



MINUTES

City of Las Vegas

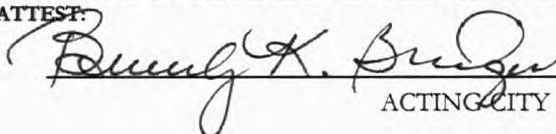
COUNCIL CHAMBERS • 400 STEWART AVENUE • 229-6011 (VOICE) • 386-9108 (TDD)

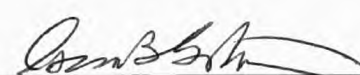
CITY COUNCIL
MEETING OF
JANUARY 3, 2007

CITY COUNCIL	PRESENT	ABSENT	EXCUSED
MAYOR OSCAR B. GOODMAN	☒	☐	☐
COUNCILMAN GARY REESE MAYOR PRO-TEM	☒	☐	☐
COUNCILMAN LARRY BROWN	☒	☐	☐
COUNCILMAN LAWRENCE WEEKLY	☒	☐	☐
COUNCILMAN STEVE WOLFSON	☒	☐	☐
COUNCILWOMAN LOIS TARKANIAN	☒	☐	☐
COUNCILMAN STEVEN ROSS	☒	☐	☐
DOUG SELBY, CITY MANAGER	☒	☐	☐
BRAD JERBIC, CITY ATTORNEY	☒	☐	☐
BARBARA JO RONEMUS, CITY CLERK	☒	☐	☐

APPROVED BY REFERENCE: FEBRUARY 21, 2007

ATTEST:


ACTING CITY CLERK


MAYOR



CITY COUNCIL AGENDA

COUNCIL CHAMBERS · 400 STEWART AVENUE · PHONE 229-6011

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

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

COUNCIL MEMBERS: LARRY BROWN (Ward 4), LAWRENCE WEEKLY (Ward 5),

STEVE WOLFSON (Ward 2), LOIS TARKANIAN (Ward 1), STEVEN D. ROSS (Ward 6)

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

January 03, 2007

Morning Session begins at 9:00 a.m.

Afternoon Session begins at 1:00 p.m.

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

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

DUPLICATE AUDIO CD'S AND DUPLICATE AUDIO/VIDEO DVD'S MAY BE AVAILABLE AT A COST OF \$5.00 EACH THROUGH THE CITY CLERK'S OFFICE.

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

CEREMONIAL MATTERS

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. INVOCATION – REVEREND MARY BREDLAU, PALM MORTUARY
4. PLEDGE OF ALLEGIANCE
5. OATH OF OFFICE ADMINISTERED TO ROB W. BARE FOR MUNICIPAL COURT JUDGE, DEPARTMENT 6
6. RECOGNITION OF THE CITIZEN OF THE MONTH
7. RECOGNITION OF BUFFALO WILD WINGS FOR SUPPORT OF THE LAS VEGAS FIRE AND RESCUE DEPARTMENT
8. RECOGNITION OF PALO VERDE HIGH SCHOOL BOYS STATE AAAA TENNIS CHAMPIONS
9. RECOGNITION OF STELLA FLEMING SENIOR CENTER RESIDENT SEMOINE BROUNER FOR VOLUNTEER SERVICE
10. RECOGNITION OF THE MEADOWS SENIOR MOBILE HOME PARK BOARD OF DIRECTORS FOR COMMUNITY OUTREACH

BUSINESS ITEMS - MORNING

11. Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time
12. Approval of the Final Minutes by reference of the regular City Council meeting of November 15, 2006

CONSENT AGENDA

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

BUSINESS DEVELOPMENT - CONSENT

13. Approval of Declaration of Reserved Easement for Emergency Access for the benefit of Foundation for an Independent Tomorrow, on the west side of Stella Lake Street, approximately 600 feet south of Lake Mead Boulevard (APN 139-21-313-011) - Ward 5 (Weekly)

FIELD OPERATIONS - CONSENT

14. Approval of a Grant of Easement from the City of Las Vegas to Nevada Power Company to cancel and supersede the Right-of-Entry previously on record and continue to allow Nevada Power Company access to the site for electrical systems needs located at 1551 South Buffalo Drive commonly known as All American Park, APN 163-04-604-002 - Ward 2 (Wolfson)

FINANCE & BUSINESS SERVICES - ADMINISTRATION CONSENT

15. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES CONSENT

16. Approval of a Special Event License for Beauty Bar Salon, Location: 517 Fremont Street, Date: January 5, 2007, Type: Special Event General, Event: Music and Dancing Live Arts, Responsible Person in Charge: Scott Infantolino - Ward 5 (Weekly)
17. Approval of a Special Event License for Go Home Limited, Location: World Market Center, 495 South Grand Central Parkway, Suite 318, Dates: January 29-31, 2007 and February 1-2, 2007, Type: Special Event General, Event: Trade Show, Responsible Person in Charge: Lauren Weinstein - Ward 5 (Weekly)
18. Approval of Change of Ownership, Change of Business Name and Change of Location for a Tavern License subject to the provisions of the planning and fire codes and Health Dept. regulations, From: Samcon, Inc., dba Tomfoolery's, Sean T. Higgins, Pres, 100%, To: The Lodge At Grand Teton Operator, LLC, dba The Lodge At Grand Teton, 8350 Grand Teton Drive, Stuart E. Apollo, Mmbr, 100% - Ward 6 (Ross)
19. Approval of Change of Ownership and Change of Business Name for a Burglar Alarm Service License, From: National Alarm Computer Center, Inc., dba National Alarm Computer Center, Stephen B. Baker, VP, To: Integrated Alarm Services Group, Inc., dba Criticom International, 96 Corporate Park Drive, Robert B. Heintz, VP, Michael T. Moscinski, CFO and Brian Edward Shea, Executive VP - California
20. Approval of a new Hypnotist License, Donna Jean Rod, dba Donna Rod, 800 North Rainbow Boulevard, Suite 170, Donna J. Rod, 100% - Ward 1 (Tarkanian)

21. Approval of a new Hypnotherapist License subject to the provisions of the planning and fire codes, Maria Lifrieri, dba NY Hypnosis & Laser Center, Ltd., 8871 West Sahara Avenue, Suite 100, Maria S. Lifrieri, 100% - Ward 2 (Wolfson)

FINANCE & BUSINESS SERVICES - PURCHASING & CONTRACTS CONSENT

22. Approval of award of Modification No. 2 to Contract No. 060017 for Maintenance of Yucca Mountain Monitoring Program - Office of Administrative Services - Award recommended to: URBAN ENVIRONMENTAL RESEARCH, LLC (\$74,072 - Multipurpose Special Revenue Fund)
23. Approval of award of Bid No. 06.53541.01-LED, Warehouse Expansion and Office Addition - Water Pollution Control Facility (WPCF) located at 6005 East Vegas Valley Drive and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: APCO CONSTRUCTION (\$1,114,140 - Sanitation Enterprise Fund) - County
24. Approval of a Purchase Order for Diversity Champions Training - Department of Human Resources - Award recommended to: GUARDIAN QUEST (not-to-exceed \$100,000 - General Fund)
25. Approval of ratification of a purchase order for Chevrolet Vehicles - Department of Field Operations - Award recommended to: CHAMPION CHEVROLET (\$50,438.25 - Automotive Service Internal Service Fund)

NEIGHBORHOOD SERVICES - CONSENT

26. Approval to enter into an Agreement with the State of Nevada, Department of Business and Industry, Housing Division (NHD) to receive \$1,809,000 in Low Income Housing Trust Fund (LIHTF) funds for qualified Trust Fund projects or activities subject to entering into written agreements with the recipients and requiring compliance with the regulations under NRS Chapter 319 and NAC 319 – All Wards
27. Approval of an allocation of \$200,000 in Home Investment Partnership Programs/Low-Income Housing Trust Funds (HOME/LIHTF) to Neighborhood Services Department, EVOLVE Program to operate a tenant-based rental assistance program - All Wards

PUBLIC WORKS - CONSENT

28. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Art Consulting Engineers on behalf of Gordon and Bryan Investment, LLC, owner (southwest corner of Torrey Pines Drive and Jo Marcy Drive, APN 125-14-106-002) - County (near Ward 6 - Ross)
29. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Peak Development Services on behalf of Indian Summer Development, LLC, owner (northeast corner of Tee Pee Lane and Ann Road, APN 125-30-807-001) - County (near Ward 6 - Ross)
30. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Affleck Engineering on behalf of G.L. Kennedy Trust, Gay Louise Kennedy, Trustee and Gall Family Trust Dated November 26, 2001, Steven H. Gall and V. Joyce Gall, Trustees, owners (north of Maggie Avenue between Four Views Street and Homestead Street, APN 125-08-502-005) - County (near Ward 6 - Ross)
31. Approval of an Encroachment Request from TRC/BV Engineering Nevada on behalf of Parkway Center, LLC, owner (northeast corner of Grand Central Parkway and City Parkway) - Ward 5 (Weekly)
32. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Kevin Skehan and Candi Skehan, owners (south of Deer Springs Way and west of Mustang Street, APN 125-23-701-003) - County (near Ward 6 - Ross)
33. Approval of an Encroachment Request from JPL Engineering, Incorporated, on behalf of Urban Lofts X, Limited, owner (Fremont Street between Bruce Street and Eastern Avenue) - Ward 3 (Reese)

34. Approval of an Encroachment Request from the Las Vegas - Clark County Library District, owner (Sahara Avenue between Grand Canyon Drive and Village Square Center) - Ward 2 (Wolfson)
35. Approval to appraise and purchase or condemn right-of-way parcels for the East Charleston Boulevard Bus Turnouts project from Fremont Street to Nellis Boulevard (\$700,000 - Regional Transportation Commission [RTC]) - Ward 3 (Reese)
36. Approval to file an amendment to Right-of-Way Grant N-77772 with the Bureau of Land Management for roadway, sanitary sewer, trails, streetscape amenities and drainage purposes on portions of land lying within portions of Section 1, Township 19 South, Range 59 East, Mount Diablo Meridian, generally located from Iron Mountain Road to Hualapai Way, APNs 126-01-401-003, 126-01-401-001 and 126-01-502-005 - Ward 6 (Ross)
37. Approval of a Cooperative Agreement with the Nevada Department of Transportation (NDOT) for perpetual maintenance of the Bonanza Trail located within the NDOT right-of-way, beginning at the intersection of Washington Avenue and Durango Drive and ending at the intersection of Decatur Boulevard and the US-95 off-ramp (\$90,000 yearly - General Fund) - Wards 1, 4 and 5 (Tarkanian, Brown and Weekly)

RESOLUTIONS - CONSENT

38. R-1-2007 - Approval of a Resolution concerning proposed Special Improvement Districts within the Summerlin area, approving a Water Line Reimbursement Agreement and other related matters - Ward 2 (Wolfson)
39. R-2-2007 - Approval of a Resolution Determining the Cost and Directing the City Engineer to prepare the Final Assessment Roll for Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) (\$481,988.99 - Capital Projects Fund/Special Assessments) - Ward 6 (Ross)
40. R-3-2007 - Approval of a Resolution fixing the time and place when complaints, protests, and objections to the Final Assessment Roll will be heard for Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) (\$481,988.99 - Capital Projects Fund/Special Assessments) - Ward 6 (Ross)
41. R-4-2007 - Approval of a Resolution overruling complaints, protests, and objections and confirming the Final Assessment Roll for Special Improvement District No. 1493 - Hualapai Way/Alexander Road (Cheyenne Avenue to Cimarron Road) - Ward 4 (Brown)
42. R-5-2007 - Approval of a Resolution overruling complaints, protests, and objections and confirming the Final Assessment Roll for Special Improvement District No. 1505 - Sierra Oeste Neighborhood Streetlights (\$62,576.19 - Capital Projects Fund/Special Assessments) - Ward 5 (Weekly)

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

43. Report from the City Manager on Emerging Issues

CITY ATTORNEY - DISCUSSION

44. Discussion and possible action on Appeal of Work Card Denial: Approved July 12, 2006 granting a site specific work card with a six month review: Susan Rhea Gilloon, 1300 Fremont Street #258, Las Vegas, Nevada 89101
45. Discussion and possible action on Appeal of Work Card Denial: Flaviana A. Guerette, 7241 Early Pioneer Avenue, Las Vegas, Nevada 89129
46. ABEYANCE ITEM - Discussion and possible action to retain the consulting services of Williams Aviation to assist the City of Las Vegas in an appeal of the FAA record of decision regarding the proposed right turn at McCarran International Airport (\$100,000 – General Fund)

47. ABEYANCE ITEM - Discussion and possible action to retain legal services of Chevalier, Allen and Lichman to represent the City of Las Vegas in an appeal of the FAA record of decision regarding the proposed right turn at McCarran International Airport (\$300,000 - General Fund)
48. Discussion and possible action to award Contract No. 070128 for Aviation Consultant Services - Department of Government & Community Affairs - Award recommended to: WILLIAMS AVIATION CONSULTANTS, INC. (\$57,000 - General Fund) - All Wards

CITY AUDITOR - DISCUSSION

49. Discussion and possible action on Annual Audit Recommendation Follow-Up as of June 30, 2006 (2600-0607-03)

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES DISCUSSION

50. Discussion and possible action regarding Temporary Approval of Change of Ownership and Change of Business Name for a Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes and Health Dept. regulations, From: Las Familias, dba Enricos Italian Bistro, Joanne M. Prieto, Dir, Pres, Sec, Treas, 100%, To: Lorenzo's Italian Bistro, Inc., dba Lorenzo's Italian Bistro, 4864 West Lone Mountain Road, Lorenzo G. Sommaggio, Pres, 100% - Ward 6 (Ross)
51. Discussion and possible action regarding Temporary Approval of a new Supper Club License subject to the provisions of the planning codes, Bor Vada, LP, dba On The Border, 5630 Centennial Center Boulevard, GenBusiness Corporation, General Partner, 5%, John D. Gantes, Principal, Yanni Capital Business Partnership, LP, Limited Partner, 95%, John D. and Linda R. Gantes, Community Property Trust, Principal - Ward 6 (Ross)
52. Discussion and possible action regarding Temporary Approval of Change of Ownership, Change of Location and Change of Business Name for a Tavern License, From: Golden Wok Restaurant, Inc., dba Golden Wok Restaurant (Non-operational), 504 South Decatur Boulevard, Koon K. Chang, Pres, Yuk C. Chan, Secy and Kwok W. Cheng, Treas, To: Culture Club of Las Vegas, LLC., dba Polly Esther's, 2000 South Las Vegas Boulevard, Andrew W. Adelman, 33.3%, Robert M. Watman, 33.3% and Bamny, LLC., Timothy T. Ouellette, 33.3% - Ward 3 (Reese)
53. Discussion and possible action regarding Temporary Approval of a new Tavern License subject to the provisions of the fire codes and Health Dept. regulations, Outback Nevada II, L.P., dba Outback Steakhouse, 740 South Decatur Boulevard, Outback Steakhouse of Florida, Inc., General Partner, 81%, Summit West Corporation, Limited Partner, 9% and John Kanas, Limited Partner, 10% - Ward 1 (Tarkanian)
54. Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, Pablo Padilla, dba Padilla's Martial Arts, 871 North Nellis Boulevard, Suite 2, Pablo Padilla, 100% - Ward 3 (Reese)
55. Discussion and possible action on an Appeal of Non-renewal of an Independent Massage Therapist License, David R. Silvaggio, 9330 West Sahara Avenue, # 250 - Ward 2 (Wolfson)
56. ABEYANCE ITEM - Discussion and possible action regarding a new Psychic Arts and Science License subject to the provisions of the planning and fire codes, Lorraine Marks, dba Ms. Laurie, 425 Fremont Street - Ward 3 (Reese)

NEIGHBORHOOD SERVICES - DISCUSSION

57. Report on the status of the Southern Nevada Regional Planning Coalition (SNRPC) Committee on Homelessness (CoH) regional effort - All Wards

PUBLIC WORKS - DISCUSSION

58. Report on the status of the US-95 widening project between Kyle Canyon Road and Charleston Boulevard and I-15 from Craig Road to Sahara Avenue - All Wards

RESOLUTIONS - DISCUSSION

59. R-6-2007 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the Redevelopment Agency and Ernesto J. Savino, located at 418 South Maryland Parkway (APN 139-34-811-064), to be in compliance with and in furtherance of the goals and objectives of the Redevelopment Agency - Ward 3 (Reese) [NOTE: This item is related to RDA Items 4 (RA-1-2007) and 5]
60. R-7-2007 - Discussion and possible action regarding a Resolution Consenting to the Real Property Exchange Agreement between the City of Las Vegas Redevelopment Agency and the Las Vegas Police Protective Association Metro, Inc., for the exchange of real property located at the Southeastern corner of 4th Street and Clark Avenue (APN 139-34-303-002) for the real property located at the Northwestern corner of 7th Street and Stewart Avenue (APN 139-34-501-011) to be in compliance with and in furtherance of the goals and objectives of the Redevelopment Agency (RDA) (\$314,250 approximate in-kind contribution - RDA) - Wards 3 and 5 (Reese and Weekly) [NOTE: This item is related to RDA Items 6 (RA-2-2007) and 7]

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

61. Bill No. 2006-67 – Adopts an updated version of the Las Vegas Downtown Centennial Plan, together with related development standards. Sponsored by: Councilman Gary Reese
62. Bill No. 2006-68 – Adopts the Union Park Design Standards and integrates them into other provisions that pertain to the Downtown Overlay District. Sponsored by: Mayor Oscar B. Goodman

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

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

63. Bill No. 2006-70 – Amends the legal description and map describing and depicting the boundaries of the Pedestrian Mall to reflect certain street vacation actions. Proposed by: Bradford R. Jerbic, City Attorney
64. Bill No. 2006-71 – Adopts provisions regarding the use of public streets for motorized racing events. Sponsored by: Councilman Gary Reese and Councilman Lawrence Weekly
65. Bill No. 2006-72 – Adopts the 2005 Edition of the National Electrical Code, together with amendments and supplementary material. Proposed by: Paul K. Wilkins, Director of Building and Safety
66. Bill No. 2006-73 – Adopts the 2006 Edition of the Southern Nevada Pool Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
67. Bill No. 2006-74 – Adopts the 2006 Edition of the Uniform Mechanical Code, together with amendments thereto, as the City's Mechanical Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
68. Bill No. 2006-75 – Adopts the 2006 Edition of the Uniform Plumbing Code, together with amendments thereto, as the City's Plumbing Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
69. Bill No. 2006-76 – Adopts the 2006 Edition of the International Energy Conservation Code, along with amendments thereto. Proposed by: Paul K. Wilkins, Director of Building and Safety
70. Bill No. 2006-77 – Adopts the 2006 Editions of the International Building Code and the International Residential Code, together with amendments thereto. Proposed by: Paul K. Wilkins, Director of Building and Safety

71. Bill No. 2006-78 – Updates the City's Administrative Code, relating to the administration of the various building and technical codes. Proposed by: Paul K. Wilkins, Director of Building and Safety
72. Bill No. 2006-79 – Allows small wind energy systems as a conditional use in the R-A, R-E and R-D Zoning Districts. Sponsored by: Councilman Steven D. Ross
73. Bill No. 2006-80 - Ordinance Creating Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) Sponsored by: Step Requirement
74. Bill No. 2006-81 - Grants to Nevada Power Company, a Nevada Corporation, a non-exclusive franchise to install, operate and maintain an electrical distribution system to provide electrical service to consumers within the City subject to and in accordance with the terms and conditions of the Franchise Agreement between the City and Nevada Power Company. Proposed by: Mark R. Vincent, Director of Finance and Business Services

NEW BILLS - DISCUSSION

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

75. Bill No. 2007-1 - Levies Assessment for Special Improvement District No. 1493 – Hualapai Way/Alexander Road (Cheyenne Avenue to Cimarron Road). Sponsored by: Step Requirement
76. Bill No. 2007-2 - Levies Assessment for Special Improvement District No. 1505 – Sierra Oeste Neighborhood Streetlights. Sponsored by: Step Requirement
77. Bill No. 2007-3 – Annexation No. ANX-12215 – Property location: On the north and south sides of I-215 (Clark County Highway 215), between Shaumber Road and Fort Apache Road; Petitioned by Southwest Desert Equities, LLC, et al.; Acreage: Approximately 259 acres; Zoned: R-E and P-F (County zoning), U (R), U (RNP), U (L), U (P-F) and C-V (City equivalents). Sponsored by: Councilman Steven D. Ross
78. Bill No. 2007-4 – Clarifies and standardizes the provisions that govern the expiration and termination of zoning-related applications and approvals. Proposed by: M. Margo Wheeler, Director of Planning and Development

1:00 P.M. - AFTERNOON SESSION

BUSINESS ITEMS - AFTERNOON

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

HEARINGS - DISCUSSION

80. Public Hearing to consider the report of expenses to recover costs for mitigation abatement of vacant or abandoned building and assess civil penalties located at 960 G Street. PROPERTY OWNER: ELSIE BATIE (\$19,062.71 - General Fund) – Ward 5 (Weekly)
81. Public Hearing to consider the report of expenses to recover costs for mitigation abatement of vacant or abandoned building and assess civil penalties located at 3804 Beacon Point Street. PROPERTY OWNER: KIONNE JOHNSON (\$3,452.90 - General Fund) - Ward 4 (Brown)
82. Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building located at 9504 Belgate Court. PROPERTY OWNER: POFERIA DYES-ALBRIGHT (\$3,282.50 - General Fund) - Ward 4 (Brown)

83. ABEYANCE ITEM - Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building located at 886 Miller Avenue. PROPERTY OWNER: WALTER & LIZZIE THOMAS (\$4,973 – General Fund) - Ward 5 (Weekly)

PLANNING & DEVELOPMENT

THE ITEMS LISTED BELOW, WHERE APPROPRIATE, HAVE BEEN REVIEWED BY THE VARIOUS CITY DEPARTMENTS RELATIVE TO REQUIREMENTS FOR STORM DRAINAGE AND FLOOD CONTROL, CONNECTION TO SANITARY SEWER, TRAFFIC CIRCULATION, AND BUILDING AND FIRE REGULATIONS. THEIR COMMENTS AND/OR RECOMMENDATIONS AND REQUIREMENTS HAVE BEEN INCORPORATED INTO THE ACTION

PLANNING & DEVELOPMENT - CONSENT

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

84. EOT-18225 - APPLICANT/OWNER: ANTONETTE MARTINEZ - Request for an Extension of Time of an approved Variance (VAR-5373) THAT ALLOWED A 10-FOOT REAR YARD SETBACK WHERE 35 FEET IS THE MINIMUM REQUIRED IN CONJUNCTION WITH A PROPOSED ROOM ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE on 0.47 acres at 2240 Shaw Circle (APN 163-03-802-004), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL
85. EOT-18217 - APPLICANT: WOOD PARTNERS - OWNER: ALTA MONTECITO - Request for an Extension of Time of an approved Special Use Permit (SUP-5296) THAT ALLOWED A DENSITY OF 66.94 UNITS WHERE 50 UNITS PER ACRE IS THE MAXIMUM ALLOWED FOR AN APPROVED 399-UNIT HIGH DENSITY RESIDENTIAL DEVELOPMENT on 5.96 acres adjacent to the southeast corner of Elkhorn Road and Grand Montecito Parkway (APN 125-20-510-002), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use) Town Center Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

86. DIR-18171 - APPLICANT/OWNER: RITZ COVE HOMEOWNERS ASSOCIATION - Request TO ALLOW THE OPERATION OF A 57 SQUARE FOOT WATER FEATURE at the entrance to an existing single family residential development at 2501 Monarch Bay Drive (APN 138-16-812-032), Ward 4 (Brown). Staff recommends APPROVAL
87. SUP-17551 - PUBLIC HEARING - APPLICANT: FAMOUS UNCLE AL'S HOT DOGS - OWNER: VIRGIN TERRITORY, LLC - Request for a Special Use Permit FOR A PROPOSED BEER/WINE/COOLER ON-SALE ESTABLISHMENT IN CONJUNCTION WITH A PROPOSED RESTAURANT at 6020 West Craig Road (APN 138-02-611-006), R-E (Residence Estates) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Ross). NOTE: THE CORRECT ADDRESS IS 6010 WEST CRAIG ROAD, SUITE #110. The Planning Commission (7-0 vote) and staff recommend APPROVAL
88. SDR-16954 - PUBLIC HEARING - APPLICANT: THE CHONG CO. - OWNER: CFT-TCC NELLIS, LLC - Request for a Site Development Plan Review FOR A 8,345 SQUARE FOOT SHOPPING CENTER on 1.24 acres on the west side of Nellis Boulevard, approximately 1,060 feet south of Bonanza Road (APN 140-32-517-003), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
89. SDR-17717 - PUBLIC HEARING - APPLICANT/OWNER: STEWART/NELLIS PARTNERS, LLC - Request for a Site Development Plan Review FOR AN 84,245 SQUARE FOOT SHOPPING CENTER on 7.81 acres on property adjacent to the northwest corner of Nellis Boulevard and Stewart Avenue, (APN 140-32-601-005), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

90. MOD-12919 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DORSAL DEVELOPMENT, LLC - OWNER: FULSTONE 1993 TRUST AND JEFF SELLINGER - Request for a Major Modification to the Las Vegas Medical District Plan TO AMEND THE LAND USE DESIGNATION FROM: MD-2 (MAJOR MEDICAL) TO: MD-1 (MEDICAL SUPPORT) on 0.74 acres at 728 Desert Lane (APN 139-33-402-021), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

91. SUP-16246 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DORSAL DEVELOPMENT, LLC - OWNER: FULSTONE 1993 TRUST AND JEFF SELLINGER - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT at 728 Desert Lane (APN 139-33-402-021), [PROPOSED: MD-1 (MEDICAL SUPPORT) Las Vegas Medical District Plan Designation], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend DENIAL

92. SDR-12922 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DORSAL DEVELOPMENT, LLC - OWNER: FULSTONE 1993 TRUST AND JEFF SELLINGER - Request for a Site Development Plan Review FOR A PROPOSED FIVE-STORY MIXED-USE DEVELOPMENT CONSISTING OF 24 RESIDENTIAL CONDOMINIUM UNITS AND 13,465 SQUARE FEET OF MEDICAL OFFICE SPACE on 0.74 acres at 728 Desert Lane (APN 139-33-402-021), PD (Planned Development) Zone [MD-2 (Major Medical) Las Vegas Medical District Special Land Use Designation] [PROPOSED: MD-1 (Medical Support) Las Vegas Medical District Special Land Use Designation], Ward 5 (Weekly). NOTE: This application has been amended from 24 Residential Condominium Units to 30 Residential Condominium Units and from 13,465 square feet of Medical Office space to 9,350 square feet of Medical Office space. The Planning Commission (7-0 vote) and staff recommend DENIAL

93. ZON-15031 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: 3100 MEADE, LLC - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-M (COMMERCIAL/INDUSTRIAL) on 0.80 acres approximately 300 feet north of Meade Avenue, 980 feet west of Rancho Drive (APN 162-08-201-005), Ward 1 (Tarkanian). The Planning Commission (4-2 vote) and staff recommend APPROVAL

94. SDR-15030 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: 3100 MEADE, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF TWO EXISTING STORAGE BUILDINGS TO A LIGHT MANUFACTURING FACILITY on 0.80 acres approximately 300 feet north of Meade Avenue and 980 feet west of Rancho Drive (APN 162-08-201-005), R-1 (Single Family Residential) Zone [PROPOSED: C-M (Commercial/Industrial) Zone], Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL

95. ZON-16915 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GHASSAN MISHFERI - Request for a Rezoning FROM: R-E (RESIDENTIAL ESTATES) TO: R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE) on 1.08 acres on the north side of Smoke Ranch Road, approximately 467 feet east of Michael Way (APN 138-13-801-068), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

96. VAR-16996 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GHASSAN MISHFERI - Request for a variance TO ALLOW A RESIDENTIAL PLANNED DEVELOPMENT OF 1.08 ACRES WHERE FIVE ACRES IS THE MINIMUM AREA REQUIRED on the north side of Smoke Ranch Road, approximately 467 feet east of Michael Way (APN 138-13-801-068), R-E (Residential Estates) Zone under Resolution of Intent to R-PD6 (Residential Planned Development - 6 Units per Acre), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

97. SDR-16914 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GHASSAN MISHFERI - Request for a Site Development Plan Review FOR A 6 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 1.08 acres on the north side of Smoke Ranch Road, approximately 467 feet east of Michael Way (APN 138-13-801-068), R-E (Residential Estates) Zone under Resolution of Intent to R-PD6 (Residential Planned Development - 6 Units per Acre), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

98. VAR-16144 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: T-MOBILE USA, INC. - OWNER: MESQUITE WOOD 3, LLC - Request for a Variance TO ALLOW A 70-FOOT TALL WIRELESS COMMUNICATIONS TOWER 68.2 FEET FROM RESIDENTIAL PROPERTY WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRES 210 FEET on 3.82 acres at 1620 Bracken Avenue (APN 162-02-208-001), C-V (Civic) Zone, Ward 3 (Reese). The Planning Commission (6-0-1 vote) and staff recommend DENIAL

99. SUP-16143 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: T-MOBILE USA, INC. - OWNER: MESQUITE WOOD 3, LLC - Request for a Special Use Permit FOR A WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN on 3.82 acres at 1620 Bracken Avenue (APN 162-02-208-001), C-V (Civic) Zone, Ward 3 (Reese). The Planning Commission (6-0-1 vote) and staff recommend DENIAL
100. VAR-16505 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: ALVY COOK - Appeal filed by the applicant from the denial by the Planning Commission of a request for a Variance TO ALLOW A FIVE-FOOT REAR YARD SETBACK WHERE 15 FEET IS THE MINIMUM SETBACK REQUIRED FOR A PROPOSED ROOM ADDITION at 1117 Strong Drive (APN 162-05-511-005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian). The Planning Commission (6-1 vote) and staff recommend DENIAL
101. VAR-17156 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GLENN J. SORRELLS - Appeal filed by the applicant from the denial by the Planning Commission of a request for a Variance TO ALLOW A SEVEN-FOOT HIGH WALL WHERE A FIVE-FOOT HIGH WALL IS THE MAXIMUM HEIGHT PERMITTED IN A PORTION OF THE FRONT YARD on 0.15 acres at 1109 Shifting Sands Drive (APN 138-26-615-088), R-1 (Single Family Residential) Zone, Ward 5 (Weekly). NOTE: THE APPLICATION IS FOR AN EIGHT FOOT HIGH WALL WHERE A FIVE-FOOT HIGH WALL IS THE MAXIMUM. The Planning Commission (7-0 vote) and staff recommend DENIAL
102. RQR-17098 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: CONSTANTINO NOVAL NV, LLC - Appeal filed by the applicant from the denial by the Planning Commission of a Required Four-Year Review of an approved Special Use Permit (U-0025-98) WHICH ALLOWED A 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 73 South Martin L King Boulevard (APN 139-33-510-002), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend DENIAL
103. SDR-15747 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH - Request for a Site Development Plan Review FOR A PROPOSED 31,126 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP AND A WAIVER OF THE PERIMETER LANDSCAPING REQUIREMENTS on 8.55 acres at the northwest corner of Rainbow Boulevard and Westcliff Drive (a portion of APN 138-27-802-004), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
104. SDR-17057 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: SANTA FE 124, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF A 124-UNIT APARTMENT COMPLEX TO A CONDOMINIUM DEVELOPMENT on 6.0 acres at 1111 Warbonnet Way (APN 163-04-501-004), R-PD23 (Residential Planned Development - 23 Units Per Acre) Zone, Ward 2 (Wolfson). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
105. SDR-17298 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: REPUBLIC SERVICES OF SOUTHERN NEVADA - OWNER: PREMIER TRUST OF NEVADA - Request for a Site Development Plan Review FOR A PROPOSED PARKING LOT AND A WAIVER TO ALLOW A REDUCTION OF THE PERIMETER LANDSCAPING BUFFERING REQUIREMENTS on 0.52 acres adjacent to the north side of Sahara Avenue, approximately 600 feet east of 6th Street (APN 162-03-801-018), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
106. ZON-17697 - PUBLIC HEARING - APPLICANT/OWNER: RICHMOND AMERICAN HOMES - Request for a Rezoning FROM: U (UNDEVELOPED) Zone [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] under Resolution of Intent to R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) TO: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) on 10.30 acres adjacent to the northwest and northeast corners of Ann Road and Mustang Street (APN 125-26-801-012 and 125-26-802-014), Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend DENIAL
107. SDR-17698 - PUBLIC HEARING - APPLICANT/OWNER: RICHMOND AMERICAN HOMES - Request for a Site Development Plan Review of A 32 LOT RESIDENTIAL SUBDIVISION on 10.30 acres adjacent to the northwest and northeast corners of Ann Road and Mustang Street (APN 125-26-801-012 and 125-26-802-014), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)], Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend DENIAL

- 108.ZON-17740 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Rezoning FROM: R-4 (HIGH DENSITY RESIDENTIAL) TO: R-5 (APARTMENT) on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 109.VAR-17741 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW 150 PARKING SPACES WHERE 425 SPACES ARE REQUIRED IN CONJUNCTION WITH A PROPOSED APARTMENT DEVELOPMENT on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 110.VAR-17742 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW A PROPOSED APARTMENT BUILDING TO BE EIGHT FEET FROM THE NORTH PROPERTY LINE WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A SETBACK OF 198 FEET AND TO ALLOW TRASH ENCLOSURES TO BE 10 FEET FROM RESIDENTIALLY ZONED PROPERTY WHERE 50 FEET IS THE MINIMUM SETBACK REQUIRED on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 111.VAR-17743 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW A PROPOSED APARTMENT BUILDING TO BE ZERO FEET FROM THE WEST PROPERTY LINE WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED, ZERO FEET FROM THE EAST PROPERTY LINE WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED, ZERO FEET FROM THE SOUTH PROPERTY LINE WHERE FIVE FEET IS THE MINIMUM SETBACK REQUIRED AND TO ALLOW A BUILDING HEIGHT OF 66 FEET WHERE 55 FEET IS THE MAXIMUM HEIGHT ALLOWED on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 112.VAC-17744 - PUBLIC HEARING - APPLICANT/OWNER: LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Petition to Vacate a portion of an existing alley generally located north of Bridger Avenue, 140 feet east of Tenth Street, Ward 5, (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 113.SDR-17745 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Site Development Plan Review for a PROPOSED 300 UNIT, 66 FOOT HIGH, SIX STORY APARTMENT BUILDING AND A WAIVER OF THE PERIMETER LANDSCAPE BUFFERING STANDARDS FOR ZERO FEET OF LANDSCAPING WHERE TEN FEET IS REQUIRED ALONG THE SOUTHERN, EASTERN, AND WESTERN PERIMETER AND TO ALLOW FIVE FEET OF LANDSCAPING WHERE SIX FEET IS REQUIRED ALONG A PORTION OF THE NORTHERN PERIMETER on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 114.VAR-17749 - PUBLIC HEARING - APPLICANT/OWNER: HELP LAS VEGAS HOUSING CORPORATION II - Request for a Variance TO ALLOW 109 PARKING SPACES WHERE 205 SPACES ARE REQUIRED FOR A 125 UNIT MULTI-FAMILY HOUSING COMPLEX on 4.84 acres at 1455 North Main Street (APN 139-27-502-015), C-V (Civic District) Zone under Resolution of Intent to R-5 (Apartment), Ward 5 (Weekly). The Planning Commission (6-1 vote) and staff recommend APPROVAL
- 115.VAR-17751 - PUBLIC HEARING - APPLICANT/OWNER: HELP LAS VEGAS HOUSING CORPORATION II - Request for a Variance TO ALLOW TWO 45 FOOT HIGH APARTMENT BUILDINGS 59 FEET FROM RESIDENTIAL PROPERTY WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A SETBACK OF 135 FEET on 4.84 acres at 1455 North Main Street (APN 139-27-502-015), C-V (Civic District) Zone under Resolution of Intent to R-5 (Apartment), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

- 116.SDR-17748 - PUBLIC HEARING - APPLICANT/OWNER: HELP LAS VEGAS HOUSING CORPORATION II - Request for a Site Development Plan Review FOR A 125 UNIT MULTI-FAMILY HOUSING COMPLEX on 4.84 acres at 1455 North Main Street (APN 139-27-502-015), C-V (Civic District) Zone under Resolution of Intent to R-5 (Apartment), Ward 5 (Weekly). The Planning Commission (6-1 vote) and staff recommend APPROVAL
- 117.RQR-17518 - PUBLIC HEARING - APPLICANT: REAGAN NATIONAL ADVERTISEMENT - OWNER: GATEWAY MOTEL, INC. - Required One-Year Review of an approved Special Use Permit (U-0028-01) WHICH ALLOWED A 24-FOOT X 28-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 928 Las Vegas Boulevard South (APN 139-34-410-165), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL
- 118.SUP-17729 - PUBLIC HEARING - APPLICANT: MARK JAGET - OWNERS: RICHARD WEISBANT FAMILY TRUST AND 3RD GASS PARTNERS, LLC - Request for a Special Use Permit TO ALLOW A MIXED-USE DEVELOPMENT adjacent to the northeast corner of Gass Avenue and 3rd Street (APNs 139-34-410-112 & 139-34-410-113), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL
- 119.SDR-17731 - PUBLIC HEARING - APPLICANT: MARK JAGET - OWNERS: RICHARD WEISBANT FAMILY TRUST AND 3RD GASS PARTNERS, LLC - Request for a Site Development Plan Review FOR A FIVE STORY MIXED-USE DEVELOPMENT WITH 30 APARTMENTS AND 2,200 SQUARE FEET OF RETAIL AND A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN BUILDING STEPBACK REQUIREMENT on 0.31 acres adjacent to the northeast corner of Gass Avenue and 3rd Street (APNs 139-34-410-112 & 139-34-410-113), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL
- 120.SUP-17307 - PUBLIC HEARING - APPLICANT: LAKESIDE CENTER - OWNER: WFTNV, LLC - Request for a Special Use Permit FOR A PROPOSED RESTAURANT SERVICE BAR AND A WAIVER OF THE 400-FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING CHURCH at 2620 Regatta Drive, Suite #117 (APN 138-16-717-002), C-1 (Limited Commercial) Zone, Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
- 121.SUP-17716 - PUBLIC HEARING - APPLICANT/OWNER: LYLE LOOB - Request for a Special Use Permit FOR A PROPOSED HABITABLE ACCESSORY STRUCTURE at 3613 Hillsdale Court (APN 139-30-616-018), R-1 (Single-Family Residential) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
- 122.SUP-17724 - PUBLIC HEARING - APPLICANT/OWNER: SILVER STATE BANK - Request for a Special Use Permit FOR A PROPOSED DRIVE-THRU FACILITY FOR AN EXISTING FINANCIAL INSTITUTION, GENERAL WITH A WAIVER TO ALLOW A SEPARATION OF 280 FEET FROM A SINGLE FAMILY DWELLING WHERE 330 FEET IS REQUIRED AND TO ALLOW A DRIVE-THRU FACILITY ADJACENT TO THE RIGHT-OF-WAY on 0.63 acres at 7125 North Durango Drive (APN 125-20-117-005), T-C (Town Center) Zone [UC-TC (Urban Center Mixed-Use) Town Center Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
- 123.VAC-16295 - PUBLIC HEARING - APPLICANT/OWNER: ROLAND L. GRAY, ET AL AND FOURTEEN SAC SELF-STORAGE CORPORATION - Petition to Vacate a 20-foot public right-of-way generally located south of the intersection of Jones Boulevard and Rancho Drive, Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend DENIAL
- 124.ROC-18341 - PUBLIC HEARING - APPLICANT/OWNER: WAGNER HOMES, INC. - Request for a Review of Condition Number 11 of an approved Site Development Plan Review (SDR-2418) TO REMOVE THE CONDITION THAT REQUIRED ANY PROPERTY LINE WALL SHALL BE A DECORATIVE BLOCK WALL, WITH AT LEAST 20 PERCENT CONTRASTING MATERIALS. WALL HEIGHTS SHALL BE MEASURED FROM THE SIDE OF THE FENCE WITH THE LEAST VERTICAL EXPOSURE ABOVE THE FINISHED GRADE, UNLESS OTHERWISE STIPULATED. ALL PERIMETER WALLS, INCLUDING A COMBINATION OF RETAINING AND SCREEN WALLS, SHALL NOT EXCEED EIGHT FEET IN HEIGHT, MEASURED FROM THE BASE OF THE RETAINING WALL, WITHOUT THE APPROPRIATE STEPBACKS for an approved residential subdivision on 10.80 acres adjacent to the southeast corner of Alexander Road and Fort Apache Road (APN 138-08-116-020 and 021) R-PD5 (Residential Planned Development - 5 Units Per Acre) Zone, Ward 4 (Brown). Staff recommends DENIAL

SET DATE

125. Set date on any appeals filed or required public hearings from the City Planning Commission Meetings, Centennial Hills Architectural Review Committee and Dangerous Building or Nuisance/Litter Abatements

CITIZENS PARTICIPATION

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

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

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
Bulletin Board, City Hall Plaza, (next door to Metro Records)
Las Vegas Library, 833 Las Vegas Boulevard North
Clark County Government Center, 500 S. Grand Central Parkway
Grant Sawyer Building, 555 E. Washington Avenue

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

the City Clerk.

City Clerk
DEPARTMENT

27 day of December, 2006

 **CARMEL M. VIADO**
Notary Public State of Nevada
No. 06-107821-1
My appt. exp. July 18, 2010.

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

organization whose name appears

City Clerk
DEPARTMENT

27 day of December, 2006

 **CARMEL M. VIADO**
Notary Public State of Nevada
No. 06-107821-1
My appt. exp. July 18, 2010

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

1. City Clerk's Bulletin Board, 400 Stewart Avenue, 2nd Floor Skybridge (in the walkway area next to the entrance of the Human Resources Department)
2. Bulletin Board, City Hall Plaza, 400 Stewart Avenue (next door to Metro Records)
3. Las Vegas Library, 833 Las Vegas Blvd.
4. Clark County Government Center, 500 S. Grand Central Parkway
5. Grant Sawyer Building, 555 E. Washington Avenue

Jan Spahr
SIGNATURE

Subscribed and sworn to before me this

27 day of December, 2006

Carmel M. Virdo

 **GARMEL M. VIADO**
Notary Public State of Nevada
No. 06-107821-1
My app. exp. July 18, 2010

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

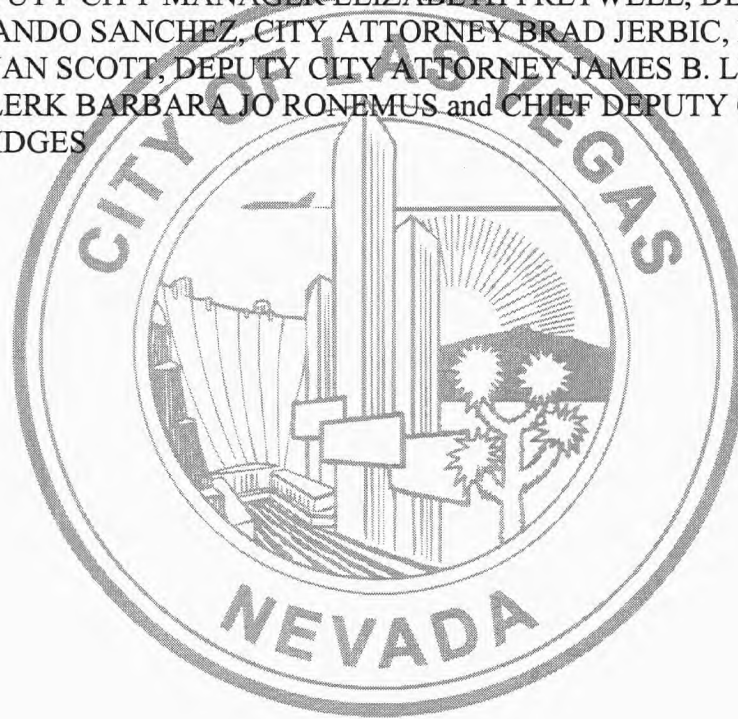
SUBJECT:
CALL TO ORDER

Minutes:

MAYOR GOODMAN called the meeting to order at 9:01 a.m.

PRESENT: MAYOR GOODMAN and COUNCILMEMBERS REESE, BROWN, WEEKLY, WOLFSON, TARKANIAN and ROSS

Also Present: CITY MANAGER DOUG SELBY, DEPUTY CITY MANAGER STEVE HOUCHENS, DEPUTY CITY MANAGER ELIZABETH FRETWELL, DEPUTY CITY MANAGER ORLANDO SANCHEZ, CITY ATTORNEY BRAD JERBIC, DEPUTY CITY ATTORNEY BRYAN SCOTT, DEPUTY CITY ATTORNEY JAMES B. LEWIS (P.M. Session), CITY CLERK BARBARA JO RONEUMUS and CHIEF DEPUTY CITY CLERK BEVERLY K. BRIDGES



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

SUBJECT:

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 Bulletin Board, City Hall Plaza (next door to Metro Records), Las Vegas Library, 833 Las Vegas Boulevard North, Clark County Government Center, 500 S. Grand Central Parkway, Grant Sawyer Building, 555 E. Washington Avenue



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

SUBJECT:

INVOCATION – REVEREND MARY BREDLAU, PALM MORTUARY

Minutes:

REVEREND MARY BREDLAU, Palm Mortuary, gave the invocation.



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

SUBJECT:

PLEDGE OF ALLEGIANCE

Minutes:

Immediately following the Pledge, which was led by MAYOR GOODMAN, REVEREND MARY BREDLAU apologized to the Mayor for improper comments made to him by someone else at the previous Council meeting. MAYOR GOODMAN concurred with REVEREND BREDLAU that such comments are inappropriate in today's society.



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO RONEMUS

SUBJECT:

OATH OF OFFICE ADMINISTERED TO ROB W. BARE FOR MUNICIPAL COURT
JUDGE, DEPARTMENT 6

Minutes:

No motion required. A presentation was made.

MAYOR GOODMAN administered the Oath of Office to ROB W. BARE, who was appointed Municipal Court Judge for Department 6 at the December 20, 2006, City Council meeting. JUDGE BARE was joined by his mother and his best friend, ATTORNEY BILL TERRY, who robed him. He expressed appreciation for his parents, friends, co-workers and his staff, who have all made this appointment possible.



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: OFFICE OF COMMUNICATIONS

DIRECTOR: DAVID RIGGLEMAN

SUBJECT:

RECOGNITION OF THE CITIZEN OF THE MONTH

BACKUP DOCUMENTATION:

Submitted at meeting – Copy of Citizen of the Month January 2007 certificate

Minutes:

No motion required. A presentation was made.

COUNCILMAN WEEKLY recognized members of the Berkley Square Neighborhood Association as the January Citizens of the Month for their efforts in rebuilding their neighborhood and making it safer. The members stood in the audience in recognition, and RUTH DONN, President of the Berkley Square Neighborhood Association, came forward. COUNCILMAN WEEKLY thanked the members for their courage and strength to improve their neighborhood. MS. DONN thanked the Council, Neighborhood Services and the Las Vegas Metropolitan Police Department for their assistance.





City of Las Vegas Citizens of the Month January 2007

Berkley Square Neighborhood Association

Gary Reese
Councilman Gary Reese

Steve Wolfson
Councilman Steve Wolfson

Oscar B. Goodman
Mayor Oscar B. Goodman

Larry Brown
Councilman Larry Brown

Lois Tarkanian
Councilwoman Lois Tarkanian

Lawrence Weekly
Councilman Lawrence Weekly

Steven D. Ross
Councilman Steven D. Ross

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: OFFICE OF COMMUNICATIONS

DIRECTOR: DAVID RIGGLEMAN

SUBJECT:

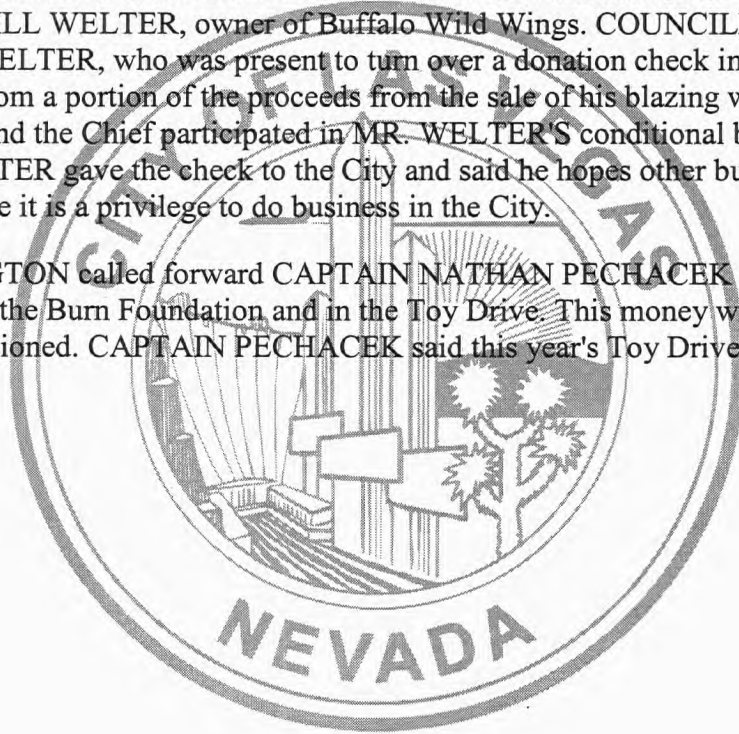
RECOGNITION OF BUFFALO WILD WINGS FOR SUPPORT OF THE LAS VEGAS FIRE AND RESCUE DEPARTMENT

Minutes:

No motion required. A presentation was made.

COUNCILMAN WEEKLY called forward CHIEF DAVID WASHINGTON, Las Vegas Fire and Rescue, and BILL WELTER, owner of Buffalo Wild Wings. COUNCILMAN WEEKLY recognized MR. WELTER, who was present to turn over a donation check in the amount of \$1,825, which is from a portion of the proceeds from the sale of his blazing wings. After the Councilmembers and the Chief participated in MR. WELTER'S conditional blazing wings eating contest, MR. WELTER gave the check to the City and said he hopes other businesses in the City will follow, because it is a privilege to do business in the City.

CHIEF WASHINGTON called forward CAPTAIN NATHAN PECHACEK and thanked him for his involvement in the Burn Foundation and in the Toy Drive. This money will go to this account for the causes mentioned. CAPTAIN PECHACEK said this year's Toy Drive was very successful.



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: OFFICE OF COMMUNICATIONS

DIRECTOR: DAVID RIGGLEMAN

SUBJECT:

RECOGNITION OF PALO VERDE HIGH SCHOOL BOYS STATE AAAA TENNIS CHAMPIONS

Minutes:

No motion required. A presentation was made.

COUNCILMAN WOLFSON recognized the Palo Verde High School Boys Tennis Team for winning the AAAA State Championships in Reno. This is the second time the Palo Verde team has won the State Championship. COACH BRENT came forward and thanked the Council for recognizing the team. COUNCILMAN WOLFSON then called forward and presented each of the team members with a Certificate of Appreciation. TEAM SPOKESPERSON JOSH thanked the coach and fellow team members, who made this a great year.



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: OFFICE OF COMMUNICATIONS

DIRECTOR: DAVID RIGGLEMAN

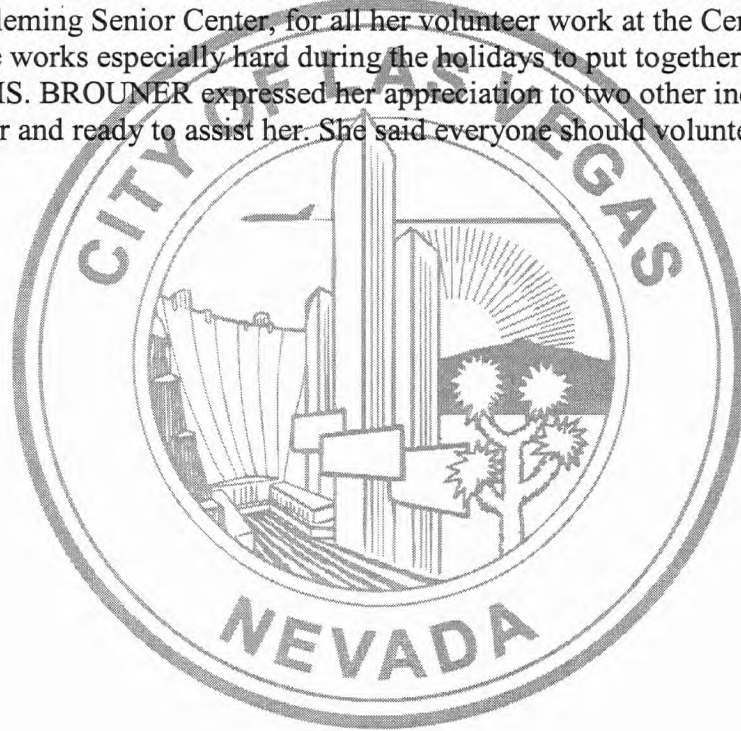
SUBJECT:

RECOGNITION OF STELLA FLEMING SENIOR CENTER RESIDENT SEMOINE
BROUNER FOR VOLUNTEER SERVICE

Minutes:

No motion required. A presentation was made.

COUNCILWOMAN TARKANIAN honored SEMOINE BROUNER, President of the Resident Council at Stella Fleming Senior Center, for all her volunteer work at the Center, while working a full-time job. She works especially hard during the holidays to put together events and meals for the residents. MS. BROUNER expressed her appreciation to two other individuals who are always there for her and ready to assist her. She said everyone should volunteer.



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: OFFICE OF COMMUNICATIONS

DIRECTOR: DAVID RIGGLEMAN

SUBJECT:

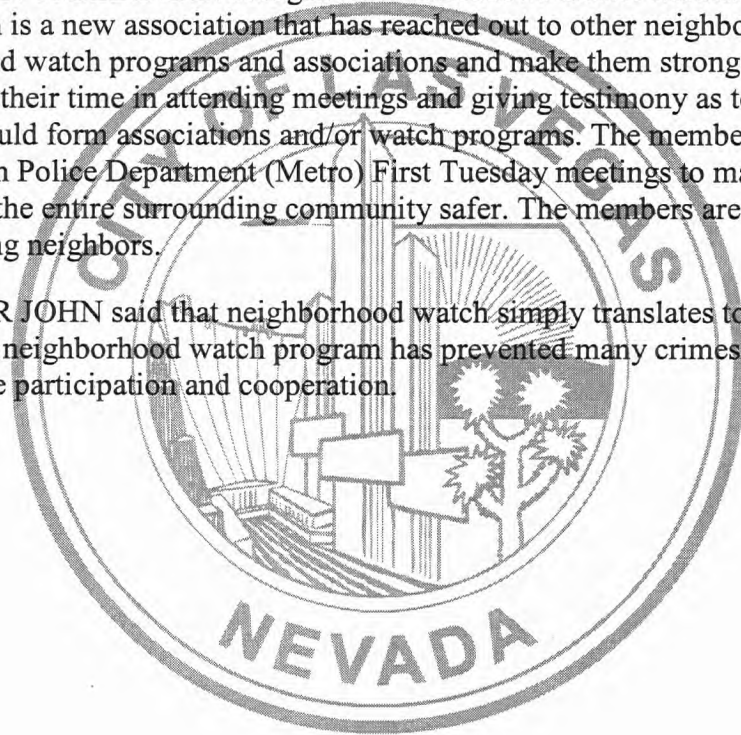
RECOGNITION OF THE MEADOWS SENIOR MOBILE HOME PARK BOARD OF DIRECTORS FOR COMMUNITY OUTREACH

Minutes:

No motion required. A presentation was made.

COUNCILWOMAN TARKANIAN recognized the Meadows Senior Mobile Home Park Board of Directors, which is a new association that has reached out to other neighborhoods to help them create neighborhood watch programs and associations and make them stronger. These members have given a lot of their time in attending meetings and giving testimony as to why other neighborhoods should form associations and/or watch programs. The members also attend Las Vegas Metropolitan Police Department (Metro) First Tuesday meetings to make their neighborhood and the entire surrounding community safer. The members are a primary example of neighbors helping neighbors.

BOARD MEMBER JOHN said that neighborhood watch simply translates to neighbor watching after neighbor. His neighborhood watch program has prevented many crimes, which cannot be done without active participation and cooperation.



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO RONEMUS

☐ Consent ☒ Discussion

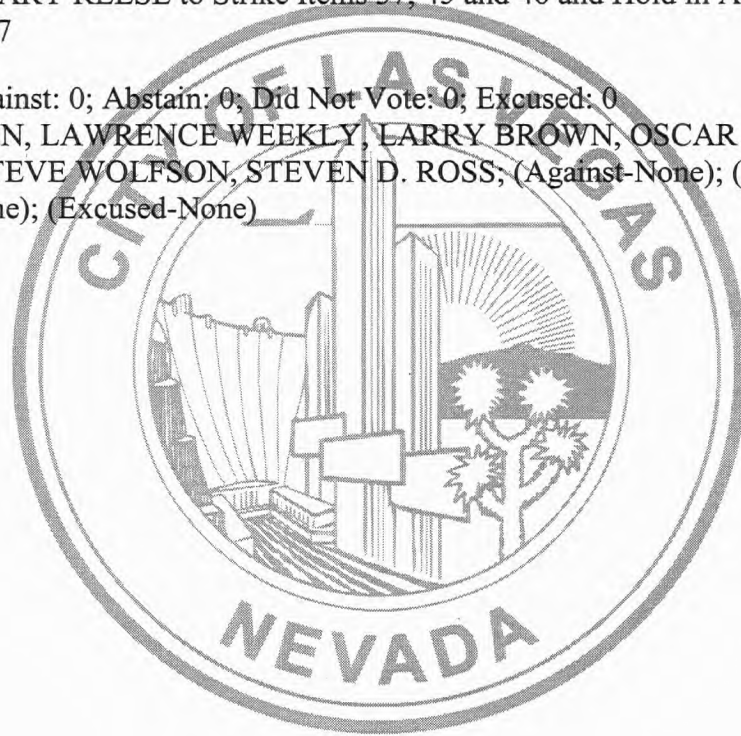
SUBJECT:

BUSINESS ITEMS:

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

Motion made by GARY REESE to Strike Items 37, 45 and 46 and Hold in Abeyance Items 51 and 52 to 1/17/2007

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO RONEMUS

☐ Consent ☒ Discussion

SUBJECT:

BUSINESS ITEMS:

Approval of the Final Minutes by reference of the regular City Council meeting of November 15, 2006

Motion made by GARY REESE to Approve by Reference

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: OFFICE OF BUSINESS DEVELOPMENT

DIRECTOR: SCOTT D. ADAMS

☒ **Consent** ☐ **Discussion**

SUBJECT:

Approval of Declaration of Reserved Easement for Emergency Access for the benefit of Foundation for an Independent Tomorrow, on the west side of Stella Lake Street, approximately 600 feet south of Lake Mead Boulevard (APN 139-21-313-011) - Ward 5 (Weekly)

Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

On August 3, 2005, Foundation of an Independent Tomorrow (FIT) entered into a Disposition and Development Agreement with the City of Las Vegas for the acquisition and development of a 45,119 square foot lot in the Las Vegas Enterprise Park. In order to build its job training center on such lot as specified by Site Development Plan Review case number 7218, FIT must obtain emergency access from its lot to the City-owned adjacent lot, known as the Evolve Business Center (Parcel CLV). If approved, FIT will access Parcel CLV through a crash gate and only for emergency access.

RECOMMENDATION:

Approval.

BACKUP DOCUMENTATION:

1. Declaration of Reserved Easement for Emergency Access
2. Public Purpose/Impact Analysis

Motion made by GARY REESE to Approve Items 13-36 and 38-42

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

A.P.N. 139-21-313-011

When Recorded Return to:

City of Las Vegas, Office of Business Development
400 Stewart Avenue
Las Vegas, Nevada 89101
Attention: F.I.T. Project Officer

DECLARATION OF RESERVED EASEMENT FOR EMERGENCY ACCESS

THIS DECLARATION OF RESERVED EASEMENT FOR EMERGENCY ACCESS (this "**Declaration**") is made as of this ____ day of _____, 200_, by the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada (hereinafter "**CLV**" and/or the "**Declarant**") for the benefit of the FOUNDATION FOR AN INDEPENDENT TOMORROW, a Nevada non-profit corporation duly formed and organized in the State of Nevada (**hereinafter** "**FIT**").

RECITALS

A. FIT is the owner of certain real property described on **Exhibit "A"** attached hereto and incorporated herein by this reference as if fully set forth ("**Parcel FIT**") and CLV is the owner of certain real property described on **Exhibit "B"** attached hereto and incorporated herein by this reference as if fully set forth ("**Parcel CLV**" and together with the Parcel FIT, the "**Parcels**") (FIT and CLV is each an "**Owner**" of their respective parcels of real property and collectively FIT and CLV are the "**Owners**").

B. In order for FIT to build its facilities on Parcel FIT of sufficient size and design, it is necessary to provide for vehicular and pedestrian ingress and egress for use by emergency, fire, rescue and police personnel providing services across a portion of Parcel CLV.

C. As an incentive to FIT to complete the purchase of Parcel FIT under that certain DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN FOUNDATION FOR AN INDEPENDENT TOMORROW AND CITY OF LAS VEGAS dated AUGUST 3, 2005 and build its facilities, Declarant desires to establish rights of emergency vehicular access across certain portions of the Parcel CLV for the benefit of Parcel FIT and FIT and its successors and assigns.

NOW, THEREFORE, with reference to the foregoing recitals, Declarant hereby declares that the Parcels are hereby made subject to this Declaration and shall be conveyed, hypothecated, encumbered, leased, occupied, built upon or otherwise used, improved or transferred, whether in whole or in part, subject to this Declaration. All of the covenants, conditions, restrictions and easements provided in this Declaration shall run with the land now or hereafter constituting the

Parcels, and shall, as applicable, be binding upon the Owners and inure to the benefit of the Owners as set forth herein.

ARTICLE I EASEMENTS

Section 1.01 Emergency Access Easement. CLV hereby grants unto FIT, for the benefit of Parcel FIT, a perpetual non-exclusive easement ("**Emergency Access Easement**") over any portion of Parcel CLV adjacent to and sharing a boundary with Parcel FIT (the "**Emergency Access Easement Area**"), for the purposes of providing vehicular and pedestrian ingress and egress for use by emergency, fire, rescue and police personnel providing services to Parcel FIT, subject to the limitations imposed by Section 1.02 hereinafter.

Section 1.02 Location of Crash Gate or other Improvements Restricting Access to Parcel CLV. CLV and FIT hereby agree that the location of the crash gate, or other improvements constructed by FIT to control egress from Parcel FIT to Parcel CLV, shall be located as specifically shown on Exhibit "C" attached hereto and incorporated herein by this reference as if fully set forth ("**Crash Gate Location Site Map**"), unless otherwise approved in writing by and at the sole discretion of CLV. FIT also agrees that CLV shall be able to review and approve the orientation, dimensions, and movement of such crash gate or other such improvements in order to minimize any loss or relocation of existing parking facilities on Parcel CLV.

ARTICLE II MISCELLANEOUS

Section 2.01. Duration. This Declaration shall remain in full force and effect in perpetuity unless terminated by a written instrument recorded in the Public Records (as defined below) and executed by the then Owners. "Public Records" shall mean the Official Records of the recorder of Clark County, Nevada or such other public office as may, at the time and according to the context, be the repository of records and documents imparting constructive notice under applicable local, state or federal law.

Section 2.02. Amendment. This Declaration can be modified only by the recordation, in the Public Records, of an agreement or document of modification executed by the then Owners.

Section 2.03. Governing Law. All provisions shall be construed so as to be in conformance with, and shall be governed by, the laws of the State of Nevada.

Section 2.04. Severability. The determination by any court that any provision of this Declaration is unlawful, void or unenforceable shall not affect the validity of any other provision hereof; and no such determination that any provision hereof is inapplicable or unenforceable as to any particular parcel or parcels shall affect the applicability or enforceability of said provision or any other provision hereof to any other parcel or parcels.

Section 2.05. Attorneys' Fees. In the event of any action to interpret or enforce the terms and provisions of this Declaration, the prevailing party or party shall be entitled to its costs and reasonable attorneys' fees from the non-prevailing party or parties.

IN WITNESS WHEREOF, Declarant has entered into this Declaration as of the day and year first above written.

Declarant:

CITY OF LAS VEGAS

By: _____
Oscar B. Goodman, Mayor

APPROVED AS TO FORM:

J. P. [Signature] 12/13/06
Deputy City Attorney Date

ATTEST:

BARBARA JO RONEMUS, City Clerk

_____, 2006

STATE OF NEVADA

COUNTY OF CLARK

This instrument was acknowledged before me on _____, 2006, by _____, as _____ of the City of Las Vegas, a municipal corporation of the State of Nevada.

Notary Public

My commission expires: _____

EXHIBIT "A"

LEGAL DESCRIPTION PARCEL FIT

**A.P.N. 139-21-313-011 PARCEL 5-2
1.0357 AC. PARCEL
LOT 5-2, AMENDED LAS VEGAS ENTERPRISE PARK**

BEING A PORTION OF LOT 5 OF THE AMENDED MAP OF LAS VEGAS ENTERPRISE PARK, ON FILE IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA, IN BOOK 77 OF PLATS, AT PAGE 54, LYING WITHIN THE EAST HALF (E ½) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION 21, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 5; THENCE ALONG THE WEST LINE OF SAID LOT 5, NORTH 00° 20' 56" EAST, 167.60 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUING ALONG SAID WEST LINE, NORTH 00° 20' 56" EAST, 202.51 FEET; THENCE NORTH 85° 00' 06" EAST, DEPARTING SAID WEST LINE, 214.33 FEET TO THE WESTERLY RIGHT OF WAY OF STELLA LAKE STREET (60 FEET WIDE); THENCE SOUTH 04° 59' 54" EAST, ALONG SAID WESTERLY RIGHT OF WAY, 201.63 FEET; THENCE SOUTH 85° 00' 06" WEST, DEPARTING SAID WESTERLY RIGHT OF WAY, 233.20 FEET TO THE POINT OF BEGINNING.

CONTAINING 45,119 SQUARE FEET, MORE OR LESS.

BASIS OF BEARINGS:

NORTH 00° 17' 00" EAST, BEING THE BEARING OF THE EAST LINE OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION 21, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., AS SHOWN ON THE AMENDED MAP FOR LAS VEGAS ENTERPRISE PARK ON FILE IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA, IN BOOK 77 OF PLATS, AT PAGE 54.

EXHIBIT "B"

LEGAL DESCRIPTION OF PARCEL CLV

**A.P.N. 139-21-313-011
REMAINDER PORTION OF LOT 5 / LAS VEGAS
ENTERPRISE PARK (SF 146-54)**

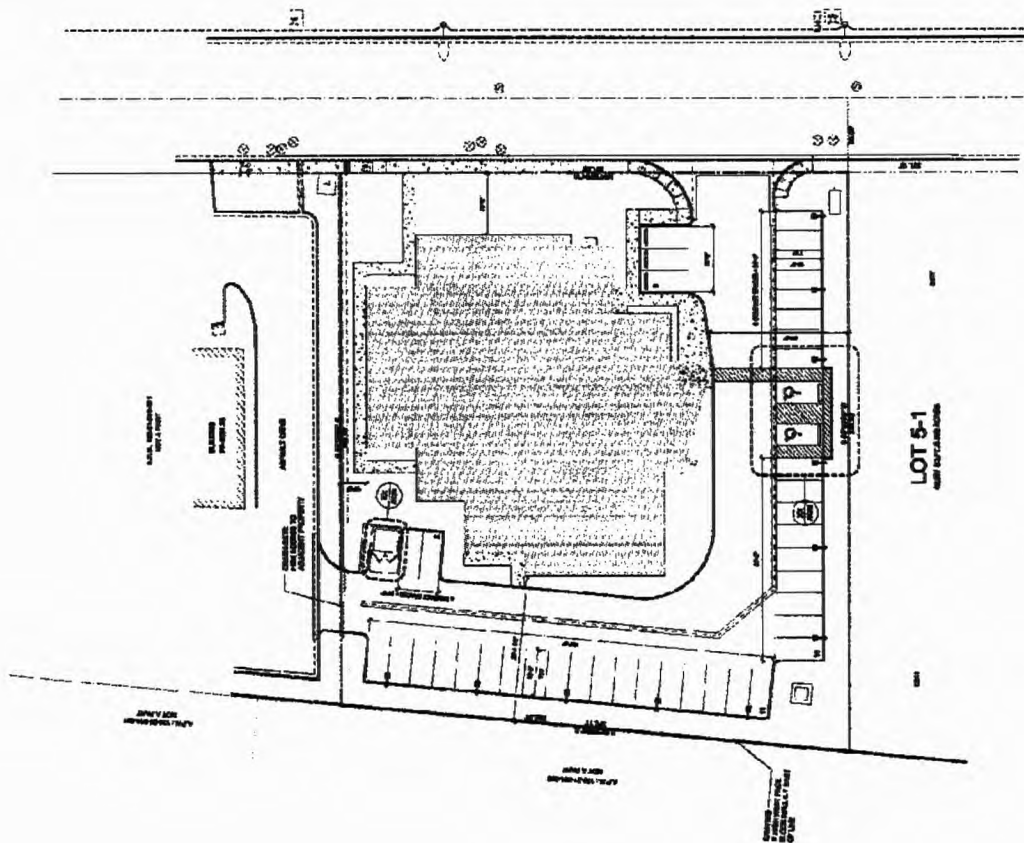
That portion of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 21, Township 20 South, Range 61 East, M.D.M., being the remainder portion of LOT 5 as shown on Record of Survey in File 146, Page 54 of Clark County, Nevada Records, described as follows:

COMMENCING at the northwest corner of said Northeast Quarter (NE 1/4); thence along the west line thereof, South $00^{\circ}20'56''$ West 50.00 feet to the POINT OF BEGINNING on the south line of LAKE MEAD BOULEVARD (100.00 feet wide); thence along said south line, South $89^{\circ}32'57''$ East 161.75 feet to the beginning of a tangent curve, concave southwesterly, having a radius of 25.00 feet; thence southerly through a central angle of $90^{\circ}00'00''$ and an arc length of 39.27 feet to the west line of STELLA LAKE STREET (60.00 feet wide); thence tangent to said curve along said west line, South $00^{\circ}27'03''$ West 14.78 feet to the beginning of a tangent curve, concave easterly having a radius of 280.00 feet; thence southerly along said curve through a central angle of $5^{\circ}26'57''$ and an arc length of 26.63 feet; thence South $04^{\circ}59'54''$ East 273.64 feet to the northeast corner of LOT 5-2 as shown on said Record of Survey in File 146, Page 54; thence departing the west line of said STELLA LAKE STREET along the north line of said LOT 5-2, South $85^{\circ}00'06''$ West 214.33 feet to the northwest corner of said LOT 5-2; thence North $00^{\circ}20'56''$ East 359.14 feet to the POINT OF BEGINNING.

The above-described parcel of land contains an area of 69,096 square feet or 1.586 acres, more or less.

