treasures
10/31/2003	31031.2943		EDC	Trial set for June 23, 2004, Dept. 5	Treasures
3/5/2004	40305.2947	1-3320195A	EDC	Set for arraignment June 9, 2004, Dept. 6	Treasures
5/7/2004	40507.309		EDC	Pending entry	B
6/5/2003	30605.2637	1-2816766A	EDC	Sentenced to stay out of trouble for six months and dismissed on May 26, 2004, Dept. 6	B
3/5/2004	40305.2947	1-3319891A	No Massage License	Set for arraignment June 9, 2004, Dept. 4	Treasures
4/2/2004	40402.3218	1-3320319A	EDC	Set for arraignment June 30, 2004, Dept. 3	D
3/5/2004	40305.2544	1-3319885A	EDC	Set for arraignment June 9, 2004, Dept. 5	B
8/1/2003	30801.2769	1-2976333A	EDC	Plead nolo contendere on October 15, 2003, received \$390 fine, execution of judgment June 17, 2004, Dept. 1	E
1/21/2003	30121.295	1-2368075A	EDC	Sentenced to stay out of trouble for six months and received \$390 fine; case closed on 2/2/2004, Dept. 6	E
3/5/2004	40305.2544	1-3319888A	EDC	Set for arraignment July 1, 2004, Dept. 1	B
8/1/2003	30801.2769	1-2975779A	Obstruction	October 15, 2003 dismissed per negotiation at trial, Dept. 6	E
8/1/2003	30801.2769	1-2975776A	EDC	At trial changed plea to nolo contendere, sentenced to stay out of trouble for 6 months, \$450 fine, set for 6/14/2004 review date, Dept. 6	E
10/31/2003	31031.2942		EDC	Set for trial June 14, 2004, Dept. 6	Treasures
10/3/2003	31003.2945	1-2976311A	EDC	Plead nolo contendere, \$983 fine, August 23, 2004 execution date, Dept. 6	F
1/30/2004	40130.2913	1-3319680A	EDC	Set for pre-trial August 2, 2004, Dept. 5	B
3/5/2004	40305.2947	1-3320193A	EDC	Set for arraignment June 9, 2004, Dept. 4	Treasures
5/27/2004	40527.3313	1-3320349A	EDC	Pending entry	F
5/1/2004	40501.0011	1-3320393	EDC	Set for arraignment August 3, 2004, Dept. 1	Treasures
6/3/2004	40603.0047		EDC	Set for arraignment July 8, 2004, Dept. 1	B
6/13/2003	30613.3012	1-2976286A	EDC	Plead guilty on July 14, 2003 and received \$170 fine, Dept. 6	F
2/14/2003	30214.2656	1-2975761A	EDC	Found guilty after trial on July 15, 2003, received \$390 fine, Dept 6	D
4/16/2004	40416.3181	1-3320362A	EDC	Set for arraignment July 13, 2004, Dept. 1	G
4/16/2004	40416.3181	1-3320362B	No Work Card	Set for arraignment July 13, 2004, Dept. 1	G
2/27/2004	40227.2752	1-3320187A	EDC	Set for arraignment June 30, 2004, Dept. 4	E
3/5/2004	40305.2947	1-3319889A	EDC	Set for arraignment June 9, 2004, Dept. 6	Treasures
1/22/2004	30122.2496	1-2975728A	EDC	June 25, 2003, dismissed after hearing, Dept. 1	B

Date	Event	Case #	Violation	Disposition	Club
10/10/2003	31010.3122	1-2976452A	EDC	Set for pre-trial June 21, 2004, Dept. 3	Treasures
10/2/2003	31002.3118	1-2976361A	EDC	Set for trial August 25, 2004, Dept. 5	E
3/5/2004	40305.2947	1-3319890A	EDC	Arraignment June 9, 2004, Dept. 1	Treasures
8/16/2003	30816.3002		Solicit Prostitution	1/13/2004, suspended 12-month sentence, \$1,115 fine, surrender work card, and plead down to immodest behavior, Dept. 1	F
8/1/2003	30801.3235	1-2637841A	EDC	9/3/2003, sentenced to stay out of trouble for six months, \$350 fine, dismissal date of 3/3/2004, Dept. 4	G
6/4/2004	40604.291	1-3329461A	EDC	Pending entry	D
1/22/2003	30122.2496	1-2975727A	EDC	May 6, 2003, dismissed, \$170 fine, Dept. 5	B
1/21/2003	30121.295	1-3368074A	EDC	10/13/2003 changed plea to nolo contendere, sentenced to stay out of trouble for 6 months, \$390 fine, dismissed on 4/19/2004	E
3/4/2003		1-2368074A	EDC	Change plea to nolo contendere, sentenced to stay out of trouble for 6 months, \$390 fine, dismissed on 4/19/2004, Dept. 6	E
2/20/2004	40220.278	1-3320202A	EDC	May 8, 2004 plead nolo contendere, received \$615 fine, execution of judgment July 21, 2004, Dept. 4	D
5/7/2004	40507.309	1-2186883A	EDC	Set for arraignment July 15, 2004, Dept. 5	B
5/9/2003	30509.2738	1-2976231A	EDC	Sentenced to stay out of trouble for 6 months, \$440 fine, dismissed on 3/23/2004, Dept. 5	E
2/27/2004	40227.2752	1-3319917A	EDC	Set for pre-trial August 2, 2004, Dept. 6	E
4/16/2004		1-33581256A	EDC	Set for arraignment July 15, 2004, Dept. 4	G
4/16/2004		1-00581256A	No Work Card in possession	Set for arraignment July 15, 2004, Dept. 4	G
3/28/2003	30328.29	1-2976190A	EDC	Dismissed on June 18, 2003, \$170 fine, Dept. 5	G
10/3/2003	31003.2925	1-2976363A	EDC	December 3, 2003, after submission on the record, suspended sentence of 6 months, \$347 fine, review date of 6/23/2004, Dept. 1	F
5/27/2004	40527.3313	1-2186772A	EDC	Pending entry	F
10/3/2003	31003.2925	1-2976365A	EDC	Dismissed at arraignment on February 11, 2004, Dept. 5	F
6/4/2003	30604.2788		Solicit Prostitution	November 5, 2003, case dismissed per negotiation, Dept. 6	B
6/4/2003	30604.2788		Solicit Prostitution	November 5, 2003, changed plea to nolo contendere, \$1,115 fine, suspended sentence 4 months, sentenced to stay out of trouble for 4 months and take a prostitution class, review date 12/17/2003, case plead down to a \$540 parking ticket, Dept. 6	B

Date	Event	Case #	Violation	Disposition	Club
6/4/2003	30604.2788		Resist Arrest	Changed plea to nolo contendere on 11/5/2003, \$170 fine, 12/9/2003 case closed, Dept. 6	B
2/27/2004	40227.2752	1-3320186A	EDC	Set for arraignment June 29, 2004, Dept. 5	E
8/1/2003	30801.2769	1-297829A	EDC	Set for arraignment September 3, 2003, bench warrant issued, court received a letter of motion from the defendant, and issued an offer, bench warrant stands, Dept. 4	E
3/5/2004	40305.2947	1-3320192A	EDC	Set for arraignment June 9, 2004, Dept. 4	Treasures
10/31/2003	31031.2946		Solicit Prostitution	Trial set for June 15, 2004, Dept. 3	Treasures
10/31/2003	31031.2946		EDC	Trial set for June 15, 2004, Dept. 3	Treasures
2/26/2003	30226.2838	1-2868828A	Solicit Prostitution	On August 28, 2003, after trial found guilty and received \$170 fine, Dept. 6	E
3/4/2004	40304.2544	1-3320191A	EDC	Set for arraignment June 9, 2004, Dept. 4	B
5/27/2004	40527.3313	1-3320460A	EDC	Pending entry	F
3/5/2004	40305.2544	1-3320227A	EDC	Set for arraignment July 1, 2004, Dept. 1	B
10/24/2003	31024.2758	1-2976376A	EDC	May 13, 2004, after trial found not guilty, Dept. 1	Treasures
10/24/2003	31024.2758	1-2976376A	Work Card Address Change	May 13, 2004, after trial, case dismissed, Dept. 1	Treasures
3/28/2003	30328.29	1-2816756A	EDC	January 26, 2003, defendant missing at pre-trial, bench warrant issued, Dept. 4	G
11/21/2002	21121.2739	1-2368254A	EDC	July 28, 2003, trial, bench warrant issued, Dept. 5	E
8/2/2003	30802.0108	1-2637843A	EDC	January 14, 2004, pre-trial, sentence to stay out of trouble for 6 months, \$350 fine	F
3/5/2004	40305.2544	1-3319887A	EDC	Set for arraignment June 9, 2004, Dept. 3, pending reset of arraignment date	B
3/5/2004	40305.2544	1-3319887B	No Work Card in possession	Arraignment set for June 9, 2004, Dept. 3, pending reset of arraignment date	B
3/11/2003	30311.2895	1-2975744A	EDC	Dismissed per negotiation on April 15, 2003, \$170 fine, Dept. 4	F
1/30/2004	40130.2913	1-3319684A	EDC	May 17, 2004, sentenced to stay out of trouble for 6 months, \$350 fine, suspended 6-month sentence, review date set for August 8, 2004, Dept. 1	B
6/4/2004	40604.291	1-0581265A	EDC	Pending entry	D
8/2/2003	30802.0108	1-2637845A	EDC	November 19, 2003, changed plea to nolo contendere, sentenced to stay out of trouble for 6 months, \$470 fine, case dismissed on May 17, 2004, Dept. 6	F
8/2/2003	30802.0108	1-2637845B	EDC	Dismissed on September 3, 2003, Dept. 6	F
5/27/2004	40527.3045		EDC	Pending entry	E
11/21/2002	21121.2739	1-23268253A	EDC	March 4, 2003, changed plea to nolo contendere, \$380 fine, vacate conviction, Dept. 3	E
1/5/2003	30125.295	1-2368072A	EDC	March 4, 2003, plead nolo contendere, \$380 fine, execution of judgment date April 28, 2004, Dept. 3	E

Date	Event	Case #	Violation	Disposition	Club
3/5/2004	40305.2947	1-3320196A	EDC	Set for arraignment June 9, 2004, Dept. 6	Treasures
1/30/2004	40130.2913	1-3319683A	EDC	Set for pre-trial August 2, 2004, Dept. 5	B
10/3/2003	31003.2925	1-2976362A	EDC	On February 4, 2004, sentenced to stay out of trouble for 6 months, \$350 fine, set for status check August 4, 2004, Dept. 3	F
1/22/2003	30122.2496	1-2975730A	EDC	Pled nolo contendere on February 19, 2003, \$280 fine, case closed, Dept. 6	B
10/3/2003	31003.2925	1-2975800A	EDC	November 12, 2003 sentenced to stay out of trouble for 6 months, \$350 fine, case dismissed on April 28, 2004, Dept. 4	F
3/5/2004	40305.2544		EDC	Set for trial July 1, 2004, Dept. 1	B
8/1/2003	30801.2769	1-2637840A	EDC	October 1, 2003, suspended 6-month sentence, \$290 fine, case dismissed April 1, 2004, Dept. 1	E
5/27/2004	40527.3313		EDC	Pending entry	F
6/13/2003	30613.3012	1-2976244A	EDC	9/17/2003, sentenced to stay out of trouble for 6 months, \$350 fine, case dismissed 3/17/2004, Dept. 5	F
5/27/2004	40527.3045		EDC	Pending submission	E
4/2/2004	40402.3218	1-3320291A	EDC	Set for arraignment June 30, 2004, Dept. 3	D
4/2/2004	40604.291		EDC	Set for arraignment June 30, 2004, Dept. 3	D
6/4/2004	40604.291		EDC	March 4, 2003, plead nolo contendere, \$390 fine, execution date April 28, 2004, Dept. 3	D
4/9/2004	40409.3224	1-3320329A	EDC		F
6/4/2003	30604.3161	1-2816762A	EDC	9/10/2003 found guilty after trial, \$390 fine, Dept. 1	C
6/20/2003	30620.2908		EDC	9/10/2003 dismissed per negotiation, Dept. 1	C
1/22/2003	30122.2496	1-2976726A	EDC	February 19, 2003 bench warrant issued at arraignment, Dept. 1	B
5/27/2004	40527.3313	1-3320458A	EDC	Pending entry	F
2/20/2004	40220.278	1-3319913A	EDC	Set for arraignment July 12, 2004, Dept. 2	D
10/3/2003	31003.2925	1-2976314A	EDC	May 5, 2004, sentenced to stay out of trouble for 6 months, \$350 fine, set for status check 11/8/2004, Dept. 3	F
10/3/2003	31003.2925	1-296364A	EDC	January 8, 2004, changed plea to nolo contendere, suspended sentence of 6 months, ordered to stay out of trouble, \$865 fine, status check set for 7/22/2004, Dept. 3	F
4/9/2004	40409.3224	1-3320330A	EDC	Set for arraignment July 15, 2004, Dept. 5	F
2/27/2004	40227.2752	1-3320188A	EDC	Set for arraignment August 2, 2004, Dept. 6	E
3/5/2004	40305.2947	1-3319892A	EDC	Arraignment set for June 9, 2004, Dept. 3, pending reset date	Treasures

Date	Event	Case #	Violation	Disposition	Club
4/11/2003	30411.3003	1-3052318A	Solicit Prostitution	12/17/2003, sentenced to 1 year of staying out of trouble, \$270 fine, surrendering work card, 12/20/2004, Dept. 4	F
2/19/2004	40219.2928	1-3319700A	EDC	Set for pre-trial June 23, 2004, Dept. 1	F
7/22/2003	30722.2842	1-2637831A	EDC	12/15/2003, sentenced to 1-year of staying out of trouble, \$350 fine, case set for status 12/15/2004, Dept. 3	B
3/11/2003	30311.2895	1-2975743A	EDC	\$170 fine dismissed on April 9, 2003, Dept. 5	F
4/9/2004	40409.3224	1-3320300A	EDC	Arraignment set for July 19, 2004, Dept. 3	F
4/9/2004	40409.3224	1-3320300A	EDC	Arraignment set for July 19, 2004, Dept. 3	F
4/9/2004	40409.3224	1-3320300A	EDC	Case set for arraignment July 19, 2004, Dept. 3	F
10/10/2003	31010.2749	1-2976427A	EDC	May 13, 2004, at trial changed plea to nolo contendere, \$250 fine, case closed, Dept. 1	D
4/2/2004	40402.3218	1-3320292A	EDC	Case set for arraignment June 30, 2004, Dept. 6	D
4/2/2004	40402.3218	1-3320292B	Work Card Address Change	Case set for arraignment June 30, 2004, Dept. 6	D
4/16/2004	40416.3413	1-3320384A	EDC	Case set for arraignment July 13, 2003, Dept. 3	A
10/24/2003	31024.2758	1-2976438A	EDC	Bench warrant issued at arraignment February 9, 2004, Dept. 1	Treasures
10/24/2003	31024.3758	1-2976438B	Work Card Address Change	Bench warrant issued at arraignment February 9, 2004, Dept. 1	Treasures
8/1/2003	30801.3235	1-2976250A	EDC	9/3/2003 sentenced to stay out of trouble for 6 months, \$350 fine, pending update, Dept. 4	G
4/9/2004	40409.2943	1-3320298A	EDC	Case set for arraignment July 15, 2004, Dept. 4	E
4/18/2003	30418.2647		EDC	Pending submission - statute of limitations	A
2/19/2004	40219.2928	1-3320181A	EDC	Pre-trial set for June 17, 2004, Dept. 4	F
6/4/2004	40604.291	1-3320432A	EDC	Pending entry	D
5/27/2004	40527.3045		EDC	Pending entry	E
5/1/2004	40501.0011	1-00581258	EDC	Arraignment set for August 3, 2004, Dept. 3	Treasures
10/1/2003	31010.3122	1-2976374	EDC	Trial set for August 24, 2004, Dept. 5	Treasures
8/1/2003	30801.3235	1-296337A	EDC	Case set for arraignment September 3, 2004, dismissed per negotiation, Dept. 4	G
8/1/2003	30801.3235	1-296336A	EDC	9/3/2004, sentenced to stay out of trouble for 6 months, \$350 fine, bench warrant issued March 3, 2004, Dept. 4	G

Date	Event	Case #	Violation	Disposition	Club
11/23/2003	31123.2677		Solicit Prostitution	April 8, 2004, changed plea to nolo contendere, \$500 fine, suspended 6-month sentence, stay out of trouble for 6 months, attend counseling service and treatment program, status check set for 9/23/2004, Dept. 4	F
11/23/2003	31123.2677		Solicit Prostitution	April 8, 2004, changed plea to nolo contendere, \$615 fine, suspended 6-month sentence, ordered to stay out of trouble for 6 months and attend New Choices treatment program, status check set for 9/23/2004, Dept. 4	F
10/10/2003	31010.3122	1-2976453	EDC	Trial set for August 23, 2004, Dept. 5	Treasures
2/27/2004	40227.2752	1-3319918	EDC	Trial set for August 18, 2004, Dept. 5	E
2/19/2004	40219.2928	1-3320182A	EDC	Set for pre-trial June 17, 2004, Dept. 4	F
8/6/2003	30806.2764		Solicit Prostitution	April 28, 2004, dismissed at trial, Dept. 1	E
8/6/2003	30806.2764		Solicit Prostitution	April 28, 2004, dismissed at trial, Dept. 1	E
3/5/2004	40305.2947	1-3320194A	EDC	Set for arraignment June 9, 2004, Dept. 6	Treasures
3/5/2004	40305.2544	1-3319886A	EDC	Arraignment set for June 9, 2004, Dept. 3	B
10/24/2003	31024.2758	1-2976440A	EDC	Trial set for June 14, 2004, Dept. 5	Treasures
10/24/2003	31024.2758	1-2976440B	Work Card Address Change	Trial set for June 14, 2004, Dept. 5	Treasures
10/2/2003	31002.3118	1-2976360A	EDC	Trial set for July 20, 2004, Dept. 5	E
3/5/2004	40305.2544		EDC	Trial set for July 20, 2004, Dept. 5	B
2/27/2004	40227.2752	1-3319916A	EDC	Arraignment set for July 1, 2004, Dept. 3	E
8/16/2003	30816.2998		Solicit Prostitution	Trial set for June 22, 2004, Dept. 5	F
11/23/2003	31123.2678		Solicit Prostitution	Pre-trial set for June 14, 2004, Dept. 6	F
8/1/2003	30801.2769	1-2976334A	EDC	November 6, 2003 sentenced to stay out of trouble for 6 months, \$290 fine, case dismissed 5/6/2004, Dept. 5	E
8/1/2003	30801.2769	1-2976334B	EDC	Dismissed on November 6, 2003, Dept. 5	E
1/9/2004	40109.3163	1-3319676A	EDC	May 4, 2004 pled guilty, \$170 fine, conviction stands, June 8, 2004 execution date, Dept. 6	F
7/2/2003	30702.1815	1-3052020A	Solicit Prostitution	12/22/2003 found guilty after trial, \$390 fine, on appeal to 8th Judicial District Court	E
10/3/2003	31003.2925	1-2976312A	EDC	11/12/2003 sentenced to stay out of trouble for 6 months, \$350 fine, case dismissed on 5/12/2004, Dept. 4	F
2/19/2004	40219.2928	1-2219699A	EDC	Arraignment set for May 13, 2004, bench warrant issued, Dept. 5	F
8/1/2003	30801.2769	1-2368275A	EDC	2/25/2004 sentenced to stay out of trouble for 6 months, \$250 fine, status check set for 8/25/2004, Dept. 5	E
5/27/2004	40527.3045	1-2186884A	EDC	Pending entry	E

Date	Event	Case #	Violation	Disposition	Club
4/16/2004	40416.3181	1-3320383A	EDC	Arraignment set for July 13, 2004, Dept. 4	G
10/2/2003	31001.3118	1-2976308A	EDC	12/1/2003 suspended sentence of 3 months, \$213 fine, case dismissed 2/23/2004, Dept. 1	E
4/9/2004	40409.2943	1-3320299A	EDC	Arraignment set for July 15, 2004, Dept. 3	E
11/21/2002	21121.2739	1-2368255A	EDC	3/31/2003 found guilty after trial, \$390 fine, Dept. 1	E
5/27/2004	40527.3045		EDC	Pending entry	E
10/10/2003	31010.2749	1-2976426A	EDC	11/13/2003, pled nolo contendere, \$290 fine, conviction stands, case closed, Dept. 3	D
8/2/2003	30802.0108	1-2637842A	EDC	12/8/2003, after trial, sentenced to stay out of trouble for 3 months, \$400 fine, case dismissed 3/8/2004, Dept. 1	F
4/2/2004	40402.3218	1-3320316A	EDC	Arraignment set for June 30, 2004, Dept. 6	D
4/2/2004	40402.3218	1-3320318A	Work Card Address Change	Arraignment set for June 30, 2004, Dept. 6	D
5/27/2004	404527.3045	1-3320456A	EDC	Pending entry	E
2/19/2004	404219.2928	1-3320180A	EDC	May 13, 2004, pled nolo contendere, \$187 fine, case closed, conviction stands, Dept. 5	F
12/19/2003	31219.2772	1-2820660A	EDC	Pre-trial set for August 2, 2004, Dept. 5	B
8/1/2003	30801.3235	1-2975780A	EDC	9/3/2003, pled guilty, \$180 fine, conviction stands, case closed, Dept. 6	G
2/14/2003	30214.2656	1-2975762A	EDC	7/15/2003, at trial, changed plea to nolo contendere, \$390 fine, conviction stands, case closed, Dept. 6	D
10/3/2003	31003.2925	1-2976315A	EDC	1/21/2004, pled nolo contendere, sentenced to stay out of trouble for 6 months, \$350 fine, status check set for July 21, 2004, Dept. 3	F
3/28/2003	30328.29	1-2976189A	EDC	2/2/2004, sentenced to stay out of trouble for 6 months, \$350 fine, status check set for 8/2/2004, Dept. 3	G
8/1/2003	30801.2769	1-2637839A	EDC	Trial set for June 21, 2004, Dept. 4	E
9/30/2003	30930.3289		Solicit Prostitution	Trial set for July 6, 2004, Dept. 4	Treasures
9/30/2003	30930.3289		Solicit Prostitution	Trial set for July 6, 2004, Dept. 4	Treasures
2/26/2003	30226.2731		Solicit Prostitution	3/27/2003, pled nolo contendere, \$500 fine, ordered to take prostitution class, suspended 6-month sentence, ordered to stay out of trouble, status check set for 9/30/2004, pled down to jaywalking, Dept. 5	E
2/26/2003	30226.2731		Solicit Prostitution	3/27/2003, pled nolo contendere, \$500 fine, ordered to take prostitution class, suspended 6-month sentence, ordered to stay out of trouble, status check set for 9/30/2004, pled down to jaywalking, Dept. 5	E

