

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

**DEPARTMENT: CITY MANAGER**

**DIRECTOR: DOUGLAS A. SELBY**

☐ Consent ☒ Discussion

**SUBJECT:**

ADMINISTRATIVE:

Discussion and possible action on requesting the Nevada State Legislature to amend the City Charter to address issues related to the municipal court, affordable housing and other related matters

**Fiscal Impact**

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

The suggested changes to the City Charter include:

- 1) An amendment to Article 4 of the City Charter to enable the Court to appoint and utilize Traffic Hearing Masters.
- 2) An amendment to Article 4 of the City Charter to enable the Court to appoint a master judge.
- 3) An amendment which allows for the creation of a salary commission to make recommendations to the Mayor and Council on appropriate salaries for the Mayor and Council.
- 4) An amendment allowing the City to acquire and construct affordable housing.
- 5) Additional amendments as needed.

The City Manager's office will be working with legislators to sponsor the requested changes.

**RECOMMENDATION:**

It is recommended that the City Council approve asking the Nevada State Legislature to amend the City Charter.

**BACKUP DOCUMENTATION:**

Agenda Memo

Motion made by GARY REESE to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,

**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

GARY REESE, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-STEVE WOLFSON); (Excused-None)

Minutes:

DEPUTY CITY MANAGER FRETWELL detailed the amendments being sought to the City Charter, as outlined under the Purpose/Background section. She remarked that the Charter has not been opened up for a long time. Moreover, staff would come back with briefings before any Bill Draft Request is drafted and a sponsor will have to be found.

COUNCILMAN ROSS asked if the addition of a traffic master would result in a revenue increase, to which DEPUTY CITY MANAGER FRETWELL indicated that it would allow for a more consistent revenue base and will create efficiencies in the court system.

COUNCILMAN WOLFSON confirmed with DEPUTY CITY MANAGER FRETWELL that this is only enabling legislation, and then questioned the timeframe for the amendments to take effect. DEPUTY CITY MANAGER FRETWELL answered that the effective date would probably be October 1, 2007; however, staff could request an implementation date of July 1, 2007. COUNCILMAN WOLFSON stated he would like more information on what other jurisdictions are doing in this regard. DEPUTY CITY MANAGER FRETWELL said she would be happy to provide him with comparative data.

MAYOR GOODMAN requested DEPUTY CITY MANAGER FRETWELL work closely with CHIEF KAREN COYNE, Detention and Enforcement, regarding enabling legislation for the employment and training programs through the EVOLVE program, with special emphasis on being able to monitor the homeless in the system. Tracking them will better enable service providers to assist them in making a successful transition back into society. DEPUTY CITY MANAGER FRETWELL noted that there might be bills considered during this legislative session that will authorize home rule, which is something greatly needed in order to keep up with the difficulties and challenges of a growing community.



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: FEBRUARY 7, 2007**

**DEPARTMENT: CITY MANAGER**

**ITEM DESCRIPTION: Discussion and possible action on requesting the Nevada State Legislature to amend the City Charter to address issues related to the municipal court, affordable housing and other related matters**

---

The burgeoning increase of population in our valley impacts all areas of service to our citizens. For the past 15 years, the Las Vegas Municipal Court has introduced organizational efficiencies that have enabled it to accommodate the ever increasing caseload without adding an additional judge. However, the continued increase in traffic and criminal misdemeanor case filings has begun to impact the court's ability to properly dispense justice to our citizens in a timely manner.

In the 15 years since the last judicial department was created, the court's caseload has increased from 102,351 cases (FY1991) to 198,672 (estimated FY07), or a 96% increase. And, all projections call for continued growth in our valley's population (and thus the court's caseload) into the foreseeable future.

According to statistics compiled by the Nevada Administrative Office of the Courts and published in the Nevada Judiciary Annual Report, in fiscal year 2006, the six Las Vegas Municipal Court judges heard 5,277 *non-traffic* cases each, as compared to 3,883 each for North Las Vegas Municipal Court judges and 2,104 each for Reno Municipal Court Judges (the next two busiest Nevada Municipal Courts). These non-traffic cases include a significant proportion of domestic violence, DUI, and drug related matters which, by their nature, are time consuming and of high social impact to our society.

Rather than request the creation of a seventh judicial department to accommodate this growing caseload, and after due consideration, the judiciary of the Las Vegas Municipal Court, with the agreement and support of the City Attorney, is recommending that the determination of traffic charges be resolved for the most part by the creation of Traffic Masters to hear such cases.

**Therefore**, the Las Vegas Municipal Court recommends asking the Nevada State Legislature to amend Article 4 of the City Charter to add a section to enable the Court to appoint and utilize Traffic Hearing Masters as follows:

1. The Master Judge of the Municipal Court or designee may appoint one or more hearing masters to hear and decide:
  - a) Any action for a misdemeanor constituting a violation of chapter 484 of NRS, except NRS 484.379; or
  - b) Any action for a misdemeanor constituting a violation of a city traffic ordinance.
2. Each hearing master must meet the qualifications of a municipal court judge as set forth in NRS Chapter 5 or this charter.
3. In connection with any action of a type described in subsection 1, a hearing master shall have all the powers and duties of a municipal judge and a magistrate under State law. To the extent possible and practicable, the proceedings in such actions shall be subject to and governed by the provisions of State law, this charter and City ordinances that pertain to municipal judges.

# *City of Las Vegas*

City Council Meeting of February 7, 2007

Page Two

**Item Description: Discussion and possible action on requesting the Nevada State Legislature to amend the City Charter to address issues related to the municipal court, affordable housing and other related matters**

4. Hearing masters shall be paid such compensation as is determined by the city council.

**Additionally,** The Las Vegas Municipal Court recommends asking the Nevada State Legislature to amend Article 4 of the City Charter to add a section to enable the Court to appoint a Master Judge as follows:  
Section 4.020

3. The municipal judge who holds seniority in years of service in office, either elected or appointed, is the master judge. If two or more judges are equal in seniority, the master judge must be chosen from among them by the city council. The master Judge:
  - (a) Shall establish and enforce administrative regulations....
  - (b) Is responsible for setting trial dates...
  - (c) Shall perform such other court administrative duties...

If for any reason, the master judge is unable to fulfill his/her duties, the judge next in seniority will be the master judge.

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

**DEPARTMENT: OFFICE OF BUSINESS DEVELOPMENT**

**DIRECTOR: SCOTT D. ADAMS**

☐ Consent ☒ Discussion

**SUBJECT:**

Discussion and possible action regarding the Real Property Purchase and Sale Agreement with Yvonne Railoa Prock for real property generally located at 411 North Seventh Street (\$520,000 - City Facilities Capital Projects Fund) - Ward 5 (Weekly)

**Fiscal Impact**

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

**Amount:** \$520,000

**Funding Source:** City Facilities Capital Projects Fund

**Dept./Division:** Office of Business Development

**PURPOSE/BACKGROUND:**

The acquisition of this property is part of the ongoing land assemblage located directly east of City Hall. This is a willing seller/willing buyer transaction. The Site consists of 0.161 acres identified as APN: 139-34-512-048 or commonly know as 411 North Seventh Street. The sales price is based on a price of \$74.40 per square foot.

**RECOMMENDATION:**

Approval.

**BACKUP DOCUMENTATION:**

Real Property Purchase and Sale Agreement

Motion made by LAWRENCE WEEKLY to Approve

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:**

SCOTT ADAMS, Director of the Office of Business Development, reviewed the information under the Subject and Purpose/Background sections. He added that the City is acquiring the property at a very good price. Staff recommends approval.

COUNCILMAN WEEKLY asked MR. SCOTT if the concerns of the Police Protective Association (PPA) were addressed, to which MR. ADAMS answered that staff is still working with the PPA. Escrow was extended to allow both parties more time to work on an acceptable solution. Staff might have to come back to the Council for consideration of another

**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

site to trade with the PPA, as the site in the initial exchange turned out to be very expensive on which to build. He assured COUNCILMAN WEEKLY that staff is working with the PPA on various options. COUNCILMAN WEEKLY asked CITY MANAGER SELBY to also assist in this matter.

AL GALLEG0, Las Vegas resident, asked when the City is going to tear down the burned houses in the area. MR. ADAMS responded that the City's Rapid Response Team was held up due to training in the new Dust Control Guidelines.





## **REAL PROPERTY PURCHASE AND SALE AGREEMENT**

THIS AGREEMENT, entered into this 7<sup>TH</sup> day of February, 2007, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada (hereinafter the "City") and YVONNE RAILOA PROCK (hereinafter the "Seller").

### **WITNESSETH:**

WHEREAS, the Seller owns certain real property located adjacent to the northeast corner of 7th Street and Mesquite Avenue, commonly known as 411 North 7th Street also identified as APN: 139-34-512-048 (hereinafter the "Site"); and

WHEREAS, the Seller desires to sell to the City and the City desires to purchase the Site from the Seller, and

WHEREAS, the parties desire to set forth in this Agreement the terms and conditions of the purchase and sale of the Site.

NOW, THEREFORE, in consideration of the foregoing and of the covenants and conditions contained herein, the parties agree as follows:

#### **1. PURPOSE OF AGREEMENT**

The purpose of this Agreement is to set forth the terms by which the City shall purchase the Site from Seller as hereinafter described.

#### **2. THE SITE**

The Site consists of 0.16 acres, identified with APN: 139-34-512-048, and is generally depicted in Exhibit A and described in Exhibit B, both of which are attached hereto and incorporated herein by this reference. The Site consists of improved land and residential units to which the utilities, infrastructure and all off-site improvements (excluding sidewalks and driveways) are available.

#### **3. GENERAL SCOPE OF ACQUISITION**

By executing this Agreement, the Seller agrees to sell and the City agrees to purchase the Site as described in Section 2 above.

#### **4. ACQUISITION OF SITE**

The Purchase Price for the Site is Five Hundred and Twenty Thousand Dollars (\$520,000.00) (hereinafter "Purchase Price"). The entire Purchase Price for the Site is due and payable at or before the close of escrow as described in Section 8 below.

**5. GENERAL REPRESENTATIONS**

The City and the Seller each represent and warrant that:

- a. This Agreement and all agreements, instruments and documents herein provided to be executed are duly executed and binding on the parties;
- b. The execution, consent or acknowledgment of no other party is necessary to effect the obligations of the City or the Seller as provided in this Agreement;
- c. This Agreement does not now or shall not hereafter breach, invalidate, cancel, make inoperative or interfere with any contract, agreement, instrument, mortgage, deed of trust, promissory note, lease, bank loan or credit agreement.

**6. EARNEST MONEY DEPOSIT**

Immediately upon its execution of this Agreement, the City shall deliver to the Escrow Agent (as defined in Section 8 below) a deposit (the "Earnest Money Deposit") in the amount of Ten Thousand Dollars (\$10,000.00).

Upon fulfillment of all conditions necessary to enable escrow to close with respect to the Site, the Earnest Money Deposit shall be applied toward the purchase of the Site.

**7. ACQUISITION AND CONVEYANCE**

In accordance with and subject to all the terms, covenants and conditions of this Agreement, the Seller agrees to convey to the City the Site in accordance with this Agreement. Except as otherwise specifically provided, all closing and escrow costs related to the conveyance of the Site to the City, including title insurance premium, title company and closing costs, shall be borne by the City.

**8. ESCROW**

The parties agree to open an escrow with Nevada Title Commercial Division, (the "Title Company"), 2500 N. Buffalo Suite 150, Las Vegas Nevada with Kristin Ravelo as escrow agent (the "Escrow Agent"), immediately after the effective date of this Agreement. This Agreement constitutes the joint escrow instructions of the City and the Seller, and a duplicate original of this Agreement shall be delivered to the Escrow Agent upon the opening of escrow. The City and the Seller shall provide such additional escrow instructions as shall be necessary and consistent with this Agreement. Unless otherwise specified in any supplemental escrow instructions, the terms of this Agreement shall prevail in the case of any conflict between this Agreement and such instructions. The Escrow Agent hereby is empowered to act under this Agreement, and, upon indicating its acceptance of the provisions of this Agreement relating to

Escrow Agent in writing, delivered to the City and to the Seller upon the opening of the escrow, shall carry out its duties as Escrow Agent hereunder.

The Seller shall timely and properly execute, acknowledge and deliver to the Escrow Agent the Grant, Bargain & Sale deed conveying title to the Site in accordance with this Agreement; said deed is attached hereto as **Exhibit C**.

Upon delivery of the deed to the Escrow Agent by the Seller and upon delivery by the City of the Purchase Price pursuant to this Agreement, the Escrow Agent shall record such deed when title can be vested and title insurance as required by Section 14 hereof can be provided in accordance with the terms and provisions of this Agreement. The Escrow Agent shall confirm that the City is exempt from paying any transfer tax with respect to the acquisition of the Property.

The Escrow Agent is authorized and instructed to:

a. As soon as possible following opening of escrow, provide a preliminary title report ("PTR") for the Site. Thereafter, the City shall have 20 (twenty) days from receipt thereof in which to accept, reject or request modification of the respective PTR. Failure to object to the PTR within 20 (twenty) days after delivery shall be deemed to represent the City's approval of the PTR. The exceptions to title accepted by the City shall be deemed the "Permitted Exceptions" with respect to the Site.

b. Charge the parties obligated hereunder, and to pay to the persons entitled thereto, any fees, charges and costs payable under this Agreement and related solely to the acquisition and transfer of the Site. Before such payments are made, the Escrow Agent shall notify the City and the Seller of the fees, charges and costs necessary to clear title and close the escrow. The City shall pay all escrow, title and closing fees except Real Property Transfer tax for which the City is exempt;

c. Disburse funds and deliver the deed and other documents to the parties entitled thereto when the conditions of this escrow have been fulfilled by the City and the Seller;

d. Obtain and charge the City the cost of a title insurance policy insuring title to the Site in conformance with the requirements of Section 14 of this Agreement. The additional cost of an ALTA survey policy if desired by the City shall be borne entirely by the City.

e. Record any instruments delivered through this escrow, if necessary or proper, to vest title in accordance with the terms and provisions of this Agreement.

f. Prior to closing determine and confirm the complete and accurate history and chain of ownership, management and control of Seller in order to guarantee authority of Seller to convey clear title to the Site to City pursuant to the terms of this Agreement. Any

costs incurred by Escrow Agent in determining and establishing such authority shall be borne solely by Seller. Seller shall cooperate with Escrow Agent in providing copies of any documents necessary to establish such matters.

If this escrow is not in condition to close before the time for the conveyance of the Site as established in this Agreement, either Party who then shall have fully performed the acts to be performed before the conveyance of title may, in writing, terminate this Agreement and demand the return of its money, papers or documents. Thereupon all obligations and liabilities of the Parties shall cease and terminate, except that the Party who has not fully performed shall be solely responsible for any escrow cancellation charges. If neither the City nor the Seller shall have fully performed the acts to be performed by it on or before the time for the conveyance of the Site as established in this Agreement, no termination or demand for return shall be recognized until 10 (ten) days after the Escrow Agent shall have mailed copies of such demand to the other party or parties at the address of its or their principal place or places of business. If any objections are raised within the 10 (ten) day period, the Escrow Agent is authorized to hold all money, papers and documents with respect to the Site until instructed in writing by both the City and the Seller or, upon failure thereof, by a court of competent jurisdiction. If no such demands are made, the escrow shall be closed as soon as possible. Nothing in this Section shall be construed to impair or affect the rights or obligations of the City or the Seller to specific performance.

Any amendment of these escrow instructions shall be in writing and signed by both the City and the Seller. At the time of any amendment, the Escrow Agent shall agree to carry out its duties as Escrow Agent under such amendment.

All communications from the Escrow Agent to the City or the Seller shall be directed to the addresses and in the manner established in this Agreement for notices, demands and communications between the City and the Seller.

## **9. CONVEYANCE OF TITLE AND DELIVERY OF POSSESSION**

Provided that the parties are not in material default under this Agreement and all conditions precedent to such conveyance have occurred, and subject to any mutually agreed upon extensions of time, conveyance of title to the Site shall be completed on or prior to **March 30, 2007**. The City and the Seller agree to perform all acts necessary to conveyance of title in sufficient time for title to be conveyed in accordance with the foregoing provision. Whenever requested to do so by the other party, each party shall execute, acknowledge, and deliver all further conveyances, assignments, confirmations, satisfactions, releases, powers of attorney, instruments of further assurance, approvals, consents, and all further instruments and documents as may be necessary, expedient, or proper, in order to complete all conveyances, transfers, sales, and assignments under this Agreement, and to do all other acts and to execute, acknowledge, and deliver all documents as requested in order to carry out the intent and purpose of this Agreement. Notwithstanding the above, neither party shall record any memorandum of this Agreement, or this Agreement, in the records of the County Recorder, Clark County, Nevada.



10. **FORM OF DEED**

The Seller shall convey to the City or to its nominee fee simple title to the Site in the condition provided in Section 11 of this Agreement by a grant, bargain and sale deed in a form that is consistent with **Exhibit C** to this Agreement.

11. **CONDITION OF TITLE**

The Seller shall convey title to the Site free and clear of all recorded liens, encumbrances, restrictions, conditions, assessments, taxes, and other defects, and other than those acceptable to the City.

12. **CONDITIONS PRECEDENT TO CLOSE OF ESCROW**

In order for escrow to close with respect to the Site, Seller must have delivered to the Escrow Agent the appropriate deed and the City must have deposited with the Escrow Agent the Purchase Price. The City must also have approved the Permitted Exceptions to title.

13. **CLOSE OF ESCROW**

Upon the fulfillment of the conditions described in Section 12, the Escrow Agent shall file the deed for recordation among the land records in the Office of the County Recorder of Clark County and shall deliver to the City a title insurance policy insuring title in conformity with Section 14 of the Agreement. The recordation of the deed shall constitute the close of escrow.

14. **TITLE INSURANCE**

Concurrently with recordation of the deed, the Title Company shall provide and deliver to the City a CLTA insurance policy issued by the Title Company insuring that the title to the Site conveyed to the City is vested in the condition required by Section 11 of this Agreement.

15. **TAXES, ASSESSMENTS, ENCUMBRANCES AND LIENS**

The Seller shall be responsible for the payment of all real estate taxes and assessments assessed and levied, if any, on the Site for any period of time prior to conveyance of title thereto, and for any recapture taxes for any period of time prior to close of escrow. The City will not pay transfer taxes. Prior to conveyance of title, the Seller shall not place or allow to be placed on the Site (or portion thereof) any encumbrance or lien, and shall be responsible for the removal of any and all liens currently recorded against the Site.



**16. CONVEYANCE FREE OF POSSESSION**

The Site shall be conveyed free of any possession or right of possession by any person except that of the Seller.

**17. INSPECTION BY THE CITY**

Commencing with the first date set forth above and extending until 5 (five) days prior to the close of escrow (the "Inspection Period"), the City and its representatives shall have the right to enter upon and inspect the Site at all reasonable times for the purpose of conducting such boundary and topographical surveys, and surface and building condition assessments as the City may reasonably require, but such surveys, tests and assessments shall not damage the Site. The City shall indemnify, defend and hold the Seller harmless for any personal injury, death or Site damage, including costs and attorney's fees, arising out of any activity by the City, or its agents, employees or contractors pursuant to this Section. The City shall have access to all data and information on the Site available to the Seller, but without warranty or representation by Seller as to the completeness, correctness or validity of such data and information.

Any entry upon and inspection of the Site by the City prior to conveyance of title thereto shall be done only after written consent of the Seller (which consent shall not be unreasonably withheld) and at the sole expense of the City. Copies of all data, surveys, tests, remediation, agreements, obtained or made by Seller on the Site shall be delivered to the City.

Notwithstanding any other provision of this Agreement, the City shall have the right to terminate this Agreement prior to expiration of the Inspection Period, if inspection of the Site reveals soil or similar conditions that, in the City's reasonable judgment, make development impossible or impractical. Upon its exercise of said right to terminate, the City shall be entitled to the return of the Earnest Money Deposit.

**18. ASSIGNMENT**

This Agreement may be assigned by the City if deemed necessary at the City's sole discretion.

**19. TIME OF ESSENCE**

Time is of the essence of this Agreement and every obligation hereunder.

**20. DEFAULT AND REMEDY**

In the event conveyance of Site to the City does not occur solely as a result of Seller's breach of its obligations under this Agreement, and if the City has given Seller written notice of the alleged default and a reasonable period to cure that default, but not less than twenty

(20) days, the City shall be entitled to terminate this Agreement, and either seek the refund of the Earnest Money Deposit, or alternatively, pursue specific performance as its sole and exclusive remedies, excluding any claim for punitive or consequential damages or lost profits.

**21. SUCCESSORS AND ASSIGNS**

This Agreement shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, subject to the provisions of this Agreement. Seller shall not assign this Agreement or any rights hereunder without the prior written consent of the City.

**22. NONLIABILITY OF CITY OFFICIALS AND EMPLOYEES**

No official or employee of the City shall be personally liable to the Seller for any default or breach by the City, for any amount which may become due to the Seller or for any obligation of the City under the terms of this Agreement.

**23. NOTICES, DEMANDS AND COMMUNICATIONS**

Formal notices, demands and communications between the City and the Seller shall be sufficiently given if made in writing and dispatched by registered or certified mail, postage prepaid, return receipt requested or by personal delivery, to the principal offices of the City and the Seller as set forth in this Section 23. Such written notices, demands and communications may be sent in the same manner to such other addresses as either party may from time to time designate in writing.

If to the City:                      City of Las Vegas Office of Business Development  
Attn: Scott D Adams, Director  
400 Stewart Avenue  
Las Vegas, Nevada 89101

If to the City:                      Yvonne Railoa Prock  
6680 Isolated Ave  
Las Vegas NV 89110-5156

**24. ENTIRE AGREEMENT, WAIVERS AND AMENDMENTS**

This Agreement is executed in two duplicate originals, each of which is deemed to be an original. This Agreement comprises **pages 1 through 11**, inclusive, and Exhibits A, B, C and D, attached hereto and incorporated herein by reference, all of which constitute the entire understanding and agreement of the parties.

This Agreement integrates all of the terms and conditions mentioned herein or incidental hereto, and supersedes all negotiations or previous agreements between the parties with respect to all or any part of the subject matter hereof.

All waivers of the provisions of this Agreement must be in writing and signed by the appropriate authorities of the City and the Seller and no waiver of one provision shall be construed as a waiver of that provision in the future or as a waiver of any other provision.

All amendments hereto must be in writing and signed by the appropriate authorities of the City and the Seller.

**25. SEVERABILITY**

Whenever possible, each provision of this Agreement shall be interpreted in such a manner as to be valid under applicable law, but if any provision shall be invalidated, it shall be deemed to be severed from this Agreement and the remaining provisions shall remain in full force and effect.

**26. GOVERNING LAW**

The interpretation and enforcement of this Agreement shall be governed in all respects by the laws of the State of Nevada.

**27. CAPTIONS**

The captions contained in this Agreement are for the convenience of the parties and shall not be construed so as to alter the meaning of the provisions of the Agreement.

**28. DISCLOSURE OF PRINCIPALS**

Pursuant to Resolution R-105-99 adopted by the City Council effective October 1, 1999, Seller warrants that it has disclosed, on the form attached hereto as Exhibit D, all principals, including partners of Yvonne Railoa Prock as well as all persons and entities holding more than a 1% (one percent) ownership interest in the Site. Throughout the term hereof, Seller shall notify City in writing of any material change in the above disclosure within 15 (fifteen) days of any such change.

**29. EFFECTIVE DATE OF THE AGREEMENT**

This agreement shall not become effective until the following conditions have been satisfied:

- a. The City Council approves the execution of this Agreement; and
- b. An authorized representative of the City has signed this Agreement; and
- c. Yvonne Railoa Prock has signed this Agreement.

30. **TIME FOR ACCEPTANCE OF AGREEMENT BY CITY**

This Agreement, when executed by the Seller and delivered to the City, must be approved by the City, executed and delivered by the City by March 7, 2007, or this Agreement shall be void, except to the extent that the Seller shall consent in writing to further extensions of time for the authorization, execution and delivery of this Agreement. Seller may execute this Agreement by signing and acknowledging the Agreement, and submitting it to the City via facsimile transmission, with the original signed and acknowledged original to follow by express mail and delivered to the City by **January 30, 2007**. By executing this Agreement and submitting it to the City, the Seller is making an irrevocable offer to enter into this Agreement, which offer shall continue for the periods of time specified herein. The effective date of this Agreement shall be the date when this Agreement has been signed by the City. The parties and Escrow Agent shall use reasonable good faith efforts to accomplish the close of escrow as soon as commercially reasonable following the completion of all matters necessary to close escrow hereunder, but regardless of the above, **close of escrow shall occur not later than March 30, 2007**.

31. **COUNTERPARTS**

This agreement maybe signed in any number of counterparts, each of which shall be deemed to an original and all of which together shall be deemed to be one and the same agreement.

32. **BROKER REPRESENTATION**

Yvonne Railoa Prock is represented in this transaction by Shamile Touché of Power Reality. Ms. Touché's commission is the sole responsibility of the Seller.

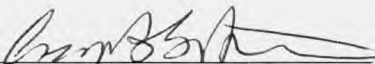


Date of City Council Approval:

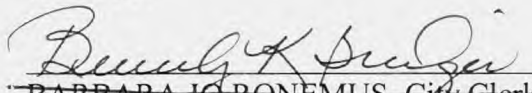
2/7, 2007

CITY OF LAS VEGAS

By:

  
OSCAR B. GOODMAN, Mayor

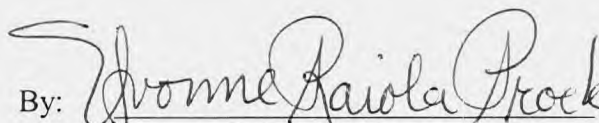
ATTEST:

  
~~BARBARA JO RONEMUS, City Clerk~~  
By: Beverly K. Bridges, CMC  
Acting City Clerk

Approved as to form:

 1/18/07  
Deputy City Attorney Date

SELLER

By:   
Yvonne Railoa Prock Date: 1-18-07

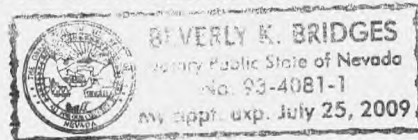
## ACKNOWLEDGMENTS

STATE OF NEVADA §  
COUNTY OF CLARK §

§

On this 14<sup>th</sup> day of February, 2007, personally appeared before me, the undersigned, a Notary Public in and for the County of Clark, State of Nevada, OSCAR B. GOODMAN, who acknowledged that he executed the above instrument.

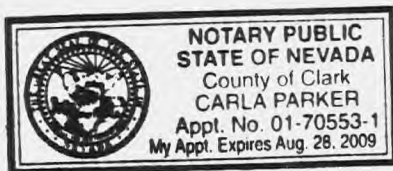
Beverly K. Bridges  
NOTARY PUBLIC, in and for said  
County and State



STATE OF Nevada §  
COUNTY OF Clark §

On this 18 day of January, 2007, personally appeared before me, the undersigned, a Notary Public in and for the County of Clark, State of Nevada, Yvonne Railoa Prock, who acknowledged that she executed the above instrument.

Carla Parker  
NOTARY PUBLIC, in and for said  
County and State



# EXHIBIT A



# Exhibit A

## Legend

Prock, Yvonne

12/29/06





## **EXHIBIT B**

**EXHIBIT "B"**  
**LEGAL DESCRIPTION**

LOT SIX (6) IN BLOCK NINE (9) OF BUCK'S SUBDIVISION OF LAS VEGAS, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1, OF PLATS, PAGE 15, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

# EXHIBIT C

Exhibit C

APN: 139-34-512-048

RPTT: \_\_\_\_\_

Recording Requested by:  
City of Las Vegas, Office of Business Development  
400 Stewart, 2<sup>nd</sup> Floor  
Las Vegas, NV 89101

**GRANT, BARGAIN AND SALE DEED**

For valuable consideration, the receipt of which is hereby acknowledged, the YVONNE RAILOA PROCK, (herein the "Grantor"), hereby grants, bargains and sells to the CITY OF LAS VEGAS, (herein the "Grantee") all right, title, and interest in the real property (the "Property") legally described in the document attached hereto as Attachment "A" and incorporated herein by this reference, which Property is also known as APN: 139-34-512-048.

The Property is conveyed subject to restrictions, reservations, conditions, rights-of-way, easements and other encumbrances of record.

IN WITNESS THEREOF, the Grantor and Grantee have caused this instrument to be executed this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

By: \_\_\_\_\_  
YVONNE RAILOA PROCK

ACCEPTANCE:

The provisions of this Grant, Bargain, and Sale Deed are hereby approved and accepted.

CITY OF LAS VEGAS

ATTEST:

\_\_\_\_\_  
BARBARA JO RONEMUS  
Secretary

By: \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

Approved as to form:

\_\_\_\_\_  
Thomas R. Green                      Date  
Deputy Agency Attorney

ACKNOWLEDGMENTS

STATE OF NEVADA

ss.

COUNTY OF CLARK

On this \_\_\_\_\_ day of \_\_\_\_\_, 2007, personally appeared before me, the undersigned, a Notary Public in and for the County of \_\_\_\_\_, State of \_\_\_\_\_, \_\_\_\_\_, who acknowledged that he executed the above instrument.

\_\_\_\_\_  
NOTARY PUBLIC, in and for said  
County and State

STATE OF NEVADA

ss.

COUNTY OF CLARK

On this \_\_\_\_\_ day of \_\_\_\_\_, 2007, personally appeared before me, the undersigned, a Notary Public in and for the County of Clark, State of Nevada, OSCAR B. GOODMAN, who acknowledged that he executed the above instrument.

\_\_\_\_\_  
NOTARY PUBLIC, in and for said  
County and State



# **EXHIBIT D**

**Exhibit D**  
**CERTIFICATE**  
**DISCLOSURE OF OWNERSHIP/PRINCIPALS**

**1. Definitions**

*"City"* means the City of Las Vegas.

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

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

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

**2. Policy**

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

**3. Instructions**

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

**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.

## ATTACHMENT 11

### DISCLOSURE OF OWNERSHIP/PRINCIPALS

|                                                                                             |                                  |
|---------------------------------------------------------------------------------------------|----------------------------------|
| <b>Block 1</b>                                                                              | <b><u>Contracting Entity</u></b> |
| <div style="font-size: 1.2em; font-family: cursive;">Yvonne Raiola Prock</div>              |                                  |
| <b>Name</b> <div style="font-size: 1.2em; font-family: cursive;">Yvonne Raiola Prock</div>  |                                  |
| <b>Address</b> <div style="font-size: 1.2em; font-family: cursive;">6680 Isolated Ave</div> |                                  |
| <b>Telephone</b> <div style="font-size: 1.2em; font-family: cursive;">702 453 9510</div>    |                                  |
| <b>EIN or DUNS</b>                                                                          |                                  |

|                                                         |                            |
|---------------------------------------------------------|----------------------------|
| <b>Block 2</b>                                          | <b><u>Description:</u></b> |
| <b>Subject Matter of Contract/Agreement:</b>            |                            |
| <b>RFP #:</b> <div style="margin-left: 20px;">N/A</div> |                            |

|                                                                                                                                                                             |                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| <b>Block 3</b>                                                                                                                                                              | <b><u>Type of Business</u></b> |
| <input checked="" type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation |                                |

| <b>Block 4</b>                                                                                                                                                                                                                          | <b><u>Disclosure of Ownership and Principals</u></b> |                   |                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|-------------------|----------------|
| 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.                                                                                                                                                                                                                                      | Yvonne Raiola Prock                                  | 6680 Isolated Ave | 453-9510       |
| 2.                                                                                                                                                                                                                                      |                                                      |                   |                |
| 3.                                                                                                                                                                                                                                      |                                                      |                   |                |
| 4.                                                                                                                                                                                                                                      |                                                      |                   |                |
| 5.                                                                                                                                                                                                                                      |                                                      |                   |                |
| 6.                                                                                                                                                                                                                                      |                                                      |                   |                |
| 7.                                                                                                                                                                                                                                      |                                                      |                   |                |
| 8.                                                                                                                                                                                                                                      |                                                      |                   |                |

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.

Yvonne Raiola Brock  
Name

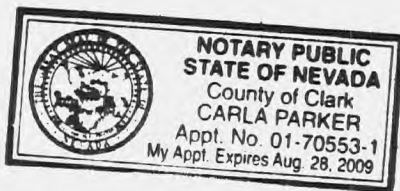
1-18-07

Date

State of Nevada  
County of Clark

This instrument was acknowledged before me on

1-18-07 (date) by  
Yvonne Marlene Brock (name of person)  
Carla Parker  
Notary Public -



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐ Consent ☒ Discussion

**SUBJECT:**

Discussion and possible action on Appeal of Work Card Denial: Mary S. Baguinon, 3223 Stanley Avenue, North Las Vegas, Nevada 89030

**Fiscal Impact**

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

None

**RECOMMENDATION:**

None

**BACKUP DOCUMENTATION:**

1. Appellant Letter of Appeal
2. City Clerk Notification Letter to Appellant

Motion made by GARY REESE to Deny the appeal, thereby Denying the work card

Passed For: 6; Against: 1; Abstain: 0; Did Not Vote: 0; Excused: 0

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

Minutes:

TONI WEEKS, Detective, Las Vegas Metropolitan Police Department (Metro), reported that the appellant's work card was denied due to her criminal history. She is a repeat offender who recently moved to Las Vegas. The owner of the establishment where MS. BAGUINON is seeking employment is willing to hire her, despite full awareness of her criminal background. However, the owner is uncertain whether MS. BAGUINON will be working as a clerk or a manager, and her original application was for manager. MS. BAGUINON indicated that she would be working as managerial clerk. She requested a second chance.

COUNCILMAN ROSS adamantly stated that he could not support issuing MS. BAGUINON a work card due to her history. He advised her to seek a job that does not require a work card. COUNCILWOMAN TARKANIAN shared the sentiments of COUNCILMAN ROSS.



**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

COUNCILMAN WOLFSON confirmed with DETECTIVE WEEKS that she spoke with the owner, who is willing to hire MS. BAGUINON despite her background, and that MS. BAGUINON has been working in the County jurisdiction, where a work card is not required for a cashier position. Metro's concern is that she will work in a capacity where she will be able to sell alcohol and cigarettes.

COUNCILMAN WOLFSON questioned the difference between clerk and manager. DETECTIVE WEEKS answered that managers are required to seek a business license and come forward for suitability, and can hire/fire employees; clerks do not have those responsibilities.

COUNCILMAN REESE said that there are too many uncertainties in this matter. With the business owner not being present, he could not support issuing MS. BAGUINON a work card.



RECEIVED  
CITY CLERK

2007 JAN 22 A 8:41

January 22, 2007

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,



Mary S. Baguinon  
3223 Stanley Avenue  
North Las Vegas, Nevada 89030



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN  
MAYOR

GARY REESE  
MAYOR PRO TEM

LARRY BROWN  
JERRENCE WEEKLY  
STEVE WOLFSON  
LOIS TARKANIAN  
STEVEN D. ROSS

DOUGLAS A. SELBY  
CITY MANAGER

January 16, 2007

Mary S. Baguinon  
3223 Stanley Avenue  
North Las Vegas, Nevada 89030

Re: **WORK CARD APPEAL**

Dear Ms. Baguinon:

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 **February 7, 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 black ink, appearing to read "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

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

VOICE 702.229.6011

TTY 702.386.9108

[www.lasvegasnevada.gov](http://www.lasvegasnevada.gov)

18112-001-06-05  
CLV 7009



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

---

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐ Consent ☒ Discussion

**SUBJECT:**

Discussion and possible action on Appeal of Work Card Denial: Ashley M. Hulleman, 6060 Draft Horse Drive, Las Vegas, Nevada 89081

**Fiscal Impact**

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

None

**RECOMMENDATION:**

None

**BACKUP DOCUMENTATION:**

1. Appellant Letter of Appeal
2. City Clerk Notification Letter to Appellant

Motion made by GARY REESE to Strike Items 37 and 48 and Hold in Abeyance Item 52 to 6/20/2007 (Item 59 initially Withdrawn Without Prejudice but subsequently Held In Abeyance to 2/21/2007 as reconsidered in the afternoon session)

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 LAW OFFICE OF AARON D. GRIGSBY  
A PROFESSIONAL CORPORATION

3507 W. Charleston Blvd.  
Las Vegas, Nevada 89102

Telephone: (702) 202-5235  
Facsimile: (702) 944-7856

January 22, 2007

Original via Hand Delivery

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

Re: Revocation of Work Card

To Whom It May Concern:

This letter is sent to advise you that this office has been retained to represent Ashley M. Hulleman in appealing the Las Vegas Metropolitan Police Department's revocation of Ms. Hulleman's work card.

If you have any questions or concerns please contact our office.

Sincerely,



Aaron D. Grigsby, Esq.

cc: file  
AMH

2007 JAN 22 P 2:18  
RECEIVED  
CITY CLERK

THE LAW OFFICE OF AARON D. GRIGSBY  
A PROFESSIONAL CORPORATION

3507 W. Charleston Blvd.  
Las Vegas, Nevada 89102

Telephone: (702) 202-5235  
Facsimile: (702) 944-7856

January 22, 2007

Original via Hand Delivery

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

Re: Revocation of Work Card

RECEIVED  
CITY CLERK  
2007 JAN 22 P 2:18

To Whom It May Concern:

On behalf of my client Ashley M. Hulleman, we formally provide notice of our intent to appeal the Las Vegas Metropolitan Police Department's revocation of Ms. Hulleman's work card. Enclosed you will find the following forms: Appeal of Denial/Non-Renewal of Sheriff's Work Card information Form and Authorization to Release Information.

If you have any questions or concerns please contact our office.

Sincerely,



Aaron D. Grigsby, Esq.

cc: file  
AMH





January 22, 2007

Ms. Ashley M. Hulleman  
6060 Draft Horse Drive  
Las Vegas, Nevada 89081

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

Re: **WORK CARD APPEAL**

Dear Ms. Hulleman:

I am in receipt of your formal appeal to the City Council regarding the revocation of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of **February 7, 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,

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  
Aaron D. Grigsby, Esq., 3507 W. Charleston Blvd., Las Vegas, NV 89102

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

VOICE 702.229.6011

TTY 702.386.9108

[www.lasvegasnevada.gov](http://www.lasvegasnevada.gov)

18112-001-06-05  
CLV 7009



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐ Consent ☒ Discussion

**SUBJECT:**

Discussion and possible action on Appeal of Work Card Denial: Larry E. Walraven, 1521 Las Vegas Boulevard North #309, Las Vegas, Nevada 89101

**Fiscal Impact**



No Impact



Augmentation Required



Budget Funds Available

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

None

**RECOMMENDATION:**

None

**BACKUP DOCUMENTATION:**

1. Appellant Letter of Appeal
2. City Clerk Notification Letter to Appellant
3. Support Letter from Glenda Shaw, Owner of Main Street Market and Liquor, Inc.

Motion made by GARY REESE to Approve the appeal, thereby Approving a site-specific, six-month temporary work card, with the condition that MR. WALRAVEN report any arrest or citation to Metro Special Investigations within 48 hours

Passed For: 6; Against: 1; Abstain: 0; Did Not Vote: 0; Excused: 0

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

Minutes:

TONI WEEKS, Detective, Las Vegas Metropolitan Police Department (Metro), indicated that MR. WALRAVEN was denied a work card for a clerk position at Fremont Liquor, where he has been working for 13 months on a work card issued for another location. MR. WALRAVEN was released and placed on parole for life in 2001. Since then, he has had no contact with the police. In his position, he basically stocks and does inventory, which does not require a work card. However, when he relieves other employees for break or has to fill in when someone calls in sick, he has to use the cash register, which requires a work card. The owner wishes to continue to employ MR. WALRAVEN.

**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

MR. WALRAVEN explained that five years after he was sentenced to life in prison something within him caused him to want to change his life. He got a college education, started a reading program in prison and acted as a mediator between prison gangs. When he was released, he was warned that it would be very difficult, but he is trying very hard to stay on track and to reconstruct his life. He humbly asked the Council to grant him a work card. MAYOR GOODMAN noted that MR. WALRAVEN is only asking to work stocking shelves, and that he certainly could not turn down such a humble presentation and request.

COUNCILMAN WOLFSON verified with MR. WALRAVEN that he is currently on parole.

COUNCILMAN ROSS praised MR. WALRAVEN for his impressive recovery. However, he could not support issuing him a work card, given his probationary status. He offered to assist him in obtaining a job that does not require a work card.

COUNCILMAN REESE opted to issue a site-specific work card with some conditions. He advised the youth sitting with the individual Councilmembers of the importance of obtaining an education.



RECEIVED  
CITY CLERK

2007 JAN 23 P 12:05

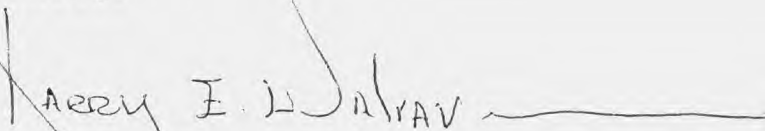
January 23, 2007

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,

A handwritten signature in dark ink, appearing to read "Larry E. Walraven", followed by a horizontal line.

Larry E. Walraven  
1521 Las Vegas Boulevard North, #309  
Las Vegas, Nevada 89101



January 23, 2007

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

Larry E. Walraven  
1521 Las Vegas Boulevard North, #309  
Las Vegas, Nevada 89101

Re: **WORK CARD APPEAL**

Dear Mr. Walraven:

I am in receipt of your formal appeal to the City Council regarding the appeal of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of **February 7, 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, reading '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

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

VOICE 702.229.6011

TTY 702.386.9108

[www.lasvegasnevada.gov](http://www.lasvegasnevada.gov)

18112-001-06-05  
CLV 7009



**MAIN STREET MARKET & LIQOUR, INC.**

**311 So. Main Street  
Las Vegas, Nevada 89101  
702-795-3770**

**To Whom It May Concern:**

**Larry Walraven has been an employee of our establishment for several months and as the Owner and President of the Corporation, I am aware of his previous convictions and have no problem employing him.**

**If you have any further questions, please don't hesitate to call me at 702-232-6000.**

**Sincerely,**

A handwritten signature in cursive script that reads "Glenda Shaw".

**Glenda Shaw  
Owner**

2001 JAN 23 P 12: 07

RECEIVED  
CITY CLERK



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

**DEPARTMENT: CITY CLERK**

**DIRECTOR: BARBARA JO RONEMUS**

☐ Consent ☒ Discussion

**SUBJECT:**

Discussion and possible action on the certificate declaring the petition submitted by the Ward Increase Initiative Petition Petitioners' Committee as insufficient – All Wards

**Fiscal Impact**

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

On July 17, 2006, an Affidavit of Petitioners' Committee for the purpose of Initiative was filed with the City Clerk's office. On January 12, 2007, an Initiative Petition consisting of one document was submitted by Mr. Lee Wayne Haynes, representing the Petitioners' Committee. NRS 295.205.2 requires initiative petitions be signed by a number of registered voters of the city equal to 15 percent or more of the number of voters who voted at the last preceding city election. The document contained one signature and one circulator's signature, both names being the same. On January 16, 2007, City Clerk Barbara Jo Ronemus determined that the petition was insufficient and issued the Certificate of Results of Initiative Petition as insufficient.

