

CITY COUNCIL AGENDA

AUGUST 4, 2004
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CITY COUNCIL AGENDA

COUNCIL CHAMBERS • 400 STEWART AVENUE • PHONE 229-6011

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

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

COUNCILMEMBERS: LARRY BROWN (Ward 4), LAWRENCE WEEKLY (Ward 5), MICHAEL MACK (Ward 6),

JANET MONCRIEF (Ward 1) and STEVE WOLFSON (Ward 2)

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.

AUGUST 4, 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 – MS. ALEDA NELSON, MEMBER, THE BAHA'I FAITH
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF THE EMPLOYEE OF THE YEAR
- RECOGNITION OF SUMMERLIN LITTLE LEAGUE MAJORS DIVISION CHAMPIONS
- RECOGNITION OF CHEYENNE LEONARD AND THE BLAZESPORTS PROGRAM
- RECOGNITION OF CITY EMPLOYEE MIKE CAMPBELL FOR CORPORATE CHALLENGE FIRST PLACE FINISH

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

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.

CITY CLERK - CONSENT

2. Approval of notification of filing of Declarations of Interest in property located in the existing Redevelopment Areas

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

3. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
4. Approval of a Special Event License for Whole Foods Market, Location: Whole Foods Market, 8855 West Charleston Boulevard, Dates: August 14, 21, 28 and September 4, 11, 2004, Type: Special Event Beer/Wine/Cooler, Event: Wine/Beer Tasting, Responsible Person in Charge: Sandra Benton - Ward 2 (Wolfson)
5. Approval of a Special Event License for Southern Nevada Association of Pride, Location: Blue Moon Resort, 2651 Westwood Drive, Date: September 11, 2004, Type: Special Event General, Event: End of Summer Pool Party/Fundraiser for S.N.A.P.I., Responsible Person in Charge: Ernie Yuen - Ward 1 (Moncrief)
6. Approval of an Independent Store Operator and Change of Business Name for a Beer/Wine/Cooler Off-sale License subject to Health Dept. regulations, From: Stutsman & Stutsman, dba Grocery Outlet of Las Vegas, Glen E. Stutsman, Independent Store Operator, 50%, and Rebecca R. Stutsman, Independent Store Operator, 50%, To: Pacific Asian Group, Inc., dba Las Vegas Grocery Outlet, 1110 East Charleston Boulevard, Pacific Asian Group, Inc., Independent Store Operator, Chung C. Young, Dir, Pres and Yeh O Su Young, Dir, Secy, Treas, 100% jointly as husband and wife - Ward 3 (Reese)
7. Approval of Change of Ownership 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: M.D.C. Enterprises, Inc., Francois J. Alvandi, Shareholder, 51%, The Colich Family Trust, 49%, Adele C. Colich, Trustee, To: JRD Enterprises, LLC, dba Club Diamond, 840 North Decatur Boulevard, Suites D, E & F, Kirk B. Devitte, Mgr, Mmbr, 50%, Craig J. Devitte, Mgr, Mmbr, 50% - Ward 5 (Weekly)
8. Approval of Change of Business Name for a Tavern License and a Restricted Gaming License for 14 slots, Lightman-Gouimet, LLC, dba From: The Gourmet Cafe, To: Courthouse Bar & Grill, 330 South 3rd Street, Suite 100, Harold A. Lightman, Jr., Mmbr, 50%, Daniel D. Gans, Mmbr, 50% - Ward 1 (Moncrief)
9. Approval of a new Slot Operator Space Lease Location Restricted Gaming License for 4 slots subject to confirmation of approval by the Nevada Gaming Commission, Green Valley Gaming, Inc., db at Rancho Circle Laundromat, 2401 West Bonanza Road, Suite Q - Ward 5 (Weekly)
10. Approval of Change of Location for a Martial Arts Instruction Business License subject to the provisions of the fire codes, Michael Alper, dba Mike Klier School of Karate, Las Vegas, From: 3917 Aspencrest Drive, To: 2041 North Jones Boulevard, Suite 103, Michael Alper, 100% - Ward 5 (Weekly)
11. Approval of revision to purchase order 218015 for Bulk Sodium Hypochlorite - Department of Public Works - Award to: PIONEER AMERICAS, INC. (\$307,932 - Sanitation Enterprise Fund)
12. 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)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

13. Approval of award of Contract No. 050003, Planning and Development Consulting Services for the Post Office at 301 Stewart Avenue - Office of the City Manager - Award recommended to: CAROL GOLDSTEIN (\$114,048 - General Fund) - Ward 5 (Weekly)
14. Approval of award of Contract No. 050017, Actuarial Consulting Services - Department of Human Resources - Award recommended to: MERCER OLIVER WYMAN ACTUARIAL CONSULTING, INC. (\$108,000 - Workers' Compensation Internal Service Fund)
15. Approval of Contract No. 040284 for TriTech Software, Support and Maintenance and Project Management - Department of Information Technologies - Award recommended to: TRITECH SOFTWARE SYSTEMS (\$38,000 - Computer Services Internal Service Fund)
16. Approval of issuance of a purchase order for an annual requirements contract for Hewlett-Packard Laserjet printer maintenance - Department of Information Technologies - Award recommended to: INTERTECH COMPUTER PRODUCTS (Estimated annual amount of \$35,000 - Computer Services Internal Service Fund)
17. Approval to transfer an amount not to exceed \$326,000 from the Administration Special Assessment Capital Projects Fund (CPF) to the SID 1502 Montecito Parkway of the Town Center Loop Capital Projects Fund to pay an outstanding Interim Warrant - Ward 6 (Mack)

HUMAN RESOURCES DEPARTMENT - CONSENT

18. Approval to create one full time regular Building Inspection Supervisor position to keep pace with unprecedented growth and anticipated addition of 5 more inspectors in the Building and Safety Department (\$125,700 - Development Services Enterprise Fund)
19. Approval to create one regular full time Senior Permit Technician position in the Building and Safety department to supervise all permit technicians, assist supervisor and fill in for supervisor if supervisor is absent (\$89,200 - Development Services Enterprise Fund)
20. Approval to create one regular full time position of Permit Technician in the Building and Safety department to replace the position lost due to an upgrade to Technical Analyst (\$82,200 - Development Services Enterprise Fund)
21. Approval of Bodily Injury Claim #2003-069 (\$50,000 - Self-Insurance Liability Fund)

NEIGHBORHOOD SERVICES DEPARTMENT - CONSENT

22. Approval of creating one agreement to combine a total of \$34,750 in Community Development Block Grant (CDBG) funds to provide rental assistance and utility payments to homeless and near homeless families and individuals, previously approved by Council for the HELP of Southern Nevada Tenant Based Rental Assistance (TBRA) Program - All Wards
23. Approval to submit the required Analysis of Impediments (AI) to Fair Housing Choice Study to the United States Department of Housing and Urban Development (HUD) - All Wards
24. Approval of a Deferred Loan Agreement in the amount of \$40,000 of Home Investment Partnership Program (HOME) funds for housing rehabilitation activities at 2004 East Mesquite Avenue - Ward 3 (Reese)
25. Approval of reprogramming \$570,000 in Low Income Housing Trust Funds (LIHTF) to the Community Development Programs Center of Nevada (CDPCN) 11th Street LP, dba Senator Harry Reid Senior Apartments located at 340 North 11th Street for an aggregate total of \$1,121,000 in LIHTF/CDBG funds on this project - Ward 5 (Weekly)

PUBLIC WORKS DEPARTMENT - CONSENT

26. Approval of a Declaration of Utilization from the Bureau of Land Management for portions of the Northwest Quarter of Section 30, Township 19 South, Range 60 East, Mount Diablo Meridian, for sewer purposes generally located along the south side of Azure Drive, west of Jensen Street, APN 125-30-202-006 – County (near Ward 6 Mack)
27. Approval of a Declaration of Utilization from the Bureau of Land Management for a portion of the Southwest Quarter of Section 4, Township 21 South, Range 60 East, Mount Diablo Meridian, for roadway, sanitary sewer and drainage purposes generally located along Cimarron Road, between Oakey Boulevard and El Parque Avenue, APN 163-04-304-003 and -004 – Ward 1 (Moncrief)
28. Approval of a Dedication from the City of Las Vegas, a Municipal Corporation, for a portion of the Southeast Quarter of Section 21, Township 19 South, Range 60 East, Mount Diablo Meridian, for rights-of-way located along the Buffalo Drive and John Herbert Boulevard alignments, north of the Rome Boulevard alignment, APN 125-21-701-012 – Ward 6 (Mack)
29. Approval of two Quitclaim Deeds from the City of Las Vegas to Maple Development LLC, and Serenity Brooks Estates II, LLC, for portions of the Northwest Quarter of Section 31, Township 19 South, Range 60 East, Mount Diablo Meridian, to relinquish portions of Bureau of Land Management Right-of-Way Grant N-51823 for flood control purposes located approximately 660 feet west of Grand Canyon Drive, south of Ann Road, APN 125-31-101-016, -017, -020 and – 021 - County (near Wards 4 and 6 - Brown and Mack)
30. Approval of an Encroachment Request from the City of North Las Vegas, applicant (Decatur Boulevard between Moccasin Road and Grand Teton Drive) - Ward 6 (Mack)
31. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Patricia and Didier Stissi, owners (southeast corner of Iron Mountain Road and Homestead Street, APN 125-08-503-001) - County (near Ward 6 - Mack)
32. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Carol Lee Squires, owner (southeast corner of Elkhorn Road and Jensen Street, APN 125-19-102-015) - County (near Ward 6 - Mack)
33. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Wright Engineers on behalf of Hickam Estates LLC, owner (southwest corner of Hickam Avenue and Bonita Vista Street, APN 138-05-801-007 and 138-05-801-038) - County (near Ward 4 - Brown)
34. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Jay and Lorrie L. Carlyn, owners (southwest corner of Severance Lane and Jensen Street, APN 125-18-401-017) - County (near Ward 6 - Mack)
35. Approval of renaming the Northwest Water Resource Center located at 3271 North Durango Drive to Durango Hills Water Resource Center – Ward 4 (Brown)
36. Approval of an Engineering Design Services Agreement with Brown and Caldwell Environmental Engineers & Consultants for a study to assess storm drains in an area bounded by Main Street, Bridger Avenue, Las Vegas Boulevard, and Stewart Avenue (\$96,731 - Sanitation Enterprise Fund) - Wards 1, 3 and 5 (Moncrief, Reese and Weekly)
37. Approval of an Interlocal Agreement with the Las Vegas Valley Water District for water service at the Downtown Senior Services Center located at 300 South 9th Street (\$11,751 - Community Development Block Grant) - Ward 5 (Weekly)
38. Approval of a Professional Services Agreement with WLB Group Inc., related to the design services of La Madre Mountain Equestrian Trailhead located at Cheyenne Avenue and Cliff Shadows Parkway (\$621,800 - Parks and Leisure Capital Project Fund) - Ward 4 (Brown)

RESOLUTIONS - CONSENT

39. R-134-2004 - Approval of a Resolution directing the City Treasurer to prepare the Forty-Fourth Assessment Lien Apportionment Report for Special Improvement District No. 404 Summerlin Area (Levy Assessments) - Ward 2 (Wolfson)
40. R-135-2004 - Approval of a Resolution approving the Forty-Fourth Assessment Lien Apportionment Report for Special Improvement District No. 404 Summerlin Area (Levy Assessments) - Ward 2 (Wolfson)
41. R-136-2004 - Approval of a Resolution directing the City Treasurer to prepare the Forty-Fifth Assessment Lien Apportionment Report for Special Improvement District No. 404 Summerlin Area (Levy Assessments) - Ward 2 (Wolfson)
42. R-137-2004 - Approval of a Resolution approving the Forty-Fifth Assessment Lien Apportionment Report for Special Improvement District No. 404 Summerlin Area (Levy Assessments) - Ward 2 (Wolfson)
43. R-138-2004 - Approval of a Resolution directing the removal of certain improvements that were included in the Provisional Order for Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) - Ward 6 (Mack)
44. R-139-2004 - Approval of a Resolution overruling complaints, protests, and objections and confirming 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)

REAL ESTATE COMMITTEE - CONSENT

45. Approval of dedication of required Rights-of-Way by Office District Parking I, Inc., to the City of Las Vegas on land located at the southeast corner of 3rd Street and Bonneville Avenue, APN 139-34-311-095 to -102 and -105 to -110 - Ward 1 (Moncrief)
46. Approval of a transfer of title by Quitclaim Deed to the City of Las Vegas Redevelopment Agency from the City of Las Vegas for the historic Fifth Street School building and site, APN 139-34-303-001 - Ward 1 (Moncrief) [NOTE: This item is related to Redevelopment Agency item #2]
47. Approval of a Memorandum of Understanding with Nevada Power Company for a substation in the vicinity of Elkhorn Road and Fort Apache Road - Ward 6 (Mack)
48. Approval of an Aerial Right-of-Way Grant between the City of Las Vegas and Nevada Power Company for 7,128 square feet of an easement area located on the south side of Harris Avenue West of Mojave Road, APN 139-25-405-008 (\$45,500 revenue - Park Capital Improvement Projects) - Ward 3 (Reese)
49. Approval of an Aerial Right-of-Way Grant between the City of Las Vegas and Nevada Power Company for 2,938 square feet of an easement area located north of Harris Avenue and west of Mojave Road, APN 139-25-303-014 and 015 (\$33,000 revenue - Park Capital Improvement Projects) - Ward 3 (Reese)
50. Approval of an Aerial Right-of-Way Grant between the City of Las Vegas and Nevada Power Company for 5,621 square feet of an easement area located south of Washington Avenue and west of Mojave Road, APN 139-25-303-001 (\$30,500 revenue - Park Capital Improvement Projects) - Ward 3 (Reese)
51. Approval of a Lease Agreement between the City of Las Vegas and Urban Chamber of Commerce for 1,280 square feet of office space in the City owned portion of Nucleus Plaza, located at 1052 West Owens Avenue (\$1,408 monthly revenue - HUD/Community Development Block Grant/Nevada State Welfare/Nucleus Plaza-Common Area Maintenance/Miscellaneous Rentals) - Ward 5 (Weekly)
52. Approval of a Second 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 additional office space located at 400 South Las Vegas Boulevard - Ward 1 (Moncrief)

REAL ESTATE COMMITTEE – CONSENT

53. Approval of Angel Park Golf, LLC, to become the temporary current holder and "Party" of the restated Management Agreement dated September 15, 1999, for the Angel Park Golf Course - Ward 2 (Wolfson)
54. Approval to extend the temporary Operational and Services Provider Agreement to January 19, 2005, between O.B. Sports Golf Management (AP), LLC, and Angel Park Golf, LLC, at Angel Park Golf Course for management and oversight duties - Ward 2 (Wolfson)

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE SERVICES - DISCUSSION

55. Report and possible action on the legislative package that will be submitted to the Legislative Counsel Bureau on behalf of the City

CITY ATTORNEY - DISCUSSION

56. ABEYANCE ITEM - Discussion and possible action on Appeal of Work Card Denial: Doreen Kathleen Allan-Murphy, 3020 Roseville Way, Las Vegas, Nevada 89102
57. ABEYANCE ITEM - Discussion and possible action on Appeal of Work Card Denial: Carlos Catania, 2108 Calville #104, Las Vegas, Nevada 89129
58. Discussion and possible action on Appeal of Work Card Denial: Mark Boyett, 542 Chandler Street, Henderson, Nevada 89014

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

59. Discussion and possible action regarding an Appeal of Denial of a Management or Marketing Service License, Medical Marijuana Consultants of Nevada (MMCN), 1817 Palo Alto Circle, William Kosinski, CEO, 100% - Ward 6 (Mack)
60. Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler On-sale License subject to the provisions of the planning and fire codes, LivingTheDream, Inc., dba Aurelio's, 7660 West Cheyenne Avenue, Suite 122, David L. Jones, Dir, Pres, 10%, Lisa M. Jones, Treas, 85% - Ward 4 (Brown)
61. Discussion and possible action regarding Temporary Approval of Change of Ownership for a Beer/Wine/Cooler Off-sale License subject to the provisions of the fire codes and Health Dept. regulations, From: Nevada Oil and Land Development, LLC, Carlos Huerta, Mmbr, 37.5%, Wasef Qaraman, Mgr, Mmbr, 34%, Marwan Aburahma, Mmbr 28.5%, To: Raz Durani, dba Craig Rancho Mart, 4371 North Rancho Drive, Raz M. Durani, 100% - Ward 6 (Mack)
62. Discussion and possible action regarding Temporary Approval of a Massage Establishment License subject to the provisions of the fire codes, Shear Indulgence, Inc., dba Shear Indulgence Salon and Day Spa, 5000 West Oakey Boulevard, Suites B3 and B4, Darci S. O'Brien, Pres, 50%, Darla S. O'Brien, Dir, Secy, Treas, 50%, Bruno J. Humasti, Lender - Ward 1 (Moncrief)
63. Discussion and possible action regarding Contractor Performance Evaluation Rating System for current and future public work construction projects - Department of Finance and Business Services

NEIGHBORHOOD SERVICES - DISCUSSION

64. Report and possible action regarding a planning process for the creation of a 10-year Plan to End Chronic Homelessness in the City of Las Vegas - All Wards

RESOLUTIONS - DISCUSSION

65. R-140-2004 - Discussion and possible action regarding a Resolution transferring 2003/2004 Private Activity Bond Volume Cap of \$19,788,427 to Meta Housing Corporation to construct new affordable senior housing at the Northeast corner of Main Street and Bonanza Road - Ward 5 (Weekly) and \$14,640,087 to the State Housing Division for future use - All Wards

BOARDS & COMMISSIONS - DISCUSSION

66. ABEYANCE ITEM - CHILD CARE LICENSING BOARD – Steven J. Greco, Term Expiration 6-2005 (Resigned)
67. ABEYANCE ITEM - CITIZENS PRIORITY ADVISORY COMMITTEE (CPAC) – John Medina, Term Expiration 6-2007 (Resigned)
68. AUDIT OVERSIGHT COMMITTEE – Michael W. Kern, Term Expiration 8-16-2004
69. CHILD CARE LICENSING BOARD – Maryanne Salm, Term Expiration 6-2007 (Resigned)
70. NELLIS CIVILIAN MILITARY COUNCIL EXECUTIVE BOARD – Members serve until replaced

REAL ESTATE COMMITTEE - DISCUSSION

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

RECOMMENDING COMMITTEE REPORTS - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

72. Bill No. 2004-47 – Annexation No. ANX-4245 – Property location: On the south side of Grand Teton Drive, 660 feet east of Puli Drive; Petitioned by: Southwest Desert Equities, LLC; Acreage: 5.20 acres; Zoned: R-U (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Michael Mack
73. Bill No. 2004-48 – Annexation No. ANX-4428 – Property location: On the north side of Log Cabin Way between Durango Drive and El Capitan Way; Petitioned by: William Miller, et al; Acreage: 5.79 acres; Zoned: R-A (County zoning), R-E and R-PD2 (City equivalents). Sponsored by: Councilman Michael Mack
74. Bill No. 2004-49 – Annexation No. ANX-4451 – Property location: On the southeast corner of Hualapai Way and Dorrell Lane; Petitioned by: Hualapai Nevada, LLC; Acreage: 5.39 acres; Zoned: R-E (County zoning), U (R) (City equivalent). Sponsored by: Councilman Michael Mack
75. Bill No. 2004-50 – Establishes standards and procedures, in accordance with State law, to ensure that adequate infrastructure and public facilities are available to serve the eventual development of undeveloped areas. Proposed by: Douglas Selby, City Manager
76. Bill No. Z-2004-3 – Amends the City's Official Zoning Map Atlas by changing the zoning designations of certain parcels of land (nonresidential). Proposed by: Robert S. Genzer, Director of Planning and Development
77. Bill No. Z-2004-4 – Amends the City's Official Zoning Map Atlas by changing the zoning designations of certain parcels of land (residential). Proposed by: Robert S. Genzer, Director of Planning and Development

NEW BILLS

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

78. Bill No. 2004-51 – Annexation No. ANX-4437 – Property location: On the north side of Farm Road, 330 feet west of Grand Canyon Drive; Petitioned by: Lermusiaux Family Trust; Acreage: 5.14 acres; Zoned: R-E (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Michael Mack
79. Bill No. 2004-52 – Revises the licensing and zoning standards applicable to hotel lounge bars. Proposed by: Robert S. Genzer, Director of Planning and Development
80. Bill No. 2004-53 – Updates the Town Center Development Standards Manual regarding the means of allowing certain finance-related uses. Sponsored by: Councilman Michael Mack
81. Bill No. 2004-54 – Allows private horse corrals or stables in the R-D Zoning District under certain circumstances. Sponsored by: Councilman Michael Mack
82. Bill No. 2004-55 – Revises the Municipal Code provisions that govern City employees in seeking and holding political office. Sponsored by: Mayor Oscar B. Goodman
83. Bill No. 2004-56 - Ordinance Creating Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) Sponsored by: Step Requirement
84. Bill No. 2004-57 - Levies Assessment for Special Improvement District No. 1499 – Alexander Road (US-95 - Rancho Drive). Sponsored by: Step Requirement
85. Bill No. 2004-58 – Repeals Ordinance No. 5630, pertaining to the creation of Special Improvement District No. 1502 – Grand Montecito Parkway (Centennial Parkway to Elkhorn Road). Proposed by: Bradford R. Jerbic, City Attorney

1:00 P.M. - AFTERNOON SESSION

86. 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

87. Public hearing on proposed local improvement district for Special Improvement District No. 1505 - Sierra Oeste Neighborhood Streetlights - Ward 6 (Mack)
88. Public hearing to consider the report of expenses to recover costs for the asbestos survey and demolition of 900 Antonio Drive. PROPERTY OWNER: WASHINGTON MUTUAL BANK F A - Ward 1 (Moncrief)

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.

89. EXTENSION OF TIME - REZONING - EOT-4691 - APPLICANT: INVESTORS REALTY GROUP - OWNER: CAMPBELL 2.5, LIMITED LIABILITY COMPANY AND CARL UNGER - Request for an Extension of Time on an approved Rezoning (Z-0063-02) FROM: U (Undeveloped) [ML (Medium-Low Density Residential) General Plan Designation] TO: O (Office) on 2.68 acres adjacent to the north side of Cheyenne Avenue, approximately 340 feet west of Campbell Road (APN: 138-08-401-008), Ward 4 (Brown). Staff recommends APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

90. APPEAL OF DIRECTOR'S DECISION - D IR-4797 - APPLICANT: ORION OUTDOOR MEDIA - OWNER: LAPOUR GRAND CENTRAL, LIMITED LIABILITY COMPANY - Appeal of Director's decision per Title 19.00.070.F to deny the application of a Special Use Permit for a proposed Off-Premise Advertising (Billboard) Sign at 211 West Charleston Boulevard (APN: 162-04-504-009) for failure to comply with Title 19.14.100, Ward 1 (Moncrief). Staff recommends DENIAL
91. REVIEW OF CONDITION - PUBLIC HEARING - ROC-4692 - APPLICANT/OWNER: CANYON RIDGE CHRISTIAN CHURCH - Request for a Review of Condition No. 2 of an approved Review of Condition [U-0088-95(5)] of an approved Site Development Plan Review [U-0088-95(4)], which required the removal of a modular building by August 1, 2004 on a portion of 25.14 acres at 6200 West Lone Mountain Road (APN: 125-35-803-002), C-V (Civic) Zone, Ward 6 (Mack). Staff recommends APPROVAL
92. REVIEW OF CONDITION - PUBLIC HEARING - ROC-4709 - APPLICANT: FLETCHER JONES MERCEDES - OWNER: ROMAN CATHOLIC BISHOP OF LAS VEGAS - Request for a Review of Condition No. 10 of an approved Special Use Permit (U-0054-95) which required approval of the parking and driveway plans to add language requiring a shared parking agreement to allow off-site parking for Fletcher Jones Mercedes employees at 2323 South Tenaya Way (APN: 163-03-404-006), R-E (Residence Estates) Zone, Ward 1 (Moncrief). Staff recommends DENIAL
93. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - S DR-4519 - APPLICANT: THOMAS AND MACK DEVELOPMENT GROUP, LIMITED LIABILITY COMPANY - OWNER: CROSSROADS AT SUNSET, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and Waivers of perimeter, parking lot, and foundation buffer landscaping standards, location of the parking lot, and for the use of reflective glass FOR A PROPOSED SINGLE-STORY, 44,924 SQUARE-FOOT OFFICE BUILDING on 3.97 acres adjacent to the southeast corner of Peak Drive and Fire Mesa Street (APN: 138-15-310-026), C-PB (Planned Business Park) Zone, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
94. ABEYANCE ITEM - MASTER SIGN PLAN - PUBLIC HEARING - MSP-4380 - APPLICANT: VISION SIGN, INC. - OWNER: D 2801 WESTWOOD, INC. - Request for a Master Sign Plan FOR AN APPROVED SEXUALLY-ORIENTED BUSINESS (TREASURES GENTLEMEN'S CLUB) adjacent to the northwest corner of Westwood Drive and Red Oak Avenue (APN: 162-08-604-001 and 162-09-102-001 & 003), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

95. VACATION - PUBLIC HEARING - VAC-4487 - APPLICANT: NEVADA HOMES GROUP - OWNER: DAY STAR VENTURES, LIMITED LIABILITY COMPANY - Petition to Vacate U. S. Government Patent Easements generally located between Deer Springs Way and Bath Drive, west of Fort Apache Road, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
96. VACATION - PUBLIC HEARING - VAC-4491 - APPLICANT/OWNER: CORNERSTONE COMPANY - Petition to Vacate a portion of a public alley generally located between Las Vegas Boulevard and Sixth Street, south of Carson Avenue, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
97. ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - VAR-4456 - APPLICANT/OWNER: KRASSIMIR TEOFILOV AND DARINA STANEVA - Request for a Variance TO ALLOW A ZERO SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED AND FOR A WAIVER OF THE REQUIRED LANDSCAPING on 0.14 acres at 3020 Contract Avenue (APN: 139-36-812-008), M (Industrial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
98. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4456 - PUBLIC HEARING - SDR-4458 - APPLICANT/OWNER: KRASSIMIR TEOFILOV AND DARINA STANEVA - Request for a Site Development Plan Review FOR A PROPOSED 3,000 SQUARE FOOT BUILDING FOR MINOR AUTO REPAIR GARAGE on 0.14 acres at 3020 Contract Avenue (APN: 139-36-812-008), M (Industrial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
99. VARIANCE - PUBLIC HEARING - VAR-4384 - APPLICANT/OWNER: BRUCE AND LORI WERNER - Request for a Variance TO ALLOW A ZERO CORNER SIDE YARD SETBACK WHERE 15 FEET IS REQUIRED IN CONJUNCTION WITH AN EXISTING CARPORT on 0.16 acres located at 4613 Del Monte Avenue (APN: 162-06-213-010), R-1 (Single-Family Residential) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
100. VARIANCE - PUBLIC HEARING - VAR-4516 - APPLICANT: LIPKIN 1992 TRUST AND SKY TOP VENDING, INC. - OWNER: LIPKIN 1992 TRUST - Request for a Variance TO ALLOW 18 PARKING SPACES WHERE A MINIMUM OF 23 SPACES IS REQUIRED on 0.79 acres at 1501 Western Avenue (APN: 162-04-605-005), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
101. VARIANCE RELATED TO VAR-4516 - PUBLIC HEARING - VAR-4517 - APPLICANT: LIPKIN 1992 TRUST AND SKY TOP VENDING, INC. - OWNER: LIPKIN 1992 TRUST - Request for a Variance TO ALLOW ZERO-FOOT SIDE AND REAR YARD SETBACKS WHERE TEN FEET IS THE MINIMUM REQUIRED IN CONJUNCTION WITH A PROPOSED WAREHOUSE FACILITY on 0.79 acres located at 1501 Western Avenue (APN: 162-04-605-005), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
102. SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4516 AND VAR-4517 - PUBLIC HEARING - SDR-4514 - APPLICANT: LIPKIN 1992 TRUST AND SKY TOP VENDING, INC. - OWNER: LIPKIN 1992 TRUST - Request for a Site Development Plan Review and Waivers of perimeter buffering, perimeter landscaping and parking lot landscaping standards FOR A PROPOSED WAREHOUSE FACILITY on 0.79 acres at 1501 Western Avenue (APN: 162-04-605-005), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
103. VARIANCE - PUBLIC HEARING - VAR-4520 - APPLICANT/OWNER: SUSAN SCHAFF WHITE - Request for a Variance TO ALLOW AN EXISTING SIX-FOOT SOLID WALL WHERE FOUR FEET IS THE MAXIMUM ALLOWED (TOP 50 PERCENT OPEN CONSTRUCTION) on 0.16 acres at 4601 Evergreen Place (APN: 139-31-410-010), R-1 (Single-Family Residential) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL
104. TABLED ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2848 - REAGAN NATIONAL ADVERTISING ON BEHALF OF C O G III, LIMITED - Appeal filed by Singer & Brown from the Denial by the Planning Commission on a request for a Special Use Permit FOR A PROPOSED OFF-PREMISE ADVERTISING (BILLBOARD) SIGN on a portion of 3.03 acres located at 1110 South Rainbow Boulevard (APN: 163-02-101-002), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend DENIAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

105. TABLED ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3269 - REAGAN NATIONAL ADVERTISING ON BEHALF OF SDL, INCORPORATED - Appeal filed by Singer & Brown from the Denial by the Planning Commission of a Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN located at 1205 East Sahara Avenue (APN: 162-02-401-001), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend DENIAL
106. RESCIND PREVIOUS ACTION - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3983 - APPLICANT: SCOTT STROMWALL - OWNER: RAY ST. CLAIR - Request by the City Council to Rescind the Previous Action of Approval with conditions of a request for a Special Use Permit FOR PROPOSED MOTOR VEHICLE SALES (USED) ON A PARCEL LESS THAN 25,000 SQUARE FEET IN AREA IN CONJUNCTION WITH AN EXISTING MINOR AUTO REPAIR GARAGE at 210 West Wyoming Avenue (APN: 162-04-608-015), M (Industrial) Zone, Ward 1 (Moncrief). Staff has no recommendation on the request to Rescind the Previous Action
107. RECONSIDER - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3983 - APPLICANT: SCOTT STROMWALL - OWNER: RAY ST. CLAIR - Request for a Special Use Permit FOR PROPOSED MOTOR VEHICLE SALES (USED) ON A PARCEL LESS THAN 25,000 SQUARE FEET IN AREA IN CONJUNCTION WITH AN EXISTING MINOR AUTO REPAIR GARAGE at 210 West Wyoming Avenue (APN: 162-04-608-015), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL
108. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4506 - APPLICANT: CAMCO, INC. - OWNER: MTC 118, INC. - Request for a Special Use Permit FOR A PROPOSED PAWN SHOP adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
109. SPECIAL USE PERMIT RELATED TO SUP-4506 - PUBLIC HEARING - SUP-4507 - APPLICANT: CAMCO, INC. - OWNER: MTC 118, INC. - Request for a Special Use Permit and a Waiver of the 200-foot distance separation requirement from a parcel used for residential purposes FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL
110. SPECIAL USE PERMIT RELATED TO SUP-4506 AND SUP-4507 - PUBLIC HEARING - SUP-4509 - APPLICANT: CAMCO, INC. - OWNER: MTC 118, INC. - Request for a Special Use Permit FOR PROPOSED SECONDHAND SALES (jewelry, electronics, tools, musical instruments) adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
111. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4515 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: HARVARD SECURITIES, INC. - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT at 1801 Las Vegas Boulevard South (APN: 162-03-310-006), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
112. SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-4515 - PUBLIC HEARING - SDR-4512 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: HARVARD SECURITIES, INC. - Request for a Site Development Plan Review and Waivers of the Downtown Centennial Plan Standards FOR A PROPOSED 21-STORY MIXED-USE DEVELOPMENT containing 116 apartment units, 18 condominium units, and 2,200 square feet of retail space on 0.68 acres at 1801 Las Vegas Boulevard South (APN: 162-03-310-006), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
113. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4540 - APPLICANT/OWNER: ABF, INC. - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT on 3.90 acres adjacent to the northwest corner of Sahara Avenue and Fairfield Avenue (APN: 162-04-812-001 & 162-04-811-027), R-3 (Medium Density Residential) and R-4 (High Density Residential) Zones under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

114. SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-4540 - PUBLIC HEARING - SDR-4534 - APPLICANT/OWNER: ABF, INC. - Request for a Site Development Plan Review and Waivers from Downtown Centennial Plan Standards regarding landscaping, setbacks, stepbacks, and buffers FOR A PROPOSED 39-STORY MIXED-USE DEVELOPMENT consisting of 808 multi-family units and 35,500 square feet of retail space on 3.90 acres adjacent to the northwest corner of Sahara Avenue and Fairfield Avenue (APN: 162-04-812-001 & 162-04-811-027), R-3 (Medium Density Residential) and R-4 (High Density Residential) Zones under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
115. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4510 - APPLICANT: REAGAN NATIONAL ADVERTISING - OWNER: HEINRICH J ABERLE TRUST - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE (BILLBOARD) SIGN located at 911 North Lamb Boulevard (APN: 140-29-202-007), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
116. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4511 - APPLICANT: GUS MISHERFI - OWNER - SAMER NAKHLE - Request for a Special Use Permit FOR A PROPOSED PRIVATE STREET adjacent to the southeast corner of Belcastro Street and Holmby Avenue (APN: 163-03-501-032), R-E (Residence Estates) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL
117. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4518 - APPLICANT: PARRISH WARD - OWNER: DAVID PHILLIPS - Request for a Special Use Permit FOR A PROPOSED BAILBOND SERVICE at 317 Garces Avenue (APN: 139-34-310-052), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL
118. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4531 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: ERNEST BECKER, JR. - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE (BILLBOARD) SIGN at 6370 West Lake Mead Boulevard (APN: 138-23-601-003), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
119. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4532 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: SAHARA MOHAWK, LIMITED LIABILITY COMPANY - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE (BILLBOARD) SIGN at 5320 West Sahara Avenue (APN: 163-01-804-005), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend DENIAL
120. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4558 - APPLICANT: BUILDING THE AMERICAN DREAM CORPORATION - OWNER: C.C.M. TRUST - Request for a Special Use Permit FOR PROPOSED PRIVATE STREETS in conjunction with a proposed single-family residential development adjacent to the northeast corner of Coke Street and Maggie Avenue (APN: 125-09-501-003), U (Undeveloped) Zone [RE (Rural Estates) General Plan Designation], Ward 6 (Mack). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL
121. REZONING - PUBLIC HEARING - ZON-4200 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD2 (Residential Planned Development - 2 Units per Acre) on 20.0 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard (APN: 125-11-508-003), Ward 6 (Mack). The Planning Commission (4-1-2 vote) and staff recommend APPROVAL
122. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4200 - PUBLIC HEARING - SDR-4198 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 29-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 20.00 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard (APN: 125-11-508-003), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre)], Ward 6 (Mack). The Planning Commission (3-2-2 vote) recommends DENIAL. Staff recommends APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

123. REZONING - PUBLIC HEARING - ZON-4526 - APPLICANT/OWNER: CLARK COUNTY - Request for a Rezoning FROM: R-MHP (Residential Mobile/Manufactured Home Park), C-1 (Limited Commercial) and R-E (Residence Estates) TO: C-V (Civic) on 16.0 acres adjacent to Martin L. King Boulevard approximately 300 feet south of Carey Avenue (APN: 139-21-102-012 and a Portion of 139-21-102-011), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
124. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4526 - PUBLIC HEARING - SDR-4527 - APPLICANT/OWNER: CLARK COUNTY - Request for a Site Development Plan Review for a PROPOSED EARLY CHILD DEVELOPMENT CENTER on 2.5 acres adjacent to Martin L. King Boulevard, approximately 300 feet south of Carey Avenue (APN: 139-21-102-012 and a portion of 139-21-102-011), R-MHP (Residential Mobile/Manufactured Home Park, C-1 (Limited Commercial) and R-E (Residence Estates) Zones [Proposed: C-V (Civic) Zone], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
125. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4332 - APPLICANT: CITY OF LAS VEGAS - OWNER: SAHARA PARK, LIMITED - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (Service Commercial) TO: M (Medium Density Residential) on 3.16 acres adjacent to the east side of Sixth Street, approximately 360 feet north of Sahara Avenue (APN: 162-03-811-000), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
126. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4523 - APPLICANT/OWNER: CITY OF LAS VEGAS - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (Service Commercial) TO: PF (Public Facilities) on 3.59 acres adjacent to the northwest corner of Mojave Road and Stewart Avenue (APN: 139-36-603-001), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
127. REZONING RELATED TO GPA-4523 - PUBLIC HEARING - ZON-4524 - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: C-1 (Limited Commercial) TO: C-V (Civic) on 3.59 acres adjacent to the northwest corner of Mojave Road and Stewart Avenue (APN: 139-36-603-001), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
128. SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4523 AND ZON-4524 - PUBLIC HEARING - SDR-4525 - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED GOVERNMENT FACILITY (EAST LAS VEGAS BUSINESS INCUBATOR), on 3.59 acres adjacent to the northwest corner of Mojave Road and Stewart Avenue (APN: 139-36-603-001), C-1 (Limited Commercial) Zone, [Proposed: C-V (Civic) Zone], Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
129. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4542 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: ML (Medium-Low Density Residential) TO: MLA (Medium-Low Attached Density Residential) on 3.58 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN: 140-29-401-005 & 006), Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
130. REZONING RELATED TO GPA-4542 - PUBLIC HEARING - ZON-4543 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request for a Rezoning FROM: R-1 (Single-Family Residential) TO: R-PD9 (Residential Planned Development - 9 Units Per Acre) on 3.58 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN: 140-29-401-005 & 006), Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
131. VARIANCE RELATED TO GPA-4542 AND ZON-4543 - PUBLIC HEARING - VAR-4547 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request for a Variance TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 3.58 ACRES WHERE 5.00 ACRES IS THE MINIMUM REQUIRED adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN: 140-29-401-005 & 006), R-1 (Single-Family Residential) Zone [Proposed: R-PD9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

132. VARIANCE RELATED TO GPA-4542, ZON-4543 AND VAR-4547 - PUBLIC HEARING - VAR-4572 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request for a Variance TO ALLOW 12,000 SQUARE FEET OF OPEN SPACE WHERE 25,870 SQUARE FEET IS THE MINIMUM REQUIRED on 3.80 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN: 140-29-401-005 & 006), R-1 (Single-Family Residential) Zone, [Proposed: R-PD9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
133. SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4542, ZON-4543, VAR-4547 AND VAR-4572 - PUBLIC HEARING - SDR-4545 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request for a Site Development Plan Review FOR A PROPOSED 35-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 3.58 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN: 140-29-401-005 & 006), R-1 (Single-Family Residential) Zone [Proposed: RPD-9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommend APPROVAL
134. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4549 - APPLICANT: LAS VEGAS DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: O (Office) and DR (Desert Rural Density Residential) TO: GC (General Commercial) on 1.11 acres adjacent to the west side of Lindell Road, approximately 450 feet north of Sahara Avenue (APN: 163-01-404-006 & 007), Ward 1 (Moncrief). The Planning Commission (5-2 vote) and staff recommend APPROVAL
135. REZONING RELATED TO GPA-4549 - PUBLIC HEARING - ZON-4550 - APPLICANT: LAS VEGAS DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: P-R (Professional Office and Parking) and R-E (Residence Estates) TO: C-2 (General Commercial) on 1.11 acres adjacent to the west side of Lindell Road, approximately 450 feet north of Sahara Avenue (APN: 163-01-404-006 & 007), Ward 1 (Moncrief). The Planning Commission (5-2 vote) and staff recommend APPROVAL
136. VARIANCE RELATED TO GPA-4549 AND ZON-4550 - PUBLIC HEARING - VAR-4553 - APPLICANT: LAS VEGAS DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW A PROPOSED 83-FOOT SIDE YARD SET BACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM OF 100 FEET on 4.15 acres adjacent to the northwest corner of Sahara Boulevard and Lindell Road (APN: 163-01-404-006, 007 & 008), C-2 (General Commercial), P-R (Professional Office and Parking), and R-E (Residence Estates) Zones, [Proposed: C-2 (General Commercial) Zone], Ward 1 (Moncrief). The Planning Commission (6-1 vote) and staff recommend APPROVAL
137. SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4549, ZON-4550 AND VAR-4553 - PUBLIC HEARING - SDR-4551 - APPLICANT: LAS VEGAS DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and Waivers to allow a reduction of perimeter, parking lot and foundation landscaping and to allow palm trees along Sahara Avenue where pine or deciduous trees are required FOR A PROPOSED 37,950 SQUARE-FOOT MOTOR VEHICLE SALES (NEW) FACILITY on 4.15 acres adjacent to the northwest corner of Sahara Boulevard and Lindell Road (APN: 163-01-404-006, 007 & 008), C-2 (General Commercial), P-R (Professional Office and Parking), and R-E (Residence Estates) Zones [Proposed: C-2 (General Commercial) Zone], Ward 1 (Moncrief). The Planning Commission (6-1 vote) and staff recommend APPROVAL
138. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4564 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: O (Office) TO: SC (Service Commercial) and to exempt the subject site from the full Multi-use Transportation Trails Standard of the Transportation Trails Element, using instead the proposed "Connector Trail" Standard on 0.79 acres adjacent to the southeast corner of Charleston Boulevard and Rancho Drive (APN: 162-04-101-001), Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

- 139.VARIANCE RELATED TO GPA-4564 - PUBLIC HEARING - VAR-4696 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRETT GROUP, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW 15 PARKING SPACES WHERE 22 SPACES IS THE MINIMUM NUMBER REQUIRED on 0.79 acres at 2237 W. Charleston Boulevard (APN: 162-04-101-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 140.SPECIAL USE PERMIT RELATED TO GPA-4564 AND VAR-4696 - PUBLIC HEARING - SUP-4565 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED CAR WASH/AUTO DETAIL at 2237 West Charleston Boulevard (APN: 162-04-101-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 141.SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4564, VAR-4696 AND SUP-4565 - PUBLIC HEARING - SDR-4563 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and Waivers of perimeter buffering landscaping, parking lot landscaping, building foundation landscaping, side yard setbacks, and building placement for a PROPOSED 1,200 SQUARE-FOOT CAR WASH/AUTO DETAIL AND A 3,325 SQUARE-FOOT CONVENIENCE STORE/SERVICE STATION TO REPLACE AN EXISTING 1,800 SQUARE FOOT CONVENIENCE STORE/SERVICE STATION on 0.79 acres at 2237 West Charleston Boulevard (APN: 162-04-101-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (4-3 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

PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

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

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
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: AUGUST 4, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-139-2004 - Approval of a Resolution overruling complaints, protests, and objections and confirming 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)

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:

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. 139-2004

MOTION:

REESE – APPROVED Items 2-35, 37-45, and 47-54 – **UNANIMOUS** with **GOODMAN** abstaining on Item 45 because he still has a contingent interest in land located at Casino Center and Bonneville and **BROWN** excused

Item 36 & 46: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:30 – 9:33)

1-811

RESOLUTION NO. R-139-2004

A RESOLUTION CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1499 -- ALEXANDER ROAD (US-95 TO RANCHO DRIVE); OVERRULING COMPLAINTS, PROTESTS AND OBJECTIONS MADE TO THE ASSESSMENTS AT THE HEARING OF SAID ASSESSMENT ROLL; VALIDATING AND CONFIRMING THE ASSESSMENT ROLL; PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH; RATIFYING ALL ACTION TAKEN CONSISTENT WITH THE PROVISIONS HEREOF; AND PROVIDING THE EFFECTIVE DATE HEREOF.

Summary: Assessment Protest Resolution

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

WHEREAS, in accordance with NRS 271.360, the City Council heretofore determined and does hereby declare that the net cost of all improvements in the District (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 of which \$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 improvements in the Project; and

WHEREAS, the City Council by resolution heretofore adopted and 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 an assessment roll for the District which contains, among other things, the names and addresses of the last known owners of the property to be assessed, a description of each lot, tract, or parcel of land to be assessed, the amount of the proposed assessment to be levied thereon; the City Engineer has reported the assessment roll to the City Council and the City Engineer has filed the assessment roll with the City Clerk; and

WHEREAS, the City Council, by resolution heretofore adopted, established a date, time and location at which the City Council would hear and consider any and all complaints, protests and objections to the assessment roll and to the assessments contained therein; and

WHEREAS, the City Engineer (with the assistance of the Engineering Integration Division) has, in accordance with the provisions of the law relating thereto, given the requisite legal notice by both mail and publication that complaints, protests and objections to assessments for improvements in the District should be filed with the City Clerk, and that the City Council would hear and consider any and all complaints, protests, or objections on Wednesday, July 21, 2004, at 1:00 p.m., at the Las Vegas City Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada; and

WHEREAS, the City Council met at said place and time to hear and consider all complaints, protests and objections made or filed; and

WHEREAS, all complaints, protests and objections, both written and oral, were heard and considered by the City Council on July 21, 2004, and after extensive review and deliberation hereby are found to be without sufficient merit and hereby overruled. However, the City Council has, nevertheless, concluded that it is necessary and equitable that the assessment roll be corrected and revised as follows:

Parcel Number	Ownership	Revised Amount of Final Assessment

and

WHEREAS, pursuant to NRS 271.357 and NRS 271.360 the City Council has considered all applications for hardship determinations and the recommendations of the Department of Social Services and hereby approves the following applications for hardship determination:

Parcel Number	Ownership	Assessment

Parcel Number	Ownership	Assessment

and

WHEREAS, the City Council has determined, and does hereby again determine, that all of the assessable property in the City, which is specially benefited by the improvements to be acquired in the District, and only property which is so specially benefited, is included on the assessment roll heretofore filed with the City Clerk on June 16, 2004, and

WHEREAS, the City Council has determined, and does hereby determine, that the notice, both mailed and published, for the hearing held on July 21, 2004, on said assessment roll was reasonably calculated to inform each interested person of the proceedings concerning the District, which may directly and adversely affect his or her legally protected rights and interests.

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

Section 1. This Resolution shall be known as and may be cited by the short title "District No. 1499 Assessment Protest Resolution" (herein the "Resolution").

Section 2. All complaints, protests and objections, both written and oral, hereby are found to be without sufficient merit and hereby overruled.

Section 3. The City Council hereby validates and confirms the assessment roll for the District, as made out by the City Council, together with the City Engineer, and filed in the records of the office of the City Clerk on June 16, 2004, as hereinabove modified, revised, corrected and made de novo.

Section 4. All actions, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Resolution) concerning Special Improvement District No. 1499 – Alexander Road (US-95 to Rancho Drive), including, but not limited to, the acquisition of the improvements, and the levy of assessments for that purpose, the determination that the tracts in the District will receive special benefits and market value increases, and the validation and confirmation of the assessment roll and the assessments therein, be and the same hereby are, ratified, approved and confirmed.

Section 5. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 6. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution or part of any resolution heretofore repealed.

Section 7. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

Section 8. The City Council has determined, and does hereby declare, that this Resolution shall be in effect immediately after its passage in accordance with law.

Passed and approved on August 4, 2004.



OSCAR B. GOODMAN, Mayor

Attest:



BARBARA JO RONEMUS, City Clerk

Approved as to form:

2200-404 W H

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 August 4, 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 Lawrence Weekly Michael Mack Janet Moncrief Steve Wolfson

Those Voting Nay:	NONE

Those Absent:	Larry Brown

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) City Clerk's Bulletin Board
City Hall Plaza
2nd Floor Skybridge
Las Vegas Nevada
- (ii) Court Clerk's Office Bulletin Board
City Hall Plaza
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 August 4, 2004, is attached to this certificate as Exhibit "A".

IN WITNESS WHEREOF, I have hereunto set my hand on this August 4, 2004.

(SEAL)

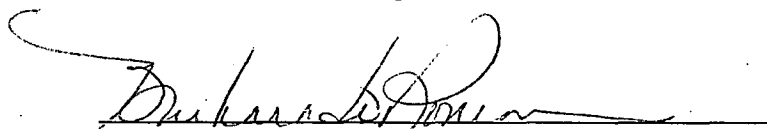

BARBARA JO RONEMUS, City Clerk

Exhibit "A"

(Attach Notice of Meeting and Agenda)

CITY COUNCIL AGENDA

AUGUST 4, 2004
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CITY COUNCIL AGENDA

COUNCIL CHAMBERS • 400 STEWART AVENUE • PHONE 229-6011

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

OSCAR B. GOODMAN, MAYOR (At-Large) • COUNCILMAN GARY REESE, MAYOR PRO TEM (Ward 3)
COUNCILMEMBERS: LARRY BROWN (Ward 4), LAWRENCE WEEKLY (Ward 5), MICHAEL MACK (Ward 6),
JANET MONCRIEF (Ward 1) and STEVE WOLFSON (Ward 2)

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.

AUGUST 4, 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 – MS. ALEDA NELSON, MEMBER, THE BAHA'I FAITH
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF THE EMPLOYEE OF THE YEAR
- RECOGNITION OF SUMMERLIN LITTLE LEAGUE MAJORS DIVISION CHAMPIONS
- RECOGNITION OF CHEYENNE LEONARD AND THE BLAZESPORTS PROGRAM
- RECOGNITION OF CITY EMPLOYEE MIKE CAMPBELL FOR CORPORATE CHALLENGE FIRST PLACE FINISH

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

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.

CITY CLERK - CONSENT

2. Approval of notification of filing of Declarations of Interest in property located in the existing Redevelopment Areas

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

3. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
4. Approval of a Special Event License for Whole Foods Market, Location: Whole Foods Market, 8855 West Charleston Boulevard, Dates: August 14, 21, 28 and September 4, 11, 2004, Type: Special Event Beer/Wine/Cooler, Event: Wine/Beer Tasting, Responsible Person in Charge: Sandra Benton - Ward 2 (Wolfson)
5. Approval of a Special Event License for Southern Nevada Association of Pride, Location: Blue Moon Resort, 2651 Westwood Drive, Date: September 11, 2004, Type: Special Event General, Event: End of Summer Pool Party/Fundraiser for S.N.A.P.I., Responsible Person in Charge: Ernie Yuen - Ward 1 (Moncrief)
6. Approval of an Independent Store Operator and Change of Business Name for a Beer/Wine/Cooler Off-sale License subject to Health Dept. regulations, From: Stutsman & Stutsman, dba Grocery Outlet of Las Vegas, Glen E. Stutsman, Independent Store Operator, 50%, and Rebecca R. Stutsman, Independent Store Operator, 50%, To: Pacific Asian Group, Inc., dba Las Vegas Grocery Outlet, 1110 East Charleston Boulevard, Pacific Asian Group, Inc., Independent Store Operator, Chung C. Young, Dir, Pres and Yeh O Su Young, Dir, Secy, Treas, 100% jointly as husband and wife - Ward 3 (Reese)
7. Approval of Change of Ownership 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: M.D.C. Enterprises, Inc., Francois J. Alvandi, Shareholder, 51%, The Colich Family Trust, 49%, Adele C. Colich, Trustee, To: JRD Enterprises, LLC, dba Club Diamond, 840 North Decatur Boulevard, Suites D, E & F, Kirk B. Devitte, Mgr, Mmbr, 50%, Craig J. Devitte, Mgr, Mmbr, 50% - Ward 5 (Weekly)
8. Approval of Change of Business Name for a Tavern License and a Restricted Gaming License for 14 slots, Lightman-Gourmet, LLC, dba From: The Gourmet Cafe, To: Courthouse Bar & Grill, 330 South 3rd Street, Suite 100, Harold A. Lightman, Jr., Mmbr, 50%, Daniel D. Gans, Mmbr, 50% - Ward 1 (Moncrief)
9. Approval of a new Slot Operator Space Lease Location Restricted Gaming License for 4 slots subject to confirmation of approval by the Nevada Gaming Commission, Green Valley Gaming, Inc., db at Rancho Circle Laundromat, 2401 West Bonanza Road, Suite Q - Ward 5 (Weekly)
10. Approval of Change of Location for a Martial Arts Instruction Business License subject to the provisions of the fire codes, Michael Alper, dba Mike Klier School of Karate, Las Vegas, From: 3917 Aspencrest Drive, To: 2041 North Jones Boulevard, Suite 103, Michael Alper, 100% - Ward 5 (Weekly)
11. Approval of revision to purchase order 218015 for Bulk Sodium Hypochlorite - Department of Public Works - Award to: PIONEER AMERICAS, INC. (\$307,932 - Sanitation Enterprise Fund)
12. 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)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

13. Approval of award of Contract No. 050003, Planning and Development Consulting Services for the Post Office at 301 Stewart Avenue - Office of the City Manager - Award recommended to: CAROL GOLDSTEIN (\$114,048 - General Fund) - Ward 5 (Weekly)
14. Approval of award of Contract No. 050017, Actuarial Consulting Services - Department of Human Resources - Award recommended to: MERCER OLIVER WYMAN ACTUARIAL CONSULTING, INC. (\$108,000 - Workers' Compensation Internal Service Fund)
15. Approval of Contract No. 040284 for TriTech Software, Support and Maintenance and Project Management - Department of Information Technologies - Award recommended to: TRITECH SOFTWARE SYSTEMS (\$38,000 - Computer Services Internal Service Fund)
16. Approval of issuance of a purchase order for an annual requirements contract for Hewlett-Packard Laserjet printer maintenance - Department of Information Technologies - Award recommended to: INTERTECH COMPUTER PRODUCTS (Estimated annual amount of \$35,000 - Computer Services Internal Service Fund)
17. Approval to transfer an amount not to exceed \$326,000 from the Administration Special Assessment Capital Projects Fund (CPF) to the SID 1502 Montecito Parkway of the Town Center Loop Capital Projects Fund to pay an outstanding Interim Warrant - Ward 6 (Mack)

HUMAN RESOURCES DEPARTMENT - CONSENT

18. Approval to create one full time regular Building Inspection Supervisor position to keep pace with unprecedented growth and anticipated addition of 5 more inspectors in the Building and Safety Department (\$125,700 - Development Services Enterprise Fund)
19. Approval to create one regular full time Senior Permit Technician position in the Building and Safety department to supervise all permit technicians, assist supervisor and fill in for supervisor if supervisor is absent (\$89,200 - Development Services Enterprise Fund)
20. Approval to create one regular full time position of Permit Technician in the Building and Safety department to replace the position lost due to an upgrade to Technical Analyst (\$82,200 - Development Services Enterprise Fund)
21. Approval of Bodily Injury Claim #2003-069 (\$50,000 - Self-Insurance Liability Fund)

NEIGHBORHOOD SERVICES DEPARTMENT - CONSENT

22. Approval of creating one agreement to combine a total of \$34,750 in Community Development Block Grant (CDBG) funds to provide rental assistance and utility payments to homeless and near homeless families and individuals, previously approved by Council for the HELP of Southern Nevada Tenant Based Rental Assistance (TBRA) Program - All Wards
23. Approval to submit the required Analysis of Impediments (AI) to Fair Housing Choice Study to the United States Department of Housing and Urban Development (HUD) - All Wards
24. Approval of a Deferred Loan Agreement in the amount of \$40,000 of Home Investment Partnership Program (HOME) funds for housing rehabilitation activities at 2004 East Mesquite Avenue - Ward 3 (Reese)
25. Approval of reprogramming \$570,000 in Low Income Housing Trust Funds (LIHTF) to the Community Development Programs Center of Nevada (CDPCN) 11th Street LP, dba Senator Harry Reid Senior Apartments located at 340 North 11th Street for an aggregate total of \$1,121,000 in LIHTF/CDBG funds on this project - Ward 5 (Weekly)

PUBLIC WORKS DEPARTMENT - CONSENT

26. Approval of a Declaration of Utilization from the Bureau of Land Management for portions of the Northwest Quarter of Section 30, Township 19 South, Range 60 East, Mount Diablo Meridian, for sewer purposes generally located along the south side of Azure Drive, west of Jensen Street, APN 125-30-202-006 – County (near Ward 6 Mack)
27. Approval of a Declaration of Utilization from the Bureau of Land Management for a portion of the Southwest Quarter of Section 4, Township 21 South, Range 60 East, Mount Diablo Meridian, for roadway, sanitary sewer and drainage purposes generally located along Cimarron Road, between Oakey Boulevard and El Parque Avenue, APN 163-04-304-003 and -004 – Ward 1 (Moncrief)
28. Approval of a Dedication from the City of Las Vegas, a Municipal Corporation, for a portion of the Southeast Quarter of Section 21, Township 19 South, Range 60 East, Mount Diablo Meridian, for rights-of-way located along the Buffalo Drive and John Herbert Boulevard alignments, north of the Rome Boulevard alignment, APN 125-21-701-012 – Ward 6 (Mack)
29. Approval of two Quitclaim Deeds from the City of Las Vegas to Maple Development LLC, and Serenity Brooks Estates II, LLC, for portions of the Northwest Quarter of Section 31, Township 19 South, Range 60 East, Mount Diablo Meridian, to relinquish portions of Bureau of Land Management Right-of-Way Grant N-51823 for flood control purposes located approximately 660 feet west of Grand Canyon Drive, south of Ann Road, APN 125-31-101-016, -017, -020 and – 021 - County (near Wards 4 and 6 - Brown and Mack)
30. Approval of an Encroachment Request from the City of North Las Vegas, applicant (Decatur Boulevard between Moccasin Road and Grand Teton Drive) - Ward 6 (Mack)
31. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Patricia and Didier Stissi, owners (southeast corner of Iron Mountain Road and Homestead Street, APN 125-08-503-001) - County (near Ward 6 - Mack)
32. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Carol Lee Squires, owner (southeast corner of Elkhorn Road and Jensen Street, APN 125-19-102-015) - County (near Ward 6 - Mack)
33. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Wright Engineers on behalf of Hickam Estates LLC, owner (southwest corner of Hickam Avenue and Bonita Vista Street, APN 138-05-801-007 and 138-05-801-038) - County (near Ward 4 - Brown)
34. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Jay and Lorrie L. Carlyn, owners (southwest corner of Severance Lane and Jensen Street, APN 125-18-401-017) - County (near Ward 6 - Mack)
35. Approval of renaming the Northwest Water Resource Center located at 3271 North Durango Drive to Durango Hills Water Resource Center – Ward 4 (Brown)
36. Approval of an Engineering Design Services Agreement with Brown and Caldwell Environmental Engineers & Consultants for a study to assess storm drains in an area bounded by Main Street, Bridger Avenue, Las Vegas Boulevard, and Stewart Avenue (\$96,731 - Sanitation Enterprise Fund) - Wards 1, 3 and 5 (Moncrief, Reese and Weekly)
37. Approval of an Interlocal Agreement with the Las Vegas Valley Water District for water service at the Downtown Senior Services Center located at 300 South 9th Street (\$11,751 - Community Development Block Grant) - Ward 5 (Weekly)
38. Approval of a Professional Services Agreement with WLB Group Inc., related to the design services of La Madre Mountain Equestrian Trailhead located at Cheyenne Avenue and Cliff Shadows Parkway (\$621,800 - Parks and Leisure Capital Project Fund) - Ward 4 (Brown)

RESOLUTIONS - CONSENT

39. R-134-2004 - Approval of a Resolution directing the City Treasurer to prepare the Forty-Fourth Assessment Lien Apportionment Report for Special Improvement District No. 404 Summerlin Area (Levy Assessments) - Ward 2 (Wolfson)
40. R-135-2004 - Approval of a Resolution approving the Forty-Fourth Assessment Lien Apportionment Report for Special Improvement District No. 404 Summerlin Area (Levy Assessments) - Ward 2 (Wolfson)
41. R-136-2004 - Approval of a Resolution directing the City Treasurer to prepare the Forty-Fifth Assessment Lien Apportionment Report for Special Improvement District No. 404 Summerlin Area (Levy Assessments) - Ward 2 (Wolfson)
42. R-137-2004 - Approval of a Resolution approving the Forty-Fifth Assessment Lien Apportionment Report for Special Improvement District No. 404 Summerlin Area (Levy Assessments) - Ward 2 (Wolfson)
43. R-138-2004 - Approval of a Resolution directing the removal of certain improvements that were included in the Provisional Order for Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) - Ward 6 (Mack)
44. R-139-2004 - Approval of a Resolution overruling complaints, protests, and objections and confirming 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)

REAL ESTATE COMMITTEE - CONSENT

45. Approval of dedication of required Rights-of-Way by Office District Parking I, Inc., to the City of Las Vegas on land located at the southeast corner of 3rd Street and Bonneville Avenue, APN 139-34-311-095 to -102 and -105 to -110 - Ward 1 (Moncrief)
46. Approval of a transfer of title by Quitclaim Deed to the City of Las Vegas Redevelopment Agency from the City of Las Vegas for the historic Fifth Street School building and site, APN 139-34-303-001 - Ward 1 (Moncrief) [NOTE: This item is related to Redevelopment Agency item #2]
47. Approval of a Memorandum of Understanding with Nevada Power Company for a substation in the vicinity of Elkhorn Road and Fort Apache Road - Ward 6 (Mack)
48. Approval of an Aerial Right-of-Way Grant between the City of Las Vegas and Nevada Power Company for 7,128 square feet of an easement area located on the south side of Harris Avenue West of Mojave Road, APN 139-25-405-008 (\$45,500 revenue - Park Capital Improvement Projects) - Ward 3 (Reese)
49. Approval of an Aerial Right-of-Way Grant between the City of Las Vegas and Nevada Power Company for 2,938 square feet of an easement area located north of Harris Avenue and west of Mojave Road, APN 139-25-303-014 and 015 (\$33,000 revenue - Park Capital Improvement Projects) - Ward 3 (Reese)
50. Approval of an Aerial Right-of-Way Grant between the City of Las Vegas and Nevada Power Company for 5,621 square feet of an easement area located south of Washington Avenue and west of Mojave Road, APN 139-25-303-001 (\$30,500 revenue - Park Capital Improvement Projects) - Ward 3 (Reese)
51. Approval of a Lease Agreement between the City of Las Vegas and Urban Chamber of Commerce for 1,280 square feet of office space in the City owned portion of Nucleus Plaza, located at 1052 West Owens Avenue (\$1,408 monthly revenue - HUD/Community Development Block Grant/Nevada State Welfare/Nucleus Plaza-Common Area Maintenance/Miscellaneous Rentals) - Ward 5 (Weekly)
52. Approval of a Second 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 additional office space located at 400 South Las Vegas Boulevard - Ward 1 (Moncrief)

REAL ESTATE COMMITTEE – CONSENT

53. Approval of Angel Park Golf, LLC, to become the temporary current holder and "Party" of the restated Management Agreement dated September 15, 1999, for the Angel Park Golf Course - Ward 2 (Wolfson)
54. Approval to extend the temporary Operational and Services Provider Agreement to January 19, 2005, between O.B. Sports Golf Management (AP), LLC, and Angel Park Golf, LLC, at Angel Park Golf Course for management and oversight duties - Ward 2 (Wolfson)

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE SERVICES - DISCUSSION

55. Report and possible action on the legislative package that will be submitted to the Legislative Counsel Bureau on behalf of the City

CITY ATTORNEY - DISCUSSION

56. ABEYANCE ITEM - Discussion and possible action on Appeal of Work Card Denial: Doreen Kathleen Allan-Murphy, 3020 Roseville Way, Las Vegas, Nevada 89102
57. ABEYANCE ITEM - Discussion and possible action on Appeal of Work Card Denial: Carlos Catania, 2108 Calville #104, Las Vegas, Nevada 89129
58. Discussion and possible action on Appeal of Work Card Denial: Mark Boyett, 542 Chandler Street, Henderson, Nevada 89014

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

59. Discussion and possible action regarding an Appeal of Denial of a Management or Marketing Service License, Medical Marijuana Consultants of Nevada (MMCN), 1817 Palo Alto Circle, William Kosinski, CEO, 100% - Ward 6 (Mack)
60. Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler On-sale License subject to the provisions of the planning and fire codes, LivingTheDream, Inc., dba Aurelio's, 7660 West Cheyenne Avenue, Suite 122, David L. Jones, Dir, Pres, 10%, Lisa M. Jones, Treas, 85% - Ward 4 (Brown)
61. Discussion and possible action regarding Temporary Approval of Change of Ownership for a Beer/Wine/Cooler Off-sale License subject to the provisions of the fire codes and Health Dept. regulations, From: Nevada Oil and Land Development, LLC, Carlos Huerta, Mmbr, 37.5%, Wasef Qaraman, Mgr, Mmbr, 34%, Marwan Aburahma, Mmbr 28.5%, To: Raz Durani, dba Craig Rancho Mart, 4371 North Rancho Drive, Raz M. Durani, 100% - Ward 6 (Mack)
62. Discussion and possible action regarding Temporary Approval of a Massage Establishment License subject to the provisions of the fire codes, Shear Indulgence, Inc., dba Shear Indulgence Salon and Day Spa, 5000 West Oakey Boulevard, Suites B3 and B4, Darci S. O'Brien, Pres, 50%, Darla S. O'Brien, Dir, Secy, Treas, 50%, Bruno J. Humasti, Lender - Ward 1 (Moncrief)
63. Discussion and possible action regarding Contractor Performance Evaluation Rating System for current and future public work construction projects - Department of Finance and Business Services

NEIGHBORHOOD SERVICES - DISCUSSION

64. Report and possible action regarding a planning process for the creation of a 10-year Plan to End Chronic Homelessness in the City of Las Vegas - All Wards

RESOLUTIONS - DISCUSSION

65. R-140-2004 - Discussion and possible action regarding a Resolution transferring 2003/2004 Private Activity Bond Volume Cap of \$19,788,427 to Meta Housing Corporation to construct new affordable senior housing at the Northeast corner of Main Street and Bonanza Road - Ward 5 (Weekly) and \$14,640,087 to the State Housing Division for future use - All Wards

BOARDS & COMMISSIONS - DISCUSSION

66. ABEYANCE ITEM - CHILD CARE LICENSING BOARD – Steven J. Greco, Term Expiration 6-2005 (Resigned)
67. ABEYANCE ITEM - CITIZENS PRIORITY ADVISORY COMMITTEE (CPAC) – John Medina, Term Expiration 6-2007 (Resigned)
68. AUDIT OVERSIGHT COMMITTEE – Michael W. Kern, Term Expiration 8-16-2004
69. CHILD CARE LICENSING BOARD – Maryanne Salm, Term Expiration 6-2007 (Resigned)
70. NELLIS CIVILIAN MILITARY COUNCIL EXECUTIVE BOARD – Members serve until replaced

REAL ESTATE COMMITTEE - DISCUSSION

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

RECOMMENDING COMMITTEE REPORTS - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

72. Bill No. 2004-47 – Annexation No. ANX-4245 – Property location: On the south side of Grand Teton Drive, 660 feet east of Puli Drive; Petitioned by: Southwest Desert Equities, LLC; Acreage: 5.20 acres; Zoned: R-U (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Michael Mack
73. Bill No. 2004-48 – Annexation No. ANX-4428 – Property location: On the north side of Log Cabin Way between Durango Drive and El Capitan Way; Petitioned by: William Miller, et al; Acreage: 5.79 acres; Zoned: R-A (County zoning), R-E and R-PD2 (City equivalents). Sponsored by: Councilman Michael Mack
74. Bill No. 2004-49 – Annexation No. ANX-4451 – Property location: On the southeast corner of Hualapai Way and Dorrell Lane; Petitioned by: Hualapai Nevada, LLC; Acreage: 5.39 acres; Zoned: R-E (County zoning), U (R) (City equivalent). Sponsored by: Councilman Michael Mack
75. Bill No. 2004-50 – Establishes standards and procedures, in accordance with State law, to ensure that adequate infrastructure and public facilities are available to serve the eventual development of undeveloped areas. Proposed by: Douglas Selby, City Manager
76. Bill No. Z-2004-3 – Amends the City's Official Zoning Map Atlas by changing the zoning designations of certain parcels of land (nonresidential). Proposed by: Robert S. Genzer, Director of Planning and Development
77. Bill No. Z-2004-4 – Amends the City's Official Zoning Map Atlas by changing the zoning designations of certain parcels of land (residential). Proposed by: Robert S. Genzer, Director of Planning and Development

NEW BILLS

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

78. Bill No. 2004-51 – Annexation No. ANX-4437 – Property location: On the north side of Farm Road, 330 feet west of Grand Canyon Drive; Petitioned by: Lermusiaux Family Trust; Acreage: 5.14 acres; Zoned: R-E (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Michael Mack
79. Bill No. 2004-52 – Revises the licensing and zoning standards applicable to hotel lounge bars. Proposed by: Robert S. Genzer, Director of Planning and Development
80. Bill No. 2004-53 – Updates the Town Center Development Standards Manual regarding the means of allowing certain finance-related uses. Sponsored by: Councilman Michael Mack
81. Bill No. 2004-54 – Allows private horse corrals or stables in the R-D Zoning District under certain circumstances. Sponsored by: Councilman Michael Mack
82. Bill No. 2004-55 – Revises the Municipal Code provisions that govern City employees in seeking and holding political office. Sponsored by: Mayor Oscar B. Goodman
83. Bill No. 2004-56 - Ordinance Creating Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) Sponsored by: Step Requirement
84. Bill No. 2004-57 - Levies Assessment for Special Improvement District No. 1499 – Alexander Road (US-95 - Rancho Drive). Sponsored by: Step Requirement
85. Bill No. 2004-58 – Repeals Ordinance No. 5630, pertaining to the creation of Special Improvement District No. 1502 – Grand Montecito Parkway (Centennial Parkway to Elkhorn Road). Proposed by: Bradford R. Jerbic, City Attorney

1:00 P.M. - AFTERNOON SESSION

86. 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

87. Public hearing on proposed local improvement district for Special Improvement District No. 1505 - Sierra Oeste Neighborhood Streetlights - Ward 6 (Mack)
88. Public hearing to consider the report of expenses to recover costs for the asbestos survey and demolition of 900 Antonio Drive. PROPERTY OWNER: WASHINGTON MUTUAL BANK F A - Ward 1 (Moncrief)

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.