Date	Event	Case #	Violation	Disposition	Club
5/27/2004	40527.3045		EDC	Pending entry	E
1/21/2003		1-2368073A	EDC	9/16/2003, sentenced to stay out of trouble for 6 months, \$350 fine, April 15, 2004, dismissed per negotiation, case closed, Dept. 5	E

As of May 2004	2003 Months of Operations	2003 Erotic Dance	2003 Solicit Prostitution	2004 Months of Operations	2004 Erotic Dance	2004 Solicit Prostitution	(18 mos) Erotic Dance TOTAL	Metro Visits Enforce/ Comply
Club A	12	2	0	5	1	0	3	7
Club B	12	8	2	5	17	0	25	9
Club C	12	3	0	5	0	0	3	6
Club D	12	5	2	5	13	0	18	8
Club E	12	20	8	5	19	0	39	9
Club F	12	20	6	5	17	0	37	16
Club G	12	9	1	5	5	0	14	6
Treasures **	3.5	10	4	5	11	0	21	8
Totals								

As of June 2004	Operations after Sep 2003	2003 Erotic Dance	2004 Solicit Prostitution	2004 Months of Operations	2004 Erotic Dance	2004 Solicit Prostitution	8.5 mos TOTAL	Metro Visits Enforce/ Comply
Club A	3.5	0	0	5	1	0	1	3
Club B	3.5	1	0	5	17	0	18	5
Club C	3.5	0	0	5	0	0	0	3
Club D	3.5	2	0	5	13	0	15	5
Club E	3.5	4	0	5	19	0	23	6
Club F	3.5	9	3	5	17	0	26	8
Club G	3.5	0	0	5	5	0	5	5
Treasures	3.5	10	4	5	11	0	21	7
Totals								

	Operations after Sep	2003 Erotic Dance	2004 Solicit Prostitution	2004 Months of Operations	2004 Erotic Dance	2004 Solicit Prostitution	8.5 mos TOTAL	Metro Visits Enforce/ Comply
As of June 2004	2003							
Club A	3.5	0	0	5.5	1	0	1	3
Club B	3.5	1	0	5.5	23	0	24	6
Club C	3.5	0	0	5.5	0	0	0	3
Club D	3.5	2	0	5.5	13	0	15	5
Club E	3.5	4	0	5.5	19	0	23	6
Club F	3.5	9	3	5.5	17	0	26	8
Club G	3.5	0	0	5.5	5	0	5	5
Treasures	3.5	10	4	5.5	14	0	24	9
Totals								

JUNE 2004								
	2003	2003		2004 Months	2004		(18 mos)	
	Months of	Erotic	2003 Solicit	of	Erotic	2004 Solicit	Erotic	Metro Visits
	Operations	Dance	Prostitution	Operations	Dance	Prostitution	Dance	Enforce/
							TOTAL	Comply
Club A	12	2	0	5.5	1	0	3	7
Club B	12	8	2	5.5	23	0	31	10
Club C	12	3	0	5.5	0	0	3	6
Club D	12	5	2	5.5	13	0	18	8
Club E	12	20	8	5.5	19	0	39	9
Club F	12	20	6	5.5	17	0	37	16
Club G	12	9	1	5.5	5	0	14	6
Treasures **	3.5	10	4	5.5	14	0	24	9
Totals								

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Location	Months in Operations	Charges	Charges Pending	Convictions	Acquittal	Resolved	Enforcement Visits	Charges per Visit
2003 Erotic Dance Violations								
Club A	12	1	0	0		1	1	1.0
Club B	12	8	3	0		5	4	2.0
Club C	12	3	0	1		2	2	1.5
Club D	12	5	0	5		0	3	1.7
Club E	12	20	8	3		9	6	3.3
Club F	12	20	5	4		11	4	5.0
Club G	12	9	4	1		4	2	4.5
Treasures	3.5	10	8	1	1	0	3	3.3
Totals		76	28	15	1	32	25	3.0

2004 Erotic Dance Violations								
Club A	5.5	1	1	0		0	1	1.0
Club B	5.5	23	22	0		1	6	3.8
Club C	5.5	0	0	0		0	1	0.0
Club D	5.5	13	10	3		0	3	4.3
Club E	5.5	19	19	0		0	3	6.3
Club F	5.5	17	15	2		0	4	4.3
Club G	5.5	5	5	0		0	2	2.5
Treasures	5.5	14	14	0		0	3	4.7
Totals		82	86	5		1	22	3.0

2003 / 2004 Combined Erotic Dance Violations								
Club A	17.5	2	1	0		1	2	1.0
Club B	17.5	31	25	0		6	10	3.1
Club C	17.5	3	0	1		2	3	1.0
Club D	17.5	18	10	8		0	6	3.0
Club E	17.5	39	27	3		9	9	4.3
Club F	17.5	37	20	6		11	8	3.6
Club G	17.5	14	9	1		4	4	3.5
Treasures	9	24	22	1	1	0	6	4.0
Totals		166	114	20	1	33	36	3.5

2003 Solicit Prostitution								
Club A	12	0	0	0		0	0	0.0
Club B	12	2	0	0		2	1	2.0
Club C	12	0	0	0		0	0	0.0
Club D	12	2	0	0		2	1	2.0
Club E	12	6	0	2		4	3	2.0
Club F	12	6	5	0		1	3	2.0
Club G	12	1	0	1		0	1	1.0
Treasures	3.5	4	4	0		0	2	2.0
Totals		21	9	3		9	10	1.9

NOTE: For the purposes of this report the following explanations apply:

1) Metro visits reflect the number of visits for enforcement purposes and does not include visits for the purposes of compliance checks, investigation and/or administrative issues.

2) The term "resolved" encompasses a variety of negotiated resolutions which may have resulted in an amendment to the original charge at the successful conclusion of specified terms/conditions and/or dismissals pursuant to negotiations.



City of Las Vegas

Fax Cover Sheet

City of Las Vegas
Department of Finance & Business Services
400 East Stewart Avenue - 3rd Floor
Las Vegas, NV 89101-2927

Phone: _____
Fax: (702) 382-6642
TDD: (702) 386-9108
Internet: www.lasvegasnevada.gov

FROM: Jim DiFiore

TO: Russell Rowe

DIVISION: Business License

COMPANY: K.K.B.I.R.

DATE: 6-15-04

FAX#: 796-7181

PAGES: 2

PHONE#: _____

MESSAGE/INSTRUCTIONS:

Russell, here is updated version
of zoning dance violations we spoke of
earlier in the day.

**2001
Law Enforcement
Calls For Service**

Code	Description	Club A	Club B	Club C	Total
401	Accident	1	4	5	10
401A	Hit and Run	2	2	0	4
401B	Accident with Injuries	0	1	5	6
401C	Accident (Private Property)	3	4	2	9
404A	911 Disconnect	2	0	2	4
405Z	Suicide Attempt	1	1	0	2
406	Burglary	1	0	0	1
406V	Vehicle Burglary	0	5	8	13
407	Robbery	4	1	5	10
407Z	Robbery Attempt	0	0	1	1
408	Drunk	2	0	0	2
409	Drunk Driver	5	3	2	10
410	Reckless Driver	1	0	0	1
411	Stolen Vehicle	4	3	7	14
411A	Recoverd Stolen Vehicle	2	1	1	4
411Z	Stolen Vehicle Attempt	1	0	0	1
413	Person with Gun	2	2	0	4
414	Grand Larceny	5	3	4	12
414A	Petit Larceny	6	6	3	15
414C	Larceny From a Person	0	3	2	5
415	Assault/Battery	7	21	12	40
415A	Assault/Battery with Gun	0	1	0	1
415B	Assault/Battery with Other Deadly Weapon	1	4	0	5
416	Fight	3	1	3	7
416A	Juvenile Disturbance	1	0	0	1
416B	Other Disturbance	37	30	32	99
417	Family Disturbance	2	5	2	9
418	Missing Person	3	3	2	8

2001
Law Enforcement
Calls For Service

Code	Description	Club A	Club B	Club C	Total
418A	Found Person	0	0	2	2
421	Sick or Injured Person	3	0	1	4
423	See Person For Info	0	1	1	2
425	Suspicious Situation	1	3	2	6
425A	Suspicious Person	8	1	1	10
425B	Suspicious Vehicle	2	1	1	4
426	Sexual Assault	0	1	1	2
429	Indecent Exposure	0	1	0	1
431	Missing/Found Property	13	22	33	68
432	Fraud	2	1	2	5
433	Stolen Property	2	0	0	2
437	Keep The Peace	0	3	1	4
438	Traffic Problem	1	0	0	1
439	Assist Citizen	1	3	1	5
440	Wanted Suspect	0	1	0	1
441	Malicious Destruction of Property	2	1	2	5
443	Assist an Officer	1	0	0	1
446	Narcotics	2	0	1	3
447	Civil Matter	3	1	5	9
461	Non-Criminal Detail	2	1	0	3
463	Investigation/Followup	9	7	17	33
463G	Investigation/Followup - Gang-Related	1	0	0	1
465	Stake Out	1	14	2	17
467	Vehicle Stop	2	2	0	4
468	Pedestrian Check	1	0	1	2
469	Bar/Perimeter Check	0	83	143	226
	TOTAL	153	251	315	719

2002
Law Enforcement
Calls For Service

Code	Description	Club A	Club B	Club C	Total
401	Accident	2	3	11	16
401A	Hit and Run	1	5	1	7
401B	Accident with Injuries	0	0	5	5
401C	Accident (Private Property)	2	1	3	6
404	Unknown Problem	1	1	1	3
404A	911 Disconnect	7	4	4	15
405Z	Suicide Attempt	1	0	0	1
406V	Vehicle Burglary	1	7	4	12
407	Robbery	1	1	3	5
407Z	Robbery Attempt	1	0	0	1
408	Drunk	1	0	0	1
409	Drunk Driver	5	3	0	8
411	Stolen Vehicle	3	4	13	20
411A	Recoverd Stolen Vehicle	0	1	0	1
413	Person with Gun	1	1	0	2
413A	Person with Knife	1	0	1	2
414	Grand Larceny	3	5	6	14
414A	Petit Larceny	3	4	5	12
414C	Larceny From a Person	3	3	2	8
415	Assault/Battery	4	25	21	50
415A	Assault/Battery with Gun	2	1	0	3
415B	Assault/Battery with Other Deadly Weapon	0	2	2	4
416	Fight	7	1	2	10
416A	Juvenile Disturbance	0	0	1	1
416B	Other Disturbance	30	17	45	92
417	Family Disturbance	2	2	1	5
418	Missing Person	3	3	2	8
421	Sick or Injured Person	0	0	3	3

2002
Law Enforcement
Calls For Service

Code	Description	Club A	Club B	Club C	Total
421A	Mentally Ill Person	1	0	0	1
424	Abuse/Neglect	0	0	1	1
425	Suspicious Situation	1	0	2	3
425A	Suspicious Person	4	2	1	7
425B	Suspicious Vehicle	1	3	1	5
426Z	Sexual Assault Attempt	0	0	1	1
429	Indecent Exposure	0	1	0	1
431	Missing/Found Property	14	23	22	59
432	Fraud	1	1	0	2
433	Stolen Property	0	2	0	2
437	Keep The Peace	0	1	1	2
438	Traffic Problem	0	1	1	2
439	Assist Citizen	1	7	0	8
440	Wanted Suspect	1	0	0	1
441	Malicious Destruction of Property	5	5	2	12
443	Assist an Officer	1	0	1	2
445	Explosive Device	1	0	0	1
446	Narcotics	0	5	1	6
447	Civil Matter	3	3	5	11
463	Investigation/Followup	4	9	4	17
465	Stake Out	0	1	0	1
467	Vehicle Stop	4	0	0	4
468	Pedestrian Check	6	0	0	6
469	Bar/Perimeter Check	5	25	2	32
	TOTAL	138	183	181	502

2003
Law Enforcement
Calls For Service

Code	Description	Club A	Club B	Club C	Club D	Total
401	Accident	0	8	3	0	11
401A	Hit and Run	1	3	5	0	9
401B	Accident with Injuries	1	3	6	0	10
401C	Accident (Private Property)	1	0	0	0	1
404	Unknown Problem	0	0	4	1	5
404A	911 Disconnect	1	2	5	0	8
406	Burglary	0	1	0	0	1
406V	Vehicle Burglary	0	2	2	0	4
407	Robbery	2	5	0	0	7
408	Drunk	1	0	1	0	2
409	Drunk Driver	0	4	1	0	5
411	Stolen Vehicle	7	10	5	1	23
411A	Recoverd Stolen Vehicle	0	1	0	0	1
411Z	Stolen Vehicle Attempt	0	1	0	0	1
413	Person with Gun	0	0	1	0	1
413A	Person with a Knife	1	0	0	0	1
413B	Person with Other Deadly Weapon	0	0	1	0	1
414	Grand Larceny	3	4	5	0	12
414A	Petit Larceny	4	3	2	0	9
414C	Larceny From a Person	2	2	2	1	7
415	Assault/Battery	7	14	6	1	28
415A	Assault/Battery with Gun	0	0	2	0	2
415B	Assault/Battery with Other Deadly Weapon	0	2	1	0	3
416	Fight	3	3	1	0	7
416A	Juvenile Disturbance	1	0	0	0	1
416B	Other Disturbance	23	17	27	3	70
417	Family Disturbance	2	2	1	0	5
418	Missing Person	2	2	2	0	6

2003
Law Enforcement
Calls For Service

Code	Description	Club A	Club B	Club C	Club D	Total
418A	Found Person	1	0	0	0	1
421	Sick or Injured Person	1	1	0	0	2
425	Suspicious Situation	1	2	2	0	5
425A	Suspicious Person	7	2	3	0	12
425B	Suspicious Vehicle	0	1	3	0	4
431	Missing/Found Property	8	12	16	0	36
432	Fraud	0	1	4	1	6
433	Stolen Property	0	2	2	0	4
434	Illegal Shooting	0	0	1	0	1
437	Keep The Peace	2	0	1	0	3
438	Traffic Problem	1	0	0	0	1
439	Assist Citizen	0	2	3	0	5
441	Malicious Destruction of Property	0	2	1	0	3
443	Assist an Officer	0	0	1	0	1
447	Civil Matter	3	3	4	0	10
463	Investigation/Followup	10	11	10	3	34
467	Vehicle Stop	5	2	4	0	11
468	Pedestrian Check	8	2	1	3	14
469	Bar/Perimeter Check	4	3	2	0	9
	TOTAL	113	135	143	14	405

2004
Law Enforcement
Calls For Service

Code	Description	Club A	Club B	Club C	Club D	Total
401	Accident	3	5	7	0	15
401B	Accident with Injuries	0	0	2	0	2
401C	Accident (Private Property)	0	0	1	0	1
404A	911 Disconnect	2	2	0	0	4
406	Burglary	1	0	0	0	1
406V	Vehicle Burglary	0	3	0	2	5
407Z	Robbery Attempt	0	1	0	0	1
409	Drunk Driver	1	1	1	0	3
411	Stolen Vehicle	2	0	0	0	2
411A	Recoverd Stolen Vehicle	1	1	0	1	3
413	Person with Gun	0	1	0	0	1
414	Grand Larceny	1	3	1	1	6
414A	Petit Larceny	0	3	1	0	4
414C	Larceny From a Person	0	0	1	1	2
415	Assault/Battery	1	7	4	2	14
415B	Assault/Battery with Other Deadly Weapon	1	0	2	0	3
416	Fight	0	0	1	1	2
416B	Other Disturbance	5	4	8	1	18
417	Family Disturbance	1	0	2	1	4
421	Sick or Injured Person	2	1	1	0	4
423	See Person For Information	1	0	0	0	1
425	Suspicious Situation	0	1	1	1	3
425A	Suspicious Person	1	0	2	0	3
425B	Suspicious Vehicle	0	1	1	0	2
426Z	Sexual Assault Attempt	0	0	1	0	1
431	Missing/Found Property	4	8	5	4	21
432	Fraud	1	0	0	0	1
433	Stolen Property	0	1	0	0	1

2004
Law Enforcement
Calls For Service

Code	Description	Club A	Club B	Club C	Club D	Total
437	Keep The Peace	0	0	0	1	1
438	Traffic Problem	0	0	1	0	1
439	Assist Citizen	0	0	0	1	1
440	Wanted Suspect	1	0	0	0	1
441	Malicious Destruction of Property	1	0	1	0	2
446	Narcotics	2	0	0	0	2
447	Civil Matter	0	1	0	0	1
463	Investigation/Followup	5	4	2	3	14
467	Vehicle Stop	1	0	1	1	3
468	Pedestrian Check	2	0	0	0	2
469	Bar/Perimeter Check	3	2	1	4	10
	TOTAL	43	50	48	25	166

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: June 14, 2004

Re: Request for Opinion on Abstentions for 6/16/04 City Council Meeting *(Supplement)*

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 78, 119 and 120 which are to be considered by the City Council at its June 16, 2004 meeting.

Item 78 involves a six-month review of a tavern license for Treasures, a sexually-oriented business, in Ward 1. You have informed me that your son, Ross Goodman, Esq. has been retained by Treasures to represent its interests in various legal issues, including the representation of several entertainers (dancers) at Treasures who have been charged with, among other things, solicitation of prostitution. The approval or denial of Treasures' tavern license will affect its business and possibly your son's business relationship with Treasures.

Item 99 involves a request for approval of a site development plan for an eight level parking structure at the intersection of Fourth and Bonneville. You have informed me that you are still owed \$24,000 from the sale of real property at the corner of Casino Center and Bonneville, which is within the notification area for this project. Since it is possible that you might be able to regain the Casino Center/Bonneville property, depending upon your sales agreement with the buyer, the Council's approval or disapproval of this Site Plan Review could effect your financial interests.

Items 119 and 120 involve Special Use Permits for off-premise advertising signs (billboards) at different 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.

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.

Submitted at City Council

Date *6/16/04* Item *#99*

NRS 281.501(8) defines "commitment in a private capacity to the interests of others" as a commitment to a person: (b) who is related to him by blood, adoption or marriage within the third degree of consanguinity or affinity; (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 the above-referenced items.

If any of the above-referenced items are abeyed, tabled or withdrawn at the June 16, 2004 Council meeting, you may vote on the motion to abey, table or withdraw the item as abeyance, withdrawal or tabling motions are not substantive motions. If any of the above-referenced items come back to the City Council for a hearing, you will again need to disclose your conflicts and abstain from the discussion and vote.

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

BKS:b

CITY COUNCIL MEETING OF
June 16, 2004

VERBATIM TRANSCRIPT – ITEM 78

Discussion and possible action regarding a Six-Month Review of a Tavern License, D.
Westwook, Inc., dba Treasures, 2801 Westwood Drive, Ali Davari, Dir, Pres, Treas, 50%,
Hassan Davari, Dir, Secy, 50% - Ward 1 Moncrief

Appearance List:

OSCAR GOODMAN, Mayor
GARY REESE, Mayor Pro Tem
MICHAEL MACK, Councilman
BRAD JERBIC, City Attorney
JANET MONCRIEF, Councilwoman
JIM DiFIORE, Manager of Business Services
MARK FIORENTINO, Attorney
PAUL NUGENT, Attorney
LARRY BROWN, Councilman
TOM McGOWAN
TOM GREEN, Chief Deputy City Attorney
LAWRENCE WEEKLY, Councilman
JOHN LORETTO, Detective, LVMPD
STACY RODD, Detective, LVMPD
BARBARA JO RONEMUS, City Clerk
BILL HENRY, Senior Litigation Counsel

(10:18 – 12:07)

1-2760

2 hours 43 minutes

Typed by: Ydoleena Yturralde

Proofed by: gpb/ac

CITY COUNCIL MEETING OF
June 16, 2004

VERBATIM TRANSCRIPT – ITEM 78

30 **MAYOR GOODMAN**

31 All right. Item 78 is discussion and possible action regarding a six-month review of a Tavern's
32 License, doing, Treasures at 2801 Westwood Drive. This is in Ward 1. I have to abstain, Mayor
33 Pro Tem, my son Ross is one of the attorneys for the – Treasures and for Mr. Davari, so I won't
34 be participating in this.

35

36 **MAYOR PRO TEM REESE**

37 Thank you.

38

39 **COUNCILMAN MACK**

40 Mayor Pro Tem, I have asked for a private opinion from the City Attorney's Office in form, in
41 writing. I don't know, Mayor, if you asked for one as well, in, for this abstention. But I'm I'll
42 be abstaining from this item. I – own Mack Consulting, which is an advertising and PR
43 company, which does work for Treasures. I believe it's a conflict of interest, and I will not be
44 voting or participating in this vote.

45

46 **MAYOR GOODMAN**

47 And the record should reflect, as the Councilman points out, that I have, based on a request from,
48 on abstentions for this meeting, I have been advised by the City Attorney's Office that it would
49 be appropriate for me to abstain.

50

51 **BRAD JERBIC**

52 Okay. Your Honor and Councilman Mack, if you have written opinions, it's appropriate at this
53 time to file them with the Clerk. Under state law, that is the requirement to reduce the size of the
54 quorum.

55

56 **MAYOR GOODMAN**

57 All right. I appreciate that. And, it should also reflect that on Items 119 and 120, later on today,
58 which pertain to billboards, my other son, Eric, represents some billboard companies. And,
59 they're discussions by persons that I'm in association with regarding billboards, so, I've been
Page 2 of 82

CITY COUNCIL MEETING OF
June 16, 2004

VERBATIM TRANSCRIPT – ITEM 78

60 advised that I should abstain from that as well. But I will provide this to Ms. Ronemus at this
61 time. Thank you.

62

63 **COUNCILMAN MACK**

64 Your Honor.

65

66 **MAYOR GOODMAN**

67 Yes.

68

69 **COUNCILMAN MACK**

70 Mayor Pro Tem, also on Item 116, it involves a special use permit for a proposed financial
71 institution on Rainbow Boulevard. I've been, I also got a written opinion. This is relate closely
72 related to my brother Steven Mack, and this approval could have an impact on his special use
73 permit, so I'll be abstaining from that item as well.

74

75 **BRAD JERBIC**

76 Thank you. Pursuant to state law, the size of the quorum is –

77

78 **MAYOR PRO TEM REESE**

79 With the – situation as it is, we are one member short, so we're gonna take a short recess for just
80 a few minutes until Councilman Weekly gets back. So, we are in recess.

81

82 **RECESS: 10:20 A.M. TO 10:26 A.M.**

83

84 **MAYOR PRO TEM REESE**

85 Let me read into record one more time. This is Item 78. Abeyance item. Discussion and
86 possible action regarding a six-month review of a Tavern License, D. Westwood, Inc., doing
87 business Treasures, 2801 Westwood Drive.

88 There has been quite a few comments about this application even before they got their temporary
89 license. At this time, I would like our City Attorney, Brad Jerbic, to explain to the audience and
Page 3 of 82

CITY COUNCIL MEETING OF
June 16, 2004

VERBATIM TRANSCRIPT – ITEM 78

90 to the Council for the – applicant about the temporary license and subsequential, maybe,
91 abeyances that this item may have. Mr. Jerbic.