**RECOMMENDATION:**

The City Council review and approve the Certificate as presented by the City Clerk

**BACKUP DOCUMENTATION:**

1. Certificate of Results of Initiative Petition
2. Certified Return Receipt from Lee Wayne Haynes for the Notice of Insufficiency

Motion made by GARY REESE to Approve as recommended

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:

ACTING CITY CLERK BRIDGES went over the information under Purpose/Background section. She requested approval as recommended.



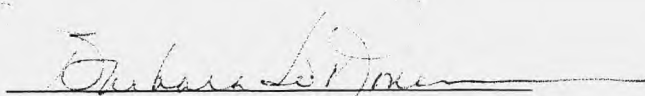
## **CERTIFICATE OF RESULTS OF INITIATIVE PETITION**

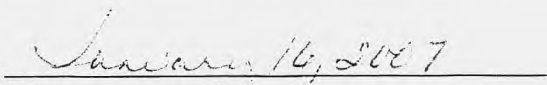
I, Barbara Jo Ronemus, the duly appointed City Clerk of the City of Las Vegas, Nevada do hereby certify that the intent to file an initiative petition to amend City ordinances known as the Ward Increase Initiative Petition was submitted to my office on July 17, 2006.

On January 12, 2007, the petition was filed with my office by the Petition Committee's representative and contained one signature and one circulator's signature, both names being the same.

I hereby determine that the initiative petition has insufficient signatures to be placed upon the ballot at the next General Election.

I have hereunto set my hand and affixed my official seal on January 16, 2007.

  
Barbara Jo Ronemus, CMC  
Las Vegas City Clerk

  
Date:

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MR. LEE WAYNE HAYNES, COORDINATOR  
1270 BURNHAM AVE #1125  
LAS VEGAS NV 89104

For Petitioners' Committee  
(Lee Wayne Haynes, Glenn Brown,  
ANDA CONTRA, Thelma Slaughter +  
William McDodd)

2. Article Number

(Transfer from service label)

7005 3110 0001 3040 2102

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X Lee Wayne Haynes ☐ Agent ☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail  
☐ Registered ☒ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☐ Consent ☒ Discussion

**SUBJECT:**

Discussion and possible action on the Fiscal Year 2008 Las Vegas Metropolitan Police Department Apportionment Plan - All Wards

**Fiscal Impact**

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

The City of Las Vegas and Clark County share the cost of the Las Vegas Metropolitan Police Department (LVMPD) Budget in accordance with NRS 280.201. This apportionment formula is based on LVMPD statistics on calls for service and felony crimes, which when applied to LVMPD cost categories of uniform, investigative and community services, results in a decrease of 0.8, 0.8 and 0.9 percentage points, respectively. If the FY 2007-2008 LVMPD budget were identical to the FY 2006-2007 LVMPD budget, these changes would translate to a 0.8 percent decrease in the City's share of cost, or about \$2.5 million.

**RECOMMENDATION:**

Approve Fiscal Year 2008 Las Vegas Metropolitan Police Department Funding Apportionment Plan.

**BACKUP DOCUMENTATION:**

Fiscal Year 2008 Las Vegas Metropolitan Police Department Apportionment Plan

Motion made by GARY REESE to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

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

Minutes:

MARK VINCENT, Director of Finance and Business Services, said this matter is in order. He pointed out that more of the LVMPD budget will shift to the County. There was a reduction for the City.

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
FISCAL AFFAIRS COMMITTEE  
January 22, 2007

RECOMMENDATION

Approve the Apportionment Plan as presented and forward same to the respective participating political subdivisions for their consideration.

PETITIONER

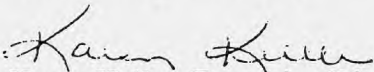
Douglas C. Gillespie, Sheriff

DISCUSSION

N.R.S. 280.190(3) requires the Fiscal Affairs Committee adopt the Funding Apportionment Plan prior to February 1 of each year. The plan is then forwarded to the participating political subdivisions with the respective governing bodies required to approve or reject that plan by March 1. If the plan is rejected, it will go to arbitration. Attached is the proposed Fiscal Year 2007-2008 plan and a copy of the current year plan. The plan is the statistical base for determining the allocation of expenditures between the City of Las Vegas and Clark County once the budget has been approved. The application will be in accordance with N.R.S. 280.201 wherein the Department will identify the functional areas to be funded and the bureaus and sections included in each of those areas.

Staff recommends approval of the Funding Apportionment Plan for Fiscal Year 2007-2008 and forwarding to respective participating political subdivisions for their consideration

Respectfully submitted,

  
Karen Keller, Executive Director  
Office of Finance



## LVMPD FY2007-2008 COST APPORTIONMENT PLAN

| UNIFORM SERVICES      |                    |       |                      |          |
|-----------------------|--------------------|-------|----------------------|----------|
| FACTOR                | CITY<br>STATISTICS | CITY% | COUNTY<br>STATISTICS | COUNTY % |
| POPULATION (1)        | 579,840            | 42.3% | 791,062              | 57.7%    |
| CALLS FOR SERVICE (2) | 303,129            | 41.1% | 433,544              | 58.9%    |
| FELONY CRIMES (3)     | 37,926             | 38.6% | 60,323               | 61.4%    |
| AVERAGE<br>PERCENTAGE |                    | 40.7% |                      | 59.3%    |

| INVESTIGATIVE SERVICES |                    |       |                      |          |
|------------------------|--------------------|-------|----------------------|----------|
| FACTOR                 | CITY<br>STATISTICS | CITY% | COUNTY<br>STATISTICS | COUNTY % |
| FELONY CRIMES          | 37,926             | 37.9% | 62,187               | 62.1%    |

| COMMUNITY SERVICES        |                    |       |                      |          |
|---------------------------|--------------------|-------|----------------------|----------|
| FACTOR                    | CITY<br>STATISTICS | CITY% | COUNTY<br>STATISTICS | COUNTY % |
| ESTIMATED<br>ANNUAL HOURS | 88,320             | 51.5% | 83,280               | 48.5%    |

1. Preliminary populations were provided by the Nevada State Department of Taxation on January 9, 2007.  
County population excludes incorporated cities and rural area populations, served by the Resident Officer Program, as follows: Bunkerville; Indian Springs; Laughlin; Moapa; Moapa Valley; Mt. Charleston; and Searchlight.
2. Actual calls for service from January 1, 2006 through December 31, 2006. Excludes calls associated with felony crime. County calls exclude calls at the Airport, Resident Officer-North and Laughlin.
3. Felony crimes are reported for the (12) month period between January 1, 2006 and December 31, 2006.
3. Excludes felony crimes for the Airport, Resident Officer-North and Laughlin areas.



# FELONY CRIMES

2006

| CITY OF LAS VEGAS |        |            |        |
|-------------------|--------|------------|--------|
| MONTH             | PART 1 | NON-PART 1 | TOTAL  |
| JANUARY           | 3,053  | 246        | 3,299  |
| FEBRUARY          | 2,661  | 217        | 2,878  |
| MARCH             | 3,179  | 261        | 3,440  |
| APRIL             | 2,542  | 323        | 2,865  |
| MAY               | 3,111  | 262        | 3,373  |
| JUNE              | 2,914  | 307        | 3,221  |
| JULY              | 3,200  | 247        | 3,447  |
| AUGUST            | 2,906  | 269        | 3,175  |
| SEPTEMBER         | 2,800  | 254        | 3,054  |
| OCTOBER           | 2,773  | 199        | 2,972  |
| NOVEMBER          | 2,818  | 224        | 3,042  |
| DECEMBER *        | 2,905  | 255        | 3,160  |
| TOTAL             | 34,862 | 3,064      | 37,926 |

| COUNTY OF CLARK |        |            |          |         |          |        |
|-----------------|--------|------------|----------|---------|----------|--------|
| MONTH           | PART 1 | NON-PART 1 | SUBTOTAL | AIRPORT | RESIDENT | TOTAL  |
| JANUARY         | 4,744  | 348        | 5,092    | 74      | 71       | 5,237  |
| FEBRUARY        | 4,078  | 376        | 4,454    | 41      | 93       | 4,588  |
| MARCH           | 4,757  | 459        | 5,216    | 42      | 124      | 5,382  |
| APRIL           | 4,036  | 474        | 4,510    | 39      | 124      | 4,673  |
| MAY             | 4,934  | 403        | 5,337    | 72      | 59       | 5,468  |
| JUNE            | 4,692  | 466        | 5,158    | 43      | 102      | 5,303  |
| JULY            | 4,832  | 402        | 5,234    | 58      | 92       | 5,384  |
| AUGUST          | 4,823  | 437        | 5,260    | 72      | 104      | 5,436  |
| SEPTEMBER       | 4,460  | 408        | 4,868    | 75      | 102      | 5,045  |
| OCTOBER         | 4,777  | 433        | 5,210    | 63      | 81       | 5,354  |
| NOVEMBER        | 4,536  | 421        | 4,957    | 63      | 115      | 5,135  |
| DECEMBER*       | 4,606  | 421        | 5,027    | 58      | 97       | 5,182  |
| TOTAL           | 55,275 | 5,048      | 60,323   | 700     | 1,164    | 62,187 |

\*Estimated

## 2006 SCHOOL CROSSING GUARD HOURS

|                            | HOURS PER<br>DAY |   | DAYS PER<br>SCHOOL YEAR | TOTAL<br>HOURS |
|----------------------------|------------------|---|-------------------------|----------------|
| LAS VEGAS                  | 272              | X | 180                     | 48,960         |
| LAS VEGAS - YEAR AROUND    | 164              | X | 240                     | 39,360         |
| <b>TOTAL LAS VEGAS</b>     | <b>436</b>       |   |                         | <b>88,320</b>  |
| CLARK COUNTY               | 164              | X | 180                     | 29,520         |
| CLARK COUNTY - YEAR AROUND | 224              | X | 240                     | 53,760         |
| <b>TOTAL CLARK COUNTY</b>  | <b>388</b>       |   |                         | <b>83,280</b>  |

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☐ Consent ☒ Discussion

**SUBJECT:**

ABEYANCE ITEM - Discussion and possible action regarding Change of Location for a Package License and Restricted Gaming License for 7 Slots, Bock & Bock, dba Four Aces Emporium, From: 124 South 1st Street, To: 519 East St. Louis Avenue, Howard G. Bock, 50% jointly with spouse and Caryl E. Bock, 50% jointly with spouse (NOTE: Item to be heard in the afternoon session in conjunction with Item 106 - SUP-15442) ADDITIONAL NOTE: THE APPLICANT IS REQUESTING AN ABEYANCE TO THE JUNE 20, 2007 CITY COUNCIL MEETING - Ward 3 (Reese)

**Fiscal Impact**

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

**PURPOSE/BACKGROUND:**

Discussion and possible action regarding Change of Location for a Package License and Restricted Gaming License for 7 Slots.

**RECOMMENDATION:**

Recommend approval consistent with special use permit conditions.

**BACKUP DOCUMENTATION:**

Map

Motion made by GARY REESE to Strike Items 37 and 48 and Hold in Abeyance Item 52 to 6/20/2007 (Item 59 initially Withdrawn Without Prejudice but subsequently Held In Abeyance to 2/21/2007 as reconsidered in the afternoon session)

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)

SWEENEY A





**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☐ Consent ☒ Discussion

**SUBJECT:**

ABEYANCE ITEM - 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)

**Fiscal Impact**

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

Discussion and possible action regarding Temporary Approval of a new Supper Club License. GenBusiness Corp., General Partner 5%

John D. Gantes, Separate Property Trust, 70%

Allan B. Gantes, 30%

Yanni Capital Business Partner, LP, Limited Partner 95%

BearBreck, Inc., General Partner, 5%

John D. & Linda R. Gantes Community Property Trust, 75%

Allan B. Gantes, 25%

Marina J. Gantes Trust, 9.5%

James B. Gantes, 9.5%

John D. Gantes, Separate Property Trust, 9.25%

Allan B. Gantes, 19%

John D. & Linda R. Gantes, Community Property Trust, 47.75%

**RECOMMENDATION:**

Recommend approval subject to the provisions of the planning codes with authority for the Director or Designee to issue a permanent license upon receipt of a favorable investigation report or extend the temporary license in the event the investigation is not completed within the 6-month temporary period.

**BACKUP DOCUMENTATION:**

Map

Motion made by STEVEN D. ROSS to Approve a temporary license, subject to provisions as

**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

recommended, with the Director or Designee granted the authority to approve the permanent license after completion of appropriate process or extend the temporary license in the event the police report is not completed within the six-month temporary period

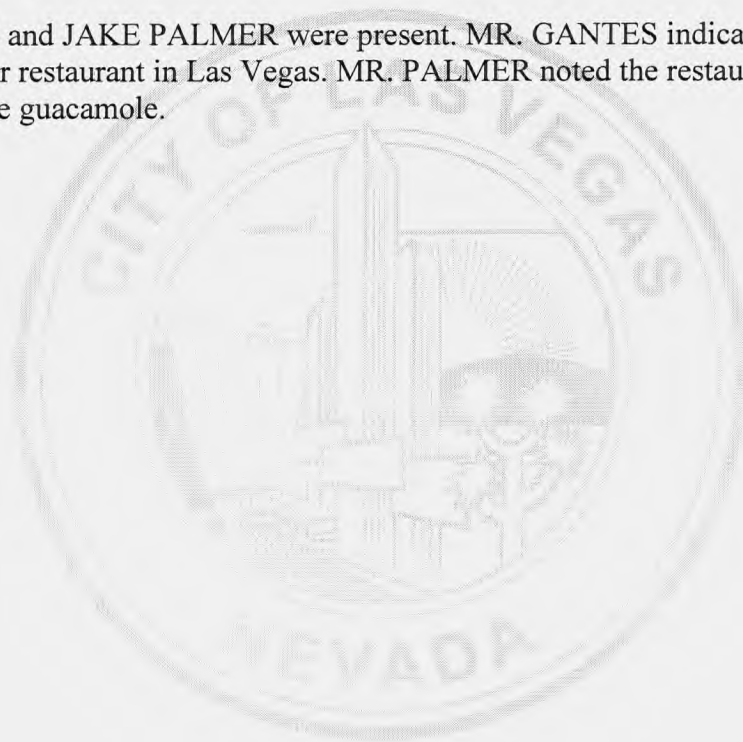
Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

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

Minutes:

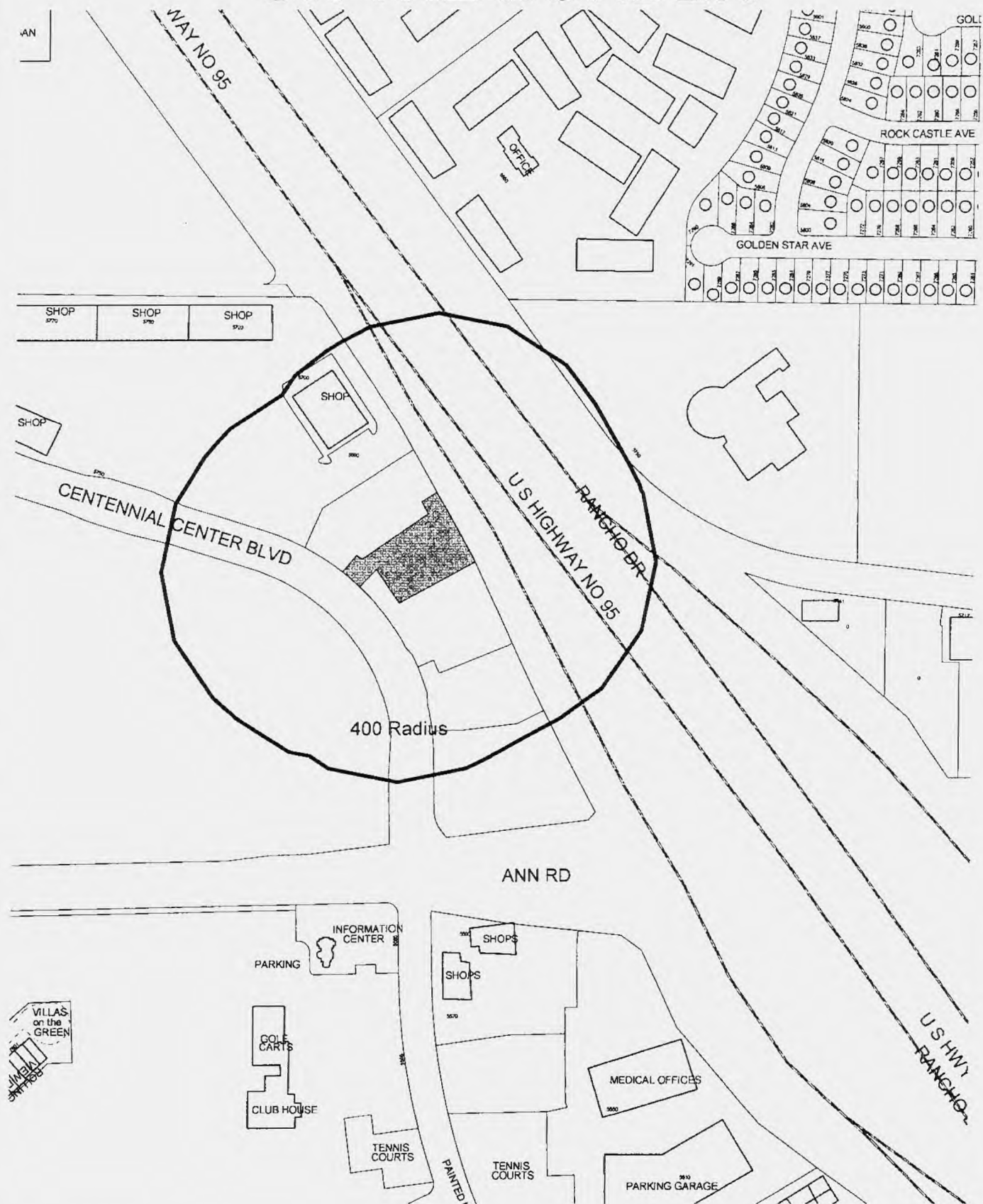
MARK VINCENT, Director of Finance and Business Services, stated this matter is in order; there are no areas of concern.

ALLAN GANTES and JAKE PALMER were present. MR. GANTES indicated this is the first South of the Border restaurant in Las Vegas. MR. PALMER noted the restaurant specializes in fajitas and tableside guacamole.





# ON THE BORDER



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☐ Consent ☒ Discussion

**SUBJECT:**

ABEYANCE ITEM - 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)

**Fiscal Impact**

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

**PURPOSE/BACKGROUND:**

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

**RECOMMENDATION:**

Recommend approval with authority for the Director or Designee to issue a permanent license upon receipt of a favorable investigation report or extend the temporary license in the event the investigation is not completed within the 6-month temporary period.

**BACKUP DOCUMENTATION:**

Map

Motion made by GARY REESE to Approve a temporary license, with the Director or Designee granted the authority to approve the permanent license after completion of appropriate process or extend the temporary license in the event the police report is not completed within the six-month temporary period

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

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

**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

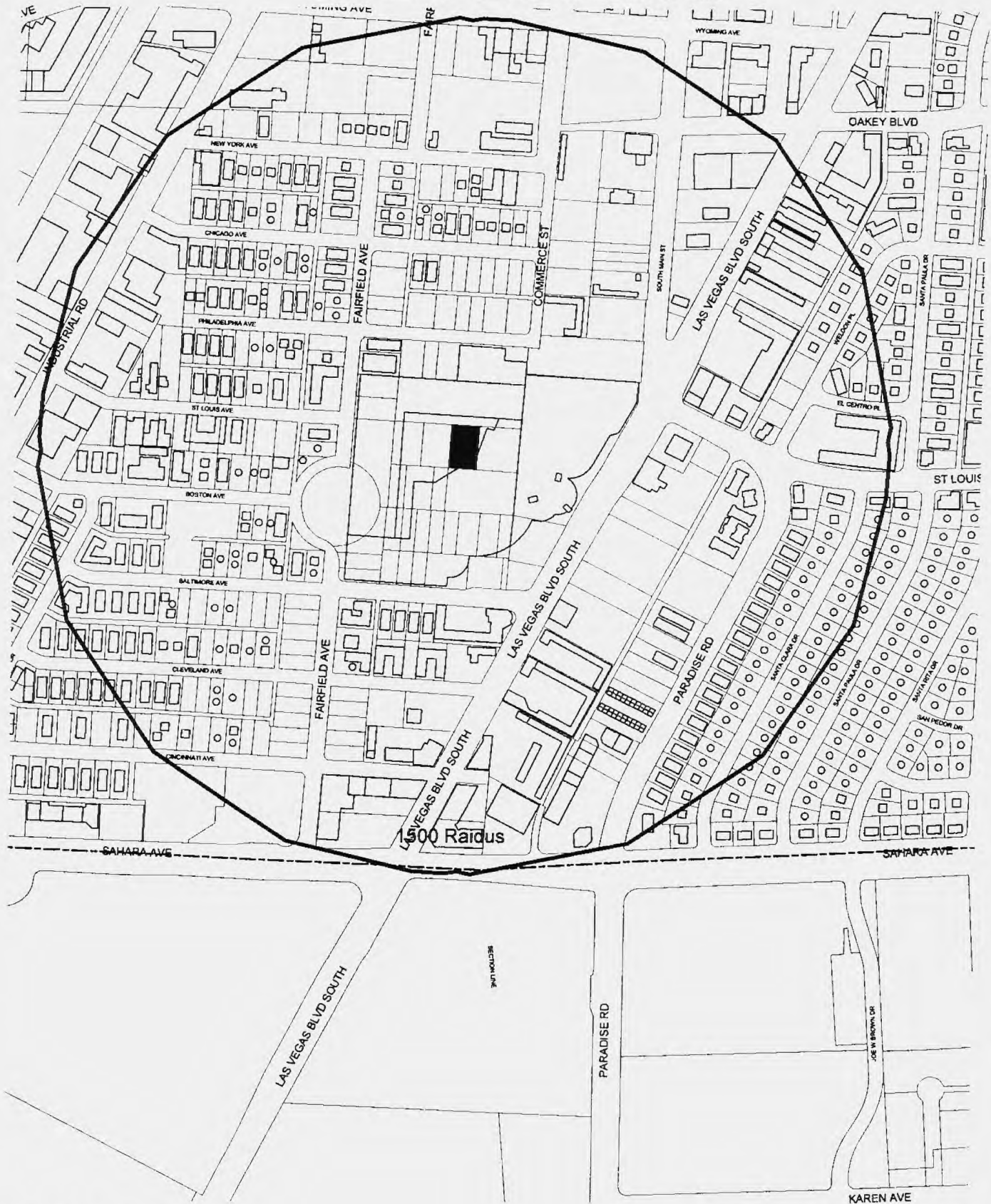
Minutes:

MARK VINCENT, Director of Finance and Business Services, stated there are no areas of concern with this application. He suggested approval as recommended.

ROBERT WATMAN was present, along with ATTORNEY BRYAN MURRAY. MR. WATMAN stated that the nightclub will have four clubs under one roof at the Stratosphere Tower.



# POLLY ESTER'S



0 200 400 Feet





**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☐ Consent ☒ Discussion

**SUBJECT:**

ABEYANCE ITEM - Discussion and possible action regarding a new Temporary 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)

**Fiscal Impact**



No Impact



Augmentation Required



Budget Funds Available

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

Discussion and possible action regarding a new Temporary Psychic Arts and Science License.

**RECOMMENDATION:**

Recommendation to be provided following discussion of this item at the City Council meeting and subject to the provisions of the planning and fire codes.

**BACKUP DOCUMENTATION:**

Map

Motion made by GARY REESE to Approve a temporary license with a review in 90 days and subject to the provisions of the planning and fire codes

Passed For: 6; Against: 1; Abstain: 0; Did Not Vote: 0; Excused: 0

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

Minutes:

MARK VINCENT, Director of Finance and Business Services, mentioned that there were areas of concern regarding discrepancies and inconsistencies in the application the City received compared to the application the County received, as well as with MS. MARKS' financial stability, mainly due to medical claims. The monies for the business appear to be coming from her husband in Mexico.

TONI WEEKS, Detective, Las Vegas Metropolitan Police Department (Metro), indicated that Metro has a concern with the discrepancies, because, although minor, there are many. The applicant argues that a paralegal filled out the application; however, the applicant is responsible

**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

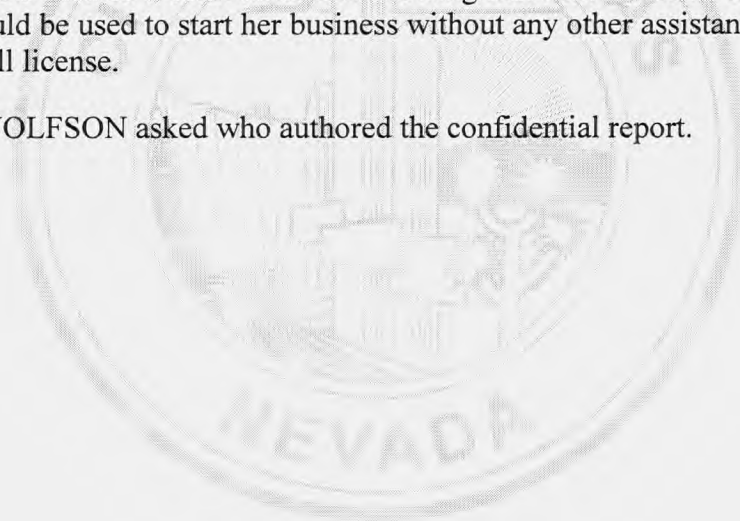
for the information, because she signed the application. The applicant has used 15 variations of her name.

COUNCILMAN REESE remarked that since he met with the applicant he received some reports with about 30 different names used by MS. MARKS. MR. VINCENT indicated that those reports were not prepared by staff or DETECTIVE WEEKS but DETECTIVE WEEKS has reviewed them. COUNCILMAN REESE noted that MS. MARKS thoroughly went over her history during a meeting.

COUNCILMAN REESE asked if there are any concerns with the County application, to which DETECTIVE WEEKS replied that the County issued a temporary license until she goes before the County Commissioners.

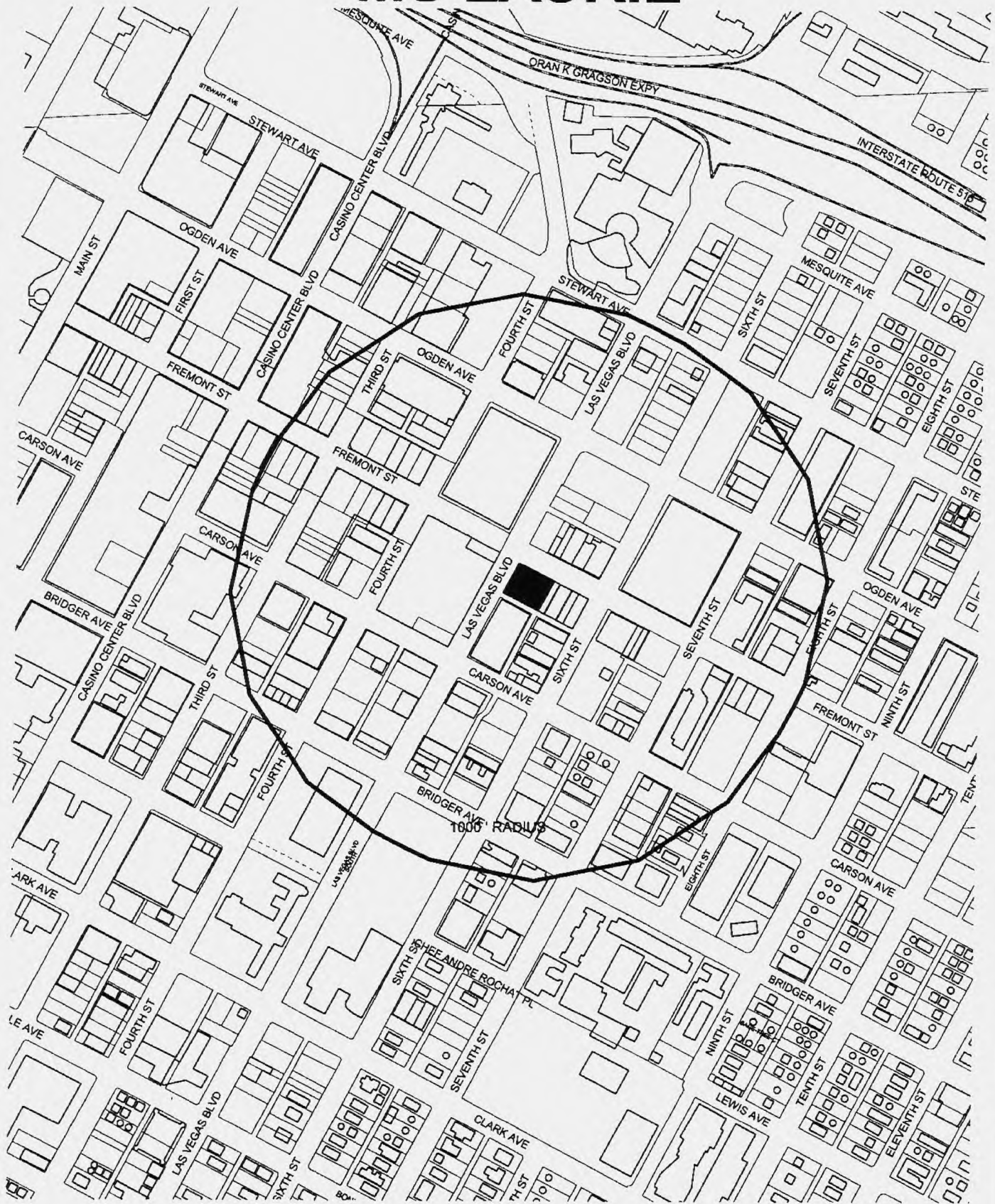
VICKI GRECO, Attorney, Greco Law Group, explained that the discrepancies were not intentional; MS. MARKS paid the paralegal \$1,000 to prepare her application. MS. MARKS conceded that she should have perused the application carefully before signing it. She assured the Council that she has never used another name. The different names are probably being provided by creditors. She does have a credit problem, but she is working to correct it. ATTORNEY GRECO offered a bank statement showing that MS. MARKS has over \$15,000 in her account that could be used to start her business without any other assistance. The County is recommending a full license.

COUNCILMAN WOLFSON asked who authored the confidential report.





# MS LAURIE



0 200 400 Feet



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☐ Consent ☒ Discussion

**SUBJECT:**

Discussion and possible action regarding a Six Month Review for a Temporary Package License, Raghid Kosa, dba Apollo Market, 1600 North Jones Boulevard, Raghid Kosa, 100% - Ward 5 (Weekly)

**Fiscal Impact**

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

Discussion and possible action regarding a Six Month Review for a Temporary Package License.

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

None

Motion made by LAWRENCE WEEKLY to Approve a permanent license

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:

The applicant was present.

MARK VINCENT, Director of Finance and Business Services, said there were two calls for service. He recommend a permanent license.

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☐ Consent ☒ Discussion

**SUBJECT:**

Discussion and possible action regarding a Six Month Review of a Temporary Package License, Thrower & Thrower, dba Decatur Package Liquor, 2187 North Decatur Boulevard, Suite 140, Herman Thrower Jr., 50% jointly with spouse and Charlene S. Thrower, 50%, jointly with spouse - Ward 5 (Weekly)

**Fiscal Impact**

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

**PURPOSE/BACKGROUND:**

Discussion and possible action regarding a Six Month Review of a Temporary Package License.

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

None

Motion made by LAWRENCE WEEKLY to Approve a permanent license, with correct Suite No. 130

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:

The applicants were present.

MARK VINCENT, Director of Finance and Business Services, noted that the correct suite number is 130. There was one call for service for a minor issue. He recommended approval of a permanent license.



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☐ Consent ☒ Discussion

**SUBJECT:**

Discussion and possible action regarding Change of Business Name for a Package License, To: Herman Thrower, Jr. and Charlene Thrower, dba Thrower's Liquor, 2187 North Decatur Boulevard, Suite 140, Herman Thrower Jr., 50% jointly with spouse and Charlene S. Thrower, 50%, jointly with spouse - Ward 5 (Weekly)

**Fiscal Impact**

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

**PURPOSE/BACKGROUND:**

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

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

Map

Motion made by LAWRENCE WEEKLY to Approve

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

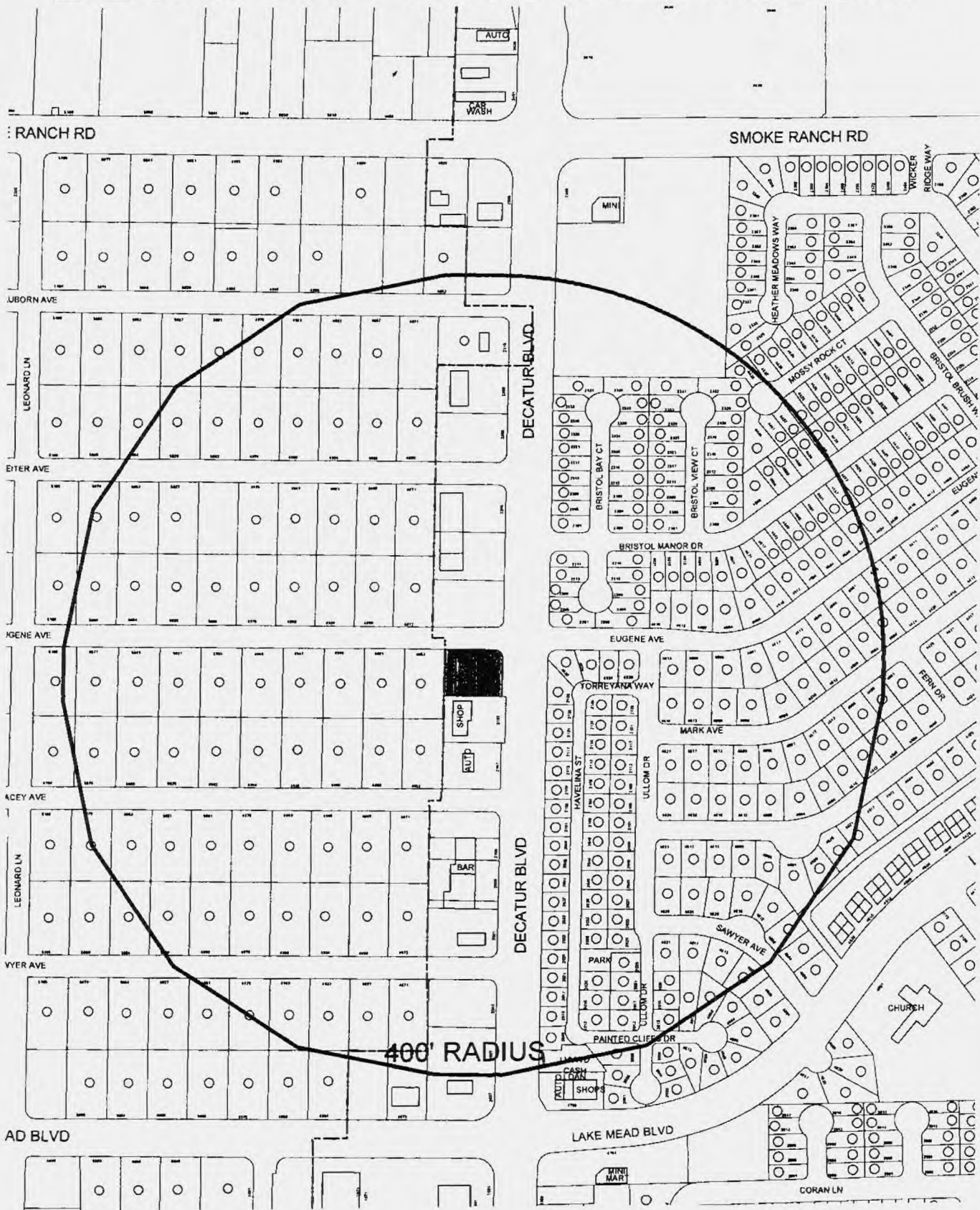
LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

The applicants were present.

MARK VINCENT, Director of Finance and Business Services, recommended approval.

# DECATUR PACKAGE LIQUOR



0 200 400 Feet





**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☐ Consent ☒ Discussion

**SUBJECT:**

Discussion and possible action regarding a new Package License subject to the provisions of the planning and fire codes and Health Dept. regulations, Leslie Diane, dba Wine Gourmet & Goodies, 625 South Las Vegas Boulevard, Leslie Diane (NOTE: Item to be heard in the afternoon session in conjunction with Item 108 - SUP-18001) - Ward 3 (Reese)

**Fiscal Impact**

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

Discussion and possible action regarding a new Package License.

**RECOMMENDATION:**

Recommendation to be provided following discussion of this item at the City Council meeting subject to the provisions of the special use permit conditions, planning and fire codes and Health Dept regulations.

**BACKUP DOCUMENTATION:**

Map

Motion made by GARY REESE to Hold in Abeyance to 2/21/2007

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 2; Excused: 0

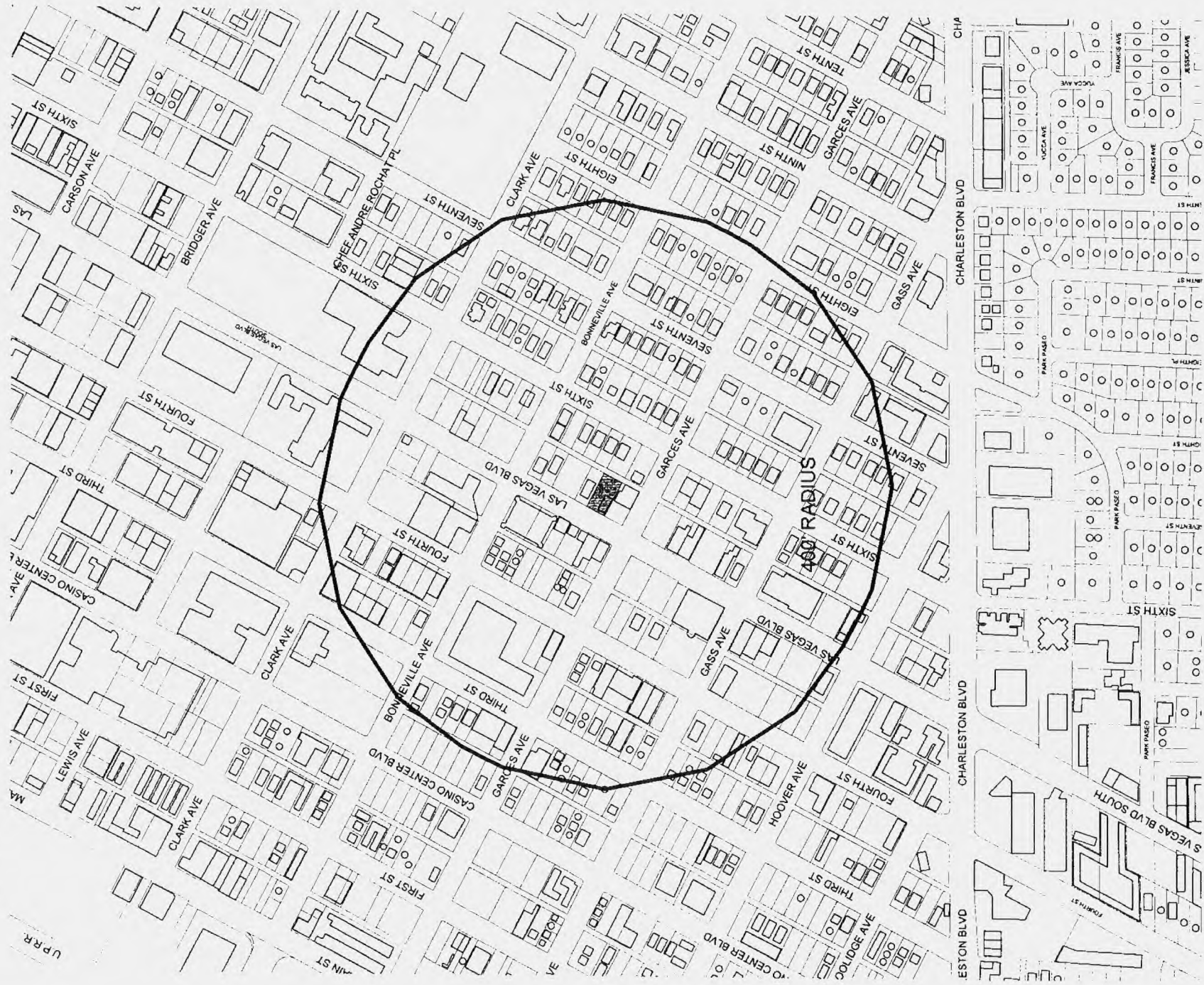
LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE; (Against-None); (Abstain-None); (Did Not Vote-STEVE WOLFSON, STEVEN D. ROSS); (Excused-None)

NOTE: A previous motion by REESE for reconsideration, which carried with WOLFSON not voting, rescinded the initial motion by REESE for withdrawal without prejudice, which carried unanimously.

Minutes:

See Items 10 and 108 for related discussion.

# WINE GOURMET & GOODIES



0 200 400 Feet



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☐ Consent ☒ Discussion

**SUBJECT:**

Discussion and possible action regarding a new Non-restricted Gaming License subject to the provisions of the planning codes and approval by the Nevada Gaming Commission, Concorde Gaming, LLC, dba Concorde Gaming, LLC, 235 South Main Street, Michael R. Treanor, Managing Mmbr, 100% - Ward 3 (Reese)

**Fiscal Impact**

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

**PURPOSE/BACKGROUND:**

Discussion and possible action regarding a new Non-restricted Gaming License.