89. EXTENSION OF TIME - REZONING - EOT-4691 - APPLICANT: INVESTORS REALTY GROUP - OWNER: CAMPBELL 2.5, LIMITED LIABILITY COMPANY AND CARL UNGER - Request for an Extension of Time on an approved Rezoning (Z-0063-02) FROM: U (Undeveloped) [ML (Medium-Low Density Residential) General Plan Designation] TO: O (Office) on 2.68 acres adjacent to the north side of Cheyenne Avenue, approximately 340 feet west of Campbell Road (APN: 138-08-401-008), Ward 4 (Brown). Staff recommends APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

90. APPEAL OF DIRECTOR'S DECISION - D IR-4797 - APPLICANT: ORION OUTDOOR MEDIA - OWNER: LAPOUR GRAND CENTRAL, LIMITED LIABILITY COMPANY - Appeal of Director's decision per Title 19.00.070.F to deny the application of a Special Use Permit for a proposed Off-Premise Advertising (Billboard) Sign at 211 West Charleston Boulevard (APN: 162-04-504-009) for failure to comply with Title 19.14.100, Ward 1 (Moncrief). Staff recommends DENIAL
91. REVIEW OF CONDITION - PUBLIC HEARING - ROC-4692 - APPLICANT/OWNER: CANYON RIDGE CHRISTIAN CHURCH - Request for a Review of Condition No. 2 of an approved Review of Condition [U-0088-95(5)] of an approved Site Development Plan Review [U-0088-95(4)], which required the removal of a modular building by August 1, 2004 on a portion of 25.14 acres at 6200 West Lone Mountain Road (APN: 125-35-803-002), C-V (Civic) Zone, Ward 6 (Mack). Staff recommends APPROVAL
92. REVIEW OF CONDITION - PUBLIC HEARING - ROC-4709 - APPLICANT: FLETCHER JONES MERCEDES - OWNER: ROMAN CATHOLIC BISHOP OF LAS VEGAS - Request for a Review of Condition No. 10 of an approved Special Use Permit (U-0054-95) which required approval of the parking and driveway plans to add language requiring a shared parking agreement to allow off-site parking for Fletcher Jones Mercedes employees at 2323 South Tenaya Way (APN: 163-03-404-006), R-E (Residence Estates) Zone, Ward 1 (Moncrief). Staff recommends DENIAL
93. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - S DR-4519 - APPLICANT: THOMAS AND MACK DEVELOPMENT GROUP, LIMITED LIABILITY COMPANY - OWNER: CROSSROADS AT SUNSET, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and Waivers of perimeter, parking lot, and foundation buffer landscaping standards, location of the parking lot, and for the use of reflective glass FOR A PROPOSED SINGLE-STORY, 44,924 SQUARE-FOOT OFFICE BUILDING on 3.97 acres adjacent to the southeast corner of Peak Drive and Fire Mesa Street (APN: 138-15-310-026), C-PB (Planned Business Park) Zone, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
94. ABEYANCE ITEM - MASTER SIGN PLAN - PUBLIC HEARING - MSP-4380 - APPLICANT: VISION SIGN, INC. - OWNER: D 2801 WESTWOOD, INC. - Request for a Master Sign Plan FOR AN APPROVED SEXUALLY-ORIENTED BUSINESS (TREASURES GENTLEMEN'S CLUB) adjacent to the northwest corner of Westwood Drive and Red Oak Avenue (APN: 162-08-604-001 and 162-09-102-001 & 003), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

95. VACATION - PUBLIC HEARING - VAC-4487 - APPLICANT: NEVADA HOMES GROUP - OWNER: DAY STAR VENTURES, LIMITED LIABILITY COMPANY - Petition to Vacate U. S. Government Patent Easements generally located between Deer Springs Way and Bath Drive, west of Fort Apache Road, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
96. VACATION - PUBLIC HEARING - VAC-4491 - APPLICANT/OWNER: CORNERSTONE COMPANY - Petition to Vacate a portion of a public alley generally located between Las Vegas Boulevard and Sixth Street, south of Carson Avenue, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
97. ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - VAR-4456 - APPLICANT/OWNER: KRASSIMIR TEOFILOV AND DARINA STANEVA - Request for a Variance TO ALLOW A ZERO SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED AND FOR A WAIVER OF THE REQUIRED LANDSCAPING on 0.14 acres at 3020 Contract Avenue (APN: 139-36-812-008), M (Industrial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
98. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4456 - PUBLIC HEARING - SDR-4458 - APPLICANT/OWNER: KRASSIMIR TEOFILOV AND DARINA STANEVA - Request for a Site Development Plan Review FOR A PROPOSED 3,000 SQUARE FOOT BUILDING FOR MINOR AUTO REPAIR GARAGE, on 0.14 acres at 3020 Contract Avenue (APN: 139-36-812-008), M (Industrial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
99. VARIANCE - PUBLIC HEARING - VAR-4384 - APPLICANT/OWNER: BRUCE AND LORI WERNER - Request for a Variance TO ALLOW A ZERO CORNER SIDE YARD SETBACK WHERE 15 FEET IS REQUIRED IN CONJUNCTION WITH AN EXISTING CARPORT on 0.16 acres located at 4613 Del Monte Avenue (APN: 162-06-213-010), R-1 (Single-Family Residential) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
100. VARIANCE - PUBLIC HEARING - VAR-4516 - APPLICANT: LIPKIN 1992 TRUST AND SKY TOP VENDING, INC. - OWNER: LIPKIN 1992 TRUST - Request for a Variance TO ALLOW 18 PARKING SPACES WHERE A MINIMUM OF 23 SPACES IS REQUIRED on 0.79 acres at 1501 Western Avenue (APN: 162-04-605-005), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
101. VARIANCE RELATED TO VAR-4516 - PUBLIC HEARING - VAR-4517 - APPLICANT: LIPKIN 1992 TRUST AND SKY TOP VENDING, INC. - OWNER: LIPKIN 1992 TRUST - Request for a Variance TO ALLOW ZERO-FOOT SIDE AND REAR YARD SETBACKS WHERE TEN FEET IS THE MINIMUM REQUIRED IN CONJUNCTION WITH A PROPOSED WAREHOUSE FACILITY on 0.79 acres located at 1501 Western Avenue (APN: 162-04-605-005), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
102. SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4516 AND VAR-4517 - PUBLIC HEARING - SDR-4514 - APPLICANT: LIPKIN 1992 TRUST AND SKY TOP VENDING, INC. - OWNER: LIPKIN 1992 TRUST - Request for a Site Development Plan Review and Waivers of perimeter buffering, perimeter landscaping and parking lot landscaping standards FOR A PROPOSED WAREHOUSE FACILITY on 0.79 acres at 1501 Western Avenue (APN: 162-04-605-005), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
103. VARIANCE - PUBLIC HEARING - VAR-4520 - APPLICANT/OWNER: SUSAN SCHAFF WHITE - Request for a Variance TO ALLOW AN EXISTING SIX-FOOT SOLID WALL WHERE FOUR FEET IS THE MAXIMUM ALLOWED (TOP 50 PERCENT OPEN CONSTRUCTION) on 0.16 acres at 4601 Evergreen Place (APN: 139-31-410-010), R-1 (Single-Family Residential) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL
104. TABLED ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2848 - REAGAN NATIONAL ADVERTISING ON BEHALF OF C O G III, LIMITED - Appeal filed by Singer & Brown from the Denial by the Planning Commission on a request for a Special Use Permit FOR A PROPOSED OFF-PREMISE ADVERTISING (BILLBOARD) SIGN on a portion of 3.03 acres located at 1110 South Rainbow Boulevard (APN: 163-02-101-002), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend DENIAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

105. TABLED ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3269 - REAGAN NATIONAL ADVERTISING ON BEHALF OF SDL, INCORPORATED - Appeal filed by Singer & Brown from the Denial by the Planning Commission of a Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN located at 1205 East Sahara Avenue (APN: 162-02-401-001), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend DENIAL
106. RESCIND PREVIOUS ACTION - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3983 - APPLICANT: SCOTT STROMWALL - OWNER: RAY ST. CLAIR - Request by the City Council to Rescind the Previous Action of Approval with conditions of a request for a Special Use Permit FOR PROPOSED MOTOR VEHICLE SALES (USED) ON A PARCEL LESS THAN 25,000 SQUARE FEET IN AREA IN CONJUNCTION WITH AN EXISTING MINOR AUTO REPAIR GARAGE at 210 West Wyoming Avenue (APN: 162-04-608-015), M (Industrial) Zone, Ward 1 (Moncrief). Staff has no recommendation on the request to Rescind the Previous Action
107. RECONSIDER - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3983 - APPLICANT: SCOTT STROMWALL - OWNER: RAY ST. CLAIR - Request for a Special Use Permit FOR PROPOSED MOTOR VEHICLE SALES (USED) ON A PARCEL LESS THAN 25,000 SQUARE FEET IN AREA IN CONJUNCTION WITH AN EXISTING MINOR AUTO REPAIR GARAGE at 210 West Wyoming Avenue (APN: 162-04-608-015), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL
108. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4506 - APPLICANT: CAMCO, INC. - OWNER: MTC 118, INC. - Request for a Special Use Permit FOR A PROPOSED PAWN SHOP adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
109. SPECIAL USE PERMIT RELATED TO SUP-4506 - PUBLIC HEARING - SUP-4507 - APPLICANT: CAMCO, INC. - OWNER: MTC 118, INC. - Request for a Special Use Permit and a Waiver of the 200-foot distance separation requirement from a parcel used for residential purposes FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL
110. SPECIAL USE PERMIT RELATED TO SUP-4506 AND SUP-4507 - PUBLIC HEARING - SUP-4509 - APPLICANT: CAMCO, INC. - OWNER: MTC 118, INC. - Request for a Special Use Permit FOR PROPOSED SECONDHAND SALES (jewelry, electronics, tools, musical instruments) adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
111. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4515 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: HARVARD SECURITIES, INC. - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT at 1801 Las Vegas Boulevard South (APN: 162-03-310-006), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
112. SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-4515 - PUBLIC HEARING - SDR-4512 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: HARVARD SECURITIES, INC. - Request for a Site Development Plan Review and Waivers of the Downtown Centennial Plan Standards FOR A PROPOSED 21-STORY MIXED-USE DEVELOPMENT containing 116 apartment units, 18 condominium units, and 2,200 square feet of retail space on 0.68 acres at 1801 Las Vegas Boulevard South (APN: 162-03-310-006), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
113. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4540 - APPLICANT/OWNER: ABF, INC. - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT on 3.90 acres adjacent to the northwest corner of Sahara Avenue and Fairfield Avenue (APN: 162-04-812-001 & 162-04-811-027), R-3 (Medium Density Residential) and R-4 (High Density Residential) Zones under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

114. SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-4540 - PUBLIC HEARING - SDR-4534 - APPLICANT/OWNER: ABF, INC. - Request for a Site Development Plan Review and Waivers from Downtown Centennial Plan Standards regarding landscaping, setbacks, stepbacks, and buffers FOR A PROPOSED 39-STORY MIXED-USE DEVELOPMENT consisting of 808 multi-family units and 35,500 square feet of retail space on 3.90 acres adjacent to the northwest corner of Sahara Avenue and Fairfield Avenue (APN: 162-04-812-001 & 162-04-811-027), R-3 (Medium Density Residential) and R-4 (High Density Residential) Zones under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
115. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4510 - APPLICANT: REAGAN NATIONAL ADVERTISING - OWNER: HEINRICH J ABERLE TRUST - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE (BILLBOARD) SIGN located at 911 North Lamb Boulevard (APN: 140-29-202-007), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
116. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4511 - APPLICANT: GUS MISHFERFI - OWNER - SAMER NAKHLE - Request for a Special Use Permit FOR A PROPOSED PRIVATE STREET adjacent to the southeast corner of Belcastro Street and Holmby Avenue (APN: 163-03-501-032), R-E (Residence Estates) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL
117. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4518 - APPLICANT: PARRISH WARD - OWNER: DAVID PHILLIPS - Request for a Special Use Permit FOR A PROPOSED BAILBOND SERVICE at 317 Garces Avenue (APN: 139-34-310-052), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL
118. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4531 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: ERNEST BECKER, JR. - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE (BILLBOARD) SIGN at 6370 West Lake Mead Boulevard (APN: 138-23-601-003), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
119. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4532 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: SAHARA MOHAWK, LIMITED LIABILITY COMPANY - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE (BILLBOARD) SIGN at 5320 West Sahara Avenue (APN: 163-01-804-005), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend DENIAL
120. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4558 - APPLICANT: BUILDING THE AMERICAN DREAM CORPORATION - OWNER: C.C.M. TRUST - Request for a Special Use Permit FOR PROPOSED PRIVATE STREETS in conjunction with a proposed single-family residential development adjacent to the northeast corner of Coke Street and Maggie Avenue (APN: 125-09-501-003), U (Undeveloped) Zone [RE (Rural Estates) General Plan Designation], Ward 6 (Mack). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL
121. REZONING - PUBLIC HEARING - ZON-4200 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD2 (Residential Planned Development - 2 Units per Acre) on 20.0 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard (APN: 125-11-508-003), Ward 6 (Mack). The Planning Commission (4-1-2 vote) and staff recommend APPROVAL
122. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4200 - PUBLIC HEARING - SDR-4198 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 29-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 20.00 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard (APN: 125-11-508-003), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre)], Ward 6 (Mack). The Planning Commission (3-2-2 vote) recommends DENIAL. Staff recommends APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

123. REZONING - PUBLIC HEARING - ZON-4526 - APPLICANT/OWNER: CLARK COUNTY - Request for a Rezoning FROM: R-MHP (Residential Mobile/Manufactured Home Park), C-1 (Limited Commercial) and R-E (Residence Estates) TO: C-V (Civic) on 16.0 acres adjacent to Martin L. King Boulevard approximately 300 feet south of Carey Avenue (APN: 139-21-102-012 and a Portion of 139-21-102-011), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
124. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4526 - PUBLIC HEARING - SDR-4527 - APPLICANT/OWNER: CLARK COUNTY - Request for a Site Development Plan Review for a PROPOSED EARLY CHILD DEVELOPMENT CENTER on 2.5 acres adjacent to Martin L. King Boulevard, approximately 300 feet south of Carey Avenue (APN: 139-21-102-012 and a portion of 139-21-102-011), R-MHP (Residential Mobile/Manufactured Home Park, C-1 (Limited Commercial) and R-E (Residence Estates) Zones [Proposed: C-V (Civic) Zone], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
125. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4332 - APPLICANT: CITY OF LAS VEGAS - OWNER: SAHARA PARK, LIMITED - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (Service Commercial) TO: M (Medium Density Residential) on 3.16 acres adjacent to the east side of Sixth Street, approximately 360 feet north of Sahara Avenue (APN: 162-03-811-000), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
126. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4523 - APPLICANT/OWNER: CITY OF LAS VEGAS - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (Service Commercial) TO: PF (Public Facilities) on 3.59 acres adjacent to the northwest corner of Mojave Road and Stewart Avenue (APN: 139-36-603-001), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
127. REZONING RELATED TO GPA-4523 - PUBLIC HEARING - ZON-4524 - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: C-1 (Limited Commercial) TO: C-V (Civic) on 3.59 acres adjacent to the northwest corner of Mojave Road and Stewart Avenue (APN: 139-36-603-001), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
128. SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4523 AND ZON-4524 - PUBLIC HEARING - SDR-4525 - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED GOVERNMENT FACILITY (EAST LAS VEGAS BUSINESS INCUBATOR), on 3.59 acres adjacent to the northwest corner of Mojave Road and Stewart Avenue (APN: 139-36-603-001), C-1 (Limited Commercial) Zone, [Proposed: C-V (Civic) Zone], Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
129. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4542 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: ML (Medium-Low Density Residential) TO: MLA (Medium-Low Attached Density Residential) on 3.58 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN: 140-29-401-005 & 006), Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
130. REZONING RELATED TO GPA-4542 - PUBLIC HEARING - ZON-4543 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request for a Rezoning FROM: R-1 (Single-Family Residential) TO: R-PD9 (Residential Planned Development - 9 Units Per Acre) on 3.58 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN: 140-29-401-005 & 006), Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
131. VARIANCE RELATED TO GPA-4542 AND ZON-4543 - PUBLIC HEARING - VAR-4547 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request for a Variance TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 3.58 ACRES WHERE 5.00 ACRES IS THE MINIMUM REQUIRED adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN: 140-29-401-005 & 006), R-1 (Single-Family Residential) Zone [Proposed: R-PD9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

132. VARIANCE RELATED TO GPA-4542, ZON-4543 AND VAR-4547 - PUBLIC HEARING - VAR-4572 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request for a Variance TO ALLOW 12,000 SQUARE FEET OF OPEN SPACE WHERE 25,870 SQUARE FEET IS THE MINIMUM REQUIRED on 3.80 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN: 140-29-401-005 & 006), R-1 (Single-Family Residential) Zone, [Proposed: R-PD9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
133. SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4542, ZON-4543, VAR-4547 AND VAR-4572 - PUBLIC HEARING - SDR-4545 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request for a Site Development Plan Review FOR A PROPOSED 35-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 3.58 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN: 140-29-401-005 & 006), R-1 (Single-Family Residential) Zone [Proposed: RPD-9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommend APPROVAL
134. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4549 - APPLICANT: LAS VEGAS DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: O (Office) and DR (Desert Rural Density Residential) TO: GC (General Commercial) on 1.11 acres adjacent to the west side of Lindell Road, approximately 450 feet north of Sahara Avenue (APN: 163-01-404-006 & 007), Ward 1 (Moncrief). The Planning Commission (5-2 vote) and staff recommend APPROVAL
135. REZONING RELATED TO GPA-4549 - PUBLIC HEARING - ZON-4550 - APPLICANT: LAS VEGAS DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: P-R (Professional Office and Parking) and R-E (Residence Estates) TO: C-2 (General Commercial) on 1.11 acres adjacent to the west side of Lindell Road, approximately 450 feet north of Sahara Avenue (APN: 163-01-404-006 & 007), Ward 1 (Moncrief). The Planning Commission (5-2 vote) and staff recommend APPROVAL
136. VARIANCE RELATED TO GPA-4549 AND ZON-4550 - PUBLIC HEARING - VAR-4553 - APPLICANT: LAS VEGAS DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW A PROPOSED 83-FOOT SIDE YARD SET BACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM OF 100 FEET on 4.15 acres adjacent to the northwest corner of Sahara Boulevard and Lindell Road (APN: 163-01-404-006, 007 & 008), C-2 (General Commercial), P-R (Professional Office and Parking), and R-E (Residence Estates) Zones, [Proposed: C-2 (General Commercial) Zone], Ward 1 (Moncrief). The Planning Commission (6-1 vote) and staff recommend APPROVAL
137. SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4549, ZON-4550 AND VAR-4553 - PUBLIC HEARING - SDR-4551 - APPLICANT: LAS VEGAS DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and Waivers to allow a reduction of perimeter, parking lot and foundation landscaping and to allow palm trees along Sahara Avenue where pine or deciduous trees are required FOR A PROPOSED 37,950 SQUARE-FOOT MOTOR VEHICLE SALES (NEW) FACILITY on 4.15 acres adjacent to the northwest corner of Sahara Boulevard and Lindell Road (APN: 163-01-404-006, 007 & 008), C-2 (General Commercial), P-R (Professional Office and Parking), and R-E (Residence Estates) Zones [Proposed: C-2 (General Commercial) Zone], Ward 1 (Moncrief). The Planning Commission (6-1 vote) and staff recommend APPROVAL
138. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4564 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: O (Office) TO: SC (Service Commercial) and to exempt the subject site from the full Multi-use Transportation Trails Standard of the Transportation Trails Element, using instead the proposed "Connector Trail" Standard on 0.79 acres adjacent to the southeast corner of Charleston Boulevard and Rancho Drive (APN: 162-04-101-001), Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

- 139.VARIANCE RELATED TO GPA-4564 - PUBLIC HEARING - VAR-4696 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRETT GROUP, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW 15 PARKING SPACES WHERE 22 SPACES IS THE MINIMUM NUMBER REQUIRED on 0.79 acres at 2237 W. Charleston Boulevard (APN: 162-04-101-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 140.SPECIAL USE PERMIT RELATED TO GPA-4564 AND VAR-4696 - PUBLIC HEARING - SUP-4565 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED CAR WASH/AUTO DETAIL at 2237 West Charleston Boulevard (APN: 162-04-101-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 141.SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4564, VAR-4696 AND SUP-4565 - PUBLIC HEARING - SDR-4563 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and Waivers of perimeter buffering landscaping, parking lot landscaping, building foundation landscaping, side yard setbacks, and building placement for a PROPOSED 1,200 SQUARE-FOOT CAR WASH/AUTO DETAIL AND A 3,325 SQUARE-FOOT CONVENIENCE STORE/SERVICE STATION TO REPLACE AN EXISTING 1,800 SQUARE FOOT CONVENIENCE STORE/SERVICE STATION on 0.79 acres at 2237 West Charleston Boulevard (APN: 162-04-101-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (4-3 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

PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

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

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
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: AUGUST 4, 2004

DEPARTMENT: BUSINESS DEVELOPMENT

DIRECTOR: SCOTT D. ADAMS

☒ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

Approval of dedication of required Rights-of-Way by Office District Parking I, Inc., to the City of Las Vegas on land located at the southeast corner of 3rd Street and Bonneville Avenue, APN 139-34-311-095 to -102 and -105 to -110 - Ward 1 (Moncrief)

Fiscal Impact

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

PURPOSE/BACKGROUND:

In consideration of \$1.00 and other valuable consideration, Office District Parking I, Inc., will grant, bargain and convey to the City of Las Vegas, a municipal corporation of the State of Nevada and to its assigns forever, all rights to title in and interest in the real property situated in the City of Las Vegas, bound and described as follows in Exhibit "A".

RECOMMENDATION:

The 8/2/2004 Real Estate Committee and staff recommend authorizing the City Manager, acting as President of Office District Parking I, Inc., to execute the Grant Deed for the required rights-of-way.

BACKUP DOCUMENTATION:

1. Site Map
2. Right-of-Way Map
3. Grant Deed

MOTION:

REESE – APPROVED Items 2-35, 37-45, and 47-54 – **UNANIMOUS** with **GOODMAN** abstaining on Item 45 because he still has a contingent interest in land located at Casino Center and Bonneville and **BROWN** excused

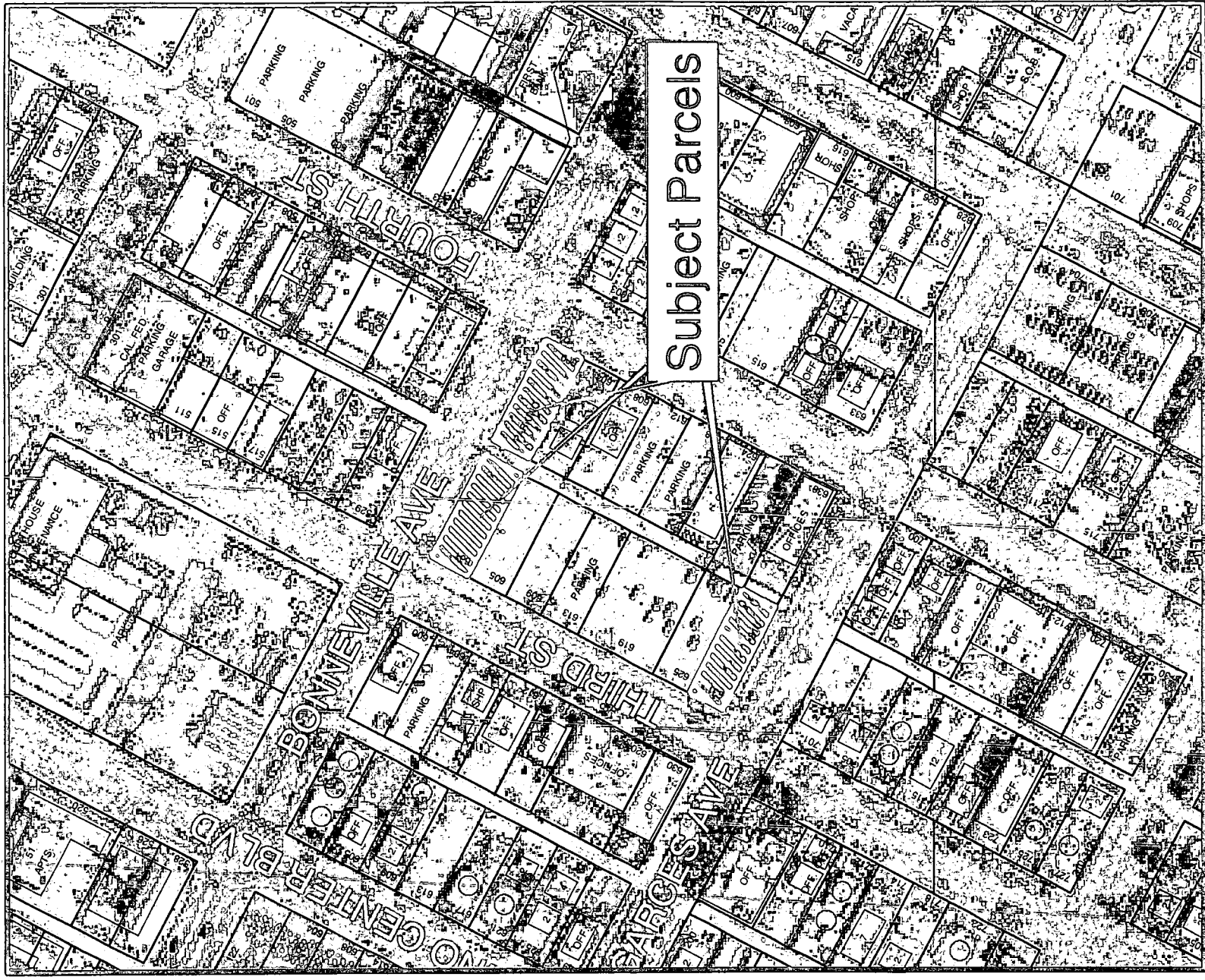
Item 36 & 46: APPROVED under separate actions (see individual items)

MINUTES:

Under Item 2, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

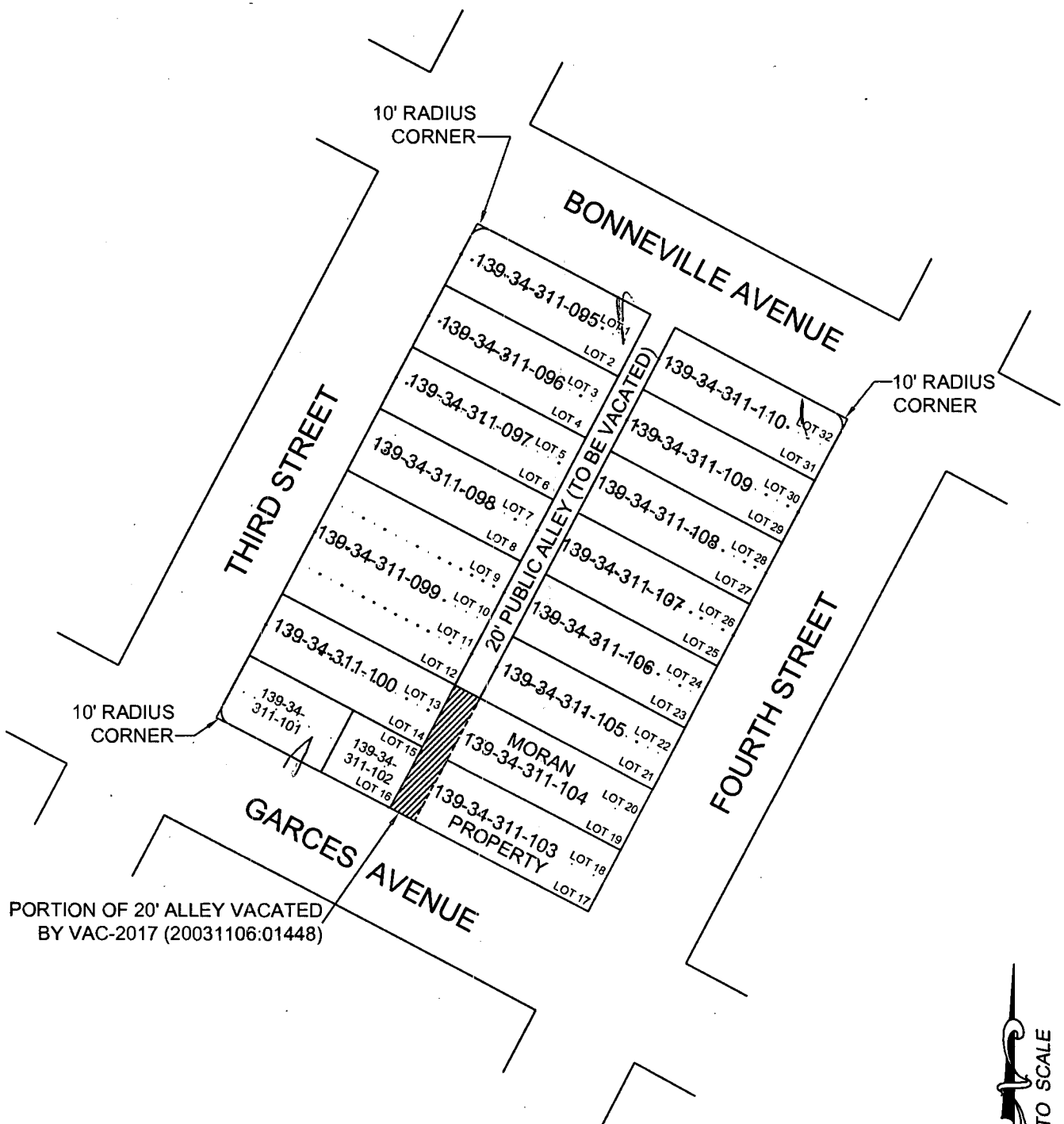
(9:30 – 9:33)

1-811



Site Map

SW 1/4, SECTION 34, T20S, R61E, MDM
BLOCK 25 OF CLARK'S LAS VEGAS TOWNSITE
BOOK 1 OF PLATS, PAGE 37



NOT TO SCALE

APN: 139-34-311-095; 101; 110

WHEN RECORDED MAIL & SEND
TAX STATEMENTS TO:
OFFICE DISTRICT PARKING I, INC.
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

GRANT DEED

THIS INDENTURE WITNESSETH: That OFFICE DISTRICT PARKING I, INC., a
Nevada nonprofit corporation,

for and in consideration of \$1.00 and other good and valuable considerations, the receipt of which is hereby acknowledged, do hereby Grant, Bargain and Convey to the **CITY OF LAS VEGAS**, a Municipal Corporation of the County of Clark, State of Nevada, and to its assigns forever, all of his/her/their right, title and interest in and to all that real property situate in the City of Las Vegas, County of Clark, State of Nevada, bounded and described as follows:

**For complete legal description, see Exhibit "A" attached hereto
and by this reference made a part hereof**

For: Dedication of three (3) radius corners located on the SEC of Bonneville & 3rd; NEC of Garces & 3rd; and the SWC of Bonneville & 4th St.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Continued:
Page 1 of 2

LOCATION: SEC Bonneville & 3rd; NEC Garces & 3rd; SWC Bonneville & 4th

Page 2 of 2

Exhibit "A"

A.P.N. 139-34-311-095, -101, -110
RADIUS CORNERS DEDICATION FROM PARCELS OWNED BY
OFFICE DISTRICT PARKING I, INC.

Those portions of the Southwest Quarter (SW 1/4) of Section 34, Township 20 South, Range 61 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, being portions of BLOCK 25 of the plat of CLARK'S LAS VEGAS TOWNSITE, on file in Book 1 of Plats, Page 37 of Clark County, Nevada Records, described as follows:

PARCEL 1 - SOUTHEAST CORNER OF BONNEVILLE AVE & THIRD ST

That triangular parcel of land, bounded as follows: bounded on the northeast by the northeasterly line of said BLOCK 25; bounded on the northwest by the northwesterly line of said BLOCK 25; and bounded on the south by a curve, concave southerly and having a radius of 10.00 feet, said curve being tangent to the northeasterly line of said BLOCK 25 and tangent to the northwesterly line of said BLOCK 25.

PARCEL 2 - NORTHEAST CORNER OF GARCES AVE & THIRD ST

That triangular parcel of land, bounded as follows: bounded on the southwest by the southwesterly line of said BLOCK 25; bounded on the northwest by the northwesterly line of said BLOCK 25; and bounded on the east by a curve, concave easterly and having a radius of 10.00 feet, said curve being tangent to the southwesterly line of said BLOCK 25 and tangent to the northwesterly line of said BLOCK 25.

PARCEL 3 - SOUTHWEST CORNER OF BONNEVILLE AVE & FOURTH ST

That triangular parcel of land, bounded as follows: bounded on the northeast by the northeasterly line of said BLOCK 25; bounded on the southeast by the southeasterly line of said BLOCK 25; and bounded on the west by a curve, concave westerly and having a radius of 10.00 feet, said curve being tangent to the northeasterly line of said BLOCK 25 and tangent to the southeasterly line of said BLOCK 25.

OWNER'S INITIALS _____

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

DEPARTMENT: BUSINESS DEVELOPMENT

DIRECTOR: SCOTT D. ADAMS

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

Approval of a transfer of title by Quitclaim Deed to the City of Las Vegas Redevelopment Agency from the City of Las Vegas for the historic Fifth Street School building and site, APN 139-34-303-001 - Ward 1 (Moncrief) [NOTE: This item is related to Redevelopment Agency item #2]

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The City of Las Vegas currently owns the historic Fifth Street School building and site. The Redevelopment Agency Board has allocated up to \$1,000,000 in Redevelopment Special Project Funds during FY 2005 toward the renovation and reuse of the property as a commercial retail and academic campus in the heart of the Office District. Given that the Agency will manage the property and future investments in it, City staff feels that it is appropriate to transfer title to the property to the Las Vegas Redevelopment Agency and allow them to manage it as a redevelopment asset for the community.

RECOMMENDATION:

The 8/2/2004 Real Estate Committee and staff recommend authorizing transfer of Quitclaim Deed to the Redevelopment Agency.

BACKUP DOCUMENTATION:

Quitclaim Deed

MOTION:

MONCRIEF – APPROVED as recommended – UNANIMOUS with BROWN excused

MINUTES:

SCOTT ADAMS, Director, Office of Business Development, explained approval of this matter allows the use of the allocated funds towards the revitalization and redevelopment of the school. It requires the approval of both the Redevelopment Agency and Council members.

Under Item 2, MAYOR GOODMAN mentioned that Item 46 would be trailed and heard with related Item 2 on the 8/4/2004 Redevelopment Agency agenda.

NOTE: Item 2 of the 8/4/2004 Redevelopment Agency meeting contains duplicate minutes.

(11:54 – 11:55)

2-3033

A.P.N. 139-34-303-001

QUITCLAIM DEED

By this instrument dated _____ day of _____, 2004, for a valuable consideration, the City of Las Vegas, a municipal corporation of the State of Nevada, does hereby REMISE, RELEASE and FOREVER QUITCLAIM to the City of Las Vegas Redevelopment Agency, any and all interest in the following described real property in the State of Nevada, County of Clark:

See attached Exhibit "A" for complete legal description to be made a part hereof by reference herein.

MORE COMMONLY KNOWN AS:

00 S. Las Vegas Boulevard
Las Vegas, NV 89101

The purpose of this Quitclaim deed is to transfer title of land from the name of the City of Las Vegas to reflect title in the name of the City of Las Vegas Redevelopment Agency. Recording shall be paid by the City of Las Vegas Redevelopment Agency.

By: _____
CITY OF LAS VEGAS
OSCAR B. GOODMAN, MAYOR

Witness my hand this _____ day of _____, 2004

STATE OF NEVADA)
COUNTY OF CLARK)s.s.

ATTEST:

By: _____
BARBARA JO RONEMUS, CITY CLERK

On _____, 2004
Before me, a Notary Public personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to this instrument, and acknowledged that he executed it.

APPROVED AS TO FORM:

By: Thomas R. Green 7/15/04
DEPUTY CITY ATTORNEY DATE

Signature _____
(Notary Public)

(Notarial Seal)

RECORDING REQUESTED BY:

Steven Van Gorp, Redevelopment Officer
City of Las Vegas Redevelopment Agency
400 Stewart Avenue, 2nd Floor
Las Vegas, NV 89101

AFTER RECORDING MAIL TO:

Redevelopment Office of
City of Las Vegas Redevelopment Agency
400 Stewart Avenue, 2nd Floor
Las Vegas, NV 89101

EXHIBIT "A"
LEGAL DESCRIPTION

SITUATE IN THE LAS VEGAS VALLEY WATER DISTRICT, CITY OF LAS VEGAS, COUNTY OF CLARK, STATE OF NEVADA AND BOUNDED AND DESCRIBED AS FOLLOWS:

THE PORTION OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., IN THE COUNTY OF CLARK, STATE OF NEVADA, BOUNDED ON THE NORTHEAST BY THE SOUTHEASTERLY PROLONGATION OF THE CENTER LINE OF LEWIS STREET; BOUNDED ON THE NORTHWEST BY THE SOUTHEASTERLY LINE OF FOURTH STREET; BOUNDED ON THE SOUTHWEST BY THE NORTHEASTERLY LINE OF CLARK STREET AND BOUNDED ON THE SOUTHEAST BY THE SOUTHWESTERLY AND NORTHEASTERLY PROLONGATIONS OF THE NORTHWESTERLY LINE OF FIFTH STREET (NOW LAS VEGAS BOULEVARD, SOUTH), AS SAID STREETS ABOVE NAMED ARE SHOWN ON PLAT OF CLARK'S LAS VEGAS TOWNSITE, ON FILE AND OF RECORD IN BOOK 1 OF PLATS, PAGE 37, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA, AND IN BOOK "A" OF PLATS, PAGE 5, LINCOLN COUNTY, NEVADA, RECORDS.

SAID LAND IS ALSO DESCRIBED AS FOLLOWS:

SITUATED IN THE CITY OF LAS VEGAS, COUNTY OF CLARK, STATE OF NEVADA, TO WIT:

THAT CERTAIN TRACT OR PARCEL OF LAND LYING WITHIN THE CITY OF LAS VEGAS COUNTY OF CLARK, STATE OF NEVADA AND BEING A PORTION OF THE NORTH ONE-HALF (N 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., NEVADA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 39 OF CLARK'S LAS VEGAS TOWNSITE AS SHOWN BY MAP THEREOF IN BOOK 1 OF PLATS, PAGE 37, IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA; THENCE NORTH 27°45'00" EAST ALONG THE NORTHEASTERLY PROLONGATION OF THE EASTERLY RIGHT OF WAY LINE OF SOUTH FOURTH STREET (30.00 FEET IN WIDTH) A DISTANCE OF 80.00 FEET TO THE NORTHEASTERLY CORNER OF THE INTERSECTION OF SOUTH FOURTH STREET AND CLARK STREET AS SHOWN BY SAID PLAT, THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 27°15'00" EAST ALONG SAID EASTERLY RIGHT OF WAY LINE OF SOUTH FOURTH STREET A DISTANCE OF 440.00 FEET TO A POINT OF INTERSECTION WITH THE SOUTHEASTERLY PROLONGATION OF THE CENTER LINE OF LEWIS STREET (80.00 FEET IN WIDTH); THENCE SOUTH 62°15'00" EAST ALONG THE PROLONGATION OF THE AFOREMENTIONED CENTER LINE OF LEWIS STREET, A DISTANCE OF 300.00 FEET TO A POINT ON THE NORTHWESTERLY RIGHT OF WAY LINE OF LAS VEGAS BOULEVARD SOUTH (80.00 FEET IN WIDTH) FORMERLY KNOWN AS FIFTH STREET; THENCE SOUTH 27°45'00" WEST ALONG THE NORTHWESTERLY RIGHT OF WAY LINE OF LAS VEGAS BOULEVARD SOUTH, A DISTANCE OF 440.00 FEET TO THE NORTHWEST CORNER OF THE INTERSECTION OF LAS VEGAS BOULEVARD SOUTH AND CLARK STREET (EACH 80.00 FEET IN WIDTH); THENCE NORTH 62°15'00" WEST ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF CLARK STREET (80.00 FEET IN WIDTH) A DISTANCE OF 300.00 FEET TO THE TRUE POINT OF BEGINNING.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

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

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

Approval of a Memorandum of Understanding with Nevada Power Company for a substation in the vicinity of Elkhorn Road and Fort Apache Road - Ward 6 (Mack)

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

Nevada Power is requesting a substation in the vicinity of the above mentioned location for the transmission and distribution of electricity to serve future development in this area. As growth occurs in the valley, Nevada Power Company requires additional sites on which to place substations to continue to provide valley residents with essential services. The property has already been designated by the Planning Department as being appropriate for a substation.

RECOMMENDATION:

The 8/2/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

Memorandum of Understanding

MOTION:

REESE – APPROVED Items 2-35, 37-45, and 47-54 – UNANIMOUS with GOODMAN abstaining on Item 45 because he still has a contingent interest in land located at Casino Center and Bonneville and BROWN excused

Item 36 & 46: APPROVED under separate actions (see individual items)

MINUTES:

Under Item 2, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:30 – 9:33)

1-811

Memorandum of Understanding #2004-01

**Between
City of Las Vegas
and
Nevada Power Company
(Property Use Agreement)**

THIS Memorandum of Understanding (MOU) is made and entered into this second day of July, 2004, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada ("City"), and NEVADA POWER COMPANY, a Nevada corporation ("NPC").

WITNESSETH:

WHEREAS, City is the lessee from the Bureau of Land Management ("BLM") of approximately ten acres of real property located in the vicinity of Fort Apache Road and Elkhorn Road within its corporate boundaries, and depicted on the site map in Exhibit "A" attached hereto and by this reference made a part hereof (the "Property" herein). Included within the Property in the northeast corner thereof, is an area of approximately four acres in size as depicted on the site map as Exhibit "B" attached hereto and by this reference made a part hereof (the "Premises" herein); and

WHEREAS, NPC desires to establish a substation in the northwest area of the Las Vegas Valley; and

WHEREAS, City deems it to be in its best interests to promote and foster NPC's intent to establish a substation to meet the electrical service demand for the growing population of the area; and

WHEREAS, NPC in November of 2000 performed a site study to determine the need and location for a substation site in the northwest quadrant of the City; and

WHEREAS, NPC determined the Premises at the northeast corner of Fort Apache Road and Elkhorn Road would fulfill the requirements of the above site study; and

WHEREAS, the City proposes to allow use of the Premises by NPC a substation site subject to NPC obtaining the appropriate permits therefore from BLM and providing improvements to the Property as are specifically mandated by this MOU; and

WHEREAS, the parties hereto have determined that the Premises are an adequate site for the said proposed substation providing certain development conditions are met as outlined in this MOU; and

WHEREAS, both entities signatory to this MOU have the authority to enter into this Memorandum of Understanding;

NOW, THEREFORE, in consideration of the premises, it is agreed by and between the parties hereto as follows:

I DEMISE OF PREMISES

A. NPC is authorized to use the Premises for the purpose of establishing thereon a facility that will contain an electrical substation, transformers, distribution and transmission lines and related activities. Said Premises shall be as depicted on Exhibit "B" attached hereto and incorporated herein.

B. The Property, of which the Premises is a part, is commonly referred to by City as Park Site H. Said Property, including the Premises, is to be used for the purpose of constructing public service facilities such as a Fire Station, Park and Electrical Substation.

II AUTHORIZATION

NPC is authorized to use the Premises for the purposes set forth herein subject to the following:

A. NPC acknowledges that the Property is subject to City's existing rights and associated rules and regulations in accordance with the existing Bureau of Land Management Recreation and Public Purpose Lease #N-37123, issued to the City on September 21, 1984. NPC acknowledges that City has existing facilities or may construct future facilities upon subject Property.

B. NPC has filed a separate application with the BLM serial #N-77777, to occupy and use the Premises as an electrical substation. The City will support such application and will take all further actions as may be necessary for NPC to obtain BLM approval such that NPC obtains firm rights for use of the Premises over the term of this MOU.

C. NPC shall comply with all Federal, State and local laws and regulations concerning NPC's use of the Premises.

D. NPC shall provide the City with drawings adequate for the City to file with the BLM.

III DURATION

A. The term of this MOU shall be ninety-nine (99) years, commencing upon the execution hereof and extending to and including the second day of July, 2104 ("Termination Date"), unless NPC's application is rejected by BLM, in which event this MOU is terminated. In the event BLM is willing to accept a relinquishment of all of City's interest in the Premises in favor of granting NPC firm rights for use of the Premises, and the City has no further ownership interest in the Premises, Sections VII and VIII of this MOU are terminated the date of such relinquishment and are of no further force or effect, but the remaining provisions of the MOU shall remain in effect until the requirements of Section V have been completed, whereupon this MOU is terminated.

IV OPTION TO RENEW

It is understood and agreed that at the end of said 99 year term, NPC shall have the option to renew this MOU upon the same terms and conditions as set forth herein for an additional period of forty-nine (49) years from the Termination Date, provided however, that NPC shall give City written notice of its intention to exercise said option at least one hundred and eighty (180) days prior to the expiration of said initial term. Thereafter this MOU shall continue indefinitely on a year-to-year basis until terminated in writing by either party.

Should NPC have constructed and paid for any improvements on the Premises, excluding it's own electrical facilities and appurtenances, which are still utilized at the time this MOU is terminated in accordance with the above, title to said improvements shall pass to City.

V IMPROVEMENTS

A. NPC agrees to construct an electric substation with all associated facilities on the Premises, conforming to all Federal, State, and local regulations in effect within the corporate boundaries of City. NPC will retain ownership of such facilities. NPC will provide the City with notification of its intent to build prior to commencing construction.

B. NPC will install, at its sole cost and expense, stubout connections for public water, electric and telephone utility service to the Property. NPC further agrees to pay all of the expenses incurred for any utility service to the Premises. City is solely responsible for obtaining connections from the local utility companies for those services it deems necessary for the Property excluding the Premises.

C. NPC also agrees to construct all half-street (offsite) improvements along Fort Apache Road and Elkhorn Road adjacent to Property subject to the City first obtaining a BLM grant for street and public right-of-way for proposed half-street improvements.

D. NPC shall provide, pay for, construct and develop those offsite improvements necessary for NPC and City to occupy and build on the Property, pursuant to the City's standard Offsite Improvements Agreement, which the parties will execute prior to such construction. Said improvements include, but are not limited to, traffic lights, crosswalks, landscaping, sidewalks, curb and gutter, street lights, and turn lanes relative to the Property.

VI MAINTENANCE AND REPAIRS

NPC shall, at all times during the existence of this MOU and at its own cost and expense, repair and maintain, in a good, safe and substantial condition all of the electric facilities that NPC constructs and retains ownership of on the Premises and Property.

VII INDEMNIFICATION

NPC agrees to indemnify and save City, its officers, agents and employees, harmless from and against any and all liability, loss, damage, cost, claims, liens, judgments or demands of any kind whatsoever which it or they may incur, suffer or be required to pay by reason of death,

disease or bodily injury which results to any person, or of injury or damage to or destruction or loss of any property, which may arise as a result of NPC's activities performed pursuant to this MOU, or the use or occupancy of the Premises or of said improvements by NPC or by its officers, agents, employees or contractors, to the extent liability is not caused by negligence or willful misconduct of City.

VIII INSURANCE

A. Prior to its occupancy of the Premises, NPC shall, at its sole cost and expense, obtain and thereafter, at all times during which this MOU is in force and effect, maintain commercial general/excess liability insurance, including bodily injury and property damage covering the Premises and any and all improvements thereon in the amount of One Million and No/100 Dollars (\$1,000,000.00) per occurrence and/or property damage with a combined single limit of One Million and No/100 Dollars (\$1,000,000.00). These limits of liability can be obtained, in whole or in part, through any combination of primary, excess or self-insurance.

B. Within five (5) days after NPC serves the notice which is provided for in paragraph XIII hereof that it intends to occupy the Premises, and as a condition to this MOU continuing in force and effect, NPC shall submit to City a certificate of insurance which evidences the above required coverages and names the City as an additional insured. The insurance coverages shall be with an insurance carrier which is authorized to do business with the State of Nevada and which is acceptable to the City.

IX NOTICES

Any notice which may be, or is required to be, given under the provisions hereof shall be delivered in person at the address stated below or may be deposited with the United States Postal Service, certified or registered mail, postage prepaid, to the party and address stated below by facsimile:

CITY: Real Estate & Asset Management
City of Las Vegas
400 Stewart Avenue, 4th Floor
Las Vegas, NV 89101
Telephone (702) 229-1020

COPY: City of Las Vegas
City Attorney's Office
400 Stewart Ave., 9th Floor
Las Vegas, NV 89101

NPC: Nevada Power Company
Land Department
P.O. Box 98910
Las Vegas, Nevada 89151-0001
Telephone (702) 367-5000
Land Dept (702) 227-4019
Fax (702) 367-5064

X
ASSIGNMENT AND SUBLEASE

NPC hereby agrees not to assign or sublet any of its rights or duties hereunder or to sublet the Premises or any portion thereof, without the written authorization of the City and BLM. Any use of the substation that is consistent with similar use NPC makes of its other substations is reasonable. Any assignment or sublease contrary to the provisions of this Paragraph X shall be null and void.

XI
LAWS AND REGULATION

NPC shall keep and maintain the Premises in a clean and healthful condition and in compliance with all existing or hereafter enacted laws, statutes, ordinances, order, rules and regulations (federal, state, municipal or other governmental agencies which have jurisdiction over the Premises or of the activities contemplated hereby) during the existence of this MOU. NPC shall obtain the necessary permits required by the BLM prior to any construction beginning on the site.

XII
COMMENCEMENT OF RIGHT TO OCCUPY

NPC may occupy the Premises, for the purpose of commencing the construction of the facilities and improvements which are provided for in paragraph V above and for all other purposes, on the date that is stated in a written notice served upon City at least thirty (30) days prior to the intended date of occupancy.

XIII
JOINT USE

A. Parties hereto shall jointly agree to the development of the Master Site Plan for the area referred to as Exhibit A. To effectuate this MOU, each party shall have a representative of its own choosing on the other party's design team.

B. The City will permit NPC access to, over, and across, property owned or controlled by it, that is reasonably necessary for ingress and egress to its substation.

C. The City will grant NPC easements on the Property for NPC to own, operate and maintain transmission and distribution facilities on the Property, associated with the operation and maintenance of the substation on the Premises, as jointly approved prior to construction. The City will support NPC and will take all further actions as may be necessary for NPC to obtain BLM approval of rights to use the Property for these facilities over the term of this MOU.

XIV
LIMITATIONS OF LIABILITIES

A. In no event shall either Party be liable to the other for any punitive, consequential, incidental, indirect, or special damages or lost profits incurred or alleged to have been incurred

by anyone, whether arising out of tort, breach of contract, breach of warranty, strict liability or any other claim.

XV GEOTECHNICAL TESTING

A. NPC shall provide the City with a site assessment and certificate of compliance that all surface and subsurface trash, debris and hazardous materials have been removed from the Premises represented by Exhibit B and any and all site mitigation requirements have been performed so that the Premises are acceptable for development and future construction per Federal, State and local laws and regulations.

C. NPC shall provide geotechnical, soil and engineering studies at its own expense verifying NPC's ability to build on Premises within one year of execution of this MOU.

XVI MODIFICATIONS AND AMENDMENTS

Upon approval of this MOU by the City Council and after it has been fully executed by signature of all parties, staff of the City's Real Estate & Asset Management Division shall have the authority to complete and execute any additional documents necessary for the completion of the intent of City's contractual obligation during the original term of this MOU. As an example, this may include amendments, changes of address, adjustments to monetary revenue or expenditure not to exceed ten thousand (\$10,000.00) dollars, filing and recording of appropriate documents with the County Recorders Office or the County Tax Assessors Office, and recordings and filing with the City Clerk's Office. No amendment, change or modification of this MOU shall be valid unless in writing and signed by all parties hereto.

XVII DISCLOSURE OF PRINCIPALS

Pursuant to Resolution R-105-99 adopted by the City of Las Vegas City Council effective November 17, 1999, NPC warrants that it has disclosed on the form attached as Exhibit "C", hereto, all principals including partners, of NPC, as well as all persons and entities holding more than a one percent (1%) interest in NPC, or any principal of NPC. If NPC principals or partners described above are required to provide disclosure under federal law (such disclosure required by the Securities and Exchange Commission (SEC) or the Employee Retirement Income Act (ERISA)), and attaches current copies of such federal disclosures to Exhibit C, the requirements and warranty of this Section XVII shall be satisfied. Throughout the term hereof, the City may review any new federal disclosure filings at Sierra Pacific Resources website at <http://www.sierrapacificresources.com/investors/financials/>.

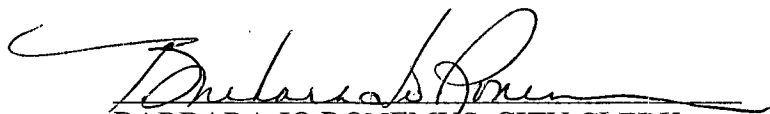
MEMORANDUM OF UNDERSTANDING #2004-01

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Understanding as of the date first above written.

CITY OF LAS VEGAS

By: 
OSCAR B. GOODMAN, MAYOR

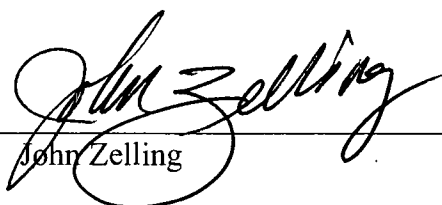
ATTEST:


BARBARA JO RONEMUS, CITY CLERK

APPROVED AS TO FORM:

 7/7/04
DEPUTY CITY ATTORNEY DATE

NEVADA POWER COMPANY

By: 
John Zelling

Title: _____
Director, Land Services

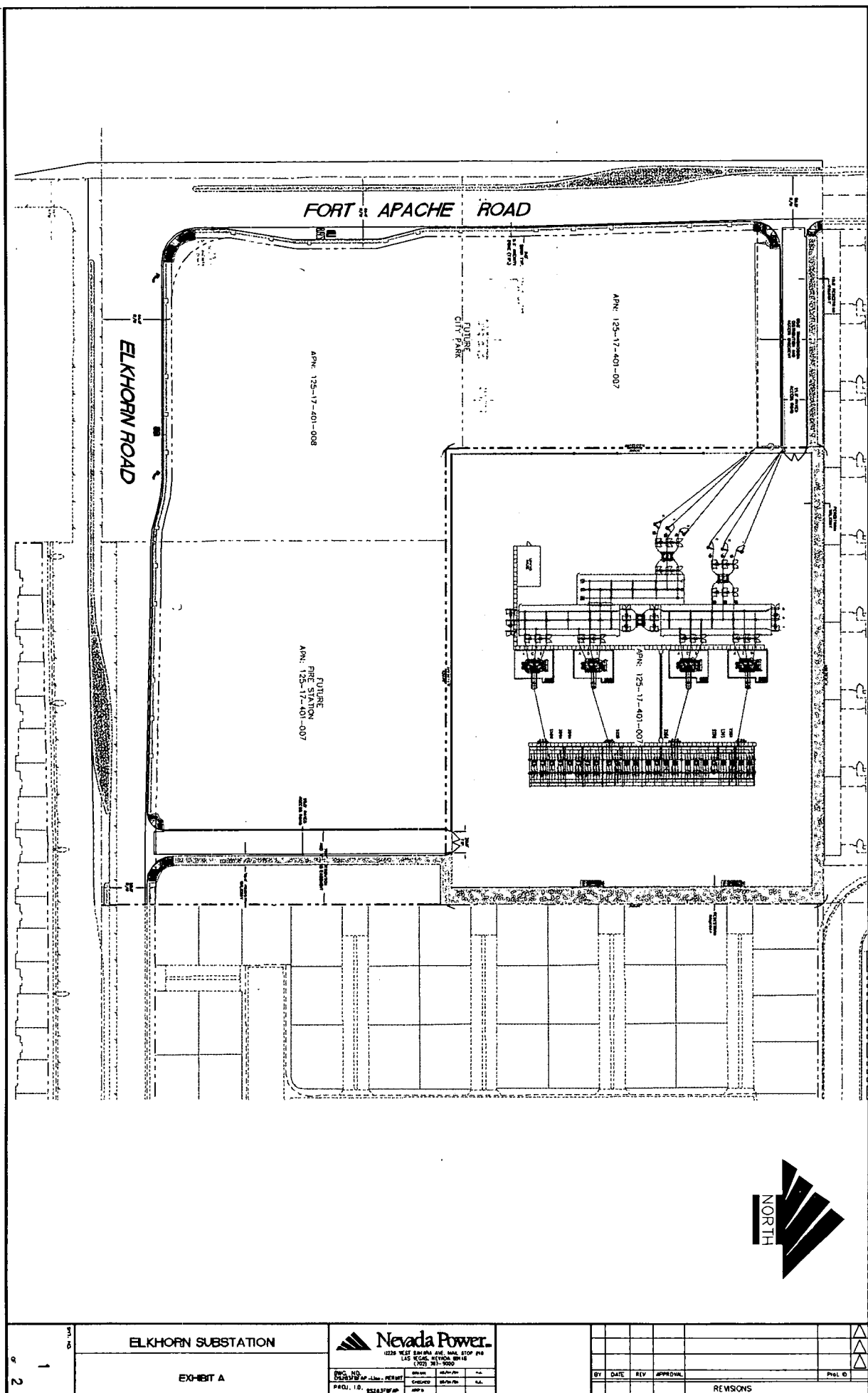


EXHIBIT "C"

(Disclosure of Principles)

Attached hereto is an excerpt containing a listing of the Board of Directors and Officers of Sierra Pacific Resources, from the current Form 10k, Annual Report for Sierra Pacific Resources for Year End December 31, 2003 which excerpt also shows NPC's 100% ownership by Sierra Pacific Resources. A full and complete copy of Sierra Pacific Resources' Form 10k is on file at the City Clerk's office.