92

93 **BRAD JERBIC**

94 Thank you, Mr. Mayor Pro Tem, members of Council. The, as the Council is aware, Treasures
95 opened on September 16th, 2003, with a temporary privileged liquor license. That temporary
96 license, under our City code, is a six-month maximum license, and, under our City code, only
97 one extension of that license is allowed, not to exceed six months. So the – under our – scheme
98 you can have a temporary license that doesn't exceed a year, if an extension is given by the
99 Council.

100 The first six-month's license expired at the time of the March hearing in this matter, when we
101 had the hearing in March of 2004. At that time, the item was held in abeyance until today's date,
102 and it may be held in abeyance one or more times, depending what action Council takes today. It
103 wasn't staff's intention to see them operate without a license, nor do I think it was Council's
104 intention. I think it was their intention to continue with a – temporary license for an additional
105 period. However, those magic words were not spoken on the record. We have been treating
106 them as if they have been acting under a temporary license, but, for clarification, we're gonna
107 seek in your motion whatever motion, you make today, an inclusion of the fact that you intended
108 that a temporary license be issued for a second time extending from the period where the first
109 temporary license expired until September 15, 2004.

110

111 **MAYOR PRO TEM REESE**

112 Thank you, your, Mr. Jerbic. Councilwoman, did you have anything you want to say at this
113 time?

114

115 **COUNCILWOMAN MONCRIEF**

116 I would like staff to give the report at this time.

CITY COUNCIL MEETING OF
June 16, 2004

VERBATIM TRANSCRIPT – ITEM 78

117 **MAYOR PRO TEM REESE**

118 Okay. Again, if we are thinking about or if you have any idea that we may hold this in abeyance,
119 let's consider that and let's give both sides the opportunity. I think the one thing that needs to be
120 brought out is the nature of the – business, number one. And, number two I think it's very
121 important that everybody understands here today why we are here today, and that only. But I
122 think that there are other issues that need to be at least put on the table at this time, that being the
123 issue down in Houston. I think that is a grave issue. I think this does overshadow the license
124 that we have here today. I don't think that we are going to have any, the charges that have been
125 filed, we can go through the comparisons, so on and so forth, from the other clubs, if that's our
126 desire here today. I'm giving the Council members that, I guess, opportunity, to either have a –
127 hearing today and/or to see if we wanted to hold this in abeyance and have a – bigger hearing.
128 So, Councilwoman, I will certainly defer to you and your choice. If you wanna have both groups
129 go, you know, through and – give their presentations. And – I just hate to see'em get up here
130 and – go on for an hour, hour and a half, and then have it – held in abeyance. So, I guess I'm
131 asking you what you would like to see done here today. We'll – certainly follow that.

132

133 **COUNCILWOMAN MONCRIEF**

134 I – thank you, Your Honor. I feel the staff, plus the owners of this establishment, feels that it's
135 important enough that the public should hear this today in the full extent, and I think the public
136 has the right to understand what's going on up to this date, and suitability is suitability when it
137 comes to a special use permit like this. I think this is very important. I think it's very severe.
138 And I think out of everything we're doing today in Council, I think this is the most important
139 thing that we listen to today.

140

141 **MAYOR PRO TEM REESE**

142 Thank you. Mr. DiFiore.

143

144 **JIM DiFIORE**

145 Okay. I'm gonna be very brief and be able to answer any questions you may have, but,
146 essentially, a recap of this, and you have before you, in your backup, a copy of the original report

CITY COUNCIL MEETING OF
June 16, 2004

VERBATIM TRANSCRIPT – ITEM 78

147 and a copy of the report that was prepared for the May, March 17th, 2004, City Council Meeting.
148 At that meeting, the Council had some concerns with how this license and how this business
149 operation stood with the rest of the – clubs that were licensed in the City. Additionally, we –
150 made a report that there were four charges for solicitation of prostitutions that were outstanding
151 at that time involving three dancers. Currently, those charges are still outstanding. I believe
152 there was a trial yesterday, and I believe there is a trial scheduled maybe for next week and the
153 first week or the first part of July.
154 I know that our concern here is that those not, have not been adjudicated, and, thus, we don't
155 have the results of those trials to be brought forward at this point in time. With that, I did
156 prepare for each of the Council members, that were eligible to hear this today, a statistical
157 comparison of the Erotic Dance Code violations for 2003, 2004, as well as the solicitation of
158 prostitution charges for 2003 for all of the clubs that are licensed here in the City of Las Vegas,
159 which include the non-alcohol clubs as well as the alcohol clubs.
160 So you have that and you have, maybe have had an opportunity to look at that and I'm available
161 for any questions at this time. I think I'm gonna defer to Mr. Jerbic to talk about – the Houston
162 charges at this time since he has more familiarity with that then I do at this point.

163

164 **MAYOR PRO TEM REESE**

165 Well, I think it's important at this time that people, maybe for the first time hearing this,
166 understand what we talk about as far as convictions. And I'm not one to stand up here or sit up
167 here and try to beat a dead horse. I think that there has been comparisons made. The type of
168 business that we are referencing here today, I know there are other establishments like this in the
169 City of Las Vegas that are under our auspices. I think that we have to make sure that we look at
170 each club the same. I know that the difference between this club and the other clubs that are in
171 the City of Las Vegas, there was a promise made. That this club is going to come in and,
172 because of the reports that we had from the businesses in out of state, that promises was made.
173 Whether it was done willfully or whether their – arm was held behind their back, whether they
174 would got the license without the promise, it's not for me to say today. I do know that they got a
175 temporary license, and there was a promise made.

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176 And, I – think that that a promise, to me, is kind of like sticking a noodle in a glass of milk. You
177 know, I think at the time the pressure was there, and so the promise was made. I – think that
178 when I look at this application today, I kind of forget that promise. And I would hope that our
179 staff members and our City Attorney's Office kind of do the same thing. I think it's important
180 that we hold everybody to the same standard.

181 I also, I – know that in some of my reports, some of my briefings that I have had that I know for
182 a fact that some of the other clubs whenever Metro and/or our staff goes in there, they're treated
183 with respect. And I know that this club that there has been reports that they don't receive the
184 same consideration at this club. So that also makes a difference as far as I'm concerned.

185 And, so in looking at this application, I think that the – audience has to know and even the
186 applicant has to know that these are things that are being considered by me, at least. I won't
187 speak for my other Councilmembers, but I definitely think that there is a – same standard here
188 that we need to make sure to address it to everybody. And – again, I would hope that these
189 charges at this club are not treated any differently than the charges at other clubs, in this
190 comparison.

191 Okay. So, with that said, are there any comments yet by the Councilmembers?

192

193 **COUNCILWOMAN MONCRIEF**

194 Yes. Your Honor, I have one comment. The one thing I don't agree with you, Councilman
195 Reese, is that – we all forget a promise. I think we're on the record today, and we're actually
196 serving almost as a jury, and I don't think anyone should forget a promise. That when we, not
197 we, I wasn't on the Council at the time, but when that vote was made and that promise was
198 made, then does that mean that everything we vote on we forget later and we don't assume that
199 that was what we voted on? So, at that point, I don't agree with that.

200

201 **MAYOR PRO TEM REESE**

202 That's fine.

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203 **COUNCILWOMAN MONCRIEF**

204 The big question that I do have is, Mr. Jerbic, the trial that was supposed to happen yesterday, I
205 understand was delayed. Could you please explain that, on the record, for the public, why that
206 was delayed. And my second question is, how will we prevent those from being delayed until
207 that year cut off?

208

209 **BRAD JERBIC**

210 Right.

211

212 **COUNCILWOMAN MONCRIEF**

213 And when will – we be able to get these girls to trial and see what occurs at that point?

214

215 **BRAD JERBIC**

216 Right. Yesterday there was no delay in the trial. The trial did occur, as scheduled, and the
217 witnesses were called and both sides argued. And, at the end of the argument, the judge had a
218 legal question that he asked each side to file briefs on to – further argue the point. Those briefs
219 and final argument are all due to be argued, I believe, on August 30th of this year. So, the delay,
220 if you want to call it a delay, was – the Court requesting more information at the end of the trial.

221 There are two other trials that are coming up, I believe, at the end of June and early July. If,
222 without any knowledge of any problems at this point in time, they should go as scheduled and, of
223 course, the Court always is entitled to ask more questions. You never know if you're gonna have
224 a witness problem. But, if people show up, they go as scheduled, those could well be
225 adjudicated before the next, the, before the license expires in September.

226

227 **COUNCILWOMAN MONCRIEF**

228 One more question. If – none of those girls goes to trial and September 15th comes, what occurs
229 at that point?

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230 **BRAD JERBIC**

231 Council will have a decision to make. The temporary license will expire at that time, and,
232 without Council voting on a permanent license at that point in time, the business would close,
233 unless you grant a permanent license.

234

235 **COUNCILWOMAN MONCRIEF**

236 Thank you.

237

238 **BRAD JERBIC**

239 Or I should, excuse me. Let me restate. The liquor portion would be suspended, unless you
240 rendered a permanent license.

241

242 **COUNCILWOMAN MONCRIEF**

243 Thank you.

244

245 **MAYOR PRO TEM REESE**

246 Any questions? So, then, Councilwoman, you wanna hear about the concerns in Houston at this
247 time?

248

249 **COUNCILWOMAN MONCRIEF**

250 Please.

251

252 **MAYOR PRO TEM REESE**

253 (Inaudible) Jerbic.

254

255 **BRAD JERBIC**

256 Thank you. Mr. Mayor Pro Tem and members of Council, I'm filing with the Clerk a document
257 that I will give you a brief detail as to what's in it. I received this copy yesterday morning from
258 the Houston District Attorney's Office in Harris County. They are handling this matter. Let me
259 emphasize at this point in time, before I say anything more, there are no charges, to my
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260 knowledge, filed against the Davaris or any of their corporations. They have not been convicted
261 of anything. At this point in time there's not even as much as a charging document.

262 What I was supplied with by the Harris County District Attorney's Office was the first copy is a
263 photocopy of the Texas Penal Code, which defines money laundering, and that's relevant to
264 what's contained in the affidavits attached hereto. The second page is a Plaintiff's Notice of
265 Seizure and Intended Forfeiture that was executed, excuse me, it's stamped on June 1st of this
266 year but was executed on May 26th of this year. And the next three documents are three search
267 warrants for three separate banks that were executed by Special Agent Wayne Cheney, of the
268 Department of Homeland Security with US Immigration and Customs Enforcement called the
269 ICE team. So, if I talk about the ICE team, that's the Immigration Customs Enforcement team.
270 They received information directly from Chase Manhattan Bank, or Chase Bank in Texas, that
271 there was suspicious activity regarding accounts that were controlled by the Davaris. The, Mr.,
272 both Davari brothers own corporations and those corporations, excuse me, I think it's D.
273 Houston Inc., have accounts at several banks in the Houston area.

274 Let me just outline very briefly for you what the allegation is. Under federal law, and this
275 applies in every state of the country, any time you move more than \$10,000 into an account in
276 cash or withdraw more than \$10,000 in cash, you have to file a Currency Transaction Report that
277 goes to the IRS where you produce identification, in the like. If you deliberately structure
278 withdrawals or deposits to avoid filing a Currency Transaction Report, that is also a federal
279 crime that applies, of course, in every state. If, under Texas law, you structure money, their
280 argument is that if you're structuring, that is criminal activity, and, if it involves currency, it's
281 money laundering, and that's what their argument is under their law. Again, these are just
282 arguments. These aren't even contained at this point in time in an indictment or a criminal
283 complaint.

284 The allegations are that at these various banks there were structured deposits over a period of
285 time that began, it looks like, June of 2002, according to the agent's affidavit, and ended in
286 February of 2004. Specifically, I'll just give you a couple of examples from the agent's
287 affidavit. Between September 23rd, in 2003 and November 26, 2003, 17 checks were cashed on
288 the D. Houston account at Chase Bank for exactly \$9,000. On the 5th of December, after
289 warning the Davaris, and I believe there's a statement in the affidavit, that a bank executive, a
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290 bank officer told one of the brothers that this is suspicious activity, and if you are gonna conduct
291 business this way, you should withdraw more money all at once rather than coming in virtually
292 every day and doing it. The activity did not cease, and, therefore, Chase closed the account on
293 the 5th of December 2003. That's gonna be a relevant date as I go through the rest of the activity
294 contained in the affidavit. But Chase closed the account. And, apparently, at that time, notified
295 the authorities, who then stepped in and examined the bank records.

296 At that same time, between June 17th, 2002, and December 2nd, 2003, three days before the
297 account was closed at Chase, three hundred and thirty-two checks are cashed for exactly \$9,500
298 at Wells Fargo Bank in Houston, Texas, according to the affidavit. On the third of December, at
299 about the same time the Chase account has been closed, that changes. Between December 3rd,
300 2003, and February 25th, 2004, 53 checks are cashed but now they vary in amount between
301 ninety-four hundred dollars and eighty-two hundred and fifty dollars. Only three of the checks in
302 this period are for exactly ninety-five hundred dollars. On September 2nd, 2003, to December
303 2nd, 2003, again just before the Chase account is closed, 61 checks are cashed at Compass Bank,
304 all for exactly ninety-five hundred dollars. Between December 3rd, 2003 and February 27th,
305 2004, 58 more checks are cashed between sixty-four hundred dollars and ninety-five hundred
306 dollars. Again, the amounts begin to vary only after the Chase account is closed.

307 There were Currency Transaction Reports filed by the Davaris prior to these alleged structured
308 accounts. In 1997 and 1999, according to the affidavit, two Currency Transaction Reports were
309 filed with the First Bank of Houston, which later became Wells Fargo Bank. So, it looks like the
310 activity, as alleged in the affidavit, began on the – June of 2002 with the Wells Fargo account,
311 where the three hundred and thirty-two checks were cashed and then spread the two other
312 accounts both opened in September of 2003. Again, these accounts were both opened within two
313 weeks of Treasures opening in Las Vegas, and they both ceased the cashing checks for the very
314 specific amounts of \$9,000 and ninety-five hundred dollars only after the Chase account is
315 closed.

316 That's a summary of what's in the affidavit. As a result three bank accounts have been seized
317 totaling over \$2,100,000. There's allegations of the complaint that the alleged structuring totaled
318 well over \$3 million dollars. The, again, that's all we have at this point in time. I'll be glad to
319 answer any questions that the Council may have.

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320 **MAYOR PRO TEM REESE**

321 Councilwoman, any questions?

322

323 **COUNCILWOMAN MONCRIEF**

324 I have another question, please. If before September 15th we grant a permanent license to this
325 facility and at a later date they're found guilty of a felony, normally does this Council consider
326 revoking the license at that point?

327

328 **MAYOR PRO TEM REESE**

329 Absolutely.

330

331 **COUNCILWOMAN MONCRIEF**

332 Is that a, that's a suitability question that we normally would look at very seriously, correct?

333

334 **BRAD JERBIC**

335 Right. A felony conviction will always result, I believe, in staff bringing a – complaint for
336 revocation before this Council for your consideration. The code merely requires “committed any
337 acts,” so it's your standard. You can – use a conviction or less, depending on the amount of
338 evidence you have.

339

340

341 **MAYOR PRO TEM REESE**

342 Councilwoman, if I could. This is just my observation since my time up here. I think it's easier
343 to not give a permanent license. I think it's easier to take a temporary license away than to give
344 a permanent license and then go for revocation.

345

346 **COUNCILWOMAN MONCRIEF**

347 But, obviously, we have a short period of time 'til September 15th.

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348 **MAYOR PRO TEM REESE**

349 Yes.

350

351 **COUNCILWOMAN MONCRIEF**

352 But, today, I do want to say that in reviewing all these statistics on different ABCs, sexually
353 oriented businesses, they weren't that far off on all those numbers for all the arrests or citations.

354 I feel that, by talking to different members in staff, that maybe we were zeroing in on them and
355 watching them closer due to the fact that they were a new establishment and that they said they
356 were going to raise the bar.

357

358 **MAYOR PRO TEM REESE**

359 They made the promise –

360

361 **COUNCILWOMAN MONCRIEF**

362 That promise, yes. So, I'm not opposed in abeying this item, because obviously we have no
363 prostitution convictions at this point, and the situation in Houston, obviously, will not be
364 resolved any time soon. But I do just want to make it a point that the public did hear and was
365 updated with this.

366

367 **MAYOR PRO TEM REESE**

368 I think – when asked, Mr. Fiorentino, do you have any comments at this time?

369

370 **MARK FIORENTINO**

371 Mayor Pro Tem, members of the Council, Mark Fiorentino. I represent D. Westwood, Inc., here
372 this after, still this morning. Yes, we're prepared to make a full-blown presentation to you once
373 you get to that point.

374

375 **MAYOR PRO TEM REESE**

376 Well, it's my understanding, kind of talking, or listening to Councilwoman Moncrief, that, with
377 the ability that we have of holding this until the second week, second meeting in August, that –
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378 might be the time to – do this – I don't know whether we need to make a decision today, based
379 upon the comments that was made earlier in previous Council meetings, because, it's like she
380 said, we have nothing actually to make a decision based upon today other than allegations. I
381 don't think it's fair to your client or to us to have to make a – decision based upon allegations.
382 So, I mean, it's – entirely up to you, and I'm sure our staff is ready to go – full blown also. But,
383 to me, it's like if, there's no sense us hearing this if we're, in fact, going to ask for an abeyance.
384 So, it's kind of tit for tat.

385

386 **MARK FIORENTINO**

387 I understand that. And, I was in this sort of same position last time we were here. We have a
388 full-blown detailed presentation. We are prepared to even start with the presentation to you that
389 we have a temporary license, because we disagree with that particular interpretation. It might be
390 splitting hairs. But, if Mr. Jerbic's position is that the significance of a temporary license is that
391 this Council could take no further action and in September we'd have to close, then we're gonna
392 have to make some record on at least what our position is on that point.

393

394 **MAYOR PRO TEM REESE**

395 That's fine.

396

397 **MARK FIORENTINO**

398 So, I – think we are prepared to make a presentation, but we are also prepared to be guided by
399 whatever your decision is at the end of the presentation. If your decision is you still want more
400 time, that's why you're the Council.

401

402 **MAYOR PRO TEM REESE**

403 Well, again, if you want to make representation as far the temporary license and the comments
404 Mr. Jerbic made, I'd be more than will, happy to listen to those right at this time.

405

406 **MARK FIORENTINO**

407 Okay. Well, however you want me to proceed, Mayor Pro Tem.

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408 **MAYOR PRO TEM REESE**

409 That's fine, and then I think we'll – make a motion.

410

411 **MARK FIORENTINO**

412 So, you don't want me to make a presentation, other than beyond this.

413

414 **MAYOR PRO TEM REESE**

415 Well, no –. Yeah that's it. I don't think it's necessary at – this time.

16

417 **MARK FIORENTINO**

418 Okay. I guess one other thing?

419

420 **MAYOR PRO TEM REESE**

421 Absolutely.

422

423 **MARK FIORENTINO**

424 Do you wanna hear, 'cause he's going to hit me in the back of the head with something, from

425 Mr. Davari's Houston counsel?

26

427 **MAYOR PRO TEM REESE**

428 Absolutely. We, that's – absolutely. Yes.

429

430 **MARK FIORENTINO**

431 Let's let him do that.

432

433 **MAYOR PRO TEM REESE**

434 Absolutely.

435

436 **MARK FIORENTINO**

437 Then I'll make my presentation on the temporary license issue.

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438 **MAYOR PRO TEM REESE**

439 That's fine.

440

441 **MARK FIORENTINO**

442 And then maybe we may or may not have to go on from there.

443

444 **MAYOR PRO TEM REESE**

445 I – certainly appreciate, I mean, I think that it's, this is America. We heard from our – attorney

446 make his presentation, so I think it's only fair that we hear the – Houston attorney.

447

448 **MARK FIORENTINO**

449 Okay. Thank you. While he's coming up, this is Paul Nugent. He is Mr. Davari's counsel in

450 Houston, and he's responsible for handling the case that Mr. Jerbic was talking about.

451

452 **MAYOR PRO TEM REESE**

453 Thank you. Mr. Nugent, welcome.

454

455 **PAUL NUGENT**

456 Yes. Good morning. Thank you.

457

458 **MAYOR PRO TEM REESE**

459 We need to have you state your name though.

460

461 **PAUL NUGENT**

462 It's Nugent. N-U-G-E-N-T. Paul Nugent.

463

464 **MAYOR PRO TEM REESE**

465 Okay.

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466 **PAUL NUGENT**

467 I appreciate the opportunity to briefly address you all. The allegations in Houston, it's merely a
468 civil lawsuit. The state has filed a two-page civil lawsuit. It was filed back on June the 4th. We
469 are preparing answers and will defend that lawsuit. To put it in perspective, the State is alleging
470 that the withdrawal of approximately \$2.1 million was suspicious. I wanna, I can't be more
471 forceful in saying the Davaris welcome scrutiny of their business practices. They have very
472 competent accountants. They account for every dollar they earn. They account for every dollar
473 they spend.

474 And, to put it in perspective, in the year two thousand and three the Davaris issued 1099's for
475 cash payments to its employees, and you have to understand the magnitudes of these clubs.
476 Treasures in Houston employs about 700 people. That includes parking lot attendants,
477 bartenders, bar backs, chefs, chef's assistants, security personnel, including the entertainers who
478 are independent contractors, just about 700 people. The Davaris issued 1099's in 2003 for
479 \$8,843,000 for cash disbursements. In 2002 the Davaris issued 1099's for cash disbursements of
480 the Treasures in Houston six million six hundred and sixty-nine thousand, \$6,069,000 in cash
481 disbursements. Over the past three years \$27 million in cash disbursements have been made to
482 the entertainers, 1099's have been filed with the IRS and issued to the entertainers for each dollar
483 earned by a dancer and each dollar paid to a dancer.

484 So the Davaris welcome scrutiny from the Internal Revenue Service. The \$2.1 million that is
485 ceased, the state agency that ceased the money had no access to the Davari tax records. Once
486 these tax records are made available, the state authorities will see and the federal authorities will
487 see that every dollar has been accounted for.

488 And I – do wanna stress, there are no criminal allegations in Houston. Although the term
489 “money laundering” is kind of an incendiary term, although the fact that the Homeland Security
490 was involved in this multi-agency investigation has some sex appeal for the news media, this is
491 not a Homeland Security issue. This is not a criminal issue. This is a civil complaint filed in a
492 District Court in Houston. It'll be litigated for the next year or two or three. There's gonna be
493 no quick resolution. But I wanna stress, the nightclub business, like the casino business, requires
494 large sums of cash, and the Davaris routinely on a daily basis make cash withdrawals. That's

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495 what Chase Bank thought was suspicious, because Chase Bank is not used to business owners
496 making six and eight and nine thousand withdrawals on a daily basis.

497 But the nightclub business is a seven-day a week business, like the casino business. Withdrawals
498 were made every business day, and that's what Chase deemed suspicious. When Chase informed
499 the Davari brothers they said, well, there's nothing suspicious. We pay our taxes. We are not
500 concerned about the Internal Revenue Service. But, of course, Chase was not privy, Chase Bank
501 or the assistant officer at Chase that alerted the authorities had no idea what the Davaris were
502 doing with this money, they had no idea the Davaris were issuing 1099's for every dollar
503 withdrawn and every dollar paid.

