

City of Las Vegas

Sw

**RECOMMENDING COMMITTEE MEETING
CITY HALL, 400 STEWART AVENUE
CITY MANAGER'S CONFERENCE ROOM, EIGHTH FLOOR
CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.lasvegasnevada.gov>
TUESDAY, MAY 17, 2005
4:00 P.M.**

RECOMMENDING COMMITTEE - COUNCILMAN WOLFSON AND COUNCILWOMAN TARKANIAN

THE RECOMMENDING COMMITTEE WILL RECEIVE PUBLIC INPUT ON EACH ITEM OF LEGISLATION BEING CONSIDERED. THE RECOMMENDING COMMITTEE MAY, THEREAFTER, CONTINUE THE HEARING TO A FUTURE DATE OR FORMULATE A RECOMMENDATION TO THE CITY COUNCIL FOR PASSAGE, REJECTION OR AMENDMENT OF THE PROPOSED BILL.

ANY MEMBER OF THE CITY COUNCIL MAY SUBSTITUTE FOR A MEMBER OF THE RECOMMENDING COMMITTEE AT ANY TIME.

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- 1. Bill No. 2005-26 - Annexation No. ANX-3026 - Property location: On the north side of Moccasin Road, between the Buffalo Drive alignment to the east and Spinn Ranch Road to the west, Petitioned by City of Las Vegas, Acreage 7,683 acres; Zoned: R-U (County zoning), U (RC) (City equivalent) Sponsored by Councilman Michael Mack
- 2. Bill No. 2005-27 - Annexation No. ANX-5528 - Property location: Bounded by Iron Mountain Road to the south, Puh Road to the west, Hualapai Way to the east, and Moccasin Road to the north, Petitioned by Southwest Desert Equities, LLC, et al.; Acreage 538.42 acres, Zoned R-U (County zoning), U (PCD) (City equivalent). Sponsored by Councilman Michael Mack
- 3. Bill No. 2005-28 - Annexation No. ANX-6042 - Property location: On the west side of Jones Boulevard, between Tropical Parkway and El Campo Grande Avenue; Petitioned by Leech West, LLC, Acreage 9.63 acres, Zoned R-E (County zoning), U (R) (City equivalent) Sponsored by: Councilman Michael Mack
- 4. Bill No. 2005-29 - Annexation No. ANX-6060 - Property location: On the west side of Balsam Street, 270 feet south of Lone Mountain Road, Petitioned by Serge Charbonneau, et al., Acreage: 2.79 acres, Zoned R-E (County zoning), R-E (City equivalent) Sponsored by: Councilman Michael Mack
- 5. Bill No. 2005-30 - Levies Assessment for Special Improvement District No. 1485 - Alta Drive (Rancho Drive to approximately 275 feet west of Lacy Lane) (Landscape Maintenance FY2006) Sponsored by: Step Requirement

CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE COMMITTEE. NO SUBJECT MAY BE ACTED UPON BY THE COMMITTEE 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.

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continued

RECOMMENDING COMMITTEE MEETING
TUESDAY, MAY 17, 2005
Page 2

ALL INTERESTED PERSONS ARE INVITED TO ATTEND: A tape recording of all the proceedings will be kept on file in the Office of the City Clerk until final disposition is made. Copies of the above Bills may be obtained through the Office of the City Clerk, Monday through Friday, 8:00 A.M. to 5:00 P.M.

Facilities are provided throughout City Hall for the convenience of disabled persons. Reasonable efforts will be made to assist and accommodate physically handicapped persons. 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.

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

(Mailing required under the provisions of NRS Chapter 241)

Paula Clark, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the **10th** day of **May**, 2005, a copy of a NOTICE, the attached of which is a true and correct copy of the Public Hearing - re: **Recommending Committee Meeting**, to be held on the **17th** day of **May, 2005**, was deposited in the United States Mail, Postage prepaid, First Class Mail, to each person and/or organization whose name appears on the list maintained in the Office of the City Clerk.

Paula Clark

City Clerk
DEPARTMENT

11th day of May, 2005

Alene Lemans

 **ARLENE COLEMAN**
Notary Public State of Nevada
No. 00-66111-1
My appt exp. Nov. 13, 2008

RECOMMENDING COMMITTEE AGENDA **RECOMMENDING COMMITTEE MEETING OF: MAY 17, 2005**

- CALL TO ORDER

MINUTES:

PRESENT: COUNCILMEMBERS WOLFSON and TARKANIAN

Also Present: DEPUTY CITY MANAGER STEVE HOUCHENS, CHIEF DEPUTY CITY ATTORNEY VAL STEED, and DEPUTY CITY CLERK GABRIELA PORTILLO-BRENNER

- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

ANNOUNCEMENT MADE - meeting 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

(4:00)

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AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: MAY 17, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2005-26 - Annexation No. ANX-3026 - Property location: On the north side of Moccasin Road, between the Buffalo Drive alignment to the east and Spin Ranch Road to the west; Petitioned by: City of Las Vegas; Acreage: 7,683 acres; Zoned: R-U (County zoning), U (RC) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact:

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No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes or re-annexes certain real property generally located as described above. The annexation is at the request of the City, with a statement of non-objection having been filed by the Bureau of Land Management as owner. The annexation was previously the subject of Ordinance No. 5657, recorded in 2004, but is being reprocessed because of a possible misreading of State law concerning the annexation procedure to be used. This bill will accomplish the annexation/reannexation and establish appropriate effective dates.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

Bill No. 2005-26 and Location Map

MOTION:

COUNCILWOMAN TARKANIAN recommended Bill 2005-26 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WOLFSON concurred.

MINUTES:

COUNCILMAN WOLFSON declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED stated this matter involves a rare long-form annexation. The subject property was annexed by short form last year, but it turned out non-eligible. Staff, therefore, is now following up with a long form. He noted that public hearings were held and that the Bureau of Land Management, the sole proprietor, is on concurrence.

No one appeared in opposition.

COUNCILMAN WOLFSON declared the Public Hearing closed.

(4:00 - 4:02)

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BILL NO. 2005-26

ORDINANCE NO. _____

AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-3026)

Sponsored by: Councilman Michael Mack Summary: Annexes property described generally as located on the north side of Moccasin Road, between the Buffalo Drive alignment to the east and Spin Ranch Road to the west.

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

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

- Township 18 South, Range 59 East, Mount Diablo Meridian
Sections 22, 23, and 24.
- Township 18 South, Range 60 East, Mount Diablo Meridian
Sections 19, 20, and 21;
Sections 28, 29, 30, 31, 32, and 33.

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

- A. The area to be annexed was contiguous to the City's boundaries at the time the annexation proceedings were instituted;

- 1 B. More than one-eighth (1/8) of the aggregate external boundaries of the area
2 are contiguous to the City;
- 3 C. The territory proposed to be annexed is not included within the boundaries
4 of another incorporated city or within the boundaries of any unincorporated
5 town as those boundaries existed as of July 1, 1983;
- 6 D. The territory in question is eligible to be annexed to the City because it is
7 property owned by a governmental entity, and the City received a written
8 statement from that entity indicating that it owns the territory and does not
9 object to the City's annexation of the territory.
- 10 E. In compliance with the procedural requirements of NRS Chapter 268, the
11 City is authorized to annex the territory in question because:
- 12 (1) In accordance with NRS 268.584, the City Council, on February 16,
13 2005, adopted a resolution of intent to annex, along with the form of
14 a notice of public hearing to be provided to property owners within
15 the annexation area, and set a public hearing for April 6, 2005.
- 16 (2) In accordance with NRS 268.578 and 268.588, the City Council, on
17 March 2, 2005, approved an annexation report and made it available
18 for inspection and copying thereafter.
- 19 (3) In accordance with NRS 268.586, the City mailed by certified mail,
20 return receipt requested, a copy of the notice of public hearing to the
21 owner of the property within the annexation area, as determined with
22 reference to the records of the Clark County Assessor.
- 23 (4) In accordance with NRS 268.586, the City had the notice of public
24 hearing published in a newspaper of general circulation within the
25 territory to be annexed, on three separate occasions in compliance
26 with the requirements of NRS 268.586.
- 27 (5) In accordance with NRS 268.590, the City Council held a public
28 hearing on April 6, 2005, at which time persons who wished to be

1 heard concerning the matter were given that opportunity. During the
2 public hearing, and within the 15-day period following the public
3 hearing, the number of persons who protested the annexation (zero)
4 was less than a "majority of the property owners" as defined by NRS
5 268.574(3).

6 (6) In accordance with NRS 268.592, because less than a majority of the
7 property owners protested the annexation, the territory may be
8 annexed by the City.

9 SECTION 3: The City will provide police protection through the Las Vegas
10 Metropolitan Police Department, fire protection, street maintenance, and library services
11 immediately upon annexation. Garbage collection by the company franchised by the City
12 will also be provided immediately. The City sanitary sewer system will serve the proposed
13 annexation area. Any connection to or extension of this sewer line to serve the annexation
14 area shall be at the expense of the landowners. Other services, such as participation in the
15 City's recreational programs, special education classes and programs, public works planning,
16 building inspections, and other City services will also be available immediately. Utilities
17 such as gas, electricity, telephone, and water are provided by private utility companies and
18 other services to the area will not be affected by annexation. Street paving, curbs and gutters,
19 sidewalks and street lights which are not in place at the time of annexation will be installed
20 in the presently developed areas upon the request of the property owners and at their expense
21 by means of special assessment districts. Such improvements will be extended into the
22 undeveloped areas as development takes place and the need therefor arises, and will be
23 located according to the needs of the area at that time. Such installations will also be made
24 at the expense of the property owners, either by means of special assessment districts or as
25 prerequisites to the approval of subdivision plats, building permits or other land use or
26 development applications.

27 SECTION 4: The annexation of the described territory shall become
28 effective as of the applicable date set forth in Section 8 of this Ordinance, and on that date

1 the City will have the funds appropriated in sufficient amount to finance the extension into
2 the described territory of police protection, fire protection, street maintenance, street
3 sweeping, and street lighting maintenance.

4 SECTION 5: The described territory, together with the inhabitants and
5 property thereof, shall, from and after the applicable effective date set forth in Section 8 of
6 this Ordinance, be subject to all debts, laws, ordinances and regulations in force in the City
7 and shall be entitled to the same privileges and benefits as other parts of the City, and shall
8 be subject to municipal taxes levied by the City.