I hereby certify under penalty of perjury, that the above and attached excerpt and Form 10 k are full and complete.

Nevada Power Company

By:

Its:

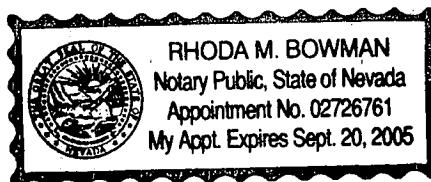
John C. Zell
Burda

Subscribed and sworn to before me this

2 day of July, 2004.

Rhoda M. Bowman

Notary Public



UNITED STATES SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

FORM 10-K

ANNUAL REPORT PURSUANT TO SECTION 13 OR 15 (d) OF THE SECURITIES EXCHANGE ACT OF 1934

For the fiscal year ended December 31, 2003

Commission File Number	Registrant, State of Incorporation, Address of Principal Executive Offices and Telephone Number	I.R.S. employer Identification Number	State of Incorporation
1-08788	SIERRA PACIFIC RESOURCES P.O. Box 10100 (6100 Neil Road) Reno, Nevada 89520-0400 (89511) (775) 834-4011	88-0198358	Nevada
2-28348	NEVADA POWER COMPANY 6226 West Sahara Avenue Las Vegas, Nevada 89146 (702) 367-5000	88-0420104	Nevada
0-00508	SIERRA PACIFIC POWER COMPANY P.O. Box 10100 (6100 Neil Road) Reno, Nevada 89520-0400 (89511) (775) 834-4011	88-0044418	Nevada

(Title of each class)

(Name of exchange on which registered)

Securities registered pursuant to Section 12(b) of the Act:

Securities of Sierra Pacific Resources:

Common Stock, \$1.00 par value
Common Stock Purchase Rights
Premium Income Equity Securities
(PIES)

New York Stock Exchange
New York Stock Exchange
New York Stock Exchange

Securities of Nevada Power Company and subsidiaries:

8.2% Cumulative Quarterly Income Preferred Securities, Series A, issued by NVP Capital I

New York Stock Exchange

7¾% Cumulative Quarterly Trust Issued Preferred Securities, issued by NVP Capital III

New York Stock Exchange

Securities registered pursuant to Section 12(g) of the Act:

Securities of Sierra Pacific Power Company:

Class A Preferred Stock, Series I, \$25 stated value

New York Stock Exchange

Indicate by check mark whether each of the registrants (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days. Yes ☒ No ☐

Indicate by check mark if disclosure of delinquent filers pursuant to item 405 of Regulation S-K is not contained herein, and will not be contained, to the best of Registrant's knowledge, in definitive proxy or information statements incorporated by reference in Part III of this Form 10-K or any amendment to this Form 10-K. ☐

Indicate by check mark whether any registrant is an accelerated filer (as defined in Rule 12b-2 of the Act). Sierra Pacific Resources Yes ☒ No ☐; Nevada Power Company Yes ☐ No ☒; Sierra Pacific Power Company Yes ☐ No ☒

State the aggregate market value of the voting and non-voting stock held by non-affiliates. As of June 30, 2003: \$687,979,039

Indicate the number of shares outstanding of each of the issuer's classes of Common Stock, as of the latest practicable date.

Common Stock, \$1.00 par value, of Sierra Pacific Resources outstanding at March 5, 2004: 117,245,771 Shares

Sierra Pacific Resources is the sole holder of the 1,000 shares of outstanding Common Stock, \$1.00 stated value, of Nevada Power Company.

Sierra Pacific Resources is the sole holder of the 1,000 shares of outstanding Common Stock, \$3.75 par value, of Sierra Pacific Power Company.

DOCUMENTS INCORPORATED BY REFERENCE:

Portions of Sierra Pacific Resources' definitive proxy statement to be filed in connection with the annual meeting of shareholders, to be held May 3, 2004, are incorporated by reference into Part III hereof.

This combined Annual Report on Form 10-K is separately filed by Sierra Pacific Resources, Nevada Power Company and Sierra Pacific Power Company. Information contained in this document relating to Nevada Power Company is filed by Sierra Pacific Resources and separately by Nevada Power Company on its own behalf. Nevada Power Company makes no representation as to information relating to Sierra Pacific Resources or its subsidiaries, except as it may relate to Nevada Power Company.

Information contained in this document relating to Sierra Pacific Power Company is filed by Sierra Pacific Resources and separately by Sierra Pacific Power Company on its own behalf. Sierra Pacific Power Company makes no representation as to information relating to Sierra Pacific Resources or its subsidiaries, except as it may relate to Sierra Pacific Power Company.

FORWARD LOOKING STATEMENTS

The discussion of forward looking statements in Item 7, Management's Discussion and Analysis of Financial Condition and Results of Operations, is incorporated herein by reference.

PART I

ITEM 1. BUSINESS

SIERRA PACIFIC RESOURCES

Sierra Pacific Resources (SPR) was incorporated under Nevada law on December 12, 1983. SPR's mailing address is P.O. Box 30150 (6100 Neil Road), Reno, Nevada 89520-3150 (89511).

SPR has nine primary, wholly owned subsidiaries: Nevada Power Company (NPC), Sierra Pacific Power Company (SPPC), Tuscarora Gas Pipeline Company (TGPC), Sierra Pacific Communications (SPC), Sierra Pacific Energy Company (SPE), Lands of Sierra (LOS), Sierra Energy Company (SEC), Independent Energy Consulting, Inc. (IEC) and e-three Custom Energy Solutions, LLC (CES). SEC, IEC and CES, collectively known as ("e-three"), were sold on September 26, 2003 and as a result, are reported separately on the financial statements of SPR as a discontinued operation. NPC and SPPC are referred to collectively in this report as the "Utilities." References to SPR refer to the consolidated entity, except where the context provides otherwise.

SPR's Utilities operate three regulated business segments (as defined by FASB Statement No. 131, Disclosure about Segments of an Enterprise and Related Information) which are Nevada Power electric, Sierra Pacific Power electric and Sierra Pacific Power natural gas service. Electric service is provided to Las Vegas and surrounding Clark County, northern Nevada and the Lake Tahoe area of California. Natural gas services are provided in the Reno-Sparks area of Nevada. Other segment information includes segments below the quantitative threshold for separate disclosure. Parenthetical references are included after each major section title to identify the specific entity addressed in the section. See Note 3 of Notes to Financial Statements, Segment Information, for further discussion.

Periodic reports on Form 10-K and Form 10-Q and current reports on Form 8-K are made available to the public, free of charge, on the Sierra Pacific Resources, Nevada Power Company and Sierra Pacific Power Company websites, www.sierrapacificresources.com, www.nevadapower.com, and www.sierrapacific.com through links on these websites to the SEC's website at www.sec.gov as soon as reasonably practicable after they have been filed with the SEC. The contents of the above referenced website addresses are not part of this Form 10-K. Sierra Pacific Resources, Nevada Power Company and Sierra Pacific Power Company have adopted a code of ethics for their chief executive officer, chief financial officer and controller. Printed copies of the code of ethics may be obtained free of charge by writing to SPR's Corporate Secretary at Sierra Pacific Resources, P.O. Box 30150, Reno, NV 89520-3150.

PART III

ITEM 10. DIRECTORS AND EXECUTIVE OFFICERS OF THE REGISTRANT

(a) Directors

The following is a listing of all the current directors of SPR, NPC, and SPPC, and their ages as of December 31, 2003. There are no family relationships among them. Directors serve three-year terms with three (or four) terms of office expiring at each Annual Meeting, or until their successors have been elected and qualified.

Directors whose terms expire in 2004:

James R. Donnelley, 68

Partner, Stet and Query, Ltd., a family-owned investment company, since June 2000. He retired from R.R. Donnelley & Sons Company in June 2000, where he served as Vice Chairman of the Board from July 1990 to June 2000 and as a Director since 1976. Mr. Donnelley was R.R. Donnelley and Sons' Group President, Corporate Development, from June 1987 to July 1990, and Group President, Financial Printing Services Group, from January 1985 to January 1988. He is also a Director of Pacific Magazines & Printing Limited, and Chairman of National Merit Scholarship Corporation. Mr. Donnelley has served as a Director of SPR since 1987, of SPPC since 1992, and was elected a Director of NPC in July 1999.

Walter M. Higgins, 59

Chairman, President and Chief Executive Officer of SPR and Director and Chief Executive Officer of NPC and SPPC since August 2000. Mr. Higgins served as Chairman, President and Chief Executive Officer of AGL Resources, Inc., from February 1998 to August 2000. He was Chairman, President and Chief Executive Officer of SPR from January 1994 to January 1998. He also served as President and Chief Operating Officer of Louisville Gas and Electric Company from 1991 to November 1993. He is also a director of AEGIS Insurance Services, Inc., The National Environmental Education and Training Foundation, Edison Electric Institute, Western Energy Institute and several not-for-profit organizations.

John F. O'Reilly, 58

Chairman and Chief Executive Officer of the law firm of O'Reilly and Ferrario, LLC. He is also Chairman and Chief Executive Officer and/or a Board member of various family owned business entities. Mr. O'Reilly is a member of the Community Board of Directors of Wells Fargo Bank Nevada, N.A., a member of the Advisory

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Council of the UNLV International Gaming Institute, and a member of the UNLV Foundation Board. Mr. O'Reilly is also a member of the Las Vegas Chamber of Commerce Government Affairs Committee, a Board member and Secretary of United Way of Southern Nevada, a Board member of the Nevada Development Authority, and involved in various other not-for-profit organizations. He is also a member of the Board of Trustees of Loyola Marymount University in Los Angeles, California. Mr. O'Reilly has served as a Director of NPC since 1995, and was elected a Director of SPR and SPPC in July 1999.

Directors whose terms expire in 2005:

Krestine M. Corbin, 66

President and Chief Executive Officer of Sierra Machinery, Incorporated, since 1984 and a director of that company since 1980. Ms. Corbin has served as a Director of SPR since 1989, of SPPC since 1992, and was elected a Director of NPC in July 1999.

Clyde T. Turner, 66

Chairman and CEO of Turner Investments, Ltd., a general-purpose investment company, and several special-purpose real estate development companies known as Spectrum Companies in Las Vegas, Nevada. He is also a director of St. Rose Dominican Hospital and CapCure, and a member of the Environmental Advisory Committee to the Board of County Commissions, Clark County, Nevada. Mr. Turner is the retired Chairman and Chief Executive officer of Mandalay Bay. He was elected a Director of SPR, NPC, and SPPC in November 2001.

Directors whose terms expire in 2006:

Mary Lee Coleman, 66

President of Coleman Enterprises, a developer of shopping centers and industrial parks. She is also a director of First Dental Health. Ms. Coleman has served as a Director of NPC since 1980, and was elected a Director of SPR and SPPC in July 1999.

Theodore J. Day, 54

Senior Partner of Hale, Day, Gallagher Company, a real estate brokerage and investment firm. Mr. Day has served as a Director of SPPC since 1986, of SPR since 1987, and was elected a Director of NPC in July 1999. He is also a Director of the W.M. Keck Foundation.

Jerry E. Herbst, 65

Chief Executive Officer of Terrible Herbst, Inc., a gas station, car wash, convenience store chain and Herbst Supply Co., Inc., a wholesale fuel distributor, both family-owned businesses for which he has worked since 1959. He is also a partner of the Coast Resorts (hotel and casino industry). Mr. Herbst has served as a Director of NPC since 1990, and was elected a Director of SPR and SPPC in July 1999.

Messrs. Day and Higgins are Directors of Tuscarora Gas Pipeline Company; Mr. Higgins is a Director of Lands of Sierra, Inc., Sierra Pacific Communications, Sierra Water Development Company, Sierra Gas Holdings Company, Piñon Pine Corp., Piñon Pine Investment Co., and GPSF-B. All of the above-listed companies are subsidiaries of Sierra Pacific Resources, with the exception of Piñon Pine Corp., Piñon Pine Investment Co., and GPSF-B, which are subsidiaries of Sierra Pacific Power Company.

(b) Executive Officers

The following are current executive officers of the companies indicated and their ages as of December 31, 2003. There are no family relationships among them. Officers serve a term which extends to and expires at the annual meeting of the Board of Directors or until a successor has been elected and qualified:

Walter M. Higgins, 59, Chairman, President and Chief Executive Officer, Sierra Pacific Resources

See above description under Item 10(a), "Directors."

Michael W. Yackira, 52, Executive Vice President, Chief Financial Officer, Sierra Pacific Resources

Mr. Yackira was elected to his position in December 2003 and holds the same position at Nevada Power Company and Sierra Pacific Power Company. Mr. Yackira was previously Executive Vice President, Strategy and Policy, from January to December 2003. Previously he was the Vice President and CFO of Mars, Inc. from 2001 to 2002. Prior to that, he was with Florida-based FPL Group, Inc. from 1989 to 2000. His positions during that span included President of FPL Energy, Vice President-Finance and CFO of FPL Group, Senior Vice President-Finance and CFO of Florida Power & Light Co., Senior Vice President of Market and Regulatory Services of Florida Power and Light Company and Senior Vice President of Corporate Planning and Development. Positions in other industries include GTE Corporation and St. Joe Petroleum, Inc. Mr. Yackira is a certified public accountant.

Donald L. "Pat" Shalmy, 62, President, Nevada Power Company

Mr. Shalmy was elected to his present position in July 2002. He was previously Senior Vice President, NPC since May 2002. Formerly he held the position of Director, Government and Community Relations at Kummer, Kaempfer, Bonner & Renshaw Ltd. He was formerly President of the Las Vegas Chamber of Commerce from 1997 to 2001. From 1979 to 1997 he held various positions with Clark County, Nevada, including Director of Comprehensive Planning and County Manager.

Jeffrey L. Ceccarelli, 49, President, Sierra Pacific Power Company

Mr. Ceccarelli was elected to his present position in June 2000. He previously held the position of Vice President, Distribution Services, New Business, in July 1999 for SPPC and NPC. He was elected Vice President, Distribution Services for SPPC in February 1998. Prior to this, he served as Executive Director, Distribution Services. From January 1996 through January 1998, Mr. Ceccarelli was Director, Customer Operations. A civil engineer, Mr. Ceccarelli has been with SPPC since 1972.

Ernest E. East, 61, Vice President, General Counsel and Corporate Secretary, Sierra Pacific Resources.

Mr. East was elected to his present position in January 2004 and holds the same position at Nevada Power Company and Sierra Pacific Power Company. Previously he was Senior Vice President and General Counsel/Chief Compliance Officer for Hyatt Gaming Services, LLC, from August 1998 to January 2004. In 1997, he was Vice President, Secretary and General Counsel for Artisoft, Inc. From October 1994 to January 1996 he served as Vice President, Secretary and General Counsel for Elsinore Corporation. From June 1991 to August 1994 he was Executive Vice President, Secretary and General Counsel for Trump Hotels and Casino Resorts.

C. Stanley Hunterton, 55, Sierra Pacific Resources

Mr. Hunterton served as Senior Vice President, General Counsel and Corporate Secretary for SPR, NPC and SPPC from September 2002 to January 2004. He continues to serve as a partner at the law firm of Hunterton & Associates in Las Vegas, Nevada, formed in 1986, handling civil litigation. Formerly he held the position of Special Attorney, US Department of Justice, Organized Crime and Racketeering Section, Detroit Strike Force and Las Vegas Strike Force. Upon the appointment of Mr. East, Mr. Hunterton became outside counsel to the Companies.

Victor H. Peña, 55, Senior Vice President and Chief Administrative Officer, Sierra Pacific Resources

Mr. Peña was elected to his current position in May 2001 and holds the same position at SPPC and NPC. From 1998 to his appointment at SPR, he held various executive positions at AGL Resources, Inc., in Atlanta, Georgia, including Vice President, Business Development, and Vice President, Financial Systems and Controller.

Roberto R. Denis, 54, Vice President, Energy Supply, Nevada Power Company and Sierra Pacific Power Company

Mr. Denis was elected to his present position in August 2003. He was formerly Vice President, Market & Regulatory Affairs, at FPL Energy, LLC. From 1972 until assuming his former position, he held increasingly responsible positions at FPL.

John E. Brown, 53, Vice President and Controller, Sierra Pacific Resources

Mr. Brown was elected to his current position in July 2002, and holds the same position at SPPC and NPC. He was formerly Controller since May 2001. Previously he held the position of Director, Corporate and Tax Accounting. Mr. Brown has held a variety of positions in SPR, including Compliance Officer, Director, Shareholder Relations, and Director, Internal Audit. Mr. Brown has been with SPR 21 years.

Richard J. Coyle, Jr., 36, Vice President Finance and Chief Risk Officer, Sierra Pacific Resources

Mr. Coyle was elected to his present position in July 2002, and holds the same position for SPPC and NPC. He was previously President and Managing Director of Sierra Energy Company and Sierra Pacific Communications since June 2001. Formerly he held the position of Executive Director, Marketing and Operations for Sierra Pacific Energy Company since June 1999. Mr. Coyle has been with NPC since 1994.

Matt H. Davis, 48, Vice President, Distribution, Nevada Power Company

Mr. Davis was elected to his present position in 2002. He previously held the position of Vice President, Distribution Services, at both NPC and SPPC since July 1999. Previously he was Director, System Planning, and Division Director, System Planning and Operations for NPC. Mr. Davis has been with NPC since 1978.

Mary O. Simmons, 48, Vice President, Rates and Regulatory Affairs, Sierra Pacific Power Company and Nevada Power Company

Ms. Simmons was elected to her current position in May 2001. Previously she held the position of Controller for SPR since 1999, and held the same position with SPPC and NPC. Her previous positions include: Director, Water Policy and Planning; Director, Budgets and Financial Services; and Assistant Treasurer, Shareholder Relations for SPR. Ms. Simmons is a certified public accountant and has been with SPR since 1985.

Michael R. Smart, 47, Vice President, Distribution Services, Sierra Pacific Power Company

Mr. Smart was elected to his present position in July 2002. He was previously Vice President, Resource Management since May 2001, for both SPPC and NPC. He was formerly Acting Vice President, Resource Management, since October 2000. Previously he was Executive Director, Resource Management, for SPPC and NPC effective August 1999. Prior to this, from February 1998, he served as Director, Electric Operations, for SPPC. A registered electrical engineer in Nevada and California, Mr. Smart has been with SPPC since 1979 and has held numerous management positions in operations, engineering, and planning.

Jane Crane, 54, Vice President, Human Resources, Sierra Pacific Power Company and Nevada Power Company

Ms. Crane was elected to her present position in July 2002, acting as an outside consultant since April 2002, and joining the Company as Acting Vice President, Human Resources, in May 2002. Formerly she was a

consultant in human resources management from April 2000 to April 2002. She previously held the position of Vice President, Human Resources, at ARCO Alaska, Inc. from March 1995 to March 2000. She held various other management positions at ARCO from 1980 to March 1995.

Carol Marin, 52, Vice President, Customer Service, Sierra Pacific Power Company and Nevada Power Company

Ms. Marin was elected to her present position in May 2001. Previously she held the position of Director, Customer Information Systems Project, for both Utilities from August 1999 through May 2001. From 1977 until 1999, Ms. Marin served in a variety of management positions for SPPC in customer service, major accounts, and operations analysis. Ms. Marin has been with SPPC for 25 years.

Julian C. "Jack" Leone, 66, Vice President, Marketing and Communications, Sierra Pacific Power Company and Nevada Power Company

Mr. Leone was elected to his present position in June 2002. He previously held the position of Vice President of Marketing at Caesars Palace since March 2001. Previous to that, he spent two years as a member of Sitrick and Company, a public relations firm based in Los Angeles. From 1984 to 1999, he held a series of senior public relations and marketing positions in the gaming industry, including Caesars World, Inc., MGM Grand Hotel Casino, and Mandalay Bay Resort and Casino.

Susan Brennan, 44, Vice President, Information Services, Sierra Pacific Power Company and Nevada Power Company

Ms. Brennan was elected to her present position in May 2001. Previously she held the position of Executive Director, Customer Service, from August 1999 to May 2001, for NPC. From 1992 to 1999, Ms. Brennan served in various financial and industry restructuring positions. Ms. Brennan has been with NPC for 10 years.

Bob Werner, 66, Vice President, Generation, Sierra Pacific Power Company and Nevada Power Company

Mr. Werner was elected to his present position in July 2002. He was a consultant to NPC from October 2001 until July 2002. From 1997 to 2001, he was previously self-employed as a Consulting Engineer working primarily in the areas of electric generation and coal technology. Prior to that, he held various technical and management positions at PacifiCorp.

(c) Although all outstanding shares of SPPC's common stock are held by SPR and it is SPR's common stock which is traded on the New York Stock Exchange, SPPC has one series of non-voting preferred stock outstanding and registered under the Securities Exchange Act of 1934 (the Act). As a technical matter, SPPC is thus deemed an "issuer" for purposes of the Act whose officers are required to make filings with respect to beneficial ownership, if any, of those non-voting preferred securities. SPPC's officers, all of whom are currently reporting pursuant to Section 16(a) of the Act with respect to SPR's common stock, have filed reports with respect to SPPC's preferred stock, which reports show no past or current beneficial ownership of such preferred stock.

Section 16(a) Beneficial Ownership Reporting Compliance

Rule 16(a) of the Exchange Act requires that directors, officers and holders of more than 10% of SPR's common stock file reports with the Securities and Exchange Commission disclosing ownership of SPR stock and changes in ownership. All reports required to be filed pursuant to Rule 16 were filed in a timely fashion except as disclosed below.

On October 23, 2003 and November 11, 2003, Ms. Jane E. Crane, an officer of Sierra Pacific Resources, disposed of 900 and 87.427 shares of Sierra Pacific Resources common stock, respectively. These transactions were reported to the Securities and Exchange Commission on November 13, 2003.

On June 1, 2002, and December 1, 2002, Mr. Victor H. Pena, an officer of Sierra Pacific Resources, purchased 187 and 208 shares of Sierra Pacific Resources common stock, respectively. These transactions were reported to the Securities and Exchange Commission on December 4, 2003.

On May 24, 2001, Ms. Carol M. Marin became an officer of Sierra Pacific Resources, at that time she owned 360 shares that were inadvertently excluded from the Form 3 filing. The transaction was reported to the Securities and Exchange Commission on February 6, 2004.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

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

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

Approval of an Aerial Right-of-Way Grant between the City of Las Vegas and Nevada Power Company for 7,128 square feet of an easement area located on the south side of Harris Avenue West of Mojave Road, APN 139-25-405-008 (\$45,500 revenue - Park Capital Improvement Projects) - Ward 3 (Reese)

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

On 5/18/04, Public Works/Real Estate received a letter from HMH, Inc. HMH has been contracted by Nevada Power to acquire additional rights-of-way for the 138kV transmission line between the Artesian Substation and Pecos Substation in the northeast part of the Las Vegas Valley. This project involves: reframing poles and replacing one of the circuits. The easement is required in order to be in compliance with the National Electrical Safety Codes. We have negotiated a price of \$45,500 for the Aerial Right-of-Way Grant.

RECOMMENDATION:

The 8/2/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

1. Aerial Right-of-Way Grant
2. 5/18/04 letter from HMH

MOTION:

REESE – APPROVED Items 2-35, 37-45, and 47-54 – **UNANIMOUS** with **GOODMAN** abstaining on Item 45 because he still has a contingent interest in land located at Casino Center and Bonneville and **BROWN** excused

Item 36 & 46: APPROVED under separate actions (see individual items)

MINUTES:

Under Item 2, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:30 – 9:33)

1-811

APN: 139-25-405-008

Return to:
Land Services MS -9
Nevada Power Co.
P.O. BOX 98910
Las Vegas, NV 89151-001

AERIAL RIGHT OF WAY GRANT

I(We) CITY OF LAS VEGAS, a municipal corporation of the State of Nevada, for One Dollar and other valuable consideration, do hereby grant and convey to **NEVADA POWER COMPANY**, and to their successors and assigns, the perpetual right to construct, to operate, to add to, to maintain, and finally to remove a line or lines consisting of wires and cables for the transmission and distribution of electricity, and for telephone and/or other communication circuits, over, and cross the parcel(s) of land hereinafter described and the right of ingress and egress to and over said parcel(s); together with permission to cut and to trim brush and trees, as deemed necessary, to insure the safe and proper operation of said line or lines.

The above referred to parcels of land, situate in the City of Las Vegas, County of Clark, State of Nevada, are those portions of the Southwest (SW $\frac{1}{4}$) of Section 25, Township 20 South, Range 61 East, M.D.M., City of Las Vegas, County of Clark, State of Nevada, described as follows:

PARCEL 1:

The West 9.00 feet of the East 310.00 feet of the South Half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$) of said Section 25, being all within Lot 1 as shown by map thereof on file in File 106 of Parcel Maps, Page 75, recorded March 8, 2004, as Instrument No. 1785, in Book 20040308 in the Office of the County Recorder, Clark County, Nevada.

EXCEPTING THEREFROM that portion lying within Harris Avenue as dedicated to the City of Las Vegas for road purposes by Document recorded July 24, 1997, as Instrument No. 1295 in Book 970724, Official Records, Clark County, Nevada.

Said Easement being adjacent to and East of Nevada Power Company Easement recorded February 25, 1964, in Book 517 as Instrument No. 416161, Official Records, Clark County, Nevada.

PARCEL 2:

The North 23.58 feet of the West 7.65 feet of Lot 3 per said File 100 of Parcel maps, page 68.

Said Easement being adjacent to and West of the West line of the above mentioned Parcel 1.

Also adjacent to and North of Nevada Power Company Easement recorded February 25, 1964, in Book 517 as Instrument No. 416161, Official Records, Clark County, Nevada.

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

RW# 560-03yb
WO# 1002003 – PECOS/ ARTESIAN
Reference Document: 61:330751

1. Grantee shall have, at all times, the rights of ingress and egress over said described land for the purposes herein stated.
2. Grantee shall be responsible for any damages, suffered by reason of constructing, altering, maintaining, inspecting, repairing, reconstructing, and operating said Utility Facilities, to any personal property or improvements owned by Grantor and located on the property herein described.
3. Grantee shall have the right to remove or clear any and all buildings, fences, structures, combustible materials, debris, or any other obstruction from within said easement, and to cut down or trim all trees and brush within, adjacent to and outside of said easement, which in the reasonable judgement of Grantee may interfere with or endanger the constructing, maintaining, inspecting, repairing, reconstructing, and operating of said Utility Facility.

The Grantors retain the right to fence, to plant, to maintain and to so use said parcel for their own purpose so long as such use is consistent with standard electrical and telephone practices and does not interfere with the rights herein granted. Property owner shall not permit the construction or placement of any above or below ground structures within the easement area, including, but not limited to, canopies, grading, buildings, signage and/or covered facilities without written consent of Nevada Power Company.

WITNESS my (our) hand(s) this _____ day of _____, 200__.

CITY OF LAS VEGAS

BY: OSCAR B. GOODMAN
TITLE: Mayor

ATTEST

BY: BARBARA JO RONEMUS
TITLE: City Clerk

**APPROVED AS TO FORM
CITY ATTORNEY'S OFFICE**

Thomas R. Green 6/21/04
BY:
DATE:

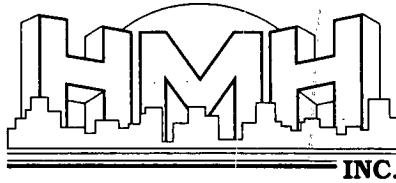
STATE OF NEVADA)
COUNTY OF CLARK)

On this _____ day of _____, 20____,
before me, a Notary Public, personally appeared _____,
_____ personally known to me (or proved to me on the basis
of satisfactory evidence) to be the person(s) who executed the within instrument as
_____ on behalf of CITY OF LAS VEGAS, and acknowledged to
me that the City executed it.

Notary Public

Notary Statement and/or Seal

AL HAGEN, P.L.S., W.R.S.
PRINCIPAL



DIANE FITCH, SR/WA
RIGHT-OF-WAY MANAGER

PAUL URBANO, P.L.S.
SURVEY MANAGER

8010 W. SAHARA--SUITE 140
LAS VEGAS, NEVADA 89117-1956
PHONE: (702) 256-7850 • FAX: (702) 256-1710

May 18, 2004

City of Las Vegas
Public Works/Real Estate & Assets
400 Stewart Avenue
Las Vegas, Nevada 89101

ATTN: Mr. David Roark

RE: Nevada Power Company Aerial Right of Way Grant on Property on the South Side of
Harris Avenue West of Mojave Road
APN 139-25-405-008

Dear Mr. Roark:

Nevada Power Company is presently acquiring additional rights of way for the 138kV transmission line between the Artesian Substation and Pecos Substation in the northeast part of the Las Vegas Valley. A portion of this existing transmission line is located along the west side of the property referenced above. HMH, Inc., has been contracted by Nevada Power Company to acquire the additional rights of way.

This project involves reframing poles and replacing one of the circuits. Additional right of way adjacent to the east side of the existing Nevada Power Company easement on your property will be required in order to be in compliance with the National Electrical Safety Codes. The planned project will not result in additional physical encroachment.

Therefore, enclosed is Nevada Power Company Grant of Easement RW# 560-03yb for your consideration and signature(s). The valuation for this easement was calculated from the original appraisal report sent to the City of Las Vegas dated February 19, 2004. The square footage of the easement area was adjusted to reflect the sale of a portion of the originally appraised site to D.I. Properties, Inc. Nevada Power Company offers you the appraised amount of \$45,500.00 compensation for the right of way as follows:

Valuation of Easement in Take in Setback Area:

Easement Area (net square feet)	350
Take Unit Value Opinion per sq. ft. (\$7.00 x 25%)	\$1.75
Value Opinion of Take: (rounded)	\$612.00

2004 MAY 19 A 8:46
CITY OF LAS VEGAS
PUBLIC WORKS
REAL ESTATE

City of Las Vegas
May 18, 2004
Page 2 of 2

Valuation of Easement in Developable Area:

Easement Area (net square feet)	7128
Take Unit Value Opinion per sq. ft. (\$7.00 x 90%)	<u>\$6.30</u>
Value Opinion of Take: (rounded)	\$44,905.00

Total Just Compensation Value Opinion of Take: (rounded) \$45,500.00

To accept this offer, please sign the document, have your signature(s) notarized, and contact me to have the document picked up. The document stamped "COPY" is for your records. Should you have a property lien (i.e. mortgage, deed of trust, etc.), the lender will be queried as to the handling of the compensation. After receiving the properly completed document, property ownership will be verified, the document recorded, and the offer amount paid.

If you have any questions, or need additional information, please contact me at (702) 256-7850. Your prompt attention to this matter is appreciated.

Sincerely,



Diane M. Fitch, SR/WA
Right of Way Manager

Enclosures

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

Approval of an Aerial Right-of-Way Grant between the City of Las Vegas and Nevada Power Company for 2,938 square feet of an easement area located north of Harris Avenue and west of Mojave Road, APN 139-25-303-014 and 015 (\$33,000 revenue - Park Capital Improvement Projects) - Ward 3 (Reese)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/Real Estate

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

On 4/26/04, Public Works/Real Estate received a letter from HMH, Inc. HMH has been contracted by Nevada Power to acquire additional rights-of-way for the 138kV transmission line between the Artesian Substation and Pecos Substation in the northeast part of the Las Vegas Valley. This project involves: reframing poles and replacing one of the circuits. The easement is required in order to be in compliance with the National Electrical Safety Codes. We have negotiated a price of \$33,000 for the Aerial Right-of-Way Grant.

RECOMMENDATION:

The 8/2/2004 Real Estate Committee and staff recommend approval
The 8/2/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

1. Aerial Right-of-Way Grant
2. 4/26/04 HMH letter

MOTION:

REESE – APPROVED Items 2-35, 37-45, and 47-54 – **UNANIMOUS** with **GOODMAN** abstaining on Item 45 because he still has a contingent interest in land located at Casino Center and Bonneville and **BROWN** excused

Item 36 & 46: APPROVED under separate actions (see individual items)

MINUTES:

Under Item 2, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:30 – 9:33)

1-811

APN: 139-25-303-014 & 015

Return to:
Land Services MS-9
Nevada Power Co.
P.O. BOX 98910
Las Vegas, NV 89151-001

AERIAL RIGHT OF WAY GRANT

I(We) CITY OF LAS VEGAS, a Municipal Corporation of the State of Nevada, for One Dollar and other valuable consideration, do hereby grant and convey to **NEVADA POWER COMPANY**, and to their successors and assigns, the perpetual right to construct, to operate, to add to, to maintain, and finally to remove a line or lines consisting of wires and cables for the transmission and distribution of electricity, and for telephone and/or other communication circuits, over, and cross the parcel(s) of land hereinafter described and the right of ingress and egress to and over said parcel(s); together with permission to cut and to trim brush and trees, as deemed necessary, to insure the safe and proper operation of said line or lines.

The above referred to parcels of land, situate in the City of Las Vegas, County of Clark, State of Nevada, are those portions of the Southwest Quarter (SW¼) of Section 25, Township 20 South, Range 61 East, M.D.M., Nevada, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

RW# 69-04yb
WO# 1002003 - PECOS/ ARTESIAN
Reference Document: 211:0171912

Grantee shall have, at all times, the rights of ingress and egress over said described land for the purposes herein stated

Grantee shall be responsible for any damages, suffered by reason of constructing, altering, maintaining, inspecting, repairing, reconstructing, and operating said Utility Facilities, to any personal property or improvements owned by Grantor and located on the property herein described.

Grantee shall have the right to remove or clear any and all buildings, fences, structures, combustible materials, debris, or any other obstruction from within said easement, and to cut down or trim all trees and brush within, adjacent to and outside of said easement, which in the reasonable judgement of Grantee may interfere with or endanger the constructing, maintaining, inspecting, repairing, reconstructing, and operating of said Utility Facility.

The Grantor retains the right to fence, to plant, to maintain and to so use said parcels for their own purpose so long as such use is consistent with standard electrical and telephone practices and does not interfere with the rights herein granted. Property owner shall not permit the construction or placement of any above or below ground structures within the easement area, including, but not limited to, canopies, grading, buildings, signage and/or covered facilities without written consent of Nevada Power Company.

8/2/04

Aerial R-O-W

Item# _____

WITNESS my(our) hand(s) this _____ day of _____, 200__

CITY OF LAS VEGAS

BY: OSCAR B. GOODMAN
TITLE: Mayor

BY: _____
TITLE: _____

APPROVED AS TO FORM:
Thomas R. Green 6/21/04
DEPUTY CITY ATTORNEY Date

STATE OF NEVADA)

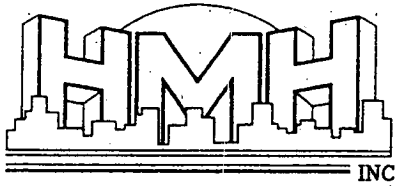
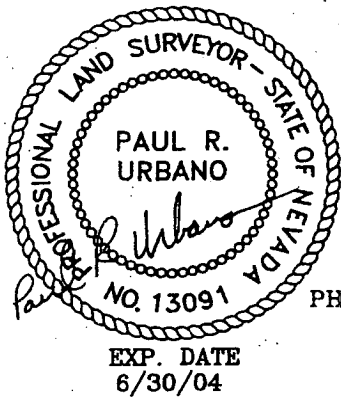
COUNTY OF CLARK)

On this _____ day of _____, 20____,
before me, a Notary Public, personally appeared _____,
personally known to me (or proved to me on the basis of satisfactory evidence) to be the
person(s) who executed the within instrument as _____
on behalf of CITY OF LAS VEGAS, and acknowledged to me that they executed it.

Notary Public

Notary Statement and/or Seal

RW10B



8010 WEST SAHARA-SUITE 140
LAS VEGAS, NEVADA 89117-1956
PHONE: (702) 256-7850 FAX: (702) 256-1710

01723
HMH023-04
MARCH 8, 2004
RDC/DMF
APN 139-25-303-014 & -015

EXPLANATION: THIS LEGAL DESCRIBES AN EASEMENT FOR THE NEVADA POWER COMPANY PECOS-ARTESIAN TRANSMISSION LINE PROJECT.

"Exhibit A"

THOSE PORTIONS OF PARCELS 2 AND 3 AS SHOWN BY MAP THEREOF ON FILE IN FILE 99, PAGE 16 OF PARCEL MAPS IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA, LYING WITHIN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 25, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

PARCEL A:

THAT PORTION OF THE WEST 13.00 FEET OF THE EAST 310.00 FEET OF THE NORTH HALF (N 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 25, LYING WITHIN SAID PARCEL 2.

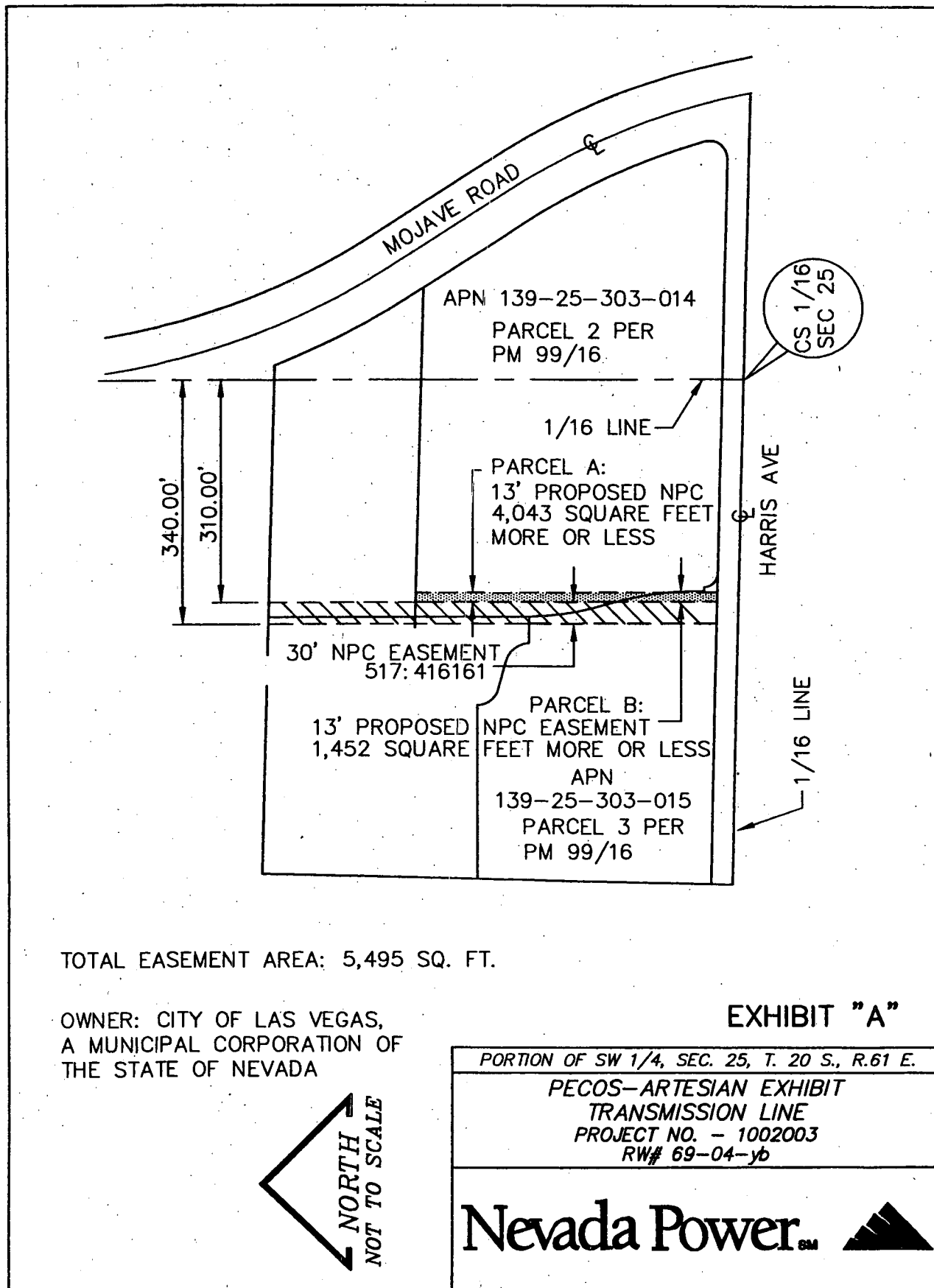
THE WEST LINE OF SAID EAST 310.00 FEET BEING CONTIGUOUS WITH THE EAST LINE OF A RIGHT OF WAY GRANT TO NEVADA POWER COMPANY RECORDED FEBRUARY 25, 1964 AS INSTRUMENT NO. 416161 IN BOOK 517 OF OFFICIAL RECORDS, CLARK COUNTY, NEVADA.

PARCEL B:

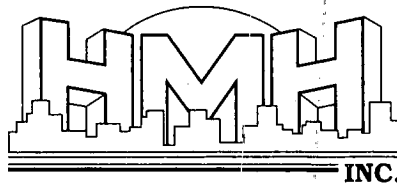
THAT PORTION OF THE WEST 13.00 FEET OF THE EAST 310.00 FEET OF THE NORTH HALF (N 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 25, LYING WITHIN SAID PARCEL 3.

THE WEST LINE OF SAID EAST 310.00 FEET BEING CONTIGUOUS WITH THE EAST LINE OF A RIGHT OF WAY GRANT TO NEVADA POWER COMPANY RECORDED FEBRUARY 25, 1964 AS INSTRUMENT NO. 416161 IN BOOK 517 OF OFFICIAL RECORDS, CLARK COUNTY, NEVADA.

NOTE: THIS LEGAL DESCRIPTION IS PROVIDED AS A CONVENIENCE AND IS NOT INTENDED FOR THE PURPOSE OF SUBDIVIDING LAND NOT IN CONFORMANCE WITH NEVADA REVISED STATUES.



AL HAGEN, P.L.S., W.R.S.
PRINCIPAL



DIANE FITCH, SR/WA
RIGHT-OF-WAY MANAGER

PAUL URBANO, P.L.S.
SURVEY MANAGER

8010 W. SAHARA-SUITE 140
LAS VEGAS, NEVADA 89117-1956
PHONE: (702) 256-7850 • FAX: (702) 256-1710

April 26, 2004

City of Las Vegas
Public Works/Real Estate & Assets
400 Stewart Avenue
Las Vegas, Nevada 89101

ATTN: Mr. David Roark

RE: Nevada Power Company Aerial Right of Way Grant on Properties north of Harris Avenue and west of Mojave Road
APN 139-25-303-014 and 139-25-303-015

Dear Mr. Roark:

Nevada Power Company is presently acquiring additional rights of way for the 138kV transmission line between the Artesian Substation and Pecos Substation in the northeast part of the Las Vegas Valley. A portion of this existing transmission line is located along the east and west sides of the properties referenced above. HMH, Inc., has been contracted by Nevada Power Company to acquire the additional rights of way.

This project involves reframing poles and replacing one of the circuits. Additional right of way adjacent to the east side of the existing Nevada Power Company easement on your properties will be required in order to be in compliance with the National Electrical Safety Codes.

Therefore, enclosed is Nevada Power Company Aerial Right of Way Grant RW# 69-04yb for consideration and signature(s). An independent real estate appraiser has appraised the right of way and Nevada Power Company offers you the appraised amount of \$33,000.00 calculated as follows:

Valuation of Easement Take in Setback Area: APN 139-25-303-014

Easement Area (net square feet)	1,105
Take Unit Value Opinion per sq. ft. (25% x \$10.00)	x \$2.50
Sub-Total Value Opinion of Take (rounded):	\$2,800.00

Valuation of Easement Take in Setback Area: APN 139-25-303-015

Easement Area (net square feet)	1,452
Take Unit Value Opinion per sq. ft. (25% x \$10.00)	<u>x \$2.50</u>
Sub-Total Value Opinion of Take (rounded):	\$3,650.00

Valuation of Easement in Developable Area: APN 139-25-303-014

Easement Area (net square feet)	2,938
Take Unit Value Opinion per sq. ft. (90% x \$10.00)	<u>\$9.00</u>
Value Opinion of Take (rounded):	\$26,500.00

Total Value Opinion of Takes (rounded): **\$33,000.00**

To accept this offer, please have the proper person(s) sign the document, the signature(s) notarized, and return it in the enclosed envelope. The document stamped "COPY" is for your files. After receiving the properly completed document, property ownership will be verified, the document recorded, and the offer amount paid.

Also enclosed is a copy of the appraisal report and a sketch showing the limits of the project and the pole reframing cross-sections. If you have any questions, or need additional information, please contact me at (702) 256-7850. Your prompt attention to this matter is appreciated.

Sincerely,



Diane M. Fitch, SR/WA
Right of Way Manager

Enclosures

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

Approval of an Aerial Right-of-Way Grant between the City of Las Vegas and Nevada Power Company for 5,621 square feet of an easement area located south of Washington Avenue and west of Mojave Road, APN 139-25-303-001 (\$30,500 revenue - Park Capital Improvement Projects) - Ward 3 (Reese)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/Real Estate

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

On 4/29/04, Public Works/Real Estate received a letter from HMH, Inc. HMH has been contracted by Nevada Power to acquire additional rights-of-way for the 138kV transmission line between the Artesian Substation and Pecos Substation in the northeast part of the Las Vegas Valley. This project involves: reframing poles and replacing one of the circuits. The easement is required in order to be in compliance with the National Electrical Safety Codes. We have negotiated a price of \$30,500 for the Aerial Right-of-Way Grant.

RECOMMENDATION:

The 8/2/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

1. Aerial Rights-of-Way Grant
2. 4/29/04 HMH letter

MOTION:

REESE – APPROVED Items 2-35, 37-45, and 47-54 – UNANIMOUS with GOODMAN abstaining on Item 45 because he still has a contingent interest in land located at Casino Center and Bonneville and BROWN excused

Item 36 & 46: APPROVED under separate actions (see individual items)

MINUTES:

Under Item 2, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:30 – 9:33)

APN: 139-25-303-001

Return to:
Land Services MS - 9
Nevada Power Co.
P.O. BOX 98910
Las Vegas, NV 89151-0001

AERIAL RIGHT OF WAY GRANT

I(We) CITY OF LAS VEGAS, a Municipal Corporation of the State of Nevada, for One Dollar and other valuable consideration, do hereby grant and convey to NEVADA POWER COMPANY, and to their successors and assigns, the perpetual right to construct, to operate, to add to, to maintain, and finally to remove a line or lines consisting of wires and cables for the transmission and distribution of electricity, and for telephone and/or other communication circuits, over, and cross the parcel(s) of land hereinafter described and the right of ingress and egress to and over said parcel(s); together with permission to cut and to trim brush and trees, as deemed necessary, to insure the safe and proper operation of said line or lines.

The above referred to parcels of land, situate in the City of Las Vegas, County of Clark, Nevada, are those portions of the Northeast Quarter (NE¼) of the Southwest Quarter (SW ¼) of Section 25, Township 20 South, Range 61 East, M.D.M., City of Las Vegas, County of Clark, Nevada, described as follows:

PARCEL 1

The West 7.00 feet of the East 320.00 feet of the North half of the Southwest Quarter (N½ SW¼) of said Section 25, being all within Parcel 3 as shown by map thereof on file in File 60 of Parcel Maps, Page 77, recorded May 17, 1989, as Instrument No. 505, in Book 890517, in the Office of the County Recorder, Clark County, Nevada.

EXCEPTING THEREFROM that portion lying South of the North Line of Existing Nevada Power Company Easement recorded May 26, 1965, as Instrument No. 506164 in Book 629, Official Records, Clark County, Nevada.

FURTHER EXCEPTING THEREFROM the North 55.00 feet of the East 320.00 feet of the North Half of the Southwest Quarter (N½ SW¼) of said Section 25.

Said easements being adjacent to and East and South of Nevada Power Company Easement recorded February 25, 1964, as Instrument No. 416161 in Book 517, Official Records, Clark County, Nevada.

PARCEL 2

The South 12.00 feet of the North 17.00 feet of Parcel 3 per said File 60 of Parcel Maps, Page 77.

EXCEPTING THEREFROM the West 17.00 feet.

Said easement being adjacent to and South of Nevada Power Company Easement recorded February 25, 1964, as instrument No. 416161 in Book 517, Official Records, Clark County, Nevada.

Also being adjacent and East of the East line of the above mentioned PARCEL 1.

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

1. Grantee shall have, at all times, the rights of ingress and egress over said described land for the purposes herein stated.
2. Grantee shall be responsible for any damages, suffered by reason of constructing, altering, maintaining, inspecting, repairing, reconstructing, and operating said Utility Facilities, to any personal property or improvements owned by Grantor and located on the property herein described.
3. Grantee shall have the right to remove or clear any and all buildings, fences, structures, combustible materials, debris, or any other obstruction from within said easement, and to cut down or trim all trees and brush within, adjacent to and outside of said easement, which in the reasonable judgement of Grantee may interfere with or endanger the constructing, maintaining, inspecting, repairing, reconstructing, and operating of said Utility Facility.

RW# 549-03yb
WO# 1002003 - PECOS/ ARTESIAN
Reference Document: 211:171912

The Grantors retain the right to fence, to plant, to maintain and to so use said parcel for their own purpose so long as such use is consistent with standard electrical and telephone practices and does not interfere with the rights herein granted. Property owner shall not permit the construction or placement of any above or below ground structures within the easement area, including, but not limited to, canopies, grading, buildings, signage and/or covered facilities without written consent of Nevada Power Company.

WITNESS my (our) hand(s) this _____ day of _____, 200__

CITY OF LAS VEGAS

BY: Oscar B. Goodman
TITLE: Mayor

BY: _____
TITLE: _____

APPROVED AS TO FORM:
Thomas R. Shen 6/21/04
DEPUTY CITY ATTORNEY Date

STATE OF NEVADA)
COUNTY OF CLARK)

On this _____ day of _____, 20____,
before me, a Notary Public, personally appeared _____,
_____ personally known to me (or proved to me on the basis
of satisfactory evidence) to be the person(s) who executed the within instrument as
_____ on behalf of CITY OF LAS VEGAS, and acknowledged to
me that the City executed it.

Notary Public

Notary Statement and/or Seal

C 1/4
SEC 25

WASHINGTON AVENUE

50'

17'

5.00' NPC EASEMENT
517:416161

12.00' PROPOSED
NPC EASEMENT
3101 SQ. FT.

7.00' PROPOSED
NPC EASEMENT
4341 SQ. FT.

10.00' NPC EASEMENT
517:416161

EASEMENT TOTAL =
7,442 SQUARE FEET,
MORE OR LESS.

320'

APN 139-25-303-001

PARCEL 3

FILE 60 OF PARCEL MAPS, PAGE 77

12.00' NPC EASEMENT
629:506164

MOJAVE STREET

50'

1/4 SECTION LINE

OWNER:
CITY OF LAS VEGAS,
A MUNICIPAL CORPORATION

EXHIBIT "A"



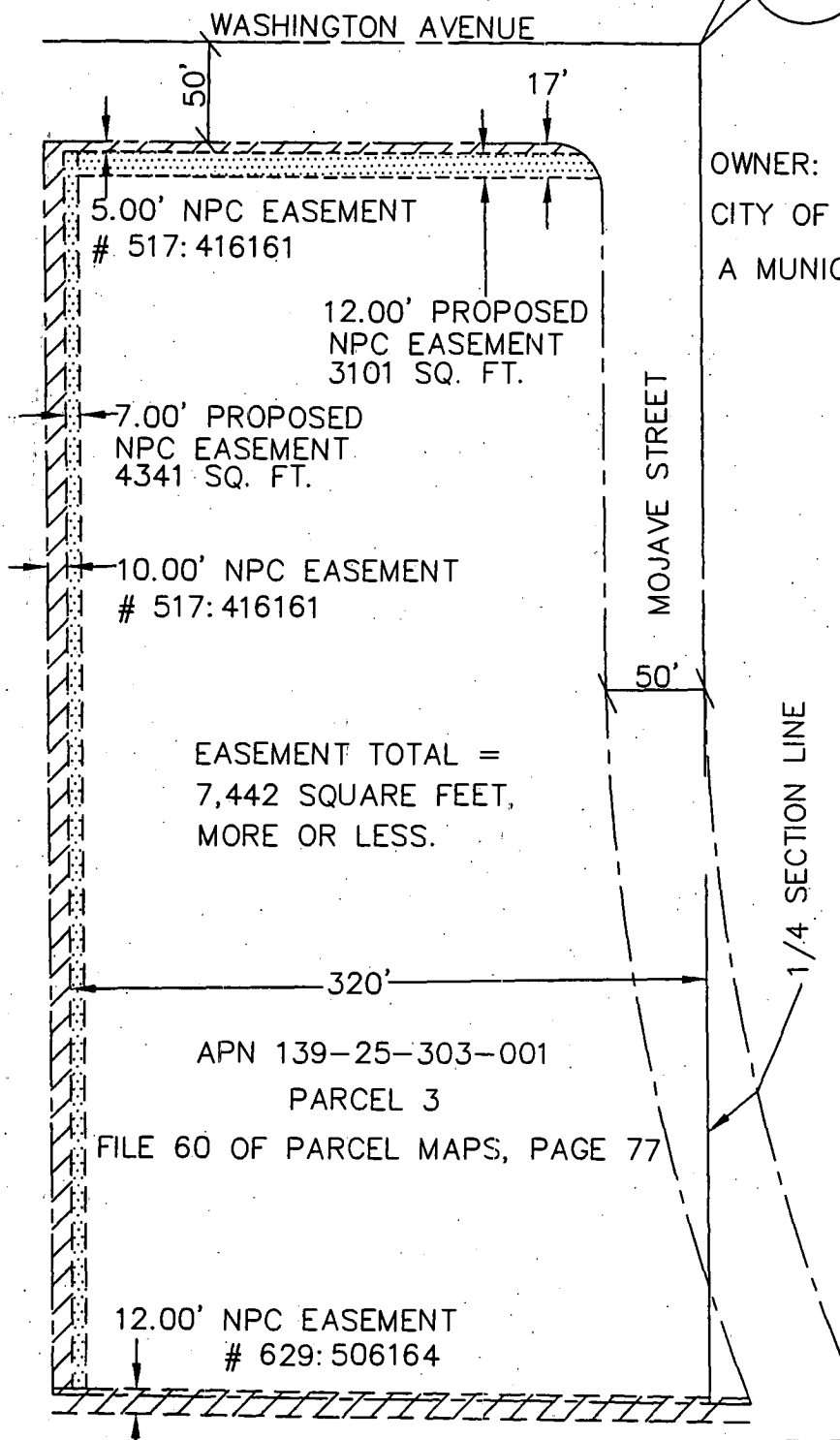
POR. NE 1/4 SW 1/4, SEC. 25, T. 20 S., R. 61 E.

PECOS - ARTESIAN 138kV
TRANSMISSION LINE
PROJECT NO. 1002003
RW# 549-03yb

Nevada PowerSM

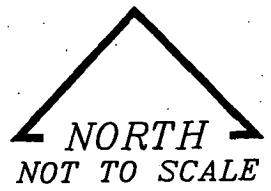


C 1/4
SEC 25



OWNER:
CITY OF LAS VEGAS,
A MUNICIPAL CORPORATION

EXHIBIT "A"

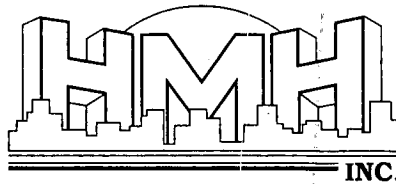


POR. NE 1/4 SW 1/4, SEC. 25, T. 20 S., R. 61 E.

PECOS - ARTESIAN 138kV
TRANSMISSION LINE
PROJECT NO. 1002003
RW# 549-03yb

Nevada Power SM 

AL HAGEN, P.L.S., W.R.S.
PRINCIPAL



DIANE FITCH, SR/WA
RIGHT-OF-WAY MANAGER

PAUL URBANO, P.L.S.
SURVEY MANAGER

8010 W. SAHARA-SUITE 140
LAS VEGAS, NEVADA 89117-1956
PHONE: (702) 256-7850 • FAX: (702) 256-1710

April 29, 2004

City of Las Vegas
Public Works/Real Estate & Assets
400 Stewart Avenue
Las Vegas, Nevada 89101

ATTN: Mr. David Roark

RE: Nevada Power Company Aerial Right of Way Grant on Property south of Washington Avenue and west of Mojave Road
APN 139-25-303-001

Dear Mr. Roark:

Nevada Power Company is presently acquiring additional rights of way for the 138kV transmission line between the Artesian Substation and Pecos Substation in the northeast part of the Las Vegas Valley. A portion of this existing transmission line is located along the north and west sides of the property referenced above. HMMH, Inc., has been contracted by Nevada Power Company to acquire the additional rights of way.

This project involves reframing poles and replacing one of the circuits. Additional right of way along the north and west sides of your property, adjacent to the existing Nevada Power Company easement will be required in order to be in compliance with the National Electrical Safety Codes.

Therefore, enclosed is Nevada Power Company Aerial Right of Way Grant RW# 549-03yb for consideration and signature(s). An independent real estate appraiser has appraised the right of way and Nevada Power Company offers you the appraised amount of \$30,500.00 calculated as follows:

Valuation of Easement Take in Setback Area:

Easement Area (net square feet)	5,621
Take Unit Value Opinion per sq. ft. (25% x \$10.00)	x \$2.50
Value Opinion of Take (rounded):	\$14,050.00

Valuation of Easement in Developable Area:

Easement Area (net square feet)	1,821
Take Unit Value Opinion per sq. ft. (90% x \$10.00)	<u>\$9.00</u>
Value Opinion of Take (rounded):	\$16,400.00

Total Value Opinion of Take (rounded): **\$30,500.00**

To accept this offer, please have the proper person(s) sign the document, the signature(s) notarized, and return it in the enclosed envelope. The document stamped "COPY" is for your files. After receiving the properly completed document, property ownership will be verified, the document recorded, and the offer amount paid.

Also enclosed is a copy of the appraisal report and a sketch showing the limits of the project and the pole reframing cross-sections. If you have any questions, or need additional information, please contact me at (702) 256-7850. Your prompt attention to this matter is appreciated.

Sincerely,



Diane M. Fitch, SR/WA
Right of Way Manager

Enclosures

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

Approval of a Lease Agreement between the City of Las Vegas and Urban Chamber of Commerce for 1,280 square feet of office space in the City owned portion of Nucleus Plaza, located at 1052 West Owens Avenue (\$1,408 monthly revenue - HUD/Community Development Block Grant/Nevada State Welfare/Nucleus Plaza-Common Area Maintenance/Miscellaneous Rentals) - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/Real Estate

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Urban Chamber of Commerce currently occupies the office space located at 1048 West Owens to operate a non-profit venture supporting local businesses emphasizing African-American owned business. Urban Chamber now desires to lease additional space at 1052 West Owens to operate a local business community center with related activities for non-profit. This is an eighteen-month lease with an option to renew for an additional six months.

RECOMMENDATION:

The 8/2/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

Lease Agreement

MOTION:

REESE – APPROVED Items 2-35, 37-45, and 47-54 – **UNANIMOUS** with **GOODMAN** abstaining on Item 45 because he still has a contingent interest in land located at Casino Center and Bonneville and **BROWN** excused

Item 36 & 46: APPROVED under separate actions (see individual items)

MINUTES:

Under Item 2, **COUNCILMAN WEEKLY** reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:30 – 9:33)

1-811

LEASE AGREEMENT

THIS LEASE AGREEMENT is entered into this 11th day of August, 2004 by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada (hereinafter referred to as "Landlord"), and URBAN CHAMBER OF COMMERCE, a Nevada nonprofit corporation, (hereinafter referred to as "Tenant").

WITNESSETH:

WHEREAS, the Tenant is interested in continuing to operate a local business community center with related activities for non-profit; and

WHEREAS, Landlord is the owner of certain real property located at 1052 West Owens Avenue, Las Vegas, Nevada, and commonly known and referred to as Nucleus Plaza Shopping Center; and

WHEREAS, the Tenant is currently occupying and is desirous to continue occupying the Landlord's real property by leasing space at Nucleus Plaza Shopping Center to operate its non-profit business which supports and encourages the local business community under the terms, conditions, and covenants hereinafter set forth.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements hereinafter contained, the parties hereto agree as follows:

1. PREMISES.

In consideration of the rents, covenants and agreements contained herein, Landlord leases to Tenant, and Tenant leases from Landlord certain commercial space comprising (1,280+/-) square feet located in the City of Las Vegas, County of Clark, State of Nevada, located at 1052 West Owens Avenue ("Premises") in Nucleus Plaza Shopping Center ("Shopping Center"), delineated on Exhibit "A" attached hereto and by this reference made a part of this Lease Agreement.

2. TERM.

2.1. Length of Term. The term of this Lease shall be for **eighteen (18)** months beginning on the **July 1, 2004** as hereinafter defined. Upon approval of the Las Vegas City Council, this Lease may be renewed for an **additional six months**. Each six months thereafter, the Las Vegas City Council will review the Lease to determine if it shall be renewed for an additional term of six months.. This Lease Agreement may be terminated with or without cause by either party providing the other 30-day advance written notice of its intent to terminate. Upon receipt of the notice, the Termination Date shall be on the last calendar day of the Month in which the 30 day notification period ends. For example, if notification is provided on the 5th day of July, the Lease Agreement terminates on August 31st of that same year.

2.2. Commencement Date. The Commencement Date for this Lease Agreement will begin on the date first above written.

2.3 Execution Date. The Execution Date for this Lease Agreement is the date on which both parties have signed the agreement.

3. RENT.

3.1 Tenant agrees to pay to Landlord, at such place as Landlord may designate, without prior demand therefor and without any deduction or set off whatsoever, except as provided herein, the Base Rental Payment of **One Thousand Four Hundred and Eight dollars and no/100 (\$1,408.00) per month.**

3.2 Tenant agrees that any and all work, repair or maintenance required and/or performed under Section 10 (Maintenance) is considered Supplement Rent in addition to the Base Rental Payment.

4. This section intentionally omitted.

5. CHANGES TO SHOPPING CENTER.

Landlord hereby reserves the right at any time to make changes, alterations or additions, including the building and leasing of additional commercial space, in or on the building in which the Premises are contained, anywhere in the Shopping Center.

6. USE.

Tenant shall use the Premises solely for the purpose of conducting its business, which is expressly limited to: supporting and encouraging the local business community and related services. Said business shall be operated under the trade name: Urban Chamber of Commerce. Tenant shall not use or permit the Premises to be used for any other purpose or purposes except with the prior written consent of Landlord.

7. CONTINUOUS OPERATION.

Tenant covenants to operate its business at the Premises continuously during the entire term of this Lease. Tenant shall keep on the Premises at all times sufficient personnel to service the usual and ordinary demands and requirements of its customers. Tenant shall conduct its business on the Premises during the regular customary days and hours of such type of business in the city or trade area in which the Shopping Center is located, and may conduct such business on any other days or times it deems appropriate.

8. LAWS, WASTE, NUISANCE.

Tenant covenants that it: (a) will comply with all governmental laws, ordinances, regulations, and requirements, now in force or which hereafter may be in force, of any lawful governmental body or authorities having jurisdiction over the Premises; (b) will keep the Premises and every part thereof in a clean, neat and orderly condition, free of objectionable noise, odors, or nuisances, and will in all respects and at all times fully comply with all health and police regulations; and (c) shall not suffer, permit or commit any waste.

9. SIGNS. AWNINGS AND CANOPIES.

9.1. Tenant shall not place or suffer to be placed or maintained on any exterior door, wall, or window of the Premises, or elsewhere in the Shopping Center, any sign, awning, or canopy, or advertising matter or other thing of any kind, and will not place or maintain any decoration, lettering, or advertising matter on the glass of any window or door of the Premises without first obtaining Landlord's written approval. Tenant further agrees to maintain such sign, awning, canopy, decoration, lettering, advertising material, or other things as may be approved in good condition and repair at all times. Landlord may, at Tenant's cost, remove any item erected in violation of this Section.