504

505 **MAYOR PRO TEM REESE**

506 Excuse me, I just got one question. It seems to me like then like, in most businesses, it might be
507 slower on Tuesday and Wednesday, but on Friday night and Saturday night there'd be bigger, so
508 why wasn't there larger withdrawals towards the weekend rather than the regular nine thousand
509 five hundred?

510

511 **PAUL NUGENT**

512 Mayor Pro Tem, the – that's a good question. And the amount of the withdrawals did vary but
513 they had monthly budgets and they followed the budgets and, but the – amount of the
514 withdrawals sometimes did vary. But there was no intent to avoid, the purpose of these reporting
515 requirements is for the Internal Revenue Service and the Davaris file all their taxes, issue 1099's,
516 and really do welcome scrutiny by the IRS, by your counsel, and by the authorities. Because
517 every dollar withdrawn is accounted for in a 1099 to an entertainer.

518 But, Councilman, in retrospect, maybe they should have varied the amounts so it wasn't as
519 suspicious, but they didn't think there was anything suspicious because they pay their taxes,
520 they're law abiding American citizens, and they don't, didn't think it was suspicious. It's a cash
521 industry, to a large extent, and to some people that's suspicious. But, Councilman, I think, in
522 retrospect, had they varied the amount of the withdrawals maybe now it would be deemed less
523 suspicious.

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524 But, I can't be stronger in my statements. There was no intent to violate banking laws. There
525 was certainly no intent to evade taxes. And, when all is said and done, when we have our day in
526 court in Houston, we will provide boxes and boxes and boxes of evidence that every dollar was
527 accounted for and every dollar in tax owed was paid. And you have to understand that the
528 Treasures here, like the Treasures in Houston, literally has hundreds and hundreds of employees.
529 These are big sophisticated operations. They employ a lot of people and they have mammoth
530 cash needs. And to some that's suspicious, because in this day and age there aren't that many
531 businesses that have large cash needs like the adult entertainment business.

532 But, Councilwoman, if you have any questions, I know this is in your ward and you are
533 concerned about this issue, I would like to answer any questions you have. I feel very strongly
534 about the Davaris. They have, they're conservative businessmen. They have an excellent
535 reputation in Houston. They're in an industry that attacks, attracts some press and attracts some
536 scrutiny from law enforcement, as it should, the adult entertainment industry. But they are law-
537 abiding, tax-paying Americans, and we look forward to our day in court in Houston when we can
538 answer these allegations.

539

540 **MAYOR PRO TEM REESE**

541 Thank you.

542

543 **PAUL NUGENT.**

544 And –

545

546 **MAYOR PRO TEM REESE**

547 Councilwoman, do you have any questions?

548

549 **COUNCILWOMAN MONCRIEF**

550 I just have one question. So, on an average, every single day they had to withdrawal nine
551 thousand to ninety-five hundred because that was actually what their income was for the day for
552 the girls?

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553 **PAUL NUGENT**

554 Exactly. As I said, in two thousand and three, we don't have the two thousand and four figures
555 yet, but since this lawsuit was filed on June the 4th, and I can't overemphasis, this is merely a
556 civil lawsuit –

557

558 **MAYOR PRO TEM REESE**

559 We – understand that.

560

561 **PAUL NUGENT**

562 There are no criminal. Since the lawsuit was filed, the accountants have been working around
563 the clock and they have added up all of the 1099's for two thousand and three, and these were
564 cash payments. Eight million eight hundred and forty-three thousand dollars and four hundred
565 and fifteen. So, eight million eight forty-three four fifteen, those were the actual dollar amount
566 of cash; that's a lot of cash. And the way you get that cash is you withdraw it from the bank.

567

568 **COUNCILWOMAN MONCRIEF**

569 Correct. But I don't think you understood my question. So that on an average, on a daily basis
570 nine thousand to ninety-five hundred was – what their income was, or at least the pay out to the
571 girls everyday? It just happened to average that everyday?

572

573 **PAUL NUGENT**

574 That's how much they withdrew. The – payments would – vary, depending on what night of the
575 week, was there, are there, like Las Vegas, it depends on are there conventions in town, Friday
576 nights are busier than Tuesday nights. But that's what they – withdrew each night,
577 approximately, nine thousand or ninety-five hundred dollars.

578

579 **COUNCILWOMAN MONCRIEF**

580 Okay. Thank you very much. I still, Your Honor, feel that we will need to abey this, in the fact
581 that we have no criminal convictions of prostitution or anything in Houston.

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582 **MAYOR PRO TEM REESE**

583 Okay, that's fine. Councilman Brown, you have a question?

584

585 **COUNCILMAN BROWN**

586 Thank you, Mayor Pro Tem. Mr. Nugent, as far as understanding that this is brand new to us,
587 and I appreciate the comments as far as terms that are sexy to the media. Just the – I actual
588 structuring of, if you could and perhaps if not today, maybe Mr. Jerbic can explain to me, from
589 an accounting stand point or a convenient stand point, is there something that happens at \$10,000
590 that would make it more cumbersome if you are going through these daily transactions that
591 would slow the process or force you instead of taking nine thousand daily you might have to take
592 twenty-five thousand every three days.

593

594 **PAUL NUGENT**

595 Councilman, that's a good question. If you withdraw more than ten thousand the bank fills out a
596 report that goes to the IRS. The individuals and businesses that don't want those reports are your
597 classic examples are, high stakes gamblers who don't want to pay taxes or drug dealers who
598 don't want the IRS to know they have cash. They don't want those reports filed. The Davaris
599 have no problems with the IRS scrutinizing them. They pay their taxes. The dancers, when the
600 dancers are paid in cash, they get a 1099 just as they should. It's money earned and they get a
601 1099. So the, there's really, the only burden is the paperwork, but I want to stress, Councilman
602 Brown, the Davaris have no intent to keep anything from the IRS. They file boxes of 1099's
603 each year with the IRS. They have no intent to hide anything, they have no intent to violate any
604 laws. And when they were told by Chase that this was suspicious, their reaction was, well it's
605 not suspicious, we're in the – adult entertainment business, we pay our taxes, the IRS doesn't
606 have a problem with us. So I think that's a factor that actually goes in their favor when they
607 were told several years ago this is suspicious their reaction was we pay our taxes, we follow the
608 law. And – they've been doing this for years and years and years, Councilmen and
609 Councilwoman, this is a practice that they've been doing for probably about a decade.

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610 **COUNCILMAN BROWN**

611 I appreciate that. And that's what's great about this country, that you know these are charges
612 and you'll have one year, two years, or three years to address them but one could look at the
613 scenario that even though they were nine to ninety-five hundred, if they were going to try to hide
614 or be deceitful or circumvent something, they wouldn't be so obvious in their actions.

615

616 **PAUL NUGENT**

617 That's right.

618

619 **COUNCILMAN BROWN**

620 This pattern of behavior was there, a person is so blatant that they're not afraid to hide anything
621 or they may be so stupid that they don't think anybody's going to pick that up. So, I appreciate
622 that because that was one of the things I didn't understand and we just received this, so this
623 whole structuring certainly has two sides to that but we'll hear more about that, I'm sure, in the
624 future.

625

626 **PAUL NUGENT**

627 Thank you.

628

629 **MAYOR PRO TEM REESE**

630 Any other questions? Seeing none, Mr. Fiorentino would you come up.

631

632 **BRAD JERBIC**

633 If I could Your Honor, before you talk to Mr. Fiorentino maybe while Mr. Nugent is here, and
634 I'm jumping ahead to the end of staff's, but I know that I talked to staff and one of the things that
635 staff is going to ask during the period of abeyance while this is abeyed, is for Treasures to submit
636 to a complete audit and that includes auditing of the construction records of the building itself
637 between the time of this abeyance and the time this Council next convenes. Mr. Nugent
638 represents the Davaris on some matters probably relevant to that potential audit and so while he's
639 up here at the podium, I thought it might be addressed. If you think I'm speaking out of turn or

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640 you'd like to address it later, I know that's going to be a request of staff, I want to know if they
641 will submit to it.

642

643 **MAYOR PRO TEM REESE**

644 You heard the question.

645

646 **PAUL NUGENT**

647 We will provide anything's requested. We, the Davaris have nothing to hide and we – they do
648 expect scrutiny and they will provide what they're requested to provide.

649

650 **MAYOR PRO TEM REESE**

651 I would just ask Brad, why would staff be asking, for the record, why would they be asking for
652 these records?

653

654 **BRAD JERBIC**

655 I think given –

656

657 **MAYOR PRO TEM REESE**

658 That type?

659

660 **BRAD JERBIC**

661 Given the fact that these transactions all began, it appears, about the same time Treasures Las
662 Vegas opened and went on for this period until Chase closed the account. And again, they're
663 going to three banks virtually everyday getting ninety-five hundred, ninety five hundred, nine
664 thousand day after day after day.

665

666 **MAYOR PRO TEM REESE**

667 What does that have to do with –

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668 **BRAD JERBIC**

669 --until Chase shuts it down.

670

671 **MAYOR PRO TEM REESE**

672 What does that have to do with the construction here, though?

673

674 **BRAD JERBIC**

675 I think that staff wants to know that the books do add up. Because, as Mr. Nugent has indicated,
676 people don't do this for no reason at all. It's a bit of an inconvenience to file a Currency
677 Transaction Report but it is the law. And if people are trying to hide money from the IRS and
678 again that is merely the consequence that one could draw from not filing a currency transaction
679 report, then it's for reasons putting it elsewhere. And we would like to see what the books look
680 like here and as a privileged license holder we think we're entitled to.

681

682 **MAYOR PRO TEM REESE**

683 Thank you. Thank you, Mr. –

684

685 **PAUL NUGENT**

686 I don't – Mayor Pro Tem, I don't see a problem with that. We're not doing anything that we're
687 ashamed of. We're following the law as best we can. We're following all the regulations of this.
688 Again I don't see any problem with providing whatever the City needs.

689

690 **MAYOR PRO TEM REESE**

691 Thank you – Mr. Nugent.

692

693 **COUNCILMAN BROWN**

694 Mayor Pro Tem and if I could, on that very subject, Mr. Jerbic, in light of, I think, one of the
695 overriding themes here today is the original hearing and what this Council directed I think the
696 semantics have come into play as far as a promise or commitment or, I would just ask that in
697 corresponding with Mr. Nugent that we're very specific in what we're asking for, so in ninety
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698 days we don't come back and have either parties say that there was not clear enough
699 communication in what was being asked and what was being provided.

700

701 **BRAD JERBIC**

702 I agree. I think it's real important and I will meet Mr. Nugent after the hearing is over with.

703 We'll exchange cards and numbers and get the process in order.

704

705 **PAUL NUGENT**

706 And if I may add, the cash withdrawals were going on well before they started construction here
707 at the Las Vegas Treasures. That's just what is necessary to run a nightclub business.

708

709 **MAYOR PRO TEM REESE**

710 Thank you, sir.

711

712 **PAUL NUGENT**

713 Thank you for the opportunity —

714

715 **MAYOR PRO TEM REESE**

716 You bet.

717

718 **PAUL NUGENT**

719 -- to appear. I really do appreciate it.

720

721 **MAYOR PRO TEM REESE**

722 Thank you for coming. I appreciate you. Thank you.

723

724 **PAUL NUGENT**

725 Thank you.

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726 **MAYOR PRO TEM REESE**

727 If I could, Mr. Fiorentino, I'd ask you to, you had a comment about the temporary license as Mr.
728 Jerbic explained to us.

729

730 **MARK FIORENTINO**

731 Yes. I'm afraid this didn't get any less complicated for me in the last two minutes or five
732 minutes, but let me say one more thing on the Currency Transaction Report, if you allow me,
733 Mayor Pro Tem. During the same time period that these allegations were made in Houston,
734 obviously, the club here in Las Vegas, as Mr. Jerbic pointed out to you has been up and
735 operating. In Las Vegas they have filed a courtesy, Currency Transaction Report everyday.
736 Because their needs in Las Vegas are different. They only have one club instead of six or seven
737 and part of the answer, I don't think you got, Councilman Brown, was well why would you do it
738 that way; it's for security reasons. So that they don't have any one person carrying around
739 \$50,000 in cash. It's not ninety-five hundred total a day, it's ten ninety-five hundred dollar
740 withdrawals so that they can provide enough cash to their multiple clubs. In Las Vegas they
741 don't have that issue so they've been withdrawing, the vast majority of their withdrawals here
742 have exceeded ten thousand and there were a courtesy, Currency Transaction Reports done here.
743 If you want it for the record, the manager of the club has done a sworn affidavit attesting to that.
744 Second, on the temporary license. I have examined the transcript and when I get to the end I'll
745 get, I guess, to the point of why I think this is a critical issue and then again why it might just be
746 a totally irrelevant. Councilman Reese, at the end of that long day, as it turns out, on my
747 birthday three years ago, this was your motion, "I move for approval with a six-month review."
748 There's a little bit further discussion, and then you said, "And with those conditions in place, my
749 motion would be for approval of this application." There's no mention anywhere in this
750 transcript of the word temporary or a temporary license. Now, here's what happens after that
751 hearing. Business license issues us in eleven, on 11/21 of 2000, which is before the liquor
752 license hearing because the sexually oriented business license came here before a temporary
753 license. Has any –

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754 **MAYOR PRO TEM REESE**

755 Can we go to the overhead please.

756

757 **MARK FIORENTINO**

758 It has in very giant letters on it, the word “temporary.” The next thing we get issued for the, and
759 this one, for some reason, says, “topless club with liquor.” Okay. Then we get issued a
760 conditional license with the words “with liquor” removed but saying “topless club.” Again this
761 is only the adult use license. Conditional license. Every subsequent license, and the reason this
762 is going on is because the building hasn’t been built yet, and if you read the fine print at the
763 bottom of these licenses it says that. It says, “this is conditional until you open and operate.” So,
764 we get a series of conditional licenses, and we actually have correspondents from our office back
765 and forth with Mr. DiFiore asking him to explain conditional licenses. A series of conditional
766 licenses all the way up to the point where you hold a hearing. Then, we are issued a liquor
767 license. There’s no word “condition,” there’s no word “temporary” on it. And in fact, here’s the
768 liquor license itself, liquor license for the taverns and the service bars. There’s no word
769 “temporary.” There’s no word “conditional.”

770 We have never received any notice that – until yesterday, for the first time that if somehow you
771 don’t take action within six months we have to close. No one’s ever mentioned that to us. In
772 fact, we just keep getting renewal notices in the mail and are paying fees based on the gross
773 revenue of the establishment. Now obviously, to repeat what I said earlier, if Mr. Jerbic is gonna
774 submit to you that – has substantial legal significance, that in other words, you could just decide
775 not to take any action and he’d be out of business we can’t allow that to happen without some
776 further discussion of it.

777

778 **MAYOR PRO TEM REESE**

779 Well, I’ll guarantee you this Council will take action.

780

781 **MARK FIORENTINO**

782 Okay. Second, if you allow me to make a presentation, one of the things I was going to say is,
783 it’s probably going to be irrelevant. The issue, that’s just splitting hairs between Mr. DiFiore,
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784 Mr. Jerbic, and I. What you call it the license, call it a banana split, the issue is going to be the
785 same. And if you have to hold a hearing in order to avoid this September date, then Mr. Jerbic,
786 in the second meeting in August, you're still not gonna have any information more than what
787 you have today, or virtually no more. The Houston allegations will be, in still, in their infancy.
788 Only two of the trials that are scheduled will occur before the second meeting in August. So,
789 you still won't have that information in front of you. And so I guess what, unless you insist and
790 I'm very good at listening to insistence, we would still like to make a presentation. I would like
791 to wait, though, until I hear the rest of staff's presentation because it was the first time, until 30
792 seconds ago, that I heard that they intended to ask for a bunch more things like an audit of the
793 construction. And that, frankly, surprised me because they've already asked for that and we
794 already provided it. We gave them financial statements. They asked for them in detail to
795 account for all of the construction dollars. This was months ago. We even offered to provide the
796 backup checks to support the payments we were showing in the financial statements and we were
797 told we don't need the checks at this point. Clearly something has changed, and clearly we have
798 nothing to hide and don't mind providing it. But I don't want to go through a presentation and
799 then hear two hours from now there's a list of additional things that you need us or expect us to
800 produce.

801 I know, I can see that look in your eye, but I want to say one thing and then you can cut me off. I
802 want to do the beginning of my presentation. Besides introducing the people that were in the
803 room, Ross Goodman is in the room, he is in charge of handling these cases for the dancers and
804 the people who have been cited. He's prepared to answer whatever questions that you have.
805 Obviously, you've already heard from Mr. Nugent. David Davari is here. The managers of the
806 club are here. Tom Dylan is here, who is the consultant that our firm hired to go in and find out
807 what was going on in this club and to find out whether we were living up to, at least, one of the
808 two promises I made to you. But I was going to start by making two apologies to you; to each
809 and every one of you for the comments that I made three years ago in 2001. I've studied that
810 transcript and what it says is, "if there's a single conviction for prostitution, and you revoke our
811 license, we won't fight it in court." I had been practicing in front of you people for 12 years. I
812 have never stood here before and made a promise on behalf of my client that our firm or our
813 client could not live up to. And that's what I did that day. That is an impossible standard. And
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814 if you let us make a presentation, we'll show you why. It depends on control of the conduct of
815 people outside the control of Mr. Davari and the people who work for him, and it depends on the
816 control of circumstances outside of his control. And I was an idiot. I had no idea what I was
817 saying. I had no idea how the system worked. I should have known better and the reason it
818 really bothers me and has bothered me ever since that meeting in March, is because it's you that
819 are suffering the consequences, is that, it's each and every one. We put you in an impossible
820 position by committing to something that I cannot possibly and should not have ever committed
821 to.

822 Now we did make a commitment because everybody remembers what the allegations were three
823 years ago and they related to allegations in Mr. Davari's clubs in Houston that actually occurred
824 two years prior so now they're four, five, six years old. But they were egregious. They were
825 very serious allegations. And we made a promise that – would do everything within our power
826 to put procedures in place to make sure that kind of conduct, that we don't have to talk about
827 publicly today if you don't want to, but we're prepared to, was not going to occur in this club in
828 Las Vegas. And I'm telling you, we put those procedures in place and I'm telling you they're
829 working, that kind of conduct is not occurring in this club.

830 Now for the second apology. It was my job to demonstrate to that, to you in March, and I didn't
831 do my job. Okay. I did not have all of the information I needed to demonstrate that to you, and I
832 was not prepared to even discuss the information I did have. I was unprepared, Councilwoman, I
833 was crabby and that's unprofessional and I'm sorry for it. But we're going to end up in the same
834 spot with respect to the first commitment. We can talk for months, we can talk for years and
835 there's nothing more that I can say than I'm sorry. If that's the standard, take the license today
836 'cause you should just presume I lose all four cases because that's the safest presumption. With
837 respect to the second apology, I am prepared today, I am prepared to go through this and show
838 you what we have done and the results that it has produced, if you think that's relevant and you
839 want to hear it. I think you should because you're just going to hear it in August anyway.

840

841 **MAYOR PRO TEM REESE**

842 Well, I think in all respect, and I do respect you, I feel that to save time, I mean I welcome Mr.
843 Davari if he wants to get up and say a few words or Mr. Goodman or anybody that you brought
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844 here, we allow them to make a statement If not, I think that I've heard what the Councilwoman
845 would like to see. I feel myself kind of the same way. Councilman Brown, do you have any
846 comments, or Councilman Weekly? Councilman Brown?

847

848 **COUNCILMAN BROWN**

849 Mayor Pro Tem, I do have a lot of questions still to be asked, but I guess first and foremost is
850 this issue of a temporary status. If that is going to be from a timing standpoint, a drop dead date,
851 then I certainly want to hear. Mr. Fiorentino's indicated that not much will change between now
852 and late August of the first meeting in September. Although this seems to be a moving target in
853 some areas, I'd still like to hear from Mr. Fiorentino, and if appropriate, Mr. Goodman or anyone
854 else that wants to address some of the issues that have brought us hear today and those are the
855 temporary license, this promise, this commitment, this Council direction, which I think is
856 critically important. And one of the big issues that has been in effect since February 21, 2001 is
857 the industry comparisons. I would certainly, we're prepared to talk about that today and
858 certainly I'll defer to the Councilwoman if she feels differently. But I'd like to get a sense of
859 some of the key issues separate from the structuring issue that has now been brought up today.
860 I'd really like to get a feel of what has happened since March 'til now on those issues because
861 we've been very clear in asking for specific information.

862

863 **MAYOR PRO TEM REESE**

864 Councilwoman?

865

866 **COUNCILWOMAN MONCRIEF**

867 That will be fine.

868

869 **MAYOR PRO TEM REESE**

870 You want to go ahead and have a hearing then?

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871 **COUNCILWOMAN MONCRIEF**

872 I still say that there's been no convictions of prostitution, nothing has been resolved or even
873 virtually spoke about in Houston. I still feel that we need to abey this item.

874

875 **MAYOR PRO TEM REESE**

876 Mr. DiFiore, is it your, from your history, do you think we can have any resolutions by, say we
877 held this in abeyance until the second week in August, do you think we'd have any resolutions of
878 the cases pending?

879

880 **JIM DiFIORE**

881 It's possible, but it's also slightly impossible for it to be shown that they'll definite – they'll be
882 definite dispositions of these cases. I believe these cases, the original arrest were back in 2003.
883 Here we are half way through 2004, so it's been nine months or more. It – may be that we get to
884 the second meeting in August and we're in the same position that we are today.

885

886 **MAYOR PRO TEM REESE**

887 Okay. I was ready to make a motion, but I will defer to Councilwoman. If she would like to
888 make a motion at this time, I would sure put it on the floor.

889

890 **COUNCILMAN BROWN**

891 Mayor, if I may? Councilwoman?

892

893 **MAYOR PRO TEM REESE**

894 Yes.

895

896 **COUNCILMAN BROWN**

897 I have no problem supporting the Councilwoman's direction, as far as holding this in abeyance,
898 but I would ask that we at least get an update, a status report, or some kind of additional
899 information on the key issues that have been talked about since 2001. We're here today, we
900 have volumes of information and my questions will be very specific. So with her indulgence,
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901 and again, I'll support if the direction is to hold this in abeyance but as part of that I'd certainly
902 like updated information on where we are because a lot of work has been done by Mr. DiFiore,
903 by Mr. Jerbic, by Metro, by Mr. Fiorentino. And I – think some of it needs to be clarified
904 because there was disagreement and some confusion on the text and some comments and some
905 statements that have been made in our prior public hearings that I certainly would like an update
906 on.