9 SECTION 6: The City Engineer is hereby instructed to cause to be prepared
10 an accurate map or plat of the described territory and to record the map or plat, together with
11 a certified copy of this ordinance, in the office of the County Recorder of Clark County,
12 Nevada, which recording shall be done prior to the 10th day of June, 2005.

13 SECTION 7: The described territory, which previously has been zoned R-U
14 (County of Clark classification), is hereby classified as U (RC) (City of Las Vegas
15 classification), which is deemed to be the City equivalent of the County classification.

16 SECTION 8: The territory described in this Ordinance was previously the
17 subject of an annexation ordinance (Ordinance No. 5657), adopted on January 7, 2004.
18 Because of a possible misreading of State law, there is a question regarding the validity of
19 the annexation accomplished by Ordinance No. 5657. The intent and purpose of the City
20 Council in adopting this Ordinance is to reconfirm the annexation previously accomplished
21 by Ordinance No. 5657. Upon recordation of this Ordinance and the corresponding map or
22 plat in accordance with Section 6 of this Ordinance, the annexation of territory as described
23 in this Ordinance shall be effective as follows:

24 (A) As of the recordation of Ordinance No. 5657, except to the extent there is a
25 judicial declaration or determination that the territory was not properly annexed by the
26 adoption of Ordinance No. 5657 and is not otherwise deemed to be, or to be treated as, a part
27 of the City;

28 (B) As of the 10th day of June, 2005, to the extent there is a judicial declaration

1 or determination that the territory was not properly annexed by the adoption of Ordinance
2 No. 5657 and is not otherwise deemed to be, or to be treated as, a part of the City.

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

12 SECTION 10: All ordinances or parts of ordinances, sections, subsections,
13 phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las
14 Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

15 PASSED, ADOPTED and APPROVED this _____ day of _____,
16 2005.

17 APPROVED:

18
19 By OSCAR B. GOODMAN, Mayor

20 ATTEST:

21
22 BARBARA JO RONEMUS, City Clerk

23 APPROVED AS TO FORM:

24 Val Steed 4-20-05
25 Date

1 The above and foregoing ordinance was first proposed and read by title to the Council on the
2 ____ day of _____, 2005, and referred to the following committee
3 composed of _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2005, which was a _____ meeting of said Council; that
6 at said _____ meeting, the proposed ordinance was read by title to the City
7 Council as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

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By _____
OSCAR B. GOODMAN, Mayor

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ATTEST:

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BARBARA JO RONEMUS, City Clerk

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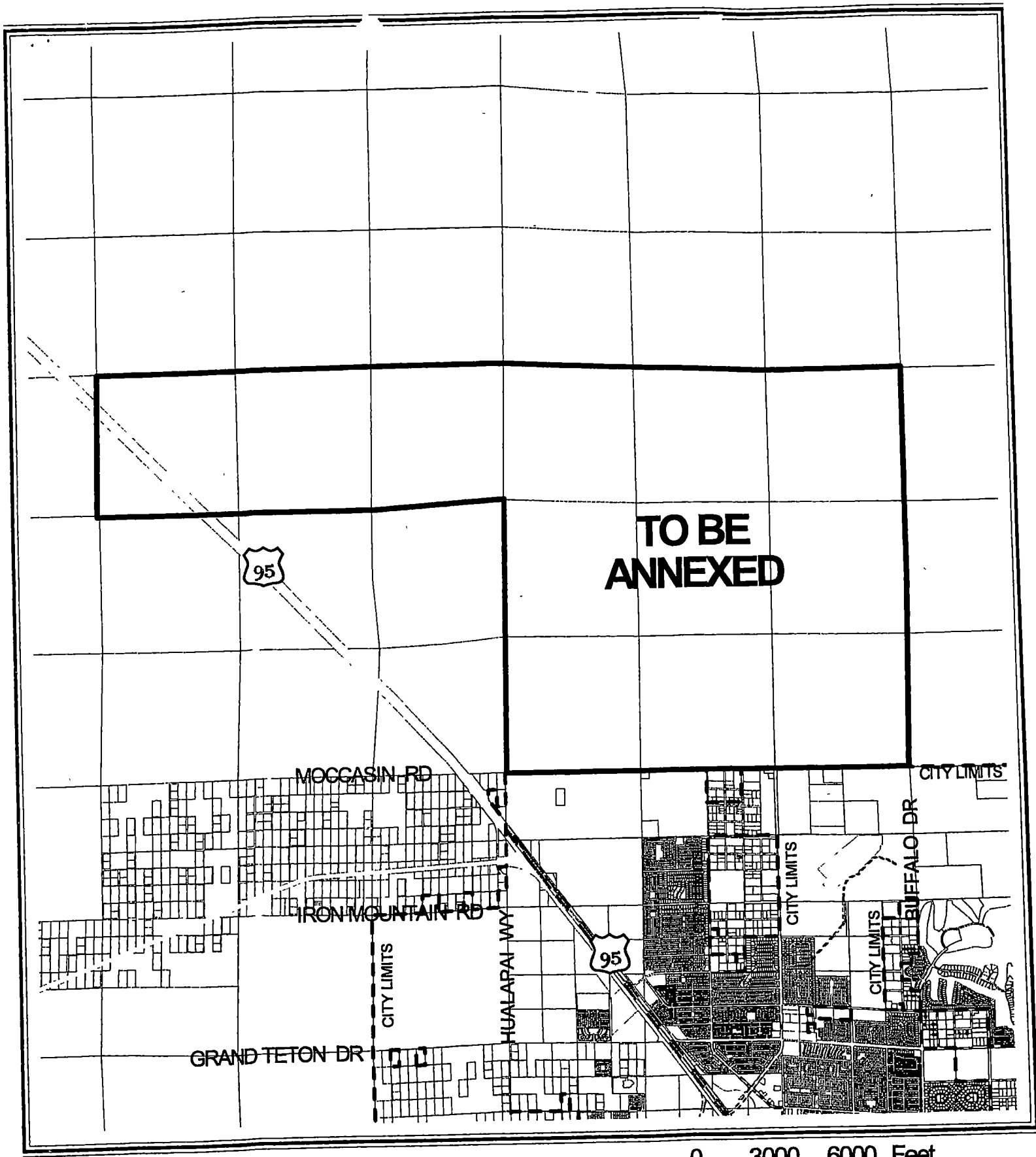
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CASE: ANX-3026



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MAY 17, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2005-27 - Annexation No. ANX-5528 - Property location: Bounded by Iron Mountain Road to the south, Puli Road to the west, Hualapai Way to the east, and Moccasin Road to the north; Petitioned by: Southwest Desert Equities, LLC, et al.; Acreage: 538.42 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 described as bounded by Iron Mountain Road to the south, Puli Road to the west, Hualapai Way to the east, and Moccasin Road to the north. The annexation is at the request of the majority of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (June 10, 2005) is set by this ordinance.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

Bill No. 2005-27 and Location Map

MOTION:

COUNCILWOMAN TARKANIAN recommended Bill 2005-27 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WOLFSON concurred.

MINUTES:

COUNCILMAN WOLFSON declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED stated this matter also involves a long-form annexation that has been through the process. No objections were received.

TOM McGOWAN, Las Vegas resident, appreciated the lawful process that takes place with annexations.

No one appeared in opposition.

COUNCILMAN WOLFSON declared the Public Hearing closed.

(4:02 - 4:03)

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8 **BILL NO. 2005-27**

9 **ORDINANCE NO. _____**

10 AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO
11 PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS
12 INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE
CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-5528)

13 Sponsored by: Councilman Michael Mack Summary: Annexes property described
14 generally as bounded by Iron Mountain Road
15 to the south, Puli Road to the west, Hualapai
Way to the east, and Moccasin Road to the
north.

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

18 SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are
19 hereby extended to annex, include, and make a part of the City of Las Vegas, Nevada, the
20 real property that is described in Exhibit "A" attached hereto:

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

- 23 A. The area to be annexed was contiguous to the City's boundaries at the time
24 the annexation proceedings were instituted;
- 25 B. More than one-eighth (1/8) of the aggregate external boundaries of the area
26 are contiguous to the City;
- 27 C. The territory proposed to be annexed is not included within the boundaries
28 of another incorporated city or within the boundaries of any unincorporated

town as those boundaries existed as of July 1, 1983;

D. The territory in question is eligible to be annexed to the City because:

(1) With respect to territory not owned by a governmental entity, the owners of record of not less than 75 percent of the individual lots or parcels of land within the territory have petitioned the City to annex the territory.

(2) With respect to territory owned by a governmental entity, the City has received a written statement from the governmental entity indicating that it owns the territory and does not object to the City's annexation of the territory.

E. In compliance with the procedural requirements of NRS Chapter 268, the City is authorized to annex the territory in question because:

(1) In accordance with NRS 268.584, the City Council, on February 16, 2005, adopted a resolution of intent to annex, along with the form of a notice of public hearing to be provided to property owners within the annexation area, and set a public hearing for April 6, 2005.

(2) In accordance with NRS 268.578 and 268.588, the City Council, on March 2, 2005, approved an annexation report and made it available for inspection and copying thereafter.

(3) In accordance with NRS 268.586, the City mailed by certified mail, return receipt requested, a copy of the notice of public hearing to the owners of the property within the annexation area, as determined with reference to the records of the Clark County Assessor.

(4) In accordance with NRS 268.586, the City had the notice of public hearing published in a newspaper of general circulation within the territory to be annexed, on three separate occasions in compliance with the requirements of NRS 268.586.

(5) In accordance with NRS 268.590, the City Council held a public

1 hearing on April 6, 2005, at which time persons who wished to be
2 heard concerning the matter were given that opportunity. During the
3 public hearing, and within the 15-day period following the public
4 hearing, the number of persons who protested the annexation (zero)
5 was less than a "majority of the property owners" as defined by NRS
6 268.574(3).

7 (6) In accordance with NRS 268.592, because less than a majority of the
8 property owners protested the annexation, the territory may be
9 annexed by the City.