BASIS OF BEARINGS: North $00^{\circ}17'00''$ East being the east line of the Southwest Quarter (SW 1/4) of Section 21, Township 20 South, Range 61 East, M.D.M., as shown on Book 77 of Plats, Page 54 of Clark County, Nevada Records.

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



OVERALL SITE PLAN
10/10/14

Public Purpose/Impact Analysis

Title of Project: Declaration of Reserved Easement for Emergency Access

Project Description: On August 3, 2005, Foundation of an Independent Tomorrow ("FIT") entered into a Disposition and Development Agreement with the City of Las Vegas for the acquisition and development of a 45,119 square foot lot in the Las Vegas Enterprise Park. In order to build its job training center on such lot as specified by Site Development Plan Review case number 7218, FIT must obtain emergency access from its lot to the City-owned adjacent lot known as the Evolve Business Center (Parcel CLV). If approved, FIT will access Parcel CLV through a crash gate and only for emergency access. FIT is a 501(c)(3) nonprofit corporation.

Sponsor/Developer: Foundation for an Independent Tomorrow (FIT)

Assistance Provided by: No financial assistance is being provided. City is providing an easement which will be recorded against the property on which the City's Evolve Business Center is located.

Number of Direct Jobs Created: 9

Number of Indirect Jobs Created: 125 annually (job training vocational plans)

Number of Direct Jobs Retained: 6

Pertinent Statutes Used for Public Purpose:

N.R.S. 268.055

How Does the Project Benefit the Public:

Granting of the Easement will allow F.I.T. to build the project to the maximum density possible – 12,600 square feet of office space – in order to better serve its low-income and moderate-income clients.

Quantitative Economic Benefits:

F.I.T. provides job training and counseling services, funded from private sources, which approximate \$500,000 annually.

Private Investment:

\$2,776,906

Public Investment:

There is no public investment resulting from this action. Prior city land value contribution is conservatively estimated at \$300,000.

Total direct Economic Impact:

N/A

Total Indirect Economic Impact:

N/A

Economic Impact Study Performed:

Yes ☐

No ☐

N/A

Return on Investment Analysis Performed:

Yes ☐

No ☐

N/A

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: FIELD OPERATIONS

DIRECTOR: LARRY HAUGSNESS

☒ **Consent** ☐ **Discussion**

SUBJECT:

Approval of a Grant of Easement from the City of Las Vegas to Nevada Power Company to cancel and supersede the Right-of-Entry previously on record and continue to allow Nevada Power Company access to the site for electrical systems needs located at 1551 South Buffalo Drive commonly known as All American Park, APN 163-04-604-002 - Ward 2 (Wolfson)

Fiscal Impact

☒

No Impact

☐ **Augmentation Required**

☐

Budget Funds Available

Dept./Division:

Amount:

Funding Source:

PURPOSE/BACKGROUND:

This Grant of Easement cancels and supersedes the Right-of-Entry previously on record and will continue to allow Nevada Power Company access to the site for electrical facilities needs.

RECOMMENDATION:

Staff recommends approval

BACKUP DOCUMENTATION:

1. Grant of Easement
2. Right-of-Entry

Motion made by GARY REESE to Approve Items 13-36 and 38-42

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

APN: 163-04-604-002

When recorded mail to:
Land Services MS 9
Nevada Power Company
P.O. Box 98910
Las Vegas, NV 89151-0001

GRANT OF EASEMENT

I(WE) **CITY OF LAS VEGAS**, a municipal cooperation of the State of Nevada, for One Dollar and other valuable consideration, do hereby grant and convey to **NEVADA POWER COMPANY** its successors and assigns, the right to construct, to operate, to add to, to maintain, and to finally remove underground electric system(s), consisting of duct lines, manholes, vaults, wires, cables, transformer installation above or below ground surface, service boxes, switches, capacitors and other fixtures and apparatus, or any thereof, for the transmission and distribution of electricity and/or communications cable upon, over, under, and across the parcel(s) hereinafter described and the right of ingress and egress to and over the said parcel(s); together with the right to clear and keep cleared any obstruction from the surface or subsurface as may be deemed necessary to insure the safe and proper operation of said electric system(s).

The above referred to parcel of land, in the County of Clark, State of Nevada, is that portion of Government Lot Twenty-one (21) in the Northeast Quarter (NE1/4) of Section 4, Township 21 South, Range 60 East, M.D.B.&M., more particularly described as follows:

SEE ATTACHED EXHIBITS "A" (2 PAGES) AND "B" (1 PAGE).

RW# 0949-06rbt WO# 166371 (Buffalo Park)
Reference Document: 20000309:00284

The Grantor(s) retain(s) the right to fence, plant, pave, maintain, or improve and to so use said parcel(s) for their own purposes so long as such use is consistent with the National Electric Safety Code and standard electrical practices and does not interfere with the rights herein granted. Property owner shall not permit the construction or placement of any structures within easement area, including, but not limited to, parking canopies, storage buildings and covered facilities without the written consent of Nevada Power Company.

WITNESS my (our) hand(s) this _____ day of _____, 20____.

CITY OF LAS VEGAS

ATTEST:

BY: OSCAR B. GOODMAN
TITLE: MAYOR

BARBARA JO RONEMUS
CITY CLERK

APPROVED AS TO FORM:

Thomas R. Green 12/8/06
DEPUTY CITY ATTORNEY
Thomas R. Green

STATE OF _____)
COUNTY OF _____)

On this _____ day of _____, 20____, before me,
_____, a Notary Public, personally appeared
_____, personally

known to me (or proved to me on the basis of satisfactory evidence) to
be the person(s) who executed the within instrument as _____
_____ on behalf of _____

the corporation, partnership, limited liability company therein named,
and acknowledged to me that the corporation, partnership, limited liability
company executed it.

Notary Public

Notary Seal:

RW# 0949-06rbt WO# 166371 (Buffalo Park)

APN: 163-04-604-002

EXHIBIT A

That portion of Government Lot Twenty-one (21) in the Northeast Quarter (NE1/4) of Section 4, Township 21 South, Range 60 East, M.D.B.&M., more particularly described as follows:

Centerline No. 1:

A strip of land 10.00 feet in width lying 5.00 feet on each side of the following described centerline.

COMMENCING at the North 1/16th corner on the east line of said Section 4, being a point on the centerline of Buffalo Drive, thence along said east line South 04°00'23" East a distance of 27.07 feet to a point; thence leaving said centerline South 85°59'37" West a distance of 50.00 feet to a point on the west line of Buffalo Drive, said point being the POINT OF BEGINNING; thence leaving said west line of Buffalo Drive North 86°47'19" West a distance of 113.08 feet to a point; thence South 86°29'46" West a distance of 11.74 feet to a point; thence South 75°53'13" West a distance of 22.50 feet to a point hereinafter called Point "A", said point being the POINT OF ENDING.

The sideline boundaries of said strip are to be lengthened or shortened so as to begin on the west line of Buffalo Drive, meet at all angle points and end in the boundaries of Parcel One.

PARCEL ONE:

BEGINNING at the above described Point "A", thence South 00°04'42" West a distance of 11.29 feet to a point; thence North 89°19'49" West a distance of 38.29 feet to a point; thence North 00°04'42" East a distance of 9.77 feet to a point hereinafter called Point "B"; thence continuing North 00°04'42" East a distance of 4.41 feet to a point; thence South 89°19'49" East a distance of 38.29 feet to a point; thence South 00°04'42" West a distance of 2.89 feet to the POINT OF BEGINNING.

Centerline No. 2

A strip of land 10.00 feet in width lying 5.00 feet on each side of the following described centerline.

**BEGINNING at the above described Point "B", thence North 59°35'46" West a distance of 22.39 feet to a point;
thence North 84°50'17" West a distance of 16.63 feet to a point, said point being hereinafter called Point "C", said point being the POINT OF ENDING.**

The sideline boundaries of said strip are to be lengthened or shortened so as to begin on the boundaries of Parcel One, meet at all angle points and end in the boundaries of Centerline No. 3.

Centerline No. 3

A strip of land 13.00 feet in width lying 6.50 feet on each side of the following described centerline.

BEGINNING at the above described Point "C", thence North 89°02'40 West a distance of 12.40 feet to the POINT OF ENDING.

BASIS OF BEARINGS

SOUTH 04°00'23" EAST BEING THE EAST LINE OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 4, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA AS SHOWN BY A MAP ON FILE IN FILE 75, PAGE 76 OF SURVEYS IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA.

CHARLESTON BOULEVARD

POINT OF BEGINNING
CENTERLINE 3
POINT "C"

POINT OF BEGINNING
CENTERLINE 1

POINT OF BEGINNING
CENTERLINE 2
POINT "B"

POINT OF BEGINNING
PARCEL 1
POINT "A"

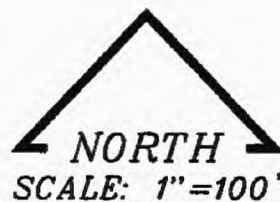
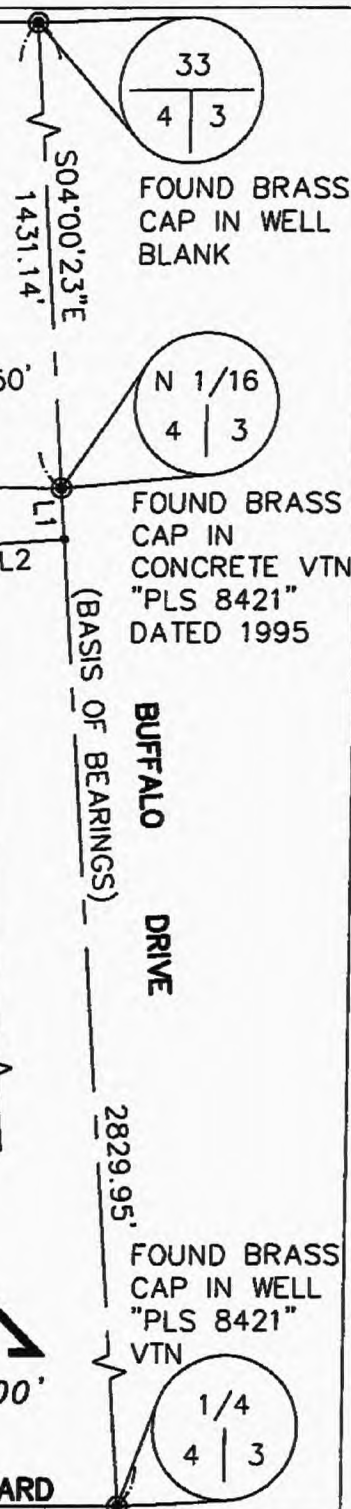
LINE TABLE

LINE	BEARING	LENGTH
L1	S04°00'23"E	27.07'
L2	S85°59'37"W	50.00'
L3	N86°47'19"W	113.08'
L4	S86°29'46"W	11.74'
L5	S75°53'13"W	22.50'
L6	S00°04'42"W	11.29'
L7	N89°19'49"W	38.29'
L8	N00°04'42"E	9.77'
L9	N00°04'42"E	4.41'
L10	S89°19'49"E	38.29'
L11	S00°04'42"W	2.89'
L12	N59°35'46"W	22.39'
L13	N84°50'17"W	16.63'
L14	N89°02'40"W	12.40'

PORTION OF
GOVERNMENT LOT 21

APN

163-04-604-002

EXHIBIT B**OAKLEY BOULEVARD**

NEVADA POWER.

NEVADA POWER COMPANY P.O. BOX 98910 LV, NV 89151,
6226 WEST SAHARA AV., (702) 367-5000

TITLE:
BUFFALO PARK

DESCRIPTION:
EXHIBIT MAP TO
ACCOMPANY LEGAL
DESCRIPTION

SEC: 4 T:21 S R:60 E
SURVEYOR: GE/BB
DRAWN BY: RH
CHECKED BY: AC

DATE: 11-8-06
PROJECT ID:
166371

RIGHT OF ENTRY

I (We) **CITY OF LAS VEGAS**, a municipal corporation of the State of Nevada for and in consideration of One Dollar (\$1.00) receipt of which is hereby acknowledged, permission is hereby granted to **NEVADA POWER COMPANY** and/or their agents and/or contractors to enter in and upon land described as a portion of East Half of the Southeast Quarter of the Northeast Quarter of the Northeast Quarter (E ½ SE ¼ NE ¼ NE ¼) and the East Half of the Northeast Quarter of the Southeast Quarter of the Northeast Quarter (E ½ NE ¼ SE ¼ NE ¼) of Section 4, Township 21 South, Range 60 East, M.D.M., Clark County, Nevada, for the purpose of installing, energizing and maintaining electrical facilities as shown on Nevada Power Company Work Request Number: 166371 ROE#: 259-001cg Job Name: **Buffalo Park (Buffalo @ Del Rey)**

NEVADA POWER COMPANY will pay for damages, if any, sustained to the above described property as a result of the negligence of **NEVADA POWER COMPANY** and/or their agents and/or contractors related to the above described Work Request.

When a permanent easement is required for work to be completed on (my, our) property, (I, we) will execute your standard form GRANT OF EASEMENT, to describe the area of the work.

WITNESS my (our) hand(s) this 22nd day of March, 2001

CITY OF LAS VEGAS

By: [Signature] Title: Manager Real Estate & Assets

By:

Title:

**STATE OF NEVADA)
COUNTY OF CLARK)**

On this 22nd day of March, 2001,
before me, a Notary Public, personally appeared
David Roark

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) who executed the within instrument as
on behalf of **CITY OF LAS VEGAS** the municipal corporation therein named, and acknowledged to me that the municipal corporation executed it.

COPY

Jill Melone
Notary Public



Notary Statement and/or Seal

MAIL TO:
LAND SECTION
NEVADA POWER COMPANY
P.O. BOX 230
LAS VEGAS, NV 89151

City of Las Vegas

Summary of Cash Expenditures

For period of 12/01-12/15/06

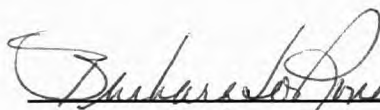
Total Services & Materials Checks :	\$7,426,120.04
Total Services & Materials EFT Payments :	\$2,951,272.76
Total Wire Transfers:	\$35,199,986.14
Total Payroll Checks:	\$8,922,668.90

Grand Total:	\$54,500,047.84
--------------	-----------------

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



Mark R. Vincent
Director of Finance



Barbara Ronemus
City Clerk

On JANUARY 3, 2007, the City Council approved the above cash expenditures.



Oscar B. Goodman
Mayor

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒ **Consent** ☐ **Discussion**

SUBJECT:

Approval of a Special Event License for Beauty Bar Salon, Location: 517 Fremont Street, Date: January 5, 2007, Type: Special Event General, Event: Music and Dancing Live Arts, Responsible Person in Charge: Scott Infantolino - Ward 5 (Weekly)

Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

Approval of a Special Event License.

RECOMMENDATION:

Recommend approval.

BACKUP DOCUMENTATION:

None

Motion made by GARY REESE to Approve Items 13-36 and 38-42

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒ **Consent** ☐ **Discussion**

SUBJECT:

Approval of a Special Event License for Go Home Limited, Location: World Market Center, 495 South Grand Central Parkway, Suite 318, Dates: January 29-31, 2007 and February 1-2, 2007, Type: Special Event General, Event: Trade Show, Responsible Person in Charge: Lauren Weinstein - Ward 5 (Weekly)

Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

Approval of a Special Event License.

RECOMMENDATION:

Recommend approval.

BACKUP DOCUMENTATION:

None

Motion made by GARY REESE to Approve Items 13-36 and 38-42

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒ **Consent** ☐ **Discussion**

SUBJECT:

Approval of Change of Ownership, Change of Business Name and Change of Location for a Tavern License subject to the provisions of the planning and fire codes and Health Dept. regulations, From: Samcon, Inc., dba Tomfoolery's, Sean T. Higgins, Pres, 100%, To: The Lodge At Grand Teton Operator, LLC, dba The Lodge At Grand Teton, 8350 Grand Teton Drive, Stuart E. Apollo, Mmbr, 100% - Ward 6 (Ross)

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

Approval of Change of Ownership, Change of Business Name and Change of Location for a Tavern License.

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes and Health Dept. regulations.

BACKUP DOCUMENTATION:

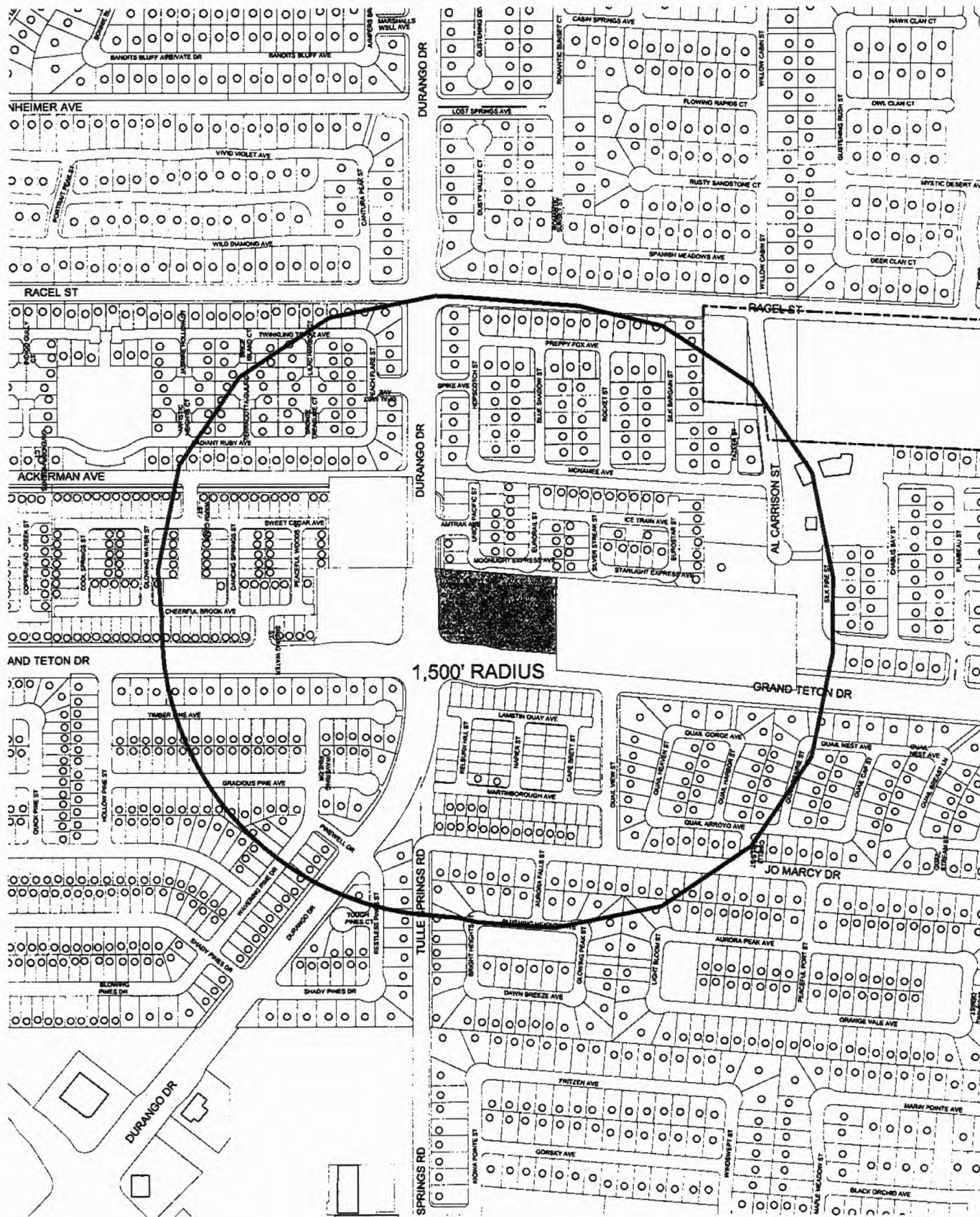
Map

Motion made by GARY REESE to Approve Items 13-36 and 38-42

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS, LARRY BROWN; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

THE LODGE AT GRAND TETON



0 200 400 Feet



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: FINANCE AND BUSINESS SERVICES

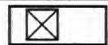
DIRECTOR: MARK R. VINCENT

☒ **Consent** ☐ **Discussion**

SUBJECT:

Approval of Change of Ownership and Change of Business Name for a Burglar Alarm Service License, From: National Alarm Computer Center, Inc., dba National Alarm Computer Center, Stephen B. Baker, VP, To: Integrated Alarm Services Group, Inc., dba Criticom International, 96 Corporate Park Drive, Robert B. Heintz, VP, Michael T. Moscinski, CFO and Brian Edward Shea, Executive VP - California

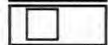
Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

Approval of Change of Ownership and Change of Business Name for a Burglar Alarm Service License.

RECOMMENDATION:

Recommend approval.

BACKUP DOCUMENTATION:

None

Motion made by GARY REESE to Approve Items 13-36 and 38-42

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒ **Consent** ☐ **Discussion**

SUBJECT:

Approval of a new Hypnotist License, Donna Jean Rod, dba Donna Rod, 800 North Rainbow Boulevard, Suite 170, Donna J. Rod, 100% - Ward 1 (Tarkanian)

Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

Approval of a new Hypnotist License.

RECOMMENDATION:

Recommend approval.

BACKUP DOCUMENTATION:

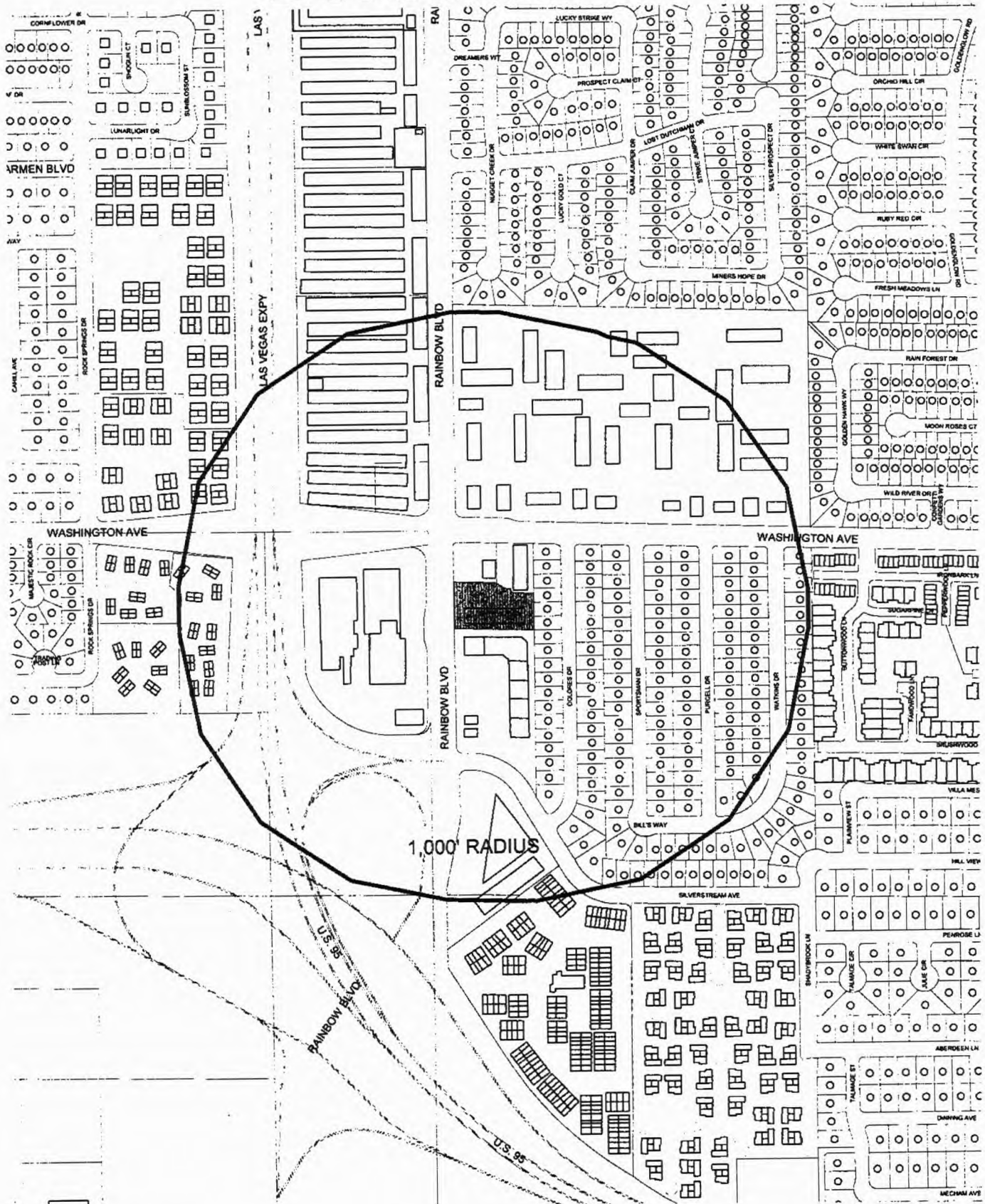
Map

Motion made by GARY REESE to Approve Items 13-36 and 38-42

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

DONNA ROD



0 200 400 Feet

N

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒ **Consent** ☐ **Discussion**

SUBJECT:

Approval of a new Hypnotherapist License subject to the provisions of the planning and fire codes, Maria Lifrieri, dba NY Hypnosis & Laser Center, Ltd., 8871 West Sahara Avenue, Suite 100, Maria S. Lifrieri, 100% - Ward 2 (Wolfson)

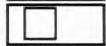
Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

Approval of a new Hypnotherapist License.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

Map

Motion made by GARY REESE to Approve Items 13-36 and 38-42

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

The map displays a residential neighborhood with a grid-like street pattern. A thick black line, representing a 1,000-foot radius, is drawn around a central point located on Crystal Water Way, just north of its intersection with Sahara Ave. This shaded area is the focus of the map. The surrounding streets include Canyon Gate Dr, Rainbow Ridge Dr, Sahara Ave, Crystal Water Way, Lake East Dr, and several others. The map shows numerous residential lots, some with house numbers, and a small commercial building on the left side of the map. The map is oriented with North at the top.



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒ **Consent** ☐ **Discussion**

SUBJECT:

Approval of award of Modification No. 2 to Contract No. 060017 for Maintenance of Yucca Mountain Monitoring Program - Office of Administrative Services - Award recommended to: URBAN ENVIRONMENTAL RESEARCH, LLC (\$74,072 - Multipurpose Special Revenue Fund)

Fiscal Impact

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Amount: \$74,072

Funding Source: Multipurpose SRF

Dept./Division: Office of Administrative Services

PURPOSE/BACKGROUND:

On September 7, 2005 City Council approved the award of Contract No. 060017 to Urban Environmental Research, LLC in the amount of \$40,000 for the development and implementation of a Yucca Mountain Monitoring Program. On October 4, 2006 Council approved the award of Modification No. 1 in the amount of \$60,000 for the monitoring, updating and maintenance of the Program. Modification No. 2 adds new scope of work to develop a Regional Emergency Operation Center Business Plan in the amount of \$74,072. This work is funded through a U.S. Department of Justice grant. This item is exempt from the competitive bidding process pursuant to NRS 332.115.1(b), Professional Services.

PCC: D. Kaplan

POC: Dr. Sheila Conway - (702) 862-7970

RECOMMENDATION:

That City Council approve award of Modification No. 2 to Contract No. 060017 for Maintenance of Yucca Mountain Monitoring Program to Urban Environmental Research, LLC in the amount of \$74,072 to develop a Regional Emergency Operation Center Business Plan. Authority to execute the Modification is given to the Purchasing Manager per R-48-2006.

BACKUP DOCUMENTATION:

Certificate - Disclosure of Ownership/Principals

Motion made by GARY REESE to Approve Items 13-36 and 38-42

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

1. Definitions

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

[illegible]

CERTIFICATE - DISCLOSURE OF OWNERSHIP/PRINCIPALS

Block 3

Type of Business

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

Block 4 Disclosure of Ownership and Principals

In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.

	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1.	Shella Conway	Suite 200 10100 W. Charleston Blvd LV,	702 862-7970
2.	Alvin Mushkatel	Suite 200 10100 W. Charleston Blvd; LV, NV	702 862-7970
3.			89135
4.			
5.			
6.			
7.			
8.			
9.			
10.			

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

Block 5 DISCLOSURE OF OWNERSHIP AND PRINCIPALS - ALTERNATE

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

Name of Attached Document: _____

Date of Attached Document: _____ Number of Pages: _____

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

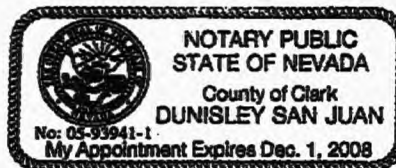
Name

Date

Subscribed and sworn to before me this 24 day of

June, 2005-2006 ~~2005~~

Notary



Public

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, PROPOSED DEBARMENT,
AND OTHER RESPONSIBILITY MATTERS ****

(a)(1) The Offeror certifies, to the best of its knowledge and belief, that—

(i) The Offeror and/or any of its Principals—

(A) Are ☐ are not ☒ presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency;

(B) Have ☐ have not ☒ within a three-year period preceding this offer, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, state, or local) contract or subcontract; violation of Federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property; and

(C) Are ☐ are not ☒ presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in paragraph (a)(1)(i)(B) of this provision.

(ii) The Offeror has ☐ has not ☒ within a three-year period preceding this offer, had one or more contracts terminated for default by any Federal agency.

(2) "Principals," for the purposes of this certification, means officers; directors; owners; partners; and, persons having primary management or supervisory responsibilities within a business entity (e.g., general manager; plant manager; head of a subsidiary, division, or business segment, and similar positions).

This Certification Concerns a Matter Within the Jurisdiction of an Agency of the United States and the Making of a False, Fictitious, or Fraudulent Certification May Render the Maker Subject to Prosecution Under Section 1001, Title 18, United States Code.

(b) The Offeror shall provide immediate written notice to the City if, at any time prior to contract award, the Offeror learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

(c) A certification that any of the items in paragraph (a) of this provision exists will not necessarily result in withholding of an award under this Request for Proposals. However, the certification will be considered in connection with a determination of the Offeror's responsibility. Failure of the Offeror to furnish a certification or provide such additional information as requested by the City may render the Offeror nonresponsible.

(d) Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to verify, in good faith, the certification required by paragraph (a) of this document. The knowledge and information of an Offeror is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

(e) The certification in paragraph (a) of this document is a material representation of fact upon which reliance was placed when making award. If it is later determined that the Offeror knowingly rendered an erroneous certification, in addition to other remedies available to the Government, the City may terminate the resulting contract for default.

Sheila Conway, P.H.D.
SIGNATURE

Managing Partner
TITLE

Urban Environmental Research LLC
COMPANY

June 23, 2006
DATE

** Adapted from the Federal Acquisition Regulation (FAR) certification at FAR 52.209-5 (Dec 2001); modified to change references regarding "solicitation", "provision" and "Contracting Officer" to "Request for Proposals", "document", and "City", respectively.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒ **Consent** ☐ **Discussion**

SUBJECT:

Approval of award of Bid No. 06.53541.01-LED, Warehouse Expansion and Office Addition - Water Pollution Control Facility (WPCF) located at 6005 East Vegas Valley Drive and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: APCO CONSTRUCTION (\$1,114,140 - Sanitation Enterprise Fund) - County

Fiscal Impact

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Amount: \$1,114,140

Funding Source: Sanitation Enterprise Fund

Dept./Division: Public Works

PURPOSE/BACKGROUND:

This project provides for the construction of a new office building, construction of an expansion to the existing warehouse, roof enclosure and stair modifications for the Nitrification Building and sitework grading and paving. Project location is at the Water Pollution Control Facility at 6005 East Vegas Valley Drive. The annual estimated Building and Site Maintenance cost for this project is \$68,900.

PCC: L.E. Davis

POC: Randy Nicklerl - (702) 734-0198

RECOMMENDATION:

That City Council approve the award of Bid No. 06.53541.01-LED, Warehouse Expansion and Office Addition - Water Pollution Control Facility to APCO Construction in the amount of \$1,114,140 and approve a construction conflicts and contingency reserve in the amount of \$77,990. Authority to execute the Contract is given to the Purchasing Manager per R-48-2006.

BACKUP DOCUMENTATION:

Bid Abstract

Motion made by GARY REESE to Approve Items 13-36 and 38-42

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

PWP No.CL-2007-38

Date _____

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒ **Consent** ☐ **Discussion**

SUBJECT:

Approval of a Purchase Order for Diversity Champions Training - Department of Human Resources - Award recommended to: GUARDIAN QUEST (not-to-exceed \$100,000 - General Fund)

Fiscal Impact

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Amount: \$100,000

Funding Source: General Fund

Dept./Division: Human Resources

PURPOSE/BACKGROUND:

The City of Las Vegas utilized Guardian Quest to conduct diversity training for staff in August and November 2006 for executive and management staff. Additional funding in an amount not to exceed \$100,000 is being requested to enable the expansion of the diversity training to additional staff over the next twelve months. This purchase is exempt from the competitive bidding process pursuant to NRS 332.115.1(b), Professional Services.

PCC: K. Rainey

POC: Ondra Berry - (630) 449-0958

RECOMMENDATION:

That City Council approve a Purchase Order in the not-to-exceed amount of \$100,000 for Diversity Champions Training to Guardian Quest.

BACKUP DOCUMENTATION:

None

Motion made by GARY REESE to Approve Items 13-36 and 38-42

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒ **Consent** ☐ **Discussion**

SUBJECT:

Approval of ratification of a purchase order for Chevrolet Vehicles - Department of Field Operations - Award recommended to: CHAMPION CHEVROLET (\$50,438.25 - Automotive Service Internal Service Fund)

Fiscal Impact

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Amount: \$50,438.25

Funding Source: Automotive Service ISF

Dept./Division: Field Operations

PURPOSE/BACKGROUND:

This request provides for the payment of three (3) Chevrolet Impalas required by Fleet Services Division prior to the expiration of the contract. City Council approved \$2,000,000 on September 20, 2006 for vehicle purchases against the State of Nevada contract. The Fleet Services Division expended \$1,999,674.50 of those funds prior to identifying the need for additional vehicles and authorized shipment of these additional vehicles in order to take advantage of the favorable pricing for 2007 model year vehicles before contract expiration.

This purchase is exempt from the competitive bidding process pursuant to NRS 332.195.2, which allows local governments to use the contracts of the State of Nevada.

PCC: T. Maino

POC: Ziggy Terelak - (775) 786-3111 ext. 275

CFN: 070077

RECOMMENDATION:

That the City Council approve the ratification of a purchase order for the purchase of Chevrolet vehicles in the amount of \$50,435.25 to Champion Chevrolet.

BACKUP DOCUMENTATION:

None

Motion made by GARY REESE to Approve Items 13-36 and 38-42

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS, LOIS TARKANIAN, LAWRENCE WEEKLY; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: STEPHEN HARSIN

☒ **Consent** ☐ **Discussion**

SUBJECT:

Approval to enter into an Agreement with the State of Nevada, Department of Business and Industry, Housing Division (NHD) to receive \$1,809,000 in Low Income Housing Trust Fund (LIHTF) funds for qualified Trust Fund projects or activities subject to entering into written agreements with the recipients and requiring compliance with the regulations under NRS Chapter 319 and NAC 319 – All Wards

Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Amount: \$1,809,000 (revenue)

Funding Source: LIHTF

Dept./Division: Neighborhood Development

PURPOSE/BACKGROUND:

The City of Las Vegas FY2006 share of the NHD funds is \$1,809,000 (City Wide). No project may commit and/or expend any funds prior to entering into a written agreement, compliance with NRS 319 and NAC 319, and issuance of a Notice to Proceed.

RECOMMENDATION:

Staff recommends that the City Council approve entering into the State Agreement for the LIHTF funding from NHD and authorize the Mayor to execute any and all related Agreements and documents required, following approval as to form by the City Attorney.

BACKUP DOCUMENTATION:

Agreement to Use the Account for Low-Income Housing Funds by the City of Las Vegas

Motion made by GARY REESE to Approve Items 13-36 and 38-42

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS, LOIS

TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN; (Against-None); (Abstain-None);

(Did Not Vote-None); (Excused-None)

2006 - 2007 AGREEMENT TO USE THE ACCOUNT FOR LOW-INCOME HOUSING
(TRUST FUND)
FUNDS BY THE CITY OF LAS VEGAS

THIS AGREEMENT is made and entered into this ____ day of _____, 2006 by and between the CITY OF LAS VEGAS, a municipal corporation in the State of Nevada ("City" or "Las Vegas") and STATE OF NEVADA, DEPARTMENT OF BUSINESS AND INDUSTRY, HOUSING DIVISION ("NHD")

WHEREAS, the Housing Division, Department of Business and Industry, State of Nevada, hereinafter called "NHD", is the administering agency for the Account for Low-Income Housing hereinafter called "Trust Fund"; and

WHEREAS, NHD, is responsible for the planning, administration, implementation, and evaluation of the program; and

WHEREAS, City of Las Vegas, hereinafter called "Las Vegas", is a political subdivision of the State of Nevada; and

WHEREAS, NHD desires to assist Las Vegas by providing Trust Funds to assist with qualified projects under NRS Chapter 319, and NAC 319; and

NOW, THEREFORE, in consideration of the foregoing premises, that the use of Trust Funds be conveyed to Las Vegas by NHD, subject to the following conditions and limitations:

I. Scope of Services

A. NHD will provide funds not to exceed the total of \$1,809,000.00 in Trust Funds to Las Vegas to assist with qualified Trust Fund projects or activities, hereinafter referred to as "Projects."

B. Las Vegas agrees that any program costs, unless otherwise specified, exceeding the \$1,809,000.00 in Trust Funds provided by NHD pursuant to this Agreement, will be the responsibility of Las Vegas. Any ongoing project costs, such as maintenance and operations, shall be the sole responsibility of Las Vegas.

C. Before disbursing Trust Funds to any recipient, Las Vegas agrees to enter into a written agreement with the recipient requiring compliance with the regulations set forth in NRS Chapter 319, and NAC 319 (hereinafter referred to as the "Program requirements" or "Program"). Fifteen percent (15%) of all program units must serve families at poverty level.

D. Changes in this Scope of Services as outlined herein must be in accordance with and approved by both parties. Any such changes must not jeopardize the Trust Fund Program.

II. NHD General Conditions

A. Las Vegas has requested the financial support of NHD that is provided for in this Agreement in order to enable Las Vegas to provide affordable housing assistance. NHD shall have no relationship whatsoever with the services provided, except the provision of financial support, monitoring, and the receipt of such reports as are provided for herein. To the extent, if at all, that any relationship to such services on the part of NHD may be claimed or found to exist, Las Vegas shall be an independent contractor only.

B. Las Vegas shall obtain, or require any subgrantee or recipient to obtain, any and all federal, state, and local permits and licenses required to execute any individual project as described in this Agreement's Scope of Services. Las Vegas further agrees to abide by, and shall require all subgrantees or recipients to abide by, all applicable federal, state, and local codes, regulations, statutes, ordinances, and laws.

C. Las Vegas will provide NHD with client usage records per project on an annual basis during the Term Period of this Agreement as set forth in Section II.O. These records will contain, but are not limited to, the following data:

1. Total clients served;
2. Racial breakdown of clients served including Black, White, Hispanic, American Indian/Alaskan and Asian/Pacific Islander;
3. Number and percentage of low- and very low-income clients.
4. Number of handicapped clients served;
5. Number of senior citizens served;
6. Number of female head-of-households served;
7. Name of each head of household served;
8. Number of persons in each household served; and
9. Rent charged each household served.

D. Las Vegas will not use any portion of the allocated Trust Funds for other than Trust Fund qualified projects, as defined in NRS 319, and NAC 319. Any recipient or subgrantee must meet Program Requirements and serve eligible low-income residents.

E. For each qualified project receiving funds pursuant to this Agreement, Las Vegas shall establish the term of affordability as either the minimum established by the Nevada Administrative Code or the term of the loan, whichever is longer(hereinafter the "Period of Affordability").

F. If the qualified projects or activities, or any portion thereof, are converted to non-qualified Trust Fund projects or activities without the prior written approval of NHD, Las Vegas shall, upon the request of NHD, repay to NHD, without interest, the amount of Trust Funds expended on the non-qualified project. Las Vegas shall require reasonable assurances of security for such repayments in the form of a recorded deed of trust for such property and Las Vegas shall require execution as part of providing applicable assistance. A sale, transfer, or other conveyance of the assisted property is subject to the requirement that the amount of Trust Funds previously invested in the property be returned to Las Vegas to be reinvested in other affordable housing units.

G. Las Vegas, or any subgrantee, shall not allow assisted properties to be attached in any manner, including any liens or other encumbrances or any mortgages or other security interest during the Period of Affordability without the prior written consent of NHD.

H. Las Vegas may not assign or delegate any of its rights, interests or duties under this Agreement without the prior written consent of NHD. Any such assignment or delegation made without the required consent shall be voidable by NHD, and may, at the option of NHD, result in the forfeiture of all financial support provided herein.

I. Las Vegas shall carry, or require any subgrantee to carry, Comprehensive Fire and Hazard insurance covering the full replacement costs of an assisted project.

J. Las Vegas shall allow duly authorized representatives of NHD to conduct such occasional reviews, audits and on-site monitoring of projects as NHD deems to be appropriate in order to determine:

1. Whether the objectives of the program are being achieved;
2. Whether the program is being conducted in an efficient and effective manner;
3. Whether management control systems and internal procedures have been established to meet the objectives of the program;
4. Whether the financial operations of the program are being conducted properly;
5. Whether the periodic reports to NHD contain accurate and reliable information; and
6. Whether all of the activities of the program are conducted in compliance with the provisions of Federal and State laws and regulations and this Agreement.

K. Visits by NHD to Projects shall be announced to Las Vegas in advance of those visits and shall occur during normal operating hours. The representatives of NHD may request, and, if such a request is made, shall be granted, access to all of the records of Las Vegas which relate to the Program. The representatives of NHD may, from time to time, interview recipients of the housing services of the Project who volunteer to be interviewed.

L. At any time during normal business hours, Las Vegas records with respect to the Program shall be made available for audit, examination and review by NHD, the Attorney General's Office, contracted independent auditors, HUD, the Comptroller General of the United States, or any combination thereof.

M. Las Vegas will protect, defend, indemnify, and save and hold harmless NHD from and against any and all liability, damages, demands, claims, suits, liens, and judgments of whatever nature including but not limited to claims for contribution or indemnification for injuries to or death of any person or persons, caused by the negligence, gross negligence or intentional act of Las Vegas or its agents pursuant to this Agreement.

N. Las Vegas will not use any funds or resources which are supplied by NHD in litigation against any person, natural or otherwise, or in its own defense in any such litigation and also agrees to notify NHD of any legal action which is filed by or against it.

O. This Agreement will commence upon its approval and signature by all parties. Funds allocated by NHD to Las Vegas under this agreement must be committed by Las Vegas to specific projects prior to May 31, 2007 and used prior to June 30, 2008.

P. In the event that Las Vegas and/or NHD anticipate the total amount of funds allocated under this Agreement will not be expended in the time and manner prescribed in this Agreement, NHD reserves the right to extract that portion for other projects/programs operated under NHD's Trust Fund program.

Q. Las Vegas agrees that no officer or employee of Las Vegas may seek or accept any gifts, service, favor, employment, engagement, emolument or economic opportunity which would tend improperly to influence a reasonable person in that position to depart from the faithful and impartial discharge of the duties of that position.

R. Las Vegas agrees that no officer or employee of Las Vegas may use his or her position to secure or grant any unwarranted privilege, preference, exemption or advantage for himself or herself, any member of his or her household, any business entity in which he or she has a financial interest or any other person.

S. Las Vegas agrees that no officer or employee of Las Vegas may participate as an agent of Las Vegas in the negotiation or execution of any contract between Las Vegas and any private business in which he or she has a financial interest.

T. Las Vegas agrees that no officer or employee of Las Vegas may suppress any report or other document because it might tend to affect unfavorably his or her private financial interests.

U. Las Vegas, and any subgrantee or recipient, shall keep and maintain in effect at all times any and all licenses, permits, notices and certifications which may be required by any City ordinance or state or federal statute.

V. Las Vegas, and any subgrantee or recipient, shall be bound by all City ordinances and state and federal statutes, conditions, regulations and assurances which are applicable to the entire Trust Fund Program or are required by HUD, NHD, or any combination thereof.

W. Any material breach of this section may in the discretion of NHD, result in forfeiture of all unexpended Trust Funds received by Las Vegas pursuant to this Agreement, or any part thereof.

X. No officer, employee or agent of NHD shall have any interest, direct or indirect, financial or otherwise, in any contract or subcontract or the proceeds thereof, for any of the work to be performed pursuant to the project during the period of service of such officer, employee or agent, for one year thereafter.

Y. Upon the expiration or revocation of this Agreement, Las Vegas shall transfer to NHD any Trust Funds on hand at the time of expiration or revocation and any accounts receivable attributable to the use of Trust Funds, unless waived in writing by NHD.

III. Financial Management

A. Las Vegas agrees, and shall require any subgrantee or recipient to agree, that all costs of any project receiving funds pursuant to this Agreement, shall be recorded by budget line items and be supported by checks, payrolls, time records, invoices, contracts, vouchers, orders and other accounting documents evidencing in proper detail the nature and propriety of the respective charges, and that all checks, payrolls, time records, invoices, contracts, vouchers, orders or other accounting documents which pertain, in whole or in part, to the project shall be thoroughly identified and readily accessible to NHD.

B. Las Vegas agrees that excerpts or transcripts of all checks, payrolls, time records, invoices, contracts, vouchers, orders and other accounting documents related to or arguably related to the project will be provided upon request to NHD.

C. Las Vegas agrees that it may not request disbursement of funds under this Agreement until the funds are needed for payment of eligible costs. The amount of each request must be limited to the amount needed.

D. Las Vegas shall comply with the Single Audit Act and Circular A-133 and shall provide NHD with a copy of the complete audit report. When complying with the Single Audit Act and Circular A-133, the audit must include funds that were disbursed from the Trust Fund and require all subgrantees or recipients to comply with the Single Audit Act to include Trust Funds.

IV. Modification or Revocation of Agreement

A. NHD and Las Vegas will amend or otherwise revise this Agreement should such modification be required by NRS Chapter 319 or NAC 319.

B. In the event that any of the Trust Fund Program funds for any reason are terminated or withheld from NHD or otherwise not forthcoming, NHD may revoke this Agreement.

C. NHD may suspend or terminate this Agreement if Las Vegas fails to comply with any of its terms.

D. This Agreement may be terminated at the convenience of NHD.

E. This Agreement constitutes the entire Agreement between the parties and may only be modified by a written amendment signed by the parties, or as otherwise set forth in the terms of the Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed and intend to be legally bound thereby, this _____ day of _____, 2006.

CITY OF LAS VEGAS

NEVADA HOUSING DIVISION

Oscar B. Goodman, Mayor

Charles L. Horsey, III
Administrator

ATTEST:

Barbara Jo Ronemus, City Clerk

APPROVED AS TO FORM ONLY

APPROVED AS TO FORM ONLY

By: *V. Parkhill* 12/7/06
Deputy City Attorney

Legal Counsel to the Division

By: *Christine S. Munro*
Christine Munro

State of Nevada)
County of Clark)

State of Nevada)
Carson City)

On this _____ day of _____,
2006, before me, a Notary Public, personally
appeared Oscar B. Goodman who did say that he
is the Mayor of Las Vegas, named in the
foregoing instrument, and acknowledged that he
executed the same.

On this _____ day of _____,
2006, before me, a Notary Public, personally
appeared Charles L. Horsey, III, who did say
that he is the Administrator of the Nevada
Housing Division, named in the foregoing
instrument, and acknowledged that he executed
the same.

Notary Public

Notary Public

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: STEPHEN HARSIN

☒ **Consent** ☐ **Discussion**

SUBJECT:

Approval to allocate \$200,000 in Home Investment Partnership Programs/Low-Income Housing Trust Funds (HOME/LIHTF) to Neighborhood Services Department, EVOLVE Program to operate a tenant-based rental assistance program - All Wards

Fiscal Impact

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Amount: \$200,000

Funding Source: HOME/LIHTF

Dept./Division: Neighborhood Development

PURPOSE/BACKGROUND:

The Neighborhood Services Department has determined a need to provide tenant-based rental assistance to low and moderate income individuals and families with a preference for ex-offenders, chronic inebriates, and individuals who are homeless, or at risk of homelessness.

RECOMMENDATION:

Staff recommends that City Council approve the allocation of \$200,000 to the Neighborhood Services EVOLVE Program to operate a tenant-based rental assistance program and authorize the Mayor to execute any and all related agreements and documents required for the project following approval as to form by the City Attorney.

BACKUP DOCUMENTATION:

Memorandum of Understanding

Motion made by GARY REESE to Approve Items 13-36 and 38-42

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LARRY BROWN, STEVE WOLFSON, STEVEN D. ROSS,
LAWRENCE WEEKLY, OSCAR B. GOODMAN, GARY REESE; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

MEMORANDUM OF UNDERSTANDING
NEIGHBORHOOD INITIATIVE DIVISION
TENANT BASED RENTAL ASSISTANCE PROGRAM

THIS MEMORANDUM OF UNDERSTANDING, made and entered into this 3rd day of January, 2007, by and between City of Las Vegas ("City") on the behalf of the Neighborhood Services Department, Neighborhood Development Division, (hereafter referred to as "NEIGHBORHOOD SERVICES") and City of Las Vegas Neighborhood Services Department, Neighborhood Initiative Division (hereinafter referred to as "NEIGHBORHOOD INITIATIVE") for

TENANT-BASED RENTAL ASSISTANCE

WITNESSETH:

WHEREAS; the City Council of Las Vegas (hereinafter referred to as the "City"), desires to make grants to governmental sub-entities, to be utilized for the selected purpose; and

WHEREAS, the United States Department of Housing and Urban Development, (hereinafter "HUD"), pursuant to 24 CFR Part 92 , and specifically to 24 CFR Part 92.504, requires the City as Recipient to sign a written agreement with NEIGHBORHOOD INITIATIVE which shall remain in effect for the time period during which NEIGHBORHOOD INITIATIVE administers the project,

WHEREAS, the City of Las Vegas, by and through its Neighborhood Services Department, Neighborhood Development Division is the local grant administrator for the HUD Entitlement Grant, and the CITY has allocated funds to the City of Las Vegas Department of Neighborhood Services, Neighborhood Initiative Division, for a tenant-based rental assistance program; and

WHEREAS, the parties desire to record their agreement by means of this Memorandum of Understanding ("MOU").

NOW THEREFORE, in accordance with 24 CFR Part 92 and all relevant federal related regulations, the NEIGHBORHOOD SERVICES HOME/LIHTF Program Manual and in consideration of the premises and of the mutual promises and agreements which are hereinafter contained, the Parties do hereby agree as follows:

SCOPE OF SERVICES

A. NEIGHBORHOOD INITIATIVE RESPONSIBILITIES

NEIGHBORHOOD INITIATIVE will be responsible for administering a HOME/LIHTF funded project to provide activities eligible under the HOME/LIHTF Program as more specifically set out in Exhibit "A", Scope of Services Description, attached hereto. It is expressly agreed and understood that the total amount to be provided by the CITY under this MOU shall not exceed Two Hundred Thousand dollars (\$200,000) in HOME/LIHTF funds. HOME/LIHTF Funds to be allocated in accordance with the Project Budget as detailed in Exhibit "B" attached to this MOU. NEIGHBORHOOD INITIATIVE agrees to adhere to the Scope of Services Description, Exhibit "A".

B. TIME OF PERFORMANCE

This MOU provides for HOME/LIHTF funding of NEIGHBORHOOD INITIATIVE'S program rendered in accordance with this MOU from January 17, 2007 through December 31, 2007, inclusive. CITY and NEIGHBORHOOD SERVICES shall bear no liability to fund or provide payment for NEIGHBORHOOD INITIATIVE program services in the event that no HOME/LIHTF funds are received during the applicable fiscal year. Furthermore, CITY and NEIGHBORHOOD SERVICES shall be liable only for payment proportional to the extent of the HOME/LIHTF fund grants the CITY receives. NEIGHBORHOOD INITIATIVE program expenses incurred after the Council approval date, but prior to execution of this MOU may be reimbursed upon approval of NEIGHBORHOOD SERVICES and contingent upon NEIGHBORHOOD INITIATIVE conformance with Nevada Revised Statutes (NRS) 319.510.

II. CITY GENERAL CONDITIONS

A. COMPLIANCE WITH THE SUBRECIPIENT PROGRAM MANUAL AND OTHER APPLICABLE STATUTES AND REGULATIONS

NEIGHBORHOOD INITIATIVE agrees to abide with all Policies, Regulations and program criteria as specified in the NEIGHBORHOOD SERVICES HOME/LIHTF Program Manual as it pertains to HOME/LIHTF funding, a copy of which has been provided to NEIGHBORHOOD INITIATIVE. NEIGHBORHOOD INITIATIVE shall obtain any and all Federal, State, and local permits and licenses required to execute the Program as described in the MOU's Scope of Services. NEIGHBORHOOD INITIATIVE further agrees to abide by all

applicable Federal, State, and Local codes, regulations, statutes, ordinances, and laws. Failure to abide by any of the above may result in forfeiture of the HOME/LIHTF funds.

B. NEIGHBORHOOD INITIATIVE RETAINS EXCLUSIVE RIGHT OF PERFORMING SERVICES

NEIGHBORHOOD INITIATIVE has requested the financial support of the CITY to enable NEIGHBORHOOD INITIATIVE to provide the services contemplated herein. CITY and NEIGHBORHOOD SERVICES shall have no relationship whatsoever with the services contemplated herein except the provision of financial support and the receipt of reports as provided herein. In any and all events, the services contemplated herein shall be rendered at the time, in the manner and under circumstances determined solely and exclusively by NEIGHBORHOOD INITIATIVE, subject only to review by the City of Las Vegas, Neighborhood Services Director or other designee of the Neighborhood Services Director to assure continuing eligibility for HOME/LIHTF funding.

C. ON-SITE MONITORING

Projects and programs funded under this MOU will be subject to on-site monitoring by duly authorized CITY representatives, CITY-contracted independent auditors, representatives from Clark County and/or State of Nevada representatives. Said representatives will be announced, at a minimum, 24 hours in advance of such visits, which shall occur during normal operating hours. The representatives shall be granted access to any and all records pertaining to said Project. Representatives may, on occasion, interview project recipients who volunteer to be interviewed.

NEIGHBORHOOD INITIATIVE shall allow duly authorized representatives from the City, independent auditors contracted by the City, representatives from Clark County and/or State of Nevada representatives. Said representatives, or any combination thereof, to conduct such reviews, audits, and on-site monitoring of the Program as the reviewing entity deems appropriate in order to determine:

1. Whether the Program is being operated in a manner consistent with the Plan and the national and primary objectives of the HOME/LIHTF Program;
2. Whether the objectives of the Program are being achieved;
3. Whether the Program is being operated in an efficient and effective manner;
4. Whether management control systems and internal procedures have been established to meet the objectives of the Program;

5. Whether the financial operations of the Program are being conducted properly;
6. Whether the periodic reports to NEIGHBORHOOD SERVICES contain accurate and reliable information; and
7. Whether all of the activities of the Program are conducted in compliance with the provisions of applicable laws and regulations and this MOU.

D. RIGHT TO REVIEW AND AUDIT

1. NEIGHBORHOOD INITIATIVE agrees to maintain financial records pertaining to all matters relative to this MOU in accordance with standard accounting principles and procedures and to retain all records and supporting documentation applicable to this MOU for a period of ten (10) years, except those records subject to audit findings shall be retained for an additional three (3) years. In the event NEIGHBORHOOD INITIATIVE ceases to exist, NEIGHBORHOOD INITIATIVE shall turn over to CITY and NEIGHBORHOOD SERVICES all of its records relating to this MOU to be retained by NEIGHBORHOOD SERVICES for the required period of time.
2. NEIGHBORHOOD INITIATIVE agrees to permit the City or the City's designated representatives to inspect and audit its records and books relative to this MOU at any time during normal business hours and under reasonable circumstances and to copy therefrom any information that the City desires concerning NEIGHBORHOOD INITIATIVE's operation hereunder. NEIGHBORHOOD INITIATIVE further understands and agrees that said inspection and audit would be exercised upon written notice. NEIGHBORHOOD INITIATIVE further agrees to permit the City or the City's designated representatives to inspect and audit, as deemed necessary, all records of this project relating to finances, as well as other records including performance records that may be required by relevant directives of funding sources of the City.

E. LIMIT ON ASSIGNMENT OF INTEREST

NEIGHBORHOOD INITIATIVE may not assign any part of its rights in this MOU without consent of NEIGHBORHOOD SERVICES. Any such assignment of rights without consent of CITY and NEIGHBORHOOD SERVICES shall result in the forfeiture of all compensation, or any part thereof, as determined by NEIGHBORHOOD SERVICES.

F. MOU REVISIONS

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

J. THIRD PARTY CONTRACTS

Third Party contracts are not allowable expenses pursuant to this MOU.

III. GENERAL CONDITIONS

A. RELIGIOUS ACTIVITIES

As a general rule, in accordance with First Amendment Church/State Principles, HOME/LIHTF assistance may be provided to primary religious organizations for any activity, excluding inherently religious activities.

B. POLITICAL ACTIVITIES Section 319 of Public Law 101-121 of the Department of the Interior Appropriations Act.

NEIGHBORHOOD INITIATIVE will comply with this section, which prohibits the use of HOME/LIHTF funds to finance the use of facilities or equipment for political purposes or to engage in other partisan political activities, such as candidate forums, voter transportation, or voter registration.

HATCH ACT CHAPTER 15, TITLE 5, U.S. CODE

NEIGHBORHOOD INITIATIVE further agrees that none of the personnel employed in the administration of the within defined Project shall be in any way or to any extent, engaged in the conduct of political activities in contravention of Chapter 15, Title 5, U.S. Code.

C. PROGRAM INCOME

NEIGHBORHOOD INITIATIVE agrees that program income, includes, but is not limited to, the following:

1. Proceeds from the disposition by sale or long-term lease of real property acquired, rehabilitated, or constructed with HOME/LIHTF funds or matching contributions;
2. Gross income from the use or rental of real property, owned by the participating jurisdiction, State recipient, NEIGHBORHOOD INITIATIVE, that was acquired, rehabilitated, or constructed, with HOME/LIHTF funds or matching contributions, less costs incidental to the generation of the income;
3. Payments of principal and interest on loans made using HOME/LIHTF,
4. Proceeds from the sale of loans made with HOME/LIHTF or matching contributions;
5. Proceeds from the sale of obligations secured by loans made with HOME/LIHTF funds or matching contributions;
6. Interest earned on program income pending its disposition; and
7. Any other interest or return on the investment HOME/LIHTF or matching contributions.

Repayment, interest, and other return on the investment of HOME/LIHTF will be remitted to NEIGHBORHOOD SERVICES for additional eligible activities.

D. APPLICABILITY OF UNIFORM ADMINISTRATIVE REQUIREMENTS 24 CFR 570.502

NEIGHBORHOOD INITIATIVE shall comply with the requirements and standards of OMB Circular A-122, "Cost Principles for Non-profit Organizations," or OMB Circular No. A-21, "Cost Principles for Educational Institutions," as applicable, and OMB Circular A-133, "Audits of Institutions of Higher Education and Other Non-profit Institutions."

E. OTHER PROGRAM REQUIREMENTS

NEIGHBORHOOD INITIATIVE shall carry out its activities in compliance with all laws and regulations as described in Nevada Revised Statute and Federal Regulations. More specifically, NEIGHBORHOOD INITIATIVE shall be required to comply with the following:

1. TITLE VI OF THE CIVIL RIGHTS ACT OF 1964-- FAIR HOUSING ACT--EXECUTIVE ORDER 11063

This MOU is subject to the requirements of Title VI of the Civil Rights Act of 1964, P.L. 88-352; the Fair Housing Act; and Executive Order 11063, as amended by Executive Order 12259; providing for non-discrimination on the grounds of race, color, creed, sex, familial status, disability, or national origin.

2. SECTION 109 OF THE ACT--AGE DISCRIMINATION ACT of 1975 --SECTION 504 OF THE REHABILITATION ACT OF 1973

This MOU is subject to Section 109 of the Housing and Community Development Act of 1974, The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973, which requires that no person in the United States shall, on the grounds of age, race, color, national origin, disability, or sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity.

3. CONFLICT OF INTEREST

This MOU is subject to the general rule that no person who is an employee, consultant, officer, or elected official or appointed official of the CITY as Recipient, or of any designated public agencies, or of NEIGHBORHOOD INITIATIVE who exercise or have exercised any functions or responsibilities with respect to HOME/LIHTF activities or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a HOME/LIHTF-assisted activity, or have a financial interest in any contract, subcontract, or Agreement with respect to a HOME/LIHTF-assisted activity, or with respect to the proceeds of the HOME/LIHTF-assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter.

4. UNIFORM ADMINISTRATIVE REQUIREMENTS AND COST PRINCIPLES

NEIGHBORHOOD INITIATIVE shall comply with the policies, guidelines, and requirements of 24 CFR Part 85 and OMB Circulars A-87, A-110, A-122, A-133, and A-128, as applicable, as they relate to the acceptance and use of funds.

F. DRUG-FREE WORKPLACE

As a subrecipient of HOME/LIHTF funds, and in connection with public services offered, NEIGHBORHOOD INITIATIVE agrees that it shall comply with the provisions of the Drug-Free Workplace Act of 1988, 45 CFR Part 76, Subpart F, which requires that NEIGHBORHOOD INITIATIVE shall maintain a facility free from the illegal use, possession, or distribution of drugs or alcohol by its beneficiaries.

G. EXPIRATION OR REVOCATION OF MOU

Upon the expiration or revocation of this MOU, NEIGHBORHOOD INITIATIVE shall transfer to NEIGHBORHOOD SERVICES any HOME/LIHTF/ funds on hand at the time of expiration or revocation and any accounts receivable attributable to the use of HOME/LIHTF funds.

H. ANTI-LOBBYING

NEIGHBORHOOD INITIATIVE will not use HOME/LIHTF for lobbying any branch of the government in connection with a specific contract, grant, or loan, and that no HOME/LIHTF funds have been paid or will be paid, by or on behalf of NEIGHBORHOOD INITIATIVE to any person for influencing or attempting to influence an officer or employee of any agency in connection with the awarding of any contract, the making of any grant, the making of any loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any contract, grant, loan, or cooperative agreement.

I. AMERICANS WITH DISABILITIES ACT

NEIGHBORHOOD INITIATIVE agrees to comply fully with any and all provisions of the Americans with Disabilities Act (hereinafter referred to as "ADA") as applicable to NEIGHBORHOOD INITIATIVE and the activities to be performed by NEIGHBORHOOD INITIATIVE under the scope of this MOU. If employing more than fifteen (15) employees, NEIGHBORHOOD INITIATIVE agrees to comply fully with Title I of

the "ADA" as set forth at 28 CFR Part 130. If providing "public accommodations" as defined by the Act in Section 301(7)(A)-(L), NEIGHBORHOOD INITIATIVE agrees to comply fully with Title III of the "ADA" as set forth at 28 CFR Part 36. If providing public transportation, NEIGHBORHOOD INITIATIVE agrees to comply fully with the federal regulations as set forth at 49 CFR Parts 37 and 38.

J. RECORD KEEPING

NEIGHBORHOOD INITIATIVE shall maintain records for a period of ten years after rental assistance ends except as set forth under II.E. of this MOU.

K. FORFEITURE OF FUNDS

Any material breach of the terms of this section shall result in forfeiture of all HOME/LIHTF Program or other funding received by NEIGHBORHOOD INITIATIVE pursuant to this MOU, or any part thereof as determined by NEIGHBORHOOD SERVICES.

L. HOUSING QUALITY STANDARDS

NEIGHBORHOOD INITIATIVE agrees to require the Project participants reside in leased units that are in compliance with Housing Quality Standards established by HUD for the Section 8 Program, and if applicable, the cost effective energy conservation and effectiveness standards in 24 CFR part 39, and local housing code requirements, prior to entering into a lease agreement for the unit.

IV. FINANCIAL MANAGEMENT

A. AUDIT REQUIREMENTS

This MOU is subject to other requirements of United State's Office of Management and Budget (OMB) Circular No. A-110 "Grants and Agreements with Institutions of Higher Education, Hospitals, and other Non-Profit Organizations" and its relevant attachments "A" through "O"; and Circular A-122, entitled "Cost Principles for Non-Profit Organizations."

This MOU is also subject to an OMB A-133 Audit pursuant to the Single Audit Act. Effective December 31, 2003.

B. DOCUMENTATION OF COSTS

All costs shall be recorded by budget line-items and be supported by properly executed, invoices, contracts, or vouchers, or other official documentation evidencing in proper detail the nature and propriety of the charge. All checks, invoices, contracts, and vouchers, orders or other accounting documents pertaining in whole or in part to this MOU, shall be thoroughly identified and readily accessible. Backup must include documentation to verify proof of eligible program costs.

C. FINANCIAL RECORDKEEPING

Financial records pertaining to all invoices, materials, payrolls, personnel records, and other data concerning matters related to this MOU may be requested from NEIGHBORHOOD INITIATIVE by NEIGHBORHOOD SERVICES or duly authorized CITY representatives, CITY-contracted independent auditors, HUD and/or the Comptroller of the United States, or any combination thereof and NEIGHBORHOOD INITIATIVE agrees to provide the requested data.

D. RECORDS

Program records shall be maintained in accordance with State of Nevada and CITY requirements with respect to all matters covered by this MOU.

E. PROGRAM BUDGET

Invoice expenditures eligible for payment by NEIGHBORHOOD SERVICES will be in accordance with the Program budget delineated in Exhibit "B" and subject to any conditions imposed in the Scope of Services, to include monthly reports when seeking payment from NEIGHBORHOOD SERVICES for Program costs. NEIGHBORHOOD INITIATIVE shall not make any changes in the Program budget unless permission requested in writing is obtained and approved in writing from the Neighborhood Services Department Director.

F. METHOD OF PAYMENT

NEIGHBORHOOD SERVICES shall pay valid invoices for approved Program budget expenditures identified in Exhibit "B" of this MOU. All expenditures will be paid with appropriate back-up documentation to confirm program eligibility. Before paying such expenses, NEIGHBORHOOD SERVICES will review invoice expenditures to determine their consistency with the approved eligible expenditures and the scope of services, pursuant to this MOU. NEIGHBORHOOD

SERVICES reserves the right to refuse payment for expenses, which are HOME/LIHTF ineligible or which are not within the scope of this MOU.

NEIGHBORHOOD INITIATIVE agrees that it may not request disbursement of funds under this MOU until the funds are needed for payment of eligible costs. The amount of each request must be limited to the amount needed.

G. UNEXPENDED FUNDS

In the event that NEIGHBORHOOD SERVICES staff anticipates the total amount of funds allocated for this MOU will not be expended in the time and manner prescribed in this MOU, NEIGHBORHOOD SERVICES reserves the right to reprogram the funds to another HOME/LIHTF-eligible project/program.

H. ACCOUNTING METHODS

Expenditures charged to CITY HOME/LIHTF funds will be accounted for separately from all other revenue sources. These records shall be maintained by NEIGHBORHOOD INITIATIVE.

V. MODIFICATION OR TERMINATION OF AGREEMENT

A. AMENDMENT OR REVISION REQUIRED BY HUD

NEIGHBORHOOD INITIATIVE and NEIGHBORHOOD SERVICES hereby agree to amend or otherwise revise this MOU should such modification be required by State of Nevada and/or any applicable statutes or regulations.

B. TERMINATION PROCEDURES

NEIGHBORHOOD INITIATIVE and NEIGHBORHOOD SERVICES hereby agree that this MOU is subject to State enforcement procedures. Remedies for noncompliance with any of the covenants, agreements or stipulations of this MOU shall include:

1. the temporary withholding of cash payments pending correction of the deficiency by NEIGHBORHOOD SERVICES or NEIGHBORHOOD INITIATIVE or more severe action by the awarding agency,

2. the disallowance (that is, denying both the use of funds and matching credit for) all or part of the cost of the activity or action not in compliance,
3. the whole or partial suspension or termination of the current award for the Program,
4. the withholding of further awards for the Program, or
5. the adoption of other remedies that may be legally available.

As Recipient, NEIGHBORHOOD SERVICES reserves the right to set the terms and conditions for suspension or termination, for the noncompliance being addressed. Any notice of termination for noncompliance shall be given no less than ten (10) days before the effective date of such termination and sent to NEIGHBORHOOD INITIATIVE at the location specified in Exhibit "A", Item D of this MOU.

If the NEIGHBORHOOD INITIATIVE fails to fulfill, in a timely and proper manner, its obligations under this MOU, NEIGHBORHOOD SERVICES may suspend or terminate this MOU.

C. PROVISIONS REQUIRED BY LAW DEEMED INSERTED

Each and every provision of law and clause required by law to be inserted in this MOU will be deemed to be inserted herein, and this MOU shall be read and enforced as though it were included herein and if through mistake or otherwise any such provisions not inserted, or is not correctly inserted, then upon the application of either party this MOU shall forthwith be physically amended to make such insertion.

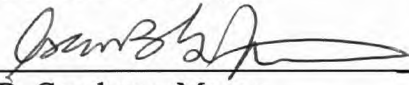
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D. NOTIFICATION OF AGENCY CHANGES

NEIGHBORHOOD INITIATIVE must notify NEIGHBORHOOD SERVICES in writing, of any of the following changes within 15 days: key staff or supervisor or change of address, phone, fax or email address.

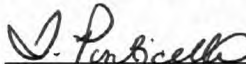
IN WITNESS WHEREOF, the Parties have caused this MOU to be executed by their duly authorized representations the day and year first above written.

CITY OF LAS VEGAS,


Oscar B. Goodman, Mayor

Council Action: January 3rd, 2007

APPROVED AS TO FORM:

 12/13/06

Attest: By 
BARBARA JO HONEMUS, City Clerk

CITY OF LAS VEGAS
NEIGHBORHOOD INITIATIVES

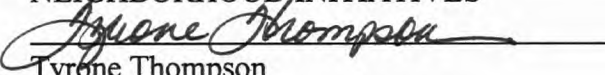

Tyrone Thompson
Neighborhood Initiatives Manager

EXHIBIT "A"
SCOPE OF SERVICES DESCRIPTION

A. PROJECT DESCRIPTION

The City of Las Vegas Tenant-Based Rental Assistance Program ("Project" or "Program") is a resident-based rental housing assistance program. The program income guidelines and program procedures, including Tenant Selection Policy are attached as Exhibit "C" and "D" to the MOU.

It is the intention of this program to provide improved access to affordable rental housing and prevent homelessness among at-risk low and moderate income persons.

NEIGHBORHOOD INITIATIVE will use HOME/LIHTF and/or other funds to provide the direct financial assistance to HOME/LIHTF eligible households with annual household incomes at or below 60% of the area median income, adjusted for family size. NEIGHBORHOOD INITIATIVE will qualify the Participants as HOME/LIHTF-eligible, will review the tenant/landlord leases and will pay the landlord directly as specified in Exhibit "C." The length of assistance will be determined by NEIGHBORHOOD INITIATIVE as specified in Exhibit "C" for up to one year. The lease between a tenant and an owner of rental housing assisted with HOME/LIHTF must be for not less than one year, unless by mutual agreement between the tenant and the owner.