9.2. Uniform Signs. Landlord shall have the right to compel Tenant to purchase or lease, a fascia sign for the front of Tenant's premises. Said sign shall be consistent with other signs in the Shopping Center. Landlord shall have the sole right to designate the style of said sign, materials for construction of said sign and the style and manner of lettering and lighting of said sign.

10. MAINTENANCE.

10.1. Maintenance by Tenant. Tenant shall keep all portions of the Premises including but not limited to the foundations, windows, doors, plate glass or the interior surfaces of exterior walls, exterior walls and roof of the Premises (including painting the exterior surface of the exterior walls) and all components of electrical, mechanical, plumbing, heating and air conditioning systems and facilities located in the Premises which are concealed, structural, nonstructural, interior, systems, interior repainting and refinishing in good order, condition and repair. If any portion of the Premises or any system or equipment in the Premises which Tenant is obligated to repair cannot be fully repaired or restored, Tenant shall promptly replace such portion of the Premises or system or equipment in the Premises, regardless of whether the benefit of such replacement extends beyond the Lease Term; but if the benefit or useful life of such replacement extends beyond the Lease Term (as such term may be extended by exercise of any options, the useful life of such replacement shall be prorated over the remaining portion of the Lease Term (as extended), and Tenant shall be liable only for that portion of the cost which is applicable to the Lease Term (as extended). If any part of the Premises or the Project is damaged by any act or omission of Tenant, Tenant shall pay Landlord the cost of repairing or replacing such damaged property, whether or not Landlord would otherwise be obligated to pay the cost of maintaining or repairing such property. It is the intention of Landlord and Tenant that at all times Tenant shall maintain the portions of the Premises which Tenant is obligated to maintain in an attractive, first-class and fully operative condition.

10.2. Tenant shall fulfill all of Tenant's obligations under this Section 10.1 at Tenant's sole expense. If Tenant fails to maintain, repair or replace the Property as required by this Section 10.1, Landlord may, upon ten (10) days' prior notice to Tenant (except that no notice shall be required in the case of an emergency), enter the Premises and perform such maintenance or repair (including replacement, as needed) on behalf of Tenant. In such case, Tenant shall reimburse Landlord for all costs incurred in performing such maintenance or repair immediately upon demand.

11. ALTERATIONS.

11. 1. Tenant Alterations and Improvement. Tenant shall not make or cause to be made any alterations, additions or improvements or install interior or exterior lighting, plumbing fixtures, or shades or awnings, or make any changes to the store front, without first obtaining Landlord's written approval. Tenant shall present to the Landlord plans and specifications for such work at the time approval is sought. In the event Landlord consents to the making of any alterations, additions, or improvements to the Premises by Tenant, the same shall be made by Tenant at Tenant's sole cost and expense. All such work with respect to any alterations, additions and changes shall be done in a good and workmanlike manner and diligently prosecuted to completion such that, except as absolutely necessary during the course of such work, the Premises shall at all times be a complete operating unit. Any such alterations, additions, or changes shall be performed and done strictly in accordance with the laws or ordinances relating thereto. In performing the work or any such alterations, additions or changes, Tenant shall have the same performed in such a manner as not to obstruct access to any portion of the Shopping Center. Any alterations, additions, or improvements to or of the Premises, including, but not limited to, wall covering, paneling, but excepting built-in cabinet work movable furniture and trade fixtures, shall at once become a part of the realty and shall be surrendered with the Premises unless Landlord otherwise elects at the end of the term hereof.

12. MECHANIC'S LIEN.

Should any mechanic's or other lien be filed against the Premises or any part thereof by reason of Tenant's acts or omissions or because of a claim against Tenant, Tenant shall cause the same to be canceled and discharged of record by bond or otherwise within thirty (30) days after notice by Landlord.

13. UTILITIES.

Landlord shall not be liable in the event of any interruption in the supply of any utility services to the Premises or Shopping Center unless occasioned by Landlord's acts or omissions. Tenant agrees that it will not install any equipment which will exceed or overload the capacity of any utility facilities and that if any equipment installed by Tenant shall require additional utility facilities, the same shall be installed at Tenant's expense in accordance with plans and specifications to be approved in writing by Landlord, Tenant shall be solely responsible for and shall promptly pay all charges for use or consumption for heat, sewer, water, gas, electricity, or any other utility services. Should Landlord elect to supply any utility services, Tenant agrees to purchase and pay for the same as additional rent at the applicable rates charged by the utility furnishing the same.

14. COMMON AREAS.

14. 1. Revocable License. All common areas in the Shopping Center which Tenant may be permitted to use and occupy are to be used and occupied under a revocable license, and if any such license be revoked or if the amount of such areas be changed or diminished, Landlord shall not be subject to any liability nor shall Tenant be entitled to any compensation or diminution or abatement of rent nor shall revocation or diminution of such areas be deemed constructive or actual eviction. All common areas and other facilities in or about the Shopping Center shall be subject to the exclusive control and management of Landlord. Landlord shall have the right to construct, maintain and operate lighting and other facilities on all said areas and improvements; to police the same; to change the area, level, location and arrangement of parking areas and other facilities; to restrict parking by tenants, their officers, agents, and employees; to close all or any portion of said areas or facilities to such extent as may be legally sufficient to prevent a dedication thereof or the accrual of any right to any person or the public therein; and to close temporarily all or any portion of the parking areas of facilities to discourage non-customer parking. Landlord shall operate and maintain the common areas in such manner as Landlord in its discretion shall determine, shall have full right and authority to employ and discharge all personnel with respect thereto, and shall have the right through reasonable rules, regulations and/or restrictive covenants promulgated by it from time to time, to control use and operation of the common areas in order that the same may occur in a proper and orderly fashion.

15. ASSIGNMENT.

15.1. Assignment Prohibited. Tenant shall not transfer, assign, mortgage, or hypothecate this Lease, in whole or in part, or permit the use of the Premises by any person or persons other than Tenant, or sublet the Premises, or any part thereof, without the prior written consent of Landlord in each instance. Such prohibition against assigning or subletting shall include any assignment or subletting by operation of law. Any transfer of this Lease from Tenant by merger, consolidation, transfer of assets, or liquidation shall constitute an assignment for purposes of this Lease. In the event that Tenant hereunder is a corporation, an unincorporated association, or a partnership, the transfer, assignment, or hypothecation of any stock or interest in such corporation, association, or partnership in the aggregate in excess of forty nine percent (49%) shall be deemed an assignment within the meaning of this Section.

15.2. Consent Required. Any assignment or subletting without Landlord's consent shall be void, and shall constitute a default hereunder which, at the option of Landlord, shall result in the termination of this Lease or exercise of Landlord's other remedies hereunder. Consent to any assignment or subletting shall not operate as a waiver of the necessity for consent to any subsequent assignment or subletting, and the terms of such consent shall be binding upon any person holding by, under or through Tenant.

15.3. Landlord's Right in Event of Assignment. If this Lease is assigned or if the Premises or any portion thereof are sublet or occupied by any person other than Tenant, Landlord may collect rent and other charges from such assignee or other party, and apply the amount collected to the rent and other charges reserved hereunder, but such collection shall not constitute consent or waiver of the necessity of consent to such assignment, subleasing, or other transfer, nor shall such collection constitute the recognition of such assignee, sublessee, or other party as the Tenant hereunder or a release of Tenant from the further performance of all of the covenants and obligations of Tenant herein contained. In the event that Landlord shall consent to a sublease or assignment hereunder, Tenant shall pay to landlord reasonable fees, not to exceed \$100.00, incurred in connection with processing documents necessary to the giving of such consent.

6. INDEMNITY.

(A) Tenant shall indemnify Landlord and save harmless from and against any and all suits, actions, damages, claims, liability, and expense in connection with loss of life, bodily or personal injury, or property damage arising from or out of any occurrence in, upon, at or from the Premises, or the occupancy or use by Tenant of the Premises or any part thereof, or occasioned wholly or in part by any act or omission of Tenant, its agents, contractors, employees, servants, invitees, licensees, or concessionaires.

(B) Landlord shall not be responsible or liable at any time for any loss or damage to Tenant's merchandise, equipment, fixtures, or other personal property or to Tenant's business, including any loss or damage to either the person or property of Tenant that may be occasioned by or through the acts or omissions of persons occupying adjacent, connecting, or adjoining space.

(C) Tenant shall give prompt notice to Landlord in case of fire or accidents in the Premises or in the building of which the Premises are a part or of defects therein or in any fixtures or equipment.

(D) In case Landlord shall without fault on its part be made a party to any litigation commenced by or against Tenant, then Tenant shall protect and hold Landlord harmless and shall pay all costs, expenses, and reasonable attorneys' fees.

(E) In case Tenant shall without fault on its part be made a party to any litigation commenced by or against Landlord, then Landlord shall protect and hold Tenant harmless and shall pay all costs, expenses, and reasonably attorneys' fees.

17. INSURANCE.

17.1. At all times during its occupancy of the Premises, Tenant shall, at its sole cost and expense, obtain and maintain bodily injury liability insurance covering the Premises and any and all improvements thereon in the amount of One Million and No/100ths Dollars (\$1,000,000.00) for the injury to or the death of any one person, and Two Million and No/100ths Dollars (\$2,000,000.00) for injuries to or the death of any number of persons in one occurrence, and property damage liability insurance in the amount of One Million and No/100ths Dollars (\$1,000,000.00). Tenant shall also obtain and maintain insurance coverage on personal property located inside the Premises. As a condition to this Lease continuing in force and effect, Tenant shall submit to Landlord a certificate of insurance which evidences the above required coverages and names Landlord as an additional insured party. The policies with respect to such insurance coverages shall be so endorsed as to create the same liability on the part of the insurer as though separate policies had been written for Landlord and Tenant. The insurance coverage shall be with an insurance carrier which is licensed to do business within the State of Nevada and which is acceptable to Landlord. All policies of insurance, or certificates of insurance which evidence the insurance coverages required hereby, shall contain a provision that the same shall not be canceled or modified in any material effect unless and until thirty (30) days written notice of such cancellation or modification has been provided to Landlord.

18. DESTRUCTION.

18.1. Landlord's Remedies. If the Premises shall be partially damaged by any casualty insured against under Landlord's insurance policy, Landlord shall, upon receipt of the insurance proceeds, repair the Premises and until repair is complete the minimum rent shall be abated proportionately as to that portion of the Premises rendered untenable. Notwithstanding the foregoing, if; (a) the Premises by reason of such occurrence are rendered wholly untenable, or (b) the Premises should be damaged as a result of a risk which is not covered by Landlord's insurance, or (c) the Premises or the building of which it is a part, whether the Premises are damaged or not, or all of the buildings which then comprise the Shopping Center, should be damaged to the extent of fifty percent (50%) or more of the then monetary value thereof, or (d) any or all of the buildings or common areas of the Shopping Center are damaged, whether or not the Premises are damaged, to such an extent that the Shopping Center cannot in the sole judgment of Landlord be operated as an integral unit, then and in any such events, Landlord may either elect to repair the damage or may cancel this Lease by notice of cancellation within one hundred eighty (180) days after such event and thereupon this Lease shall expire and Tenant shall vacate and surrender the Premises to Landlord. Tenant's liability for rent upon the termination of this Lease shall cease as of the date following Landlord's giving notice of cancellation. Nothing in this Section shall be based upon the revised minimum rent as the same may be abated. If the damage is caused by the negligence of Tenant or its employees, agents, invitees, or concessionaires, there shall be no abatement of rent. Unless this Lease is terminated by Landlord or Tenant, Tenant shall repair and re-fixture the interior of the Premises in a manner and in at least a condition equal to that existing prior to the destruction or casualty.

18.2. Tenant's Remedies. The Tenant may, notwithstanding the foregoing, terminate this Lease Agreement effective immediately on the date of written notice to Landlord in the event of the occurrence of the events in item 18. 1 (a) above or upon thirty (30) days advance written notice to Landlord in the event of one or more of the occurrences in items 18. 1(b) and (c). If Tenant shall terminate this Lease Agreement, it shall have no further obligation to pay rent or be obligated to make any other payments to Landlord or perform any other term and condition of said Lease Agreement other than remove it's personal property in accordance with the terms herein upon the effective date of the written notice of termination. Tenant shall not be assessed or be liable for any fees, penalties, or damages resulting from said termination of Lease Agreement.

19. CONDEMNATION.

19.1. Total Condemnation. If the whole of the Premises shall be acquired or taken by condemnation proceeding, then this Lease shall cease and terminate as of the date of title vesting in such proceeding.

19.2. Partial Condemnation. If any part of the Premises shall be taken as aforesaid, and such partial taking shall render that portion not so taken unsuitable for the business of Tenant (except for the amount of floor space), then this Lease shall cease and terminate as aforesaid. If such partial taking is not extensive enough to render the Premises unsuitable for the business of Tenant, then this Lease shall continue in effect except that the rent shall be reduced in the same proportion that the floor area of the Premises (including basement, if any) taken bears to the original floor area demised and Landlord shall, upon receipt of the award in condemnation, make all necessary repair or alterations to the building in which the Premises are located so as to constitute the portion of the building not taken a complete architectural unit, but such work shall not exceed the scope of the work to be done by Landlord in originally constructing said building, nor shall Landlord in any event be required to expend for such work an amount in excess of the amount received by Landlord as damages for the part of the Premises so taken. "Amount received by Landlord" shall mean that part of the award in condemnation, which is free and clear to Landlord of any collection by mortgage lenders for the value of the diminished fee.

19.3. Landlord's Option to Terminate. If more than twenty percent (20%) of the floor area of the building in which the Premises are located shall be taken as aforesaid, Landlord may, by written notice to Tenant, terminate this Lease. If this Lease is terminated as provided in this subsection, rent shall be paid up to the date that possession is taken by public authority and Landlord shall make an equitable refund of any rent paid by Tenant in advance.

19.4. Tenant shall not be entitled to and expressly waives all claim to any condemnation award for any taking, whether whole or partial and whether for diminution in value of the leasehold or to the fee, although Tenant shall have the right, to the extent that the same shall not reduce Landlord's award, to claim from the condemnor, but not from the Landlord, such compensation as may be recoverable by Tenant in its own right for damages to Tenant's business and fixtures.

19.5. Definition. As used in this Section the term "condemnation proceeding" means any action or proceeding in which any interest in the Premises is taken for any public or quasi-public purpose by any lawful authority through exercise of the power of eminent domain or right of condemnation or by purchase or otherwise in lieu thereof.

20. EVENTS OF DEFAULT REMEDIES.

20.1. Default by Tenant. Upon the occurrence of any of the following events, Landlord shall have the remedies set forth in Section 20.2:

(A) Tenant fails to pay any rental or any other sum due hereunder within ten (10) days after the same shall be due.

(B) Tenant fails to perform any other term, condition or covenant to be performed by it pursuant to this Lease within thirty (30) days after written notice of such default shall have been given to Tenant by Landlord.

(C) Tenant or its agent shall falsify any report required to be furnished to Landlord hereunder.

(D) Tenant shall become bankrupt or insolvent or file any debtor proceedings or have taken against such party in any court pursuant to state or federal statute, a petition in bankruptcy or insolvency, reorganization, or appointment of a receiver or trustee; or Tenant petitions for or enters into an arrangement; or suffers this Lease to be taken under a writ of execution.

(E) Tenant violates either Section 7 or Section 16.

20.2. Remedies. Upon the occurrence of the events set forth in Section 20. 1, Landlord shall have the option to take any or all of the following actions, without further notice or demand of any kind to Tenant or any other person:

(A) Immediately reenter and remove all persons and property from the Premises, storing said property in a public place, warehouse, or elsewhere at the cost of, and for the account of, Tenant, all without service of notice or resort to legal process and without being deemed guilty of or liable in trespass. No such reentry of taking possession of the Premises by Landlord shall be construed as an election on its part to terminate this Lease unless a written notice of such intention is given by Landlord to Tenant. No such action by Landlord shall be considered or construed to be a forcible entry.

(B) Collect by suit or otherwise each installment of rent or other sum as it becomes due hereunder, or enforce, by suit or otherwise, any other term or provision hereof on the part of Tenant required to be kept or performed.

(C) Terminate this Lease by written notice to Tenant. In the event of such termination, Tenant agrees to immediately surrender possession of the Premises. Should Landlord terminate this Lease, it may recover from Tenant all damages it may incur by reason of Tenant's breach, including the cost of recovering the Premises, reasonable attorney's fees, and the worth at the time of such termination of the excess, if any, of the amount of rent and charges equivalent to rent reserved in this Lease for the remainder of the stated term over the then reasonable rental value of the Premises for the stated term, all of which amounts shall be immediately due and payable from Tenant to Landlord.

(D) Should Landlord reenter, as provided above, or should it take possession pursuant to legal proceedings or pursuant to any notice provided for by law, and whether or not it terminates this Lease, it may be necessary in order to relet the Premises and relet the same or any part thereof for such term or terms (which may be for a term extending beyond the term of this Lease) and at such rental or rentals and upon such other terms and conditions as Landlord in its sole discretion may deem advisable. Upon each such reletting all rentals received by the Landlord from such reletting shall be applied, first, to the payment of any indebtedness other than rent due hereunder from Tenant to Landlord; second, to the payment of attorney's fees and costs of any alterations and repairs; third, to the payment of rent due and unpaid hereunder, and payable hereunder. If such rentals received from such reletting during any month be less than that to be paid during such month by Tenant hereunder, Tenant shall pay any such deficiency to Landlord. Such deficiency shall be calculated and paid monthly. No such reentry and reletting of the Premises by Landlord shall be construed as an election on its part to terminate this Lease unless a written notice of such intention be given to Tenant pursuant to subsection (c) above, or unless the termination thereof be decreed by a court of competent jurisdiction. Notwithstanding any such reletting without termination, Landlord may at any time thereafter elect to terminate this Lease for such previous breach. The remedies given to Landlord in this Section 20 shall be in addition and supplemental to all other rights or remedies which Landlord may have under laws then in force.

21. This section intentionally omitted.

22. ACCESS TO PREMISES.

Landlord shall have the right to place, maintain and repair all utility equipment of any kind in, upon or under the Premises as may be necessary for the servicing of the Premises and other portions of the Shopping Center. Landlord shall also have the right to enter the Premises at all reasonable times upon twenty-four (24) hours prior notice to Tenant to inspect or to exhibit the same to prospective purchasers, mortgagees, tenants, and lessees, and to make such repairs, additions, alterations or improvements as Landlord may deem desirable. Landlord shall be allowed to take all material upon said Premises that may be required therefor without the same constituting an actual or constructive eviction of Tenant in whole or in part and the rents reserved herein shall in no way abate while said work is in progress by reason of loss or interruption of Tenant's business or otherwise, and Tenant shall have no claim for damages, provided Landlord shall perform the labor required during non-business hours of the Tenant unless there exists a state of emergency affecting the health and safety of those tenants and persons in other portions of the Shopping Center that necessitates immediate corrective action.

23. CONTRACTOR.

With respect to each of Landlord's obligations under any provision of this Lease concerning creation or reconstruction of the Premises, the building containing the same or other improvements in the Shopping Center, the obligation concerned shall be fulfilled either: (i) By Landlord's arranging to have construction accomplished by one or more contractors licensed in the State in which the Shopping Center is located (any of which contractors may, at Landlord's option, be a corporation or other entity directly or indirectly affiliated with or controlled by Landlord); and/or, at Landlord's option, (ii) If at the time Landlord is required to fulfill such obligation it is the holder of a license authorizing it to act as a contractor within such State, by Landlord's participating in creation or reconstruction of the improvements concerned in the capacity of contractor. Any construction or building permit required for creation or reconstruction of the Premises, the building containing the same, or other improvements in the Shopping Center shall be obtained by Landlord's contractor(s) or, if Landlord acts as such, by Landlord itself

24. ATTORNMENMENT.

In the event of the sale or assignment of Landlord's interest in the building of which the Premises are a part, or in the event of any proceedings brought for the foreclosure of, or in the event of exercise of the power of sale under, any mortgage or other security instrument made by Landlord covering the Premises, Tenant shall attorn to the assignee or purchaser and recognize such purchaser as Landlord under this Lease.

25. QUIET ENJOYMENT.

Tenant, upon paying the rents and observing and performing all of the terms, covenants and conditions on its part to be performed hereunder, shall peaceably and quietly enjoy the Premises for the term hereof.

26. SURRENDER OF PREMISES.

At the expiration of this Lease, Tenant shall surrender the Premises in the same condition as they were in upon delivery of possession thereto under this Lease, reasonable wear and tear excepted, and shall deliver all keys to Landlord. Before surrendering the Premises, Tenant shall remove all of its Personal Property and trade fixtures and such alterations or additions to the Premises made by Tenant as may be specified for removal by Landlord, and shall repair any damage caused by such property or the removal thereof. If Tenant fails to remove its personal property and fixtures upon the expiration of this Lease, the same shall be deemed abandoned and shall become the property of Landlord.

27. This section intentionally omitted.

28. ATTORNEY'S FEES.

In the event that at any time during the term of this Lease either Landlord or the Tenant institutes any action or proceeding against the other relating to the provisions of this Lease or any default hereunder, then the unsuccessful party shall be responsible for the reasonable expenses of such action including reasonable attorney's fees, incurred therein by the successful party.

29. PAST DUE SUMS.

If Tenant fails to pay, when the same is due and payable, any rent, additional rent, or other sum to be paid by it hereunder, such unpaid amounts shall bear interest from the due date thereof to the date of payment at the rate of ten percent (10%) per annum. In addition thereto, Landlord may charge a sum of two percent (2%) of such unpaid amounts as a service fee. Notwithstanding the foregoing, however, Landlord's right concerning such interest and service fee shall be limited by the maximum amount, which may properly be charged by Landlord for such purposes under applicable law.

30. MISCELLANEOUS PROVISIONS.

30.1. No Partnership. Landlord does not by this Lease, in anyway or for any purpose, become a partner or joint venturer of Tenant in the conduct of its business or otherwise. The provisions of this Lease relating to percentage rent are included solely for the purpose of providing a method whereby rent is to be measured and ascertained.

30.2. Force Majeure. Landlord shall be excused for the period of any delay in the performance of any obligations hereunder when prevented from so doing by cause or causes beyond Landlord's control, including labor disputes, civil commotion, war, governmental regulations or controls, fire or other casualty, inability to obtain any material or services, or acts of God.

30.3. No Waiver. Failure of Landlord to insist upon the strict performance of any provision or to exercise any option hereunder shall not be deemed a waiver of such breach. No provision of this Lease shall be deemed to have been waived unless such waiver be in writing signed by Landlord.

30.4. Notices. Any notice, demand, request or other instrument which may be or is required to be given under this Lease shall be delivered in person or sent by United States certified or registered mail, postage prepaid, and shall be addressed; (a) if to Landlord, at the place specified for payment of rent and (b) if to Tenant, either at the Premises or at any other current address for Tenant which is known to Landlord. Either party may designate such other address as shall be given by written notice.

To Landlord:

City of Las Vegas
Real Estate and Asset Management
400 Stewart, 4th Floor
Las Vegas, Nevada 89101

With additional copies to:

City of Las Vegas
City Attorney's Office
400 East Stewart Avenue
Las Vegas, Nevada 89101

To Tenant:

Urban Chamber of Commerce
1048 West Owens Avenue
Las Vegas, Nevada 89106

30.5. Recording. Tenant shall not record this Lease or a memorandum thereof without the written consent of Landlord. Landlord, at its option and at any time, may file this Lease for record with the Recorder of the County in which the Shopping Center is located.

30.6. Partial Invalidity. If any provision of this Lease or the application thereof to any person or circumstance shall to any extent be invalid, the remainder of this Lease or the application of such provision to person or circumstances other than those as to which it is held invalid shall not be affected thereby and each provision of this Lease shall be valid and enforced to the fullest extent permitted by law.

30.7. Broker's Commissions. Tenant represents and warrants that there are no claims for brokerage commissions or finder's fees in connection with this Lease except for Priority One Commercial which will be paid by the Owner a commission of two and half (2 ½)% of the gross amount of the rent for the term of the Lease Agreement, and agrees to indemnify Landlord against and hold it harmless from all liabilities arising from such claim, including any attorney's fees connected therewith.

30.8. Provisions Binding, Etc. Except as otherwise provided, all provisions herein shall be binding upon and shall inure to the benefit of the parties, their legal representatives, heirs, successors and assigns. Each provision to be performed by Tenant shall be construed to be both a covenant and a condition, and if there shall be more than one Tenant, they shall all be bound, jointly and severally, by such provisions. In the event of any sale or assignment (except for purposes of security or collateral) by Landlord of the Shopping Center, the Premises, or this Lease. Landlord shall, from and after the Commencement Date (irrespective of when such sale or assignment occurs), be entirely relieved of all of its obligations shall, as of the time of such sale or assignment or on the Commencement Date, whichever is later, automatically pass to Landlord's successor in interest.

30.9. Entire Agreement, Etc. This Lease and the Exhibits, Riders, and/or Addenda, if any, attached hereto, set forth the entire agreement between the parties. All Exhibits, Riders, or Addenda mentioned in this Lease are incorporated herein by reference. Any guaranty attached hereto is an integral part of this Lease and constitutes consideration given to Landlord to enter into this Lease. Any prior conversations or writings are merged herein and extinguished. No subsequent amendment to this lease shall be binding upon Landlord or Tenant unless reduced to writing and signed. Submission of this Lease for examination does not constitute an option for the Premises and becomes effective as a lease only upon execution and delivery thereof by Landlord to Tenant. If any provision contained in a Rider or Addenda is inconsistent with a provision in the body of this Lease, the provision contained in said Rider or Addenda shall control. It is hereby agreed that this Lease contains no restrictive covenants or exclusives in favor of Tenant. The captions and Section numbers appearing herein are inserted only as a matter of convenience and are not intended to define, limit, construe, or describe the scope or intent of any Section or Paragraph.

31. DISCLOSURE OF PRINCIPALS.

Pursuant to Resolution R-105-99 adopted by the City of Las Vegas City Council effective October 1, 1999, Tenant warrants that it has disclosed on the form attached as Exhibit "B", all principals and partners of URBAN CHAMBER OF COMMERCE, as well as all persons and entities holding more than a one percent (1%) interest in URBAN CHAMBER OF COMMERCE, or any principal of URBAN CHAMBER OF COMMERCE. Throughout the term hereof, URBAN CHAMBER OF COMMERCE, shall notify Landlord in writing of any material change in the above disclosure within 15 days of any such change.

32. AUTHORITY OF SIGNATORIES.

Each person executing this Lease individually and personally represents and warrants that he is duly authorized to execute and deliver the same on behalf of the entity for which he is signing (whether it be a corporation, general or limited partnership, or otherwise) and that this Lease is binding upon said entity in accordance with its terms.

...
...
...

33. MODIFICATIONS OR AMENDMENTS.

Upon approval of this initial agreement by the City Council and after it has been fully executed by signature of all parties, staff of the Real Estate & Asset Management Division shall have the authority to complete and execute any additional documents necessary for the completion of the intent of this contractual obligation during the original term of this agreement. As an example, this may include amendments, changes of address, adjustments to monetary revenue or expenditure not to exceed ten thousand (\$10,000.00) dollars, filing and recording of appropriate documents with the County Records Office or the County Tax Assessors Office, and recordings and filing with the City Clerk's Office. No amendment, change or modification of this Agreement shall be valid unless in writing and signed by all parties hereto.

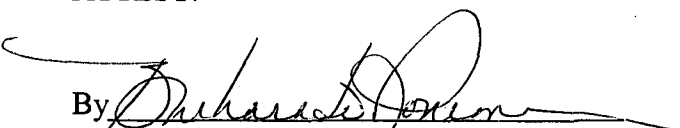
GUARANTEED:

FOR VALUE RECEIVED, the undersigned hereby unconditionally guarantees the prompt and faithful execution and performance by Tenant of all of the obligations of Tenant set forth within this Lease Agreement and any modifications of said Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Lease Agreement on the date and year set forth above.

ATTEST:

CITY OF LAS VEGAS

By 
BARBARA JO RONEMUS, CITY CLERK


OSCAR B. GOODMAN, MAYOR

APPROVED AS TO FORM:

 7/15/04
DEPUTY CITY ATTORNEY/DATE

**URBAN CHAMBER OF
COMMERCE**

By 
DATE 7/19/04
Its Exec. Director

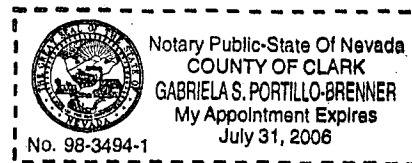
Lease Agreement between the City of Las Vegas and Urban Chamber of Commerce

ACKNOWLEDGMENT

STATE OF NEVADA)
)ss.
COUNTY OF CLARK)

On this 16th day of August, 2004, personally appeared before me, the undersigned a Notary Public in and for the County of Clark, State of Nevada, OSCAR B. GOODMAN, who acknowledged that he executed the above instrument.

Gabriela S. Portillo-Brenner
NOTARY PUBLIC, in and for said County and State

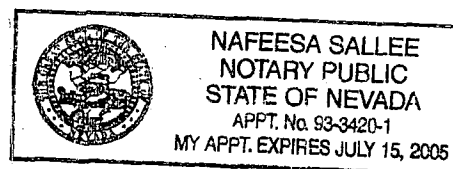


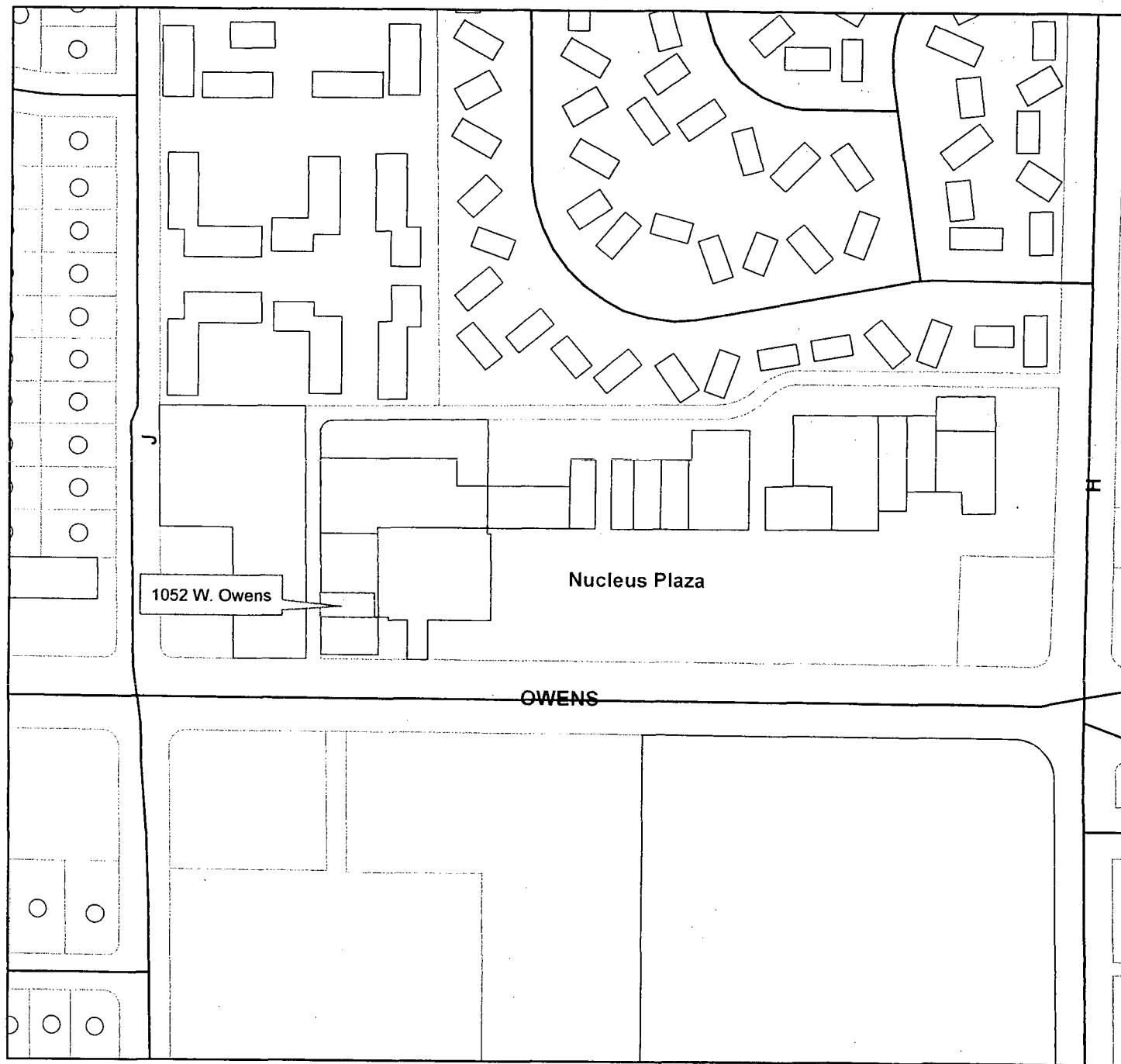
ACKNOWLEDGMENT

STATE OF NEVADA)
)ss.
COUNTY OF CLARK)

On this 19th day of July, 2004, personally appeared before me, the undersigned a Notary Public in and for the County of Clark, State of Nevada, Louis E. Overstreet, who acknowledged that he/she executed the above instrument.

Nafeesa Sallee
NOTARY PUBLIC, in and for said County and State





Site Map

Legend

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

Real Estate & Asset Mgmnt



07/08/2004

EXHIBIT "B"
CERTIFICATE
DISCLOSURE OF OWNERSHIP/PRINCIPALS

1. Definitions

"City" means the City of Las Vegas.

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

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

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

2. Policy

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

3. Instructions

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

Incorporation

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

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

Block 1	<u>Contracting Entity (Name)</u>	Block 2	Description
		Subject Matter of Contract/Agreement: Auction/Purchase Agreement re: 8690 Azure Drive	
Name			
Address			
Social Security # - - - -			

Block 3	Type of Business
☒ Individual ☒ Partnership ☒ Limited Liability Company ☒ Corporation	

Block 4	<u>Disclosure of Ownership and Principals</u>		
In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.			
	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1.	~~REC DIR~~ - E.L. Overstreet	1048 W. Owens	648-6222
2.	PRES - HANNAH BROWN	1048 W. Owens	648-6222
3.	V. Pres. - Ron Despenza	1048 W. Owens	648-6222
4.			
5.			
6.			
7.			
8.			
9.			
10.			

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

Block 5 Disclosure of Ownership and Principals - Alternate

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

Name of Attached Document: _____

Date of Attached Document: _____ Number of Pages: _____

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

CR

Name

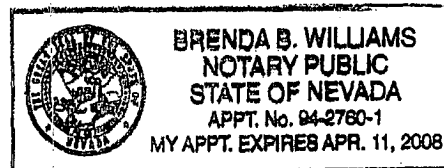
6/28/09

Date

Subscribed and sworn to before me this 28
day of

June, 2008.⁴

Brenda B. Williams
Notary Public



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR:

RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

Approval of a Second 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 additional office space 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:

Both parties, in their collective efforts to provide facilities of higher learning in the downtown area, desire to amend the Interlocal Contract to add additional office space.

RECOMMENDATION:

The 8/2/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

Second Amendment to Interlocal Contract

MOTION:

REESE – APPROVED Items 2-35, 37-45, and 47-54 – **UNANIMOUS** with **GOODMAN** abstaining on Item 45 because he still has a contingent interest in land located at Casino Center and Bonneville and **BROWN** excused

Item 36 & 46:

APPROVED under separate actions (see individual items)

MINUTES:

Under Item 2, **COUNCILMAN WEEKLY** reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:30 – 9:33)

1-811

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

4th This Second Amendment to the Lease ("this Amendment") is made on this 4th day of August, 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, known as the Fifth Street School and;

Whereas, Lessee entered into a First Amendment to the Lease dated June 16, 2004 and;

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

- 1) Lessee is to occupy additional space consisting of approximately 724 square feet, known as Room # 300. The location and dimensions of the Premises are shown more particularly on the Site map, Exhibit "A".

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

...

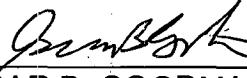
...

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

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

CITY OF LAS VEGAS

ATTEST:

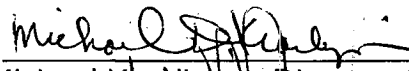

OSCAR B. GOODMAN, MAYOR

"Lessor"


BARBARA JO RONEMUS, CITY CLERK

APPROVED AS TO FORM:

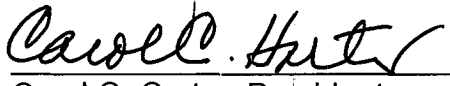

DEPUTY CITY ATTORNEY/DATE

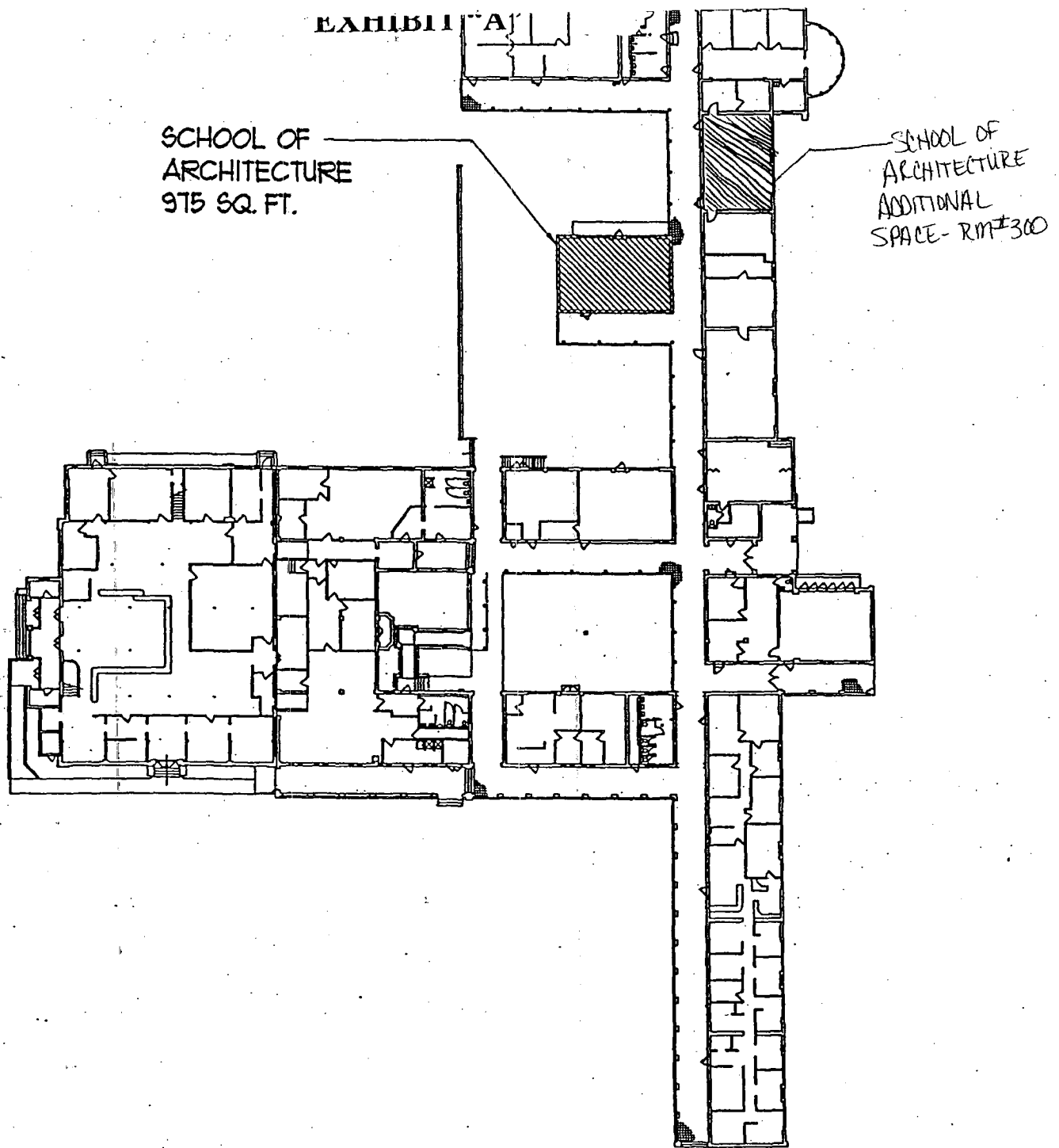
Recommended By: 
Michael Kroelinger, Director, School of Architecture

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



Floor Plan

Project North ▲

Scale: N.T.S.

DEPARTMENT OF PUBLIC WORKS

1	Scale	Full Scale	DEPARTMENT OF PUBLIC WORKS ARCHITECTURAL SERVICES	Fifth Street School
1	Date	1/2/99		Renovation '99 - ONLY Classrooms -
1	File	chvblg/tw/bd/hic/pln	400 EAST STEWART AVENUE LAS VEGAS, NEVADA 89101	Floor Plan
1	Drawn By	BOREED	PHONE: (702) 226-4855 FAX: (702) 382-3232 TDD: (702) 386-9108	



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

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

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

Approval of Angel Park Golf LLC, to become the temporary current holder and "Party" of the restated Management Agreement dated September 15, 1999, for the Angel Park Golf Course - Ward 2 (Wolfson)

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

On 5/28/04 Public Works/Real Estate received a letter from the law offices of John R. Bailey representing Las Vegas Golf I, LLC, informing us they are reorganizing and wish to make Angel Park Golf LLC, the "Party" to the Restated Management Agreement and all related Amendments. Angel Park Golf LLC, is a wholly owned subsidiary of Las Vegas Golf I, LLC, which is wholly owned subsidiary of Pacific Life Insurance Company, who assumed ownership of the Management Agreement through a bankruptcy sale in 2003.

RECOMMENDATION:

The 8/2/2004 Real Estate Committee and staff recommend approval subject to permanent approval of the liquor licenses, at which time the temporary approval would become permanent

BACKUP DOCUMENTATION:

1. 5/28/04 letter from Scott A. Eaton, Esq. (Law Office of John R. Bailey)
2. Disclosure of Principals
3. Organizational Chart

MOTION:

REESE – APPROVED Items 2-35, 37-45, and 47-54 – **UNANIMOUS** with **GOODMAN** abstaining on Item 45 because he still has a contingent interest in land located at Casino Center and Bonneville and **BROWN** excused

Item 36 & 46:**APPROVED** under separate actions (see individual items)

CITY COUNCIL MEETING OF AUGUST 4, 2004

Consent – Real Estate

Item 53 - Approval of Angel Park Golf LLC, to become the temporary current holder and "Party" of the restated Management Agreement dated September 15, 1999, for the Angel Park Golf Course - Ward 2 (Wolfson)

MINUTES:

Under Item 2, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:30 – 9:33)

1-811

LAW OFFICES OF
JOHN R. BAILEY

A PROFESSIONAL CORPORATION

CITY CENTER WEST, SUITE 108
7201 WEST LAKE MEAD BOULEVARD
LAS VEGAS, NEVADA 89128-8354

TELEPHONE (702) 562-8820
FACSIMILE (702) 562-8821
Scott@JohnBaileyLaw.com

SCOTT A. EATON

May 28, 2004

Via Facsimile 384-0527 and U.S. Mail

David Roark
Manager, Real Estate & Assets
City of Las Vegas
400 Stewart Avenue, Fourth Floor
Las Vegas, Nevada 89101

Re: Angel Park Golf Club

Hand delivered
2004 MAY 28 P 2:09
CITY OF LAS VEGAS
PUBLIC WORKS
REAL ESTATE

Dear Mr. Roark:

Consistent with our recent exchanges on the subject, the current holder of the Management Agreement for the Angel Park Golf Club, Las Vegas Golf I, LLC, is in the process of reorganizing the parties and arrangements for the day-to-day operation of that facility. The proposed reorganization and rearrangement is being done primarily to address concerns raised by the City of Las Vegas last year when Las Vegas Golf I, LLC was first approved for this location. Therefore, this letter shall constitute the application of Las Vegas Golf I, LLC for approval to make those changes. The proposed new arrangement is outlined on the enclosed chart. Specifically, Las Vegas Golf I, LLC, wishes to insert its wholly-owned subsidiary, Angel Park Golf, LLC, as the new party to the Management Agreement, LLC. Subject to approval from the City (application being submitted under separate cover), Angel Park Golf, LLC, would become the new holder of the liquor and business licenses at the Angel Park Golf Club. In addition, Angel Park Golf, LLC, would enter into an Operational Services Provider Agreement with OB Sports Golf Management (AP), LLC, to handle the day-to-day operations at Angel Park Golf Club, subject to approval from the City of Las Vegas of that designation as Manager. OB Sports Golf Management (AP), LLC, currently holds a provisional approval from the City of Las Vegas as the designated day-to-day manager of Angel Park Golf Club.

To support these applications to your office, we have enclosed the following documentation:

1. Operational Services Provider Agreement
2. Certificate – Disclosure of Ownership/Principals for OB Sports Golf Management
3. Certificate – Disclosure of Ownership/Principals for Angel Park Golf, LLC

The contact person out at Angel Park Golf Club is as follows:

David Bogue, Manager
Angel Park Golf Club
100 S. Rampart Blvd.
Las Vegas, Nevada 89145
(702) 254-0564

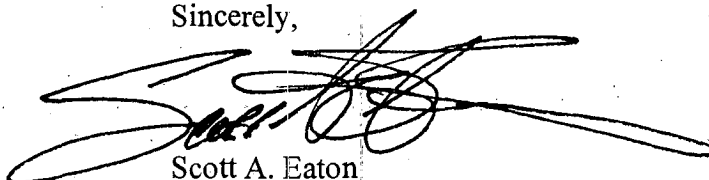
David Roark
May 28, 2004
Page 2

To the extent the City should ever find it necessary or desirable to contact the parent company of Angel Park Golf, LLC, the contact person shall be:

Dale E. Hawley, Esq.
Legal Department
Pacific Life Insurance Company
700 Newport Center Drive
Newport Beach, CA 92660-6397
(949) 219-3225

We trust this is satisfactory for your purposes at this time. Please advise should there be any questions or a need for anything additional. Thank you for your cooperation and assistance in this matter.

Sincerely,



Scott A. Eaton

SAE/rck

Enclosures

cc: Las Vegas Business Services (w/ liquor and business license application)
Dale Hawley, Esq. (w/o enclosures)

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

Block 1	Contracting Entity (Name)	Block 2	Description
Name OB Sports Golf Management Address 7025 Greenway Parkway, Suite 550 Scottsdale, AZ 85254		Subject Matter of Contract/Agreement: Operational and Services Provider Agreement with Party to Management Agreement - Angel Park Golf Course	
EIN or Social Security # - - - - - 93-1191096			

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

Block 4			
Disclosure of Ownership and Principals			
In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.			
	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1.	Orrin D. Vincent, Jr., Member	7025 Greenway Parkway, Suite 550 Scottsdale, AZ 85254	(480) 948-1300
2.	Philip J. Green, Member/Manager	7025 Greenway Parkway, Suite 550 Scottsdale, AZ 85254	(480) 948-1300
3.	Jamie K. Cook, Member/Manager	7025 Greenway Parkway, Suite 550 Scottsdale, AZ 85254	(480) 948-1300
4.	C. A. Roberts, Member	7025 Greenway Parkway, Suite 550 Scottsdale, AZ 85254	(480) 948-1300
5.			
6.			
7.			
8.			
9.			
10.			

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

Block 5: Disclosure of Ownership and Principals - Alternate

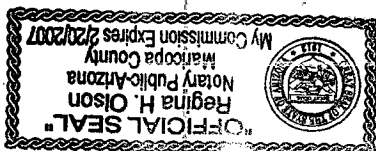
If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure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

Name of Attached Document: _____

Date of Attached Document: _____

Number of Pages: _____

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



X Phil J -
Name

3 - 3

, 2004

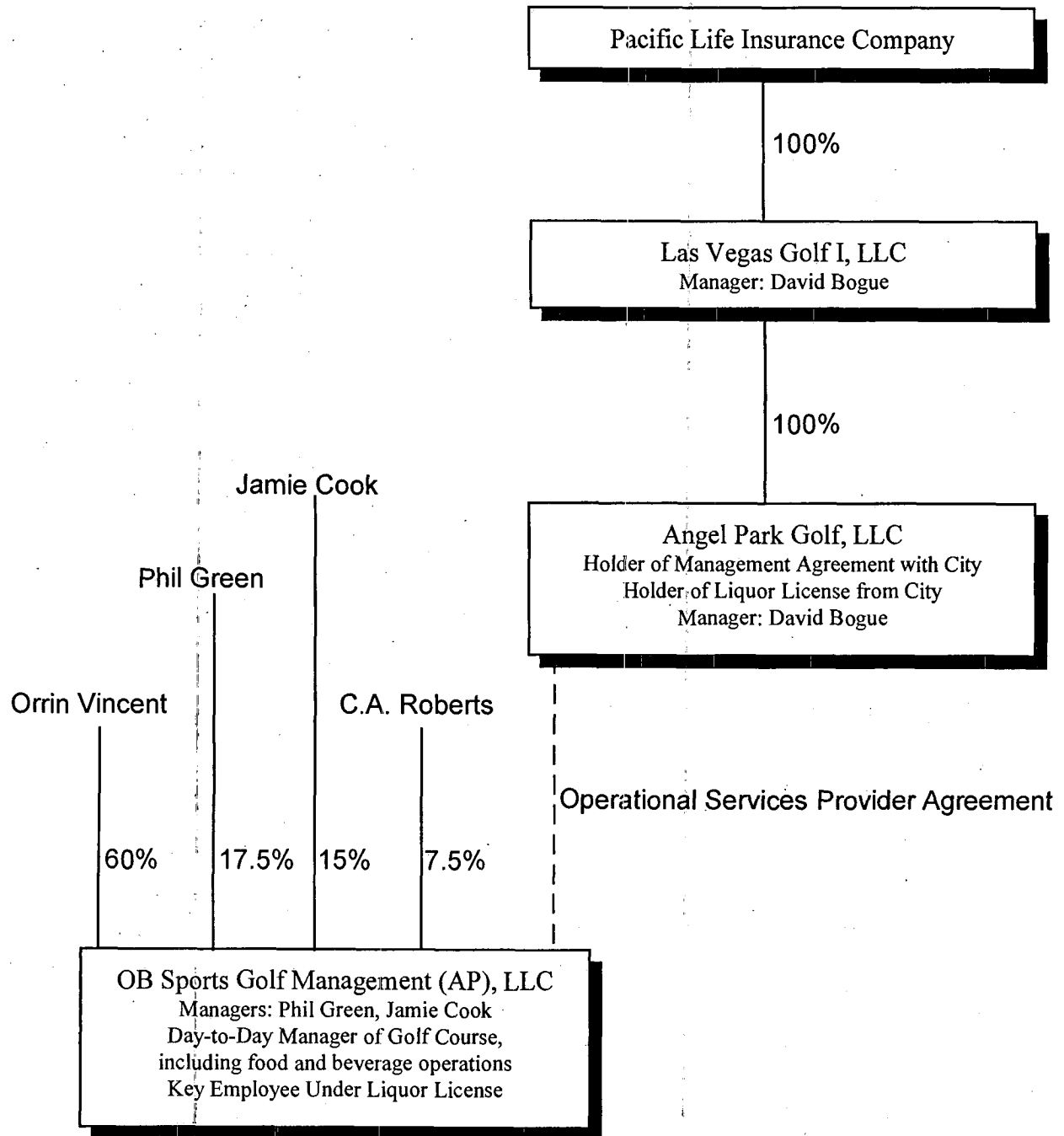
Date

Subscribed and sworn to before me this _____
day of

March 3rd, 2004.

Regina H. Olson
Notary Public

Angel Park Golf Club
Proposed New Arrangement



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

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

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

Approval to extend the temporary Operational and Services Provider Agreement to January 19, 2005, between O.B. Sports Golf Management (AP) LLC, and Angel Park Golf LLC, at Angel Park Golf Course for management and oversight duties - Ward 2 (Wolfson)

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

On December 17, 2003, City Council approved extension of a temporary operational agreement between Las Vegas Golf I and O.B. Sports Management, subject to reconsideration at the time the liquor license comes forward to Council and a six-month temporary liquor license. The temporary liquor license was extended for six-months, which will expire on 7/19/04. We now wish to extend the temporary approval another six (6) months to coincide with the Business License approval process.

RECOMMENDATION:

The 8/2/2004 Real Estate Committee and staff recommend approval subject to permanent approval of the liquor licenses, at which time the temporary approval would become permanent

BACKUP DOCUMENTATION:

1. 5/28/04 letter from Scott A. Eaton (Law Office of John R. Bailey)
2. Disclosure of Principals
3. Organizational Chart

MOTION:

REESE – APPROVED Items 2-35, 37-45, and 47-54 – **UNANIMOUS** with GOODMAN abstaining on Item 45 because he still has a contingent interest in land located at Casino Center and Bonneville and BROWN excused

Item 36 & 46:**APPROVED under separate actions** (see individual items)

CITY COUNCIL MEETING OF AUGUST 4, 2004

Consent – Real Estate

Item 54 - Approval to extend the temporary Operational and Services Provider Agreement to January 19, 2005, between O.B. Sports Golf Management (AP) LLC, and Angel Park Golf LLC, at Angel Park Golf Course for management and oversight duties - Ward 2 (Wolfson)

MINUTES:

Under Item 2, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:30 – 9:33)

1-811

LAW OFFICES OF
JOHN R. BAILEY

A PROFESSIONAL CORPORATION

CITY CENTER WEST, SUITE 108
7201 WEST LAKE MEAD BOULEVARD
LAS VEGAS, NEVADA 89128-8354

SCOTT A. EATON

TELEPHONE (702) 562-8820
FACSIMILE (702) 562-8821
Scott@JohnBaileyLaw.com

May 28, 2004

Via Facsimile 384-0527 and U.S. Mail

David Roark
Manager, Real Estate & Assets
City of Las Vegas
400 Stewart Avenue, Fourth Floor
Las Vegas, Nevada 89101

Re: Angel Park Golf Club

CITY OF LAS VEGAS
PUBLIC WORKS
REAL ESTATE
Hand delivered
2004 MAY 28 P 2:09

Dear Mr. Roark:

Consistent with our recent exchanges on the subject, the current holder of the Management Agreement for the Angel Park Golf Club, Las Vegas Golf I, LLC, is in the process of reorganizing the parties and arrangements for the day-to-day operation of that facility. The proposed reorganization and rearrangement is being done primarily to address concerns raised by the City of Las Vegas last year when Las Vegas Golf I, LLC was first approved for this location. Therefore, this letter shall constitute the application of Las Vegas Golf I, LLC for approval to make those changes. The proposed new arrangement is outlined on the enclosed chart. Specifically, Las Vegas Golf I, LLC, wishes to insert its wholly-owned subsidiary, Angel Park Golf, LLC, as the new party to the Management Agreement, LLC. Subject to approval from the City (application being submitted under separate cover), Angel Park Golf, LLC, would become the new holder of the liquor and business licenses at the Angel Park Golf Club. In addition, Angel Park Golf, LLC, would enter into an Operational Services Provider Agreement with OB Sports Golf Management (AP), LLC, to handle the day-to-day operations at Angel Park Golf Club, subject to approval from the City of Las Vegas of that designation as Manager. OB Sports Golf Management (AP), LLC, currently holds a provisional approval from the City of Las Vegas as the designated day-to-day manager of Angel Park Golf Club.

To support these applications to your office, we have enclosed the following documentation:

1. Operational Services Provider Agreement
2. Certificate – Disclosure of Ownership/Principals for OB Sports Golf Management
3. Certificate – Disclosure of Ownership/Principals for Angel Park Golf, LLC

The contact person out at Angel Park Golf Club is as follows:

David Bogue, Manager
Angel Park Golf Club
100 S. Rampart Blvd.
Las Vegas, Nevada 89145
(702) 254-0564

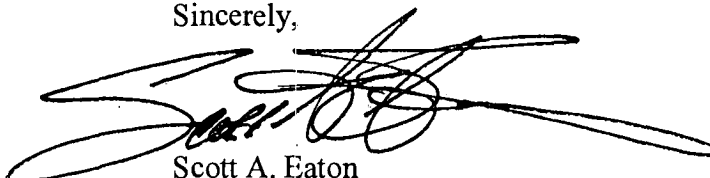
David Roark
May 28, 2004
Page 2

To the extent the City should ever find it necessary or desirable to contact the parent company of Angel Park Golf, LLC, the contact person shall be:

Dale E. Hawley, Esq.
Legal Department
Pacific Life Insurance Company
700 Newport Center Drive
Newport Beach, CA 92660-6397
(949) 219-3225

We trust this is satisfactory for your purposes at this time. Please advise should there be any questions or a need for anything additional. Thank you for your cooperation and assistance in this matter.

Sincerely,



Scott A. Eaton

SAE/rck

Enclosures

cc: Las Vegas Business Services (w/ liquor and business license application)
Dale Hawley, Esq. (w/o enclosures)

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

Block 1 Contracting Entity (Name)	Block 2 Description
Name Angel Park Golf, LLC	Subject Matter of Contract/Agreement: Management Agreement -Angel Park Golf Course
Address 100 S. Rampart Blvd. Las Vegas, NV 89145	
EIN or Social Security # - - - - - 33-0738940	

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

Block 4 Disclosure of Ownership and Principals			
In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.			
	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1.	David Bogue, Manager	100 S. Rampart Blvd. Las Vegas, NV 89145	(702) 254-0564
2.	Las Vegas Golf I, LLC, Sole Member	100 S. Rampart Blvd. Las Vegas, NV 89145	(702) 254-0564
3.	David Bogue, Manager	100 S. Rampart Blvd. Las Vegas, NV 89145	(702) 254-0564
4.	Pacific Life Insurance Co, Sole Member of Sole Member	P.O. Box 9000 Newport Beach, CA 92658	(800) 800-7646
5.	Thomas C. Sutton, FSA, Chairman and CEO	P.O. Box 9000 Newport Beach, CA 92658	(800) 800-7646
6.	Glenn S. Schafer, CPA, President	P.O. Box 9000 Newport Beach, CA 92658	(800) 800-7646
7.	Khanh T. Tran, CFO	P.O. Box 9000 Newport Beach, CA 92658	(800) 800-7646
8.			
9.			
10.			

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

Block 5 Disclosure of Ownership and Principals - Alternate

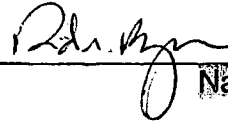
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Name of Attached Document: _____

Date of Attached Document: _____

Number of Pages: _____

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



Name

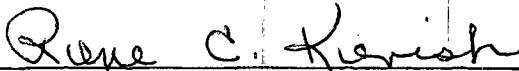
, 2004

Date

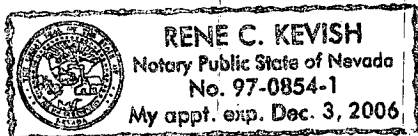
Subscribed and sworn to before me this 8th
day of

March

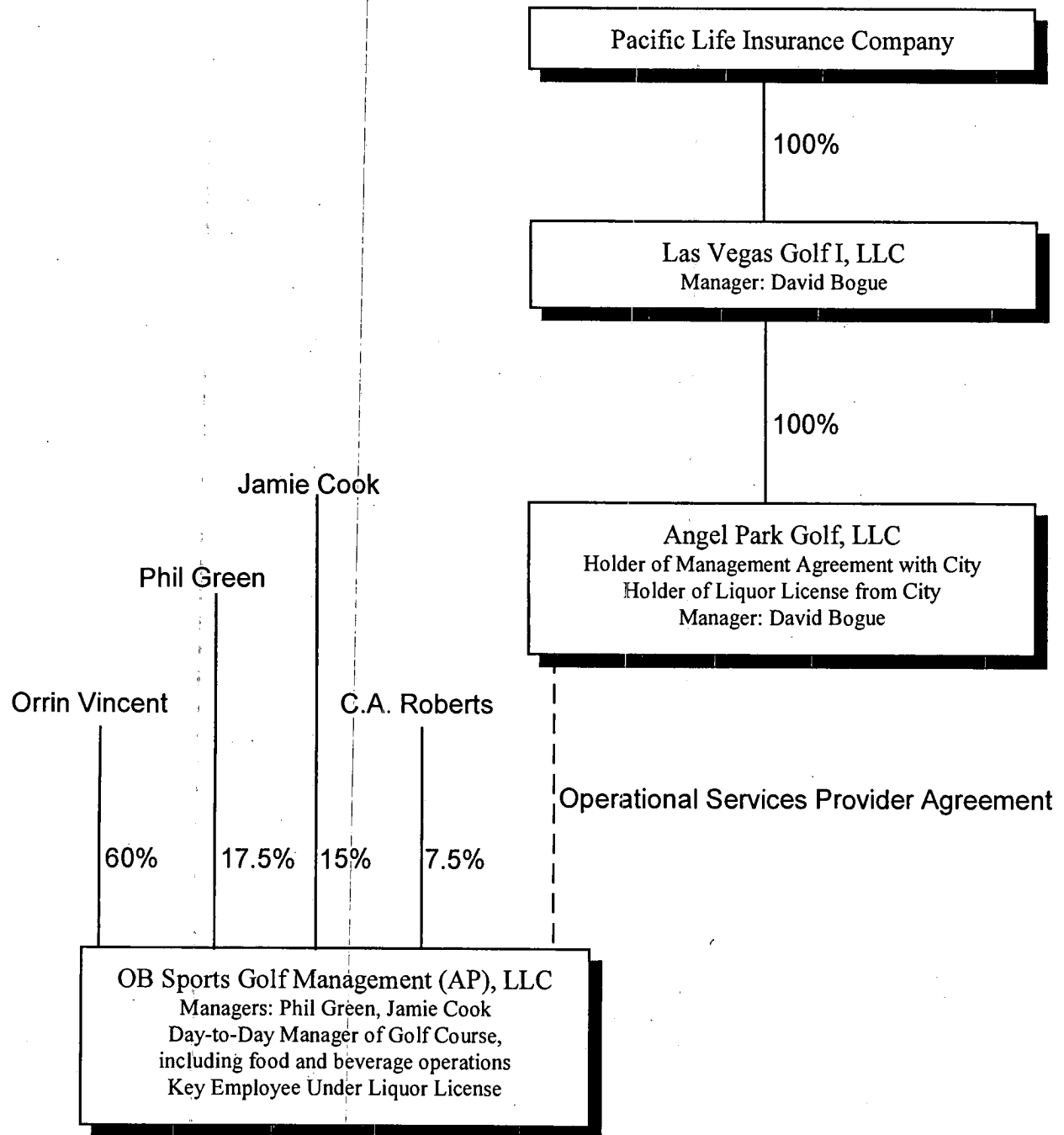
, 2004.



Notary Public



Angel Park Golf Club
Proposed New Arrangement



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

DEPARTMENT: ADMINISTRATIVE SERVICES

DIRECTOR: CHRISTOPHER KNIGHT ☐ CONSENT ☒ DISCUSSION

SUBJECT:

Report and possible action on the legislative package that will be submitted to the Legislative Counsel Bureau on behalf of the City

Fiscal Impact

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

PURPOSE/BACKGROUND:

Pursuant to Nevada Revised Statutes, the city council of a city whose population is 100,000 or more shall be allowed to request the preparation of no more than four legislative measures.

RECOMMENDATION:

It is recommended that the City Council approve the proposed legislative package and direct the City Manager to submit the Bill Draft Requests to the Legislative Counsel Bureau.

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

REESE – Motion to bring forward and Hold in ABEYANCE Item 55 to 8/18/2004 and STRIKE Items 56, 57, 58, 59, and 61 – UNANIMOUS with BROWN excused

MINUTES:

There was no discussion.

(9:29 – 9:30)
1-760

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 4, 2004

DEPARTMENT: Administrative Services

ITEM DESCRIPTION: 2005 Legislative Bill Package

The City of Las Vegas has an opportunity to submit its own Bill Draft Requests (BDRs) for consideration at the 2005 Nevada Legislative Session. Staff recommends that the City of Las Vegas requests three bill draft requests of the statutory allotment of four bills.