10 SECTION 3: The City will provide police protection through the Las Vegas
11 Metropolitan Police Department, fire protection, street maintenance, and library services
12 immediately upon annexation. Garbage collection by the company franchised by the City
13 will also be provided immediately. The City sanitary sewer system will serve the proposed
14 annexation area. Any connection to or extension of this sewer line to serve the annexation
15 area shall be at the expense of the landowners. Other services, such as participation in the
16 City's recreational programs, special education classes and programs, public works planning,
17 building inspections, and other City services will also be available immediately. Utilities
18 such as gas, electricity, telephone, and water are provided by private utility companies and
19 other services to the area will not be affected by annexation. Street paving, curbs and gutters,
20 sidewalks and street lights which are not in place at the time of annexation will be installed
21 in the presently developed areas upon the request of the property owners and at their expense
22 by means of special assessment districts. Such improvements will be extended into the
23 undeveloped areas as development takes place and the need therefor arises, and will be
24 located according to the needs of the area at that time. Such installations will also be made
25 at the expense of the property owners, either by means of special assessment districts or as
26 prerequisites to the approval of subdivision plats, building permits or other land use or
27 development applications.

28 SECTION 4: The annexation of the described territory shall become

1 effective on the 10th day of June, 2005, and on that date the City will have the funds
2 appropriated in sufficient amount to finance the extension into the described territory of
3 police protection, fire protection, street maintenance, street sweeping, and street lighting
4 maintenance.

5 SECTION 5: The described territory, together with the inhabitants and
6 property thereof, shall, from and after the 10th day of June, 2005, be subject to all debts,
7 laws, ordinances and regulations in force in the City and shall be entitled to the same
8 privileges and benefits as other parts of the City, and shall be subject to municipal taxes
9 levied by the City.

10 SECTION 6: The City Engineer is hereby instructed to cause to be prepared
11 an accurate map or plat of the described territory and to record the map or plat, together with
12 a certified copy of this ordinance, in the office of the County Recorder of Clark County,
13 Nevada, which recording shall be done prior to the 10th day of June, 2005.

14 SECTION 7: The described territory, which previously has been zoned R-U
15 (County of Clark classification), is hereby classified as U (PCD) (City of Las Vegas
16 classification), which is deemed to be the City equivalent of the County classification.

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

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SECTION 9: All ordinances or parts of ordinances, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this ____ day of _____, 2005.

APPROVED:

By OSCAR B. GOODMAN, Mayor

ATTEST:

BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Val Steed 4-20-05
Date

1 The above and foregoing ordinance was first proposed and read by title to the Council on the
2 ____ day of _____, 2005, and referred to the following committee
3 composed of _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2005, which was a _____ meeting of said Council; that
6 at said _____ meeting, the proposed ordinance was read by title to the City
7 Council as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

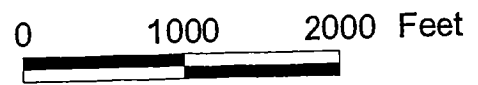
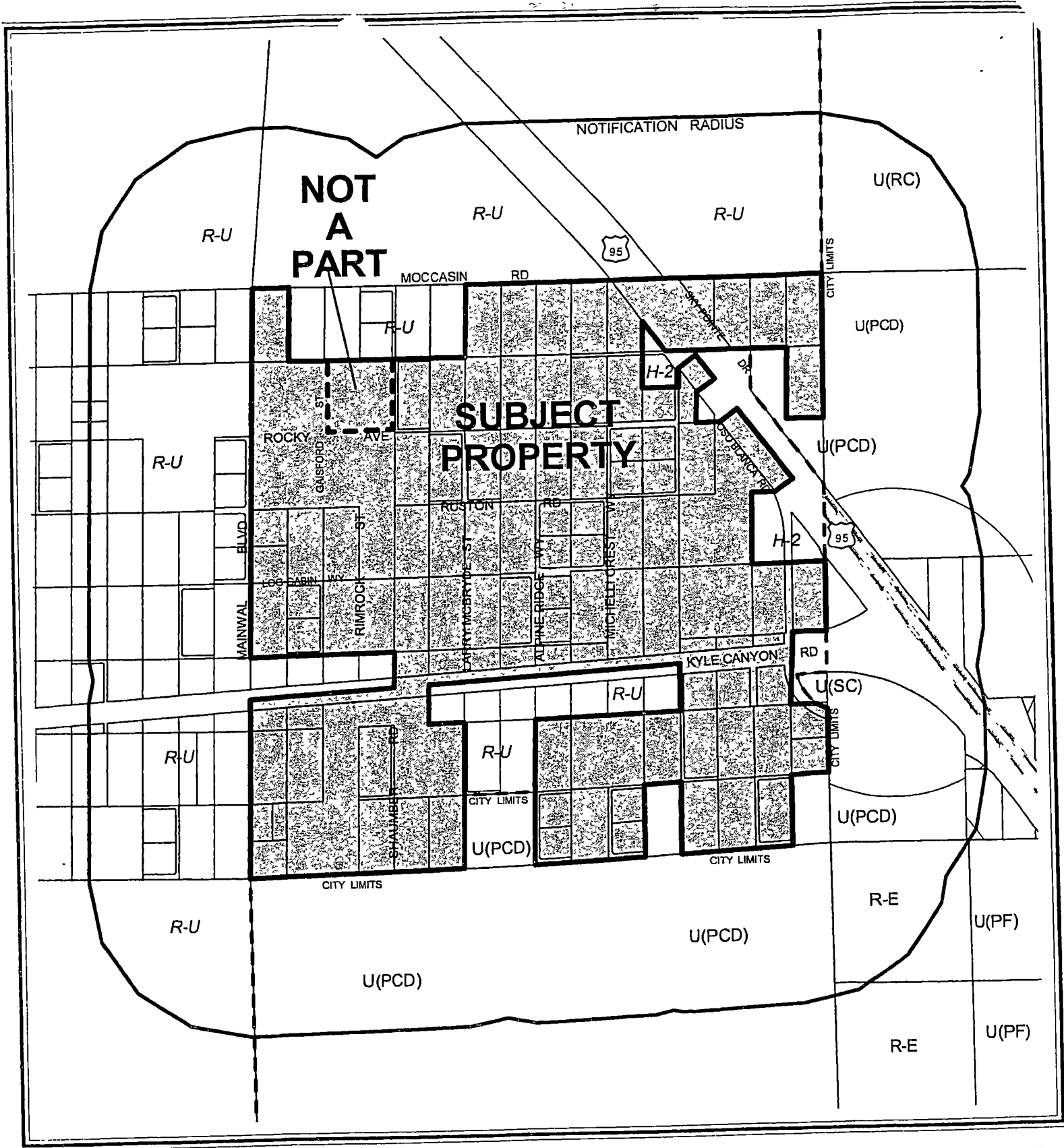
10 ABSENT: _____

11 APPROVED:

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13 By _____
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 _____
17 BARBARA JO RONEMUS, City Clerk
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CASE: ANX-5528

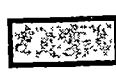
 PROPOSED ANNEXATION AREA

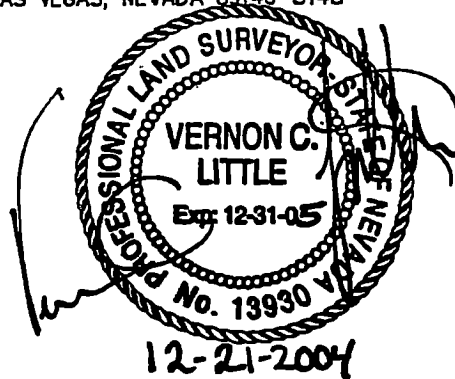


Exhibit "A"



CONSULTING ENGINEERS • PLANNERS • SURVEYORS

2727 SOUTH RAINBOW BOULEVARD
LAS VEGAS, NEVADA 89146-5148



W.O. 6333
SEPTEMBER 30, 2004
BY: SP
P.R. BY: VCL
PAGE 1 OF 2

EXPLANATION:

THIS LEGAL DESCRIBES A PARCEL OF LAND GENERALLY LOCATED NORTHWESTERLY OF HUALAPAI WAY AND IRON MOUNTAIN ROAD FOR CITY OF LAS VEGAS ANNEXATION PURPOSES.

LEGAL DESCRIPTION ANNEXATION LEGAL

BEING A PORTION OF SECTION 1, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CLARK COUNTY, NEVADA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 1, SAME BEING THE CENTERLINE INTERSECTION OF PULI ROAD AND MOCCASIN AVENUE; THENCE NORTH $89^{\circ}51'09''$ EAST, ALONG THE NORTH LINE SAID SECTION 1, COINCIDENT WITH THE CENTERLINE OF SAID MOCCASIN AVENUE, 328.84 FEET; THENCE SOUTH $00^{\circ}51'43''$ WEST, DEPARTING SAID NORTH LINE AND SAID CENTERLINE, 674.56 FEET; THENCE NORTH $89^{\circ}50'08''$ EAST, 332.12 FEET; THENCE SOUTH $00^{\circ}35'01''$ WEST, 695.08 FEET; THENCE NORTH $89^{\circ}33'22''$ EAST, 671.06 FEET; THENCE NORTH $01^{\circ}05'39''$ EAST, 691.91 FEET; THENCE NORTH $89^{\circ}50'08''$ EAST, 664.32 FEET; THENCE NORTH $00^{\circ}31'51''$ EAST, 673.90 FEET TO SAID NORTH LINE AND SAID CENTERLINE; THENCE NORTH $89^{\circ}51'39''$ EAST, ALONG SAID NORTH LINE AND SAID CENTERLINE, 683.19 FEET; THENCE NORTH $89^{\circ}21'44''$ EAST, CONTINUING ALONG SAID NORTH LINE, 2677.32 FEET TO THE EAST LINE OF SAID SECTION 1; THENCE SOUTH $00^{\circ}22'23''$ WEST, ALONG SAID EAST LINE, 1353.26 FEET; THENCE SOUTH $89^{\circ}14'30''$ WEST, DEPARTING SAID EAST LINE, 336.60 FEET; THENCE NORTH $00^{\circ}27'16''$ EAST, 677.75 FEET; THENCE SOUTH $89^{\circ}25'44''$ WEST, 1125.63 FEET; THENCE NORTH $36^{\circ}36'18''$ WEST, 357.06 FEET; THENCE SOUTH $00^{\circ}46'58''$ WEST, 629.91 FEET; THENCE NORTH $89^{\circ}20'27''$ EAST, 336.19 FEET; THENCE NORTH $00^{\circ}41'49''$ EAST, 182.04 FEET; THENCE NORTH $53^{\circ}23'42''$ EAST, 212.00 FEET; THENCE SOUTH $36^{\circ}36'18''$ EAST, 277.27 FEET; THENCE SOUTH $53^{\circ}23'42''$ WEST, 212.00 FEET; THENCE SOUTH $00^{\circ}39'24''$ WEST, 297.76 FEET; THENCE NORTH $89^{\circ}14'30''$ EAST, 222.41 FEET; THENCE NORTH $53^{\circ}23'42''$ EAST, 212.00 FEET; THENCE SOUTH $36^{\circ}36'18''$ EAST, 836.12 FEET;