907

908 **MAYOR PRO TEM REESE**

909 Thank you. Councilwoman.

910

911 **COUNCILWOMAN MONCRIEF**

912 That will be fine.

913

914 **MAYOR PRO TEM REESE**

915 Okay. Then here's going to be, the way we'll do things. We'll let staff make their presentation,
916 and we'll give them rebuttal time after you get through with your presentation, then we will
917 allow you to ask questions. I'll, staff or their officers or whatever. So we will hear this, and
918 there'll be no promises on what acts out at the meeting.

919

920 **MARK FIORENTINO**

921 You got it. Better order pizza.

922

923 **MAYOR PRO TEM REESE**

924 Okay. Mr. DiFiore. This is not a public hearing. It's not a public hearing at this time.

925

926 **TOM MCGOWAN**

927 Oh, it's not a public hearing. Thank you.

928

929 **MAYOR PRO TEM REESE**

930 Thank you.

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931 **JIM DiFIORE**

932 I'll address the temporary license issues first. Number one, when the Council voted in 2001, the
933 vote was made with a motion to approve with a six-month review. Whether the word or the term
934 "temporary" was in that, I feel is irrelevant. If you look at 6.06051, is a privilege license code.
935 It talks about temporary license and purpose. It states A) the City Council may grant a
936 temporary license pending its decision regarding a license application in order to determine the
937 applicant's fitness for a license. And it goes on to continue the other provisions that provide for
938 a temporary license. 6.06052 talks about temporary license and extension --

939

940 **MAYOR PRO TEM REESE**

941 Excuse me, Mr. DiFiore. Just for the record, I was just informed by our Deputy Attorney that we
942 are in compliance with the open meeting law even though we only have three sitting on the dias
943 because of the reduction because of the abstentions. Is that correct?

944

945 **TOM GREEN**

946 Correct.

947

948 **MAYOR PRO TEM REESE**

949 So that's just for the record. Thank you. Continue.

950

951 **JIM DiFIORE**

952 6.06052 talks about a temporary license extension and A) states specifically, a temporary license
953 may be issued initially by the City Council for a period not to exceed six months. It goes on to
954 say that the City Council and B) may grant one extension of a temporary license for a period not
955 to exceed six months. So there you have your full year of operating on a temporary license.

956

957 **MAYOR PRO TEM REESE**

958 Let me ask a question. Are they operating on a temporary license?

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959 **JIM DiFIORE**

960 In my opinion they are. Because the motion was to approve with a six month review to –
961

962 **MAYOR PRO TEM REESE**

963 To approve –
964

965 **JIM DiFIORE**

966 -- to approve the license with a six month review. You didn't, the motion did not include the
967 term temporary but when you approve a license, and we've always presumed that approval of a
968 license met the criteria of temporary license and with a six-month review, as a condition, it was
969 temporary license. It was not a permanent that was granted by the Council.

970

971 **MAYOR PRO TEM REESE**

972 Mr. Jerbic, can you shake your head yes or no on that?
973

974 **BRAD JERBIC**

975 Well, I – take Mr. DiFiore's common business practice at his word. I, it was represented to me
976 that this was a temporary license, which is why I made the representations on the record, because
977 if you assume it's a temporary license, then the code fills in the blanks. It can't be for more than
978 six months. You can't have more than one extension. It can't be for more than six months so
979 one year is the dead drop dead date. But it's based on the assumption that the license is
980 temporary. I think what Mr. DiFiore has represented, that historically, when the Council has
981 granted a license for the six-month review, he has treated that as a temporary license. Now, I
982 don't want to put words in Mr. DiFiore's mouth, but that's what I thought I heard and if that's
983 true then it's up to you to accept whether or not that's a temporary license based on his common
984 business practice.

985

986 **MAYOR PRO TEM REESE**

987 Well it's just, from what I – see sitting up here is any time we – issue a license like that and we
988 get with a six-month review, it is a temporary license. So, whether it's, whether it was in the
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989 motion or it was intended to be a temporary license to operate, and again I'm not putting words
990 in anybody else's mouth either, but to me, I look at it as a temporary license. I always have
991 thought it – as a temporary license.

992

993 **COUNCILMAN BROWN**

994 Mayor Pro Tem.

995

996 **MAYOR PRO TEM REESE**

997 Yes.

998

999 **COUNCILMAN BROWN**

1000 Again, with all the subplots that are playing out here, I think ultimately we're looking at the
1001 suitability of Treasures, and that is where we'll get to some day. But I have a feeling that
1002 between the court cases and perhaps temporary licensing issues that this could get, from a legal
1003 standpoint, strung out or pushed out, and we're still going to miss our opportunity or our intent to
1004 address the bigger question. So, Mr. DiFiore, I'm going to ask some specific questions just to set
1005 the public record. I don't know if this will help or hurt, but it will make at least a better
1006 understanding for me personally. You have indicated that this is what we have done in the past
1007 as far as practice policy, when we approve a license continued upon a six-month review. I think
1008 Mr. Fiorentino put up some correspondence from the City. Are there similar licenses set out as
1009 far as what he demonstrated that would not have that same temporary stamp that he indicated
1010 was missing, or is that likewise a practice that we would send those out it would be no different
1011 from another, a similar license or something in the same category.

1012

1013 **JIM DiFIORE**

1014 The license that he displayed before the City Council was the license for the Erotic Dance. It
1015 was what we call a, the topless with liquor. That was not the liquor license itself. This was done
1016 and issued after the Council's vote in 2001, primarily to show that there had been an approval of
1017 the license, and it was, again, subject to all the Planning conditions and Fire Safety Code
1018 conditions that we grant any license. There are licenses that are approved with a temporary

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1019 statement on it, a temporary license, primarily for the facilitation of that license through the
1020 regular process. If the license that he displays for the liquor license did not have “temporary”
1021 stamped on it, certainly, I think, this was clarified today, and certainly if that’s what he’s looking
1022 for as far as having proof of what type of license it is, we can accommodate that.

1023 When the Council grants temporary approvals, such as what we’ve had today on the City
1024 Council agenda, we’ve had requests for temporary approvals and those primarily are due to the
1025 fact that the applicant has just submitted their application. The, one of the conditions of a
1026 temporary approval by Council is that the suitability be determined primare, preliminary, at this
1027 point. And we do that to facilitate businesses which may have a restaurant license and – they
1028 want to open up by the first of the month. Their suitability investigation may take four to six
1029 months, so we grant them temporary license pending the outcome of their investigation so there
1030 is a – sort of a different type of temporary license in that regard. Again, I’ll rely on my
1031 statements with regard to the approval of this license for a six-month review as meeting the
1032 criteria for a temporary license under our City Code.

1033

1034 **COUNCILMAN BROWN**

1035 Okay. And as a refresher, thank you, Mr. DiFiore, when we’re talking revocation temporary
1036 license, we are specifically addressing the liquor license.

1037

1038 **JIM DiFIORE**

1039 That is correct. The – Topless Erotic Dance License is not subject to this particular hearing.

1040

1041 **COUNCILMAN BROWN**

1042 I appreciate that. Thank you, Mayor Pro Tem.

1043

1044 **MAYOR PRO TEM REESE**

1045 Thank you. Continue.

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1046 **JIM DiFIORE**

1047 Okay. I'm going to let Mr. Jerbic address the statistic comparison that was done for 2003, 2004
1048 on Erotic Dance, as well as the solicitation of prostitution charges, and then I'll continue my
1049 presentation.

1050

1051 **BRAD JERBIC**

1052 Thank you. I've had members of my staff go back and find, (inaudible) through the records to
1053 put together the best numbers that we could to provide to Mr. Fiorentino, and his client, and to
1054 the City Council today regarding the comparison between Treasures and the other, similar
1055 license clubs in town. What I'd like to do is file with the Clerk, at this time, the document that
1056 reflects those numbers. The names of the other clubs have been taken off. They've just been
1057 named clubs A, B, C, D, E, F, G – if it becomes relevant and the Council needs to know names, I
1058 can provide them to you. But I'd keep it clean and without getting into any argument of that
1059 we're talking about other clubs here or going after them. We just took the names off for
1060 purposes of this hearing.

1061 What you see in the top column are 2003 Erotic Dance violations. 2003 is the year that
1062 Treasures opened and so it reflects three point five months of operation for Treasures and 12
1063 months of operations for the other clubs. They were of course open that entire year. As you can
1064 see two of the clubs received 20 citations. Treasures, on a 3.5-month period, received 10
1065 citations. I don't know that you can really draw any conclusion that they're any better or worse
1066 than – the other clubs. There's certainly higher numbers. They're up there with the highest
1067 numbers for such a short period of time but, those are the numbers that come from 2003. For
1068 2004 we do have an apples to apples comparison. All clubs are open for five and a half months.
1069 The Treasures received 14 citations for Erotic Dance Club. There are four that have a worse
1070 record than Treasures. One has 17, one has 19, one has 13, one has 23. I think those numbers
1071 speak for themselves.

1072 When we talk about soliciting prostitution, in 2003 there were, again Treasures was only open
1073 for three and a half months the other clubs were open for 12. One club received two citations for
1074 soliciting prostitution, one received two, two other clubs have six citations for soliciting
1075 prostitution. One has one, and Treasures had four in that period. In fairness to Treasures, I don't

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1076 think it's four individual citations. I think it's three defendants. One defendant has two charges
1077 of prostitution against her and I don't think that case has been litigated yet. Looking at those
1078 numbers, again, you can clearly argue that there were clubs for that same period of time that had
1079 a worse record than Treasures when it came to arrest for soliciting prostitution. Nobody on staff
1080 will stand up here and tell you otherwise. The only conclusion that I would draw for it, again
1081 everybody will draw their own, is I don't think Treasures, from based on these statistics, is
1082 necessarily any better or any worse if you were just measuring citations alone. Nobody here on
1083 staff is going to get up here and tell you that they're the big bad wolf or that they are the, running
1084 an establishment that is running disproportionately high compared to other establishments. I do
1085 know that there are issues with respect to how the individual police officers are treated when
1086 they get to the establishment. When Metro has an opportunity to speak they'll enlighten you as
1087 to the kind of reception that they get when they enter an establishment like Treasures, but the
1088 numbers are the numbers.

1089 With respect to prosecutions and how they may differ from club to club. I will not stand up here,
1090 as your City Attorney, and tell you that we prosecute every prostitution case the same way. We
1091 don't. If we see problems in one club versus another club, we may decide that in those club's
1092 cases we will crack down and offer no deals and take them to trial because we want to get
1093 compliance. In this case, and I'll tell you quite honestly, it wasn't until we ran the numbers this
1094 last week that I became aware of the fact that there are other clubs that had more citations for
1095 soliciting prostitution than Treasures did. When I became aware of that fact, I've instructed my
1096 staff that those cases will be treated the same way as Treasures cases will be. Which is they will
1097 go to trial and they'll be litigated up or down on a – by a judge. It's something I should have
1098 been aware of sooner, I'll tell you that, but we do not keep those statistics and maybe behalf of –
1099 because Mr. Fiorentino was diligent and requested them and the Council did, it was an
1100 enlightenment for me to see those numbers. And it's resulted in a bit of a change in our office's
1101 philosophy towards some of the other clubs and the way we prosecute those cases. But prior to
1102 that awakening, I can tell you that we did offer negotiations to those other clubs, to those
1103 individuals who worked in clubs soliciting prostitution.

1104 I do want to make a distinction here too between club prostitution and street prostitution. They
1105 are two different things. Club prostitution are opportunities for dancers who are already half
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1106 naked working with people who are half liquored up to solicit them for a sexual opportunity
1107 versus a street hooker who operates on the street, not nearly in the same environment, who
1108 usually is operating out of a drug addiction. In street hooker cases we offer, in a lot of cases, our
1109 order-out-corridor, which is council approved as part of an ordinance revision several years ago,
1110 which is, if you agree to stay out of the Order Out Corridor, pay a fine and go to classes that the
1111 cases would be reduced at the end of it. That is treated that way because they work in a
1112 particular area, and we want to keep them out of that area. The dancers have eliminated first
1113 amendment right to work in the clubs, and so on a lot of cases what we've done, prior to our
1114 becoming aware that the numbers were higher in some clubs, was to give them an opportunity to
1115 surrender their work card for a period of a year and the penalties would go with it and the charge
1116 would be reduced considerably at the end of it. Again, in those clubs where we see a spike in the
1117 prostitution numbers, that will not occur any more. But that's how those cases have been treated.
1118 The Treasure's cases were treated differently from the outset for a very simple reason.
1119 Treasures, when they appeared before the City Council in December of 2000, received a
1120 background check that strongly suggested that they were not suitable applicants for a privileged
1121 license in the City of Las Vegas. It was only after a number of fairly raw facts were disclosed in
1122 those reports regarding the clubs in Houston, and if Mr. Fiorentino wants to go over what some
1123 of those violations were, I will be happy to, but I'm not going to at this point in time. It was
1124 only, I think, when their back was against the wall that they agreed to this higher standard of a
1125 conviction. And based upon the Council's acceptance of that higher standard and their offering
1126 of that higher standard, we were not in the position to negotiate those cases because literally, if
1127 our office negotiated every Treasure's case the way we would negotiate a regular club's case,
1128 there would never be a conviction based on the Council's standard that was set. And by our
1129 action alone, our unilateral action as prosecutors, we would, it would result in them getting a
1130 permanent liquor license, which I don't think was the Council's intent. That's why their cases
1131 were treated differently. If the Council has any questions, I'll be glad to answer them.

1132

1133 **COUNCILMAN WEEKLY**

1134 I have a question. This, I'd just like to ask Mr. Jerbic, when we look at many of the dancers
1135 inside of the clubs, how do we hold a manager or club operator responsible for a dancer's action

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1136 who's considered an independent contractor, who, as you indicated, who's already half naked,
1137 who's entertaining someone who's under the influence, how – do they, I guess how would they
1138 manage that, if you will? Or how will they be held totally responsible for that action?

1139

1140 **BRAD JERBIC**

1141 It's a good question. I'll let Metro come up and talk here. Let me just state philosophically that I
1142 think, we're all aware, including myself, that the very nature of this type of industry is to provide
1143 adult entertainment. And when it comes to Erotic Dance violations sometimes it's a matter of
1144 how much dancing is too much dancing. We all know that. We know that's a difficult thing to
1145 measure. But I, but we also know that it is different from club to club. Different managers have
1146 different levels of responsibility and there's different reactions to the police depending on what
1147 club you go to. To answer those questions and get to the heart of your question, Councilman, let
1148 me turn it over to the Metropolitan Police Department.

1149

1150 **COUNCILMAN WEEKLY**

1151 Okay. And – before Officer Stacy comes up, I just want to ask you, would you agree that it is
1152 what it is. It's the nature of the business and when we look at the comparisons here Treasures
1153 compared to clubs A through G, if you will, and you said on the record that basically they're all
1154 kind of in the same boat, if you will. I don't want to speak for you. But how would we, I guess,
1155 are you – saying that looking at these comparisons here that because they've been open a short
1156 period of time, some of their allegation or charges are almost at the same rate as some of the
1157 other clubs, if you will, who've been open for a long period of time?

1158

1159 **BRAD JERBIC**

1160 They're certainly, I think, consistent with the clubs that are running some of the higher numbers
1161 for Erotic Dance. They're definitely not the highest. There are, like I said, there are three that
1162 are ahead of them. And by the way for this year, to each of the club's credit, there have been no
1163 prostitution arrests reported that, in the City of Las Vegas. So, for 2004 for every club, including
1164 Treasures, hats off to you. There are no prostitution arrests that we're aware of. But again, it is
1165 not the industry standard to provide prostitution in any club in the City. And for, I think the
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1166 argument begins with, this is adult entertainment and it's hard to imagine a lap dance without
1167 touching because by the very statement itself suggests that. So, there's going to be a certain
1168 amount of contact. There's going to be drinking and there's going to be a certain amount of
1169 nudity. And when you put those three things together, we call them a Sexually Oriented
1170 Business. Now beyond that, there are two lines that, that people can cross that – break the law.
1171 One is you can violate the City's prohibition against fondling and caressing. And I'll be
1172 perfectly honest with you, we've had number of internal debates as to what fondling is and
1173 caressing is, but when you read some reports, the kinds of things that are going on are well
1174 beyond a lap dance. And when that occurs, and it's open and notorious, the officers will submit
1175 to us a violation for Erotic Dance establishment. That one is difficult to measure but again, if
1176 you see some of the reports, I don't think there'll be much disagreement amongst the Council
1177 members that there really is a level out there where we're well beyond the pale.
1178 Prostitution is different. It's a very bright line. Are you going to accept cash for a sex act. And
1179 officers go in and they will literally see if the girls will do that and if they do they will hook them
1180 up and that is bright line that shouldn't exist in any club. It's perfectly policable; it's perfectly
1181 preventable. Now, can every club owner know that they've hired a girl who's going to be good?
1182 No, absolutely not. I wouldn't stand here and tell you that the Davaris are any better at looking a
1183 dancer in the eye and knowing if she's going to commit an act of prostitution versus some owner
1184 of some other club. To a certain extent, it's going to be how you conduct yourself as a manager,
1185 how you conduct yourself as a club, how strictly you deal with it, how quickly you warn people.
1186 And so, we do place responsibility on managers, but can they read the minds of the people they
1187 hire or know for a fact they're not going to commit it? No. But with that intro let me turn it over
1188 to the Metropolitan Police Department.

1189

1190 **STACY RODD**

1191 Mayor and Council, just to touch on a couple of points and just to answer, to address some of the
1192 things that were brought just a moment ago and that Mr. Jerbic addressed. And shortly
1193 afterwards, I'll turn it over to Detective Loretto who is a large part of the enforcement activities
1194 from our sections. And they actually go into the clubs and they actually conduct activities and

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1195 document what happens there and some of the violations. So, I'm sure that Detective Loretto
1196 will address some of that with you also.

1197 There are two points that struck me when Mr. Jerbic was speaking and I wanted to – highlight
1198 these. Councilman Weekly asked, how do we hold owners or managers responsible. You
1199 recognize, your ordinances recognize, your staff recognize that the ultimate accountability for
1200 any of these businesses that we have before us, that you license, that you seek reports from us,
1201 we take a look at people's suitability, all of those things come together. At the end, when you
1202 issue a license to an individual or a group of individuals the understanding is, both on your end
1203 on our end and hopefully on their end, that they are ultimately responsible for what happens in
1204 their establishment. There's no one that you can point the finger at. There's no one else that you
1205 can blame because you are the licensee, and it is your responsibility to make sure the violations
1206 of law and violations of ordinances do not take place there. Now, in a perfect world, no
1207 violations would take place. We understand that. We also understand we don't live in a perfect
1208 world. But in this particular industry there is a propensity for this type of activity, reference
1209 prostitution, reference illegal sex contacts or acts, and we all know that. We live in a real world.
1210 It would occur to me, as a licensee, that I have a responsibility to step up my regulation of my
1211 establishment to make sure that knowing that these things sometimes happen, that it's not going
1212 to happen on my watch, and it's not going to happen at my place because ultimately it's my
1213 license. I stand to lose and ultimately I'm going to be held responsible.

1214 That being said, I'm going to piggyback that onto another comment that was made, and a
1215 question or issue that was brought up. We, as enforcement officers, welcomed the proposition of
1216 a higher standard. We saw it as you did. That this is the mechanism by which we can bring
1217 other clubs that may not be as compliant into compliance. We can set a standard according to
1218 what's being offered up here by a new licensee who's going to bring a new day and a new way
1219 for how these clubs operate. We welcome that as much as you did because we saw that as the
1220 mechanism by which we could come back before you or you can call us before you and say, we
1221 have an establishment here that is, in fact, creating a new way for operation for these types of
1222 establishments. They are setting the standards, and they are doing well. They are honoring their
1223 commitment. They are bringing us the means by which we can hold other people to the same
1224 standard. We didn't single Treasures out. We have nothing against Treasures. We were looking
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1225 at Treasures as the innovators and the pioneers to bring this new day about and that we can hold
1226 them up in the light and we can say, you see, Treasures can do it, everyone else can to. The new
1227 day is here, and we're going to have these clubs that are in compliance and everybody's going to
1228 be happy with this. We're going to get the desired result. That is why, in part, Treasures became
1229 the focus because we were looking for them to follow through with what they had committed to,
1230 and then we can bring them back before you and say, it is accomplishable. We can get this done,
1231 and Treasures is an example of that. We weren't able to do it, unfortunately; in fact, we found
1232 the contrary. So, any representations that we were singling Treasures out or that we looked at
1233 them solely, we looked at them because we thought they were going to bring a new day, and we
1234 were hopeful just as you were. And with that –

1235

1236 **COUNCILMAN WEEKLY**

1237 Mayor Pro Tem?

1238

1239 **MAYOR PRO TEM REESE**

1240 Yes.

1241

1242 **COUNCILMAN WEEKLY**

1243 Real quick. Officer Stacy, just, if you could answer for me, what's a new day and really,
1244 realistically. And, I guess, my question would be, when we look at higher standards, the
1245 business is the business and it is what it is. What – were we really looking for?

1246

1247 **STACY RODD**

1248 I think it's dangerous, and this is with all due respect –

1249

1250 **COUNCILMAN WEEKLY**

1251 Yes, sir.

1252

1253 **STACY RODD**

1254 -- Councilman.

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1255 **COUNCILMAN WEEKLY**

1256 Yes, sir.

1257

1258 **STACY RODD**

1259 I think it's dangerous when we accept the business is what the business is. I think we stop
1260 looking for a way to improve it, and I think we have kind of defeated our own selves or stepped
1261 on our own foot when we say it's a sexually oriented business, these things are going to happen,
1262 what can we do about it. I, as a proactive law enforcement officer and as a representative of
1263 2500 other cops and a staff, a staff of administrators, we pride ourselves on being proactive and
1264 trying to prevent things from happening that we know are illegal, immoral, or unethical. We're
1265 not willing to accept, as law enforcement, that illegal things are going to take place and there's
1266 really nothing we can do about it. We're going to do everything that we can. We're going to
1267 investigate it; we're going to address it with criminal sanctions; we're going to bring it before the
1268 court; we're going to bring it before you; we're going to address it with the owners and the
1269 managers and explain to them what they're doing wrong and how they might address these
1270 things. We, simply, are not willing to accept that these things are going to happen there. And
1271 perhaps it's our shortcoming, but we are looking for that better day and that better way. We can
1272 improve this industry, and we're not willing to conceive that these things are going to happen
1273 and there's nothing we're going to do about.