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

Map

Motion made by GARY REESE to Approve

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)

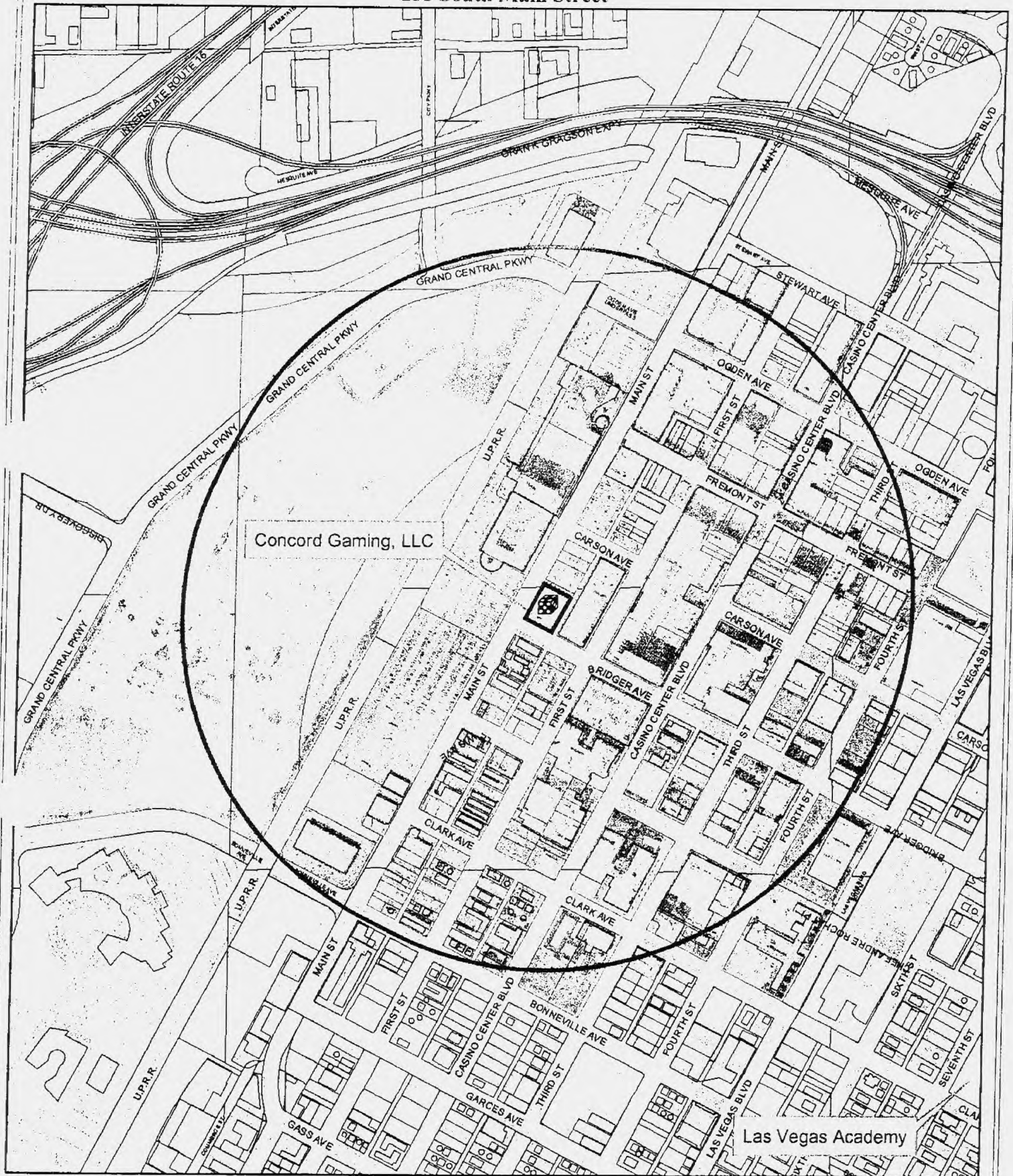
Minutes:

KATE LOWENHAR, Attorney, appeared on behalf of the applicant.

MARK VINCENT, Director of Finance and Business Services, stated the applicant wishes to preserve the gaming license. There are no areas of concern.



Concorde Gaming, LLC  
235 South Main Street



Concord Gaming, LLC

Las Vegas Academy



Public Schools  
Affected parcels

0 710 1,420  
Feet

Created by Business Services, July 24, 2006



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☐ Consent ☒ Discussion

**SUBJECT:**

Discussion and possible action regarding a Six Month Review for a Temporary Massage Establishment License, Shuna Du, dba Wellness Massage, 3900 North Rancho Drive, Suite 107, Shuna Du, 100% - Ward 6 (Ross)

**Fiscal Impact**

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

Discussion and possible action regarding a Six Month Review for a Temporary Massage Establishment License.

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

None

Motion made by STEVEN D. ROSS to Deny

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

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

Minutes:

The applicant was present, accompanied by BROOK BOHLKE, Attorney with Callister and Reynolds, and ALEX YOUNG, Court-certified Chinese Interpreter.

MARK VINCENT, Director of Finance and Business Services, reported that MS. DU was arrested for solicitation, and her case has not yet been adjudicated.

ATTORNEY BOHLKE indicted that the charge of prostitution/solicitation has been set for pre-trial in Municipal Court on March 2, 2007. She requested another temporary license for another six months.



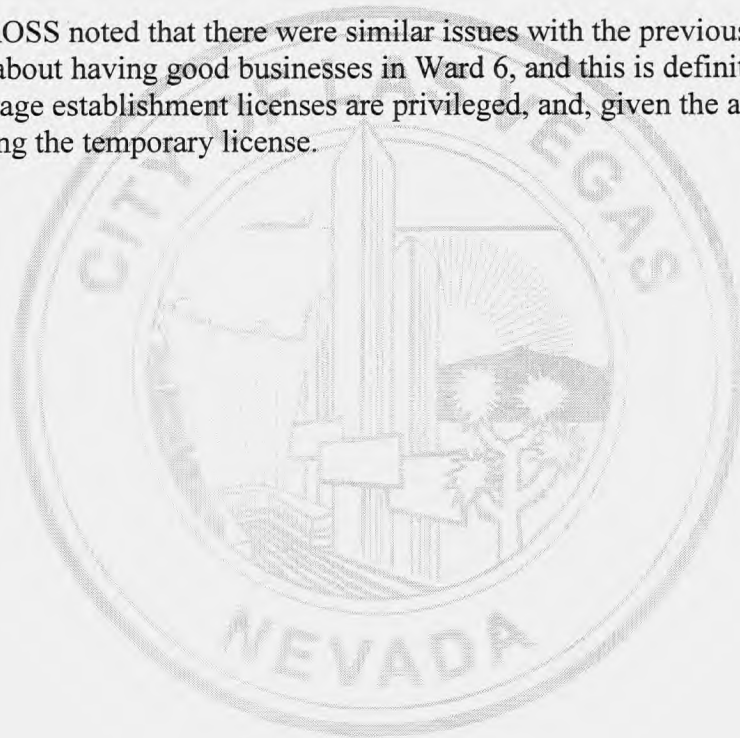
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

MAYOR GOODMAN requested guidance from TONI WEEKS, Detective, Las Vegas Metropolitan Police Department (Metro). DETECTIVE WEEKS indicated that she could not discuss the specifics of the case, because she was not the arresting officer and she did not want to taint any of the criminal aspect of the case.

COUNCILMAN BROWN asked if one of the original conditions imposed on this license was that the applicant report any incidents to Metro within 48 hours. CAROL MEYER, Supervisor of Business Services, answered that such a condition was not placed on the license. The only condition is that the Wilsons not be involved in the operations of the business.

COUNCILMAN WOLFSON said that the trial process could take a few months, and he felt concerned about allowing MS. DU to continue doing business in the interim.

COUNCILMAN ROSS noted that there were similar issues with the previous owners. He is greatly concerned about having good businesses in Ward 6, and this is definitely not one of them. He noted that massage establishment licenses are privileged, and, given the allegations, he could not support renewing the temporary license.



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☐ Consent ☒ Discussion

**SUBJECT:**

Discussion and possible action regarding Temporary Approval of Change of Ownership for a Class III Secondhand Dealer License subject to the provisions of the fire codes, To: M. J. Christensen & Sons, Inc., dba M. J. Christensen Jewelers, 856 East Sahara Avenue, Donald C. Miller, CEO - Ward 3 (Reese)

**Fiscal Impact**



No Impact



Augmentation Required



Budget Funds Available

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

Discussion and possible action regarding Temporary Approval of Change of Ownership for a Class III Secondhand Dealer License.

**RECOMMENDATION:**

Recommend approval subject to the provisions of the fire codes with authority for the Director or Designee to issue a permanent license upon receipt of a favorable investigation report or extend the temporary license in the event the investigation is not completed within the 6-month temporary period.

**BACKUP DOCUMENTATION:**

Map

Motion made by GARY REESE to Approve a temporary license, subject to provisions as recommended, with the Director or Designee granted the authority to approve the permanent license after completion of appropriate process or extend the temporary license in the event the police report is not completed within the six-month temporary period

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

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

Minutes:

MARK VINCENT, Director of Finance and Business Services, stated that staff has no concerns over the transfer of ownership.

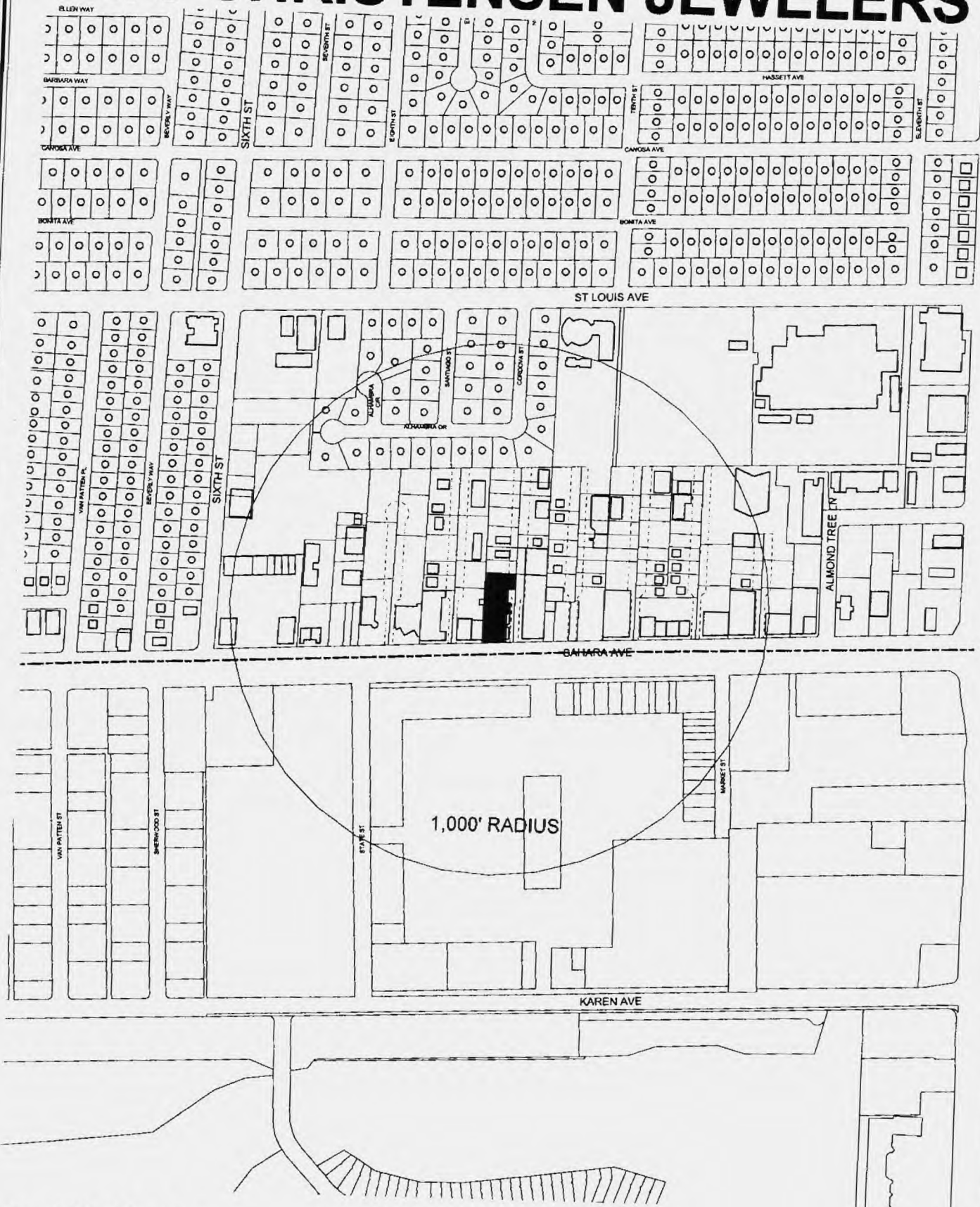
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

COUNCILMAN REESE asked why this matter could not be heard with the pawnshop application scheduled before the 2/8/2007 Planning Commission. CLIFF MILLER, CEO, M.J. Christensen, said the transfer of ownership is to him. The Christensens own the building, which is being sold to the pawnshop operator.

COUNCILMAN REESE insisted that the subject makes reference to a secondhand dealer license; therefore, he questioned why this application was not held to be heard together with the other application. MR. VINCENT commented that there is no reason why it could not be held.



# M J CHRISTENSEN JEWELERS



0 200 400 Feet





**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

**DEPARTMENT: CITY CLERK**

**DIRECTOR: BARBARA JO RONEMUS**

☐ Consent ☒ Discussion

**SUBJECT:**

**BOARDS & COMMISSIONS:**

LAS VEGAS-CLARK COUNTY LIBRARY DISTRICT BOARD OF TRUSTEES – Kelly Benavidez, Term Expiration 3-6-2007

**Fiscal Impact**

☒

**No Impact**

☐

**Augmentation Required**

☐

**Budget Funds Available**

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

This board is comprised of five members appointed by the City Council and five members appointed by Clark County. Terms of office are for four years, and members are limited to two terms. The Consolidated Library District Attorney has opined that a member of this Library District may serve two four-year terms plus any expired portion of a term to which they have been appointed, provided the total number of years does not exceed 10 years. Membership on this Board requires City residency, and attendance is compensatory. Ms. Benavidez was appointed on June 2, 2004 to fill an unexpired term. She is eligible and wishes to be reappointed.

**RECOMMENDATION:**

Procedure for this Board requires recommendation by any member of the City Council with Council ratification. Options are:

Reappoint Ms. Benavidez or appoint a new member to fill this seat

**BACKUP DOCUMENTATION:**

Current Listing and Authority-Las Vegas-Clark County Library District Board of Trustees

Motion made by LAWRENCE WEEKLY to Approve to Reappoint Kelly Benavidez

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

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

Minutes:

COUNCILMAN WEEKLY asked if this seat runs co-terminus with his, to which ACTING CITY CLERK BRIDGES responded that it does not.



6-27-2005 Per Senate Bill 147, effective June 11, 2003, compensated boards meeting certain criteria are no longer required to file State Financial Disclosure Statements. This board meets that established criteria.

**LAS VEGAS-CLARK COUNTY  
LIBRARY DISTRICT BOARD OF TRUSTEES**

| <u>MEMBERS</u>                                                     | <u>ADDRESS</u>                                 | <u>ZIP<br/>CODE</u> | <u>ORIG.<br/>APPT.</u>          | <u>TERM<br/>EXPIRES</u> |
|--------------------------------------------------------------------|------------------------------------------------|---------------------|---------------------------------|-------------------------|
| 1. BENAVIDEZ, KELLY<br>Weekly recom.<br>(Replaced Ricki Y. Barlow) | 400 Stewart<br>Ward 2 Resident                 | 101                 | 6/2/2004                        | 3/6/2007                |
| 2. AGUIRRE, ALDO, DR.<br>L.B. McDonald recom.                      | 10701 Moon Flower Arbor Pl.<br>Ward 2 Resident | 144                 | 3/5/2003<br>(Effect. 4/3/2003)  | 4/3/2007                |
| 3. HARALA, LARRY<br>Goodman recom<br>(Replaced Dr. Pohl)           | 6908 Country Court<br>Ward 2 Resident          | 149                 | 3/16/05<br>(Effective 4/7/2005) | 4/7/2009                |
| 4. ARTHURHOLTZ, ANDREA<br>Reese recom.                             | 1905 S. 16TH Street<br>Ward 3 Resident         | 104                 | 4/18/01<br>(Reapp. 3/16/2005)   | 4/18/2009               |
| 5. SPONER, M. FRANCES<br>Tarkanian recom.                          | 2025 Eagle Trace Way<br>Ward 1 Resident        | 117                 | 4/3/02<br>(Reapp. 3/16/2005)    | 4/18/2009               |

**AUTHORITY:** Consolidated Library District created by the 1985 Legislature  
S. B. 158, 2-18-85  
NRS 379.0222  
Amended per Bill 2001-70, Ordinance 5346, adopted 8-1-2001 regarding Financial Disclosure requirement  
Per L.V.M.C. 2.49.010, a person is not eligible to serve on this board unless he or she is a resident of the City of Las Vegas.

**TERM:** 4 years (limited to 2 terms)  
(Must fill unexpired portion of terms, if appropriate)  
(In 2003, the Consolidated Library District Attorney has opined that a member of this Library District may serve two four-year terms plus any expired portion of a term to which they have been appointed, provided the total number of years does not exceed 10 years.)

**MEMBERS:** 5 members appointed by the City Council  
(County also appoints 5 members)

**NOTES:** **MUST BE CITY OF LAS VEGAS RESIDENT**

Per Senate Bill 147, effective June 11, 2003, compensated boards meeting certain criteria are no longer required to file State Financial Disclosure Statements. This board meets that established criteria.

Members receive \$40 per meeting, but not more than \$80 per month.

Mr. Daniel Walters, Executive Director  
833 Las Vegas Boulevard North  
Las Vegas, NV 89101  
507-3611

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

**DEPARTMENT: CITY CLERK**

**DIRECTOR: BARBARA JO RONEMUS**

☐ Consent ☒ Discussion

**SUBJECT:**

**BOARDS & COMMISSIONS:**

HISTORIC PRESERVATION COMMISSION – Janet Ruth White, Term Expiration 3/6/2007;  
Raymond Aikens, Term Expiration 3/8/2007

**Fiscal Impact**

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

The Historic Preservation Commission is comprised of members filling nine different categories. Terms are for four years, with no limit to the number of terms that may be served. Mr. Aikens (representing the Category 4 member, Experienced in Real Estate Profession) has served one term. He is eligible and wishes to be reappointed. Ms. Janet Ruth White (representing Category 7, Citizen-At-Large) has served one full and one partial term. She is eligible and wishes to be reappointed..

Commissioner Bob Stoldal, Chairman of the Historic Preservation Commission, recommends the following: Reappoint Mr. Aikens; and Appoint Mr. Greg Seymour to fill Category 7, Citizen-At-Large, to provide an archaeological element on this Commission.

**RECOMMENDATION:**

Procedure for this Commission requires appointment by the City Council. Options are: Reappoint Mr. Aikens or appoint a new Category 4 member, Experienced in Real Estate Profession; and, Reappoint Janet White or a new member, Commissioner Stoldal is recommending Greg Seymour, for Category 7, Citizen-At-Large,.

**BACKUP DOCUMENTATION:**

1. Current Listing and Authority, Historic Preservation Commission
2. Memo, Margo Wheeler, Director, Planning and Development
3. Letter of Recommendation, Commissioner Bob Stoldal
4. Resume, Mr. Greg Seymour

Motion made by OSCAR B. GOODMAN to Approve to Reappoint Raymond Aikens

**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

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

Motion made by GARY REESE to Hold in Abeyance the Reappointment of Janet Ruth White to  
2/21/07

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)



|                                         |
|-----------------------------------------|
| <b>HISTORIC PRESERVATION COMMISSION</b> |
|-----------------------------------------|

| <u>MEMBERS</u>                                                                                                                                                                                                                                   | <u>ADDRESS</u>                                       | <u>ZIP<br/>CODE</u> | <u>ORIGINAL<br/>APPT.</u>                                                | <u>TERM<br/>EXPIRES</u> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|---------------------|--------------------------------------------------------------------------|-------------------------|
| <b>CATEGORY 1 - EXPERIENCED IN ARCHITECTURE</b>                                                                                                                                                                                                  |                                                      |                     |                                                                          |                         |
| KLENK, PATRICK J.<br>(Mayor's recommendation)<br>(Reese's reappointment recommendation)                                                                                                                                                          | Westar Architectural Group<br>701 Bridger, Ste. #400 | 101                 | 4/27/1998<br>(Reappt. 12-5-2001)<br>(Reappt. 12-7-2005)                  | 12/31/2009              |
| <b>CATEGORY 2 - EXPERIENCED IN URBAN DESIGN OR PLANNING</b>                                                                                                                                                                                      |                                                      |                     |                                                                          |                         |
| VELTMAN, JAMES<br>(Reese's reappointment recommendation)                                                                                                                                                                                         | 1601 S. Rainbow, Ste. 250                            | 146                 | 3/20/2002<br>(Eff. 3/23/2002)<br>(Reappt. 3-15-2006)                     | 3/23/2010               |
| <b>CATEGORY 3 - EXPERIENCED IN BUILDING CONSTRUCTION</b>                                                                                                                                                                                         |                                                      |                     |                                                                          |                         |
| CUPPETT, H. RICHARD<br>(Reese's recommendation)                                                                                                                                                                                                  | 7736 Tinted Mesa Court                               | 149                 | 9/19/2001<br>(Reapp. 9-7-2005)                                           | 9/19/2009               |
| <b>CATEGORY 4 - EXPERIENCED IN REAL ESTATE PROFESSION</b>                                                                                                                                                                                        |                                                      |                     |                                                                          |                         |
| AIKENS, RAYMOND<br>(Filled Unexpired Term Felix DeHerrera<br>Mayor Goodman's recommendation)                                                                                                                                                     | 5909 W. Gowan.                                       | 108                 | 3/16/2005                                                                | 3/8/2007                |
| <b>CATEGORY 5 - REPRESENTATIVE OF A RECOGNIZED LOCAL HISTORIC PRESERVATION ASSOCIATION OR HISTORIC PRESERVATION INTEREST GROUP</b>                                                                                                               |                                                      |                     |                                                                          |                         |
| KIRK, ANDREW G.<br>(Goodman's recommendation)                                                                                                                                                                                                    | 4505 Maryland Pkwy.<br>UNLV, Assistant Professor     | 154                 | 6/18/2003                                                                | 6/18/2007               |
| <b>CATEGORY 6 - EXPERIENCED IN NEVADA HISTORY</b>                                                                                                                                                                                                |                                                      |                     |                                                                          |                         |
| WRIGHT, DOROTHY<br>(Reese's reappointment recommendation)                                                                                                                                                                                        | 5711 Alfred Drive                                    | 108                 | 3/24/1997<br>(Reapp. 3-7-2001)<br>(Reapp. 3-2-2005)                      | 3/24/2009               |
| <b>CATEGORY 7 - ALL MEMBERS IN CATEGORY 7 SERVE AS CITIZENS-AT-LARGE UNTIL THEY REPRESENT A HISTORIC DISTRICT DESIGNATION. WHEN THEY REPRESENT A DESIGNATED HISTORIC DISTRICT, THEY MUST EITHER OWN PROPERTY OR RESIDE WITHIN THAT DISTRICT.</b> |                                                      |                     |                                                                          |                         |
| 1. HAUSCH, MARY<br><b>JOHN S. PARK HISTORIC DISTRICT DESIGNATION</b><br>(Reese's reappointment recommendation)                                                                                                                                   | 1139 South Fifth Place                               | 104                 | 2/24/1997<br>(Eff. 3/6/1997)<br>(Reapp. 3/7/2001)<br>(Reapp. 3/2/2005)   | 3/6/2009                |
| 2. WHITE, CLAYTEE<br>(Historic Preservation Commission appointment recommendation)                                                                                                                                                               | 2977 Calle Del Valle                                 | 120                 | 5/17/2006                                                                | 5/17/2010               |
| 3. BELLIS, ROBERT<br>(Reese's reappointment recommendation)<br>(Replaced Alice Key)                                                                                                                                                              | 1269 S. 8 <sup>th</sup> Street                       | 104                 | 3/8/2001<br>(Eff. 3/23/2002)<br>(Reapp. 3/20/2002)<br>(Reapp. 3/15/2006) | 3/23/2010               |
| 4. WHITE, JANET RUTH<br>(Reese's recommendation)<br>(Replaced Richard Segerblom)                                                                                                                                                                 | 4611 Krissylouise Way, Apt. D                        | 121                 | 3/8/2001<br>(Reapp. 2/5/2003)                                            | 3/6/2007                |
| 5. STOLDAL, BOB<br>(Mayor's recommendation)<br>(Reese's reappointment recommendation)                                                                                                                                                            | 7758 Willow Cove Circle                              | 129                 | 4/27/1998<br>(Reappt. 12-5-2001)<br>(Reappt. 12-7-2005)                  | 12/31/2009              |



**CATEGORY 8 - DIRECTOR OF PLANNING & DEVELOPMENT OR DIRECTOR'S DESIGNEE, CITY OF LAS VEGAS**

|                                      |                                  |            |
|--------------------------------------|----------------------------------|------------|
| WHEELER, MARGO ( <b>Director</b> )   | Development Services Center      | 01/05/2005 |
| (Replaced Bob Genzer)                | 731 South 4 <sup>th</sup> Street | 89101      |
| MOONEY, COURTNEY ( <b>Designee</b> ) | Development Services Center      |            |
|                                      | 731 South 4 <sup>th</sup> Street | 89101      |

**CATEGORY 9 - DIRECTOR OF THE NEVADA STATE MUSEUM & HISTORICAL SOCIETY OR OTHER DESIGNEE OF STATE HISTORIC PRESERVATION OFFICE**

|                                         |                                          |           |
|-----------------------------------------|------------------------------------------|-----------|
| BRUNSCHWYLER, GRETA ( <b>Director</b> ) | Nevada State Museum & Historical Society |           |
| (Replaced Shirl Naegle)                 | 700 Twin Lakes Drive                     | 89107     |
| MILLMAN, DAVID ( <b>Designee</b> )      | Nevada State Museum & Historical Society | 7/31/2003 |
|                                         | 700 Twin Lakes Drive                     | 89107     |

**AUTHORITY:** Bill No. 2005-2, Ord. 5747 adopted 2-2-2005 eliminates the term limits of voting members of this committee. Created by Ordinance 3557, Bill 90-39, adopted 2-20-91; Replaced by Ordinance 5043, Bill 97-95, adopted 12-15-97; Amended by Ordinance 5049, Bill 98-9, adopted 2-9-98, Amended by Ordinance 5267, Bill 2000-79, adopted 11-1-2000. Amended by Ordinance 5346, Bill 2001-70, adopted 8-1-2001.

**MEMBERS: 13 members**

**11 members appointed by the City Council; and**

**Two ex-officio representatives: Director, Planning and Development Department or designee, City of Las Vegas, and Director, Nevada State Museum and Historical Society or designee of State Historic Preservation Office.**

**Category**

- 1 **EXPERIENCED IN ARCHITECTURE (i.e. architect, art historian or historic preservation architect)**
- 2 **EXPERIENCED IN URBAN DESIGN OR PLANNING (i.e. urban designer, planner or landscape architect)**
- 3 **EXPERIENCED IN BUILDING CONSTRUCTION (i.e. building contractor or structural engineer)**
- 4 **EXPERIENCED IN REAL ESTATE PROFESSION (i.e. real estate developer, appraiser or broker)**
- 5 **REPRESENTATIVE OF A RECOGNIZED LOCAL HISTORIC PRESERVATION ASSOCIATION OR HISTORIC PRESERVATION INTEREST GROUP**
- 6 **EXPERIENCED IN NEVADA HISTORY (i.e. historian or archaeologist)**
- 7 **5 MEMBERS CITIZENS-AT-LARGE (AFTER HISTORIC DISTRICT DESIGNATION, SHALL BE FILLED BY A PERSON OWNING PROPERTY AND RESIDING WITHIN THE HISTORIC DISTRICT, IF A PERSON SO QUALIFIED IS AVAILABLE TO SERVE. IF NO SUCH PERSON IS AVAILABLE, A PERSON WHO OWNS REAL PROPERTY WITHIN THE HISTORIC DISTRICT MAY FILL THAT POSITION. IF MORE THAN FIVE HISTORIC DISTRICTS HAVE BEEN DESIGNATED AS SUCH PURSUANT TO THIS SUBCHAPTER, THE CITY COUNCIL SHALL DETERMINE WHICH FIVE OF THE HISTORIC DISTRICTS ARE TO BE REPRESENTED ON THE HPC)**
- 8 **DIRECTOR OF PLANNING & DEVELOPMENT OR DIRECTOR'S DESIGNEE, CITY OF LAS VEGAS (ex-officio)**
- 9 **DIRECTOR OF THE NEVADA STATE MUSEUM & HISTORICAL SOCIETY OR OTHER DESIGNEE OF STATE HISTORIC PRESERVATION OFFICE (ex-officio)**

**TERM:** 4 years.

**NOTES:** Must fill unexpired terms if appropriate.

Each member must have a demonstrated interest in or knowledge of:

- a) The history of the City of Las Vegas
- b) Design, architecture, real estate and other matters relevant to judging the economic and cultural value of particular historic preservation activities.

Under Ordinance 5043, the two (2) additional Historic Preservation Commission seats have initial term expirations of 12/31/2001

NO CITY FINANCIAL DISCLOSURE REQUIREMENT due to adoption of Bill 2001-70, Ordinance 5346, adopted 8-1-2001. (State Financial Disclosure no longer required due to passage of AB611 during 1999 Nevada State Legislature stipulating uncompensated Commissions are no longer required to file State form.)

**NOTE:** Non-voting, ex-officio members, except when no quorum, may vote on Consent agenda and only to the extent necessary to create or maintain a quorum.

**MEETINGS:** 4<sup>TH</sup> Wednesday - 12:00 P.M. - 731 South 4<sup>th</sup> Street, Except 3<sup>rd</sup> Wednesday in November & December



## INTER - OFFICE MEMORANDUM

January 11, 2007

## TO:

Barbara (Roni) Ronemus, City Clerk

## FROM:

Margo Wheeler, Director  
Planning and Development

## SUBJECT:

Historic Preservation Commission-  
Reappointments

## COPIES TO:

Courtney Mooney  
Paula Clark

Commissioners Janet Ruth White and Raymond Aikens will expire on March 6 and March 8, 2007, respectively. Terms are four years, with no limit to number of terms. To date, both are eligible for reappointment.

Ms. White replaced Richard Segerblom in 2001, so she has served one partial plus one full term. She currently fills a Category 7, Citizens-At-Large, position on the commission.

Mr. Aikens was appointed in 2005 to fill the unexpired term of Felix DeHerrera. He is currently filling a Category 4, Experienced in Real Estate Profession, position on the commission.

Commissioner Aikens has expressed a desire to be reappointed; however, we have not received a response from Commissioner Janet White to date.

The Historic Preservation Commission recommends that Mr. Aikens be reappointed, and that Gregory Seymour be appointed for Category 7, Citizen-At-Large.

Should you need additional information, please contact Courtney Mooney at 229-5260.

MW:cm

RECEIVED  
CITY CLERK

2007 JAN 12 A 10:49

RECEIVED  
CITY CLERK

January 9, 2007

2007 JAN 10 P 4: 14

Las Vegas City Council  
City Hall, Tenth Floor  
400 Stewart Avenue

Re: Historic Preservation Commission appointment recommendations

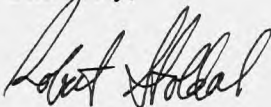
Dear Council Members:

On behalf of the Historic Preservation Commission, I would like to recommend the reappointment of Commissioner Raymond Aikens. The term of office for Mr. Aikens will expire on March 8, 2007. He is currently filling the Category 4, Experienced in Real Estate Profession, position on the commission.

The appointment for Category 7, Citizen-At-Large position will expire March 6, 2007. I would like to recommend that Greg Seymour be appointed to the Historic Preservation Commission to fill Category 7, effective March 7, 2007. Mr. Seymour is an archaeologist with several years experience, and has experience with restoration of historic structures at the Las Vegas Springs Preserve.

The Historic Preservation Commission have expressed the desire to extend their knowledge of archaeological resources, and at this time, there is no one on the Commission with archaeological experience. Mr. Seymour's knowledge will assist the Commission with making more informed decisions regarding the city's archaeological resources.

Sincerely,



Bob Stoldal  
Chairman, Historic Preservation Commission

Cc: Margo Wheeler, Director, Planning & Development  
Courtney Mooney, Historic Preservation Officer, Planning &  
Development



**HISTORIC  
PRESERVATION  
OFFICE**

# Gregory Richard Seymour

## CURRENT POSITION

---

- ❖ 2006 – Present      **Co-Director Virgin Branch Office**  
*Far Western Anthropological Research Group, Inc.*

## EDUCATION

---

- ❖ 1997                      M.A. in Archaeology, University of Nevada, Las Vegas
- ❖ 1983                      B.A. in Anthropology, San Diego State University

## PROFESSIONAL ORGANIZATIONS

---

- ❖ Mojave-Southern Great Basin Resource Advisory Council, Bureau of Land Management, 2006-2009
- ❖ Preserve Nevada – Board of Directors, 2000 to present
- ❖ Nevada Archaeological Association – President (2006)/Board of Directors and Liaison (2004 – 2006)
- ❖ Nevada Rock Art Foundation
- ❖ Arizona Archaeological and Historical Society
- ❖ Society for California Archaeology
- ❖ Register of Professional Archaeologists (RPA)
- ❖ Society for American Archaeology

## PROFESSIONAL EXPERIENCE

---

1992-2006

### Independent Projects

- Historic Bonita Creek Survey: Identify and inventory historic resources under BLM jurisdiction along Bonita Creek, Graham County, Arizona, including Old Lady Gay Historic Ranch.
- Historic building assessments in the Dos Cabezas Wilderness Area, Muleshoe Ranch, and Bonita Creek area, southeast Arizona; Griswold Cabins in Lincoln County, Nevada.
- Selected studies also include a reassessment of Pyramid Gray sherds from Willow Beach, Arizona, analysis of sherds from Von Trigger and Rustler Rockshelters and Joshua Tree National Park in the central Mojave, and multiple sites in southern Nevada.

1999-2006

**Research Manager** (2003-2006), the Springs Preserve, Las Vegas Valley Water District, Southern Nevada Water Authority [Development Manager 2001-2003, Acting Manager 2000-2001, Archaeologist/Principal Investigator 1999-2000]

### General Responsibilities

- Oversee Guest Services/Events Division, the Education Division, and the Research Division of the LVSP, comprised of Biologists, Restoration Ecologists, and Archaeologists.
- Serve as principal resource manager for Springs Preserve development, identifying research needs, establish collections management program, develop and maintain working relationships with various Native American groups.

- Design and implement the Preserve's Cultural Resource Management Plan (CRMP).
- Hire and oversee consultants on projects in southern Nevada. Develop proposals, work plans, report reviews, and field inspections.
- Council the LVVWD and SNWA on NHPA, Section 106, 4(f), and NEPA compliance and documentation in consultation between Nevada SHPO, Advisory Council on Historic Preservation, Federal Highways Administration, Nevada Department of Transportation, Bureau of Land Management, Bureau of Reclamation, and US Forest Service.

#### **Accomplishments**

- Prepared updated National Register nomination for the Las Vegas Springs (26CK948 and 26CK949) as a historic cultural landscape.
- Created oral history program and Native American consultation for the Preserve.
- Designed and implemented a Public archaeology program at the Preserve with yearly culture history fair in conjunction with National Historic Preservation Week and the Nevada State Preservation month, pottery making and firing classes, children's archaeology dig and a lecture series.
- Obtained and implemented Nevada Commission on Cultural Affairs grants that restored the Little Springhouse, historic Chicken Coop, and Settling Basin.
- Excavated historic and prehistoric archaeological resources at the Preserve, and interdisciplinary excavations at Burnt Rock Spring Mound.

**1997-1999**

**Senior Prehistoric Archaeologist**, Harry Reid Center  
for Environmental Studies, University of Nevada, Las Vegas

- General responsibilities included directing and managing archaeological excavations and inventories, developing budgets, conducting research, preparing documentation, report review and editing NRHP evaluations, obtain and maintain permits.
- Prepared Bureau of Reclamation/UNLV Regional Ceramic Type Collection of ceramic wares and types found in southern Nevada including Puebloan Gray and Red Wares, Patayan Buff and Brown Wares, Southern Paiute Brown Ware, and selected trade wares from Northern Arizona. Collections stored at the Bureau of Reclamation, Boulder City, and the Harry Reid Center, UNLV.
- Excavated several southern Nevada rockshelters, including Eastside (26CK5842) near Lake Mead, Mended Basket (26CK4038) southwest of Las Vegas, and a pre/protohistoric rockshelter roasting pit complex (26CK4908) west of Las Vegas.
- Stabilized and restored five stone-masonry buildings at the historic CCC Sanchez Camp (SCS-11-A), on BLM lands, in southeastern Arizona.

**1995-1997**

**Research Assistant**, Department of Anthropology,  
University of Nevada, Las Vegas

- Lecturing, grading, teaching research methods
- Taught field and laboratory classes at the historic St. Joseph Mormon Fort and a Virgin Anasazi village on the Muddy River
- Volunteer, department representative for the Graduate Student Association (spring and fall 1996)

**1995-1997**

**Project Manager**, Lone Mountain Archaeological Services, Inc.,  
Albuquerque, New Mexico



- Implemented and managed projects in Nevada, and New Mexico; directed up to 10 employees; prepared CRM proposals, research designs and work plans for NHPA Section 106 compliance.
- Sandoval County Landfill Project, supervised field investigations/evaluation of 11 Archaic/Ceramic Period sites, Rio Grande Valley, central New Mexico.
- Multiple small-scale (< 200-acre) inventories in Santa Fe County, New Mexico.
- Black Mountain Survey, directed 4,500 acres near Las Vegas, Nevada

**1988-1995**

**Project Manager**, SWCA Environmental Consultants, Inc., Tucson, Arizona

***General Responsibilities***

- Coordinated archaeology program for the Las Vegas office, managed and implemented projects and research in the Tucson office, supervised projects from the Flagstaff office.
- Worked throughout the Southwest in all major culture areas, conducting research, developed budgets, marketing, and proposals; authored reports on directed projects; directed up to 20 employees.
- Completed historic architecture studies including evaluation, restoration/rehabilitation, and interpretive/management plans.
- Excavated historic and prehistoric sites, large and small; Class I, II and III cultural resource inventories; conducted NRHP evaluations and mitigation/data recoveries throughout Arizona, California, Nevada, New Mexico, and western Texas.

***Selected Projects***

- Topock Project, managed and directed a 9,372 acre Class II survey and data recovery of six sites on BLM lands in western Arizona.
- Las Vegas Wash Wetlands Overview. Direct Class I overview of 4,500-acre study area.
- Civilian Conservation Corps Overview. Developed historical overview and management recommendations for 15 CCC camps in southeastern Arizona for the BLM.
- Bonita Creek Stone Cabin. Developed and implemented reconstruction plan and architectural evaluation for this historic building, Graham County, Arizona.
- Elephant Butte and El Paso Canal Survey. Coordinated survey of 180 miles of Bureau of Reclamation canals from Hatch, New Mexico to south of El Paso, Texas.
- Sanchez Copper Project. Directed 4,000 acre survey, developed and implemented data recovery plan for 38 prehistoric and historic sites on the upper Gila River, Arizona.
- Sanchez Copper Project, II. Conducted archival research and informant interviews regarding Sanchez Camp, SCS-11-A, a Civilian Conservation Corps camp in Graham County, Arizona.
- Tohonitsa Timber Sale. Directed survey of 14,000 acres on Navajo Nation lands in San Juan and McKinley counties, New Mexico.
- Barry M. Goldwater Archaeological Inventory. Designed, implemented, and managed Class II survey of 17,600 acres in eastern Papagueria, Arizona.
- Phoenix Sky Harbor Excavation. Supervised evaluation of a Hohokam hamlet and adjacent canal systems.
- San Pedro Valley Data Recovery. Directed mitigation of six Archaic through late period Hohokam sites, San Pedro Valley, southern Arizona.
- Brown Homestead Data Recovery and Architectural Analysis, Excavated historic homestead on the Middle Agua Fria River, Yavapai County, Arizona.



- 1987 Restoration Technician/Archaeologist, Office of the State Archaeologist, Sacramento, California
- Implemented archaeological monitoring and excavation projects in conjunction with historic building restoration.
  - Restored/rehabilitated Spanish/Mexican period adobes, stone masonry, and wood structures.
  - Manufactured and laid adobe block, plastering, and repairing/replacing wooden components at Santa Cruz Mission, the Mexican period Pedro Arena Adobe, and the Torrey Pines Adobe.
  - Constructed new park walkways, trails, and bridges for public access to park facilities and interpretive areas.
- 1986-1987 Archaeological Project Leader, Cultural Resource Management Section, Southern Region, California Department of Parks and Recreation, San Diego, California.
- Site evaluation and document preparation for the state prescribed burn plan. Excavation and survey in the southern region including Cuyamaca Rancho State Park, Anza-Borrego State Park, Picacho Recreation Area, and coastal state parks from San Diego to Point Conception. Immediate supervisor was Michael Sampson. Fulfilled two non-consecutive nine-month appointments.
- 1987 Crew Member. Dames and Moore, San Diego, California.  
Site survey in southern California.
- 1985-1987 Crew Chief. Brian Mooney and Associates, San Diego, California.  
Supervised field crews, conducted cultural resource surveys and data recoveries, at San Dieguito, La Jolla, Kumeyaii, Chumash, Patayan, and 19th and 20th century historic sites.
- 1983-1987 Crew Member. Recon and Westec Services, San Diego, California.  
Site survey, recording, excavation, and artifact analysis of historic and prehistoric sites in coastal, mountain, and desert areas in southern California. Historic sites excavated include the Spanish period Johnson-Taylor Adobe, the Anglo period Morano Brick Kiln, and 40th Street Dump.
- 1985-1986 Field Supervisor. RBR Associates, San Diego, California.  
Coordinated of field projects and supervised crews on site survey and recording, instrument mapping, and excavation of historic and prehistoric sites in southern California.
- 1983-1985 Crew Member. New World Research, Tucson, Arizona.  
Archaeological site survey in the Tonto National Forest, Phoenix Valley, and excavation at the pre-classic Hohokam site, Ak Chin, Arizona.
- 1984-1985 Crew Member. SRA.  
Survey and recording of historic and prehistoric sites in coastal and desert areas of San Diego County. South Coastal Information Center, San Diego. Maintained site files, conducted records search and archival research for cultural resource management companies in San Diego County.
- 1985 Crew Chief. ASM Affiliates, Inc., San Diego, California.  
Implemented projects and supervised field crews on surveys and excavations throughout southern California.
- 1984-1985 Student Worker III, Environmental Services, San Diego County Department of Public Works, San Diego, California.  
Archaeological site survey and excavation of archaeological sites including the Mexican period Rancho Guajome Adobe.
- 1983-1984 Crew Member. CALTRANS, San Diego, California.  
Archaeological site survey and excavation in coastal, mountain, and desert areas of southern California.