The first BDR will revise the binding arbitration laws related to the collective bargaining to expand the arbitration to the panel format. It will end the use of a sole arbitrator in binding arbitration, replacing it with a panel of mediators that would include representatives of labor, management and a neutral party. It will also consider the impact of contracts/arbitration on the local government's future requirements as well as existing available resources. Lastly, it will limit the cost of living adjustments to the consumer price index.

The second BDR will allow local governments to hold certain homeland security meetings in closed session. Currently, they are prohibited under the Open Meeting Law.

The third BDR will provide for exceptions to information that is requested from public records. The personal information of citizens using public facilities will be added to the exceptions of information that can be released.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - Discussion and possible action on Appeal of Work Card Denial: Doreen Kathleen Allan-Murphy, 3020 Roseville Way, Las Vegas, Nevada 89102

Fiscal Impact

☒

No Impact

☐

Budget Funds Available

☐

Augmentation Required

Amount:

Dept./Division:

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTION:

REESE – Motion to bring forward and Hold in **ABEYANCE** Item 55 to 8/18/2004 and **STRIKE** Items 56, 57, 58, 59, and 61 – **UNANIMOUS** with **BROWN** excused

MINUTES:

There was no discussion.

(9:29 – 9:30)

1-760

RECEIVED
CITY CLERK

2004 JUL -8 P 2:51

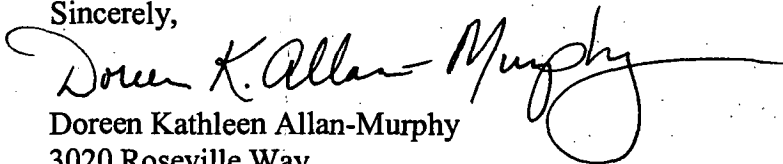
July 8, 2004

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

To Whom It May Concern:

I wish to appeal the Metropolitan Police Department's denial of my Work Card application to the Las Vegas City Council.

Sincerely,



Doreen Kathleen Allan-Murphy
3020 Roseville Way
Las Vegas, NV 89102



July 8, 2004

Doreen Kathleen Allan-Murphy
3020 Roseville Way
Las Vegas, NV 89102

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
WRENCE WEEKLY

MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

Re: **WORK CARD APPEAL**

Dear Ms. Allan-Murphy:

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 **July 21, 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,


Gabriela Portillo-Brenner
Deputy City Clerk II for
Barbara Jo Ronemus, 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
18112-001-6/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - Discussion and possible action on Appeal of Work Card Denial: Carlos Catania, 2108 Calville #104, Las Vegas, Nevada 89129

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 Hold in ABEYANCE Item 55 to 8/18/2004 and STRIKE Items 56, 57, 58, 59, and 61 – UNANIMOUS with BROWN excused

MINUTES:

There was no discussion.

(9:29 – 9:30)

1-760

RECEIVED
CITY CLERK

2004 JUL -9 A 9:48

July 9, 2004

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

To Whom It May Concern:

I wish to appeal the Metropolitan Police Department's denial of my Work Card application to the Las Vegas City Council.

Sincerely,

Carlos Catania

Carlos Catania
2108 Calville #104
Las Vegas, NV 89129



July 9 2004

Carlos Catania
2108 Calville #104
Las Vegas, NV 89129

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN

LAWRENCE WEEKLY

MICHAEL MACK

JANET MONCRIEF

STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

Re: **WORK CARD APPEAL**

Dear Mr. Catania:

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 **July 21, 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,

Gabriela Portillo-Brenner
Deputy City Clerk II for
Barbara Jo Ronemus, 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
18112-001-6/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Mark Boyett, 542 Chandler Street, Henderson, Nevada 89014

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 Hold in ABEYANCE Item 55 to 8/18/2004 and STRIKE Items 56, 57, 58, 59, and 61 – UNANIMOUS with BROWN excused

MINUTES:

There was no discussion.

(9:29 – 9:30)

1-760

RECEIVED
CITY CLERK

2004 JUL 20 A 10:11

July 20, 2004

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

To Whom It May Concern:

I wish to appeal the Metropolitan Police Department's denial of my Work Card application to the Las Vegas City Council.

Sincerely,



Mark Boyett
542 Chandler Street
Henderson, NV 89014



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

July 20, 2004

Mark Boyett
542 Chandler Street
Henderson, NV 89014

Re: **WORK CARD APPEAL**

Dear Mr. Boyett:

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 **August 4, 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 "Angela Crolli".

Angela Crolli
Deputy City Clerk II for
Barbara Jo Ronemus, 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
18112-001-6/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding an Appeal of Denial of a Management or Marketing Service License, Medical Marijuana Consultants of Nevada (MMCN), 1817 Palo Alto Circle, William Kosinski, CEO, 100% - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

MMCN submitted a business license application to consult with patients with pre-existing conditions to receive recommendations to doctors for treatment through use of marijuana for medicinal purposes. Consulting business would also include advice on health risks involved, advice on the state laws regarding cultivation and possession of marijuana for medicinal purposes. This application was denied due to the information received in contact with the State of Nevada Department of Agriculture that the business does not comply with state law.

RECOMMENDATION:

Uphold the denial of the business license.

BACKUP DOCUMENTATION:

1. Business License Application
2. Denial Letter by Jim DiFiore

MOTION:

REESE – Motion to bring forward and Hold in ABEYANCE Item 55 to 8/18/2004 and STRIKE Items 56, 57, 58, 59, and 61 – UNANIMOUS with BROWN excused

MINUTES:

There was no discussion.

(9:29 – 9:30)

1-760

NEVADA BUSINESS REGISTRATION M18-92342-F-115582

Please read instructions before completing this form. Information on this form must be typed or printed in black ink. Please understand that each agency may request additional information particular to the needs of your business in order to act on your application. The completion of this form does not relieve you of any statutory or regulatory requirements relating to your business.

1	I am applying for: ☐ Unemployment Insurance (Employment Security) ☒ State Business License ☐ State Sales/Use Tax Permit ☒ Local Business License A copy must be sent to each agency						
2	☒ New Business ☐ Change in Ownership ☐ Change in Location ☐ Change in Name ☐ Change in Corporate Officers ☐ Change in Mail Address ☐ Other						
3	Corporate Name <u>Medical Marijuana Consultants Of Nevada</u>			Corporate Telephone <u>(702) 460-8236</u>		4	Federal Tax Identification Number <u>PENDING</u>
5	Corporate Address 1817 Palo Alto Circle			City, State, and Zip Code Las Vegas, NV. 89108		State of Incorporation	
6	Doing Business in Nevada as: <u>Medical Marijuana Consultants of Nevada (MMCN)</u>			Business Telephone <u>(702) 460-8236</u>		E-Mail Address <u>billkosinski@medicalmarijuana.com</u>	Fax <u>(702) 838 6250</u>
7	Mailing Address 1982 North Rainbow Blvd. PMB# 146 <u>LV NV 89108</u>			City, State, and Zip Code			
8	Location(s) of Business Operations 1817 Palo Alto Cr. Las Vegas, NV. 89108			City, State, and Zip Code			
9	Location of Business Records 1817 Palo Alto Cr. Las Vegas, NV. 89108			City, State, and Zip Code		Telephone #: <u>(702) 838 6250</u>	
10	Type of Business Entity: ☒ Sole Proprietor ☐ S Corp. ☐ Publicly Traded Corp. ☐ Privately Held Corp. ☐ Association ☐ Partnership ☐ Limited Liability Partnership ☐ Limited Liability Company ☐ Government Entity ☐ Other						
11	Name of All Owner(s), Partners, Corporate Officers, Members, etc. Attach additional sheets if necessary. (If individual ownership, list only one owner.)						
		Owner, Partner, Officer, Member, etc. (Last, First, MI): <u>Kosinski, William, D.</u>		Residence Address (Street) <u>1817 Palo Alto Circle</u>		SSN: <u>298789044</u>	Date of Birth <u>12-19-1972</u>
		Title <u>CEO</u>		City, State, Zip <u>Las Vegas, NV. 89108</u>		Res. Phone <u>7028386250</u>	
		Percent Owned <u>100</u>					
		Owner, Partner, Officer, Member, etc. (Last, First, MI):		Residence Address (Street)		SSN:	Date of Birth
		Title		City, State, Zip		Res. Phone	
		Percent Owned					
		Owner, Partner, Officer, Member, etc. (Last, First, MI):		Residence Address (Street)		SSN:	Date of Birth
		Title		City, State, Zip		Res. Phone	
		Percent Owned					
		Owner, Partner, Officer, Member, etc. (Last, First, MI):		Residence Address (Street)		SSN:	Date of Birth
		Title		City, State, Zip		Res. Phone	
		Percent Owned					
		Responsible Local Contact (Last, First, MI & Title)		Residence Address (Street), City, State, Zip		SSN:	Res. Phone
12	Date Business Started in NV <u>03/22/04</u>		Date Business Location Opened		Date First Worker Hired in NV		Date of First NV Payroll
		Amount of First NV Payroll		Number of Employees			
PLEASE CHECK ALL THAT APPLY							
13	☐ Mining ☐ Service ☐ Tobacco ☐ Delivery ☐ Wholesale ☐ Domestic ☐ Agriculture ☐ Manufacturing ☐ Transportation ☐ Not for Profit ☐ Outside Dining ☐ Home Occupation ☐ Retail Sales-New ☐ Retail Sales-Used ☐ Live Entertainment ☐ Water Appropriation ☐ Hazardous Material ☐ Construction/Erection ☐ Telephone Solicitation ☐ Environmental Discharge ☐ Adult Materials/Activity ☐ Amusement Machines ☐ Leased or Leasing Employees ☐ Leasing (Other than Employees) ☐ Regulated by Federal/State Permit #-- ☐ Supply/Use Temporary Workers ☐ Alcohol ☐ Gaming ☐ Health Services ☐ Resident Agent ☒ Other— <u>Consulting</u>						
14	Describe the Nature of Your Business in Detail. Include Type of Product Sold, Labor Performed and/or Services Rendered. Our organization helps patients with a pre-existing condition receive doctor recommendation for Medical Marijuana. We will also consult with the patient regarding the health risks involved, the state laws regarding cultivation and possession of medical marijuana and information on how they can supply themselves their own medication. We do not nor will not sell, share or provide Medical Marijuana to any patient. Our goal is to service the patient in getting legally approved so as not to be arrested for using Medical Marijuana.						
15	IF YOU HAVE ACQUIRED A NEVADA BUSINESS OR CHANGED OWNERSHIP, PLEASE COMPLETE THIS SECTION :						
		Date Acquired:		Acquired by: ☐ Purchase ☐ Lease ☐ Other		☐ In Whole ☐ In Part	
		Name(s) of Previous Owner(s)		Business Name and ESD Account Number of Previous Owner(s)			
		Address (Street)		City		State Zip Code	
		If you have had a sales/use tax permit number before, please enter it here <u>410-00167-6-111038 (City of LV), 073321632-01 (State of NV)</u>					
16	I CERTIFY THE INFORMATION PROVIDED IN THIS REGISTRATION FORM IS TRUE, CORRECT AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF						
		Signature / Original		Print Name & Title		Date	
		<u>William D. Kosinski</u>		William D. Kosinski / CEO		<u>05/06/04</u>	
		Signature / Original		Print Name & Title		Date	
		<u>William D. Kosinski</u>				<u>5/18/04</u>	

ORIGINAL SIGNATURES REQUIRED BY AGENCIES-KEEP COPY FOR YOUR RECORDS

CITY OF LAS VEGAS SUPPLEMENT

HOME OCCUPATION PERMIT APPLICANTS MUST COMPLETE THIS SECTION

Las Vegas Municipal Code 19A.18.110 G states the Director must be satisfied the proposed Home Occupation will comply with the following operational standards. Applicant must initial and sign.

1. WL Only the occupants of the dwelling unit shall be engaged in the business activity approved for the Home Occupation Permit.
2. WL No employees shall report to work or be dispatched from the property.
3. WL There shall be no transacting of business or offers to transact business with customers or clients who have come to the property.
4. WL There shall be no signage or other advertising of any kind, whether on the property or elsewhere, which advertises the address or physical location of the property or identifies the existence of a Home Occupation on the property. A home telephone number or a PMB may be advertised by any medium other than on-site language.
5. WL No motor vehicle repair, paint or body work, commercial preparation of food for service on the premises, business related to or involving explosives, ammunitions or weapons, beauty parlor or barber shop, or ambulance or related emergency services shall be permitted as Home Occupation.
6. WL A Home Occupation shall not create pedestrian, automobile or truck traffic in excess of the normal amount associated with residential uses in the district.
7. WL A Home Occupation business shall be conducted exclusively within the main dwelling or within an accessory structure which has been approved for the Home Occupation Permit, except for horticultural activities.

8. WL The number of on-site parking spaces shall not be reduced to less than two.
9. WL No Home Occupation business shall create or cause noise, dust, light, vibration, gas, fumes, toxic or hazardous materials, smoke, glare, electrical interference or other hazards or nuisances either on or off the premises.
10. WL There shall be no electrical or mechanical equipment which is not normally found in a residential structure and no equipment found on the premises shall cause a change in the fire safety or occupancy classification of the dwelling unit.
11. WL There shall be no outdoor storage or use of any toxic chemicals or hazardous materials of any type or in any amount not normally found in a residential structure.
12. WL No more than one vehicle with a maximum capacity of one ton shall be used in connection with a Home Occupation Permit.

Applicant Signature William K. [Signature] Date 5-18-04
 Owner Signature William K. [Signature] Date 5-18-04
 Planning Approved by P.D. Hings Date 5/18/04
 Home Use Permit # _____

NV State License #	NV Sales/Use Tax Permit #	Clark Co. Health Permit #	Restaurant Seating Capacity	Prelim. Tel. # for Inspection

COMMERCIAL BUSINESS LOCATIONS—NON-CITY BASED BUSINESSES. I understand that approval of this application for a City business license allows me to conduct business only within the City of Las Vegas. I also understand that operating my business in Henderson, NLV or unincorporated Clark County may require me to obtain business licenses within each of those jurisdictions to lawfully conduct my business.

CITY BASED BUSINESSES—Will storage of merchandise or goods be at this commercial business address? ☐ Yes ☐ No

Applicant Signature _____ BSD Signature _____

FOR BUSINESS SERVICES USE ONLY

Applicant referred for an Industrial Waste Survey ☐ Yes ☐ No IWS Permit Issued ☐ Yes ☐ No Officer Area No. _____

Comments: _____

License No. _____	License No. _____	License No. _____

General Receipt No. 125274 Date: 5/18/04 Amount \$ 25.00 Paid To: _____

General Receipt No. _____ Date: _____ Amount \$ _____ Paid To: _____

General Receipt No. _____ Date: _____ Amount \$ _____ Paid To: _____

Approvals	Temporary	Final
Planning _____	_____	_____
Fire _____	_____	_____
License _____	_____	_____



June 17, 2004

Mr. William Kosinski
1982 North Rainbow Blvd
PMB#146
Las Vegas, Nevada 89108

Re: Business License Application for Medical Marijuana Consultants of
Nevada (MMCN)
1817 Palo Alto Cr.
Las Vegas, Nevada 89108

COPY

Dear Mr. Kosinski:

You are hereby noticed that your business license application filed with this office on May 18, 2004 for the above referenced business is denied. The City's business license code requires that the business operations of all businesses within the City must meet at all times the laws and regulations of the Federal, State and local government at all times. More particularly, the City Code provides grounds for denial of a business license application at Section 6.02.090 (A) (2) as follows:

"The applicant or any of its principals fails to satisfy any qualification or requirement that is imposed by this Code, or other local, State or Federal law or regulation that pertains to the particular license or approval for suitability which is sought."

The State of Nevada passed the Medical Use of Marijuana Act (Chapter 453A of NRS) in 2001 permitting under very limited circumstances the use of marijuana for treatment of specified chronic or debilitating medical conditions. Persons must apply and receive registry identification cards issued by the State of Nevada Department of Agriculture in order to qualify for exemption from prosecution for the possession, delivery or production of marijuana; possession or delivery of drug paraphernalia; aiding and abetting another in the possession, delivery or production of marijuana; aiding and abetting another in the possession or delivery of drug paraphernalia; and any other criminal offense in which the possession, delivery or production of marijuana or the possession or delivery of drug paraphernalia is an element. Your application for business license is not accompanied by a registry identification card issued by the State Department of Agriculture.

When enacting Medical Use of Marijuana Act, the legislature recognized that while the Act granted exemptions from the aforementioned State criminal prosecutions, such Act did not grant exemptions from Federal prosecutions for similar violations. Federal law does not grant exemptions from

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF

DOUGLAS A. SELBY
CITY MANAGER

prosecution for possession of marijuana for medical purposes or from prosecution for attempting or conspiring to obtain possession of marijuana for medical purposes (See Title 21 U.S.C. Chapter 13).

Pursuant to the provisions of Las Vegas Municipal Code 6.02.110 if you feel aggrieved by the Department's denial of your business application, you may appeal the Department's decision to the City Council by filing a written notice of appeal with the Department within thirty days of the date of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim DiFiore". The signature is stylized with a large, looped "J" and "D".

Jim DiFiore, Manager
Business Services Division
Finance and Business Services

Cc: Wendy Smith
Lon Grasmick

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: AUGUST 4, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler On-sale License subject to the provisions of the planning and fire codes, LivingTheDream, Inc., dba Aurelio's, 7660 West Cheyenne Avenue, Suite 122, David L. Jones, Dir, Pres, 10%, Lisa M. Jones, Treas, 85% - Ward 4 (Brown)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler On-sale License

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes 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 David L. Jones
3. Map

MOTION:

REESE – APPROVED the temporary license with a six-month (2/2/2005) review and 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 excused

MINUTES:

The applicant was present.

JIM DiFIORE, Manager, Business Services, indicated the applicant met the requirements for a temporary approval. There is one issue pending, but he did not believe there would be a problem. MR. DiFIORE suggested approval as recommended, along with a six-month review.

(9:36 – 9:37)

1-1018

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 4, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

ITEM DESCRIPTION: Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler On-sale License subject to the provisions of the planning and fire codes, LivingTheDream, Inc., dba Aurelio's, 7660 West Cheyenne Avenue, Suite 122

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 July 13, 2004 from David L. Jones outlines the request for temporary license.

The applicant submitted all of the required documentation and paid all applicable fees for investigation on March 18, 2004. Based upon a review of the Scope printouts, we have determined the applicants 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 these applicants this item will be brought back before the Council for appropriate action.

LivingTheDream Inc.
Aurelio's Pizza

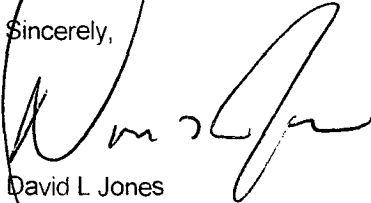
7660 W Cheyenne # 122
Las Vegas, NV 89129
702.367-4892

July 13, 2004

To Whom It May Concern:

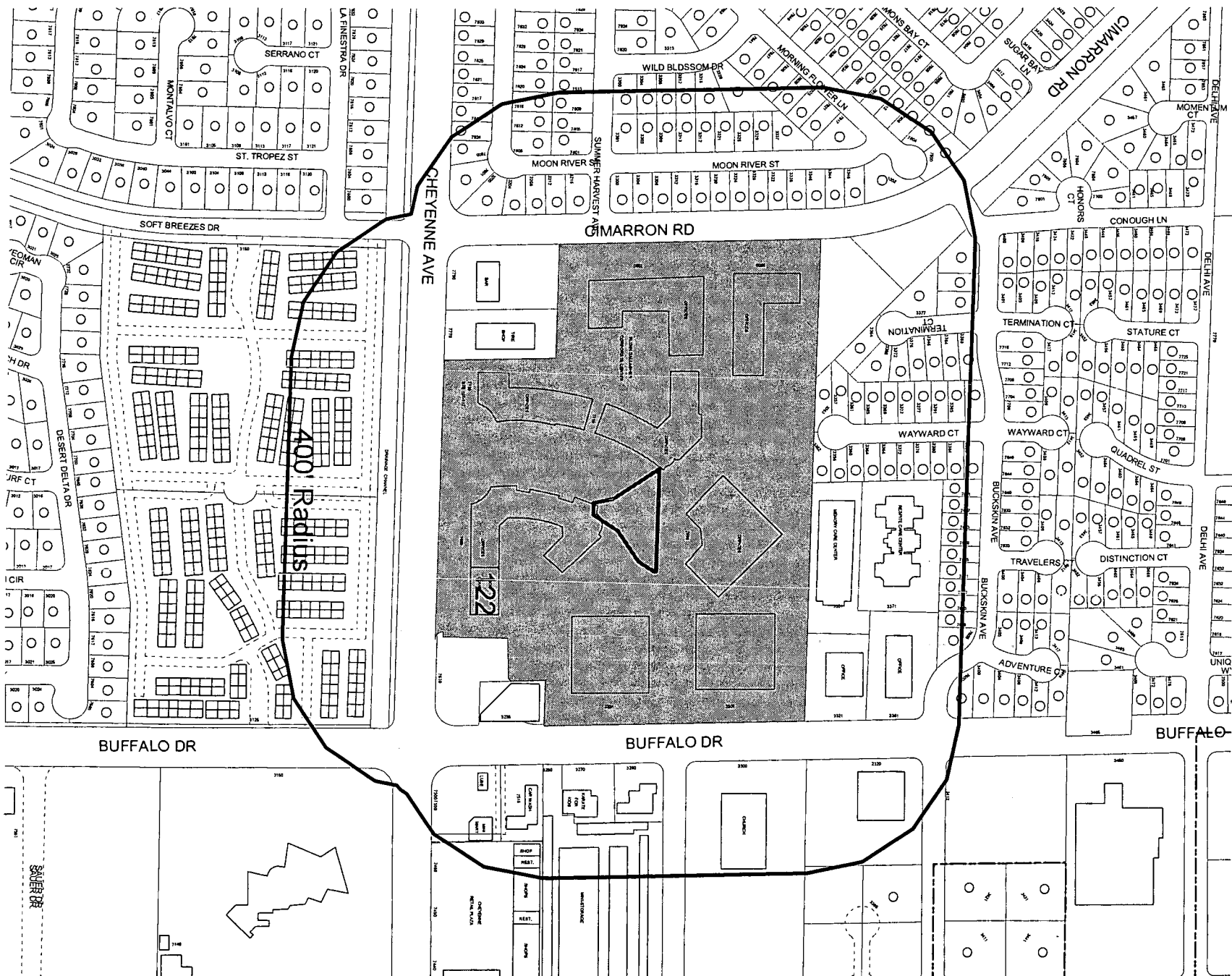
We would like to be considered for a temporary liquor license. We, David and Lisa Jones, have applied for this license over three months ago, have had our background investigations completed and have had our Metro interviews. Brian Calhoun, a partner in this company, has completed his application, although previously waved, and will submit it this week, per the request of our investigating officer, Bobbie Manning. Brian is a practicing attorney in California and has nothing in his background that would prohibit his attaining a liquor license here in Nevada. We are requesting the temporary license until our permanent license process can be completed as we are having and increasingly difficult time staying in business without offering these complementary products.

Sincerely,

A handwritten signature in black ink, appearing to read 'David L. Jones', is written over the word 'Sincerely,'.

David L Jones
Partner

Aurelio's



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding Temporary Approval of Change of Ownership for a Beer/Wine/Cooler Off-sale License subject to the provisions of the fire codes and Health Dept. regulations, From: Nevada Oil and Land Development, LLC, Carlos Huerta, Mmbr, 37.5%, Wasef Qaraman, Mgr, Mmbr, 34%, Marwan Aburahma, Mmbr 28.5%, To: Raz Durani, dba Craig Rancho Mart, 4371 North Rancho Drive, Raz M. Durani, 100% - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of Change of Ownership for a Beer/Wine/Cooler Off-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 Raz Durani

MOTION:

REESE – Motion to bring forward and Hold in ABEYANCE Item 55 to 8/18/2004 and STRIKE Items 56, 57, 58, 59, and 61 – UNANIMOUS with BROWN excused

MINUTES:

There was no discussion.

(9:29 – 9:30)

1-760

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 4, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

ITEM DESCRIPTION: Discussion and possible action regarding Temporary Approval of Change of Ownership for a Beer/Wine/Cooler Off-sale License subject to the provisions of the fire codes and Health Dept. regulations, To: Raz Durani, dba Craig Rancho Mart, 4371 North Rancho Drive

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 July 8, 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 July 9, 2004. Based on a review of the SCOPE printout furnished to this Department by the applicant, we have determined 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 individual this item will be brought back before the Council for appropriate action.

07/08/2004

Dear Jim DiFiore,

Mr. DiFiore I, Raz Durani, would like to request from you a temporary beer/wine off sale license until I receive my official beer/wine off sale license. I have decided to purchase the Craig Rancho Mart at 4371 N. Rancho Drive Las Vegas, Nevada. The business is a gas station and convenient store. Besides the sale of gasoline we provide groceries, retailed items, tobacco, and hopefully alcohol. We have seven slot machines in our gaming area which is leased out to United Coin Machine Company. Regularly the buyer stalls four months before closing escrow to purchase a business in order to receive the alcohol license. But in this occasion I plan to close the escrow right away in a matter of days. I still have about four months until I receive the approval for the official beer/wine off-sale license. The reason for the swift closure of escrow is the management and owners at the location has paid very little attention to the business in the last 5-6 months and during this period of neglect the store's business has dwindled down tremendously. Yet there lies great potential in the business because of its location and area. For this reason I decided to purchase this business and invest my time, money, and effort to try to make this business reach its fullest capability.

The beer and wine portion of the store is a very integral part of the appearance of the store. Appearance is very essential to the enhancement of any business and especially to the interior of this business. Our wooden wine rack with all the variety of wines that it contains brings flavor and class to the establishment. Our five large cooler windows that display the beer that is currently sold here would look very monotonous, repulsive and bare without the alcohol that is placed in each window display. All the beer and wine that is sold is concentrated in the

left wing of the store and for years customers have become very acquainted with that area as the beer section. So imagine going to your house everyday for six years and one day you go to find that your living room and all the furniture that was within it is temporary gone for a four month period. But if this happens to a customer who comes in for beer he/she will not return to store no matter what. They do not care if you are pending a license, they want their beer. This one customer harms the business severely because in a recent survey it showed that when a consumer or customer is satisfied or overwhelmingly satisfied about a service, product, or anything else they spend they usually share it with a couple of their friends or relatives but whenever that same consumer or customer is dissatisfied or upset that they did not receive what they came for they usually report that bad information to ten other people. So if one in every five people came in for beer and did not get what they came for, they would at least alert 10 people while the other four who were satisfied would only inform 8 people leaving the business owner, two customers short every time eventually leading the business to bankruptcy.

As the members of the council know at least those who live in there that the area and the surrounding neighborhoods of the Craig Rancho Mart is a very peaceful, quiet, and safe neighborhood. The retailing of alcohol would not increase violence or crime. The business has sold alcohol for the past seven years under two different owners and the area has not seen the rise of crime due to the selling of alcohol. The beer sales and profit are not significant in this business because of the plaza it is in and the area. Our night business is not that significant since the neighborhood residents are not people who get drunk and stay out late. Our main time of business is during the day when all the stores in the Lido Plaza are open and most of our customers are employees from the surrounding business. Believe me people do not drink while they work unless they do not want to keep their jobs anymore. But still we do sell alcohol on a

daily basis even though it is not significant amount it still is a sale. We could not be called a convenient store if we did not sell alcohol because where is the convenience for the customer when they want gas and alcohol but can not purchase the alcohol since the owners are awaiting their beer/wine license.

All in all Mr. DiFiore I hope that you see that it is vital for the business and us to receive this temporary license for the sale of beer and wine until we get the approval from the official beer/wine off-sale license. With the diminishing of the business on a daily basis I have to purchase it early and in doing so I could not attain my alcohol license to sell alcohol under my name, right when I close escrow. By granting us the temporary license or allowing us to go to the city council board meeting agenda meeting this August 4, 2004, to prove to the board that it is very vital to the business to sell alcohol right away and that the halt of it could have serious blows to the future and reputation of the business. By doing this for us Mr. DiFiore I will be forever grateful to you. Thank you for your time and understanding.

Thank you,



07-08-2004

Raz Durani

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding Temporary Approval of a Massage Establishment License subject to the provisions of the fire codes, Shear Indulgence, Inc., dba Shear Indulgence Salon and Day Spa, 5000 West Oakey Boulevard, Suites B3 and B4, Darci S. O'Brien, Pres, 50%, Darla S. O'Brien, Dir, Secy, Treas, 50%, Bruno J. Humasti, Lender - 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 a Massage Establishment License

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes and a six month review

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Darci and Darla O'Brien
3. Map

MOTION:

MONCRIEF - APPROVED subject to a six-month (2/2/2005) review and requiring the applicant to report any arrests or citations to Business Services and/or the LVMPD Special Investigations Section within 48 hours – **UNANIMOUS** with **BROWN** excused

NOTE: COUNCILMAN WOLFSON disclosed that the matter referred to that occurred 11 years ago was the subject of a case in the local court system in which he was the local counsel for a lawyer representing another individual. It has nothing to do with this application, and there is no conflict; therefore, he felt comfortable voting on this matter.

MINUTES:

The applicants were present.

JIM DiFIORE, Manager, Business Services, referred to an offense listed in the Confidential Report for DARLA O'BRIEN that occurred 11 years ago. He suggested approval as recommended and requiring the applicant to report any arrests or citations that occur on the premises to Business Services and/or the Las Vegas Metropolitan Police Department (Metro) Business Licensing Section within 48 hours.

(9:37 – 9:40)

1-1060

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 4, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

ITEM DESCRIPTION: Discussion and possible action regarding Temporary Approval of a Massage Establishment License subject to the provisions of the fire codes, Shear Indulgence, Inc., dba Shear Indulgence Salon and Day Spa, 5000 West Oakey Boulevard, Suites B3 & B4

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 June 2, 2004 from Darci and Darla O'Brien outlines the request for temporary license.

The applicant submitted all of the required documentation and paid all applicable fees for investigation on March 24, 2004. Based upon input from the Las Vegas Metropolitan Police Department, Special Investigations Section, and a review of the Scope printouts, we have determined the applicants are preliminarily suitable to hold a temporary massage establishment 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 these applicants this item will be brought back before the Council for appropriate action.

6-2-04

Shear Indulgence Inc.
5000 W. Oakey Blvd. Suite B3
Las Vegas, NV
89146

To Whom it may concern,

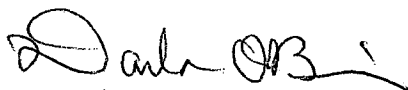
We at Shear Indulgence Incorporated, Darla O'Brien and Darci O'Brien would like to request a temporary massage establishment license. We purchased the existing Salon and Day Spa that has been in operation since 1986. This establishment has been offering massage as a service through out the changes in three owners within this time period. We are operating as a salon with our cosmetological license offering services to the public that include, hair, nails and facials, however, since we took over on February 1st, 2004 we have been unable to operate as a massage establishment. We have licensed massage therapists who are now out of work and have lost their clientele. The clients are continuing the other services within our facility but are eagerly waiting for our massage services to return. If we can return these services as soon as possible, we will not lose our current independent contractors, nor the clientele. The more time that passes by, the more difficult it will become for us to re-establish our existing services to the public. We please ask that you could issue a temporary license on the contingency of our background completion in order to get a permanent establishment license. Thank you very much for taking your time out to address this issue for our establishment.

The owners of Shear Indulgence Incorporated

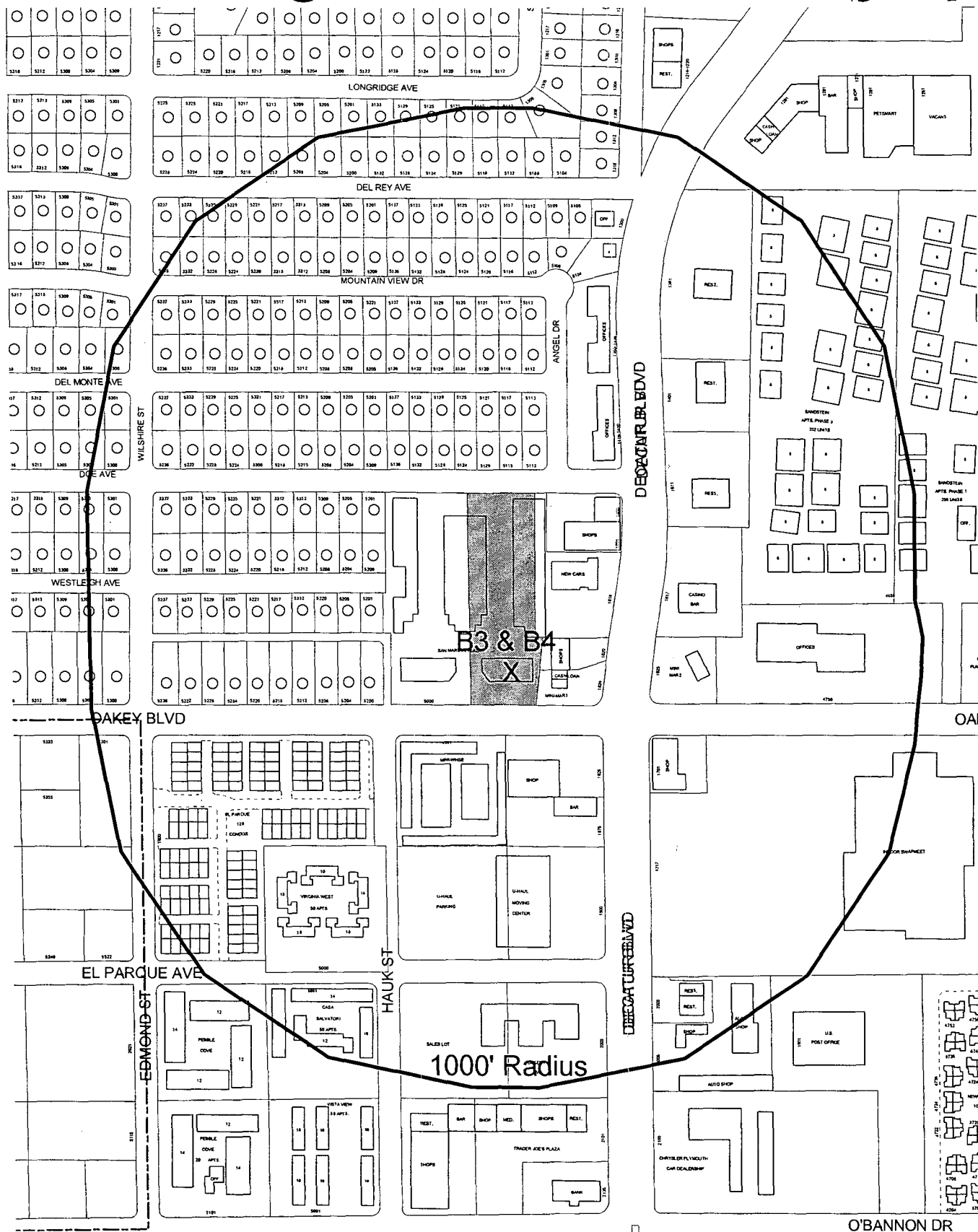
Darci O'Brien - President

 6-2-04

Darla O'Brien- Vice president, secretary and director

 6-2-04

Shear Indulgence Salon and Day Spa



0 200 400 Feet

N

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding Contractor Performance Evaluation Rating System for current and future public work construction projects - Department of Finance and Business Services

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Finance and Business Services

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

On February 4, 2004, the Council approved the Contractor Qualification Plan for on-site public work construction projects with the understanding that staff would develop performance criteria consistent with that Plan, utilize the criteria to measure the performance of contractors, develop a database of performance history for construction projects, and provide performance feedback to contractors on their performance against the criteria.

This request allows for approval of the Contractor Performance Evaluation Rating System to be used by staff on current and future construction projects.

RECOMMENDATION:

That the City Council approve the Contractor Performance Evaluation Rating System to measure and track contractor performance on current and future City of Las Vegas public work construction projects.

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

REESE – APPROVED as recommended – UNANIMOUS with BROWN excused

MINUTES:

KATHY RAINEY, Manager, Purchasing and Contracts, indicated that the Council previously approved 53 contractors on the Contractor Qualified list, with direction to staff to develop a formal evaluation of contractors. Hence, Purchasing and Public Works staff worked together to establish such an evaluation process. The Associated General Contractors reviewed this process and expressed their support, contingent upon the inclusion of their input to allow the opportunity to discuss the evaluation once issued.

CITY COUNCIL MEETING OF AUGUST 4, 2004

Finance and Business Services

Item 63 – Discussion and possible action regarding Contractor Performance Evaluation Rating System for current and future public work construction projects – Department of Finance and Business Services

MINUTES – Continued:

MS. RAINEY explained that the purpose of the evaluation process is to increase the quality and timeliness of Public Works construction projects by allowing various identified organizations to review about 26 different components. If the final rating of the contractor is four or better, with five being the best, the City would offer in bonus a half percent of the contract award up to a maximum of \$20,000. Staff proposed that this process be implemented for all projects over \$500,000.

COUNCILMAN MACK said that there has been a lot of frustration on the part of the Council with the performance of some of the contractors. Hopefully, this process will help alleviate some of those issues. He questioned if bidders would have to undergo this process prior to receipt of bid. MS. RAINEY answered that the evaluation will be conducted on the contractor's performance of the construction project itself. Prior to receipt of bid, staff has also enhanced its due diligence process and tightened up the definition of responsible and responsive.

(9:40 – 9:44)

1-1157

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 4, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

**ITEM DESCRIPTION: DISCUSSION AND POSSIBLE ACTION REGARDING
CONTRACTOR EVALUATION RATING SYSTEM FOR CURRENT AND FUTURE
PUBLIC WORK CONSTRUCTION PROJECTS**

On February 4, 2004, the Council approved 53 contractors for inclusion on the Qualified Contractor List for the period February 4, 2004 through February 3, 2006 pursuant to the City's revised Contractor Qualification Policy and Procedure for on-site public work construction projects. At this meeting, Council expressed concern regarding the lack of a formal system for measuring, tracking and reporting contractor past performance on public work construction projects; and a desire for a process that ultimately improves the quality and timeliness which projects are completed.

The Contractor Performance Evaluation Rating System proposed by staff will be implemented in two phases. Phase one will be implemented immediately after Council approval and includes measuring, tracking and reporting contractor's performance in 26 pre-defined areas, including but not limited to, construction quality, contractor responsiveness to owner's direction, contractor's expertise in project management and adherence to the project schedule. Staff from the departments of Public Works, Building and Safety, Finance and Business Services, and in some cases Field Operations and City-contracted consultant firms will measure contractor performance. At the completion of each project and concurrent with the contractor's final payment, he will receive a written performance evaluation and an overall numerical rating of his performance in a "Report Card" format. The contractor will have an opportunity to meet with staff and provide verbal and written comments regarding his rating. The numerical ratings range from a high of 5 that equates to excellent performance to a low of 1 that equates to failing performance. Contractors receiving an overall rating of less than 3 but no less than 2.5 will result in a 3-month bidding suspension. An overall rating of less than 2.5 but no less than 2 will result in a 6-month bidding suspension. An overall rating of less than 2 will result in a 12-month bidding suspension. Bidding suspensions begin on the next annual quarter following the evaluation, with concurrent bidding suspensions from multiple contracts administered consecutively. Contractors receiving an overall rating of 4 or higher, on completed projects valued at least \$500,000, will receive a bonus payment of ½% of the project award amount. The bonus amount shall be no less than \$1,000 or more than \$20,000.

This evaluation rating system will be used to measure, track and report contractor performance for current and future public work construction projects. Staff will use these evaluations in determining the contractor's inclusion on the City's List of Pre-Qualified Contractors and eligibility for future City contract awards.

In the spirit of "project partnering", phase two of this proposed System will provide a mechanism for the contractor to evaluate the City's overall handling of these projects, and provide recommendations for future improvement.

This formal system of measuring, tracking, and reporting contractor performance, along with the implementation of phase two is intended to aid in improving the quality and timeliness of the City's public work construction projects.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: ORLANDO SANCHEZ

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Report and possible action regarding a planning process for the creation of a 10-year Plan to End Chronic Homelessness in the City of Las Vegas - All Wards

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Research shows that although only 10% of the homeless population are chronically homeless, they use up to 50% of the available resources. In an effort to end homelessness, the Bush administration has teamed with HUD and the U.S. Interagency Council on Homelessness to collaborate with cities in the creation of 10-year plans to end chronic homelessness. This 10-year planning process has been endorsed both by the National League of Cities and the U.S. Conference of Mayors, and will make the city more competitive for federal grants.

RECOMMENDATION:

Accept report and direct staff accordingly.

BACKUP DOCUMENTATION:

1. Submitted after Final Agenda: One-page Bio of Philip F. Mangano with attached overview of U.S. Interagency Council on Homelessness
2. Submitted at meeting: 6-page Initial Planning Process: Ten-Year Blueprint
3. Submitted after meeting: hardcopy of PowerPoints "Step-by-Step Guide for a Ten-Year Planning Process to end Chronic Homelessness" and "Planning Process to Reduce and End Homelessness in Southern Nevada"
4. Submitted after meeting: five-page article titled The Abolitionist in the June 2004 Atlantic Monthly

MOTION:

REESE – ACCEPTED the report and authorized staff to expeditiously move forward – UNANIMOUS with BROWN excused

MINUTES:

Before proceeding with a presentation, MAYOR GOODMAN commented that he and MR. MANGANO met to discuss the issue of homelessness. The Mayor would like very much to be amongst the first cities in the United States to become involved with an effective and meaningful ten-year plan in order to resolve this difficult social issue.

CITY COUNCIL MEETING OF AUGUST 4, 2004

Neighborhood Services

Item 64 – Report and possible action regarding a planning process for the creation of a 10-year Plan to End Chronic Homelessness in the City of Las Vegas – All Wards

MINUTES – Continued:

TRINA ROBINSON, Neighborhood Services Department, introduced PHILIP MANGANO, Secretary, U.S. Interagency Council on Homelessness, and PAULA HAINES-GREEN, Regional Homeless Coordinator. MS. ROBINSON indicated that she and MS. HAINES-GREEN have been working closely with MR. MANGANO and the National Alliance to End Homelessness to develop a ten-year plan to end and reduce homelessness in Southern Nevada.

MR. MANGANO felt pleased and honored to make a presentation regarding the process that has been going on in Las Vegas to end homelessness. He noted that the White House and the Cabinet Secretaries are very involved and interested in ending chronic homelessness throughout the country.

Using a PowerPoint presentation titled “Step-by-Step Guide for a Ten-Year Planning Process to End Chronic Homelessness,” a copy of which was submitted for the minutes, MR. MANGANO continued and said that, in moving forward on a plan to end chronic homelessness in the City of Las Vegas, the City would be joining in a partnership extending from the White House to the streets. In creating such a plan, the City would be creating a plan that would bring together stakeholders from the entire community, government, non-profit, and private. The plan he read called Homes for Homeless Nevadans is an exceptional plan. This plan focuses on reducing and ending homelessness. Although this is a concept some people think is naive and foolish and that the City would be alone in this venture, the reality is quite the contrary. Many government officials across the country, including the President, are in support of implementing plans that will end chronic homelessness.

All of these people believe in this plan because it puts an emphasis on people that are most likely to be out on the streets and most likely to die from exposure on streets. It has been found through research that this population, which makes up about 20 percent, actually consumes more than half of the resources invested in homelessness and also consumes disproportionate amounts of resources in healthcare systems. After following 15 chronic street inebriates over the course of 18 months, the City of San Diego discovered that there were 299 entrances into the emergency rooms of the primary hospitals in San Diego that cost about \$1 million, a cost of about \$3 million from these people oscillating between substance abuse and mental health systems, and the added cost of law enforcement intervention. Consequently, the City of San Diego decided that the old crisis intervention approach was more expensive than an appropriate, planning, strategic process that would result in ending those peoples’ homelessness, and they decided to move forward with a ten-year plan.

For 20 years homelessness has been managed, but now the President is committed to ending this national disgrace. The President recently announced additional funding in the amount of \$100 million to be invested in substance-abuse treatment for people suffering from substance-abuse addiction.

CITY COUNCIL MEETING OF AUGUST 4, 2004

Neighborhood Services

Item 64 – Report and possible action regarding a planning process for the creation of a 10-year Plan to End Chronic Homelessness in the City of Las Vegas – All Wards

MINUTES – Continued:

The mission of all this planning across the country is that every member of communities across the country will be known by a single name, neighbor, and treated as one.

COUNCILMAN REESE asked what would happen to this 10-year plan if the current administration were to leave office. This is a big concern to him, because the City is already paying for a lot of unfunded state and federal mandates. MR. MANGANO answered that homelessness is a non-partisan issue on which this administration has already made a partnership with the U.S. Conference of Mayors to address it, and the resources are already in the federal budget and will remain there. Also, with the findings from studies in San Diego, there is a great opportunity to save money with the implementation of a new plan.

COUNCILWOMAN MONCRIEF said that, as a 15-year nurse that works a lot with the homeless, she has learned from the patients that they go to the hospital complaining of ailments to get a goodnight's sleep and a good meal. When she recently visited San Diego, she did not see one homeless person in the entire downtown area, and she was told that it is because of San Diego's Ten-Year Plan.

COUNCILMAN WOLFSON asked what year of its Ten-Year Plan is San Diego in. MR. MANGANO replied that it has only been in the last couple of years that the Mayor of San Diego agreed to move forward with a Ten-Year Plan, so it is in year two of its planning process. The City of Las Vegas could start as soon as its plan is in place.

MS. ROBINSON passionately gave a PowerPoint presentation, which is made a part of the final minutes, on the "Planning Process to Reduce and End Homelessness in Southern Nevada." She also submitted a copy of the Planning Process. She then indicated that staff members in Washington, D.C., have already reported that it is a great plan and are willing to come to Las Vegas to assist with the process, enabling the City to learn from their failures and successes. City staff is committed to moving forward and taking this plan to a level further than just chronic homelessness and is unwilling to tolerate failure. She assured the Council that status updates would be provided on the progress of the plan. She noted that she truly believes this process will succeed because this Council is about principal and not politics.

MAYOR GOODMAN commended MS. ROBINSON on her presentation. However, he is concerned that sometimes it is all rhetoric. But homelessness has been an ongoing problem, especially within the homeless corridor. He asked if the plan has to start at scratch, or could the City use all the experience it has already gained in dealing with the homeless. He would like to start at Step 8, which is to create the action plan to implement the strategies. MS. ROBINSON felt that it would be possible to start at Step 8 once the working group is convened, because the City has already done quite a bit and the infrastructure is in place. The City is just changing the way it does business.

CITY COUNCIL MEETING OF AUGUST 4, 2004

Neighborhood Services

Item 64 – Report and possible action regarding a planning process for the creation of a 10-year Plan to End Chronic Homelessness in the City of Las Vegas – All Wards

MINUTES – Continued:

MAYOR GOODMAN indicated that one area that concerns him is there are folks amongst the chronic homelessness who are service resistant. He would like MS. HAINES-GREEN to figure out how the City could take these people in “loco parentis” without being accused of violating their civil rights. These people have to be taken in, medicated, put into a group facility, moved into transitional housing, and then into permanent housing.

COUNCILMAN REESE adamantly indicated that he would not support any more transitional housing in Wards 3 or 5. The other municipalities have to take their share. If the City opts to adopt a ten-year plan, the Southern Nevada Planning Coalition is going to have to step forward and make the other local municipalities cooperate. MS. ROBINSON agreed that the City will have to change the way it does business. With the ten-year planning process, staff will be looking at scattered-site housing. It is unacceptable for one City to receive the brunt of this problem.

COUNCILMAN WEEKLY questioned the type of support other jurisdictions have given, because for a long time the City has been carrying the burden and getting no support. It is time people start realizing that one entity cannot do it alone and that everybody has to work together. MS. ROBINSON indicated that she and MS. HAINES-GREEN have been working closely with the other jurisdictions, and they will have to develop their plans to address their jurisdictional specific homeless issues and partner in the regional process. MR. MANGANO rejoined that this administration has dramatically increased the resources targeted to homelessness, so it is putting up the money. COUNCILMAN WEEKLY noted that he wants to ensure that some of that money reaches Main Street.

MS. HAINES-GREEN stated that she was present to support the Council in moving forward with its ten-year planning process and to encourage the Council to invest in the regional process as well. She assured COUNCILMAN WEEKLY that she received direction from the Southern Nevada Regional Coalition Committee on Homeless to bring back a planning process by August 19, 2004, detailing what the regional planning process would entail. Hence, she is in the process of meeting with all the jurisdictions to do an inventory of all the services being offered. The regional plan will be the book in which each jurisdiction will have a role to play. She will be utilizing all the available resources as well as looking for new ones. The intent is to utilize the resources of Clark County through the Office of Organizational Development. Her staff will be working to coordinate a plan, with the goal of reducing the duplication of efforts. There is no point in the City of Las Vegas convening work groups alone and then convening work groups elsewhere. The goal is to coordinate all the resources and link services.

MAYOR GOODMAN asked if any of the other entities that are members of the Regional Planning Coalition were being required to submit a ten-year plan. MS. HAINES-GREEN responded that the City requested to enter this plan, because it is one of the 100 largest cities.

CITY COUNCIL MEETING OF AUGUST 4, 2004

Neighborhood Services

Item 64 – Report and possible action regarding a planning process for the creation of a 10-year Plan to End Chronic Homelessness in the City of Las Vegas – All Wards

MINUTES – Continued:

The other cities do not really fall into that category. MR. MANGANO rejoined that the call is to all cities.

MAYOR GOODMAN then asked if the State is being required to assist the cities, because, to date, they have evaded their moral responsibility. The issue of homelessness exists in large part because of the State's decision to shut down mental facilities. He opined that it is important to bring the State on board. MR. MANGANO agreed that cooperation is necessary from all levels of government. He indicated that his staff has been providing technical assistance to the State of Nevada to make some of their mainstream resources more available.

COUNCILMAN WEEKLY asked what types of services could be given to a person such as DOROTHY BARNES, who has been coming to the meetings to speak under Citizens Participation about the lack of assistance she has received. MAYOR GOODMAN noted that MS. BARNES is a very intelligent person, but sometimes does not speak lucidly. He truly hopes that MS. BARNES can receive assistance, as well as a gentleman that he sees every day as he comes down Bonneville, between Main and First Street. He would even be willing to write a personal check for a year's rent for this gentleman.

TOM McGOWAN, Las Vegas resident, commended MS. ROBINSON for her enthusiastic involvement in addressing the issue of homelessness. He then offered to provide his plan to resolve the issue of homelessness.

DOROTHY BARNES stated that she came as a tourist to Las Vegas in 1999 and decided to stay. She started to seek housing because she could no longer afford a hotel. But she has found it to be very difficult. She keeps being put on waiting lists. At the end of a year's waiting period, she filled out an application for housing at one place and was told that she did not qualify.

MAYOR GOODMAN encouraged MR. MANDANO to speak with MS. BARNES so that he can learn about the system and some of the difficulties the homeless go through.

BEATRICE TURNER, West Las Vegas resident, said that it was Baltimore Gardens that gave MS. BARNES a hard time because they only take a select few and discriminate against certain people. She mentioned that it is MAYOR GOODMAN that started addressing the issue of homelessness, because former MAYOR JONES and the County Commissioners only created the homeless highway on Main Street. All the local entities should be held accountable.

(10:05 – 11:19)

1-2135/2-1

Philip F. Mangano
Executive Director
United States Interagency Council on Homelessness

Philip F. Mangano is the Executive Director of the United States Interagency Council on Homelessness (ICH). Mr. Mangano was appointed by President Bush to lead the Council in March 2002. The Interagency Council is a part of the Domestic Policy Council within the Executive Office of the President and is responsible for the coordination of 20 federal agencies in their response to reduce and end homelessness.

Prior to his appointment by President Bush to lead the Interagency Council, Mr. Mangano was the founding Executive Director of the Massachusetts Housing and Shelter Alliance (MHSA), a statewide coalition of 80 agencies which operate over 200 programs. During the 12 years of Mr. Mangano's tenure MHSA developed statewide strategies to reduce and end homelessness in Massachusetts. His formulation of the **front door/back door** paradigm of advocacy response was adopted by the National Alliance to End Homelessness and is now central to the national strategy to end homelessness.

Research conducted by MHSA led to greater emphasis on the prevention of homelessness especially by mental health, substance abuse, corrections, and foster care systems. MHSA's advocacy also created new resources to create and expand the availability of housing targeted to homeless households.

For his work at MHSA and his broader national impact, Mr. Mangano has been widely recognized. He has been named an Associated Press "Hero," the Boston Globe recognized him as a City Light, the Boston Phoenix as a Local Hero, and the City of Boston, the Massachusetts Legislature and Governor's Office have commended his achievements with community recognitions.

Additionally he has received citations and awards from numerous agencies and non-profits including the Massachusetts Departments of Mental Health and Public Health, the City of Cambridge, United Way, the Boston Rescue Mission, the Black Pastors of Cambridge Massachusetts, and many others. In 2001, MHSA and Mr. Mangano received the prestigious Non-profit Sector Achievement Award from the National Alliance to End Homelessness.

Prior to his work at MHSA, Mr. Mangano participated in the creation and development of a variety of community based organizations including a social justice group in Los Angeles and Social Action Ministries of Greater Boston. For several years he was a full time volunteer on St. Anthony's breadline in downtown Boston and subsequently became the Director of Homeless Services for the City of Cambridge. His work in Cambridge was distinguished by organizing the response to family homelessness and creating the nationally recognized Multi-Service Center for Homeless People.

Through his historical and theological training, Mr. Mangano's work has been inspired by the words and actions of the abolitionists, particularly William Lloyd Garrison and Frederick Douglass. He credits the lives and writings of St. Francis Assisi and Simone Weil for spiritual inspiration in his work. His years in Los Angeles in the music industry as agent and manager also have contributed to his unique style of advocacy negotiation.

Mr. Mangano has spoken extensively throughout the United States on the abolition of homelessness. His work at the United States Interagency Council on Homelessness is intended to further this abolitionist effort.

Date 8/3/04 Item # 64



United States Interagency Council on Homelessness

**For more information on the
United States Interagency Council on Homelessness,
visit the ICH web site at: www.ich.gov**

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The United States Interagency Council on Homelessness e-newsletter,
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United States Interagency Council On Homelessness

Overview

The mission of the United States Interagency Council on Homelessness is to develop and implement a comprehensive national approach to end homelessness in the United States through interagency, intergovernmental, and intercommunity collaborations.

The Interagency Council works to improve access to and coordination of resources among its twenty federal member departments and agencies; ensure the effectiveness of federal activities and programs; engage and assist state and local governments, advocates, service providers, and customers in creating effective local solutions; and provide technical assistance and information.

Under the leadership of Executive Director Philip F. Mangano, the Council has adopted the following Administration, state, local, advocate, provider, and consumer themes:

- Elimination of chronic homelessness within 10 years
- Prevention and intervention, results-oriented approaches
- Collaboration at the interagency, intra-agency and intergovernmental levels
- Innovation driven by data and research, leading to performance-based outcomes
- Accessing of mainstream resources for the benefit of homeless persons and families

To administer and facilitate the Council's mission at the local and regional level, the Interagency Council established ten regional Coordinator positions. Each of the Coordinators is responsible for working with state and local governments, regional representatives from ICH's federal member agencies, homeless advocates, providers, and consumers to coordinate their collective efforts to reduce and end homelessness. The Coordinators promote the development of city and county 10-year plans to end homelessness; foster the creation of state and regional federal interagency councils; and disseminate timely, research-based information.

The Council was created as an independent establishment within the federal executive branch through the Stewart McKinney Homeless Assistance Act (PL 100-77) of 1987 and is part of the Domestic Policy Council of the White House. The Council, which is composed of twenty Cabinet Secretaries and agency heads, is currently chaired by the Secretary of the Department of Veterans Affairs, Anthony Principi; Department of labor Secretary Elaine Chao is the Council's Vice-Chair.

For more information, please visit the Council's website at www.ich.gov.

John O'Brien
US Interagency Council on Homelessness
Phone: 617-994-8203 Email: John_J._O'Brien@hud.gov

Initial Planning Process:
Ten-Year Blueprint

“Homes for Homeless Nevadans”
(HHN)

An Initiative of the City of Las Vegas
To Reduce and End Homelessness in Ten Years

The Department of Neighborhood Services

August 2004

Submitted at City Council

Date 8/4/04 Item #64

Introduction:

The city of Las Vegas is developing a ten-year plan to reduce and end homelessness. "*Homes for Homeless Nevadans*" (HHN) will be a comprehensive plan designed to help homeless people in the city of Las Vegas return to healthy and stable lives in permanent housing. As its title indicates, HHN will address individuals and families (subgroups) who experience varied degrees of homelessness such as:

- ***Temporarily homeless*** – persons who experience only one spell of homelessness, usually short, and who are not seen again by the homeless assistance system;
- ***Episodically homeless*** – those who use the system with intermittent frequency, but usually for short periods; and
- ***Chronically homeless*** – those with a protracted homeless experience, often a year or longer, or those whose participation in the homeless assistance systems are both frequent and lengthy.

The majority of homeless individuals and families can be categorized as either temporarily or episodically homeless. It should be noted that the chronically homeless population is increasing and will possibly surpass these subgroups unless affordable housing and support services are in place to address their needs.

Responding to the needs of these subgroups poses significant challenges because their conditions encompass a broad range of issues from substance abuse addiction to physical and mental health disabilities, which require multi-level and case specific core and supportive services. The city of Las Vegas has identified the core and supportive services necessary to assist all subgroups in reaching self-sufficiency and continued sustainability, however, none of these services can succeed without safe, affordable housing.

Core services include those that are needed to move people from the streets into housing and to stabilize their conditions. Supportive services include those needed to reintegrate people into the community, such as employment, education, and socialization.

To be successful, these services must be accessible and provided in a coordinated and flexible manner. This includes offering services in a non-office type setting and during non-standard hours of operation in order to increase or decrease service levels.

For purposes of this initial planning process, these services include the following:

Core Services

- Information and Referral
- Outreach and Engagement
- Health Related and Home Health Services, including HIV/AIDS
- Alcohol and Drug Abuse Services
- Mental Health and Counseling Services
- Inpatient Services
- Supportive Case Management Services
- Intensive Case Management Services
- Income Management and Support
- Residential Treatment Services
- Discharge Planning

Supportive Services

- Life Skills Services
- Child Care Services
- Education and Training Services
- Employment Services
- Legal Services
- Transportation Services

Identified community stakeholders must either offer or continue to offer flexibility in operating. They must have policies in place that function with a "no wrong door, no reject" course of action, thereby making services available to individuals and families no matter where they enter the system and whether or not they are willing to accept immediate and specific intervention. This process can help reduce the fragmentation of services and increase access to services.

The City of Las Vegas' Role in the Regional Ten-Year Plan

In its efforts to seek regional solutions to homelessness, the Southern Nevada Regional Planning Coalition's Committee on Homelessness has directed staff to develop a planning process that will result in the completion of a regional ten-year plan to reduce homelessness throughout the Las Vegas valley. Staff will present that proposed planning process to the Committee on Homelessness on August 19, 2004.

The regional ten-year plan process will provide an opportunity to analyze homelessness as it impacts different homeless subpopulations and areas within and between the cities of Las Vegas, North Las Vegas, Henderson, Boulder City and Clark County. It will include an assessment of existing services and resources; identify service gaps, unnecessary duplication of effort and overlapping jurisdictional concerns. Each jurisdiction will evaluate the nature and extent of homelessness within its boundaries and the distinctive steps that must be undertaken to effectively coordinate services to end homelessness.

The city of Las Vegas will continue to play a major role in serving homeless individuals and families because so many of the region's services are located within its jurisdictional boundaries. However, homeless individuals and families do not only reside within the city of Las Vegas. Consequently, there is a substantial need to provide housing and services to assist homeless people throughout the Las Vegas valley move from the street back into mainstream communities. It is for this reason that the city of Las Vegas must participate in the regional ten-year plan process to develop and implement a regional plan that will better balance services and resources within and between the region's jurisdictions.

The Process

The process used for this ten-year plan will be based on the guide provided by the U.S. Interagency Council on Homeless. Several cities throughout the country have adopted this process and report that it is the best mechanism to create a comprehensive ten-year plan to reduce and end homelessness in communities. Noted below is the US Interagency Council on Homelessness' recommended step by step planning process:

Step 1: Commitment to Developing a Ten Year Plan

Developing the ten-year plan will require a strong long-term commitment from Mayor and Council from the initial planning stages to full implementation. The process will involve evaluating the plan's action steps, determining cost, funding sources, expected outcomes, responsible agencies, and timelines. The "*Homes for Homeless Nevadans*" plan must include an analysis of current expenditures and methods to recapture savings based on newly implemented strategies.

Step 2: Identify Stakeholders

To have a successful and comprehensive plan, our efforts must have broad support and participation from public, private and non-profit sectors such as: City of Las Vegas departments (Neighborhood Services, Leisure Services, Planning and Development, Public Works, etc), Southern Nevada Adult Mental Health, Clark County Social Services, Department of Training and Rehabilitation, State of Nevada Department of Corrections, Community Action Agencies, Metropolitan Police Department, Interagency Council on Homelessness, Public Housing Authority, current and former homeless individuals, service providers as well as local businesses.

Step 3: Convene a Working Group

The working group will coordinate the planning process. They will create forums to facilitate broader community participation and input throughout the process. The city's work group shall consist of individuals who have the authority or capacity to make funding and

resource decisions. Working group members should be knowledgeable on homeless issues.

Step 4: Gather Research and Data on Homelessness

The work group will need to compile accurate, timely data and research in order to create a solid foundation for the city's plan. Information such as existing research on homelessness (local and national), local homeless counts, supportive services, housing capacity, and availability of funding resources will be necessary to facilitate this portion of the process.

Step 5: Define Your Community's Homeless Problem

The work group will need to identify and assess the root causes of homelessness in the city of Las Vegas (this data may already exist). Problems frequently identified in other communities include: Difficulty in engaging hard to serve homeless (chronic), inadequate service capacity, lack of appropriate supported/ permanent housing, poor discharge planning from public systems, and inaccessibility to mainstream resources.

Step 6: Develop Strategies to Address these Problems

Strategies to address these problems fall into two major categories: prevention and intervention.

Prevention – “Closing the front door” – the goal here is to reduce the number of people who become chronically homeless. There are three major components to make prevention a reality in this plan:

- Centralization of funding and service delivery to increase coordination
- Dedicated resources to house individuals discharged from public institutions and to assist self sufficient families in need of immediate temporary housing assistance
- Discharge planning protocols to prevent homelessness

Intervention – “Opening the back door” – the goal here is to increase placement into supported housing for people who are currently experiencing homelessness. The three major components to make intervention a reality in this plan are as follows:

- Assertive Community Treatment (ACT) which consists of multi-disciplinary, clinically based teams that engage people experiencing chronic homeless on the streets and in shelters
- Permanent supported housing with low threshold access for homeless mentally ill people
- Direct access to permanent supported housing for frequent users of acute health systems

- Step 7: Solicit Stakeholder Feedback and Finalize Strategic Plan**
At this stage in the process, input from stakeholders is particularly critical to ensure support for and consensus on the final plan.
- Step 8: Create an Action Plan to Implement Strategies**
During this step of the process, work groups will translate the goals and strategies into concrete actionable steps. The action plan will include specific activities such as data collection and service delivery. Responsible parties will be assigned to implement activities. In addition to cost and funding sources, timelines and performance measurements will be outlined.
- Step 9: Announce and Publicize the Plan**
During this step of the plan, the Mayor and Council will publicly endorse the finalized plan. Stakeholders and other community leaders will have an opportunity to participate and actively promote the plan.
- Step 10: Implement the Plan**
The final step in the planning processes is to execute the identified stations and action steps to begin ending chronic homeless in the city of Las Vegas. The plan itself will be a living document subject to change as policy and population shifts occur. During the entire implementation process, the city will continue to forge new partnerships and find innovative ways to address the needs of the homeless in our community.