THENCE SOUTH 53°23'42" WEST, 212.00 FEET; THENCE SOUTH 89°05'01" WEST, 222.48 FEET; THENCE SOUTH 00°32'08" WEST, 678.53 FEET; THENCE NORTH 88°55'36" EAST, 677.12 FEET TO THE EAST LINE OF SAID SECTION 1; THENCE SOUTH 00°05'12" EAST, ALONG SAID EAST LINE, 667.35 FEET; THENCE SOUTH 88°24'33" WEST, DEPARTING SAID EAST LINE, 340.36 FEET; THENCE SOUTH 00°03'42" WEST, 670.46 FEET; THENCE NORTH 87°53'49" EAST, 342.19 FEET TO SAID EAST LINE; THENCE SOUTH 00°04'46" EAST, ALONG SAID EAST LINE, 667.15 FEET; THENCE SOUTH 87°22'53" WEST, DEPARTING SAID EAST LINE, 344.03 FEET; THENCE SOUTH 00°04'01" WEST, 670.31 FEET TO THE SOUTH LINE OF SAID SECTION 1, SAME BEING THE CENTERLINE OF IRON MOUNTAIN ROAD; THENCE SOUTH 86°52'17" WEST, ALONG SAID SOUTH LINE AND SAID CENTERLINE, 1037.68 FEET; THENCE NORTH 00°29'53" EAST, DEPARTING SAID SOUTH LINE AND SAID CENTERLINE, 679.81 FEET; THENCE SOUTH 87°22'53" WEST, 344.10 FEET; THENCE SOUTH 00°37'59" WEST, 682.99 FEET TO SAID SOUTH LINE AND SAID CENTERLINE; THENCE SOUTH 86°52'17" WEST, ALONG SAID SOUTH LINE AND SAID CENTERLINE, 1037.68 FEET; THENCE NORTH 01°01'49" EAST, DEPARTING SAID SOUTH LINE AND SAID CENTERLINE, 1385.06 FEET; THENCE NORTH 87°53'49" EAST, 1369.35 FEET; THENCE NORTH 00°29'53" EAST, 447.96 FEET; THENCE SOUTH 86°17'56" WEST, 2378.82 FEET; THENCE SOUTH 01°03'30" WEST, 368.29 FEET; THENCE NORTH 88°39'37" WEST, 336.21 FEET; THENCE SOUTH 01°02'48" WEST, 1388.22 FEET TO SAID SOUTH LINE AND SAID CENTERLINE; THENCE SOUTH 88°23'34" WEST, ALONG SAID SOUTH LINE AND SAID CENTERLINE, 2018.84 FEET; THENCE NORTH 01°05'49" EAST, DEPARTING SAID SOUTH LINE AND SAID CENTERLINE AND ALONG THE WEST LINE OF SAID SECTION 1, SAME BEING THE CENTERLINE OF PULI ROAD, 1696.51 FEET; THENCE NORTH 86°17'56" EAST, DEPARTING SAID WEST LINE AND SAID CENTERLINE, 1348.08 FEET; THENCE NORTH 01°03'47" EAST, 341.17 FEET; THENCE SOUTH 88°47'59" WEST, 1344.23 FEET TO THE SAID WEST LINE AND SAID CENTERLINE; THENCE NORTH 01°05'49" EAST, ALONG SAID WEST LINE AND SAID CENTERLINE, 698.85 FEET; THENCE NORTH 01°08'23" EAST, CONTINUING ALONG SAID WEST LINE AND ALONG SAID CENTERLINE, 2771.13 FEET TO THE POINT OF BEGINNING, AS SHOWN ON THE "EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION", ATTACHED HERETO AND MADE A PART HEREOF.

CONTAINING 538.42 ACRES (GROSS AREA), MORE OR LESS, AS DETERMINED BY COMPUTER METHODS.

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 STATUTES.

END OF DESCRIPTION.

G:/6333/LEGALS/ZONE2.DOC
REF: G:/6333/6333LEGAL.DWG (LGL-ZONE02)

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MAY 17, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2005-28 - Annexation No. ANX-6042 - Property location: On the west side of Jones Boulevard, between Tropical Parkway and El Campo Grande Avenue; Petitioned by: Leech West, LLC; Acreage: 9.63 acres; Zoned: R-E (County zoning), U (R) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact:

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

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the west side of Jones Boulevard, between Tropical Parkway and El Campo Grande Avenue. 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 (June 10, 2005) is set by this ordinance.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

Bill No. 2005-28 and Location Map

MOTION:

COUNCILWOMAN TARKANIAN recommended Bill 2005-28 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WOLFSON concurred.

MINUTES:

COUNCILMAN WOLFSON declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED indicated this matter involves a standard short-form annexation petitioned by several property owners. All the requirements have been met. He recommended approval.

No one appeared in opposition.

COUNCILMAN WOLFSON declared the Public Hearing closed.

(4:03)

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8 **BILL NO. 2005-28**

9 **ORDINANCE NO. _____**

10 AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO
11 PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS
12 INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE
CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-6042)

13 Sponsored by: Councilman Michael Mack Summary: Annexes property described
14 generally as located on the west side of Jones
15 Boulevard, between Tropical Parkway and El
Campo Grande Avenue.

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

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

21 That portion of the Northeast Quarter (NE 1/4) of the Southeast Quarter
22 (SE 1/4) of Section 26, Township 19 South, Range 60 East, M.D.M., in the
23 County of Clark, State of Nevada, together with the adjoining half street
24 right-of-way of JONES BOULEVARD (width varies), TROPICAL
PARKWAY (40.00 feet wide as measured from the centerline thereof),
CORBET STREET (30.00 feet wide as measured from the centerline
thereof), and EL CAMPOGRANDE AVENUE (30.00 feet wide as measured
from the centerline thereof) described as follows:

25 BEGINNING at the east quarter corner of said Section 26, said corner also
26 being the centerline intersection of said JONES BOULEVARD and
TROPICAL PARKWAY; thence westerly along the centerline of said
27 TROPICAL PARKWAY and the north line of the Southeast Quarter (SE 1/4)
of said Section 26, North 84°36'52" West 307.36 feet; thence departing said
28 north line, southerly along the west line of the East Half (E 1/2) of the
Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of the

1 Southeast Quarter (SE 1/4) of said Section 26, South 00°28'45" West 657.93
2 feet to the south line of said East Half (E 1/2), also being the centerline of
3 CORBET STREET; thence westerly along the centerline of said CORBET
4 STREET, North 83°43'00" West 10.05 feet to the northerly projection of the
5 east line of PARCEL 2 as shown on CORPORATION GRANT, BARGAIN,
6 SALE DEED, from SIGAL AND COMPANY to TOM C. CHAN, ET AL,
7 recorded July 10, 1979 in Book 1083 as Instrument Number 1042668 of
8 Clark County, Nevada Records; thence southerly along said east line South
9 00°28'46" West 328.89 feet to the north line of PARCEL 4 as shown on
10 Parcel Map in File 2, Page 42 recorded April 24, 1974 of Clark County,
11 Nevada Records; thence westerly along the north line of said PARCEL 4
12 North 83°16'19" West 20.57 feet to the northwest corner of said PARCEL 4;
13 thence southerly along the west line and the southerly projection of said
14 PARCEL 4, South 00°24'18" West 328.77 feet to the south line of the
15 Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of said Section
16 26, also being the centerline of EL CAMPO GRANDE AVENUE; thence
17 easterly along said south line, South 82°49'48" East 341.55 feet to the east
18 line of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of
19 said Section 26, also being the centerline intersection of EL CAMPO
20 GRANDE AVENUE and JONES BOULEVARD; thence northerly along
21 said east line and the centerline of said JONES BOULEVARD, North
22 00°21'04" East 1325.85 feet to the POINT OF BEGINNING.

23 BASIS OF BEARINGS: North 00°21'04" East being the east line of the
24 Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 26,
25 Township 19 South, Range 60 East, M.D.M., as shown on Parcel Map in File
26 2, Page 42 of Clark County, Nevada Records.

27 Written by:
28 Brian Yu PLS
City of Las Vegas, Public Works,
731 S. Fourth Street
Las Vegas, NV 89101

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

- A. The area to be annexed was contiguous to the City's boundaries at the
time the annexation proceedings were instituted;
- B. More than one-eighth (1/8) of the aggregate external boundaries of
the area are contiguous to the City;
- C. The territory proposed to be annexed is not included within the
boundaries of another incorporated city or within the boundaries of
any unincorporated town as those boundaries existed as of July 1,
1983;
- D. The City is eligible to annex the described territory since the

landowners have signed a petition constituting one hundred percent (100%) of the owners of record of individual lots or parcels of land within the annexation area.

SECTION 3: The City will provide police protection through the Las Vegas Metropolitan Police Department, fire protection, street maintenance, and library services immediately upon annexation. Garbage collection by the company franchised by the City will also be provided immediately. The City sanitary sewer system will serve the proposed annexation area. Any connection to or extension of this sewer line to serve the annexation area shall be at the expense of the landowners. Other services, such as participation in the City's recreational programs, special education classes and programs, public works planning, building inspections, and other City services will also be available immediately. Utilities such as gas, electricity, telephone, and water are provided by private utility companies and other services to the area will not be affected by annexation. Street paving, curbs and gutters, sidewalks and street lights which are not in place at the time of annexation will be installed in the presently developed areas upon the request of the property owners and at their expense by means of special assessment districts. Such improvements will be extended into the undeveloped areas as development takes place and the need therefor arises, and will be located according to the needs of the area at that time. Such installations will also be made at the expense of the property owners, either by means of special assessment districts or as prerequisites to the approval of subdivision plats, building permits or other land use or development applications.

SECTION 4: The annexation of the described territory shall become effective on the 10th day of June, 2005, and on that date the City will have the funds appropriated in sufficient amount to finance the extension into the described territory of police protection, fire protection, street maintenance, street sweeping, and street lighting maintenance.