- 1983 Volunteer. Arizona State Museum, Tucson, Arizona, Cultural Resource Management Division, Las Colinas project.  
Excavation and mapping around the Classic period Hohokam Platform Mound 8.
- 1983-1985 Assistant Crew Chief and Research Assistant, San Diego State University, San Diego, California.  
Training and supervising students in field methods and laboratory procedures at the Spanish period Ruiz Alvarado Adobe.
- 1981-1982 Graduate Research Assistant in Teaching. Department of Anthropology, San Diego State University, San Diego, California.  
Training and supervising students in field methods in a field class at the Spanish period Ruiz Alvarado Adobe, evaluating student research projects, designing and teaching laboratory classes.

## **REPORTS AND PUBLICATIONS**

---

Seymour, G.R. and A Gilreath

- 2006 Archaeological Survey of the North and South Steptoe Valley Power Plant Sites for the Ely Energy Center Project, White Pine County, Nevada. Submitted to the Bureau of Land Management, Ely Field Office.

Slaughter, M.C, G.R. Seymour and L. M. Perry editors.

- 2006 Beginnings: Proceedings of the 2005 Three Corners Conference. Published by the Three Corners Conference, Funded by the Springs Preserve, and distributed by the Nevada Archaeological Association.

Seymour, G.R.

- 2006 The Four P's: Pots, Puebloans, and Patayan. But Where are the Paiutes? In Beginnings: Proceedings of the 2005 Three Corners Conference. Published by the Three Corners Conference, Las Vegas, Nevada.

Jensen, E., G.R. Seymour, and L. Perry

- 2006 From a Lump of Clay. Replicating Prehistoric Pottery in the Moapa. In Beginnings: Proceedings of the 2005 Three Corners Conference. Published by the Three Corners Conference, Las Vegas, Nevada.
- 2006 A Report on Prehistoric Ceramics for an ARPA Investigation at the Henhouse Rockshelter, Site No.CA-RIV-0958. Submitted to Todd Swain, Special Agent, National Park Service.
- 2006 Documentation of Phase II Restoration of the Old Lady Gay Ranch House AZ W:14:5(ASM), Bonita Creek, Graham County AZ
- 2006 Results of Historic Building Condition Assessments for the Nine Mile Ranch AZ CC:15:91 (ASM) in the Dos Cabezas Mountains, Cochise County, Arizona Submitted to the Safford Field Office, BLM and Arizona State Museum.

Seymour, G.R.

- 2005 Results of Historic Building Condition Assessments for the Colored George (AZ W:14:10) and Sycamore Cabins (AZ W:14:11) in Bonita Creek, Graham County, Arizona. Submitted to the Safford Field Office, BLM, Arizona.
- 2005 Results of Historic Building Condition Assessments for Sites (AZ CC:14:3) and (AZ CC:14:57) in the Dos Cabezas Mountain Wilderness Area, Cochise County, Arizona. Submitted to the Safford Field Office, BLM and Arizona State Museum.
- 2005 A Report on Three Complete Ceramic Vessels from Joshua Tree National Park. Submitted to the National Park Service, US Department of the Interior.
- 2005 A Report on Prehistoric Ceramics from the Spiderman Rockshelters. Submitted to the National Park Service, US Department of the Interior.

- 2005                    The Browning Ranch: History of the High Lonesome, Cochise County, Arizona. Trails Past, Inc., Las Vegas, Nevada.
- 2005                    Ceramics from the Ivanpah Survey in Clark County, Nevada. Submitted to Mactec, Carson City, Nevada.
- Seymour, G.R., and A. Rager
- 2005                    Redefining the Definition of Pyramid Gray, a Lower Colorado Buff Ware Ceramic. In Nevada Archaeologist 20:13-21, Nevada Archaeological Association.
- Seymour, G.R., and H. Rager
- 2005                    The Prehistory of Burnt Rock Spring Mound in the Northern Mojave Desert. In Nevada Archaeologist 21:71-83, Nevada Archaeological Association.
- Sutton, M. and G.R. Seymour
- 2005                    Rustler Rockshelter - The 1992 Excavations at Rustler Rockshelter (CA-SBR-288), Eastern Mojave Desert, California. San Bernardino County Museum Quarterly 52(4).
- Winkel, V. K., G.R. Seymour, R. Saumure, and C. Sega
- 2005                    Vegetation Restoration Plans for Various Areas at the Springs Preserve. Las Vegas Springs Preserve, Nevada.
- Seymour, G.R.
- 2004                    Ceramic Typology Analysis (Appendix D). In A Class III Cultural Resources Inventory of 2,165 Acres of BLM Lands for the Laughlin Land Sale, Clark County, Nevada. By Brian Byrd, John Berg, and Laura Leach-Palm, Far Western Anthropological Research Group, Inc. Submitted to BLM, Las Vegas Field Office, Nevada.
- 2004                    The Reconstruction of a Well Shed at Well No. 2, Locus 21, the Las Vegas Springs Site, Clark County, Nevada. Cultural Resources Report 2004-01. Las Vegas Springs Preserve.
- Seymour, G.R., D. (Griswold) Merkler, L. Merkler, and A. Sinkovec-Seymour
- 2004                    Results of a Survey of the Historic Griswold Cabin No. 1 and 2 – 26LN4803/CRNV-04-628 Lincoln County, Nevada. Volunteer effort for the Ely Field Office, BLM, Nevada.
- Seymour, G.R., and H. Rager
- 2004                    Prehistoric Settlement and Subsistence Strategies at Springs and Creeks in the Las Vegas Valley. Conference Proceedings, Spring-fed Wetlands: Important Scientific and Cultural Resources of the Intermountain Region, May 7-9, 2002, Las Vegas, Nevada. DHS Publication No. 41210.
- Seymour, G.R., and C. Warren
- 2004                    Joshua Tree National Park: Where did those Sherds Come from? Proceedings of the Society of California Archaeology 17:57-64.
- Seymour, G.R.
- 2003                    Analysis of Ceramics from Eight Sites Located in Bighorn Canyon in the Black Mountains, between Kingman and Bullhead City, Arizona. Trails Past, Inc., Las Vegas, Nevada. Submitted to the Kingman Field Office, BLM, Arizona.
- Seymour, G.R. and C. N. Warren
- 2003                    Analysis of Ceramics from the Cottonwood Springs and Keys Ranch Sites in Joshua Tree National Park, California. Submitted to the National Park Service, US Department of the Interior.



Ahlstrom, R., H. Roberts, and G.R. Seymour

- 2003                      Ceramics in the Las Vegas Wash Collections Project. Analysis of Artifact and Biological Specimens from Past Archaeological Excavations in Clark County Wetlands Park, Southern Nevada. HRA, Inc., Conservation Archaeology, Las Vegas. Archaeological Report No. 01-10. Submitted to the Lower Colorado Region, Bureau of Reclamation.

Seymour, G.R.

- 2002                      Ceramic Analysis Report for 26CK4446 (Appendix E). In Bighorn Cave and Yellow Pine Mining Company Railroad Siding, An Archaeological Data Recovery of Prehistoric Site 26CK4446 and Historic Site 26CK6105, Southern Clark County, Nevada. BLM Report No. CR5-2448. By Suzan Rose, Michael S. Kelley, Tracy Palluck, and Christopher Harper, URS Corp. Las Vegas Nevada. Submitted to BLM, Las Vegas Field Office, Nevada.

Roberts H., R. Ahlstrom, E. Von Till Warren, C. Woodman, and G.R. Seymour

- 2002                      Archaeological Survey for the Table Mountain Wind Generation Project Clark County, Nevada. HRA, Inc., Conservation Archaeology, Las Vegas. Archaeological Report No. 01-02.

Seymour, G.R.

- 2001                      Results of Ceramic Analysis from 26CK1282 in Las Vegas Wash in Archaeological Test Excavations at Sites 26CK1282 and 26CK1474, Clark County Wetlands Park, Southern Nevada, HRA, Inc., Conservation Archaeology, Las Vegas. Archaeological Report No. 00-07.

Seymour, G.R., C. Fowler, F. Nials, E. von Till Warren and H. B. Rager,

- 2001                      Cultural Resource Management Plan for the Las Vegas Springs Preserve, Clark County, Nevada. Harry Reid Center Report 4-9-3. Cultural Resources Report 2001-2. Las Vegas Springs Preserve.

Roberts H., R. Ahlstrom, D. Valentine and G.R. Seymour

- 2001                      Archaeological Survey for the Western Half of Clark County Wetlands Park, Nevada. HRA, Inc., Conservation Archaeology, Las Vegas. Archaeological Report No. 00-08.

Rager, H., and G.R. Seymour

- 2000                      Results of Investigations at the Charleston Heights Reservoir, Locus 13, an Industrial Component of the Las Vegas Springs Site, Clark County, Nevada. Cultural Resources Report 2000-2. Las Vegas Springs Preserve.

Seymour, G.R.

- 2000                      Five-Year Management Plan for Resource Protection and Research at the Las Vegas Springs Preserve. Las Vegas Springs Preserve.
- 2000                      A Cultural Resource Survey for the Robert B. Griffith Water Project Transfer of Title of Federal Facilities, Clark County, Nevada. Cultural Resources Report SNWA 2000-1. Southern Nevada Water Authority.

Seymour, G.R., and H. Rager

- 2000                      Results of Archaeological Excavations of Fourteen Soils Test Units at the Las Vegas Springs Site, Clark County, Nevada. Cultural Resources Report 1999-1. Las Vegas Springs Preserve.

Roberts H., R. Ahlstrom, D. Valentine and G.R. Seymour

- 2000                      Fragile Past, Archaeological Investigations I Clark County Wetlands Park, Nevada. HRA, Inc., Conservation Archaeology, Las Vegas. Archaeological Report No. 2000-3.

Seymour, G.R., M. Henson, and H. B. Rager

- 2000                      Results of Restoration of the Little Springhouse, Locus 16, 26CK948, a Historic Component of the Las Vegas Springs Site, Clark County, Nevada. Cultural Resources Report 2000-1. Las Vegas Springs Preserve.
- Winslow, D., L. Blair, and G.R. Seymour
- 1999                      A Cultural Resource Investigation for Nevada Power Company, Reid Gardner Power Plant Expansion Near Moapa, Nevada. Harry Reid Center Report 5-4-20.
- Blair, L., J. Wedding, D. Winslow, and G.R. Seymour
- 1998                      Apex Industrial Park, Inc. Cultural Resource Investigations of 8,480 Acres (below 30% Slope), Northern Las Vegas Valley, Part I - Results and Recommendations. Harry Reid Center Report 5-164-9.
- Seymour, G.R.
- 1998                      The Civilian Conservation Corps in Arizona: A Context for Erosion Control Features. Kiva 63:4.
- 1998                      Results of Analysis of Three Ceramic Assemblages from the Lake Mead National Recreation Area. Submitted to the Lake Mead National Recreation Area, Boulder City.
- Blair, L. M., and G.R. Seymour
- 1998                      Mended Basket Rockshelter and Quarry. An Archaeological Excavation in Southwestern Las Vegas Valley for the BLM/Olympic Land Exchange. BLM Report No. 5-2354 (P). Harry Reid Center for Environmental Studies, University of Nevada, Las Vegas. Prepared for Nevada Environmental Consultants, Inc.
- Seymour, G.R., and L. Perry
- 1998                      A Guide to the Ceramic Type Collection at the Harry Reid Center for Environmental Studies, University of Nevada, Las Vegas and the Bureau of Reclamation. Harry Reid Center Report 1-3-31.
- Seymour, G.R., and E. von Till Warren
- 1998                      Results of a Class III Cultural Resources Survey and Architectural Inventory of the Las Vegas Springs Site, A 180 Acre Parcel in the Las Vegas Valley, Clark County, Nevada. Harry Reid Center Report 4-9-2.
- Seymour, G.R., E. von Till Warren, J. Wedding, H. Rager, F. Nials, and C. Fowler
- 1998                      The Las Vegas Springs Heritage Site: Studies of a Cultural Landscape, Parts I and II. Prepared for the Federal Highway Administration, Nevada Department of Transportation, and the Las Vegas Valley Water District. Harry Reid Center Report 2-1-31.
- White W. G., L. M. Blair, J. Wedding, and G.R. Seymour
- 1998                      Eastside Rockshelter: Archaeological Excavation of a Temporary Use Site In Southern Nevada. Submitted to the Southern Nevada Water Authority. Harry Reid Center Report 2-8-11.
- Seymour, G.R.
- 1997                      A Reevaluation of Lower Colorado Buff Ware Ceramics: Redefining the Patayan in Southern Nevada. Unpublished Masters thesis, Department of Anthropology and Ethnic Studies, University of Nevada, Las Vegas.
- 1997                      An Archaeological Survey of an 80-Acre Parcel for a Proposed Landfill Site in Dry Lake Valley, Lincoln County, Nevada. Lone Mountain Report No. 198.



- 1997                   An Archaeological Survey of a 10-Acre Parcel for a Proposed Materials Supply Area in the Reese River Valley, Nye County, Nevada. BLM Report No. 6-1931, Lone Mountain Report No. 196.
- Seymour, G.R., with HRA Consultants
- 1997                   As Built Stabilization Efforts by Building at the Sanchez Camp, SCS-11-A. Report on stabilization efforts for the BLM, Safford District. HRA, Inc., Conservation Archaeology, Las Vegas. Archaeological Report No. 5-169-1.
- Sutton, M. Q., with G.R. Seymour
- 1997                   The 1992 Excavations at Rustler Rockshelter, Eastern Mojave Desert, California. Department of Sociology and Anthropology, California State University, Bakersfield.
- Sutton, M. Q., and R. Novickas, with G.R. Seymour
- 1997                   Archaeological Investigations at Vontrigger Springs, Eastern Mojave Desert, California. Department of Sociology and Anthropology, California State University, Bakersfield.
- Seymour, G.R., and P. Lawrence
- 1997                   Assigning Geographic Origins to Ceramics at CA-RIV-1950. Proceedings of the Society for California Archaeology 10:51-59.
- Seymour, G.R.
- 1996                   Native American Ceramics from the Old Las Vegas Fort. In The Old Las Vegas Mormon Fort: The Founding of a Desert Community in Clark County, Nevada. Compiled by John W. Hohmann, Louis Berger and Associates, Inc., Phoenix.
  - 1996                   Analysis of Lower Colorado River Buff Ware Ceramics from the Cyprus-Tohono Project. SWCA Environmental Consultants, Tucson, Arizona.
- Seymour, G.R., D. J. Seymour, P. Lawrence, I. Antanaitis, and L. E. Hatzenbuehler
- 1996                   An Archaeological Survey of 4,410 Acres in the Las Vegas Valley Near Black Mountain, Clark County, Nevada. BLM Report No. 5-2322, Lone Mountain Report No. 77A. Submitted to Nevada Environmental Consultants, Las Vegas, and BLM, Las Vegas Field Office, Nevada. Lone Mountain Archaeological Services, Inc., Albuquerque, New Mexico.
- Seymour, D. J., D. Wroblewski, G. R. Seymour, J. H. Hokanson, S. Simpson, V. G. J. Cunningham, L. E. Hatzenbuehler, and I. Antanaitis
- 1996                   Blue Diamond/Arden Archaeological Project: An Archaeological Survey of 5,984 Acres in the Las Vegas Valley, Clark County, Nevada. BLM Report No. 5-2323, Lone Mountain Report No. 77B. Submitted to Nevada Environmental Consultants, Las Vegas, and BLM, Las Vegas Field Office, Nevada. Lone Mountain Archaeological Services, Inc., Albuquerque, New Mexico.
- Seymour, G.R.
- 1995                   Survey of 160 Acres, Highland Stock Farm Property, Santa Fe County, New Mexico. Lone Mountain Archaeological Services Report No. 38.
  - 1995                   Cultural Resource Overview for the Clark County Wetlands Park Masterplan Clark County. SWCA Report No. 95-14. SWCA Environmental Consultants, Las Vegas, Nevada. Submitted to the Clark County Department of Parks and Recreation and the Bureau of Reclamation, Lower Colorado Region. On file at the Harry Reid Center, University of Nevada, Las Vegas.
  - 1995                   The Civilian Conservation Corps in Southeastern Arizona: An Overview of Fifteen Soil Conservation Service and Department of Grazing Camps in Graham and Greenlee Counties, Arizona. SWCA Report No. 95-13. SWCA Environmental Consultants, Tucson, Arizona.

- 1995                    A Cultural Resource Survey in Las Vegas Wash for the Pabco Erosion Control Structure, Clark County, Nevada. SWCA Report No. 95-13. SWCA Environmental Consultants, Las Vegas, Nevada. Submitted to the Clark County Department of Parks and Recreation and the Bureau of Reclamation, Lower Colorado Region. On file at the Harry Reid Center, University of Nevada, Las Vegas.
- Seymour, G.R., and D. Seymour
- 1995                    Survey of 80 Acres, Nusbaum Property, Santa Fe County, New Mexico. Lone Mountain Report No. 39.
- Seymour, G.R., D. P. Doak, M. C. Slaughter, and R. Ahlstrom
- 1995                    An Archaeological Data Recovery on BLM Lands for the Jakub Exchange, Mohave County, Arizona: The Topock Project. SWCA Report No. 94-163. SWCA Environmental Consultants, Tucson, Arizona. Submitted to Sunbelt Investments and the BLM, Phoenix District. SWCA Environmental Consultants, Tucson, Arizona.
- Seymour, G.R., R. Ahlstrom, and D. P. Doak
- 1994                    The Sanchez Copper Project: Archaeological Investigations in the Safford Valley, Graham County, Arizona, Volume 1. SWCA Report No. 93-82. SWCA Environmental Consultants, Tucson, Arizona.
- 1994                    The Sanchez Copper Project: The Civilian Conservation Corps and the Soil Conservation Camp at the Sanchez Camp, SCS-11-A – A Camp History and Architectural Evaluation, Graham County, Arizona, Volume 2. SWCA Report No. 93-82. SWCA Environmental Consultants, Tucson, Arizona.
- Seymour, G.R., D. A. Phillips, Jr. and W. J. Poague
- 1994                    Archaeological Sample Survey of Elephant Butte Irrigation District and El Paso County Water Improvement District No. 1, New Mexico and Texas. SWCA Environmental Consultants, SWCA Report No. 94-5.
- Seymour, G.R., H. Roberts, and L. E. Hatzenbueler
- 1994                    An Archaeological Resource Inventory of 3,170 Acres in the Las Vegas Valley for the American Land Conservancy, Clark County, Nevada. SWCA Report No. 94-86. SWCA Environmental Consultants, Tucson, Arizona. BLM Report No. 5-2267. Submitted to American Land Conservancy, California; BLM, Las Vegas Field Office, Nevada; and Nevada Environmental Consultants, Inc., Las Vegas, Nevada.
- Ayres, J. E., and G. R. Seymour
- 1993                    Life on a 1930s Homestead: Historical Archaeological Investigations of the Brown Homestead on the Middle Agua Fria River, Yavapai, County, Arizona. SWCA Anthropological Research Papers Series, No. 2. On file at Bureau of Reclamation, Phoenix.
- Seymour, G.R., and D. P. Doak
- 1993                    An Archaeological Sample Survey of 17,600 Acres in the Saucedo and Crater Mountain Ranges on the Eastern Barry M. Goldwater Airforce Range, Maricopa County, Arizona. SWCA Environmental Consultants, SWCA Report No. 93-1. On file at the BLM, Phoenix Field Office, Arizona.
- Seymour, G. R., and A. M. Sinkovec
- 1993                    The Old Lady Gay Ranch: An Archaeological Evaluation and Management Plan for AZ W:14:5 (ASM) on Bonita Creek, Graham County, Arizona. On file at the BLM, Safford Field Office, Arizona.

Brown, G.B, D. Purcell, V.L. Newton, R.G Haynes-Peterson, L. A. Neal, G.R. Seymour, D.P. Doak, K. Spurr, and M. Zyniecki

1993

Archaeological and Ethnographic Survey Results for the Tohonitsa Timber Sale:  
Cultural Resources in the Vicinity of Narbona Pass, New Mexico. SWCA  
Environmental Consultants, SWCA Report No. 93-58.

Seymour, G. R.

- 1992 An Archaeological Survey for the Western Regional Wastewater Treatment Conveyance System in Corona and Norco, Riverside County, California. SWCA Environmental Consultants, Orange County, California. SWCA Report No. 92-91. On file at the Eastern Information Center, Riverside California.
- 1992 A Cultural Resource Survey of the Proposed Blythe Unloading Site in Blythe, Riverside County, California. SWCA Environmental Consultants, Orange County, California. SWCA Report No. 92-62. On file at the Eastern Information Center, Riverside California.
- 1992 The Pittsburg Point/Body Beach Survey: An Archaeological Resource Inventory of 1200 Acres Near Lake Havasu City, Mohave County, Arizona. SWCA Environmental Consultants, Tucson, Arizona. SWCA Report No. 92-28. On file at the Arizona State Lands Department, Phoenix.
- 1992 A Class III Archaeological Resource Inventory of Approximately 1400 Acres for the Sanchez Copper Project Area, Graham County, Arizona. SWCA Environmental Consultants, Tucson, Arizona. SWCA Report No. 92-2. On file at the BLM, Safford Field Office, Arizona.
- 1992 A Class III Archaeological Resource Inventory of a 27 Mile Road Right-of-way and 40 Acres South of Vicksburg in La Paz and Yuma Counties, Arizona. SWCA Environmental Consultants, Tucson, Arizona. SWCA Report No. 92-1. On file at the BLM, Yuma Field Office, Arizona.

Seymour, G. R., and R. A. Anduze

- 1992 A Cultural Resource Survey of 1,019 Acres of Existing and Proposed Road Easements for the Town of Quartzite, La Paz County, Arizona. SWCA Environmental Consultants, Tucson, Arizona. SWCA Report No. 92-71. On file at the BLM, Yuma Field Office.
- 1992 A Cultural Resource Survey for a Fiber Optic Cable Easement for the Southwestern Telephone Company from Quartzite to Eherenberg, La Paz County, Arizona. SWCA Environmental Consultants, Tucson, Arizona. SWCA Report No. 92-58. On file at the BLM, Yuma Field Office.

Seymour, G. R., and D. P. Doak

- 1992 An Archaeological Survey for the Western Riverside Regional Treatment System in Corona and Norco, Riverside County, California. SWCA Environmental Consultants, Orange County, California. SWCA Report No. 92-85. On file at the Eastern Information Center, Riverside, California.
- 1992 The Santa Ana Regional Interceptor Project: SAWPA-SARI Reaches IV D and E: A Cultural Resource Survey of an 18 Mile Right-of-way from Mira Loma to Colton, Riverside and San Bernardino Counties, California. SWCA Environmental Consultants, Orange County, California. SWCA Report No. 92-65. On file at the Eastern Information Center, Riverside, and the San Bernardino Archaeological Information Center, San Bernardino.

Seymour, G.R., and M. Jiles

- 1992 The Big Bend Survey: An Archaeological Resource Inventory of 450 Acres Near Laughlin, Clark County, Nevada. SWCA Environmental Consultants, Tucson, Arizona. SWCA Report No. 92-43. On file at the Nevada Division of State Parks, Carson City.
- 1992 The Golden Eagle Mine Survey: A Class III Archaeological Resource Inventory of 120 Acres in the Cerbat Mountains Near Kingman, Mohave County, Arizona. SWCA Environmental Consultants, Tucson, Arizona. SWCA Report No. 92-30. On file at the BLM, Phoenix Field Office, Arizona.



Seymour, G.R., and A. M. Sinkovec

- 1992                      Of Bulls, Bears, and Fireflies: Historic Bonita Creek, An Archaeological Perspective, Graham County, Arizona. On file at the BLM, Safford Field Office, Arizona.

Seymour, G.R., D. P. Doak, and R. Ahlstrom

- 1992                      The Topock Survey: A Class II Archaeological Survey of 9,372 Acres of BLM Lands for the Jakub Exchange, Mohave County, Arizona. SWCA Environmental Consultants, Tucson, Arizona. SWCA Report No. 92-64. On file at the BLM, Phoenix Field Office, Arizona.

Greenwald D. H., M. Zyniecki and G.R. Seymour

- 1992                      Archaeological Investigations in the Phoenix Sky Harbor International Airport: A Class I and II Survey for the Master Plan Improvements Project. SWCA Environmental Consultants, Flagstaff, Arizona.

Seymour, G.R., H. Roberts, and M. Jiles

- 1992                      A Cultural Resource Evaluation of 693 Acres of Tonto National Forest Land Near Globe, Gila County, Arizona. SWCA Environmental Consultants, Tucson, Arizona. SWCA Report No. 92-4. On file at the Tonto National Forest, Phoenix.

Seymour, G.R., M. C. Slaughter, R. T. Euler, L. Fratt, and L. Gregonis

- 1992                      Archaeological Test Excavations at Seven Sites in the San Pedro River Valley, Cochise County, and at Cienega Creek, Pima County, Arizona. On file at the Arizona State Lands Department, Phoenix.

Seymour, G.R.

- 1991                      A Cultural Resource Survey for a Proposed Road Alignment Crossing the Indio Hills in the Coachella Valley, Riverside County, California. SWCA Environmental Consultants, Orange County, California. SWCA Report No. 91-66. On file at the Eastern Information Center, Riverside, California.
- 1991                      An Archaeological Resource Inventory of 100 Acres Adjacent to Davis Dam, Mojave County, Arizona: The Riverview and Bullhead Surveys. SWCA Environmental Consultants, Tucson, Arizona. SWCA Report No. 91-61.
- 1991                      A Class III Archaeological Resource Inventory of 40 Acres near Golden Shores, Mohave County, Arizona: The Southtap Survey. SWCA Environmental Consultants, Tucson, Arizona. SWCA Report No. 91-50. On file at the BLM, Phoenix Field Office, Arizona.
- 1991                      A Class III Archaeological Resource Inventory of 1,900 Acres of State Lands near Bullhead City, Mohave County, Arizona. SWCA Environmental Consultants, Tucson, Arizona. SWCA Report No. 91-45. On file at the Arizona State Lands Department, Phoenix.
- 1991                      Cultural Resource Survey for a Proposed Buried Optic Line From Huachuca City to Benson, Cochise County (Arizona Land Lease #14-98772). SWCA Environmental Consultants, Tucson, Arizona. SWCA Report No. 91-26. On file at the Arizona State Lands Department, Phoenix.
- 1991                      A Cultural Resource Survey of 180 Acres within the Estrella Mountain Regional Park, Maricopa County, Arizona. SWCA Environmental Consultants, Tucson, Arizona. SWCA Report No. 91-5. On file at the Maricopa County Parks Department, Phoenix.
- 1991                      Cultural Resource Survey for a Buried Fiber Optic Line Adjacent to the El Paso Natural Gas Line and U.S. Interstate 10 in Pima County, Arizona. SWCA Environmental Consultants, Tucson, Arizona. SWCA Report No. 91-4. On file at the Arizona State Lands Department, Phoenix.



- 1991 An Archaeological Survey of 3,523 Acres for Four Alternate Site Locations for Proposed ASARCO Mine Tailings Impoundment Facilities Near Kelvin, Pinal County, Arizona. SWCA Environmental Consultants, Tucson, Arizona. On file at the BLM, Phoenix Field Office, Arizona.
- Seymour, G.R., and J. E. Ayers
- 1991 An Archaeological Survey of 667 Acres of Tonto National Forest Land Near Miami, Gila County, Arizona. SWCA Environmental Consultants, Tucson, Arizona. SWCA Report No. 91-29. On file at Tonto National Forest, Phoenix.
  - 1991 An Archaeological Survey of 83 Acres of Tonto National Forest Land Near Miami, Gila County, Arizona: The Amendment No. 2 Project. SWCA Environmental Consultants, Tucson, Arizona. SWCA Report No. 91-23. On file at Tonto National Forest, Phoenix.
- Seymour, G.R., and R. T. Euler
- 1991 Cultural Resource Survey for a Proposed Buried Optic Line Along the I-19 Frontage Road in the Santa Cruz River Valley, Arizona. SWCA Environmental Consultants, Tucson, Arizona. SWCA Report No. 91-47. On file at the Arizona Department of Transportation, Phoenix.
- Seymour, G.R., and H. Roberts
- 1991 The Three Points Valencia Project: A Cultural Resource Survey of An 11 Mile Corridor in Avra Valley, Pima County, Arizona. SWCA Environmental Consultants, Tucson, Arizona. SWCA Report No. 91-69.
  - 1991 A Cultural Resource Survey of Approximately 210 Acres For A Proposed Land Exchange Near Show Low Lake, Apache-Sitgreaves National Forest, Arizona. SWCA Environmental Consultants, Tucson, Arizona. SWCA Report No. 91-67. On file at Apache-Sitgreaves National Forest, Springerville.
- Seymour, G.R., M. C. Slaughter, W. C. Deaver, and R. Ahlstrom
- 1991 The Bartlett Dam Project: Archaeological Test Excavations at Thirteen Sites in the Lower Verde Valley, Maricopa County, Arizona. SWCA Environmental Consultants, Tucson, Arizona. On file at Bureau of Reclamation, Phoenix.
- Greenwald, D. H, D. A. Gregory, K. C. Anderson, F. L. Nials, G. Huckelberry, J. B. Howard, D. R. Willcox, M. C. Chenault, G.R. Seymour, D. J. Seymour, M. B. Saul, and M. H. Bartlett
- 1991 Early Desert Farming and Irrigation Settlements: Archaeological Investigations in the City of Phoenix, Sky Harbor. SWCA Environmental Consultants, Flagstaff, Arizona.
- Euler, R. C, R.T. Euler and G.R. Seymour
- 1990 Archaeological Test Excavations at Site AZ N:3:12 (ASM) East of Chino Valley, Arizona. SWCA Environmental Consultants, Tucson, Arizona. On file at the BLM, Phoenix Field Office, Arizona.
- Seymour, G.R., and Euler, R. T
- 1990 An Archaeological Survey within the Sanchez Copper Project Area, Graham County, Arizona. SWCA Environmental Consultants, Tucson, Arizona. On file at the BLM, Safford Field Office, Arizona.
  - 1990 An Archaeological Survey of 400 Acres of State Owned Land Near Kelvin, Pinal County, Arizona. SWCA Environmental Consultants, Tucson, Arizona. On file at the Arizona State Lands Department, Phoenix.
  - 1990 The Elder Gulch Project: Archaeological Test Excavations at Ten Sites Near Kelvin, Pinal County, Arizona. SWCA Environmental Consultants, Tucson, Arizona.

- 1989                    The Archaeological Survey of 3,095 acres of State and Privately Owned Lands Near Green Valley, Pima County, Arizona. SWCA Environmental Consultants, Tucson, Arizona. On file at the United States Army Corp of Engineers, Los Angeles.
- Seymour, G.R.
- 1990                    A Reconstruction Plan for the Bonita Creek Stone Cabin, Graham County, Arizona. SWCA Environmental Consultants, Tucson, Arizona. On file at the BLM, Safford Field Office, Arizona.
- 1990                    An Archaeological Survey of 1,320 Acres for the Proposed ASARCO Mine Tailings Impoundment Facilities Near Kelvin, Pinal County, Arizona. SWCA Environmental Consultants, Tucson, Arizona. On file at the BLM, Phoenix Field Office, Arizona.
- Greenwald D. H. and G.R. Seymour
- 1988                    The Sharp Creek Materials Pit Survey: A Cultural Resources Inventory Survey on Tonto National Forest. SWCA Environmental Consultants, Flagstaff, Arizona. On file at the Tonto National Forest, Phoenix.
- Seymour, G.R.
- 1987                    Archaeological Survey for the Dyar Springs Project Area, for the Prescribed Burn, Cuyamaca Rancho State Park. On file at California Department of Parks and Recreation, Southern Region, San Diego, California.
- 1987                    Archaeological Survey of Cuyamaca State Park. On file at California Department of Parks and Recreation, Southern Region, San Diego, California.
- 1986                    Archaeological Survey for the Middle Peak Prescribed Burn, Cuyamaca Rancho State Park. On file at California Department of Parks and Recreation, Southern Region, San Diego, California.
- 1986                    Survey Results for a Proposed Trail Segment, Cuyamaca Rancho State Park. On file at California Department of Parks and Recreation, Southern Region, San Diego, California.
- 1986                    An Archaeological Survey for the Proposed Green Valley Prescribed Burn, Cuyamaca Rancho State Park. On file at California Department of Parks and Recreation, Southern Region, San Diego.

#### ***PAPERS PRESENTED***

---

- 2006                    Archaeology at the Top of Nevada. Geodetic Surveys of 1878-1895. Presented at the Great Basin Anthropological Conference, Las Vegas, Nevada, October 2006.
- 2006                    Ten to One: Betting on Pithouses in the Las Vegas Valley. Presented at the Great Basin Anthropological Conference, Las Vegas, Nevada, October 2006. With Heidi Roberts.
- 2006                    Counting Sheep: One Family's Story in the Building of Nevada. Presented at the Great Basin Anthropological Conference, Las Vegas, Nevada, October 2006. With Douglass Merkler and Lois Alexander.
- 2006                    Coordinator of Reconciling Historic Preservation with the Green Movement. Symposium presented at the Preserve Nevada Conference, Ely Nevada, September 2006.
- 2006                    The Springs Preserve Project. Bring Historic Preservation and Sustainability to the Public. Presented at the Preserve Nevada Conference, Ely Nevada, September 2006.

- 2006 Counting Sheep: One Family's Story in the Building of Nevada. Presented at the Nevada Archaeological Association, Mesquite, Nevada. Spring 2006. With Douglass Merkler and Lois Alexander.
- 2006 Prehistoric Ceramic Workshop. UNLV Field Class, Drs. Barbara Roth and Claude Warren. March 25, 2006
- 2005 The Four Ps: Puebloans, Patayan, and Pots. Where are the Paiutes? Presented at the Three Corners Conference, Las Vegas, Nevada. October 15, 2005.
- 2005 From a Lump of Clay: Replicating Prehistoric Pottery in the Moapa Valley. Presented at the Three Corners Conference. Las Vegas, Nevada. October 15, 2005. With Eva Jensen, Nevada Department of Cultural Affairs, Lost City Museum, Overton, Nevada.
- 2005 The Las Vegas Springs, A Crossroads in the Mojave Desert. Presented at the Old Spanish Trail Association National Conference, Las Vegas, Nevada. June 2005. Senior author with Raymond Saumure.
- 2004-2005 Prehistoric Pottery Manufacture and Firing at the Lost City Museum, Overton Nevada. June 2004 and 2005. Instructor.
- 2005 Before Las Vegas, Who Was Here? Presented at the Springs Preserve Cultural History Fair. May 7, 2005.
- 2005 The Springs Preserve: Recent Research and Future Plans. North Las Vegas Kiwanis Club, May 2005.
- 2005 The Springs Preserve: Recent Research and Future Plans. Presented at the Nevada Archaeological Association Meetings, Tonopah, Nevada.
- 2005 Rock Rings and Cleared Circles, Perspectives from Yesterday and Today. Presented at the Society for American Archaeology, Salt Lake City. Spring 2005.
- 2005 The Las Vegas Railroad Cottages, The Beginnings of a Town. Las Vegas Rotary Club. February 2005.
- 2003 Extending the Western Frontier of the Virgin Branch of the Ancestral Puebloans: A Basketmaker III Pithouse in Las Vegas Nevada. Presented at the Society for American Archaeology, Spring 2003. Hal B Rager, Robert P. Hickerson, and Gregory R. Seymour.
- 2003 A Discussion about Current Issues of Lower Colorado Buff Ceramics. For the Arizona Site Stewards, Annual Meeting, Lake Havasu City, Arizona. May 3, 2003.
- 2002 Using Remote Sensing and GIS to Identify Potential Clay Sources for Topoc Buff Ware, Willow Beach, Arizona. Geological Society of America, Denver, Colorado. October 27-30, 2002. With Audrey H. Rager and Hal B. Rager.
- 2002 Prehistoric Settlement and Subsistence Strategies at Springs and Creeks in the Las Vegas Valley. Paper presented at the Spring-Fed Wetlands Conference sponsored by DRI and LVVWD. May 2002. Senior author with Hal B. Rager.
- 2002 Prehistoric Settlement and Subsistence Strategies at Springs and Creeks in the Las Vegas Valley. Paper presented at the Nevada Archaeological Association Meetings. April 2002. Senior author with Hal B. Rager.
- 2002 Refining the Definition of Pyramid Gray, a Lower Colorado Buff Ware Ceramic. Society for American Archaeology, Denver, Colorado. April 2002. Senior author with Audrey H. Rager.
- 2001 History and Prehistory of the Northern Mojave Desert. MacDonald Ranch Senior Community Center. March and May 2001.
- 2001 Tales from the Black Mat: The Prehistory of Burnt Rock Spring Mound in the Northern Mojave Desert. Paper presented at the Society for American Archaeology. April 2001. Senior author with Hal B. Rager.



- 2001 Prehistoric Ceramic Workshop. Paper presented at the Nevada Archaeological Association Meetings. March 9 and 10, 2001.
- 2000 A Characterization of Las Vegas Valley Ceramic Assemblages. Great Basin Anthropological Conference, Logan, Utah. November 2000.
- 1999-2000 History and Prehistory of the Northern Mojave Desert. Presented to Leadership Las Vegas, Nevada. October 1999 and 2000.
- 1999 A Window to the Past. Quarterly lecture series at the Desert Demonstration Gardens, Las Vegas Valley Water District, Nevada.
- 1999 Big Springs Before the Spanish. Presented at the Old Spanish Trail Association National Conference, Las Vegas, Nevada. June 5, 1999.
- 1999 A Cultural Landscape at Big Springs. Presented at the Nevada Archaeological Association Meetings, Reno, Nevada. March 20, 1999.
- 1999 Jobs in Archaeology. A Presentation for Career Day at the University of Nevada, Las Vegas, Nevada. February 24, 1999.
- 1998 Prehistoric Archaeological Resources of Big Springs and the Las Vegas Valley. Presented at the Nevada Archaeological Awareness and Historical Preservation Week, Nevada State Museum, Las Vegas. May 16, 1998.
- 1998 Cultural and Historical Resources of the Big Springs Archaeological District. Presented at the Friends of Big Springs Lecture Series in the Marjorie Barrack Museum, University of Nevada, Las Vegas. December 8, 1997
- 1997 A Discussion of the State of Ceramic Typological Concepts in the Lower Colorado River Deserts. Paper presented at the Palm Desert Inn in Twenty-Nine Palms, California. August 2, 1997.
- 1996 The Sanchez Project: Archaeological Investigations in the Safford Valley, Southeastern Arizona. Paper presented at the Society for American Archaeology Meetings, New Orleans, Louisiana. April 11-14, 1996. Senior author with David P. Doak and Richard V. N. Ahlstrom.
- 1996 Assigning Geographic Origins to Ceramics at RIV-1950. Paper presented at the Society for California Archaeology Annual Meeting, Bakersfield, California. April 3-7, 1996.
- 1993 Prehistoric Agriculture on the Sanchez Copper Project Study Area. Paper presented at the Cochise Chapter of the Arizona Archeological and Historical Society. August 1993.
- 1992 The Civilian Conservation Corps in Graham County. Paper presented at the Dedication of the Back Country Byway Celebration. Spring 1992.
- 1992 Historic Archaeology of Bonita Creek, Arizona. Paper presented at the Cochise Chapter of the Arizona Archeological and Historical Society. May 1992.

#### **AWARDS AND HONORS**

---

- ❖ 1997 Lambda Alpha National Collegiate Honor Society
- ❖ 1997 Graduate Student Association Grant, UNLV
- ❖ 1996 Rocchio Scholarship, College of Liberal Arts, University of Nevada, Las Vegas
- ❖ 1996 Phi Kappa Phi Honors Award
- ❖ 1996 Graduate Student Association Grant, UNLV
- ❖ 1994 Appreciation Award, Safford District BLM Volunteer Program
- ❖ 1979 Grant and Honors, Grossmont College, San Diego, California.

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

**DEPARTMENT: CITY CLERK**

**DIRECTOR: BARBARA JO RONEMUS**

☐ Consent ☒ Discussion

**SUBJECT:**

**BOARDS & COMMISSIONS:**

CONSERVATION DISTRICT OF SOUTHERN NEVADA (CDSN) BOARD – Dirick Van Gorp – Term Expires 3-17-2007

**Fiscal Impact**

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

In accordance with NRS 548.283 (1), the governing bodies of the incorporated cities within Clark County may appoint one representative to serve as supervisor on the Conservation District of Southern Nevada (CDSN) Board. Each supervisor shall serve for a term of two years. The CDSN is requesting that the City Council renominate Mr. Van Gorp to continue his service on this Board and has provided a letter of recommendation. The Henderson City Council scheduled this nomination for consideration at their Council Meeting of January 16, 2007, the North Las Vegas City Council scheduled this nomination for consideration at their Council Meeting of January 17, 2007, and Boulder City scheduled this nomination for consideration at their Council Meeting of January 9, 2007. All three entities unanimously renominated Mr. Van Gorp.

**RECOMMENDATION:**

Options are: The Las Vegas City Council nominate Mr. Dirick Van Gorp to continue service on the Conservation District of Southern Nevada Board OR place another name in nomination for service on this Board.

**BACKUP DOCUMENTATION:**

1. Letter from Jodi Bechtel, Chair, Conservation District of Southern Nevada
2. Current Listing and Authority – Conservation District of Southern Nevada Board

Motion made by GARY REESE to Approve to Reappoint Dirick Van Gorp

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)





**Conservation District  
of Southern Nevada**

Serving Clark County

RECEIVED  
CITY CLERK

2006 DEC -4 A 10: 50

**Conservation District of Southern Nevada**

5820 S. Pecos RD., Bldg. A, Ste. 400

Las Vegas, NV 89120

Phone: (702) 262-9047 Ext. 5

FAX: (702) 736-7415

E-mail: [cdsn@cdsn.org](mailto:cdsn@cdsn.org)

Web Site: [www.cdsn.org](http://www.cdsn.org)

November 28, 2006

City of Las Vegas  
400 E. Stewart Ave.  
Las Vegas, NV 89101

Dear City Clerk:

As provided for under N.R.S. 548, the City of Las Vegas, along with all other incorporated cities in Clark County, are provided an "incorporated cities representative" to serve on the Board of Supervisors of the Conservation District of Southern Nevada (CDSN). This appointment must be reconfirmed every two years, and must be unanimous among the cities. Mr. Dirick Van Gorp has served as the incorporated cities representative for approximately 7 years.

Mr. Van Gorp has served the Clark County community over these last two years representing the incorporated cities, providing his expertise in landscape architecture, park planning, and knowledge of natural resources conservation. He has expressed interest in continuing to serve the incorporated cities on the CDSN Board of Supervisors.

In order to provide the incorporated cities with the best possible representation and for CDSN program and project continuity, the CDSN Board of Supervisors is recommending that the City of Las Vegas confirm the desire to retain Mr. Van Gorp as incorporated cities representative. Please provide written confirmation of Mr. Van Gorp to the following address: 5820 South Pecos Road A- 400, Las Vegas, NV 89120. If you are interested in nominating a different individual please provide us with the name, contact information, and brief justification for the nomination, and we will provide that to the other incorporated cities for their consideration.