NEIGHBORHOOD INITIATIVE agrees to verify that the tenant families receiving such rental assistance meet the income requirements of 24 CFR 92.216, utilizing the HOME Income Guidelines (EXHIBIT "D") and the Section 8 definition of annual gross income found at 24 CFR Part 5.

NEIGHBORHOOD INITIATIVE agrees that lease agreements entered into for the Tenant Based Rental Assistance Program will only include rent payments (including utilities) which do not exceed the Tenant-Based Rental Assistance Program Payment Standard (EXHIBIT "E"). If utility services are not included in the rent, utility payments may not exceed the Allowance for Tenant-Furnished Utilities and Other Services per current HUD Form 52667 as updated annually.

NEIGHBORHOOD INITIATIVES agrees to provide one-time security deposit assistance in accordance with 24 CFR 92.209(j) to eligible tenants as a grant. NEIGHBORHOOD INITIATIVES further agrees that security deposit assistance will not exceed the equivalent of two month rent for the unit.

NEIGHBORHOOD INITIATIVE agrees that any Project costs, unless and until otherwise specified in writing, by the Director, exceeding the \$200,000 in HOME Program funds provided by the City pursuant to City of Las Vegas City Council action of _____, 2007, will be the responsibility of NEIGHBORHOOD INITIATIVE. NEIGHBORHOOD INITIATIVE further agrees to pay all maintenance and operating costs of the Project, unless otherwise agreed to by the CITY.

NEIGHBORHOOD INITIATIVE agrees to abide by the Program Eligibility Requirements stipulated in the City of Las Vegas Procedures for Tenant Based Rental Assistance Program (Exhibit "C").

B. SERVICES TO BE PROVIDED

After assessing that the Participant qualifies per the Tenant Selection Policy, the following services will be offered:

- Rental assistance: for a period of up to one year
- Utility assistance: i.e. Electric, Gas, Water, Sewer, and Trash (phone service is excluded)
- Grants for one-time security deposit assistance, not to exceed the equivalence of two months rent for the unit.
- Other supportive services in support of employment or training activities.
- Employment preparation and job referrals.

C. CLIENT RECORDS

NEIGHBORHOOD INITIATIVE will provide NEIGHBORHOOD SERVICES with client usage records for HOME/LIHTF assisted households on a monthly basis during the period of this MOU. These records will contain but are not limited to, the following data:

1. Total clients served;
2. Racial breakdown of clients served including American Indian/Alaska Native, Asian, Black/African American, Native Hawaiian/ Other Pacific Islander, White, American Indian/Alaska Native and White, Asian and White, Black/African American and White, American Indian/Alaska Native and Black/African American, Other;
3. Number of clients who report a Hispanic ethnicity;
4. Number and percentage of Low and Moderate Income clients as defined by HUD HOME Program Income Guidelines (Exhibit "D");
5. Number of handicapped clients served;
6. Number of senior citizens served;

7. Number of female head-of-households served;
8. Number of renter households served, and rent charged;
9. Number of households provided security deposit assistance and,
10. Monthly rent paid by each household served.

D. NOTIFICATIONS

All notices hereunder and communications regarding interpretation of the terms of this MOU, or changes thereto, shall be effected by mailing the notice, registered or certified mail, return receipt requested, postage prepaid and addressed as follows:

CITY and NEIGHBORHOOD :
SERVICES

Mr. Stephen Harsin, AICP, Director
Neighborhood Services Department
City of Las Vegas
400 Stewart Avenue, 2nd Floor
Las Vegas, NV 89101

NEIGHBORHOOD INITIATIVE:

Mr. Tyrone Thompson, NI Manager
Neighborhood Services Department
City of Las Vegas
400 Stewart Avenue, 2nd Floor
Las Vegas, NV 89101

EXHIBIT "B"

PROJECT BUDGET

Supply Tenant Based Rental Assistance and/or Security deposits to minimum of 30 households:	\$200,000
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EXHIBIT "C"
PROCEDURES FOR TENANT BASED RENTAL ASSISTANCE
PROGRAM

A. PURPOSE To provide improved access to affordable rental housing and prevent homelessness among at-risk low and moderate income persons while they are obtaining skills, resources, and other assets to maintain self-sufficiency.

B. ASSISTANCE Partial grants to cover the amount of funds needed for the following:

- 1) Rent payment assistance.
- 2) One-time security deposit assistance.
- 3) Utility allowance payments (electric, gas, and water, excluding phone).

Monthly rental assistance paid on behalf of the program participant may not exceed the difference between the Rent Payment Standard set for the unit (see EXHIBIT "E") and 30 percent of the family's monthly adjusted income calculated using the Section 8 definition of annual gross income found at 24 CFR Part 5. The Minimum Tenant Payment, as required by 24 CFR 92.209 (h)(2), is established at ten (10) dollars per month.

This Program will be 100 percent tenant-based. The housing assistance goes with the individual/family participant and is not controlled in any way by the housing owner. The participant is free to use his/her assistance anywhere within Clark County, including the cities of Henderson, Boulder City, Mesquite, North Las Vegas and Las Vegas, where the owner is willing to participate. Participation by private sector housing owners is strictly voluntary.

C. FUNDING City of Las Vegas federal HOME Investment Partnerships Program (HOME) and/or Low-Income Housing Trust Funds (LIHTF).

D. ELIGIBLE PERSONS

Families or individuals who meet the income eligibility requirement of 24 CFR 92.216 utilizing the HOME Income Guidelines (EXHIBIT "D") and the Section 8 definition of annual gross income found at 24 CFR Part 5.

E. TENANT SELECTION POLICY

- 1) Participants must complete in full all application paperwork and provide identification documentation for all household members.
- 2) Preference will be given to the following:
 - a) Ex-Offenders
 - b) Chronic Inebriates
 - c) Homeless or at risk of homelessness
 - d) Other low and moderate income individuals
- 3) Participants must commit to working with case manager on an individualized plan to achieve self-sufficiency by the end of the lease agreement, which may include but is not limited to job training opportunities, vocational rehabilitation programs, parenting classes, job search activities, credit counseling, image management, and applications for other forms of assistance. Failure to follow these plans may result in the termination of the agreement, causing funding to be revoked. In addition, participants who have failed to demonstrate a commitment to following case plan recommendations in the past may not be considered for funding support.
- 4) Household income may not exceed 60% of the area median income adjusted for family size as determined annually by HUD.

F. TYPES OF ASSISTANCE:

Monthly Assistance: The following types of assistance will be offered to eligible households in the form of a grant without repayment required:

A) Rent Payment Assistance

- 1) The Program will pay the reasonable monthly rental payments on selected rental unit to the owner on behalf of the participant and will pay monthly utility costs (not to exceed the Utility Allowance) to the utility company. Rental assistance shall be offered as based on the policies and procedures of NEIGHBORHOOD INITIATIVE and determined by employing the Program Rent Payment Standard (EXHIBIT "E") less utility allowance. Each individual will work with NEIGHBORHOOD INITIATIVE staff to establish a one year program of assistance.

- 2) The length of time rental assistance will be available will be determined by participant's completion of program goals and benchmarks.

B) One-time Security Deposit Assistance as a grant

G. LEASE PROVISIONS:

All renter households assisted under this Program shall produce a written lease which has been signed for a period of no less than one year, unless by mutual agreement between the tenant and the owner.

H. ELIGIBLE UNITS:

- 1) Qualified transitional housing operated by a recognized transitional housing program is eligible.
- 2) Available rental housing.
- 3) Tenants must use TBRA assistance in units that meet Section 8 Housing Quality Standards (HQS). Inspections must be made at initial occupancy and annually during the length of the TBRA assistance. The Housing Quality Standards include a basic occupancy standard of two persons per living/sleeping area.
- 4) All units must rent for a reasonable amount, compared to rents charged for comparable, unassisted units.

I. PROCEDURES:

- 1) NEIGHBORHOOD INITIATIVE will advertise the Program in a manner best suited to reach the target population to be served.
- 2) Potential applicants must fill out an application in person at NEIGHBORHOOD INITIATIVE or their designee office. If a physical disability or inability to access public transportation exists, individual visits with the case manager at an alternate location may be available on an individual basis.
- 3) Applicants must provide acceptable, third party verification of all sources of gross income (this should include employment, benefits, pensions, food stamps, etc), and all assets for the family for documentation of initial eligibility and interim re-examination of income as the household size, composition, and income changes.

- 4) Applicants must provide copies of birth certificates and /or Social Security cards and picture ID, State of Nevada Medical cards with children's social security number, as applicable for all persons who reside in the household.
- 5) Applicants must provide goal statements describing why they are viable candidates for assistance, to include how they plan to demonstrate that they will be in a position to maintain their housing expenses after the termination of assistance under this Program.
- 6) If applicant is approved, financial assistance will be paid directly to the landlord or the utility company.
- 7) NEIGHBORHOOD INITIATIVE will conduct a needs assessment with the participant and make appropriate referrals for other forms of assistance
- 8) Participant must agree to provide copies of financial documentation to assist in the development and implementation of their plan to maintain their housing costs after the period of assistance.
- 9) Participant must provide a rental agreement with the names of all household members as stated on the application. Utility bills must be in name of at least one of the residents of the household.
- 10) Participant must agree to a maximum tenant payment of 30% of household adjusted monthly income as defined in 24 CFR 5.611 and a minimum tenant payment of ten (10) dollars per month.

J. NEIGHBORHOOD INITIATIVE RESPONSIBILITIES:

- 1) Will be responsible for screening and selecting potential program participants in accordance with the Selection Criteria set forth in Item E.
- 2) NEIGHBORHOOD INITIATIVE agrees to verify that the families receiving such rental and security deposit assistance meet the income requirements of 24 CFR 92.216, utilizing the HOME Income Guidelines (EXHIBIT "D").
- 3) Will review the rental lease to ensure the agreement complies with the HOME federal regulations 24 CFR 92 and will verify that lease agreements entered into for the Tenant Based Rental Assistance

Program will only include rents payments which do not exceed the Program Rent Payment Standard attached as EXHIBIT "E" to the MOU.

- 4) Will provide monthly reports indicating the number of individuals entering the program, along with all required demographic information; the progress of existing participants; and the amounts paid for each individual for the program which will be stipulated in the NEIGHBORHOOD INITIATIVE MOU.
- 5) Will coordinate with other service providers to ensure the participants have access to other resources to address their identified needs.

K. TERMINATION OF ASSISTANCE

Any violation of the material provisions of the lease, income eligibility, or illegal activities will be cause for termination from the Program, in accordance with the provisions of the Program. NEIGHBORHOOD INITIATIVE will terminate participant rental assistance for any violation so designated in the participant's TBRA agreement/plan with NEIGHBORHOOD INITIATIVE to include participant failure to cooperate in determining eligibility or for misrepresentation.

EXHIBIT "D"
HOME/LIHTF PROGRAM INCOME GUIDELINES:
U.S. Department of Housing and Urban Development (HUD) HOME/LIHTF
Program Limits (Effective March, 2006)
Median Family Income \$58,200)

<u>FAMILY SIZE</u>	<u>INCOME NOT TO EXCEED</u>	
1	30%	12,450
	50%	20,650 (Very Low-Income)
	60%	24,780
	80%	33,100 (Low-Income)
2	30%	14,200
	50%	23,600 (Very Low-Income)
	60%	28,320
	80%	37,850 (Low-Income)
3	30%	16,000
	50%	26,550 (Very Low-Income)
	60%	31,860
	80%	42,550 (Low-Income)
4	30%	17,750
	50%	29,550 (Very Low-Income)
	60%	35,460
	80%	47,300 (Low-Income)
5	30%	19,150
	50%	31,900 (Very Low-Income)
	60%	38,280
	80%	51,100 (Low-Income)
6	30%	20,600
	50%	34,250 (Very Low-Income)
	60%	41,100
	80%	54,850 (Low-Income)
7	30%	22,000
	50%	36,600 (Very Low-Income)
	60%	43,920
	80%	58,650 (Low-Income)
8	30%	23,450
	50%	38,950 (Very Low-Income)
	60%	46,740
	80%	62,450 (Low-Income)

EXHIBIT "E"

Tenant-Based Rental Assistance Program Payment Standard

Based on 2006 Fair Market Rents For Existing Housing

U. S. Department of Housing and Urban Development (HUD)

04/2006

UNIT SIZE	*PAYMENT STANDARD
Efficiency	\$622.00
1 - Bedroom	\$728.00
2 - Bedroom	\$861.00
3 - Bedroom	\$1,195.00
4 - Bedroom	\$1,453.00
5 - Bedroom	\$1,671.00
6 Bedroom	\$1,889.00

***The Program Payment Standard includes rent payment and utility allowance. The maximum rent payment is calculated by deducting the utility allowance from the Program Payment Standard.**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: PUBLIC WORKS

DIRECTOR: CHARLIE KAJKOWSKI

☒ **Consent** ☐ **Discussion**

SUBJECT:

Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Art Consulting Engineers on behalf of Gordon and Bryan Investment, LLC, owner (southwest corner of Torrey Pines Drive and Jo Marcy Drive, APN 125-14-106-002) - County (near Ward 6 - Ross)

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Dept./Division:

Amount:

Funding Source:

PURPOSE/BACKGROUND:

This request is to connect a proposed four, single family dwellings located on the southwest corner of Torrey Pines Drive and Jo Marcy Drive. The owner proposes to connect to the 8-inch sewer line located in Whispering Sands Drive. The Planning Department has determined the project does conform to the City's General Plan for the area. The applicant has signed a "Sewer Connection Agreement." This property is within the Clark County Interlocal Annexation Exceptions area."

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Submitted After Meeting – Executed Interlocal Agreement No. 455

Motion made by GARY REESE to Approve Items 13-36 and 38-42

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LAWRENCE WEEKLY, LARRY BROWN, GARY REESE, LOIS TARKANIAN, OSCAR B. GOODMAN, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

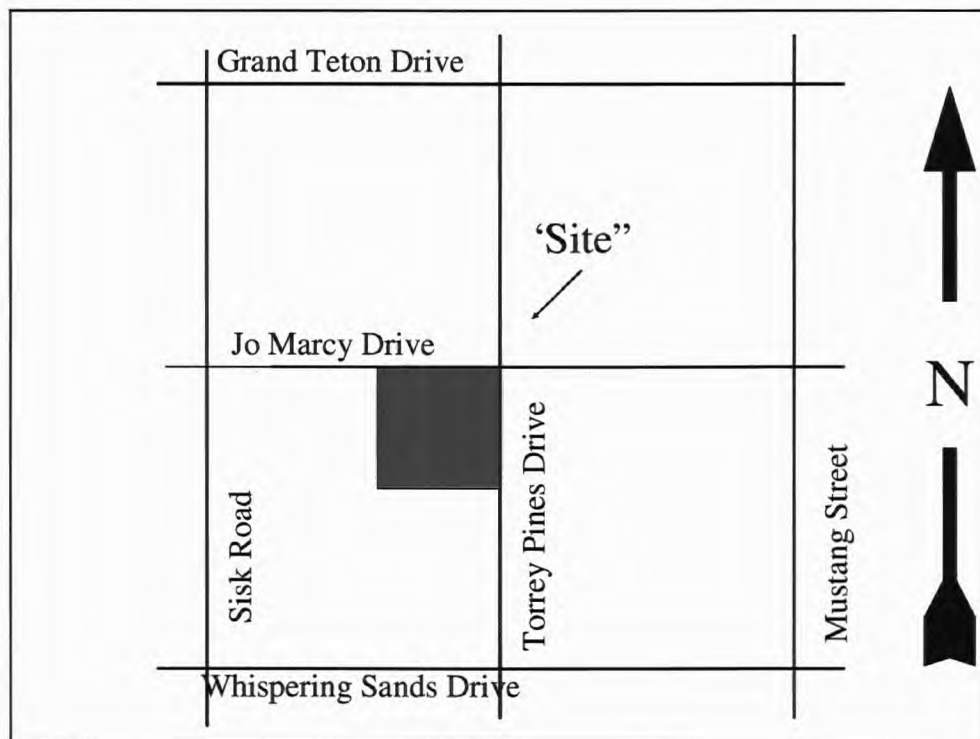
AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 3, 2007

DEPARTMENT: PUBLIC WORKS

**ITEM DESCRIPTION: APPROVAL OF A SEWER CONNECTION AND
INTERLOCAL CONTRACT WITH CLARK COUNTY WATER
RECLAMATION DISTRICT – ART CONSULTING ENGINEERS ON
BEHALF OF GORDON AND BRYAN INVESTMENT, LLC, OWNER
(SOUTHWEST CORNER OF TORREY PINES DRIVE AND JO MARCY
DRIVE, APN 125-14-106-002)**

VICINITY MAP



INTERLOCAL CONTRACT

THIS CONTRACT is entered into as of the 25th day of September, 2006, by and between the CLARK COUNTY WATER RECLAMATION DISTRICT ("DISTRICT") and the CITY OF LAS VEGAS ("CITY"), both political subdivisions of the State of Nevada, located within Clark County, Nevada.

WITNESSETH:

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

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

WHEREAS, DISTRICT sewer lines are not accessible to provide service to the area as shown in Exhibit "A," owned by PATRIOT HOMES INC., 2.00 acres – vacant land ; Parcel No. 125-14-106-002 which is within the boundaries of the DISTRICT and beyond the corporate limits of the CITY but which is more accessible to sewer service by the CITY; and

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

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

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

2. Upon adoption of this CONTRACT, DISTRICT will require all customers/applicants who are located within the boundaries of Exhibit "A" to pay

sewer service and System Development Approval (SDA) charges directly to the CITY. CITY will issue a receipt of payment to each customer/applicant; each customer/applicant shall submit this paid receipt and copy of approved application to the DISTRICT and obtain a DISTRICT SDA for issuance of a Clark County building permit(s).

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

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

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

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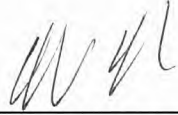
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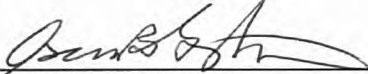
6. Each party warrants to the other that they have the authority and capacity to perform the provisions hereof.

WITNESS OUR HANDS the day and year first above written.

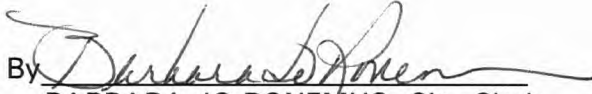
CLARK COUNTY WATER RECLAMATION DISTRICT

By 
RICHARD MENDES, General Manager

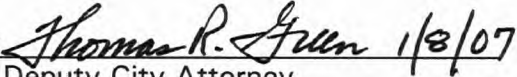
CITY OF LAS VEGAS

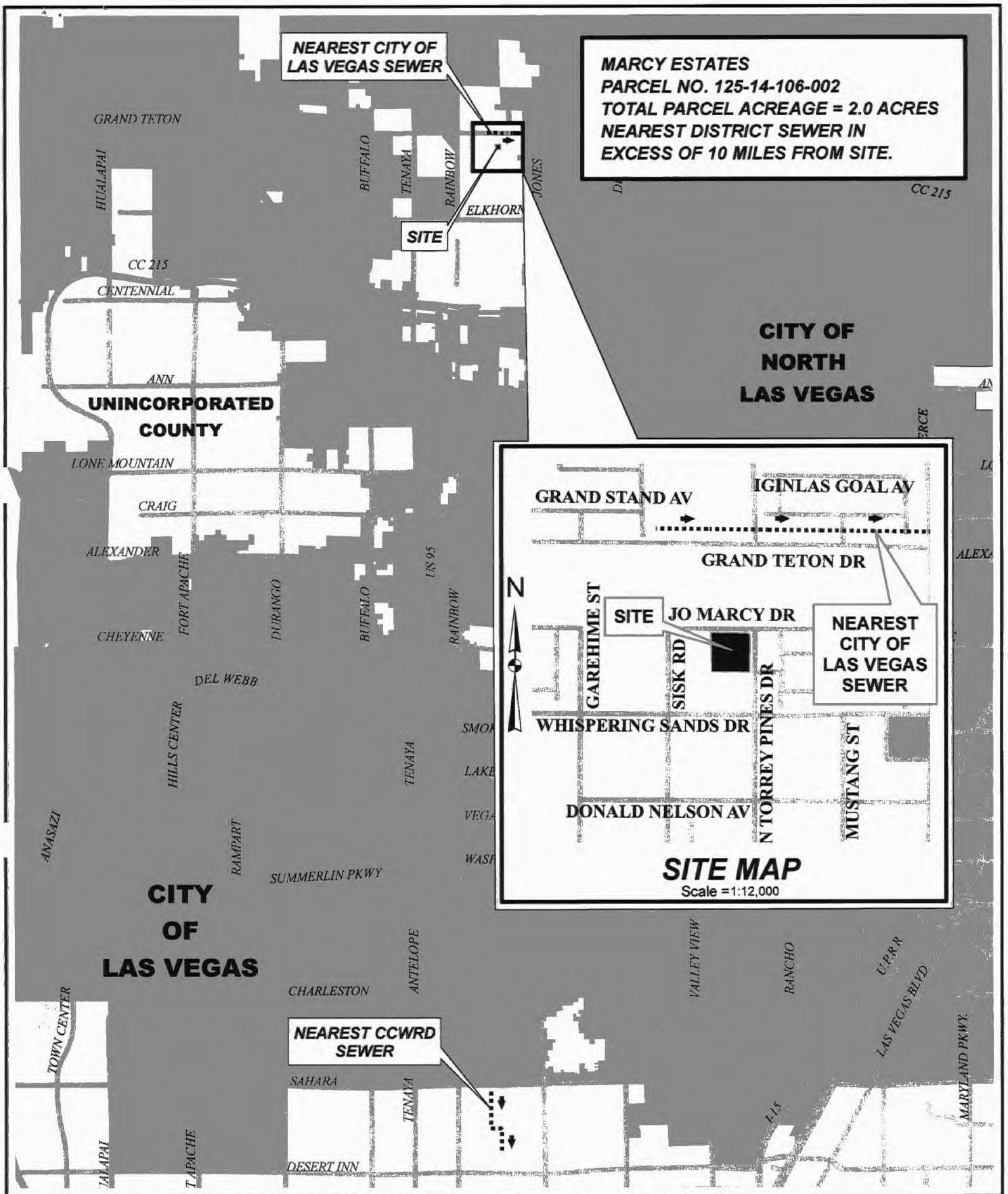
By 
OSCAR B. GOODMAN, Mayor

ATTEST:

By 
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

By  1/8/07
Deputy City Attorney
Thomas R. Green



Scale = 1:96,000



Clark County
Water Reclamation
 DISTRICT

ILA #455 - EXHIBIT A

9/12/06

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: PUBLIC WORKS

DIRECTOR: CHARLIE KAJKOWSKI

☒ **Consent** ☐ **Discussion**

SUBJECT:

Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Peak Development Services on behalf of Indian Summer Development, LLC, owner (northeast corner of Tee Pee Lane and Ann Road, APN 125-30-807-001) - County (near Ward 6 - Ross)

Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Dept./Division:

Amount:

Funding Source:

PURPOSE/BACKGROUND:

This request is to connect a proposed nine, single family dwellings located on the northeast corner of Tee Pee Lane and Ann Road. The owner proposes to connect to and extend the oversized 8-inch sewer line located in Ann Road from Tee Pee Lane to Fort Apache Road, then a nominal-sized public sewer in Fort Apache Road to Hammer Lane. The Planning Department has determined the project does conform to the City's General Plan for the area. The applicant has signed a "Sewer Connection Agreement." This property is within the Clark County Interlocal Annexation Exceptions area."

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Submitted After Meeting – Executed Interlocal Agreement No. 464

Motion made by GARY REESE to Approve Items 13-36 and 38-42

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, GARY REESE, OSCAR B. GOODMAN, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

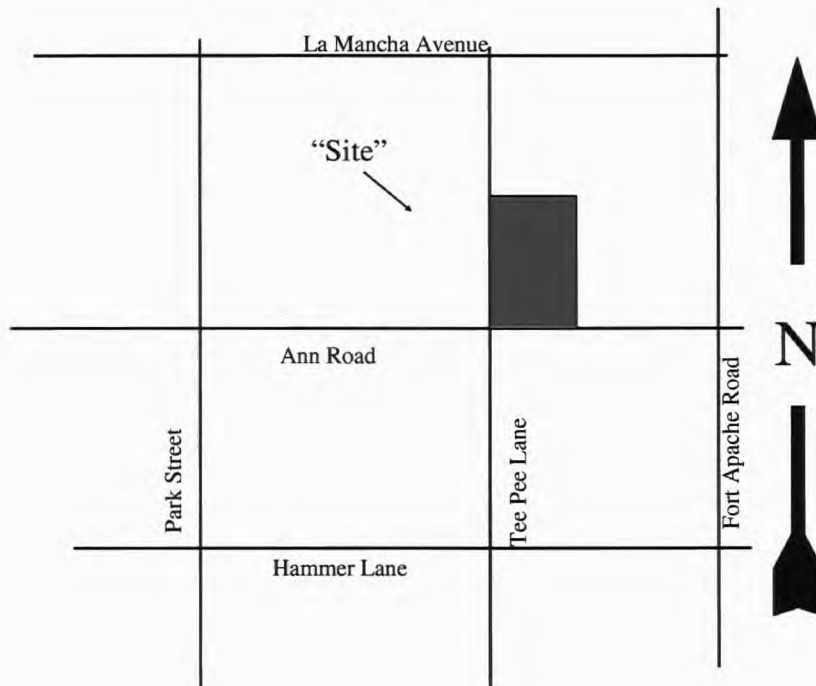
AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 3, 2007

DEPARTMENT: PUBLIC WORKS

**ITEM DESCRIPTION: APPROVAL OF SEWER CONNECTION AND
INTERLOCAL CONTRACT WITH CLARK COUNTY WATER
RECLAMATION DISTRICT – PEAK DEVELOPMENT SERVICES ON
BEHALF OF INDIAN SUMMER DEVELOPMENT, LLC, OWNER
(NORTHEAST CORNER OF TEE PEE LANE AND ANN ROAD, APN 125-
30-807-001)**

VICINITY MAP



INTERLOCAL CONTRACT

THIS CONTRACT is entered into as of the 13th day of October, 2006, by and between the CLARK COUNTY WATER RECLAMATION DISTRICT ("DISTRICT") and the CITY OF LAS VEGAS ("CITY"), both political subdivisions of the State of Nevada, located within Clark County, Nevada.

WITNESSETH:

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

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

WHEREAS, DISTRICT sewer lines are not accessible to provide service to the area as shown in Exhibit "A," owned by INDIAN SUMMER DEVELOPMENT L L C, 3.99 acres – vacant land; Parcel No. 125-30-807-001 which is within the boundaries of the DISTRICT and beyond the corporate limits of the CITY but which is more accessible to sewer service by the CITY; and

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

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

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

2. Upon adoption of this CONTRACT, DISTRICT will require all customers/applicants who are located within the boundaries of Exhibit "A" to pay

sewer service and System Development Approval (SDA) charges directly to the CITY. CITY will issue a receipt of payment to each customer/applicant; each customer/applicant shall submit this paid receipt and copy of approved application to the DISTRICT and obtain a DISTRICT SDA for issuance of a Clark County building permit(s).

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

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

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

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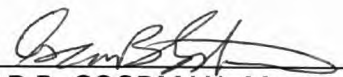
6. Each party warrants to the other that they have the authority and capacity to perform the provisions hereof.

WITNESS OUR HANDS the day and year first above written.

CLARK COUNTY WATER RECLAMATION DISTRICT

By 
RICHARD MENDES, General Manager

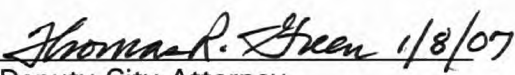
CITY OF LAS VEGAS

By 
OSCAR B. GOODMAN, Mayor

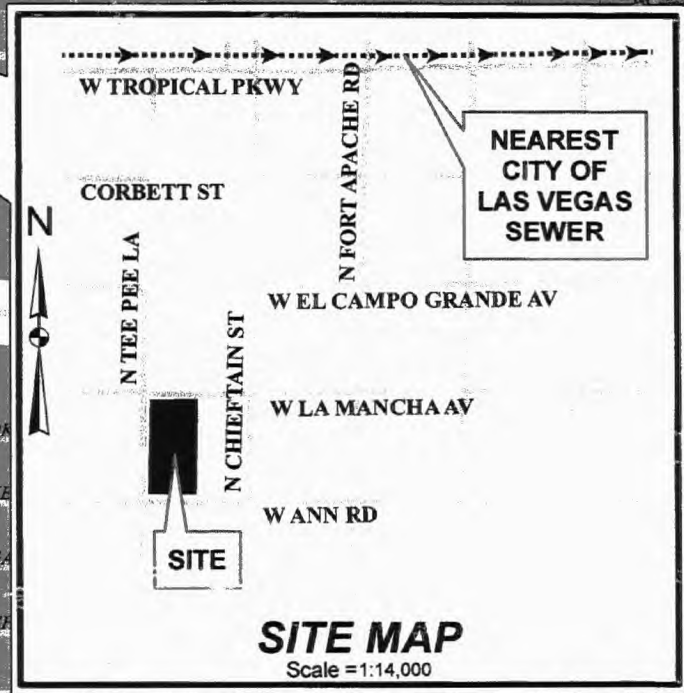
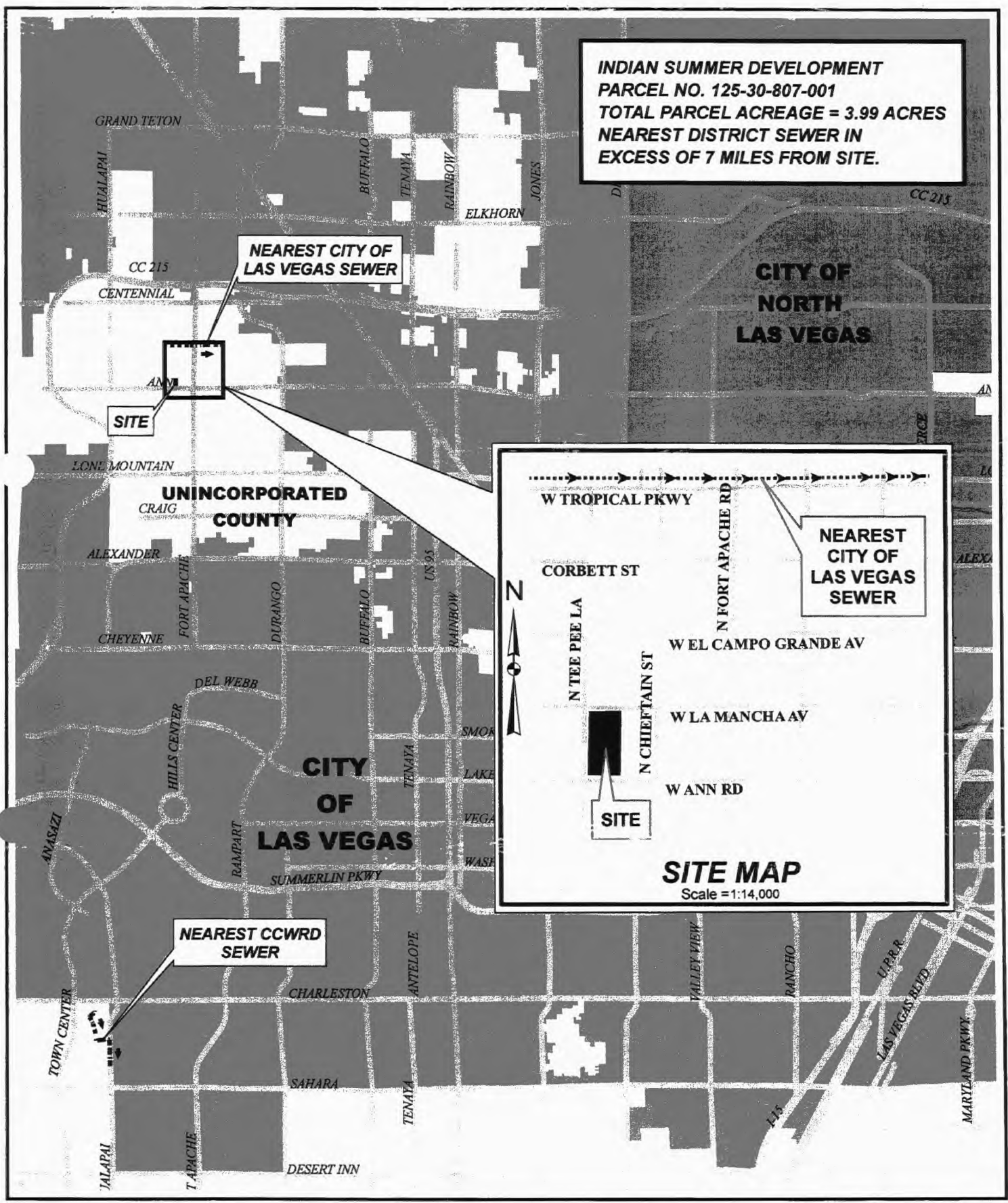
ATTEST:

By 
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

By  1/8/07
Deputy City Attorney
Thomas R. Green

INDIAN SUMMER DEVELOPMENT
PARCEL NO. 125-30-807-001
TOTAL PARCEL ACREAGE = 3.99 ACRES
NEAREST DISTRICT SEWER IN
EXCESS OF 7 MILES FROM SITE.



Scale = 1:96,000



Clark County
Water Reclamation
DISTRICT

ILA #464 - EXHIBIT A

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: PUBLIC WORKS**DIRECTOR: CHARLIE KAJKOWSKI**☒ **Consent** ☐ **Discussion****SUBJECT:**

Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Affleck Engineering on behalf of G.L. Kennedy Trust, Gay Louise Kennedy, Trustee and Gall Family Trust Dated November 26, 2001, Steven H. Gall and V. Joyce Gall, Trustees, owners (north of Maggie Avenue between Four Views Street and Homestead Street, APN 125-08-502-005) - County (near Ward 6 - Ross)

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

This request is to connect an existing single family dwelling located north of Maggie Avenue between Four Views Street and Homestead Street. The owners propose to connect to the 8-inch sewer line located in Maggie Avenue. The Planning Department has determined the project does conform to the City's General Plan for the area. The applicant has signed a "Sewer Connection Agreement." This property is within the Clark County Interlocal Annexation Exceptions area."

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Submitted After Meeting – Executed Interlocal Agreement No. 467

Motion made by GARY REESE to Approve Items 13-36 and 38-42

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

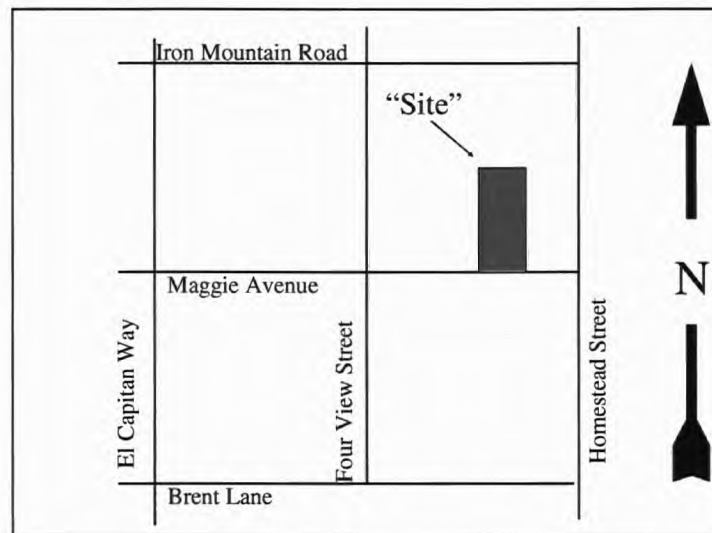
AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 3, 2007

DEPARTMENT: PUBLIC WORKS

ITEM DESCRIPTION: APPROVAL OF INTERLOCAL CONTRACT WITH CLARK COUNTY WATER RECLAMATION DISTRICT – AFFLECK ENGINEERING BEHALF OF G.L. KENNEDY TRUST AND GALL FAMILY TRUST, DATED NOVEMBER 26, 2001, OWNERS (NORTH OF MAGGIE AVENUE BETWEEN FOUR VIEWS STREET AND HOMESTEAD STREET, APN 125-08-502-005)

VICINITY MAP



INTERLOCAL CONTRACT

THIS CONTRACT is entered into as of the 20th day of November, 2006, by and between the CLARK COUNTY WATER RECLAMATION DISTRICT ("DISTRICT") and the CITY OF LAS VEGAS ("CITY"), both political subdivisions of the State of Nevada, located within Clark County, Nevada.

WITNESSETH:

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

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

WHEREAS, DISTRICT sewer lines are not accessible to provide service to the area as shown in Exhibit "A," owned by KENNEDY G L TRS & GALL FAMILY TRUST, 1.08 acres – vacant land; Parcel No. 125-08-502-005 which is within the boundaries of the DISTRICT and beyond the corporate limits of the CITY but which is more accessible to sewer service by the CITY; and

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

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

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

2. Upon adoption of this CONTRACT, DISTRICT will require all customers/applicants who are located within the boundaries of Exhibit "A" to pay

sewer service and System Development Approval (SDA) charges directly to the CITY. CITY will issue a receipt of payment to each customer/applicant; each customer/applicant shall submit this paid receipt and copy of approved application to the DISTRICT and obtain a DISTRICT SDA for issuance of a Clark County building permit(s).

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

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

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

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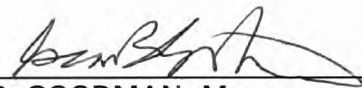
6. Each party warrants to the other that they have the authority and capacity to perform the provisions hereof.

WITNESS OUR HANDS the day and year first above written.

CLARK COUNTY WATER RECLAMATION DISTRICT

By _____
RICHARD MENDES, General Manager

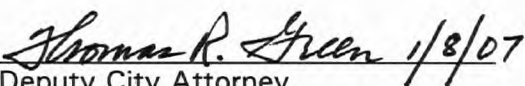
CITY OF LAS VEGAS

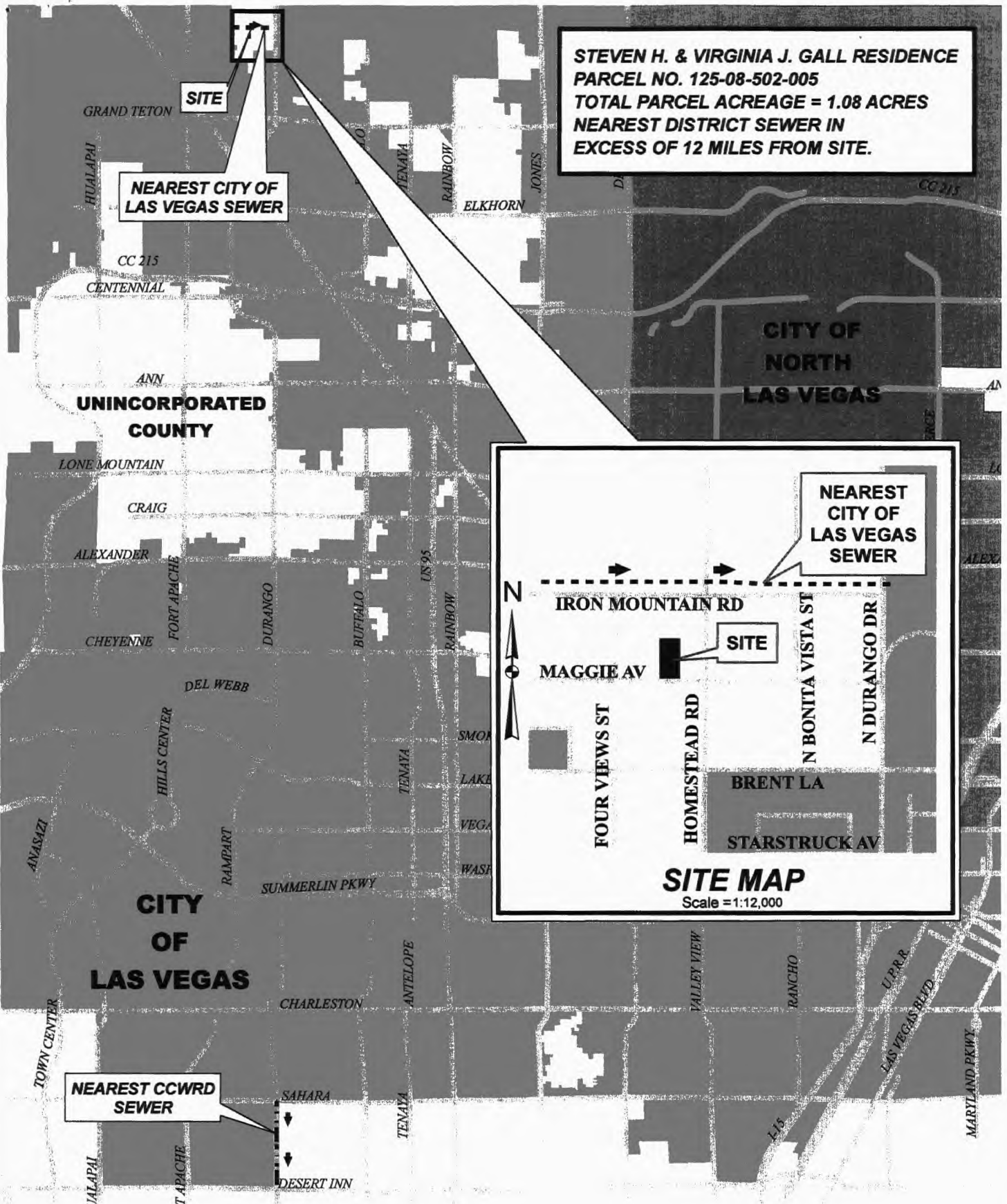
By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

By _____
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

By  1/8/07
Deputy City Attorney
Thomas R. Green



STEVEN H. & VIRGINIA J. GALL RESIDENCE
PARCEL NO. 125-08-502-005
TOTAL PARCEL ACREAGE = 1.08 ACRES
NEAREST DISTRICT SEWER IN
EXCESS OF 12 MILES FROM SITE.

NEAREST CITY OF
LAS VEGAS SEWER

CITY OF
NORTH
LAS VEGAS

UNINCORPORATED
COUNTY

CITY
OF
LAS VEGAS

NEAREST CCWRD
SEWER



SITE MAP
Scale = 1:12,000

Scale = 1:96,000

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: PUBLIC WORKS

DIRECTOR: CHARLIE KAJKOWSKI

☒ **Consent** ☐ **Discussion**

SUBJECT:

Approval of an Encroachment Request from TRC/BV Engineering Nevada on behalf of Parkway Center, LLC, owner (northeast corner of Grand Central Parkway and City Parkway) - Ward 5 (Weekly)

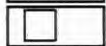
Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Dept./Division:

Amount:

Funding Source:

PURPOSE/BACKGROUND:

This request is for a varying width of landscaping on the north side of Grand Central Parkway extending eastward from City Parkway for approximately 200-feet consisting of trees, shrubs, ground cover and an irrigation system for the Molasky Corporate Center. This Encroachment Agreement will supersede a prior Encroachment Agreement approved by City Council on November 16, 2005, because the scope of the encroachment has changed. If approved, the applicant will be required to sign an Encroachment Agreement that has conditions of maintenance, liability and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

1. Copy of Encroachment Exhibit "A" (vicinity map)
2. Copy of Encroachment Exhibit "B" (Grand Central Parkway typical section)
3. Copy of Encroachment Exhibit "C" (northeast corner of Grand Central Parkway and City Parkway)

Motion made by GARY REESE to Approve Items 13-36 and 38-42

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

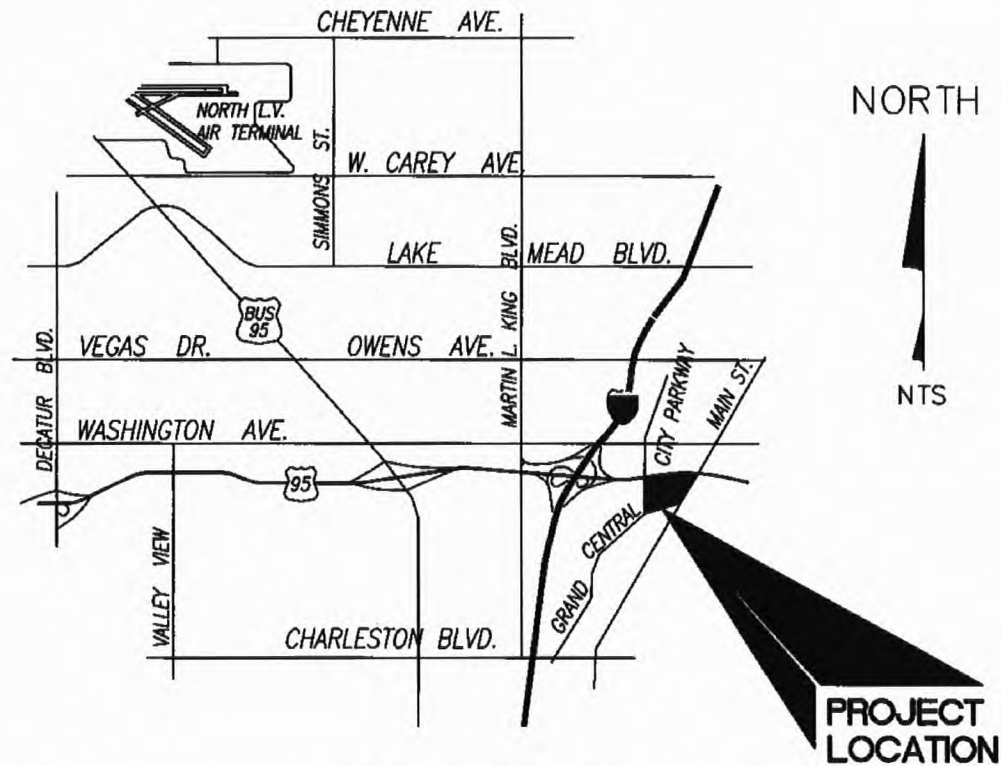


EXHIBIT "A"

KEY MAP

TRC

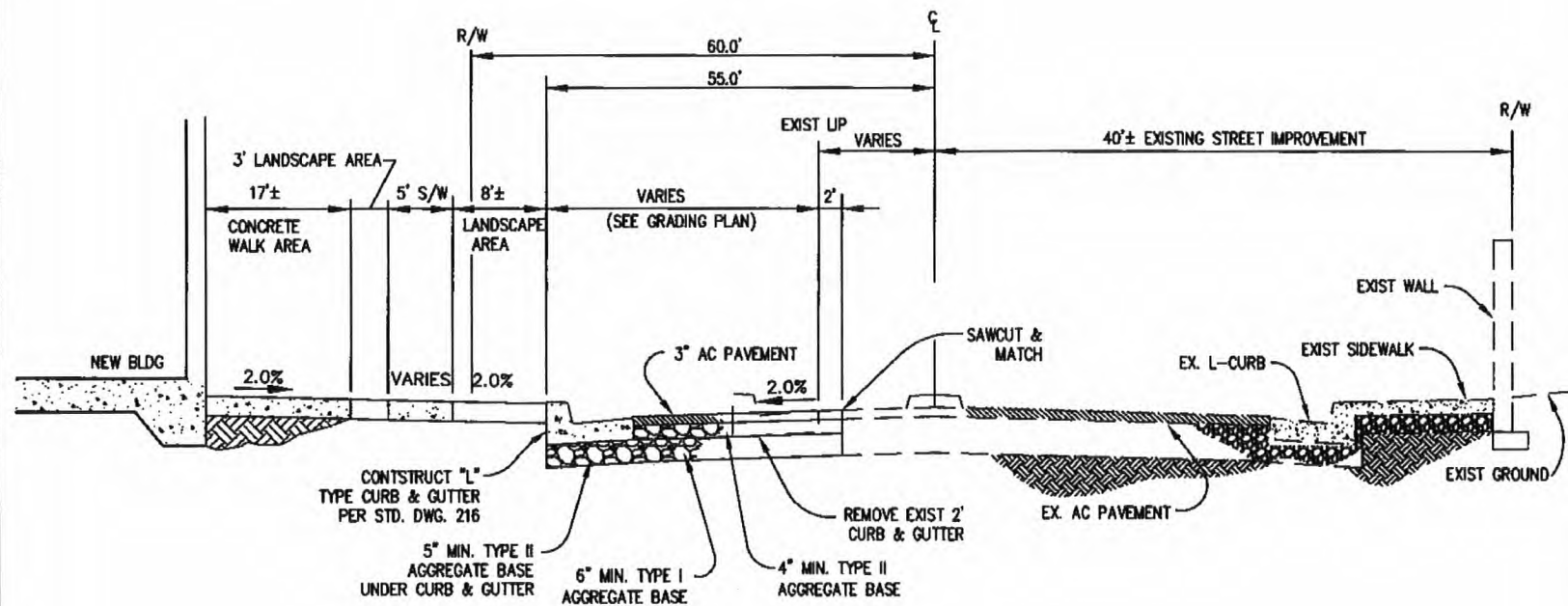
Customer-Focused Solutions

BV Engineering Nevada

8395 W. SUNSET ROAD
Suite 190
Las Vegas, NV 89113
Tel: 702-650-0572
Fax: 702-307-4222
Web: trcsolutions.com

Project: MOLASKY CORPORATE CENTER
AREA OF ENCROACHMENT

Project No: 613.002 Date: 9-26-06 Fig. No: 1



GRAND CENTRAL PKWY SECTION

NOT TO SCALE

EXHIBIT "B"

TRC

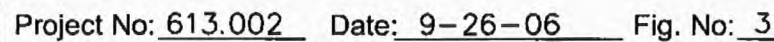
Customer-Focused Solutions

BV Engineering Nevada

8395 W. SUNSET ROAD
Suite 190
Las Vegas, NV 89113
Tel: 702-650-0572
Fax: 702-307-4222
Web: trcsolutions.com

Project: MOLASKY CORPORATE CENTER
AREA OF ENCROACHMENT

Project No: 613.002 Date: 9-26-06 Fig. No: 2



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: PUBLIC WORKS

DIRECTOR: CHARLIE KAJKOWSKI

☒ **Consent** ☐ **Discussion**

SUBJECT:

Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Kevin Skehan and Candi Skehan, owners (south of Deer Springs Way and west of Mustang Street, APN 125-23-701-003) - County (near Ward 6 - Ross)

Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Dept./Division:

Amount:

Funding Source:

PURPOSE/BACKGROUND:

This request is to connect a proposed single family dwelling located south of Deer Springs Way and west of Mustang Street. The owners propose to connect to the 8-inch sewer line located in Mustang Street. The Planning Department has determined the project does conform to the City's General Plan for the area. The applicant has signed a "Sewer Connection Agreement." This property is within the Clark County Interlocal Annexation Exceptions area."

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Submitted After Meeting – Executed Interlocal Agreement No. 466

Motion made by GARY REESE to Approve Items 13-36 and 38-42

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

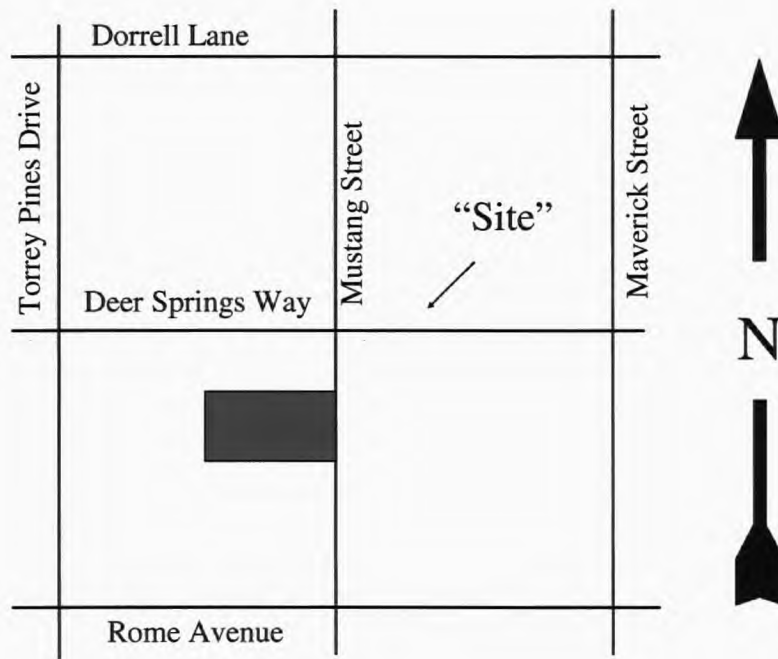
AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 3, 2007

DEPARTMENT: PUBLIC WORKS

**ITEM DESCRIPTION: APPROVAL OF SEWER CONNECTION AND
INTERLOCAL CONTRACT WITH CLARK COUNTY WATER
RECLAMATION DISTRICT – KEVIN SKEHAN AND CANDI SKEHAN,
OWNERS (SOUTH OF DEER SPRINGS WAY AND WEST OF MUSTANG
STREET, APN 125-23-701-003)**

VICINITY MAP



INTERLOCAL CONTRACT

THIS CONTRACT is entered into as of the 20th day of November, 2006, by and between the CLARK COUNTY WATER RECLAMATION DISTRICT ("DISTRICT") and the CITY OF LAS VEGAS ("CITY"), both political subdivisions of the State of Nevada, located within Clark County, Nevada.

WITNESSETH:

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

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

WHEREAS, DISTRICT sewer lines are not accessible to provide service to the area as shown in Exhibit "A," owned by KEVIN & CANDI SKEHAN, 1.14 acres – vacant land; Parcel No. 125-23-701-003 which is within the boundaries of the DISTRICT and beyond the corporate limits of the CITY but which is more accessible to sewer service by the CITY; and

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

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

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

2. Upon adoption of this CONTRACT, DISTRICT will require all customers/applicants who are located within the boundaries of Exhibit "A" to pay

sewer service and System Development Approval (SDA) charges directly to the CITY. CITY will issue a receipt of payment to each customer/applicant; each customer/applicant shall submit this paid receipt and copy of approved application to the DISTRICT and obtain a DISTRICT SDA for issuance of a Clark County building permit(s).

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

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

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

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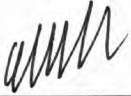
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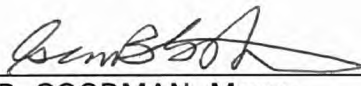
6. Each party warrants to the other that they have the authority and capacity to perform the provisions hereof.

WITNESS OUR HANDS the day and year first above written.

CLARK COUNTY WATER RECLAMATION DISTRICT

By 
RICHARD MENDES, General Manager

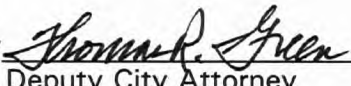
CITY OF LAS VEGAS

By 
OSCAR B. GOODMAN, Mayor

ATTEST:

By 
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

By  1/2/07
Deputy City Attorney
Thomas R. Green

KEVIN & CANDI SKEHAN
PARCEL NO. 125-23-701-003
TOTAL PARCEL ACREAGE = 1.14 ACRES
NEAREST DISTRICT SEWER IN
EXCESS OF 9 MILES FROM SITE.

**NEAREST CITY OF
LAS VEGAS SEWER**

**CITY OF
NORTH
LAS VEGAS**

**UNINCORPORATED
COUNTY**

**NEAREST
CITY OF
LAS VEGAS
SEWER**

SITE MAP
Scale = 1:12,000

**NEAREST CCWRD
SEWER**

Scale = 1:96,000



ILA #466 - EXHIBIT A

11/14/06

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: PUBLIC WORKS

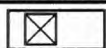
DIRECTOR: CHARLIE KAJKOWSKI

☒ **Consent** ☐ **Discussion**

SUBJECT:

Approval of an Encroachment Request from JPL Engineering, Incorporated, on behalf of Urban Lofts X, Limited, owner (Fremont Street between Bruce Street and Eastern Avenue) - Ward 3 (Reese)

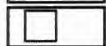
Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Dept./Division:

Amount:

Funding Source:

PURPOSE/BACKGROUND:

This request is for fifteen evenly spaced tree-wells adjacent to the north property line extending approximately 405-feet along the south side of Fremont Street. Each tree-well will be covered by a 5-foot by 5-foot tree grate that will be flush with the sidewalk and include one tree and an irrigation system to meet Downtown Centennial landscaping standards for the proposed Fremont Street Loft Homes. If approved, the applicant will be required to sign an Encroachment Agreement that has conditions of maintenance, liability and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

1. Copy of Encroachment Exhibit "A" (Fremont Street)
2. Copy of Encroachment Exhibit "B" (Fremont Street typical section)

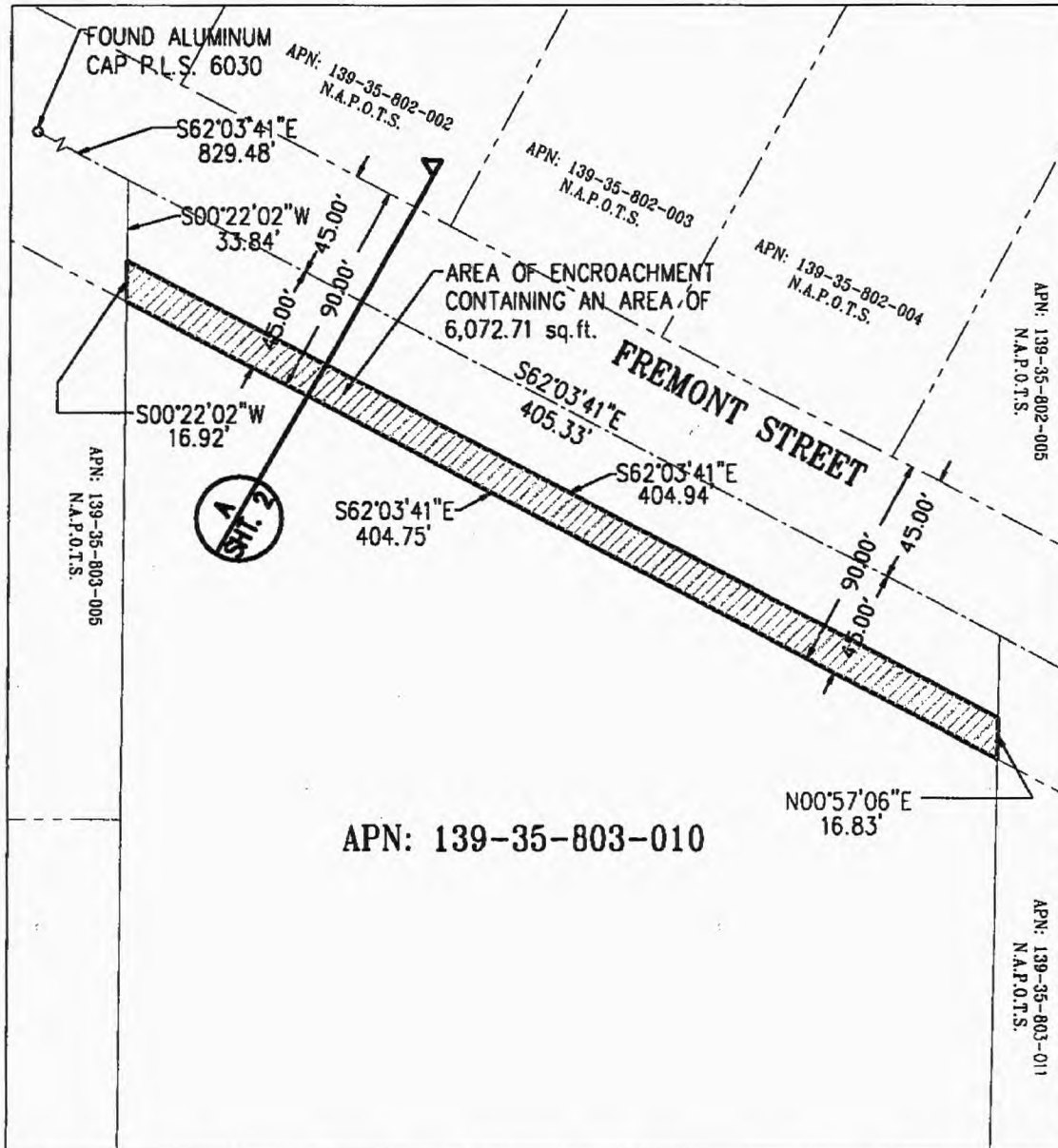
Motion made by GARY REESE to Approve Items 13-36 and 38-42

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

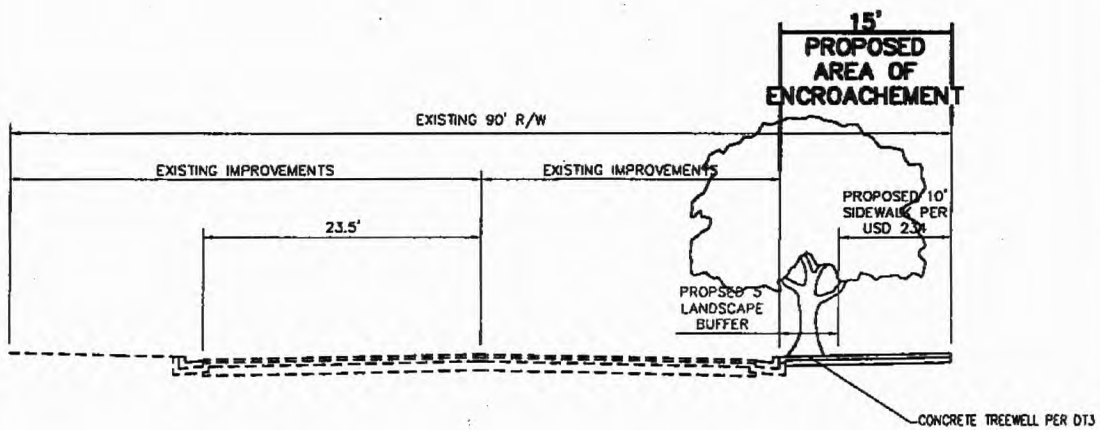
APN# 139-35-803-010

APN: 139-35-803-010
FREMONT STREET LOFT HOMES
EXHIBIT A



APN# 139-35-803-010

APN: 139-35-803-010
FREMONT STREET LOFT HOMES
EXHIBIT B



FREMONT STREET TYPICAL SECTION 'A'

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: PUBLIC WORKS

DIRECTOR: CHARLIE KAJKOWSKI

☒ **Consent** ☐ **Discussion**

SUBJECT:

Approval of an Encroachment Request from the Las Vegas - Clark County Library District, owner (Sahara Avenue between Grand Canyon Drive and Village Square Center) - Ward 2 (Wolfson)

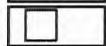
Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Dept./Division:

Amount:

Funding Source:

PURPOSE/BACKGROUND:

This request is for banners to be hung on the street light poles located on the medians on Sahara Avenue between Grand Canyon Drive and the signalized intersection for Village Square Center. The banners will hang on the north and south sides of the poles and will be a maximum of 5-feet in height and 3-feet in length. The bottom of the banners shall be no less than 17-feet from street level and will be attached to the poles with devices approved by the City's Traffic Engineering Division. The banners will advertise various exhibits at the Las Vegas Art Museum located in the Sahara West Library. The medians are currently landscaped, therefore, if any landscaping is damaged due to the hanging of the banners it will be the sole responsibility of the Las Vegas - Clark County Library District and Las Vegas Art Museum to repair or replace the damaged landscaping. If approved, the applicant will be required to sign an Encroachment Agreement that has conditions of maintenance, liability and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

1. Copy of Encroachment Exhibit "A" (standard Lakes median street light pole on West Sahara Avenue)
2. Copy of Encroachment Exhibit "B" (top and bottom brackets that will attach the banners to the street light poles)

Motion made by GARY REESE to Approve Items 13-36 and 38-42

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

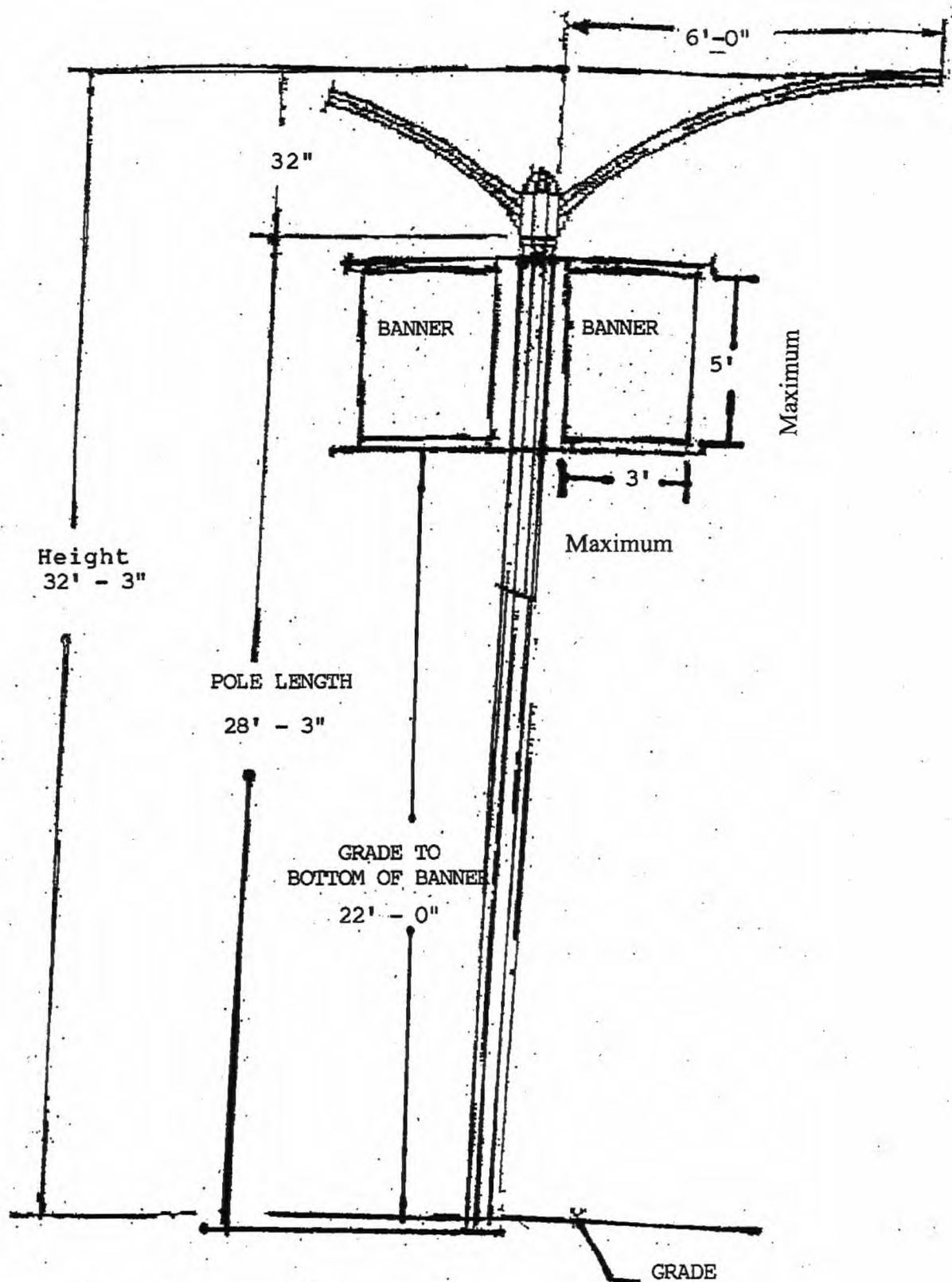
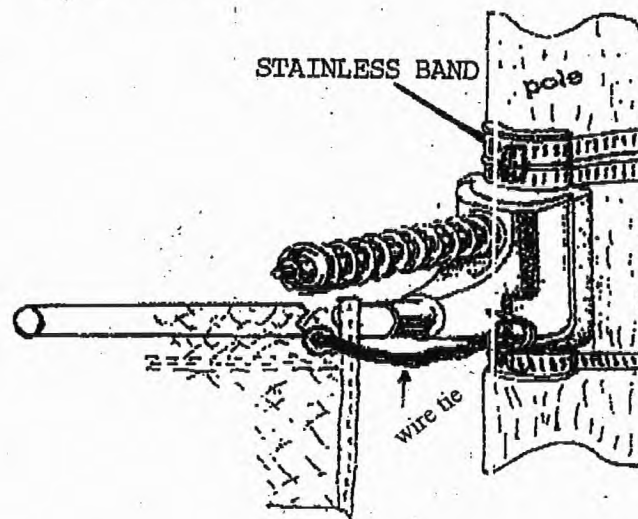


EXHIBIT "A"

TOP BRACKET



BOTTOM BRACKET

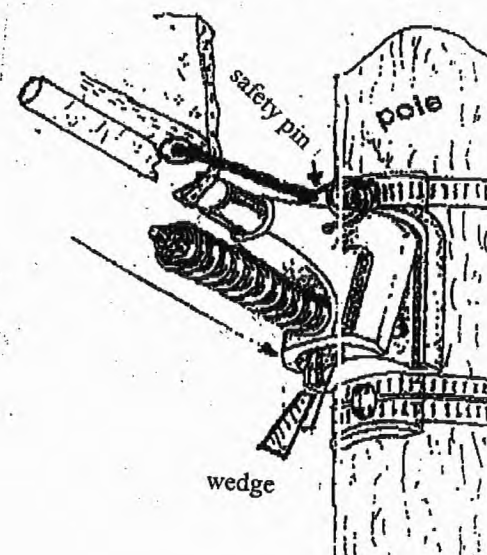


EXHIBIT "B"

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: PUBLIC WORKS

DIRECTOR: CHARLIE KAJKOWSKI

☒ **Consent** ☐ **Discussion**

SUBJECT:

Approval to appraise and purchase or condemn right-of-way parcels for the East Charleston Boulevard Bus Turnouts project from Fremont Street to Nellis Boulevard (\$700,000 - Regional Transportation Commission [RTC]) - Ward 3 (Reese)

Fiscal Impact

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Dept./Division: PW/City Engineer

Amount: \$700,000

Funding Source: RTC

PURPOSE/BACKGROUND:

None

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

None

Motion made by GARY REESE to Approve Items 13-36 and 38-42

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS, LOIS TARKANIAN, LAWRENCE WEEKLY; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: PUBLIC WORKS

DIRECTOR: CHARLIE KAJKOWSKI

☒ Consent ☐ Discussion

SUBJECT:

Approval to file an amendment to Right-of-Way Grant N-77772 with the Bureau of Land Management for roadway, sanitary sewer, trails, streetscape amenities and drainage purposes on portions of land lying within portions of Section 1, Township 19 South, Range 59 East, Mount Diablo Meridian, generally located from Iron Mountain Road to Hualapai Way, APNs 126-01-401-003, 126-01-401-001 and 126-01-502-005 - Ward 6 (Ross)

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Dept./Division:

Amount:

Funding Source:

PURPOSE/BACKGROUND:

None

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

None

Motion made by GARY REESE to Approve Items 13-36 and 38-42

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS, LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: PUBLIC WORKS

DIRECTOR: CHARLIE KAJKOWSKI

☒ **Consent** ☐ **Discussion**

SUBJECT:

Approval of a Cooperative Agreement with the Nevada Department of Transportation (NDOT) for perpetual maintenance of the Bonanza Trail located within the NDOT right-of-way, beginning at the intersection of Washington Avenue and Durango Drive and ending at the intersection of Decatur Boulevard and the US-95 off-ramp (\$90,000 yearly - General Fund) - Wards 1, 4 and 5 (Tarkanian, Brown and Weekly)

Fiscal Impact

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Dept./Division:

Amount: \$90,000

Funding Source: General Fund

PURPOSE/BACKGROUND:

The purpose of this agreement is for the City of Las Vegas to assume responsibility for maintenance and ultimately for the reconstruction and improvement of the City's Multi-Use Path known as Bonanza Trail, of which a portion is located within the NDOT right-of-way.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Cooperative Agreement

Motion made by GARY REESE to Strike Items 37, 45 and 46 and Hold in Abeyance Items 51 and 52 to 1/17/2007

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

11/22/2006

Agreement_____

COOPERATIVE AGREEMENT BONANZA TRAIL

This Agreement is made and entered into this _____ day of _____, _____, by and between the State of Nevada, Department of Transportation, hereinafter called the "DEPARTMENT", and the City of Las Vegas, a municipal corporation, hereinafter called the "CITY. "

WITNESSETH:

WHEREAS, STATE and CITY are empowered to reconstruct, improve, repair and maintain roadways within their respective jurisdictions;

WHEREAS, pursuant to NRS 277.180, the parties are authorized to enter into a cooperative agreement providing for the transfer of the responsibility for the reconstruction, improvement, repair and maintenance by the STATE of certain designated roadways within and under the jurisdiction of CITY; and

WHEREAS, in the interest of obtaining equity in the State system of roadways, STATE has agreed pursuant to the terms of this Agreement to assume the responsibility for the reconstruction, improvement, repair and maintenance of certain roadways within and under the jurisdiction of the CITY; and

NOW, THEREFORE, in consideration of the covenants herein, it is mutually understood and agreed as follows:

SECTION 1. PURPOSE

The purpose of this Agreement is for the CITY to assume responsibility for maintenance, and ultimately, subject to the provisions of SECTION 4, for the reconstruction and improvement of the CITY Multi-Use Path designated in Exhibit "A and B", which is attached hereto and incorporated herein by reference as part of this Agreement. It is the intent of the parties that the CITY assume maintenance responsibility for the Multi-Use Path designated in Exhibit "A and B" upon execution of this Agreement at such time in the future as agreed to by the parties.