SECTION 5: The described territory, together with the inhabitants and property thereof, shall, from and after the 10th day of June, 2005, be subject to all debts,

1 laws, ordinances and regulations in force in the City and shall be entitled to the same
2 privileges and benefits as other parts of the City, and shall be subject to municipal taxes
3 levied by the City.

4 SECTION 6: The City Engineer is hereby instructed to cause to be prepared
5 an accurate map or plat of the described territory and to record the map or plat, together with
6 a certified copy of this ordinance, in the office of the County Recorder of Clark County,
7 Nevada, which recording shall be done prior to the 10th day of June, 2005.

8 SECTION 7: The described territory, which previously has been zoned R-E
9 (County of Clark classification), is hereby classified as U (R) (City of Las Vegas
10 classification), which is deemed to be the City equivalent of the County classification.

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

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SECTION 9: All ordinances or parts of ordinances, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____,
2005.

APPROVED:

By OSCAR B. GOODMAN, Mayor

ATTEST:

BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Val Steed 4-20-05
Date

1 The above and foregoing ordinance was first proposed and read by title to the Council on the
2 ____ day of _____, 2005, and referred to the following committee
3 composed of _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2005, which was a _____ meeting of said Council; that
6 at said _____ meeting, the proposed ordinance was read by title to the City
7 Council as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

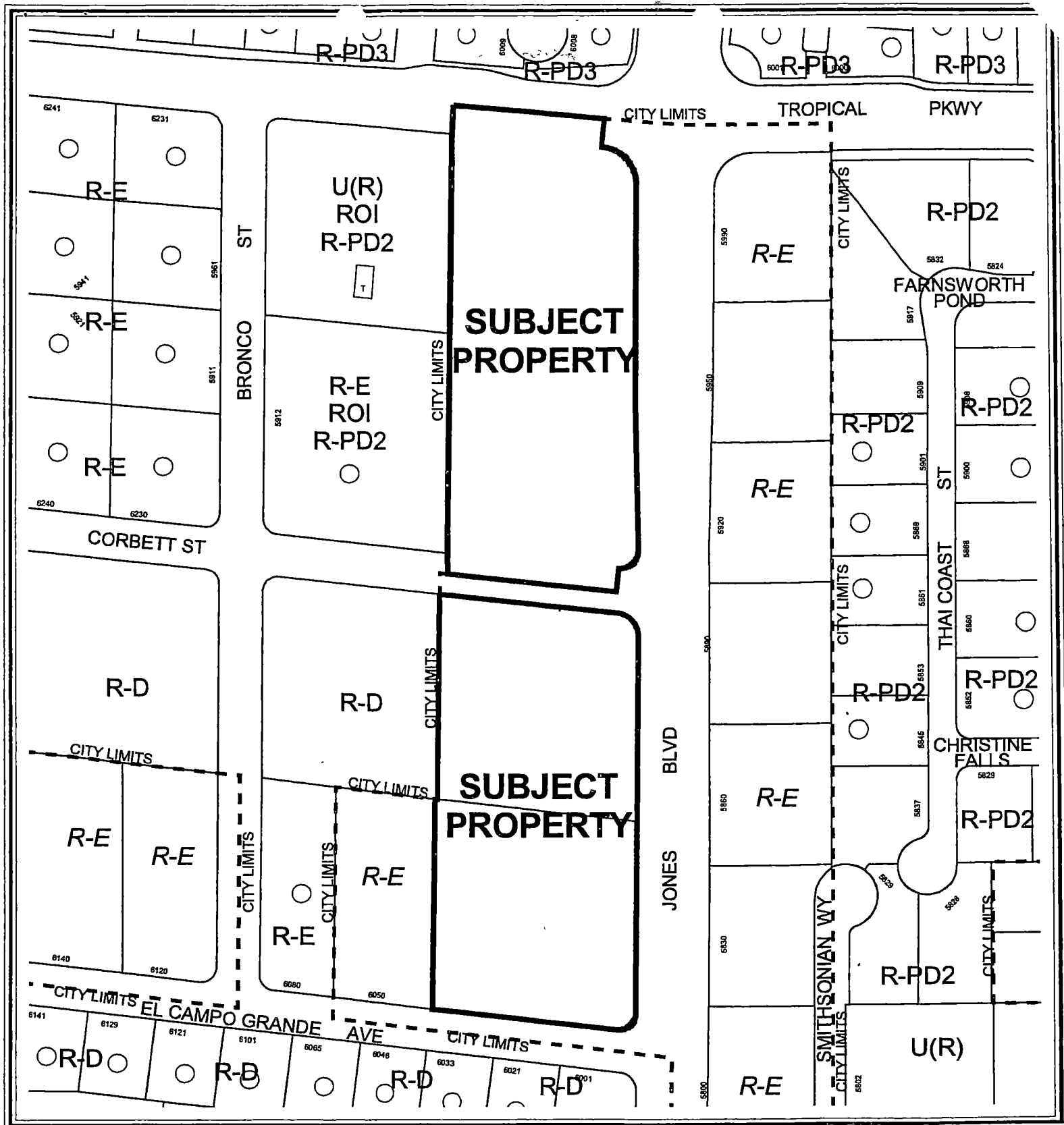
10 ABSENT: _____

11 APPROVED:

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13 By _____
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 _____
17 BARBARA JO RONEMUS, City Clerk
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CASE: ANX-6042

0 200 400 Feet



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MAY 17, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2005-29 - Annexation No. ANX-6060 - Property location: On the west side of Balsam Street, 270 feet south of Lone Mountain Road; Petitioned by: Serge Charbonneau, et al.; Acreage: 2.79 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact:

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

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the west side of Balsam Street, 270 feet south of Lone Mountain Road. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (May 27, 2005) is set by this ordinance.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

Bill No. 2005-29 and Location Map

MOTION:

COUNCILWOMAN TARKANIAN recommended Bill 2005-29 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WOLFSON concurred.

MINUTES:

COUNCILMAN WOLFSON declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED stated this short-form annexation was submitted by the property owners, and it is in order. He recommended approval.

No one appeared in opposition.

COUNCILMAN WOLFSON declared the Public Hearing closed.

(4:03 - 4:04)

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8 **BILL NO. 2005-29**

9 **ORDINANCE NO. _____**

10 AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO
11 PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS
12 INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE
CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-6060)

13 Sponsored by: Councilman Michael Mack Summary: Annexes property described
14 generally as located on the west side of
Balsam Street, 270 feet south of Lone
15 Mountain Road.

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

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

21 That portion of the Northeast Quarter (NE 1/4) of the Northeast Quarter
22 (NE 1/4) of Section 3, Township 20 South, Range 60 East, M.D.M., in the
County of Clark, State of Nevada, also being LOT 20, LOT 19 and LOT 18
23 and the adjoining half street right-of-way of BALSAM STREET (30.00 feet
wide as measured from the centerline thereof) and 20.00 feet wide alleys as
shown on Block 1 of BRIDLE PATH ESTATES, recorded in Book 6 of
Plats, Page 99 of Clark County, Nevada Records, described as follows:

24 COMMENCING at the northeast corner of said Section 3, said corner also
25 being the northeast corner of said BRIDLE PATH ESTATES; thence along
the north line of said Section 3 and the centerline of LONE MOUNTAIN
26 ROAD (50.00 feet wide as measured from centerline thereof) South
89°51'32" West 680.05 feet to the centerline intersection with said BALSAM
27 SREET; thence southerly along the centerline of said BALSAM STREET,
South 00°31'52" West 310.01 feet to the POINT OF BEGINNING also being
28 the point of intersection with the centerline of a 20.00 foot wide east-west

1 alley; thence westerly along said centerline, South 89°51'39" West 330.06
2 feet to the intersection with the centerline of a 20.00 foot wide north-south
3 alley; thence southerly along the centerline of said 20.00 foot wide
4 north-south alley, South 00°31'52" West 367.44 feet to the intersection with
5 the westerly projection of the south line of said LOT 18; thence easterly
6 along the westerly projection of said south line, along said south line and
7 along the easterly projection said south line, South 89°28'04" East 330.04 feet
8 to the centerline of said BALSAM STREET; thence northerly along the
9 centerline of said BALSAM STREET, North 00°31'52" West 371.32 feet to
10 the POINT OF BEGINNING.

11
12 BASIS OF BEARINGS: North 89°51'32" East being the north line of the
13 Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section 3,
14 Township 20 South, Range 60 East, M.D.M., as shown on Book 6 of Plats,
15 Page 99 of Clark County, Nevada Records.

16
17 Written by:
18 Brian Yu PLS
19 731 S. Fourth Street,
20 Public Works,
21 City of Las Vegas

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

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

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

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

16 SECTION 4: The annexation of the described territory shall become
17 effective on the 27th day of May, 2005, and on that date the City will have the funds
18 appropriated in sufficient amount to finance the extension into the described territory of
19 police protection, fire protection, street maintenance, street sweeping, and street lighting
20 maintenance.

21 SECTION 5: The described territory, together with the inhabitants and
22 property thereof, shall, from and after the 27th day of May, 2005, be subject to all debts,
23 laws, ordinances and regulations in force in the City and shall be entitled to the same
24 privileges and benefits as other parts of the City, and shall be subject to municipal taxes
25 levied by the City.

26 SECTION 6: The City Engineer is hereby instructed to cause to be prepared
27 an accurate map or plat of the described territory and to record the map or plat, together with
28 a certified copy of this ordinance, in the office of the County Recorder of Clark County,

1 Nevada, which recording shall be done prior to the 27th day of May, 2005.

2 SECTION 7: The described territory, which previously has been zoned R-E
3 (County of Clark classification), is hereby classified as R-E (City of Las Vegas
4 classification), which is deemed to be the City equivalent of the County classification.