THE 10-YEAR PLANNING PROCESS TO END CHRONIC HOMELESSNESS IN YOUR COMMUNITY

A Step-by-Step Guide

United States Interagency Council on Homelessness
451 7th St. SW, Suite 2200 • Washington, D.C. 20410
Phone (202) 708-4663 • www.ich.gov • Fax (202) 708-1216

SUPPORT FOR 10-YEAR PLANS

“The U.S. Conference of Mayors supports the 10-year planning process and strongly encourages cities to create and implement... strategic plans to end chronic homelessness in 10 years.”

– *Resolution passed unanimously by the **U.S. Conference of Mayors**, June 2003*

“NACo endorses the Bush Administration’s national goal of ending chronic homelessness in ten years...NACo encourages counties to develop 10 Year Plans incorporating the latest research...to prevent and end chronic homelessness.”

– *Resolution adopted by the **National Association of Counties**, July 15, 2003.*

“We have to do more than just manage homelessness. Our objective [is] to prevent homelessness, and ultimately end it. [That is the] intent of this plan.”

– ***Mayor Richard Daley**, on Chicago’s 10-Year Plan*

“Five years ago the notion of cities having 10-year plans to end homelessness was naïve and risky. No one thought it was possible. But the new research and new technologies have created such movement and innovation on this issue that it may now be naïve and risky not to have such a plan.”

– ***Executive Director Philip Mangano**, US Interagency Council on Homelessness*



The United States Interagency Council supports and encourages the development of local 10-year plans to end chronic homelessness. Planning to **end** homelessness – not to manage or maintenance – is new. Inspired by the President's call to end this profile of homelessness and by city and county 10-year plans that have been developed across our country – Atlanta, Chicago, and Maricopa County to name a few – these planning processes have offered new resources, new collaborations, and new energy to create solutions.

The Council's work with federal departments and agencies promises new collaborative approaches and new funding opportunities at the national level. Our encouragement of Governors to create state interagency councils on homelessness will create new state level opportunities.

Most importantly, the new research and new technologies offer performance based, results oriented strategies to reduce and end homelessness. We have prioritized people on the streets and in long term stays in shelters, those experiencing "chronic homelessness." They are the most vulnerable, costly and visible.

This document is designed to guide your community through the steps of developing and implementing a 10-year plan to end chronic homelessness.

We are indebted to the U.S. Conference of Mayors for their assistance in creating this document, to the National Alliance to End Homelessness for their innovative work in developing the 10-year planning template, and to HUD Secretary Mel Martinez and his staff for their support in endorsing and promoting 10-year plans.

Homelessness is a national problem with local solutions. Working together, we can end this national disgrace.

All the best,

Philip F. Mangano
Executive Director
U.S. Interagency Council on Homelessness

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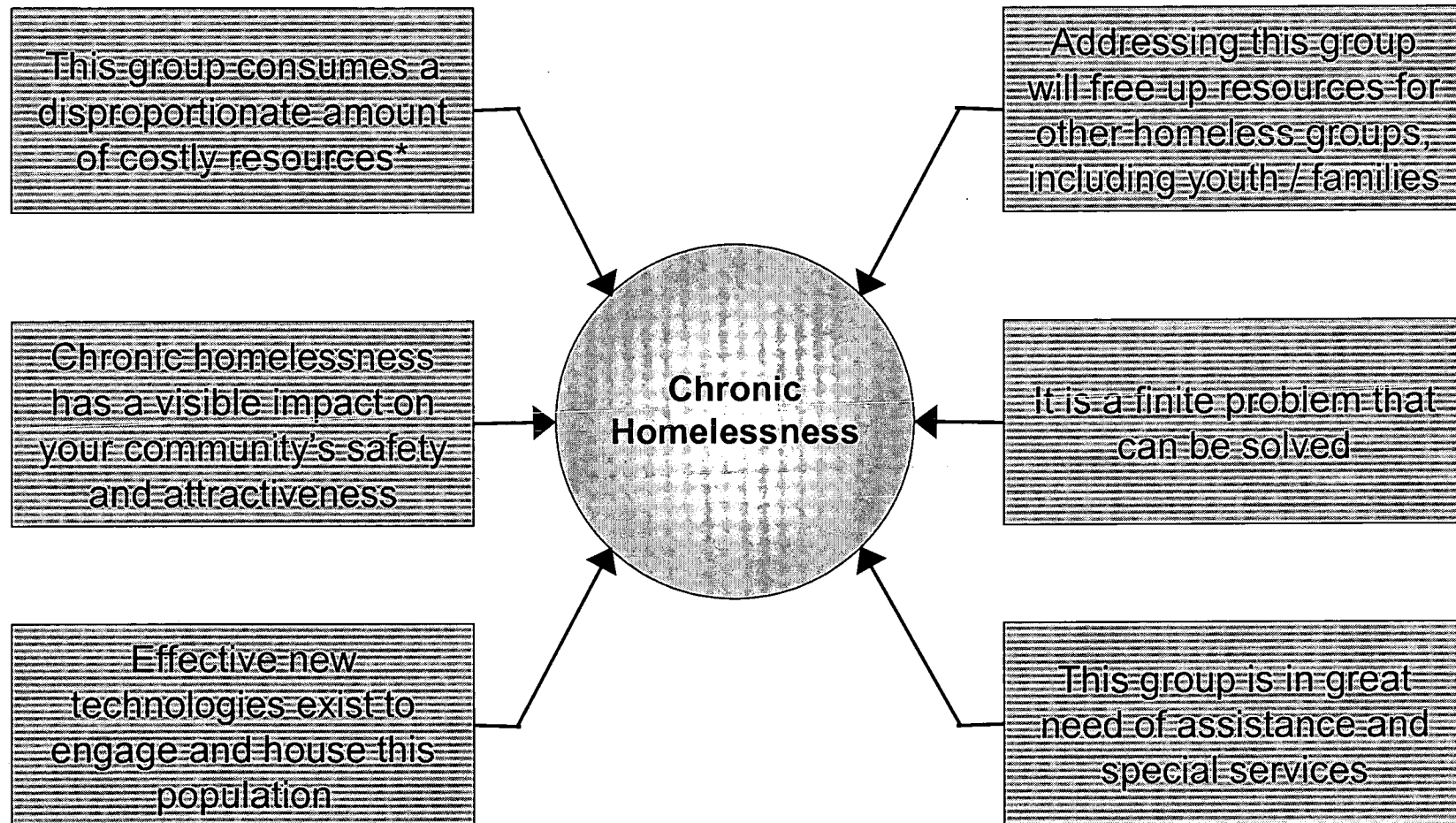
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• Why Focus on Chronic Homelessness Now?	5
• How Can You End Chronic Homelessness In Your Community?	6
• What Are the Elements of a Successful 10-Year Plan?	18
• What Results Can Your Community Expect?	19
• Where Can You Find Additional 10-Year Planning Resources?	20

WHAT IS CHRONIC HOMELESSNESS?



- The most visible form of homelessness; often people on the streets of our neighborhoods and communities
- Experienced by 150,000 Americans each year
- A subgroup that constitutes 10% of the homeless population
- A condition found in counties, cities, suburbs, and rural areas

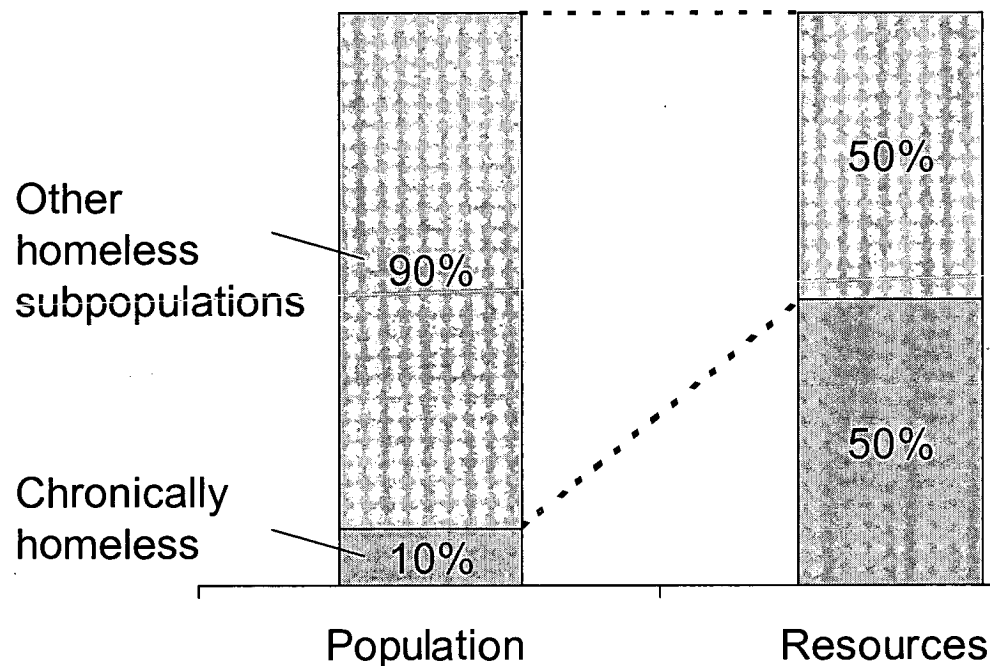
WHY FOCUS ON CHRONIC HOMELESSNESS?



* Described in more detail on following page

INDIVIDUALS EXPERIENCING CHRONIC HOMELESSNESS CONSUME A DISPROPORTIONATE AMOUNT OF RESOURCES

10% of the homeless population consumes over 50% of the resources

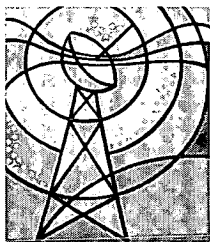


Individuals experiencing chronic homelessness are heavy users of costly public resources, including :

- Emergency medical services
- Psychiatric treatment
- Detox facilities
- Shelters
- Law Enforcement / Corrections

Burt, Martha R., Laudan Y. Aron and Edgar Lee. 2001. Helping America's Homeless: Emergency Shelter or Affordable Housing? Washington, DC: Urban Institute Press. Kuhn, R. & Culhane, D.P. (1998). Applying cluster analysis to test of a typology of homelessness: Results from the analysis of administrative data. The American Journal of Community Psychology, 17 (1), 23-43. Community Shelter Board. Rebuilding Lives: A New Strategy to House Homeless Men. Columbus, OH: Emergency Food and Shelter Board.

WHY FOCUS ON CHRONIC HOMELESSNESS NOW?



New technologies exist to move people off the streets and keep them housed (e.g. Housing First Strategies, Assertive Community Treatment)

Solution-oriented strategies offer alternative to expensive police/court interventions

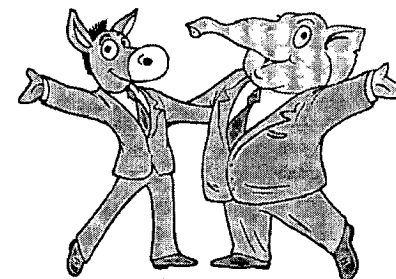


New federal funding



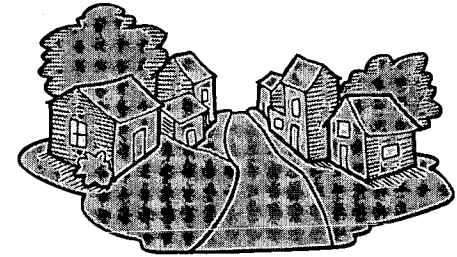
A new commitment by the President and his Administration to end chronic homelessness

A new spirit of partnership on this issue that trumps partisanship



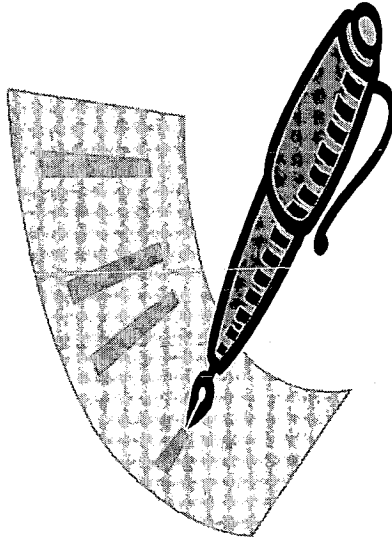
HOW CAN YOU END CHRONIC HOMELESSNESS IN YOUR COMMUNITY?

- ☒ Step 1: Commit to Developing a 10-Year Plan
- ☒ Step 2: Identify Stakeholders
- ☒ Step 3: Convene a Working Group
- ☒ Step 4: Gather Research and Data on Homelessness
- ☒ Step 5: Define Your Community's Homeless Problem
- ☒ Step 6: Develop Strategies to Address these Problems
- ☒ Step 7: Solicit Stakeholder Feedback and Finalize Strategic Plan
- ☒ Step 8: Create an Action Plan to Implement Strategies
- ☒ Step 9: Announce and Publicize the Plan
- ☒ Step 10: Implement the Plan



STEP 1: COMMIT TO DEVELOPING A 10-YEAR PLAN

A strong commitment from the mayor or county executive is critical, although many parties can initiate the process



The 10-Year Planning Process Requires:

- Long-term commitment from the first planning steps to full implementation
- Staff time and energy
- Willingness to engage diverse stakeholders and forge new partnerships
- Ability to think creatively about old problems and existing resources

STEP 2: IDENTIFY STAKEHOLDERS

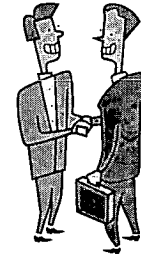
The most successful efforts have broad support and participation from the public, private, and non-profit sectors



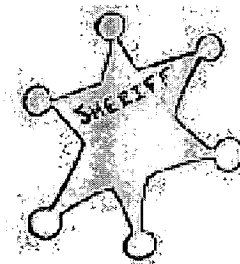
**Mayor/
County Executive**



**Agency /
Department Heads**



**Business & Civic
Leaders**



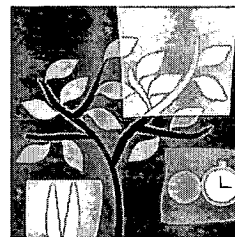
**Law Enforcement
Officials**



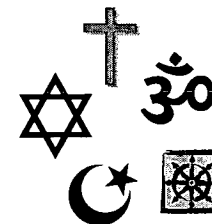
**Housing Developers
& Service Providers**



**Individuals
experiencing Chronic
Homelessness**



**Non-profits /
foundations**



**Faith-based
Organizations**



General Public

STEP 3: CONVENE A WORKING GROUP

The working group coordinates the planning process and should include representation from different stakeholders



- The working group should create forums to facilitate broader community input and participation throughout the process
- Individuals chosen for the working group should:
 - Have authority to make funding and resource decisions
 - Have relevant expertise or experience
 - Be committed to the planning process
 - Be well respected by stakeholders and the larger community
- Chair and co-chair should report directly and regularly to Mayor or County Executive

STEP 4: GATHER RESEARCH AND DATA ON HOMELESSNESS

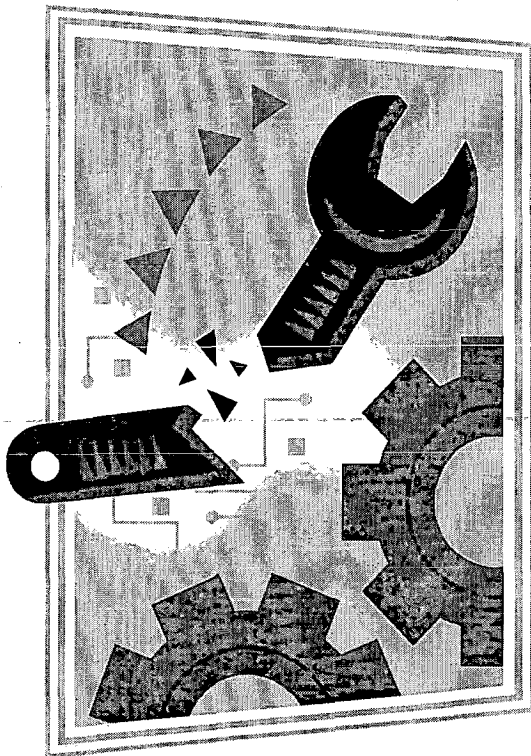
Accurate, timely data and research will create a solid foundation for your community's plan

- Existing research on homelessness (local/national)
- Local homeless counts
- Service and housing capacity
- 10-Year Plans from other communities
- Availability of funding resources



STEP 5: DEFINE YOUR COMMUNITY'S HOMELESS PROBLEM

Identify and assess the root causes of chronic homelessness in your community



Problems identified by other communities include:

- Difficulties in engaging this population
- Inadequate service capacity
- Lack of appropriate supported, permanent housing
- Poor discharge planning from public systems
- Inaccessibility of mainstream resources
- Fragmented systems of care
- Historical leadership vacuum on issue
- Investment in stop-gap measures rather than permanent solutions

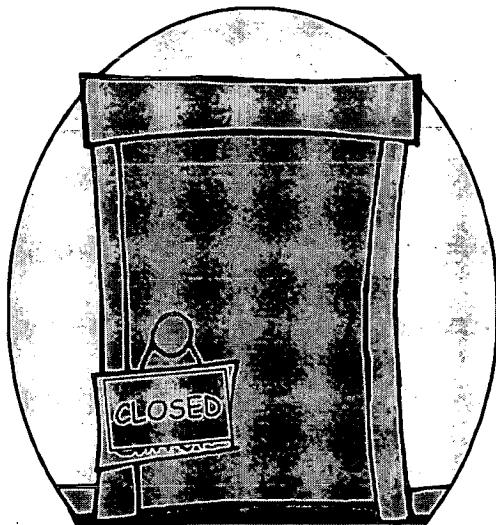
STEP 6: DEVELOP STRATEGIES TO ADDRESS THESE PROBLEMS

Strategies to end chronic homelessness fall into two major categories:
Prevention and Intervention

PREVENTION

“Close the Front Door”

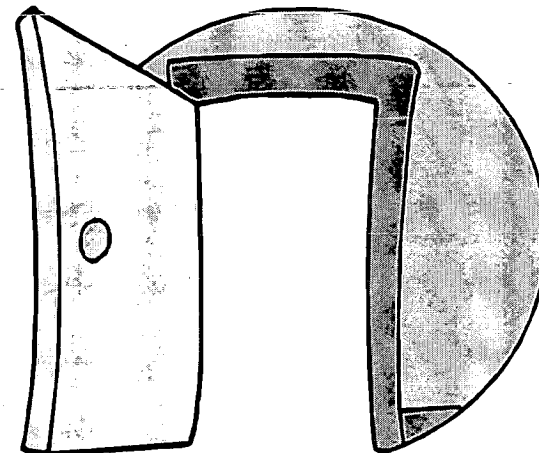
Reduce the number of people who become chronically homeless



INTERVENTION

“Open the Back Door”

Increase placement into supported housing of people who are currently experiencing homelessness



STEP 6: DEVELOP STRATEGIES TO ADDRESS THESE PROBLEMS (continued)

Effective strategies used by other communities can help guide and inform your community's approach

PREVENTION

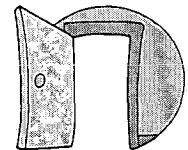
“Close the Front Door”



- Centralization of funding and service delivery to increase coordination
[Community Shelter Board, Columbus and Franklin County, Ohio]
- Dedicated resources to house individuals discharged from psychiatric care institutions
[Special Initiative to House the Homeless Mentally Ill, State of Massachusetts]
- Discharge planning protocols that prevent homelessness

INTERVENTION

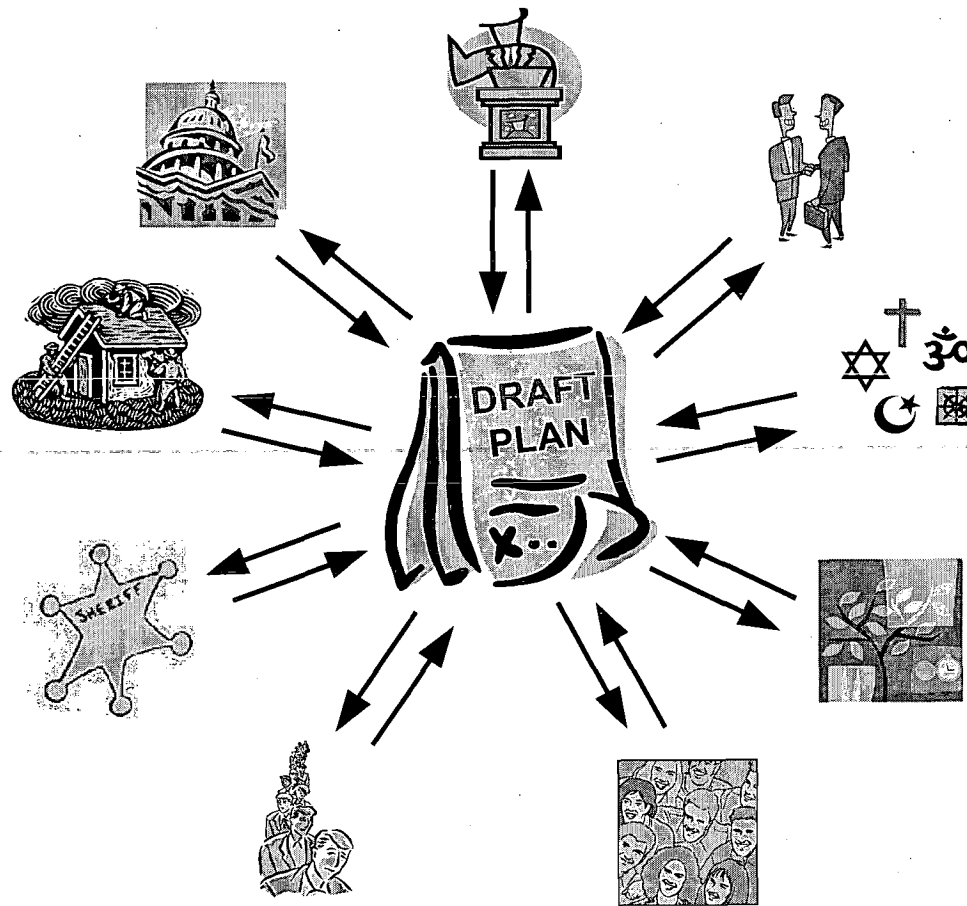
“Open the Back Door”



- Assertive Community Treatment (ACT): multi-disciplinary, clinically-based teams that engage people experiencing chronic homelessness on the streets and in shelters
- Permanent supported housing with low threshold access for homeless mentally ill people
[Pathways to Housing, New York City]
- Direct access to permanent supported housing for frequent users of acute health systems
[Direct Access to Housing, San Francisco]

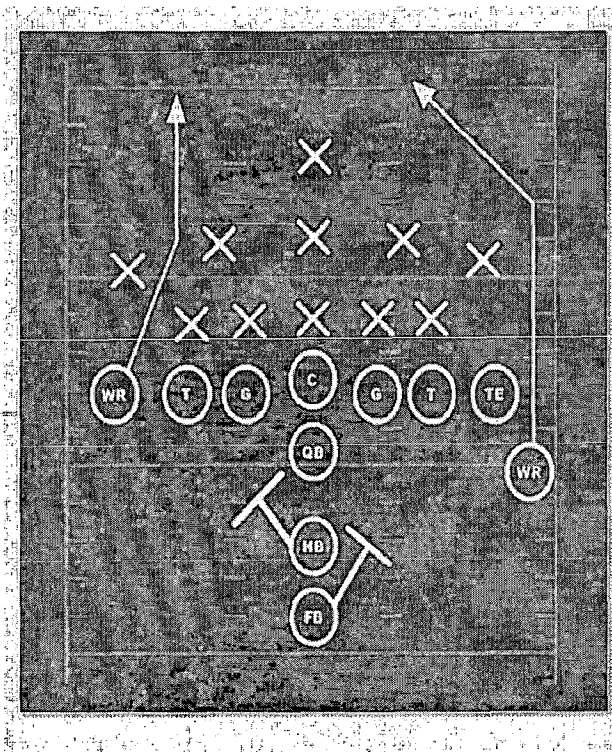
STEP 7: SOLICIT STAKEHOLDER FEEDBACK AND FINALIZE STRATEGIC PLAN

Input from stakeholders is particularly critical at this point to ensure support for and consensus on the final plan



STEP 8: CREATE AN ACTION PLAN TO IMPLEMENT STRATEGIES

Translate high-level strategies and goals into concrete, actionable steps to achieve them



The Action Plan Should Include:

- Specific activities and the person(s) responsible for executing them
- Costs and funding sources
- Timelines
- Performance metrics

STEP 9: ANNOUNCE AND PUBLICIZE THE PLAN

Plans should be publicly endorsed and announced by the Mayor / County Executive to ensure maximum visibility



- Host a special press conference where Mayor/County Executive announces 10-year plan
- Leverage print, TV, and radio media to maximize press coverage
- Encourage participating stakeholders and organizations to actively promote plan
- Enlist the support of community leaders and local celebrities to spread the word

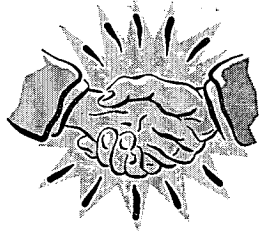
STEP 10: IMPLEMENT THE PLAN

The final step is to execute the identified strategies and action steps to begin ending chronic homelessness in your community

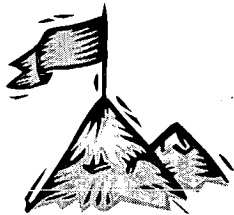
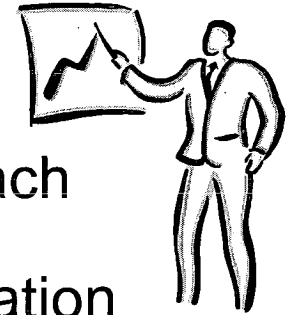


- Use the plan to guide your activities, but recognize that it is a living document and should be updated as situations change
- Regularly track your community's progress using the identified metrics
- Continue to innovate and stay informed of activities in other communities
- Encourage ongoing stakeholder and community input
- Continue to build new partnerships

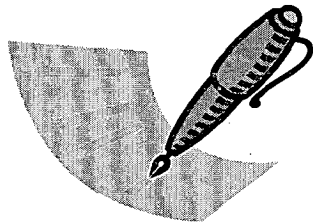
WHAT ARE THE ELEMENTS OF A SUCCESSFUL 10-YEAR PLAN?



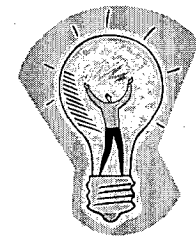
1. Collaborative Planning Process
2. Research and Data-Driven Approach
3. Performance and Outcome Orientation



4. Innovation and Creativity
5. Endorsement by Top City / County Officials



6. Involvement of Stakeholders In Resource Enhancement
7. Planful Implementation Strategy



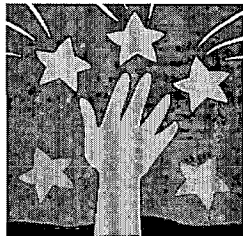
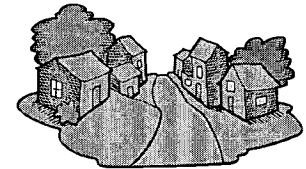
WHAT RESULTS CAN YOUR COMMUNITY EXPECT?



- Significant savings from reduced use of public services
 - A recent city study demonstrated \$16,282 savings in emergency service costs per person placed in supported housing



- Cleaner, safer streets
- Supported housing retention rates of 80% or greater
- More resources to address other homeless subpopulations, including youth and families



- Inspiration and energy from working together to help your neediest neighbors

WHERE CAN YOU FIND ADDITIONAL 10-YEAR PLANNING RESOURCES?



United States Interagency Council on Homelessness

- Regional Coordinators have specific local expertise and are based in ten regions nationwide (see map on next page)
- Website (www.ich.gov) has links to 10-year plans and information on interagency and agency-specific activities and funding opportunities



National Alliance to End Homelessness

- Website (www.endhomelessness.org)
- “Ten Essentials Toolkit” – comprehensive set of resources to help communities prevent and end homelessness

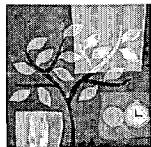


United Way (<http://national.unitedway.org/>)



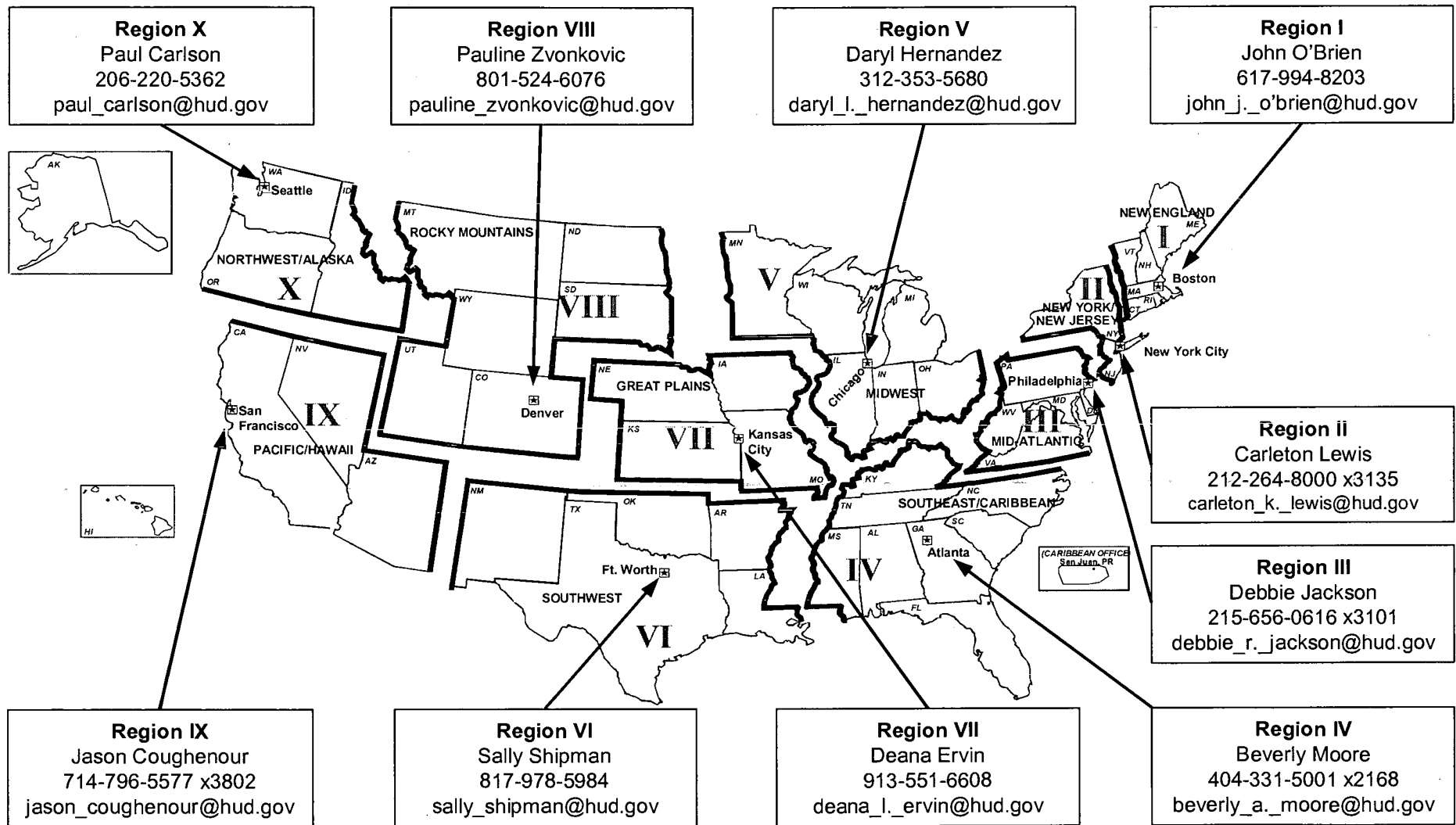
Other Cities and Counties with 10-Year Plans

- Lists and plans on Council’s website (www.ich.gov)



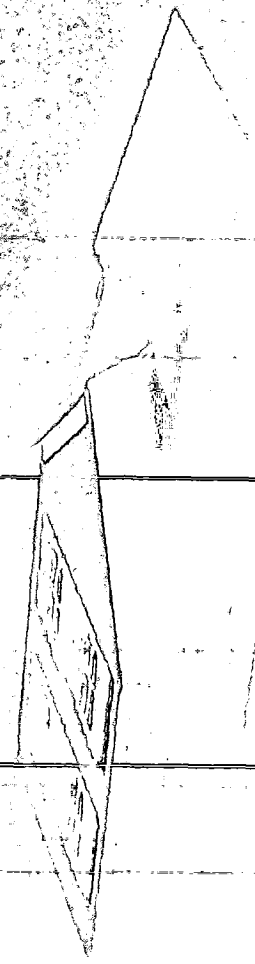
Foundations and Non-Profits

INTERAGENCY COUNCIL ON HOMELESSNESS REGIONAL COORDINATORS





The federal United States Interagency Council on Homelessness develops and implements comprehensive national strategies to end homelessness through interagency, intergovernmental, and intercommunity collaborations.



Homes for Homeless Nevadans

"Planning Process to
Reduce and End
Homelessness in
Southern Nevada"

Neighborhood Services Department

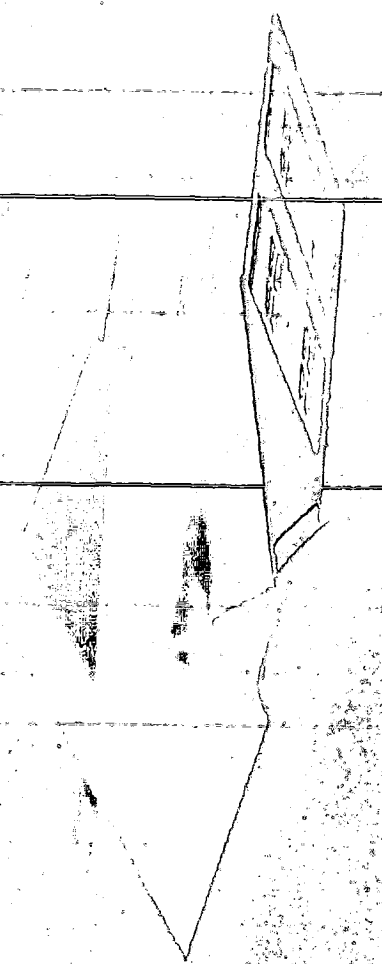
August 4, 2004

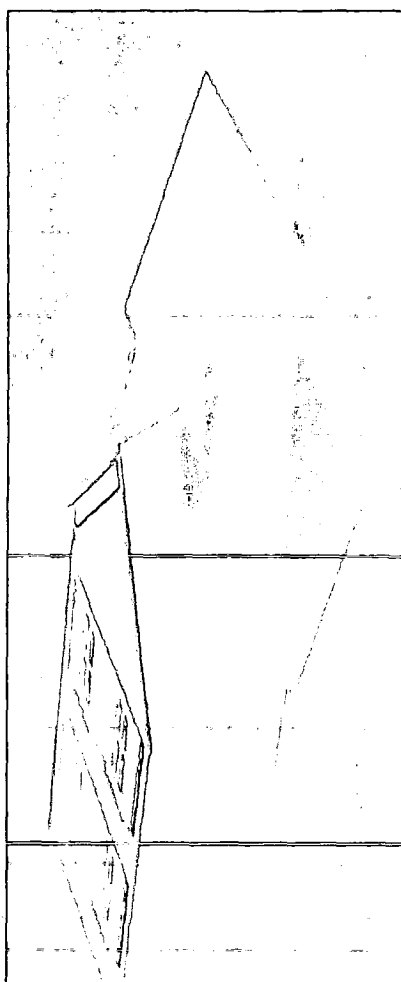
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8/4/04 MW

Purpose and Directive

- Bush Administration's focus is on ending chronic homelessness, the most visible form of homelessness in USA today

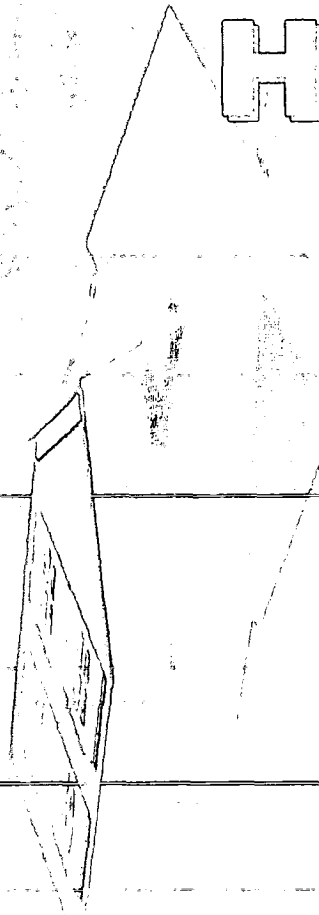
- HUD is requiring 100 largest cities develop 10 year plan





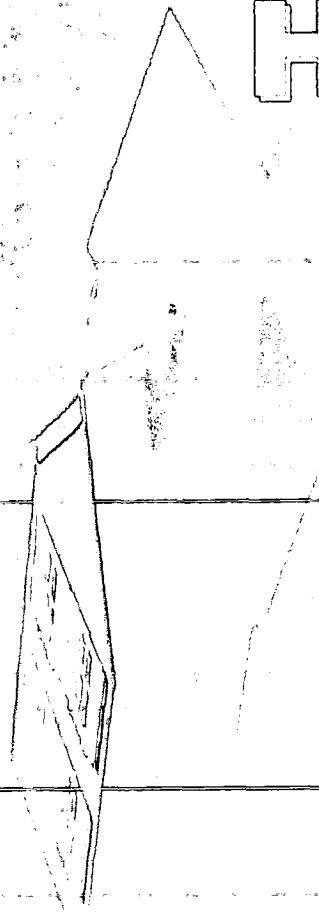
Our Planning Mission Purpose

- Our mission is to develop a comprehensive 10 year plan to reduce and end homelessness in Southern Nevada, in collaboration with the Southern Nevada Regional Planning Coalition's Committee on Homelessness



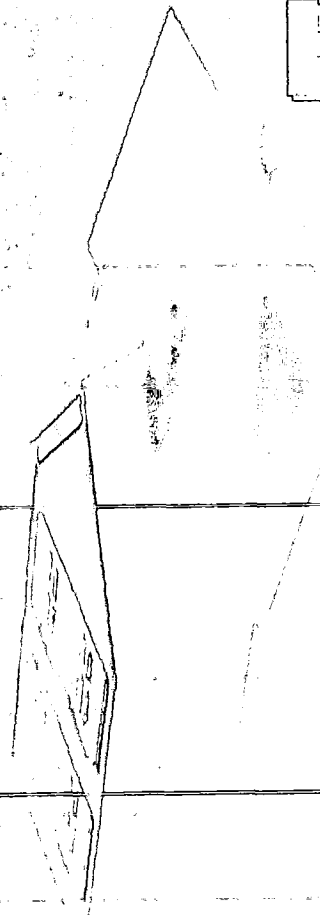
Homeless Populations

- Temporarily Homeless
 - Persons who have only one experience of homelessness
- Episodically Homeless
 - Those who use social service system with intermittent frequency, usually for short periods
- Chronically Homeless
 - Unaccompanied individual with a disabling condition who has been homeless for a year or more or has had four or more episodes of homelessness within three years



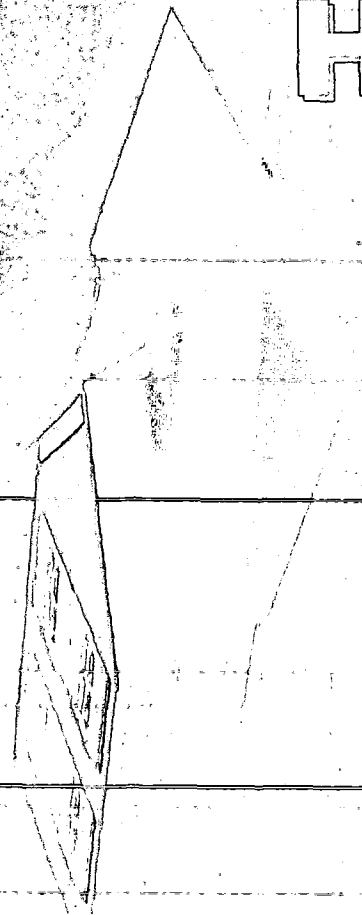
Homes for Homeless Nevadans

- Planning Process
 - Established by U.S. Interagency Council on Homelessness
 - Adopted nationally as the preferred process
- Indianapolis, Indiana
- Chicago, Illinois



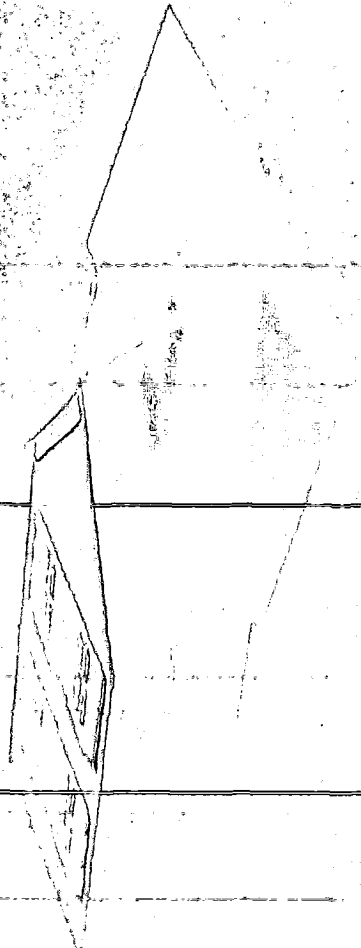
Homes for Homeless Nevadans

- Step 1: Commitment to Developing a Plan and Timeline
- Step 2: Identify Stakeholders
- Step 3: Convene Working / Focus Groups
- Step 4: Gather Research and Data on Homeless
- Step 5: Define our Community Homeless Problem



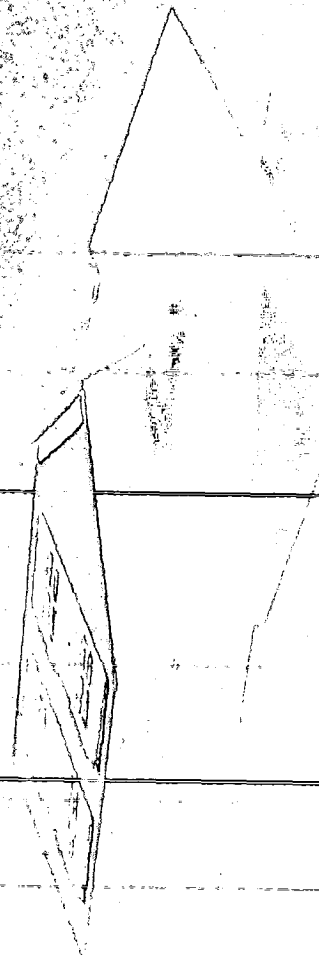
Homes for Homeless Nevadans

- Step 6: Develop Strategies to Address Problem
- Step 7: Solicit Stakeholder Feedback and Finalize Strategic Plan
- Step 8: Create an Action Plan to Implement Strategies
- Step 9: Announce and Publicize Plan
- Step 10: Implementation of Plan



Regional Efforts

- Regional 10 year planning process will be introduced later this month to SNRPC's Committee on Homelessness
- Analyzing and addressing similar and unique jurisdictional homeless issues
- Opportunity to leverage resources within and between jurisdictions to create an efficient and effective support system to end homelessness



Conclusion

- City of Las Vegas is moving the region from managing to ending homelessness
- The overall goal is to create a systematic and balanced approach to end homelessness

THE AGENDA

BRIEF LIVES

The Abolitionist

Bush's homelessness czar has some new ideas. Will liberals listen?

BY DOUGLAS MCGRAY

With his dark tailored suits and his silver banker's coif, Philip Mangano looks like a liberal Democrat's idea of a conservative Republican's idea of an advocate for the poor—which, as the Bush Administration's homelessness czar, he happens to be. It is difficult to imagine Mangano fasting on the Capitol steps in a ratty Army-surplus jacket, as the late activist for the homeless Mitch Snyder once did, much less winning over the bleeding hearts in the nonprofit world by promising to apply the President's governing philosophy to their cause. But the latter is precisely what he does. "Any investment we make will be research-and-data-driven, performance-based, and results-oriented," I heard him declare on a cold March morning in New York City, to a gathering of social workers and housing advocates. It is something he has said again and again.

Mangano's message is as pure an example as can be found in government of "compassionate conservatism," which argues that traditionally liberal social concerns can be advanced through such conservative principles as responsibility and accountability. Though this was the centerpiece of George W. Bush's 2000 presidential campaign, the "compassion agenda" heralded in the President's inaugural address seemed to dissolve in the face of partisanship, underfunding, and an all-consuming foreign policy. What was once a unifying theme is now likely to be invoked by his rival as evidence of Bush's hollowness. "What good is it, my brothers, if a man claims to have faith, but has no deeds?" John Kerry recently asked an audience in Jackson, Mississippi, quoting from the Book of James. Mangano is nevertheless making a compelling case for compassionate conservatism in an unlikely field.

Widespread street homelessness is a relatively recent problem, at least in the modern era. It began to appear in the late 1970s, when the economy tanked, affordable housing began to disappear, and state hospitals, prodded by patients'-rights activists, released hundreds of thousands of the mentally ill into communities unprepared to receive them. Temporary shelters sprang up in church basements and neighborhood centers to address what was expected to be a short-term crisis. But the problem of homelessness

persisted, and improvised measures became entrenched. After years of government neglect the Clinton Administration finally responded by tripling funding for programs to help the homeless and encouraging local organizations to offer a wide range of services, from counseling to health care. But, incredibly, the numbers of the homeless only increased. Today a patchwork of federal, state, city, and private money supports more than 40,000 programs—some cheap, others expensive; some staggeringly successful, others struggling; each with its own agenda; and few accountable for the work they perform. "We're trying to disrupt this ad hoc approach," Mangano says. "We're saying it needs to be strategic."

Homelessness is one of the few corners of public policy in which traditional liberal ideas have gone largely unchallenged. But Mangano believes that many professional activists, though well intentioned, have given up on ending homelessness. They have accepted the problem as intractable and fallen back on social work and handouts as a way to make broken lives more bearable. In doing so, he says, they have allowed "a certain amount of institutionalism" to take root. The Bush Administration proposes to solve the problem by beginning with the hardest cases: the 10 percent who are severe addicts or mentally ill, and consume half of all resources devoted to homeless shelters. Mangano believes that by moving these chronic cases into "supportive housing"—a private room or apartment where they would receive support services and psychotropic medications—the government could actually save money, and free up tens of thousands of shelter beds. The Bush Administration, spotting an opportunity to increase the return on its investment, is seeking to end chronic homelessness within ten years. Not only is this possible, Mangano insists, but it is common sense.

Mangano's forthright presence has divided a close-knit community. Perhaps not surprisingly, supportive-housing advocates and those who work with addicts and the mentally ill tend to be enthusiastic about his ideas. Outreach workers and emergency-shelter managers are divided. "There are people threatened ideologically and financially by this sort of change," explains Dennis Culhane, a professor of social-welfare policy at the University of Pennsylvania. "Absent new resources, shifting resources to permanent housing will take resources away from shelters."

Once Mangano had finished speaking on that March morning, the skeptics started probing for clues that he was providing intellectual cover for budget cuts, or cooking up a plot to get the smelly, crazy, drunken homeless out of sight and then ignore the rest. But his energetic sincerity disarmed them—to their evident dismay, in some cases. In desperation one brought up weapons of mass destruction, and Mangano rolled his eyes. "It's so refreshing to be back in New York, surrounded by Democrats," he cracked.

Mangano began his life as an advocate over a bag of popcorn. He was living in Los Angeles, working as an agent and managing members of Peter, Paul, and Mary and Buffalo Springfield, when the Franco Zeffirelli film *Brother Son, Sister Moon*, about

Saint Francis of Assisi, prompted him to change his life. "[Saint Francis] fell sick, and during his sickness he had a spiritual experience," Mangano says. "He decided he wanted to live his life in a different way. He wanted to be in companionship with the poor." A few months later, on a flight from Los Angeles to Boston, Mangano resolved to do the same and "try and live out this Franciscan path."

He quit his job on the feast day of Saint Francis in 1980, and by the end of the following year was volunteering full time at the breadline at St. Anthony's Shrine in Boston. Over the next twenty years he became a well-known advocate, ultimately running the Massachusetts Housing and Shelter Alliance and collaborating with the National Alliance to End Homelessness, an organization chaired by Susan Baker (the wife of former Secretary of State James Baker), who helped sell the Bush Administration first on the idea of attacking chronic homelessness and then on Mangano as the man to lead the effort.

In conversation Mangano free-associates through the work of Einstein and Schopenhauer, Toynbee and Malcolm X, drawing lessons from each for the fight against homelessness. He is surely the only Bush official who carries a picture of the radical—and French—philosopher Simone Weil in his pocket. Above all, Mangano says, he takes inspiration from the abolitionists, whose precedent he often cites. "We had accommodated a social wrong in this country," he argues, stressing that do-gooders had sought to improve slaves' lives but failed to challenge the institution of slavery. "One could say that in 1859 the abolitionist cause was at its nadir. And yet six years later slavery was abolished."

Mangano believes that the breakthrough in the battle to abolish homelessness occurred only in the past five years, after Dennis Culhane determined that about one percent of the nation's urban population was homeless each year—more than anyone expected. Culhane studied this group and discovered that most were homeless for less than two months, but a hard-core minority—about 10 percent—stayed in shelters about two years, on average. "The emergency-shelter system," Culhane explained, "designed as a safety net, was serving as an expensive form of permanent housing." He measured just how much the chronic cases cost by tracking 10,000 mentally ill homeless people in New York, 5,000 of whom were placed in supportive housing and 5,000 of whom remained in shelters or on the street. It turned out that the first group cost the city no more, and probably less, than the second. A wave of similar studies reinforced his findings.

This hard-numbers approach amounted to a radical shift for advocates on behalf of the homeless, who had long focused on emotional appeals for greater attention and investment. Although sympathetic to their motivation, Mangano believes that political leaders have grown numb to sob stories, especially since the debate over welfare reform. "There were homeless advocates saying the sky is falling, the wolf is at the door, if welfare as we know it is changed," he says. None of it happened. Now "research is the new advocacy."

Mangano arrived in Washington, in 2002, well liked by both Republicans and Democrats. But skeptics wondered whether he could defend anti-homelessness programs from

spending cuts, much less persuade a preoccupied conservative Administration and dozens of Democratic mayors to work together on an issue that doesn't register as a priority for voters. Through relentless travel and lobbying he has produced encouraging results.

On that March morning Atlanta's mayor, Shirley Franklin, an outspoken supporter of Mangano's, and Angela Aliota, a civil-rights lawyer in charge of San Francisco's chronic-homelessness plan, had traveled to New York to meet with city officials who were preparing to release their plan to battle homelessness, and to visit two programs that Mangano was eager to replicate elsewhere. We piled into a white cargo van and headed to East Harlem, where Pathways to Housing manages close to 500 apartments for the mentally ill. Its founder and executive director, Sam Tsemberis, is a man after Mangano's heart. When we arrived, he distributed copies of a new study in the *American Journal of Public Health* that tracks Pathways's performance. "Every program can bring forward people whose lives they saved," he explained. But that doesn't make them all equal. "If we didn't have scientific data, it would become a debate." Tsemberis has ministered to the so-called "treatment-resistant" for decades, and pioneered his "housing first" model after being struck by how many clients distrusted social workers and simply wanted a place to live. Offer them the apartment first, he believes, and you don't need to spend years, and service dollars, winning their trust. His success rates are high, his costs relatively low. "You can see why that resonated with the compassionate-conservative types," Culhane says. "It's exactly the kind of thing they've claimed they're looking for: sensible policy interventions that do right for the people and for the taxpayer."

Suspicion remains. Bill Clinton's Secretary of Housing and Urban Development, Andrew Cuomo, is a vocal critic who rejects the idea of targeting any one kind of homelessness over another. "You can't judge who's more needy," he says. A more widespread criticism, voiced even by some of Mangano's allies, contends that the Bush Administration's neglect of affordable housing undermines Mangano's very approach. They point out that Bush has proposed to cut more than \$1 billion from the Section 8 rent-assistance program in 2005, and more in future budgets, which seems likely to raise rents for many families at risk of becoming homeless.

But Mangano believes that his campaign could inspire broader change, and points to England as an example. "Four years ago the Blair government—hardly the Bush Administration—proposed to reduce street homelessness dramatically in five years," he says. Critics scorned the idea and questioned its focus on a small minority of those in need. But in three years the numbers of the street homeless fell by two thirds. "As a result," Mangano says, "all these proposals around family homelessness that were stuck in Parliament, going nowhere—now they're all getting funded." Members of Parliament saw their investment working, he says, and became "remoralized."

As a Republican official in an election year, Mangano could have a hard time building bipartisan momentum. Most of the people he is working to persuade—mayors, social workers, program directors—are Democrats. In fact, some of his strongest supporters are pulling for John Kerry. But by this summer San Francisco and New York City, both struggling with large homeless populations, will release ten-year plans in formal

alignment with Mangano's work; and Congress will soon get a chance to begin funding that work and putting it to the test.

Will liberals accept compassionate conservatism if it works? Mangano continues to campaign. "There were many abolitionists who wanted nothing to do with Lincoln," he says. "They wanted nothing to do with the war—they wanted to maintain their ideological purity as pacifists. [Others] understood that this war was a vehicle for ending slavery. They involved themselves politically with the Lincoln Administration to ensure that the war, which was specifically to preserve the Union, became the war to abolish this social evil." He laughs. "Lincoln, of course, was our first Republican President."

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

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

R-140-2004 - Discussion and possible action regarding a Resolution transferring 2003/2004 Private Activity Bond Volume Cap of \$19,788,427 to Meta Housing Corporation to construct new affordable senior housing at the Northeast corner of Main Street and Bonanza Road - Ward 5 (Weekly) and \$14,640,087 to the State Housing Division for future use - All Wards

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

Resolution transferring \$19,788,427 of the 2003/2004 Private Activity Bond Volume Cap to Meta Housing Corporation to construct 326 new affordable housing units for seniors at the Northeast corner of Main Street and Bonanza Road and \$14,640,087 to the State Housing Division which agrees to consult with the city of Las Vegas on its future use. The project will consist of 209 one-bedroom units and 117 two-bedroom units with rents ranging from \$584 to \$693 which will serve seniors who are 60% of area medium income.

RECOMMENDATION:

Staff recommends that the City Council approve the Resolution and authorize the Mayor to execute the Agreements with the subrecipients after they have been approved by the City Attorney.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Resolution No. R-140-2004
3. Submitted after meeting: hardcopy of PowerPoint

MOTION:

WEEKLY – APPROVED as recommended – UNANIMOUS with BROWN excused

MINUTES:

ORLANDO SANCHEZ, Director, Neighborhood Services, reported the Bond Caps must be used for new construction or acquisition and rehabilitation of existing multi-family units, economic development, or the State of Nevada Single-Family Loan Program. Staff is recommending that the Council allocate \$19,788,427 of the Volume Cap to Golden Age Senior Apartments by Meta Housing Corporation for the construction of 326 affordable senior housing units. Additionally, staff is requesting that the remaining \$14,640,087 of the Volume Cap be transferred to the State Housing Division for future projects to be designated by the City.

CITY COUNCIL MEETING OF AUGUST 4, 2004

Resolutions

Item 65 – R-140-2004

MINUTES – Continued:

BOB BUENTE, Project Director with Meta Housing for Golden Age Senior Apartments, used a PowerPoint presentation, which is made a part of the final minutes, to describe the senior projects Meta Housing has developed in various cities, along with their amenities, which will also be a part of this project.

MAYOR GOODMAN noted that he spoke with ATTORNEY BILL CURRAN, who originally made the presentation on this project and informed him that this project is in litigation because there is a gentleman that lives behind the site that does not care for the height of the apartments. The Mayor questioned the status of that litigation. MR. SANCHEZ answered that it was resolved in favor of the City in lower court. However, the gentleman in opposition is appealing it to the Supreme Court. But the bond process alone is going to take about 12 months. The City will have no liability. MAYOR GOODMAN commented that he hopes that the project will proceed.

COUNCILMAN REESE stated that there is a great need for facilities like this in Las Vegas. COUNCILMAN WEEKLY expressed his full support of the project.

(9:44 – 9:56)

1-1295

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 4, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES

ITEM DESCRIPTION: R-140-2004 - Discussion and possible action regarding a Resolution transferring 2003/2004 Private Activity Bond Volume Cap of \$19,788,427 to Meta Housing Corporation to construct new affordable senior housing at the Northeast corner of Main Street and Bonanza Road – Ward 5 (Weekly) and \$14,640,087 to the State Housing Division for future use - All Wards

The allocation is as follows:

Developer/Project	Ward	Allocation
Meta Housing Corporation Golden Age Senior Apartments (326 units) Northeast corner of Main Street and Bonanza Road New construction	5	\$19,788,427
State Housing Division Future projects as designated by City	City wide	\$14,640,087
TOTAL ALLOCATION REQUESTS AND TRANSFERS:		\$34,428,514

RESOLUTION NO. R-140-2004

1. **WHEREAS**, pursuant to the provisions of Ch. 348A of Nevada Revised Statutes and Ch. 348A of the Nevada Administrative Code ("NAC"), there has been allocated to the City of Las Vegas, Nevada (the "City" and the "State", respectively), the amount of \$26,907,132 in tax-exempt private activity bond volume cap for calendar year 2004 ("2004 Volume Cap"); and

2. **WHEREAS**, in 2002 the City transferred \$20,405,706 of volume cap for calendar year 2002 (the "2002 Volume Cap") to the Director (the "Director") of the Department of Business and Industry (the "Department") with a request that the Director transfer such Volume Cap to the Nevada Housing Division (the "Division") for projects to be designated by the City by December 31, 2004; and

3. **WHEREAS**, the City has heretofore designated uses for \$12,884,324 of such 2002 Volume Cap; and

4. **WHEREAS**, the City has received requests for an allocation of 2004 or 2002 or Volume Cap (collectively, "Volume Cap") for affordable rental housing projects from Meta Housing Corporation ("Meta") to construct 326 affordable senior housing units (the "Meta Senior Housing Project"); and

5. **WHEREAS** the City desires to prevent the City's 2004 Volume Cap from reverting to the state and desires to allocate to specific projects the Volume Cap described in preambles 2 and 3 hereof.

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

Section 1. The City hereby transfers all of its 2004 Volume Cap to the Director with a request that the Director transfer such Volume Cap to the Division, and hereby requests that the Division use the 2004 Volume Cap so transferred and the remaining 2002 Volume Cap for the following projects in the following amounts:

Project Sponsor	Project	Amount of Volume Cap Allocation
(i) Meta	Golden Age Senior Apartments Project	\$19,788,427

(ii)	the Division	Future Projects in the City of Las Vegas designated by the City	\$14,640,087

The Division is authorized to determine whether the volume cap used for a particular project is from the 2002 Volume Cap, the 2004 Volume Cap, or any combination thereof.

Section 2. The transfers and allocations made in clauses (i) and any future designation of volum cap for a multifamily rental project pursuant to (ii) of Section 1 are subject to the condition that the Project Sponsor executes an agreement in substantially the form attached as Exhibit "A."

Section 3. With respect to the transfers made in clauses (i) of Section 1, in the event the condition listed in Section 2 is not met for the Project, or in the event that the condition is met but the bonds issued on or before August 1, 2005 for that project do not fully use the allocation made to that project, the Division is requested to use that allocation or the remaining part of that allocation for one or more other affordable rental housing projects located in the City, the financing of which is hereafter approved by the City Council.

Section 4. Pursuant to Section 348A.220 of NAC, the City hereby certifies that it has used \$-0- of its allocation for calendar year 2004, and that it intends to use (by transfers as herein provided) all of its 2004 Volume Cap.

Section 5. The Mayor and City Clerk are hereby authorized to execute and deliver on behalf of the City, an Agreement with each sponsor specified in Section 1 hereof, in substantially the form attached hereto as Exhibit "A."

Section 6. Pursuant to ch. 348A of NRS, the City provides the following information: a representative of the City with whom the director may communicate regarding this resolution is Leonard Dixon. Mr. Dixon may be contacted by telephone at (702) 229-2120 or e-mail, LDixon@LasVegasNevada.gov, or by mail at Leonard Dixon, Department of Neighborhood Services, City of Las Vegas, 400 Stewart, Las Vegas, NV 89101

Section 7. The City Clerk is hereby authorized and directed to mail a copy of this Resolution to the Director and the Secretary of the State Board of Finance.

Section 8. Nothing in this Resolution obligates the City to issue bonds for any particular project or to grant approvals for a project or constitutes a representation that such bonds will

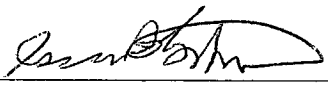
be issued, that such projects will be approved, or that any city Volume Cap other than the amount outlined in Section 1 will be made available for any particular project.

Section 9. This Resolution may be amended or repealed at any time by the City at its sole discretion before bonds are issued that use the Volume Cap described herein. After such bonds are issued, this Resolution may not be amended or repealed in such a manner as to change the allocation of Volume Cap to the bonds which have been issued.

Section 10. This Resolution shall be effective upon its passage and approval.

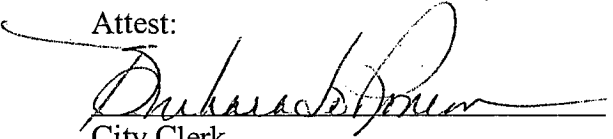
PASSED, ADOPTED AND APPROVED this 4th day of August, 2004.

(SEAL)



Mayor

Attest:



City Clerk

Approved as to form:

 8/4/04
Date

"EXHIBIT A"

AGREEMENT

This Agreement is entered into on this ____ day of _____, 2004 between the City of Las Vegas, Nevada (the ACity@) and _____ (the ASponsor@), of that certain affordable rental housing project known as the _____ (the AProject@).

WHEREAS, the Sponsor has submitted an application to the City for allocation of a part of the City=s private activity bond Volume Cap in order for the Sponsor to finance the Project; and

WHEREAS, the City is inclined to allocate a portion of its private activity bond Volume Cap to the Project; and

WHEREAS, in so allocating its Volume Cap, the City is relying on representations made by the Sponsor in its application to the City with respect to the nature of the Project and other matters.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL PROMISES AND AGREEMENTS CONTAINED HEREIN, IT IS HEREBY AGREED AS FOLLOWS:

Section 1. The City will as provided in the resolution adopted by the City Council of the City on August 4, 2004 (the AResolution@) allocate a portion of its bond Volume Cap to the Project under the conditions and for the term provided in the Resolution. Such allocation of bond Volume Cap is based on the representations contained in the Sponsor=s application as to the nature of the Project and other matters stated in that application.

Section 2. The Sponsor agrees to provide incremental progress reports, at six-week intervals if the Project is a rehabilitation Project and at 3 months intervals if the Project is a new construction project.

Section 3. The Sponsor agrees not to make any change in the Project or in any other of the items described in its application without obtaining consent of the City=s Director of the City=s Neighborhood Services Department or her designee.

Section 4. This Agreement shall be effective on the date of its execution and remain in effect until the bonds which use the Volume Cap allocation described herein have been paid in full.

Section 5. This Agreement does not provide any City endorsement of the Project or any City representation as to the Project or the issuance of bonds for the Project, other than an allocation of private activity bond Volume Cap as provided in the Resolution. It is understood that the private

activity bond Volume Cap will be transferred to the State of Nevada, and that the State of Nevada in its sole discretion will determine whether to finance the Project with the issuance of bonds. Other than the allocation of bond Volume Cap mentioned above, this Agreement in no way binds the City to the Project, and prior to the issuance of bonds which use this Volume Cap, the City may, in its sole discretion, amend or repeal the Resolution; but after the issuance of bonds which use this Volume Cap, the City will not amend the Resolution in a manner which changes the allocation of Volume Cap to the bonds which have been issued.