SECTION 2. DURATION

The mutual duties and obligations created by this Agreement shall commence on the date first mentioned above as to those Multi-Use Path designated on Exhibit "A and B" and shall remain in full force and effect until terminated by either party in accordance with the provisions of SECTION 5. Termination.

11/22/2006

SECTION 3. RESPONSIBILITIES AND OBLIGATIONS OF PARTIES

The parties agree as follows:

A. STATE agrees:

- (i) To maintain the title and interest of the highway right-of-way easement conveyed by BLM that the Multi-Use Path will occupy as designated in Exhibit "A and B".
- (ii) To provide a Revocable Occupancy Permit(s) sufficient to allow CITY to construct, improve, repair and maintain a Multi-Use Path that the CITY will construct as designated in Exhibit "A and B".
- (iii) To support the dedication of SNPLMA funds for the improvement of Multi-Use Path as described in Exhibit "A and B".
- (iv) To support the project and the amendment of the R.&P.P. Lease with the Bureau of Land Management the title and interest of the CITY for the Multi-Use Path designated in Exhibit "A and B" reserving unto itself the easement interests sufficient to allow CITY to maintain the Multi-Use Path while at the same time the STATE to maintain the right-of-way.

B. CITY agrees:

- (i) To assume the responsibility for construction, improvement, repair and maintenance for the Multi-Use Path designated in Exhibit "A and B" as the STATE's Revocable Occupancy Permit is received, except that the assumption of said responsibility will be undertaken in logical segment as determined by the CITY.
- (ii) To give notice to the STATE of the Multi-Use Path segments for which the responsibility for the construction, improvement, repair and maintenance has been assumed by the CITY until such time as said responsibility has been assumed for all Multi-Use Path designated in Exhibit "A and B".
- (iii) To be responsible for the portions of the Multi-Use Path designated in Exhibit "A and B" as follows:
 - (i) Improved Multi-Use Path shall be from five (5') feet beyond edge of asphalt or concrete;
 - (ii) Multi-Use Path lighting, signage and future landscapingBy the provision, CITY does not assume responsibility for sidewalks, landscaping, fencing, lighting, signalization or other non-Multi-Use Path related activity, regardless of the BLM's ownership of the underlying property, which activities shall remain the sole responsibility of the STATE.

11/22/2006

- (iv) To administer and assume all costs, except as otherwise provided by the Agreement, associated with the construction, improvement, repair and maintenance of the Multi-Use Path designated in Exhibit "A and B".
- (v) To defend and bear all costs of litigation which alleges an adverse interest to that of the STATE in the Multi-Use Path allowed pursuant to the permit from the STATE to the CITY including the cost of any award stemming from said litigation.
- (vi) To continue maintenance of the Multi-Use Path designated in Exhibit "A and B" until such time as agreed to by the parties that the aforementioned responsibilities are to be assumed by the STATE.

SECTION 4. CONSIDERATION

It is anticipated by the parties that the only funds to so dedicated to the reconstruction and improvements of the Multi-Use Path designated Exhibit "A and B" will be SNPLMA Funds. It is mutually understood that all costs associated with brining the Multi-Use Path designated in Exhibit "A and B" in compliance with urban standards will be borne by the CITY. No STATE funds are available for upgrading the aforementioned Multi Use Path.

SECTION 5. TERMINATION

This Agreement may be terminated, or partially terminated, by (i) either party giving sixty (60) days notice to the other party of its intent to so terminate this Agreement, in which event this Agreement shall cease to be effective an in force between the parties sixty (60) days from the date that the notice is deposited with the United States Postal Service, or (ii) pursuant to statutory procedures available to STATE with regard to State highways.

SECTION 6. NOTICE

Any Notice referred to in this Agreement contemplates written notice. Said written notice shall be directed to the parties at the following addresses:

Director
Department of Transportation
1263 South Stewart Street
Carson City, Nevada 89712

City Manager
City of Las Vegas
400 East Stewart Avenue
Las Vegas, Nevada 89101

11/22/2006

SECTION 7. FULL AGREEMENT

The provisions herein constitute the full agreement of the parties and shall inure to the benefit of and be binding upon the respective successors and assigns of the parties hereto.

SECTION 8. NO THIRD PARTY BENEFICIARY

It is not intended by any of the provisions of this Agreement to create in the public or any member thereof, a third party beneficiary hereunder, or to authorize anyone not a party to the Agreement to maintain a suit for personal injuries.

FOR DEPARTMENT: Jeff Fontaine, P.E., Director
 Attn: Rudy Malfabon, P.E.
 Deputy Director, Southern Nevada
 Nevada Department of Transportation
 123 E. Washington Avenue
 Las Vegas, NV 89101
 Phone Number: (702) 385-6506
 Fax Number: (702) 385-6511
 E-mail Address: rmalfabon@dot.state.nv.us

FOR CITY: Charles Kajkowski, Jr. P.E., Director of Public Works
 Attn: David N. Bowers, P.E.
 Engineering Program Manager
 City of Las Vegas Department of Public Works
 City Hall
 400 East Stewart
 Las Vegas, NV 89101
 Phone Number: (702) 229-2324
 Fax Number: (702) 464-5763
 E-mail Address: dbowers@lasvegasnevada.gov

This Agreement shall not become effective until and unless approved by appropriate official action of the governing body of each party.

This Agreement constitutes the entire agreement of the parties and such is intended as a complete and exclusive statement of the promises, representations, negotiations, discussions, and other agreements that may have been made in connection with the subject matter hereof.

Unless an integrated attachment to this Agreement specifically displays a mutual intent to amend a particular part of this Agreement, general conflicts in language between any such attachment and this Agreement shall be construed consistent with the terms of this Agreement. Unless otherwise expressly authorized by the terms of this Agreement, no modification or amendment to this Agreement shall be binding upon the parties unless the same is in writing and

11/22/2006

signed by the respective parties hereto.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first above written.

CITY OF LAS VEGAS

State of Nevada, acting by and through its
DEPARTMENT OF TRANSPORTATION

Oscar B. Goodman
Mayor, City of Las Vegas

Jeff Fontaine, P.E.
Director

Attest:

Reviewed:

Barbara Jo Ronemus
City Clerk

Rudy Malfabon, P.E.
Deputy Director

Approved as to Form:

Recommended:

Thomas R. Green 12/14/06
Thomas R. Green, Esq.
Deputy City Attorney

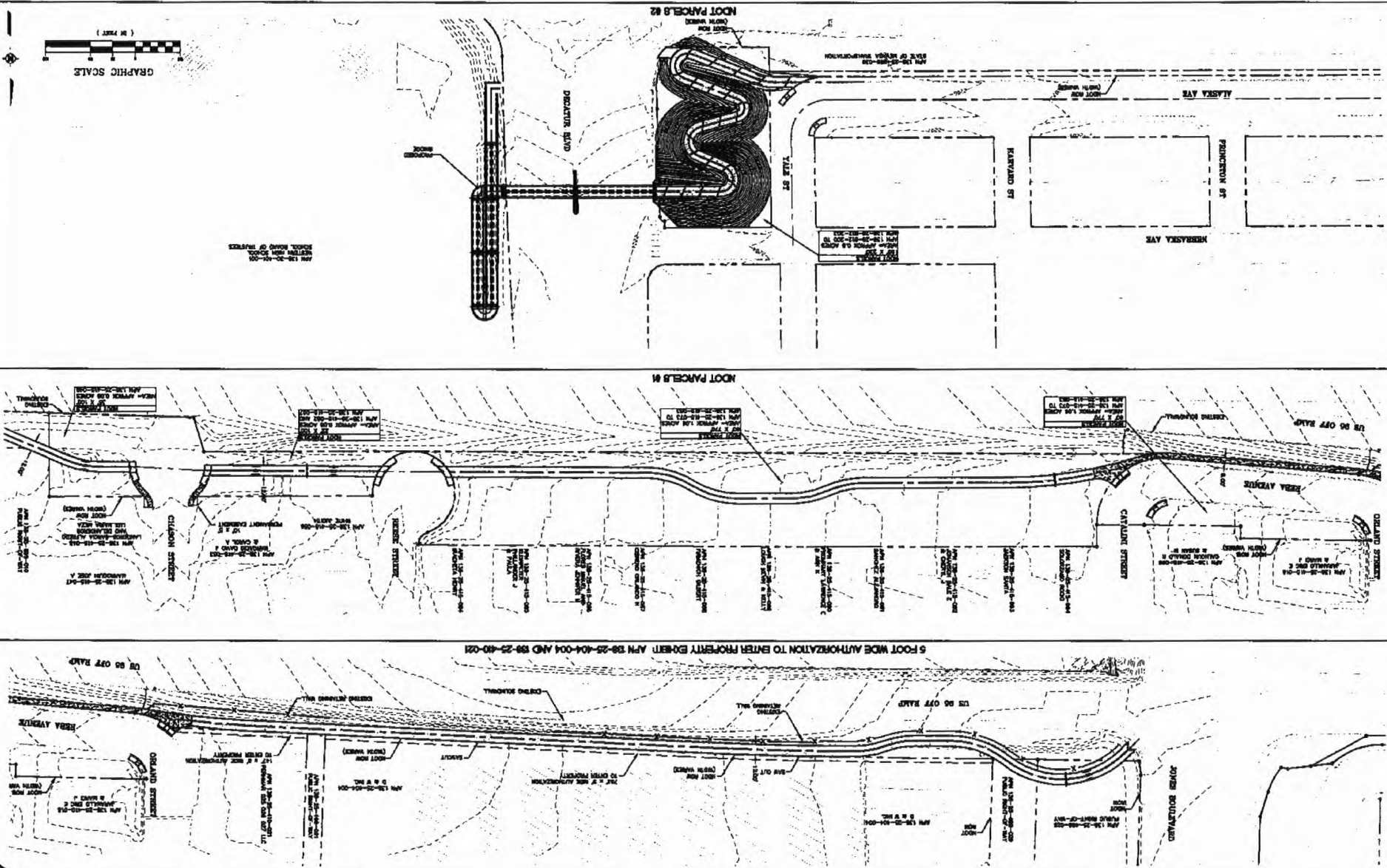
Mary A. Martini, P.E.
District 1 Engineer

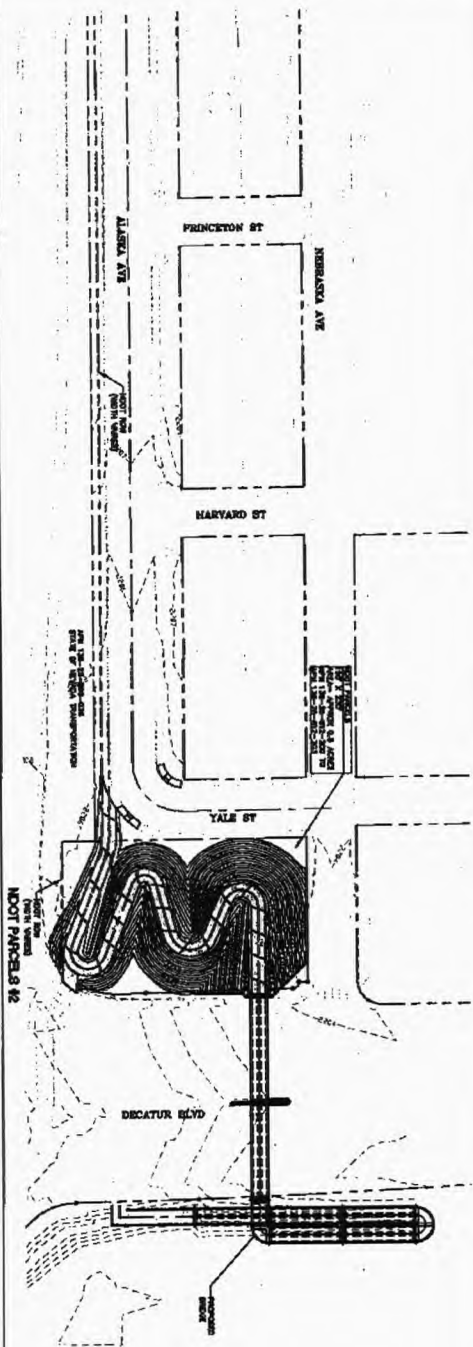
Recommended:

Heidi A. Mireles
Chief Right-of-Way Agent

Approved as to Legality & Form:

Deputy Attorney General

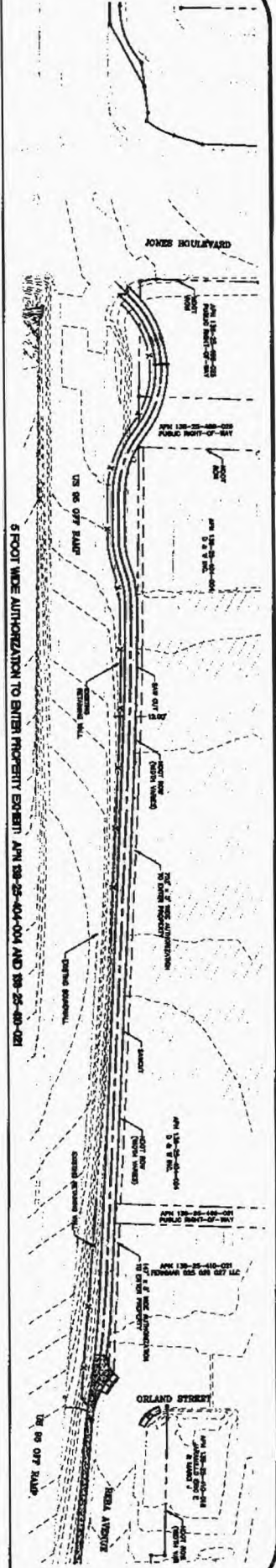
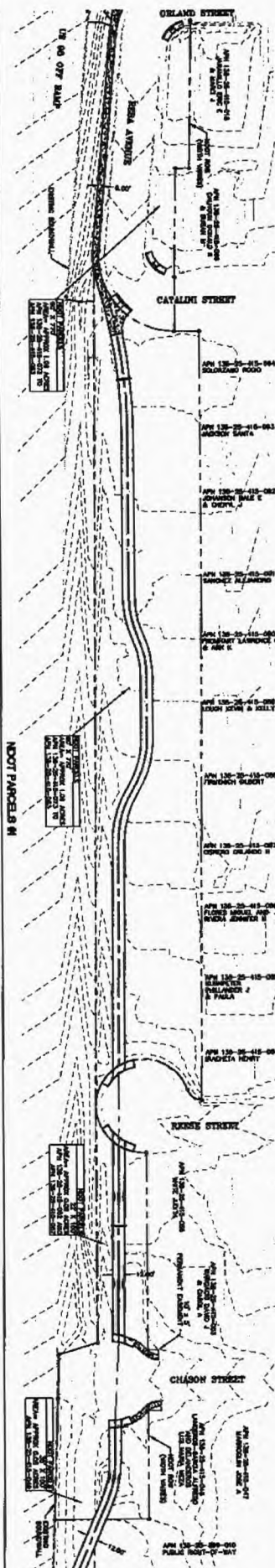




SCHEMATIC PLAN, PHASE 2 - EXHIBIT B



GRAPHIC SCALE
1" = 20'



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒ **Consent** ☐ **Discussion**

SUBJECT:

RESOLUTIONS:

R-1-2007 - Approval of a Resolution concerning proposed Special Improvement Districts within the Summerlin area, approving a Water Line Reimbursement Agreement and other related matters - Ward 2 (Wolfson)

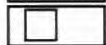
Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

The Howard Hughes Corporation (the Developer) has requested that the City form two special improvement districts within the City pursuant to the provisions of Nevada Revised Statutes Chapter 271 to levy special assessments, and to issue one or more series of bonds to provide for the construction, acquisition, or furnishing of certain public improvements within proposed Special Improvement District Nos. 810 and 909 (Summerlin). This Water Line Agreement will allow the Developer to dedicate the water lines to the LVVWD prior to formation of the districts and execution of the Development and Financing Agreement between the City and the Developer.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

1. Resolution No. R-1-2007
2. Water Line Agreement

Motion made by GARY REESE to Approve Items 13-36 and 38-42

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

RESOLUTION NO. R-1-2007

**A RESOLUTION CONCERNING A PROPOSED SPECIAL IMPROVEMENT DISTRICT
AND APPROVING THE FORM OF A WATER LINE REIMBURSEMENT AGREEMENT.**

WHEREAS, the City Council (the "Council") of the City of Las Vegas, Nevada (the "City"), has received a proposal from the Howard Hughes Corporation (the "Developer") to conduct proceedings pursuant to the provisions of Nevada Revised Statutes Chapter 271 to form a special improvement district within the City (the "District"), to levy special assessments, and to issue one or more series of bonds (the "Bonds") to provide for the construction, acquisition, or furnishing of certain public improvements within the District; and

WHEREAS, the Developer has previously constructed certain water lines (the "Water Lines") which will benefit the properties anticipated to be in the District; and

WHEREAS, the Developer has requested that the City levy special assessments against the properties in the District to finance a portion of the cost of the Water Lines as well as other public improvements; and

WHEREAS, the Developer desires to dedicate the Water Lines to the Las Vegas Valley Water District prior to formation of the District and execution of a Development and Financing Agreement between the City and the Developer relating to the District; and

WHEREAS, the Developer has requested that the City reimburse the Developer for a portion of the costs of the Water Lines from proceeds of the Bonds; and

WHEREAS, the City desires to facilitate such reimbursement, subject to the conditions contained in the Water Line Reimbursement Agreement by and between the Developer and the City (the "Agreement"), the form of which has been presented to the Council.

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

Section 1. The form, terms and provisions of the Agreement are approved, and the City shall enter into and perform its obligations under the Agreement in substantially the form of such document presented to the Council at this meeting, with only such changes therein as are required by the

circumstances and are not inconsistent herewith; and the officers of the City are hereby authorized and directed to execute and deliver such document as required hereby.

Section 2. All resolutions, or parts thereof, in conflict with the provisions of this resolution, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, or part thereof, previously repealed.

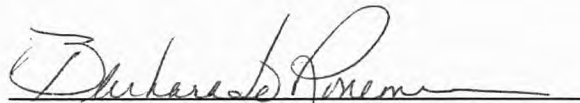
Section 3. If any section, paragraph, clause or other provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this resolution.

PASSED, ADOPTED AND APPROVED this 3rd day of January, 2007.


~~OSCAR B. GOODMAN, Mayor~~

Gary Reese, Mayor Pro-Tem

Attest:


BARBARA JO RONEMUS, City Clerk

Approved as to Form:

 12-20-06
Deputy City Attorney

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

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

1. The foregoing pages constitute a true, correct, complete and compared copy of a resolution adopted by the City Council of the City (the "City Council") at a meeting held on January 3, 2007.

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

Those Voting Aye:	Oscar B. Goodman Gary Reese Larry Brown Lawrence Weekly Steve Wolfson Lois Tarkanian Steven D. Ross
-------------------	---

Those Voting Nay:	None
-------------------	------

Those Absent:	None
---------------	------

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

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

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

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. Bulletin Board
City Hall Plaza (next to Metro Records)
Las Vegas, Nevada
- ii. City Clerk's Bulletin Board
City Hall Plaza, 2nd Floor Skybridge
Las Vegas, Nevada
- iii. Las Vegas Library
833 Las Vegas Boulevard North
Las Vegas, Nevada
- iv. Clark County Government Center
500 South Grand Central Parkway
Las Vegas, Nevada
- v. Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada

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

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

6. A copy of the notice of the meeting was posted in the City's website no later than 9:00 a.m. on the third working day before the meeting.

7. A copy of such notice so given of the meeting of the City Council on January 3, 2007, is attached to this certificate as Exhibit "A."

IN WITNESS WHEREOF, I have hereunto set my hand on this January 3, 2007.

(SEAL)



BARBARA JO RONEMUS, City Clerk

(EXHIBIT A)

(Attach copy of posted agenda)



CITY COUNCIL AGENDA

COUNCIL CHAMBERS · 400 STEWART AVENUE · PHONE 229-6011

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

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

**COUNCIL MEMBERS: LARRY BROWN (Ward 4), LAWRENCE WEEKLY (Ward 5),
STEVE WOLFSON (Ward 2), LOIS TARKANIAN (Ward 1), STEVEN D. ROSS (Ward 6)**

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

January 03, 2007

Morning Session begins at 9:00 a.m.

Afternoon Session begins at 1:00 p.m.

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

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

DUPLICATE AUDIO CD'S AND DUPLICATE AUDIO/VIDEO DVD'S MAY BE AVAILABLE AT A COST OF \$5.00 EACH THROUGH THE CITY CLERK'S OFFICE.

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

CEREMONIAL MATTERS

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. INVOCATION – REVEREND MARY BREDLAU, PALM MORTUARY
4. PLEDGE OF ALLEGIANCE
5. OATH OF OFFICE ADMINISTERED TO ROB W. BARE FOR MUNICIPAL COURT JUDGE, DEPARTMENT 6
6. RECOGNITION OF THE CITIZEN OF THE MONTH
7. RECOGNITION OF BUFFALO WILD WINGS FOR SUPPORT OF THE LAS VEGAS FIRE AND RESCUE DEPARTMENT
8. RECOGNITION OF PALO VERDE HIGH SCHOOL BOYS STATE AAAA TENNIS CHAMPIONS

9. RECOGNITION OF STELLA FLEMING SENIOR CENTER RESIDENT SEMOINE BROUNER FOR VOLUNTEER SERVICE
10. RECOGNITION OF THE MEADOWS SENIOR MOBILE HOME PARK BOARD OF DIRECTORS FOR COMMUNITY OUTREACH

BUSINESS ITEMS - MORNING

11. Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time
12. Approval of the Final Minutes by reference of the regular City Council meeting of November 15, 2006

CONSENT AGENDA

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

BUSINESS DEVELOPMENT - CONSENT

13. Approval of Declaration of Reserved Easement for Emergency Access for the benefit of Foundation for an Independent Tomorrow, on the west side of Stella Lake Street, approximately 600 feet south of Lake Mead Boulevard (APN 139-21-313-011) - Ward 5 (Weekly)

FIELD OPERATIONS - CONSENT

14. Approval of a Grant of Easement from the City of Las Vegas to Nevada Power Company to cancel and supersede the Right-of-Entry previously on record and continue to allow Nevada Power Company access to the site for electrical systems needs located at 1551 South Buffalo Drive commonly known as All American Park, APN 163-04-604-002 - Ward 2 (Wolfson)

FINANCE & BUSINESS SERVICES - ADMINISTRATION CONSENT

15. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES CONSENT

16. Approval of a Special Event License for Beauty Bar Salon, Location: 517 Fremont Street, Date: January 5, 2007, Type: Special Event General, Event: Music and Dancing Live Arts, Responsible Person in Charge: Scott Infantolino - Ward 5 (Weekly)
17. Approval of a Special Event License for Go Home Limited, Location: World Market Center, 495 South Grand Central Parkway, Suite 318, Dates: January 29-31, 2007 and February 1-2, 2007, Type: Special Event General, Event: Trade Show, Responsible Person in Charge: Lauren Weinstein - Ward 5 (Weekly)
18. Approval of Change of Ownership, Change of Business Name and Change of Location for a Tavern License subject to the provisions of the planning and fire codes and Health Dept. regulations, From: Samcon, Inc., dba Tomfoolery's, Sean T. Higgins, Pres, 100%, To: The Lodge At Grand Teton Operator, LLC, dba The Lodge At Grand Teton, 8350 Grand Teton Drive, Stuart E. Apollo, Mmbr, 100% - Ward 6 (Ross)
19. Approval of Change of Ownership and Change of Business Name for a Burglar Alarm Service License, From: National Alarm Computer Center, Inc., dba National Alarm Computer Center, Stephen B. Baker, VP, To: Integrated Alarm Services Group,
City Council January 03, 2007 - Page 2

Inc., dba Criticom International, 96 Corporate Park Drive, Robert B. Heintz, VP, Michael T. Moscinski, CFO and Brian Edward Shea, Executive VP - California

20. Approval of a new Hypnotist License, Donna Jean Rod, dba Donna Rod, 800 North Rainbow Boulevard, Suite 170, Donna J. Rod, 100% - Ward 1 (Tarkanian)
21. Approval of a new Hypnotherapist License subject to the provisions of the planning and fire codes, Maria Lifrieri, dba NY Hypnosis & Laser Center, Ltd., 8871 West Sahara Avenue, Suite 100, Maria S. Lifrieri, 100% - Ward 2 (Wolfson)

FINANCE & BUSINESS SERVICES - PURCHASING & CONTRACTS CONSENT

22. Approval of award of Modification No. 2 to Contract No. 060017 for Maintenance of Yucca Mountain Monitoring Program - Office of Administrative Services - Award recommended to: URBAN ENVIRONMENTAL RESEARCH, LLC (\$74,072 - Multipurpose Special Revenue Fund)
23. Approval of award of Bid No. 06.53541.01-LED, Warehouse Expansion and Office Addition - Water Pollution Control Facility (WPCF) located at 6005 East Vegas Valley Drive and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: APCO CONSTRUCTION (\$1,114,140 - Sanitation Enterprise Fund) - County
24. Approval of a Purchase Order for Diversity Champions Training - Department of Human Resources - Award recommended to: GUARDIAN QUEST (not-to-exceed \$100,000 - General Fund)
25. Approval of ratification of a purchase order for Chevrolet Vehicles - Department of Field Operations - Award recommended to: CHAMPION CHEVROLET (\$50,438.25 - Automotive Service Internal Service Fund)

NEIGHBORHOOD SERVICES - CONSENT

26. Approval to enter into an Agreement with the State of Nevada, Department of Business and Industry, Housing Division (NHD) to receive \$1,809,000 in Low Income Housing Trust Fund (LIHTF) funds for qualified Trust Fund projects or activities subject to entering into written agreements with the recipients and requiring compliance with the regulations under NRS Chapter 319 and NAC 319 - All Wards
27. Approval of an allocation of \$200,000 in Home Investment Partnership Programs/Low-Income Housing Trust Funds (HOME/LIHTF) to Neighborhood Services Department, EVOLVE Program to operate a tenant-based rental assistance program - All Wards

PUBLIC WORKS - CONSENT

28. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Art Consulting Engineers on behalf of Gordon and Bryan Investment, LLC, owner (southwest corner of Torrey Pines Drive and Jo Marcy Drive, APN 125-14-106-002) - County (near Ward 6 - Ross)
29. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Peak Development Services on behalf of Indian Summer Development, LLC, owner (northeast corner of Tee Pee Lane and Ann Road, APN 125-30-807-001) - County (near Ward 6 - Ross)
30. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Affleck Engineering on behalf of G.L. Kennedy Trust, Gay Louise Kennedy, Trustee and Gall Family Trust Dated November 26, 2001, Steven H. Gall and V. Joyce Gall, Trustees, owners (north of Maggie Avenue between Four Views Street and Homestead Street, APN 125-08-502-005) - County (near Ward 6 - Ross)
31. Approval of an Encroachment Request from TRC/BV Engineering Nevada on behalf of Parkway Center, LLC, owner (northeast corner of Grand Central Parkway and City Parkway) - Ward 5 (Weekly)

32. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Kevin Skehan and Candi Skehan, owners (south of Deer Springs Way and west of Mustang Street, APN 125-23-701-003) - County (near Ward 6 - Ross)
33. Approval of an Encroachment Request from JPL Engineering, Incorporated, on behalf of Urban Lofts X, Limited, owner (Fremont Street between Bruce Street and Eastern Avenue) - Ward 3 (Reese)
34. Approval of an Encroachment Request from the Las Vegas - Clark County Library District, owner (Sahara Avenue between Grand Canyon Drive and Village Square Center) - Ward 2 (Wolfson)
35. Approval to appraise and purchase or condemn right-of-way parcels for the East Charleston Boulevard Bus Turnouts project from Fremont Street to Nellis Boulevard (\$700,000 - Regional Transportation Commission [RTC]) - Ward 3 (Reese)
36. Approval to file an amendment to Right-of-Way Grant N-77772 with the Bureau of Land Management for roadway, sanitary sewer, trails, streetscape amenities and drainage purposes on portions of land lying within portions of Section 1, Township 19 South, Range 59 East, Mount Diablo Meridian, generally located from Iron Mountain Road to Hualapai Way, APNs 126-01-401-003, 126-01-401-001 and 126-01-502-005 - Ward 6 (Ross)
37. Approval of a Cooperative Agreement with the Nevada Department of Transportation (NDOT) for perpetual maintenance of the Bonanza Trail located within the NDOT right-of-way, beginning at the intersection of Washington Avenue and Durango Drive and ending at the intersection of Decatur Boulevard and the US-95 off-ramp (\$90,000 yearly - General Fund) - Wards 1, 4 and 5 (Tarkanian, Brown and Weekly)

RESOLUTIONS - CONSENT

38. R-1-2007 - Approval of a Resolution concerning proposed Special Improvement Districts within the Summerlin area, approving a Water Line Reimbursement Agreement and other related matters - Ward 2 (Wolfson)
39. R-2-2007 - Approval of a Resolution Determining the Cost and Directing the City Engineer to prepare the Final Assessment Roll for Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) (\$481,988.99 - Capital Projects Fund/Special Assessments) - Ward 6 (Ross)
40. R-3-2007 - Approval of a Resolution fixing the time and place when complaints, protests, and objections to the Final Assessment Roll will be heard for Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) (\$481,988.99 - Capital Projects Fund/Special Assessments) - Ward 6 (Ross)
41. R-4-2007 - Approval of a Resolution overruling complaints, protests, and objections and confirming the Final Assessment Roll for Special Improvement District No. 1493 - Hualapai Way/Alexander Road (Cheyenne Avenue to Cimarron Road) - Ward 4 (Brown)
42. R-5-2007 - Approval of a Resolution overruling complaints, protests, and objections and confirming the Final Assessment Roll for Special Improvement District No. 1505 - Sierra Oeste Neighborhood Streetlights (\$62,576.19 - Capital Projects Fund/Special Assessments) - Ward 5 (Weekly)

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

43. Report from the City Manager on Emerging Issues

CITY ATTORNEY - DISCUSSION

44. Discussion and possible action on Appeal of Work Card Denial: Approved July 12, 2006 granting a site specific work card with a six month review: Susan Rhea Gilloon, 1300 Fremont Street #258, Las Vegas, Nevada 89101

45. Discussion and possible action on Appeal of Work Card Denial: Flaviana A. Guerette, 7241 Early Pioneer Avenue, Las Vegas, Nevada 89129
46. ABEYANCE ITEM - Discussion and possible action to retain the consulting services of Williams Aviation to assist the City of Las Vegas in an appeal of the FAA record of decision regarding the proposed right turn at McCarran International Airport (\$100,000 - General Fund)
47. ABEYANCE ITEM - Discussion and possible action to retain legal services of Chevalier, Allen and Lichman to represent the City of Las Vegas in an appeal of the FAA record of decision regarding the proposed right turn at McCarran International Airport (\$300,000 - General Fund)
48. Discussion and possible action to award Contract No. 070128 for Aviation Consultant Services - Department of Government & Community Affairs - Award recommended to: WILLIAMS AVIATION CONSULTANTS, INC. (\$57,000 - General Fund) - All Wards

CITY AUDITOR - DISCUSSION

49. Discussion and possible action on Annual Audit Recommendation Follow-Up as of June 30, 2006 (2600-0607-03)

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES DISCUSSION

50. Discussion and possible action regarding Temporary Approval of Change of Ownership and Change of Business Name for a Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes and Health Dept. regulations, From: Las Familias, dba Enricos Italian Bistro, Joanne M. Prieto, Dir, Pres, Sec, Treas, 100%, To: Lorenzo's Italian Bistro, Inc., dba Lorenzo's Italian Bistro, 4864 West Lone Mountain Road, Lorenzo G. Sommaggio, Pres, 100% - Ward 6 (Ross)
51. Discussion and possible action regarding Temporary Approval of a new Supper Club License subject to the provisions of the planning codes, Bor Vada, LP, dba On The Border, 5630 Centennial Center Boulevard, GenBusiness Corporation, General Partner, 5%, John D. Gantes, Principal, Yanni Capital Business Partnership, LP, Limited Partner, 95%, John D. and Linda R. Gantes, Community Property Trust, Principal - Ward 6 (Ross)
52. Discussion and possible action regarding Temporary Approval of Change of Ownership, Change of Location and Change of Business Name for a Tavern License, From: Golden Wok Restaurant, Inc., dba Golden Wok Restaurant (Non-operational), 504 South Decatur Boulevard, Koon K. Chang, Pres, Yuk C. Chan, Secy and Kwok W. Cheng, Treas, To: Culture Club of Las Vegas, LLC., dba Polly Esther's, 2000 South Las Vegas Boulevard, Andrew W. Adelman, 33.3%, Robert M. Watman, 33.3% and Bamny, LLC., Timothy T. Ouellette, 33.3% - Ward 3 (Reese)
53. Discussion and possible action regarding Temporary Approval of a new Tavern License subject to the provisions of the fire codes and Health Dept. regulations, Outback Nevada II, L.P., dba Outback Steakhouse, 740 South Decatur Boulevard, Outback Steakhouse of Florida, Inc., General Partner, 81%, Summit West Corporation, Limited Partner, 9% and John Kanas, Limited Partner, 10% - Ward 1 (Tarkanian)
54. Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, Pablo Padilla, dba Padilla's Martial Arts, 871 North Nellis Boulevard, Suite 2, Pablo Padilla, 100% - Ward 3 (Reese)
55. Discussion and possible action on an Appeal of Non-renewal of an Independent Massage Therapist License, David R. Silvaggio, 9330 West Sahara Avenue, # 250 - Ward 2 (Wolfson)
56. ABEYANCE ITEM - Discussion and possible action regarding a new Psychic Arts and Science License subject to the provisions of the planning and fire codes, Lorraine Marks, dba Ms. Laurie, 425 Fremont Street - Ward 3 (Reese)

NEIGHBORHOOD SERVICES - DISCUSSION

57. Report on the status of the Southern Nevada Regional Planning Coalition (SNRPC) Committee on Homelessness (CoH) regional effort - All Wards

PUBLIC WORKS - DISCUSSION

58. Report on the status of the US-95 widening project between Kyle Canyon Road and Charleston Boulevard and I-15 from Craig Road to Sahara Avenue - All Wards

RESOLUTIONS - DISCUSSION

59. R-6-2007 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the Redevelopment Agency and Ernesto J. Savino, located at 418 South Maryland Parkway (APN 139-34-811-064), to be in compliance with and in furtherance of the goals and objectives of the Redevelopment Agency - Ward 3 (Reese) [NOTE: This item is related to RDA Items 4 (RA-1-2007) and 5]
60. R-7-2007 - Discussion and possible action regarding a Resolution Consenting to the Real Property Exchange Agreement between the City of Las Vegas Redevelopment Agency and the Las Vegas Police Protective Association Metro, Inc., for the exchange of real property located at the Southeastern corner of 4th Street and Clark Avenue (APN 139-34-303-002) for the real property located at the Northwestern corner of 7th Street and Stewart Avenue (APN 139-34-501-011) to be in compliance with and in furtherance of the goals and objectives of the Redevelopment Agency (RDA) (\$314,250 approximate in-kind contribution - RDA) - Wards 3 and 5 (Reese and Weekly) [NOTE: This item is related to RDA Items 6 (RA-2-2007) and 7]

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

61. Bill No. 2006-67 – Adopts an updated version of the Las Vegas Downtown Centennial Plan, together with related development standards. Sponsored by: Councilman Gary Reese
62. Bill No. 2006-68 – Adopts the Union Park Design Standards and integrates them into other provisions that pertain to the Downtown Overlay District. Sponsored by: Mayor Oscar B. Goodman

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

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

63. Bill No. 2006-70 – Amends the legal description and map describing and depicting the boundaries of the Pedestrian Mall to reflect certain street vacation actions. Proposed by: Bradford R. Jerbic, City Attorney
64. Bill No. 2006-71 – Adopts provisions regarding the use of public streets for motorized racing events. Sponsored by: Councilman Gary Reese and Councilman Lawrence Weekly
65. Bill No. 2006-72 – Adopts the 2005 Edition of the National Electrical Code, together with amendments and supplementary material. Proposed by: Paul K. Wilkins, Director of Building and Safety
66. Bill No. 2006-73 – Adopts the 2006 Edition of the Southern Nevada Pool Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
67. Bill No. 2006-74 – Adopts the 2006 Edition of the Uniform Mechanical Code, together with amendments thereto, as the City's Mechanical Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
68. Bill No. 2006-75 – Adopts the 2006 Edition of the Uniform Plumbing Code, together with amendments thereto, as the City's Plumbing Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
69. Bill No. 2006-76 – Adopts the 2006 Edition of the International Energy Conservation Code, along with amendments thereto. Proposed by: Paul K. Wilkins, Director of Building and Safety

70. Bill No. 2006-77 – Adopts the 2006 Editions of the International Building Code and the International Residential Code, together with amendments thereto. Proposed by: Paul K. Wilkins, Director of Building and Safety
71. Bill No. 2006-78 – Updates the City's Administrative Code, relating to the administration of the various building and technical codes. Proposed by: Paul K. Wilkins, Director of Building and Safety
72. Bill No. 2006-79 – Allows small wind energy systems as a conditional use in the R-A, R-E and R-D Zoning Districts. Sponsored by: Councilman Steven D. Ross
73. Bill No. 2006-80 - Ordinance Creating Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) Sponsored by: Step Requirement
74. Bill No. 2006-81 - Grants to Nevada Power Company, a Nevada Corporation, a non-exclusive franchise to install, operate and maintain an electrical distribution system to provide electrical service to consumers within the City subject to and in accordance with the terms and conditions of the Franchise Agreement between the City and Nevada Power Company. Proposed by: Mark R. Vincent, Director of Finance and Business Services

NEW BILLS - DISCUSSION

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

75. Bill No. 2007-1 - Levies Assessment for Special Improvement District No. 1493 – Hualapai Way/Alexander Road (Cheyenne Avenue to Cimarron Road). Sponsored by: Step Requirement
76. Bill No. 2007-2 - Levies Assessment for Special Improvement District No. 1505 – Sierra Oeste Neighborhood Streetlights. Sponsored by: Step Requirement
77. Bill No. 2007-3 – Annexation No. ANX-12215 – Property location: On the north and south sides of I-215 (Clark County Highway 215), between Shaumber Road and Fort Apache Road; Petitioned by Southwest Desert Equities, LLC, et al.; Acreage: Approximately 259 acres; Zoned: R-E and P-F (County zoning), U (R), U (RNP), U (L), U (P-F) and C-V (City equivalents). Sponsored by: Councilman Steven D. Ross
78. Bill No. 2007-4 – Clarifies and standardizes the provisions that govern the expiration and termination of zoning-related applications and approvals. Proposed by: M. Margo Wheeler, Director of Planning and Development

1:00 P.M. - AFTERNOON SESSION

BUSINESS ITEMS - AFTERNOON

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

HEARINGS - DISCUSSION

80. Public Hearing to consider the report of expenses to recover costs for mitigation abatement of vacant or abandoned building and assess civil penalties located at 960 G Street. PROPERTY OWNER: ELSIE BATIE (\$19,062.71 - General Fund) – Ward 5 (Weekly)

81. Public Hearing to consider the report of expenses to recover costs for mitigation abatement of vacant or abandoned building and assess civil penalties located at 3804 Beacon Point Street. PROPERTY OWNER: KIONNE JOHNSON (\$3,452.90 - General Fund) - Ward 4 (Brown)
82. Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building located at 9504 Belgate Court. PROPERTY OWNER: POFERIA DYES-ALBRIGHT (\$3,282.50 - General Fund) - Ward 4 (Brown)
83. ABEYANCE ITEM - Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building located at 886 Miller Avenue. PROPERTY OWNER: WALTER & LIZZIE THOMAS (\$4,973 - General Fund) - Ward 5 (Weekly)

PLANNING & DEVELOPMENT

THE ITEMS LISTED BELOW, WHERE APPROPRIATE, HAVE BEEN REVIEWED BY THE VARIOUS CITY DEPARTMENTS RELATIVE TO REQUIREMENTS FOR STORM DRAINAGE AND FLOOD CONTROL, CONNECTION TO SANITARY SEWER, TRAFFIC CIRCULATION, AND BUILDING AND FIRE REGULATIONS. THEIR COMMENTS AND/OR RECOMMENDATIONS AND REQUIREMENTS HAVE BEEN INCORPORATED INTO THE ACTION

PLANNING & DEVELOPMENT - CONSENT

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

84. EOT-18225 - APPLICANT/OWNER: ANTONETTE MARTINEZ - Request for an Extension of Time of an approved Variance (VAR-5373) THAT ALLOWED A 10-FOOT REAR YARD SETBACK WHERE 35 FEET IS THE MINIMUM REQUIRED IN CONJUNCTION WITH A PROPOSED ROOM ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE on 0.47 acres at 2240 Shaw Circle (APN 163-03-802-004), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL
85. EOT-18217 - APPLICANT: WOOD PARTNERS - OWNER: ALTA MONTECITO - Request for an Extension of Time of an approved Special Use Permit (SUP-5296) THAT ALLOWED A DENSITY OF 66.94 UNITS WHERE 50 UNITS PER ACRE IS THE MAXIMUM ALLOWED FOR AN APPROVED 399-UNIT HIGH DENSITY RESIDENTIAL DEVELOPMENT on 5.96 acres adjacent to the southeast corner of Elkhorn Road and Grand Montecito Parkway (APN 125-20-510-002), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use) Town Center Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

86. DIR-18171 - APPLICANT/OWNER: RITZ COVE HOMEOWNERS ASSOCIATION - Request TO ALLOW THE OPERATION OF A 57 SQUARE FOOT WATER FEATURE at the entrance to an existing single family residential development at 2501 Monarch Bay Drive (APN 138-16-812-032), Ward 4 (Brown). Staff recommends APPROVAL
87. SUP-17551 - PUBLIC HEARING - APPLICANT: FAMOUS UNCLE AL'S HOT DOGS - OWNER: VIRGIN TERRITORY, LLC - Request for a Special Use Permit FOR A PROPOSED BEER/WINE/COOLER ON-SALE ESTABLISHMENT IN CONJUNCTION WITH A PROPOSED RESTAURANT at 6020 West Craig Road (APN 138-02-611-006), R-E (Residence Estates) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Ross). NOTE: THE CORRECT ADDRESS IS 6010 WEST CRAIG ROAD, SUITE #110. The Planning Commission (7-0 vote) and staff recommend APPROVAL

88. SDR-16954 - PUBLIC HEARING - APPLICANT: THE CHONG CO. - OWNER: CFT-TCC NELLIS, LLC - Request for a Site Development Plan Review FOR A 8,345 SQUARE FOOT SHOPPING CENTER on 1.24 acres on the west side of Nellis Boulevard, approximately 1,060 feet south of Bonanza Road (APN 140-32-517-003), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
89. SDR-17717 - PUBLIC HEARING - APPLICANT/OWNER: STEWART/NELLIS PARTNERS, LLC - Request for a Site Development Plan Review FOR AN 84,245 SQUARE FOOT SHOPPING CENTER on 7.81 acres on property adjacent to the northwest corner of Nellis Boulevard and Stewart Avenue, (APN 140-32-601-005), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
90. MOD-12919 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DORSAL DEVELOPMENT, LLC - OWNER: FULSTONE 1993 TRUST AND JEFF SELLINGER - Request for a Major Modification to the Las Vegas Medical District Plan TO AMEND THE LAND USE DESIGNATION FROM: MD-2 (MAJOR MEDICAL) TO: MD-1 (MEDICAL SUPPORT) on 0.74 acres at 728 Desert Lane (APN 139-33-402-021), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
91. SUP-16246 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DORSAL DEVELOPMENT, LLC - OWNER: FULSTONE 1993 TRUST AND JEFF SELLINGER - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT at 728 Desert Lane (APN 139-33-402-021), [PROPOSED: MD-1 (MEDICAL SUPPORT) Las Vegas Medical District Plan Designation], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend DENIAL
92. SDR-12922 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DORSAL DEVELOPMENT, LLC - OWNER: FULSTONE 1993 TRUST AND JEFF SELLINGER - Request for a Site Development Plan Review FOR A PROPOSED FIVE-STORY MIXED-USE DEVELOPMENT CONSISTING OF 24 RESIDENTIAL CONDOMINIUM UNITS AND 13,465 SQUARE FEET OF MEDICAL OFFICE SPACE on 0.74 acres at 728 Desert Lane (APN 139-33-402-021), PD (Planned Development) Zone [MD-2 (Major Medical) Las Vegas Medical District Special Land Use Designation] [PROPOSED: MD-1 (Medical Support) Las Vegas Medical District Special Land Use Designation], Ward 5 (Weekly). NOTE: This application has been amended from 24 Residential Condominium Units to 30 Residential Condominium Units and from 13,465 square feet of Medical Office space to 9,350 square feet of Medical Office space. The Planning Commission (7-0 vote) and staff recommend DENIAL
93. ZON-15031 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: 3100 MEADE, LLC - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-M (COMMERCIAL/INDUSTRIAL) on 0.80 acres approximately 300 feet north of Meade Avenue, 980 feet west of Rancho Drive (APN 162-08-201-005), Ward 1 (Tarkanian). The Planning Commission (4-2 vote) and staff recommend APPROVAL
94. SDR-15030 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: 3100 MEADE, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF TWO EXISTING STORAGE BUILDINGS TO A LIGHT MANUFACTURING FACILITY on 0.80 acres approximately 300 feet north of Meade Avenue and 980 feet west of Rancho Drive (APN 162-08-201-005), R-1 (Single Family Residential) Zone [PROPOSED: C-M (Commercial/Industrial) Zone], Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL
95. ZON-16915 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GHASSAN MISHFERFI - Request for a Rezoning FROM: R-E (RESIDENTIAL ESTATES) TO: R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE) on 1.08 acres on the north side of Smoke Ranch Road, approximately 467 feet east of Michael Way (APN 138-13-801-068), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
96. VAR-16996 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GHASSAN MISHFERFI - Request for a variance TO ALLOW A RESIDENTIAL PLANNED DEVELOPMENT OF 1.08 ACRES WHERE FIVE ACRES IS THE MINIMUM AREA REQUIRED on the north side of Smoke Ranch Road, approximately 467 feet east of Michael Way (APN 138-13-801-068), R-E (Residential Estates) Zone under Resolution of Intent to R-PD6 (Residential Planned Development - 6 Units per Acre), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
97. SDR-16914 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GHASSAN MISHFERFI - Request for a Site Development Plan Review FOR A 6 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 1.08 acres on the north side of Smoke Ranch Road, approximately 467 feet east of Michael Way (APN 138-13-801-068), R-E (Residential Estates) Zone under Resolution of Intent to R-PD6 (Residential Planned Development - 6 Units per Acre), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

98. VAR-16144 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: T-MOBILE USA, INC. - OWNER: MESQUITE WOOD 3, LLC - Request for a Variance TO ALLOW A 70-FOOT TALL WIRELESS COMMUNICATIONS TOWER 68.2 FEET FROM RESIDENTIAL PROPERTY WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRES 210 FEET on 3.82 acres at 1620 Bracken Avenue (APN 162-02-208-001), C-V (Civic) Zone, Ward 3 (Reese). The Planning Commission (6-0-1 vote) and staff recommend DENIAL
99. SUP-16143 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: T-MOBILE USA, INC. - OWNER: MESQUITE WOOD 3, LLC - Request for a Special Use Permit FOR A WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN on 3.82 acres at 1620 Bracken Avenue (APN 162-02-208-001), C-V (Civic) Zone, Ward 3 (Reese). The Planning Commission (6-0-1 vote) and staff recommend DENIAL
100. VAR-16505 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: ALVY COOK - Appeal filed by the applicant from the denial by the Planning Commission of a request for a Variance TO ALLOW A FIVE-FOOT REAR YARD SETBACK WHERE 15 FEET IS THE MINIMUM SETBACK REQUIRED FOR A PROPOSED ROOM ADDITION at 1117 Strong Drive (APN 162-05-511-005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian). The Planning Commission (6-1 vote) and staff recommend DENIAL
101. VAR-17156 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GLENN J. SORRELLS - Appeal filed by the applicant from the denial by the Planning Commission of a request for a Variance TO ALLOW A SEVEN-FOOT HIGH WALL WHERE A FIVE-FOOT HIGH WALL IS THE MAXIMUM HEIGHT PERMITTED IN A PORTION OF THE FRONT YARD on 0.15 acres at 1109 Shifting Sands Drive (APN 138-26-615-088), R-1 (Single Family Residential) Zone, Ward 5 (Weekly). NOTE: THE APPLICATION IS FOR AN EIGHT FOOT HIGH WALL WHERE A FIVE-FOOT HIGH WALL IS THE MAXIMUM. The Planning Commission (7-0 vote) and staff recommend DENIAL
102. RQR-17098 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: CONSTANTINO NOVAL NV, LLC - Appeal filed by the applicant from the denial by the Planning Commission of a Required Four-Year Review of an approved Special Use Permit (U-0025-98) WHICH ALLOWED A 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 73 South Martin L King Boulevard (APN 139-33-510-002), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend DENIAL
103. SDR-15747 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH - Request for a Site Development Plan Review FOR A PROPOSED 31,126 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP AND A WAIVER OF THE PERIMETER LANDSCAPING REQUIREMENTS on 8.55 acres at the northwest corner of Rainbow Boulevard and Westcliff Drive (a portion of APN 138-27-802-004), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
104. SDR-17057 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: SANTA FE 124, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF A 124-UNIT APARTMENT COMPLEX TO A CONDOMINIUM DEVELOPMENT on 6.0 acres at 1111 Warbonnet Way (APN 163-04-501-004), R-PD23 (Residential Planned Development - 23 Units Per Acre) Zone, Ward 2 (Wolfson). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
105. SDR-17298 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: REPUBLIC SERVICES OF SOUTHERN NEVADA - OWNER: PREMIER TRUST OF NEVADA - Request for a Site Development Plan Review FOR A PROPOSED PARKING LOT AND A WAIVER TO ALLOW A REDUCTION OF THE PERIMETER LANDSCAPING BUFFERING REQUIREMENTS on 0.52 acres adjacent to the north side of Sahara Avenue, approximately 600 feet east of 6th Street (APN 162-03-801-018), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
106. ZON-17697 - PUBLIC HEARING - APPLICANT/OWNER: RICHMOND AMERICAN HOMES - Request for a Rezoning FROM: U (UNDEVELOPED) Zone [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] under Resolution of Intent to R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) TO: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) on 10.30 acres adjacent to the northwest and northeast corners of Ann Road and Mustang Street (APN 125-26-801-012 and 125-26-802-014), Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend DENIAL

- 107.SDR-17698 - PUBLIC HEARING - APPLICANT/OWNER: RICHMOND AMERICAN HOMES - Request for a Site Development Plan Review of A 32 LOT RESIDENTIAL SUBDIVISION on 10.30 acres adjacent to the northwest and northeast corners of Ann Road and Mustang Street (APN 125-26-801-012 and 125-26-802-014), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)], Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend DENIAL.
- 108.ZON-17740 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Rezoning FROM: R-4 (HIGH DENSITY RESIDENTIAL) TO: R-5 (APARTMENT) on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL.
- 109.VAR-17741 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW 150 PARKING SPACES WHERE 425 SPACES ARE REQUIRED IN CONJUNCTION WITH A PROPOSED APARTMENT DEVELOPMENT on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL.
- 110.VAR-17742 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW A PROPOSED APARTMENT BUILDING TO BE EIGHT FEET FROM THE NORTH PROPERTY LINE WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A SETBACK OF 198 FEET AND TO ALLOW TRASH ENCLOSURES TO BE 10 FEET FROM RESIDENTIALLY ZONED PROPERTY WHERE 50 FEET IS THE MINIMUM SETBACK REQUIRED on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL.
- 111.VAR-17743 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW A PROPOSED APARTMENT BUILDING TO BE ZERO FEET FROM THE WEST PROPERTY LINE WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED, ZERO FEET FROM THE EAST PROPERTY LINE WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED, ZERO FEET FROM THE SOUTH PROPERTY LINE WHERE FIVE FEET IS THE MINIMUM SETBACK REQUIRED AND TO ALLOW A BUILDING HEIGHT OF 66 FEET WHERE 55 FEET IS THE MAXIMUM HEIGHT ALLOWED on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL.
- 112.VAC-17744 - PUBLIC HEARING - APPLICANT/OWNER: LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Petition to Vacate a portion of an existing alley generally located north of Bridger Avenue, 140 feet east of Tenth Street, Ward 5, (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL.
- 113.SDR-17745 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Site Development Plan Review for a PROPOSED 300 UNIT, 66 FOOT HIGH, SIX STORY APARTMENT BUILDING AND A WAIVER OF THE PERIMETER LANDSCAPE BUFFERING STANDARDS FOR ZERO FEET OF LANDSCAPING WHERE TEN FEET IS REQUIRED ALONG THE SOUTHERN, EASTERN, AND WESTERN PERIMETER AND TO ALLOW FIVE FEET OF LANDSCAPING WHERE SIX FEET IS REQUIRED ALONG A PORTION OF THE NORTHERN PERIMETER on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL.
- 114.VAR-17749 - PUBLIC HEARING - APPLICANT/OWNER: HELP LAS VEGAS HOUSING CORPORATION II - Request for a Variance TO ALLOW 109 PARKING SPACES WHERE 205 SPACES ARE REQUIRED FOR A 125 UNIT MULTI-FAMILY HOUSING COMPLEX on 4.84 acres at 1455 North Main Street (APN 139-27-502-015), C-V (Civic District) Zone under Resolution of Intent to R-5 (Apartment), Ward 5 (Weekly). The Planning Commission (6-1 vote) and staff recommend APPROVAL.

- 115.VAR-17751 - PUBLIC HEARING - APPLICANT/OWNER: HELP LAS VEGAS HOUSING CORPORATION II - Request for a Variance TO ALLOW TWO 45 FOOT HIGH APARTMENT BUILDINGS 59 FEET FROM RESIDENTIAL PROPERTY WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A SETBACK OF 135 FEET on 4.84 acres at 1455 North Main Street (APN 139-27-502-015), C-V (Civic District) Zone under Resolution of Intent to R-5 (Apartment), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
- 116.SDR-17748 - PUBLIC HEARING - APPLICANT/OWNER: HELP LAS VEGAS HOUSING CORPORATION II - Request for a Site Development Plan Review FOR A 125 UNIT MULTI-FAMILY HOUSING COMPLEX on 4.84 acres at 1455 North Main Street (APN 139-27-502-015), C-V (Civic District) Zone under Resolution of Intent to R-5 (Apartment), Ward 5 (Weekly). The Planning Commission (6-1 vote) and staff recommend APPROVAL
- 117.RQR-17518 - PUBLIC HEARING - APPLICANT: REAGAN NATIONAL ADVERTISEMENT - OWNER: GATEWAY MOTEL, INC. - Required One-Year Review of an approved Special Use Permit (U-0028-01) WHICH ALLOWED A 24-FOOT X 28-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 928 Las Vegas Boulevard South (APN 139-34-410-165), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL
- 118.SUP-17729 - PUBLIC HEARING - APPLICANT: MARK JAGET - OWNERS: RICHARD WEISBANT FAMILY TRUST AND 3RD GASS PARTNERS, LLC - Request for a Special Use Permit TO ALLOW A MIXED-USE DEVELOPMENT adjacent to the northeast corner of Gass Avenue and 3rd Street (APNs 139-34-410-112 & 139-34-410-113), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL
- 119.SDR-17731 - PUBLIC HEARING - APPLICANT: MARK JAGET - OWNERS: RICHARD WEISBANT FAMILY TRUST AND 3RD GASS PARTNERS, LLC - Request for a Site Development Plan Review FOR A FIVE STORY MIXED-USE DEVELOPMENT WITH 30 APARTMENTS AND 2,200 SQUARE FEET OF RETAIL AND A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN BUILDING STEPBACK REQUIREMENT on 0.31 acres adjacent to the northeast corner of Gass Avenue and 3rd Street (APNs 139-34-410-112 & 139-34-410-113), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL
- 120.SUP-17307 - PUBLIC HEARING - APPLICANT: LAKESIDE CENTER - OWNER: WFTNV, LLC - Request for a Special Use Permit FOR A PROPOSED RESTAURANT SERVICE BAR AND A WAIVER OF THE 400-FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING CHURCH at 2620 Regatta Drive, Suite #117 (APN 138-16-717-002), C-1 (Limited Commercial) Zone, Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
- 121.SUP-17716 - PUBLIC HEARING - APPLICANT/OWNER: LYLE LOOB - Request for a Special Use Permit FOR A PROPOSED HABITABLE ACCESSORY STRUCTURE at 3613 Hillsdale Court (APN 139-30-616-018), R-1 (Single-Family Residential) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
- 122.SUP-17724 - PUBLIC HEARING - APPLICANT/OWNER: SILVER STATE BANK - Request for a Special Use Permit FOR A PROPOSED DRIVE-THRU FACILITY FOR AN EXISTING FINANCIAL INSTITUTION, GENERAL WITH A WAIVER TO ALLOW A SEPARATION OF 280 FEET FROM A SINGLE FAMILY DWELLING WHERE 330 FEET IS REQUIRED AND TO ALLOW A DRIVE-THRU FACILITY ADJACENT TO THE RIGHT-OF-WAY on 0.63 acres at 7125 North Durango Drive (APN 125-20-117-005), T-C (Town Center) Zone [UC-TC (Urban Center Mixed-Use) Town Center Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
- 123.VAC-16295 - PUBLIC HEARING - APPLICANT/OWNER: ROLAND L. GRAY, ET AL AND FOURTEEN SAC SELF-STORAGE CORPORATION - Petition to Vacate a 20-foot public right-of-way generally located south of the intersection of Jones Boulevard and Rancho Drive, Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend DENIAL
- 124.ROC-18341 - PUBLIC HEARING - APPLICANT/OWNER: WAGNER HOMES, INC. - Request for a Review of Condition Number 11 of an approved Site Development Plan Review (SDR-2418) TO REMOVE THE CONDITION THAT REQUIRED ANY PROPERTY LINE WALL SHALL BE A DECORATIVE BLOCK WALL, WITH AT LEAST 20 PERCENT CONTRASTING MATERIALS. WALL HEIGHTS SHALL BE MEASURED FROM THE SIDE OF THE

FENCE WITH THE LEAST VERTICAL EXPOSURE ABOVE THE FINISHED GRADE, UNLESS OTHERWISE STIPULATED. ALL PERIMETER WALLS, INCLUDING A COMBINATION OF RETAINING AND SCREEN WALLS, SHALL NOT EXCEED EIGHT FEET IN HEIGHT, MEASURED FROM THE BASE OF THE RETAINING WALL, WITHOUT THE APPROPRIATE STEPBACKS for an approved residential subdivision on 10.80 acres adjacent to the southeast corner of Alexander Road and Fort Apache Road (APN 138-08-116-020 and 021) R-PD5 (Residential Planned Development - 5 Units Per Acre) Zone, Ward 4 (Brown). Staff recommends DENIAL

SET DATE

125. Set date on any appeals filed or required public hearings from the City Planning Commission Meetings, Centennial Hills Architectural Review Committee and Dangerous Building or Nuisance/Litter Abatements

CITIZENS PARTICIPATION

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

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

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
Bulletin Board, City Hall Plaza, (next door to Metro Records)
Las Vegas Library, 833 Las Vegas Boulevard North
Clark County Government Center, 500 S. Grand Central Parkway
Grant Sawyer Building, 555 E. Washington Avenue

WATER LINE REIMBURSEMENT AGREEMENT

THIS WATER LINE REIMBURSEMENT AGREEMENT (this "**Agreement**") is made and entered into as of January 3rd, 2007, by and between the CITY OF LAS VEGAS, NEVADA (the "**City**"), and THE HOWARD HUGHES CORPORATION, a Delaware Corporation (the "**Developer**").

WHEREAS, the Developer has requested that the City conduct proceedings pursuant to the provisions of Nevada Revised Statutes Chapter 271 to form a special improvement district within the City (the "**District**"), to levy special assessments, and to issue one or more series of bonds (hereinafter called "**Bonds**") to provide for the construction, acquisition, or furnishing of certain public improvements within the District; and

WHEREAS, the Developer has previously constructed certain water lines described in Exhibit A hereto (the "**Water Lines**") which will benefit the properties anticipated to be in the District; and

WHEREAS, the Developer has requested that the City levy special assessments against the properties in the District to finance a portion of the cost of the Water Lines as well as other public improvements; and

WHEREAS, the Developer desires to dedicate the Water Lines to the Las Vegas Valley Water District ("LVVWD") prior to formation of the District and execution of a Development and Financing Agreement between the City and the Developer relating to the District; and

WHEREAS, the Developer has requested that the City reimburse the Developer for a portion of the costs of the Water Lines from proceeds of the Bonds; and

WHEREAS, the City desires to facilitate such reimbursement, subject to the conditions contained in this Agreement.

NOW THEREFORE, the parties, for mutual consideration, agree as follows:

SECTION 1. DEDICATION OF WATER LINES. The Developer agrees to transfer title to the Water Lines by deed, bill of sale or other means reasonably acceptable to LVVWD. Prior to or in connection with such transfer the Developer shall transfer to LVVWD or the City fee title to the real property where such Water Lines are located or, if acceptable to LVVWD or the City, an easement, in form and substance satisfactory to LVVWD or the City, as applicable.

The Developer at the time of transfer shall warrant that the Water Lines have been constructed in accordance with the plans and specifications therefor which have been approved by LVVWD and the City. The Developer agrees to remedy any defects in the Water Lines and pay for any damage to other work resulting therefrom, which shall appear within 1 year from the date of transfer of title of the Water Lines to LVVWD.

SECTION 2. REIMBURSEMENT FROM BOND PROCEEDS. The City hereby agrees to reimburse the Developer for the costs of the Water Lines solely from Bond proceeds if the following occur:

- A. LVVWD accepts the dedication of the Water Lines;
- B. The Development and Financing Agreement between the City and the Developer relating to the District is executed by the City and the Developer; and
- C. The District is created; and
- D. The Bonds are issued and there are sufficient proceeds from the Bonds to reimburse Developer for the costs of the Water Lines.

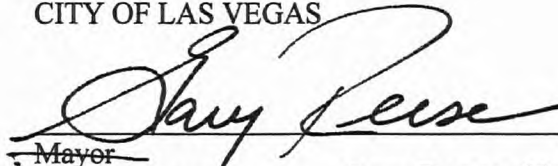
SECTION 3. RESERVED RIGHTS. This Agreement does not in any way create an obligation or commitment that the City will proceed with the issuance of the Bonds, and the City expressly reserves the right to terminate or abandon the proceedings at any time prior to the issuance of the Bonds, if in the City's sole discretion, it deems such termination or abandonment to be in the best interests of the City.

SECTION 4. BINDING EFFECT. This Agreement shall be binding on the successors and assigns of the parties hereto.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement in Clark County, Nevada, as of the date and year first herein above written.

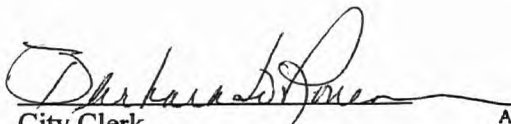
CITY OF LAS VEGAS



~~Mayor~~

City of Las Vegas

Gary Reese, Mayor Pro-Tem



City Clerk
City of Las Vegas

APPROVED AS TO FORM

Val Steed 1-3-07

Date

THE HOWARD HUGHES CORPORATION,
a Delaware Corporation

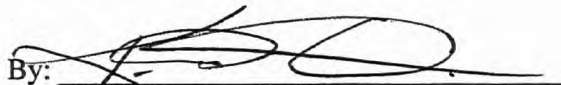
By: 
Title: Top Division Executive

EXHIBIT A

Description of Water Lines

Summerlin Village 23B

Project 9, 3550 Zone Waterline: Far Hills Avenue, Fox Hill Drive, Spoke "B" Road, Desert Foothills Drive, and Alta Drive

This project consists of the construction of an 8,114 lineal foot segment of the 3550-zone water line and all required appurtenances. The project begins at the zone point of connection at the 3435-zone reservoir, then runs west in Far Hills Avenue, south in Fox Hill Drive, southeasterly in Spoke "B" Road, south in Desert Foothills Drive, and west in Alta Drive to Fox Hill Drive. The project has an estimated total construction cost of \$1,789,300. This SID will fund 45% of the total estimated construction cost, which equals \$805,200. Including the additional 15% for soft costs, the SID eligible project cost to be funded by this SID is \$926,000.

Project 10, 3550 Zone Waterline: Alta Drive and Sky Vista Drive

This project consists of the construction of a 5,500 lineal foot segment of the 3550-zone water line and all required appurtenances. The segment is to be constructed in Alta Drive from Fox Hill Drive to Sky Vista Drive and in Sky Vista Drive from Alta Drive to Desert Moon Road. The project has an estimated total construction cost of \$1,458,900. This SID will fund 45% of the total estimated construction cost, which equals \$656,500. Including the additional 15% for soft costs, the SID eligible project cost to be funded by this SID is \$755,000.

Project 11, 3665 Zone Waterline: Far Hills Avenue

This project consists of the construction of a 2,870 lineal foot segment of the 3665-zone north discharge pipeline and all required appurtenances. The segment is to be constructed in Far Hills Avenue for the zone point of connection at the 3435-zone reservoir to Sky Vista Drive. The project has an estimated total construction cost of \$2,651,500. This SID will fund 45% of the total estimated construction cost, which equals \$1,193,200. Including the additional 15% for soft costs, the SID eligible project cost to be funded by this SID is \$1,372,200.

Project 12, 3665 Zone Waterline: Sky Vista Drive

This project consists of the construction of a 5,230 lineal foot segment of the 3665-zone water line and all required appurtenances. The segment is to be constructed in Sky Vista Drive from Far Hills Avenue to Alta Drive. The project has an estimated total construction cost of \$2,455,100. This SID will fund 45% of the total estimated construction cost, which equals \$1,104,800. Including the additional 15% for soft costs, the SID eligible project cost to be funded by this SID is \$1,270,500.

Summerlin Village 24

Project 24, 3350 Zone Waterline: Far Hills Avenue, Fox Hill Drive, Spoke "B" Road, Desert Foothills Drive, and Alta Drive

This project consists of the construction of an 8,114 lineal foot segment of the 3550-zone water line and all required appurtenances. The project begins at the zone point of connection at

the 3435-zone reservoir, then runs west in Far Hills Avenue, south in Fox Hill Drive, southeasterly in Spoke "B" Road, south in Desert Foothills Drive, and west in Alta Drive to Fox Hill Drive. The project has an estimated total construction cost of \$1,789,300. This SID will fund 41% of the total estimated construction cost, which equals \$733,600. Including the additional 15% for soft costs, the SID eligible project cost to be funded by this SID is \$843,700.

Project 25, 3550 Zone Waterline: Alta Drive and Sky Vista Drive

This project consists of the construction of a 5,500 lineal foot segment of the 3550-zone water line and all required appurtenances. The segment is to be constructed in Alta Drive from Fox Hill to Sky Vista Drive and in Sky Vista Drive from Alta Drive to Desert Moon Road. The project has an estimated total construction cost of \$1,458,900. This SID will fund 41% of the total estimated construction cost, which equals \$598,200. Including the additional 15% for soft costs, the SID eligible project cost to be funded by this SID is \$687,900.

Project 26, 3665 Zone Waterline: Far Hills Avenue

This project consists of the construction of a 2,870 lineal foot segment of the 3665-zone north discharge pipeline and all required appurtenances. The segment is to be constructed in Far Hills Avenue from the zone point of connection at the 3435-zone reservoir to Sky Vista Drive. The project has an estimated total construction cost of \$2,651,500. This SID will fund 41% of the total estimated construction cost, which equals \$1,087,100. Including the additional 15% for soft costs, the SID eligible project cost to be funded by this SID is \$1,250,200.