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

14 SECTION 9: All ordinances or parts of ordinances, sections, subsections,
15 phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las
16 Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

17 PASSED, ADOPTED and APPROVED this ____ day of _____,
18 2005.

19 APPROVED:

20
21 By OSCAR B. GOODMAN, Mayor

22 ATTEST:

23
24 BARBARA JO RONEMUS, City Clerk

25 APPROVED AS TO FORM:

26 Val Steed 4-20-05
27 Date
28

1 The above and foregoing ordinance was first proposed and read by title to the Council on the
2 ____ day of _____, 2005, and referred to the following committee
3 composed of _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2005, which was a _____ meeting of said Council; that
6 at said _____ meeting, the proposed ordinance was read by title to the City
7 Council as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12

13 By _____
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BARBARA JO RONEMUS, City Clerk

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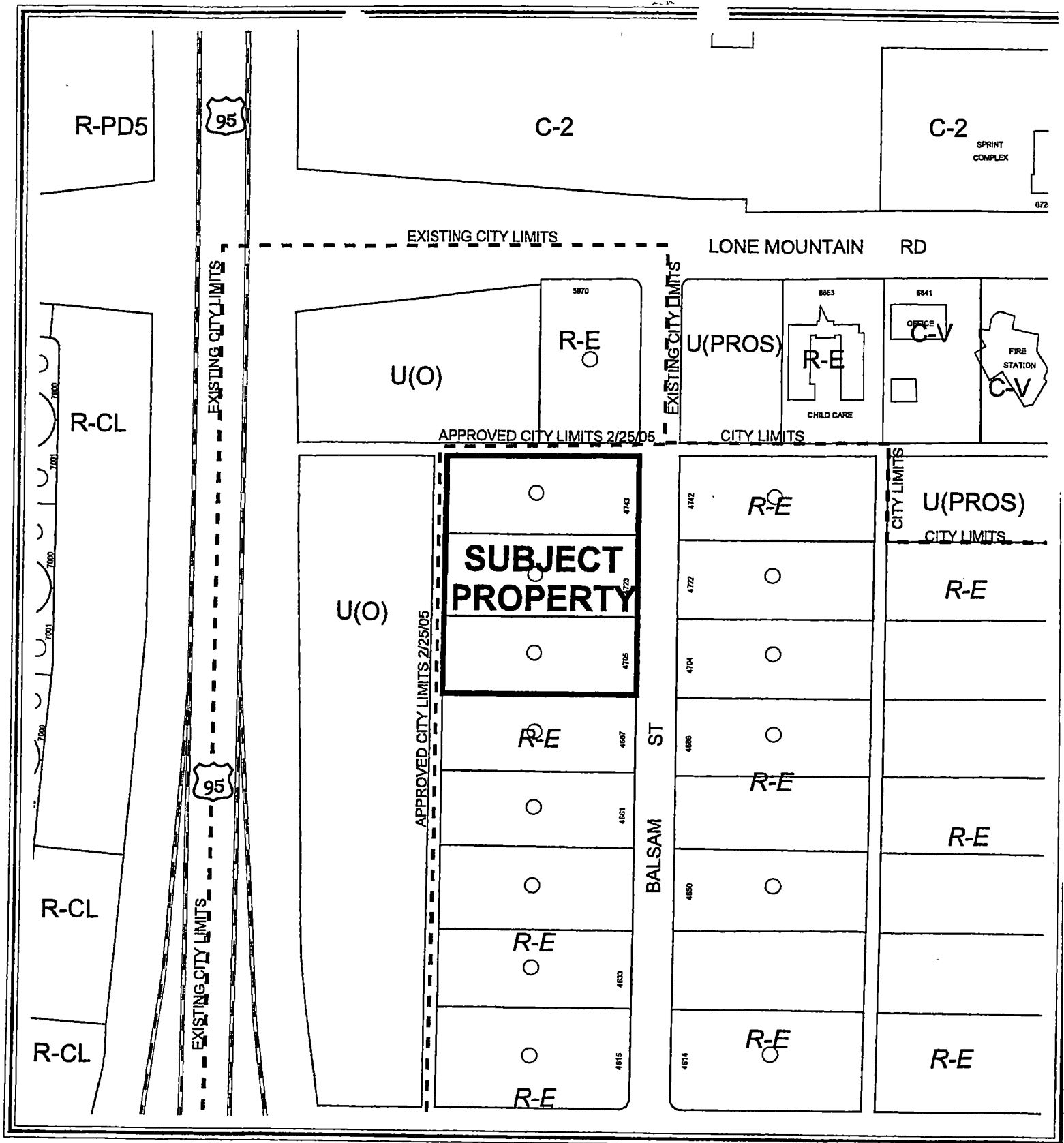
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CASE: ANX-6060



AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: MAY 17, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2005-30 - Levies Assessment for Special Improvement District No. 1485 - Alta Drive (Rancho Drive to approximately 275 feet west of Lacy Lane) (Landscape Maintenance FY2006) Sponsored by: Step Requirement

Fiscal Impact:

☐	No Impact	Amount:	\$49,240.38
☒	Budget Funds Available	Dept./Division:	Public Works/SID
☐	Augmentation Required	Funding Source:	Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

Levies the assessment for the annual maintenance costs of street beautification improvements along Alta Drive from Rancho Drive to approximately 275 feet west of Lacy Lane. The fiscal amount reflects the estimated maintenance costs from July 2005 through June 2006.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

Bill No. 2005-30

MOTION:

COUNCILWOMAN TARKANIAN recommended Bill 2005-30 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WOLFSON concurred.

MINUTES:

COUNCILMAN WOLFSON declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED reported that this matter involves a routine Special Improvement District. MIKE THOMPSON was present to answer any questions.

TOM MCGOWAN, Las Vegas resident, recommend approval. However, he noted that the meandering street is a problem that should be straightened before a head-on collision occurs. Its shape may slow down traffic, but the safety of all the locals that consider it to be an arterial street should be considered. He asked if there is anything being done to address this issue. MR. THOMPSON responded that this matter is in order.

COUNCILWOMAN TARKANIAN indicated that accidents did occur prior to making Alta a winding road, including one accident involving her friend's son. No accidents have occurred since the change was made. The street may look dangerous, but it is safer and it does slow down traffic. MR. MCGOWAN noted that the street must be safe, since COUNCILWOMAN TARKANIAN resides in the area and she says the street is safe.

RECOMMENDING COMMITTEE MEETING OF: MAY 17, 2005

MINUTES - Continued:

COUNCILWOMAN TARKANIAN added that staff is working closely with the property owners on making sure the maintenance is done properly. Also, JEANNE MAUST, her liaison, has been meeting with the residents regarding the escalating price of the SID. The residents were informed that no changes could be made at this time regarding the cost.

No one appeared in opposition.

COUNCILMAN WOLFSON declared the Public Hearing closed.

(4:03 - 4:07)

1-101

BILL NO. 2005-30

ORDINANCE NO. _____

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1485 – ALTA DRIVE (LANDSCAPE MAINTENANCE FY2006); PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF MAINTAINING STREET BEAUTIFICATION IMPROVEMENTS, ASSESSING THE COST OF MAINTENANCE AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID MAINTENANCE; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

Summary: Levy Ordinance

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, has heretofore, pursuant to the requisite preliminary proceedings, created Las Vegas, Nevada, Special Improvement District No. 1485 – Alta Drive (Landscape Maintenance) (hereinafter the "District"), to defray the annual maintenance costs of a street beautification project within the District (hereinafter the "Maintenance Project") as defined in Chapter 271, Nevada Revised Statutes and has provided that the entire cost and expense of the Maintenance Project shall be paid by special assessments, according to benefits, levied against the benefited lots, tracts and parcels of land in the District, and

WHEREAS, the District has been properly created by an ordinance heretofore adopted under the provisions of the Consolidated Local Improvement Law; and

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

WHEREAS, in accordance with NRS 271.360 and NRS 271.378, the City Council has heretofore determined, and does hereby declare, that the net cost of the Maintenance Project for FY2006 (including all necessary incidentals which either have been or will be incurred in connection with the District) is \$49,240 38, of which, \$0.00 is available from other sources and of which \$49,240.38 is to be assessed upon the benefited lots, tracts and parcels of land in the District which the City Council has determined will receive special benefits (and corresponding market value increases) from the Maintenance Project; and

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

WHEREAS, after a determination of the costs of such work to be paid by the property specially benefited, the City Council, together with the Engineer made out a final assessment roll containing, among other things, the names and addresses of the last known owners of the property to be assessed, a description of each lot, tract, or parcel of land to be assessed, and the amount of the assessment thereon, and

WHEREAS, the Engineer has reported the final assessment roll to the City Council and has filed the final assessment roll with the City Clerk; and

WHEREAS, the City Council thereupon fixed a time and place, to wit: Wednesday, April 6, 2005, at 1:00 p.m., at the Las Vegas City Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada, when all complaints, protests and objections to the final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the Maintenance Project in the District, by any person interested, and by any parties aggrieved by such assessments, would be heard and considered by the City Council; and

WHEREAS, the Engineer has, in accordance with the provisions of law relating thereto, given the requisite legal notice by both mail and publication that complaints, protests and objections to assessments for the Maintenance Project 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, April 6, 2005, at 1:00 p.m., at the Las Vegas City Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada; and

WHEREAS, the City Council caused the final assessment roll ("Tabulation of Parcels") to be filed in the records of the office of the City Clerk on March 2, 2005; and

WHEREAS, the City Clerk, by publication and by mail, gave the requisite notice of the time and place of such hearing on April 6, 2005, of the filing of the final assessment roll in her office, of the date of filing the same, and of the right of any such person to object specifically in writing and of the waiver of any objection in the absence of such objection; and

WHEREAS, at the time and place so designated, the City Council met to hear and determine all objections filed or made orally by any interested party; and

WHEREAS, all complaints, protests and objections, both written and oral, were found to be without sufficient merit and overruled, except as provided in the District No. 1485 (FY2006) Assessment Protest Resolution, and

WHEREAS, by the District No 1485 (FY2006) Assessment Protest Resolution, the City Council modified, corrected and revised the final assessment roll and modified, corrected, revised and confirmed the final assessment roll to be in final form; and

WHEREAS, the assessments do not exceed the benefits to the property assessed nor the total cost of the Maintenance Project payable from assessments as heretofore determined; and

WHEREAS, it is incumbent upon the City Council to provide when said assessments shall become due and penalties payable after any delinquency; and

WHEREAS, the City Council has determined, and does hereby determine, that the City shall pay the costs of the Maintenance Project, with funds completely derived from the levy of assessments.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES ORDAIN AS FOLLOWS:

Section 1 This Ordinance shall be known as, and may be cited by, the short title "District No. 1485 (FY2006) Levy Ordinance" (hereinafter the "Ordinance").