If you have any questions, please feel free to contact me at 702.455.5529.

Sincerely,

Jodi Bechtel, Chair

cc: File  
Dirick Van Gorp

3-3-2005

|                                                |
|------------------------------------------------|
| CONSERVATION DISTRICT OF SOUTHERN NEVADA BOARD |
|------------------------------------------------|

| <u>BOARD SUPERVISOR</u>                                 | <u>ADDRESS</u>                                                       | <u>ZIP<br/>CODE</u> | <u>ORIGINAL<br/>APPT.</u>                                                   | <u>TERM<br/>EXP.</u> |
|---------------------------------------------------------|----------------------------------------------------------------------|---------------------|-----------------------------------------------------------------------------|----------------------|
| 1. <b>DIRICK VAN GORP</b><br>(G. Reese's Re-nomination) | Clark County<br>Conservation District<br>5820 S. Pecos Rd., Ste. 400 | 89129               | 3/17/1999<br><b>(Renominated 3-5-2003)</b><br><b>(Renominated 3-2-2005)</b> | 3/17/2007            |

Authority: NRS 548.283(1)

Term: 2 Years - Must Fill Unexpired Term

Appointed: Nominated by governing bodies of incorporated cities within Clark County (Henderson, Boulder City, North Las Vegas, and Mesquite)  
Final action (appointment) by Clark County Conservation District Board

Notes: No City residency required. No financial disclosure required.

Purpose: Conducts surveys, investigations and research relating to natural resources.

Coordinator: Jody Bechtel, Chair  
Clark County Conservation District of Southern Nevada  
Building A, Suite 400  
5820 South Pecos Road  
Las Vegas, Nevada 89129  
(702) 262-9047, Ext. 5

Meetings: Desert Demonstration Gardens  
3701 West Alta Drive  
Las Vegas, Nevada  
  
Once a month, 3<sup>rd</sup> Wednesday, 2:30 P.M.

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐ Consent ☒ Discussion

**SUBJECT:**

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING

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

**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 Bill Levies the Assessment 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:**

ADOPTION at 2/7/2007 City Council meeting pursuant to the 1/17/2007 Recommending Committee

First Reading – 1/3/2007; First Publication – 1/26/2007

**BACKUP DOCUMENTATION:**

Bill No. 2007-1

Motion made by LARRY BROWN to Approve

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:

Second Reading and bill adopted as recommended as Ordinance No. 5888. Clerk to proceed with second publication.

BILL NO. 2007-1

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1493 - HUALAPAI WAY/ALEXANDER ROAD (CHEYENNE AVENUE TO CIMARRON ROAD) PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; REPEALING ORDINANCE NO. 5833; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

Summary: Levy Ordinance

WHEREAS, the City Council of the City of Las Vegas (the "City Council" and "City," respectively) in the County of Clark and State of Nevada (the "State"), has heretofore, pursuant to the requisite preliminary proceedings, created Las Vegas, Nevada, Special Improvement District No. 1493 - Hualapai Way/Alexander Road (Cheyenne Avenue to Cimarron Road) (the "District"), for the purpose of acquiring and improving local improvements (the "Project") and has provided that a portion of the entire cost and expense of the Project shall be paid by special assessments, according to benefits, levied against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, the District has been properly created by an ordinance heretofore adopted under the provisions of Nevada Revised Statutes ("NRS") Chapter 271; 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 has 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 of the City (the "City Engineer") to make out a final assessment roll for the District; and

WHEREAS, after a determination of the portion of the costs of such work to be paid by the property specially benefited, the City Council, together with the City Engineer (with the assistance of the City Engineer Division) made out a final assessment roll for the District containing, among other things, the names and addresses of the last known owners of the property to be assessed, a description of each lot, tract, or parcel of land to be assessed, and the amount of the assessment thereon. The City Engineer has reported the final assessment roll to the City Council and the City Engineer has filed the final assessment roll with the City Clerk; and

WHEREAS, the City Council thereupon fixed a time and place, to wit: Wednesday, December 20, 2006, at 1:00 p.m., at the Las Vegas City Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada, when all complaints, protests and objections to the final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the Project, by any person interested, and by any parties aggrieved by such assessments, would be heard and considered by the City Council; and

WHEREAS, the City Engineer (with the assistance of City Engineer Division) has, in accordance with the provisions of law relating thereto, given the requisite legal notice by both mail and publication that complaints, protests and objections to assessments for the 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 caused the final assessment roll for the District to be filed in the records of the office of the City Clerk on November 15, 2006. The City Clerk, by publication and by mail, gave the requisite notice of the time and place of such hearing, of the filing of the final assessment roll in her office, of the date of filing the same, and of the right of any such person to object specifically in writing and of the waiver of any objection in the absence of such objection; and

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

WHEREAS, all complaints, protests and objections, both written and oral, were found to be without sufficient merit and overruled, except as provided in the District No. 1493 Assessment Protest Resolution; and

WHEREAS, by the District No. 1493 Assessment Protest Resolution, the City Council modified, corrected and revised the final assessment roll and modified, corrected, revised and confirmed the final assessment roll to be in final form; and

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

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

WHEREAS, the City Council has determined, and does hereby determine, that the City shall pay the costs of the Project, in part, with funds derived from the levy of assessments, and the City will pay one-half or more of the costs of the Project with monies derived from other than the levy of special assessment, and that the exception provided by NRS 271.306(2) (a) does exist with respect to the Project; and

WHEREAS, the owners of certain property to be located within the District have requested the City to include as part of the improvements to be constructed within the District, for such property, water and/or sewer improvements and such owners have executed an affidavit of waiver and consent (each an "Affidavit"), consenting to the construction of such improvements and the assessment of the cost of such improvements on such property.

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

Section 1. This Ordinance shall be known as, and may be cited by, the short title "District No. 1493 Levy Ordinance" (the "Ordinance").

Section 2. The City Council has heretofore determined, and does hereby declare, that each and every complaint, protest and objection made in connection with the District and the Project is

without sufficient merit and the same be, and hereby is, overruled, and finally passed on by the City Council, except as provided in the District No. 1493 Assessment Protest Resolution.

Section 3. All actions, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Ordinance) concerning the District, including, but not limited to, the creation of the District, the acquisition of the Project, the amount of the construction contract, the levy of assessments for those purposes, the determination that the tracts in the District will receive special benefits and market value increases, and the validation and confirmation of the final assessment roll and the assessments therein, be, and the same hereby is, ratified, approved and confirmed.

Section 4. For the purpose of paying a portion of the costs and expenses of the Project, the amounts and assessments shown in the final assessment roll (as so filed, modified and confirmed) are hereby levied and assessed against the lots, tracts and parcels of land in the District (being all those specially benefited by the Project) and described in the final assessment roll for the District, as filed in the office of the City Clerk on November 15, 2006, and as modified and confirmed by the District No. 1493 Assessment Protest Resolution duly adopted by the City Council on January 3, 2007.

Section 5. The assessments shall be due and payable at the office of the City Treasurer within 30 days after this Ordinance becomes effective, without interest and without demand, provided that all or any part of such assessments may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments, the amount of the assessment then unpaid. In case of such election to pay in installments, the unpaid assessments shall be payable in twenty (20) substantially equal semiannual 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 this Ordinance, both principal and interest on such assessments being payable semiannually at the office of the City Treasurer on April 1 and October 1 in each year, commencing on April 1, 2007. After the effective date of this Ordinance, the City Director of Finance and Business Services shall provide the rate of interest on unpaid installments of assessments, which will not exceed the maximum rate of interest permitted under the

statutes of the State. If assessment bonds are issued, such rate will not exceed by more than 1% of the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than 3% the "Index of Twenty Bonds," which shall have been most recently published before the time bids for the bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. If assessment bonds are not issued, such rate shall not exceed 9%. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the City. The exercise of said option to be indicated by the commencement of foreclosure proceedings by the City. The whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether or not said option is exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of sale or until paid. At any time prior to the date of the sale, the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property assessed and not in default as to any installment or payment may at any time (at the option of such owner) pay the whole or any semiannual installment of the unpaid principal with interest accruing thereon to the next interest payment date. If such prepayment takes place after March 13, 2007, but before the rate of interest on deferred installments of assessments is fixed by the City Director of Finance and Business Services, such interest accruing thereon to the next interest payment date shall be calculated at seven and 25/100 percent (7.25%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent).

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the same rate and terms as are established for other assessments in the manner provided. The



assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the term of the bonds expire; (c) the property owner's application for renewal of the Hardship Determination is disapproved; (d) the property owner fails to pay interest on the unpaid balance of assessments in a timely manner; or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 hereof.

Section 6. The amounts assessed shall be a lien upon the owner's lots, tracts and parcels of land from the effective date of this Ordinance (i.e. February 11, 2007) until paid. The lien shall be co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general or other taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor. Such amounts shall continue to be a lien upon the lots, tracts and parcels of land assessed until paid in full (including all principal and the interest thereon, and any penalties and collection costs).

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

Section 8. In case any lot, tract or parcel of land so assessed is delinquent in the payment of the assessment or any installment of principal or interest, the City Council shall forthwith cause the owner of such delinquent property, if known, to be immediately notified in writing of such

delinquency, by first-class mail, postage prepaid, addressed to the addressee's last known address. If such delinquency is not paid within 10 days after such notice was given by deposit in the United States mail, then said assessment shall be enforced by the City Treasurer and other officers of the City, as provided in NRS 271.545 to NRS 271.630. Nothing herein shall be construed as preventing the City, at the direction of the City Council, from collecting any assessment by suit in the name of the City Council. The final assessment roll and the certified copy of this Ordinance shall be prima facie evidence of the regularity of the proceedings in making the assessment and of the right to recover judgment therefor. If a foreclosure is not promptly filed and prosecuted, then any bondholder may file and prosecute said foreclosure action in the name of the City. Any bondholder may also proceed against the City to protect and enforce the rights of the bondholders under this Ordinance by suit, action or special proceedings in equity or at law, either for the appointment of a receiver or for the specific performance of any provision contained herein or in an award of execution of any power herein granted for the enforcement of any proper, legal or equitable remedy as such bondholder or bondholders may deem most effective to protect and enforce the rights aforesaid. All such proceedings, at law or in equity, shall be instituted, had and maintained for the equal benefit of all owners of the bonds then outstanding. The failure of the bondholders to foreclose such delinquent assessments or to proceed against the City shall not relieve the City or any of its officers, agents or employees of any liability for its failure to foreclose such delinquent assessments.

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

Section 10. In accordance with NRS 271.405(7) the City Clerk shall give notice by publication in the Las Vegas Review-Journal, a newspaper of general circulation in the City, and such notice to be published at least once a week, for three consecutive publications, by three weekly insertions,

the first such publication to be at least 15 days prior to the end of the 30-day period stating that said assessments have been levied and are due and payable. The notice shall further state that payment must be made in full prior to the end of the 30 day period to avoid paying interest on the assessment. It shall not be necessary that the notice be published on the same day of the week, but not less than 14 days shall intervene between the first publication and the last publication. Service by publication shall be verified by the affidavit of the publisher and filed with the City Clerk of the City. In accordance with NRS 271.390(2), the City Clerk or Deputy City Clerk shall also give written notice of the levying of the assessments by mailing a copy of such notice, postage prepaid, at least 20 days prior to the end of said 30-day period, to the owner or owners of all property upon which the assessment was levied at his or her last known address or addresses. Proof of such mailing shall be made by the affidavit of the City Clerk or Deputy City Clerk and such proof shall be filed with the City Clerk. Failure to mail any such notice or notices shall not invalidate any assessment or any other proceedings concerning the District. Proof of the publication and proof of the mailing shall be maintained in the permanent records of the office of the City Clerk until all special assessments and special assessment bonds issued (if such special assessment bonds are hereafter issued) shall have been paid in full, both principal and interest, or until any claim is barred by an appropriate statute of limitations. The City Council hereby determines that the manner of giving notice herein provided by publication and by mail is reasonably calculated to inform the parties of the proceedings concerning the District and the levy of assessments which may directly and adversely affect their legally protected interests.

Section 11. The notice provided for in NRS 271.390(2) and NRS 271.405(7) and in Section 10 of this Ordinance shall be in substantially the following form:

(Form of Notice)

NOTICE TO PROPERTY OWNERS OF THE LEVY OF ASSESSMENTS  
FOR IMPROVEMENTS IN CITY OF LAS VEGAS, NEVADA SPECIAL  
IMPROVEMENT DISTRICT NO. 1493 – HUALAPAI WAY/ALEXANDER  
ROAD (CHEYENNE AVENUE TO CIMARRON ROAD)

NOTICE IS HEREBY GIVEN to the owners of all property upon which an assessment has been levied, and other interested persons, that District No. 1493 Levy Ordinance (the "Levy Ordinance") was duly passed, adopted, signed and approved by the City Council of the City of Las Vegas on February 7, 2007. The Levy Ordinance levied and assessed a portion of the cost and expense of such improvements against the lots, tracts and parcels of land specially benefited by the local improvements in what is commonly designated as "City of Las Vegas, Nevada, Special Improvement District No. 1493 – Hualapai Way/Alexander Road (Cheyenne Avenue to Cimarron Road)," (said lots, tracts and parcels of land being more specifically described in the final assessment roll designated in the Levy Ordinance).

Assessments are due and payable at the office of the City Treasurer, in Las Vegas, Nevada, on or before March 13, 2007, being 30 days after the effective date of the Levy Ordinance, without interest and without demand, provided that all, or any part of such assessments may, at the election of the owner, be paid in installments, with interest as hereinafter provided. Failure to pay the whole assessment within the 30-day period will be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay the unpaid assessment in installments. In case of such election to pay in installments, the unpaid assessments will be payable in 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 February 11, 2007 (i.e., the effective date of the Levy Ordinance) both principal and interest being payable semi-annually at the office of the City Treasurer, Las Vegas, Nevada, on April 1 and October 1 in each year, commencing on April 1, 2007. After the effective date of the Levy Ordinance, the City Director of Finance and Business Services shall provide the rate of interest on unpaid installments of assessments, which will not exceed the maximum rate of interest permitted under the statutes of the State. If assessment bonds are issued, such rate will not exceed by more than 1% of the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than 3% the "Index of Twenty Bonds," which shall have been



most recently published before the time bids for the bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. If assessment bonds are not issued, such rate shall not exceed 9%. Failure to pay any assessment installment, whether principal or interest, when due will cause the whole of the unpaid principal of such assessment to become due and payable immediately at the City's option, and the whole amount of the unpaid principal and accrued interest will, after such delinquency, whether or not the City's option is exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of sale or until paid. At any time prior to the date of the sale, the owner may pay the amount of all delinquent installments originally becoming due on or before the date of payment, with the interest thereon and all penalties accrued, and will thereupon be restored the right, thereafter, to pay in installments in the same manner as if default had not been suffered. The owner of any property not in default as to any assessment installment or payment may, at any time, pay the whole or any semi-annual installment of the unpaid principal with interest accruing thereon to the next interest payment date. If such prepayment takes place after March 13, 2007, but before the rate of interest on deferred installments of assessments is fixed by the City Director of Finance and Business Services, such interest accruing thereon to the next interest payment date shall be calculated at seven and 25/100 percent (7.25%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent).

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the same rate and terms as are established for other assessments in the manner provided. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the term of the bonds expires; (c) the property owner's application for renewal of a Hardship Determination is disapproved; (d) the property owner fails to pay interest on the unpaid balance of assessments in a

timely manner; or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 of the Levy Ordinance.

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

The amounts assessed as aforesaid constitute a lien upon said lots, tracts and parcels of land from February 11, 2007 (i.e., the effective date of the Levy Ordinance), which lien shall be co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor.

Dated this February 7, 2007.

---

BARBARA JO RONEMUS, City Clerk

(End of Form of Notice)

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

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

Section 14. Ordinance No. 5833, which was finally adopted by the City Council on June 21, 2006, is hereby repealed in its entirety.

Section 15. In accordance with Section 2.110 of the City Charter, this Ordinance when first proposed is to be read by title to the City Council, immediately after which an adequate number of copies of the proposed Ordinance are to be deposited with the office of the City Clerk for public examination and distribution upon request; thereafter, the City Clerk is authorized and directed to give notice of the deposit together with the title of the Ordinance by publication at least once in the Las Vegas Review-Journal, i.e., a newspaper published and having general circulation in the City, at least ten (10) days before the adoption of the Ordinance, i.e., at least ten (10) days before February 7, 2007, such publication to be in substantially the following form:

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

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1493 - HUALAPAI WAY/ALEXANDER ROAD (CHEYENNE AVENUE TO CIMARRON ROAD) PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; REPEALING ORDINANCE NO. 5833; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-entitled proposed Ordinance were filed with and are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, 400 Stewart Avenue, Las Vegas, Nevada, and that such ordinance was proposed on the 3<sup>rd</sup> day of January, 2007, and will be considered for adoption at the regular meeting of the City Council of the City of Las Vegas on the 7<sup>th</sup> day of February, 2007.

/s/ Barbara Jo Ronemus

City Clerk

(End of Form)



Section 16. This Ordinance shall be in effect on the day after its publication, as hereinafter provided. After this Ordinance is signed by the Mayor and attested and sealed by the City Clerk, this Ordinance shall be published by title only, together with the names of the City Council voting for or against its passage, and with a statement that typewritten copies of said Ordinance are available for inspection by all interested parties at the office of the City Clerk, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having general circulation in the City, at least once, pursuant to Section 2.110 of the Charter and all laws thereunto enabling, such publication is to be in substantially the following form:

(Form for Publication After Final Adoption of Ordinance)

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1493 - HUALAPAI WAY/ALEXANDER ROAD (CHEYENNE AVENUE TO CIMARRON ROAD) PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; REPEALING ORDINANCE NO. 5833; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that the above Ordinance was proposed on January 3, 2007, and was passed at a regular meeting held on February 7, 2007, by the following vote of the City Council of the City of Las Vegas, Nevada:

Those Voting Aye:

Oscar B. Goodman  
Gary Reese  
Larry Brown  
Lawrence Weekly  
Steve Wolfson  
Lois Tarkanian  
Steven D. Ross

Those Voting Nay:

\_\_\_\_\_  
\_\_\_\_\_

Those Absent:

\_\_\_\_\_  
\_\_\_\_\_

This Ordinance shall be in full force and effect from and after February 11, 2007, i.e., the day after its publication by title only.

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

This \_\_\_\_\_ day of \_\_\_\_\_, 2007.

/s/ OSCAR B. GOODMAN

Mayor  
City of Las Vegas, Nevada

(SEAL)

Attest:

/s/ BARBARA JO RONEMUS  
City Clerk

Section 17. That if any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

INTRODUCED JANUARY 3, 2007, PASSED, ADOPTED AND APPROVED FEBRUARY 7, 2007.

\_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

Attest:

\_\_\_\_\_  
BARBARA JO RONEMUS, City Clerk

Approved as to Form:

12-20-06  
Date

Val Steed  
Deputy City Attorney

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

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

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the City Council on January 3, 2007 and finally adopted and approved on February 7, 2007.

2. The following members of the City Council were present at the January 3, 2007 Council meeting:

|                 |                  |
|-----------------|------------------|
| Mayor:          | Oscar B. Goodman |
| Councilmembers: | Gary Reese       |
|                 | Larry Brown      |
|                 | Lawrence Weekly  |
|                 | Steve Wolfson    |
|                 | Lois Tarkanian   |
|                 | Steven D. Ross   |

3. The foregoing Ordinance was first proposed and read by title to the City Council on January 3, 2007, and referred to a committee composed of \_\_\_\_\_ and \_\_\_\_\_ for recommendation; thereafter the said committee reported favorably on said Ordinance on February 7, 2007, which was a regular meeting of said City Council; that at said regular meeting, the proposed Ordinance was again read by title to the City Council and adopted. The following members of the City Council were present at the February 7, 2007 meeting and voted upon the adoption of the Ordinance as follows:

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

Those Voting Nay: \_\_\_\_\_

Those Absent: \_\_\_\_\_  
\_\_\_\_\_



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

5. All members of the City Council were given due and proper notice of the meetings held on January 3, 2007 and February 7, 2007. Pursuant to § 241.020, Nevada Revised Statutes, written notice of the meetings was given no later than 9:00 a.m. on the third working day before the meetings, including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice by 9:00 a.m. at least three (3) working days before the meetings at the principal office of the City Council, or if there is no principal office, at the building in which the meeting is to be held, and at least three (3) other separate, prominent places within the jurisdiction of the City Council, to wit:

- (i) City Clerk's Bulletin Board  
City Hall Plaza  
2<sup>nd</sup> 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

and

(b) By mailing a copy of the notice by 9:00 a.m. no later than three (3) working days before the meetings to each person, if any, who has requested notice of the meetings of the City Council in the same manner in which notice is required to be mailed to a member of the City Council.

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

7. A copy of the affidavit of publication of notice of deposit of the Ordinance is attached to this certificate as Exhibit C. A copy of the affidavit of publication of adoption of the Ordinance is attached to this certificate as Exhibit D.

8. 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 members of the City Council for an item on the agenda, except for certain confidential materials and materials pertaining to the closed meetings, as provided by law.

**IN WITNESS WHEREOF**, I have hereunto set my hand on this February 7, 2007.

---

BARBARA JO RONEMUS, City Clerk

(SEAL)

**EXHIBIT A**

**(Attach Copy of Notice of January 3, 2007 Meeting)**

**EXHIBIT B**

**(Attach Copy of Notice of February 7, 2007 Meeting)**



**EXHIBIT C**

**(Attach Affidavit of Publication of Filing of Ordinance)**

**EXHIBIT D**

**(Attach Affidavit of Publication of Adoption of Ordinance)**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐ Consent ☒ Discussion

**SUBJECT:**

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING

Bill No. 2007-2 - Levies Assessment for Special Improvement District No. 1505 – Sierra Oeste Neighborhood Streetlights. Sponsored by: Step Requirement

**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 Bill Levies the Assessment 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:**

ADOPTION at 2/7/2007 City Council meeting pursuant to the 1/17/2007 Recommending Committee

First Reading – 1/3/2007; First Publication – 1/26/2007

**BACKUP DOCUMENTATION:**

Bill No. 2007-2

Motion made by LARRY BROWN to Approve

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:

Second Reading and bill adopted as recommended as Ordinance No. 5889. Clerk to proceed with second publication.

BILL NO. 2007-2

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1505 – SIERRA OESTE NEIGHBORHOOD STREETLIGHTS; PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

Summary: Levy Ordinance

WHEREAS, the City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively) in the County of Clark and State of Nevada, has heretofore, pursuant to the requisite preliminary proceedings, created Las Vegas, Nevada, Special Improvement District No. 1505 – Sierra Oeste Neighborhood Streetlights (hereinafter the "District"), for the purpose of acquiring and improving local improvements (hereinafter the "Project") and has provided that a portion of the entire cost and expense of the Project shall be paid by special assessments, according to benefits, levied against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, the District has been properly created by an ordinance heretofore adopted under the provisions of the Nevada Revised Statutes ("NRS") Chapter 271; 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 improvements of the Project; and

WHEREAS, in accordance with NRS 271.360, the City Council has 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 of the Project; and

WHEREAS, the City Council, by resolution heretofore adopted and directed the City Engineer of the City (hereinafter the "City Engineer") to make out a final assessment roll; and

WHEREAS, after a determination of the portion of the costs of such work to be paid by the property specially benefited, the City Council, together with the City Engineer (with the assistance of the City Engineer Division) made out a final assessment roll containing, among other things, the names and addresses of the last known owners of the property to be assessed, a description of each lot, tract, or parcel of land to be assessed, and the amount of the assessment thereon. The City Engineer has reported the final assessment roll to the City Council and the City Engineer has filed the final assessment roll with the City Clerk; and

WHEREAS, the City Council thereupon fixed a time and place, to wit: Wednesday, December 20, 2006, at 1:00 p.m., at the Las Vegas City Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada, when all complaints, protests and objections to the final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in the District, by any person interested, and by any parties aggrieved by such assessments, would be heard and considered by the City Council; and

WHEREAS, the City Engineer (with the assistance of City Engineer Division) has, in accordance with the provisions of law relating thereto, given the requisite legal notice by both mail and publication that complaints, protests and objections to assessments for 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 caused the final assessment roll ("Tabulation of Parcels") to be filed in the records of the office of the City Clerk on November 15, 2006. The City Clerk, by publication and by mail, gave the requisite notice of the time and place of such hearing, of the filing of the final assessment roll in her office, of the date of filing the same, and of the right of any such person to object specifically in writing and of the waiver of any objection in the absence of such objection; and

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



WHEREAS, all complaints, protests and objections, both written and oral, were found to be without sufficient merit and overruled, except as provided in the District No. 1505 Assessment Protest Resolution; and

WHEREAS, by the District No. 1505 Assessment Protest Resolution, the City Council modified, corrected and revised the final assessment roll and modified, corrected, revised and confirmed the final assessment roll to be in final form; and

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

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

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

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

Section 1. This Ordinance shall be known as, and may be cited by, the short title "District No. 1505 Levy Ordinance" (hereinafter the "Ordinance").

Section 2. The City Council has heretofore determined, and does hereby declare, that each and every complaint, protest and objection made in connection with the District is without sufficient merit and the same be, and the same hereby is, overruled, and finally passed on by the City Council, except as provided in the District No. 1505 Assessment Protest Resolution.

Section 3. All actions, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Ordinance) concerning Special Improvement District No. 1505 – Sierra Oeste Neighborhood Streetlights, including, but not limited to, the creation of the District, the acquisition of the Project, the amount of the construction contract, the levy of assessments for those purposes, the determination that the tracts in the District will receive special benefits and market value increases, and the validation and confirmation of the final assessment roll and the assessments therein, be, and the same hereby is, ratified, approved and confirmed.

Section 4. For the purpose of paying of the costs and expenses of the Project, the amounts and assessments shown in the final assessment roll (as so filed, modified and confirmed) are hereby levied and assessed against the lots, tracts and parcels of land in the District (being all those specially benefited by said improvements) and described in the final assessment roll for the District, as filed in the office of the City Clerk on November 15, 2006, and as modified and confirmed by the District No. 1505 Assessment Protest Resolution duly adopted by the City Council on January 3, 2007.

Section 5. The assessments shall be due and payable at the office of the City Treasurer within 30 days after this Ordinance becomes effective, without interest and without demand, provided that all or any part of such assessments may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments, the amount of the assessment then unpaid. In case of such election to pay in installments, the unpaid assessments shall be payable in ten (10) substantially equal semiannual 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 this Ordinance, at a rate or rates which shall not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued for the District, both principal and interest on such assessments being payable semiannually at the office of the City Treasurer on April 1 and October 1 in each year, commencing on October 1, 2007. After the effective date of this Ordinance and before assessment bonds are issued (or if bonds are not issued), the City Director of Finance and Business Services shall fix the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold, the 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 bids for such bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. If assessment bonds are not issued, such rate will not exceed 9%. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the City. The exercise of said option to

be indicated by the commencement of foreclosure proceedings by the City. The whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether or not said option is exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of sale or until paid. At any time prior to the date of the sale, the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property assessed and not in default as to any installment or payment may at any time (at the option of such owner); pay the whole or any semiannual installment of the unpaid principal with interest accruing thereon to the next interest payment date. If such prepayment takes place after March 13, 2007, but before the rate of interest on deferred installments of assessments is fixed by the City Director of Finance and Business Services such interest accruing thereon to the next interest payment date shall be calculated at seven and 25/100 percent (7.25%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent).

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the same rate and terms as are established for other assessments in the manner provided. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the term of the bonds expire; (c) the property owner's application for renewal of the Hardship Determination is disapproved; (d) the property owner fails to pay interest on the unpaid balance of assessments in a timely manner; or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 hereof.

Section 6. The amounts assessed shall be a lien upon the owner's lots, tracts and parcels of land from the effective date of this Ordinance (i.e. February 11, 2007) until paid. The lien shall be co-



equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general or other taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor. Such amounts shall continue to be a lien upon the lots, tracts and parcels of land assessed until paid in full (including all principal and the interest thereon, and any penalties and collection costs).

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

Section 8. In case any lot, tract or parcel of land so assessed is delinquent in the payment of the assessment or any installment of principal or interest, the City Council shall forthwith cause the owner of such delinquent property, if known, to be immediately notified in writing of such delinquency, by first-class mail, postage prepaid, addressed to the addressee's last known address. If such delinquency is not paid within 10 days after such notice was given by deposit in the United States mail, then said assessment shall be enforced by the City Treasurer and other officers of the City, as provided in NRS 271.545 to NRS 271.630. Nothing herein shall be construed as preventing the City, at the direction of the governing body, from collecting any assessment by suit in the name of the governing body. The final assessment roll and the certified copy of this Ordinance shall be prima facie evidence of the regularity of the proceedings in making the assessment and of the right to recover judgment therefor. If a foreclosure is not promptly filed and prosecuted, then any bondholder may file and prosecute said foreclosure action in the name of the

City. Any bondholder may also proceed against the City to protect and enforce the rights of the bondholders under this Ordinance by suit, action or special proceedings in equity or at law, either for the appointment of a receiver or for the specific performance of any provision contained herein or in an award of execution of any power herein granted for the enforcement of any proper, legal or equitable remedy as such bondholder or bondholders may deem most effective to protect and enforce the rights aforesaid. All such proceedings, at law or in equity, shall be instituted, had and maintained for the equal benefit of all owners of the bonds then outstanding. The failure of the bondholders to foreclose such delinquent assessments or to proceed against the City shall not relieve the City or any of its officers, agents or employees of any liability for its failure to foreclose such delinquent assessments.

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

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



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

Section 11. The notice provided for in NRS 271.390(2) and NRS 271.405(7) and in Section 10 of this Ordinance shall be in substantially the following form:

(Form of Notice)

NOTICE TO PROPERTY OWNERS OF THE LEVY OF ASSESSMENTS FOR  
IMPROVEMENTS IN CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT  
DISTRICT NO. 1505 – SIERRA OESTE NEIGHBORHOOD STREETLIGHTS

NOTICE IS HEREBY GIVEN to the owners of all property upon which an assessment has been levied, and other interested persons, that District No. 1505 Levy Ordinance (hereinafter the "Levy Ordinance") was duly passed, adopted, signed and approved on February 7, 2007. The Levy Ordinance levied and assessed a portion of the cost and expense of such improvements against the lots, tracts and parcels of land specially benefited by the local improvements in what is commonly designated as "City of Las Vegas, Nevada, Special Improvement District No. 1505 – Sierra Oeste Neighborhood Streetlights," (said lots, tracts and parcels of land being more specifically described in the final assessment roll designated in the ordinance).

Assessments are due and payable at the office of the City Treasurer, in Las Vegas, Nevada, on or before March 13, 2007, being 30 days after the effective date of the Levy Ordinance, without interest and without demand, provided that all, or any part of such assessments may, at the election of the owner, be paid in installments, with interest as hereinafter provided. Failure to pay the whole assessment within the 30-day period will be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay the unpaid assessment in installments. In case of such election to pay in installments, the unpaid assessments will be payable in ten (10) 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 February 11, 2007 (i.e., the effective date of the Levy Ordinance) both principal and interest being payable semi-annually at the office of the City Treasurer, Las Vegas, Nevada, on April 1 and October 1 in each year, commencing on October 1, 2007. After the effective date of the Levy Ordinance and before assessment bonds are issued (or if bonds are not issued), the City Director of Finance and Business Services shall fix the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold, the rate will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued 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 bids for such bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. If assessment bonds are not issued, such rate shall not exceed 9%. Failure to pay any assessment installment, whether principal or interest, when due will cause the whole of the unpaid principal of such assessment to become due and payable immediately at the City's option, and the whole amount of the unpaid principal and accrued interest will, after such delinquency, whether or not the City's option is exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of sale or until paid. At any time prior to the date of the sale, the owner may pay the amount of all delinquent installments originally becoming due on or before the date of payment, with the interest thereon and all penalties accrued, and will thereupon be restored the right, thereafter, to pay in installments in the same manner as if default had not been suffered. The owner of any property not in default as to any assessment installment or payment may, at any time, pay the whole or any semi-annual installment of the unpaid principal with interest accruing thereon to the next interest payment date. If such prepayment takes place after March 13, 2007, but before the rate of interest on deferred installments of assessments is fixed by the City Director of Finance and Business Services, such interest accruing thereon to the next interest payment date shall be calculated at seven and 25/100 percent (7.25%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent).

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the same rate and terms as are established for other assessments in the manner provided. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the term of the bonds expires; (c) the property owner's application for renewal of a Hardship Determination is disapproved; (d) the property owner fails to pay interest on the unpaid balance of assessments in a

timely manner; or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 hereof.

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

The amounts assessed as aforesaid constitute a lien upon said lots, tracts and parcels of land from February 11, 2007 (i.e., the effective date of the Levy Ordinance), which lien shall be co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor.

Dated this February 7, 2007.

---

BARBARA JO RONEMUS, City Clerk

(End of Form of Notice)

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

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

Section 14. That in accordance with Section 2.110 of the City Charter, this Ordinance when first proposed is to be read by title to the City Council, immediately after which an adequate number of copies of the proposed Ordinance are to be deposited with the office of the City Clerk for public examination and distribution upon request; thereafter, the City Clerk is authorized and directed to give notice of the deposit together with the title of the Ordinance by publication at least once in the Las Vegas Review-Journal, i.e., a newspaper published and having general circulation in the City, at least ten (10) days before the adoption of the Ordinance, i.e., at least ten (10) days before February 7, 2007, such publication to be in substantially the following form:



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

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1505 - SIERRA OESTE NEIGHBORHOOD STREETLIGHTS; PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.**

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-entitled proposed Ordinance were filed with and are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, 400 Stewart Avenue, Las Vegas, Nevada, and that such ordinance was proposed on the 3<sup>rd</sup> day of January, 2007, and will be considered for adoption at the regular meeting of the City Council of the City of Las Vegas on the 7<sup>th</sup> day of February, 2007.

/s/ Barbara Jo Ronemus  
City Clerk

(End of Form)

Section 15. That this Ordinance shall be in effect on the day after its publication, as hereinafter provided. After this Ordinance is signed by the Mayor and attested and sealed by the City Clerk, this Ordinance shall be published by title only, together with the names of the City Council voting for or against its passage, and with a statement that typewritten copies of said Ordinance are available for inspection by all interested parties at the office of the City Clerk, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having general circulation in the City, at least once, pursuant to Section 2.110 of the Charter and all laws thereunto enabling, such publication is to be in substantially the following form:

(Form for Publication After Final Adoption of Ordinance)

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1505 - SIERRA OESTE NEIGHBORHOOD STREETLIGHTS; PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that the above Ordinance was proposed on January 3, 2007, and was passed at a regular meeting held on February 7, 2007, by the following vote of the City Council of the City of Las Vegas, Nevada:

Those Voting Aye:

Oscar B. Goodman  
Gary Reese  
Larry Brown  
Lawrence Weekly  
Steve Wolfson  
Lois Tarkanian  
Steven D. Ross

Those Voting Nay:

\_\_\_\_\_  
\_\_\_\_\_

Those Absent:

\_\_\_\_\_  
\_\_\_\_\_

This Ordinance shall be in full force and effect from and after February 11, 2007, i.e., the day after its publication by title only.

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

This \_\_\_\_\_ day of \_\_\_\_\_, 2007.

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

(SEAL)

Attest:

/s/ BARBARA JO RONEMUS  
City Clerk

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

Introduced January 3, 2007, PASSED, ADOPTED AND APPROVED February 7, 2007.

\_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

Attest:

\_\_\_\_\_  
BARBARA JO RONEMUS, City Clerk

Approved as to Form:

12-20-06

Date

*Val Steel*

\_\_\_\_\_  
Deputy City Attorney

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

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

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the City Council on January 3, 2007, and finally adopted and approved on February 7, 2007.

2. The following members of the City Council were present at the January 3, 2007 Council meeting:

|                 |                  |
|-----------------|------------------|
| Mayor:          | Oscar B. Goodman |
| Councilmembers: | Gary Reese       |
|                 | Larry Brown      |
|                 | Lawrence Weekly  |
|                 | Steve Wolfson    |
|                 | Lois Tarkanian   |
|                 | Steven D. Ross   |

3. The foregoing Ordinance was first proposed and read by title to the City Council on January 3, 2007 and referred to a committee composed of \_\_\_\_\_ and \_\_\_\_\_ for recommendation; thereafter the said committee reported favorably on said Ordinance on February 7, 2007, which was a regular meeting of said City Council; that at said regular meeting, the proposed Ordinance was again read by title to the City Council and adopted. The following members of the City Council were present at the February 7, 2007 meeting and voted upon the adoption of the Ordinance as follows:

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

|                   |       |
|-------------------|-------|
| Those Voting Nay: | _____ |
|                   | _____ |

|               |       |
|---------------|-------|
| Those Absent: | _____ |
|               | _____ |

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



5. All members of the City Council were given due and proper notice of the meetings held on January 3, and February 7, 2007. Pursuant to § 241.020, Nevada Revised Statutes, written notice of the meetings was given no later than 9:00 a.m. on the third working day before the meetings, including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice by 9:00 a.m. at least three (3) working days before the meetings at the principal office of the City Council, or if there is no principal office, at the building in which the meeting is to be held, and at least three (3) other separate, prominent places within the jurisdiction of the City Council, to wit:

- (i) City Clerk's Bulletin Board  
City Hall Plaza  
2<sup>nd</sup> 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

; and

(b) By mailing a copy of the notice by 9:00 a.m. no later than three (3) working days before the meetings to each person, if any, who has requested notice of the meetings of the City Council in the same manner in which notice is required to be mailed to a member of the City Council.

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

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

**IN WITNESS WHEREOF**, I have hereunto set my hand on this February 7, 2007.

---

BARBARA JO RONEMUS, City Clerk

(SEAL)

**EXHIBIT A**

**(Attach Copy of Notice of January 3, 2007 Meeting)**

**EXHIBIT B**

**(Attach Copy of Notice of February 7, 2007 Meeting)**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐ Consent ☒ Discussion

**SUBJECT:**

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING

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

**Fiscal Impact**

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located on the north and south sides of I-215 (Clark County Highway 215), between Shaumber Road and Fort Apache Road. The annexation is at the request of certain property owners and the City, with a statement of non-objection having been filed by the Bureau of Land Management as an additional owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (February 16, 2007) is set by this ordinance.

**RECOMMENDATION:**

ADOPTION at 2/7/2007 City Council meeting pursuant to the 1/17/2007 Recommending Committee

First Reading – 1/3/2007; First Publication – 1/26/2007

**BACKUP DOCUMENTATION:**

1. Bill No. 2007-3
2. Protest letters and withdrawal of protest from RL Homes

Motion made by LARRY BROWN to Approve as a First Amendment

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);



**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

Minutes:

Second Reading and bill adopted as a First Amendment as Ordinance No. 5890. Clerk to proceed with second publication.

CHIEF DEPUTY CITY ATTORNEY VAL STEED recommended a First Amendment to remove two parcels from this annexation, add a new legal description and zoning table and change four parcel numbers.

1  
2  
3  
4  
5  
6  
7  
8 **BILL NO. 2007-3**

9 **ORDINANCE NO. \_\_\_\_\_**

10 AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY  
11 DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE  
12 LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER  
13 RELATED MATTERS. (ANX-12215)

14 Sponsored by: Councilman Steven D. Ross

Summary: Annexes property described  
generally as located on the north and south sides  
of I-215 (Clark County Highway 215), between  
Shaumber Road and Fort Apache Road.

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

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

20 Those portions of the South Half (S 1/2) of Section 19, Township 19 South, Range 60  
21 East, M.D.M., and those portions of the South Half (S 1/2) of Section 24, Township  
22 19 South, Range 59 East, M.D.M., in the County of Clark, State of Nevada, including  
portions of Northern Beltway I-215 right of way, as shown on "RECORD OF  
SURVEY - ANNEXATION PLAT" recorded July 12, 2006 in File 158 of Surveys,  
Page 9 of Clark County, Nevada Records, described as follows:

23 BEGINNING at the southeast corner of said Section 24, also being the centerline  
24 intersection of CENTENNIAL PARKWAY and HUALAPAI WAY; thence along the  
25 south line of the Southeast Quarter (SE 1/4) of said Section 24, North 88°58'34" West  
26 2706.05 feet to the west line of said Southeast Quarter (SE 1/4); thence along said  
27 west line, North 00°04'23" East 669.08 feet; thence departing said west line, South  
28 88°58'09" West 339.09 feet; thence North 00°00'30" East 167.21 feet; thence North  
88°57'34" East 339.28 feet to the aforementioned west line; thence North 00°04'23"  
East 334.54 feet; thence departing said west line, North 88°56'02" East 338.65 feet;  
thence North 00°05'30" East 167.31 feet to the south line of the Northwest Quarter  
(NW 1/4) of the Southeast Quarter (SE 1/4) of said Section 24; thence along the south

1 line of said Northwest Quarter (NW 1/4), North 88°55'41" East 338.70 feet; thence  
2 departing said south line, North 00°06'42" East 167.23 feet; thence North 88°55'04"  
3 East 338.78 feet; thence South 00°08'10" West 167.29 feet to the south line of said  
4 Northwest Quarter (NW 1/4); thence along said south line, North 88°55'41" East  
5 338.70 feet to the southeast corner of said Northwest Quarter (NW 1/4); thence along  
6 the east line of said Northwest Quarter (NW 1/4), North 00°09'39" East 334.71 feet;  
7 thence departing said East line, North 88°53'41" East 1358.00 feet to the east line of  
8 the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of said Section 24;  
9 thence along the east line of said Northeast Quarter (NE 1/4), North 00°19'19" East  
10 1005.57 feet to the northwest corner of the Northwest Quarter (NW 1/4) of the  
11 Southwest Quarter (SW 1/4) of said Section 19; thence along the north line of said  
12 Northwest Quarter (NW 1/4) and the centerline of DEER SPRINGS WAY, South  
13 89°27'56" East 1344.49 feet to the northwest corner of the Northeast Quarter (NE 1/4)  
14 of the Southwest Quarter (SW 1/4) of said Section 19; thence continuing along said  
15 centerline, South 89°29'27" East 662.09 feet; thence departing said centerline South  
16 00°04'10" East 667.73 feet; thence South 89°33'36" East 331.41 feet; thence North  
17 00°06'06" West 667.33 feet returning to the centerline of said DEER SPRINGS WAY;  
18 thence South 89°29'27" East 331.04 feet to the center quarter corner of said Section 19,  
19 also being the centerline intersection of DEER SPRINGS WAY and GRAND  
20 CANYON DRIVE; thence along the centerline of said GRAND CANYON DRIVE  
21 and the east line of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4)  
22 of said Section 19, South 00°08'02" East 666.94 feet; thence departing said east line,  
23 North 89°33'36" West 331.41 feet; thence South 00°06'06" East 667.33 feet to a point  
24 hereinafter referred to as POINT "A"; thence South 89°37'45" East 331.79 feet to the  
25 northwest corner of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4)  
26 of said Section 19; thence along the west line of said Southwest Quarter (SW 1/4),  
27 South 00°07'26" East 666.75 feet to the southwest corner of the North Half (N 1/2) of  
28 the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said Section 19;  
thence along the south line of said North Half (N 1/2), South 89°41'28" East 1328.72  
feet to the east line of said North Half (N 1/2); thence along said east line, North  
00°12'42" West 332.68 feet; thence departing the east line of said North Half (N 1/2),  
South 89°40'36" East 165.98 feet; thence South 00°13'34" East 332.60 feet; thence  
South 89°42'19" East 166.06 feet; thence South 00°14'27" East 665.03 feet to the south  
line of the Southeast Quarter (SE 1/4) of said Section 24; thence along said south line  
North 89°45'46" West 332.46 feet; thence continuing along said south line, North  
89°45'05" West 1329.72 feet to the south quarter corner of said Section 19; thence  
along the south line of the Southwest Quarter (SW 1/4) of said Section 19, North  
89°47'13" West 1329.78 feet; thence continuing along said south line, North 89°47'00"  
West 997.89 feet; thence departing said south line, North 00°06'13" East 669.94 feet;  
thence North 89°42'16" West 359.37 feet to the west line of the Southwest Quarter  
(SW 1/4) of said Section 19; thence along said west line, South 00°19'07" West 670.44  
feet to the POINT OF BEGINNING.