Project 27, 3665 Zone Waterline: Sky Vista Drive

This project consists of the construction of a 5,230 lineal foot segment of the 3665-zone water line with all required appurtenances. The segment is to be constructed in Sky Vista Drive from Far Hills Avenue to Alta Drive. The project has an estimated total construction cost of \$2,455,100. This SID will fund 41% of the total estimated construction cost, which equals \$1,006,600. Including the additional 15% for soft costs, the SID eligible project cost to be funded by this SID is \$1,157,600.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒ Consent ☐ Discussion

SUBJECT:

RESOLUTIONS:

R-2-2007 - Approval of a Resolution Determining the Cost and Directing the City Engineer to prepare the Final Assessment Roll for Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) (\$481,988.99 - Capital Projects Fund/Special Assessments) - Ward 6 (Ross)

Fiscal Impact

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Amount: \$481,988.99

Funding Source: Capital Projects Fund - Special Assessments

Dept./Division: Public Works/SID

PURPOSE/BACKGROUND:

This resolution directs the City Engineer to prepare the Final Assessment Roll for the construction and installation of pavement, curb and gutter, sidewalk, driveway approaches, water laterals and mains, sewer laterals and mains, and streetlights.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-2-2007

Motion made by GARY REESE to Approve Items 13-36 and 38-42

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

RESOLUTION NO. R-2-2007

A RESOLUTION CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1490 – TENAYA WAY (NORTHERN BELTWAY TO ELKHORN ROAD); DETERMINING THE COST TO BE ASSESSED AND AUTHORIZING, ORDERING AND DIRECTING THE CITY ENGINEER TO PREPARE THE FINAL ASSESSMENT ROLL AND PROVIDING THE EFFECTIVE DATE HEREOF.

Summary: Assessment Roll Preparation

WHEREAS, the City Council of the City of Las Vegas in the County of Clark, State of Nevada, (hereinafter the "City Council" and the "City" respectively) pursuant to an ordinance heretofore adopted (hereinafter the "Creation Ordinance") created the City of Las Vegas, Nevada, Special Improvement District No. 1490 – Tenaya Way (Northern Beltway to Elkhorn Road) (hereinafter the "District") and ordered the acquisition of certain public improvements (hereinafter the "Project") within the District; and

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

WHEREAS, the City Council has heretofore determined that a portion of the cost and expense of the Project is to be paid by special assessments levied against the benefited lots, tracts and parcels of land in the District; and

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

WHEREAS, in accordance with NRS 271.360, the City Council has determined and does hereby declare that the net cost to the City for the Project in the District (including all necessary incidentals, which either have been or will be incurred in connection with the District) is \$4,165,963.00, of which \$3,683,974.01 is available from other sources and \$481,988.99 is to be assessed upon the benefited lots, tracts and parcels of land in the District.

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

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

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

Total Cost	Estimated Amount of Special Assessments	Amount Available From Other Sources
\$4,165,963.00	\$481,988.99	\$3,683,974.01

Section 3. The City Engineer (hereinafter the "Engineer") be, and he is hereby authorized, ordered and directed, with the assistance of the City Engineer Division, to make out and prepare, an assessment roll for the District containing, among other things:

(1) The name and address of each last known owner of each lot, tract, or parcel of land to be assessed.

(2) A description of each lot, tract or parcel of land to be assessed, and the amount of the proposed assessment thereon, apportioned upon the basis for assessments heretofore determined by the City Council in the Creation Ordinance and as stated in the provisional order for the hearing on the Project.

Section 4. Immediately upon the adoption of this Resolution, the City Clerk shall cause a copy of this Resolution to be furnished to the Engineer. When the Engineer has made out and prepared the assessment roll, pursuant to Section 3 of this Resolution, he shall report the assessment roll to the Council and shall cause the same to be filed in the office of the City Clerk and numbered. The Engineer shall submit an executed certificate in the form provided in Subsection 3 of NRS 271.375, which certificate, duly executed, shall accompany the assessment roll.

Section 5. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution, including without limiting the generality of the foregoing, the preparation of all further necessary legal proceedings, assessment rolls

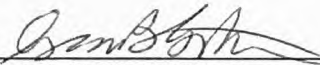
and lists, supplemental report(s) on benefits, and other items necessary or desirable for the completion of the District.

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

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

Section 8. The City Council has determined and declares, that this Resolution shall be in effect upon its passage in accordance with the law.

PASSED AND APPROVED on January 3, 2007.



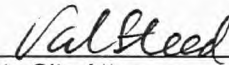
OSCAR B. GOODMAN, Mayor

Attest:



BARBARA JO RONEMUS, City Clerk

Approved as to Form:

12-20-06 
Date Deputy City Attorney

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

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

1. The foregoing pages constitute a true, correct, complete and compared copy of a resolution adopted by the City Council of the City (hereinafter the "City Council") at a meeting held on January 3, 2007.

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

Those Voting Aye:	Oscar B. Goodman Gary Reese Larry Brown Lawrence Weekly Steve Wolfson Lois Tarkanian Steven D. Ross
-------------------	---

Those Voting Nay:	None
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Those Absent:	None
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3. The original of the resolution has been approved and authenticated by the signatures of the Mayor of the City and myself as City Clerk and has been recorded in the regular official record of the City Council kept for that purpose in my office, which record has been duly signed by the officers and properly sealed.

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

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

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) Bulletin Board
City Hall Plaza (next door to Metro Records)
Las Vegas, Nevada
- (iii) Las Vegas Library
833 Las Vegas Boulevard North
Las Vegas, Nevada
- (iv) Clark County Government Center
500 South Grand Central Parkway
Las Vegas, Nevada
- (v) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada

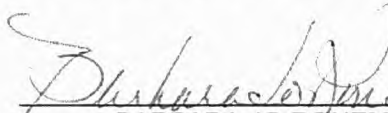
(b) By mailing a copy of the notice to each person, if any, who has requested notice of the meetings of the City Council in the same manner in which notice is required to be mailed to a member of the City Council. Such notice was delivered to the postal service no later than 9:00 a.m. on the third working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

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

6. A copy of such notice so given of the meeting of the City Council on January 3, 2007, is attached to this certificate as Exhibit "A".

IN WITNESS WHEREOF, I have hereunto set my hand on this January 3, 2007.

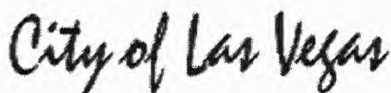
(SEAL)



BARBARA JO RONEUMUS, City Clerk

Exhibit "A"

(Attach Notice of Meeting and Agenda)

**CITY COUNCIL
AGENDA****COUNCIL CHAMBERS • 400 STEWART AVENUE • PHONE 229-6011****CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.lasvegasnevada.gov>****OSCAR B. GOODMAN, MAYOR (At-Large) • COUNCILMAN GARY REESE, MAYOR PRO TEM
(Ward 3)****COUNCIL MEMBERS: LARRY BROWN (Ward 4), LAWRENCE WEEKLY (Ward 5),
STEVE WOLFSON (Ward 2), LOIS TARKANIAN (Ward 1), STEVEN D. ROSS (Ward 6)**

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

January 03, 2007**Morning Session begins at 9:00 a.m.****Afternoon Session begins at 1:00 p.m.**

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

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

DUPLICATE AUDIO CD'S AND DUPLICATE AUDIO/VIDEO DVD'S MAY BE AVAILABLE AT A COST OF \$5.00 EACH THROUGH THE CITY CLERK'S OFFICE.

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

CEREMONIAL MATTERS

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. INVOCATION – REVEREND MARY BREDLAU, PALM MORTUARY
4. PLEDGE OF ALLEGIANCE
5. OATH OF OFFICE ADMINISTERED TO ROB W. BARE FOR MUNICIPAL COURT JUDGE, DEPARTMENT 6
6. RECOGNITION OF THE CITIZEN OF THE MONTH
7. RECOGNITION OF BUFFALO WILD WINGS FOR SUPPORT OF THE LAS VEGAS FIRE AND RESCUE DEPARTMENT
8. RECOGNITION OF PALO VERDE HIGH SCHOOL BOYS STATE AAAA TENNIS CHAMPIONS
9. RECOGNITION OF STELLA FLEMING SENIOR CENTER RESIDENT SEMOINE BROUNER FOR VOLUNTEER SERVICE
10. RECOGNITION OF THE MEADOWS SENIOR MOBILE HOME PARK BOARD OF DIRECTORS FOR COMMUNITY OUTREACH

BUSINESS ITEMS - MORNING

11. Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time
12. Approval of the Final Minutes by reference of the regular City Council meeting of November 15, 2006

CONSENT AGENDA

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

BUSINESS DEVELOPMENT - CONSENT

13. Approval of Declaration of Reserved Easement for Emergency Access for the benefit of Foundation for an Independent Tomorrow, on the west side of Stella Lake Street, approximately 600 feet south of Lake Mead Boulevard (APN 139-21-313-011) - Ward 5 (Weekly)

FIELD OPERATIONS - CONSENT

14. Approval of a Grant of Easement from the City of Las Vegas to Nevada Power Company to cancel and supersede the Right-of-Entry previously on record and continue to allow Nevada Power Company access to the site for electrical systems needs located at 1551 South Buffalo Drive commonly known as All American Park, APN 163-04-604-002 - Ward 2 (Wolfson)

FINANCE & BUSINESS SERVICES - ADMINISTRATION CONSENT

15. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES CONSENT

16. Approval of a Special Event License for Beauty Bar Salon, Location: 517 Fremont Street, Date: January 5, 2007, Type: Special Event General, Event: Music and Dancing Live Arts, Responsible Person in Charge: Scott Infantolino - Ward 5 (Weekly)
17. Approval of a Special Event License for Go Home Limited, Location: World Market Center, 495 South Grand Central Parkway, Suite 318, Dates: January 29-31, 2007 and February 1-2, 2007, Type: Special Event General, Event: Trade Show, Responsible Person in Charge: Lauren Weinstein - Ward 5 (Weekly)
18. Approval of Change of Ownership, Change of Business Name and Change of Location for a Tavern License subject to the provisions of the planning and fire codes and Health Dept. regulations, From: Samcon, Inc., dba Tomfoolery's, Sean T. Higgins, Pres, 100%, To: The Lodge At Grand Teton Operator, LLC, dba The Lodge At Grand Teton, 8350 Grand Teton Drive, Stuart E. Apollo, Mmbr, 100% - Ward 6 (Ross)
19. Approval of Change of Ownership and Change of Business Name for a Burglar Alarm Service License, From: National Alarm Computer Center, Inc., dba National Alarm Computer Center, Stephen B. Baker, VP, To: Integrated Alarm Services Group, Inc., dba Criticom International, 96 Corporate Park Drive, Robert B. Heintz, VP, Michael T. Moscinski, CFO and Brian Edward Shea, Executive VP - California
20. Approval of a new Hypnotist License, Donna Jean Rod, dba Donna Rod, 800 North Rainbow Boulevard, Suite 170, Donna J. Rod, 100% - Ward 1 (Tarkanian)

21. Approval of a new Hypnotherapist License subject to the provisions of the planning and fire codes, Maria Lifrieri, dba NY Hypnosis & Laser Center, Ltd., 8871 West Sahara Avenue, Suite 100, Maria S. Lifrieri, 100% - Ward 2 (Wolfson)

FINANCE & BUSINESS SERVICES - PURCHASING & CONTRACTS CONSENT

22. Approval of award of Modification No. 2 to Contract No. 060017 for Maintenance of Yucca Mountain Monitoring Program - Office of Administrative Services - Award recommended to: URBAN ENVIRONMENTAL RESEARCH, LLC (\$74,072 - Multipurpose Special Revenue Fund)
23. Approval of award of Bid No. 06.53541.01-LED, Warehouse Expansion and Office Addition - Water Pollution Control Facility (WPCF) located at 6005 East Vegas Valley Drive and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: APCO CONSTRUCTION (\$1,114,140 - Sanitation Enterprise Fund) - County
24. Approval of a Purchase Order for Diversity Champions Training - Department of Human Resources - Award recommended to: GUARDIAN QUEST (not-to-exceed \$100,000 - General Fund)
25. Approval of ratification of a purchase order for Chevrolet Vehicles - Department of Field Operations - Award recommended to: CHAMPION CHEVROLET (\$50,438.25 - Automotive Service Internal Service Fund)

NEIGHBORHOOD SERVICES - CONSENT

26. Approval to enter into an Agreement with the State of Nevada, Department of Business and Industry, Housing Division (NHD) to receive \$1,809,000 in Low Income Housing Trust Fund (LIHTF) funds for qualified Trust Fund projects or activities subject to entering into written agreements with the recipients and requiring compliance with the regulations under NRS Chapter 319 and NAC 319 - All Wards
27. Approval of an allocation of \$200,000 in Home Investment Partnership Programs/Low-Income Housing Trust Funds (HOME/LIHTF) to Neighborhood Services Department, EVOLVE Program to operate a tenant-based rental assistance program - All Wards

PUBLIC WORKS - CONSENT

28. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Art Consulting Engineers on behalf of Gordon and Bryan Investment, LLC, owner (southwest corner of Torrey Pines Drive and Jo Marcy Drive, APN 125-14-106-002) - County (near Ward 6 - Ross)
29. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Peak Development Services on behalf of Indian Summer Development, LLC, owner (northeast corner of Tee Pee Lane and Ann Road, APN 125-30-807-001) - County (near Ward 6 - Ross)
30. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Affleck Engineering on behalf of G.L. Kennedy Trust, Gay Louise Kennedy, Trustee and Gall Family Trust Dated November 26, 2001, Steven H. Gall and V. Joyce Gall, Trustees, owners (north of Maggie Avenue between Four Views Street and Homestead Street, APN 125-08-502-005) - County (near Ward 6 - Ross)
31. Approval of an Encroachment Request from TRC/BV Engineering Nevada on behalf of Parkway Center, LLC, owner (northeast corner of Grand Central Parkway and City Parkway) - Ward 5 (Weekly)
32. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Kevin Skehan and Candi Skehan, owners (south of Deer Springs Way and west of Mustang Street, APN 125-23-701-003) - County (near Ward 6 - Ross)
33. Approval of an Encroachment Request from JPL Engineering, Incorporated, on behalf of Urban Lofts X, Limited, owner (Fremont Street between Bruce Street and Eastern Avenue) - Ward 3 (Reese)
34. Approval of an Encroachment Request from the Las Vegas - Clark County Library District, owner (Sahara Avenue between Grand Canyon Drive and Village Square Center) - Ward 2 (Wolfson)

35. Approval to appraise and purchase or condemn right-of-way parcels for the East Charleston Boulevard Bus Turnouts project from Fremont Street to Nellis Boulevard (\$700,000 - Regional Transportation Commission [RTC]) - Ward 3 (Reese)
36. Approval to file an amendment to Right-of-Way Grant N-77772 with the Bureau of Land Management for roadway, sanitary sewer, trails, streetscape amenities and drainage purposes on portions of land lying within portions of Section 1, Township 19 South, Range 59 East, Mount Diablo Meridian, generally located from Iron Mountain Road to Hualapai Way, APNs 126-01-401-003, 126-01-401-001 and 126-01-502-005 - Ward 6 (Ross)
37. Approval of a Cooperative Agreement with the Nevada Department of Transportation (NDOT) for perpetual maintenance of the Bonanza Trail located within the NDOT right-of-way, beginning at the intersection of Washington Avenue and Durango Drive and ending at the intersection of Decatur Boulevard and the US-95 off-ramp (\$90,000 yearly - General Fund) - Wards 1, 4 and 5 (Tarkanian, Brown and Weekly)

RESOLUTIONS - CONSENT

38. R-1-2007 - Approval of a Resolution concerning proposed Special Improvement Districts within the Summerlin area, approving a Water Line Reimbursement Agreement and other related matters - Ward 2 (Wolfson)
39. R-2-2007 - Approval of a Resolution Determining the Cost and Directing the City Engineer to prepare the Final Assessment Roll for Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) (\$481,988.99 - Capital Projects Fund/Special Assessments) - Ward 6 (Ross)
40. R-3-2007 - Approval of a Resolution fixing the time and place when complaints, protests, and objections to the Final Assessment Roll will be heard for Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) (\$481,988.99 - Capital Projects Fund/Special Assessments) - Ward 6 (Ross)
41. R-4-2007 - Approval of a Resolution overruling complaints, protests, and objections and confirming the Final Assessment Roll for Special Improvement District No. 1493 - Hualapai Way/Alexander Road (Cheyenne Avenue to Cimarron Road) - Ward 4 (Brown)
42. R-5-2007 - Approval of a Resolution overruling complaints, protests, and objections and confirming the Final Assessment Roll for Special Improvement District No. 1505 - Sierra Oeste Neighborhood Streetlights (\$62,576.19 - Capital Projects Fund/Special Assessments) - Ward 5 (Weekly)

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

43. Report from the City Manager on Emerging Issues

CITY ATTORNEY - DISCUSSION

44. Discussion and possible action on Appeal of Work Card Denial: Approved July 12, 2006 granting a site specific work card with a six month review: Susan Rhea Gilloon, 1300 Fremont Street #258, Las Vegas, Nevada 89101
45. Discussion and possible action on Appeal of Work Card Denial: Flaviana A. Guerette, 7241 Early Pioneer Avenue, Las Vegas, Nevada 89129
46. ABEYANCE ITEM - Discussion and possible action to retain the consulting services of Williams Aviation to assist the City of Las Vegas in an appeal of the FAA record of decision regarding the proposed right turn at McCarran International Airport (\$100,000 - General Fund)
47. ABEYANCE ITEM - Discussion and possible action to retain legal services of Chevalier, Allen and Lichman to represent the City of Las Vegas in an appeal of the FAA record of decision regarding the proposed right turn at McCarran International Airport (\$300,000 - General Fund)

48. Discussion and possible action to award Contract No. 070128 for Aviation Consultant Services - Department of Government & Community Affairs - Award recommended to: WILLIAMS AVIATION CONSULTANTS, INC. (\$57,000 - General Fund) - All Wards

CITY AUDITOR - DISCUSSION

49. Discussion and possible action on Annual Audit Recommendation Follow-Up as of June 30, 2006 (2600-0607-03)

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES DISCUSSION

50. Discussion and possible action regarding Temporary Approval of Change of Ownership and Change of Business Name for a Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes and Health Dept. regulations, From: Las Familias, dba Enricos Italian Bistro, Joanne M. Prieto, Dir, Pres, Sec, Treas, 100%, To: Lorenzo's Italian Bistro, Inc., dba Lorenzo's Italian Bistro, 4864 West Lone Mountain Road, Lorenzo G. Sommaggio, Pres, 100% - Ward 6 (Ross)
51. Discussion and possible action regarding Temporary Approval of a new Supper Club License subject to the provisions of the planning codes, Bor Vada, LP, dba On The Border, 5630 Centennial Center Boulevard, GenBusiness Corporation, General Partner, 5%, John D. Gantes, Principal, Yanni Capital Business Partnership, LP, Limited Partner, 95%, John D. and Linda R. Gantes, Community Property Trust, Principal - Ward 6 (Ross)
52. Discussion and possible action regarding Temporary Approval of Change of Ownership, Change of Location and Change of Business Name for a Tavern License, From: Golden Wok Restaurant, Inc., dba Golden Wok Restaurant (Non-operational), 504 South Decatur Boulevard, Koon K. Chang, Pres, Yuk C. Chan, Secy and Kwok W. Cheng, Treas, To: Culture Club of Las Vegas, LLC., dba Polly Esther's, 2000 South Las Vegas Boulevard, Andrew W. Adelman, 33.3%, Robert M. Watman, 33.3% and Bamny, LLC., Timothy T. Ouellette, 33.3% - Ward 3 (Reese)
53. Discussion and possible action regarding Temporary Approval of a new Tavern License subject to the provisions of the fire codes and Health Dept. regulations, Outback Nevada II, L.P., dba Outback Steakhouse, 740 South Decatur Boulevard, Outback Steakhouse of Florida, Inc., General Partner, 81%, Summit West Corporation, Limited Partner, 9% and John Kanas, Limited Partner, 10% - Ward 1 (Tarkanian)
54. Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, Pablo Padilla, dba Padilla's Martial Arts, 871 North Nellis Boulevard, Suite 2, Pablo Padilla, 100% - Ward 3 (Reese)
55. Discussion and possible action on an Appeal of Non-renewal of an Independent Massage Therapist License, David R. Silvaggio, 9330 West Sahara Avenue, # 250 - Ward 2 (Wolfson)
56. ABEYANCE ITEM - Discussion and possible action regarding a new Psychic Arts and Science License subject to the provisions of the planning and fire codes, Lorraine Marks, dba Ms. Laurie, 425 Fremont Street - Ward 3 (Reese)

NEIGHBORHOOD SERVICES - DISCUSSION

57. Report on the status of the Southern Nevada Regional Planning Coalition (SNRPC) Committee on Homelessness (CoH) regional effort - All Wards

PUBLIC WORKS - DISCUSSION

58. Report on the status of the US-95 widening project between Kyle Canyon Road and Charleston Boulevard and I-15 from Craig Road to Sahara Avenue - All Wards

RESOLUTIONS - DISCUSSION

59. R-6-2007 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the Redevelopment Agency and Ernesto J. Savino, located at 418 South Maryland Parkway (APN 139-34-811-064), to be in compliance with and in furtherance of the goals and objectives of the Redevelopment Agency - Ward 3 (Reese) [NOTE: This item is related to RDA Items 4 (RA-1-2007) and 5]
60. R-7-2007 - Discussion and possible action regarding a Resolution Consenting to the Real Property Exchange Agreement between the City of Las Vegas Redevelopment Agency and the Las Vegas Police Protective Association Metro, Inc., for the exchange of real property located at the Southeastern corner of 4th Street and Clark Avenue (APN 139-34-303-002) for the real property located at the Northwestern corner of 7th Street and Stewart Avenue (APN 139-34-501-011) to be in compliance with and in furtherance of the goals and objectives of the Redevelopment Agency (RDA) (\$314,250 approximate in-kind contribution - RDA) - Wards 3 and 5 (Reese and Weekly) [NOTE: This item is related to RDA Items 6 (RA-2-2007) and 7]

RECOMMENDING COMMITTEE REPORT - DISCUSSION**BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING**

61. Bill No. 2006-67 – Adopts an updated version of the Las Vegas Downtown Centennial Plan, together with related development standards. Sponsored by: Councilman Gary Reese
62. Bill No. 2006-68 – Adopts the Union Park Design Standards and integrates them into other provisions that pertain to the Downtown Overlay District. Sponsored by: Mayor Oscar B. Goodman

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

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

63. Bill No. 2006-70 – Amends the legal description and map describing and depicting the boundaries of the Pedestrian Mall to reflect certain street vacation actions. Proposed by: Bradford R. Jerbic, City Attorney
64. Bill No. 2006-71 – Adopts provisions regarding the use of public streets for motorized racing events. Sponsored by: Councilman Gary Reese and Councilman Lawrence Weekly
65. Bill No. 2006-72 – Adopts the 2005 Edition of the National Electrical Code, together with amendments and supplementary material. Proposed by: Paul K. Wilkins, Director of Building and Safety
66. Bill No. 2006-73 – Adopts the 2006 Edition of the Southern Nevada Pool Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
67. Bill No. 2006-74 – Adopts the 2006 Edition of the Uniform Mechanical Code, together with amendments thereto, as the City's Mechanical Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
68. Bill No. 2006-75 – Adopts the 2006 Edition of the Uniform Plumbing Code, together with amendments thereto, as the City's Plumbing Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
69. Bill No. 2006-76 – Adopts the 2006 Edition of the International Energy Conservation Code, along with amendments thereto. Proposed by: Paul K. Wilkins, Director of Building and Safety
70. Bill No. 2006-77 – Adopts the 2006 Editions of the International Building Code and the International Residential Code, together with amendments thereto. Proposed by: Paul K. Wilkins, Director of Building and Safety

71. Bill No. 2006-78 – Updates the City’s Administrative Code, relating to the administration of the various building and technical codes. Proposed by: Paul K. Wilkins, Director of Building and Safety
72. Bill No. 2006-79 – Allows small wind energy systems as a conditional use in the R-A, R-E and R-D Zoning Districts. Sponsored by: Councilman Steven D. Ross
73. Bill No. 2006-80 - Ordinance Creating Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) Sponsored by: Step Requirement
74. Bill No. 2006-81 - Grants to Nevada Power Company, a Nevada Corporation, a non-exclusive franchise to install, operate and maintain an electrical distribution system to provide electrical service to consumers within the City subject to and in accordance with the terms and conditions of the Franchise Agreement between the City and Nevada Power Company. Proposed by: Mark R. Vincent, Director of Finance and Business Services

NEW BILLS - DISCUSSION

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

75. Bill No. 2007-1 - Levies Assessment for Special Improvement District No. 1493 – Hualapai Way/Alexander Road (Cheyenne Avenue to Cimarron Road). Sponsored by: Step Requirement
76. Bill No. 2007-2 - Levies Assessment for Special Improvement District No. 1505 – Sierra Oeste Neighborhood Streetlights. Sponsored by: Step Requirement
77. Bill No. 2007-3 – Annexation No. ANX-12215 – Property location: On the north and south sides of I-215 (Clark County Highway 215), between Shaumber Road and Fort Apache Road; Petitioned by Southwest Desert Equities, LLC, et al.; Acreage: Approximately 259 acres; Zoned: R-E and P-F (County zoning), U (R), U (RNP), U (L), U (P-F) and C-V (City equivalents). Sponsored by: Councilman Steven D. Ross
78. Bill No. 2007-4 – Clarifies and standardizes the provisions that govern the expiration and termination of zoning-related applications and approvals. Proposed by: M. Margo Wheeler, Director of Planning and Development

1:00 P.M. - AFTERNOON SESSION

BUSINESS ITEMS - AFTERNOON

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

HEARINGS - DISCUSSION

80. Public Hearing to consider the report of expenses to recover costs for mitigation abatement of vacant or abandoned building and assess civil penalties located at 960 G Street. PROPERTY OWNER: ELSIE BATIE (\$19,062.71 - General Fund) – Ward 5 (Weekly)
81. Public Hearing to consider the report of expenses to recover costs for mitigation abatement of vacant or abandoned building and assess civil penalties located at 3804 Beacon Point Street. PROPERTY OWNER: KIONNE JOHNSON (\$3,452.90 - General Fund) - Ward 4 (Brown)
82. Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building located at 9504 Belgate Court. PROPERTY OWNER: POFERIA DYES-ALBRIGHT (\$3,282.50 - General Fund) - Ward 4 (Brown)
83. ABEYANCE ITEM - Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building located at 886 Miller Avenue. PROPERTY OWNER: WALTER & LIZZIE THOMAS (\$4,973 –

General Fund) - Ward 5 (Weekly)

PLANNING & DEVELOPMENT

THE ITEMS LISTED BELOW, WHERE APPROPRIATE, HAVE BEEN REVIEWED BY THE VARIOUS CITY DEPARTMENTS RELATIVE TO REQUIREMENTS FOR STORM DRAINAGE AND FLOOD CONTROL, CONNECTION TO SANITARY SEWER, TRAFFIC CIRCULATION, AND BUILDING AND FIRE REGULATIONS. THEIR COMMENTS AND/OR RECOMMENDATIONS AND REQUIREMENTS HAVE BEEN INCORPORATED INTO THE ACTION

PLANNING & DEVELOPMENT - CONSENT

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

84. EOT-18225 - APPLICANT/OWNER: ANTONETTE MARTINEZ - Request for an Extension of Time of an approved Variance (VAR-5373) THAT ALLOWED A 10-FOOT REAR YARD SETBACK WHERE 35 FEET IS THE MINIMUM REQUIRED IN CONJUNCTION WITH A PROPOSED ROOM ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE on 0.47 acres at 2240 Shaw Circle (APN 163-03-802-004), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL
85. EOT-18217 - APPLICANT: WOOD PARTNERS - OWNER: ALTA MONTECITO - Request for an Extension of Time of an approved Special Use Permit (SUP-5296) THAT ALLOWED A DENSITY OF 66.94 UNITS WHERE 50 UNITS PER ACRE IS THE MAXIMUM ALLOWED FOR AN APPROVED 399-UNIT HIGH DENSITY RESIDENTIAL DEVELOPMENT on 5.96 acres adjacent to the southeast corner of Elkhorn Road and Grand Montecito Parkway (APN 125-20-510-002), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use) Town Center Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

86. DIR-18171 - APPLICANT/OWNER: RITZ COVE HOMEOWNERS ASSOCIATION - Request TO ALLOW THE OPERATION OF A 57 SQUARE FOOT WATER FEATURE at the entrance to an existing single family residential development at 2501 Monarch Bay Drive (APN 138-16-812-032), Ward 4 (Brown). Staff recommends APPROVAL
87. SUP-17551 - PUBLIC HEARING - APPLICANT: FAMOUS UNCLE AL'S HOT DOGS - OWNER: VIRGIN TERRITORY, LLC - Request for a Special Use Permit FOR A PROPOSED BEER/WINE/COOLER ON-SALE ESTABLISHMENT IN CONJUNCTION WITH A PROPOSED RESTAURANT at 6020 West Craig Road (APN 138-02-611-006), R-E (Residence Estates) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Ross). NOTE: THE CORRECT ADDRESS IS 6010 WEST CRAIG ROAD, SUITE #110. The Planning Commission (7-0 vote) and staff recommend APPROVAL
88. SDR-16954 - PUBLIC HEARING - APPLICANT: THE CHONG CO. - OWNER: CFT-TCC NELLIS, LLC - Request for a Site Development Plan Review FOR A 8,345 SQUARE FOOT SHOPPING CENTER on 1.24 acres on the west side of Nellis Boulevard, approximately 1,060 feet south of Bonanza Road (APN 140-32-517-003), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
89. SDR-17717 - PUBLIC HEARING - APPLICANT/OWNER: STEWART/NELLIS PARTNERS, LLC - Request for a Site Development Plan Review FOR AN 84,245 SQUARE FOOT SHOPPING CENTER on 7.81 acres on property adjacent to the northwest corner of Nellis Boulevard and Stewart Avenue, (APN 140-32-601-005), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
90. MOD-12919 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DORSAL DEVELOPMENT, LLC - OWNER: FULSTONE 1993 TRUST AND JEFF SELLINGER - Request for a Major Modification to the Las Vegas Medical District Plan TO AMEND THE LAND USE DESIGNATION FROM: MD-2 (MAJOR MEDICAL) TO: MD-1 (MEDICAL SUPPORT) on 0.74 acres at 728 Desert Lane (APN 139-33-402-021), Ward 5 (Weekly). The Planning

Commission (7-0 vote) and staff recommend APPROVAL

91. SUP-16246 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DORSAL DEVELOPMENT, LLC - OWNER: FULSTONE 1993 TRUST AND JEFF SELLINGER - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT at 728 Desert Lane (APN 139-33-402-021), [PROPOSED: MD-1 (MEDICAL SUPPORT) Las Vegas Medical District Plan Designation], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend DENIAL
92. SDR-12922 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DORSAL DEVELOPMENT, LLC - OWNER: FULSTONE 1993 TRUST AND JEFF SELLINGER - Request for a Site Development Plan Review FOR A PROPOSED FIVE-STORY MIXED-USE DEVELOPMENT CONSISTING OF 24 RESIDENTIAL CONDOMINIUM UNITS AND 13,465 SQUARE FEET OF MEDICAL OFFICE SPACE on 0.74 acres at 728 Desert Lane (APN 139-33-402-021), PD (Planned Development) Zone [MD-2 (Major Medical) Las Vegas Medical District Special Land Use Designation] [PROPOSED: MD-1 (Medical Support) Las Vegas Medical District Special Land Use Designation], Ward 5 (Weekly). NOTE: This application has been amended from 24 Residential Condominium Units to 30 Residential Condominium Units and from 13,465 square feet of Medical Office space to 9,350 square feet of Medical Office space. The Planning Commission (7-0 vote) and staff recommend DENIAL
93. ZON-15031 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: 3100 MEADE, LLC - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-M (COMMERCIAL/INDUSTRIAL) on 0.80 acres approximately 300 feet north of Meade Avenue, 980 feet west of Rancho Drive (APN 162-08-201-005), Ward 1 (Tarkanian). The Planning Commission (4-2 vote) and staff recommend APPROVAL
94. SDR-15030 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: 3100 MEADE, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF TWO EXISTING STORAGE BUILDINGS TO A LIGHT MANUFACTURING FACILITY on 0.80 acres approximately 300 feet north of Meade Avenue and 980 feet west of Rancho Drive (APN 162-08-201-005), R-1 (Single Family Residential) Zone [PROPOSED: C-M (Commercial/Industrial) Zone], Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL
95. ZON-16915 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GHASSAN MISHFERI - Request for a Rezoning FROM: R-E (RESIDENTIAL ESTATES) TO: R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE) on 1.08 acres on the north side of Smoke Ranch Road, approximately 467 feet east of Michael Way (APN 138-13-801-068), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
96. VAR-16996 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GHASSAN MISHFERI - Request for a variance TO ALLOW A RESIDENTIAL PLANNED DEVELOPMENT OF 1.08 ACRES WHERE FIVE ACRES IS THE MINIMUM AREA REQUIRED on the north side of Smoke Ranch Road, approximately 467 feet east of Michael Way (APN 138-13-801-068), R-E (Residential Estates) Zone under Resolution of Intent to R-PD6 (Residential Planned Development - 6 Units per Acre), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
97. SDR-16914 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GHASSAN MISHFERI - Request for a Site Development Plan Review FOR A 6 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 1.08 acres on the north side of Smoke Ranch Road, approximately 467 feet east of Michael Way (APN 138-13-801-068), R-E (Residential Estates) Zone under Resolution of Intent to R-PD6 (Residential Planned Development - 6 Units per Acre), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
98. VAR-16144 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: T-MOBILE USA, INC. - OWNER: MESQUITE WOOD 3, LLC - Request for a Variance TO ALLOW A 70-FOOT TALL WIRELESS COMMUNICATIONS TOWER 68.2 FEET FROM RESIDENTIAL PROPERTY WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRES 210 FEET on 3.82 acres at 1620 Bracken Avenue (APN 162-02-208-001), C-V (Civic) Zone, Ward 3 (Reese). The Planning Commission (6-0-1 vote) and staff recommend DENIAL

99. SUP-16143 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: T-MOBILE USA, INC. - OWNER: MESQUITE WOOD 3, LLC - Request for a Special Use Permit FOR A WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN on 3.82 acres at 1620 Bracken Avenue (APN 162-02-208-001), C-V (Civic) Zone, Ward 3 (Reese). The Planning Commission (6-0-1 vote) and staff recommend DENIAL
100. VAR-16505 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: ALVY COOK - Appeal filed by the applicant from the denial by the Planning Commission of a request for a Variance TO ALLOW A FIVE-FOOT REAR YARD SETBACK WHERE 15 FEET IS THE MINIMUM SETBACK REQUIRED FOR A PROPOSED ROOM ADDITION at 1117 Strong Drive (APN 162-05-511-005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian). The Planning Commission (6-1 vote) and staff recommend DENIAL
101. VAR-17156 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GLENN J. SORRELLS - Appeal filed by the applicant from the denial by the Planning Commission of a request for a Variance TO ALLOW A SEVEN-FOOT HIGH WALL WHERE A FIVE-FOOT HIGH WALL IS THE MAXIMUM HEIGHT PERMITTED IN A PORTION OF THE FRONT YARD on 0.15 acres at 1109 Shifting Sands Drive (APN 138-26-615-088), R-1 (Single Family Residential) Zone, Ward 5 (Weekly). NOTE: THE APPLICATION IS FOR AN EIGHT FOOT HIGH WALL WHERE A FIVE-FOOT HIGH WALL IS THE MAXIMUM. The Planning Commission (7-0 vote) and staff recommend DENIAL
102. RQR-17098 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: CONSTANTINO NOVAL NV, LLC - Appeal filed by the applicant from the denial by the Planning Commission of a Required Four-Year Review of an approved Special Use Permit (U-0025-98) WHICH ALLOWED A 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 73 South Martin L King Boulevard (APN 139-33-510-002), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend DENIAL
103. SDR-15747 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH - Request for a Site Development Plan Review FOR A PROPOSED 31,126 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP AND A WAIVER OF THE PERIMETER LANDSCAPING REQUIREMENTS on 8.55 acres at the northwest corner of Rainbow Boulevard and Westcliff Drive (a portion of APN 138-27-802-004), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
104. SDR-17057 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: SANTA FE 124, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF A 124-UNIT APARTMENT COMPLEX TO A CONDOMINIUM DEVELOPMENT on 6.0 acres at 1111 Warbonnet Way (APN 163-04-501-004), R-PD23 (Residential Planned Development - 23 Units Per Acre) Zone, Ward 2 (Wolfson). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
105. SDR-17298 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: REPUBLIC SERVICES OF SOUTHERN NEVADA - OWNER: PREMIER TRUST OF NEVADA - Request for a Site Development Plan Review FOR A PROPOSED PARKING LOT AND A WAIVER TO ALLOW A REDUCTION OF THE PERIMETER LANDSCAPING BUFFERING REQUIREMENTS on 0.52 acres adjacent to the north side of Sahara Avenue, approximately 600 feet east of 6th Street (APN 162-03-801-018), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
106. ZON-17697 - PUBLIC HEARING - APPLICANT/OWNER: RICHMOND AMERICAN HOMES - Request for a Rezoning FROM: U (UNDEVELOPED) Zone [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] under Resolution of Intent to R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) TO: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) on 10.30 acres adjacent to the northwest and northeast corners of Ann Road and Mustang Street (APN 125-26-801-012 and 125-26-802-014), Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend DENIAL
107. SDR-17698 - PUBLIC HEARING - APPLICANT/OWNER: RICHMOND AMERICAN HOMES - Request for a Site Development Plan Review of A 32 LOT RESIDENTIAL SUBDIVISION on 10.30 acres adjacent to the northwest and northeast corners of Ann Road and Mustang Street (APN 125-26-801-012 and 125-26-802-014), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)], Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend

DENIAL

108. ZON-17740 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Rezoning FROM: R-4 (HIGH DENSITY RESIDENTIAL) TO: R-5 (APARTMENT) on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
109. VAR-17741 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW 150 PARKING SPACES WHERE 425 SPACES ARE REQUIRED IN CONJUNCTION WITH A PROPOSED APARTMENT DEVELOPMENT on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
110. VAR-17742 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW A PROPOSED APARTMENT BUILDING TO BE EIGHT FEET FROM THE NORTH PROPERTY LINE WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A SETBACK OF 198 FEET AND TO ALLOW TRASH ENCLOSURES TO BE 10 FEET FROM RESIDENTIALLY ZONED PROPERTY WHERE 50 FEET IS THE MINIMUM SETBACK REQUIRED on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
111. VAR-17743 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW A PROPOSED APARTMENT BUILDING TO BE ZERO FEET FROM THE WEST PROPERTY LINE WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED, ZERO FEET FROM THE EAST PROPERTY LINE WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED, ZERO FEET FROM THE SOUTH PROPERTY LINE WHERE FIVE FEET IS THE MINIMUM SETBACK REQUIRED AND TO ALLOW A BUILDING HEIGHT OF 66 FEET WHERE 55 FEET IS THE MAXIMUM HEIGHT ALLOWED on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
112. VAC-17744 - PUBLIC HEARING - APPLICANT/OWNER: LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Petition to Vacate a portion of an existing alley generally located north of Bridger Avenue, 140 feet east of Tenth Street, Ward 5, (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
113. SDR-17745 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Site Development Plan Review for a PROPOSED 300 UNIT, 66 FOOT HIGH, SIX STORY APARTMENT BUILDING AND A WAIVER OF THE PERIMETER LANDSCAPE BUFFERING STANDARDS FOR ZERO FEET OF LANDSCAPING WHERE TEN FEET IS REQUIRED ALONG THE SOUTHERN, EASTERN, AND WESTERN PERIMETER AND TO ALLOW FIVE FEET OF LANDSCAPING WHERE SIX FEET IS REQUIRED ALONG A PORTION OF THE NORTHERN PERIMETER on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
114. VAR-17749 - PUBLIC HEARING - APPLICANT/OWNER: HELP LAS VEGAS HOUSING CORPORATION II - Request for a Variance TO ALLOW 109 PARKING SPACES WHERE 205 SPACES ARE REQUIRED FOR A 125 UNIT MULTI-FAMILY HOUSING COMPLEX on 4.84 acres at 1455 North Main Street (APN 139-27-502-015), C-V (Civic District) Zone under Resolution of Intent to R-5 (Apartment), Ward 5 (Weekly). The Planning Commission (6-1 vote) and staff recommend APPROVAL
115. VAR-17751 - PUBLIC HEARING - APPLICANT/OWNER: HELP LAS VEGAS HOUSING CORPORATION II -

Request for a Variance TO ALLOW TWO 45 FOOT HIGH APARTMENT BUILDINGS 59 FEET FROM RESIDENTIAL PROPERTY WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A SETBACK OF 135 FEET on 4.84 acres at 1455 North Main Street (APN 139-27-502-015), C-V (Civic District) Zone under Resolution of Intent to R-5 (Apartment), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

116. SDR-17748 - PUBLIC HEARING - APPLICANT/OWNER: HELP LAS VEGAS HOUSING CORPORATION II - Request for a Site Development Plan Review FOR A 125 UNIT MULTI-FAMILY HOUSING COMPLEX on 4.84 acres at 1455 North Main Street (APN 139-27-502-015), C-V (Civic District) Zone under Resolution of Intent to R-5 (Apartment), Ward 5 (Weekly). The Planning Commission (6-1 vote) and staff recommend APPROVAL

117. RQR-17518 - PUBLIC HEARING - APPLICANT: REAGAN NATIONAL ADVERTISEMENT - OWNER: GATEWAY MOTEL, INC. - Required One-Year Review of an approved Special Use Permit (U-0028-01) WHICH ALLOWED A 24-FOOT X 28-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 928 Las Vegas Boulevard South (APN 139-34-410-165), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL

118. SUP-17729 - PUBLIC HEARING - APPLICANT: MARK JAGET - OWNERS: RICHARD WEISBANT FAMILY TRUST AND 3RD GASS PARTNERS, LLC - Request for a Special Use Permit TO ALLOW A MIXED-USE DEVELOPMENT adjacent to the northeast corner of Gass Avenue and 3rd Street (APNs 139-34-410-112 & 139-34-410-113), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL

119. SDR-17731 - PUBLIC HEARING - APPLICANT: MARK JAGET - OWNERS: RICHARD WEISBANT FAMILY TRUST AND 3RD GASS PARTNERS, LLC - Request for a Site Development Plan Review FOR A FIVE STORY MIXED-USE DEVELOPMENT WITH 30 APARTMENTS AND 2,200 SQUARE FEET OF RETAIL AND A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN BUILDING STEPBACK REQUIREMENT on 0.31 acres adjacent to the northeast corner of Gass Avenue and 3rd Street (APNs 139-34-410-112 & 139-34-410-113), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL

120. SUP-17307 - PUBLIC HEARING - APPLICANT: LAKESIDE CENTER - OWNER: WFTNV, LLC - Request for a Special Use Permit FOR A PROPOSED RESTAURANT SERVICE BAR AND A WAIVER OF THE 400-FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING CHURCH at 2620 Regatta Drive, Suite #117 (APN 138-16-717-002), C-1 (Limited Commercial) Zone, Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

121. SUP-17716 - PUBLIC HEARING - APPLICANT/OWNER: LYLE LOOB - Request for a Special Use Permit FOR A PROPOSED HABITABLE ACCESSORY STRUCTURE at 3613 Hillsdale Court (APN 139-30-616-018), R-1 (Single-Family Residential) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

122. SUP-17724 - PUBLIC HEARING - APPLICANT/OWNER: SILVER STATE BANK - Request for a Special Use Permit FOR A PROPOSED DRIVE-THRU FACILITY FOR AN EXISTING FINANCIAL INSTITUTION, GENERAL WITH A WAIVER TO ALLOW A SEPARATION OF 280 FEET FROM A SINGLE FAMILY DWELLING WHERE 330 FEET IS REQUIRED AND TO ALLOW A DRIVE-THRU FACILITY ADJACENT TO THE RIGHT-OF-WAY on 0.63 acres at 7125 North Durango Drive (APN 125-20-117-005), T-C (Town Center) Zone [UC-TC (Urban Center Mixed-Use) Town Center Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

123. VAC-16295 - PUBLIC HEARING - APPLICANT/OWNER: ROLAND L. GRAY, ET AL AND FOURTEEN SAC SELF-STORAGE CORPORATION - Petition to Vacate a 20-foot public right-of-way generally located south of the intersection of Jones Boulevard and Rancho Drive, Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend DENIAL

124. ROC-18341 - PUBLIC HEARING - APPLICANT/OWNER: WAGNER HOMES, INC. - Request for a Review of Condition Number 11 of an approved Site Development Plan Review (SDR-2418) TO REMOVE THE CONDITION THAT REQUIRED ANY PROPERTY LINE WALL SHALL BE A DECORATIVE BLOCK WALL, WITH AT LEAST 20 PERCENT CONTRASTING MATERIALS. WALL HEIGHTS SHALL BE MEASURED FROM THE SIDE OF THE FENCE WITH THE LEAST VERTICAL EXPOSURE ABOVE THE FINISHED GRADE, UNLESS

OTHERWISE STIPULATED. ALL PERIMETER WALLS, INCLUDING A COMBINATION OF RETAINING AND SCREEN WALLS, SHALL NOT EXCEED EIGHT FEET IN HEIGHT, MEASURED FROM THE BASE OF THE RETAINING WALL, WITHOUT THE APPROPRIATE STEPBACKS for an approved residential subdivision on 10.80 acres adjacent to the southeast corner of Alexander Road and Fort Apache Road (APN 138-08-116-020 and 021) R-PD5 (Residential Planned Development - 5 Units Per Acre) Zone, Ward 4 (Brown). Staff recommends DENIAL

SET DATE

125. Set date on any appeals filed or required public hearings from the City Planning Commission Meetings, Centennial Hills Architectural Review Committee and Dangerous Building or Nuisance/Litter Abatements

CITIZENS PARTICIPATION

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

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

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
Bulletin Board, City Hall Plaza, (next door to Metro Records)
Las Vegas Library, 833 Las Vegas Boulevard North
Clark County Government Center, 500 S. Grand Central Parkway
Grant Sawyer Building, 555 E. Washington Avenue

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒ **Consent** ☐ **Discussion**

SUBJECT:

RESOLUTIONS:

R-3-2007 - Approval of a Resolution fixing the time and place when complaints, protests, and objections to the Final Assessment Roll will be heard for Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) (\$481,988.99 - Capital Projects Fund/Special Assessments) - Ward 6 (Ross)

Fiscal Impact

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

Amount: \$481,988.99

Funding Source: Capital Projects Fund - Special Assessments

Dept./Division: Public Works/SID

PURPOSE/BACKGROUND:

This resolution defines the time and place for a public hearing on the Final Assessment Roll for the construction and installation of pavement, curb and gutter, sidewalk, driveway approaches, water laterals and mains, sewer laterals and mains, and streetlights.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-3-2007

Motion made by GARY REESE to Approve Items 13-36 and 38-42

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

RESOLUTION NO. R-3-2007

A RESOLUTION CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1490 – TENAYA WAY (NORTHERN BELTWAY TO ELKHORN ROAD); FIXING THE TIME AND PLACE WHEN COMPLAINTS, PROTESTS, AND OBJECTIONS TO THE FINAL ASSESSMENT ROLL FOR THE DISTRICT WILL BE HEARD; PROVIDING FOR THE MANNER OF GIVING NOTICE OF THE HEARING ON THE FINAL ASSESSMENT ROLL; PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH; RATIFYING ALL ACTION TAKEN CONSISTENT WITH THE PROVISIONS HEREOF; AND PROVIDING THE EFFECTIVE DATE HEREOF.

Summary: Public Hearing Notice

WHEREAS, the City Council of the City of Las Vegas in the County of Clark, State of Nevada, (hereinafter the "City Council" and the "City" respectively) pursuant to an ordinance heretofore adopted (hereinafter the "Creation Ordinance") created City of Las Vegas, Nevada, Special Improvement District No. 1490 – Tenaya Way (Northern Beltway to Elkhorn Road) (hereinafter the "District") and ordered the acquisition of certain public improvements within the District (hereinafter the "Project"); and

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

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

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

WHEREAS, in accordance with NRS 271.360, the City Council has determined and does hereby declare that the net cost to the City for the Project (including all necessary incidentals which either have been or will be incurred in connection with the District) is \$4,165,963.00, of which \$3,683,974.01 is available from other sources and \$481,988.99 is to be assessed upon the benefited lots, tracts and parcels of land in the District, which the City Council has determined will receive special benefits and corresponding market value increases from the Project; and

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

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

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

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

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

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

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

Total Cost	Estimated Amount of Special Assessments	Amount Available from Other Sources
\$4,165,963.00	\$481,988.99	\$3,683,974.01

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

Section 4. Wednesday, February 7, 2007 at 1:00 P.M., at the City of Las Vegas Council Chambers, 400 Stewart Avenue, Las Vegas, Nevada, be, and the same hereby is, fixed as the date, time and place when the City Council will hear and consider complaints, protests and objections to the final assessment roll, to the amount of each of the assessments, and to the regularity of the proceedings in making such assessments (whether made verbally or in writing) by the owners of the assessable property specially benefited by the Project in "City of Las Vegas, Nevada, Improvement District No. 1490 – Tenaya Way (Northern Beltway to Elkhorn Road)" and proposed to be assessed, or by any party or person interested, and by all parties or persons aggrieved by such assessments.

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

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

(Start of Form)

NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1490 – TENAYA WAY (NORTHERN BELTWAY TO ELKHORN ROAD).

NOTICE IS HEREBY GIVEN, that the Final Assessment Roll No. 2007-1 for City of Las Vegas, Nevada, Special Improvement District No. 1490 – Tenaya Way (Northern Beltway to Elkhorn Road) (hereinafter the "District") in and for the City of Las Vegas in the County of Clark, State of Nevada, which has been made out by the City Council of City of Las Vegas, together with the City Engineer, has been filed on January 3, 2007, in the office of the City Clerk and since such date, the final assessment roll has been, and now is available for examination by any interested person during regular office hours, Monday through Friday 8:00 a.m. until 5:00 p.m. The boundaries of the District are described in the Special Improvement District No. 1490 Creation Ordinance heretofore adopted (hereinafter the "Creation Ordinance"). The boundaries of the District, which include the location of the Project and the lots, tracts and parcels of land to be assessed, shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements (as described below) or fronting a cul-de-sac which abuts or fronts a street to be improved by the improvements. The streets to be improved by the improvements are:

Tenaya Way (BOTH SIDES) - from the northern right-of-way line of the Northern Beltway north along Tenaya Way to the centerline of Elkhorn Road (80 foot right-of-way).

The following assessment parcel numbers (APN's) identified in the record of the County Assessor of Clark County are included in the district 125-22-404-003 and 125-22-410-001 thru 020.

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases) provided, however, that an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly-shaped lots or tracts of lands, if any, and for any lot, tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform.

The assessments will be levied on a front foot basis, provided those tracts which front a cul-de-sac and which abut or front a street or streets being improved will be assessed on a "unit lot" basis, i.e., all lots abutting the cul-de-sac are to be assessed the same amount based upon the front footage of those lots abutting the streets or streets being improved which also abut the cul-de-sac. Each property owner will be assessed for the cost of an eight foot (8') wide street pavement section, curb, gutter, and the following parcels will be assessed for sidewalks (APN's 125-22-404-003, 125-22-410-001 thru 020, 125-22-801-011, and 125-22-804-001 on Tenaya Way only), driveway approaches, and the following parcels will be assessed for streetlights (APN's 125-22-404-003, 125-22-410-001 thru 020, 125-22-801-011, and 125-22-804-001 on Tenaya Way only), where not already existing. Property owners who have been conditioned, by initiation of development plans, by City Council to install half-street improvements have been assessed for a half-street pavement section. The owners of property who elected to have water or sewer laterals installed will be assessed per foot of lateral installed on a per service or unit lot basis. THE CITY HAS NO OBLIGATION TO PROVIDE WATER OR SEWER SERVICE TO ANY PROPERTY WITHIN THE DISTRICT REGARDLESS OF WHETHER THE CITY COUNCIL PROCEEDS WITH ALL OR ANY PART OF THE PROJECT.

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

The City Council will meet to hear and consider all complaints, protests, and objections to said final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in the District. Any person interested and any parties aggrieved by such assessments may be heard on Wednesday, February 7, 2007, at 1:00 p. m. at the City of Las Vegas Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada. Any complaint, protest, or objection to the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount thereof levied on each lot, tract or parcel of land, shall

be deemed waived unless filed in writing with the City Clerk, on or before Friday, February 2, 2007, i.e., at least three days prior to the date set for the assessment hearing.

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

- (1) He is entitled to be represented by counsel at the hearing;
- (2) Any evidence he desires to present on these issues must be presented at the hearing;
and
- (3) Evidence on these issues that is not presented at the hearing may not thereafter be presented in an action brought pursuant to NRS 271.395.

Assessments shall be due and payable at the office of the City Treasurer without interest and without demand within 30 days after the ordinance levying the assessments becomes effective. All or any part of such assessments may also, at the election of the owner, be paid thereafter in twenty (20) substantially equal semi-annual installments of principal and interest until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of the assessment ordinance. After the adoption of the assessment ordinance and before assessment bonds are issued (or if bonds are not issued) the City shall provide the maximum rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold, such rate will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three percent (3%) the "Index of Twenty Bonds", which is most recently published

before the time bids for such bonds are received, or at a time a negotiated offer for the sale of such bonds is accepted. Penalties (at a rate not exceeding two percent (2%) (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 Director of Finance and Business Services) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, shall be due for delinquencies. The owner of any property not in default as to any assessment installment or payment may, at any time, pay the whole or any installment of the unpaid principal with interest accruing thereon to the next interest payment date and the payment of a penalty for such prepayment of up to three percent (3%) of the installment or installments of principal so prepaid. The City Council, in the ordinance levying the assessments, will establish a prepayment penalty or premium of up to three percent (3%) of the principal of deferred installments so prepaid.

Pursuant to NRS 271.357, the City has established a procedure to allow any person whose principal residence will be included in the District to apply for a hardship determination. A person whose application for a hardship determination has been approved by the City Council is entitled to have the principal amount of the assessment postponed, but is required to pay the interest on the unpaid balance of the assessment at the same rate and upon the same terms as established by the City Council for the assessments. A person desiring to apply for a hardship determination shall file an application no later than February 2, 2007, with the Clark County Department of Social Services (CCSS), 1600 Pinto Lane, Las Vegas, Nevada 89106. Please contact CCSS at (702) 455-8687 for a pre-qualification screening.

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

Dated this January 3, 2007.

BARBARA JO RONEMUS, City Clerk

(End of Form)

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

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

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

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

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

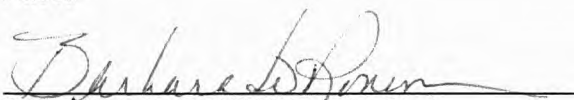
Section 11. The City Council has determined, and does hereby declare, that this Resolution shall be in effect immediately after its passage in accordance with law.

PASSED and APPROVED on January 3, 2007.



OSCAR B. GOODMAN, Mayor

Attest:



BARBARA JO RONEMUS, City Clerk

Approved as to form:

12-20-06 
Date Deputy City Attorney

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

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

1. The foregoing pages constitute a true, correct, complete and compared copy of a resolution adopted by the City Council of the City (hereinafter the "City Council") at a meeting held on January 3, 2007.

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

Those Voting Aye:	Oscar B. Goodman Gary Reese Larry Brown Lawrence Weekly Steve Wolfson Lois Tarkanian Steven D. Ross
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Those Voting Nay:	None
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Those Absent:	None
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3. The original of the resolution has been approved and authenticated by the signatures of the Mayor of the City and myself as City Clerk and has been recorded in the regular official record of the City Council kept for that purpose in my office, which record has been duly signed by the officers and properly sealed.

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

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

- (i) City Clerk's Bulletin Board
City Hall Plaza
2nd Floor Skybridge
Las Vegas, Nevada
- (ii) Bulletin Board
City Hall Plaza (next door to Metro Records)
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
- (vi) The City of Las Vegas Website

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

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

6. A copy of such notice so given of the meeting of the City Council on January 3, 2007 is attached to this certificate as Exhibit "A". A copy of the affidavit of publication of the Notice of Public Hearing is attached hereto as Exhibit "B", and a copy of the minutes of the public hearing held on February 21, 2007, is attached hereto as Exhibit "C".

IN WITNESS WHEREOF, I have hereunto set my hand on this February 21, 2007.

(SEAL)


BEVERLY K. BRIDGES, CMC Acting City Clerk

Exhibit "A"

(Attach Notice of Meeting and Agenda)

CITY COUNCIL AGENDA

COUNCIL CHAMBERS · 400 STEWART AVENUE · PHONE 229-6011

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

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

COUNCIL MEMBERS: LARRY BROWN (Ward 4), LAWRENCE WEEKLY (Ward 5),

STEVE WOLFSON (Ward 2), LOIS TARKANIAN (Ward 1), STEVEN D. ROSS (Ward 6)

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

January 03, 2007

Morning Session begins at 9:00 a.m.

Afternoon Session begins at 1:00 p.m.

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

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

DUPLICATE AUDIO CD'S AND DUPLICATE AUDIO/VIDEO DVD'S MAY BE AVAILABLE AT A COST OF \$5.00 EACH THROUGH THE CITY CLERK'S OFFICE.

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

CEREMONIAL MATTERS

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. INVOCATION – REVEREND MARY BREDLAU, PALM MORTUARY
4. PLEDGE OF ALLEGIANCE
5. OATH OF OFFICE ADMINISTERED TO ROB W. BARE FOR MUNICIPAL COURT JUDGE, DEPARTMENT 6
6. RECOGNITION OF THE CITIZEN OF THE MONTH
7. RECOGNITION OF BUFFALO WILD WINGS FOR SUPPORT OF THE LAS VEGAS FIRE AND RESCUE DEPARTMENT
8. RECOGNITION OF PALO VERDE HIGH SCHOOL BOYS STATE AAAA TENNIS CHAMPIONS

9. RECOGNITION OF STELLA FLEMING SENIOR CENTER RESIDENT SEMOINE BROUNER FOR VOLUNTEER SERVICE
10. RECOGNITION OF THE MEADOWS SENIOR MOBILE HOME PARK BOARD OF DIRECTORS FOR COMMUNITY OUTREACH

BUSINESS ITEMS - MORNING

11. Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time
12. Approval of the Final Minutes by reference of the regular City Council meeting of November 15, 2006

CONSENT AGENDA

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

BUSINESS DEVELOPMENT - CONSENT

13. Approval of Declaration of Reserved Easement for Emergency Access for the benefit of Foundation for an Independent Tomorrow, on the west side of Stella Lake Street, approximately 600 feet south of Lake Mead Boulevard (APN 139-21-313-011) - Ward 5 (Weekly)

FIELD OPERATIONS - CONSENT

14. Approval of a Grant of Easement from the City of Las Vegas to Nevada Power Company to cancel and supersede the Right-of-Entry previously on record and continue to allow Nevada Power Company access to the site for electrical systems needs located at 1551 South Buffalo Drive commonly known as All American Park, APN 163-04-604-002 - Ward 2 (Wolfson)

FINANCE & BUSINESS SERVICES - ADMINISTRATION CONSENT

15. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES CONSENT

16. Approval of a Special Event License for Beauty Bar Salon, Location: 517 Fremont Street, Date: January 5, 2007, Type: Special Event General, Event: Music and Dancing Live Arts, Responsible Person in Charge: Scott Infantolino - Ward 5 (Weekly)
17. Approval of a Special Event License for Go Home Limited, Location: World Market Center, 495 South Grand Central Parkway, Suite 318, Dates: January 29-31, 2007 and February 1-2, 2007, Type: Special Event General, Event: Trade Show, Responsible Person in Charge: Lauren Weinstein - Ward 5 (Weekly)
18. Approval of Change of Ownership, Change of Business Name and Change of Location for a Tavern License subject to the provisions of the planning and fire codes and Health Dept. regulations, From: Samcon, Inc., dba Tomfoolery's, Sean T. Higgins, Pres, 100%, To: The Lodge At Grand Teton Operator, LLC, dba The Lodge At Grand Teton, 8350 Grand Teton Drive, Stuart E. Apollo, Mmbr, 100% - Ward 6 (Ross)
19. Approval of Change of Ownership and Change of Business Name for a Burglar Alarm Service License, From: National Alarm Computer Center, Inc., dba National Alarm Computer Center, Stephen B. Baker, VP, To: Integrated Alarm Services Group,
City Council January 03, 2007 - Page 2

Inc., dba Criticom International, 96 Corporate Park Drive, Robert B. Heintz, VP, Michael T. Moscinski, CFO and Brian Edward Shea, Executive VP - California

20. Approval of a new Hypnotist License, Donna Jean Rod, dba Donna Rod, 800 North Rainbow Boulevard, Suite 170, Donna J. Rod, 100% - Ward 1 (Tarkanian)
21. Approval of a new Hypnotherapist License subject to the provisions of the planning and fire codes, Maria Lifrieri, dba NY Hypnosis & Laser Center, Ltd., 8871 West Sahara Avenue, Suite 100, Maria S. Lifrieri, 100% - Ward 2 (Wolfson)

FINANCE & BUSINESS SERVICES - PURCHASING & CONTRACTS CONSENT

22. Approval of award of Modification No. 2 to Contract No. 060017 for Maintenance of Yucca Mountain Monitoring Program - Office of Administrative Services - Award recommended to: URBAN ENVIRONMENTAL RESEARCH, LLC (\$74,072 - Multipurpose Special Revenue Fund)
23. Approval of award of Bid No. 06.53541.01-LED, Warehouse Expansion and Office Addition - Water Pollution Control Facility (WPCF) located at 6005 East Vegas Valley Drive and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: APCO CONSTRUCTION (\$1,114,140 - Sanitation Enterprise Fund) - County
24. Approval of a Purchase Order for Diversity Champions Training - Department of Human Resources - Award recommended to: GUARDIAN QUEST (not-to-exceed \$100,000 - General Fund)
25. Approval of ratification of a purchase order for Chevrolet Vehicles - Department of Field Operations - Award recommended to: CHAMPION CHEVROLET (\$50,438.25 - Automotive Service Internal Service Fund)

NEIGHBORHOOD SERVICES - CONSENT

26. Approval to enter into an Agreement with the State of Nevada, Department of Business and Industry, Housing Division (NHD) to receive \$1,809,000 in Low Income Housing Trust Fund (LIHTF) funds for qualified Trust Fund projects or activities subject to entering into written agreements with the recipients and requiring compliance with the regulations under NRS Chapter 319 and NAC 319 - All Wards
27. Approval of an allocation of \$200,000 in Home Investment Partnership Programs/Low-Income Housing Trust Funds (HOME/LIHTF) to Neighborhood Services Department, EVOLVE Program to operate a tenant-based rental assistance program - All Wards

PUBLIC WORKS - CONSENT

28. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Art Consulting Engineers on behalf of Gordon and Bryan Investment, LLC, owner (southwest corner of Torrey Pines Drive and Jo Marcy Drive, APN 125-14-106-002) - County (near Ward 6 - Ross)
29. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Peak Development Services on behalf of Indian Summer Development, LLC, owner (northeast corner of Tee Pee Lane and Ann Road, APN 125-30-807-001) - County (near Ward 6 - Ross)
30. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Affleck Engineering on behalf of G.L. Kennedy Trust, Gay Louise Kennedy, Trustee and Gall Family Trust Dated November 26, 2001, Steven H. Gall and V. Joyce Gall, Trustees, owners (north of Maggie Avenue between Four Views Street and Homestead Street, APN 125-08-502-005) - County (near Ward 6 - Ross)
31. Approval of an Encroachment Request from TRC/BV Engineering Nevada on behalf of Parkway Center, LLC, owner (northeast corner of Grand Central Parkway and City Parkway) - Ward 5 (Weekly)

32. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Kevin Skehan and Candi Skehan, owners (south of Deer Springs Way and west of Mustang Street, APN 125-23-701-003) - County (near Ward 6 - Ross)
33. Approval of an Encroachment Request from JPL Engineering, Incorporated, on behalf of Urban Lofts X, Limited, owner (Fremont Street between Bruce Street and Eastern Avenue) - Ward 3 (Reese)
34. Approval of an Encroachment Request from the Las Vegas - Clark County Library District, owner (Sahara Avenue between Grand Canyon Drive and Village Square Center) - Ward 2 (Wolfson)
35. Approval to appraise and purchase or condemn right-of-way parcels for the East Charleston Boulevard Bus Turnouts project from Fremont Street to Nellis Boulevard (\$700,000 - Regional Transportation Commission [RTC]) - Ward 3 (Reese)
36. Approval to file an amendment to Right-of-Way Grant N-77772 with the Bureau of Land Management for roadway, sanitary sewer, trails, streetscape amenities and drainage purposes on portions of land lying within portions of Section 1, Township 19 South, Range 59 East, Mount Diablo Meridian, generally located from Iron Mountain Road to Hualapai Way, APNs 126-01-401-003, 126-01-401-001 and 126-01-502-005 - Ward 6 (Ross)
37. Approval of a Cooperative Agreement with the Nevada Department of Transportation (NDOT) for perpetual maintenance of the Bonanza Trail located within the NDOT right-of-way, beginning at the intersection of Washington Avenue and Durango Drive and ending at the intersection of Decatur Boulevard and the US-95 off-ramp (\$90,000 yearly - General Fund) - Wards 1, 4 and 5 (Tarkanian, Brown and Weekly)

RESOLUTIONS - CONSENT

38. R-1-2007 - Approval of a Resolution concerning proposed Special Improvement Districts within the Summerlin area, approving a Water Line Reimbursement Agreement and other related matters - Ward 2 (Wolfson)
39. R-2-2007 - Approval of a Resolution Determining the Cost and Directing the City Engineer to prepare the Final Assessment Roll for Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) (\$481,988.99 - Capital Projects Fund/Special Assessments) - Ward 6 (Ross)
40. R-3-2007 - Approval of a Resolution fixing the time and place when complaints, protests, and objections to the Final Assessment Roll will be heard for Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) (\$481,988.99 - Capital Projects Fund/Special Assessments) - Ward 6 (Ross)
41. R-4-2007 - Approval of a Resolution overruling complaints, protests, and objections and confirming the Final Assessment Roll for Special Improvement District No. 1493 - Hualapai Way/Alexander Road (Cheyenne Avenue to Cimarron Road) - Ward 4 (Brown)
42. R-5-2007 - Approval of a Resolution overruling complaints, protests, and objections and confirming the Final Assessment Roll for Special Improvement District No. 1505 - Sierra Oeste Neighborhood Streetlights (\$62,576.19 - Capital Projects Fund/Special Assessments) - Ward 5 (Weekly)

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

43. Report from the City Manager on Emerging Issues

CITY ATTORNEY - DISCUSSION

44. Discussion and possible action on Appeal of Work Card Denial: Approved July 12, 2006 granting a site specific work card with a six month review: Susan Rhea Gilloon, 1300 Fremont Street #258, Las Vegas, Nevada 89101

45. Discussion and possible action on Appeal of Work Card Denial: Flaviana A. Guerette, 7241 Early Pioneer Avenue, Las Vegas, Nevada 89129
46. ABEYANCE ITEM - Discussion and possible action to retain the consulting services of Williams Aviation to assist the City of Las Vegas in an appeal of the FAA record of decision regarding the proposed right turn at McCarran International Airport (\$100,000 – General Fund)
47. ABEYANCE ITEM - Discussion and possible action to retain legal services of Chevalier, Allen and Lichman to represent the City of Las Vegas in an appeal of the FAA record of decision regarding the proposed right turn at McCarran International Airport (\$300,000 - General Fund)
48. Discussion and possible action to award Contract No. 070128 for Aviation Consultant Services - Department of Government & Community Affairs - Award recommended to: WILLIAMS AVIATION CONSULTANTS, INC. (\$57,000 - General Fund) - All Wards

CITY AUDITOR - DISCUSSION

49. Discussion and possible action on Annual Audit Recommendation Follow-Up as of June 30, 2006 (2600-0607-03)

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES DISCUSSION

50. Discussion and possible action regarding Temporary Approval of Change of Ownership and Change of Business Name for a Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes and Health Dept. regulations, From: Las Familias, dba Enricos Italian Bistro, Joanne M. Prieto, Dir, Pres, Sec, Treas, 100%, To: Lorenzo's Italian Bistro, Inc., dba Lorenzo's Italian Bistro, 4864 West Lone Mountain Road, Lorenzo G. Sommaggio, Pres, 100% - Ward 6 (Ross)
51. Discussion and possible action regarding Temporary Approval of a new Supper Club License subject to the provisions of the planning codes, Bor Vada, LP, dba On The Border, 5630 Centennial Center Boulevard, GenBusiness Corporation, General Partner, 5%, John D. Gantes, Principal, Yanni Capital Business Partnership, LP, Limited Partner, 95%, John D. and Linda R. Gantes, Community Property Trust, Principal - Ward 6 (Ross)
52. Discussion and possible action regarding Temporary Approval of Change of Ownership, Change of Location and Change of Business Name for a Tavern License, From: Golden Wok Restaurant, Inc., dba Golden Wok Restaurant (Non-operational), 504 South Decatur Boulevard, Koon K. Chang, Pres, Yuk C. Chan, Secy and Kwok W. Cheng, Treas, To: Culture Club of Las Vegas, LLC., dba Polly Esther's, 2000 South Las Vegas Boulevard, Andrew W. Adelman, 33.3%, Robert M. Watman, 33.3% and Bamny, LLC., Timothy T. Ouellette, 33.3% - Ward 3 (Reese)
53. Discussion and possible action regarding Temporary Approval of a new Tavern License subject to the provisions of the fire codes and Health Dept. regulations, Outback Nevada II, L.P., dba Outback Steakhouse, 740 South Decatur Boulevard, Outback Steakhouse of Florida, Inc., General Partner, 81%, Summit West Corporation, Limited Partner, 9% and John Kanas, Limited Partner, 10% - Ward 1 (Tarkanian)
54. Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, Pablo Padilla, dba Padilla's Martial Arts, 871 North Nellis Boulevard, Suite 2, Pablo Padilla, 100% - Ward 3 (Reese)
55. Discussion and possible action on an Appeal of Non-renewal of an Independent Massage Therapist License, David R. Silvaggio, 9330 West Sahara Avenue, # 250 - Ward 2 (Wolfson)
56. ABEYANCE ITEM - Discussion and possible action regarding a new Psychic Arts and Science License subject to the provisions of the planning and fire codes, Lorraine Marks, dba Ms. Laurie, 425 Fremont Street - Ward 3 (Reese)

NEIGHBORHOOD SERVICES - DISCUSSION

57. Report on the status of the Southern Nevada Regional Planning Coalition (SNRPC) Committee on Homelessness (CoH) regional effort - All Wards

PUBLIC WORKS - DISCUSSION

58. Report on the status of the US-95 widening project between Kyle Canyon Road and Charleston Boulevard and I-15 from Craig Road to Sahara Avenue - All Wards

RESOLUTIONS - DISCUSSION

59. R-6-2007 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the Redevelopment Agency and Ernesto J. Savino, located at 418 South Maryland Parkway (APN 139-34-811-064), to be in compliance with and in furtherance of the goals and objectives of the Redevelopment Agency - Ward 3 (Reese) [NOTE: This item is related to RDA Items 4 (RA-1-2007) and 5]
60. R-7-2007 - Discussion and possible action regarding a Resolution Consenting to the Real Property Exchange Agreement between the City of Las Vegas Redevelopment Agency and the Las Vegas Police Protective Association Metro, Inc., for the exchange of real property located at the Southeastern corner of 4th Street and Clark Avenue (APN 139-34-303-002) for the real property located at the Northwestern corner of 7th Street and Stewart Avenue (APN 139-34-501-011) to be in compliance with and in furtherance of the goals and objectives of the Redevelopment Agency (RDA) (\$314,250 approximate in-kind contribution - RDA) - Wards 3 and 5 (Reese and Weekly) [NOTE: This item is related to RDA Items 6 (RA-2-2007) and 7]