1274

1275 **COUNCILMAN WEEKLY**

1276 Okay. Thank you.

1277

1278 **COUNCILMAN BROWN**

1279 Mayor Pro Tem.

1280

1281 **MAYOR PRO TEM REESE**

1282 Councilman Brown?

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1283 **COUNCILMAN BROWN**

1284 If I may? It's the right time to bring this up, and I think this has been hinted at for the last three
1285 years we've been addressing this license, but you bring up a great point. The industry, which we
1286 have been informed, is protected constitutionally, so somewhere in this town it's going to
1287 happen. The alcohol is a separate issue. But we've all learned, perhaps a lot more than we
1288 wanted to learn about it, and one of the things that has become very, very obvious, and this is in
1289 response to your comments, is we may not being, we as a City Council may not be doing enough
1290 to allow you to do your job as effectively as you can do it. And for instance, I think certainly
1291 this may be personal, but at the top of the list we don't want drugs in these clubs. I don't know if
1292 that was part of the statistics, but it seems that you're doing a great job, Metro's doing a great job
1293 keeping the drugs out of these clubs. Prostitution, whether it's the profile that this club has
1294 received or just a stronger message from the Council and Metro, prostitution seems to be down,
1295 at least this year. Those two, by matter of course, is a great success and attribute to your group
1296 and detective, your group that's involved everyday. But when we start looking at this Erotic
1297 Dance or the touching and all that, go back to 2001, there was a clear distinction made in Las
1298 Vegas. We have a no distance separation, and yet other cities have 3, 6, and 10 foot separations
1299 and at least the 6-foot, by record, as been upheld as constitutional.

1300 So, this is a bigger issue, and it's one that I tried to raise earlier, that there are bigger issue than
1301 what's before us today, and I would like, as a separate result of today's activities, to start looking
1302 into that. Industry may not want to hear it, and if it's part of Las Vegas, I agree. Maybe, we
1303 should take a closer look at what we deem for the general welfare and morality and all that, what
1304 would be appropriate for Las Vegas under the constitutional of guidelines. And that has become
1305 very evident, statistically. And I don't see how the detectives can do their job if there's a no
1306 separation. It's going to come down to discretion and experience and seeing the difference, and
1307 one of the things that has come out in the public record and in just about every document that
1308 I've reviewed, is a lot of it comes down to what you've indicated. The club's willingness to
1309 work with Metro, and I'm not sure if that's the legal question we're deciding today, as far as
1310 suitability, but from a common sense stand point, if a detective's in there, club knows they're in
1311 there, and the management of that club is saying, hey good luck, we're not helping you out, then

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1312 we're going to have a means to shut them down today. That's – where I see one of the
1313 fundamental problems or challenges for Metro, is to go in and not get any cooperation.

1314

1315 **STACY RODD**

1316 And you hit the nail right on the head. That is a very key factor in how enforcement and
1317 activities that take place there are addressed. That's very important, and we will welcome those
1318 discussions.

1319

1320 **COUNCILMAN BROWN**

1321 We – have – to because all these other issues we're dealing with seems to come full circle.
1322 You're not, well, separate from the strong direction from the Council to take a hard look at
1323 Treasures, and they welcomed it, whether they were strong-armed or whether they offered it,
1324 that's semantics. But I don't think we're giving you the tools to go in and accomplish your goal.
1325 Because you've said you're not going out looking for any club. You're enforcing our ordinances
1326 and from what I see, the ordinances that are obvious, the prostitution, the drugs, Metro's got high
1327 marks. It's this gray area, this no distance separation and the specific activities. We're not
1328 giving the officers a chance to do their job. And that discretion, again from my perspective, an
1329 officer is going to, probably go into a club, notify them they're there and look for help and some
1330 clubs, obviously by these statistics, are not cooperating.

1331

1332 **JIM DiFIORE**

1333 Councilman, one comment on that point. About two and a half years ago I did meet with the
1334 industry. We did propose a draft ordinance to amend the current ordinance, with regard to
1335 regulation of Erotic Dance. It didn't go forward. There were some concerns by the industry at
1336 that time, by the dancers and their own industry at that time, as well. Clark County did go
1337 forward with a, an amendment to their Erotic Dance. We simply, for the last two and a half
1338 years, have been enforcing the current standards that we do have. About six months ago we
1339 believe that we had the same concerns that you did with regards to the gray area. We met with
1340 Clark County officials, and for about the last four and a half months we have been meeting once
1341 a month to look at our Erotic Dance standards in both jurisdictions, and we're working towards a
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1342 unified Erotic Dance Code. Whether this means we'll have a distance separation or we'll have
1343 more specific language to make it easier for the club and the industry to understand what the
1344 violations are and for Metro and business licensing to understand what the violations are, that's
1345 the common goal that we have.

1346 Additionally, we find the dancers are dancing in Clark County, and they're dancing in Las
1347 Vegas. Now, quite frankly, in some cases they get confused or they say they get confused on
1348 what's allowed in the City and what's allowed in the County. I think the standards are, they, we
1349 attempt to address them consistently as much as possible. I know the detectives that enforce this
1350 probably use the same standards when they're in a county location as well when they're in a City
1351 location, and we just need to have the language there in both jurisdictions because it's a common
1352 fact day in and day out that you have a dancer dancing here at one club and dancing at a County
1353 club maybe the same day. So, we are moving – toward having some amendments to our code,
1354 and hopefully we'll have the County on board, and we'll be able to come before the County
1355 Commission for theirs and the City Council for ours for us to clear it up.

1356

1357 **COUNCILMAN BROWN**

1358 And Metro is involved in that dialogue --

1359

1360 **JIM DiFIORE**

1361 Absolutely.

1362

1363 **COUNCILMAN BROWN**

1364 -- as far as that. Oh, I just, it's a situation that and perhaps it's a wake-up call for the industry. I
1365 just don't see how we, Metro in particular, can go in under the current guidelines and – try to
1366 accomplish the efficiency, as far as protecting the general welfare. Especially when a lot of these
1367 reports are coming back saying they're not getting cooperation. If the clubs aren't willing to step
1368 up and help Metro and help the City police this industry, then they're going to pay the price of
1369 having the City come in and tell them how we are going to police the industry. And that's
1370 always, it's always a fine line. But certainly, I appreciate that. Thank you, Mayor Pro Tem.

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1371 **MAYOR PRO TEM REESE**

1372 Thank you.

1373

1374 **JOHN LORETTO**

1375 Mayor Pro Tem, Council.

1376

1377 **MAYOR PRO TEM REESE**

1378 Mr. Loretto.

1379

1380 **JOHN LORETTO**

1381 Mayor Pro Tem, Council, I'm detective John Loretto again. I've been before you on the same

1382 matter. I don't really know where to begin except for maybe the original report. We, as

1383 Councilman Brown has said, there's a bunch of subplots here that I don't really know how to get

1384 into all of 'em. They don't necessarily effect the police department. Can you hear me now?

1385 But, as far as the original report goes, the attorneys have brought up that this thing is several

1386 years old now. We don't have the ability now to fly back to Texas and reinvestigate them. I

1387 think the report was pretty explanatory to begin with. It was definitely what our job was that's

1388 what we did when we produced it. And then to follow up on March 17th, we didn't put any

1389 words into this Council meeting that said anything about raising the bar or anything else. That

1390 was the other side that did that. That wasn't us. We produced a report, again, that was just

1391 factual. We told you what was wrong with the business. We didn't come out here and compare

1392 it to every other business. We reported on that business alone. You've asked us, now, to bring

1393 before you a report that I didn't produce. The City and the City Attorney's Office actually went

1394 through and produced, and you can clearly see that there is no raising the bar, which we've

1395 agreed was a term that, you know, might be hard for an industry to uphold. But if they would

1396 have said that to begin with, we cannot raise the bar, is that something that the board would have

1397 approved at that time? That's a question that you might want to think about, instead of all these

1398 other subplots. It's clear to me, though, that there's no way the Las Vegas Metropolitan Police

1399 Department has the time or the manpower to target any one club. And I would like to say that,

1400 yes, we're very, very proud of all these clubs for not having any vice arrest because there is not
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1401 prostitution occurring. But we spoke with the Lieutenant of the Vice Section and referenced
1402 Treasures. Again, I'm not talking about all the other clubs. Vice hasn't been back in there. So,
1403 to sit here, I'm just trying to give you all the facts again. I can't say there is no prostitution
1404 occurring there, just like I'm not going to tell you there is. Our vice section has not been in
1405 there.

1406 I work in the Special Investigation section. Each one of these managers, the security personnel
1407 that worked the front door, I don't know if you've seen the front of Treasures. It's very hard for
1408 us to get anywhere near that front door before they know we're there. I don't go in in a suit and
1409 tie. I wear casual clothes to conceal my police identity from the patron so we can walk through
1410 the club. But if they don't know who we are at the door, I don't pay a cover to get in. I badge
1411 'em, and we walk right in the club. You got a front area that you gotta go through before you
1412 can get in to see any activity in the club. This isn't something that we just go in and try to target
1413 this place and say, we're going to get it shut down, or we're going to do this. We go in as we're
1414 requested to go in and do enforcement activities. We've been doing those enforcement activities
1415 with your own City director here of the Business License, or manager I should say. And back to
1416 the vice thing, they have several more pressing issues other than just these clubs, and as far as we
1417 go for vice, I don't go in there and try to get prostitution arrests. That's not my job. I go in there
1418 and look for violations of the code that we're required to enforce. Vice, as you know, does street
1419 prostitutions; they do the hotels; they're responsible for a wide variety in the whole valley of vice
1420 enforcement. So, to say that all these clubs are cleaned up and that's why there's none, I think is
1421 an inaccurate representation.

1422 One of the other things back to the cooperation of the club, as of recently we were in to
1423 Treasures last Friday night. Again, we had some violations of Erotic Dance, and again,
1424 obviously, those haven't been found in Court to be guilty or innocent yet or anything else. But
1425 the thing that I found very interesting is that they now have a new classification of employee,
1426 which they call a Compliance Officer. But the thing I found insulting is that everyone of those
1427 people at that club have my business card, my sergeant's business card, the City Business
1428 License; they know how to get a hold of them. But nobody bothered to call us and say, hey does
1429 this fall under security? Would they be required to have an Alcohol Awareness Card? And they
1430 said, well, we know they're required to have a Sheriff's card so they got those. Well, they're

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1431 security guards. Call it any way you want, doorman, bouncer, whatever; they're security guards;
1432 they're required to have the Alcohol Awareness card. That, to me, is shows that this club is
1433 kinda doing what they want to do when they have our phone numbers to call. We're not the bad
1434 guy. We're here to help. We're here to bring people within compliance, not to shut people
1435 down. We all know this is Vegas. We talked about a six-foot rule, a three-foot rule and
1436 everything else. It's Vegas. We, when we sat down with the County and when we've talked
1437 with the City, we kept that in mind. We go in and enforce the extreme violations. I don't go in
1438 and write a citation because some girl is brushed against some guy's arm. We're talking about
1439 groin to groin contact, breast to groin, buttocks to groin; it's something that I can't say is a
1440 prostitution act because I'm not involved in their conversation. But, I can say it violates the code
1441 because it's fondling and caressing in a sexual way. There's no doubt in my mind that that's
1442 exactly what's occurring. And again, we're not going for the incidental touching and contact,
1443 which some people may portray as that's what goes on. Because, we understand there's going to
1444 be contact. We understand that there's going to be people sitting on people's laps in these clubs,
1445 but it's the active entertainment dance, whatever you want to call it, that goes on with direct
1446 contact that can't be anything other than in a sexual way. That's what we cite for.

1447 Also, to tell you a little bit about our team. We're not a 30, 40-man task force that goes out to
1448 these clubs. We are three detectives and one sergeant on the swing shift enforcement. Our
1449 responsibilities are everything that is regulated or privileged license. Excuse me. We also
1450 respond for whatever officers from a patrol substation call and ask us for help. This isn't the
1451 only thing we do. I mean our – enforcement responsibilities are huge, and this is tasking so, I
1452 agree with you, when something else has to be done, and that's why we work with Mr. DiFiore's
1453 office and he brings his guys because then we're up to five people.

1454 Um, the new day that you had talked about Councilman Weekly; there's several things that have
1455 gone on that Mr. DiFiore's already alluded to. We're also looking at licensing the dancers. We
1456 don't just, you guys don't license the liquor license employee and throw them out there to the
1457 wolves and say fend for yourselves. I think, we, as a police department and as Business License
1458 equally work with the employer or licensee in an attempt to, how can we help correct this
1459 industry. I don't think anybody really wanted to look at a six-foot rule to begin with. I think
1460 what we wanted to say is the code is fine the way it is. If we can get management and licensee to

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1461 actively enforce the code in their own business, not to see something different when we walk in
1462 there and have people running around saying, hey the police are here, knock that off. But, we
1463 look for licensing the dancers. So, now if a dancer violates, she can't go work at the club down
1464 the street because we haven't fixed anything. We just got her fired from one business, and she
1465 went to another one. So we're working that the codes in the City and County are equal so
1466 everybody across the board, because they're so intertwined, have the same idea what's going on,
1467 and that the dancers can't just jump from club to club to club if they've been violated in one
1468 club. We're also personally working on, if a dancer is issued a citation, we also issue her a
1469 noncompliance, which says, you are formally told, right now today, if you are seen doing this act
1470 again we will revoke your Sheriff's card. So she can't come before us and say well, I didn't
1471 know what the codes were.

1472 And, my point beyond that, is that the police department is trying to work with the business
1473 owners and do our part and not say it's not, it's your problem alone, we're not going to help you
1474 fix it. We're trying to do our part and that's what we think our enforcement there is, but when
1475 we are greeted by the club as, you know, going around telling people the police are there, that's
1476 not the cooperation we want to receive from them. Um, I guess I can answer any questions that
1477 you have, because the other things don't really apply to us, the temporary, and the promise and
1478 all the other stuff.

1479

1480 **MAYOR PRO TEM REESE**

1481 Thank you. Councilman Brown?

1482

1483 **COUNCILMAN BROWN**

1484 Detective you bring up a good point. Just how many dancers do we think are in the City of Las
1485 Vegas?

1486

1487 **JOHN LORETTO**

1488 I, somewhere in the 10,000, I would say.

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1489 **JIM DiFIORE**

1490 We've heard figures from four to ten thousand. And, you know, we have not only local dancers
1491 here, but we have quite a few that fly in for the weekend from out of state. And they use this as a
1492 weekend job.

1493

1494 **COUNCILMAN BROWN**

1495 And currently they, even those from out of town, all they need is a Sheriff's card?

1496

1497 **JIM DiFIORE**

1498 That's correct.

1499

1500 **COUNCILMAN BROWN**

1501 So, one of the things that we're discussing, as far as licensing the individual dancers.

1502

1503 **JIM DiFIORE**

1504 That's correct.

1505

1506 **COUNCILMAN BROWN**

1507 'Cause if they're not, and again, this is something else that I've just learned today. If the
1508 numbers are four to ten thousand and even with the limited manpower, perhaps it's not systemic
1509 as much as there's a certain core of dancers that are going to do whatever they can get away
1510 with.

1511

1512 **JIM DiFIORE**

1513 That's absolutely correct. I think that with all of the, with the volume of numbers of dancers that
1514 we encounter, you might have somebody coming in from out of town for the weekend who may
1515 be unfamiliar with our codes and, certainly, operating under a different standard wherever they
1516 come from. And a lot of times, I would imagine, that they can come in and violate the code and
1517 not even know that they're violating the code. But, I think Detective Loretto hit on it. When a
1518 citation is issued, it is explained thoroughly; and I've done this myself. We've explained
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1519 thoroughly what the violation is and what we observed and what they're going to go to court for.
1520 So, the noncompliance notices that they get and they receive, there's no way they can refute that
1521 nobody ever told me. So, the second time around, I didn't know what I was doing or was in
1522 violation of the code.

1523

1524 **JOHN LORETTO**

1525 If I can also touch on one other thing I left out. If you refer to the packet that the city attorney
1526 gave you from Houston, where the front of it has the Insurance Fraud Code. Page five, which is
1527 something that just came up, of the actual search warrant affidavit and the reason why I bring
1528 this up is 'cause, Mr. Fiorentin (sic), if I pronounce that right, wanted to make sure that he knew
1529 everything that was going to be coming up. When I was reading over this, page five of the
1530 affidavit, which is I believe page ten of the fax number across the top, the second paragraph
1531 down talks about cash transaction reports that were filed by Hassan and Ali Davari. I called back
1532 to the office and had them review their personal history questionnaire that they originally filed
1533 with us, and both of them had checked "no" on having filed a Cash Transaction Report, ever. So
1534 that's something we're going to be looking into that is new information on top of everything else
1535 you guys have to ponder.

1536

1537 **MAYOR PRO TEM REESE**

1538 Any other questions for Mr. Loretto? While Metro is still here I just want to make a couple
1539 comments in regards to Metro. I, certainly, appreciate the nine years that I spent up here, the job
1540 that Metro does and going out. And I have told many, many people, we never set them out as a
1541 targeting anybody. They're going out there and doing a job that the City Council has requested
1542 that you do, as well as our own City staff, and I compliment you on your due diligence, the jobs
1543 that you do for us, and reports that you bring back to us on many, many different subjects and
1544 stuff. I think they're extraordinary, and I, certainly, appreciate the ability that you give me to
1545 make a substantial decision. So, thank you for being here today.

1546

1547 **JOHN LORETTO**

1548 We appreciate that.
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1549 **MAYOR PRO TEM REESE**

1550 Thank you. Mr. DiFiore.

1551

1552 **JIM DiFIORE**

1553 Mayor Pro Tem and members of the Council, I'll entertain any other questions you may have at
1554 this point in time or any direction that you would like to see at this point in time.

1555

1556 **MAYOR PRO TEM REESE**

1557 Council members. No questions? We'll give you time to rebut. Mr. Fiorentino.

1558

1559 **MARK FIORENTINO**

1560 Mayor Pro Tem, I'm sorry, Mayor Pro Tem, members of the Council, again Mark Fiorentino
1561 representing –

1562

1563 **MAYOR PRO TEM REESE**

1564 Are these all the same?

1565

1566 **MARK FIORENTINO**

1567 -- D. Westwood Inc. We're going to work from that booklet that I submitted to you. There's
1568 plenty of copies for everybody. If there's not, I think, we even have a few more in the back. Mr.
1569 DiFiore should have one if you have an extra one; if not we got more. Maybe, while that's being
1570 distributed, I can start with a couple of preliminary comments. First, on the issue of temporary
1571 license. This has been an emotional application and process for all of us. And, I want to make it
1572 clear that I did not, in any way, mean to indicate that I thought Mr. DiFiore was doing something
1573 different here or treating us differently. But I do have a job to do, and if that's going to have
1574 legal significance I had to do everything I can. I'm satisfied with his answer and I'm satisfied
1575 with what we said before. It's ultimately, no matter what you call the license, going to come
1576 back to the same decision for you whether it's today or 30 days from now or right before the 60
1577 days expires.

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1578 With respect to Metro, there is no question that they are doing their job, and there is no question
1579 that in some of the frustration that's come out in this case, I may not have been clear in saying
1580 that before. I personally have no doubt, I have no question, I should say, in my mind, about
1581 whether they are treating people the same or differently in one club or another. Their job is
1582 impossible to do, and I would never make an allegation that they are doing something different,
1583 that Metro or Mr. DiFiore is doing anything different in Treasures than they are in other clubs.
1584 As an indication of how impossible their job is, three of the Erotic Dance Code violations that,
1585 citations that were issued in the Treasures establishment, since we first opened, have already
1586 gone to trial; two of them resulted in not guilty results. So obviously, at least in that case, one
1587 person disagreed with whether this crossed the line that everybody in this room should concede
1588 is an impossible line to interpret. You've been talking about it now for a half an hour. But they
1589 absolutely do their job, and, I think, they focused me where I wanted to be focused on the rest of
1590 this presentation, which is the real question and what we really should have made clear years ago
1591 about what we could do. What could the Davaris do to try to stop these issues up front?

1592 And, I will say again and then ask maybe at the end, 'cause you've invited me the opportunity to
1593 ask questions of those at the end, but I'm going to say at the beginning so they can formulate an
1594 answer if they want. There's no question that the allegations of the conduct that was occurring
1595 or alleged to be occurring in the Houston clubs years ago was very serious allegations. I have
1596 not, in any of the reports Metro has done or any of my own investigation or the investigation of
1597 the consultants we have hired, have found any indication that that kind of conduct is occurring at
1598 any level of, in Treasures today, and if it is, then somebody should say it. That's different than
1599 the Erotic Dance Code violations. Let's go through this book. I do want to go through it in
1600 detail 'cause I do think it's important. The first page is just a, an outline and then there are tabs
1601 that follow, that provide further information on the outline. We're not going to spend any time
1602 on the outline, just a second. But the first tab is a summary of the compliance measures we have
1603 been doing in Treasures. We have invited, repeatedly, Mr. DiFiore and Metro to look at these
1604 measures to tell us if there are things that need to be done differently, and, in fact, this list has
1605 changed. It changed from the day we opened to the day we were here in March 'til today. We
1606 have repeatedly modified it and added things to it because that is the single most critical thing

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1607 that we can do. It's the one thing in this process we control, is what are we doing in this club to
1608 try to prevent unpreventable activity. So lets go through these.

1609 The first is the that, we developed a compliance manual that details in detail what happens if you
1610 are either a dancer, an employee of this club, and you are involved in violations. What's going
1611 to happen to you? It sets out what happens on the first offense, the second, and the third offense.
1612 We gave these compliance manuals, again, to Mr. DiFiore and to Metro before the club opened
1613 and asked them to give us input. If fact they did and made changes. That is still a growing
1614 document. We've made changes in the last couple of months to continue to try to improve it.

1615 But, I want to say this, I should have said this at the beginning. Second question I want to ask,
1616 I've asked it repeatedly, and I think I know the answer. To the best of my knowledge,
1617 everything listed on this page and a half that we are doing in Treasures to try to avoid this
1618 problem up front is unique to Treasures. Treasures is the only club in town taking these
1619 measures. Again, whether these measures are actually producing results or not, we're going to
1620 get into, but they're the only club to the best of my knowledge, that are doing any of these things.
1621 So, behind tab two, you have the compliance manual. Everybody's got to sign this and – there's
1622 got to be something in their file showing that they've read it. We also developed separate
1623 regulations for management and dancers and different employees. Got to sign it; a copy of your
1624 signature has got to go in your file. Now, if Metro audited the files, no question they would find
1625 in the first couple of months we were open that not every person's files as a signature in it. But
1626 if they audited the files in the last six months they would find that. We require all of the dancers
1627 to enter into a written contract with us; I don't know whether that particular part is unique or not.
1628 But two things that I'm pretty sure are unique is they have to consent, in writing, to background
1629 checks. And we have, in fact, been doing background checks. We run background checks on all
1630 of the managers and on the dancers after they have achieved a certain level of appearances in the
1631 club. In other words it doesn't, it's impossible, or impracticable, I should say, if a woman flies
1632 in from San Francisco and she's only here one night to run a background on her, but once
1633 they've achieved a certain level of activity on the club, we run background checks on them. We
1634 provided information to the Treasures management on what we found in those background
1635 checks. As a result of them, there were a number of suspensions and at least one termination.

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1636 **MAYOR PRO TEM REESE**

1637 Just, I've got a quick question. Did you say that the girl flies in from San Francisco or from New
1638 Orleans and she's not checked out, you know, they don't make any applications or whatever so –
1639

1640 **MARK FIORENTINO**

1641 No, no, no, no. I'm sorry Mayor Pro Tem. No. They have to make an application, they have to
1642 sign their employment contract, and they have to sign all the compliance manuals and so forth.
1643 But what we don't necessarily do is conduct a separate background check on her, whether she
1644 has a criminal record or not. We only do that once the dancer has shown that she's gonna, is a
1645 regular performer in the club. And we have conducted, I think, 200 separate background
1646 investigations now.