EXCEPT THEREFROM a parcel of land described as follows:

COMMENCING at the aforementioned POINT 'A'; thence North 89°37'45" West  
663.57 feet to the POINT OF BEGINNING "A1"; thence continuing North 89°37'45"  
West 331.79 feet to the southwest one sixteenth corner of said Section 19; thence  
North 00°00'19" West 668.52 feet to a point hereinafter referred as POINT "B"; thence  
South 89°33'36" East 331.41 feet; thence South 00°02'14" East 668.13 feet to the  
POINT OF BEGINNING "A1."

FURTHER EXCEPT THEREFROM another parcel of land described as follows:

COMMENCING at the aforementioned POINT "B"; thence North 89°32'44" West

331.31 feet to the POINT OF BEGINNING "B1; thence South 00°01'47" West 668.98 feet; thence North 89°37'30" West 331.77 feet; thence North 00°04'00" East 532.84 feet to the northerly right-of-way of the I-215 BELTWAY; thence along said northerly right-of-way, North 62°30'11" West 153.23 feet to the beginning of a curve, concave southwesterly, having a radius of 1120.00 feet; thence northwesterly along said curve and said right-of-way, through a central angle of 08°55'36" and an arc length of 174.50 feet to a point of cusp; thence South 89°32'44" East 627.85 feet to the POINT OF BEGINNING "B1."

BASIS OF BEARINGS: North 88°58'34" East being the bearing of the Southeast Quarter (SE 1/4) of Section 24, Township 19 South, Range 59 East, M.D.M., as shown on that plat of "CLIFFS EDGE PARENT" recorded in Book 118 of Plats, Page 88 of Clark County, Nevada Records.

Prepared by:  
Brian Yu PLS  
Public Works, City of Las Vegas,  
731 S. Fourth Street,  
Las Vegas, NV 89101  
[byu@lasvegasnevada.gov](mailto:byu@lasvegasnevada.gov)

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

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

(B) More than one-eighth (1/8) of the aggregate external boundaries of the area are contiguous to the City;

(C) The territory proposed to be annexed is not included within the boundaries of another incorporated city or within the boundaries of any unincorporated town as those boundaries existed as of July 1, 1983;

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

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

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

(E) In compliance with the procedural requirements of NRS Chapter 268, the City



1 is authorized to annex the territory in question because:

2 (1) In accordance with NRS 268.584, the City Council, on November 1,  
3 2006, adopted a resolution of intent to annex, along with the form of a notice of public hearing to be  
4 provided to property owners within the annexation area, and set a public hearing for December 20,  
5 2006.

6 (2) In accordance with NRS 268.578 and 268.588, the City Council, on  
7 November 15, 2006, approved an annexation report and made it available for inspection and copying  
8 thereafter.

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

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

15 (5) In accordance with NRS 268.590, the City Council held a public hearing  
16 on December 20, 2006, at which time persons who wished to be heard concerning the matter were  
17 given that opportunity. During the public hearing, and within the 15-day period following the public  
18 hearing, the number of persons who protested the annexation (zero) was less than a "majority of the  
19 property owners" as defined by NRS 268.574(3).

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

22 SECTION 3: The City will provide police protection through the Las Vegas  
23 Metropolitan Police Department, fire protection, street maintenance, and library services immediately  
24 upon annexation. Garbage collection by the company franchised by the City will also be provided  
25 immediately. The City sanitary sewer system will serve the proposed annexation area. Any  
26 connection to or extension of this sewer line to serve the annexation area shall be at the expense of  
27 the landowners. Other services, such as participation in the City's recreational programs, special  
28 education classes and programs, public works planning, building inspections, and other City services



1 will also be available immediately. Utilities such as gas, electricity, telephone, and water are provided  
2 by private utility companies and other services to the area will not be affected by annexation. Street  
3 paving, curbs and gutters, sidewalks and street lights which are not in place at the time of annexation  
4 will be installed in the presently developed areas upon the request of the property owners and at their  
5 expense by means of special assessment districts. Such improvements will be extended into the  
6 undeveloped areas as development takes place and the need therefor arises, and will be located  
7 according to the needs of the area at that time. Such installations will also be made at the expense of  
8 the property owners, either by means of special assessment districts or as prerequisites to the approval  
9 of subdivision plats, building permits or other land use or development applications.

10 SECTION 4: The annexation of the described territory shall become effective on the  
11 16th of February, 2007, and on that date the City will have the funds appropriated in sufficient amount  
12 to finance the extension into the described territory of police protection, fire protection, street  
13 maintenance, street sweeping, and street lighting maintenance.

14 SECTION 5: The described territory, together with the inhabitants and property  
15 thereof, shall, from and after the 16th day of February, 2007, be subject to all debts, laws, ordinances  
16 and regulations in force in the City and shall be entitled to the same privileges and benefits as other  
17 parts of the City, and shall be subject to municipal taxes levied by the City.

18 SECTION 6: The City Engineer is hereby instructed to cause to be prepared an  
19 accurate map or plat of the described territory and to record the map or plat, together with a certified  
20 copy of this ordinance, in the office of the County Recorder of Clark County, Nevada, which recording  
21 shall be done prior to the 16th day of February, 2007.

22 SECTION 7: The described territory, which previously has been zoned in accordance  
23 with the County of Clark classifications described below, is hereby classified with the City of Las  
24 Vegas classifications that are set forth below, which are deemed to be the equivalents of the County  
25 classifications:

26 ...

27 ...

28 ...

| PROPERTY DESCRIPTION (BY APN)                                                                                                                                                                                                          | COUNTY CLASSIFICATION | CITY CLASSIFICATION |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|---------------------|
| 125-19-301-001<br>125-19-301-002<br>125-19-301-003<br>125-19-301-005<br>125-19-301-013<br>125-19-401-002<br>125-19-401-005<br>125-19-401-006<br>125-19-401-007<br>125-19-401-009<br>125-19-401-010<br>125-19-401-011<br>125-19-802-010 | R-E                   | U (R)               |
| 125-19-301-004<br>125-19-301-008                                                                                                                                                                                                       | R-E                   | U (RNP)             |
| 125-19-301-006<br>125-19-401-003                                                                                                                                                                                                       | R-E                   | U (P-F)             |
| 125-19-802-008<br>125-19-802-011                                                                                                                                                                                                       | R-E                   | U (L)               |
| 125-19-801-002<br>125-19-801-003<br>125-19-801-004<br>125-19-801-005                                                                                                                                                                   | P-F                   | C-V                 |

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

...

...

...

...

...

1                   SECTION 9: All ordinances or parts of ordinances or sections, subsections, phrases,  
2 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
3 1983 Edition, in conflict herewith are hereby repealed.

4                   PASSED, ADOPTED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

5                   APPROVED:

6  
7                   By \_\_\_\_\_  
8                   OSCAR B. GOODMAN, Mayor

9                   ATTEST:

10                  \_\_\_\_\_  
11                  BARBARA JO RONEMUS, City Clerk

12                  APPROVED AS TO FORM:

13                  Val Steed                  12-20-06  
14                                                  Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the  
2 \_\_\_\_ day of \_\_\_\_, 2007, and referred to the following committee composed of  
3 \_\_\_\_ and \_\_\_\_ for recommendation;  
4 thereafter the said committee reported favorably on said ordinance on the \_\_\_\_ day of  
5 \_\_\_\_, 2007, which was a \_\_\_\_ meeting of said Council; that at said  
6 \_\_\_\_ meeting, the proposed ordinance was read by title to the City Council  
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

10 ABSENT: \_\_\_\_\_

11

12

APPROVED:

13

14

By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

15

ATTEST:

16

17

BARBARA JO RONEMUS, City Clerk

18

19

20

21

22

23

24

25

26

27

28



2007 JAN -4 P 2: 49

**RL Homes, LLC**  
1050 Indigo Drive Suite 110  
Attn: Shane Hambleton  
Las Vegas, Nevada 89145  
(702) 228-2081

January 2, 2006

City of Las Vegas  
Attn: City Council Member STEVEN ROSS  
400 Stewart Avenue  
Las Vegas, NV 89102

**WRITTEN PROTEST OF ANNEXATION**

City Council Meeting of January 3, 2007

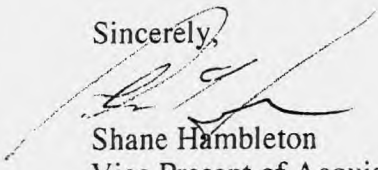
**RE: Written Protest to Agenda Item No: (77 – Bill No. 2007-3 – Annexation No. ANX-12215**

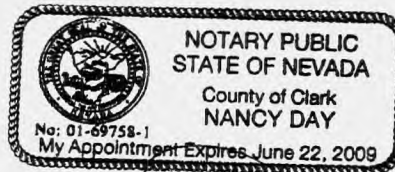
This document shall serve as a written protest to said Bill No. 2007-3 (ANX-12215) as noticed but not discussed at the January 3, 2007 City Council Meeting (Agenda Item #77). This objection should be forwarded to the Recommending Committee as well as Council Member in an effort to receive public testimony before final action on this matter.

As property owner, (DARK, LLC APN#125-19-301-008 & 007) of whom has been made part of said annexation without consent, is making this objection. We believe such annexation and subsequent Bill No. 2007-3 in its present state adversely affects our property and additionally creates definite hardship as for future development of the property not to mention de-values the property.

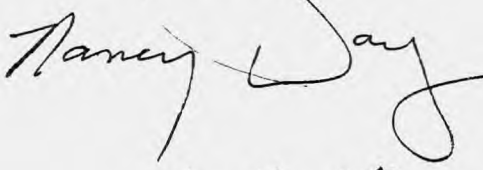
On behalf of RL Homes, LLC and this matter please contact Shane Hambleton at 702-324-5652.

Sincerely,

  
Shane Hambleton  
Vice Present of Acquisitions  
RL Homes, LLC



cc: City Clerks Office

  
1-4-07



2007 JAN -4 P 2:49

**RL Homes, LLC**  
1050 Indigo Drive Suite 110  
Attn: Shane Hambleton  
Las Vegas, Nevada 89145  
(702) 228-2081

January 2, 2006

City of Las Vegas  
Attn: City Council Member STEVEN ROSS  
400 Stewart Avenue  
Las Vegas, NV 89102

**WRITTEN PROTEST OF ANNEXATION**

City Council Meeting of December 20<sup>th</sup>, 2006

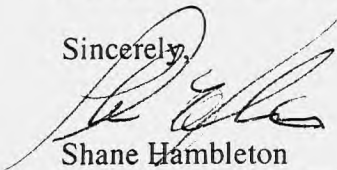
**RE: Written Protest to Agenda Item No: (90 – Public hearing on annexation report for the proposed annexation area generally located on the north and south sides of Clark County Highway 215, between Shaumber Road and Fort Apache Road (ANX-12215) – Ward 6 (Ross).**

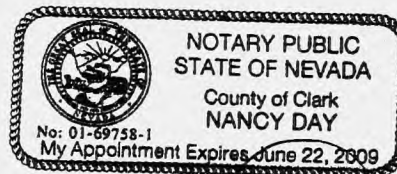
This document shall serve as a written protest to said annexation (ANX-12215) as noticed and heard at the December 20<sup>th</sup>, 2006 City Council Meeting (Agenda Item #90). This objection is being submitted within the (15) day objection period per the City Attorneys Office.

As property owner, (DARK, LLC APN#125-19-301-008 & 007), of whom has been made part of said annexation without consent, is making this objection. We believe such annexation and subsequent Bill No. 2007-3 in its present state adversely affects our property and additionally creates definite hardship as for future development of the property not to mention de-values the property.

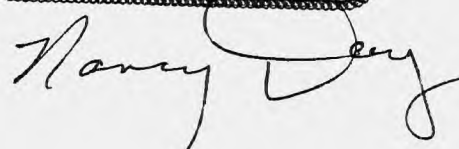
On behalf of RL Homes, LLC and this matter please contact Shane Hambleton at 702-324-5652.

Sincerely,

  
Shane Hambleton  
Vice Present of Acquisitions  
RL Homes, LLC



cc: City Clerks Office

  
1-4-07

RECEIVED  
CITY CLERK

2007 FEB -7 A 7:46

**RL Homes, LLC**  
1755 Village Center Circle Suite 150  
Attn: Shane Hambleton, or  
Robert Lively  
Las Vegas, Nevada 89134  
(702) 405-2250

January 17, 2006

City of Las Vegas  
Attn: City Council Member STEVEN ROSS  
400 Stewart Avenue  
Las Vegas, NV 89102

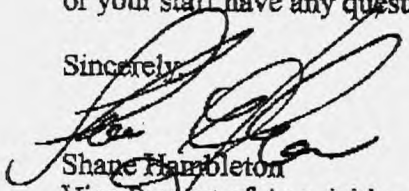
**WITHDRAW OF PROTEST LETTER**City Council Meeting of December 20<sup>th</sup>, 2006

**RE: Pertaining to the withdraw of protest to Agenda Item No: (90 - Public hearing on annexation report for the proposed annexation area generally located on the north and south sides of Clark County Highway 215, between Shaumber Road and Fort Apache Road (ANX-12215) - Ward 6 (Ross)**

Upon further discussions with the Focus Group as well as your staff we hereby withdraw our letter of protest to the above referenced annexation thus requesting our parcel #125-19-301-008 remain a part of ANX-12215.

I may be reached at the office number of 405-2250 or on my cell phone at 324-5652 should you or your staff have any questions. On behalf of RL Homes, LLC we thank you for your time.

Sincerely,



Shane Hambleton  
Vice President of Acquisitions  
RL Homes, LLC

2/7/07 #68

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐ Consent ☒ Discussion

**SUBJECT:**

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING

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

**Fiscal Impact**



No Impact



Augmentation Required



Budget Funds Available

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

Current zoning regulations contain an assortment of provisions that govern the expiration of zoning-related applications and approvals, including applications that have been tabled, and approved applications related to rezonings, site development reviews, special use permits and variances. This bill will standardize the expiration provisions and provide clarification where necessary.

**RECOMMENDATION:**

ADOPTION at 2/7/2007 City Council meeting pursuant to the 1/17/2007 Recommending Committee

First Reading – 1/3/2007; First Publication – 1/26/2007

**BACKUP DOCUMENTATION:**

Bill No. 2007-4

Motion made by LARRY BROWN to Approve

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:

Second Reading and bill adopted as recommended as Ordinance No. 5891. Clerk to proceed with second publication.

1 **BILL NO. 2007-4**

2 **ORDINANCE NO. \_\_\_\_\_**

3 AN ORDINANCE TO CLARIFY AND STANDARDIZE THE PROVISIONS THAT GOVERN THE  
4 EXPIRATION AND TERMINATION OF ZONING-RELATED APPLICATIONS AND  
APPROVALS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Proposed by: M. Margo Wheeler, Director of  
6 Planning and Development

Summary: Clarifies and standardizes the  
provisions that govern the expiration and  
termination of zoning-related applications and  
approvals.

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

10 SECTION 1: Title 19, Chapter 18, Section 10, of the Municipal Code of the City of  
11 Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new Subsection, designated  
12 as Subsection (G), reading as follows:

13 (G) Treatment of Certain Tabled Applications. Any application under this Chapter that requires  
14 a public hearing and that is tabled at the request of an applicant shall expire six months after the last  
15 announced public hearing date, unless:

16 (1) Within that period of time, the applicant has requested that the item be scheduled again  
17 for hearing; or

18 (2) The motion to table the application specified otherwise.

19 After an application has expired in accordance with this Subsection (G), the applicant must submit  
20 a new application.

21 SECTION 2: Title 19, Chapter 18, Section 40, Subsection (O), of the Municipal Code  
22 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

23 (O) Rezoning Procedures.

24 (1) Resolution of Intent. Before the City Council adopts an ordinance to effectuate a  
25 rezoning, the Council may adopt a Resolution of Intent to reflect the Council's approval of the  
26 rezoning. Such a Resolution of Intent is binding upon the City Council in accordance with its terms[.]  
27 and shall have a time limit not to exceed two years.

28 (2) Finalizing Rezoning by Ordinance. The final step in the rezoning process, whether or



1 not rezoning approval is by means of a Resolution of Intent, is the adoption of a rezoning ordinance  
2 in which the zoning classification of one or more parcels is formalized.

3 (3) Changes. No substantial change may be made to a development or to the rezoning  
4 approval which authorized that development without the approval of the City Council. This approval  
5 requirement applies to the rezoned parcel both before and after the adoption of an ordinance rezoning  
6 that parcel.

7 (4) Termination of Rezoning [Approval Without Time Limit.] Approvals Subject to a  
8 Resolution of Intent.

9 (a) Approvals Not Subject to Time Limit. If development does not occur in a  
10 timely manner or if conditions in the area change subsequent to the original approval of a rezoning  
11 that is not subject to a time limit, the City Council may schedule a hearing to reconsider the Resolution  
12 of Intent. At such time, the Council may rescind the Resolution of Intent or may change the conditions  
13 of approval. In addition, if such a rezoning approval no longer conforms to the use and density  
14 classification of the General Plan, the City may notify the property owner that the rezoning must be  
15 exercised within one year. [If, within that period, the zoning approval is not exercised by means of the  
16 recordation of a final subdivision map or by the commencement of actual construction, the approval  
17 terminates.] Thereafter, the approval shall be treated as an approval subject to a time limit in  
18 accordance with Subparagraph (b) below.

19 (b) Approvals Subject to Time Limit. Except as otherwise provided in Paragraph  
20 (5) below, a rezoning approval which is not exercised within the time limit established for or by the  
21 Resolution of Intent shall be void.

22 (c) Methods for Exercising Rezoning Approvals. For purposes of this Paragraph  
23 (4), a rezoning approval is exercised as follows:

24 (i) For applications that require the creation of a residential subdivision,  
25 upon the recordation of a final subdivision map;

26 (ii) For applications that require the construction of a one or more new  
27 structures, but do not require the creation of a residential subdivision map, upon the issuance of a  
28 building permit for the new construction;



1                   (iii) For all other applications, upon the issuance of a certificate of  
2 occupancy or approval of a final inspection, whichever is applicable.

3           (5)     Extension of Time--General Requirements. If the approval of a Resolution of Intent  
4 is subject to a time limit, the approval expires at the end of that time limit unless the City Council  
5 extends the approval period. Extension of an approval period[, or reinstatement and extension,] may  
6 be granted only if:

7                   (a)     Application therefor is made [no later than six months after the approval has  
8 expired;] prior to the expiration of the time limit;

9                   (b)     The applicant demonstrates good cause; and

10                  (c)     The applicant conforms to the additional requirements set forth in [Subsection]  
11 Paragraph (6) below.

12           (6)     Extensions of Time-Additional Requirements. If a time-limited zoning approval that  
13 is sought to be extended [(or reinstated and extended)] continues to conform to the use and density  
14 classifications of the General Plan, the applicant must demonstrate that the rezoning remains  
15 consistent with the surrounding area and the pattern of development in the area. If the rezoning sought  
16 to be extended [(or reinstated and extended)] no longer conforms to the use and density classifications  
17 of the General Plan, the extension of time, if granted, shall be limited to a one-year period. If, within  
18 that period, the zoning approval is not exercised by means of the recordation of a final subdivision  
19 map or by the commencement of actual construction, the approval terminates.

20                   SECTION 3: Title 19, Chapter 18, Section 50, Subsection (J), of the Municipal Code  
21 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

22           (J)     Expiration. Except as otherwise specified in connection with its approval, a Site Development  
23 Plan which is not exercised within two years after the date of approval shall be void, unless an  
24 extension of time is granted[.] upon a showing of good cause. An extension of time may be granted  
25 only if application therefor is made prior to the expiration of the two-year period (or such other time  
26 period as was specified in the approval). For purposes of this [Section] Subsection (J), a Site  
27 Development Plan is exercised upon the issuance of a building permit for the principal structure on  
28 the site.

SECTION 4: Title 19, Chapter 18, Section 60, Subsection (P), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

(P) Termination.

(1) Failure to Exercise.

(a) A Special Use Permit which cannot be exercised except upon construction of a new building, and which is not exercised within two years after approval, shall be void, unless the City Council grants an extension of time upon a showing of good cause. An extension of time may be granted only if application therefor is made prior to the expiration of the two-year period. For purposes of this Subparagraph (a), a Special Use Permit is exercised upon the issuance of a building permit for the new construction.

[(2)] (b) A Special Use Permit which does not require the construction of a new building in order to be exercised, and which is not exercised within one year after approval shall be void, unless the City Council grants an extension of time upon a showing of good cause. An extension of time may be granted only if application therefor is made prior to the expiration of the one-year period. For purposes of this Subparagraph (b), a Special Use Permit is exercised upon the approval of a business license to conduct the activity, if one is required, or otherwise, upon the issuance of a certificate of occupancy or approval of a final inspection.

[(3) For any Special Use Permit approved before January 1, 2000, which expires before an extension is granted, the City Council may reinstate the approval within the six-month period following the expiration date and grant an extension of time if the Council is satisfied that there has not been a material change of circumstances such that the Special Use Permit is no longer warranted.]

[(4)] (2) Cessation of Use. A Special Use Permit shall be void without further action if:

(a) The Special Use Permit was issued for alcoholic beverage use and such use ceases for one hundred and eighty days or more; or

(b) The Special Use Permit was issued for a use other than alcoholic beverage use and such use ceases for twelve months or more.

[(5) For purposes of this Subsection (P), a Special Use Permit is exercised upon approval of a business license to conduct the activity, if one is required, or, otherwise, upon the issuance of a

1 certificate of occupancy or approval of a final inspection.]

2 SECTION 5: Title 19, Chapter 18, Section 70, Subsection (O), of the Municipal Code  
3 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4 (O) Termination.

5 (1) Failure to Exercise.

6 (a) A Variance which will require the construction of a new building and which  
7 is not exercised within two years after approval shall be void, unless the applicant obtains an extension  
8 of time upon a showing of good cause. Application for an extension shall be made to the Planning  
9 Commission or City Council, whichever body took final action to approve the Variance. An extension  
10 of time may be granted only if application therefor is made prior to the expiration of the two-year  
11 period. For purposes of this Subparagraph (a), a Variance is exercised upon the issuance of a building  
12 permit for the new construction.

13 [(2)] (b) A Variance which will not require the construction of a new building and which  
14 is not exercised within one year after approval shall be void, unless the applicant obtains an extension  
15 of time upon a showing of good cause. Application for an extension shall be made to the Planning  
16 Commission or City Council, whichever body took final action to approve the Variance. An extension  
17 of time may be granted only if application therefor is made prior to the expiration of the one-year  
18 period. For purposes of this Subparagraph (b), a Variance is exercised upon the approval of a business  
19 license to conduct the activity, if one is required, or otherwise, upon the issuance of a certificate of  
20 occupancy or approval of a final inspection.

21 [(3) For any Variance approved before January 1, 2000, which expires before an extension  
22 is granted, the Planning Commission or City Council, as the case may be, may reinstate the approval  
23 within the six-month period following the expiration date and grant an extension of time if the  
24 Commission or Council is satisfied that there has not been a material change of circumstances such  
25 that the Variance is no longer warranted.]

26 (2) Cessation of Use. A Variance to allow a use that is not permitted in a particular zone  
27 shall be void without further action if the use approved by the Variance ceases for a period of twelve  
28 months or more.

1 [(5) For purposes of this Section (O), a Variance is exercised upon approval of a business  
2 license to conduct the activity, if one is required, or, otherwise, upon the issuance of a certificate of  
3 occupancy or approval of a final inspection.]

4 SECTION 6: For purposes of Section 2.100(3) of the City Charter, LVMC 19.18.010,  
5 19.18.040, 19.18.050, 19.18.060, and 19.18.070 are deemed to be subchapters rather than sections.

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

14 SECTION 8: All ordinances or parts of ordinances or sections, subsections, phrases,  
15 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
16 1983 Edition, in conflict herewith are hereby repealed.

17 PASSED, ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2007.

18 APPROVED:

19  
20 By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

21 ATTEST:

22 \_\_\_\_\_  
23 BARBARA JO RONEMUS, City Clerk

24 APPROVED AS TO FORM:

25 Val Steed 12-20-06  
Date



1 The above and foregoing ordinance was first proposed and read by title to the City Council on the  
2 \_\_\_\_ day of \_\_\_\_, 2007, and referred to the following committee composed of  
3 \_\_\_\_ and \_\_\_\_ for recommendation;  
4 thereafter the said committee reported favorably on said ordinance on the \_\_\_\_ day of  
5 \_\_\_\_, 2007, which was a \_\_\_\_ meeting of said Council; that at said  
6 \_\_\_\_ meeting, the proposed ordinance was read by title to the City Council  
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

10 ABSENT: \_\_\_\_\_

11

12

APPROVED:

13

14

By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

15 ATTEST:

16

17 BARBARA JO RONEMUS, City Clerk

18

19

20

21

22

23

24

25

26

27

28



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐ Consent ☒ Discussion

**SUBJECT:**

NEW BILL:

Bill No. 2007-5 – Allows the use “accessory massage” as an accessory use in certain zoning districts. Sponsored by: Councilman Larry Brown

**Fiscal Impact**

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

It has been determined that current zoning regulations do not provide sufficient distinction between establishments that provide massage therapy as a principal use and those that do so on an ancillary or accessory basis. This bill will create the use “accessory massage” and set forth the circumstances under which it will be permitted as an accessory use.

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

Bill No. 2007-5

Minutes:

First Reading - Referred - COUNCILMEMBERS TARKANIAN and ROSS

2/20/2007 Recommending Committee

2/21/2007 Council Agenda



SECTION 2: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to provide that the use "Accessory Massage" is permitted as an accessory use in the P-R, N-S, O, C-D, C-1, C-2, C-M and M Zoning Districts. In order to reflect the amendment, the Retail and Personal Services" element of the Land Use Tables is amended to add thereto a new row for the use, reading as follows:

| USE                                                                                                                                           | RESIDENTIAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |     |     |     |     |      |     |     |     |     |      |       | COMMERCIAL |     |   |     |     |     | INDUSTRIAL |     |   |
|-----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|------|-----|-----|-----|-----|------|-------|------------|-----|---|-----|-----|-----|------------|-----|---|
| Massage,<br>Accessory                                                                                                                         | U                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | R-A | R-E | R-D | R-1 | R-CL | R-2 | R-3 | R-4 | R-5 | R-MH | R-MHP | P-R        | N-S | O | C-D | C-1 | C-2 | C-PB       | C-M | M |
|                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |     |     |     |     |      |     |     |     |     |      |       | A          | A   | A | A   | A   | A   | A          | A   | A |
|                                                                                                                                               | <p><b>Description:</b></p> <p>The performing of massage therapy or therapeutic massage that:</p> <ol style="list-style-type: none"><li>Is accessory to a principal permitted use that is one of the following:<ol style="list-style-type: none"><li>A medical office or physical rehabilitation clinic;</li><li>A fitness and health center;</li><li>A country club or golf course clubhouse;</li><li>A hotel with more than one hundred rooms; or</li><li>A facility similar in nature to any of the facilities listed above;</li></ol></li><li>Does not occupy more than 150 square feet of space; and</li><li>Is not advertised on any exterior signage.</li></ol> |     |     |     |     |      |     |     |     |     |      |       |            |     |   |     |     |     |            |     |   |
| <p><b>On-site Parking Requirement:</b> No additional parking required beyond that which is required for the principal use(s) on the site.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |     |     |     |     |      |     |     |     |     |      |       |            |     |   |     |     |     |            |     |   |

SECTION 3: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the use "Massage Establishment" to read as follows:

"Massage Establishment" means a facility which is occupied and used for the purpose of practicing massage therapy as defined in LVMC Chapter 6.52. The term does not include the use "accessory massage," as defined in this Title.

SECTION 4: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding, at the appropriate place, a new definition for the term "Accessory Massage," to be listed for alphabetical purposes as "Massage, Accessory," reading as follows:

"Massage, Accessory" means the performing of massage therapy or therapeutic massage that:

- (1) Is accessory to a principal permitted use that is one of the following:
  - (a) A medical office or physical rehabilitation clinic;

- 1 (b) A fitness and health center;  
2 (c) A country club or golf course clubhouse;  
3 (d) A hotel with more than one hundred rooms; or  
4 (e) A facility similar in nature to any of the facilities listed above;  
5 (2) Does not occupy more than one hundred fifty square feet of space; and  
6 (3) Is not advertised on any exterior signage.

7 SECTION 5: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010  
8 and 19.20.020 are deemed to be subchapters rather than sections.

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

17 SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases,  
18 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
19 1983 Edition, in conflict herewith are hereby repealed.

20 PASSED, ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2007.

21 APPROVED:

22  
23 By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

24 ATTEST:

25 BARBARA JO RONEMUS, City Clerk

26 APPROVED AS TO FORM:

27 Val Heep 1-23-07  
Date



1 The above and foregoing ordinance was first proposed and read by title to the City Council on the  
2 \_\_\_\_ day of \_\_\_\_, 2007, and referred to the following committee composed of  
3 \_\_\_\_ and \_\_\_\_ for recommendation;  
4 thereafter the said committee reported favorably on said ordinance on the \_\_\_\_ day of  
5 \_\_\_\_, 2007, which was a \_\_\_\_ meeting of said Council; that at said  
6 \_\_\_\_ meeting, the proposed ordinance was read by title to the City Council  
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

10 ABSENT: \_\_\_\_\_

11

12 APPROVED:

13

14 By \_\_\_\_\_  
15 OSCAR B. GOODMAN, Mayor

16 ATTEST:

17

18 BARBARA JO RONEMUS, City Clerk

19

20

21

22

23

24

25

26

27

28



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐ Consent ☒ Discussion

**SUBJECT:**

**NEW BILL:**

Bill No. 2007-6 - Levies Assessment for Special Improvement District No. 1506 – Fremont Street Pedestrian Improvements (Las Vegas Boulevard to 8th Street) Sponsored by: Step Requirement

**Fiscal Impact**

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

**Amount:** \$1,970,000

**Funding Source:** Capital Projects Fund - Special Assessments

**Dept./Division:** Public Works/SID

**PURPOSE/BACKGROUND:**

Construction of pedestrian enhancements which include sidewalk bulb-outs, mid-block pedestrian crossings with landscaping and decorative and directional signage, gateway arches, removal and installation of new curb, gutter, sidewalk, streetlights, and related traffic signalization and drainage improvements.

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

Bill No. 2007-6

Minutes:

First Reading - Referred - COUNCILMEMBERS TARKANIAN and ROSS

2/20/2007 Recommending Committee

2/21/2007 Council Agenda

BILL NO. 2007-6

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1506 – FREMONT STREET PEDESTRIAN IMPROVEMENTS (LAS VEGAS BOULEVARD TO 8TH STREET) PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

Summary: Levy Ordinance

WHEREAS, the City Council of the City of Las Vegas (the "City Council" and "City," respectively) in the County of Clark and State of Nevada (the "State"), has heretofore, pursuant to the requisite preliminary proceedings, created Las Vegas, Nevada, Special Improvement District No. 1506 – Fremont Street Pedestrian Improvements (Las Vegas Boulevard to 8th Street) (the "District"), for the purpose of acquiring and improving local improvements (the "Project") and has provided that a portion of the entire cost and expense of the Project shall be paid by special assessments, according to benefits, levied against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, the District has been properly created by an ordinance heretofore adopted under the provisions of Nevada Revised Statutes ("NRS") Chapter 271; 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 has 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 \$5,506,280, of which \$3,536,280 is available from other sources and \$1,970,000 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 of the City (the "City Engineer") to make out a final assessment roll for the District; and

WHEREAS, after a determination of the portion of the costs of such work to be paid by the property specially benefited, the City Council, together with the City Engineer (with the assistance of the City Engineer Division) made out a final assessment roll for the District containing, among other things, the names and addresses of the last known owners of the property to be assessed, a description of each lot, tract, or parcel of land to be assessed, and the amount of the assessment thereon. The City Engineer has reported the final assessment roll to the City Council and the City Engineer has filed the final assessment roll with the City Clerk; and

WHEREAS, the City Council thereupon fixed a time and place, to wit: Wednesday, January 17, 2007, at 1:00 p.m., at the Las Vegas City Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada, when all complaints, protests and objections to the final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the Project, by any person interested, and by any parties aggrieved by such assessments, would be heard and considered by the City Council; and

WHEREAS, the City Engineer (with the assistance of City Engineer Division) has, in accordance with the provisions of law relating thereto, given the requisite legal notice by both mail and publication that complaints, protests and objections to assessments for the 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, January 17, 2007, at 1:00 p.m., at the Las Vegas City Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada; and

WHEREAS, the City Council caused the final assessment roll for the District to be filed in the records of the office of the City Clerk on December 20, 2006. The City Clerk, by publication and by mail, gave the requisite notice of the time and place of such hearing, of the filing of the final assessment roll in her office, of the date of filing the same, and of the right of any such person to object specifically in writing and of the waiver of any objection in the absence of such objection; and

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

WHEREAS, all complaints, protests and objections, both written and oral, were found to be without sufficient merit and overruled, except as provided in the District No. 1506 Assessment Protest Resolution; and

WHEREAS, by the District No. 1506 Assessment Protest Resolution, the City Council modified, corrected and revised the final assessment roll and modified, corrected, revised and confirmed the final assessment roll to be in final form; and

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

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

WHEREAS, the City Council has determined, and does hereby determine, that the City shall pay the costs of the Project, in part, with funds derived from the levy of assessments, and the City will pay one-half or more of the costs of the Project with monies derived from other than the levy of special assessment, and that the exception provided by NRS 271.306(2) (a) does exist with respect to the Project.

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

Section 1. This Ordinance shall be known as, and may be cited by, the short title "District No. 1506 Levy Ordinance" (the "Ordinance").

Section 2. The City Council has heretofore determined, and does hereby declare, that each and every complaint, protest and objection made in connection with the District and the Project is without sufficient merit and the same be, and hereby is, overruled, and finally passed on by the City Council, except as provided in the District No. 1506 Assessment Protest Resolution.

Section 3. All actions, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Ordinance) concerning the District, including, but not limited to, the creation of the District, the acquisition of the Project, the amount of the construction contract, the levy of assessments for those purposes, the



determination that the tracts in the District will receive special benefits and market value increases, and the validation and confirmation of the final assessment roll and the assessments therein, be, and the same hereby is, ratified, approved and confirmed.

Section 4. For the purpose of paying a portion of the costs and expenses of the Project, the amounts and assessments shown in the final assessment roll (as so filed, modified and confirmed) are hereby levied and assessed against the lots, tracts and parcels of land in the District (being all those specially benefited by the Project) and described in the final assessment roll for the District, as filed in the office of the City Clerk on December 20, 2006, and as modified and confirmed by the District No. 1506 Assessment Protest Resolution duly adopted by the City Council on February 7, 2007.

Section 5. The assessments shall be due and payable at the office of the City Treasurer within 30 days after this Ordinance becomes effective, without interest and without demand, provided that all or any part of such assessments may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments, the amount of the assessment then unpaid. In case of such election to pay in installments, the unpaid assessments shall be payable in forty (40) substantially equal semiannual 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 this Ordinance, both principal and interest on such assessments being payable semiannually at the office of the City Treasurer on April 1 and October 1 in each year, commencing on October 1, 2007. After the effective date of this Ordinance, the City Director of Finance and Business Services shall provide the rate of interest on unpaid installments of assessments, which will not exceed the maximum rate of interest permitted under the statutes of the State. If assessment bonds are issued, such rate will not exceed by more than 1% of the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than 3% the "Index of Twenty Bonds," which shall have been most recently published before the time bids for the bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. If assessment bonds are not issued, such rate shall not exceed 9%. Failure to pay any installment, whether



of principal or interest, when due, shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the City. The exercise of said option to be indicated by the commencement of foreclosure proceedings by the City. The whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether or not said option is exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of sale or until paid. At any time prior to the date of the sale, the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property assessed and not in default as to any installment or payment may at any time (at the option of such owner) pay the whole or any semiannual installment of the unpaid principal with interest accruing thereon to the next interest payment date, together with the payment of a penalty for such prepayment of three percent (3%) of the principal of the installments so prepaid. If such prepayment takes place after March 27, 2007, but before the rate of interest on deferred installments of assessments is fixed by the City Director of Finance and Business Services, such interest accruing thereon to the next interest payment date shall be calculated at seven and 25/100 percent (7.25%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent).

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the same rate and terms as are established for other assessments in the manner provided. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the term of the bonds expire; (c) the property owner's application for renewal of the Hardship Determination is disapproved; (d) the property owner fails to pay interest on the unpaid balance of assessments in a timely

manner; or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 hereof.

Section 6. The amounts assessed shall be a lien upon the owner's lots, tracts and parcels of land from the effective date of this Ordinance (i.e. February 25, 2007) until paid. The lien shall be co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general or other taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor. Such amounts shall continue to be a lien upon the lots, tracts and parcels of land assessed until paid in full (including all principal and the interest thereon, and any penalties and collection costs).

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

Section 8. In case any lot, tract or parcel of land so assessed is delinquent in the payment of the assessment or any installment of principal or interest, the City Council shall forthwith cause the owner of such delinquent property, if known, to be immediately notified in writing of such delinquency, by first-class mail, postage prepaid, addressed to the addressee's last known address. If such delinquency is not paid within 10 days after such notice was given by deposit in the United States mail, then said assessment shall be enforced by the City Treasurer and other officers of the City, as provided in NRS 271.545 to NRS 271.630. Nothing herein shall be construed as preventing the City, at

the direction of the City Council, from collecting any assessment by suit in the name of the City Council. The final assessment roll and the certified copy of this Ordinance shall be prima facie evidence of the regularity of the proceedings in making the assessment and of the right to recover judgment therefor. If a foreclosure is not promptly filed and prosecuted, then any bondholder may file and prosecute said foreclosure action in the name of the City. Any bondholder may also proceed against the City to protect and enforce the rights of the bondholders under this Ordinance by suit, action or special proceedings in equity or at law, either for the appointment of a receiver or for the specific performance of any provision contained herein or in an award of execution of any power herein granted for the enforcement of any proper, legal or equitable remedy as such bondholder or bondholders may deem most effective to protect and enforce the rights aforesaid. All such proceedings, at law or in equity, shall be instituted, had and maintained for the equal benefit of all owners of the bonds then outstanding. The failure of the bondholders to foreclose such delinquent assessments or to proceed against the City shall not relieve the City or any of its officers, agents or employees of any liability for its failure to foreclose such delinquent assessments.

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

Section 10. In accordance with NRS 271.405(7) the City Clerk shall give notice by publication in the Las Vegas Review-Journal, a newspaper of general circulation in the City, and such notice to be published at least once a week, for three consecutive publications, by three weekly insertions, the first such publication to be at least 15 days prior to the end of the 30-day period stating that said assessments have been levied and are due and payable. The notice shall further state that payment must be made in full prior to the end of the 30 day period to avoid paying interest on the assessment. It shall not be necessary that the notice be published on the same day of the week, but not less than 14 days

shall intervene between the first publication and the last publication. Service by publication shall be verified by the affidavit of the publisher and filed with the City Clerk. In accordance with NRS 271.390(2), the City Clerk or Deputy City Clerk shall also give written notice of the levying of the assessments by mailing a copy of such notice, postage prepaid, at least 20 days prior to the end of said 30-day period, to the owner or owners of all property upon which the assessment was levied at his or her last known address or addresses. Proof of such mailing shall be made by the affidavit of the City Clerk or Deputy City Clerk and such proof shall be filed with the City Clerk. Failure to mail any such notice or notices shall not invalidate any assessment or any other proceedings concerning the District. Proof of the publication and proof of the mailing shall be maintained in the permanent records of the office of the City Clerk until all special assessments and special assessment bonds issued (if such special assessment bonds are hereafter issued) shall have been paid in full, both principal and interest, or until any claim is barred by an appropriate statute of limitations. The City Council hereby determines that the manner of giving notice herein provided by publication and by mail is reasonably calculated to inform the parties of the proceedings concerning the District and the levy of assessments which may directly and adversely affect their legally protected interests.

Section 11. The notice provided for in NRS 271.390(2) and NRS 271.405(7) and in Section 10 of this Ordinance shall be in substantially the following form:



(Form of Notice)

NOTICE TO PROPERTY OWNERS OF THE LEVY OF ASSESSMENTS  
FOR IMPROVEMENTS IN CITY OF LAS VEGAS, NEVADA SPECIAL  
IMPROVEMENT DISTRICT NO. 1506 – FREMONT STREET  
PEDESTRIAN IMPROVEMENTS (LAS VEGAS BOULEVARD TO 8TH  
STREET).

NOTICE IS HEREBY GIVEN to the owners of all property upon which an assessment has been levied, and other interested persons, that District No. 1506 Levy Ordinance (the "Levy Ordinance") was duly passed, adopted, signed and approved by the City Council of the City of Las Vegas on February 21, 2007. The Levy Ordinance levied and assessed a portion of the cost and expense of such improvements against the lots, tracts and parcels of land specially benefited by the local improvements in what is commonly designated as "City of Las Vegas, Nevada, Special Improvement District No. 1506 – Fremont Street Pedestrian Improvements (Las Vegas Boulevard to 8th Street)," (said lots, tracts and parcels of land being more specifically described in the final assessment roll designated in the Levy Ordinance).