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

61. Bill No. 2006-67 – Adopts an updated version of the Las Vegas Downtown Centennial Plan, together with related development standards. Sponsored by: Councilman Gary Reese
62. Bill No. 2006-68 – Adopts the Union Park Design Standards and integrates them into other provisions that pertain to the Downtown Overlay District. Sponsored by: Mayor Oscar B. Goodman

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

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

63. Bill No. 2006-70 – Amends the legal description and map describing and depicting the boundaries of the Pedestrian Mall to reflect certain street vacation actions. Proposed by: Bradford R. Jerbic, City Attorney
64. Bill No. 2006-71 – Adopts provisions regarding the use of public streets for motorized racing events. Sponsored by: Councilman Gary Reese and Councilman Lawrence Weekly
65. Bill No. 2006-72 – Adopts the 2005 Edition of the National Electrical Code, together with amendments and supplementary material. Proposed by: Paul K. Wilkins, Director of Building and Safety
66. Bill No. 2006-73 – Adopts the 2006 Edition of the Southern Nevada Pool Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
67. Bill No. 2006-74 – Adopts the 2006 Edition of the Uniform Mechanical Code, together with amendments thereto, as the City's Mechanical Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
68. Bill No. 2006-75 – Adopts the 2006 Edition of the Uniform Plumbing Code, together with amendments thereto, as the City's Plumbing Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
69. Bill No. 2006-76 – Adopts the 2006 Edition of the International Energy Conservation Code, along with amendments thereto. Proposed by: Paul K. Wilkins, Director of Building and Safety

70. Bill No. 2006-77 – Adopts the 2006 Editions of the International Building Code and the International Residential Code, together with amendments thereto. Proposed by: Paul K. Wilkins, Director of Building and Safety
71. Bill No. 2006-78 – Updates the City's Administrative Code, relating to the administration of the various building and technical codes. Proposed by: Paul K. Wilkins, Director of Building and Safety
72. Bill No. 2006-79 – Allows small wind energy systems as a conditional use in the R-A, R-E and R-D Zoning Districts. Sponsored by: Councilman Steven D. Ross
73. Bill No. 2006-80 - Ordinance Creating Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) Sponsored by: Step Requirement
74. Bill No. 2006-81 - Grants to Nevada Power Company, a Nevada Corporation, a non-exclusive franchise to install, operate and maintain an electrical distribution system to provide electrical service to consumers within the City subject to and in accordance with the terms and conditions of the Franchise Agreement between the City and Nevada Power Company. Proposed by: Mark R. Vincent, Director of Finance and Business Services

NEW BILLS - DISCUSSION

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

75. Bill No. 2007-1 - Levies Assessment for Special Improvement District No. 1493 – Hualapai Way/Alexander Road (Cheyenne Avenue to Cimarron Road). Sponsored by: Step Requirement
76. Bill No. 2007-2 - Levies Assessment for Special Improvement District No. 1505 – Sierra Oeste Neighborhood Streetlights. Sponsored by: Step Requirement
77. Bill No. 2007-3 – Annexation No. ANX-12215 – Property location: On the north and south sides of I-215 (Clark County Highway 215), between Shaumber Road and Fort Apache Road; Petitioned by Southwest Desert Equities, LLC, et al.; Acreage: Approximately 259 acres; Zoned: R-E and P-F (County zoning), U (R), U (RNP), U (L), U (P-F) and C-V (City equivalents). Sponsored by: Councilman Steven D. Ross
78. Bill No. 2007-4 – Clarifies and standardizes the provisions that govern the expiration and termination of zoning-related applications and approvals. Proposed by: M. Margo Wheeler, Director of Planning and Development

1:00 P.M. - AFTERNOON SESSION

BUSINESS ITEMS - AFTERNOON

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

HEARINGS - DISCUSSION

80. Public Hearing to consider the report of expenses to recover costs for mitigation abatement of vacant or abandoned building and assess civil penalties located at 960 G Street. PROPERTY OWNER: ELSIE BATIE (\$19,062.71 - General Fund) – Ward 5 (Weekly)

81. Public Hearing to consider the report of expenses to recover costs for mitigation abatement of vacant or abandoned building and assess civil penalties located at 3804 Beacon Point Street. PROPERTY OWNER: KIONNE JOHNSON (\$3,452.90 - General Fund) - Ward 4 (Brown)
82. Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building located at 9504 Belgate Court. PROPERTY OWNER: POFERIA DYES-ALBRIGHT (\$3,282.50 - General Fund) - Ward 4 (Brown)
83. ABEYANCE ITEM - Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building located at 886 Miller Avenue. PROPERTY OWNER: WALTER & LIZZIE THOMAS (\$4,973 - General Fund) - Ward 5 (Weekly)

PLANNING & DEVELOPMENT

THE ITEMS LISTED BELOW, WHERE APPROPRIATE, HAVE BEEN REVIEWED BY THE VARIOUS CITY DEPARTMENTS RELATIVE TO REQUIREMENTS FOR STORM DRAINAGE AND FLOOD CONTROL, CONNECTION TO SANITARY SEWER, TRAFFIC CIRCULATION, AND BUILDING AND FIRE REGULATIONS. THEIR COMMENTS AND/OR RECOMMENDATIONS AND REQUIREMENTS HAVE BEEN INCORPORATED INTO THE ACTION

PLANNING & DEVELOPMENT - CONSENT

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

84. EOT-18225 - APPLICANT/OWNER: ANTONETTE MARTINEZ - Request for an Extension of Time of an approved Variance (VAR-5373) THAT ALLOWED A 10-FOOT REAR YARD SETBACK WHERE 35 FEET IS THE MINIMUM REQUIRED IN CONJUNCTION WITH A PROPOSED ROOM ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE on 0.47 acres at 2240 Shaw Circle (APN 163-03-802-004), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL
85. EOT-18217 - APPLICANT: WOOD PARTNERS - OWNER: ALTA MONTECITO - Request for an Extension of Time of an approved Special Use Permit (SUP-5296) THAT ALLOWED A DENSITY OF 66.94 UNITS WHERE 50 UNITS PER ACRE IS THE MAXIMUM ALLOWED FOR AN APPROVED 399-UNIT HIGH DENSITY RESIDENTIAL DEVELOPMENT on 5.96 acres adjacent to the southeast corner of Elkhorn Road and Grand Montecito Parkway (APN 125-20-510-002), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use) Town Center Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

86. DIR-18171 - APPLICANT/OWNER: RITZ COVE HOMEOWNERS ASSOCIATION - Request TO ALLOW THE OPERATION OF A 57 SQUARE FOOT WATER FEATURE at the entrance to an existing single family residential development at 2501 Monarch Bay Drive (APN 138-16-812-032), Ward 4 (Brown). Staff recommends APPROVAL
87. SUP-17551 - PUBLIC HEARING - APPLICANT: FAMOUS UNCLE AL'S HOT DOGS - OWNER: VIRGIN TERRITORY, LLC - Request for a Special Use Permit FOR A PROPOSED BEER/WINE/COOLER ON-SALE ESTABLISHMENT IN CONJUNCTION WITH A PROPOSED RESTAURANT at 6020 West Craig Road (APN 138-02-611-006), R-E (Residence Estates) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Ross). NOTE: THE CORRECT ADDRESS IS 6010 WEST CRAIG ROAD, SUITE #110. The Planning Commission (7-0 vote) and staff recommend APPROVAL

88. SDR-16954 - PUBLIC HEARING - APPLICANT: THE CHONG CO. - OWNER: CFT-TCC NELLIS, LLC - Request for a Site Development Plan Review FOR A 8,345 SQUARE FOOT SHOPPING CENTER on 1.24 acres on the west side of Nellis Boulevard, approximately 1,060 feet south of Bonanza Road (APN 140-32-517-003), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
89. SDR-17717 - PUBLIC HEARING - APPLICANT/OWNER: STEWART/NELLIS PARTNERS, LLC - Request for a Site Development Plan Review FOR AN 84,245 SQUARE FOOT SHOPPING CENTER on 7.81 acres on property adjacent to the northwest corner of Nellis Boulevard and Stewart Avenue, (APN 140-32-601-005), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
90. MOD-12919 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DORSAL DEVELOPMENT, LLC - OWNER: FULSTONE 1993 TRUST AND JEFF SELLINGER - Request for a Major Modification to the Las Vegas Medical District Plan TO AMEND THE LAND USE DESIGNATION FROM: MD-2 (MAJOR MEDICAL) TO: MD-1 (MEDICAL SUPPORT) on 0.74 acres at 728 Desert Lane (APN 139-33-402-021), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
91. SUP-16246 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DORSAL DEVELOPMENT, LLC - OWNER: FULSTONE 1993 TRUST AND JEFF SELLINGER - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT at 728 Desert Lane (APN 139-33-402-021), [PROPOSED: MD-1 (MEDICAL SUPPORT) Las Vegas Medical District Plan Designation], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend DENIAL
92. SDR-12922 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DORSAL DEVELOPMENT, LLC - OWNER: FULSTONE 1993 TRUST AND JEFF SELLINGER - Request for a Site Development Plan Review FOR A PROPOSED FIVE-STORY MIXED-USE DEVELOPMENT CONSISTING OF 24 RESIDENTIAL CONDOMINIUM UNITS AND 13,465 SQUARE FEET OF MEDICAL OFFICE SPACE on 0.74 acres at 728 Desert Lane (APN 139-33-402-021), PD (Planned Development) Zone [MD-2 (Major Medical) Las Vegas Medical District Special Land Use Designation] [PROPOSED: MD-1 (Medical Support) Las Vegas Medical District Special Land Use Designation], Ward 5 (Weekly). NOTE: This application has been amended from 24 Residential Condominium Units to 30 Residential Condominium Units and from 13,465 square feet of Medical Office space to 9,350 square feet of Medical Office space. The Planning Commission (7-0 vote) and staff recommend DENIAL
93. ZON-15031 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: 3100 MEADE, LLC - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-M (COMMERCIAL/INDUSTRIAL) on 0.80 acres approximately 300 feet north of Meade Avenue, 980 feet west of Rancho Drive (APN 162-08-201-005), Ward 1 (Tarkanian). The Planning Commission (4-2 vote) and staff recommend APPROVAL
94. SDR-15030 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: 3100 MEADE, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF TWO EXISTING STORAGE BUILDINGS TO A LIGHT MANUFACTURING FACILITY on 0.80 acres approximately 300 feet north of Meade Avenue and 980 feet west of Rancho Drive (APN 162-08-201-005), R-1 (Single Family Residential) Zone [PROPOSED: C-M (Commercial/Industrial) Zone], Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL
95. ZON-16915 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GHASSAN MISHFERFI - Request for a Rezoning FROM: R-E (RESIDENTIAL ESTATES) TO: R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE) on 1.08 acres on the north side of Smoke Ranch Road, approximately 467 feet east of Michael Way (APN 138-13-801-068), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
96. VAR-16996 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GHASSAN MISHFERFI - Request for a variance TO ALLOW A RESIDENTIAL PLANNED DEVELOPMENT OF 1.08 ACRES WHERE FIVE ACRES IS THE MINIMUM AREA REQUIRED on the north side of Smoke Ranch Road, approximately 467 feet east of Michael Way (APN 138-13-801-068), R-E (Residential Estates) Zone under Resolution of Intent to R-PD6 (Residential Planned Development - 6 Units per Acre), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
97. SDR-16914 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GHASSAN MISHFERFI - Request for a Site Development Plan Review FOR A 6 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 1.08 acres on the north side of Smoke Ranch Road, approximately 467 feet east of Michael Way (APN 138-13-801-068), R-E (Residential Estates) Zone under Resolution of Intent to R-PD6 (Residential Planned Development - 6 Units per Acre), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

98. VAR-16144 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: T-MOBILE USA, INC. - OWNER: MESQUITE WOOD 3, LLC - Request for a Variance TO ALLOW A 70-FOOT TALL WIRELESS COMMUNICATIONS TOWER 68.2 FEET FROM RESIDENTIAL PROPERTY WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRES 210 FEET on 3.82 acres at 1620 Bracken Avenue (APN 162-02-208-001), C-V (Civic) Zone, Ward 3 (Reese). The Planning Commission (6-0-1 vote) and staff recommend DENIAL
99. SUP-16143 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: T-MOBILE USA, INC. - OWNER: MESQUITE WOOD 3, LLC - Request for a Special Use Permit FOR A WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN on 3.82 acres at 1620 Bracken Avenue (APN 162-02-208-001), C-V (Civic) Zone, Ward 3 (Reese). The Planning Commission (6-0-1 vote) and staff recommend DENIAL
100. VAR-16505 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: ALVY COOK - Appeal filed by the applicant from the denial by the Planning Commission of a request for a Variance TO ALLOW A FIVE-FOOT REAR YARD SETBACK WHERE 15 FEET IS THE MINIMUM SETBACK REQUIRED FOR A PROPOSED ROOM ADDITION at 1117 Strong Drive (APN 162-05-511-005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian). The Planning Commission (6-1 vote) and staff recommend DENIAL
101. VAR-17156 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GLENN J. SORRELLS - Appeal filed by the applicant from the denial by the Planning Commission of a request for a Variance TO ALLOW A SEVEN-FOOT HIGH WALL WHERE A FIVE-FOOT HIGH WALL IS THE MAXIMUM HEIGHT PERMITTED IN A PORTION OF THE FRONT YARD on 0.15 acres at 1109 Shifting Sands Drive (APN 138-26-615-088), R-1 (Single Family Residential) Zone, Ward 5 (Weekly). NOTE: THE APPLICATION IS FOR AN EIGHT FOOT HIGH WALL WHERE A FIVE-FOOT HIGH WALL IS THE MAXIMUM. The Planning Commission (7-0 vote) and staff recommend DENIAL
102. RQR-17098 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: CONSTANTINO NOVAL NV, LLC - Appeal filed by the applicant from the denial by the Planning Commission of a Required Four-Year Review of an approved Special Use Permit (U-0025-98) WHICH ALLOWED A 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 73 South Martin L King Boulevard (APN 139-33-510-002), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend DENIAL
103. SDR-15747 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH - Request for a Site Development Plan Review FOR A PROPOSED 31,126 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP AND A WAIVER OF THE PERIMETER LANDSCAPING REQUIREMENTS on 8.55 acres at the northwest corner of Rainbow Boulevard and Westcliff Drive (a portion of APN 138-27-802-004), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
104. SDR-17057 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: SANTA FE 124, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF A 124-UNIT APARTMENT COMPLEX TO A CONDOMINIUM DEVELOPMENT on 6.0 acres at 1111 Warbonnet Way (APN 163-04-501-004), R-PD23 (Residential Planned Development - 23 Units Per Acre) Zone, Ward 2 (Wolfson). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
105. SDR-17298 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: REPUBLIC SERVICES OF SOUTHERN NEVADA - OWNER: PREMIER TRUST OF NEVADA - Request for a Site Development Plan Review FOR A PROPOSED PARKING LOT AND A WAIVER TO ALLOW A REDUCTION OF THE PERIMETER LANDSCAPING BUFFERING REQUIREMENTS on 0.52 acres adjacent to the north side of Sahara Avenue, approximately 600 feet east of 6th Street (APN 162-03-801-018), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
106. ZON-17697 - PUBLIC HEARING - APPLICANT/OWNER: RICHMOND AMERICAN HOMES - Request for a Rezoning FROM: U (UNDEVELOPED) Zone [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] under Resolution of Intent to R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) TO: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) on 10.30 acres adjacent to the northwest and northeast corners of Ann Road and Mustang Street (APN 125-26-801-012 and 125-26-802-014), Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend DENIAL

- 107.SDR-17698 - PUBLIC HEARING - APPLICANT/OWNER: RICHMOND AMERICAN HOMES - Request for a Site Development Plan Review of A 32 LOT RESIDENTIAL SUBDIVISION on 10.30 acres adjacent to the northwest and northeast corners of Ann Road and Mustang Street (APN 125-26-801-012 and 125-26-802-014), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)], Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend DENIAL
- 108.ZON-17740 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Rezoning FROM: R-4 (HIGH DENSITY RESIDENTIAL) TO: R-5 (APARTMENT) on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 109.VAR-17741 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW 150 PARKING SPACES WHERE 425 SPACES ARE REQUIRED IN CONJUNCTION WITH A PROPOSED APARTMENT DEVELOPMENT on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 110.VAR-17742 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW A PROPOSED APARTMENT BUILDING TO BE EIGHT FEET FROM THE NORTH PROPERTY LINE WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A SETBACK OF 198 FEET AND TO ALLOW TRASH ENCLOSURES TO BE 10 FEET FROM RESIDENTIALLY ZONED PROPERTY WHERE 50 FEET IS THE MINIMUM SETBACK REQUIRED on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 111.VAR-17743 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW A PROPOSED APARTMENT BUILDING TO BE ZERO FEET FROM THE WEST PROPERTY LINE WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED, ZERO FEET FROM THE EAST PROPERTY LINE WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED, ZERO FEET FROM THE SOUTH PROPERTY LINE WHERE FIVE FEET IS THE MINIMUM SETBACK REQUIRED AND TO ALLOW A BUILDING HEIGHT OF 66 FEET WHERE 55 FEET IS THE MAXIMUM HEIGHT ALLOWED on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 112.VAC-17744 - PUBLIC HEARING - APPLICANT/OWNER: LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Petition to Vacate a portion of an existing alley generally located north of Bridger Avenue, 140 feet east of Tenth Street, Ward 5, (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 113.SDR-17745 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Site Development Plan Review for a PROPOSED 300 UNIT, 66 FOOT HIGH, SIX STORY APARTMENT BUILDING AND A WAIVER OF THE PERIMETER LANDSCAPE BUFFERING STANDARDS FOR ZERO FEET OF LANDSCAPING WHERE TEN FEET IS REQUIRED ALONG THE SOUTHERN, EASTERN, AND WESTERN PERIMETER AND TO ALLOW FIVE FEET OF LANDSCAPING WHERE SIX FEET IS REQUIRED ALONG A PORTION OF THE NORTHERN PERIMETER on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 114.VAR-17749 - PUBLIC HEARING - APPLICANT/OWNER: HELP LAS VEGAS HOUSING CORPORATION II - Request for a Variance TO ALLOW 109 PARKING SPACES WHERE 205 SPACES ARE REQUIRED FOR A 125 UNIT MULTI-FAMILY HOUSING COMPLEX on 4.84 acres at 1455 North Main Street (APN 139-27-502-015), C-V (Civic District) Zone under Resolution of Intent to R-5 (Apartment), Ward 5 (Weekly). The Planning Commission (6-1 vote) and staff recommend APPROVAL

- 115.VAR-17751 - PUBLIC HEARING - APPLICANT/OWNER: HELP LAS VEGAS HOUSING CORPORATION II - Request for a Variance TO ALLOW TWO 45 FOOT HIGH APARTMENT BUILDINGS 59 FEET FROM RESIDENTIAL PROPERTY WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A SETBACK OF 135 FEET on 4.84 acres at 1455 North Main Street (APN 139-27-502-015), C-V (Civic District) Zone under Resolution of Intent to R-5 (Apartment), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
- 116.SDR-17748 - PUBLIC HEARING - APPLICANT/OWNER: HELP LAS VEGAS HOUSING CORPORATION II - Request for a Site Development Plan Review FOR A 125 UNIT MULTI-FAMILY HOUSING COMPLEX on 4.84 acres at 1455 North Main Street (APN 139-27-502-015), C-V (Civic District) Zone under Resolution of Intent to R-5 (Apartment), Ward 5 (Weekly). The Planning Commission (6-1 vote) and staff recommend APPROVAL
- 117.RQR-17518 - PUBLIC HEARING - APPLICANT: REAGAN NATIONAL ADVERTISEMENT - OWNER: GATEWAY MOTEL, INC. - Required One-Year Review of an approved Special Use Permit (U-0028-01) WHICH ALLOWED A 24-FOOT X 28-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 928 Las Vegas Boulevard South (APN 139-34-410-165), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL
- 118.SUP-17729 - PUBLIC HEARING - APPLICANT: MARK JAGET - OWNERS: RICHARD WEISBANT FAMILY TRUST AND 3RD GASS PARTNERS, LLC - Request for a Special Use Permit TO ALLOW A MIXED-USE DEVELOPMENT adjacent to the northeast corner of Gass Avenue and 3rd Street (APNs 139-34-410-112 & 139-34-410-113), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL
- 119.SDR-17731 - PUBLIC HEARING - APPLICANT: MARK JAGET - OWNERS: RICHARD WEISBANT FAMILY TRUST AND 3RD GASS PARTNERS, LLC - Request for a Site Development Plan Review FOR A FIVE STORY MIXED-USE DEVELOPMENT WITH 30 APARTMENTS AND 2,200 SQUARE FEET OF RETAIL AND A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN BUILDING STEPBACK REQUIREMENT on 0.31 acres adjacent to the northeast corner of Gass Avenue and 3rd Street (APNs 139-34-410-112 & 139-34-410-113), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL
- 120.SUP-17307 - PUBLIC HEARING - APPLICANT: LAKESIDE CENTER - OWNER: WFTNV, LLC - Request for a Special Use Permit FOR A PROPOSED RESTAURANT SERVICE BAR AND A WAIVER OF THE 400-FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING CHURCH at 2620 Regatta Drive, Suite #117 (APN 138-16-717-002), C-1 (Limited Commercial) Zone, Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
- 121.SUP-17716 - PUBLIC HEARING - APPLICANT/OWNER: LYLE LOOB - Request for a Special Use Permit FOR A PROPOSED HABITABLE ACCESSORY STRUCTURE at 3613 Hillsdale Court (APN 139-30-616-018), R-1 (Single-Family Residential) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
- 122.SUP-17724 - PUBLIC HEARING - APPLICANT/OWNER: SILVER STATE BANK - Request for a Special Use Permit FOR A PROPOSED DRIVE-THRU FACILITY FOR AN EXISTING FINANCIAL INSTITUTION, GENERAL WITH A WAIVER TO ALLOW A SEPARATION OF 280 FEET FROM A SINGLE FAMILY DWELLING WHERE 330 FEET IS REQUIRED AND TO ALLOW A DRIVE-THRU FACILITY ADJACENT TO THE RIGHT-OF-WAY on 0.63 acres at 7125 North Durango Drive (APN 125-20-117-005), T-C (Town Center) Zone [UC-TC (Urban Center Mixed-Use) Town Center Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
- 123.VAC-16295 - PUBLIC HEARING - APPLICANT/OWNER: ROLAND L. GRAY, ET AL AND FOURTEEN SAC SELF-STORAGE CORPORATION - Petition to Vacate a 20-foot public right-of-way generally located south of the intersection of Jones Boulevard and Rancho Drive, Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend DENIAL
- 124.ROC-18341 - PUBLIC HEARING - APPLICANT/OWNER: WAGNER HOMES, INC. - Request for a Review of Condition Number 11 of an approved Site Development Plan Review (SDR-2418) TO REMOVE THE CONDITION THAT REQUIRED ANY PROPERTY LINE WALL SHALL BE A DECORATIVE BLOCK WALL, WITH AT LEAST 20 PERCENT CONTRASTING MATERIALS. WALL HEIGHTS SHALL BE MEASURED FROM THE SIDE OF THE

FENCE WITH THE LEAST VERTICAL EXPOSURE ABOVE THE FINISHED GRADE, UNLESS OTHERWISE STIPULATED. ALL PERIMETER WALLS, INCLUDING A COMBINATION OF RETAINING AND SCREEN WALLS, SHALL NOT EXCEED EIGHT FEET IN HEIGHT, MEASURED FROM THE BASE OF THE RETAINING WALL, WITHOUT THE APPROPRIATE STEPBACKS for an approved residential subdivision on 10.80 acres adjacent to the southeast corner of Alexander Road and Fort Apache Road (APN 138-08-116-020 and 021) R-PD5 (Residential Planned Development - 5 Units Per Acre) Zone, Ward 4 (Brown). Staff recommends DENIAL

SET DATE

125.Set date on any appeals filed or required public hearings from the City Planning Commission Meetings, Centennial Hills Architectural Review Committee and Dangerous Building or Nuisance/Litter Abatements

CITIZENS PARTICIPATION

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

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

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
Bulletin Board, City Hall Plaza, (next door to Metro Records)
Las Vegas Library, 833 Las Vegas Boulevard North
Clark County Government Center, 500 S. Grand Central Parkway
Grant Sawyer Building, 555 E. Washington Avenue

Exhibit "B"

(Attach Affidavit of Publication of Notice of Public Hearing)

AFFP DISTRICT COURT
Clark County, Nevada

RECEIVED
CITY CLERK

AFFIDAVIT OF PUBLICATION

2007 FEB 28 A 11:03

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Stacey M Lewis, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK

2296311LV

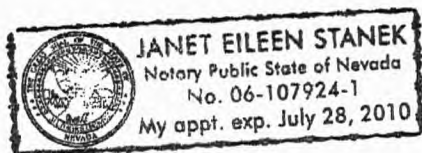
1459390

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 3 edition(s) of said newspaper issued from 02/05/2007 to 02/19/2007, on the following days:

02/05/2007

02/12/2007

02/19/2007



Signed: _____

Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

23rd day of February, 2007.

Janet E. Stanek

Notary Public

NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1490 - TENAYA WAY (NORTHERN BELTWAY TO ELKHORN ROAD).

NOTICE IS HEREBY GIVEN, that the Final Assessment Roll No. 2007-1 for City of Las Vegas, Nevada, Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) (hereinafter the "District") in and for the City of Las Vegas in the County of Clark, State of Nevada, which has been made out by the City Council of City of Las Vegas, together with the City Engineer, has been filed on January 3, 2007, in the office of the City Clerk and since such date, the final assessment roll has been, and now is available for examination by any interested person during regular office hours, Monday through Friday 8:00 a.m. until 5:00 p.m. The boundaries of the District are described in the Special Improvement District No. 1490 Creation Ordinance heretofore adopted (hereinafter the "Creation Ordinance"). The boundaries of the District, which include the location of the Project and the lots, tracts and parcels of land to be assessed, shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements (as described below) or fronting a cul-de-sac which abuts or fronts a street to be improved by the improvements. The streets to be improved by the improvements are:

Tenaya Way (BOTH SIDES) - from the northern right-of-way line of the Northern Beltway north along Tenaya Way to the centerline of Elkhorn Road (80 foot right-of-way). The following assessment parcel numbers (APN's) identified in the record of the County Assessor of Clark County are included in the district 125-22-404-003 and 125-22-410-001 thru 020.

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases) provided, however, that an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly-shaped lots or tracts of lands, if any, and for any lot, tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform.

The assessments will be levied on a front foot basis, provided those tracts which front a cul-de-sac and which abut or front a street or streets being improved will be assessed on a "unit lot" basis, i.e., all lots abutting the cul-de-sac are to be assessed the same amount based upon the front footage of those lots abutting the streets or streets being improved which also abut the cul-de-sac. Each property owner will be assessed for the cost of an eight foot (8') wide street pavement section, curb, gutter, and the following parcels will be assessed for sidewalks (APN's 125-22-404-003, 125-22-410-001 thru 020, 125-22-801-011, and 125-22-804-001 on Tenaya Way only), driveway approaches, and the following parcels will be assessed for streetlights (APN's 125-22-404-003, 125-22-410-001 thru 020, 125-22-801-011, and 125-22-804-001 on Tenaya Way only), where not already existing. Property owners who have been conditioned, by initiation of development plans, by City Council to install half-street improvements have been assessed for a half-street pavement section. The owners of property who elected to have water or sewer laterals installed will be assessed per foot of lateral installed on a per service or unit lot basis. **THE CITY HAS NO OBLIGATION TO PROVIDE WATER OR SEWER SERVICE TO ANY PROPERTY WITHIN THE DISTRICT REGARDLESS OF WHETHER THE CITY COUNCIL PROCEEDS WITH ALL OR ANY PART OF THE PROJECT.**

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

The City Council will meet to hear and consider all complaints, protests, and objections to said final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in the District. Any person interested and any parties aggrieved by such assessments may be heard on Wednesday, February 21, 2007, at 1:00 p. m. at the City of Las Vegas Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada. Any complaint, protest, or objection to the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount thereof levied on each lot, tract or parcel of land, shall be deemed waived unless filed in writing with the City Clerk, on or before Friday, February 16, 2007, i.e., at least three days prior to the date set for the assessment hearing.

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

- (1) He is entitled to be represented by counsel at the hearing;
- (2) Any evidence he desires to present on these issues must be presented at the hearing; and
- (3) Evidence on these issues that is not presented at the hearing may not thereafter be presented in an action brought pursuant to NRS 271.395.

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

Pursuant to NRS 271.357, the City has established a procedure to allow any person whose principal residence will be included in the District to apply for a hardship determination. A person whose application for a hardship determination has been approved by the City Council is entitled to have the principal amount of the assessment postponed, but is required to pay the interest on the unpaid balance of the assessment at the same rate and upon the same terms as established by the City Council for the assessments. A person desiring to apply for a hardship determination shall file an application no later than February 16, 2007, with the Clark County Department of Social Services (CCSS), 1600 Pinto Lane, Las Vegas, Nevada 89106. Please contact CCSS at (702) 455-8687 for a pre-qualification screening.

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

Dated this January 3, 2007.

/s/ Barbara Jo Ronemus, BARBARA JO RONEMUS, City Clerk
PUB: February 5, 12, 19, 2007 LV Review-Journal

Exhibit "C"

(Attach minutes of public hearing on February 21, 2007)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

DEPARTMENT: PUBLIC WORKS

DIRECTOR: CHARLIE KAJKOWSKI

☐ Consent ☒ Discussion

SUBJECT:

ABEYANCE ITEM - Public hearing on local improvement district for Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) (\$481,988.99 - Capital Projects Fund/Special Assessments) - Ward 6 (Ross)

Fiscal Impact

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Dept./Division: Public Works/SID

Amount: \$481,988.99

Funding Source: Capital Projects Fund/Special Assessments

PURPOSE/BACKGROUND:

Public hearing on the Final Assessment Roll for the construction and installation of pavement, curb and gutter, sidewalk, driveway approaches, water laterals and mains, sewer laterals and mains and streetlights.

RECOMMENDATION:

Public Hearing only; no action required.

BACKUP DOCUMENTATION:

Public hearing notice

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

CHARLIE KAJKOWSKI, Director of Public Works Department, confirmed the project is complete, and the public hearing is an opportunity to hear public comments prior to the City moving forward in adopting the ordinance and levying the assessment.

Hearing no public comments, MAYOR GOODMAN thanked MR. KAJKOWSKI for the report.

MAYOR GOODMAN declared the Public Hearing closed.

STATE OF NEVADA
CITY OF LAS VEGAS

)
) ss.
)

AFFIDAVIT OF MAILING
NOTICE OF HEARING

Beverly K. Bridges does hereby swear, upon oath according to law:

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

2. I mailed or caused to be mailed a notice entitled "NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1490 – TENAYA WAY (NORTHERN BELTWAY TO ELKHORN ROAD)" by deposit in the United States mail, postage prepaid, as first-class mail, at the post office in the City of Las Vegas, Nevada, on January 18 and CORRECTED notice on January 30, 2007, being at least twenty (20) days prior to the hearing, on February 21, 2007 to the last known address of each last known owner of land within the District whose property will be assessed for the cost of the improvements, such addresses and owners being those appearing on the records of the County Assessor of Clark County, Nevada, and from such other sources as I, the City of Las Vegas and Public Works Department, deemed to be reliable.

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

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

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

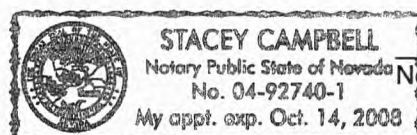
Further Affiant sayeth naught.


BEVERLY K. BRIDGES, CMC Acting City Clerk

SUBSCRIBED and SWORN to before me in the City of Las Vegas, Nevada, this MARCH 27, 2007.

My commission expires 10-14-08.

(NOTARIAL STAMP)



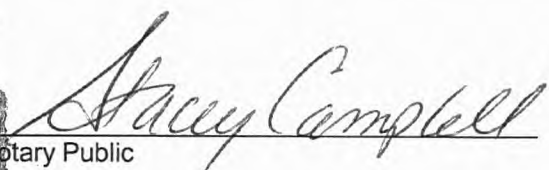

Notary Public

EXHIBIT "A"

(Attach List of Property Owners with Their Addresses)

City of Las Vegas
**** ASSESSMENT ROLL ****
 Special Improvement District No. 1490
 TENAYA WAY – (Northern Beltway to Elkhorn Road)
 Clark County

Page 2
 Date 1/03/2007

FINAL ROLL NO. 2007-1

PARCEL NUMBER	DESCRIPTION	PRIMARY PROPERTY OWNER	MARKET VALUE	ESTIMATED MAX BENEFIT	ASSESSMENT TOTAL
125-22-404-003	DOC: 20050708:00170 DATE: 07/08/05 PT SEC 22 19 60 PARCEL MAP FILE 99 PAGE 50 LOT 2	SHIRON, DEVELOPMENT L L C 2049 CENTURY PARK EAST #3200 LOS ANGELES CA 90067-3206	1,155,000.00	315,760.00	186,943.85
125-22-410-001 (FORMERLY 125-22-404-002)	DOC: 20050329:03619 DATE: 03/29/05 LAMPLIGHT EST AT ROME PLAT BOOK 115 PAGE 75 LOT 1 BLOCK A	MCGARATH THOMAS PO BOX 15067 SAN DIEGO CA 92175-5067	60,525.00	7,077.00	5,772.19
125-22-410-002 (FORMERLY 125-22-404-002)	DOC: 20050902:05283 DATE: 09/02/05 LAMPLIGHT EST AT ROME PLAT BOOK 115 PAGE 75 LOT 2 BLOCK A	LENNAR COMMUNITIES NEVADA LLC 6750 VIA AUSTI PKWY SUITE 200 LAS VEGAS NV 89119-3560	60,525.00	7,077.00	5,772.19
125-22-410-003 (FORMERLY 125-22-404-002)	DOC: 20050902:05283 DATE: 09/02/05 LAMPLIGHT EST AT ROME PLAT BOOK 115 PAGE 75 LOT 3 BLOCK A	LENNAR COMMUNITIES NEVADA LLC 6750 VIA AUSTI PKWY SUITE 200 LAS VEGAS NV 89119-3560	60,525.00	7,077.00	5,772.19
125-22-410-004 (FORMERLY 125-22-404-002)	DOC: 20050518:04182 DATE: 05/18/05 LAMPLIGHT EST AT ROME PLAT BOOK 115 PAGE 75 LOT 4 BLOCK A	LEE IRENE O WONG VERNON G PO BOX 22696 SAN FRANCISCO CA 94122-0696	60,525.00	7,077.00	5,772.19

City of Las Vegas
 ** ASSESSMENT ROLL **
 Special Improvement District No. 1490
 TENAYA WAY – (Northern Beltway to Elkhorn Road)
 Clark County

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 Date 1/03/2007

FINAL ROLL NO. 2007-1

PARCEL NUMBER	DESCRIPTION	PRIMARY PROPERTY OWNER	MARKET VALUE	ESTIMATED MAX BENEFIT	ASSESSMENT TOTAL
125-22-410-005 (FORMERLY 125-22-404-002)	DOC: 20050412:03255 DATE: 04/12/05 LAMPLIGHT EST AT ROME PLAT BOOK 115 PAGE 75 LOT 5 BLOCK A	STUBBS ROBERT B & KATHLEEN M 7476 GRASSY FIELD CT LAS VEGAS NV 89131-4116	60,525.00	7,077.00	5,772.19
125-22-410-006 (FORMERLY 125-22-404-002)	DOC: 20050721:04162 DATE: 07/21/05 LAMPLIGHT EST AT ROME PLAT BOOK 115 PAGE 75 LOT 6 BLOCK A	RESUELLO ADELAIDA V 2412 TOUR EDITION DR HENDERSON NV 89074-8300	60,525.00	7,077.00	5,772.19
125-22-410-007 (FORMERLY 125-22-404-002)	DOC: 20060608:03825 DATE: 06/08/06 LAMPLIGHT EST AT ROME PLAT BOOK 115 PAGE 75 LOT 7 BLOCK A	DEEMS MICHAEL H 6205 PEGGOTTY LAS VEGAS NV 89130-1375	60,525.00	7,077.00	5,772.19
125-22-410-008 (FORMERLY 125-22-404-002)	DOC: 20060111:05130 DATE: 01/11/06 LAMPLIGHT EST AT ROME PLAT BOOK 115 PAGE 75 LOT 8 BLOCK A	WORKMAN VICKIE L ANDERSON ROBERT W 7260 SHENANDOAH SPRINGS AVE LAS VEGAS NV 89131-3248	60,525.00	7,077.00	5,772.19
125-22-410-009 (FORMERLY 125-22-404-002)	DOC: 20050728:05745 DATE: 07/28/05 LAMPLIGHT EST AT ROME PLAT BOOK 115 PAGE 75 LOT 9 BLOCK A	WELTE JEFFREY B 6561 ASHLEY VALE ST LAS VEGAS NV 89131-3247	60,525.00	7,077.00	5,772.18

City of Las Vegas
 ** ASSESSMENT ROLL **
 Special Improvement District No. 1490
 TENAYA WAY – (Northern Beltway to Elkhorn Road)
 Clark County

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 Date 1/03/2007

FINAL ROLL NO. 2007-1

PARCEL NUMBER	DESCRIPTION	PRIMARY PROPERTY OWNER	MARKET VALUE	ESTIMATED MAX BENEFIT	ASSESSMENT TOTAL
125-22-410-010 (FORMERLY 125-22-404-002)	DOC: 20060905:03565 DATE: 09/05/06 LAMPLIGHT EST AT ROME PLAT BOOK 115 PAGE 75 LOT 10 BLOCK A	COUNTRYWIDE HOME LOANS SERV LP 400 COUNTRYWIDE WY SV-35 SIMI VALLEY CA 93065-6298	60,525.00	7,077.00	5,772.18
125-22-410-011 (FORMERLY 125-22-404-002)	DOC: 20051018:04213 DATE: 10/18/05 LAMPLIGHT EST AT ROME PLAT BOOK 115 PAGE 75 LOT 11 BLOCK A	DASMARINAS JOSEPHINE S & RONALDO 7259 ABBEVILLE MEADOWS AVE LAS VEGAS NV 89131-3246	60,525.00	7,077.00	5,772.18
125-22-410-012 (FORMERLY 125-22-404-002)	DOC: 20050506:03194 DATE: 05/06/05 LAMPLIGHT EST AT ROME PLAT BOOK 115 PAGE 75 LOT 12 BLOCK A	MIKHAIEL JAMES 10959 BETHEL PARK CT LAS VEGAS NV 89141-3989	60,525.00	7,077.00	5,772.18
125-22-410-013 (FORMERLY 125-22-404-002)	DOC: 20051012:03161 DATE: 10/12/05 LAMPLIGHT EST AT ROME PLAT BOOK 115 PAGE 75 LOT 13 BLOCK A	POWELL COBY & MARTHA 7239 ABBEVILLE MEADOWS AVE LAS VEGAS NV 89131-3246	60,525.00	7,077.00	5,772.18
125-22-410-014 (FORMERLY 125-22-404-002)	DOC: 20061207:03923 DATE: 12/07/06 LAMPLIGHT EST AT ROME PLAT BOOK 115 PAGE 75 LOT 14 BLOCK A	AGANON ALLAN 7229 ABBEVILLE MEADOWS AVE LAS VEGAS NV 89131-3246	60,525.00	7,077.00	5,772.18

City of Las Vegas
** ASSESSMENT ROLL **
Special Improvement District No. 1490
TENAYA WAY – (Northern Beltway to Elkhorn Road)
Clark County

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Date 1/03/2007

FINAL ROLL NO. 2007-1

PARCEL NUMBER	DESCRIPTION	PRIMARY PROPERTY OWNER	MARKET VALUE	ESTIMATED MAX BENEFIT	ASSESSMENT TOTAL
125-22-410-015 (FORMERLY 125-22-404-002)	DOC: 20050729:06889 DATE: 07/29/05 LAMPLIGHT EST AT ROME PLAT BOOK 115 PAGE 75 LOT 15 BLOCK A	HOLLINS JAMES L & CRYSTAL D 7219 ABBEVILLE MEADOWS AVE LAS VEGAS NV 89131-3246	60,525.00	7,077.00	5,772.18
125-22-410-016 (FORMERLY 125-22-404-002)	DOC: 20050401:00835 DATE: 04/01/05 LAMPLIGHT EST AT ROME PLAT BOOK 115 PAGE 75 LOT 16 BLOCK A	DISI MARIO & WENDY M 7209 ABBEVILLE MEADOWS AVE LAS VEGAS NV 89131-3246	60,525.00	7,077.00	5,772.18
125-22-410-017 (FORMERLY 125-22-404-002)	DOC: 20060717:02929 DATE: 07/17/06 LAMPLIGHT EST AT ROME PLAT BOOK 115 PAGE 75 LOT 17 BLOCK B	TOWNSEND WILBERT II 7235 SHENANDOAH SPRINGS AVE LAS VEGAS NV 89131-3248	60,525.00	7,077.00	5,772.18
125-22-410-018 (FORMERLY 125-22-404-002)	DOC: 20050329:05388 DATE: 03/29/05 LAMPLIGHT EST AT ROME PLAT BOOK 115 PAGE 75 LOT 18 BLOCK B	MORENO ENRIQUE A JR 7234 ABBEVILLE MEADOWS AVE LAS VEGAS NV 89131-3246	60,525.00	7,077.00	5,772.18
125-22-410-019 (FORMERLY 125-22-404-002)	DOC: 20050401:00809 DATE: 04/01/05 LAMPLIGHT EST AT ROME PLAT BOOK 115 PAGE 75 LOT 19 BLOCK B	MILLER CLAY F PO BOX 231597 LAS VEGAS NV 89105-1597	60,525.00	7,077.00	5,772.18

City of Las Vegas
 ** ASSESSMENT ROLL **
 Special Improvement District No. 1490
 TENAYA WAY – (Northern Beltway to Elkhorn Road)
 Clark County

Page 6
 Date 1/03/2007

FINAL ROLL NO. 2007-1

PARCEL NUMBER	DESCRIPTION	PRIMARY PROPERTY OWNER	MARKET VALUE	ESTIMATED MAX BENEFIT	ASSESSMENT TOTAL
125-22-410-020 (FORMERLY 125-22-404-002)	DOC: 20050525:04298 DATE: 05/25/05 LAMPLIGHT EST AT ROME PLAT BOOK 115 PAGE 75 LOT 20 BLOCK B	DEGUZMAN JAKE & HERMENEGILDA P 7245 SHENANDOAH SPRINGS AVE LAS VEGAS NV 89131-3248	60,525.00	7,077.00	5,772.18
125-22-501-001	DOC: 20000308:00009 DATE: 03/08/00 ALL NW4 NE4 SEC 22 19 60	GREENGALE, PROPERTIES L L C %AMER NV CORP %LEGAL DEPT 901 N GREEN VALLEY PKWY #200 HENDERSON NV 89074-7105	3,360,000.00	48,110.00	41,384.88
125-22-601-023	DOC: 20050729:01039 DATE: 07/29/05 PT SEC 22 19 60 PARCEL MAP FILE 100 PAGE 9 LOT 1 & VAC RD	RED, LIMITED PARTNERSHIP 6855 W DEER SPRINGS WY LAS VEGAS NV 89131-3418	324,000.00	9,110.00	8,258.07
125-22-601-024	DOC: 20060403:02459 DATE: 04/03/06 PT SEC 22 19 60 PARCEL MAP FILE 100 PAGE 9 LOT 2 & VAC RD	RED, L P 6855 W DEER SPRINGS WY LAS VEGAS NV 89131-3418	324,000.00	6,710.00	5,765.63
125-22-601-027	DOC: 20030612:03852 DATE: 06/12/03 PT SEC 22 19 60 PARCEL MAP FILE 100 PAGE 9 LOT 3 & LOT 4 & VAC RD	LEMASTER, JEFFREY & MICHELLE 7021 WITTIG AVE LAS VEGAS NV 89131-3416	813,900.00	13,420.00	11,531.28

City of Las Vegas
** ASSESSMENT ROLL **
Special Improvement District No. 1490
TENAYA WAY – (Northern Beltway to Elkhorn Road)
Clark County

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Date 1/03/2007

FINAL ROLL NO. 2007-1

PARCEL NUMBER	DESCRIPTION	PRIMARY PROPERTY OWNER	MARKET VALUE	ESTIMATED MAX BENEFIT	ASSESSMENT TOTAL
125-22-801-011	DOC: 20060503:03415 DATE: 05/03/06 PT SEC 22 19 60 LAND DIVISION 656:615944 LOT 1	BILPAR-TENAYA INVESTMENTS L L C 6370 W FLAMINGO RD #40 LAS VEGAS NV 89103-2292	280,000.00	71,490.00	61,333.80
125-22-804-001	DOC: 20041026:01652 DATE: 10/26/04 PT SW4 SE4 SEC 22 19 60	MABUHAY COML INVEST 4 L L C P O BOX 6531 WOODLAND HILLS CA 91365-6531	105,000.00	60,190.00	51,327.80
** REPORT TOTALS					481,988.99

EXHIBIT "B"

(Attach Notice of Hearing as Mailed)

NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1490 – TENAYA WAY (NORTHERN BELTWAY TO ELKHORN ROAD).

NOTICE IS HEREBY GIVEN, that the Final Assessment Roll No. 2007-1 for City of Las Vegas, Nevada, Special Improvement District No. 1490 – Tenaya Way (Northern Beltway to Elkhorn Road) (hereinafter the "District") in and for the City of Las Vegas in the County of Clark, State of Nevada, which has been made out by the City Council of City of Las Vegas, together with the City Engineer, has been filed on January 3, 2007, in the office of the City Clerk and since such date, the final assessment roll has been, and now is available for examination by any interested person during regular office hours, Monday through Friday 8:00 a.m. until 5:00 p.m. The boundaries of the District are described in the Special Improvement District No. 1490 Creation Ordinance heretofore adopted (hereinafter the "Creation Ordinance"). The boundaries of the District, which include the location of the Project and the lots, tracts and parcels of land to be assessed, shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements (as described below) or fronting a cul-de-sac which abuts or fronts a street to be improved by the improvements. The streets to be improved by the improvements are:

Tenaya Way (BOTH SIDES) - from the northern right-of-way line of the Northern Beltway north along Tenaya Way to the centerline of Elkhorn Road (80 foot right-of-way).

The following assessment parcel numbers (APN's) identified in the record of the County Assessor of Clark County are included in the district 125-22-404-003 and 125-22-410-001 thru 020.

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases) provided, however, that an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly-shaped lots or tracts of lands, if any, and for any lot, tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform.

The assessments will be levied on a front foot basis, provided those tracts which front a cul-de-sac and which abut or front a street or streets being improved will be assessed on a "unit lot" basis, i.e., all lots abutting the cul-de-sac are to be assessed the same amount based upon the front footage of those lots abutting the streets or streets being improved which also abut the cul-de-sac. Each property owner will be assessed for the cost of an eight foot (8') wide street pavement section, curb, gutter, and the following parcels will be assessed for sidewalks (APN's 125-22-404-003, 125-22-410-001 thru 020, 125-22-801-011, and 125-22-804-001 on Tenaya Way only), driveway approaches, and the following parcels will be assessed for streetlights (APN's 125-22-404-003, 125-22-410-001 thru 020, 125-22-801-011, and 125-22-804-001 on Tenaya Way only), where not already existing. Property owners who have been conditioned, by initiation of development plans, by City Council to install half-street improvements have been assessed for a half-street pavement section. The owners of property who elected to have water or sewer laterals installed will be assessed per foot of lateral installed on a per service or unit lot basis. THE CITY HAS NO OBLIGATION TO PROVIDE WATER OR SEWER SERVICE TO ANY PROPERTY WITHIN THE DISTRICT REGARDLESS OF WHETHER THE CITY COUNCIL PROCEEDS WITH ALL OR ANY PART OF THE PROJECT.

Such basis of assessments has been designated by the City Council in the Creation Ordinance heretofore adopted. The portion of the costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon each lot, tract or parcel of land or property in the

District is stated in the final assessment roll. The City Council has determined that each of these tracts will receive special benefits (and corresponding market value increases) from the improvements in the Project.

The City Council will meet to hear and consider all complaints, protests, and objections to said final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in the District. Any person interested and any parties aggrieved by such assessments may be heard on Wednesday, February 7, 2007, at 1:00 p. m. at the City of Las Vegas Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada. Any complaint, protest, or objection to the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount thereof levied on each lot, tract or parcel of land, shall be deemed waived unless filed in writing with the City Clerk, on or before Friday, February 2, 2007, i.e., at least three days prior to the date set for the assessment hearing.

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

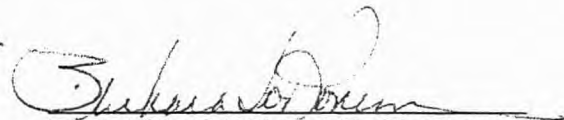
- (1) He is entitled to be represented by counsel at the hearing;
- (2) Any evidence he desires to present on these issues must be presented at the hearing; and
- (3) Evidence on these issues that is not presented at the hearing may not thereafter be presented in an action brought pursuant to NRS 271.395.

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

Pursuant to NRS 271.357, the City has established a procedure to allow any person whose principal residence will be included in the District to apply for a hardship determination. A person whose application for a hardship determination has been approved by the City Council is entitled to have the principal amount of the assessment postponed, but is required to pay the interest on the unpaid balance of the assessment at the same rate and upon the same terms as established by the City Council for the assessments. A person desiring to apply for a hardship determination shall file an application no later than February 2, 2007, with the Clark County Department of Social Services (CCSS), 1600 Pinto Lane, Las Vegas, Nevada 89106. Please contact CCSS at (702) 455-8687 for a pre-qualification screening.

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

Dated this January 3, 2007.



BARBARA JO RONEMUS, City Clerk



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN

LAWRENCE WEEKLY

STEVE WOLFSON

LOIS TARKANIAN

STEVEN D. ROSS

DOUGLAS A. SELBY
CITY MANAGER

January 29, 2007

Dear Property Owner:

You recently received a public hearing notice concerning Special Improvement District 1490. This notice indicated that a public hearing would be held on Wednesday, February 7, 2007 before the Las Vegas City Council to address complaints, protests or objections to this SID.

Due to a publication error this hearing will be heard on **Wednesday, February 21, 2007 at 1 pm** before the Las Vegas City Council, 400 Stewart Avenue, Council Chambers, Las Vegas, Nevada, 89101.

If you require further information please contact our office at 229-6311.

Thank you.

Sincerely,

A handwritten signature in black ink, reading "Beverly K. Bridges".

Beverly K. Bridges, CMC
Chief Deputy City Clerk

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

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-06-05
CLV 7009



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒ **Consent** ☐ **Discussion**

SUBJECT:

RESOLUTIONS:

R-4-2007 - Approval of a Resolution overruling complaints, protests, and objections and confirming the Final Assessment Roll for Special Improvement District No. 1493 - Hualapai Way/Alexander Road (Cheyenne Avenue to Cimarron Road) - Ward 4 (Brown)

Fiscal Impact

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Amount: \$623,643.30

Funding Source: Capital Projects Fund - Special Assessments

Dept./Division: Public Works/SID

PURPOSE/BACKGROUND:

This resolution overrules complaints, protests, and objections and confirms the Final Assessment Roll for the installation of pavement, curb and gutter, sidewalks, driveway approaches, water laterals, sewer laterals, and streetlights along Hualapai Way and Alexander Road from Cheyenne Avenue to Cimarron Road.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-4-2007

Motion made by GARY REESE to Approve Items 13-36 and 38-42

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

RESOLUTION NO. R-4-2007

A RESOLUTION CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1493 - HUALAPAI WAY/ALEXANDER ROAD (CHEYENNE AVENUE TO CIMARRON ROAD); OVERRULING COMPLAINTS, PROTESTS AND OBJECTIONS MADE TO THE ASSESSMENTS AT THE HEARING OF SAID ASSESSMENT ROLL; VALIDATING AND CONFIRMING THE ASSESSMENT ROLL; PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH; RATIFYING ALL ACTION TAKEN CONSISTENT WITH THE PROVISIONS HEREOF; AND PROVIDING THE EFFECTIVE DATE HEREOF.

Summary: Assessment Protest Resolution

WHEREAS, the City Council of the City of Las Vegas (the "City Council" and "City," respectively) in the County of Clark and State of Nevada, pursuant to an ordinance heretofore adopted (the "District Ordinance") created Las Vegas, Nevada, Special Improvement District No. 1493 - Hualapai Way/Alexander Road (Cheyenne Avenue to Cimarron Road) (the "District") and ordered the acquisition of certain local improvements (the "Project") within the District in the City; and

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

WHEREAS, in accordance with NRS 271.360, the City Council heretofore determined and does hereby declare that the net cost of the Project (including all necessary incidentals which either have been or will be incurred in connection with the District) is \$10,048,521.80, of which \$9,424,878.50 is available from other sources and \$623,643.30 is to be assessed upon the benefited lots, tracts and parcels of land in the District, which the City Council has determined will receive special benefits (and corresponding market value increases) from the Project; and

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

WHEREAS, the City Council, together with the City Engineer, made out an assessment roll for the District which contains, among other things, the names and addresses of the last known

owners of the property to be assessed, a description of each lot, tract, or parcel of land to be assessed, the amount of the proposed assessment to be levied thereon;

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

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

WHEREAS, the City Engineer (with the assistance of the City Engineer Division) has, in accordance with the provisions of the law relating thereto, given the requisite legal notice by both mail and publication that complaints, protests and objections to assessments for the Project should be filed with the City Clerk, and that the City Council would hear and consider any and all complaints, protests, or objections on Wednesday, December 20, 2006, at 1:00 p.m., at the Las Vegas City Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada; and

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

WHEREAS, all complaints, protests and objections, both written and oral, were heard and considered by the City Council on December 20, 2006, and after extensive review and deliberation hereby are found to be without sufficient merit and hereby overruled. However, the City Council has, nevertheless, concluded that it is necessary and equitable that the assessment roll be corrected and revised as follows:

<u>Parcel Number</u>	<u>Ownership</u>	<u>Revised Amount of Final Assessment</u>
None		

and

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

<u>Parcel Number</u>	<u>Ownership</u>	<u>Assessment</u>
None		

and

WHEREAS, the City Council has determined, and does hereby again determine, that all of the assessable property in the City, which is specially benefited by the Project, and only property which is so specially benefited, is included on the assessment roll heretofore filed with the City Clerk on November 15, 2006, and

WHEREAS, the City Council has determined, and does hereby determine, that the notice, both mailed and published, for the hearing held on December 20, 2006 on said assessment roll was reasonably calculated to inform each interested person of the proceedings concerning the District and the Project, which may directly and adversely affect his or her legally protected rights and interests.

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

Section 1. This Resolution shall be known as and may be cited by the short title "District No. 1493 Assessment Protest Resolution" (the "Resolution").

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

Section 3. The City Council hereby validates and confirms the assessment roll for the District, as made out by the City Council, together with the City Engineer, and filed in the records of the office of the City Clerk on November 15, 2006, as hereinabove modified, revised, corrected and made de novo.

Section 4. All actions, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Resolution) concerning the District, including, but not limited to, the acquisition of the Project, and the levy of assessments for that purpose, the determination that the tracts in the District will receive special benefits and market value increases, and the validation and confirmation of the assessment roll and the assessments therein, be and the same hereby are, ratified, approved and confirmed.

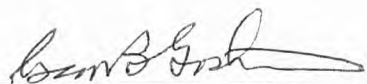
Section 5. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

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

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

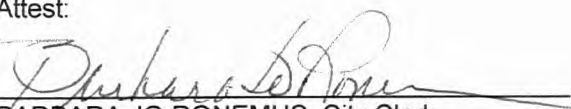
Section 8. The City Council has determined, and does hereby declare, that this Resolution shall be in effect immediately after its passage in accordance with law.

Passed and approved on January 3, 2007.



OSCAR B. GOODMAN, MAYOR

Attest:



BARBARA JO RONECUS, City Clerk

Approved as to form:

12-20-06
Date



Deputy City Attorney

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

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

1. The foregoing pages constitute a true, correct, complete and compared copy of a resolution adopted by the City Council of the City (the "City Council") at a regular meeting of the City Council held on January 3, 2007.

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

Those Voting Aye:	Oscar B. Goodman Gary Reese Larry Brown Lawrence Weekly Steve Wolfson Lois Tarkanian Steven D. Ross
-------------------	---

Those Voting Nay:	None
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Those Absent:	None
---------------	------

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

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

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

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

- (i) City Clerk's Bulletin Board
City Hall Plaza
2nd Floor Skybridge
Las Vegas, Nevada
- (ii) Bulletin Board
City Hall Plaza (next door to Metro Records)
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
- (vi) The City of Las Vegas website

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

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

6. A copy of such notice so given of the meeting of the City Council on January 3, 2007, is attached to this certificate as Exhibit "A".

IN WITNESS WHEREOF, I have hereunto set my hand on this January 3, 2007.

(SEAL)

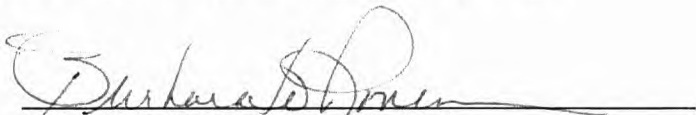
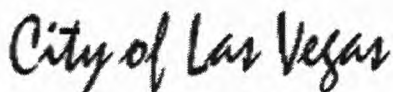

BARBARA JO RONEMUS, City Clerk

Exhibit "A"

(Attach Notice of Meeting and Agenda)

**CITY COUNCIL
AGENDA****COUNCIL CHAMBERS · 400 STEWART AVENUE · PHONE 229-6011****CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.lasvegasnevada.gov>****OSCAR B. GOODMAN, MAYOR (At-Large) · COUNCILMAN GARY REESE, MAYOR PRO TEM
(Ward 3)****COUNCIL MEMBERS: LARRY BROWN (Ward 4), LAWRENCE WEEKLY (Ward 5),
STEVE WOLFSON (Ward 2), LOIS TARKANIAN (Ward 1), STEVEN D. ROSS (Ward 6)**

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

January 03, 2007**Morning Session begins at 9:00 a.m.****Afternoon Session begins at 1:00 p.m.**

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

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

DUPLICATE AUDIO CD'S AND DUPLICATE AUDIO/VIDEO DVD'S MAY BE AVAILABLE AT A COST OF \$5.00 EACH THROUGH THE CITY CLERK'S OFFICE.

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

CEREMONIAL MATTERS

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. INVOCATION – REVEREND MARY BREDLAU, PALM MORTUARY
4. PLEDGE OF ALLEGIANCE
5. OATH OF OFFICE ADMINISTERED TO ROB W. BARE FOR MUNICIPAL COURT JUDGE, DEPARTMENT 6
6. RECOGNITION OF THE CITIZEN OF THE MONTH
7. RECOGNITION OF BUFFALO WILD WINGS FOR SUPPORT OF THE LAS VEGAS FIRE AND RESCUE DEPARTMENT
8. RECOGNITION OF PALO VERDE HIGH SCHOOL BOYS STATE AAAA TENNIS CHAMPIONS
9. RECOGNITION OF STELLA FLEMING SENIOR CENTER RESIDENT SEMOINE BROUNER FOR VOLUNTEER SERVICE
10. RECOGNITION OF THE MEADOWS SENIOR MOBILE HOME PARK BOARD OF DIRECTORS FOR COMMUNITY OUTREACH

BUSINESS ITEMS - MORNING

11. Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time
12. Approval of the Final Minutes by reference of the regular City Council meeting of November 15, 2006

CONSENT AGENDA

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

BUSINESS DEVELOPMENT - CONSENT

13. Approval of Declaration of Reserved Easement for Emergency Access for the benefit of Foundation for an Independent Tomorrow, on the west side of Stella Lake Street, approximately 600 feet south of Lake Mead Boulevard (APN 139-21-313-011) - Ward 5 (Weekly)

FIELD OPERATIONS - CONSENT

14. Approval of a Grant of Easement from the City of Las Vegas to Nevada Power Company to cancel and supersede the Right-of-Entry previously on record and continue to allow Nevada Power Company access to the site for electrical systems needs located at 1551 South Buffalo Drive commonly known as All American Park, APN 163-04-604-002 - Ward 2 (Wolfson)

FINANCE & BUSINESS SERVICES - ADMINISTRATION CONSENT

15. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES CONSENT

16. Approval of a Special Event License for Beauty Bar Salon, Location: 517 Fremont Street, Date: January 5, 2007, Type: Special Event General, Event: Music and Dancing Live Arts, Responsible Person in Charge: Scott Infantolino - Ward 5 (Weekly)
17. Approval of a Special Event License for Go Home Limited, Location: World Market Center, 495 South Grand Central Parkway, Suite 318, Dates: January 29-31, 2007 and February 1-2, 2007, Type: Special Event General, Event: Trade Show, Responsible Person in Charge: Lauren Weinstein - Ward 5 (Weekly)
18. Approval of Change of Ownership, Change of Business Name and Change of Location for a Tavern License subject to the provisions of the planning and fire codes and Health Dept. regulations, From: Samcon, Inc., dba Tomfoolery's, Sean T. Higgins, Pres, 100%, To: The Lodge At Grand Teton Operator, LLC, dba The Lodge At Grand Teton, 8350 Grand Teton Drive, Stuart E. Apollo, Mmbr, 100% - Ward 6 (Ross)
19. Approval of Change of Ownership and Change of Business Name for a Burglar Alarm Service License, From: National Alarm Computer Center, Inc., dba National Alarm Computer Center, Stephen B. Baker, VP, To: Integrated Alarm Services Group, Inc., dba Criticom International, 96 Corporate Park Drive, Robert B. Heintz, VP, Michael T. Moscinski, CFO and Brian Edward Shea, Executive VP - California
20. Approval of a new Hypnotist License, Donna Jean Rod, dba Donna Rod, 800 North Rainbow Boulevard, Suite 170, Donna J. Rod, 100% - Ward 1 (Tarkanian)

21. Approval of a new Hypnotherapist License subject to the provisions of the planning and fire codes, Maria Lifrieri, dba NY Hypnosis & Laser Center, Ltd., 8871 West Sahara Avenue, Suite 100, Maria S. Lifrieri, 100% - Ward 2 (Wolfson)

FINANCE & BUSINESS SERVICES - PURCHASING & CONTRACTS CONSENT

22. Approval of award of Modification No. 2 to Contract No. 060017 for Maintenance of Yucca Mountain Monitoring Program - Office of Administrative Services - Award recommended to: URBAN ENVIRONMENTAL RESEARCH, LLC (\$74,072 - Multipurpose Special Revenue Fund)
23. Approval of award of Bid No. 06.53541.01-LED, Warehouse Expansion and Office Addition - Water Pollution Control Facility (WPCF) located at 6005 East Vegas Valley Drive and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: APCO CONSTRUCTION (\$1,114,140 - Sanitation Enterprise Fund) - County
24. Approval of a Purchase Order for Diversity Champions Training - Department of Human Resources - Award recommended to: GUARDIAN QUEST (not-to-exceed \$100,000 - General Fund)
25. Approval of ratification of a purchase order for Chevrolet Vehicles - Department of Field Operations - Award recommended to: CHAMPION CHEVROLET (\$50,438.25 - Automotive Service Internal Service Fund)

NEIGHBORHOOD SERVICES - CONSENT

26. Approval to enter into an Agreement with the State of Nevada, Department of Business and Industry, Housing Division (NHD) to receive \$1,809,000 in Low Income Housing Trust Fund (LIHTF) funds for qualified Trust Fund projects or activities subject to entering into written agreements with the recipients and requiring compliance with the regulations under NRS Chapter 319 and NAC 319 - All Wards
27. Approval of an allocation of \$200,000 in Home Investment Partnership Programs/Low-Income Housing Trust Funds (HOME/LIHTF) to Neighborhood Services Department, EVOLVE Program to operate a tenant-based rental assistance program - All Wards

PUBLIC WORKS - CONSENT

28. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Art Consulting Engineers on behalf of Gordon and Bryan Investment, LLC, owner (southwest corner of Torrey Pines Drive and Jo Marcy Drive, APN 125-14-106-002) - County (near Ward 6 - Ross)
29. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Peak Development Services on behalf of Indian Summer Development, LLC, owner (northeast corner of Tee Pee Lane and Ann Road, APN 125-30-807-001) - County (near Ward 6 - Ross)
30. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Affleck Engineering on behalf of G.L. Kennedy Trust, Gay Louise Kennedy, Trustee and Gall Family Trust Dated November 26, 2001, Steven H. Gall and V. Joyce Gall, Trustees, owners (north of Maggie Avenue between Four Views Street and Homestead Street, APN 125-08-502-005) - County (near Ward 6 - Ross)
31. Approval of an Encroachment Request from TRC/BV Engineering Nevada on behalf of Parkway Center, LLC, owner (northeast corner of Grand Central Parkway and City Parkway) - Ward 5 (Weekly)
32. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Kevin Skehan and Candi Skehan, owners (south of Deer Springs Way and west of Mustang Street, APN 125-23-701-003) - County (near Ward 6 - Ross)
33. Approval of an Encroachment Request from JPL Engineering, Incorporated, on behalf of Urban Lofts X, Limited, owner (Fremont Street between Bruce Street and Eastern Avenue) - Ward 3 (Reese)
34. Approval of an Encroachment Request from the Las Vegas - Clark County Library District, owner (Sahara Avenue between Grand Canyon Drive and Village Square Center) - Ward 2 (Wolfson)

35. Approval to appraise and purchase or condemn right-of-way parcels for the East Charleston Boulevard Bus Turnouts project from Fremont Street to Nellis Boulevard (\$700,000 - Regional Transportation Commission [RTC]) - Ward 3 (Reese)
36. Approval to file an amendment to Right-of-Way Grant N-77772 with the Bureau of Land Management for roadway, sanitary sewer, trails, streetscape amenities and drainage purposes on portions of land lying within portions of Section 1, Township 19 South, Range 59 East, Mount Diablo Meridian, generally located from Iron Mountain Road to Hualapai Way, APNs 126-01-401-003, 126-01-401-001 and 126-01-502-005 - Ward 6 (Ross)
37. Approval of a Cooperative Agreement with the Nevada Department of Transportation (NDOT) for perpetual maintenance of the Bonanza Trail located within the NDOT right-of-way, beginning at the intersection of Washington Avenue and Durango Drive and ending at the intersection of Decatur Boulevard and the US-95 off-ramp (\$90,000 yearly - General Fund) - Wards 1, 4 and 5 (Tarkanian, Brown and Weekly)

RESOLUTIONS - CONSENT

38. R-1-2007 - Approval of a Resolution concerning proposed Special Improvement Districts within the Summerlin area, approving a Water Line Reimbursement Agreement and other related matters - Ward 2 (Wolfson)
39. R-2-2007 - Approval of a Resolution Determining the Cost and Directing the City Engineer to prepare the Final Assessment Roll for Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) (\$481,988.99 - Capital Projects Fund/Special Assessments) - Ward 6 (Ross)
40. R-3-2007 - Approval of a Resolution fixing the time and place when complaints, protests, and objections to the Final Assessment Roll will be heard for Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) (\$481,988.99 - Capital Projects Fund/Special Assessments) - Ward 6 (Ross)
41. R-4-2007 - Approval of a Resolution overruling complaints, protests, and objections and confirming the Final Assessment Roll for Special Improvement District No. 1493 - Hualapai Way/Alexander Road (Cheyenne Avenue to Cimarron Road) - Ward 4 (Brown)
42. R-5-2007 - Approval of a Resolution overruling complaints, protests, and objections and confirming the Final Assessment Roll for Special Improvement District No. 1505 - Sierra Oeste Neighborhood Streetlights (\$62,576.19 - Capital Projects Fund/Special Assessments) - Ward 5 (Weekly)

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

43. Report from the City Manager on Emerging Issues

CITY ATTORNEY - DISCUSSION

44. Discussion and possible action on Appeal of Work Card Denial: Approved July 12, 2006 granting a site specific work card with a six month review: Susan Rhea Gilloon, 1300 Fremont Street #258, Las Vegas, Nevada 89101
45. Discussion and possible action on Appeal of Work Card Denial: Flaviana A. Guerette, 7241 Early Pioneer Avenue, Las Vegas, Nevada 89129
46. ABEYANCE ITEM - Discussion and possible action to retain the consulting services of Williams Aviation to assist the City of Las Vegas in an appeal of the FAA record of decision regarding the proposed right turn at McCarran International Airport (\$100,000 - General Fund)
47. ABEYANCE ITEM - Discussion and possible action to retain legal services of Chevalier, Allen and Lichman to represent the City of Las Vegas in an appeal of the FAA record of decision regarding the proposed right turn at McCarran International Airport (\$300,000 - General Fund)

48. Discussion and possible action to award Contract No. 070128 for Aviation Consultant Services - Department of Government & Community Affairs - Award recommended to: WILLIAMS AVIATION CONSULTANTS, INC. (\$57,000 - General Fund) - All Wards

CITY AUDITOR - DISCUSSION

49. Discussion and possible action on Annual Audit Recommendation Follow-Up as of June 30, 2006 (2600-0607-03)

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES DISCUSSION

50. Discussion and possible action regarding Temporary Approval of Change of Ownership and Change of Business Name for a Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes and Health Dept. regulations, From: Las Familias, dba Enricos Italian Bistro, Joanne M. Prieto, Dir, Pres, Sec, Treas, 100%, To: Lorenzo's Italian Bistro, Inc., dba Lorenzo's Italian Bistro, 4864 West Lone Mountain Road, Lorenzo G. Sommaggio, Pres, 100% - Ward 6 (Ross)
51. Discussion and possible action regarding Temporary Approval of a new Supper Club License subject to the provisions of the planning codes, Bor Vada, LP, dba On The Border, 5630 Centennial Center Boulevard, GenBusiness Corporation, General Partner, 5%, John D. Gantes, Principal, Yanni Capital Business Partnership, LP, Limited Partner, 95%, John D. and Linda R. Gantes, Community Property Trust, Principal - Ward 6 (Ross)
52. Discussion and possible action regarding Temporary Approval of Change of Ownership, Change of Location and Change of Business Name for a Tavern License, From: Golden Wok Restaurant, Inc., dba Golden Wok Restaurant (Non-operational), 504 South Decatur Boulevard, Koon K. Chang, Pres, Yuk C. Chan, Secy and Kwok W. Cheng, Treas, To: Culture Club of Las Vegas, LLC., dba Polly Esther's, 2000 South Las Vegas Boulevard, Andrew W. Adelman, 33.3%, Robert M. Watman, 33.3% and Bamny, LLC., Timothy T. Ouellette, 33.3% - Ward 3 (Reese)
53. Discussion and possible action regarding Temporary Approval of a new Tavern License subject to the provisions of the fire codes and Health Dept. regulations, Outback Nevada II, L.P., dba Outback Steakhouse, 740 South Decatur Boulevard, Outback Steakhouse of Florida, Inc., General Partner, 81%, Summit West Corporation, Limited Partner, 9% and John Kanas, Limited Partner, 10% - Ward 1 (Tarkanian)
54. Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, Pablo Padilla, dba Padilla's Martial Arts, 871 North Nellis Boulevard, Suite 2, Pablo Padilla, 100% - Ward 3 (Reese)
55. Discussion and possible action on an Appeal of Non-renewal of an Independent Massage Therapist License, David R. Silvaggio, 9330 West Sahara Avenue, # 250 - Ward 2 (Wolfson)
56. ABEYANCE ITEM - Discussion and possible action regarding a new Psychic Arts and Science License subject to the provisions of the planning and fire codes, Lorraine Marks, dba Ms. Laurie, 425 Fremont Street - Ward 3 (Reese)