Section 6. In the event the Sponsor breaches this Agreement, the City may sue for specific performance hereof by the Sponsor, may pursue legal action against the Sponsor, may use whatever other remedies may be available to it at law or in equity or may pursue any combination thereof. The Sponsor agrees to pay any of the City's attorney fees incurred in enforcing the terms of this agreement. If bonds have been issued which rely on the allocation of bond Volume Cap made by the Resolution, a breach of this Agreement will not result in forfeiture of bond Volume Cap which has been used for those bonds, but may, at the option of the City, result in forfeiture of any part of the bond Volume Cap described herein which has not been used by the issuance of bonds.

Section 7. No person is a third party beneficiary of this Agreement and nothing herein requires that the City enforce the provisions hereof; however, any failure to enforce or delay in enforcing the provisions hereof does not constitute a waiver of the City's right to enforce this Agreement. Any single or partial enforcement of any provision hereof does not preclude any other enforcement or the exercise of any other right, power or remedy the City may have.

Section 8. The persons signing this Agreement represent that they have the power to do so on behalf of the party for which they are signing.

IN WITNESS WHEREOF, the City and the Sponsor have caused this Agreement to be signed as of the day and year mentioned above.

City of Las Vegas, Nevada

(SEAL)

City Clerk

By: _____
Mayor

Sponsor
By: _____

than 9:00 a.m. on the third working days 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 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 Council, to wit:

- (i) Court Clerk's Office Bulletin Board
City Hall Plaza
Las Vegas, Nevada
- (ii) City Hall Plaza
City Clerk's Bulletin Board, 2nd Floor Skybridge
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

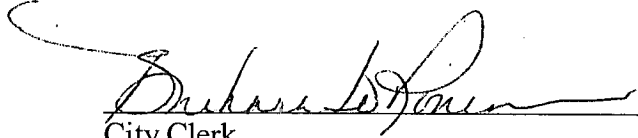
and

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

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

8. A copy of such notice so given of the meeting of the Council on August 4, 2004 is attached to this certificate as Exhibit "A".

IN WITNESS WHEREOF, I have hereunto set my hand on this August 4, 2004.



City Clerk

(SEAL)

EXHIBIT "A"

(Attach Notice of Meeting and Agenda)

CITY COUNCIL AGENDA

AUGUST 4, 2004
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CITY COUNCIL AGENDA

COUNCIL CHAMBERS • 400 STEWART AVENUE • PHONE 229-6011

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

OSCAR B. GOODMAN, MAYOR (At-Large) • COUNCILMAN GARY REESE, MAYOR PRO TEM (Ward 3)
COUNCILMEMBERS: LARRY BROWN (Ward 4), LAWRENCE WEEKLY (Ward 5), MICHAEL MACK (Ward 6),
JANET MONCRIEF (Ward 1) and STEVE WOLFSON (Ward 2)

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.

AUGUST 4, 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 – MS. ALEDA NELSON, MEMBER, THE BAHA'I FAITH
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF THE EMPLOYEE OF THE YEAR
- RECOGNITION OF SUMMERLIN LITTLE LEAGUE MAJORS DIVISION CHAMPIONS
- RECOGNITION OF CHEYENNE LEONARD AND THE BLAZESPORTS PROGRAM
- RECOGNITION OF CITY EMPLOYEE MIKE CAMPBELL FOR CORPORATE CHALLENGE FIRST PLACE FINISH

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

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.

CITY CLERK - CONSENT

2. Approval of notification of filing of Declarations of Interest in property located in the existing Redevelopment Areas

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

3. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
4. Approval of a Special Event License for Whole Foods Market, Location: Whole Foods Market, 8855 West Charleston Boulevard, Dates: August 14, 21, 28 and September 4, 11, 2004, Type: Special Event Beer/Wine/Cooler, Event: Wine/Beer Tasting, Responsible Person in Charge: Sandra Benton - Ward 2 (Wolfson)
5. Approval of a Special Event License for Southern Nevada Association of Pride, Location: Blue Moon Resort, 2651 Westwood Drive, Date: September 11, 2004, Type: Special Event General, Event: End of Summer Pool Party/Fundraiser for S.N.A.P.I., Responsible Person in Charge: Ernie Yuen - Ward 1 (Moncrief)
6. Approval of an Independent Store Operator and Change of Business Name for a Beer/Wine/Cooler Off-sale License subject to Health Dept. regulations, From: Stutsman & Stutsman, dba Grocery Outlet of Las Vegas, Glen E. Stutsman, Independent Store Operator, 50%, and Rebecca R. Stutsman, Independent Store Operator, 50%, To: Pacific Asian Group, Inc., dba Las Vegas Grocery Outlet, 1110 East Charleston Boulevard, Pacific Asian Group, Inc., Independent Store Operator, Chung C. Young, Dir, Pres and Yeh O Su Young, Dir, Secy, Treas, 100% jointly as husband and wife - Ward 3 (Reese)
7. Approval of Change of Ownership 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: M.D.C. Enterprises, Inc., Francois J. Alvandi, Shareholder, 51%, The Colich Family Trust, 49%, Adele C. Colich, Trustee, To: JRD Enterprises, LLC, dba Club Diamond, 840 North Decatur Boulevard, Suites D, E & F, Kirk B. Devitte, Mgr, Mmbr, 50%, Craig J. Devitte, Mgr, Mmbr, 50% - Ward 5 (Weekly)
8. Approval of Change of Business Name for a Tavern License and a Restricted Gaming License for 14 slots, Lightman-Gourmet, LLC, dba From: The Gourmet Cafe, To: Courthouse Bar & Grill, 330 South 3rd Street, Suite 100, Harold A. Lightman, Jr., Mmbr, 50%, Daniel D. Gans, Mmbr, 50% - Ward 1 (Moncrief)
9. Approval of a new Slot Operator Space Lease Location Restricted Gaming License for 4 slots subject to confirmation of approval by the Nevada Gaming Commission, Green Valley Gaming, Inc., db at Rancho Circle Laundromat, 2401 West Bonanza Road, Suite Q - Ward 5 (Weekly)
10. Approval of Change of Location for a Martial Arts Instruction Business License subject to the provisions of the fire codes, Michael Alper, dba Mike Klier School of Karate, Las Vegas, From: 3917 Aspencrest Drive, To: 2041 North Jones Boulevard, Suite 103, Michael Alper, 100% - Ward 5 (Weekly)
11. Approval of revision to purchase order 218015 for Bulk Sodium Hypochlorite - Department of Public Works - Award to: PIONEER AMERICAS, INC. (\$307,932 - Sanitation Enterprise Fund)
12. 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)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

13. Approval of award of Contract No. 050003, Planning and Development Consulting Services for the Post Office at 301 Stewart Avenue - Office of the City Manager - Award recommended to: CAROL GOLDSTEIN (\$114,048 - General Fund) - Ward 5 (Weekly)
14. Approval of award of Contract No. 050017, Actuarial Consulting Services - Department of Human Resources - Award recommended to: MERCER OLIVER WYMAN ACTUARIAL CONSULTING, INC. (\$108,000 - Workers' Compensation Internal Service Fund)
15. Approval of Contract No. 040284 for TriTech Software, Support and Maintenance and Project Management - Department of Information Technologies - Award recommended to: TRITECH SOFTWARE SYSTEMS (\$38,000 - Computer Services Internal Service Fund)
16. Approval of issuance of a purchase order for an annual requirements contract for Hewlett-Packard Laserjet printer maintenance - Department of Information Technologies - Award recommended to: INTERTECH COMPUTER PRODUCTS (Estimated annual amount of \$35,000 - Computer Services Internal Service Fund)
17. Approval to transfer an amount not to exceed \$326,000 from the Administration Special Assessment Capital Projects Fund (CPF) to the SID 1502 Montecito Parkway of the Town Center Loop Capital Projects Fund to pay an outstanding Interim Warrant - Ward 6 (Mack)

HUMAN RESOURCES DEPARTMENT - CONSENT

18. Approval to create one full time regular Building Inspection Supervisor position to keep pace with unprecedented growth and anticipated addition of 5 more inspectors in the Building and Safety Department (\$125,700 - Development Services Enterprise Fund)
19. Approval to create one regular full time Senior Permit Technician position in the Building and Safety department to supervise all permit technicians, assist supervisor and fill in for supervisor if supervisor is absent (\$89,200 - Development Services Enterprise Fund)
20. Approval to create one regular full time position of Permit Technician in the Building and Safety department to replace the position lost due to an upgrade to Technical Analyst (\$82,200 - Development Services Enterprise Fund)
21. Approval of Bodily Injury Claim #2003-069 (\$50,000 - Self-Insurance Liability Fund)

NEIGHBORHOOD SERVICES DEPARTMENT - CONSENT

22. Approval of creating one agreement to combine a total of \$34,750 in Community Development Block Grant (CDBG) funds to provide rental assistance and utility payments to homeless and near homeless families and individuals, previously approved by Council for the HELP of Southern Nevada Tenant Based Rental Assistance (TBRA) Program - All Wards
23. Approval to submit the required Analysis of Impediments (AI) to Fair Housing Choice Study to the United States Department of Housing and Urban Development (HUD) - All Wards
24. Approval of a Deferred Loan Agreement in the amount of \$40,000 of Home Investment Partnership Program (HOME) funds for housing rehabilitation activities at 2004 East Mesquite Avenue - Ward 3 (Reese)
25. Approval of reprogramming \$570,000 in Low Income Housing Trust Funds (LIHTF) to the Community Development Programs Center of Nevada (CDPCN) 11th Street LP, dba Senator Harry Reid Senior Apartments located at 340 North 11th Street for an aggregate total of \$1,121,000 in LIHTF/CDBG funds on this project - Ward 5 (Weekly)

PUBLIC WORKS DEPARTMENT - CONSENT

26. Approval of a Declaration of Utilization from the Bureau of Land Management for portions of the Northwest Quarter of Section 30, Township 19 South, Range 60 East, Mount Diablo Meridian, for sewer purposes generally located along the south side of Azure Drive, west of Jensen Street, APN 125-30-202-006 -- County (near Ward 6 Mack)
27. Approval of a Declaration of Utilization from the Bureau of Land Management for a portion of the Southwest Quarter of Section 4, Township 21 South, Range 60 East, Mount Diablo Meridian, for roadway, sanitary sewer and drainage purposes generally located along Cimarron Road, between Oakey Boulevard and El Parque Avenue, APN 163-04-304-003 and -004 -- Ward 1 (Moncrief)
28. Approval of a Dedication from the City of Las Vegas, a Municipal Corporation, for a portion of the Southeast Quarter of Section 21, Township 19 South, Range 60 East, Mount Diablo Meridian, for rights-of-way located along the Buffalo Drive and John Herbert Boulevard alignments, north of the Rome Boulevard alignment, APN 125-21-701-012 -- Ward 6 (Mack)
29. Approval of two Quitclaim Deeds from the City of Las Vegas to Maple Development LLC, and Serenity Brooks Estates II, LLC, for portions of the Northwest Quarter of Section 31, Township 19 South, Range 60 East, Mount Diablo Meridian, to relinquish portions of Bureau of Land Management Right-of-Way Grant N-51823 for flood control purposes located approximately 660 feet west of Grand Canyon Drive, south of Ann Road, APN 125-31-101-016, -017, -020 and -021 - County (near Wards 4 and 6 - Brown and Mack)
30. Approval of an Encroachment Request from the City of North Las Vegas, applicant (Decatur Boulevard between Moccasin Road and Grand Teton Drive) - Ward 6 (Mack)
31. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Patricia and Didier Stissi, owners (southeast corner of Iron Mountain Road and Homestead Street, APN 125-08-503-001) - County (near Ward 6 - Mack)
32. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Carol Lee Squires, owner (southeast corner of Elkhorn Road and Jensen Street, APN 125-19-102-015) - County (near Ward 6 - Mack)
33. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Wright Engineers on behalf of Hickam Estates LLC, owner (southwest corner of Hickam Avenue and Bonita Vista Street, APN 138-05-801-007 and 138-05-801-038) - County (near Ward 4 - Brown)
34. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Jay and Lorrie L. Carlyn, owners (southwest corner of Severance Lane and Jensen Street, APN 125-18-401-017) - County (near Ward 6 - Mack)
35. Approval of renaming the Northwest Water Resource Center located at 3271 North Durango Drive to Durango Hills Water Resource Center -- Ward 4 (Brown)
36. Approval of an Engineering Design Services Agreement with Brown and Caldwell Environmental Engineers & Consultants for a study to assess storm drains in an area bounded by Main Street, Bridger Avenue, Las Vegas Boulevard, and Stewart Avenue (\$96,731 - Sanitation Enterprise Fund) - Wards 1, 3 and 5 (Moncrief, Reese and Weekly)
37. Approval of an Interlocal Agreement with the Las Vegas Valley Water District for water service at the Downtown Senior Services Center located at 300 South 9th Street (\$11,751 - Community Development Block Grant) - Ward 5 (Weekly)
38. Approval of a Professional Services Agreement with WLB Group Inc., related to the design services of La Madre Mountain Equestrian Trailhead located at Cheyenne Avenue and Cliff Shadows Parkway (\$621,800 - Parks and Leisure Capital Project Fund) - Ward 4 (Brown)

RESOLUTIONS - CONSENT

39. R-134-2004 - Approval of a Resolution directing the City Treasurer to prepare the Forty-Fourth Assessment Lien Apportionment Report for Special Improvement District No. 404 Summerlin Area (Levy Assessments) - Ward 2 (Wolfson)
40. R-135-2004 - Approval of a Resolution approving the Forty-Fourth Assessment Lien Apportionment Report for Special Improvement District No. 404 Summerlin Area (Levy Assessments) - Ward 2 (Wolfson)
41. R-136-2004 - Approval of a Resolution directing the City Treasurer to prepare the Forty-Fifth Assessment Lien Apportionment Report for Special Improvement District No. 404 Summerlin Area (Levy Assessments) - Ward 2 (Wolfson)
42. R-137-2004 - Approval of a Resolution approving the Forty-Fifth Assessment Lien Apportionment Report for Special Improvement District No. 404 Summerlin Area (Levy Assessments) - Ward 2 (Wolfson)
43. R-138-2004 - Approval of a Resolution directing the removal of certain improvements that were included in the Provisional Order for Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) - Ward 6 (Mack)
44. R-139-2004 - Approval of a Resolution overruling complaints, protests, and objections and confirming 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)

REAL ESTATE COMMITTEE - CONSENT

45. Approval of dedication of required Rights-of-Way by Office District Parking I, Inc., to the City of Las Vegas on land located at the southeast corner of 3rd Street and Bonneville Avenue, APN 139-34-311-095 to -102 and -105 to -110 - Ward 1 (Moncrief)
46. Approval of a transfer of title by Quitclaim Deed to the City of Las Vegas Redevelopment Agency from the City of Las Vegas for the historic Fifth Street School building and site, APN 139-34-303-001 - Ward 1 (Moncrief) [NOTE: This item is related to Redevelopment Agency item #2]
47. Approval of a Memorandum of Understanding with Nevada Power Company for a substation in the vicinity of Elkhorn Road and Fort Apache Road - Ward 6 (Mack)
48. Approval of an Aerial Right-of-Way Grant between the City of Las Vegas and Nevada Power Company for 7,128 square feet of an easement area located on the south side of Harris Avenue West of Mojave Road, APN 139-25-405-008 (\$45,500 revenue - Park Capital Improvement Projects) - Ward 3 (Reese)
49. Approval of an Aerial Right-of-Way Grant between the City of Las Vegas and Nevada Power Company for 2,938 square feet of an easement area located north of Harris Avenue and west of Mojave Road, APN 139-25-303-014 and 015 (\$33,000 revenue - Park Capital Improvement Projects) - Ward 3 (Reese)
50. Approval of an Aerial Right-of-Way Grant between the City of Las Vegas and Nevada Power Company for 5,621 square feet of an easement area located south of Washington Avenue and west of Mojave Road, APN 139-25-303-001 (\$30,500 revenue - Park Capital Improvement Projects) - Ward 3 (Reese)
51. Approval of a Lease Agreement between the City of Las Vegas and Urban Chamber of Commerce for 1,280 square feet of office space in the City owned portion of Nucleus Plaza, located at 1052 West Owens Avenue (\$1,408 monthly revenue - HUD/Community Development Block Grant/Nevada State Welfare/Nucleus Plaza-Common Area Maintenance/Miscellaneous Rentals) - Ward 5 (Weekly)
52. Approval of a Second 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 additional office space located at 400 South Las Vegas Boulevard - Ward 1 (Moncrief)

REAL ESTATE COMMITTEE – CONSENT

53. Approval of Angel Park Golf, LLC, to become the temporary current holder and "Party" of the restated Management Agreement dated September 15, 1999, for the Angel Park Golf Course - Ward 2 (Wolfson)
54. Approval to extend the temporary Operational and Services Provider Agreement to January 19, 2005, between O.B. Sports Golf Management (AP), LLC, and Angel Park Golf, LLC, at Angel Park Golf Course for management and oversight duties - Ward 2 (Wolfson)

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE SERVICES - DISCUSSION

55. Report and possible action on the legislative package that will be submitted to the Legislative Counsel Bureau on behalf of the City

CITY ATTORNEY - DISCUSSION

56. ABEYANCE ITEM - Discussion and possible action on Appeal of Work Card Denial: Doreen Kathleen Allan-Murphy, 3020 Roseville Way, Las Vegas, Nevada 89102
57. ABEYANCE ITEM - Discussion and possible action on Appeal of Work Card Denial: Carlos Catania, 2108 Calville #104, Las Vegas, Nevada 89129
58. Discussion and possible action on Appeal of Work Card Denial: Mark Boyett, 542 Chandler Street, Henderson, Nevada 89014

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

59. Discussion and possible action regarding an Appeal of Denial of a Management or Marketing Service License, Medical Marijuana Consultants of Nevada (MMCN), 1817 Palo Alto Circle, William Kosinski, CEO, 100% - Ward 6 (Mack)
60. Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler On-sale License subject to the provisions of the planning and fire codes, LivingTheDream, Inc., dba Aurelio's, 7660 West Cheyenne Avenue, Suite 122, David L. Jones, Dir, Pres, 10%, Lisa M. Jones, Treas, 85% - Ward 4 (Brown)
61. Discussion and possible action regarding Temporary Approval of Change of Ownership for a Beer/Wine/Cooler Off-sale License subject to the provisions of the fire codes and Health Dept. regulations, From: Nevada Oil and Land Development, LLC, Carlos Huerta, Mmbr, 37.5%, Wasef Qaraman, Mgr, Mmbr, 34%, Marwan Aburahma, Mmbr 28.5%, To: Raz Durani, dba Craig Rancho Mart, 4371 North Rancho Drive, Raz M. Durani, 100% - Ward 6 (Mack)
62. Discussion and possible action regarding Temporary Approval of a Massage Establishment License subject to the provisions of the fire codes, Shear Indulgence, Inc., dba Shear Indulgence Salon and Day Spa, 5000 West Oakey Boulevard, Suites B3 and B4, Darci S. O'Brien, Pres, 50%, Darla S. O'Brien, Dir, Secy, Treas, 50%, Bruno J. Humasti, Lender - Ward 1 (Moncrief)
63. Discussion and possible action regarding Contractor Performance Evaluation Rating System for current and future public work construction projects - Department of Finance and Business Services

NEIGHBORHOOD SERVICES - DISCUSSION

64. Report and possible action regarding a planning process for the creation of a 10-year Plan to End Chronic Homelessness in the City of Las Vegas - All Wards

RESOLUTIONS - DISCUSSION

65. R-140-2004 - Discussion and possible action regarding a Resolution transferring 2003/2004 Private Activity Bond Volume Cap of \$19,788,427 to Meta Housing Corporation to construct new affordable senior housing at the Northeast corner of Main Street and Bonanza Road - Ward 5 (Weekly) and \$14,640,087 to the State Housing Division for future use - All Wards

BOARDS & COMMISSIONS - DISCUSSION

66. ABEYANCE ITEM - CHILD CARE LICENSING BOARD – Steven J. Greco, Term Expiration 6-2005 (Resigned)
67. ABEYANCE ITEM - CITIZENS PRIORITY ADVISORY COMMITTEE (CPAC) – John Medina, Term Expiration 6-2007 (Resigned)
68. AUDIT OVERSIGHT COMMITTEE – Michael W. Kern, Term Expiration 8-16-2004
69. CHILD CARE LICENSING BOARD – Maryanne Salm, Term Expiration 6-2007 (Resigned)
70. NELLIS CIVILIAN MILITARY COUNCIL EXECUTIVE BOARD – Members serve until replaced

REAL ESTATE COMMITTEE - DISCUSSION

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

RECOMMENDING COMMITTEE REPORTS - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

72. Bill No. 2004-47 – Annexation No. ANX-4245 – Property location: On the south side of Grand Teton Drive, 660 feet east of Puli Drive; Petitioned by: Southwest Desert Equities, LLC; Acreage: 5.20 acres; Zoned: R-U (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Michael Mack
73. Bill No. 2004-48 – Annexation No. ANX-4428 – Property location: On the north side of Log Cabin Way between Durango Drive and El Capitan Way; Petitioned by: William Miller, et al; Acreage: 5.79 acres; Zoned: R-A (County zoning), R-E and R-PD2 (City equivalents). Sponsored by: Councilman Michael Mack
74. Bill No. 2004-49 – Annexation No. ANX-4451 – Property location: On the southeast corner of Hualapai Way and Dorrell Lane; Petitioned by: Hualapai Nevada, LLC; Acreage: 5.39 acres; Zoned: R-E (County zoning), U (R) (City equivalent). Sponsored by: Councilman Michael Mack
75. Bill No. 2004-50 – Establishes standards and procedures, in accordance with State law, to ensure that adequate infrastructure and public facilities are available to serve the eventual development of undeveloped areas. Proposed by: Douglas Selby, City Manager
76. Bill No. Z-2004-3 – Amends the City's Official Zoning Map Atlas by changing the zoning designations of certain parcels of land (nonresidential). Proposed by: Robert S. Genzer, Director of Planning and Development
77. Bill No. Z-2004-4 – Amends the City's Official Zoning Map Atlas by changing the zoning designations of certain parcels of land (residential). Proposed by: Robert S. Genzer, Director of Planning and Development

NEW BILLS

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

78. Bill No. 2004-51 – Annexation No. ANX-4437 – Property location: On the north side of Farm Road, 330 feet west of Grand Canyon Drive; Petitioned by: Lermusiaux Family Trust; Acreage: 5.14 acres; Zoned: R-E (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Michael Mack
79. Bill No. 2004-52 – Revises the licensing and zoning standards applicable to hotel lounge bars. Proposed by: Robert S. Genzer, Director of Planning and Development
80. Bill No. 2004-53 – Updates the Town Center Development Standards Manual regarding the means of allowing certain finance-related uses. Sponsored by: Councilman Michael Mack
81. Bill No. 2004-54 – Allows private horse corrals or stables in the R-D Zoning District under certain circumstances. Sponsored by: Councilman Michael Mack
82. Bill No. 2004-55 – Revises the Municipal Code provisions that govern City employees in seeking and holding political office. Sponsored by: Mayor Oscar B. Goodman
83. Bill No. 2004-56 - Ordinance Creating Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) Sponsored by: Step Requirement
84. Bill No. 2004-57 - Levies Assessment for Special Improvement District No. 1499 – Alexander Road (US-95 - Rancho Drive). Sponsored by: Step Requirement
85. Bill No. 2004-58 – Repeals Ordinance No. 5630, pertaining to the creation of Special Improvement District No. 1502 – Grand Montecito Parkway (Centennial Parkway to Elkhorn Road). Proposed by: Bradford R. Jerbic, City Attorney

1:00 P.M. - AFTERNOON SESSION

86. 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

87. Public hearing on proposed local improvement district for Special Improvement District No. 1505 - Sierra Oeste Neighborhood Streetlights - Ward 6 (Mack)
88. Public hearing to consider the report of expenses to recover costs for the asbestos survey and demolition of 900 Antonio Drive. PROPERTY OWNER: WASHINGTON MUTUAL BANK F A - Ward 1 (Moncrief)

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.

89. EXTENSION OF TIME - REZONING - EOT-4691 - APPLICANT: INVESTORS REALTY GROUP - OWNER: CAMPBELL 2.5, LIMITED LIABILITY COMPANY AND CARL UNGER - Request for an Extension of Time on an approved Rezoning (Z-0063-02) FROM: U (Undeveloped) [ML (Medium-Low Density Residential) General Plan Designation] TO: O (Office) on 2.68 acres adjacent to the north side of Cheyenne Avenue, approximately 340 feet west of Campbell Road (APN: 138-08-401-008), Ward 4 (Brown). Staff recommends APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

90. APPEAL OF DIRECTOR'S DECISION - D IR-4797 - APPLICANT: ORION OUTDOOR MEDIA - OWNER: LAPOUR GRAND CENTRAL, LIMITED LIABILITY COMPANY - Appeal of Director's decision per Title 19.00.070.F to deny the application of a Special Use Permit for a proposed Off-Premise Advertising (Billboard) Sign at 211 West Charleston Boulevard (APN: 162-04-504-009) for failure to comply with Title 19.14.100, Ward 1 (Moncrief). Staff recommends DENIAL
91. REVIEW OF CONDITION - PUBLIC HEARING - ROC-4692 - APPLICANT/OWNER: CANYON RIDGE CHRISTIAN CHURCH - Request for a Review of Condition No. 2 of an approved Review of Condition [U-0088-95(5)] of an approved Site Development Plan Review [U-0088-95(4)], which required the removal of a modular building by August 1, 2004 on a portion of 25.14 acres at 6200 West Lone Mountain Road (APN: 125-35-803-002), C-V (Civic) Zone, Ward 6 (Mack). Staff recommends APPROVAL
92. REVIEW OF CONDITION - PUBLIC HEARING - ROC-4709 - APPLICANT: FLETCHER JONES MERCEDES - OWNER: ROMAN CATHOLIC BISHOP OF LAS VEGAS - Request for a Review of Condition No. 10 of an approved Special Use Permit (U-0054-95) which required approval of the parking and driveway plans to add language requiring a shared parking agreement to allow off-site parking for Fletcher Jones Mercedes employees at 2323 South Tenaya Way (APN: 163-03-404-006), R-E (Residence Estates) Zone, Ward 1 (Moncrief). Staff recommends DENIAL
93. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - S DR-4519 - APPLICANT: THOMAS AND MACK DEVELOPMENT GROUP, LIMITED LIABILITY COMPANY - OWNER: CROSSROADS AT SUNSET, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and Waivers of perimeter, parking lot, and foundation buffer landscaping standards, location of the parking lot, and for the use of reflective glass FOR A PROPOSED SINGLE-STORY, 44,924 SQUARE-FOOT OFFICE BUILDING on 3.97 acres adjacent to the southeast corner of Peak Drive and Fire Mesa Street (APN: 138-15-310-026), C-PB (Planned Business Park) Zone, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
94. ABEYANCE ITEM - MASTER SIGN PLAN - PUBLIC HEARING - MSP-4380 - APPLICANT: VISION SIGN, INC. - OWNER: D 2801 WESTWOOD, INC. - Request for a Master Sign Plan FOR AN APPROVED SEXUALLY-ORIENTED BUSINESS (TREASURES GENTLEMEN'S CLUB) adjacent to the northwest corner of Westwood Drive and Red Oak Avenue (APN: 162-08-604-001 and 162-09-102-001 & 003), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

95. VACATION - PUBLIC HEARING - VAC-4487 - APPLICANT: NEVADA HOMES GROUP - OWNER: DAY STAR VENTURES, LIMITED LIABILITY COMPANY - Petition to Vacate U. S. Government Patent Easements generally located between Deer Springs Way and Bath Drive, west of Fort Apache Road, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
96. VACATION - PUBLIC HEARING - VAC-4491 - APPLICANT/OWNER: CORNERSTONE COMPANY - Petition to Vacate a portion of a public alley generally located between Las Vegas Boulevard and Sixth Street, south of Carson Avenue, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
97. ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - VAR-4456 - APPLICANT/OWNER: KRASSIMIR TEOFILOV AND DARINA STANEVA - Request for a Variance TO ALLOW A ZERO SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED AND FOR A WAIVER OF THE REQUIRED LANDSCAPING on 0.14 acres at 3020 Contract Avenue (APN: 139-36-812-008), M (Industrial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
98. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4456 - PUBLIC HEARING - SDR-4458 - APPLICANT/OWNER: KRASSIMIR TEOFILOV AND DARINA STANEVA - Request for a Site Development Plan Review FOR A PROPOSED 3,000 SQUARE FOOT BUILDING FOR MINOR AUTO REPAIR GARAGE on 0.14 acres at 3020 Contract Avenue (APN: 139-36-812-008), M (Industrial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
99. VARIANCE - PUBLIC HEARING - VAR-4384 - APPLICANT/OWNER: BRUCE AND LORI WERNER - Request for a Variance TO ALLOW A ZERO CORNER SIDE YARD SETBACK WHERE 15 FEET IS REQUIRED IN CONJUNCTION WITH AN EXISTING CARPORT on 0.16 acres located at 4613 Del Monte Avenue (APN: 162-06-213-010), R-1 (Single-Family Residential) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
100. VARIANCE - PUBLIC HEARING - VAR-4516 - APPLICANT: LIPKIN 1992 TRUST AND SKY TOP VENDING, INC. - OWNER: LIPKIN 1992 TRUST - Request for a Variance TO ALLOW 18 PARKING SPACES WHERE A MINIMUM OF 23 SPACES IS REQUIRED on 0.79 acres at 1501 Western Avenue (APN: 162-04-605-005), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
101. VARIANCE RELATED TO VAR-4516 - PUBLIC HEARING - VAR-4517 - APPLICANT: LIPKIN 1992 TRUST AND SKY TOP VENDING, INC. - OWNER: LIPKIN 1992 TRUST - Request for a Variance TO ALLOW ZERO-FOOT SIDE AND REAR YARD SETBACKS WHERE TEN FEET IS THE MINIMUM REQUIRED IN CONJUNCTION WITH A PROPOSED WAREHOUSE FACILITY on 0.79 acres located at 1501 Western Avenue (APN: 162-04-605-005), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
102. SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4516 AND VAR-4517 - PUBLIC HEARING - SDR-4514 - APPLICANT: LIPKIN 1992 TRUST AND SKY TOP VENDING, INC. - OWNER: LIPKIN 1992 TRUST - Request for a Site Development Plan Review and Waivers of perimeter buffering, perimeter landscaping and parking lot landscaping standards FOR A PROPOSED WAREHOUSE FACILITY on 0.79 acres at 1501 Western Avenue (APN: 162-04-605-005), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
103. VARIANCE - PUBLIC HEARING - VAR-4520 - APPLICANT/OWNER: SUSAN SCHAFF WHITE - Request for a Variance TO ALLOW AN EXISTING SIX-FOOT SOLID WALL WHERE FOUR FEET IS THE MAXIMUM ALLOWED (TOP 50 PERCENT OPEN CONSTRUCTION) on 0.16 acres at 4601 Evergreen Place (APN: 139-31-410-010), R-1 (Single-Family Residential) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL
104. TABLED ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2848 - REAGAN NATIONAL ADVERTISING ON BEHALF OF C O G III, LIMITED - Appeal filed by Singer & Brown from the Denial by the Planning Commission on a request for a Special Use Permit FOR A PROPOSED OFF-PREMISE ADVERTISING (BILLBOARD) SIGN on a portion of 3.03 acres located at 1110 South Rainbow Boulevard (APN: 163-02-101-002), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend DENIAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

105. TABLED ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3269 - REAGAN NATIONAL ADVERTISING ON BEHALF OF SDL, INCORPORATED - Appeal filed by Singer & Brown from the Denial by the Planning Commission of a Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN located at 1205 East Sahara Avenue (APN: 162-02-401-001), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend DENIAL
106. RESCIND PREVIOUS ACTION - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3983 - APPLICANT: SCOTT STROMWALL - OWNER: RAY ST. CLAIR - Request by the City Council to Rescind the Previous Action of Approval with conditions of a request for a Special Use Permit FOR PROPOSED MOTOR VEHICLE SALES (USED) ON A PARCEL LESS THAN 25,000 SQUARE FEET IN AREA IN CONJUNCTION WITH AN EXISTING MINOR AUTO REPAIR GARAGE at 210 West Wyoming Avenue (APN: 162-04-608-015), M (Industrial) Zone, Ward 1 (Moncrief). Staff has no recommendation on the request to Rescind the Previous Action
107. RECONSIDER - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3983 - APPLICANT: SCOTT STROMWALL - OWNER: RAY ST. CLAIR - Request for a Special Use Permit FOR PROPOSED MOTOR VEHICLE SALES (USED) ON A PARCEL LESS THAN 25,000 SQUARE FEET IN AREA IN CONJUNCTION WITH AN EXISTING MINOR AUTO REPAIR GARAGE at 210 West Wyoming Avenue (APN: 162-04-608-015), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL
108. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4506 - APPLICANT: CAMCO, INC. - OWNER: MTC 118, INC. - Request for a Special Use Permit FOR A PROPOSED PAWN SHOP adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
109. SPECIAL USE PERMIT RELATED TO SUP-4506 - PUBLIC HEARING - SUP-4507 - APPLICANT: CAMCO, INC. - OWNER: MTC 118, INC. - Request for a Special Use Permit and a Waiver of the 200-foot distance separation requirement from a parcel used for residential purposes FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL
110. SPECIAL USE PERMIT RELATED TO SUP-4506 AND SUP-4507 - PUBLIC HEARING - SUP-4509 - APPLICANT: CAMCO, INC. - OWNER: MTC 118, INC. - Request for a Special Use Permit FOR PROPOSED SECONDHAND SALES (jewelry, electronics, tools, musical instruments) adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
111. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4515 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: HARVARD SECURITIES, INC. - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT at 1801 Las Vegas Boulevard South (APN: 162-03-310-006), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
112. SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-4515 - PUBLIC HEARING - SDR-4512 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: HARVARD SECURITIES, INC. - Request for a Site Development Plan Review and Waivers of the Downtown Centennial Plan Standards FOR A PROPOSED 21-STORY MIXED-USE DEVELOPMENT containing 116 apartment units, 18 condominium units, and 2,200 square feet of retail space on 0.68 acres at 1801 Las Vegas Boulevard South (APN: 162-03-310-006), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
113. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4540 - APPLICANT/OWNER: ABF, INC. - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT on 3.90 acres adjacent to the northwest corner of Sahara Avenue and Fairfield Avenue (APN: 162-04-812-001 & 162-04-811-027), R-3 (Medium Density Residential) and R-4 (High Density Residential) Zones under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

114. SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-4540 - PUBLIC HEARING - SDR-4534 - APPLICANT/OWNER: ABF, INC. - Request for a Site Development Plan Review and Waivers from Downtown Centennial Plan Standards regarding landscaping, setbacks, stepbacks, and buffers FOR A PROPOSED 39-STORY MIXED-USE DEVELOPMENT consisting of 808 multi-family units and 35,500 square feet of retail space on 3.90 acres adjacent to the northwest corner of Sahara Avenue and Fairfield Avenue (APN: 162-04-812-001 & 162-04-811-027), R-3 (Medium Density Residential) and R-4 (High Density Residential) Zones under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
115. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4510 - APPLICANT: REAGAN NATIONAL ADVERTISING - OWNER: HEINRICH J ABERLE TRUST - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE (BILLBOARD) SIGN located at 911 North Lamb Boulevard (APN: 140-29-202-007), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
116. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4511 - APPLICANT: GUS MISHFERI - OWNER - SAMER NAKHLE - Request for a Special Use Permit FOR A PROPOSED PRIVATE STREET adjacent to the southeast corner of Belcastro Street and Holmby Avenue (APN: 163-03-501-032), R-E (Residence Estates) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL
117. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4518 - APPLICANT: PARRISH WARD - OWNER: DAVID PHILLIPS - Request for a Special Use Permit FOR A PROPOSED BAILBOND SERVICE at 317 Garces Avenue (APN: 139-34-310-052), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL
118. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4531 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: ERNEST BECKER, JR. - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE (BILLBOARD) SIGN at 6370 West Lake Mead Boulevard (APN: 138-23-601-003), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
119. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4532 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: SAHARA MOHAWK, LIMITED LIABILITY COMPANY - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE (BILLBOARD) SIGN at 5320 West Sahara Avenue (APN: 163-01-804-005), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend DENIAL
120. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4558 - APPLICANT: BUILDING THE AMERICAN DREAM CORPORATION - OWNER: C.C.M. TRUST - Request for a Special Use Permit FOR PROPOSED PRIVATE STREETS in conjunction with a proposed single-family residential development adjacent to the northeast corner of Coke Street and Maggie Avenue (APN: 125-09-501-003), U (Undeveloped) Zone [RE (Rural Estates) General Plan Designation], Ward 6 (Mack). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL
121. REZONING - PUBLIC HEARING - ZON-4200 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD2 (Residential Planned Development - 2 Units per Acre) on 20.0 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard (APN: 125-11-508-003), Ward 6 (Mack). The Planning Commission (4-1-2 vote) and staff recommend APPROVAL
122. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4200 - PUBLIC HEARING - SDR-4198 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 29-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 20.00 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard (APN: 125-11-508-003), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre)], Ward 6 (Mack). The Planning Commission (3-2-2 vote) recommends DENIAL. Staff recommends APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

123. REZONING - PUBLIC HEARING - ZON-4526 - APPLICANT/OWNER: CLARK COUNTY - Request for a Rezoning FROM: R-MHP (Residential Mobile/Manufactured Home Park), C-1 (Limited Commercial) and R-E (Residence Estates) TO: C-V (Civic) on 16.0 acres adjacent to Martin L. King Boulevard approximately 300 feet south of Carey Avenue (APN: 139-21-102-012 and a Portion of 139-21-102-011), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
124. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4526 - PUBLIC HEARING - SDR-4527 - APPLICANT/OWNER: CLARK COUNTY - Request for a Site Development Plan Review for a PROPOSED EARLY CHILD DEVELOPMENT CENTER on 2.5 acres adjacent to Martin L. King Boulevard, approximately 300 feet south of Carey Avenue (APN: 139-21-102-012 and a portion of 139-21-102-011), R-MHP (Residential Mobile/Manufactured Home Park, C-1 (Limited Commercial) and R-E (Residence Estates) Zones [Proposed: C-V (Civic) Zone], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
125. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4332 - APPLICANT: CITY OF LAS VEGAS - OWNER: SAHARA PARK, LIMITED - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (Service Commercial) TO: M (Medium Density Residential) on 3.16 acres adjacent to the east side of Sixth Street, approximately 360 feet north of Sahara Avenue (APN: 162-03-811-000), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
126. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4523 - APPLICANT/OWNER: CITY OF LAS VEGAS - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (Service Commercial) TO: PF (Public Facilities) on 3.59 acres adjacent to the northwest corner of Mojave Road and Stewart Avenue (APN: 139-36-603-001), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
127. REZONING RELATED TO GPA-4523 - PUBLIC HEARING - ZON-4524 - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: C-1 (Limited Commercial) TO: C-V (Civic) on 3.59 acres adjacent to the northwest corner of Mojave Road and Stewart Avenue (APN: 139-36-603-001), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
128. SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4523 AND ZON-4524 - PUBLIC HEARING - SDR-4525 - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED GOVERNMENT FACILITY (EAST LAS VEGAS BUSINESS INCUBATOR), on 3.59 acres adjacent to the northwest corner of Mojave Road and Stewart Avenue (APN: 139-36-603-001), C-1 (Limited Commercial) Zone, [Proposed: C-V (Civic) Zone], Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
129. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4542 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: ML (Medium-Low Density Residential) TO: MLA (Medium-Low Attached Density Residential) on 3.58 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN: 140-29-401-005 & 006), Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
130. REZONING RELATED TO GPA-4542 - PUBLIC HEARING - ZON-4543 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request for a Rezoning FROM: R-1 (Single-Family Residential) TO: R-PD9 (Residential Planned Development - 9 Units Per Acre) on 3.58 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN: 140-29-401-005 & 006), Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
131. VARIANCE RELATED TO GPA-4542 AND ZON-4543 - PUBLIC HEARING - VAR-4547 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request for a Variance TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 3.58 ACRES WHERE 5.00 ACRES IS THE MINIMUM REQUIRED adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN: 140-29-401-005 & 006), R-1 (Single-Family Residential) Zone [Proposed: R-PD9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

- 132.VARIANCE RELATED TO GPA-4542, ZON-4543 AND VAR-4547 - PUBLIC HEARING - VAR-4572 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request for a Variance TO ALLOW 12,000 SQUARE FEET OF OPEN SPACE WHERE 25,870 SQUARE FEET IS THE MINIMUM REQUIRED on 3.80 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN: 140-29-401-005 & 006), R-1 (Single-Family Residential) Zone, [Proposed: R-PD9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
- 133.SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4542, ZON-4543, VAR-4547 AND VAR-4572 - PUBLIC HEARING - SDR-4545 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request for a Site Development Plan Review FOR A PROPOSED 35-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 3.58 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN: 140-29-401-005 & 006), R-1 (Single-Family Residential) Zone [Proposed: RPD-9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommend APPROVAL
- 134.GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4549 - APPLICANT: LAS VEGAS DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: O (Office) and DR (Desert Rural Density Residential) TO: GC (General Commercial) on 1.11 acres adjacent to the west side of Lindell Road, approximately 450 feet north of Sahara Avenue (APN: 163-01-404-006 & 007), Ward 1 (Moncrief). The Planning Commission (5-2 vote) and staff recommend APPROVAL
- 135.REZONING RELATED TO GPA-4549 - PUBLIC HEARING - ZON-4550 - APPLICANT: LAS VEGAS DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: P-R (Professional Office and Parking) and R-E (Residence Estates) TO: C-2 (General Commercial) on 1.11 acres adjacent to the west side of Lindell Road, approximately 450 feet north of Sahara Avenue (APN: 163-01-404-006 & 007), Ward 1 (Moncrief). The Planning Commission (5-2 vote) and staff recommend APPROVAL
- 136.VARIANCE RELATED TO GPA-4549 AND ZON-4550 - PUBLIC HEARING - VAR-4553 - APPLICANT: LAS VEGAS DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW A PROPOSED 83-FOOT SIDE YARD SET BACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM OF 100 FEET on 4.15 acres adjacent to the northwest corner of Sahara Boulevard and Lindell Road (APN: 163-01-404-006, 007 & 008), C-2 (General Commercial), P-R (Professional Office and Parking), and R-E (Residence Estates) Zones, [Proposed: C-2 (General Commercial) Zone], Ward 1 (Moncrief). The Planning Commission (6-1 vote) and staff recommend APPROVAL
- 137.SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4549, ZON-4550 AND VAR-4553 - PUBLIC HEARING - SDR-4551 - APPLICANT: LAS VEGAS DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and Waivers to allow a reduction of perimeter, parking lot and foundation landscaping and to allow palm trees along Sahara Avenue where pine or deciduous trees are required FOR A PROPOSED 37,950 SQUARE-FOOT MOTOR VEHICLE SALES (NEW) FACILITY on 4.15 acres adjacent to the northwest corner of Sahara Boulevard and Lindell Road (APN: 163-01-404-006, 007 & 008), C-2 (General Commercial), P-R (Professional Office and Parking), and R-E (Residence Estates) Zones [Proposed: C-2 (General Commercial) Zone], Ward 1 (Moncrief). The Planning Commission (6-1 vote) and staff recommend APPROVAL
- 138.GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4564 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: O (Office) TO: SC (Service Commercial) and to exempt the subject site from the full Multi-use Transportation Trails Standard of the Transportation Trails Element, using instead the proposed "Connector Trail" Standard on 0.79 acres adjacent to the southeast corner of Charleston Boulevard and Rancho Drive (APN: 162-04-101-001), Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

- 139.VARIANCE RELATED TO GPA-4564 - PUBLIC HEARING - VAR-4696 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRETT GROUP, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW 15 PARKING SPACES WHERE 22 SPACES IS THE MINIMUM NUMBER REQUIRED on 0.79 acres at 2237 W. Charleston Boulevard (APN: 162-04-101-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 140.SPECIAL USE PERMIT RELATED TO GPA-4564 AND VAR-4696 - PUBLIC HEARING - SUP-4565 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED CAR WASH/AUTO DETAIL at 2237 West Charleston Boulevard (APN: 162-04-101-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 141.SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4564, VAR-4696 AND SUP-4565 - PUBLIC HEARING - SDR-4563 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and Waivers of perimeter buffering landscaping, parking lot landscaping, building foundation landscaping, side yard setbacks, and building placement for a PROPOSED 1,200 SQUARE-FOOT CAR WASH/AUTO DETAIL AND A 3,325 SQUARE-FOOT CONVENIENCE STORE/SERVICE STATION TO REPLACE AN EXISTING 1,800 SQUARE FOOT CONVENIENCE STORE/SERVICE STATION on 0.79 acres at 2237 West Charleston Boulevard (APN: 162-04-101-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (4-3 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

PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

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

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
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

AGREEMENT

This Agreement is entered into on this 4th day of August, 2004 between the city of Las Vegas, Nevada (the "City") and Meta Housing Corporation (the "Sponsor"), of that certain affordable rental housing project known as Golden Age Senior Apartments (the "Project").

WHEREAS, the Sponsor has submitted an application to the City for allocation of a part of the City's private activity bond Volume Cap in order for the Sponsor to finance the Project; and

WHEREAS, the City is inclined to allocate a portion of its private activity bond Volume Cap to the Project; and

WHEREAS, in so allocating its Volume Cap, the City is relying on representations made by the Sponsor in its application to the City with respect to the nature of the Project and other matters.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL PROMISES AND AGREEMENTS CONTAINED HEREIN, IT IS HEREBY AGREED AS FOLLOWS:

Section 1. The City will as provided in the resolution adopted by the City Council of the City on August 4, 2004 (the "Resolution") allocate a portion of its bond Volume Cap to the Project under the conditions and for the term provided in the Resolution. Such allocation of bond Volume Cap is based on the representations contained in the Sponsor's application as to the nature of the Project and other matters stated in that application.

Section 2. The Sponsor agrees to provide incremental progress reports, at six-week intervals if the Project is a rehabilitation project and at 3-month intervals if the Project is a new construction project.

Section 3. The Sponsor agrees not to make any change in the Project or in any other of the items described in its application without obtaining consent of the City's Director of the City's Neighborhood Services Department or his designee.

Section 4. This Agreement shall be effective on the date of its execution and remain in effect until the bonds which use the Volume Cap allocation described herein have been paid in full.

Section 5. This Agreement does not provide any City endorsement of the Project or any City representation as to the Project or the issuance of bonds for the Project, other than an allocation of private activity bond Volume Cap as provided in the Resolution. It is understood that the private activity bond Volume Cap will be transferred to the State of Nevada, and that the State of Nevada in its sole discretion will determine whether to finance the Project with the issuance of bonds. Other than the allocation of bond Volume Cap mentioned above, this Agreement in no way binds the City to the Project, and prior to the issuance of bonds which use this Volume Cap, the City may, in its sole discretion, amend or repeal the Resolution; but after the issuance of bonds which use this Volume Cap, the City will not amend the Resolution in a manner which changes the allocation of Volume Cap to the bonds which have been issued.

Section 6. In the event the Sponsor breaches this Agreement, the City may sue for specific performance hereof by the Sponsor, may pursue legal action against the Sponsor, may use whatever other remedies may be available to it at law or in equity or may pursue any combination thereof. The Sponsor agrees to pay any of the City's attorney fees incurred in enforcing the terms of this agreement. If bonds have been issued which rely on the allocation of bond volume cap made by the Resolution, a breach of this Agreement will not result in forfeiture of bond Volume Cap which has been used for those bonds, but may, at the option of the City, result in forfeiture of any part of the bond Volume Cap described herein which has not been used by the issuance of bonds.

Section 7. No person is a third party beneficiary of this Agreement and nothing herein requires that the City enforce the provisions hereof; however, any failure to enforce or delay in

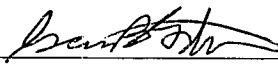
Section 8. The persons signing this Agreement represent that they have the power to do so on behalf of the party for which they are signing.

[illegible]

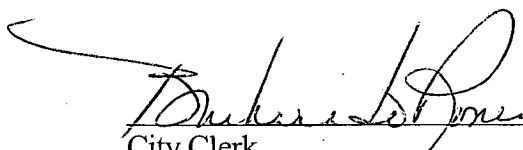
IN WITNESS WHEREOF, the City and the Sponsor have caused this Agreement to be signed as of the day and year mentioned above.

City of Las Vegas, Nevada

(SEAL)

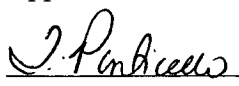
By: 
Oscar B. Goodman, Mayor

"City"

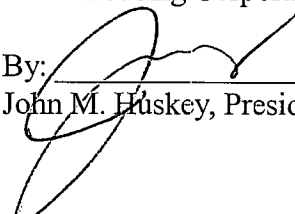

City Clerk

City Council Approved: August 4, 2004

Approved as to form:

 8/12/04

Meta Housing Corporation

By: 
John M. Huskey, President

"Sponsor"

EXHIBIT "A"

DISCLOSURES OF PRINCIPALS

Pursuant to Resolution 79-99 adopted by the City Council effective October 1, 1999, Meta Housing Corporation warrants that it has disclosed, all principals, including partners of Meta Housing Corporation, as well as all persons and entities holding more than a 1% interest in Meta Housing Corporation, or any principal of Meta Housing Corporation. Throughout the term hereof, Meta Housing Corporation shall notify City in writing of any material change in the above disclosure within 15 days of any such change.

The principals and partners of Meta Housing Corporation and all persons and entities holding more than 1% interest in Meta Housing Corporation, or any principal of Meta Housing Corporation, are the following:

FULL NAME

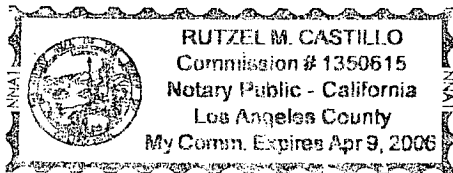
BUSINESS ADDRESS

BUSINESS PHONE

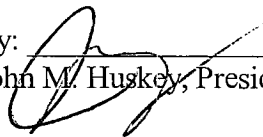
20LE
OWNER/OFFICER JOHN M. HUSKEY 1516 PONTIUS AVE. #202, LA, CA 90025 (310) 575-3543
OFFICER SEAN CLARK "
OFFICER KASEY BURKE "
OFFICER DON ANDERSON "
5.
6.
7.
8.

Continue list until full and complete disclosure is made.

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



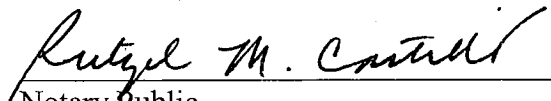
Meta Housing Corporation

By: 
John M. Huskey, President

"Sponsor"

Subscribed and sworn to before me this

16TH Day of AUGUST, 2004.


Notary Public

Received, filed and approved by the Director of the Department of Business and Industry of the State of Nevada this _____ day of _____, 2004

Director, Department of Business and Industry

Received and filed by the Secretary of the State Board of Finance this _____ day of _____, 2004

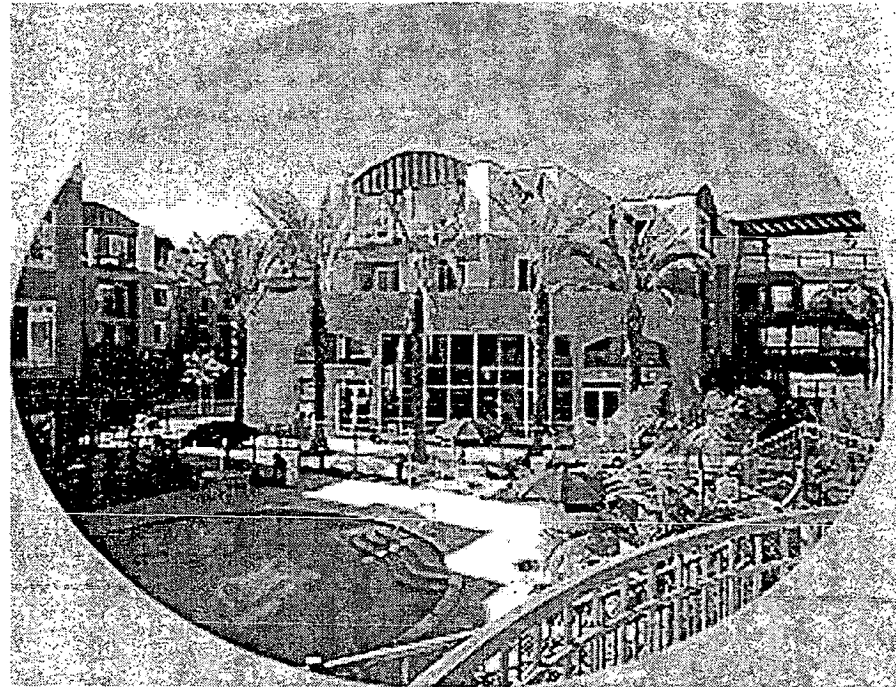
Secretary, State Board of Finance

Meta Housing Corporation

CRM-04-01
8/1/04

Why Meta Housing?

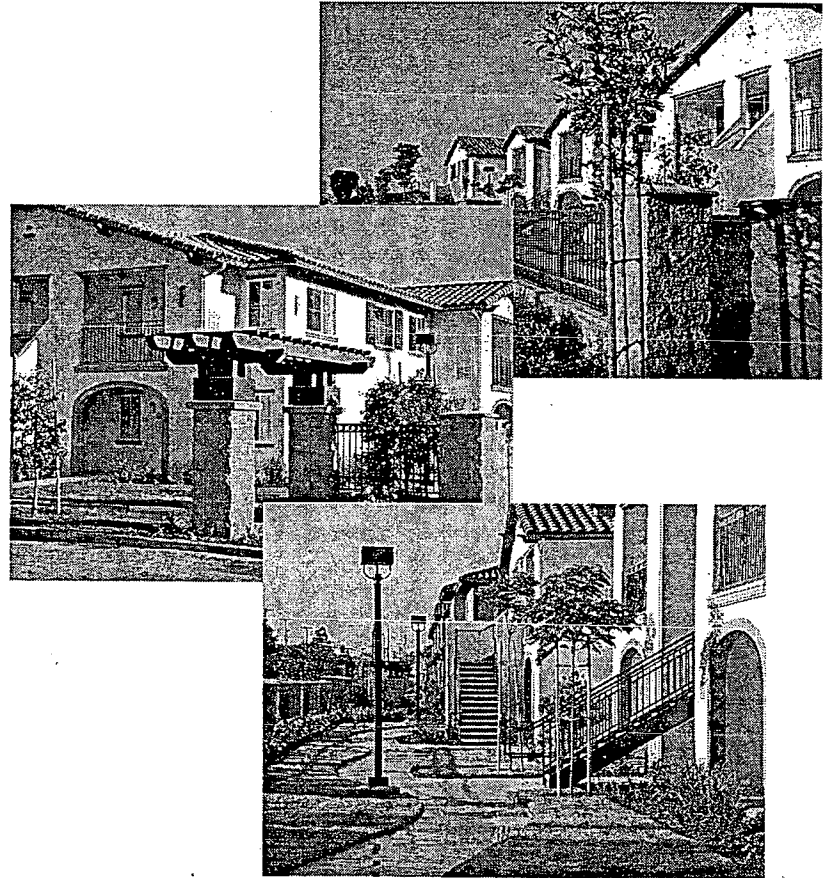
- Outstanding Communities
- Over 10,000 units developed
- Innovative Service Programs
- Solid Financial Resources



Meta Housing Corporation

Meta Housing Current History

- Over 2,000 Units Developed In The Last Five Years
- Senior & Family Communities
- Affordable & Market Rate



Meta Housing Corporation

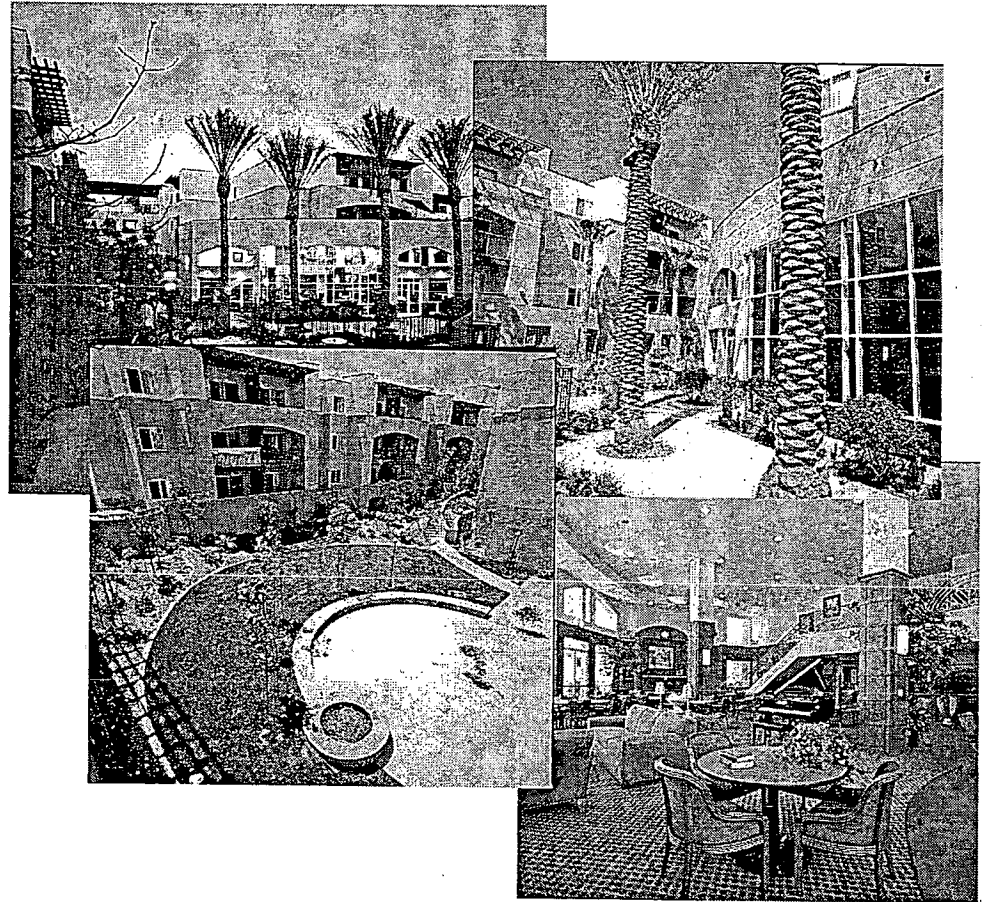
Meta Housing Recent Awards



Meta Housing Corporation

Park Plaza Senior Apartments

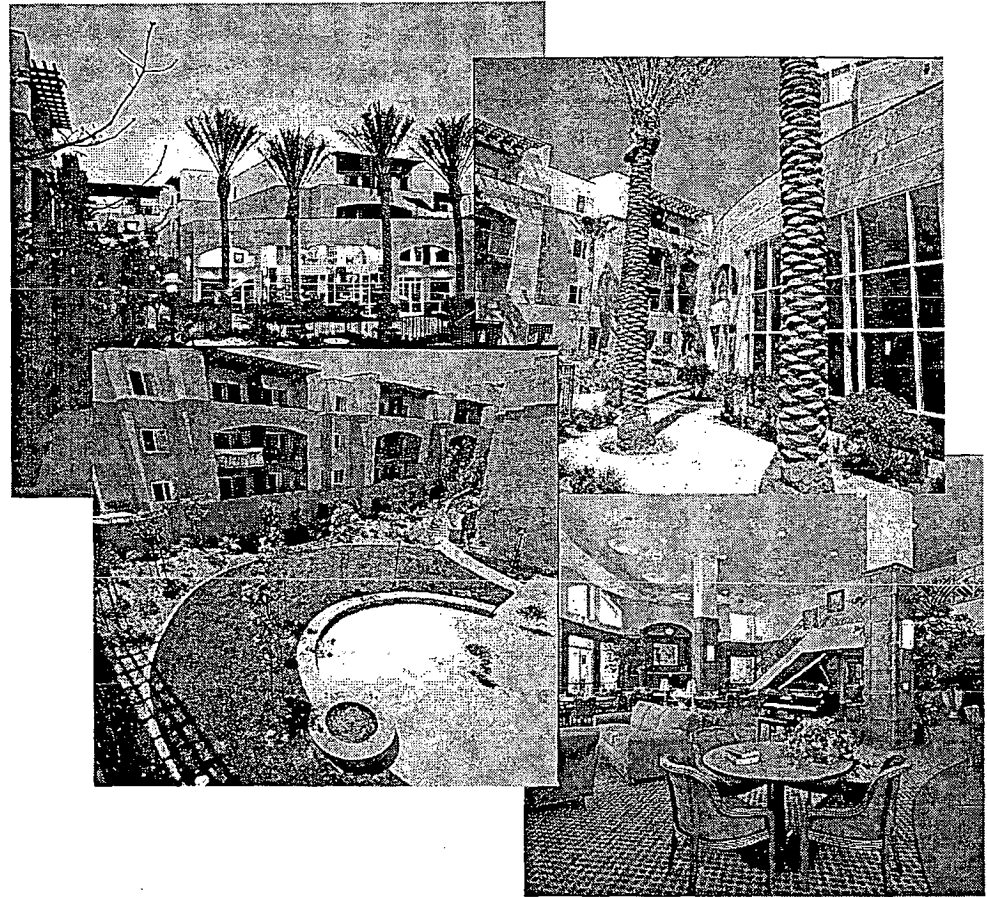
- 100% Affordable
- 203 units



Meta Housing Corporation

Park Plaza Senior Apartments

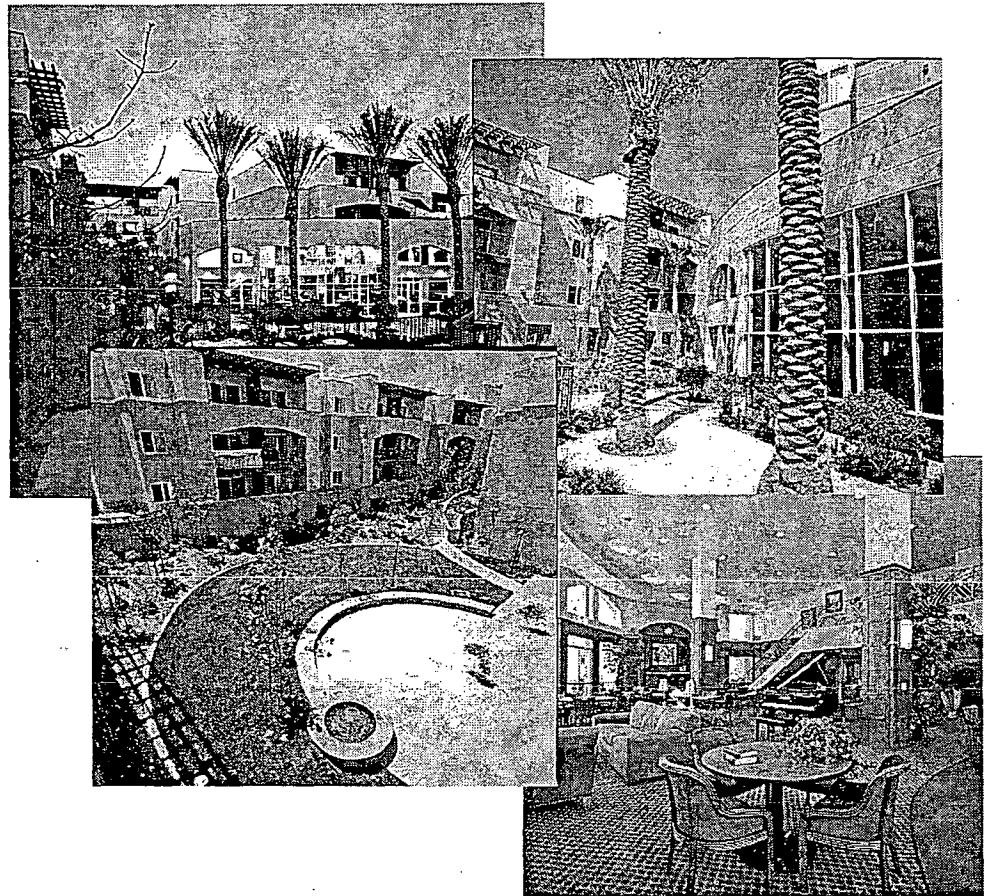
- Winner NAHB's 2002 Gold Achievement Award – Best Seniors Housing, Most Outstanding Affordable Senior Apartment Project