Section 2. The City Council has heretofore determined, and does hereby declare, that each and every complaint, protest and objection made in connection with the District is without sufficient merit and the same be, and the same hereby is, overruled, and finally passed on by the City Council, except as provided in the District No. 1485 (FY2006) Assessment Protest Resolution.

Section 3. All actions, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Ordinance) concerning Special Improvement District No. 1485 – Alta Drive (Landscape Maintenance FY2006) including, but not limited to, the creation of the District, the amount of the maintenance contract, the levy of assessments for those purposes, the determination that the tracts in the District will receive special benefits and market value

increases, and the validation and confirmation of the final assessment roll and the assessments therein, be, and the same hereby is, ratified, approved and confirmed.

Section 4 For the purpose of paying the costs and expenses of the Maintenance Project, the amounts and assessments shown in the final assessment roll (as so filed, modified and confirmed) are hereby levied and assessed against the lots, tracts and parcels of land in the District (being all those specially benefited by the Maintenance Project) and described in the final assessment roll for the District, as filed in the office of the City Clerk on March 2, 2005, and as modified and confirmed by the District No 1485 (FY2006) Assessment Protest Resolution duly adopted by the City Council on May 4, 2005.

Section 5. The assessments shall be due and payable at the office of the City Treasurer within 30 days after this Ordinance becomes effective, without interest and without demand; provided that all or any part of such assessments may, at the election of the owner, be paid in installments, as hereinafter provided Failure to pay the whole assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments the amount of the assessment then unpaid In case of such election to pay in installments, the unpaid assessments shall be payable in four (4) substantially equal quarterly installments of principal until paid in full, without interest, payable at the office of the City Treasurer on July 1, 2005, October 3, 2005, January 2, 2006 and April 3, 2006. Failure to pay any installment when due shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the City, the exercise of said option to be indicated by the commencement of foreclosure proceedings by the City, and the whole amount of the unpaid principal shall, after such delinquency, whether said option is or is not exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest until the day of sale or until paid, but at any time prior to the date of the sale the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, and all penalty interest accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The

owner of any property assessed and not in default as to any installment or payment may, at any time (at the option of such owner), pay the whole or any installment of the unpaid principal

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the property owner's application for renewal of the Hardship Determination is disapproved, or (c) the property owner pays all previous and current assessments. The property owner shall file an application for renewal of the Hardship Determination each year when the Maintenance Project is levied. The owner shall also be subject to the lien as provided in Section 6 hereof.

Section 6. The amounts assessed shall be a lien upon the owner's lots, tracts and parcels of land from the effective date of this Ordinance (i.e. May 22, 2005) until paid. The lien shall be co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general or other taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor. Such amounts shall continue to be a lien upon the lots, tracts and parcels of land assessed until paid in full (including all principal, penalties, and collection costs).

Section 7. Should any lot, tract or parcel of land within the District be divided after the effective date of this Ordinance and before the collection of all the assessment installments, or if any property in the District makes a request to do so, the City Council may require the City Treasurer to apportion, combine or reapportion the uncollected amounts upon the several parts of land so divided or combined in accordance with the provisions of NRS 271.425. The report of such an apportionment, combination or reapportionment, when approved, shall be conclusive on all the parties, and all assessments thereafter made upon the tracts shall thereafter be according to the subdivision. The report, when approved, shall be recorded in the office of the County Recorder of Clark County, Nevada, together with a statement that the current payment status of any of the assessments may be obtained from the City Treasurer. Neither the failure to record the report, nor any defect in the report as recorded, shall affect the validity of the assessments, the lien for the payment thereof or the priority of that lien.

Section 8 In case any lot, tract or parcel of land so assessed is delinquent in the payment of the assessment or any installment of principal, the City Council shall forthwith cause the owner of such delinquent property, if known, to be immediately notified in writing of such delinquency, by first-class mail, postage prepaid, addressed to the addressee's last known address. If such delinquency is not paid within 10 days after such notice was given by deposit in the United States mail, then said assessment shall be enforced by the City Treasurer and other officers of the City, as provided in NRS 271.545 to NRS 271.625. Nothing herein shall be construed as preventing the City, at the direction of the governing body, from collecting any assessment by suit in the name of the governing body. The final assessment roll and the certified copy of this Ordinance shall be prima facie evidence of the regularity of the proceedings in making the assessment and of the right to recover judgment therefor.

Section 9 The City Clerk is hereby directed to deliver to the City Treasurer a copy of the final assessment roll containing a description of the lots, tracts and parcels of land being assessed, with the amount of the assessment levied upon each and the name and address of the owner or owners against whom the assessment was made. The final assessment roll is to be recorded in the office of the County Recorder together with the statement that the current payment status of any assessment may be obtained from the City Treasurer. The City Treasurer is additionally directed to collect the several sums so assessed as a tax upon the several tracts to which they were assessed.

Section 10 In accordance with NRS 271.405(7) the City Clerk shall give notice by publication in the Las Vegas Review-Journal, a newspaper of general circulation in the City, and such notice to be published at least once a week, for three consecutive publications, by three weekly insertions, the first such publication to be at least 15 days prior to the end of the 30-day period stating that said assessments have been levied and are due and payable and the last day for their payment. It shall not be necessary that the notice be published on the same day of the week, but not less than 14 days shall intervene between the first publication and the last publication. Service by publication shall be verified by the affidavit of the publisher or his designee and filed with the City Clerk of the City. In accordance with NRS 271.390(2) the City Clerk or Deputy City Clerk shall also give written notice of the levying of the assessments by mailing a copy of such notice, postage prepaid, at least 20 days prior to the end of said 30-day period, to the owner or owners of all property upon which the assessment was levied at his or her

last known address or addresses. Proof of such mailing shall be made by the affidavit of the City Clerk or Deputy City Clerk and such proof shall be filed with the City Clerk. Failure to mail any such notice or notices shall not invalidate any assessment or any other proceedings concerning the District. Proof of the publication and proof of the mailing shall be maintained in the permanent records of the office of the City Clerk until all special assessments have been paid in full or until any claim is barred by an appropriate statute of limitations. The City Council hereby determines that the manner of giving notice herein provided by publication and by mail is reasonably calculated to inform the parties of the proceedings concerning the District and the levy of assessments which may directly and adversely affect their legally protected interests.

Section 11 The notice provided for in NRS 271 390(2) and NRS 271 405(7) and in Section 10 of this Ordinance shall be in substantially the following form:

(Form of Notice)

NOTICE TO PROPERTY OWNERS OF THE LEVY OF ASSESSMENTS FOR
LANDSCAPE MAINTENANCE IN CITY OF LAS VEGAS, NEVADA SPECIAL
IMPROVEMENT DISTRICT NO. 1485 – ALTA DRIVE (LANDSCAPE
MAINTENANCE FY2006)

NOTICE IS HEREBY GIVEN to the owners of all property upon which an assessment has been levied, and other interested persons, that District No. 1485 (FY2006) Levy Ordinance (hereinafter the "Levy Ordinance") was duly passed, adopted, signed and approved on May 18, 2005. The Levy Ordinance levied and assessed the cost and expense of landscape maintenance against the lots, tracts and parcels of land specially benefited by the maintenance in what is commonly designated as "City of Las Vegas, Nevada, Special Improvement District No 1485 – Alta Drive (Landscape Maintenance)," (said lots, tracts and parcels of land being more specifically described in the final assessment roll designated in the ordinance).

Assessments are due and payable at the office of the City Treasurer in Las Vegas, Nevada, on or before June 21, 2005, being 30 days after the effective date of the Levy Ordinance, without interest and without demand, provided that all, or any part of such assessments may, at the election of the owner, be paid in installments, without interest as hereinafter provided. Failure to pay the whole assessment within the 30-day period will be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay the unpaid assessment in installments. In case of such election to pay in installments, the unpaid assessments will be payable in four (4) substantially equal quarterly installments of principal until paid in full, being payable at the office of the City Treasurer in Las Vegas, Nevada, on July 1, 2005, October 3, 2005, January 2, 2006, and April 3, 2006. Failure to pay any assessment installment when due will cause the whole of the unpaid principal of such assessment to become due and payable immediately at the City's option, and the whole amount of the unpaid principal will, after such delinquency, whether the City's option is or is not exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of sale or until paid, but at any time prior to the date of the sale, the owner may pay the amount of all delinquent

installments originally becoming due on or before the date of payment, and all penalty interest accrued, and will thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property not in default as to any assessment installment or payment may, at any time, pay the whole or any installment of the unpaid principal

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed. The assessment shall remain postponed until the earlier of the following occurrences. (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the property owner's application for renewal of the Hardship Determination is disapproved; or (c) the property owner pays all previous and current assessments. The property owner shall file an application for renewal of the Hardship Determination each year when the Maintenance Project is levied. The owner shall also be subject to the lien as provided in Section 6 hereof

Pursuant to NRS 271.395, within 15 days after the effective date of the Levy Ordinance, any person who has filed a complaint, protest or objection in writing, pursuant to NRS 271.380, shall have the right to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter, all actions or suits attacking the regularity, validity and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, of the amount of special benefits and market value increases, and of the amount thereof levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation shall be perpetually barred

The amounts assessed as aforesaid constitute a lien upon said lots, tracts and parcels of land from May 22, 2005, (i.e., the effective date of the Levy Ordinance), which lien shall be co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor

Dated this May 18, 2005

BARBARA JO RONEMUS, City Clerk

(End of Form of Notice)

Section 12. The officers of the City be, and they hereby are, authorized and directed to take all action necessary and appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing, the preparation of all necessary documents, legal proceedings, the recording of the final assessment roll, and other items necessary or desirable for the completion of the levying of the assessments of the District.