NEIGHBORHOOD SERVICES - DISCUSSION

57. Report on the status of the Southern Nevada Regional Planning Coalition (SNRPC) Committee on Homelessness (CoH) regional effort - All Wards

PUBLIC WORKS - DISCUSSION

58. Report on the status of the US-95 widening project between Kyle Canyon Road and Charleston Boulevard and I-15 from Craig Road to Sahara Avenue - All Wards

RESOLUTIONS - DISCUSSION

59. R-6-2007 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the Redevelopment Agency and Ernesto J. Savino, located at 418 South Maryland Parkway (APN 139-34-811-064), to be in compliance with and in furtherance of the goals and objectives of the Redevelopment Agency - Ward 3 (Reese) [NOTE: This item is related to RDA Items 4 (RA-1-2007) and 5]
60. R-7-2007 - Discussion and possible action regarding a Resolution Consenting to the Real Property Exchange Agreement between the City of Las Vegas Redevelopment Agency and the Las Vegas Police Protective Association Metro, Inc., for the exchange of real property located at the Southeastern corner of 4th Street and Clark Avenue (APN 139-34-303-002) for the real property located at the Northwestern corner of 7th Street and Stewart Avenue (APN 139-34-501-011) to be in compliance with and in furtherance of the goals and objectives of the Redevelopment Agency (RDA) (\$314,250 approximate in-kind contribution - RDA) - Wards 3 and 5 (Reese and Weekly) [NOTE: This item is related to RDA Items 6 (RA-2-2007) and 7]

RECOMMENDING COMMITTEE REPORT - DISCUSSION**BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING**

61. Bill No. 2006-67 – Adopts an updated version of the Las Vegas Downtown Centennial Plan, together with related development standards. Sponsored by: Councilman Gary Reese
62. Bill No. 2006-68 – Adopts the Union Park Design Standards and integrates them into other provisions that pertain to the Downtown Overlay District. Sponsored by: Mayor Oscar B. Goodman

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

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

63. Bill No. 2006-70 – Amends the legal description and map describing and depicting the boundaries of the Pedestrian Mall to reflect certain street vacation actions. Proposed by: Bradford R. Jerbic, City Attorney
64. Bill No. 2006-71 – Adopts provisions regarding the use of public streets for motorized racing events. Sponsored by: Councilman Gary Reese and Councilman Lawrence Weekly
65. Bill No. 2006-72 – Adopts the 2005 Edition of the National Electrical Code, together with amendments and supplementary material. Proposed by: Paul K. Wilkins, Director of Building and Safety
66. Bill No. 2006-73 – Adopts the 2006 Edition of the Southern Nevada Pool Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
67. Bill No. 2006-74 – Adopts the 2006 Edition of the Uniform Mechanical Code, together with amendments thereto, as the City's Mechanical Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
68. Bill No. 2006-75 – Adopts the 2006 Edition of the Uniform Plumbing Code, together with amendments thereto, as the City's Plumbing Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
69. Bill No. 2006-76 – Adopts the 2006 Edition of the International Energy Conservation Code, along with amendments thereto. Proposed by: Paul K. Wilkins, Director of Building and Safety
70. Bill No. 2006-77 – Adopts the 2006 Editions of the International Building Code and the International Residential Code, together with amendments thereto. Proposed by: Paul K. Wilkins, Director of Building and Safety

71. Bill No. 2006-78 – Updates the City’s Administrative Code, relating to the administration of the various building and technical codes. Proposed by: Paul K. Wilkins, Director of Building and Safety
72. Bill No. 2006-79 – Allows small wind energy systems as a conditional use in the R-A, R-E and R-D Zoning Districts. Sponsored by: Councilman Steven D. Ross
73. Bill No. 2006-80 - Ordinance Creating Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) Sponsored by: Step Requirement
74. Bill No. 2006-81 - Grants to Nevada Power Company, a Nevada Corporation, a non-exclusive franchise to install, operate and maintain an electrical distribution system to provide electrical service to consumers within the City subject to and in accordance with the terms and conditions of the Franchise Agreement between the City and Nevada Power Company. Proposed by: Mark R. Vincent, Director of Finance and Business Services

NEW BILLS - DISCUSSION

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

75. Bill No. 2007-1 - Levies Assessment for Special Improvement District No. 1493 – Hualapai Way/Alexander Road (Cheyenne Avenue to Cimarron Road). Sponsored by: Step Requirement
76. Bill No. 2007-2 - Levies Assessment for Special Improvement District No. 1505 – Sierra Oeste Neighborhood Streetlights. Sponsored by: Step Requirement
77. Bill No. 2007-3 – Annexation No. ANX-12215 – Property location: On the north and south sides of I-215 (Clark County Highway 215), between Shaumber Road and Fort Apache Road; Petitioned by Southwest Desert Equities, LLC, et al.; Acreage: Approximately 259 acres; Zoned: R-E and P-F (County zoning), U (R), U (RNP), U (L), U (P-F) and C-V (City equivalents). Sponsored by: Councilman Steven D. Ross
78. Bill No. 2007-4 – Clarifies and standardizes the provisions that govern the expiration and termination of zoning-related applications and approvals. Proposed by: M. Margo Wheeler, Director of Planning and Development

1:00 P.M. - AFTERNOON SESSION

BUSINESS ITEMS - AFTERNOON

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

HEARINGS - DISCUSSION

80. Public Hearing to consider the report of expenses to recover costs for mitigation abatement of vacant or abandoned building and assess civil penalties located at 960 G Street. PROPERTY OWNER: ELSIE BATIE (\$19,062.71 - General Fund) – Ward 5 (Weekly)
81. Public Hearing to consider the report of expenses to recover costs for mitigation abatement of vacant or abandoned building and assess civil penalties located at 3804 Beacon Point Street. PROPERTY OWNER: KIONNE JOHNSON (\$3,452.90 - General Fund) - Ward 4 (Brown)
82. Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building located at 9504 Belgate Court. PROPERTY OWNER: POFERIA DYES-ALBRIGHT (\$3,282.50 - General Fund) - Ward 4 (Brown)
83. ABEYANCE ITEM - Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building located at 886 Miller Avenue. PROPERTY OWNER: WALTER & LIZZIE THOMAS (\$4,973 –

General Fund) - Ward 5 (Weekly)

PLANNING & DEVELOPMENT

THE ITEMS LISTED BELOW, WHERE APPROPRIATE, HAVE BEEN REVIEWED BY THE VARIOUS CITY DEPARTMENTS RELATIVE TO REQUIREMENTS FOR STORM DRAINAGE AND FLOOD CONTROL, CONNECTION TO SANITARY SEWER, TRAFFIC CIRCULATION, AND BUILDING AND FIRE REGULATIONS. THEIR COMMENTS AND/OR RECOMMENDATIONS AND REQUIREMENTS HAVE BEEN INCORPORATED INTO THE ACTION

PLANNING & DEVELOPMENT - CONSENT

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

84. EOT-18225 - APPLICANT/OWNER: ANTONETTE MARTINEZ - Request for an Extension of Time of an approved Variance (VAR-5373) THAT ALLOWED A 10-FOOT REAR YARD SETBACK WHERE 35 FEET IS THE MINIMUM REQUIRED IN CONJUNCTION WITH A PROPOSED ROOM ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE on 0.47 acres at 2240 Shaw Circle (APN 163-03-802-004), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL
85. EOT-18217 - APPLICANT: WOOD PARTNERS - OWNER: ALTA MONTECITO - Request for an Extension of Time of an approved Special Use Permit (SUP-5296) THAT ALLOWED A DENSITY OF 66.94 UNITS WHERE 50 UNITS PER ACRE IS THE MAXIMUM ALLOWED FOR AN APPROVED 399-UNIT HIGH DENSITY RESIDENTIAL DEVELOPMENT on 5.96 acres adjacent to the southeast corner of Elkhorn Road and Grand Montecito Parkway (APN 125-20-510-002), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use) Town Center Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

86. DIR-18171 - APPLICANT/OWNER: RITZ COVE HOMEOWNERS ASSOCIATION - Request TO ALLOW THE OPERATION OF A 57 SQUARE FOOT WATER FEATURE at the entrance to an existing single family residential development at 2501 Monarch Bay Drive (APN 138-16-812-032), Ward 4 (Brown). Staff recommends APPROVAL
87. SUP-17551 - PUBLIC HEARING - APPLICANT: FAMOUS UNCLE AL'S HOT DOGS - OWNER: VIRGIN TERRITORY, LLC - Request for a Special Use Permit FOR A PROPOSED BEER/WINE/COOLER ON-SALE ESTABLISHMENT IN CONJUNCTION WITH A PROPOSED RESTAURANT at 6020 West Craig Road (APN 138-02-611-006), R-E (Residence Estates) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Ross). NOTE: THE CORRECT ADDRESS IS 6010 WEST CRAIG ROAD, SUITE #110. The Planning Commission (7-0 vote) and staff recommend APPROVAL
88. SDR-16954 - PUBLIC HEARING - APPLICANT: THE CHONG CO. - OWNER: CFT-TCC NELLIS, LLC - Request for a Site Development Plan Review FOR A 8,345 SQUARE FOOT SHOPPING CENTER on 1.24 acres on the west side of Nellis Boulevard, approximately 1,060 feet south of Bonanza Road (APN 140-32-517-003), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
89. SDR-17717 - PUBLIC HEARING - APPLICANT/OWNER: STEWART/NELLIS PARTNERS, LLC - Request for a Site Development Plan Review FOR AN 84,245 SQUARE FOOT SHOPPING CENTER on 7.81 acres on property adjacent to the northwest corner of Nellis Boulevard and Stewart Avenue, (APN 140-32-601-005), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
90. MOD-12919 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DORSAL DEVELOPMENT, LLC - OWNER: FULSTONE 1993 TRUST AND JEFF SELLINGER - Request for a Major Modification to the Las Vegas Medical District Plan TO AMEND THE LAND USE DESIGNATION FROM: MD-2 (MAJOR MEDICAL) TO: MD-1 (MEDICAL SUPPORT) on 0.74 acres at 728 Desert Lane (APN 139-33-402-021), Ward 5 (Weekly). The Planning

Commission (7-0 vote) and staff recommend APPROVAL

91. SUP-16246 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DORSAL DEVELOPMENT, LLC - OWNER: FULSTONE 1993 TRUST AND JEFF SELLINGER - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT at 728 Desert Lane (APN 139-33-402-021), [PROPOSED: MD-1 (MEDICAL SUPPORT) Las Vegas Medical District Plan Designation], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend DENIAL

92. SDR-12922 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DORSAL DEVELOPMENT, LLC - OWNER: FULSTONE 1993 TRUST AND JEFF SELLINGER - Request for a Site Development Plan Review FOR A PROPOSED FIVE-STORY MIXED-USE DEVELOPMENT CONSISTING OF 24 RESIDENTIAL CONDOMINIUM UNITS AND 13,465 SQUARE FEET OF MEDICAL OFFICE SPACE on 0.74 acres at 728 Desert Lane (APN 139-33-402-021), PD (Planned Development) Zone [MD-2 (Major Medical) Las Vegas Medical District Special Land Use Designation] [PROPOSED: MD-1 (Medical Support) Las Vegas Medical District Special Land Use Designation], Ward 5 (Weekly). NOTE: This application has been amended from 24 Residential Condominium Units to 30 Residential Condominium Units and from 13,465 square feet of Medical Office space to 9,350 square feet of Medical Office space. The Planning Commission (7-0 vote) and staff recommend DENIAL

93. ZON-15031 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: 3100 MEADE, LLC - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-M (COMMERCIAL/INDUSTRIAL) on 0.80 acres approximately 300 feet north of Meade Avenue, 980 feet west of Rancho Drive (APN 162-08-201-005), Ward 1 (Tarkanian). The Planning Commission (4-2 vote) and staff recommend APPROVAL

94. SDR-15030 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: 3100 MEADE, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF TWO EXISTING STORAGE BUILDINGS TO A LIGHT MANUFACTURING FACILITY on 0.80 acres approximately 300 feet north of Meade Avenue and 980 feet west of Rancho Drive (APN 162-08-201-005), R-1 (Single Family Residential) Zone [PROPOSED: C-M (Commercial/Industrial) Zone], Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL

95. ZON-16915 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GHASSAN MISHFERI - Request for a Rezoning FROM: R-E (RESIDENTIAL ESTATES) TO: R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE) on 1.08 acres on the north side of Smoke Ranch Road, approximately 467 feet east of Michael Way (APN 138-13-801-068), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

96. VAR-16996 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GHASSAN MISHFERI - Request for a variance TO ALLOW A RESIDENTIAL PLANNED DEVELOPMENT OF 1.08 ACRES WHERE FIVE ACRES IS THE MINIMUM AREA REQUIRED on the north side of Smoke Ranch Road, approximately 467 feet east of Michael Way (APN 138-13-801-068), R-E (Residential Estates) Zone under Resolution of Intent to R-PD6 (Residential Planned Development - 6 Units per Acre), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

97. SDR-16914 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GHASSAN MISHFERI - Request for a Site Development Plan Review FOR A 6 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 1.08 acres on the north side of Smoke Ranch Road, approximately 467 feet east of Michael Way (APN 138-13-801-068), R-E (Residential Estates) Zone under Resolution of Intent to R-PD6 (Residential Planned Development - 6 Units per Acre), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

98. VAR-16144 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: T-MOBILE USA, INC. - OWNER: MESQUITE WOOD 3, LLC - Request for a Variance TO ALLOW A 70-FOOT TALL WIRELESS COMMUNICATIONS TOWER 68.2 FEET FROM RESIDENTIAL PROPERTY WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRES 210 FEET on 3.82 acres at 1620 Bracken Avenue (APN 162-02-208-001), C-V (Civic) Zone, Ward 3 (Reese). The Planning Commission (6-0-1 vote) and staff recommend DENIAL

99. SUP-16143 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: T-MOBILE USA, INC. - OWNER: MESQUITE WOOD 3, LLC - Request for a Special Use Permit FOR A WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN on 3.82 acres at 1620 Bracken Avenue (APN 162-02-208-001), C-V (Civic) Zone, Ward 3 (Reese). The Planning Commission (6-0-1 vote) and staff recommend DENIAL
100. VAR-16505 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: ALVY COOK - Appeal filed by the applicant from the denial by the Planning Commission of a request for a Variance TO ALLOW A FIVE-FOOT REAR YARD SETBACK WHERE 15 FEET IS THE MINIMUM SETBACK REQUIRED FOR A PROPOSED ROOM ADDITION at 1117 Strong Drive (APN 162-05-511-005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian). The Planning Commission (6-1 vote) and staff recommend DENIAL
101. VAR-17156 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GLENN J. SORRELLS - Appeal filed by the applicant from the denial by the Planning Commission of a request for a Variance TO ALLOW A SEVEN-FOOT HIGH WALL WHERE A FIVE-FOOT HIGH WALL IS THE MAXIMUM HEIGHT PERMITTED IN A PORTION OF THE FRONT YARD on 0.15 acres at 1109 Shifting Sands Drive (APN 138-26-615-088), R-1 (Single Family Residential) Zone, Ward 5 (Weekly). NOTE: THE APPLICATION IS FOR AN EIGHT FOOT HIGH WALL WHERE A FIVE-FOOT HIGH WALL IS THE MAXIMUM. The Planning Commission (7-0 vote) and staff recommend DENIAL
102. RQR-17098 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: CONSTANTINO NOVAL NV, LLC - Appeal filed by the applicant from the denial by the Planning Commission of a Required Four-Year Review of an approved Special Use Permit (U-0025-98) WHICH ALLOWED A 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 73 South Martin L King Boulevard (APN 139-33-510-002), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend DENIAL
103. SDR-15747 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH - Request for a Site Development Plan Review FOR A PROPOSED 31,126 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP AND A WAIVER OF THE PERIMETER LANDSCAPING REQUIREMENTS on 8.55 acres at the northwest corner of Rainbow Boulevard and Westcliff Drive (a portion of APN 138-27-802-004), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
104. SDR-17057 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: SANTA FE 124, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF A 124-UNIT APARTMENT COMPLEX TO A CONDOMINIUM DEVELOPMENT on 6.0 acres at 1111 Warbonnet Way (APN 163-04-501-004), R-PD23 (Residential Planned Development - 23 Units Per Acre) Zone, Ward 2 (Wolfson). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
105. SDR-17298 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: REPUBLIC SERVICES OF SOUTHERN NEVADA - OWNER: PREMIER TRUST OF NEVADA - Request for a Site Development Plan Review FOR A PROPOSED PARKING LOT AND A WAIVER TO ALLOW A REDUCTION OF THE PERIMETER LANDSCAPING BUFFERING REQUIREMENTS on 0.52 acres adjacent to the north side of Sahara Avenue, approximately 600 feet east of 6th Street (APN 162-03-801-018), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
106. ZON-17697 - PUBLIC HEARING - APPLICANT/OWNER: RICHMOND AMERICAN HOMES - Request for a Rezoning FROM: U (UNDEVELOPED) Zone [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] under Resolution of Intent to R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) TO: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) on 10.30 acres adjacent to the northwest and northeast corners of Ann Road and Mustang Street (APN 125-26-801-012 and 125-26-802-014), Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend DENIAL
107. SDR-17698 - PUBLIC HEARING - APPLICANT/OWNER: RICHMOND AMERICAN HOMES - Request for a Site Development Plan Review of A 32 LOT RESIDENTIAL SUBDIVISION on 10.30 acres adjacent to the northwest and northeast corners of Ann Road and Mustang Street (APN 125-26-801-012 and 125-26-802-014), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)], Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend

DENIAL

108. ZON-17740 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Rezoning FROM: R-4 (HIGH DENSITY RESIDENTIAL) TO: R-5 (APARTMENT) on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
109. VAR-17741 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW 150 PARKING SPACES WHERE 425 SPACES ARE REQUIRED IN CONJUNCTION WITH A PROPOSED APARTMENT DEVELOPMENT on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
110. VAR-17742 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW A PROPOSED APARTMENT BUILDING TO BE EIGHT FEET FROM THE NORTH PROPERTY LINE WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A SETBACK OF 198 FEET AND TO ALLOW TRASH ENCLOSURES TO BE 10 FEET FROM RESIDENTIALLY ZONED PROPERTY WHERE 50 FEET IS THE MINIMUM SETBACK REQUIRED on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
111. VAR-17743 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW A PROPOSED APARTMENT BUILDING TO BE ZERO FEET FROM THE WEST PROPERTY LINE WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED, ZERO FEET FROM THE EAST PROPERTY LINE WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED, ZERO FEET FROM THE SOUTH PROPERTY LINE WHERE FIVE FEET IS THE MINIMUM SETBACK REQUIRED AND TO ALLOW A BUILDING HEIGHT OF 66 FEET WHERE 55 FEET IS THE MAXIMUM HEIGHT ALLOWED on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
112. VAC-17744 - PUBLIC HEARING - APPLICANT/OWNER: LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Petition to Vacate a portion of an existing alley generally located north of Bridger Avenue, 140 feet east of Tenth Street, Ward 5, (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
113. SDR-17745 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Site Development Plan Review for a PROPOSED 300 UNIT, 66 FOOT HIGH, SIX STORY APARTMENT BUILDING AND A WAIVER OF THE PERIMETER LANDSCAPE BUFFERING STANDARDS FOR ZERO FEET OF LANDSCAPING WHERE TEN FEET IS REQUIRED ALONG THE SOUTHERN, EASTERN, AND WESTERN PERIMETER AND TO ALLOW FIVE FEET OF LANDSCAPING WHERE SIX FEET IS REQUIRED ALONG A PORTION OF THE NORTHERN PERIMETER on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
114. VAR-17749 - PUBLIC HEARING - APPLICANT/OWNER: HELP LAS VEGAS HOUSING CORPORATION II - Request for a Variance TO ALLOW 109 PARKING SPACES WHERE 205 SPACES ARE REQUIRED FOR A 125 UNIT MULTI-FAMILY HOUSING COMPLEX on 4.84 acres at 1455 North Main Street (APN 139-27-502-015), C-V (Civic District) Zone under Resolution of Intent to R-5 (Apartment), Ward 5 (Weekly). The Planning Commission (6-1 vote) and staff recommend APPROVAL
115. VAR-17751 - PUBLIC HEARING - APPLICANT/OWNER: HELP LAS VEGAS HOUSING CORPORATION II -

Request for a Variance TO ALLOW TWO 45 FOOT HIGH APARTMENT BUILDINGS 59 FEET FROM RESIDENTIAL PROPERTY WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A SETBACK OF 135 FEET on 4.84 acres at 1455 North Main Street (APN 139-27-502-015), C-V (Civic District) Zone under Resolution of Intent to R-5 (Apartment), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

116. SDR-17748 - PUBLIC HEARING - APPLICANT/OWNER: HELP LAS VEGAS HOUSING CORPORATION II - Request for a Site Development Plan Review FOR A 125 UNIT MULTI-FAMILY HOUSING COMPLEX on 4.84 acres at 1455 North Main Street (APN 139-27-502-015), C-V (Civic District) Zone under Resolution of Intent to R-5 (Apartment), Ward 5 (Weekly). The Planning Commission (6-1 vote) and staff recommend APPROVAL

117. RQR-17518 - PUBLIC HEARING - APPLICANT: REAGAN NATIONAL ADVERTISEMENT - OWNER: GATEWAY MOTEL, INC. - Required One-Year Review of an approved Special Use Permit (U-0028-01) WHICH ALLOWED A 24-FOOT X 28-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 928 Las Vegas Boulevard South (APN 139-34-410-165), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL

118. SUP-17729 - PUBLIC HEARING - APPLICANT: MARK JAGET - OWNERS: RICHARD WEISBANT FAMILY TRUST AND 3RD GASS PARTNERS, LLC - Request for a Special Use Permit TO ALLOW A MIXED-USE DEVELOPMENT adjacent to the northeast corner of Gass Avenue and 3rd Street (APNs 139-34-410-112 & 139-34-410-113), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL

119. SDR-17731 - PUBLIC HEARING - APPLICANT: MARK JAGET - OWNERS: RICHARD WEISBANT FAMILY TRUST AND 3RD GASS PARTNERS, LLC - Request for a Site Development Plan Review FOR A FIVE STORY MIXED-USE DEVELOPMENT WITH 30 APARTMENTS AND 2,200 SQUARE FEET OF RETAIL AND A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN BUILDING STEPBACK REQUIREMENT on 0.31 acres adjacent to the northeast corner of Gass Avenue and 3rd Street (APNs 139-34-410-112 & 139-34-410-113), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL

120. SUP-17307 - PUBLIC HEARING - APPLICANT: LAKESIDE CENTER - OWNER: WFTNV, LLC - Request for a Special Use Permit FOR A PROPOSED RESTAURANT SERVICE BAR AND A WAIVER OF THE 400-FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING CHURCH at 2620 Regatta Drive, Suite #117 (APN 138-16-717-002), C-1 (Limited Commercial) Zone, Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

121. SUP-17716 - PUBLIC HEARING - APPLICANT/OWNER: LYLE LOOB - Request for a Special Use Permit FOR A PROPOSED HABITABLE ACCESSORY STRUCTURE at 3613 Hillside Court (APN 139-30-616-018), R-1 (Single-Family Residential) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

122. SUP-17724 - PUBLIC HEARING - APPLICANT/OWNER: SILVER STATE BANK - Request for a Special Use Permit FOR A PROPOSED DRIVE-THRU FACILITY FOR AN EXISTING FINANCIAL INSTITUTION, GENERAL WITH A WAIVER TO ALLOW A SEPARATION OF 280 FEET FROM A SINGLE FAMILY DWELLING WHERE 330 FEET IS REQUIRED AND TO ALLOW A DRIVE-THRU FACILITY ADJACENT TO THE RIGHT-OF-WAY on 0.63 acres at 7125 North Durango Drive (APN 125-20-117-005), T-C (Town Center) Zone [UC-TC (Urban Center Mixed-Use) Town Center Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

123. VAC-16295 - PUBLIC HEARING - APPLICANT/OWNER: ROLAND L. GRAY, ET AL AND FOURTEEN SAC SELF-STORAGE CORPORATION - Petition to Vacate a 20-foot public right-of-way generally located south of the intersection of Jones Boulevard and Rancho Drive, Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend DENIAL

124. ROC-18341 - PUBLIC HEARING - APPLICANT/OWNER: WAGNER HOMES, INC. - Request for a Review of Condition Number 11 of an approved Site Development Plan Review (SDR-2418) TO REMOVE THE CONDITION THAT REQUIRED ANY PROPERTY LINE WALL SHALL BE A DECORATIVE BLOCK WALL, WITH AT LEAST 20 PERCENT CONTRASTING MATERIALS. WALL HEIGHTS SHALL BE MEASURED FROM THE SIDE OF THE FENCE WITH THE LEAST VERTICAL EXPOSURE ABOVE THE FINISHED GRADE, UNLESS

OTHERWISE STIPULATED. ALL PERIMETER WALLS, INCLUDING A COMBINATION OF RETAINING AND SCREEN WALLS, SHALL NOT EXCEED EIGHT FEET IN HEIGHT, MEASURED FROM THE BASE OF THE RETAINING WALL, WITHOUT THE APPROPRIATE STEPBACKS for an approved residential subdivision on 10.80 acres adjacent to the southeast corner of Alexander Road and Fort Apache Road (APN 138-08-116-020 and 021) R-PD5 (Residential Planned Development - 5 Units Per Acre) Zone, Ward 4 (Brown). Staff recommends DENIAL

SET DATE

125. Set date on any appeals filed or required public hearings from the City Planning Commission Meetings, Centennial Hills Architectural Review Committee and Dangerous Building or Nuisance/Litter Abatements

CITIZENS PARTICIPATION

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

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

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
Bulletin Board, City Hall Plaza, (next door to Metro Records)
Las Vegas Library, 833 Las Vegas Boulevard North
Clark County Government Center, 500 S. Grand Central Parkway
Grant Sawyer Building, 555 E. Washington Avenue

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒ Consent ☐ Discussion

SUBJECT:

RESOLUTIONS:

R-5-2007 - Approval of a Resolution overruling complaints, protests, and objections and confirming the Final Assessment Roll for Special Improvement District No. 1505 - Sierra Oeste Neighborhood Streetlights (\$62,576.19 - Capital Projects Fund/Special Assessments) - Ward 5 (Weekly)

Fiscal Impact

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Amount: \$62,576.19

Funding Source: Capital Projects Fund - Special Assessments

Dept./Division: Public Works/SID

PURPOSE/BACKGROUND:

This resolution overrules complaints, protests, and objections and confirms the Final Assessment Roll for the construction and installation of streetlights located within the Sierra Oeste subdivision south of Lake Mead Boulevard between Jones Boulevard and Torrey Pines Drive.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-5-2007

Motion made by GARY REESE to Approve Items 13-36 and 38-42

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

RESOLUTION NO. R-5-2007

A RESOLUTION CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1505 – SIERRA OESTE NEIGHBORHOOD STREETLIGHTS; OVERRULING COMPLAINTS, PROTESTS AND OBJECTIONS MADE TO THE ASSESSMENTS AT THE HEARING OF SAID ASSESSMENT ROLL; VALIDATING AND CONFIRMING THE ASSESSMENT ROLL; PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH; RATIFYING ALL ACTION TAKEN CONSISTENT WITH THE PROVISIONS HEREOF; AND PROVIDING THE EFFECTIVE DATE HEREOF.

Summary: Assessment Protest Resolution

WHEREAS, the City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively) in the County of Clark and State of Nevada, pursuant to an ordinance heretofore adopted (hereinafter the "District Ordinance") created Las Vegas, Nevada, Special Improvement District No. 1505 – Sierra Oeste Neighborhood Streetlights (hereinafter the "District") and ordered the acquisition of certain local improvements (hereinafter the "Project") within the District in the City; and

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

WHEREAS, in accordance with NRS 271.360, the City Council heretofore determined and does hereby declare that the net cost of all improvements in the District (including all necessary incidentals which either have been or will be incurred in connection with the District) is \$62,576.19, of which \$0.00 is available from other sources and of which \$62,576.19 is to be assessed upon the benefited lots, tracts and parcels of land in the District, which the City Council has determined will receive special benefits (and corresponding market value increases) from the improvements in the Project; and

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

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

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

WHEREAS, the City Engineer (with the assistance of the City Engineer Division) has, in accordance with the provisions of the law relating thereto, given the requisite legal notice by both mail and publication that complaints, protests and objections to assessments for improvements in the District should be filed with the City Clerk, and that the City Council would hear and consider any and all complaints, protests, or objections on Wednesday, December 20, 2006, at 1:00 p.m., at the Las Vegas City Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada; and

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

WHEREAS, all complaints, protests and objections, both written and oral, were heard and considered by the City Council on December 20, 2006, and after extensive review and deliberation hereby are found to be without sufficient merit and hereby overruled. However, the City Council has, nevertheless, concluded that it is necessary and equitable that the assessment roll be corrected and revised as follows:

Parcel Number	Ownership	Revised Amount of Final Assessment
None		

and

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

Parcel Number	Ownership	Assessment
None		

and

WHEREAS, the City Council has determined, and does hereby again determine, that all of the assessable property in the City, which is specially benefited by the improvements to be acquired in the District, and only property which is so specially benefited, is included on the assessment roll heretofore filed with the City Clerk on November 15, 2006, and

WHEREAS, the City Council has determined, and does hereby determine, that the notice, both mailed and published, for the hearing held on December 20, 2006, on said assessment roll was reasonably calculated to inform each interested person of the proceedings concerning the District, which may directly and adversely affect his or her legally protected rights and interests.

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

Section 1. This Resolution shall be known as and may be cited by the short title "District No. 1505 Assessment Protest Resolution" (herein the "Resolution").

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

Section 3. The City Council hereby validates and confirms the assessment roll for the District, as made out by the City Council, together with the City Engineer, and filed in the records of the office of the City Clerk on November 15, 2006 as hereinabove modified, revised, corrected and made de novo.

Section 4. All actions, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Resolution) concerning Special Improvement District No. 1505 - Sierra Oeste Neighborhood Streetlights, including, but not limited to, the acquisition of the improvements, and the levy of assessments for that purpose, the determination that the tracts in the District will receive special benefits and market value increases, and the validation and confirmation of the assessment roll and the assessments therein, be and the same hereby are, ratified, approved and confirmed.

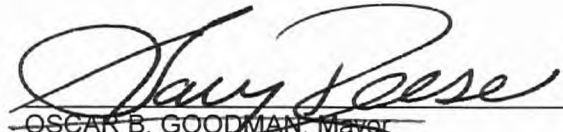
Section 5. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

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

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

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

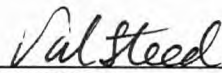
Passed and approved on January 3, 2007.


~~OSCAR B. GOODMAN, Mayor~~
Gary Reese, Mayor Pro-Tem

Attest:


BARBARA JO RONEMUS, City Clerk

Approved as to form:

12-20-06 
Date Deputy City Attorney

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

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

1. The foregoing pages constitute a true, correct, complete and compared copy of a resolution adopted by the City Council of the City (hereinafter the "City Council") at a meeting held on January 3, 2007.

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

Those Voting Aye:	Oscar B. Goodman Gary Reese Larry Brown Lawrence Weekly Steve Wolfson Lois Tarkanian Steven D. Ross
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Those Voting Nay:	None
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Those Absent:	None
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3. The original of the resolution has been approved and authenticated by the signatures of the Mayor of the City and myself as City Clerk and has been recorded in the regular official record of the City Council kept for that purpose in my office, which record has been duly signed by the officers and properly sealed.

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

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

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

- (i) City Clerk's Bulletin Board
City Hall Plaza
2nd Floor Skybridge
Las Vegas, Nevada
- (ii) Bulletin Board
City Hall Plaza (next door to Metro Records)
Las Vegas, Nevada
- (iii) Las Vegas Library
833 Las Vegas Boulevard North
Las Vegas, Nevada
- (iv) Clark County Government Center
500 South Grand Central Parkway
Las Vegas, Nevada
- (v) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada

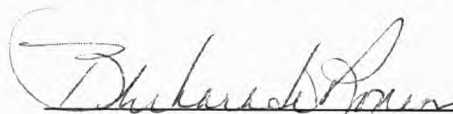
(b) By mailing a copy of the notice to each person, if any, who has requested notice of the meetings of the City Council in the same manner in which notice is required to be mailed to a member of the City Council. Such notice was delivered to the postal service no later than 9:00 a.m. on the third working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

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

6. A copy of such notice so given of the meeting of the City Council on January 3, 2007 is attached to this certificate as Exhibit "A".

IN WITNESS WHEREOF, I have hereunto set my hand on this January 3, 2007.

(SEAL)



BARBARA JO RONEUMUS, City Clerk

Exhibit "A"

(Attach Notice of Meeting and Agenda)



CITY COUNCIL AGENDA

COUNCIL CHAMBERS • 400 STEWART AVENUE • PHONE 229-6011

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

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

COUNCIL MEMBERS: LARRY BROWN (Ward 4), LAWRENCE WEEKLY (Ward 5),

STEVE WOLFSON (Ward 2), LOIS TARKANIAN (Ward 1), STEVEN D. ROSS (Ward 6)

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

January 03, 2007

Morning Session begins at 9:00 a.m.

Afternoon Session begins at 1:00 p.m.

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

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

DUPLICATE AUDIO CD'S AND DUPLICATE AUDIO/VIDEO DVD'S MAY BE AVAILABLE AT A COST OF \$5.00 EACH THROUGH THE CITY CLERK'S OFFICE.

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

CEREMONIAL MATTERS

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. INVOCATION – REVEREND MARY BREDLAU, PALM MORTUARY
4. PLEDGE OF ALLEGIANCE
5. OATH OF OFFICE ADMINISTERED TO ROB W. BARE FOR MUNICIPAL COURT JUDGE, DEPARTMENT 6
6. RECOGNITION OF THE CITIZEN OF THE MONTH
7. RECOGNITION OF BUFFALO WILD WINGS FOR SUPPORT OF THE LAS VEGAS FIRE AND RESCUE DEPARTMENT
8. RECOGNITION OF PALO VERDE HIGH SCHOOL BOYS STATE AAAA TENNIS CHAMPIONS

9. RECOGNITION OF STELLA FLEMING SENIOR CENTER RESIDENT SEMOINE BROUNER FOR VOLUNTEER SERVICE
10. RECOGNITION OF THE MEADOWS SENIOR MOBILE HOME PARK BOARD OF DIRECTORS FOR COMMUNITY OUTREACH

BUSINESS ITEMS - MORNING

11. Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time
12. Approval of the Final Minutes by reference of the regular City Council meeting of November 15, 2006

CONSENT AGENDA

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

BUSINESS DEVELOPMENT - CONSENT

13. Approval of Declaration of Reserved Easement for Emergency Access for the benefit of Foundation for an Independent Tomorrow, on the west side of Stella Lake Street, approximately 600 feet south of Lake Mead Boulevard (APN 139-21-313-011) - Ward 5 (Weekly)

FIELD OPERATIONS - CONSENT

14. Approval of a Grant of Easement from the City of Las Vegas to Nevada Power Company to cancel and supersede the Right-of-Entry previously on record and continue to allow Nevada Power Company access to the site for electrical systems needs located at 1551 South Buffalo Drive commonly known as All American Park, APN 163-04-604-002 - Ward 2 (Wolfson)

FINANCE & BUSINESS SERVICES - ADMINISTRATION CONSENT

15. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES CONSENT

16. Approval of a Special Event License for Beauty Bar Salon, Location: 517 Fremont Street, Date: January 5, 2007, Type: Special Event General, Event: Music and Dancing Live Arts, Responsible Person in Charge: Scott Infantolino - Ward 5 (Weekly)
17. Approval of a Special Event License for Go Home Limited, Location: World Market Center, 495 South Grand Central Parkway, Suite 318, Dates: January 29-31, 2007 and February 1-2, 2007, Type: Special Event General, Event: Trade Show, Responsible Person in Charge: Lauren Weinstein - Ward 5 (Weekly)
18. Approval of Change of Ownership, Change of Business Name and Change of Location for a Tavern License subject to the provisions of the planning and fire codes and Health Dept. regulations, From: Samcon, Inc., dba Tomfoolery's, Sean T. Higgins, Pres, 100%, To: The Lodge At Grand Teton Operator, LLC, dba The Lodge At Grand Teton, 8350 Grand Teton Drive, Stuart E. Apollo, Mmbr, 100% - Ward 6 (Ross)

19. Approval of Change of Ownership and Change of Business Name for a Burglar Alarm Service License, From: National Alarm Computer Center, Inc., dba National Alarm Computer Center, Stephen B. Baker, VP, To: Integrated Alarm Services Group,

Inc., dba Criticom International, 96 Corporate Park Drive, Robert B. Heintz, VP, Michael T. Moscinski, CFO and Brian Edward Shea, Executive VP - California

20. Approval of a new Hypnotist License, Donna Jean Rod, dba Donna Rod, 800 North Rainbow Boulevard, Suite 170, Donna J. Rod, 100% - Ward 1 (Tarkanian)
21. Approval of a new Hypnotherapist License subject to the provisions of the planning and fire codes, Maria Lifrieri, dba NY Hypnosis & Laser Center, Ltd., 8871 West Sahara Avenue, Suite 100, Maria S. Lifrieri, 100% - Ward 2 (Wolfson)

FINANCE & BUSINESS SERVICES - PURCHASING & CONTRACTS CONSENT

22. Approval of award of Modification No. 2 to Contract No. 060017 for Maintenance of Yucca Mountain Monitoring Program - Office of Administrative Services - Award recommended to: URBAN ENVIRONMENTAL RESEARCH, LLC (\$74,072 - Multipurpose Special Revenue Fund)
23. Approval of award of Bid No. 06.53541.01-LED, Warehouse Expansion and Office Addition - Water Pollution Control Facility (WPCF) located at 6005 East Vegas Valley Drive and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: APCO CONSTRUCTION (\$1,114,140 - Sanitation Enterprise Fund) - County
24. Approval of a Purchase Order for Diversity Champions Training - Department of Human Resources - Award recommended to: GUARDIAN QUEST (not-to-exceed \$100,000 - General Fund)
25. Approval of ratification of a purchase order for Chevrolet Vehicles - Department of Field Operations - Award recommended to: CHAMPION CHEVROLET (\$50,438.25 - Automotive Service Internal Service Fund)

NEIGHBORHOOD SERVICES - CONSENT

26. Approval to enter into an Agreement with the State of Nevada, Department of Business and Industry, Housing Division (NHD) to receive \$1,809,000 in Low Income Housing Trust Fund (LIHTF) funds for qualified Trust Fund projects or activities subject to entering into written agreements with the recipients and requiring compliance with the regulations under NRS Chapter 319 and NAC 319 - All Wards
27. Approval of an allocation of \$200,000 in Home Investment Partnership Programs/Low-Income Housing Trust Funds (HOME/LIHTF) to Neighborhood Services Department, EVOLVE Program to operate a tenant-based rental assistance program - All Wards

PUBLIC WORKS - CONSENT

28. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Art Consulting Engineers on behalf of Gordon and Bryan Investment, LLC, owner (southwest corner of Torrey Pines Drive and Jo Marcy Drive, APN 125-14-106-002) - County (near Ward 6 - Ross)
29. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Peak Development Services on behalf of Indian Summer Development, LLC, owner (northeast corner of Tee Pee Lane and Ann Road, APN 125-30-807-001) - County (near Ward 6 - Ross)
30. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Affleck Engineering on behalf of G.L. Kennedy Trust, Gay Louise Kennedy, Trustee and Gall Family Trust Dated November 26, 2001, Steven H. Gall and V. Joyce Gall, Trustees, owners (north of Maggie Avenue between Four Views Street and Homestead Street, APN 125-08-502-005) - County (near Ward 6 - Ross)
31. Approval of an Encroachment Request from TRC/BV Engineering Nevada on behalf of Parkway Center, LLC, owner (northeast corner of Grand Central Parkway and City Parkway) - Ward 5 (Weekly)

32. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Kevin Skehan and Candi Skehan, owners (south of Deer Springs Way and west of Mustang Street, APN 125-23-701-003) - County (near Ward 6 - Ross)
33. Approval of an Encroachment Request from JPL Engineering, Incorporated, on behalf of Urban Lofts X, Limited, owner (Fremont Street between Bruce Street and Eastern Avenue) - Ward 3 (Reese)
34. Approval of an Encroachment Request from the Las Vegas - Clark County Library District, owner (Sahara Avenue between Grand Canyon Drive and Village Square Center) - Ward 2 (Wolfson)
35. Approval to appraise and purchase or condemn right-of-way parcels for the East Charleston Boulevard Bus Turnouts project from Fremont Street to Nellis Boulevard (\$700,000 - Regional Transportation Commission [RTC]) - Ward 3 (Reese)
36. Approval to file an amendment to Right-of-Way Grant N-77772 with the Bureau of Land Management for roadway, sanitary sewer, trails, streetscape amenities and drainage purposes on portions of land lying within portions of Section 1, Township 19 South, Range 59 East, Mount Diablo Meridian, generally located from Iron Mountain Road to Hualapai Way, APNs 126-01-401-003, 126-01-401-001 and 126-01-502-005 - Ward 6 (Ross)
37. Approval of a Cooperative Agreement with the Nevada Department of Transportation (NDOT) for perpetual maintenance of the Bonanza Trail located within the NDOT right-of-way, beginning at the intersection of Washington Avenue and Durango Drive and ending at the intersection of Decatur Boulevard and the US-95 off-ramp (\$90,000 yearly - General Fund) - Wards 1, 4 and 5 (Tarkanian, Brown and Weekly)

RESOLUTIONS - CONSENT

38. R-1-2007 - Approval of a Resolution concerning proposed Special Improvement Districts within the Summerlin area, approving a Water Line Reimbursement Agreement and other related matters - Ward 2 (Wolfson)
39. R-2-2007 - Approval of a Resolution Determining the Cost and Directing the City Engineer to prepare the Final Assessment Roll for Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) (\$481,988.99 - Capital Projects Fund/Special Assessments) - Ward 6 (Ross)
40. R-3-2007 - Approval of a Resolution fixing the time and place when complaints, protests, and objections to the Final Assessment Roll will be heard for Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) (\$481,988.99 - Capital Projects Fund/Special Assessments) - Ward 6 (Ross)
41. R-4-2007 - Approval of a Resolution overruling complaints, protests, and objections and confirming the Final Assessment Roll for Special Improvement District No. 1493 - Hualapai Way/Alexander Road (Cheyenne Avenue to Cimarron Road) - Ward 4 (Brown)
42. R-5-2007 - Approval of a Resolution overruling complaints, protests, and objections and confirming the Final Assessment Roll for Special Improvement District No. 1505 - Sierra Oeste Neighborhood Streetlights (\$62,576.19 - Capital Projects Fund/Special Assessments) - Ward 5 (Weekly)

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

43. Report from the City Manager on Emerging Issues

CITY ATTORNEY - DISCUSSION

44. Discussion and possible action on Appeal of Work Card Denial: Approved July 12, 2006 granting a site specific work card with a six month review: Susan Rhea Gilloon, 1300 Fremont Street #258, Las Vegas, Nevada 89101

45. Discussion and possible action on Appeal of Work Card Denial: Flaviana A. Guerette, 7241 Early Pioneer Avenue, Las Vegas, Nevada 89129
46. ABEYANCE ITEM - Discussion and possible action to retain the consulting services of Williams Aviation to assist the City of Las Vegas in an appeal of the FAA record of decision regarding the proposed right turn at McCarran International Airport (\$100,000 – General Fund)
47. ABEYANCE ITEM - Discussion and possible action to retain legal services of Chevalier, Allen and Lichman to represent the City of Las Vegas in an appeal of the FAA record of decision regarding the proposed right turn at McCarran International Airport (\$300,000 - General Fund)
48. Discussion and possible action to award Contract No. 070128 for Aviation Consultant Services - Department of Government & Community Affairs - Award recommended to: WILLIAMS AVIATION CONSULTANTS, INC. (\$57,000 - General Fund) - All Wards

CITY AUDITOR - DISCUSSION

49. Discussion and possible action on Annual Audit Recommendation Follow-Up as of June 30, 2006 (2600-0607-03)

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES DISCUSSION

50. Discussion and possible action regarding Temporary Approval of Change of Ownership and Change of Business Name for a Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes and Health Dept. regulations, From: Las Familias, dba Enricos Italian Bistro, Joanne M. Prieto, Dir, Pres, Sec, Treas, 100%, To: Lorenzo's Italian Bistro, Inc., dba Lorenzo's Italian Bistro, 4864 West Lone Mountain Road, Lorenzo G. Sommaggio, Pres, 100% - Ward 6 (Ross)
51. Discussion and possible action regarding Temporary Approval of a new Supper Club License subject to the provisions of the planning codes, Bor Vada, LP, dba On The Border, 5630 Centennial Center Boulevard, GenBusiness Corporation, General Partner, 5%, John D. Gantes, Principal, Yanni Capital Business Partnership, LP, Limited Partner, 95%, John D. and Linda R. Gantes, Community Property Trust, Principal - Ward 6 (Ross)
52. Discussion and possible action regarding Temporary Approval of Change of Ownership, Change of Location and Change of Business Name for a Tavern License, From: Golden Wok Restaurant, Inc., dba Golden Wok Restaurant (Non-operational), 504 South Decatur Boulevard, Koon K. Chang, Pres, Yuk C. Chan, Secy and Kwok W. Cheng, Treas, To: Culture Club of Las Vegas, LLC., dba Polly Esther's, 2000 South Las Vegas Boulevard, Andrew W. Adelman, 33.3%, Robert M. Watman, 33.3% and Bamny, LLC., Timothy T. Ouellette, 33.3% - Ward 3 (Reese)
53. Discussion and possible action regarding Temporary Approval of a new Tavern License subject to the provisions of the fire codes and Health Dept. regulations, Outback Nevada II, L.P., dba Outback Steakhouse, 740 South Decatur Boulevard, Outback Steakhouse of Florida, Inc., General Partner, 81%, Summit West Corporation, Limited Partner, 9% and John Kanas, Limited Partner, 10% - Ward 1 (Tarkanian)
54. Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, Pablo Padilla, dba Padilla's Martial Arts, 871 North Nellis Boulevard, Suite 2, Pablo Padilla, 100% - Ward 3 (Reese)
55. Discussion and possible action on an Appeal of Non-renewal of an Independent Massage Therapist License, David R. Silvaggio, 9330 West Sahara Avenue, # 250 - Ward 2 (Wolfson)
56. ABEYANCE ITEM - Discussion and possible action regarding a new Psychic Arts and Science License subject to the provisions of the planning and fire codes, Lorraine Marks, dba Ms. Laurie, 425 Fremont Street - Ward 3 (Reese)

NEIGHBORHOOD SERVICES - DISCUSSION

57. Report on the status of the Southern Nevada Regional Planning Coalition (SNRPC) Committee on Homelessness (CoH) regional effort - All Wards

PUBLIC WORKS - DISCUSSION

58. Report on the status of the US-95 widening project between Kyle Canyon Road and Charleston Boulevard and I-15 from Craig Road to Sahara Avenue - All Wards

RESOLUTIONS - DISCUSSION

59. R-6-2007 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the Redevelopment Agency and Ernesto J. Savino, located at 418 South Maryland Parkway (APN 139-34-811-064), to be in compliance with and in furtherance of the goals and objectives of the Redevelopment Agency - Ward 3 (Reese) [NOTE: This item is related to RDA Items 4 (RA-1-2007) and 5]
60. R-7-2007 - Discussion and possible action regarding a Resolution Consenting to the Real Property Exchange Agreement between the City of Las Vegas Redevelopment Agency and the Las Vegas Police Protective Association Metro, Inc., for the exchange of real property located at the Southeastern corner of 4th Street and Clark Avenue (APN 139-34-303-002) for the real property located at the Northwestern corner of 7th Street and Stewart Avenue (APN 139-34-501-011) to be in compliance with and in furtherance of the goals and objectives of the Redevelopment Agency (RDA) (\$314,250 approximate in-kind contribution - RDA) - Wards 3 and 5 (Reese and Weekly) [NOTE: This item is related to RDA Items 6 (RA-2-2007) and 7]

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

61. Bill No. 2006-67 – Adopts an updated version of the Las Vegas Downtown Centennial Plan, together with related development standards. Sponsored by: Councilman Gary Reese
62. Bill No. 2006-68 – Adopts the Union Park Design Standards and integrates them into other provisions that pertain to the Downtown Overlay District. Sponsored by: Mayor Oscar B. Goodman

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

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

63. Bill No. 2006-70 – Amends the legal description and map describing and depicting the boundaries of the Pedestrian Mall to reflect certain street vacation actions. Proposed by: Bradford R. Jerbic, City Attorney
64. Bill No. 2006-71 – Adopts provisions regarding the use of public streets for motorized racing events. Sponsored by: Councilman Gary Reese and Councilman Lawrence Weekly
65. Bill No. 2006-72 – Adopts the 2005 Edition of the National Electrical Code, together with amendments and supplementary material. Proposed by: Paul K. Wilkins, Director of Building and Safety
66. Bill No. 2006-73 – Adopts the 2006 Edition of the Southern Nevada Pool Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
67. Bill No. 2006-74 – Adopts the 2006 Edition of the Uniform Mechanical Code, together with amendments thereto, as the City's Mechanical Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
68. Bill No. 2006-75 – Adopts the 2006 Edition of the Uniform Plumbing Code, together with amendments thereto, as the City's Plumbing Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
69. Bill No. 2006-76 – Adopts the 2006 Edition of the International Energy Conservation Code, along with amendments thereto. Proposed by: Paul K. Wilkins, Director of Building and Safety

70. Bill No. 2006-77 – Adopts the 2006 Editions of the International Building Code and the International Residential Code, together with amendments thereto. Proposed by: Paul K. Wilkins, Director of Building and Safety
71. Bill No. 2006-78 – Updates the City's Administrative Code, relating to the administration of the various building and technical codes. Proposed by: Paul K. Wilkins, Director of Building and Safety
72. Bill No. 2006-79 – Allows small wind energy systems as a conditional use in the R-A, R-E and R-D Zoning Districts. Sponsored by: Councilman Steven D. Ross
73. Bill No. 2006-80 - Ordinance Creating Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) Sponsored by: Step Requirement
74. Bill No. 2006-81 - Grants to Nevada Power Company, a Nevada Corporation, a non-exclusive franchise to install, operate and maintain an electrical distribution system to provide electrical service to consumers within the City subject to and in accordance with the terms and conditions of the Franchise Agreement between the City and Nevada Power Company. Proposed by: Mark R. Vincent, Director of Finance and Business Services

NEW BILLS - DISCUSSION

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

75. Bill No. 2007-1 - Levies Assessment for Special Improvement District No. 1493 – Hualapai Way/Alexander Road (Cheyenne Avenue to Cimarron Road). Sponsored by: Step Requirement
76. Bill No. 2007-2 - Levies Assessment for Special Improvement District No. 1505 – Sierra Oeste Neighborhood Streetlights. Sponsored by: Step Requirement
77. Bill No. 2007-3 – Annexation No. ANX-12215 – Property location: On the north and south sides of I-215 (Clark County Highway 215), between Shaumber Road and Fort Apache Road; Petitioned by Southwest Desert Equities, LLC, et al.; Acreage: Approximately 259 acres; Zoned: R-E and P-F (County zoning), U (R), U (RNP), U (L), U (P-F) and C-V (City equivalents). Sponsored by: Councilman Steven D. Ross
78. Bill No. 2007-4 – Clarifies and standardizes the provisions that govern the expiration and termination of zoning-related applications and approvals. Proposed by: M. Margo Wheeler, Director of Planning and Development

1:00 P.M. - AFTERNOON SESSION

BUSINESS ITEMS - AFTERNOON

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

HEARINGS - DISCUSSION

80. Public Hearing to consider the report of expenses to recover costs for mitigation abatement of vacant or abandoned building and assess civil penalties located at 960 G Street. PROPERTY OWNER: ELSIE BATIE (\$19,062.71 - General Fund) – Ward 5 (Weekly)

81. Public Hearing to consider the report of expenses to recover costs for mitigation abatement of vacant or abandoned building and assess civil penalties located at 3804 Beacon Point Street. PROPERTY OWNER: KIONNE JOHNSON (\$3,452.90 - General Fund) - Ward 4 (Brown)
82. Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building located at 9504 Belgate Court. PROPERTY OWNER: POFERIA DYES-ALBRIGHT (\$3,282.50 - General Fund) - Ward 4 (Brown)
83. ABEYANCE ITEM - Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building located at 886 Miller Avenue. PROPERTY OWNER: WALTER & LIZZIE THOMAS (\$4,973 - General Fund) - Ward 5 (Weekly)

PLANNING & DEVELOPMENT

THE ITEMS LISTED BELOW, WHERE APPROPRIATE, HAVE BEEN REVIEWED BY THE VARIOUS CITY DEPARTMENTS RELATIVE TO REQUIREMENTS FOR STORM DRAINAGE AND FLOOD CONTROL, CONNECTION TO SANITARY SEWER, TRAFFIC CIRCULATION, AND BUILDING AND FIRE REGULATIONS. THEIR COMMENTS AND/OR RECOMMENDATIONS AND REQUIREMENTS HAVE BEEN INCORPORATED INTO THE ACTION

PLANNING & DEVELOPMENT - CONSENT

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

84. EOT-18225 - APPLICANT/OWNER: ANTONETTE MARTINEZ - Request for an Extension of Time of an approved Variance (VAR-5373) THAT ALLOWED A 10-FOOT REAR YARD SETBACK WHERE 35 FEET IS THE MINIMUM REQUIRED IN CONJUNCTION WITH A PROPOSED ROOM ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE on 0.47 acres at 2240 Shaw Circle (APN 163-03-802-004), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL
85. EOT-18217 - APPLICANT: WOOD PARTNERS - OWNER: ALTA MONTECITO - Request for an Extension of Time of an approved Special Use Permit (SUP-5296) THAT ALLOWED A DENSITY OF 66.94 UNITS WHERE 50 UNITS PER ACRE IS THE MAXIMUM ALLOWED FOR AN APPROVED 399-UNIT HIGH DENSITY RESIDENTIAL DEVELOPMENT on 5.96 acres adjacent to the southeast corner of Elkhorn Road and Grand Montecito Parkway (APN 125-20-510-002), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use) Town Center Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

86. DIR-18171 - APPLICANT/OWNER: RITZ COVE HOMEOWNERS ASSOCIATION - Request TO ALLOW THE OPERATION OF A 57 SQUARE FOOT WATER FEATURE at the entrance to an existing single family residential development at 2501 Monarch Bay Drive (APN 138-16-812-032), Ward 4 (Brown). Staff recommends APPROVAL
87. SUP-17551 - PUBLIC HEARING - APPLICANT: FAMOUS UNCLE AL'S HOT DOGS - OWNER: VIRGIN TERRITORY, LLC - Request for a Special Use Permit FOR A PROPOSED BEER/WINE/COOLER ON-SALE ESTABLISHMENT IN CONJUNCTION WITH A PROPOSED RESTAURANT at 6020 West Craig Road (APN 138-02-611-006), R-E (Residence Estates) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Ross). NOTE: THE CORRECT ADDRESS IS 6010 WEST CRAIG ROAD, SUITE #110. The Planning Commission (7-0 vote) and staff recommend APPROVAL

88. SDR-16954 - PUBLIC HEARING - APPLICANT: THE CHONG CO. - OWNER: CFT-TCC NELLIS, LLC - Request for a Site Development Plan Review FOR A 8,345 SQUARE FOOT SHOPPING CENTER on 1.24 acres on the west side of Nellis Boulevard, approximately 1,060 feet south of Bonanza Road (APN 140-32-517-003), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
89. SDR-17717 - PUBLIC HEARING - APPLICANT/OWNER: STEWART/NELLIS PARTNERS, LLC - Request for a Site Development Plan Review FOR AN 84,245 SQUARE FOOT SHOPPING CENTER on 7.81 acres on property adjacent to the northwest corner of Nellis Boulevard and Stewart Avenue, (APN 140-32-601-005), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
90. MOD-12919 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DORSAL DEVELOPMENT, LLC - OWNER: FULSTONE 1993 TRUST AND JEFF SELLINGER - Request for a Major Modification to the Las Vegas Medical District Plan TO AMEND THE LAND USE DESIGNATION FROM: MD-2 (MAJOR MEDICAL) TO: MD-1 (MEDICAL SUPPORT) on 0.74 acres at 728 Desert Lane (APN 139-33-402-021), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
91. SUP-16246 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DORSAL DEVELOPMENT, LLC - OWNER: FULSTONE 1993 TRUST AND JEFF SELLINGER - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT at 728 Desert Lane (APN 139-33-402-021), [PROPOSED: MD-1 (MEDICAL SUPPORT) Las Vegas Medical District Plan Designation], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend DENIAL
92. SDR-12922 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DORSAL DEVELOPMENT, LLC - OWNER: FULSTONE 1993 TRUST AND JEFF SELLINGER - Request for a Site Development Plan Review FOR A PROPOSED FIVE-STORY MIXED-USE DEVELOPMENT CONSISTING OF 24 RESIDENTIAL CONDOMINIUM UNITS AND 13,465 SQUARE FEET OF MEDICAL OFFICE SPACE on 0.74 acres at 728 Desert Lane (APN 139-33-402-021), PD (Planned Development) Zone [MD-2 (Major Medical) Las Vegas Medical District Special Land Use Designation] [PROPOSED: MD-1 (Medical Support) Las Vegas Medical District Special Land Use Designation], Ward 5 (Weekly). NOTE: This application has been amended from 24 Residential Condominium Units to 30 Residential Condominium Units and from 13,465 square feet of Medical Office space to 9,350 square feet of Medical Office space. The Planning Commission (7-0 vote) and staff recommend DENIAL
93. ZON-15031 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: 3100 MEADE, LLC - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-M (COMMERCIAL/INDUSTRIAL) on 0.80 acres approximately 300 feet north of Meade Avenue, 980 feet west of Rancho Drive (APN 162-08-201-005), Ward 1 (Tarkanian). The Planning Commission (4-2 vote) and staff recommend APPROVAL
94. SDR-15030 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: 3100 MEADE, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF TWO EXISTING STORAGE BUILDINGS TO A LIGHT MANUFACTURING FACILITY on 0.80 acres approximately 300 feet north of Meade Avenue and 980 feet west of Rancho Drive (APN 162-08-201-005), R-1 (Single Family Residential) Zone [PROPOSED: C-M (Commercial/Industrial) Zone], Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL
95. ZON-16915 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GHASSAN MISHFERFI - Request for a Rezoning FROM: R-E (RESIDENTIAL ESTATES) TO: R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE) on 1.08 acres on the north side of Smoke Ranch Road, approximately 467 feet east of Michael Way (APN 138-13-801-068), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
96. VAR-16996 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GHASSAN MISHFERFI - Request for a variance TO ALLOW A RESIDENTIAL PLANNED DEVELOPMENT OF 1.08 ACRES WHERE FIVE ACRES IS THE MINIMUM AREA REQUIRED on the north side of Smoke Ranch Road, approximately 467 feet east of Michael Way (APN 138-13-801-068), R-E (Residential Estates) Zone under Resolution of Intent to R-PD6 (Residential Planned Development - 6 Units per Acre), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
97. SDR-16914 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GHASSAN MISHFERFI - Request for a Site Development Plan Review FOR A 6 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 1.08 acres on the north side of Smoke Ranch Road, approximately 467 feet east of Michael Way (APN 138-13-801-068), R-E (Residential Estates) Zone under Resolution of Intent to R-PD6 (Residential Planned Development - 6 Units per Acre), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

98. VAR-16144 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: T-MOBILE USA, INC. - OWNER: MESQUITE WOOD 3, LLC - Request for a Variance TO ALLOW A 70-FOOT TALL WIRELESS COMMUNICATIONS TOWER 68.2 FEET FROM RESIDENTIAL PROPERTY WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRES 210 FEET on 3.82 acres at 1620 Bracken Avenue (APN 162-02-208-001), C-V (Civic) Zone, Ward 3 (Reese). The Planning Commission (6-0-1 vote) and staff recommend DENIAL
99. SUP-16143 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: T-MOBILE USA, INC. - OWNER: MESQUITE WOOD 3, LLC - Request for a Special Use Permit FOR A WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN on 3.82 acres at 1620 Bracken Avenue (APN 162-02-208-001), C-V (Civic) Zone, Ward 3 (Reese). The Planning Commission (6-0-1 vote) and staff recommend DENIAL
100. VAR-16505 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: ALVY COOK - Appeal filed by the applicant from the denial by the Planning Commission of a request for a Variance TO ALLOW A FIVE-FOOT REAR YARD SETBACK WHERE 15 FEET IS THE MINIMUM SETBACK REQUIRED FOR A PROPOSED ROOM ADDITION at 1117 Strong Drive (APN 162-05-511-005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian). The Planning Commission (6-1 vote) and staff recommend DENIAL
101. VAR-17156 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GLENN J. SORRELLS - Appeal filed by the applicant from the denial by the Planning Commission of a request for a Variance TO ALLOW A SEVEN-FOOT HIGH WALL WHERE A FIVE-FOOT HIGH WALL IS THE MAXIMUM HEIGHT PERMITTED IN A PORTION OF THE FRONT YARD on 0.15 acres at 1109 Shifting Sands Drive (APN 138-26-615-088), R-1 (Single Family Residential) Zone, Ward 5 (Weekly). NOTE: THE APPLICATION IS FOR AN EIGHT FOOT HIGH WALL WHERE A FIVE-FOOT HIGH WALL IS THE MAXIMUM. The Planning Commission (7-0 vote) and staff recommend DENIAL
102. RQR-17098 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: CONSTANTINO NOVAL NV, LLC - Appeal filed by the applicant from the denial by the Planning Commission of a Required Four-Year Review of an approved Special Use Permit (U-0025-98) WHICH ALLOWED A 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 73 South Martin L King Boulevard (APN 139-33-510-002), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend DENIAL
103. SDR-15747 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH - Request for a Site Development Plan Review FOR A PROPOSED 31,126 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP AND A WAIVER OF THE PERIMETER LANDSCAPING REQUIREMENTS on 8.55 acres at the northwest corner of Rainbow Boulevard and Westcliff Drive (a portion of APN 138-27-802-004), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
104. SDR-17057 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: SANTA FE 124, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF A 124-UNIT APARTMENT COMPLEX TO A CONDOMINIUM DEVELOPMENT on 6.0 acres at 1111 Warbonnet Way (APN 163-04-501-004), R-PD23 (Residential Planned Development - 23 Units Per Acre) Zone, Ward 2 (Wolfson). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
105. SDR-17298 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: REPUBLIC SERVICES OF SOUTHERN NEVADA - OWNER: PREMIER TRUST OF NEVADA - Request for a Site Development Plan Review FOR A PROPOSED PARKING LOT AND A WAIVER TO ALLOW A REDUCTION OF THE PERIMETER LANDSCAPING BUFFERING REQUIREMENTS on 0.52 acres adjacent to the north side of Sahara Avenue, approximately 600 feet east of 6th Street (APN 162-03-801-018), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
106. ZON-17697 - PUBLIC HEARING - APPLICANT/OWNER: RICHMOND AMERICAN HOMES - Request for a Rezoning FROM: U (UNDEVELOPED) Zone [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] under Resolution of Intent to R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) TO: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) on 10.30 acres adjacent to the northwest and northeast corners of Ann Road and Mustang Street (APN 125-26-801-012 and 125-26-802-014), Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend DENIAL

- 107.SDR-17698 - PUBLIC HEARING - APPLICANT/OWNER: RICHMOND AMERICAN HOMES - Request for a Site Development Plan Review of A 32 LOT RESIDENTIAL SUBDIVISION on 10.30 acres adjacent to the northwest and northeast corners of Ann Road and Mustang Street (APN 125-26-801-012 and 125-26-802-014), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)], Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend DENIAL
- 108.ZON-17740 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Rezoning FROM: R-4 (HIGH DENSITY RESIDENTIAL) TO: R-5 (APARTMENT) on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 109.VAR-17741 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW 150 PARKING SPACES WHERE 425 SPACES ARE REQUIRED IN CONJUNCTION WITH A PROPOSED APARTMENT DEVELOPMENT on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 110.VAR-17742 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW A PROPOSED APARTMENT BUILDING TO BE EIGHT FEET FROM THE NORTH PROPERTY LINE WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A SETBACK OF 198 FEET AND TO ALLOW TRASH ENCLOSURES TO BE 10 FEET FROM RESIDENTIALLY ZONED PROPERTY WHERE 50 FEET IS THE MINIMUM SETBACK REQUIRED on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 111.VAR-17743 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW A PROPOSED APARTMENT BUILDING TO BE ZERO FEET FROM THE WEST PROPERTY LINE WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED, ZERO FEET FROM THE EAST PROPERTY LINE WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED, ZERO FEET FROM THE SOUTH PROPERTY LINE WHERE FIVE FEET IS THE MINIMUM SETBACK REQUIRED AND TO ALLOW A BUILDING HEIGHT OF 66 FEET WHERE 55 FEET IS THE MAXIMUM HEIGHT ALLOWED on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 112.VAC-17744 - PUBLIC HEARING - APPLICANT/OWNER: LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Petition to Vacate a portion of an existing alley generally located north of Bridger Avenue, 140 feet east of Tenth Street, Ward 5, (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 113.SDR-17745 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Site Development Plan Review for a PROPOSED 300 UNIT, 66 FOOT HIGH, SIX STORY APARTMENT BUILDING AND A WAIVER OF THE PERIMETER LANDSCAPE BUFFERING STANDARDS FOR ZERO FEET OF LANDSCAPING WHERE TEN FEET IS REQUIRED ALONG THE SOUTHERN, EASTERN, AND WESTERN PERIMETER AND TO ALLOW FIVE FEET OF LANDSCAPING WHERE SIX FEET IS REQUIRED ALONG A PORTION OF THE NORTHERN PERIMETER on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 114.VAR-17749 - PUBLIC HEARING - APPLICANT/OWNER: HELP LAS VEGAS HOUSING CORPORATION II - Request for a Variance TO ALLOW 109 PARKING SPACES WHERE 205 SPACES ARE REQUIRED FOR A 125 UNIT MULTI-FAMILY HOUSING COMPLEX on 4.84 acres at 1455 North Main Street (APN 139-27-502-015), C-V (Civic District) Zone under Resolution of Intent to R-5 (Apartment), Ward 5 (Weekly). The Planning Commission (6-1 vote) and staff recommend APPROVAL

- 115.VAR-17751 - PUBLIC HEARING - APPLICANT/OWNER: HELP LAS VEGAS HOUSING CORPORATION II - Request for a Variance TO ALLOW TWO 45 FOOT HIGH APARTMENT BUILDINGS 59 FEET FROM RESIDENTIAL PROPERTY WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A SETBACK OF 135 FEET on 4.84 acres at 1455 North Main Street (APN 139-27-502-015), C-V (Civic District) Zone under Resolution of Intent to R-5 (Apartment), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
- 116.SDR-17748 - PUBLIC HEARING - APPLICANT/OWNER: HELP LAS VEGAS HOUSING CORPORATION II - Request for a Site Development Plan Review FOR A 125 UNIT MULTI-FAMILY HOUSING COMPLEX on 4.84 acres at 1455 North Main Street (APN 139-27-502-015), C-V (Civic District) Zone under Resolution of Intent to R-5 (Apartment), Ward 5 (Weekly). The Planning Commission (6-1 vote) and staff recommend APPROVAL
- 117.RQR-17518 - PUBLIC HEARING - APPLICANT: REAGAN NATIONAL ADVERTISEMENT - OWNER: GATEWAY MOTEL, INC. - Required One-Year Review of an approved Special Use Permit (U-0028-01) WHICH ALLOWED A 24-FOOT X 28-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 928 Las Vegas Boulevard South (APN 139-34-410-165), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL
- 118.SUP-17729 - PUBLIC HEARING - APPLICANT: MARK JAGET - OWNERS: RICHARD WEISBANT FAMILY TRUST AND 3RD GASS PARTNERS, LLC - Request for a Special Use Permit TO ALLOW A MIXED-USE DEVELOPMENT adjacent to the northeast corner of Gass Avenue and 3rd Street (APNs 139-34-410-112 & 139-34-410-113), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL
- 119.SDR-17731 - PUBLIC HEARING - APPLICANT: MARK JAGET - OWNERS: RICHARD WEISBANT FAMILY TRUST AND 3RD GASS PARTNERS, LLC - Request for a Site Development Plan Review FOR A FIVE STORY MIXED-USE DEVELOPMENT WITH 30 APARTMENTS AND 2,200 SQUARE FEET OF RETAIL AND A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN BUILDING STEPBACK REQUIREMENT on 0.31 acres adjacent to the northeast corner of Gass Avenue and 3rd Street (APNs 139-34-410-112 & 139-34-410-113), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL
- 120.SUP-17307 - PUBLIC HEARING - APPLICANT: LAKESIDE CENTER - OWNER: WFTNV, LLC - Request for a Special Use Permit FOR A PROPOSED RESTAURANT SERVICE BAR AND A WAIVER OF THE 400-FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING CHURCH at 2620 Regatta Drive, Suite #117 (APN 138-16-717-002), C-1 (Limited Commercial) Zone, Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
- 121.SUP-17716 - PUBLIC HEARING - APPLICANT/OWNER: LYLE LOOB - Request for a Special Use Permit FOR A PROPOSED HABITABLE ACCESSORY STRUCTURE at 3613 Hillsdale Court (APN 139-30-616-018), R-1 (Single-Family Residential) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
- 122.SUP-17724 - PUBLIC HEARING - APPLICANT/OWNER: SILVER STATE BANK - Request for a Special Use Permit FOR A PROPOSED DRIVE-THRU FACILITY FOR AN EXISTING FINANCIAL INSTITUTION, GENERAL WITH A WAIVER TO ALLOW A SEPARATION OF 280 FEET FROM A SINGLE FAMILY DWELLING WHERE 330 FEET IS REQUIRED AND TO ALLOW A DRIVE-THRU FACILITY ADJACENT TO THE RIGHT-OF-WAY on 0.63 acres at 7125 North Durango Drive (APN 125-20-117-005), T-C (Town Center) Zone [UC-TC (Urban Center Mixed-Use) Town Center Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
- 123.VAC-16295 - PUBLIC HEARING - APPLICANT/OWNER: ROLAND L. GRAY, ET AL AND FOURTEEN SAC SELF-STORAGE CORPORATION - Petition to Vacate a 20-foot public right-of-way generally located south of the intersection of Jones Boulevard and Rancho Drive, Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend DENIAL
- 124.ROC-18341 - PUBLIC HEARING - APPLICANT/OWNER: WAGNER HOMES, INC. - Request for a Review of Condition Number 11 of an approved Site Development Plan Review (SDR-2418) TO REMOVE THE CONDITION THAT REQUIRED ANY PROPERTY LINE WALL SHALL BE A DECORATIVE BLOCK WALL, WITH AT LEAST 20 PERCENT CONTRASTING MATERIALS. WALL HEIGHTS SHALL BE MEASURED FROM THE SIDE OF THE

FENCE WITH THE LEAST VERTICAL EXPOSURE ABOVE THE FINISHED GRADE, UNLESS OTHERWISE STIPULATED. ALL PERIMETER WALLS, INCLUDING A COMBINATION OF RETAINING AND SCREEN WALLS, SHALL NOT EXCEED EIGHT FEET IN HEIGHT, MEASURED FROM THE BASE OF THE RETAINING WALL, WITHOUT THE APPROPRIATE STEPBACKS for an approved residential subdivision on 10.80 acres adjacent to the southeast corner of Alexander Road and Fort Apache Road (APN 138-08-116-020 and 021) R-PD5 (Residential Planned Development - 5 Units Per Acre) Zone, Ward 4 (Brown). Staff recommends DENIAL

SET DATE

125. Set date on any appeals filed or required public hearings from the City Planning Commission Meetings, Centennial Hills Architectural Review Committee and Dangerous Building or Nuisance/Litter Abatements

CITIZENS PARTICIPATION

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

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

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
Bulletin Board, City Hall Plaza, (next door to Metro Records)
Las Vegas Library, 833 Las Vegas Boulevard North
Clark County Government Center, 500 S. Grand Central Parkway
Grant Sawyer Building, 555 E. Washington Avenue

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: CITY MANAGER
DIRECTOR: DOUGLAS A. SELBY

☐ Consent ☒ Discussion

SUBJECT:
ADMINISTRATIVE:

Report from the City Manager on Emerging Issues

Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

The City Manager (CM) Report will be a vehicle for the City Manager to update the Council on emerging issues that may have an impact on the City of Las Vegas. The CM Report will be a recurring item for every Council meeting. If there are no items for the particular meeting, the City Manager will recommend that the item be stricken.