1647

1648 **MAYOR PRO TEM REESE**

1649 Well, yeah, but to me a lady flying in from New Orleans might be the ones that are causing the
1650 problems and stuff.

1651

1652 **MARK FIORENTINO**

1653 It could be and, in fact, if you've flown in from New Orleans and you've been in the clubs a
1654 couple of times so that we know there's even a reason to do it, and maybe Mr. Dillard can speak
1655 to this if I'm not saying this right, but if – it's a person who's only been in the club once, doing
1656 the background check would be irrelevant cause it takes them three or four days to do it. So, by
1657 the time you got the information back, it's irrelevant.

1658

1659 **MAYOR PRO TEM REESE**

1660 Okay. All I'm asking is, maybe I'm not answering the question correctly. Okay. To me, if I'm
1661 going to hire somebody, I'm going to know whether they was arrested for prostitution three years
1662 ago before I hire them.

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1663 **MARK FIORENTINO**

1664 Well yes, and in this industry you have at least some indication when you hire them because they
1665 have to have a Sheriff's card. And the Sheriff does a background check. So, you have some
1666 indication that they don't have a criminal activity that would have resulted in the level of the
1667 Sheriff not issuing them a card. You don't have a complete record, and what we've done on
1668 them is gone back and done a complete record. As a result of those background checks, I think
1669 the major point is, they have issued suspensions and they have terminated at least one, based on
1670 what they found in the background checks. They also have to consent to random drug searches
1671 in Treasures, and I'm going to get back to that in a minute. Treasures keeps a complete log of
1672 every citation issued in the club and what they did in response to it. That rec, those records are
1673 open and available to – Mr. DiFiore, anybody on his staff, Metro and anybody on their staff that
1674 wants to review it. They maintain, and this is behind tab four, a complete log of every time they
1675 warned a dancer that they thought her conduct was approaching a violation of the Erotic Dance
1676 Code. Now, we would have, if you want, I don't think we brought it with me, this is like 14
1677 pages. They keep a complete log; the dancer's name, the date, who issued the action, and what
1678 was taken. And you can see they range from a verbal warning, a tap on the shoulder, the firing
1679 of a laser pen so they indicate they know that there's a problem, to people being suspended,
1680 people being removed from the club for repeated offenses.

1681 If you wanted the complete background for this, they actually have their hand written notes of
1682 how they observed what happened. And then we asked them, though, to take those and produce
1683 a log, so they maintain this log. We, also, have behind tab nine a complete record of all of the
1684 disciplinary actions taken against anybody related to Treasures. When I say that, I mean either
1685 employee or an independent contractor. Again the date, the name of the person, what the
1686 problem was, and what happened. If you take the time to read this you will see people have been
1687 terminated; people have been suspended; people have been removed from the club; people have
1688 been placed on probation. Pages and pages so that if there should be no question. If you want to
1689 know, what did you do to respond to these violations we issued in your club, you can go into
1690 these records and see what we did and it's all in conformance with the compliance manual we
1691 did up front. We set a set of procedures and told the dancers what would happen.

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1692 Behind tab seven, we placed notices in the clubs regard warning both patrons and dancers of
1693 illegal drug use would not be tolerated and that other violations of the code and prostitution
1694 would not be tolerated. There are cards placed on every table in the club; there are signs posted
1695 in the locker room and other facilities for the dancers and where employees have to go in and out
1696 of. Again, the table cards are relatively recent. If you ask me were they there in September, the
1697 answer is they wasn't. There was some issues with printing them, and then when they got
1698 printed and we reviewed them, we said that's not what we told you to put on them; there was a
1699 mistake, and so, but they are there now. If you go in there now, there are those table cards.

1700 We have implemented, this is behind tab eight, our own random drug searches of the facility
1701 utilizing a certified drug dog. No one knows when the dog is going to be in the club, except Mr.
1702 Davari. There is no forewarning. It is coordinated through Mr. Dillard, who we hired to help us
1703 do the compliance in here. Two drug sweeps through the club; they found nothing in either
1704 event. If you want to know the certifications or the qualifications of the dog, again, to the best of
1705 my knowledge, no one else is doing anything remotely close to that. Going to the second page of
1706 the outline, there's a policy that prohibits the entertainers from leaving the establishment with
1707 any patron. The reason we did that is because Metro told us that's how you get into prostitution.
1708 If you don't let them leave with customers, then you substantially reduce the opportunities that
1709 that can occur. There have been numerous, no, I shouldn't say numerous, I should say whenever
1710 that has occurred to the best of my knowledge, you will see if you go through the – log of
1711 disciplinary action taken, that people had been disciplined for violating that policy. They
1712 established a one-foot-on-the-floor rule so that the dancers, at all times during their performance,
1713 have to keep a foot on the floor. If you go in the club right now, could I promise you all of the
1714 dancers are complying with that? The answer is no, I could not promise you that. But it gave us
1715 at least a tool to try to take some of the gray area out of it because it's very difficult to do things
1716 you shouldn't be doing if one of your feet is on the floor. We have, as I understand it, a state of
1717 the art and unique computerized system that – scans the entertainer's fingerprints. So they, and
1718 it's a complete, complete computer log of whenever they enter and exit the club, even if they exit
1719 it in the middle of their shift and came back. Again, a powerful tool, I would submit, if anybody
1720 wants to use it, if you want to see exactly what people are doing, whether it's Metro using the
1721 tool or management using the tool.

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1722 We did hire compliance officers. Again, trying to respond to an objection I thought I heard last
1723 time from Metro, which is, the floor hosts and the managers aren't doing a good enough job of
1724 warning the dancers about dance code violations. So, me and Mr. Rowe came up with this idea
1725 on our own. Well, what can we do about that? Well, why don't we go hire people whose only
1726 job, they don't seat people; they don't serve cocktails; their only job is to walk around the
1727 establishment with a laser pen or some other mechanism to warn dancers. And absolutely true,
1728 although I think I wouldn't swear to it, we told Mr. DiFiore we were doing that, and it's
1729 absolutely true that I don't think I told Detective Loretto that we did. And he's absolutely right;
1730 he shouldn't, we shouldn't have to check with him and say, hey, do these people need Alcohol
1731 Awareness Training cards. He's right. They needed those cards. We should've advised them to
1732 go get the cards. We didn't think of it, but we hired the compliance officers for a, we think, a
1733 bigger issue. They're going to go get their Alcohol Awareness Training even though they don't
1734 – yes, Councilman.

1735

1736 **COUNCILMAN WEEKLY**

1737 How often, Mr. Fiorentino, is your compliant officer on site?

1738

1739 **MARK FIORENTINO**

1740 As I understand it, and I will ask them to correct me if I am wrong, there is, there are multiple
1741 ones on site at all times that the place is open. That is correct. They're nodding that is correct.

1742

1743 **COUNCILMAN WEEKLY**

1744 And Detective Loretto indicated that at times when he's come on property and he's badged the
1745 security officer upon entering the establishment, I guess employees are alerted that Metro's on
1746 site.

1747

1748 **MARK FIORENTINO**

1749 He's said that before in his report in March. And I'm not going to dispute that that occurs, but
1750 again, Metro doesn't dispute that. They don't hide it. They come in a say we're here. And let
1751 me address that maybe a little bit more directly.

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1752 **COUNCILMAN WEEKLY**

1753 And the only reason I ask you that, Mr. Fiorentino, in that being that Treasures has taken these
1754 drastic measures to be a step above the rest –

1755

1756 **MARK FIORENTINO**

1757 Right.

1758

1759 **COUNCILMAN WEEKLY**

1760 -- to try and be in compliance with the ordinances that were given to you all, and to live up to the
1761 agreements that you all indicated in the initial beginning of this, why would they even do that if
1762 we were doing the right thing inside of Treasures anyway?

1763

1764 **MARK FIORENTINO**

1765 You know what, I don't have a great answer for you, but I do have an answer.

1766

1767 **COUNCILMAN WEEKLY**

1768 Okay.

1769

1770 **MARK FIORENTINO**

1771 The on the site managers of this facility, it is no question the first few months it was open, did
1772 not have a very good communication with Metro and did not have a very good working
1773 relationship with Metro. In fact, and I may have caused some of this, Metro told me privately
1774 that one of the things, and I think Mr. DiFiore even testified to this in our last hearing, one of the
1775 things that really bothered them was that when they were in the club, no one was taking any, they
1776 could sit and watch the managers not taking any action to prevent Erotic Dance Code violations,
1777 that they would literally watch for minutes before anybody did anything. So, I brought the
1778 hammer down. I said, what? Are you guys stupid? If you know Mr. DiFiore is in the club, you
1779 should be doing everything you can to show him that we're doing these things that I'm going to
1780 talk to the Council about. And, so I think there may have been some overreaction to that. But, I
1781 hope again, and this was a point of great frustration for me last time, because I took it personally

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1782 early on, the Dennis Rodman incident, which had nothing to do with sexual misconduct, but it
1783 was an ongoing Metro investigation. There were managers involved in that case who initially
1784 refused to give Metro information they were asking for. I called Mr. Davari on the phone
1785 immediately and said, I quit. You need to put an end to that. There is no reasonable explanation
1786 for not cooperating with Metro on an ongoing investigation. It will never happen again, or else
1787 I'm done. And then I didn't, I did one other thing, and they did a thing. They suspended two of
1788 the people involved, and they ultimately terminated one of them because they were still having a
1789 problem with them. But I called Metro and I made the same commitment to them. I said, I'm
1790 not going to put up with that. And if you're still having that kind of problem where people aren't
1791 giving you stuff when you asked for it, then – call me. And I hope that, as we've progressed,
1792 they've gotten much better at that. I've heard no allegations that they're refusing to give them
1793 information. But everybody's been on there, there's no question. If you're a dancer in that club,
1794 you're on your toes. And if Metro's in the building, you're going to say Metro's in the building.
1795 We're having hours worth of public debate about everybody's watching so again. But that is not
1796 an excuse for Metro's in the building, we need to start hiding stuff. And if that's occurring then
1797 you should not tolerate it.

1798

1799 **COUNCILMAN WEEKLY**

1800 Right.

1801

1802 **MARK FIORENTINO**

1803 We talked a little bit about the laser pens. Again, this was actually Mr. Davari's idea of
1804 something they had done in Houston. A lot of it, allegations of customers and dancers with the
1805 problem and enforcing the code is it's sort of embarrassing to go up to the customer and stop
1806 activity. And so, they instituted the use, not in every case 'cause they still, as you see it from the
1807 log, they still tap or they still pull people aside, but they're using laser pens so that they can shoot
1808 a dot on the chair of the patron so that only the dancer can see it. So she's been warned, but the
1809 patron hasn't been put in some uncomfortable position. Ironically enough, when I first came
1810 here, I said, we're the only ones doing that, and it's my understanding there are a couple of other
1811 clubs in town that are now doing that. But I don't know whether that is true or not.

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1812 Finally on, just on this outline, we hired Mr. Dillard to help us go through some of this.
1813 Councilwoman Moncrief, you asked me about this last time and why didn't I have him hired in
1814 September. And I told you we had problems because I wanted to hire the person that I knew I
1815 could trust because he reported directly to me and that I knew was above reproach, that if he told
1816 you something, no one would have questioned his integrity or honesty. And it took me a while
1817 to get through a list of people that met those criteria and also did not have conflicts, either
1818 because of their workload or because other things – that they were doing. I will tell you, it is the
1819 best thing that ever happened to us that we got hooked up with Mr. Dillard. He is a retired vice
1820 officer from Metro. There is no pulling punches with him. He has done his job. He's reported
1821 to me good news; he's reported to me bad news, and he's here today. He's – conducted
1822 extensive investigations on what we asked him to look into, and he's here today to answer any
1823 question you have. But specifically, we asked him to review the compliance policy. He
1824 recommended some changes; we made them. We asked him to help us develop criteria for
1825 hiring management and security personnel; he's done that. We've asked him to provide weekly
1826 training classes to both the management and to the dancers about how to improve your
1827 relationships with Metro, how to work with Metro when they're in the building, how to avoid
1828 situations that can be interpreted as a violation of the dance code.
1829 Behind tab five, since we brought him on and started him, we've done 20 training sessions,
1830 roughly. We've train, there've been a total of 187 people in these training sessions. They have to
1831 sign in, indicating that they were there, have an opportunity to ask questions. A lot of them,
1832 actually, do ask questions when they're done. I thought it was important to note, and you'll see
1833 from the asterisks on this page, we asked Mr. DiFiore to attend one of those, and to see if he had
1834 any suggestions or anything we can do better or if he thought we were doing something wrong,
1835 and he did attend it. To the best of my knowledge, he appreciated the invite, and I thought he
1836 was reasonably impressed that it was a good training session. He did make a recommendation to
1837 us that we try some how to incorporate a videotape into the presentation, and we are in fact
1838 working on that. It's very difficult to do. It's very difficult to videotape inappropriate conduct
1839 and then show it to people, but we're figuring out a way to do it. As I indicated to you before,
1840 they've done the background checks, and we're providing regular reports to management if

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1841 there's something indicated in those background checks that we think warrant disciplinary action
1842 and they have been taking the action.

1843 Finally, we've asked them to conduct undercover inspections of Treasures and the other clubs
1844 that are licensed in the City of Las Vegas. I didn't do this to try to embarrass anybody; I did it
1845 because, if I was gonna stand before you and tell you what I think was going on in these clubs, I
1846 was going to have somebody I trust to do it and swear under oath what they saw. And I'll get
1847 back to that in just a second. So, back to the first page dealing with the outline. We pretty much
1848 covered everything, but there's a couple of other things that I want to highlight on. Item number
1849 six on the outline. I asked Davaris and the management to actually then begin to keep a log of
1850 whenever they had communications with Metro, whether it be by fax, whether there was a visit,
1851 whether there was a telephone call, just so that we could determine if there was, we're doing a
1852 decent job communicating back and forth. For whatever it's worth, that's the log. There's been
1853 a fair amount of communication, some good, some bad, some insignificant. Metro calls and asks
1854 for some piece of paper which we fax them or send them. We went through the warnings; we
1855 went through the dog search; we went through the discipline report. I want to now go to Mr.
1856 Dillard's affidavit.

1857 I was gonna try to focus on a three part presentation. What are we doing up front to try to make
1858 sure that these violations don't occur? Again, I submit to you everything we've just discussed,
1859 or the vast majority of it, is unique to Treasures. So we, I think we've lived up to that
1860 commitment to put things in place. The second question it occurred to me, rightfully or wrongly,
1861 is that, actually producing any results either, in Treasures and how do those results compare to
1862 other clubs? You can read his affidavit. I would like to explain it; it's only a page and a half.
1863 We have –

1864

1865 **MAYOR PRO TEM REESE**

1866 Before you – get that affidavit, I just have one question. You referenced a few minutes ago
1867 about you made contact with Metro and told them that if they had any problems with
1868 investigation or whatever to call you. Who from Metro did you talk to on that?

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1869 **MARK FIORENTINO**

1870 Oh man, if I – don't get everybody, please forgive me. I know I talked to Mr. DiFiore about it.
1871 I'm positive I talked to Sergeant Arnone about it, and I'm reasonably sure I talked to detective
1872 Loretto, but not as positive as I was with Sergeant Arnone.

1873

1874 **MAYOR PRO TEM REESE**

1875 Okay I – just wanted to make sure that in, I – feel comfortable that you, you know, that they are
1876 aware of, that Metro is aware of, that if they have any problems at this club that they can call
1877 you.

1878

1879 **MARK FIORENTINO**

1880 At that level.

1881

1882 **MAYOR PRO TEM REESE**

1883 Yeah. Yeah.

1884

1885 **MARK FIORENTINO**

1886 And they were rightfully frustrated after the last hearing because of my comments at the last
1887 hearing about, well, nobody ever called me. And the agreement wasn't, hey if you're in the club
1888 and you issue an Erotic Dance Code citation will you call –

1889

1890 **MAYOR PRO TEM REESE**

1891 No, I'm – referencing something to like that – Dennis Rodman incident.

1892

1893 **MARK FIORENTINO**

1894 Right. To the best of knowledge, nothing remotely close to that level of lack of cooperation has
1895 happened since that incident.

1896

1897 **MAYOR PRO TEM REESE**

1898 Okay. Thank you.

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1899 **COUNCILMAN WEEKLY**

1900 Okay. Mr. Fiorentino, just real quickly, and I don't belabor the conversation 'cause this is – a
1901 really long presentation here today, but when you speak of Metro, do you share with them these
1902 discipline reports that we're looking at, right now in this, in your booklet here? For example, let
1903 me give a little spot here. Arial, in the book here who has, yeah, go Arial, repeat EDC. So she's,
1904 and I have to get educated on what was EDC.

1905

1906 **MARK FIORENTINO**

1907 Erotic Dance Code Violation.

1908

1909 **COUNCILMAN WEEKLY**

1910 Okay, and I'm noticing that Arial is getting tapped on the shoulder several times. What do we do
1911 after Arial just kind of doesn't get it together, do we say okay –

1912

1913 **MARK FIORENTINO**

1914 There's –

1915

1916 **COUNCILMAN WEEKLY**

1917 What do we do with that?

1918

1919 **MARK FIORENTINO**

1920 Here's what the compliance manual –

1921

1922 **COUNCILMAN WEEKLY**

1923 Okay. And are we sharing this information with Metro?

1924

1925 **MARK FIORENTINO**

1926 Here's what the compliance manual says, and then I would have to actually study that list to see
1927 what happened to Arial and compare the warnings to the actual disciplinary action taken, but I
1928 have seen it in other instances. If you become a repeat offender, you get warned that night. If
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1929 you can't fix it that night, you get removed from the club and suspended. After your suspension
1930 or probation, we use those terms interchangeably, you come back and you have more problems,
1931 you're 86'd from the club; you're banned from the club under our compliance manual. No
1932 question. We show the compliance manual to Metro and, so they're aware of the procedures. I
1933 don't know that I ever specifically showed the disciplinary action to Metro. I – meant to and I
1934 thought I made it available to everybody, and I think we even discussed it at the last hearing.
1935 But if that's an issue, let's make it clear right now. Those records are absolutely open to Metro,
1936 if they want to come in and see what disciplinary action we've taken, or to Mr. DiFiore. They
1937 are free to have them. Now, what happened, though, is the last time we were here, back to my
1938 apology if we didn't really do a good job with this information, the club's manager was here.
1939 What he had was a stack of thick of people's individual files. I said, well, I can't give the
1940 Council people's individual files, go back and create a log. So, the log is new. The log is new
1941 since March, because it was a more efficient way to try to track what we've done.
1942 Mr. Dillard's affidavit. He's, it's almost self-explanatory. He goes through a number of inves,
1943 how many times he was in the club and so forth. We have boxes of back up. I mean, we have
1944 transcribed hand-written reports from the people who actually did the inspections. Again, rather
1945 than give you boxes of stuff, and there's stuff in there you probably don't want to be reading
1946 aloud, he summarized it. The summary and the salient parts are point six of his affidavit. He
1947 concludes that there are far fewer incidents of conduct of violations of the Erotic Dance Code or
1948 other conduct that can be construed of violations of other laws in Treasures than the other clubs
1949 he investigated. Far fewer. And that the ones that he did discover were far less egregious than in
1950 the other clubs that he inspected. He also concludes that it is in his belief that that is because of
1951 the proactive things we've been doing and because he's been training people. And in his training
1952 sessions, he's been telling people, we're in the club, and we're watching you, and no one knows
1953 that we're in the club except Fiorentino. And I think he's right. We can give you as much
1954 backup there as you want. He's here to answer questions if you want. He told me a specific
1955 example, as a matter of fact, of an inspection he did in Treasures, not last weekend, but the
1956 weekend before, where we told him, step up, be more aggressive, and they actually tried to
1957 induce somebody to doing the sexual conduct for money. She went and reported it to a manager;
1958 a manager came over and talked to the patron and said, the patron, our person, said we don't do

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1959 that here. And so, in at least in that limited instance, it's working. Again, I want you to, if you
1960 question how he did it, how he reached his conclusions, to talk to him while he's here.

1961 Finally, the, well not finally, two more things. The comparising (sic), so I can show you what
1962 my investigation indicates or whether what we're doing is working. The only other evidence I
1963 have of that is the citations, themselves. Okay. So, I ask for some information. We ask for
1964 information back to the year 2000. The reason I asked for that information 'cause I thought it
1965 would be important as to establish some base line. Our hearing, in which these issues were
1966 discussed openly, was in February of 2001. Mr. Jerbic gave us information from that, all he was
1967 able to obtain, in the time that we gave him, and we understand it's from our discussions with
1968 him. It's very difficult to go back and redo this work, for, and he did it in conjunction with Mr.
1969 DiFiore. And, as I understand it, Sergeant Arnone, although I'm not complete sure about that, he
1970 gave us the – list that Mr. DiFiore's already given you and that you have discussed. So, I wanted
1971 to start there. I think they're right. These numbers aren't drastic one way or another, but if you
1972 look at 2004, the apples to apples, Treasures is on the low end of the number of citations that
1973 have been issued for the Erotic Dance Code, for whatever that is worth. I'll stand right before
1974 you and tell you that in any club in this town, I believe that, if Metro went in and spent time in
1975 there, or Mr. DiFiore could go in, they could write citations all day long because it's a very
1976 difficult standard to interpret, as you've discussed for a long time. But two things I want to point
1977 out on this chart.