Section 13 All ordinances or resolutions, or parts thereof, in conflict with the provisions of this Ordinance, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed

Section 14. That in accordance with Section 2.110 of the City Charter, this Ordinance when first proposed is to be read by title to the City Council, immediately after which an adequate number of copies of the proposed Ordinance are to be deposited with the office of the City Clerk for public examination and distribution upon request; thereafter, the City Clerk is authorized and directed to give notice of the deposit together with the title of the Ordinance by publication at least once in the Las Vegas Review-Journal, i.e., a newspaper published and having general circulation in the City, at least ten (10) days before the adoption of the Ordinance, i.e., at least ten (10) days before May 18, 2005, such publication to be in substantially the following form

(FORM OF PUBLICATION OF NOTICE OF DEPOSIT OF AN ORDINANCE)

ORDINANCE NO. _____

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1485 ALTA DRIVE (LANDSCAPE MAINTENANCE FY2006) PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF MAINTAINING STREET BEAUTIFICATION IMPROVEMENTS, ASSESSING THE COST OF MAINTENANCE AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID MAINTENANCE, RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-entitled proposed Ordinance were filed with and are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, 400 Stewart Avenue, Las Vegas, Nevada, and that such ordinance was proposed on the 20th day of April, 2005, and will be considered for adoption at the regular meeting of the City Council of the City of Las Vegas on the 18th day of May, 2005

/s/ Barbara Jo Ronemus
City Clerk

(End of Form)

Section 15. That this Ordinance shall be in effect on the day after its publication, as hereinafter provided After this Ordinance is signed by the Mayor and attested and sealed by the City Clerk, this Ordinance shall be published by title only, together with the names of the City Council voting for or against its passage, and with a statement that typewritten copies of said Ordinance are available for inspection by all interested parties at the office of the City Clerk, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having general circulation in the City, at least once, pursuant to Section 2 110 of the Charter and all laws thereunto enabling, such publication is to be in substantially the following form

(Form for Publication After Final Adoption of Ordinance)

ORDINANCE NO _____

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO 1485 – ALTA DRIVE (LANDSCAPE MAINTENANCE FY2006), PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF MAINTAINING STREET BEAUTIFICATION IMPROVEMENTS; ASSESSING THE COST OF MAINTENANCE AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID MAINTENANCE, RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN, PRESCRIBING DETAILS IN CONNECTION THEREWITH

PUBLIC NOTICE IS HEREBY GIVEN that the above Ordinance was proposed on May 4, 2005, and was passed at a regular meeting held on May 18, 2005, by the following vote of the City Council of the City of Las Vegas, Nevada

Those Voting Aye.

Oscar B Goodman
Gary Reese
Larry Brown
Lawrence Weekly
Michael Mack
Steve Wolfson
Lois Tarkanian

Those Voting Nay

Those Absent

This Ordinance shall be in full force and effect from and after May 22, 2005, i.e., the day after its publication by title only

IN WITNESS WHEREOF, the City Council of the City of Las Vegas, Nevada, has caused this Ordinance to be published by title only

This 18th day of May, 2005

/s/ OSCAR B GOODMAN
Mayor
City of Las Vegas, Nevada

(SEAL)

Attest
/s/ BARBARA JO RONEUMUS
City Clerk

Section 16 That if any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance

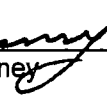
Introduced May 4, 2005, PASSED, ADOPTED AND APPROVED May 18, 2005

OSCAR B GOODMAN, Mayor

Attest

BARBARA JO RONECUS, City Clerk

Approved as to Form

21 APR 2005 N Z 
Date Deputy City Attorney

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

I, Barbara Jo Ronemus, the duly chosen, 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 an ordinance which was introduced at the meeting of the City Council on May 4, 2005, and finally adopted and approved on May 18, 2005.

2 The following members of the City Council were present at the May 4, 2005, Council meeting

Mayor	Oscar B Goodman
Councilmembers:	Gary Reese
	Larry Brown
	Lawrence Weekly
	Michael Mack
	Steve Wolfson
	Lois Tarkanian

3. The foregoing Ordinance was first proposed and read by title to the City Council on May 4, 2005, and referred to a committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said Ordinance on May 18, 2005, which was a regular meeting of said City Council, that at said regular meeting, the proposed Ordinance was again read by title to the City Council and adopted. The following members of the City Council were present at the May 18, 2005, meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:	Oscar B. Goodman
	Gary Reese
	Larry Brown
	Lawrence Weekly
	Michael Mack
	Steve Wolfson
	Lois Tarkanian

Those Voting Nay.

Those Absent:

4. The original of the Ordinance has been approved and authenticated by the signatures of the Mayor of the City and myself, as Clerk of the City, and sealed with the seal of the City, and has been recorded in the journal of the City Council kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

5 All members of the City Council were given due and proper notice of the meetings held on May 4, and May 18, 2005 Pursuant to § 241 020, Nevada Revised Statutes, written notice of the meetings was given no later than 9 00 a m on the third working day before the meetings, including in the notice the time, place, location, and agenda of the meeting

(a) By posting a copy of the notice by 9 00 a m at least three (3) working days before the meetings 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 by 9 00 a m. no later than three (3) working days before the meetings 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.

6 A copy of such notice so given of the meeting of the City Council on May 4, 2005, is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the City Council on May 18, 2005, is attached to this certificate as Exhibit B

7. Upon request, the governing body 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 members of the governing body for an item on the agenda, except for certain confidential materials and materials pertaining to the closed meetings, as provided by law

IN WITNESS WHEREOF, I have hereunto set my hand on this May 18, 2005.

BARBARA JO RONEMUS, City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of May 4, 2005 Meeting)

EXHIBIT B

(Attach Copy of Notice of May 18, 2005 Meeting)

TM / REC'Dg CTRMNG: 4P TUES. 17 MAY, '05 (8th FLR) (CNR. S. WOLPSON
CNR. L. TARKANIAN) (1 min) > --

Cit. Partic.

TOM MCGOWAN; RESIDENT OF THE ARTS DISTRICT IN WARD 1 OF THE CITY OF LAS VEGAS FOR MORE THAN FIFTY (50) YEARS.

1. AT 3 PM ~ THURSDAY, 19 MAY, '05, ANOTHER IN A CONTINUING SERIES OF UNLAWFUL MEETINGS OF THE CITY OF LAS VEGAS ARTS DISTRICT TASK FORCE WILL BE HELD IN MEETING ROOM 2-B OF THE DEVELOPMENT SERVICES CENTER BUILDING AT SO. FIFTH STREET AND GASS AVENUE, IN VIOLATION OF BOTH CONSTITUTIONAL AND STATUTORY LAW, ~ (SPECIFICALLY, THE 1ST AND 14TH AMENDMENTS TO THE CONSTITUTION OF THE UNITED STATES, AND NRS 241, THE NEVADA OPEN MEETING LAW). (EXHIBIT ~~SECRET~~ AVAILABLE).

YOU ARE EACH AND BOTH ADVISED AND RECOMMENDED TO ATTEND AND OBSERVE, PURSUANT TO PERSONAL DIRECT EVIDENCE OF THE FACT OF THE UNLAWFUL MEETING(S) HELD ON PUBLIC-OWNED CITY OF LAS VEGAS OFFICIAL PROPERTY AND PREMISES -

2. IN TOMORROW'S REGULAR MEETING OF THE LAS VEGAS CITY COUNCIL, (AFT. SESSION), ILL ADDRESS AN AGENDA ITEM PRIMA FACIE INDICATIVE OF THE CONFLICT OF INTEREST-ENGAGED AND APPARENTLY UNLAWFUL GOVERNMENT OF THE CITY OF LAS VEGAS.

THE WRITTEN TEXT OF MY PUBLIC COMMENT IS SUBMITTED AND REQUESTED INCLUSION IN THE MEETING MINUTES IN COMPLIANCE WITH NRS 241, THE NEVADA OPEN MEETING LAW.

(SUBMITTED)

THANK YOU,

TM/NE CITE Wtg. 3P Tues. 12 MAR, 08 (SMTA) (CND. S. JOHNSON) (CND. L. THORNTON) < (1 min) >

TOM MCGOWAN: RESIDENT OF THE ARTS DISTRICT IN WARD 1 OF THE CITY OF LAS VEGAS FOR MORE THAN FIFTE (50) YEARS.

PUBLIC-EXCLUDED AND PUBLIC-DISPARAGED, PLANLESS AGGRESSIVE DEVELOPMENT OF HIGH-RISE CONDOMINIUMS IN THE CENTRAL BUSINESS COMMUNITY OF WARD 1 HAS VIRTUALLY DESTROYED THE QUALITY OF LIFE AND OPPORTUNITY FOR LOCAL RESIDENTS OF THE IMPACTED AREA.

UNLAWFUL! WITHOUT A PERMIT

THE LOCATION OF HOUSER AVENUE BETWEEN CASINO CENTER BLVD. AND S. THIRD ST. AND BETWEEN S. FOURTH ST. AND LAS VEGAS BLVD., SO-1 TO ACCOMMODATE HIGH-RISE DEVELOPERS AND CONSTRUCTION COMPANIES THAT UNLAWFULLY EMPLOY ILLEGAL ALIENS, DENIES LOCAL RESIDENTS, INCLUDING BUT NOT LIMITED TO SENIORS AND DISABLED PERSONS, NECESSARY ACCESS TO THE EAST AND WEST PEDESTRIAN SIDEWALK RIGHT-OF-WAY BETWEEN CASINO CENTER BLVD. AND LAS VEGAS BLVD., SO.

DESPITE PREVIOUS AND REPEATED PUBLIC REQUESTS FOR TIMELY RESPONSE, HAS PUBLIC TRANSIT SERVICE HAS NOT BEEN PROVIDED TO RESIDENTS OF THE IMPACTED AREA, WHICH MAKES IT EXTREMELY DIFFICULT AND VIRTUALLY IMPOSSIBLE FOR SENIORS AND DISABLED RESIDENTS TO TRAVEL TO AND FROM THE IMPACTED AREA AND DOWNTOWN AND OTHER AREAS OF THE CITY OF LAS VEGAS.

IT REMAINS FOR UNDEVELOPED AND RESPONSIBLE Elected PUBLIC OFFICIALS TO IMMEDIATELY CORRECT THESE APPALLING DEFICIENCIES, COMPLETELY AND PERMANENTLY.

MY PUBLIC COMMENT IS SUBMITTED AND REQUESTED INCLUSION IN THE MEETING MINUTES.

THANK YOU,

(SMTA)

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MAY 17, 2005

CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE COMMITTEE. NO SUBJECT MAY BE ACTED UPON BY THE COMMITTEE 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

MINUTES:

TOM McGOWAN, Las Vegas resident, submitted his written comments, a copy of which is attached and made a part of the final minutes.

(4:07 - 4:11)

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THE MEETING ADJOURNED AT 4:11 P.M.

Respectfully submitted:



Gabriela Portillo-Brenner, Deputy City Clerk

May 25, 2005