RECOMMENDATION:

Report only, no action required

BACKUP DOCUMENTATION:

None

Minutes:

No motion required. A report was given.

CITY MANAGER SELBY reported that the downtown New Year's Eve celebration was very successful. With over 17,000 people in attendance, there were only a few incidents. Staff is making arrangements to televise the State of the City Address live on KCLV-Channel 2, as well as on the City's Website. The City is gearing up for the 25th Dr. Martin Luther King Jr. Day parade in the downtown area.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: CITY MANAGER
DIRECTOR: DOUGLAS A. SELBY

☐ Consent ☒ Discussion

SUBJECT:
ADMINISTRATIVE:

Report from the City Manager on Emerging Issues

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

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RECOMMENDATION:

Report only, no action required

BACKUP DOCUMENTATION:

None

Minutes:

No motion required. A report was given.

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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Approved July 12, 2006 granting a site specific work card with a six month review: Susan Rhea Gilloon, 1300 Fremont Street #258, Las Vegas, Nevada 89101

Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Dept./Division:

Amount:

Funding Source:

PURPOSE/BACKGROUND:

None

RECOMMENDATION:

None

BACKUP DOCUMENTATION:

Appellant Letter of Appeal and City Clerk Notification Letters to Appellant

Motion made by GARY REESE to Deny

Passed For: 5; Against: 1; Abstain: 0; Did Not Vote: 1; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, GARY REESE, STEVE WOLFSON; (Against-OSCAR B. GOODMAN); (Abstain-None); (Did Not Vote-STEVEN D. ROSS); (Excused-None)

Minutes:

The appellant was present.

TONI WEEKS, Detective, Las Vegas Metropolitan Police Department (Metro), reported that MS. GILLOON had more problems after being issued a work card in July, 2006, and is having issues with her employer. MAYOR GOODMAN noted that he was under the impression that this matter was moot because the employer is not supporting MS. GILLOON'S employment. DETECTIVE WEEKS advised that the employer did not want to submit a letter to that effect, because he needs a replacement before he can withdraw the offer of employment.

MS. GILLOON explained that she has not gone to court on the charges against her. She has been promoted to manager since she started working for her current employer and does not understand the alleged issues.

CITY COUNCIL MEETING OF: JANUARY 03, 2007

COUNCILMAN REESE wondered how MS. GILLOON could not understand the charges against her. DETECTIVE WEEKS explained that MS. GILLOON understands perfectly. What she is confused about is that the employer has not discussed the issues with her.

MAYOR GOODMAN asked if MS. GILLOON advised Business Services of her arrest within 48 hours, to which JIM DiFIORE, Manager of Business Services, indicated that such a condition was not placed on MS. GILLOON'S work card.

DETECTIVE WEEKS interjected that the employer feels that MS. GILLOON was not forthcoming with him about the charges against her. MAYOR GOODMAN rebutted that the employer has full discretion to terminate MS. GILLOON if he has any concern. He then verified with MS. GILLOON that she intends to enter a not-guilty plea.





June 13, 2006

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
VRENCE WEEKLY
EVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS

DOUGLAS A. SELBY
CITY MANAGER

Susan Rhea Gilloon
1300 Fremont Street, #258
Las Vegas, Nevada 89101

Re: **WORK CARD APPEAL**

Dear Ms. Gilloon:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of **July 12, 2006**.

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Ydoleena Yturralde".

Ydoleena Yturralde
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

/pc

cc: City Attorney-Civil
Manager, Business Services Division
Las Vegas Metropolitan Police Department - SIB

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

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-06-05
CLV 7009

RECEIVED
CITY CLERK

2006 JUN 13 P 12: 26

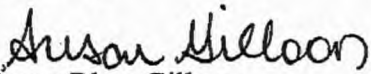
June 13, 2006

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

To Whom It May Concern:

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

Sincerely,


Susan Rhea Gilloon
1300 Fremont Street, #258
Las Vegas, Nevada 89101



July 14, 2006

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
TEVE WOLFSON
JIS TARKANIAN
STEVEN D. ROSS

DOUGLAS A. SELBY
CITY MANAGER

Susan Rhea Gilloon
1300 Fremont Street #258
Las Vegas, Nevada 89101

Re: **WORK CARD APPEAL**

Dear Ms. Gilloon:

The City Council, at a regularly scheduled meeting held July 12, 2006, approved your appeal of the work card denial by the Las Vegas Metropolitan Police Department, thereby granting a **site specific work card with a six-month review on January 3, 2007**. The granting of the work card was also conditioned on your providing a copy of the employer's letter to the City Clerk's Office (already provided on July 13, 2006).

If you have any questions, please call the City Clerk's Office at 229-6311.

Sincerely,


Gabriela Portillo-Brenner
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

/pc

cc: Las Vegas Metropolitan Police Department – SIB
Manager, Business Services Division
City Attorney - Civil

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

VOICE 702.229.6011

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www.lasvegasnevada.gov

18112-001-06-05
CLV 7009



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Flaviana A. Guerette, 7241 Early Pioneer Avenue, Las Vegas, Nevada 89129

Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

None

RECOMMENDATION:

None

BACKUP DOCUMENTATION:

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

Motion made by GARY REESE to Strike Items 37, 45 and 46 and Hold in Abeyance Items 51 and 52 to 1/17/2007

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

RECEIVED
CITY CLERK

2006 DEC 20 A 11: 48

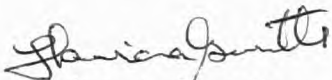
December 20, 2006

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

To Whom It May Concern:

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

Sincerely,



Flaviana A. Guerette
7241 Early Pioneer Avenue
Las Vegas, Nevada 89129



December 20, 2006

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
WRENCE WEEKLY
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS

DOUGLAS A. SELBY
CITY MANAGER

Flaviana A. Guerette
7241 Early Pioneer Avenue
Las Vegas, Nevada 89129

Re: **WORK CARD APPEAL**

Dear Mr. Moses:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of **January 3, 2007**.

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

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

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

Sincerely,

A handwritten signature in cursive script that reads "Carmel Viado".

Carmel Viado
Deputy City Clerk I for
Barbara Jo Ronemus, City Clerk

/pc

cc: City Attorney-Civil
Manager, Business Services Division
Las Vegas Metropolitan Police Department - SIB

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400 STEWART AVENUE
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18112-001-06-05
CLV 7009



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

ABEYANCE ITEM - Discussion and possible action to retain the consulting services of Williams Aviation to assist the City of Las Vegas in an appeal of the FAA record of decision regarding the proposed right turn at McCarran International Airport (\$100,000 – General Fund)

Fiscal Impact

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Amount: \$100,000

Funding Source: Government and Community Affairs

Dept./Division: General Fund

PURPOSE/BACKGROUND:

None

RECOMMENDATION:

The City Council should discuss and vote on the above proposal.

BACKUP DOCUMENTATION:

Submitted after final agenda - Letter of concern by George Johnson

Motion made by GARY REESE to Strike Items 37, 45 and 46 and Hold in Abeyance Items 51 and 52 to 1/17/2007

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

STEVEN D. ROSS, LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

RECEIVED
CITY CLERK

2007 JAN -2 P 4: 16

TO: CITY COUNCIL MEMBERS
382-4803

FROM: GEORGE JOHNSON
LAS VEGAS RESIDENT

DATE: 1/02/07

SUBJECT: AGENDA ITEMS 46, 47 AND 48
CITY COUNCIL MEETING
JANUARY 3, 2007

Submitted after final agenda

Date 01-02-07 Item #46-48

RECEIVED
CITY CLERK

2007 JAN -2 P 4: 16

Subject: City Council Meeting
January 3, 2007
Agenda Items 46, 47 and 48
"FAA's Right-Turn Decision"

Honorable Mayor and City Council Members,

We are not for or against this proposal: we are for equality if you set this precedent. If almost \$500,000 of our taxpayers' money is used to hire lawyers and consultants (on behalf of Summerlin residents to fight the FAA); then, those of us who live in other parts of the Las Vegas area (which are also in the "heart of the city") **demand** that an equal amount of **our** taxpayer money be used on **our** behalf to also fight the FAA. If this is not "an issue of rich and poor", then "provide for the public safety" of our neighborhoods also; because, "planes are coming right over the core of the city" that we live in. Once again, if you set this precedent: WE WILL be expecting approval of almost \$500,000 of our taxpayers' money, to fight the FAA, for our neighborhoods too.

Thank you for doing the "honorable" thing.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

ABEYANCE ITEM - Discussion and possible action to retain legal services of Chevalier, Allen and Lichman to represent the City of Las Vegas in an appeal of the FAA record of decision regarding the proposed right turn at McCarran International Airport (\$300,000 – General Fund)

Fiscal Impact

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Amount: \$300,000

Funding Source: Government & Community Affairs

Dept./Division: General Fund

PURPOSE/BACKGROUND:

None

RECOMMENDATION:

The City Council should discuss and vote on the above proposal.

BACKUP DOCUMENTATION:

Combined Verbatim Transcript of Items 47 and 48

Motion made by OSCAR B. GOODMAN to Approve Items 47 and 48, requiring monthly reports, including under closed-door session if necessary, to the council and justification of all hourly fees billed and directing the City Manager to contact Clark County to evaluate air quality issues

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

See Item 46 for related backup.

A combined Verbatim Transcript of Items 47 and 48 is made a part of the Final Minutes under Item 47.

APPEARANCES:

OSCAR GOODMAN, Mayor

BRAD JERBIC, City Attorney

CITY COUNCIL MEETING OF: JANUARY 03, 2007

DR. BARBARA LICHMAN, Chevalier, Allen and Lichman

STEVE WOLFSON, Councilman

LARRY BROWN, Councilman

LOIS TARKANIAN, Councilwoman

GARY REESE, Councilman

STEVEN D. ROSS, Councilman



CITY COUNCIL MEETING OF
January 3, 2007
VERBATIM TRANSCRIPT – ITEMS 47 and 48

1 **Item 47 – Abeyance Item – Discussion and possible action to retain legal services of**
2 **Chevalier, Allen and Lichman to represent the City of Las Vegas in an appeal of the FAA**
3 **record of decision regarding the proposed right turn at McCarran International Airport**

4
5 **Item 48 – Discussion and possible action to award Contract No. 070128 for Aviation**
6 **Consultant Services – Department of Government and Community Affairs – Award**
7 **recommend to: WILLIAMS AVIATION CONSULTANTS, INC.**

8
9
10
11 **Appearance List:**

12 OSCAR GOODMAN, Mayor
13 BRAD JERBIC, City Attorney
14 DR. BARBARA LICHMAN, Costa Mesa, California
15 STEVE WOLFSON, Councilman
16 LARRY BROWN, Councilman
17 LOIS TARKANIAN, Councilwoman
18 GARY REESE, Councilman
19 STEVEN D. ROSS, Councilman

20
21 32 minutes

22
23 Typed by: Ydoleena Yturralde

24 Proofed by: Lean Coleman

CITY COUNCIL MEETING OF
January 3, 2007
VERBATIM TRANSCRIPT – ITEMS 47 and 48

25 **MAYOR GOODMAN**

26 Item 47. I'll read this in conjunction with 47 and 48. Forty-seven is discussion and possible
27 action to retain legal services of Chevalier, Allen and Lichman to represent the City of Las Vegas
28 in an appeal of the FAA record of decision regarding the proposed right turn at McCarran
29 International Airport.

30 Forty-eight is discussion and possible action to award Contract Number 070128 for Aviation
31 Consultant Services, Department of Government and Community Affairs. Award recommended
32 to Williams Aviation Consultants, Inc. These pertain to all the wards. Mr. Jerbic.

33
34 **BRAD JERBIC**
35 Thank you, Your Honor, and members of the Council and Happy New Year to everyone. You
36 asked that we hold this item for a couple of weeks after Christmas so that I could call Barbara
37 Lichman and have her present today to answer any questions the Council has regarding any
38 potential litigation you wish to have read to you, challenge you and the proposed right hand turn
39 at McCarran International Airport. The other item, just for the record, is Item 46 which I asked
40 earlier to be stricken has been replaced with Item number 48 which is an actual contract with
41 Williams Aviation. As you can see, we had originally recommended a \$100,000 set aside for
42 Williams Aviation. It came down to \$57,000 as a result of us in contract negotiations, that's
43 \$42,000 in contract costs and up to \$15,000 in reimbursable expenses for Williams Aviation.
44 That's on Item number 48. And with that, Your Honor, I will introduce you to Dr. Barbara
45 Lichman, who will be glad to answer any discussions regarding all information

46
47 **MAYOR GOODMAN**

48 Very good. Dr. Lichman, would you like to make some preliminary observations to us?

49
50 **DR. BARBARA LICHMAN**
51 Thank you, Mr. Mayor, members of the Council and thank you, City Attorney Mr. Jerbic. My
52 name is Barbara Lichman. I am from Costa Mesa. My office is in Costa Mesa, California and
53 we specialize in issues involving airport development. There are many communities in your

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54 position. That position is located off the end of a runway of a large and expanding airport. The
55 impact of that size and the span to Carlton visited upon residential communities under flight
56 path. In this case, our understanding is that there will be a change in the operation clause phases,
57 not a necessarily, it's not a physical expansion issue. change in operations which will take a turn
58 for the aircraft once we parted the end of the runway. Instead of going, turning to the left or
59 south, they will turn to the right or north about 35 percent of the time. Our further understanding
60 is that there are new communities located to the north and east of the airport which were not
61 there back in 2001 when this procedure was originally recommended. It was rejected by the
62 FAA at that time, but now it's been reinstituted for the alleged reason of increasing efficiency at
63 the airport by not forcing all the aircraft to go over the same fixes, and therefore requiring some
64 distance, increased distance between (inaudible) of stuff. The bottom line is that right turn may
65 have some substantial noise impact over communities to the north of the airport. There is also
66 another very important issue that has been given short thrift in the analysis provided by the
67 airport and the FAA and that is air quality impacts. They were not analyzed, and as you know,
68 this region is in serious (inaudible) on various pollutants, criteria pollutants that the EPA looks at
69 to being important including carbon monoxide and particulate matter. And it is the view of our
70 consultants so far, and it is preliminary, that the proposed right turn will cause increased air
71 quality impacts by, and this is directly contrary to what is being said in this environmental report,
72 by causing increased taxitocs (sic) by forcing aircrafts to sit at the end of the runway while
73 waiting for coordination from Nellis Airforce (inaudible). Now, the issue of noise is going to be
74 relatively confined, relatively I said. But the issue of air quality is going to be region wide and
75 it's something with which not only the City of Las Vegas but the County, Clark County, and the
76 United States of America is very concerned. And we believe that it requires further analysis
77 before this procedure can go into effect. One more thing and then I'll (inaudible). There are
78 some safety issues involved here, and those are conflicts with Nellis and with North Las Vegas,
79 and our consultant with whom we have worked, our firm has worked on every project over the
80 last ten years. He is quite convinced that there will be these conflicts. He, by the way, you'll be
81 looking at his contract, he was the Air Space Manager for the Western Pacific Region of the
82 FAA. He was Tower Manager for Chicago O'Hare, he was also Tower Manager at LAX. I

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83 mean, he has background to know these things, and he is convinced that there will be increased
84 safety issues. And those are preliminary comments. I'll give you more when I have more but
85 they become quite obvious on review.

86
87 **MAYOR GOODMAN**

88 Okay, I appreciate that. I think it's important that the public understands where the Council will
89 be coming from assuming they support the retention of your firm and Mr. Williams' firm. I was,
90 the issue that struck me the most when I read Mr. Williams' comments was the safety issue. I
91 think that we, as a City Council, owe this community the obligation as part of our position of
92 trust to do everything we can to make sure that the health and well-being of our constituents is
93 protected. And the – emphasis was, on that particular aspect as far as my feelings on the
94 retention. The – first time that I really have been advised of the separate issue of attainment
95 under air quality is today. That has not necessarily been emphasized in any of the briefings that
96 have taken place and I know how important that is because if we are not within attainment, all
97 the federal dollars that come into this area for roads and for improvements and those things that
98 do sustain our quality of life were terminated. We've been through this not only with particular
99 matter but ozone and carbon monoxide and we've always been on the cusp, so to speak, of being
100 within attainment, going out of attainment and whatever. The fact that you say that this is not
101 just Las Vegas' problem at this point in time but the County's problem should open up their eyes,
102 and they should begin to think in terms of their constituents as well and the community in general
103 because they will be sorely affected if, in fact, we fall out of attainment due to the right hand
104 turn. I'm going to propose and, of course, my colleagues are gonna be heard on this matter. I'm
105 going to propose that the retention take place but conditionally. Not to show any weakness, of
106 course, but to make sure that we as the stewards of the tax payer monies are able to do our job
107 knowledgably and being use, being able to use prudence in our decision making. I'm going to put
108 as a requirement, after the motion is made, that you report to us on a monthly basis. And
109 certainly not to the detriment of a lawsuit or to your legal action, if necessary, you can brief us
110 individually if you feel that a public briefing is not appropriate and justify whatever fees are
111 being billed on an hourly basis to the City during that briefing. And if, in fact, at any time we

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112 feel that we're either not going to prevail or that the fight is a – futile fight, then we have to bring
113 it back for further discussion on a public basis to make sure that the public is kept aware as to
114 exactly what we're doing. It's important to me that the folks who live in this Valley understand
115 that, at least in my opinion, this is not just Las Vegas' problem. This is the community's
116 problem. If, God forbid, there be an accident caused as a result of the congestion and the issues
117 that you point out on the right hand turn from McCarran, taking into consideration North Las
118 Vegas or Nellis, that will have a devastating affect not only on the folks who are in the plane and
119 under the plane but also on our economy because we have a tourist-based economy. It's a very
120 sensitive economy. People elect to come here. If there's any kind of an inference that the public
121 could draw that there is a safety issue when you fly into or out of Las Vegas, that would have a
122 debilitating effect on the community as we know it today. So, I want the folks who have written
123 to my office that they know that this is not a rich man, poor man issue, this is not a Summerlin
124 versus Ward 3 issue. This is an issue that pertains to all of us in the City here and you have made
125 it into an issue today that pertains to all of us in the Valley here, and I hope that the County is
126 listening because this isn't just, it's not gonna be a freebee form. But this is – I think this is a very
127 important matter based on the information that I received, and I think we would be derelict in our
128 duty not to pursue it. That's my position. I'm happy to hear from my colleagues.

29

130 **COUNCILMAN WOLFSON**

131 Mayor Goodman.

133 **MAYOR GOODMAN**

134 Councilman Wolfson.

136 **COUNCILMAN WOLFSON**

137 Thank you. First of all, you've been referred to as Doctor. Are you a doctor?

139 **DR. BARBARA LICHMAN**

140 Yes. Not a medical doctor. I have a PhD in urban and regional planning from, forgive me, the

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141 University of Southern California.

142

143 **COUNCILMAN WOLFSON**

144 Okay. Well, Dr., thank you for coming today. I do have a series of questions and I'd ask the
145 Council for their indulgence. And I fully recognize that I don't wanna tip our hand. This is a
146 public setting here, we're being recorded and, for all I know, the FAA is listening and taking
147 notes. So, I certainly don't want to show our hand. You've done an anissle (sic), an initial case
148 assessment, I'm sure. Without going into detail, do you think we have a case that can be won?

149

150 **DR. BARBARA LICHMAN**

151 As we, we spoke earlier.

152

153 **COUNCILMAN WOLFSON**

154 Mm-hm.

155

156 **DR. BARBARA LICHMAN**

157 And that would depend on the definition of winning. The answer is, of course, we're not going to
58 proceed in a case that we feel is a dead bang loser. It doesn't pay us and it doesn't pay you.
159 Losing is not a good recommendation for a law firm. So, to take a loosing case would be like
160 bidding hara-kiri; however, in cases of this nature the Federal Government, unlike in a normal
161 court case, the Federal Government gets extreme deference from the courts for its decisions.
162 Therefore, the burden of proof is on us to show that the decision was not based on substantial
163 evidence. We believe, based on a preliminary evaluation, that on the issuance of, for example,
164 air quality, potentially cumulative impact, which goes with the safety issue, and, of course, the
165 derivative issue of alternatives, we can do that. But we like to use quantitative methods that our
166 consultants provide us, our air-quality consultants, to show that the way that the analysis was
167 conducted was flawed. The courts respond very favorable to that. So the answer to your
168 question, yes, we think we can win this case, we think based on a preliminary evaluation, but
169 with a monthly report. And if, at any time, we feel that our consult – for instance, if our

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170 consultant comes back and says, no, they were right, their numbers are good, in that case, I would
171 recommend to this Council that the case be abandoned and whatever amount of money has been
172 spent up to that time would be spent. But I think it would be a much attenuative (?) sum.

173

174 **COUNCILMAN WOLFSON**

175 And you are the lawyer who will be the primary lawyer working on this case?

176

177 **DR. BARBARA LICHMAN**

178 Yes.

179

180 **COUNCILMAN WOLFSON**

181 I've been asked by a number of constituents if we can file for injunctive relief, because it's my
182 understanding that the proposed right turn is scheduled to begin some time in mid March. That's
183 a couple months away. Is there a chance where we could ask and attain some sort of court order
184 prohibiting them from instituting the right turn.

185

186 **DR. BARBARA LICHMAN**

187 It's unlikely but not impossible, and my explanation is as follows: Because the standard of
188 review for injunctive relief is, one of them, one of the elements is irreparable injury as the
189 lawyers on this Council know. You have to demonstrate irreparable injury. If this procedure
190 were to start and then be stopped at some later date, it would be hard to show that there was some
191 sort of a irreparable injury except potentially if the air quality analysis is so flawed that it would
192 somehow deeply impact the compliance with the state implementation plan. Even in a
193 preliminary, even if it began, then maybe we could get it. But I think on the irreparable injury,
194 the probability of prevailing, maybe. Irreparable injury, probably not. It's not like a construction
195 project where they put up that building it's not coming down. You have irreparable injury.

196

197 **COUNCILMAN WOLFSON**

198 One of the things I'm a little concerned with is that if the right turn goes into effect in mid March

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199 and we began our – appellate process, if you will, in the next couple of weeks. This litigation
200 could take how long? Six months? Twelve months? Eighteen months? How long?

201
202 **DR. BARBARA LICHMAN**

203 It depends on if the Ninth Circuit sends us, this is going to the Court of Appeals, the Federal
204 Court of Appeals. That's required by the Airport and Airway Development Act. If the court
205 sends us into mediation, it will take longer. But there are very firm prescribed schedules and, of
206 course, as soon as we file within a week or two, we'll send a – schedule for the provision. The –
207 Justice Department will provide the administrative record within a certain period of time. We
208 will negotiate that to be as speedy as possible. We will have to review the administrative record
209 to see a basis for their decision making if any, and then the briefing schedule will be worked out.
210 Could be nine months. If there's mediation, it could be longer but mediation could help us and
211 attenuate this suit tremendously. Because if we are correct on the numbers, the mediation will
212 provide the forum in which we can negotiate a relief from this matter. Because, for them, if
213 we're right on the air quality numbers, they'll have to stop dead in their tracks because of the
214 conformity rule. So, there will be a basis for negotiation at that point. I'd say we'd go three
215 months before we determine that. Three – months to four months before we determine that.

16
217 **COUNCILMAN WOLFSON**

218 One of the things I'm concerned about is that if they start their right turn in mid March, knowing
219 that we are challenging and fighting that decision, and that this fight could well go into spring,
220 summer, fall, winter of 07, can they adjust the number of flights that are gonna be making this
221 right turn, the manner of the flights, the number of the flights, etcetera, to have a lesser impact,
222 knowing that if they schedule flights as they originally proposed, it would have a greater impact?
223 In other words, can they do that to try to appease the City of Las Vegas residents while this
224 litigation is pending?

225
226 **DR. BARBARA LICHMAN**

227 Oh, yes. They have flexibility as to when to use that right hand turn. That's what this whole

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228 thing's really about, to give them the flexibility to change the direction of the turn when they need
229 it to accommodate capacity overload.

230

231 **COUNCILMAN WOLFSON**

232 Okay. But my point is, will – we be monitoring this right turn when it goes into effect in March
233 during the litigation so as to gage whether or not they're playing with their number of planes and
234 the type of planes and the path of the airplanes? You know, if all of a sudden it's April or May,
235 and we're not hearing much and all of a sudden my constituents say, "Well, it's not as noisy as I
236 thought," are we gonna be able to monitor whether or not they're playing games with us?

237

238 **DR. BARBARA LICHMAN**

239 Oh, yeah. It's on – the internet. It's easy. I could do it today if you wanted to.

240

241 **COUNCILMAN WOLFSON**

242 And is that where Williams comes into play?

243

244 **DR. BARBARA LICHMAN**

45 Yes.

246

247 **COUNCILMAN WOLFSON**

248 Are they gonna be doing that?

249

250 **DR. BARBARA LICHMAN**

251 Yes. It's easy. You can call it up at any moment and you then you get –

252

253 **COUNCILMAN WOLFSON**

254 And you –

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255 **DR. BARBARA LICHMAN**

256 – a 20-minute delay.

257

258 **COUNCILMAN WOLFSON**

259 You already answered my question. You've worked with this Williams Aviation expert on many
260 cases over many years.

261

262 **DR. BARBARA LICHMAN**

263 That's right. Absolutely. He's – a treasure. He's absolutely terrific.

264

265 **COUNCILMAN WOLFSON**

266 Well, thank you for coming and answering the questions. Mayor, I'm gonna certainly support
267 your motion. I represent people that live out in the western area that are probably, on a sheer
268 numbers basis, the most affected and the greatest affected. And in the last year or so that this
269 issue has been on the – forefront of people's minds, probably about 98 percent of the people that I
270 represent want us to fight. I'm also mindful of spending taxpayer's money. We're talking about a
271 lot of money here, but in my opinion when we talk about the air quality impacts, as the Mayor
72 noticed, are Valley wide, if you will. Public safety is, not only Valley wide but state wide. God
273 forbid something drastic or tragic would occur. It could affect our economy state wide and then
274 in particular the noise impact for the people that I represent. And I've been elected to voice their
275 feelings and their concerns and with very few dissention, they are all in favor of fighting this
276 fight. Thank you, Mayor.

277

278 **MAYOR GOODMAN**

279 Thank you. Councilman Brown.

280

281 **COUNCILMAN BROWN**

282 Thank you, Your Honor. Dr., just a couple quick questions. One is, when it comes to the FAA,
283 do they have the discretion or the ability to just change operations at an airport? Is that within

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284 their scope that they could –

285

286 **DR. BARBARA LICHMAN**

287 Well, it must be generally speaking, the airport asks for that change. They don't just walk in and
288 say, you know, we've decided to make all these changes. Usually, the airport asks for it. Now,
289 there are over arching changes, like the east coast, four – four-corner post plan were instituted for
290 a number of years. Those are long term. Many years that planned on with the cooperation of
291 (inaudible) airport. So, the answer to your question is it's rarely done on the airport by airport
292 basis without the request of the airport.

293

294 **COUNCILMAN BROWN**

295 And you jumped ahead to my second question.

296

297 **DR. BARBARA LICHMAN**

298 Sorry.

299

300 **COUNCILMAN BROWN**

301 There seems to – no, it's perfect. I mean, you're out in front of me already. There seems to be a
302 lack of a definitive answer to the question: Who initiated this? Was it, I've heard, at least, from
303 either reporting or talking to different colleagues that the airlines asked for it, the FAA just
304 thought it was a capacity issue, the County may have been involved. Is it possible in your
305 preliminary work to find that out? Is it written somewhere or can someone answer that directly?

306

307 **DR. BARBARA LICHMAN**

308 I think I know already.

309

310 **COUNCILMAN BROWN**

311 Okay. And I'll, you don't – have to answer that yet.

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312 **DR. BARBARA LICHMAN**

313 Oh, okay.

314

315 **COUNCILMAN BROWN**

316 I'll be surprised. And just so I understand, the final question is the, at least publicly, the
317 justification or the reasoning behind this right hand turn has been increased efficiency at
318 McCarran. Is that –

319

320 **DR. BARBARA LICHMAN**

321 That is correct.

322

323 **COUNCILMAN BROWN**

324 Okay. Thank you. Likewise, Your Honor, I will be supporting your motion for many reasons but
325 mostly because I think there's some, there are answers out there that we have not been given and
326 the expertise that's before us today, I think, will provide the Council and our citizens those
327 answers that they have demanded.

328

329 **MAYOR GOODMAN**

330 Thank you. Any other comments or questions?

331

332 **COUNCILWOMAN TARKANIAN**

333 Mr. Mayor.

334

335 **MAYOR GOODMAN**

336 Yes. Councilwoman.

337

338 **COUNCILWOMAN TARKANIAN**

339 I agree with Councilman Brown on the fact that there are a lot of questions, and the same thing is
340 coming to me from residents of the ward I represent and these questions need to be answered. I

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wanted to reemphasize, the Mayor started out by talking about "this is not a rich man/poor man" fight, and I would sort of like to close reemphasizing that. I represent a ward greatly affected by this from whom I've been receiving many, many comments of not wanting this to go through. We are adjacent to an area that just had two crashes recently from North Las Vegas, Las Vegas Airport. We also have air quality problems. We went through a big thing with the high school in the ward I represent, a big thing with all of the new expansion of the freeways and this is not an affluent ward. This is not Summerlin that they, it seems the media has picked up that it's Summerlin and rich people. This is not what this is about and I wanted to reemphasize that from the Ward I represent. And my ward is adjacent to Mr., Councilman Weekly's ward and I know the same holds true for the residents that we're adjacent to. So I, I think I've emphasized from day one the safety factor, my concern about the North Las Vegas Airport, also we had such helicopter traffic from the hospital and from Metro in the areas. And again, these are not affluent areas. And I just hope that our being able to support you today will help us get the answers that, as Councilman Brown said, our constituents desire.

MAYOR GOODMAN

Thank you.

COUNCILWOMAN TARKANIAN

Thank you.

MAYOR GOODMAN

Any other comments? Mayor Pro Tem.

COUNCILMAN REESE

Thank you, Your Honor. Ma'am, I appreciate you being here. I've had, deal with the FAA for about ten years over the helicopter noise along the strip; the neighbors to the east. I find it very frustrating. I – find that they just like catching a laugh. I think that the only thing I've accomplished is maybe that there's as many helicopters still flying in the area, they just fly maybe

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370 a little bit higher and I can't tell how, if they are flying any higher or not. I – do have, the area
371 that I represent it's not really gonna be affected by this too much, but I feel like that I've been
372 elected to represent all the people, the City of Las Vegas, especially the people that elected me in
373 my ward. I – have had a few of them that have called me and expressed concerns over the
374 amount of money that were gonna be spent. It seems like they don't call and talk about the
375 money we spent on the new parks, you know, on the other side of town. And – I really hope that
376 those people that have called me look at this and – listen to what I'm trying to say is that I am
377 gonna support the motion. I really feel like that it can be, it has been, it will be, I don't know, and
378 that's talking about detrimental to our economy. God forbid if we do have any type of an
379 accident anywhere in the Valley or in the state. We depend upon the tourist coming here and yes,
380 the airplanes have to take off and land over somewhere. I understand all that. That's what my,
381 I'm just repeating what my constituents have told me. And I just feel like we have to make sure
382 that all of us up at this dais support one another in – those needs that we have. And I really feel
383 like that it's important that we do at least explore the possibilities of maybe winning this – suit.
384 And I – you got my support on, I hope we do win. And I – just feel it's important to – state those
385 on the record because like I said, I want those people that have elected me, that I do support
386 them. I think it's really necessary to spend this money to make sure that we do everything we
87 can to make the City safe.

388

389 **MAYOR GOODMAN**

390 All right. Thank you, very much. Councilman Ross.

391

392 **COUNCILMAN ROSS**

393 Thank you, Your Honor. I feel like the lone gun here. I had many constituents in Ward 6 contact
394 my office not wanting this money to be spent in this capacity. We are not affected by this right
395 turn; however, as I've shared with Councilman Wolfson, if this was affecting my ward, I'd be
396 carrying a flag and a torch as well. And that's what my constituents would want. That being
397 said, we're faced with our own challenges in Ward 6 in the northwest along with Councilman
398 Weekly and Councilman (sic) Tarkanian with this North Las Vegas Airport. So, I did a little

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399 homework, Councilwoman and Councilmen, if you – you'll indulge me.

400 North Las Vegas Airport's the second busiest airport in the state of Nevada. In 1999, over 40
401 incidents reported to the FAA not resulting in crashes, but since 1983, there's been over 100.
402 There's been over 50 crashes at the North Las Vegas Airport resulting in 17 deaths. This does
403 not, this record does not include injuries and that's been reported by the National Transportation
404 Safety Board. The Mianni family in 2004 was killed in a crash in the North Las Vegas Airport,
405 and I believe Mrs. Mianni worked here at the City of Las Vegas. In 1999, an airplane crashed
406 into a yard on Sysc Street about three blocks from my previous home in Ward 6. Two planes
407 crashed within three days in this last year and last November with one plane crashing at
408 Cheyenne and Clayton, another plane crashing at Jones and Rancho. North Las Vegas Airport
409 has an average of 232 thousand take offs and landings per year, that's tremendous. I don't know
410 what McCarran's numbers are. Since November 2006, North Las Vegas Airport had 37 percent
411 of the traffic that McCarran had with an airport the fraction of the size. I previously did not
412 support this initiative to fight this because I, at the current time, the consolidated tax has been flat
413 for the past quarter. Spending a signi – significant amount of the money has been a great interest
414 to the residents of Ward 6 and, as I represent their interests, I also count Mayor Pro Tem
415 represent the interest of this entire City. After doing my homework on the North Las Vegas
416 Airport and public safety issues dealing with the North Las Vegas Airport, I've changed my mind
417 and I want a, I'm not going to apologize to those residents in Ward 6 for joining the fight because
418 I think it's prudent. It is our responsibility to not only protect, my responsibility, not only to
419 protect the residents in Ward 6, but this entire City. And if that includes the County residents,
420 Mayor, then so be it. It is our responsibility as well.

421
422 **MAYOR GOODMAN**

423 All right. Thank you, very much.

424
425 **COUNCILMAN ROSS**

426 Thank you.

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427 **COUNCILMAN WOLFSON**

428 Mayor Goodman, I'm sorry.

429

430 **MAYOR GOODMAN**

431 Yes.

432

433 **COUNCILMAN WOLFSON**

434 Just for clarification.

435

436 **MAYOR GOODMAN**

437 Certainly.

438

439 **COUNCILMAN WOLFSON**

440 I don't know if it's been said, but I want to make sure it is said. The figures that we're talking
441 about right now which is \$57,000 for Williams Aviation and \$300,000, Dr. Lichman, for your
442 firm. Those are projected maximum amounts. We're not writing you a check today. We're not
443 writing Williams Aviation a check today. These are projected possible maximum amounts. You
444 will be billing us on a periodic basis so we may not spend those kinds of monies. Is that a fair
445 statement?

446

447 **DR. BARBARA LICHMAN**

448 That's correct with one change. That's an estimate. It could be much less, it could be more,
449 depending on this Council's decision. If this Council wishes to pursue something further, who
450 knows. These things tend to get, I – am very much in favor of this monthly report because these
451 things tend to get out of hand, and we want to come back to the Council and talk to you about
452 where you want to go each step of the way so that nobody comes back later and says, my
453 constituents said you spent way too much money, didn't get the results. This is fine, but the
454 answer, yes, be sure, estimate, pure estimate. It could be much less than that. It could be much
455 less because we may decide to hold this open if our numbers don't work.

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456 **COUNCILMAN WOLFSON**

457 Well, periodically, we'll be able to assess that and – we, as the Council, will make the decisions
458 along the way.

459

460 **DR. BARBARA LICHMAN**

461 Absolutely.

462

463 **COUNCILMAN WOLFSON**

464 Thank you.

465

466 **MAYOR GOODMAN**

467 Very good, thank you. My experience on the Las Vegas Convention Visitors Authority Board
468 has led me to the suggestion that we have these monthly reports because of when they were
469 building the south portion of our convention center, there, the monthly reports were not made,
470 and it was too late to stop everybody from going overboard. But now in our current construction,
471 at every meeting, there's a report given to us so we're able to evaluate whether or not the money
472 is being spent wisely. So, that's going to be part of my motion that **on a monthly basis, you**
473 **report to this Council as to your progress and a justification of your billing even though we**
474 **value, you know, your professional position. I am also going to, as part of my motion,**
475 **direct the manager to advise the County that we expect them, as a matter of equity and**
476 **fairness based on the air quality issue that has been brought to our attention today to**
477 **evaluate that.** Several years ago, our participation, as far as air quality in this Valley was
478 concerned, was taken away from us. Almost in a midnight raid- type manner. The health
479 district, which we have two representatives, was responsible for air quality issues and it has been
480 seeded to the County at this point in time. Now, it's being brought to our attention that this is a
481 real issue and this is not a Valley that has lines in it. These are artificial boundaries that separate
482 the cities from counties and alike. So, I – expect them equitably to seriously evaluate this and –
483 join with us on the fight if for no other reason to protect their position with air quality because
484 those particulates and the carbon monoxide, it doesn't say we're gonna drop in Las Vegas. It's

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485 right out there at McCarran and that's going to affect their air quality as well. So, that would be
486 part of my motion and I would **move to also approve the items in 47 and 48 on those**
487 **conditions**. That's my motion. Yes.

488

489 **BRAD JERBIC**

490 Sir before you vote, with all due respect and with your permission, I want to clarify this monthly
491 report idea. It could be done in many different ways. Typically, what might happen is Dr.
492 Lichman would – send a letter to my office which I would share with the Councilmembers and if
493 you want personal contact, we need to discuss that now. If you want –

494

495 **MAYOR GOODMAN**

496 In the beginning – my motion would include personal contact.

497

498 **BRAD JERBIC**

499 We could do that a couple different ways as well. Under the Open Meeting Law, I think we're
500 allowed to have a closed session to discuss pending litigation and if that is also (inaudible), we
501 could agenda this for a month, month and a half from now, have Dr. Lichman present, we could
502 do it in the back room, and you could then ask any question you want. You couldn't take any
503 action but you could collect reports.

504

505 **MAYOR GOODMAN**

506 That's fine. And then I could come out and tell the public what the status is. That's good. That'd
507 be part of the motion as well. All right. That's as to Items 47 and 48. Please vote. Post. Motion
508 carries (**UNANIMOUS**). Thank you and thank you for being with us today.

509

510 **DR. BARBARA LICHMAN**

511 And thank you for having me.

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512 **MAYOR GOODMAN**

513 And good luck to you.

514

515 **DR. BARBARA LICHMAN**

516 To all of us.

517

518 **MAYOR GOODMAN**

519 Right.

520

(END OF DISCUSSION)

521 /yy;lc

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

Discussion and possible action to award Contract No. 070128 for Aviation Consultant Services - Department of Government & Community Affairs - Award recommended to: WILLIAMS AVIATION CONSULTANTS, INC. (\$57,000 - General Fund) - All Wards

Fiscal Impact

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Amount: \$57,000

Funding Source: General Fund

Dept./Division: Government & Community Affairs

PURPOSE/BACKGROUND:

This contract provides for aviation consulting services, including consultation on possible action regarding the FAA's planned implementation of the right turn of McCarran International Airport aircraft over the city.

RECOMMENDATION:

That the City Council approve the award of Contract No. 070128 to Williams Aviation, Inc. for the period of date of award through June 30, 2007, with three (3) six-month renewal options in the estimated amount of \$57,000. Authority to execute the contract is given to the Purchasing Mgr per R-48-2006.

BACKUP DOCUMENTATION:

1. Contract No. 070128
2. Certificate - Disclosure of Ownership/Principals

Motion made by OSCAR B. GOODMAN to Approve Items 47 and 48, requiring monthly reports, including under closed-door session if necessary, to the council and justification of all hourly fees billed and directing the City Manager to contact Clark County to evaluate air quality issues

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

See Item 46 for related backup and Item 47 for combined Verbatim Transcript of Items 47 and 48.

CONTRACT**Aviation Consulting Services**

THIS CONTRACT is being entered into this _____ day of _____, 2007, by and between the CITY OF LAS VEGAS (hereinafter the "City"), a municipal corporation within the State of Nevada having its principal office at 400 Stewart Avenue, Las Vegas, Nevada 89101, and Williams Aviation Consultants, Inc. (hereinafter the "Company") having its principal office at 2594 W. Wrangler Way, Queen Creek, Arizona 85242.

SECTION A – Contract Form

The subject matter of this Contract is the performance of aviation consulting services.

SECTION B – Basic Terms**B-1 Definitions**

The following definitions apply to this Contract:

- (a) "Award Date" means the date that a Contract becomes effective. It is the date that is entered into the first paragraph of a Contract upon execution by an authorized representative of the City.
- (b) "City" means the City of Las Vegas.
- (c) "City Council" means the governing body of the City of Las Vegas.
- (d) "Company" means the individual, partnership, or corporation responsible for the performance of services under this Contract.
- (e) "Company Representative" means the individual authorized to act on behalf of the Company regarding routine matters arising under or relating to this Contract.
- (f) "Contract" means this document, consisting of Sections A through F, which is binding and effective only upon execution by the City.
- (g) "Deliverable" means any report, software, hardware, data, documentation, or other tangible item that the Company is required to provide to the City under the terms of the Contract.
- (h) "Non-exclusive Contract" means a Contract under which the City agrees to obtain some, but not necessarily all, of the City's requirements for a particular service.
- (i) "Project Manager" means the City representative who is responsible for the coordination of Contract performance between the City and the Company.
- (j) "Reimbursable Expenses" means authorized expenses associated with activities and duties required to provide services such as air fare and per diem.

B-2 Contract Type

This Contract provides for the payment of an hourly rate for services performed by the Company, and Reimbursable Expenses subject to established not-to-exceed amounts. This is a Non-Exclusive Contract.

B-3 Prices/Costs

- (a) The City agrees to pay the Company \$7,000.00 per month, or if in the best interest of the City, for incurred labor hours, at an hourly rate of \$250.00
- (b) The City agrees to pay the Company an hourly rate of \$375.00, and a minimum of 8 hours for each day, for providing depositions or other forms of court related testimony.
- (c) The compensation rates above are inclusive of all personnel costs, all direct and indirect costs, overhead and profit.
- (d) Reimbursable Expenses. If travel is required in performance of services under this Contract, reasonable travel expenses will be paid when services are performed in Las Vegas. Reimbursement is subject to certain limitations. The City will reimburse airfare up to the cost of a coach fare, with 7-day advance purchase. Reimbursement for all other expenses including, but not limited to, lodging, meals, automobile rental, and incidental expenses will be paid at a per diem rate of \$192.00 per day, requiring an overnight visit, and \$132.00 per day, not requiring an overnight visit. Company shall coordinate all travel in advance with the City's Project Manager. The City will not reimburse personal entertainment expenses, alcoholic beverages, travel expenses for family members, use of health facilities (unless included in the basic price of hotel accommodations), movies in a hotel, or other non-business related costs. The City's Project Manager must approve any deviations to these procedures.
- (e) The total consultant compensation authorized under the terms of this contract shall not exceed \$42,000.00 in any one Contract period. The total reimbursable expenses shall not exceed \$15,000.00 in any one Contract period.

B-4 Performance Period

The initial performance period is for six months and commences on the Award Date. The City is granted with up to three (3), six-month options to extend the Contract. The option shall be exercised by the City giving written notice to the Company thirty (30) days prior to expiration of the Contract. The City's exercise of one option shall not imply that any future option will be exercised. All terms and conditions of the original Contract shall remain in effect as written, during the renewal period(s).

B-5 Invoices

- (a) The Company shall submit an invoice to the City for incurred hours upon the City's final acceptance of an item set forth in paragraph B-3. All invoices should identify (i) the assignment covered, (ii) the date of the invoice, and (iii) the associated purchase order number. Upon reconciliation of all errors, corrections, credits, and disputes, payment to the Company will be made in full within thirty (30) calendar days. The Company shall submit an original invoice with a copy to:

ORIGINAL TO: Department of Finance and Business Services
ATTN: Accounts Payable
City of Las Vegas, Sixth Floor
400 Stewart Ave.
Las Vegas, NV 89101 - 2986

COPY TO: Office of City Manager
ATTN: Ted Olivas
City of Las Vegas, Eighth Floor
400 Stewart Ave.
Las Vegas, NV 89101 - 2986

- (b) The Company may submit invoices for travel upon completion of a trip. An invoice for travel expenses must identify the traveler and dates of travel. Receipts for travel expenses, other than per diem, must be attached to the copy provided to the City's Project Manager.
- (c) A representative of the Company shall sign and certify the invoice in the following manner: "I hereby certify, under penalty of perjury, that the above invoice is just and correct and that reimbursement for such expenses listed on this invoice has not been previously received from the City of Las Vegas nor any other source."

SECTION C – Statement of Work

C-1 Scope of Services/General

The Company shall provide the City with a wide range of aviation consulting services.

C-2 Scope of Services/Minimum Services

The Company shall:

- (a) Provide technical assistance and expertise to the City regarding the Federal Aviation Administration's (FAA) planned implementation of the right turn over the City including:
 - (i.) Analysis and recommendations
 - (ii.) Prepare charts and exhibits
 - (iii.) Identify expert witnesses
- (b) Attend meetings and workshops on aviation issues scheduled by the City, Clark County, the Department of Defense, or the FAA pertaining to:
 - (i.) McCarran International Airport
 - (ii.) North Las Vegas Airport
 - (iii.) Nellis Air Force Base
 - (iv.) Ivanpah Valley Airport
 - (v.) FAA and airline user forums
 - (vi.) Other aviation topics
- (c) Monitor aviation activity in the Las Vegas area and provide the City with an analysis of any proposed aviation initiatives which may include impact statements or suggested alternatives as well as summaries of meetings, workshops, or conversations with aviation officials or service providers.
- (d) Evaluation of FAA, airport or airline proposals to change or modify existing flight routes and/or procedures which may impact the City.
- (e) Evaluate proposed airport projects to determine whether the proposed project will or could have additional implications for future projects that are not specifically identified and the possible impact of such projects.
- (f) Evaluate proposed construction projects in relation to the requirements of FAR Part 77 Airspace and Obstruction criteria and Terminal/En Route Procedures (TERPS) impacts.
- (g) Perform additional tasks as assigned.

C-3 Deliverables

Each assignment will consist of a statement of work, scope of work, all Deliverables and, where appropriate, interim report schedules and completion dates.

C-4 Consultants

The Company agrees to provide George Williams, Thomas Kamman, Owen Bridgeman, Barry Yurtis and Dorota Skrzypek for primary consulting services. The Company, upon written notice to the City, may employ other parties. The Company shall be responsible for payment to the Company's subcontractors. The Company's subcontractors shall operate under the direct supervision of the Company.

SECTION D – Special Clauses**D-1 Legal Notice [CAO-6/5/02]**

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

FOR THE CITY: City of Las Vegas
Manager, Purchasing and Contracts
City Hall, First Floor
400 Stewart Avenue
Las Vegas, Nevada 89101-2986
Fax: (702) 384-9964

FOR THE COMPANY: Williams Aviation Consultants, Inc.
2594 W. Wrangler Way
Queen Creek, Arizona 85242
Fax: (480) 987-7824

- (b) The parties shall provide written notification of any change in the information stated above.
- (c) An original signed copy, via U. S. Mail, shall follow facsimile transmissions.
- (d) For purposes of this Contract, legal notice shall be required for all matters involving potential termination actions, litigation, indemnification, change orders over \$25,000, and unresolved disputes. This does not preclude legal notice for any other actions having a material impact on the Contract.
- (e) Routine correspondence should be directed to the Project Manager or the Company Representative, as appropriate.

D-2 Project Manager/Company Representative

- (a) Within ten (10) days after the Award Date, the City and the Company will designate in writing the Project Managers for this Contract. Each party will provide written notice initially and in the event there is a subsequent change. The Project Managers will be the City's and the Company's principal point of contact regarding any matters relating to this Contract. The Project Managers are not authorized to waive or change any material terms of the Contract.

- (b) Within ten (10) days after the Award Date, the City and the Company will designate in writing the Company Representatives for this Contract. Each party will provide written notice initially and in the event there is a subsequent change. Both parties have the right to assume that the City and the Company Representatives have full authority to act for the City and the Company on all matters arising under or relating to this Contract.

D-3 Warranty – Services

The Company warrants that the services shall be performed in full conformity with this Contract, with the professional skill and care that would be exercised by those who perform similar services in the commercial marketplace, and in accordance with accepted industry practice. In the event of a breach of this warranty and/or in the event of non-performance and/or failure of the Company to perform the services in accordance with this Contract, the Company shall, at no cost to the City, re-perform or perform the services so that the services conform to the warranty.

D-4 Licenses/Registrations

During the entire performance period of this Contract, the Company shall maintain all federal, state, and local licenses and registrations applicable to the work performed under this Contract.

D-5 Intellectual Property Rights

All deliverables produced under this Contract, as well as all data, notes (except for Company's notes for internal use), and documentation collected on behalf of the City are exclusively the property of the City. Upon completion and/or termination of this Contract, the Company will provide to the City, without cost to the City, all work product and files developed by the Company under this Contract and return all materials provided to the Company by the City in connection with this Contract.

D-6 Order of Precedence

In the event of a conflict between the specific language set forth in Sections B through E of this Contract and any Attachment or Exhibit set forth in Section F, the specific language in Sections B through E shall prevail. Any exception to this order of precedence will be addressed through specific language elsewhere in Sections B through E.

SECTION E – General Clauses

E-1 Disputes [CAO-6/5/02]

- (a) For each claim or dispute arising between the parties under this Contract, the parties shall attempt to resolve the matter through escalating levels of management. In the event the matter cannot be successfully resolved in this manner, the City is granted the right, regardless of which party is asserting the claim or dispute, to determine between arbitration or litigation as the forum in which the party desiring to proceed further shall file to resolve the claim or dispute. For any and all claims or disputes asserted by the Company, the Company shall notify the City of its intent to proceed further with the claim or dispute, and in response thereto, the City shall notify the company as to its selected forum for resolution. For any and all claims or disputes asserted by the City, the City shall notify the Company in the notice of intent to proceed with further resolution and in the same notice as to whether it has selected arbitration or litigation as the forum to resolve the claim or dispute. In the event arbitration is the designated forum, such arbitration shall be binding on the parties.
- (b) In the event that arbitration is originated by the City as the forum for further resolution, the claim or dispute shall be filed with the Nevada Arbitration Association or the American Arbitration Association under its then current Commercial Arbitration Rules, Expedited Procedures, regardless of the amount of the claim or dispute.

- (c) The laws of the State of Nevada shall govern this Contract and the venue for purposes of such litigation or arbitration shall be in the City.

E-2 Notice of Delay [CAO-6/5/02]

- (a) Should the timely performance of this Contract be jeopardized by the non-availability of City provided personnel, data, or equipment, the Company immediately shall notify the City in writing of the facts and circumstances that are contributing to such delay. Upon receipt of this notification, the City will advise the Company in writing of the action which will be taken to remedy the situation.
- (b) The Company shall advise the City in writing of an impending failure to meet established milestones or delivery dates based on the Company's failure to perform. Notice shall be provided as soon as the Company is aware of the situation; however, such notice shall not relieve the Company from any existing obligations regarding performance or delivery.

E-3 Termination for Convenience [CAO-6/5/02]

The City shall have the right at any time to terminate further performance of this Contract, in whole or in part, for any reason whatsoever (including no reason). Such termination shall be effected by written notice from the City to the Company, specifying the extent and effective date of the termination. On the effective date of the termination, the Company shall terminate all work and take all reasonable actions to mitigate expenses. The Company shall submit a written request for incurred costs for services performed through the date of termination, and shall provide any substantiating documentation requested by the City.

In the event of such termination, the City agrees to pay the Company within thirty days after receipt of a correct, adequately documented written request. The City's sole liability under this Paragraph is for payment of the costs for the services requested by the City and actually performed by the Company.

E-4 Termination for Default [CAO-6/5/02]

- (a) The City may, by written notice of default to the Company, terminate this Contract in whole or in part if the Company fails to:
- (i.) Perform the services under Section C, "Statement of Work" (including, if applicable, delivering any software, goods, or documentation required hereunder) within the time specified in this Contract or any extension;
 - (ii.) Make progress, so as to endanger performance of this Contract; or
 - (iii.) Perform any of the other provisions of this Contract.
- (b) The City's right to terminate this Contract under (a)(ii) and (a)(iii) above, may be exercised if the Company does not cure such failure within ten (10) calendar days (or more if authorized by the City) after notice, specifying the failure, is provided pursuant to the Paragraph D-1, "Legal Notice" of this Contract.
- (c) If the City terminates this Contract for default in whole or in part, it may acquire, under reasonable terms and in the manner the City considers appropriate, services or goods similar to those terminated, and the Company shall be liable to the City for any excess costs for those services or goods. However, the Company shall continue the work not terminated.
- (d) The Company shall not be liable for any excess costs if the failure to perform the Contract arises from circumstances beyond the control and without the fault or negligence of the Company.

These circumstances are limited to such causes as (1) acts of God or of the public enemy, (2) acts of governmental bodies, (3) fires, (4) floods, (5) epidemics, (6) quarantine restrictions, (7) strikes, (8) freight embargoes, (9) unusually severe weather. The time of performance of the Company's obligations under this Contract shall be extended by such period of enforced delay; provided, however, that such reasonably extended time period shall not exceed sixty (60) days. If the foregoing circumstances result in a delay greater than 60 days, the City may terminate the affected portion of the Contract pursuant to the terms of Paragraph E-3, "Termination for Convenience".

- (e) Either party may terminate this Contract, in whole or in part, if the other party becomes insolvent or bankrupt or makes an assignment for the benefit of creditors, or if a receiver or trustee in bankruptcy is appointed for the other party, or if any proceeding in bankruptcy, receivership, or liquidation is instituted against the other party and is not dismissed within 30 days following commencement thereof.
- (f) The City retains the right to terminate for default immediately should the Company fail to maintain the required levels of insurance, fail to comply with applicable local, state, and Federal statutes governing performance of these services, or fail to comply with statutes involving health or safety.

E-5 Insurance [CAO-6/5/02] R

- (a) The Company shall procure and maintain, at its own expense, during the entire term of the Contract, the following coverage:
 - (i) Comprehensive General Liability (bodily injury, property damage, errors and omissions) Insurance with respect to the Company's agents and vehicles assigned to the activities performed under this Contract in a policy limit of not less than \$1,000,000.00 combined single limit per occurrence and \$2,000,000.00 in the aggregate. Such coverage shall be on an "occurrence" basis and not on a "claims made" basis (except for Errors and Omissions coverage).
- (b) The City shall be named as an additional insured party there under and such notation shall appear on the certificate of insurance furnished by the Company's insurance carrier. Each insurance carrier's rating as shown in the latest Best's Key Rating Guide shall be fully disclosed and entered on the required certificate of insurance. The adequacy of the insurance supplied by the Company, including the rating and financial health of each insurance carrier providing coverage, is subject to the approval of the City. The City requires insurance carriers to maintain a Best's Key rating of "A VII" or higher.
- (c) All deductibles and self-insurance retentions shall be fully disclosed in the certificate of insurance. No deductible or self-insured retention may exceed \$10,000.00 without the prior written approval of the City.
- (d) Certificates indicating that such insurance is in effect shall be delivered to the City within ten (10) days after the Award Date of this Contract, or before work commences, whichever is earliest. The Company shall maintain coverage for the duration of this Contract. The Company shall annually provide the City with a certificate of insurance as evidence that all insurance requirements have been met. It is further agreed that the Company and/or insurance carrier shall provide the City with a thirty (30) day advanced notice of policy modification or cancellation. Any exclusion to the effect that the insurance carrier will "endeavor to inform" must be stricken from the certificate of insurance.
- (e) Should the Company fail to carry the required insurance, the City has the option to purchase replacement insurance and charge the costs back to the Company.

E-6 Indemnification [CAO-6/5/02]

- (a) In addition to the insurance requirements set forth in Paragraph E-5, "Insurance", the Company shall protect, indemnify and hold harmless the City, its officers, employees, agents, and consultants (collectively herein the "City") harmless from any and all claims, liabilities, damages, losses, suits, actions, decrees, and judgments including, attorney's fees, court costs or other expenses of any and every kind or character (collectively herein the "Liabilities") which may be recovered from or sought against the City, or any of them, as a result of, by reason of, or as a consequence of, any act or omission, negligent or otherwise, on the part of the Company, its officers, employees, or agents in the performance of the terms, conditions and covenants of the Contract, regardless of whether the Liabilities were caused in part by the City. The City for its protection may retain any money due and owing the Company under this Contract. In the event no money is due and owing, the surety, if required, of the Company, may be held until all of the Liabilities have been settled and suitable evidence to that effect furnished to the City.
- (b) It is expressly agreed that the Company shall defend the City, and each of them, against the Liabilities and in the event that the Company fails to do so, the City, and each of them, shall have the right, but not the obligation, to defend the same and to charge all direct and incidental costs, including attorney's fees and court costs, to the Company.

E-7 Assignment [CAO-6/5/02]

~~Neither party may assign their rights nor delegate their duties under this Contract without the written consent of the other party. Such consent shall not be withheld unreasonably. Any assignment or delegation shall not relieve any party of its obligations under this Contract.~~

E-8 Waiver [CAO-6/5/02]

Waiver of any of the terms of this Contract shall not be valid unless it is in writing signed by each party. The failure of the City to enforce any of the provisions of this Contract, or to require performance of any of the provisions herein, shall not in any way be construed as a waiver of such provisions or to affect the validity of any part of this Contract, or to affect the right of the City to thereafter enforce each and every provision of this Contract. Waiver of any breach of this Contract shall not be held to be a waiver of any other or subsequent breach of this Contract.

E-9 Taxes/Compliance with Laws [CAO-6/5/02]

- (a) The City is exempt from paying Sales and Use Taxes under the provisions of Nevada Revised Statutes 372.325(4), and Federal Excise Tax, under Registry Number 88-87-0003k. The Company shall pay all taxes, levies, duties and assessments of every nature and kind, which may be applicable to any work under this Contract. The Company shall make any and all payroll deductions required by law. The Company agrees to indemnify and hold the City harmless from any liability on account of any and all such taxes, levies, duties, assessments and deductions.
- (b) The Company in the performance of the obligations of this Contract shall comply with all applicable laws, rules and regulations of all governmental authorities having jurisdiction over the performance of this Contract including, but not limited to, the Federal Occupational Health and Safety Act, and all state and federal laws prohibiting and/or relating to discrimination by reason of race, sex, age, religion or national origin.

E-10 Audit of Records [CAO-6/5/02]

- (a) The Company agrees to maintain financial records pertaining to all matters relative to this Contract in accordance with standard accounting principles and procedures and to retain all records and supporting documentation applicable to this Contract for a period of three (3) years after completion of this contract and any subsequent extensions thereof. All records subject to

audit findings shall be retained for three (3) years after such findings have been resolved. In the event the Company goes out of existence, the Company shall turn over to the City all of its records relating to this Contract to be retained by the City for the required period of time.

- (b) The Company agrees to permit the City or the City's designated representative(s) to inspect and audit its records and books relative to this Contract at any time during normal business hours and under reasonable circumstances and to copy and/or transcribe any information that the City desires concerning Company's operation hereunder. The Company further understands and agrees that said inspection and audit would be exercised upon written notice. If the Company or its records and books are not located within Clark County, Nevada, and in the event of an inspection and audit, Company agrees to deliver the records and books or have the records and books delivered to the City or the City's designated representative(s) at an address within the City of Las Vegas as designated by the City. If the City or the City's designated representative(s) find that the records and books delivered by the Company are incomplete, the Company agrees to pay the City or the City's representative(s)' costs to travel (including travel, lodging, meals, and other related expenses) to the Company's offices to inspect, audit, retrieve, copy and/or transcribe the complete records and books. The Company further agrees to permit the City or the City's designated representatives to inspect and audit, as deemed necessary, all records of this project relating to finances, as well as other records including performance records that may be required by relevant directives of funding sources of the City.
- (c) If, at any time during the term of this Contract, or at any time after the expiration or termination of the Contract, the City or the City's designated representative(s) finds the dollar liability is less than payments made by the City to the Company, the Company agrees that the difference shall be either: (a) repaid immediately by the Company to the City or (b) at the City's option, credited against any future billings due the Company.

E-11 Independent Contractor [CAO-6/5/02]

In the performance of services under this Contract, the Company and any other person employed by it shall be deemed to be an independent contractor and not an agent or employee of the City. The Company shall be liable for the actions of any person, organization or corporations with which it subcontracts to fulfill this Contract. The City shall hold the Company as the sole responsible party for the performance of this Contract. The Company shall maintain complete control over its employees and all of its subcontractors. Nothing contained in this contract or any subcontract awarded by the Company shall create a partnership, joint venture or agency. Neither party shall have the right to obligate or bind the other party in any manner to any third party

E-12 Severability [CAO-6/5/02]

The invalidity, illegality, or unenforceability of any provision of this Contract or the occurrence of any event rendering any portion or provision of this Contract void shall in no way affect the validity or enforceability of any other portion or provision of this Contract. Any void provision shall be deemed severed from this Contract, and the balance of this Contract shall be construed and enforced as if this Contract did not contain the particular portion or provision held to be void. The parties further agree to amend this Contract to replace any stricken provision with a valid provision that comes as close as possible to the intent of the stricken provision. The provisions of this clause shall not prevent this entire Contract from being void should a provision which is of the essence of this Contract be determined void.

E-13 Conforming Services [CAO-6/5/02]

The services performed under this Contract shall conform in all respects with the requirements set forth in this Contract. It shall be the responsibility of the Company to furnish the City with sufficient data and information needed to determine if the services performed conform to all the requirements of this Contract.

E-14 Modification/Amendment [CAO-6/5/02]

This Contract shall not be modified or amended except by the express written agreement of the parties, signed by a duly authorized representative for each party. Any other attempt to modify or amend this Contract shall be null and void, and may not be relied upon by either party.

E-15 Section and Paragraph Headings [CAO-6/5/02]

The section and paragraph headings appearing in this Contract are inserted for the purpose of convenience and ready reference. They do not purport to define, limit or extend the scope or intent of the language of the sections and paragraphs to which they pertain.

E-16 Conflict of Interest (City Officials) [CAO-6/5/02]

- (a) An official of the City, who is authorized in such capacity and on behalf of the City to negotiate, make, accept or approve, or take part in negotiating, making, accepting, or approving this Contract, payments under this Contract, or work under this Contract, shall not be directly or indirectly interested personally in this Contract or in any part hereof.
- (b) No officer, employee, architect, attorney, engineer or inspector of, or for the City, who is authorized in such capacity and on behalf of the City to exercise any legislative, executive, supervisory or other similar functions in connection with this Contract, shall become directly or indirectly interested personally in this Contract or in any part hereof, any material supply contract, subcontract, insurance contract, or any other contract pertaining to this Contract.
- (c) Each party represents that it is unaware of any financial or economic interest of any public officer or employee of the City relating to this Contract. Notwithstanding any other provision of this Contract, if such interest becomes known, the City may immediately terminate this Contract for default or convenience, based on the culpability of the parties.
- (d) The Company represents and warrants that it has, in accordance with the current policy of the City, disclosed the ownership and principals of the Company on Attachment 1, "Certificate - Disclosure of Ownership/Principals", and that it has a continuing obligation to update this disclosure whenever there is a material change in the information contained therein.

E-17 Conflict of Interest (Company)

During the term of this Contract, the Company shall not knowingly accept or receive any compensation, fees, expenses, or other thing of monetary value from any person, agency, firm or enterprise doing business with the City, without the express written consent of the City. To the best of its knowledge, after thorough investigation, the Company does not represent any person or entity whose interest conflicts with the City. The Company shall not undertake such representation during the term of the Contract. In the event an unanticipated conflict of interest arises, the Company shall immediately so inform the City.

E-18 Integration [CAO-6/5/02]

This Contract represents the entire and integrated agreement between the City and the Company. It supersedes all prior and contemporaneous communications, representations, and agreements, whether oral or written, relating to the subject matter of this Contract.

E-19 Public Records [CAO-6/5/02]

The City is a public agency as defined by state law. As such, it is subject to the Nevada Public Records Law (Chapter 239 of the Nevada Revised Statutes). All of the City's Records are public records, which are subject to inspection and copying by any person (unless declared by law to be confidential). This

Contract, all supporting documents, and proposals submitted under the original Request for Proposal are deemed to be public records.

E-20 Confidentiality – City Information [CAO-6/5/02]

- (a) All information, including but not limited to, oral statements, computer files, databases, and other material or data supplied to the Company is confidential and privileged. The Company shall not disclose this information, nor allow to be disclosed to any person or entity without the express prior written consent of the City. The Company shall have the right to use any such confidential information only for the purpose of providing the services under this Contract, unless the express prior, written consent of the City is obtained. Upon request by the City, The Company shall promptly return to the City all confidential information supplied by the City, together with all copies and extracts.
- (b) The confidentiality requirements shall not apply where (i) the information is, at the time of disclosure by the City, then in the public domain; (ii) the information is known to the Company prior to obtaining the same from the City; (iii) the information is obtained by the Company from a third party who did not receive the same directly or indirectly from the City; or (iv) the information is subpoenaed by court order or other legal process, but in such event, the Company shall notify the City. In such event the City, in its sole discretion, may seek to quash such demand.
- (c) The obligations of confidentiality shall survive the termination of this Contract.

E-21 Marketing Restrictions [CAO-6/5/02]

The Company may not publish or sell any information from or about this Contract without the prior written consent of the City. This restriction does not apply to the use of the City's name in a general list of customers, so long as the list does not represent an express or implied endorsement of the Company or its services.

E-22 Limitation of Funding [CAO-6/5/02]

The City reserves the right to reduce estimated or actual quantities, in whatever amount necessary, without prejudice or liability to the City, if funding is not available or if legal restrictions are placed upon the expenditure of monies for the services required under this Contract.

SECTION F – List of Attachments/Exhibits

The following attachments are hereby incorporated into this contract:

<u>Identifier</u>	<u>Title/Text Reference</u>	<u>Date</u>	<u>Pages</u>
Attachment 1	Certificate – Disclosure of Ownership/Principals [Paragraph E-16(c)]	October 2006	2

IN WITNESS WHEREOF, the parties hereto have caused this Contract to be executed by their duly authorized representatives.

CITY OF LAS VEGAS

KATHLEEN C. RAINEY, Manager
Purchasing and Contracts

"City"

ATTEST:

BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Thomas R. Green 12/21/06
Date

WILLIAMS AVIATION CONSULTANTS, INC.

George D. Williams, President

"Company"

CERTIFICATE DISCLOSURE OF OWNERSHIP/PRINCIPALS

1. Definitions

"City" means the City of Las Vegas.

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

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

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

2. Policy

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

3. Instructions

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

4. Incorporation

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

Block 1 Contracting Entity
Name <u>Williams Aviation Consultants, Inc</u>
Address <u>2594 W. Wrangler Way</u> <u>Queen Creek, AZ 85242</u>
Telephone <u>480-987-7823</u>
EIN or DUNS <u>86-1012418</u>

Block 2 Description Subject Matter of Contract/Agreement
<u>Full range of aviation advise on airport, aircraft noise and over-flight issues and impacts including existing and proposed airports and modifications to flight procedures and airspace realignments.</u>
Contract No.

Block 3**Type of Business**

☐ Individual ☐ Partnership ☐ Limited Liability Company ☒ **SOLE PROPRIETORSHIP** ☐ Trust ☐ Other:

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

Block 4 Disclosure of Ownership and Principals

In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.

	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1.	Carol A. Williams, President	2594 W. Wrangler Way, Queen Creek, AZ 85242	480-987-7823
2.	George D. Williams, Sec/Treas	2594 W. Wrangler Way, Queen Creek, AZ	480-987-7823
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

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

Block 5 DISCLOSURE OF OWNERSHIP AND PRINCIPALS – ALTERNATE

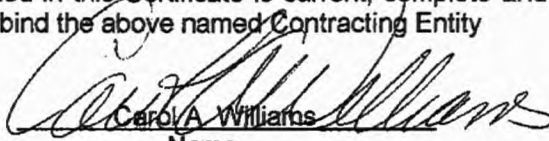
If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure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

Name of Attached Document: CERTIFICATE DISCLOSURE OF OWNERSHIP/PRINCIPALS

Date of Attached Document: October 22, 2006 **Number of Pages:** 3

ATTACHMENT 1

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


Carol A. Williams
Name

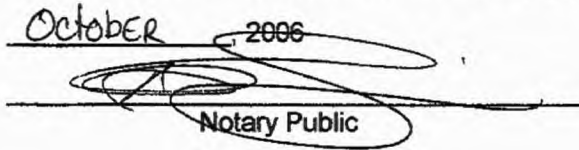
October 22, 2006

Date

Subscribed and sworn to before me this 23 day of

October

2006


Notary Public