1978 We also asked Mr. Jerbic, because we thought it was relevant, what happened to those cases?
1979 After you get the citation, what, you know, did they go to trial? Did they get convicted? Did
1980 they get pled? And I want to talk about that in a minute. But also, just looking at these charts for
1981 a second, the prostitution citations in Treasures was also on the low end, albeit Treasures was
1982 only open for a part of the year. But something I really want to point out on the prostitution
1983 charges and really hammer home, is that, even though Mr. Jerbic didn't provide us the
1984 information for 2002, we obtained it. It, the total number of prostitution citations issued in clubs
1985 in the City of Las Vegas in 2002, there were 31 total in the year 2002 alone. Now, we don't
1986 know because the information we were given to us had clubs, club names on it, but I took it off
1987 because I promised I would, and I don't know whether they, because I don't know on their list,
1988 which club is club A. So, I don't know how to distribute them on this chart, and I don't think it's
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1989 relevant. The point is, they can't possibly be Treasure citations, those 31, because Treasures
1990 wasn't open. But if you take 2001, or 2002 and 2003, there's a total of, not counting Treasures,
1991 3, 35, 41, 47, 48 citations in the last two years for the solicitation of prostitution in other clubs.
1992 Councilman Brown, I think you hit the point, whether we raise the bar or not. In the year 2004
1993 in all the clubs combined, there are zero. Now, Metro explained that that's partially explained by
1994 we don't have enough people to go into the clubs, but we know they've been in the clubs in 2004
1995 'cause their chart shows they've been making inspections in the club. So, if in no other way,
1996 than just by the fact that we've been having these goofy public discussions and – indicating what
1997 we're doing in our club and at least whispering on the street that we're doing things in other
1998 clubs to see what's going on, I think we have raised the bar at least in that limited circumstance.
1999 Finally, on this point, if you go back to page one of tab eleven. This really bothered me, and it's
2000 going to come back to the conclusion of what you should do today. What we asked Mr. Jerbic
2001 for again, as I told you, what happened in those cases. I'll tell you why we asked the question.
2002 Ross Goodman's here; if you want him to testify, he will. He told me he's been told to his face
2003 that, by Deputy City Attorneys that they were instructed that there would be no plea offers on
2004 any case involving Treasures. The reason I bring that to your attention is because that's
2005 underscores what a moron I was in 2001 when I said there would be no convictions. It is
2006 absolutely, positively beyond their control once it gets to a certain point. So, we asked them to
2007 give us the information, and it took us a few days to decipher it 'cause it was riddled with codes
2008 about what happened in these cases. And we broke them down for you.
2009 Club A, focusing on page one of tab eleven; I don't know who Club A is but you should
2010 probably discard this information 'cause they only had two pending cases. This is from
2011 information gave it to us again by Mr. Jerbic. They had two cases. They haven't been resolved.
2012 Club B, there were 29 cases in this period that Mr. Jerbic gave us information on. One hundred
2013 percent of them – got pled before they got to trial. Resolved. Pled's not a completely correct
2014 legal term. They got resolved before they went to trial. Club C, again, is probably irrelevant.
2015 They only had three total cases, so we won't discuss that. Club D, 89 percent of those cases
2016 were resolved before they got to trial. Club E, 48 citations, 86 percent of them were resolved
2017 before they got to trial. Club F, 42 citations, one hundred percent of them resolved before they
2018 got to trial. Club G, 18 citations. One hundred percent of them resolved before they got to trial.

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2019 Treasures, zero percent. They are all going to trial in Treasures. And just to underscore how
2020 silly this can become, the following pages behind that page one in tab 11 are a description of the
2021 – ultimate disposition of a couple of these cases that got resolved before trial. If you'll go to
2022 page number eight, which is a little tiny eight right here, and look at the bottom of that, here's
2023 two cases that the person plead nolo contendere, agreed to stay out of trouble when they came
2024 back and reportedly stayed out of trouble. The charge that began as a solicitation of prostitution
2025 got reduced to jaywalking in two different instances. Now, Mr. Jerbic started by explaining that,
2026 by saying, well, I had no idea. When Fiorentino first brought it to my attention, I issued a new
2027 policy. We're going to treat everybody differently. But he ended up where I hope you will end
2028 up when we finish this discussion, which is, he said, this is almost a direct quote, if we had
2029 treated them the same as the other clubs in this town, you would have zero convictions today.
2030 And we aren't going to be any different in August or September or whenever you get back to it,
2031 no matter how hard Mr. Goodman tries to defend them and no matter what else happens in
2032 between.

2033 Finally, one other measure of, is a club causing problems for Metro or the community. This is
2034 public information; it's behind tab twelve. You can get a call log. Now, this is calls initiated by
2035 somebody on the premises to Metro to come out because there's problems. We did it from 2001,
2036 which is the year that we started having these discussions through 2004. We took the club names
2037 off, although we have them if you want them, and I don't think the only ones – that are
2038 particularly worth talking about today are 2003 and 2004. In 2003 Clubs A, B, and C had
2039 respectively 113 calls, 135 calls, 143 calls for service that Metro had to go out and fix some
2040 problem at those sites. Treasures had 14. Club D is Treasures. D as in dog is Treasures. Now,
2041 Treasures was only open four months of that year or three months of that year, so even if you
2042 multiply their figure by four, presume they'd have the same problem spread out throughout the
2043 rest of the year, it's – a third. 2004 is the only complete data, not a complete year, but a
2044 complete data, not the same thing. The calls for service at Treasures are half of what they are at
2045 the other clubs.

2046 So, to summarize, we put these procedures together, and to the best of my knowledge, and no
2047 one has disputed this up to this point, Treasures is the only club in town doing it. We hired our
2048 own private investigator to go out and inspect it; he reports; it's working. It's working

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2049 dramatically. There are far fewer incidents in Treasures, though the statistics we were able to
2050 determine indicate that there is no real problem at Treasures compared to other clubs. And
2051 finally if, was stupid on this conviction thing. I have no control over it, and it ain't going to be
2052 any different, and even if you held it again till the second meeting in August, even, there's only
2053 two of the four scheduled between now and August. We're still not going to have an answer in
2054 August. What we're hoping you will do is make a decision today about whether I lived up to the
2055 second promise, that we would do what we could on the front end and that you would not hear
2056 reports of activity even remotely close to what you heard was going on in Houston. I think we
2057 have done both of those two things. If you're satisfied on both of those two things, then I think
2058 you should approve this and put it behind you. Clearly Metro and Mr. DiFiore should continue
2059 to do their job. They should continue to file, follow diligently what happens in Houston and
2060 anywhere else or anything else they're interested in. And if it results in things that warrant your
2061 attention, that they think warrant your attention, they should bring it to you, and you should take
2062 the appropriate action. That's what we're asking you to do today.

2063

2064 **MAYOR PRO TEM REESE**

2065 Thank you, Mark. Are there any questions? Councilman Brown?

2066

2067 **COUNCILMAN BROWN**

2068 Just a quick one on tab 11, under the disposition. When it has pled nolo and is a fine and it says
2069 conviction stands, how does that play out in your statistics?

2070

2071 **MARK FIORENTINO**

2072 Where, what page are you on?

2073

2074 **COUNCILMAN BROWN**

2075 There's a – host of them. About every page. Lets go to page, that's pretty small, eight.

2076

2077 **MARK FIORENTINO**

2078 Okay. Page eight.

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2079 **COUNCILMAN BROWN**

2080 August 2nd, let, one, two, three, four, five, six, seven down, or six down.

2081

2082 **MARK FIORENTINO**

2083 Of what date, it's easiest to read by date.

2084

2085 **COUNCILMAN BROWN**

2086 10/10/2003.

2087

2088 **MARK FIORENTINO**

2089 On page eight? Oh these aren't, I got it. These aren't, these, I got it. They aren't chronological.

2090

2091 **COUNCILMAN BROWN**

2092 Just so I understand it, statistically, on something like that, and there's a variety of nolos that it
2093 says conviction stands.

2094

2095 **MARK FIORENTINO**

2096 We treated that as a plea agreement.

2097

2098 **COUNCILMAN BROWN**

2099 Okay.

2100

2101 **MARK FIORENTINO**

2102 Because it never went to trial. It was resolved before they got to trial. They agreed on a fine.

2103 But the guide –

2104

2105 **COUNCILMAN BROWN**

2106 But the conviction of EDC violation stands. So it's pled but from a reported –

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2107 **BRAD JERBIC**

2108 From a – legal point of view it's a straight up finding of guilty. When you enter a plea of no
2109 contest the Court finds you guilty because you did not contest the charge so that would be a, that
2110 would be the equivalent as if you had a conviction you couldn't do any better. Only you're
2111 probably agreeing to the fine.

2112

2113 **COUNCILMAN BROWN**

2114 So it's a negotiated, I'm guilty, versus going through the process "I'm guilty?"

2115

2116 **BRAD JERBIC**

2117 Negotiated usually because of the penalty not because of the – ultimately, the guilty verdict.

2118

2119 **COUNCILMAN BROWN**

2120 So, I understand. Thank you.

2121

2122 **MARK FIORENTINO**

2123 Yeah, so we counted that as being resolved prior to trial.

2124

2125 **MAYOR PRO TEM REESE**

2126 Are there any other questions that Mr. Fiorentino? Mr. Rodd, do you have something to say?

2127

2128 **STACY RODD**

2129 Yes. Mayor Pro Tem and Council, I just wanted to make sure that you weren't led astray with
2130 semantics on these calls for service. Some of the clubs that we go to, a patron for example,
2131 might expect that they're going to get certain services when they pay 300, \$400 for a bottle of
2132 grape juice. We might get a call because, after all that is said and done, they didn't get what they
2133 expected, and so in that case they want the police to do something about not getting the service
2134 they expected. However, the calls for service that were being referenced to here are not going to
2135 be generated because to – put it bluntly, the customer is getting the service that he paid for,
2136 according to some of the vice reports that we're getting. So, I don't want you to – proceed from
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2137 the standpoint that these calls for service are not present at Treasures, because there are
2138 disgruntled customers. Disgruntled customers aren't getting what they're expecting. And
2139 Treasures, as according to the vice report, that scenario doesn't unfold because what you're
2140 paying for, you're getting. So I just wanted to put that on the record. That's why the calls for
2141 service are different.

2142

2143 **MAYOR PRO TEM REESE**

2144 Mr. DiFiore, is there anything else you'd like to add.

2145

2146 **JIM DiFIORE**

2147 Yes. I've got a couple of points that I want to address that Mark had addressed in his
2148 presentation. And, I think on one of the, Councilman Weekly had the same direction, at least on
2149 the question that I have. And it appears that for a third offense in their violation of Erotic Dance
2150 Code that that person could have their employment agreement terminated. The first offense, I
2151 believe, is probation; you're reprimanded. The second offense is a two-week suspension, and the
2152 third you could have it terminated. As you were addressing that with the stage name of Arial, I
2153 was looking through that as well and there's a dancer in there whose name is Serena. And
2154 Serena had been tapped, as it's been stated, almost three days in a row in March, and then, the
2155 first, I think, the first week in April of this year Serena shows in the – disciplinary action that she
2156 was, I think it was, she was terminated, I believe, in April. Oh no, I'm sorry. On April 22nd of
2157 this year she was given a one month suspension, so it appears, unless there's other information I
2158 don't have, it appears that even their own compliance regulations, that they're not being
2159 consistent with that. If – she was tapped, if she was noted that she was violating the Erotic
2160 Dance Code four times within, probably a two-week period, my belief is that she would have
2161 been terminated.

2162 The other, a couple of other points I wanted to make, regarding the compliance officers. It's
2163 really kind of a coincidence that on Friday night, when we first learned of the term compliance
2164 officer and a new position that had been created, that Detective Loretto was addressing a
2165 compliance officer in the room that we had been provided when we find violations, and we deal
2166 with the individuals in that particular room after we ask them to come off the floor with us. The,

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2167 Friday night I was on the first – level and I ended up asking one of the dancers to go back to this
2168 room because I was going to cite her for violation of Erotic Dance Code. As I was observing
2169 her, along with several other dancers, one of the compliance officers, as I later learned, was no
2170 further away than Mr. Fiorentino was during his presentation. And I make a habit of watching
2171 the staff, the personnel to see what kind of attention they are paying to the dancers, as I am doing
2172 the same. And this individual, I observed him watching the same group of dancers I was
2173 watching, and not one time did he tap a dancer or address any of the dancers of being too close to
2174 the patron and possibly in violation of the code. I did notice a floor hostess, and I'll call her that
2175 because she was carrying cigarettes and selling cigarettes. She did go up to one of the dancers
2176 and whisper something in her ear. The dancer was on the lap of the patron, and the dancer
2177 looked up startled and immediately got off the patron's lap. And I took that to mean, even
2178 though I didn't hear the conversation, I took it mean that she was passing the word that Metro
2179 was – in the club. I observed her for about another two minutes and no – time later did she get
2180 on the dancer's, I'm sorry, the patron's lap, as she – was performing earlier.

2181 I think that in some cases, I believe, Mr. Fiorentino takes this too personal, and I know he can't
2182 be everywhere during the time that the business is open and operating. Mr. Dillard does a very
2183 good job in his training courses. One of the things, I attended on May 24th, and one of the things
2184 that I did note in that particular presentation is that it's emphasized to the dancers that if they get
85 asked by Metro, is Metro in the club, their response is something to the effect that they state, I
2186 know nothing about it and – don't say anything that would be a result of possible obstruction of
2187 an investigation. I haven't seen this personally, but my impression again, going back to the case
2188 on the floor hostess, was that she was tipping the dancer off because she was engaged in what we
2189 would consider a violation of our Erotic Dance Code. So, if they're passing the word along, it
2190 doesn't appear that they're actually, some of the people are not complying with their regulations
2191 that they've established.

2192 One other thing too on the compliance regulations, I have a, Mr. Fiorentino mentioned that he
2193 didn't know of any other club that had imposed these kind of regulations. Personally, myself, I
2194 haven't seen anything in writing, but I do know that there is one club that I've addressed and that
2195 I've cited a dancer for Erotic Dance Code violations, and the first thing after she was cited, the
2196 manager did was told her, sorry you're gone. You're gone until this case gets adjudicated in
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2197 court. So, she could no longer dance in the club. Now, again apples to apples, this manager and
2198 I asked him is that your policy and he said absolutely. If they get cited for Erotic Dance Code
2199 violations they don't dance in the club until they go to court. If they plead guilty and they pay a
2200 fine, then we may take them back. Or if they – continue the case on to a trial, they don't dance
2201 in our club until that case gets adjudicated. So, there is at least one club that is a little tougher in
2202 their compliance standards than what Treasures has prepared for us today.

2203 I guess if we're going to go forward with this today, fully, my position hasn't changed since we
2204 heard this in February of 2001. And again, I think that Mr. Fiorentino said he, he's made
2205 mistakes, and he made a mistake on that particular day, but he also addressed the fact that he put
2206 the City Council in a – in an impossible position. I disagree with him on that – point. I think the
2207 Council was – was very open, and I guess, pretty lenient with regard to the standard that we
2208 discussed on the conviction. They gave'em an opportunity, and I think the conversation went on
2209 for quite a while, and you know, we finally came to an agreement. One conviction, he wouldn't
2210 contest it; it wouldn't be contested and they lose their license. So, I think that getting back to the
2211 focus of what was established back on February of 2001, a standard was discussed. And, I
2212 believe that a standard is kind of sort of out there in limbo as well and until Council takes action
2213 on this particular issue, this particular license for whatever action is to be taken, I think the
2214 standard will be established once that action is taken. Do we want to have the other clubs be
2215 held up to the standard that's established? Absolutely. And as soon as we have clear in our
2216 mind what that standard is going to be, then we may come forward, at your request, with the
2217 other clubs in the violations that is established by the City Council.

2218 I'm willing to seek an abeyance of this item until the second meeting in August. Mr. Fiorentino
2219 said, you know, we probably will have the same status on those solicitation charges then as we
2220 do today. But if the Council is looking to have a more complete and thorough documentation on
2221 some of the issues that we've discussed over the last couple of years, an abeyance to the last
2222 meeting in August will not hurt us, as well as the fact that Mr. Nugent has already complied with
2223 seeking the documents to us for us to do a full audit on the business. Certainly that would give
2224 us time to prepare audit findings for the Council to consider at that point in time, as well. If
2225 Council is willing to do that, we don't have a problem with it. If Council is looking to make a
2226 decision today, my recommendation would be for denial.

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2227 **MAYOR PRO TEM REESE**

2228 Are there any questions, Mr. DiFiore?

2229

2230 **COUNCILWOMAN MONCRIEF**

2231 I'd like to make comment in the fact that we abeyed this item last month due to all the facts that
2232 you just stated, and I feel it's my obligation, I'm not sure how the other, rest of the Council feel,
2233 but it's my obligation to the Council's position the way they stood initially when they gave that,
2234 this temporary license, that we need to abey this item until those two cases, I think you
2235 mentioned two of the three cases will go to court by that time. As you stated, that we will have
2236 more evidence or at least more facts. But until there is a conviction of prostitution, I don't feel
2237 we can make any decision at this time, and as I stated earlier, I still wish to abey this item until
2238 the second Council meeting in August.

2239

2240 **MAYOR PRO TEM REESE**

2241 Thank you. Any comments?

2242

2243 **COUNCILMAN BROWN**

2244 Mayor Pro Tem, just on timing wise, Mr. Jerbic, the whole issue of temporary licensing, what is
2245 the date where that six-month extension would expire?

2246

2247 **BRAD JERBIC**

2248 It's a total of one year, and it's my understanding that the first six-month period began the day
2249 they opened on September 16th. That would mean that the, a total of one year would end
2250 September 15th at midnight.

2251

2252 **COUNCILMAN BROWN**

2253 Then procedurally there's two September meetings if, depending on the court case, if we give
2254 that extra, I think it's the additional two weeks.

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2255 **COUNCILWOMAN MONCRIEF**

2256 There's one more meeting in September prior to that cutoff date.

2257

2258 **MAYOR PRO TEM REESE**

2259 Roni, how many meetings do we have in September?

2260

2261 **BARBARA JO RONEMUS**

2262 September 1st and September 15th.

2263

2264 **COUNCILWOMAN MONCRIEF**

2265 The September 1st.

2266

2267 **COUNCILMAN BROWN**

2268 Thank you, Mayor Pro Tem. I will support Councilwoman's motion, but I did want to put a
2269 couple quick things on the record. One is, and I think Mayor Pro Tem stated it perfectly, as far
2270 as Metro, all the subplots that are going on. We've heard all sorts of things about Metro, but I
2271 want to reiterate what Mayor Pro Tem said. They're – reporting to us; the documentation from
2272 Metro to us has always been professional; it's been in depth, and once again we hear that they
2273 are just doing their job of enforcement. I – think anybody that thinks otherwise is just wrong.

2274 Secondly this bar, which perhaps internally we can have some dialogue over the next 60 to 90
2275 days, I'm not sure where this bar started with when we began. It may have been on the ground;
2276 it may have been below the ground, but the bar is moving. I don't know what direction, but the
2277 bar is moving. A lot of the stuff that we've heard over every public hearing is, are issues that
2278 both sides are making very pertinent arguments. The interpretation of numbers, the
2279 interpretation of wording or public record or semantics of, offers a host of perspectives. So, this
2280 whole issue of the bar and that seems to be a critical point here. I think we need to have some
2281 dialogue internally as far as what our position is on that, and specifically, I am still concerned as
2282 far as the issue of the original determination by the Council to hold Treasures to a higher
2283 standard. I've heard that it was offered by the applicant in a host of words similar to offered.
2284 The record could be interpreted that it was leveraged from the applicant one, two, three, four
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2285 chances. Are you going to do this, I can't; are you going to do this, I can't. So, that has to be
2286 evaluated. I guess, Brad, if you could, not today but some time, I'm concerned that if we hold
2287 Treasures to this standard and now your indicating that that standard is going to be imposed on
2288 the clubs, as far as consistency, are we able to go to club A, B, or C and hold them to that same
2289 standard without having a Council direction that we're going to hold them to that higher
2290 standard? Big question?

2291

2292 **BRAD JERBIC**

2293 Yes.

2294

2295 **COUNCILMAN BROWN**

2296 And, I think it's one that needs to be answered, as far as, ultimately what this Council will act, at
2297 least for my perspective. I need to understand from a legal perspective what we can and can't do
2298 with that original Council direction. But those three things, with that said, I would certainly
2299 support Councilwoman's motion.

2300

2301 **BILL HENRY**

2302 Mayor Pro Tem?

2303

2304 **MAYOR PRO TEM REESE**

2305 Yes.

2306

2307 **BILL HENRY**

2308 Councilwoman Moncrief do you, would you care to incorporate in your motion a clarification
2309 that of the Council's action, that originally it was the intent of the Council to issue a temporary
2310 liquor license and that when you met in March and abeyed the item, it was the intent of the
2311 Council pursuant to 606052 of the Las Vegas City Code to grant a six-month temporary
2312 extension of the liquor license.

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2313 **COUNCILWOMAN MONCRIEF**

2314 Please, add that temporary in there, please.

2315

2316 **MARK FIORENTINO**

2317 Mayor Pro Tem.

2318

2319 **MAYOR PRO TEM REESE**

2320 Yes, sir.

2321

2322 **MARK FIORENTINO**

2323 If you would do me the favor of, before your voting, obviously, if we come back in September 1,

2324 I ain't got no time left at that time. So if there's something you want me to be doing differently,

2325 anybody in this room wants me to be doing differently, I need to know it now.

2326

2327 **MAYOR PRO TEM REESE**

2328 Council members. Well, is there any comments from the rest of the Council members?

2329

2330 **COUNCILMAN BROWN**

2331 No, thank you.

2332

2333 **MAYOR PRO TEM REESE**

2334 Mr. Jerbic.

2335

2336 **BRAD JERBIC**

2337 I just want to go into, if the maker of the motion could also incorporate in the motion that one of

2338 the conditions of this abeyance is that the applicant completely cooperate in any audit of any part

2339 of their business that is deemed appropriate by business licensing.

2340

2341 **MAYOR PRO TEM REESE**

2342 I think that's already in the record.

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2343 **BRAD JERBIC**

2344 Very good.

2345

2346 **COUNCILWOMAN MONCRIEF**

2347 I think and working closely with Metro and licensing.

2348

2349 **MARK FIORENTINO**

2350 Of course we're going to give them what ever they want. What I'm going to say, no I won't, I'm

2351 not going to cooperate in the audit, come get it. Of course we'll give them what ever --

2352

2353 **COUNCILWOMAN MONCRIEF**

2354 I -- don't think that's that funny.

2355

2356 **MARK FIORENTINO**

2357 Well, maybe you don't. I apologize.

2358

2359 **MAYOR PRO TEM REESE**

2360 That's fine -- that's fine, Mark --

2361

2362 **MARK FIORENTINO**

2363 But we will provide whatever they ask --

2364

2365 **MAYOR PRO TEM REESE**

2366 Mark, Mark, please.

2367

2368 **MARK FIORENTINO**

2369 Okay.

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2370 **MAYOR PRO TEM REESE**

2371 I, too, want to support the motion. I feel that I could have voted today if we would have had the
2372 conviction. If there would have been a conviction today, there would have been a problem. I
2373 think that for many, many reasons we could look at this table, that table as long as we want, and
2374 we can say that Treasures has done all that they said they was going to do is raise that bar up,
2375 like Councilman Brown alluded to. But the bottom line is, we was promised. And that's, I don't
2376 know how anybody can ever look back on a promise. And so, I will support the motion for that
2377 reason is that we haven't had a conviction at this time. So on the motion, please cast your vote.

2378 Please post. Show Mayor Goodman abstaining also. **(Motion carried UNANIMOUS with**
2379 **GOODMAN abstaining, pursuant to the City Attorney's written opinion, because his son**
2380 **ROSS GOODMAN is an attorney for Treasures, MACK abstaining, pursuant to the City**
2381 **Attorney's written opinion, because his company Mack Consulting, an advertising and**
2382 **public relations company, does work for Treasures, and Ward 2 seat vacant)**

2383

2384 **MAYOR GOODMAN**

2385 Thank you.

2386

2387 **MARK FIORENTINO**

2388 Thank you very much.

2389

2390 **MAYOR PRO TEM REESE**

2391 Thank you.

2392

2393

2394

2395

2396

2397

2398

(END OF DISCUSSION)

2399 /yy