Assessments are due and payable at the office of the City Treasurer, in Las Vegas, Nevada, on or before March 27, 2007, being 30 days after the effective date of the Levy Ordinance, without interest and without demand, provided that all, or any part of such assessments may, at the election of the owner, be paid in installments, with interest as hereinafter provided. Failure to pay the whole assessment within the 30-day period will be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay the unpaid assessment in installments. In case of such election to pay in installments, the unpaid assessments will be payable in forty (40) 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 February 25, 2007 (i.e., the effective date of the Levy Ordinance) both principal and interest being payable semi-annually at the office of the City Treasurer, Las Vegas, Nevada, on April 1 and October 1 in each year, commencing on October 1, 2007. After the effective date of the Levy Ordinance, the City Director of Finance and Business Services shall provide the rate of interest on unpaid installments of assessments, which will not exceed the maximum rate of interest permitted under the statutes of the State. If assessment bonds are issued, such rate will not exceed by more than 1% of the highest rate of interest on the assessment bonds for the



District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than 3% the "Index of Twenty Bonds," which shall have been most recently published before the time bids for the bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. If assessment bonds are not issued, such rate shall not exceed 9%. Failure to pay any assessment installment, whether principal or interest, when due will cause the whole of the unpaid principal of such assessment to become due and payable immediately at the City's option, and the whole amount of the unpaid principal and accrued interest will, after such delinquency, whether or not the City's option is exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of sale or until paid. At any time prior to the date of the sale, the owner may pay the amount of all delinquent installments originally becoming due on or before the date of payment, with the interest thereon and all penalties accrued, and will thereupon be restored the right, thereafter, to pay in installments in the same manner as if default had not been suffered. The owner of any property not in default as to any assessment installment or payment may, at any time, pay the whole or any semi-annual installment of the unpaid principal with interest accruing thereon to the next interest payment date, together with the payment of a penalty for such prepayment of three percent (3%) of the principal of the installments so prepaid. If such prepayment takes place after March 27, 2007, but before the rate of interest on deferred installments of assessments is fixed by the City Director of Finance and Business Services, such interest accruing thereon to the next interest payment date shall be calculated at seven and 25/100 percent (7.25%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent).

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the same rate and terms as are established for other assessments in the manner provided. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the

term of the bonds expires; (c) the property owner's application for renewal of a Hardship Determination is disapproved; (d) the property owner fails to pay interest on the unpaid balance of assessments in a timely manner; or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 of the Levy Ordinance.

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

The amounts assessed as aforesaid constitute a lien upon said lots, tracts and parcels of land from February 25, 2007 (i.e., the effective date of the Levy Ordinance), which lien shall be co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor.

Dated this February 21, 2007.

---

BARBARA JO RONEMUS, City Clerk

(End of Form of Notice)

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

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

Section 14. In accordance with Section 2.110 of the City Charter, this Ordinance when first proposed is to be read by title to the City Council, immediately after which an adequate number of copies of the proposed Ordinance are to be deposited with the office of the City Clerk for public examination and distribution upon request; thereafter, the City Clerk is authorized and directed to give notice of the deposit together with the title of the Ordinance by publication at least once in the Las Vegas Review-Journal, i.e., a newspaper published and having general circulation in the City, at least ten (10) days before the adoption of the Ordinance, i.e., at least ten (10) days before February 21, 2007, such publication to be in substantially the following form:

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

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1506 – FREMONT STREET PEDESTRIAN IMPROVEMENTS (LAS VEGAS BOULEVARD TO 8TH STREET) PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-entitled proposed Ordinance were filed with and are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, 400 Stewart Avenue, Las Vegas, Nevada, and that such ordinance was proposed on the 7<sup>th</sup> day of February, 2007, and will be considered for adoption at the regular meeting of the City Council of the City of Las Vegas on the 21<sup>st</sup> day of February, 2007.

/s/ Barbara Jo Ronemus  
City Clerk

(End of Form)

Section 15. This Ordinance shall be in effect on the day after its publication, as hereinafter provided. After this Ordinance is signed by the Mayor and attested and sealed by the City Clerk, this Ordinance shall be published by title only, together with the names of the City Council voting for or against its passage, and with a statement that typewritten copies of said Ordinance are available for inspection by all interested parties at the office of the City Clerk, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having general circulation in the City, at least once, pursuant to Section 2.110 of the Charter and all laws thereunto enabling, such publication is to be in substantially the following form:



(Form for Publication After Final Adoption of Ordinance)

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1506 – FREMONT STREET PEDESTRIAN IMPROVEMENTS (LAS VEGAS BOULEVARD TO 8TH STREET) PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that the above Ordinance was proposed on February 7, 2007, and was passed at a regular meeting held on February 21, 2007, by the following vote of the City Council of the City of Las Vegas, Nevada:

Those Voting Aye:

Oscar B. Goodman  
Gary Reese  
Larry Brown  
Lawrence Weekly  
Steve Wolfson  
Lois Tarkanian  
Steven D. Ross

Those Voting Nay:

\_\_\_\_\_  
\_\_\_\_\_

Those Absent:

\_\_\_\_\_  
\_\_\_\_\_

This Ordinance shall be in full force and effect from and after February 25, 2007, i.e., the day after its publication by title only.

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

This \_\_\_\_\_ day of \_\_\_\_\_, 2007.

/s/ OSCAR B. GOODMAN

Mayor  
City of Las Vegas, Nevada

(SEAL)

Attest:

/s/ BARBARA JO RONEMUS

City Clerk

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

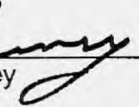
INTRODUCED FEBRUARY 7, 2007, PASSED, ADOPTED AND APPROVED  
FEBRUARY 21, 2007.

\_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

Attest:

\_\_\_\_\_  
BARBARA JO RONEMUS, City Clerk

Approved as to Form:

23 JAN 07 W F   
Date Deputy City Attorney

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

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

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the City Council on February 7, 2007 and finally adopted and approved on February 21, 2007.

2. The following members of the City Council were present at the February 7, 2007 meeting:

|                 |                  |
|-----------------|------------------|
| Mayor:          | Oscar B. Goodman |
| Councilmembers: | Gary Reese       |
|                 | Larry Brown      |
|                 | Lawrence Weekly  |
|                 | Steve Wolfson    |
|                 | Lois Tarkanian   |
|                 | Steven D. Ross   |

3. The foregoing Ordinance was first proposed and read by title to the City Council on February 7, 2007, and referred to a committee composed of \_\_\_\_\_ and \_\_\_\_\_ for recommendation; thereafter the said committee reported favorably on said Ordinance on February 21, 2007, which was a regular meeting of said City Council; that at said regular meeting, the proposed Ordinance was again read by title to the City Council and adopted. The following members of the City Council were present at the February 21, 2007 meeting and voted upon the adoption of the Ordinance as follows:

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

|                   |       |
|-------------------|-------|
| Those Voting Nay: | _____ |
| Those Absent:     | _____ |
|                   | _____ |

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

5. All members of the City Council were given due and proper notice of the meetings held on February 7, 2007 and February 21, 2007. Pursuant to § 241.020, Nevada Revised Statutes, written notice of the meetings was given no later than 9:00 a.m. on the third working day before the meetings, including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice by 9:00 a.m. at least three (3) working days before the meetings at the principal office of the City Council, or if there is no principal office, at the building in which the meeting is to be held, and at least three (3) other separate, prominent places within the jurisdiction of the City Council, to wit:

- (i) City Clerk's Bulletin Board  
City Hall Plaza  
2<sup>nd</sup> 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

and

(b) By mailing a copy of the notice by 9:00 a.m. no later than three (3) working days before the meetings to each person, if any, who has requested notice of the meetings of the City Council in the same manner in which notice is required to be mailed to a member of the City Council.

6. A copy of such notice so given of the meeting of the City Council on February 7, 2007, is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the City Council on February 21, 2007, is attached to this certificate as Exhibit B.

7. A copy of the affidavit of publication of notice of deposit of the Ordinance is attached to this certificate as Exhibit C. A copy of the affidavit of publication of adoption of the Ordinance is attached to this certificate as Exhibit D.

8. 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 members of the City Council for an item on the agenda, except for certain confidential materials and materials pertaining to the closed meetings, as provided by law.

**IN WITNESS WHEREOF**, I have hereunto set my hand on this February 21, 2007.

\_\_\_\_\_  
BARBARA JO RONEUMUS, City Clerk

(SEAL)



**EXHIBIT A**

**(Attach Copy of Notice of February 7, 2007 Meeting)**

**EXHIBIT B**  
**(Attach Copy of Notice of February 21, 2007 Meeting)**

**EXHIBIT C**

**(Attach Affidavit of Publication of Filing of Ordinance)**

**EXHIBIT D**

**(Attach Affidavit of Publication of Adoption of Ordinance)**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐ Consent ☒ Discussion

**SUBJECT:**

**NEW BILL:**

Bill No. 2007-7 – Amends solid waste and recycling regulations by updating service charges, adding charges for overflow collections, eliminating charges for discontinuing service, deregulating charges for competitive-service areas, increasing frequency-of-service options, authorizing pilot programs for recycling, adding customer service standards, revising late-payment charges, adding minimum container requirements, and facilitating recycling by materials recovery facilities. Proposed by: Mark R. Vincent, Director of Finance and Business Services

**Fiscal Impact**



**No Impact**



**Augmentation Required**



**Budget Funds Available**

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

This bill will make the City's regulations consistent with State law, Health District regulations, and the Clark County and Henderson Codes. This bill will: (1) update, but not increase, basic service charges; (2) increase frequency-of-service options for businesses; (3) establish minimum container requirements for non-residential customers; (4) add overflow charges for collecting overflowing waste; (5) eliminate discontinuation-of-service charges; (6) deregulate rates for categories of waste for which competitive markets exist (e.g., construction or demolition waste); (7) facilitate recycling of construction or demolition waste, and authorize other pilot programs to increase recycling; (8) revise late-payment charges for residential customers; and (9) add customer service requirements.

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

1. Bill No. 2007-7
2. Business Impact Statement

**Minutes:**

First Reading - Referred - COUNCILMEMBERS TARKANIAN and ROSS

2/20/2007 Recommending Committee

2/21/2007 Council Agenda

THE MORNING SESSION RECESSED AT 11:50 A.M.



BILL NO. 2007-7

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND THE CITY'S REGULATIONS CONCERNING THE COLLECTION, TRANSPORTATION, DEPOSIT AND DISPOSAL OF SOLID WASTE AND RECYCLABLES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Mark R. Vincent, Director  
Department of Finance and Business Services

Summary: Amends solid waste and recycling regulations by updating service charges, adding charges for overflow collections, eliminating charges for discontinuing service, deregulating charges for competitive-service areas, increasing frequency-of-service options, authorizing pilot programs for recycling, adding customer service standards, revising late-payment charges, adding minimum container requirements, and facilitating recycling by materials recovery facilities.

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

SECTION 1: Title 9, Chapter 8, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

**9.08.020:** In the construction of this Chapter, the following definitions shall apply, unless the context clearly requires otherwise:

"Cash receipts" means all receipts derived from the collection of solid waste and curbside recyclables collection services and includes, by way of illustration and not limitation, all cash, credits, property or other consideration of any kind derived directly or indirectly by a franchisee (or any of its authorized agents or affiliates) for the collection, transportation and disposal of solid waste, including all revenue received from residential service (including any charges attributable to curbside recyclables collection services), commercial and industrial service, medical-waste service, sewage-waste service, container rentals, packaging, shipping and late fees, but excluding the following revenues from:

(A) The sale of recyclables.

(B) Any taxes on services furnished by a franchisee that are imposed by other governmental entities, that are passed through to and collected from the franchisee's customers, and that are separately itemized on customers' bills.

"Commercial recycler" means any licensed entity, including a licensed franchisee, that is in

1 the business of purchasing, accepting donations of, collecting, storing, transporting or processing  
2 source-separated recyclables.

3 “Commingled recyclables” means recyclables that have been abandoned or discarded and that  
4 are mixed with solid waste other than residual solid waste.

5 “Compacted solid waste” means solid waste reduced by mechanical equipment, in volume[,]  
6 but not weight, by [two-thirds or more by mechanical equipment.] a minimum ratio of three to one.

7 “Construction or demolition waste” means solid waste resulting from the construction or  
8 demolition of buildings and other structures, including but not limited to wood, plaster, metals,  
9 asphaltic substances, bricks, block and concrete, and landscaping, native vegetation, excavation dirt,  
10 rock, stone and gravel. The term “construction or demolition waste” does not include uncontaminated  
11 soil, rock, stone, gravel, unused brick and block and concrete if they are separated from other  
12 construction or demolition waste and are to be used as clean fill.

13 “CPI-U” means the Consumer Price Index, All Urban Consumers for All Items, U.S. City  
14 Average (1982-84=100), as published by the Bureau of Labor Statistics, U.S. Department of Labor.

15 “Curbside recyclables collection” means a collection program operated by a solid waste  
16 franchisee in which source-separated recyclables are collected from residential customers on a  
17 regularly scheduled basis as a part of the franchisee’s solid waste business.

18 “Dead animals” means all dead animals or parts thereof (including condemned meats) that are  
19 not intended to be used as food for man or animal.

20 “Dirt” means loose earth, ashes and manure, but exclusive of sand and gravel that is to be used  
21 in construction work.

22 “Drop-off center” means a collection site where source-separated recyclables may be taken by  
23 persons and deposited into designated containers.

24 “Duplex” means a building or dwelling containing residential dwelling units for two separate  
25 families or occupants, each receiving individual solid waste curbside collection.

26 “Franchise agreement” means an agreement between the City and a third party by which such  
27 third party is authorized to collect, transport and dispose of solid waste and perform curbside  
28 recyclables collection services in the City.

1       “Franchise fee” means the fee required by a franchise agreement based upon a percentage of  
2 a franchisee’s cash receipts derived from the collection, transportation and disposal of solid waste and  
3 curbside recyclables collection services in the City.

4       “Franchisee” means any person who has contracted with the City for collection, transportation  
5 and disposal of solid waste and the performance of curbside recyclables collection.

6       “Garbage” means putrescible animal and vegetable wastes, other than source-separated  
7 recyclables, that result from the handling, storage, sale, preparation, cooking and serving of food, and  
8 that have been discarded or abandoned.

9       “Hazardous waste” means any waste or combination of wastes, including solids, semisolids,  
10 liquids or contained gases which:

11               (A)     Because of its quantity or concentration or its physical, chemical or infectious  
12 characteristics may:

13                       (1)     Cause or significantly contribute to an increase in mortality or serious  
14 irreversible or incapacitating illness; or

15                       (2)     Pose a substantial hazard or potential hazard to human health, public  
16 safety or the environment when it is given improper treatment, storage, transportation, disposal or  
17 other management;

18               (B)     Is identified as hazardous waste by the Nevada Department of Conservation and  
19 Natural Resources as a result of studies undertaken for the purpose of identifying hazardous wastes;  
20 and

21               (C)     Includes, among other wastes, toxins, corrosives, flammable materials, irritants,  
22 strong sensitizers and materials which generate pressure by decomposition, heat or otherwise.

23       “Materials recovery facility” means a facility that provides for the extraction from construction  
24 or demolition waste of those recyclable materials that may be found in construction or demolition  
25 waste. The term does not include:

26               (A)     A facility that receives only source-separated recyclables;

27               (B)     A facility for the recovery of used motor vehicle parts;

28               (C)     A facility that receives, processes or stores only concrete, masonry waste,

1 asphalt pavement, brick, uncontaminated soil, or stone for the recovery of recyclables; and

2 (D) A facility that recovers less than twenty-five percent by weight of recyclables  
3 from the solid waste received.

4 "Medical waste" means items, other than a culture or stock of an infectious substance, that  
5 contain an infectious substance and are generated in:

6 (A) The diagnosis, treatment or immunization of human beings or animals;

7 (B) Research pertaining to the diagnosis, treatment or immunization of human  
8 beings or animals; or

9 (C) The production or testing of biological products.

10 The term "medical waste" does not include the following if the items as packaged do not contain any  
11 material otherwise subject to the requirements of 49 CFR Part 173, App. G, as amended:

12 (1) Biological products;

13 (2) Diagnostic specimens;

14 (3) Laundry or medical equipment that conforms to 29 CFR 1910.1030 of  
15 the regulations of the Occupational Safety and Health Administration of the United States Department  
16 of Labor;

17 (4) A material, including waste, that previously contained an infectious  
18 substance and has been treated by steam sterilization, chemical disinfection or other appropriate  
19 method, so that it no longer poses the hazard of an infectious substance;

20 (5) Any waste material, including garbage, trash and sanitary waste in septic  
21 tanks, derived from households, including but not limited to single and multiple residences, hotels and  
22 motels;

23 (6) Corpses, remains and anatomical parts that are intended for ceremonial  
24 interment or cremations; or

25 (7) Animal waste generated in animal husbandry or food production.

26 "Motel" means a building or group of buildings whose main function is to provide temporary  
27 lodging and which does not offer conference rooms, restaurants or similar amenities to its customers  
28 in addition to sleeping quarters.



1       “Multiple dwellings” means [apartments and any other collection of two or more residences]  
2 any premises on which there are three or more separate residential dwelling units which are grouped  
3 together under the management of one person and which do not require separate individual collection  
4 of solid waste.

5       “Non-residential customer” means any solid waste disposal service customer of a franchisee  
6 except for customers at single-family residences, duplexes or mobile home parks who receive  
7 individual curbside collection of solid waste and who do not share containers with other residents.

8       “Overflow” or “overflowing solid waste” means solid waste of non-residential customers that  
9 is deposited on the ground outside of a solid waste container (except for any items bundled in  
10 accordance with Section 9.08.100(E)), or excess solid waste that has been piled onto a solid waste  
11 container that is already full to such an extent that the excess solid waste will spill onto the ground in  
12 the emptying process, requiring more than minimal manual cleanup of solid waste from the ground.

13       “Place of business” means any place of business in the City, other than multiple dwellings, to  
14 conduct or carry on principally or exclusively any pursuit or occupation for the purpose of gaining a  
15 livelihood.

16       “Premises” means [land together with all] a nonresidential or residential lot, including any  
17 buildings, improvements, and personal property located thereon.

18       “Public building” means office buildings, clubs, churches, schools, hospitals or other places  
19 of similar character.

20       “Putrescible” means capable of being decomposed by microorganisms with sufficient rapidity  
21 as to cause nuisances from odors or gases.

22       “Recyclables” or “recyclable materials” has the same meaning as “recyclable material,” as that  
23 term is defined in the [Clark County] Southern Nevada Health District’s Regulations Governing  
24 Recycling Centers, as amended.

25       “Recycling center” has the same meaning as “recycling center,” as that term is defined in the  
26 [Clark County] Southern Nevada Health District’s Regulations Governing Recycling Centers, as  
27 amended.

28       “Refuse” means those discarded materials that have no useful physical, chemical or biological



1 properties after serving their original purpose and that cannot be reused or recycled for the same or  
2 other purposes.

3 "Residual solid waste" has the same meaning as "residual solid waste," as that term is defined  
4 in the [Clark County] Southern Nevada Health District's Regulations Governing Recycling Centers,  
5 as amended.

6 "Rubbish" means nonputrescible wastes, other than source-separated recyclables, that have  
7 been discarded or abandoned such as paper, cardboard, automobiles, cans, wood, glass, bedding,  
8 crockery and similar materials.

9 "Sewage waste" means any solid or semi-solid waste, including biosolids, sludge, screenings  
10 and grit, generated from the operation of the City's water pollution control facility.

11 "Single-family residence" means a building or dwelling [wherein not more than one family  
12 resides or dwells, and where no business of any kind is conducted,] designed or used for single-family  
13 residential occupancy and where no business is conducted (other than a licensed home occupation  
14 business), and includes a mobile home, apartment and other unit in a multiple dwelling which receives  
15 individual and heavy and bulky item collection.

16 "Solid waste" means all putrescible and nonputrescible materials in solid or semisolid form  
17 that have been discarded or abandoned by their owner, including garbage, rubbish, junk vehicles and  
18 parts, ashes or incinerator residue, street refuse, dead animals, construction or demolition waste,  
19 commercial or industrial waste, medical waste, sewage waste, commingled recyclables and other  
20 refuse. The term "solid waste" does not include any of the following:

21 (A) Hazardous waste managed pursuant to NRS 459.400 through 459.600,  
22 inclusive.

23 (B) Source-separated recyclables.

24 "Source-separated recyclables" means recyclables that have been separated from the solid  
25 waste stream at the source for recycling purposes and that are not mixed with solid waste other than  
26 residual solid waste.

27 "Unforeseen economic circumstance" means:

28 (A) A percentage change in the CPI-U for a given [calendar year ending in

December] 12-month period that is greater than ten percent or below zero (a decrease);

(B) An adverse economic occurrence beyond a franchisee's reasonable control; or

(C) [An action by a governmental jurisdiction; or

(D)] A finding by the City Council that there have been economic occurrences during that period that have caused specific additional economic costs for a franchisee which are not reflected in changes to the CPI-U during that same period.

SECTION 2: Title 9, Chapter 8, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

**9.08.030:** Any person collecting, transporting, processing or disposing of solid waste, hazardous waste or recyclables shall do so subject to the ordinances, rules and regulations of the City, the [Clark County] Southern Nevada Health District, the State of Nevada and the Federal Government.

SECTION 3: Title 9, Chapter 8, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

**9.08.040:** (A) It is unlawful for any person to:

[(A)] (1) Throw or deposit, or cause to be thrown or deposited, in any street, alley, gutter or highway within the City, any solid waste, hazardous waste or recyclables.

[(B)] (2) Throw or deposit, or cause to be thrown or deposited, any solid waste, hazardous waste or recyclables upon the private or public property or premises or into the [receptacles] container of another person within the City, except [for the depositing of source-separated recyclables at drop-off centers.] as may be provided for in this Chapter.

[(C)] (3) Place, deposit or accumulate, or cause to be placed, deposited or accumulated, any solid waste, hazardous waste or recyclables in such a manner, or permit the same to remain on his or her premises in such condition so that the same may be blown or carried over to public or other private property by any means whatsoever.

[(D)] (4) Throw or deposit or cause to be thrown or deposited any solid waste, hazardous waste or recyclables in any areas of the City not designated, authorized or licensed by the City for deposit of these materials.

(B) There is hereby created a rebuttable presumption that the disposal of solid

1 waste, hazardous waste or recyclables in violation of this Section was done by the owner of such  
2 items.

3 SECTION 4: Title 9, Chapter 8, Section 50, of the Municipal Code of the City of Las  
4 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 **9.08.050:** It is unlawful for any person, for the purpose of disposal of solid waste, hazardous  
6 waste or recyclables by burning, to kindle or maintain any bonfire, or knowingly to furnish the  
7 materials for any such fire, or to authorize any such fire to be kindled or maintained in any solid waste,  
8 hazardous waste or recyclables [receptacle,] container, or on any street, alley, road, land or other  
9 public grounds or upon any private property, within the City, unless a written permit to do so shall first  
10 have been secured from the Department of Fire and Rescue; provided, however, that solid waste and  
11 infectious waste may be burned in an incinerator duly approved by the Department of Fire and Rescue  
12 and the Department of Building and Safety.

13 SECTION 5: Title 9, Chapter 8, Section 60, of the Municipal Code of the City of Las  
14 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

15 **9.08.060:** Except in case of an emergency declared by the City Manager under Section 9.08.070,  
16 it is unlawful for any person, other than the City, a franchisee or their duly appointed agents to collect  
17 or transport any solid waste, or provide curbside recyclables collection service; provided, however,  
18 that:

19 (A) Construction or demolition waste may be removed by any duly licensed  
20 construction cleanup or demolition contractor and transported to a transfer station[ or a], disposal site  
21 or materials recovery facility operated in accordance with all applicable laws, rules and regulations.

22 (B) A duly licensed construction cleanup or demolition contractor, or a duly  
23 licensed materials recovery facility may, after separating out recyclables, transport the solid waste  
24 residue from an authorized materials recovery facility to a transfer station or disposal site operated in  
25 accordance with all applicable laws, rules and regulations.

26 [(B)] (C) Any duly licensed and permitted septic tank or grease trap pumpers, lawn  
27 maintenance services and tree trimmers may transport those materials accumulated in or generated by  
28 the performance of licensed services to a transfer station or a disposal site operated in accordance with



1 all applicable laws, rules and regulations.

2 [(C)] (D) Any person may transport his or her own solid waste to a transfer station or a  
3 disposal site operated in accordance with all applicable laws, rules and regulations.

4 [(D)] (E) Any person may transport his or her own source-separated recyclables to  
5 recycling centers or drop-off centers.

6 [(E)] (F) Any duly licensed commercial recycler may transport source-separated  
7 recyclables in the legitimate course of business.

8 [(F)] (G) A charitable organization qualified as such under the Federal Internal Revenue  
9 Code may collect source-separated recyclables from [single-family residences, places of business,  
10 multiple dwellings and public buildings] any premises at the express request of the owner, tenant or  
11 occupant and may transport those recyclables to drop-off centers or recycling centers.

12 SECTION 6: Title 9, Chapter 8, Section 80, of the Municipal Code of the City of Las  
13 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **9.08.080:** (A) It is unlawful for any person other than the owner, the City or a franchisee, or  
15 their duly appointed agents, to interfere in any manner with any [receptacles] container containing  
16 solid waste or recyclables or to remove any such [receptacle] container from the location where placed  
17 for [pickup] collection by the owner, the City or a franchisee.

18 (B) It is unlawful for any person, other than the operator of a drop-off center or his  
19 or her duly appointed agent, to interfere with or remove any recyclables from a drop-off center.

20 SECTION 7: Title 9, Chapter 8, Section 90, of the Municipal Code of the City of Las  
21 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

22 **9.08.090:** It is unlawful to use any cart or vehicle for the transportation or removal of solid waste  
23 or recyclables unless such cart or vehicle is appropriately constructed and covered, within industry  
24 standards and in accordance with NRS Chapter 484, to prevent or minimize odors from or leakage,  
25 sifting, spilling, drifting or blowing of such solid waste or recyclables in or upon the streets through  
26 which such cart or vehicle may be driven.

27 SECTION 8: Title 9, Chapter 8, Section 100, of the Municipal Code of the City of  
28 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1 **9.08.100:** (A) Every person owning or managing any [place of business, public building,  
2 multiple dwelling or single-family residence,] premises, except as otherwise provided in Subsection  
3 (E) of this Section, shall provide [a receptacle] one or more containers sufficient for the depositing of  
4 all solid waste from the premises. A solid waste franchisee may rent solid waste [receptacles]  
5 containers to its customers pursuant to the rates specified in this Chapter, but the responsibility for  
6 placement of such rented [receptacles] containers remains with the person owning or managing the  
7 [place of business, public building, multiple dwelling or single-family residence.] premises.

8 (B) A franchisee shall provide to its curbside recyclables collection customers, upon  
9 request and at no additional cost to such customers, appropriate [receptacles] containers for the storage  
10 and collection of recyclables.

11 (C) On any single-family or duplex residential [lot,] premises, it is unlawful to  
12 place, keep, store or locate any solid waste or recyclables [receptacle] container within the  
13 right-of-way of a street, sidewalk or alley, or within any front yard as defined in the zoning regulations  
14 of the City; provided, however, that such [receptacles] containers may be placed within such area,  
15 except for traffic lanes, for the purpose of the collection of solid waste and recyclables [from midnight  
16 to midnight on the day designated for the pickup thereof and for a period not to exceed ten hours prior  
17 to midnight of the day of pickup.] no earlier than two p.m. on the day prior to the designated collection  
18 day, and that such containers must be removed from the right-of-way no later than midnight of the  
19 collection day.

20 (D) On any [multi-family,] multiple dwellings, commercial or industrial [lot,]  
21 premises, it is unlawful to place, keep, store or locate any [dumpster or other] solid waste or  
22 recyclables [receptacle] container within the right-of-way of a street, sidewalk or alley. [Dumpsters]  
23 Containers shall be stored within an enclosure if an enclosure was required in connection with  
24 development approval or is otherwise provided on the [lot,] premises. The construction of [dumpster]  
25 container enclosures is encouraged, if such construction was not required in accordance with a  
26 development approval. To the extent reasonably possible, development plans and approvals  
27 concerning the construction of [dumpster] container enclosures shall be coordinated with the solid  
28 waste franchisee.



1 (E) Places of business whose rubbish consists principally of boxes, cartons and  
2 other items of such bulk that the placing of the same in a [receptacle] container would be  
3 impracticable may provide for such [rubbish] solid waste to be piled on the premises of such place of  
4 business adjacent to a street or alley, provided such boxes or cartons shall be flattened and tied in  
5 bundles. The monthly rate to be charged such places of business for collecting, transporting and  
6 disposing of such rubbish shall be computed in accordance with the rates set forth in Section 9.08.160  
7 and based upon the bulk of such piles.

8 (F) A franchisee shall not be required to pick up solid waste or recyclables from  
9 any location that the franchisee, subject to the City's approval, determines is not safe to access with  
10 its disposal vehicles due to space limitations restricting vehicle access or maneuverability, including  
11 maneuvers requiring the unsafe backing up of vehicles.

12 [(F)] (G) The provisions of this Section may be enforced by the City's Department of  
13 Neighborhood Services, as well as the Las Vegas Metropolitan Police Department.

14 SECTION 9: Title 9, Chapter 8, Section 110, of the Municipal Code of the City of  
15 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16 **9.08.110:** (A) [Each receptacle which is not] At any residence that receives individual  
17 curbside collection service, each container which cannot be emptied by mechanical or hydraulic  
18 equipment shall have a capacity of not less than three nor more than [thirty-three] thirty-six gallons  
19 and shall weigh no more than fifty pounds, including the contents thereof. [Multiple dwellings, places  
20 of business and public buildings] Each residence with individual curbside collection service shall also  
21 be permitted to use the types and sizes of [receptacles] containers listed in Section 9.08.160, Table A.

22 (B) [Solid waste receptacles] Except for manual type drop-box containers listed in  
23 Section 9.08.160, Table C, all solid waste containers shall be constructed watertight and shall be  
24 provided with handles and tight-fitting covers. Each such [receptacle] container and cover shall be  
25 made of a material approved for such use by the City. Covers shall not be removed except when  
26 necessary to place solid waste therein. Each [receptacle] container and its cover shall be kept clean  
27 from accumulating grease and decomposing material.

28 (C) It is unlawful for a non-residential customer to place out for collection a

1 container which has overflowing solid waste.

2 (D) Any non-residential customer who places a container out for collection with  
3 solid waste overflowing from the container shall be subject to an overflow charge pursuant to Section  
4 9.08.185.

5 SECTION 10: Title 9, Chapter 8, Section 120, of the Municipal Code of the City of  
6 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7 **9.08.120:** (A) No person other than the owner, the City or a franchisee, or their agents may:

8 (1) Remove any solid waste or recyclables from the solid waste  
9 [receptacles] containers or recyclables [receptacles] containers that are intended for [pickup] collection  
10 by a franchisee as part of its solid waste collection and curbside recyclables collection programs;

11 (2) Remove recyclables that have been tied, boxed, bundled or otherwise  
12 collected and placed for [pickup] collection by a franchisee as part of its curbside recyclables  
13 collection program; or

14 (3) Tamper with, engage in, interfere with or participate in curbside  
15 recyclables collection.

16 (B) No person other than an owner or operator of a drop-off center, or their  
17 authorized agents, may remove recyclables from the drop-off center or recyclables that have been  
18 bundled, boxed, tied or otherwise collected and placed adjacent to the drop-off center.

19 SECTION 11: Title 9, Chapter 8, Section 130, of the Municipal Code of the City of  
20 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

21 **9.08.130:** (A) All solid waste shall be placed in a [receptacle;] container; provided, however,  
22 that:

23 (1) Places of business may place rubbish on their premises pursuant to  
24 Section 9.08.100(E); and

25 (2) Tree trimmings, scrap lumber and other solid waste capable of being  
26 bundled in accordance with Subsection (B) of this Section may be bundled if securely tied and placed  
27 next to a [receptacle.] container.

28 (B) Items bundled pursuant to this Section shall not exceed six feet in length nor

1 weigh more than [seventy-five] fifty pounds.

2 [(C) Receptacles which are not emptied by mechanical or hydraulic equipment shall  
3 not weigh more than seventy-five pounds, including their contents.]

4 SECTION 12: Title 9, Chapter 8, of the Municipal Code of the City of Las Vegas,  
5 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section  
6 9.08.135, reading as follows:

7 **9.08.135:** (A) Every non-residential customer shall provide cubic-yard or 96-gallon mobile  
8 containers for the solid waste generated from the customer's premises in accordance with the  
9 minimum containers requirements set forth in this Section.

10 (B) For multiple dwellings with three dwelling units, the premises must have cubic-  
11 yard container service of at least a one cubic-yard container serviced twice per week, irrespective of  
12 occupancy or vacancy of any dwelling units;

13 (C) For multiple dwellings with four, five or six dwelling units, the premises must  
14 have cubic-yard container service equivalent to at least a two cubic-yard container serviced twice per  
15 week, irrespective of occupancy or vacancy of any dwelling units;

16 (D) For multiple dwellings with seven or more dwelling units, the premises must  
17 have cubic-yard container service equivalent to at least the greater of the following:

18 (1) A three cubic-yard container serviced twice per week, irrespective of  
19 occupancy or vacancy of any dwelling units; or

20 (2) One-fourth of a one cubic-yard container per dwelling unit per week,  
21 irrespective of occupancy or vacancy of any dwelling units.

22 (E) For mobile home parks that do not have individual service at each mobile home  
23 space, the premises must have cubic-yard container service equivalent to at least one-fourth of a one  
24 cubic-yard container per mobile home space per week, irrespective of occupancy or vacancy of any  
25 mobile home spaces.

26 (F) For motels with at least fifty percent of the total units having cooking facilities,  
27 the premises must have cubic-yard container service equivalent to at least one-fifth of a one cubic-yard  
28 container per unit per week, irrespective of occupancy or vacancy of any units; or

1 (G) For motels with less than fifty percent of the total units having cooking  
2 facilities, the premises must have cubic-yard container service equivalent to at least one-tenth of a one  
3 cubic-yard container per unit per week, irrespective of occupancy or vacancy of any units.

4 (H) For each place of business or public building that does not require more than  
5 two 96-gallon mobile containers to contain the solid waste generated from the premises, subject to  
6 bundling of rubbish in accordance with Section 9.08.100(E), the premises must have at least one but  
7 not more than two 96-gallon mobile containers.

8 (I) For each place of business or public building that requires more than two 96-  
9 gallon containers to contain the solid waste generated from the premises, subject to the bundling of  
10 rubbish in accordance with Section 9.08.100(E), the premises must have cubic-yard container service  
11 sufficient to contain such solid waste.

12 (J) The container requirements in this Section are intended to be only minimum  
13 requirements for non-residential customers. Compliance with such requirements does not constitute  
14 compliance with a customer's obligation to provide sufficient container capacity pursuant to Section  
15 9.08.100 if the solid waste generated from the premises requires solid waste service that exceeds the  
16 requirements in this Section.

17 SECTION 13: Title 9, Chapter 8, Section 140, of the Municipal Code of the City of  
18 Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

19 SECTION 14: Title 9, Chapter 8, of the Municipal Code of the City of Las Vegas,  
20 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section  
21 9.08.140, reading as follows:

22 **9.08.140:** (A) The charges for collecting, transporting and disposing of solid waste and for  
23 collecting and transporting recyclables from single-family residences, duplexes and multiple dwellings  
24 shall be determined in accordance with the following table:

25 ...

26 ...

27 ...

28 ...



| Category                                                                     | Collection Level                                          | Monthly Charge*                                    |
|------------------------------------------------------------------------------|-----------------------------------------------------------|----------------------------------------------------|
| Single-family Residence                                                      | Solid waste - twice/week;<br>Recycling - every other week | \$11.82                                            |
| Duplex                                                                       | Solid waste - twice/week;<br>Recycling - every other week | \$11.82 per unit                                   |
| Multiple Dwellings<br>(irrespective of occupancy<br>or vacancy of any units) | Solid waste - 2 times/week                                | \$8.80 - 1st unit; \$6.15 - each additional unit   |
|                                                                              | Solid waste - 3 times/week                                | \$13.20 - 1st unit; \$9.23 - each additional unit  |
|                                                                              | Solid waste - 4 times/week                                | \$16.13 - 1st unit; \$11.27 - each additional unit |
|                                                                              | Solid waste - 5 times/week                                | \$19.07 - 1st unit; \$13.33 - each additional unit |
|                                                                              | Solid waste - 6 times/week                                | \$22.00 - 1st unit; \$15.39 - each additional unit |
|                                                                              | Solid waste - 7 times/week                                | \$24.93 - 1st unit; \$17.45 - each additional unit |

\* subject to applicable CPI-U adjustments made pursuant to this Chapter.

(B) All charges for single-family residences, duplexes and multiple dwellings pursuant to this Section shall be billed quarterly in advance.

SECTION 15: Title 9, Chapter 8, Section 150, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

SECTION 16: Title 9, Chapter 8, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding a new section, designated as Section 9.08.150, reading as follows:

**9.08.150:** (A) For mobile home parks that do not receive individual service at each mobile home and for motels, the charges for collecting, transporting and disposing of solid waste shall be determined in accordance with the following table:

| Category                                                                                  | Collection Level<br>(solid waste only) | Monthly Charge*                                                                                       |
|-------------------------------------------------------------------------------------------|----------------------------------------|-------------------------------------------------------------------------------------------------------|
| Motels and mobile home<br>parks (irrespective of<br>occupancy or vacancy of<br>any units) | 2 times/week                           | \$8.80 - each office; \$5.28 - each cooking unit;<br>\$4.24 - each unit without cooking facilities    |
|                                                                                           | 3 times/week                           | \$13.20 - each office; \$7.92 - each cooking unit;<br>\$6.36 - each unit without cooking facilities   |
|                                                                                           | 4 times/week                           | \$16.13 - each office; \$9.68 - each cooking unit<br>\$7.77 - each unit without cooking facilities    |
|                                                                                           | 5 times/week                           | \$19.07 - each office; \$11.44 - each cooking unit<br>\$9.19 - each unit without cooking facilities   |
|                                                                                           | 6 times/week                           | \$22.00 - each office; \$13.20 - each cooking unit;<br>\$10.60 - each unit without cooking facilities |
|                                                                                           | 7 times/week                           | \$24.93 - each office; \$14.96 - each cooking unit;<br>\$12.00 - each unit without cooking facilities |



1 \*subject to applicable CPI-U adjustments made pursuant to this Chapter.

2 (B) For mobile home parks that receive individual service at each mobile home,  
3 which shall include the same heavy and bulky item pickup as that provided to single-family  
4 residences, the charges for collecting, transporting and disposing of solid waste and curbside  
5 recyclables collection services shall be the same as for single-family residences as set forth in Section  
6 9.08.140.

7 (C) All charges for mobile home parks and motels shall be billed quarterly in  
8 advance.

9 SECTION 17: Title 9, Chapter 8, Section 160, of the Municipal Code of the City of  
10 Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

11 SECTION 18: Title 9, Chapter 8, of the Municipal Code of the City of Las Vegas,  
12 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section  
13 9.08.160, reading as follows:

14 **9.08.160:** (A) For places of business and public buildings, the charge for collecting,  
15 transporting and disposing of solid waste shall be determined by the number and type of containers  
16 required by each such place of business or public building and by the number of collections from each  
17 per week in accordance with Tables A, B and C that are included within this Section. The charge for  
18 collecting, transporting and disposing of compacted solid waste from containers other than  
19 compaction-type drop boxes shall be three times the otherwise applicable charge.

20 (B) All monthly charges set forth in Tables A, B and C that are included within this  
21 Section shall be billed as follows:

- 22 (1) Table A shall be billed quarterly in advance.  
23 (2) Table B shall be billed monthly in advance.  
24 (3) Table C shall be billed monthly in arrears.

25 ...  
26 ...  
27 ...  
28 ...

**Section 9.08.160 Table A**  
**Monthly Collection Charges\***  
**Places of Business and Public Buildings**

| Number & Type of Containers       | 1<br>Collection<br>Per Week | 2<br>Collections<br>Per Week | 3<br>Collections<br>Per Week | 4<br>Collections<br>Per Week | 5<br>Collections<br>Per Week | 6<br>Collections<br>Per Week | 7<br>Collections<br>Per Week |
|-----------------------------------|-----------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|
| <b>96-Gallon Mobile Container</b> |                             |                              |                              |                              |                              |                              |                              |
| First container                   | \$7.92                      | \$15.83                      | \$23.75                      | \$36.56                      | \$50.14                      | \$65.89                      | \$79.01                      |
| Each additional container         | \$7.92                      | \$15.83                      | \$23.75                      | \$36.56                      | \$50.14                      | \$26.31                      | \$31.66                      |
| <b>One Cubic-Yard Container</b>   |                             |                              |                              |                              |                              |                              |                              |
| First container                   | \$39.51                     | \$79.01                      | \$118.52                     | \$131.59                     | \$148.55                     | \$171.12                     | \$205.61                     |
| Each additional container         | \$39.51                     | \$79.01                      | \$118.52                     | \$131.59                     | \$148.55                     | \$131.56                     | \$158.28                     |
| <b>Two Cubic-Yard Container</b>   |                             |                              |                              |                              |                              |                              |                              |
| First container                   | \$79.15                     | \$158.28                     | \$237.42                     | \$250.68                     | \$271.73                     | \$302.69                     | \$363.87                     |
| Each additional container         | \$79.15                     | \$158.28                     | \$237.42                     | \$250.68                     | \$271.73                     | \$263.11                     | \$316.55                     |
| <b>Three Cubic-Yard Container</b> |                             |                              |                              |                              |                              |                              |                              |
| First container                   | \$118.71                    | \$237.41                     | \$356.13                     | \$369.63                     | \$394.82                     | \$434.24                     | \$522.17                     |
| Each additional container         | \$118.71                    | \$237.41                     | \$356.13                     | \$369.63                     | \$394.82                     | \$394.67                     | \$474.82                     |
| <b>Four Cubic-Yard Container</b>  |                             |                              |                              |                              |                              |                              |                              |
| First container                   | \$158.28                    | \$316.55                     | \$474.83                     | \$488.59                     | \$517.92                     | \$565.80                     | \$680.41                     |
| Each additional container         | \$158.28                    | \$316.55                     | \$474.83                     | \$488.59                     | \$517.92                     | \$526.19                     | \$633.12                     |
| <b>Six Cubic-Yard Container</b>   |                             |                              |                              |                              |                              |                              |                              |
| First container                   | \$237.41                    | \$474.82                     | \$712.23                     | \$726.49                     | \$764.11                     | \$829.90                     | \$996.98                     |
| Each additional container         | \$237.41                    | \$474.82                     | \$712.23                     | \$726.49                     | \$764.11                     | \$787.44                     | \$947.14                     |
| <b>Eight Cubic-Yard Container</b> |                             |                              |                              |                              |                              |                              |                              |
| First container                   | \$316.55                    | \$633.11                     | \$949.65                     | \$964.41                     | \$1,010.31                   | \$1,092.01                   | \$1,313.52                   |
| Each additional container         | \$316.55                    | \$633.11                     | \$949.65                     | \$964.41                     | \$1,010.31                   | \$1,059.25                   | \$1,274.12                   |

\*subject to applicable CPI-U adjustments made pursuant to this Chapter.