Meta Housing Corporation

Park Plaza Senior Apartments

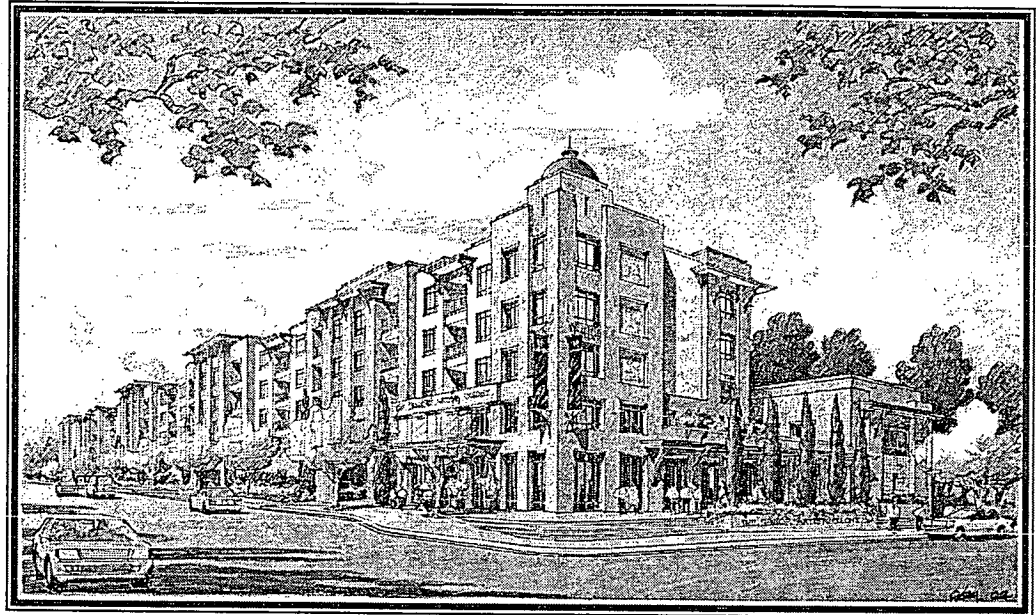
- Winner NAHB's 2001 PCBC (Gold Nugget Awards) – Best Senior Project – Active Adult
- SHC – SAGE Award of Merit - 2001



Meta Housing Corporation

Burbank Senior Artists Colony

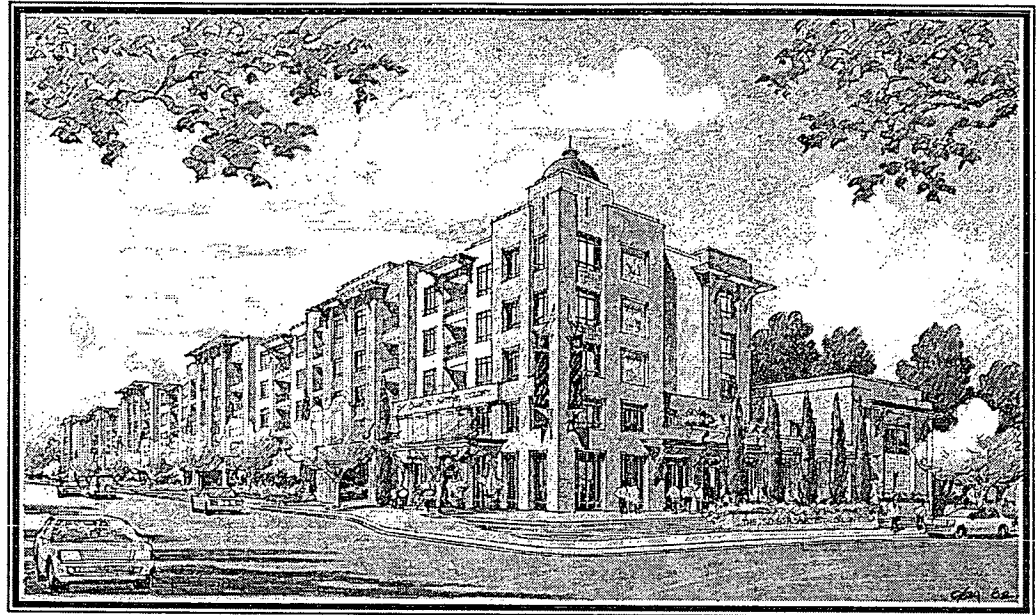
- 30% Affordable
– 70% Market
Rate
- 141 units



Meta Housing Corporation

Burbank Senior Artists Colony

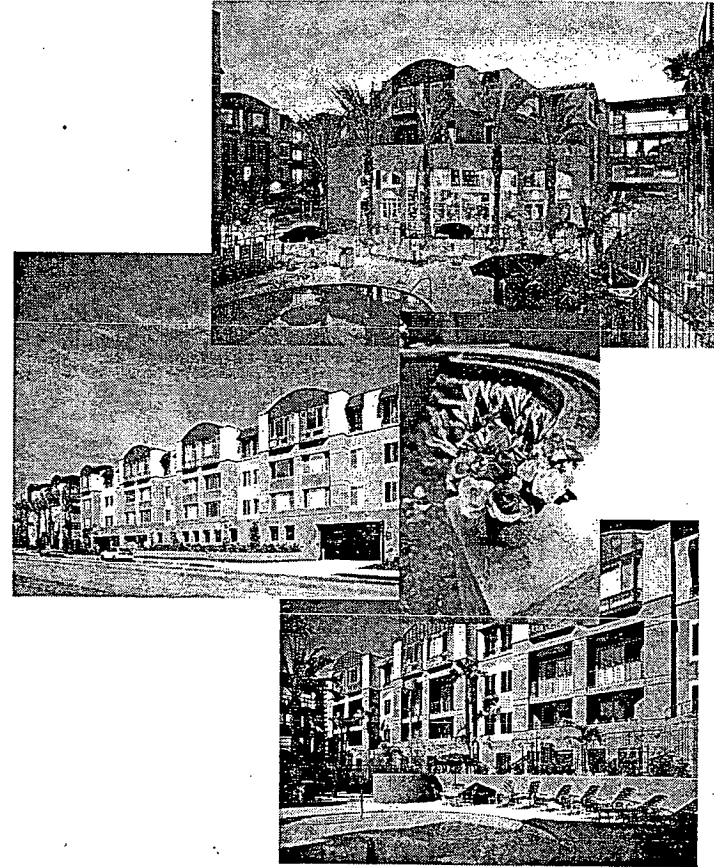
- Winner 2003 NAHB/NCOSH Gold Medal for "Best of Seniors Housing Design – On the Boards"
- Lease up to begin winter 2004



Meta Housing Corporation

The Piedmont Senior Apartments

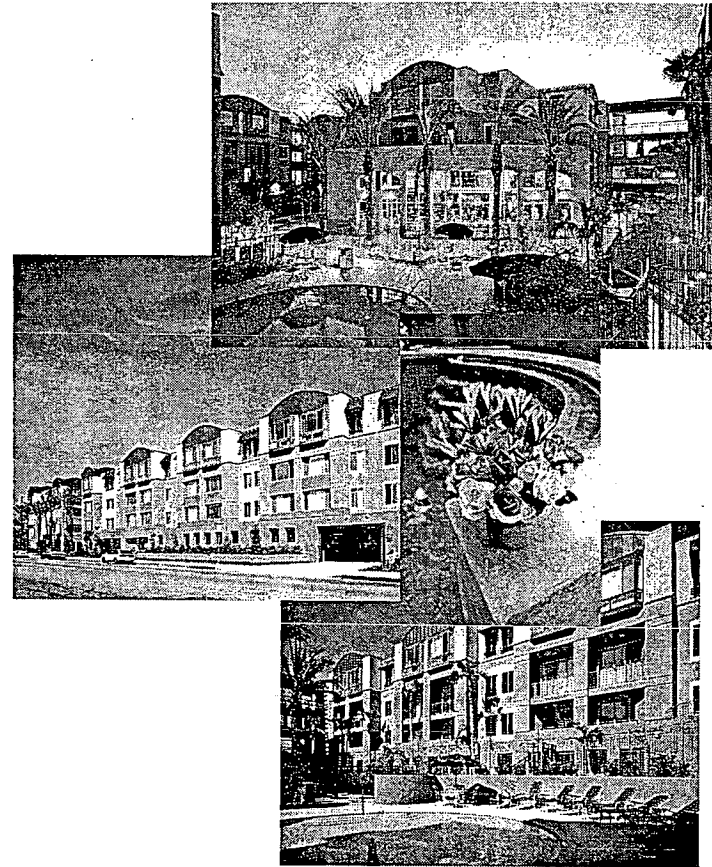
- 20% Affordable – 80 % Market Rate
- 198 units



Meta Housing Corporation

The Piedmont Senior Apartments

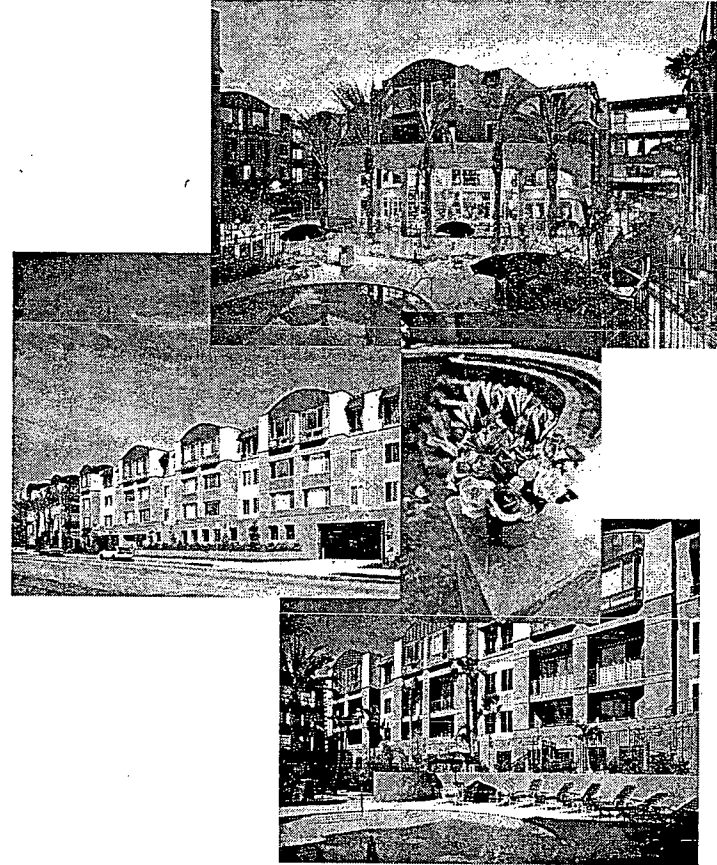
- Winner 2004 NAHB's Platinum Achievement Award – Active Adult Housing Overall Community – Small (300 units or less)



Meta Housing Corporation

The Piedmont Senior Apartments

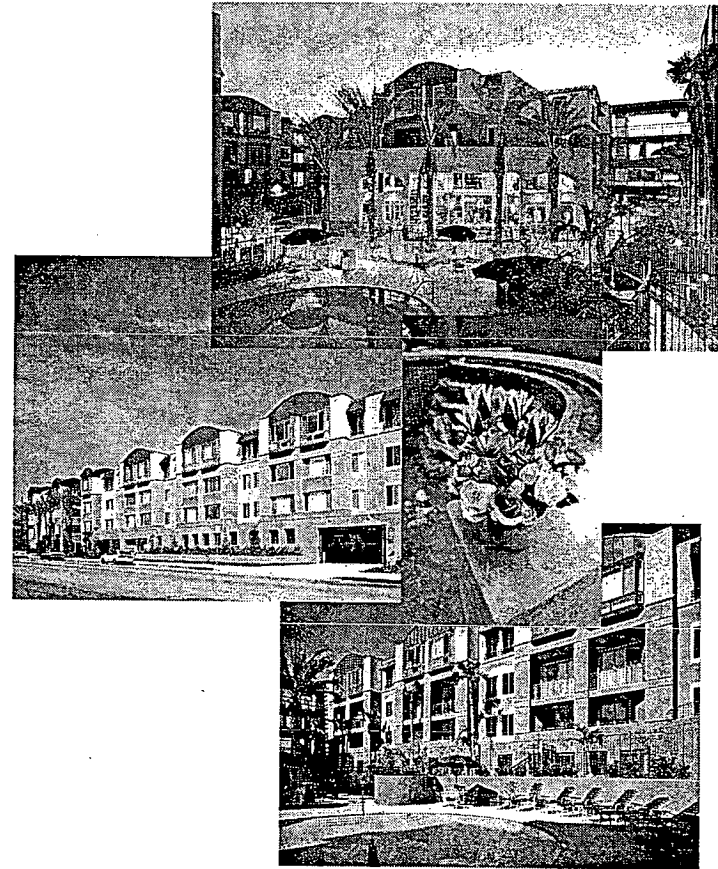
- Winner 2004 NAHB's Gold Achievement Award – Multifamily Housing Overall Community – Rental Apartments



Meta Housing Corporation

The Piedmont Senior Apartments

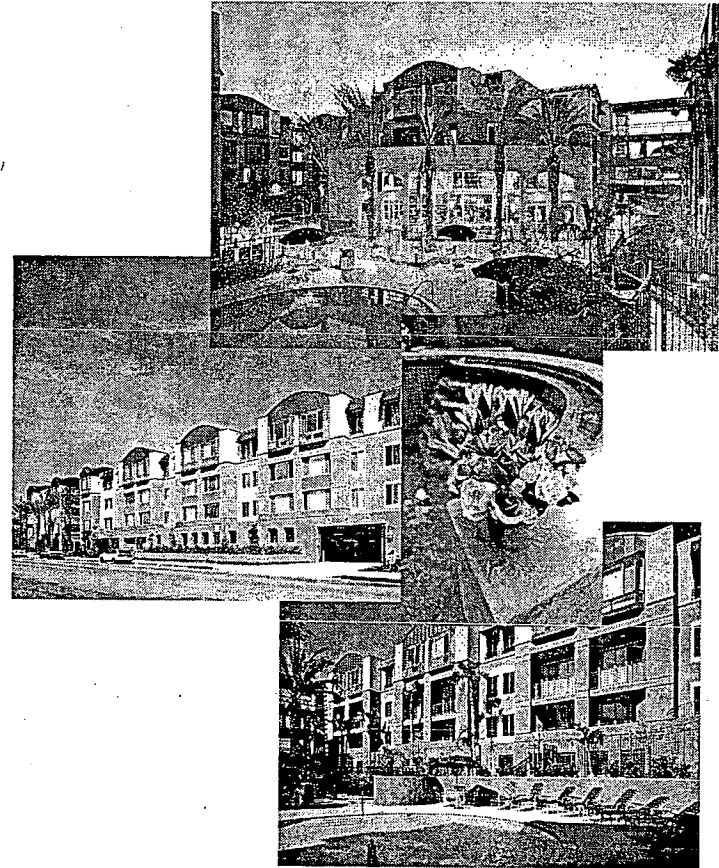
- Winner 2004 NAHB's Juror's Innovation Award



Meta Housing Corporation

The Piedmont Senior Apartments

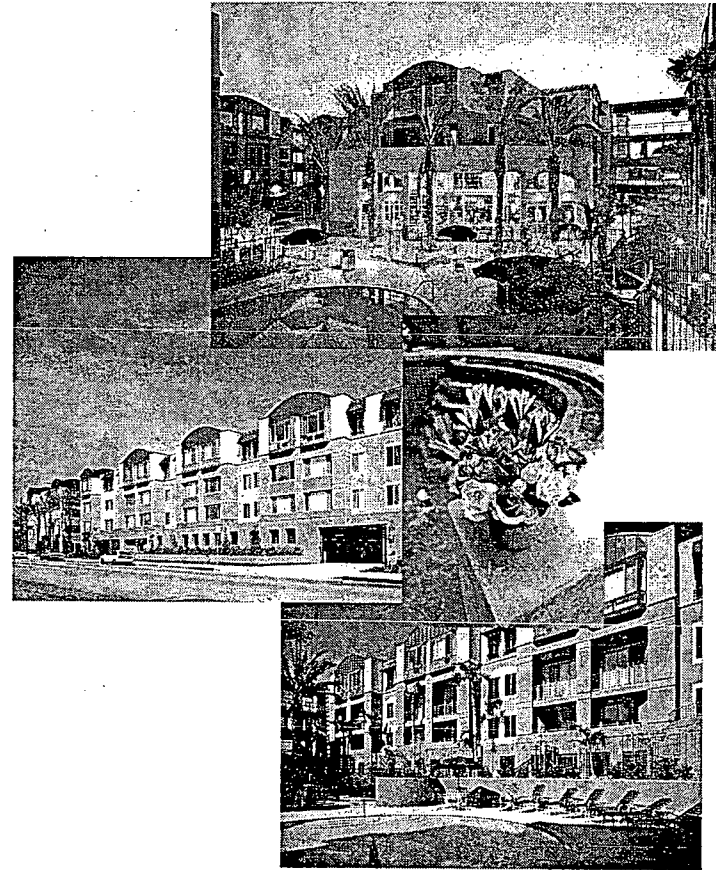
- Winner San Fernando Valley Business Journal's Award for "Most Innovative Senior Community" -2004



Meta Housing Corporation

The Piedmont Senior Apartments

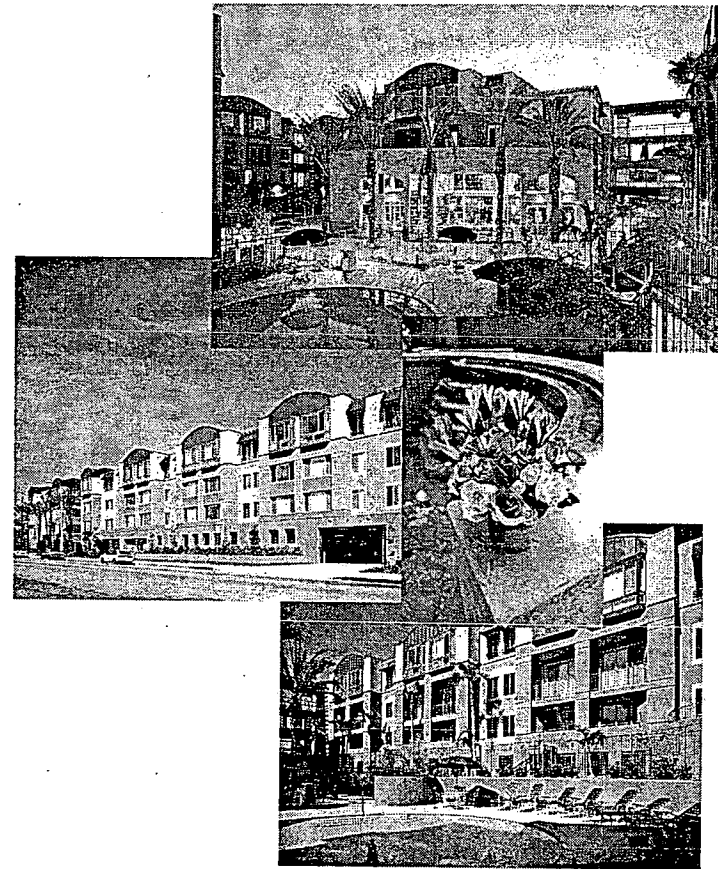
- Winner 2003 PCBC Gold Nugget Award of Merit
– Best Apartment Project – 4 Stories or more



Meta Housing Corporation

The Piedmont Senior Apartments

- Winner 2003 PCBC Award of Merit – Best Seniors Project – Active Adult



Meta Housing Corporation

Meta Housing Senior Service Programs



Meta Housing Corporation

Services

- On-Site Educational Programs
- Art Programs
- Health & Wellness Classes



**Provided By More Than Shelter For Seniors®*



Meta Housing Corporation

Services

- Recreational Activities
- Transportation
- Intergenerational Opportunities



**Provided By More Than Shelter For Seniors®*



Meta Housing Corporation

Service Benefits

- Independence
- Physical Health
- Mental Health



**Provided By More Than Shelter For Seniors®*



Meta Housing Corporation

Service Benefits

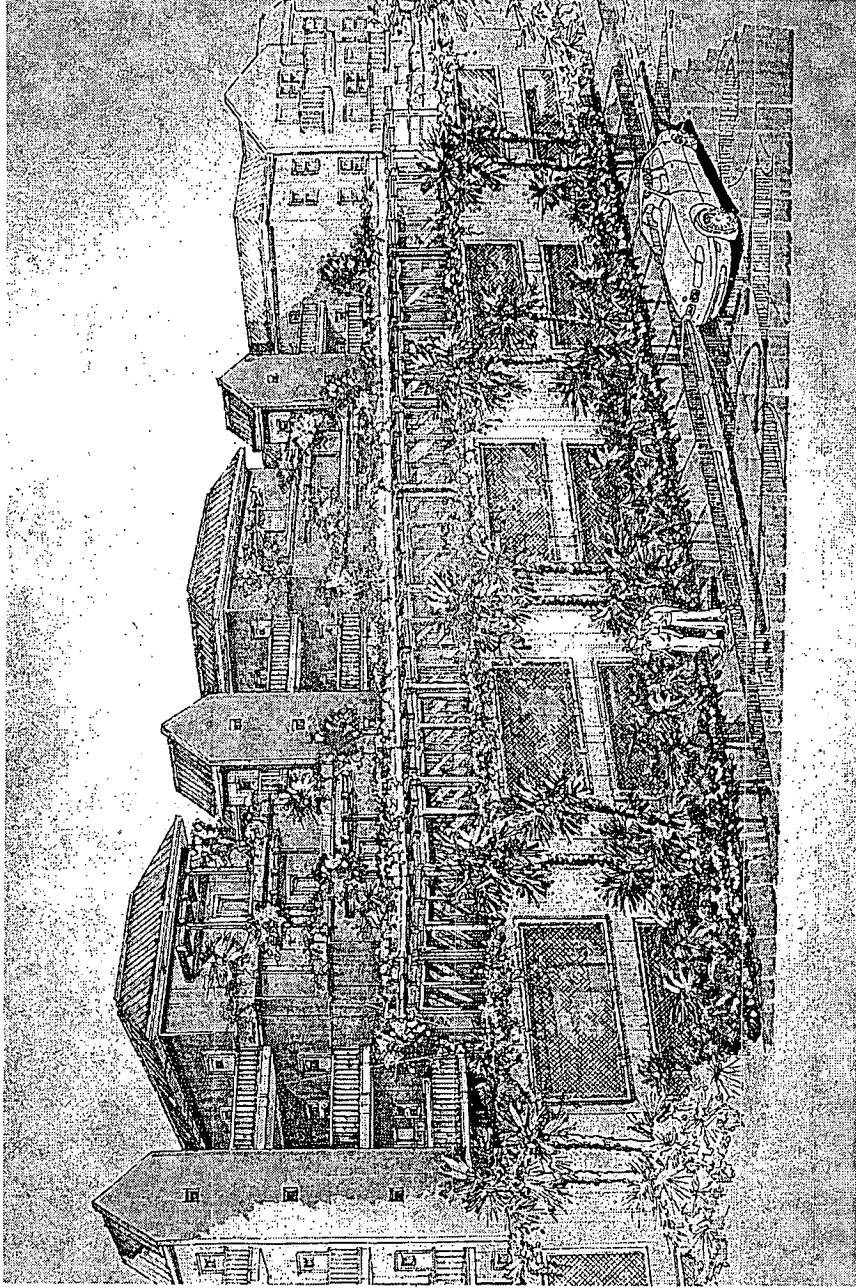
- Community Involvement
- Financial Savings - Independent Care vs. Assisted Living



**Provided By More Than Shelter For Seniors®*



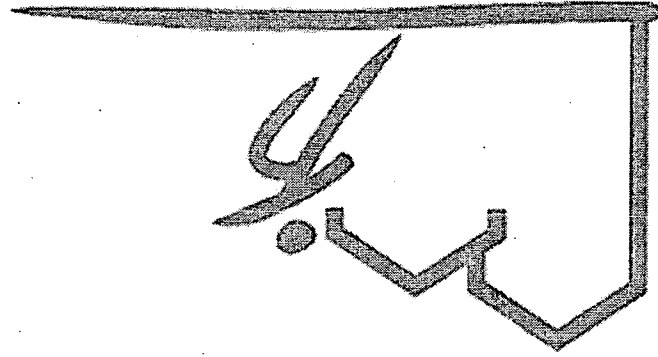
Meta Housing Corporation



Golden Age Senior Apartments



Meta Housing Corporation



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

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

ABEYANCE ITEM - CHILD CARE LICENSING BOARD – Steven J. Greco, Term
Expiration 6-2005 (Resigned)

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

As a candidate in the 2004 Special Election, Mr. Greco resigned his position with the Child Care Licensing Board, effective July 7, 2004, pursuant to LVMC 2.53.010, which requires any official serving as an appointee on a City board to render a resignation in order to be eligible to file for election to any other City office. Mr. Greco was the coterminous Ward 2 appointee. All members of this board must be City residents and fill unexpired terms. Additionally, no fewer than one and no more than three members must be currently licensed as owners or operators of child care facilities within the City. The other four citizen members are not required to fill a specific category. It will be necessary to fill this unexpired term. At the Council Meeting of July 21, 2004, this item was abeyed to August 4, 2004.

RECOMMENDATION:

Procedure for this Board is recommendation of a city resident by the Ward 2 Councilman, with concurrence of Council, to fill this unexpired term. The appointee may be a licensed operator of a child care facility or may be a citizen member.

BACKUP DOCUMENTATION:

1. Resignation letter from Steven J. Greco
2. Current Listing and Authority – Child Care Licensing Board
3. Board Interest Form – Tanya Ruddy

MOTION:

WOLFSON – Motion to APPOINT JANA TOMPKINS (Wolfson's appointment), 1628 Double Arrow Place, Las Vegas, Nevada 89128 - UNANIMOUS with BROWN excused

NOTE: MAYOR GOODMAN disclosed that the Child Care Licensing Board supervises the Meadows Preschool with which his wife is associated, but she has no proprietary interest therein. Based on some of the decisions of the Ethics Committee, the Mayor indicated he would be voting. CITY ATTORNEY JERBIC mentioned that the State Ethics Committee would be appearing before the City Council in September to explain some of the movement that has occurred with respect to abstentions and disclosures. Recently, the Ethics Committee members

CITY COUNCIL MEETING OF AUGUST 4, 2004
Boards and Commissions
Item 66 – Child Care Licensing Board

MOTION – Continued:

have voiced increasing concerns that individuals who are elected to represent constituents ought to disclose and should only abstain when absolutely necessary. They have been concerned about the kind of disclosures that elected officials make in various items. The direction in which they have been moving is that complete and thorough disclosure without an absolute conflict that would prohibit voting is probably appropriate in most cases. Therefore, the Mayor's disclosure is appropriate in this matter.

Clerk to notify

MINUTES:

COUNCILMAN WOLFSON noted that MS. TOMPKINS comes with a great deal of energy.

(9:56 – 9:59)

1-1750

05-17-04

City of Las Vegas
City Clerk's Office
400 Stewart Avenue
Las Vegas, NV 89101

Please be advised that I, Steve J. Greco am a candidate for the "Special Election" for the Ward 2 vacancy.

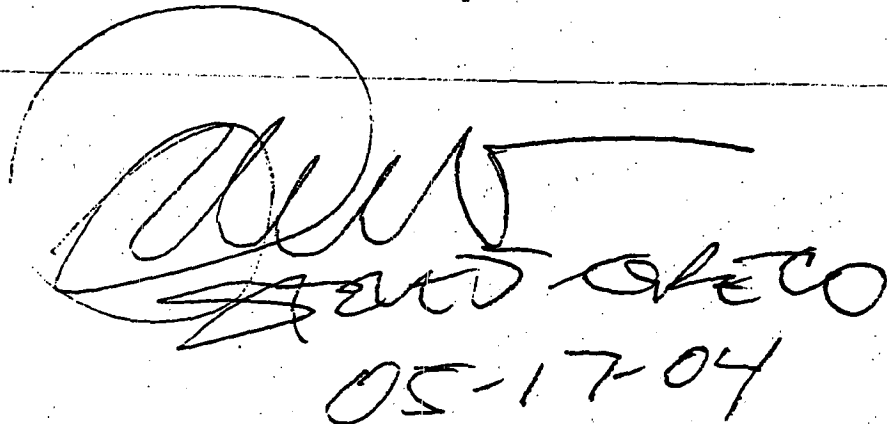
I currently serve on The City of Las Vegas Child Care Licensing Board. Please be advised that with this letter, I am providing notice that I will be resigning from this Board, under current law and information that was provided to myself from City Clerk's office.

This registration will become effective when the new Councilperson is sworn into office for Ward 2.

Sincerely,

Steve J Greco
1212 Enderly Lane
Las Vegas, NV 89144

702-304-1555
702-498-1720



STEVE GRECO
05-17-04

7-7-2004

CHILD CARE LICENSING BOARD

<u>MEMBERS</u>	<u>ADDRESS</u>	<u>ZIP CODE</u>	<u>ORIGINAL APPT.</u>	<u>TERM EXPIRES</u>
1) HAYES, MARY JANE * (Brown appointment)	2612 Ashby Avenue (Ward 4) Licensed Operator of Child Care Facility Representative	02	10-3-2001	6-2005
2) GRECO, STEVEN J. ~~(L. B. McDonald appointment)~~	~~1212 Enderly Lane (Ward 2)~~	~~44~~	~~10-29-2003~~ Resigned 7-7-2004	~~6-2005~~
3) CLODT, TERRY D. (Mayor Goodman appointment) (Mayor Pro-Tem Reese appointed for Mayor Goodman)	6936 Rosinwood St. (Ward 6)	31	12-17-2003	6-2007
4) SALM, MARYANNE ~~(Reese appointment)~~	~~1047 East Oakley Blvd. (Ward 3)~~	~~04~~	~~6-18-2003~~ Resigned 6-30-2004	~~6-2007~~
5) PROUD, JULIE (Moncrief appointment)	2509 Callita Court (Ward 1)	02	12-5-2001 (Reappt. 7-2-2003)	6-2007
6) BRUMWELL, LILLIANE G. (Weekly appointment) (Replaced Lolanda Bunch, resigned 3/10/2004)	9900 Shiloh School Lane Licensed Operator of Child Care Facility Representative	29	5-19-2004	6-1-2007
7.) JUNE GUNDERSON (Mack's appointment)	5409 Lucky Clover Street (Ward 6)	49	12-17-2003	6-2005

AUTHORITY:

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

MEMBERS:

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

TERM:

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

NOTES:

**MUST BE CITY RESIDENT. MUST FILL UNEXPIRED TERMS IF APPROPRIATE.
NO LIMIT TO NUMBER OF TERMS, WHICH MAY BE SERVED.**

(City Financial Disclosure no longer required due to adoption of Bill #2001-70, Ord. #5346, adopted 8-1-01. State Financial Disclosure no longer required due to passage of AB611 during 1999 Nevada State Legislature stipulating uncompensated Boards no longer required to file State form.) (Council to give special consideration to the background of appointees - qualifications, ability, education, experience, training, profession or occupation, availability and willingness to serve, etc.)

RESTRICTION:

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

PURPOSE:

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

MEETINGS:

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



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

2004 MAY -4 9:25
RECEIVED
CITY CLERK

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

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

The Child Care Licensing
Board

For office use only

CLV (Y) N _____

Ward 1

Date 5.4.04

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

N/A

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

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

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

N/A

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

Please submit to:

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

Fax: (702) 382-4803

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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

DEPARTMENT: CITY CLERK

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

SUBJECT:

BOARDS & COMMISSIONS:

ABEYANCE ITEM - CITIZENS PRIORITY ADVISORY COMMITTEE (CPAC) – John Medina, Term Expiration 6-2007 (Resigned)

Fiscal Impact

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

PURPOSE/BACKGROUND:

Terms of appointment on the Citizens Priority Advisory Committee (CPAC) are coterminous with the Councilmembers making the appointment. Members must be City residents and there is no limit to the number of terms, which may be served. Mr. Medina resigned because he is no longer a resident of the city. At the Council Meeting of July 21, 2004, this item was abeyed to August 4, 2004.

RECOMMENDATION:

Procedure for this Board is coterminous appointment by the appropriate member of Council. It will be necessary for Mayor Goodman to appoint a new representative to fill this unexpired term.

BACKUP DOCUMENTATION:

1. Resignation letter from John Medina
2. Current Listing and Authority – CPAC

MOTION:

GOODMAN – MOTION to APPOINT STEVE GRECO (Goodman's appointment) 1212 Enderly Lane 89144 – UNANIMOUS with BROWN excused

Clerk to notify

MINUTES:

There was no related discussion.

(9:59)
1-1871

Donna Willey

Subject: FW: Letter of Resignation

-----Original Message-----

From: Ann Bonk

Sent: Thursday, July 01, 2004 3:34 PM

To: Donna Willey

Subject: FW: Letter of Resignation

-----Original Message-----

From: Medina, John [mailto:MedinaJA@nv.doe.gov]

Sent: Wednesday, June 30, 2004 4:33 PM

To: abonk@LasVegasNevada.GOV

Subject: Letter of Resignation

Mark: Please accept this e-mail, as my letter of my resignation from the Citizens Priority Advisory Committee. I will be leaving the City of Las Vegas in a few weeks and therefore cannot continue to serve on the board. Please extend to Mayor Goodman my sincere appreciation for giving me the opportunity to serve on the Committee and working with you, your staff and the other Board Members. It has been an honor and privilege and I am grateful to have been given the opportunity. Again Thank You Very Much for the opportunity and I wish you, the Committee and the City of Las Vegas much success in the future.....Best Regards.....John

C.P.A.C.
CITIZENS PRIORITY ADVISORY COMMITTEE
(Budget review)

<u>MEMBERS</u>	<u>ADDRESS</u>	<u>ZIP CODE</u>	<u>ORIGINAL APPT.</u>	<u>TERM EXPIRES</u>
1. DUNCAN R. LEE (L. Boggs-McDonald Appointment)	9631 Orient Express Court (Ward 2)	145 (Coterminous term with elected official)	6-20-01	6-2005
2. PEARSON, BRIAN CRAIG (Brown's Appointment)	542 Artola Street (Ward 5)	144 (Reapp. 6-20-2001) (Coterminous term with elected official)	3-9-98	6-2005
3. JUDD, BEN (Reese's Appointment)	1008 James Street (Ward 3)	101 (Coterminous term with elected official) (Reapp. 6-18-2003)	10-18-00	6-2007
4. BUTTERS, RONALD L. (Moncrief's Appointment)	1208 Ventura Hills Street (Ward 2)	134 (Reapp. 9-1-1999)(Reapp. 7-2-2003) (Coterminous term with elected official)	4-13-98	6-2007
5. MEDINA, JOHN (Goodman's Appointment)	109 Hyman Place (Ward 2)	128 (Reapp. 7-16-2003) (Coterminous term with elected official) Resigned 6-30-2004	9-1-99	6-2007
6. SAYLES, JOSEPH (Weekly's Appointment)	316 Mike Circle (Ward 5)	106 (Reapp. 5-16-2001) (Reapp. 7-16-2003) (Coterminous term with elected official)	10-4-00	6-2007
7. HARRISON, LORI (Mack's Appointment)	7300 Heggie Avenue (Ward 6)	131 (Reapp. 5-16-2001) (Coterminous term with elected official)	9-20-00	6-2005

AUTHORITY:

Simple Council action on 11-20-91 and 12-4-91 to disband CPAC as it existed under Resolution dated 11-7-84, and restructure such that: committee consists of 5 members - 1 appointed by each Council member - with terms of the appointees running concurrent with the term of office of the elected official who made the appointment. **Amended by Council action 4-5-2000 to increase the membership to 7 members due to increase by two Councilpersons (Wards 5 and 6).**

TERM:

Must run concurrent with term of elected official who made appointment. No limit to the number of terms.

NOTES:

MUST BE CITY RESIDENT per Bill 90-51, Ordinance 3527.

Must be residents of City, but not necessarily the Ward of the appointing Council member.

No financial disclosure requirement.

DEPARTMENT SUPPORT:

Finance

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

DEPARTMENT: CITY CLERK

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

SUBJECT:

BOARDS & COMMISSIONS:

AUDIT OVERSIGHT COMMITTEE – Michael W. Kern, Term Expiration 8-16-2004

Fiscal Impact

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

PURPOSE/BACKGROUND:

The City of Las Vegas Audit Oversight Committee was created by City Council Resolutions R-49-98 and R-117-98 for the purpose of overseeing various aspects of the City's internal audit function. Two members must be specifically identified members of the City Council and three members must be from the community-at-large. Mr. Kern fills a community-at-large seat and he is not eligible for reappointment, as he has served two terms. There is no city residency requirement.

RECOMMENDATION:

Procedure for this Committee requires appointment by the Mayor, subject to ratification by the City Council. It will be necessary to appoint a community-at-large member to fill Mr. Kern's seat.

BACKUP DOCUMENTATION:

City of Las Vegas Audit Oversight Committee Listing and Authority

MOTION:

GOODMAN – ABEYANCE to 8/18/2004 – UNANIMOUS with BROWN excused

NOTE: MAYOR GOODMAN and COUNCILMEMBERS MACK, WEEKLY, and MONCRIEF disclosed that MR. KERN serves as their campaign treasurer. They did not believe it would have any bearing because he is not a paid consultant for this board. CITY ATTORNEY JERBIC indicated that they did not have a pecuniary relationship with MR. KERN and he does not receive compensation for serving on this Committee; therefore, disclosure would be appropriate.

MINUTES:

MAYOR GOODMAN indicated he received a request to hold this matter for two weeks because there are certain matters the Committee is considering.

(9:59 – 10:01)

1-1896

CITY OF LAS VEGAS AUDIT OVERSIGHT COMMITTEE

<u>MEMBERS</u>	<u>ADDRESS</u>	<u>ZIP CODE</u>	<u>ORIGINAL APPT.</u>	<u>TERM EXPIRES</u>
1) COUNCILMAN LAWRENCE WEEKLY	400 Stewart Avenue	89101	6/18/2003	6/18/2005
2) COUNCILMAN LARRY BROWN	400 Stewart Avenue	89101	7/03/2002 (Reappointed 7/7/2004)	7/07/2006
3) PAUL WORKMAN VP, Asset Dev. Officer Loan & Lease Placement	7251 W. Lake Mead, #108	89128	9/04/2002	9/04/2004
4) JOSE TRONCOSO	2028 Sedona Creek Circle	89128	9/18/2002	9/18/2004
5) MICHAEL W. KERN, CPA PIERCY, BOWLER, TAYLOR & KERN	6100 Elton Avenue, Suite 1000	89107	8/16/2000 (Reappointed 8/7/2002)	8/16/2004

AUTHORITY: Created by Resolution R-49-98, 5-26-98 (Member Amendment - Resolution R-117-98, 12-7-98).

MEMBERS: 5 MEMBERS appointed by the Mayor subject to ratification by the City Council
(Two specifically identified members of the City Council and three members of the community-at-large)

TERM: Members shall each serve a term of two years, or until a successor is appointed.
Members may be removed and replaced by the Mayor, subject to Council ratification

NOTES: NO CITY RESIDENCY REQUIREMENT
LIMIT TO NUMBER OF TERMS WHICH MAY BE SERVED (No member shall serve more than two terms which shall include any unexpired term if applicable.)
NO FINANCIAL DISCLOSURE REQUIRED

PURPOSE: The Committee shall have responsibility and authority to perform the following:

- Review and evaluate public reports generated by the internal audit function;
- Evaluate the general effectiveness of the audit program no less often than annually;
- Discuss potential audit assignments and give direction to the City Manager and City Auditor concerning current assignments and anticipated assignments for the upcoming twelve months;
- As individual Committee members and as deemed appropriate, interview applicants for the position of City Auditor and, as a Committee, provide recommendations with regard to the appointment;
- Provide recommendations concerning potential changes to the City Charter concerning the audit function;
- Oversee and reinforce compliance to the City's Internal Audit Policy; and
- Provide such other guidance as necessary in promoting the effectiveness of the audit function.

MEETINGS: The Committee shall meet with the City Auditor and City Manager not less than once per quarter; meetings are subject to the provisions of the Open Meeting Law.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

DEPARTMENT: CITY CLERK

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

SUBJECT:

BOARDS & COMMISSIONS:

CHILD CARE LICENSING BOARD – Maryanne Salm, Term Expiration 6-2007 (Resigned)

Fiscal Impact

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

PURPOSE/BACKGROUND:

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Resignation letter from Maryanne Salm
2. Current Listing and Authority – Child Care Licensing Board
3. Board Interest Form – Tanya Ruddy

MOTION:

REESE – Motion to APPOINT JoNELL THOMPSON (Reese's appointment), 1509 5th Place, Las Vegas, Nevada 89102 – UNANIMOUS with BROWN excused

MINUTES:

COUNCILMAN REESE said that MS. THOMPSON will do a great job on this board because she is very active in Ward 3.

(10:01 – 10:02)

1-1969

June 30, 2004

City Councilman Gary Reese
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Dear Councilman Reese:

It is with deep regret that I write you to notify you of my resignation as a member of the Child Care Licensing Board. I have been battling health issues that have made it difficult to give this position the attention that is required.

I thank you for appointing me to this position, and regret any inconvenience this may cause.

Sincerely,



Maryanne Salm
1047 E. Oakey
Las Vegas, NV 89104
(702)895-6779

Cc: Wendy Smith, Business Services Supervisor

RECEIVED
CITY CLERK
2004 JUL - 7 P 1:00

CHILD CARE LICENSING BOARD

<u>MEMBERS</u>	<u>ADDRESS</u>	<u>ZIP CODE</u>	<u>ORIGINAL APPT.</u>	<u>TERM EXPIRES</u>
1) HAYES, MARY JANE * (Brown appointment)	2612 Ashby Avenue (Ward 4) Licensed Operator of Child Care Facility Representative	02	10-3-2001	6-2005
2) GRECO, STEVEN J. ~~(L. B. McDonald appointment)~~	~~1212 Enderly Lane (Ward 2)~~	~~44~~	~~10-29-2003~~ Resigned 7-7-2004	~~6-2005~~
3) CLODT, TERRY D. (Mayor Goodman appointment) (Mayor Pro-Tem Reese appointed for Mayor Goodman)	6936 Rosinwood St. (Ward 6)	31	12-17-2003	6-2007
4) SALM, MARYANNE ~~(Reese appointment)~~	~~1047 East Oakley Blvd. (Ward 3)~~	~~04~~	~~6-18-2003~~ Resigned 6-30-2004	~~6-2007~~
5) PROUD, JULIE (Moncrief appointment)	2509 Callita Court (Ward 1)	02	12-5-2001 (Reappt. 7-2-2003)	6-2007
6) BRUMWELL, LILLIANE G. (Weekly appointment) (Replaced Lolanda Bunch, resigned 3/10/2004)	9900 Shiloh School Lane Licensed Operator of Child Care Facility Representative	29	5-19-2004	6-1-2007
7) JUNE GUNDERSON (Mack's appointment)	5409 Lucky Clover Street (Ward 6)	49	12-17-2003	6-2005

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

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

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

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

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

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

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



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

RECEIVED
CITY CLERK

2004 MAY -4 9:25

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

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

The Child Care Licensing
Board

For office use only

CLV (Y) N

Ward 1

Date 5.4.04

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

N/A

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

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

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

N/A

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

Please submit to:

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

Fax: (702) 382-4803

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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

DEPARTMENT: CITY CLERK

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

SUBJECT:

BOARDS & COMMISSIONS:

NELLIS CIVILIAN MILITARY COUNCIL EXECUTIVE BOARD – Members serve until replaced

Fiscal Impact

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

PURPOSE/BACKGROUND:

This board consists of the Mayors of Las Vegas, North Las Vegas, Henderson and Boulder City, Chairman of the Clark County Board of Commissioners, Nellis AFB Commanders and the Commander of the Nellis Support Team or his designee. As part of Mayor Goodman's Council appointments to various City of Las Vegas and other jurisdictional Boards, Commissions and Authorities, he is to appoint a member of Council to serve as an alternate member on this board. This item was on the July 21, 2004 Council agenda and placed on the August 4, 2004 Council agenda for clarification.

RECOMMENDATION:

Mayor Goodman to appoint an alternate member of Council to serve on the board.

BACKUP DOCUMENTATION:

Current Listing and Authority of the Board

MOTION:

GOODMAN – MOTION to APPOINT: COUNCILMAN LARRY BROWN as alternate – UNANIMOUS with BROWN excused

MINUTES:

There was no discussion.

(10:02)

1-1995

7-21-2004

NELLIS CIVILIAN MILITARY COUNCIL EXECUTIVE BOARD

Member	Appt. Date	Exp./ Notes
Councilman Larry Brown	9-17-2003	
Alternate: Councilman Steve Wolfson	7-21-2004	

Term: Until Replaced

Appointment: Board consists of the following:

Mayors from Las Vegas, North Las Vegas, Henderson, and Boulder City;

Chairman of the Clark County Board of Commissioners;

Nellis AFB Commanders, 57th Wing, 99th Air Base Wing and 98th Range Wing;

Commander of the Nellis Support Team or designee.

Purpose: To maintain a strong, fruitful and continuous working partnership between the military presence in the State of Nevada and the civilian communities.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

DEPARTMENT: BUSINESS DEVELOPMENT**DIRECTOR: SCOTT D. ADAMS**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

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

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

On June 2, 2004, ODP was authorized to enter into an Agreement to Negotiate Exclusively (Agreement) with CityMark to negotiate terms of a Disposition and Development Agreement (DDA). The negotiation period of the Agreement was sixty days (expiring August 1, 2004) with a \$50,000 good faith deposit. CityMark and ODP have been engaged in good faith negotiations on terms of a DDA and an extension of the negotiation period to October 6, 2004, with an additional good faith deposit of \$50,000, will allow for the completion of negotiations.

RECOMMENDATION:

The 8/2/2004 Real Estate Committee and staff recommend authorizing the President of Office District Parking I, Inc., to execute an Amendment to Agreement to Negotiate Exclusively with CityMark Development LLC to extend the negotiation period to negotiate a Disposition and Development Agreement for the Site.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Site Map
3. Amendment to Agreement to Negotiate Exclusively
4. Disclosure of Principals

MOTION:

MONCRIEF – APPROVED as recommended – UNANIMOUS with BROWN excused

MINUTES:

SCOTT ADAMS, Director, Office of Business Development, explained that this involved an amendment to the agreement to negotiate with CityMark for an additional 60 days, requiring an

CITY COUNCIL MEETING OF AUGUST 4, 2004

Real Estate

Item 71 - Discussion and possible action regarding an Amendment to Agreement to Negotiate Exclusively to extend the negotiation period between CityMark Development LLC, (CityMark) and Office District Parking I, Inc., (ODP) for the site located at 3rd Street and Bonneville Avenue totaling approximately 2.38 acres, APN 139-34-311-095 to -102 and -105 to -110 (receipt of additional \$50,000 deposit) - Ward 1 (Moncrief)

MINUTES – Continued:

additional \$50,000 earnest money deposit. The company needs more time because the underground parking has to be redesigned for above ground. He noted that several staff members visited with CityMark in San Diego to look at several of their projects, and staff found them to be high quality. Staff feels comfortable with CityMark as a developer and, therefore, recommends approval. COUNCILWOMAN MONCRIEF said she was very impressed with the projects she saw in San Diego.

(10:02 – 10:05)

1-2023

AGENDA MEMO

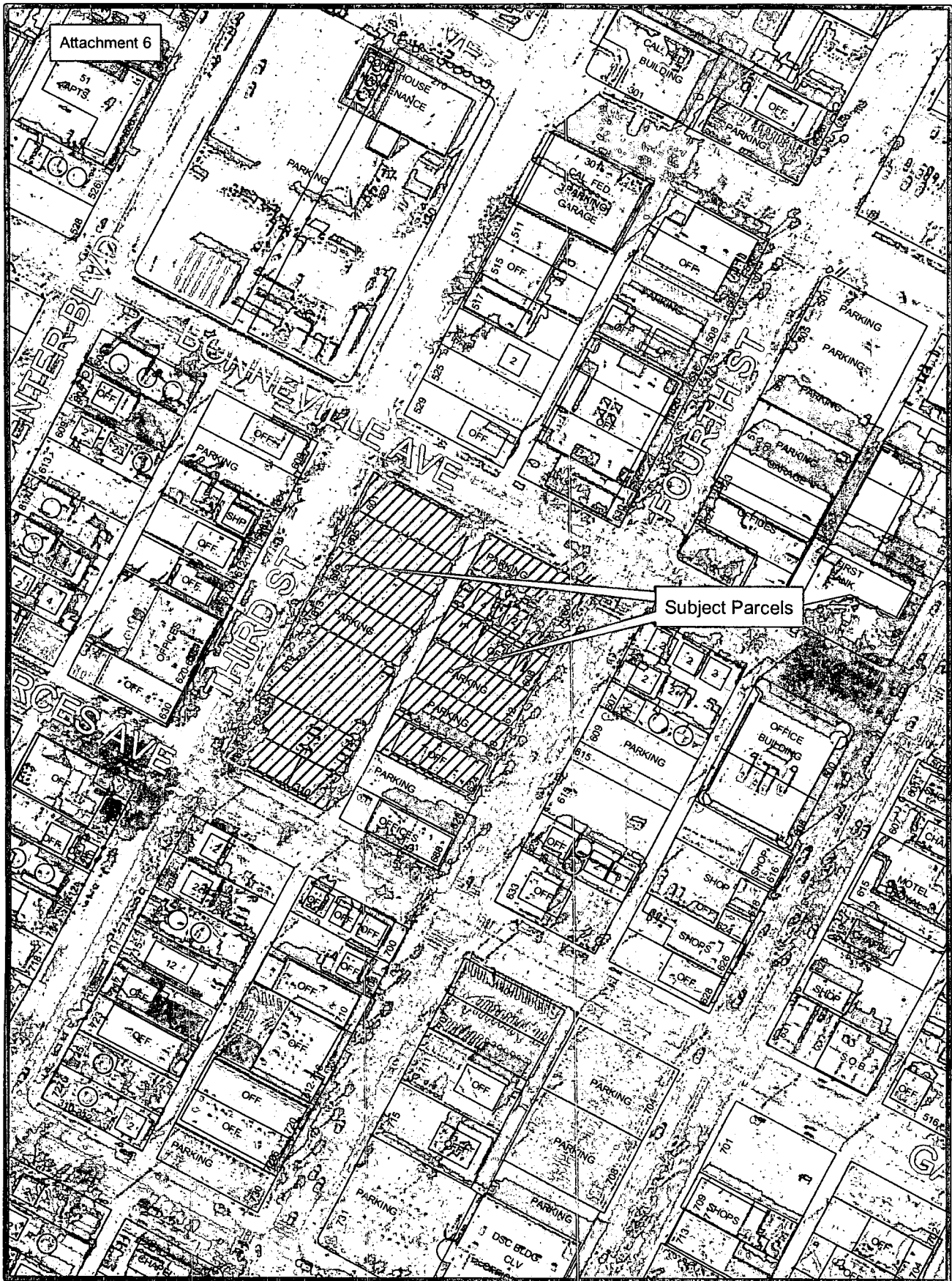
CITY COUNCIL MEETING DATE: AUGUST 4, 2004

DEPARTMENT: BUSINESS DEVELOPMENT

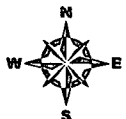
ITEM DESCRIPTION: Discussion and possible action regarding an Amendment to extend the negotiation period of the Agreement to Negotiate Exclusively between CityMark Development, LLC and Office District Parking I, Inc.

1. On June 2, 2004, Office District Parking I, Inc. (ODP), a wholly owned subsidiary of the City, was authorized to enter into an Agreement to Negotiate Exclusively (Agreement) with CityMark Development, LLC (CityMark) to negotiate terms of a Disposition and Development Agreement (DDA) for the site located at 3rd St. and Bonneville Ave. totaling approximately 2.38 acres.
2. The initial negotiation period of the Agreement was sixty (60) days (expiring August 1, 2004) with ODP being in receipt of a \$50,000 good faith deposit from CityMark.
3. CityMark and ODP have been in good faith negotiations on the terms of a DDA during the negotiation period and CityMark has requested an extension of the negotiation period to October 6, 2004, with an additional good faith deposit of \$50,000 (for a total deposit of \$100,000). An extension of the negotiation period is needed to complete final negotiation of terms of a DDA.
4. Should CityMark fail to negotiate in good faith on the terms of a DDA, such good faith deposits may be retained by ODP.
5. Terms of a DDA that are in negotiation include (but are not limited to): a. Purchase price; b. Earnest money deposit; c. Scope of improvements; and, d. Schedule of performance.
5. Upon negotiation of mutually agreeable terms, the DDA will be presented to City Council for consideration.
6. CityMark is proposing to build an urban density residential project of approximately 316 units for-sale at market rate (including 10 live/work units), approximately 14,000 square feet of mixed-use retail space at street level and approximately 600 parking spaces on site.

Attachment 6



Site Map



AMENDMENT TO AGREEMENT TO NEGOTIATE EXCLUSIVELY

THIS AMENDMENT TO AGREEMENT TO NEGOTIATE EXCLUSIVELY ("Amendment") is entered into this 4 day of August, 2004, by OFFICE DISTRICT PARKING I, INC., a Nevada nonprofit corporation (hereinafter "Seller") and CITYMARK DEVELOPMENT, LLC, a California Limited Liability Company (hereinafter "Developer").

WHEREAS, the Developer and Seller entered into an Agreement to Negotiate Exclusively dated June 2, 2004 (hereinafter "Agreement") to negotiate exclusively for Developer's proposed purchase and development of the Site Pursuant to a DDA at the conclusion of the Negotiation Period as defined in the Agreement;

WHEREAS, pursuant to the Agreement Developer has previously deposited the sum of \$50,000 with Seller;

WHEREAS, the Agreement currently has a term of sixty (60) days which will expire on August 1, 2004;

WHEREAS, the Developer and Seller mutually desire to extend such term until October 6, 2004; and

WHEREAS, capitalized terms which are defined in this Amendment have the meanings given them in the Agreement.

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

1. Negotiation Period. Article I.B.[102] Negotiation Period of the Agreement is hereby deleted in its entirety and the following substituted in lieu thereof:

B. [102] Negotiation Period

The term of this Agreement (hereinafter "Negotiation Period") shall commence on June 2, 2004 extend to and expire on October 6, 2004. If upon expiration of the Negotiation Period, Developer has not signed and submitted the DDA to Seller, then this Agreement shall automatically terminate.

2. Deposit. Prior to execution of this Amendment by both parties, Developer shall submit to Seller the sum of Fifty Thousand Dollars (\$50,000.00) (the "Additional Deposit"). Upon approval of this Amendment by the Las Vegas City Council and the execution and delivery of this Amendment by Seller and Developer, the Additional Deposit shall be deemed to be part of the Deposit under Article III.[300] Deposit and Purchase Price, and the term "Deposit" as used in the Agreement shall be deemed amended to refer to the sum of \$100,000, i.e., both the original Deposit referred to in the Agreement and the Additional Deposit hereunder. Seller acknowledges that the Deposit, as increased by this Amendment, may be applied toward the purchase price under the DDA unless required under the terms of the Agreement to be returned to Developer or retained by Seller.

3. Effect. Except as expressly set forth in this Amendment, the Agreement shall remain in full force and effect in all respects. In the event of any conflict between the terms of this Amendment and the Agreement, this Amendment shall govern and control.

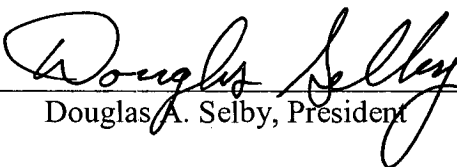
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IN WITNESS WHEREOF, the parties hereto have caused this Amendment as of the date set forth above.

OFFICE DISTRICT PARKING I, INC.

By 
Douglas A. Selby, President

ATTEST:


Steven P. Houchens, Secretary

APPROVED AS TO FORM:

 7/22/07
Date

CITYMARK DEVELOPMENT, LLC, a California
Limited Liability Company

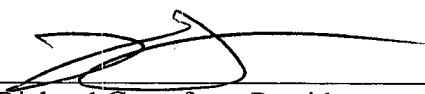
By 
Richard Gustafson, President
"Developer"

EXHIBIT A

Legal Description

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

In addition to the property described above, the Site shall include the alley, which has been vacated to the City of Las Vegas under a separate agreement.

1. Definitions

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

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

Block 3 Type of Business

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

CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS (CONTINUED)

Block 4 Disclosure of Ownership and Principals

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

	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1.	Richard Gustafson/President	701 B Street, Suite 1100 San Diego	(619)231-1161
2.	Russell Haley/Vice President	701 B Street, Suite 1100 San Diego, CA	(619) 231-1161
3.	Vince Henigman/Secretary	701 B Street, Suite 1100, San Diego, CA	(619) 231-1161
4.			
5.			
6.			
7.			
8.			
9.			
10.			

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

Block 5 DISCLOSURE OF OWNERSHIP AND PRINCIPALS – ALTERNATE

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

Name of Attached Document: N/A

Name of Attached Document: _____ Number of Pages: _____

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

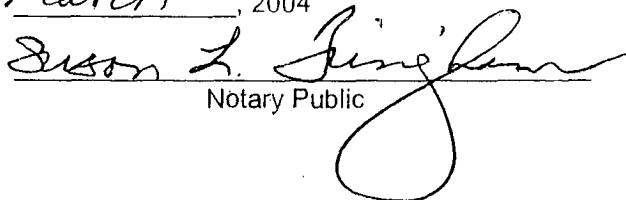

 Name Richard Gustafson

3/26/04

Date

Subscribed and sworn to before me this 26 day of

March, 2004


 Notary Public



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-47 – Annexation No. ANX-4245 – Property location: On the south side of Grand Teton Drive, 660 feet east of Puli Drive; Petitioned by: Southwest Desert Equities, LLC; Acreage: 5.20 acres; Zoned: R-U (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the south side of Grand Teton Drive, 660 feet east of Puli Drive. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (August, 13, 2004) is set by this ordinance.

RECOMMENDATION:

ADOPTION at 8/4/2004 City Council meeting pursuant to the 7/19/2004 Recommending Committee.

First Reading – 7/7/2004; First Publication – 7/23/2004

BACKUP DOCUMENTATION:

Bill No. 2004-47 and Location Map

MOTION:

WEEKLY - Second Reading and BILL ADOPTED as recommended as Ordinance No. 5711 – UNANIMOUS with BROWN excused

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(11:19 – 11:20)

2-1523

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-48 – Annexation No. ANX-4428 – Property location: On the north side of Log Cabin Way between Durango Drive and El Capitan Way; Petitioned by: William Miller, et al; Acreage: 5.79 acres; Zoned: R-A (County zoning), R-E and R-PD2 (City equivalents).
Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the north side of Log Cabin Way between Durango Drive and El Capitan Way. The annexation is at the request of the property owners, but is part of a combined effort by the City, the County and the property owners to correct mapping errors that created lots bisected by the City-County boundary line. The annexation process has now been completed in accordance with the NRS and the final date of annexation (August 13, 2004) is set by this ordinance.

NOTE: The property is predominantly developed with single-family homes.

RECOMMENDATION:

ADOPTION at 8/4/2004 City Council meeting pursuant to the 7/19/2004 Recommending Committee.

First Reading – 7/7/2004; First Publication – 7/23/2004

BACKUP DOCUMENTATION:

Bill No. 2004-48 and Location Map

MOTION:

WEEKLY - Second Reading and BILL ADOPTED as recommended as Ordinance No. 5712 – UNANIMOUS with BROWN excused

MINUTES:

There was no discussion.

(11:20)

2-1546

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-49 – Annexation No. ANX-4451 – Property location: On the southeast corner of Hualapai Way and Dorrell Lane; Petitioned by: Hualapai Nevada, LLC; Acreage: 5.39 acres; Zoned: R-E (County zoning), U (R) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the southeast corner of Hualapai Way and Dorrell Lane. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (August 13, 2004) is set by this ordinance.

RECOMMENDATION:

ADOPTION at 8/4/2004 City Council meeting pursuant to the 7/19/2004 Recommending Committee.

First Reading – 7/7/2004; First Publication – 7/23/2004

BACKUP DOCUMENTATION:

Bill No. 2004-49 and Location Map

MOTION:

WEEKLY - Second Reading and BILL ADOPTED as recommended as Ordinance No. 5713 – UNANIMOUS with BROWN excused

MINUTES:

There was no discussion.

(11:20 – 11:21)

2-1565

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-50 – Establishes standards and procedures, in accordance with State law, to ensure that adequate infrastructure and public facilities are available to serve the eventual development of undeveloped areas. Proposed by: Douglas Selby, City Manager

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

State law authorizes local governments to enter into development agreements to provide for infrastructure and public facilities in areas that are “relatively undeveloped and likely to become developed.” Typical of such areas are those in which property is available for purchase from the Bureau of Land Management. This bill will require development in such areas to be in accordance with a development agreement that makes adequate provision for infrastructure and public facilities.

RECOMMENDATION:

ADOPTION at 8/4/2004 City Council meeting pursuant to the 7/19/2004 Recommending Committee.

First Reading – 7/7/2004; First Publication – 7/23/2004

BACKUP DOCUMENTATION:

Bill No. 2004-50

MOTION:

WEEKLY - Second Reading and BILL ADOPTED as recommended as Ordinance No. 5714 – UNANIMOUS with BROWN excused

MINUTES:

There was no discussion.

(11:21)

2-1582

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. Z-2004-3 – Amends the City's Official Zoning Map Atlas by changing the zoning designations of certain parcels of land (nonresidential). Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will amend the zoning map to change the zoning designations of approximately 156 parcels. The rezoning of these parcels has already been approved by the City Council. This bill merely formalizes the rezoning by ordinance.

RECOMMENDATION:

ADOPTION at 8/4/2004 City Council meeting pursuant to the 7/19/2004 Recommending Committee.

First Reading – 7/7/2004; First Publication – 7/23/2004

BACKUP DOCUMENTATION:

Bill No. Z-2004-3

MOTION:

WEEKLY - Second Reading and BILL ADOPTED as recommended as Ordinance No. 5715 – UNANIMOUS with BROWN excused

MINUTES:

There was no discussion.

(11:21 – 11:22)

2-1602

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. Z-2004-4 – Amends the City's Official Zoning Map Atlas by changing the zoning designations of certain parcels of land (residential). Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will amend the zoning map to change the zoning designations of approximately 2,282 parcels. The rezoning of these parcels has already been approved by the City Council. This bill merely formalizes the rezoning by ordinance.

RECOMMENDATION:

ADOPTION at 8/4/2004 City Council meeting pursuant to the 7/19/2004 Recommending Committee.

First Reading – 7/7/2004; First Publication – 7/23/2004

BACKUP DOCUMENTATION:

Bill No. Z-2004-4

MOTION:

WEEKLY - Second Reading and BILL ADOPTED as recommended as Ordinance No. 5716 – UNANIMOUS with BROWN excused

MINUTES:

There was no discussion.

(11:22)

2-1621