...

...

...

...

...

...

...

...

...

...

**Section 9.08.160 Table (B)**  
**Solid Waste Compaction-Type Drop Box Collection Charges\***

Monthly Charges

| Compactor Size          | 1 collection per week | 2 collections per week | 3 collections per week | 4 collections per week | 5 collections per week | 6 collections per week | 7 collections per week |
|-------------------------|-----------------------|------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|
| 10 cubic-yard container | \$1,756.06            | \$2,347.56             | \$3,216.32             | \$3,493.39             | \$3,770.48             | \$4,047.56             | \$5,912.89             |
| 17 cubic-yard container | \$2,172.63            | \$2,868.06             | \$4,042.42             | \$4,441.49             | \$4,840.53             | \$5,239.61             | \$6,976.12             |
| 26 cubic-yard container | \$2,434.93            | \$3,392.67             | \$4,829.31             | \$5,228.36             | \$5,627.42             | \$6,026.48             | \$7,894.24             |
| 36 cubic-yard container | \$2,873.22            | \$3,831.02             | \$5,267.51             | \$5,722.61             | \$6,177.69             | \$6,632.87             | \$8,500.66             |

| Compactor Size          | 8 collections per week | 9 collections per week | 10 collections per week | 11 collections per week | 12 collections per week | 13 collections per week | 14 collections per week |
|-------------------------|------------------------|------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|
| 10 cubic-yard container | \$7,671.94             | \$8,263.47             | \$9,132.25              | \$9,409.31              | \$9,686.36              | \$9,963.45              | \$11,831.79             |
| 17 cubic-yard container | \$9,148.73             | \$9,844.76             | \$11,018.54             | \$11,417.60             | \$11,816.67             | \$12,215.74             | \$13,952.24             |
| 26 cubic-yard container | \$10,329.15            | \$11,286.91            | \$12,723.56             | \$13,122.61             | \$13,521.69             | \$13,920.72             | \$15,788.49             |
| 36 cubic-yard container | \$11,373.89            | \$12,331.70            | \$13,768.19             | \$14,223.27             | \$14,678.38             | \$15,133.54             | \$17,001.32             |

| Per Collection Charges (with regular service)    | Regular    | Sunday/Holiday |
|--------------------------------------------------|------------|----------------|
| Special collection 0-49 cubic yards              | \$431.01   | \$646.52       |
| Special collection 50-74 cubic yards             | \$828.83   | \$1,243.24     |
| Special collection 75 cubic yards                | \$1,351.92 | \$2,027.88     |
| Per Collection Charges (without regular service) |            |                |
| On-call collection 0-49 cubic yards              | \$672.80   | \$1,009.20     |

\*subject to applicable CPI-U adjustments made pursuant to this Chapter.

**Section 9.08.160 Table (C)**  
**Solid Waste Manual-Type Drop Box Collection Charges\***

| <b>On-Call Charges</b><br>(with or without regular service) | <b><u>Regular</u></b> | <b><u>Sunday/Holiday</u></b> |
|-------------------------------------------------------------|-----------------------|------------------------------|
| 10 cubic-yard container                                     | \$83.00               | \$124.50                     |
| 20 cubic-yard container                                     | \$166.00              | \$249.00                     |
| 28 cubic-yard container                                     | \$232.40              | \$348.60                     |
| 35 cubic-yard container                                     | \$290.50              | \$435.75                     |
| 50 cubic-yard container                                     | \$415.00              | \$622.50                     |

All on-call charges are subject to additional charges of \$18.53 demurrage per 24 hours or any part thereof after the first 72 hours, excluding Sundays.

**Monthly Charges**

All other charges shall be calculated as follows:

(Base Charge x number of yards of capacity x number of collections per week x 52 weeks per year, divided by 12 months per year) + Demurrage = total monthly charge, where:

“Base Charge” for Monday - Saturday collections = \$8.30 per cubic yard.

“Base Charge” for Sunday collections = \$12.45 per cubic yard.

“Demurrage” = \$18.53 per 24 hours or any part thereof after the first 72 hours, excluding Sundays.

\*subject to applicable CPI-U adjustments made pursuant to this Chapter.

SECTION 19: Title 9, Chapter 8, Section 170, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

**9.08.170:** The charges for container rentals for [single-family residences, multiple dwellings, places of business and public buildings] any premises, which shall be billed quarterly in advance, shall be as follows:

...

...

...

...



| <b>Container Size</b>                             | <b>Monthly Charge*</b>   |
|---------------------------------------------------|--------------------------|
| 1 <u>Cubic-Yard Container</u>                     | [\$14.34] <u>\$15.22</u> |
| 2 <u>Cubic-Yard Container</u>                     | [\$17.20] <u>\$18.26</u> |
| 3 <u>Cubic-Yard Container</u>                     | [\$20.08] <u>\$21.31</u> |
| 4 <u>Cubic-Yard Container</u>                     | [\$22.37] <u>\$23.75</u> |
| 5 <u>Cubic-Yard Container</u>                     | [\$28.67] <u>\$30.43</u> |
| 6 <u>Cubic-Yard Container</u>                     | [\$31.54] <u>\$33.48</u> |
|                                                   | [Quarterly Charge*]      |
| Up to 96-gallon Mobile [Cart]<br><u>Container</u> | [\$10.32] <u>\$3.65</u>  |

\*subject to applicable CPI-U adjustments made pursuant to this Chapter.

SECTION 20: Title 9, Chapter 8, Section 180, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

**9.08.180:** The charges for special one-time collections for [single-family residences, multiple dwellings, places of business and public buildings] any premises, which may be billed at the time of service as on-call services, shall be as follows:

| <b><u>Container Size [of Receptacle]</u></b> | <b><u>One Time Charge*</u></b> |
|----------------------------------------------|--------------------------------|
| 1 <u>Cubic-Yard Container</u>                | [\$28.02] <u>\$29.75</u>       |
| 2 <u>Cubic-Yard Container</u>                | [\$37.36] <u>\$39.65</u>       |
| 3 <u>Cubic-Yard Container</u>                | [\$46.70] <u>\$49.57</u>       |
| 4 <u>Cubic-Yard Container</u>                | [\$56.02] <u>\$59.46</u>       |
| 6 <u>Cubic-Yard Container</u>                | [\$65.37] <u>\$69.39</u>       |
| 8 <u>Cubic-Yard Container</u>                | [\$74.71] <u>\$79.30</u>       |

\*subject to applicable CPI-U adjustments made pursuant to this Chapter.

SECTION 21: Title 9, Chapter 8, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 9.08.185, reading as follows:

**9.08.185:** (A) Any non-residential customer whose solid waste container or containers have overflowing solid waste prior to being emptied on a collection day shall be subject to an overflow charge as provided in this Section.



1 (B) No overflow charges may be assessed unless:

2 (1) Written notice of an overflow, delivered by regular U. S. mail, e-mail  
3 or facsimile (fax) or personal delivery, has been provided to the owner or manager of the premises,  
4 and a subsequent overflow occurs at the premises within 90 days after:

5 (a) Such notice has been given; or

6 (b) The last overflow charge has been assessed at the premises; and

7 (2) There is significant overflow from a container, as defined in this Chapter  
8 and as evidenced by a photograph; and

9 (3) The overflow has actually been collected by the City or its franchisee.

10 (C) No overflow charge may be assessed for an overflow that is caused by a prior  
11 collection being missed or being performed improperly, or by containers being repositioned by a  
12 franchisee after collection such that a container is inaccessible to tenants of the premises, resulting in  
13 overuse of and overflow occurring in another container.

14 (D) No overflow charge may be assessed for an overflow that is caused because the  
15 time of day of collection was more than four hours later than the time of day when the last regularly  
16 scheduled collection occurred.

17 (E) Overflow charges assessed pursuant to this Section may be waived by the City  
18 Manager, or his or her designee, or by a franchisee if it is determined that the owner or manager of the  
19 premises has taken reasonable steps to avoid future overflows, including but not limited to increasing  
20 the container capacity or collection frequency, installing locks on the lids of containers or on access  
21 gates to curtail illegal dumping by third parties, or other property-management measures designed to  
22 avoid overflows.

23 (F) The charge for any overflow for any non-residential customer, which may be  
24 billed at the time of service as an on-call service, shall be \$30.00, subject to applicable CPI-U  
25 adjustments made pursuant to this Chapter.

26 SECTION 22: Title 9, Chapter 8, Section 190, of the Municipal Code of Las Vegas,  
27 Nevada, 1983 Edition, is hereby repealed in its entirety.

28 SECTION 23: Title 9, Chapter 8, of the Municipal Code of the City of Las Vegas,

Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 9.08.190, reading as follows:

**9.08.190:** The charges for preparation, collection, transportation and disposal of medical waste, and the charges for the optional purchase and rental of medical waste containers shall be determined in accordance with Tables A, B and C that are included within this Section. All charges for medical waste service, except for on-call service which may be billed at the time of service, shall be billed monthly in advance.

**Section 9.08.190 Table (A)**  
**Basic Service Charges\***

| (MONDAY - FRIDAY; IF NO SERVICE IS REQUIRED, FRANCHISEE MUST BE NOTIFIED BY 2:00 P.M. ON DAY BEFORE SCHEDULED SERVICE, OR MINIMUM SERVICE CHARGE WILL APPLY) |                       |                |           |                                                                                                                 |                                                                                                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|----------------|-----------|-----------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| Item                                                                                                                                                         | Size & Volume         | Price Per Item |           | Minimum Charge Per Service Call                                                                                 |                                                                                                                 |
|                                                                                                                                                              |                       | Delivered      | Picked Up | Prescheduled Once/Month or Greater Frequency                                                                    | On-Call/Special Collection                                                                                      |
| Bio-Hazardous Accumulation Containers                                                                                                                        | Medium 10-14 Gallons  | \$4.78         | \$4.78    | \$27.26<br>(If total for containers delivered and collected is less than \$27.26, then \$27.26 will be charged) | \$61.35<br>(If total for containers delivered and collected is less than \$61.35, then \$61.35 will be charged) |
|                                                                                                                                                              | Large 27-32 Gallons   | \$6.82         | \$6.82    |                                                                                                                 |                                                                                                                 |
|                                                                                                                                                              | X-Large 48-50 Gallons | \$10.23        | \$10.23   |                                                                                                                 |                                                                                                                 |

\*subject to applicable CPI-U adjustments made pursuant to this Chapter.

...  
...  
...  
...  
...  
...  
...  
...  
...  
...

**Section 9.08.190 Table (B)**  
**Additional Service Charges\***

| Charges for prescheduled once/month or greater frequency service:                                                                      |             |           |                                                               |
|----------------------------------------------------------------------------------------------------------------------------------------|-------------|-----------|---------------------------------------------------------------|
| Type                                                                                                                                   | Size Code   | Container | Disposal Price                                                |
| Chemotherapy Waste Disposal                                                                                                            | Large       | 33 Gallon | \$33.65                                                       |
|                                                                                                                                        | Extra Large | 55 Gallon | \$59.71                                                       |
| Pharmaceutical (non-controlled substance) Disposal                                                                                     | Extra Small | 5 Gallon  | \$43.42                                                       |
|                                                                                                                                        | Small       | 10 Gallon | \$78.70                                                       |
|                                                                                                                                        | Medium      | 20 Gallon | \$157.40                                                      |
|                                                                                                                                        | Large       | 30 Gallon | \$236.12                                                      |
|                                                                                                                                        | Extra Large | 55 Gallon | \$393.53                                                      |
| Charges for on-call / special collections or special services:                                                                         |             |           |                                                               |
| Item                                                                                                                                   |             |           | Charge                                                        |
| Special collections (after 5:00 p.m., same day requests, holidays, weekends or greater than 20 polyurethane containers per collection) |             |           | \$65.14 Per Hour                                              |
| Special services (account balancing, reconciliation, usage reports, certificates)                                                      |             |           | \$65.14 Per Hour                                              |
| Preparation of waste to make suitable for transportation                                                                               |             |           | \$27.14 Per Container                                         |
| Collection delay                                                                                                                       |             |           | \$1.09 Per minute after 10 minutes; minimum charge of \$10.90 |
| Over weight charge (Over 50 lbs)                                                                                                       |             |           | \$43.42 Per Container                                         |

\*subject to applicable CPI-U adjustments made pursuant to this Chapter.

...

...

...

...

...

...

...

...

...

...

...

**Section 9.08.190 Table C**  
**Purchase or Rental Items\***

| ALL ITEMS OPTIONAL, IF OFFERED AT FRANCHISEE'S DISCRETION                                                                                                                         |                                         |                      |                             |                                                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|----------------------|-----------------------------|----------------------------------------------------|
| Item                                                                                                                                                                              | Size                                    | Volume               | Dimensions                  | Price                                              |
| Sharp Containers                                                                                                                                                                  | Small                                   | 1 Quart              | 4" x 4" x 6"                | \$5.43 plus tax                                    |
|                                                                                                                                                                                   | Medium                                  | 5 Quarts             | 4" x 10" x 9"               | \$8.68 plus tax                                    |
|                                                                                                                                                                                   | Large                                   | 8 Quarts             | 6" x 9" x 10"               | \$10.86 plus tax                                   |
|                                                                                                                                                                                   | Extra Large                             | 32 Quarts            | 9" x 13" x 17"              | \$21.71 plus tax                                   |
| Red Bio-Hazard Bags                                                                                                                                                               | Small<br>(500 bags per case)            | 8-10 Gallons         | 24" x 32" (8-10<br>gallons) | \$75.99 plus tax                                   |
|                                                                                                                                                                                   | Large/Extra Large<br>(25 bags per roll) | 50 Gallons           | 43" x 48" (50 gallons)      | \$13.03 plus tax                                   |
| Locker Rental                                                                                                                                                                     | Small                                   | 5 Cubic yards        | 7-1/2' x 5-1/2' x 3-1/2'    | \$65.14 per month<br>(includes<br>transportation)  |
|                                                                                                                                                                                   | Large                                   | 30 Cubic yards       | 20' x 8' x 8'               | \$151.98 per month<br>(includes<br>transportation) |
| Roll-Off Box Rental                                                                                                                                                               | Extra Large                             | 40 Cubic yards       |                             | \$358.25 per month                                 |
| Trailer Rental (Special collection charge of<br>\$65.14 per hour does not apply to customers<br>with trailer service, unless after hours or<br>holiday collections are requested) |                                         | 30 feet long or less |                             | \$519.53 per month                                 |
|                                                                                                                                                                                   |                                         | 48 feet long or less |                             | \$692.71 per month                                 |
|                                                                                                                                                                                   |                                         | 53 feet long or less |                             | \$779.30 per month                                 |

\* subject to applicable CPI-U adjustments made pursuant to this Chapter.

SECTION 24: Title 9, Chapter 8, Section 200, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

**9.08.200:** The charge for sewage-waste service shall be [\$15.78] sixteen dollars and seventy-five cents per wet ton of sewage waste, subject to applicable CPI-U adjustments made pursuant to this Chapter. Additional terms and conditions for collection, transportation and disposal of sewage waste shall be specified in a separate sewage-waste service agreement between the City and its franchisee.

If any jurisdiction other than the City imposes any franchise fee on a franchisee based upon its cash receipts or gross revenues from sewage-waste services provided by the franchisee, the franchisee shall be solely responsible for such franchise fees and shall not pass such franchise fees through to the City.

SECTION 25: Title 9, Chapter 8, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section



1 9.08.205, reading as follows:

2 **9.08.205:** The charges specified in this Chapter for collecting, transporting and disposing of solid  
3 waste shall not apply to construction or demolition waste, septic-tank waste, grease-trap waste, or  
4 landscaping or tree-trimming waste handled in accordance with Section 9.08.060. A franchisee or  
5 other licensed service provider may set its own charges for the collection, transportation and disposal  
6 of such solid waste.

7 SECTION 26: Title 9, Chapter 8, Section 210, of the Municipal Code of the City of  
8 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9 **9.08.210:** (A) To ensure the uniform, safe and sanitary treatment of solid waste in the City and  
10 to discourage the illegal handling and disposal of solid waste, it shall be mandatory for any person  
11 owning, occupying or managing any premises in the City which are connected to water service to  
12 subscribe to solid waste collection service provided by the City or its authorized franchisee and to pay  
13 the charges specified in this Chapter. No person may discontinue paying for solid waste collection  
14 service for his or her premises, unless such premises are not connected to water service for the entire  
15 billing period.

16 (B) In order to discontinue paying for solid waste collection service pursuant to  
17 Subsection (A) of this Section, a person must request discontinuation of service and provide proof that  
18 no water service to the premises is provided. [Such request is subject to an administrative fee of  
19 fifteen dollars for the costs of processing the request.] No fee may be charged to discontinue  
20 service or to reestablish service to the premises after service has been discontinued pursuant to this  
21 Subsection (B).

22 (C) All charges for regular or periodic services provided by the City, its franchisees,  
23 or their duly appointed agents, pursuant to this Chapter shall be billed [in advance] on the first  
24 business day of the quarterly or monthly billing period, as applicable[. Bills will be due and payable  
25 on the fifteenth day after the applicable billing date.], and shall be due and payable on the last day of  
26 the billing month; provided, however, that charges for on-call service may be billed at the time of  
27 service. All charges for services under this Chapter, including the penalties for delinquent payment,  
28 shall constitute a debt and obligation of the legal owner [and the person having the management] of



1 the [places of business, public buildings, multiple dwellings and residences] premises to the City or  
2 its franchisee, and such [persons] person shall be liable therefor in a civil action commenced by the  
3 City or its franchisee in any court of competent jurisdiction for the recovery of such charges and  
4 penalties.

5 (D) If any person fails to pay the charges authorized by this Chapter by the date they  
6 become due and payable, a penalty shall be added thereto of three dollars per quarter (or fraction  
7 thereof) for residential accounts and two percent per month (or fraction thereof) of the delinquent  
8 amount for commercial accounts.

9 [(D)] (E) A customer shall be entitled to a refund of any advance payment for service he  
10 or she has made[, minus any administrative fee paid pursuant to Subsection (B) of this Section,] upon  
11 presenting proof that a connection to water service did not exist at the customer's premises during the  
12 entire billing period for which the advance payment was made. All refunds from a franchisee to a  
13 customer shall be paid within thirty days from the date of the customer's request for reimbursement  
14 or date of franchisee's knowledge that a refund is owed.

15 [(E)] (F) No person shall accept and no franchisee shall offer or give any solid waste  
16 collection, transportation and disposal services or curbside recyclables collection services without  
17 charge, or shall offer or give a discount, refund or rebate of any charge authorized by this Chapter,  
18 except that this provision does not apply to any credits or refunds issued pursuant to Section 9.08.340,  
19 charitable organizations which are exempt from federal income tax pursuant to Section 501(c) of the  
20 Internal Revenue Code or as further provided by franchise agreement.

21 [(F)] If any person fails to pay the charges authorized by this Chapter within fifteen  
22 days after they become due and payable, such charge shall be considered delinquent and a penalty of  
23 two percent per month (or fraction thereof) of the delinquent amount shall be added thereto.]

24 SECTION 27: Title 9, Chapter 8, Section 230, of the Municipal Code of the City of  
25 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

26 **9.08.230:** All solid waste collection charges [or fees] authorized and established by this Chapter,  
27 including any penalties assessed under Section 9.08.210, shall constitute a lien upon the real property  
28 of the premises served until such charges [and fees] have been paid. Such lien shall be enforced in

1 the [following manner:] manner specified in NRS 444.520.

2 [(A) A lien shall not be recorded against any property until the record owner of the  
3 property has been mailed written notice of the delinquency at his or her last address shown by the  
4 records of the County Assessor, and such delinquency has not been cured within fifteen days after the  
5 mailing of the notice.

6 (B) The provider of solid waste collection may record in the office of the County  
7 Recorder, no later than four hundred days following the date on which such charges or fees become  
8 delinquent, a notice of solid waste service lien in favor of the person claiming the lien and signed by  
9 an authorized representative of the person claiming the lien. The notice of solid waste lien shall  
10 contain the amount of the charges or fees due, the periods for which such charges or fees are due, the  
11 name of the record owner(s) of the property, and a legal description of the property.

12 (C) The provider of solid waste collection may bring an action for foreclosure  
13 against such property in the same manner as an action for foreclosure of any other lien, commenced  
14 within two years after the date of recording the notice of solid waste lien.]

15 SECTION 28: Title 9, Chapter 8, Section 240, of the Municipal Code of the City of  
16 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

17 **9.08.240:** (A) The [rates and] charges established pursuant to this Chapter shall be adjusted  
18 annually based upon the percentage of change in the CPI-U.

19 (B) [Rate changes] Changes in charges shall be made effective as of July 1, each  
20 year, and shall be based upon the percentage change in the CPI-U for the twelve-month period of the  
21 preceding calendar year.

22 (C) Annual increases to [rates and] charges adjusted in accordance with the  
23 percentage change in the CPI-U shall not be greater than six and one-half percent when the percentage  
24 change in CPI-U is within the range of zero (no change) to ten percent and shall be done in the  
25 following manner:

26 (1) When the percentage change in the CPI-U is between zero and six and  
27 one-half percent, the charges are to be adjusted by the actual percentage change; and

28 (2) When the percentage change is between six and one-half percent and

1 ten percent, the [rates and] charges adjustment shall not be greater than six and one-half percent.

2 (D) When an unforeseen economic circumstance has occurred during the preceding  
3 calendar year, the City Council may consider and may approve a method for adjusting [rates] charges  
4 which is not based on changes to the CPI-U. In any year following a period when the adjustment to  
5 [rates] charges was based on some other method, [rate] charge adjustments shall again be based on  
6 changes in the CPI-U.

7 (E) A minimum of one annual [rate] charge adjustment based on the CPI-U method  
8 must occur between annual [rate] charge adjustments based on methods other than the CPI-U method.

9 SECTION 29: Title 9, Chapter 8, Section 250, of the Municipal Code of the City of  
10 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **9.08.250:** (A) Every franchisee shall pay a quarterly franchise fee, in the amount specified in  
12 the franchise agreement, based on its cash receipts derived from the collection of solid waste and  
13 curbside recyclables collection for the preceding calendar quarter. All franchise fees shall be due no  
14 later than thirty days after the end of each calendar quarter.

15 (B) [All rates that a franchisee charges its customers] All charges to customers for  
16 the collection of solid waste and curbside recyclables collection pursuant to this Chapter and the  
17 franchise agreement shall be deemed to include the franchise fee which the franchisee pays to the City.  
18 The franchisee may pass such fees through to its customers only as a part of the general service [rates]  
19 charges charged to its customers, not as a separate charge that is additional to the general service  
20 [rates] charges.

21 (C) If a franchise fee is received by the City after the due date, a late fee of two  
22 percent per month (or fraction thereof) of the delinquent amount will be assessed to the franchisee.

23 SECTION 30: Title 9, Chapter 8, Section 260, of the Municipal Code of the City of  
24 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

25 **9.08.260:** All solid waste and hazardous waste collected from the public and private places and  
26 premises in the City shall not be deposited at any place other than at a transfer station, disposal site  
27 or materials recovery facility operated in accordance with all applicable laws, rules and regulations.

28 SECTION 31: Title 9, Chapter 8, Section 270, of the Municipal Code of the City of



1 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

2 **9.08.270:** (A) Any person may dispose of solid waste at any disposal site operated in  
3 accordance with all applicable laws, rules and regulations.

4 (B) Any [single-family resident of the City] person in the City who receives  
5 individual service at a single-family residence, duplex or mobile home park and who is a current  
6 customer of a franchisee may dispose of the solid waste generated at his or her [own single-family  
7 dwelling] residential premises at any authorized disposal site owned or operated by the franchisee  
8 within the "urban solid waste service area" in Clark County, without charge, upon presentation of a  
9 current quarterly bill for residential service from the franchisee and a valid[, ] government-issued photo  
10 identification[.], such as a current Nevada driver's license, and in accordance with such other rules  
11 and regulations as the County may adopt.

12 SECTION 32: Title 9, Chapter 8, of the Municipal Code of the City of Las Vegas,  
13 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section  
14 9.08.295, reading as follows:

15 **9.08.295:** Notwithstanding any provision in this Chapter to the contrary, the City Manager, a  
16 franchisee and specific property owners in designated control areas may agree upon alternative  
17 collection schedules for specified test periods for the purpose of testing recycling options.

18 SECTION 33: Title 9, Chapter 8, Section 320, of the Municipal Code of the City of  
19 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **9.08.320:** The following customer service standards shall apply to each franchisee:

21 (A) The franchisee shall be required to implement a complaint resolution procedure  
22 to handle all complaints received by either the City or the franchisee. The complaint resolution  
23 procedure shall include the following:

24 (1) The franchisee shall be required to record all complaints and if possible  
25 resolve them within forty-eight hours of their receipt.

26 (2) If the franchisee cannot resolve a complaint within forty-eight hours of  
27 its receipt, the franchisee shall within that period, provide the City with a written report detailing why  
28 resolution could not be reached within that period, the actions that will be taken to resolve the

1 complaint and the timeline to reach a resolution of the complaint.

2 (B) If the City is not satisfied with the franchisee's proposed resolution of a  
3 complaint, the Director of Finance and Business Services, or his or her designee, shall have the  
4 authority to direct the franchisee to resolve the complaint in a manner that is satisfactory to the City.

5 (C) [No later than thirty days after the end of each month,] Upon request, the  
6 franchisee shall provide the City with a written monthly report, in a form satisfactory to the City,  
7 summarizing the complaints received by the franchisee and the resolutions thereof for the preceding  
8 month.

9 SECTION 34: Title 9, Chapter 8, Section 330, of the Municipal Code of the City of  
10 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **9.08.330:** (A) Customer service telephone operators of a franchisee shall be trained to screen  
12 requests and assist in solving problems and shall identify themselves by at least their first names  
13 immediately upon initial contact with a customer.

14 (B) A customer shall be transferred to a supervisor upon request or, if none is  
15 available, receive a return call from a supervisor within one working day of the request.

16 (C) Unless otherwise agreed to by the City, customer service operators of a  
17 franchisee shall be available to answer telephone calls from customers during normal business hours,  
18 which shall be from at least eight a.m. to six p.m. each Monday through Friday and for at least four  
19 hours each Saturday, except for any Monday through Saturday that falls on any of the following  
20 holidays: New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving and Christmas.  
21 When customer service operators are not available to answer telephone calls from customers, the  
22 franchisee shall employ an answering machine or service capable of receiving and recording calls from  
23 customers. Calls received by such answering machine or service shall be returned on the next business  
24 day.

25 [(A)] (D) Each franchisee shall at all times maintain a telephone answering system that  
26 measures the:

27 (1) Average wait time from the time that customer calls reach the franchisee  
28 to the time that such calls are answered by a person (not a machine);



1 (2) Number of calls that reach the franchisee but are dropped before a  
2 representative of the franchisee answers such calls; and

3 (3) Percentage of time during which all of the franchisee's customer service  
4 telephone lines are busy.

5 [(B)] (E) [No later than thirty days after the end of each month, the] Upon request, a  
6 franchisee shall provide the City with a written monthly report regarding its telephone answering  
7 system, in a form satisfactory to the City, summarizing the average wait time, the number of dropped  
8 calls and the percentage of time during which all lines were busy during the preceding month.

9 [(C)] (F) [The franchisee shall establish, after consultation with the City, reasonable  
10 minimum standards for its telephone answering system for the average wait times, number of dropped  
11 calls and percentage of time during which all lines are busy.] During normal business hours as  
12 specified in Subsection (C) of this Section, a franchisee shall meet the following minimum standards  
13 for its telephone answering system at least ninety percent of the time, measured monthly:

14 (1) Telephone answering time, including wait time, shall not exceed sixty  
15 seconds.

16 (2) No more than five percent of incoming customer service callers shall  
17 receive a busy signal.

18 [(D)] (G) Each monthly report required by Subsection [(B)] (E) of this Section shall  
19 include a summary of whether the franchisee is or is not in compliance with the [agreed upon]  
20 standards established pursuant to Subsection [(C)] (F) of this Section and, if the franchisee is not in  
21 compliance, what actions the franchisee will take to meet the standards in future months.

22 SECTION 35: Title 9, Chapter 8, of the Municipal Code of the City of Las Vegas,  
23 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section  
24 9.08.340, reading as follows:

25 **9.08.340:** (A) For purposes of this Section, a "container damaged beyond proper use" shall  
26 mean a solid waste container used by a non-residential customer that has been damaged to such an  
27 extent that it can no longer be properly used for solid waste collection, including but not limited to a  
28 container that has broken wheels so that it cannot be rolled in and out of an enclosure in which it is

1 stored.

2 (B) For purposes of this Section, a franchisee shall be deemed to have notice that  
3 a container has been damaged beyond proper use no later than the earlier of the following dates:

4 (1) the date on which the franchisee receives oral or written notice of the  
5 damage; or

6 (2) the first regularly scheduled collection day after the damage has  
7 occurred.

8 (C) If a franchisee provides a container to a non-residential customer and such  
9 container is damaged beyond proper use through the franchisee's own actions or through normal wear  
10 and tear, or if the franchisee damages any other container that is used by a non-residential customer  
11 through the franchisee's own negligence or misconduct, the franchisee shall:

12 (1) Fix or repair such container, at its own cost, no later than seven calendar  
13 days after it has notice of the damage;

14 (2) Be deemed to have missed each collection that is regularly scheduled  
15 from the date on which the franchisee has notice of the damage until such time as the container is  
16 fixed or replaced; and

17 (3) Automatically issue a credit to the customer for each missed pickup in  
18 accordance with Subsection (E) of this Section.

19 (D) If a franchisee misses or improperly performs a collection for a non-residential  
20 customer for any reason other than a container being damaged beyond proper use, resulting in solid  
21 waste that the customer has properly put out for collection not being collected, the franchisee shall,  
22 within twenty-four hours of receiving notice of such missed or improper collection, send a second  
23 vehicle to the premises to properly collect such solid waste.

24 (E) If a franchisee fails to fix or replace a container damaged beyond proper use as  
25 required by this Section, or to correct a missed or improper collection for a non-residential customer  
26 as required by this Section, the franchisee shall automatically issue a prorated credit to such  
27 customer's account, based on the charges for regularly scheduled collection service to the premises  
28 for the applicable billing period, regardless of whether the customer makes any request for such a

1 credit.

2 SECTION 36: Sections 14, 16, 18 and 23 of this Ordinance shall become effective as  
3 of 12:01 a.m. the day after publication of this Ordinance by title.

4 SECTION 37: If any section, subsection, subdivision, paragraph, sentence, clause or  
5 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid  
6 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
7 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
8 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,  
9 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,  
10 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
11 invalid or ineffective.

12 SECTION 38: Whenever in this ordinance any act is prohibited or is made or declared  
13 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is  
14 required or the failure to do any act is made or declared to be unlawful or an offense or a  
15 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall  
16 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than  
17 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such  
18 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

19 ...

20 ...

21 ...

22 ...

23 ...

24 ...

25 ...

26 ...

27 ...

28 ...

1 SECTION 39: All ordinances or parts of ordinances or sections, subsections, phrases,  
2 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
3 1983 Edition, in conflict herewith are hereby repealed.

4 PASSED, ADOPTED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

5 APPROVED:

6  
7 By \_\_\_\_\_  
8 OSCAR B. GOODMAN, Mayor

9 ATTEST:

10 BARBARA JO RONEMUS, City Clerk

11 APPROVED AS TO FORM:

12 Garry G. Bellis 1-24-07  
13 Date  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the  
2 \_\_\_\_\_ day of \_\_\_\_\_, 2007, and referred to the following committee composed of  
3 \_\_\_\_\_ and \_\_\_\_\_ for recommendation;  
4 thereafter the said committee reported favorably on said ordinance on the \_\_\_\_\_ day of  
5 \_\_\_\_\_, 2007, which was a \_\_\_\_\_ meeting of said Council; that at said  
6 \_\_\_\_\_ meeting, the proposed ordinance was read by title to the City Council  
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

10 ABSENT: \_\_\_\_\_

11  
12 APPROVED:

13  
14 By \_\_\_\_\_  
15 OSCAR B. GOODMAN, Mayor

16 ATTEST:

17 BARBARA JO RONEMUS, City Clerk  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



**BUSINESS IMPACT STATEMENT  
BILL NO. 2007-7**

**Regarding Proposed Ordinance Amendments to City's Solid Waste  
Management Regulations (LVMC Chapter 9.08)**

This Business Impact Statement was prepared pursuant to NRS 237.090 to address the impact of proposed ordinance amendments to Chapter 9.08 of the Las Vegas Municipal Code concerning solid waste management, including the following changes: updating service charges; increasing frequency-of-service options; adding minimum container requirements; adding charges for overflow collections; eliminating discontinuation-of-service charges; deregulating charges for categories of waste for which competitive markets exist; adding customer service requirements concerning fixing damaged containers and correcting missed collections; and allowing solid waste collection at alternative locations to avoid unsafe driving maneuvers.

**1. The following constitutes a description of the manner in which comments were solicited from affected businesses, a summary of their response, and an explanation of the manner in which other interested persons may obtain a copy of the summary. NRS 237.090(1)(a)**

**Affected Businesses:** The proposed ordinance amendments may affect all businesses in the City.

**Solicitation of Public Comments:** A Public Notice of proposed amendments to the City's solid waste management regulations, including a solicitation of comments thereon, was published in the Las Vegas Review-Journal on December 29, 2006.

Prior to the publication of such Notice, three meetings were held at the City with representatives of several types of businesses, including property managers, to review and provide comments on the proposed changes. After making revisions to the proposed ordinance amendments, another meeting was held at Clark County to review the revisions with representatives from property managers' groups – particularly with regard to the provisions concerning minimum container requirements and charges for the collection of overflowing containers.

Copies of the proposed amendments were sent electronically to representatives of several types of businesses, including property managers, on December 22, 2006. A copy of the proposed amendments was also sent electronically to the Las Vegas Chamber of Commerce on December 26, 2006.

**Availability of Documents:** Copies of the proposed ordinance amendments were and are available for review at: City of Las Vegas, Business Services Division, 400 Stewart Avenue, 3rd floor, Las Vegas, Nevada 89101.

**Summary of Public Comments:** No comments were received in response to the Public Notice. At meetings prior to the publication of the Public Notice, representatives of various industry groups expressed the following concerns: (1) minimum container requirements were set at levels that were too high; (2) overflow charges were too high and required better definitions and more procedural

safeguards to avoid unfair or abusive charges; and (3) the issue of a franchisee collecting waste at alternative locations, if the normal location for collection would require unsafe maneuvers by the franchisee's trucks, should not be addressed in this ordinance.

**2. The following summarizes the estimated economic effect of the proposed rule on businesses, including, without limitation, adverse, beneficial, direct and indirect effects. NRS 237.090(1)(b)**

**In General:** Increases in charges for solid waste service reflect applicable Consumer Price Index adjustments, and are not increases to existing charges.

**Adverse Effects:** The amendments will require all businesses to meet minimum container requirements, which are intended to provide for adequate solid waste service for such customers. This may require some businesses to increase their service levels, by increasing their frequency of service or container size, or by renting or purchasing additional containers.

Properties that continue to have waste overflowing from their containers will be subject to overflow charges.

Service charges will be deregulated for certain categories of service for which competition is allowed – i.e., construction and demolition waste, septic-tank waste, grease-trap waste and yard waste. This could result in higher charges for these services by the City's solid waste franchisee.

Developers may incur increased costs in developing their properties, if they have to revise development plans that might otherwise require unsafe driving maneuvers by solid waste collection trucks in order to avoid alternative waste collection locations.

**Beneficial Effects:** New frequency-of-service options could result in some businesses paying less for service.

New customer service standards concerning the fixing or replacement of damaged containers, and the correction of missed collections, could result in credits to customers' accounts.

Discontinuation-of-service charges are eliminated.

**Direct Effects:** Adds once/week, three times/week, four times/week, five times/week and seven times/week service options; adds overflow charges; and eliminates discontinuation-of-service charges.

**Indirect effects:** Adds customer service standards; see possible effects above.

**3. The following constitutes a description of the methods that the local government considered to reduce the impact of the proposed rule on businesses, and whether any of the following**

methods were used: simplifying the proposed rule; establishing different standards of compliance for a business; and modifying a fee or fine set forth in the rule so that a business could pay a lower fee or fine. *NRS 237.080(4)(a), (b) and (c); NRS 237.090(1)(c)*

**In General:** City staff analyzed existing solid waste service levels for over 1400 nonresidential customers in order to determine a schedule of “conservative” minimum container requirements based on different types of businesses. As a result, the requirements that were initially proposed were reduced substantially, to levels equating to approximately 50% of the average existing service levels for these customers.

The definition of “overflow” was modified, so that certain situations that originally would have constituted an overflow no longer do. Procedural safeguards were added or clarified with regard to how and when an overflow charge can be assessed. The amount of the overflow charge originally proposed was reduced by approximately one-third.

No changes were made to the provisions that allow a franchisee, with the City’s approval, to collect solid waste from an alternative location if the normal collection location would require unsafe driving maneuvers by the franchisee’s trucks. This is a safety issue that should not be compromised based solely on decreased profits for developers.

**Simplification of Rules:** The changes requested by businesses were not based on simplification of the rules, but some definitional and procedural changes that were requested concerning overflow charges were made.

**Establishing Different Standards for Businesses:** Inapplicable; the rules for which comments were received were specifically intended for businesses.

**Modifying Fees or Fines:** The lowering of the minimum container requirements lessens any increased costs that businesses may incur in order to meet such requirements. The changes to the overflow charge provisions decrease the likelihood of a business being assessed an overflow charge. The amount of the overflow charge that can be assessed was decreased by approximately one-third.

**4. The following summarizes the governing body’s estimate of the annual costs to the local government for enforcement of the proposed rule. *NRS 237.090(1)(d)***

No additional costs.

**5. The following summarizes the total annual amount that the local government expects to collect from any new or increased fees, and the manner in which the money will be used. *NRS 237.090(1)(e)***

**New/Increased Fees:** There are no new fees to the City. (See Section 2, “In General”) The City may indirectly receive additional franchise fees based on revenue received by its franchisee resulting

from minimum container requirements and overflow charges, the amount of which cannot be estimated at this time.

**Use of Money:** Any additional franchise fees received by the City will go into the City's general fund.

**6. The following summarizes any provisions of the proposed rule which duplicate or are more stringent than federal, state or local standards regulating the same activity, and explains why such provisions are necessary. NRS 237.090(1)(f)**

**Duplicative Rules:** NRS 444.440 et seq. provides a framework under which the City is required to establish by ordinance regulations for a solid waste management system, provided that no such ordinance shall be in conflict with any regulation adopted by the State Environmental Commission. This proposed ordinance amendments are in compliance with NRS.

**Reason for Duplication:** Inapplicable.

Date: February 7, 2007



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

---

**DEPARTMENT: CITY CLERK**

**DIRECTOR: BARBARA JO RONEMUS**

☐ Consent ☒ Discussion

**SUBJECT:**

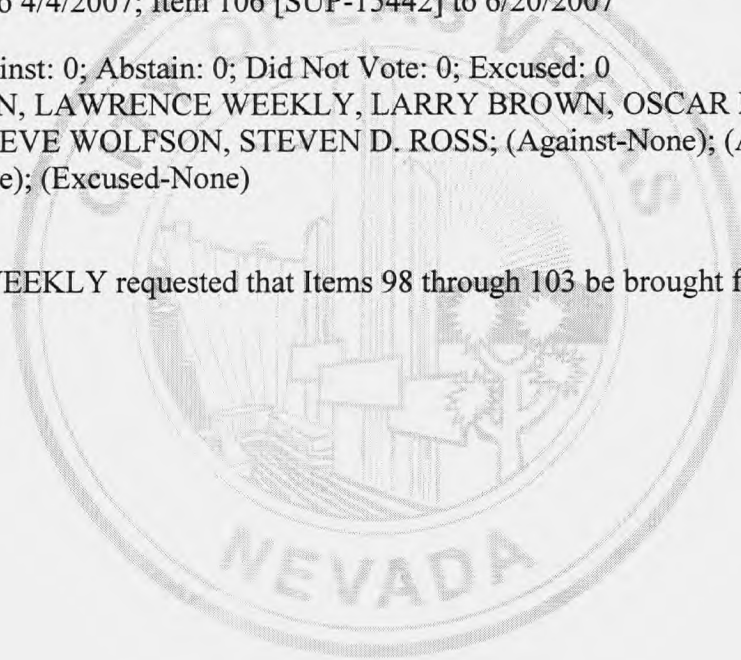
Any items from the afternoon session that the Council, staff and /or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

Motion made by GARY REESE to Hold in Abeyance Item 74 [SID 1490], Item 91 [GPA-16511], Item 92 [ZON-16519], Item 93 [VAR-16525], Item 94 [SDR-16522], Item 104 [VAR-17871], Item 105 [SDR-17312], Item 111 [SDR-15747], Item 130 [SUP-18266] and Item 131 [SUP-18279] to 2/21/2007; Item 122 [VAR-18312] and Item 123 [SUP-18314] to 3/7/2007; Item 112 [SDR-17298] to 4/4/2007; Item 106 [SUP-15442] to 6/20/2007

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)

**Minutes:**

COUNCILMAN WEEKLY requested that Items 98 through 103 be brought forward for discussion.





**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: FEBRUARY 7, 2007**

**DEPARTMENT: PUBLIC WORKS**

**DIRECTOR: CHARLIE KAJKOWSKI**

☐ Consent ☒ Discussion

**SUBJECT:**

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). NOTE: THIS ITEM WILL BE HELD IN ABEYANCE FOR HEARING AT THE 2/21/2007 CITY COUNCIL MEETING

**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

Motion made by GARY REESE to Hold in Abeyance Item 74 [SID 1490], Item 91 [GPA-16511], Item 92 [ZON-16519], Item 93 [VAR-16525], Item 94 [SDR-16522], Item 104 [VAR-17871], Item 105 [SDR-17312], Item 111 [SDR-15747], Item 130 [SUP-18266] and Item 131 [SUP-18279] to 2/21/2007; Item 122 [VAR-18312] and Item 123 [SUP-18314] to 3/7/2007; Item 112 [SDR-17298] to 4/4/2007; Item 106 [SUP-15442] to 6/20/2007

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)

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