

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐ Consent ☒ Discussion

SUBJECT:

Discussion and possible action regarding a Six Month Review of Temporary Approval of a Beer/Wine/Cooler On-Sale License, Rubio's Restaurants of Nevada, Inc., dba Rubio's Fresh Mexican Grill, 1910 Village Center Circle, Suite 9, John C. Fuller, Dir, Pres, Secy, Treas, Rubio's Restaurant, Inc., PTC, 100% - Ward 2 (Wolfson)

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 Temporary Approval of a Beer/Wine/Cooler On-Sale License.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

None

Motion made by STEVE WOLFSON to Approve the permanent license for Items 67 and 69, with the understanding that the general manager continue to communicate with Business Services and follow through on the submittal of the key employee applications

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

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

Minutes:

JIM DiFIORE, Manager of Business Services, reported that there has been significant improvement in business management on Items 67 through 69. During the last six months a general manager was approved for all three stores, with applications submitted for approval of key employees at all three stores. Two of the key employees left, but the owner is already in the process of submitting applications for replacements. Because there are minor concerns remaining regarding work cards, he recommended a permanent license for Items 67 through 69, with the understanding that the general manager continue to communicate with Business Services and follow through on the submittal of the key employee applications.

TOM AMICK, Attorney, appeared representing the applicant on Items 67 through 69.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐ Consent ☒ Discussion

SUBJECT:

Discussion and possible action regarding a Six Month Review of Temporary Approval of a Beer/Wine/Cooler On-Sale License, Rubio's Restaurants of Nevada, Inc., dba Rubio's Fresh Mexican Grill, 7290 West Lake Mead Boulevard, Suite 3, John C. Fuller, Dir, Pres, Secy, Treas, Rubio's Restaurant, Inc., PTC, 100% - Ward 1 (Tarkanian)

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 Temporary Approval of a Beer/Wine/Cooler On-Sale License.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

None

Motion made by LOIS TARKANIAN to Approve the permanent license, with the understanding that the general manager continue to communicate with Business Services and follow through on the submittal of the key employee applications

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

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

Minutes:

See Item 67 for related discussion.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐ Consent ☒ Discussion

SUBJECT:

Discussion and possible action regarding a Six Month Review of Temporary Approval of a Beer/Wine/Cooler On-Sale License, Rubio's Restaurants of Nevada, Inc., dba Rubio's Fresh Mexican Grill, 9310 West Sahara Avenue, Suite 1, John C. Fuller, Dir, Pres, Secy, Treas, Rubio's Restaurant, Inc., PTC, 100% - Ward 2 (Wolfson)

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 Temporary Approval of a Beer/Wine/Cooler On-Sale License.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

None

Motion made by STEVE WOLFSON to Approve the permanent license for Items 67 and 69, with the understanding that the general manager continue to communicate with Business Services and follow through on the submittal of the key employee applications

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

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

Minutes:

See Item 67 for related discussion.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐ Consent ☒ Discussion

SUBJECT:

Discussion and possible action on a Review of Conditions of a Tavern License and a Gaming License for Scotch 80's Limited, dba Squiggy's, 530 South Martin Luther King Boulevard, Danny R. Piper, Dir, Pres, Treas, 50% and Joseph D. Bunch, Dir, Secy, 50% - Ward 5 (Williams)

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

Scotch 80's Limited possesses a Tavern License (L16-00128-4-000190), Gaming License (G01-02175-4-000314) and other non-privilege related licenses. At the August 16, 2006 City Council meeting Council approved six conditions to add to the license of Squiggy's, one of which they were required to sell the business within a six month period or the licenses would be automatically revoked. Scotch 80's could appeal to Council for an extension of this time period if they have a signed sales agreement with a deposit in escrow, an application for transfer of ownership filed with Business Services, and a new gaming application filed with State Gaming and Business Services when the six month term expires while the investigations on the alcohol and gaming licenses are being completed.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

Agenda Memo

Motion made by BRENDA J. WILLIAMS to Approve a 90-day extension on the license, subject to the imposed conditions

Passed For: 5; Against: 0; Abstain: 1; Did Not Vote: 1; Excused: 0

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

NOTE: MAYOR GOODMAN disclosed that he would be abstaining, noting that he could not remain impartial because of his personal relationship with Mr. Piper.

CITY COUNCIL MEETING OF: APRIL 18, 2007

Minutes:

JIM DiFIORE, Manager of Business Services, indicated that the investigation of the new buyer is still ongoing. It should be completed within the next 60 days. The applicant is requesting an extension.

BROOK BULKE, Attorney, Callister & Reynolds, appeared with the owners of Scotch 80's Limited. She requested a 90-day extension, pending election of a new Ward 5 representative. MR. DiFIORE supported the request.



AGENDA MEMO

CITY COUNCIL MEETING DATE: April 18, 2007

DEPARTMENT: FINANCE AND BUSINESS SERVICES

Discussion and possible action on a Review of Conditions of a Tavern License and a Gaming License for Scotch 80's Limited, dba Squiggy's, 530 South Martin Luther King Boulevard

Licensing Conditions – approved by City Council on August 16, 2006 –

1. A Condition that Scotch 80's Ltd. (Danny Piper and Joseph Bunch) have agreed to sell the business including the alcoholic beverage license within six months, otherwise the licenses will be automatically revoked. If they have a signed sales agreement with a deposit in escrow, an application for transfer of ownership filed with Business Services and a new gaming application filed with State Gaming and Business Services when the six month term expires (08/16/06 - 02/15/07), then Scotch 80's Ltd. may apply to the City Council on a month to month basis for consideration of approval of an extension of this time period while the investigations on the alcohol and gaming licenses are being completed.
2. A condition that Scotch 80's Ltd. will pay to the City in lieu of a fine, \$20,000 to be paid to the City within 30 days.
3. A condition that last call to customers will be 1:00 AM with business closing its doors for all patron use at 2:00 AM, seven days a week.
4. A condition that admittance to the bar will be only to patrons 25 and older during this time.
5. A condition that Scotch 80's Ltd. will provide adequate security for protection of patrons inside the bar and outside limited to the parking area designated for Squiggy's patronage.
6. A condition that Scotch 80's Ltd. acknowledge that the Business Services Director or Manager is granted the authority by the City Council to administratively suspend the licenses and close the business down if these conditions are violated. They further understand that Scotch 80's Ltd. will have the right to appeal the suspension at the next regularly scheduled City Council meeting.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐ Consent ☒ Discussion

SUBJECT:

Discussion and possible action regarding Temporary Approval of a new Massage Establishment License subject to the provisions of the planning and fire codes, Russell Emde, dba Tranquil Gardens Massage, 3900 North Rancho Drive, Suite 107, Russell J. Emde, Owner, 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 Temporary Approval of a new Massage Establishment License.

RECOMMENDATION:

Recommend approval with the authority of the director or designee to issue a permanent license upon receipt of a favorable investigative report or extend the temporary license if the investigation is not complete during the temporary period and subject to the provisions of the planning and fire codes.

BACKUP DOCUMENTATION:

Map

Motion made by GARY REESE to Hold in Abeyance Items 62 and 71 to 5/2/2007 and STRIKE Item 72

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

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

TRANQUIL GARDENS MASSAGE



0 300 600 Feet



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐ Consent ☒ Discussion

SUBJECT:

Discussion and possible action regarding Temporary Approval of a new Psychic Art and Science License subject to the provisions of the planning and fire codes, Nancy Evans, dba Spiritual Insights, 1000 East Sahara Avenue, Suite 101, Nancy Evans, 50% - 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 a new Psychic Art and Science License.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

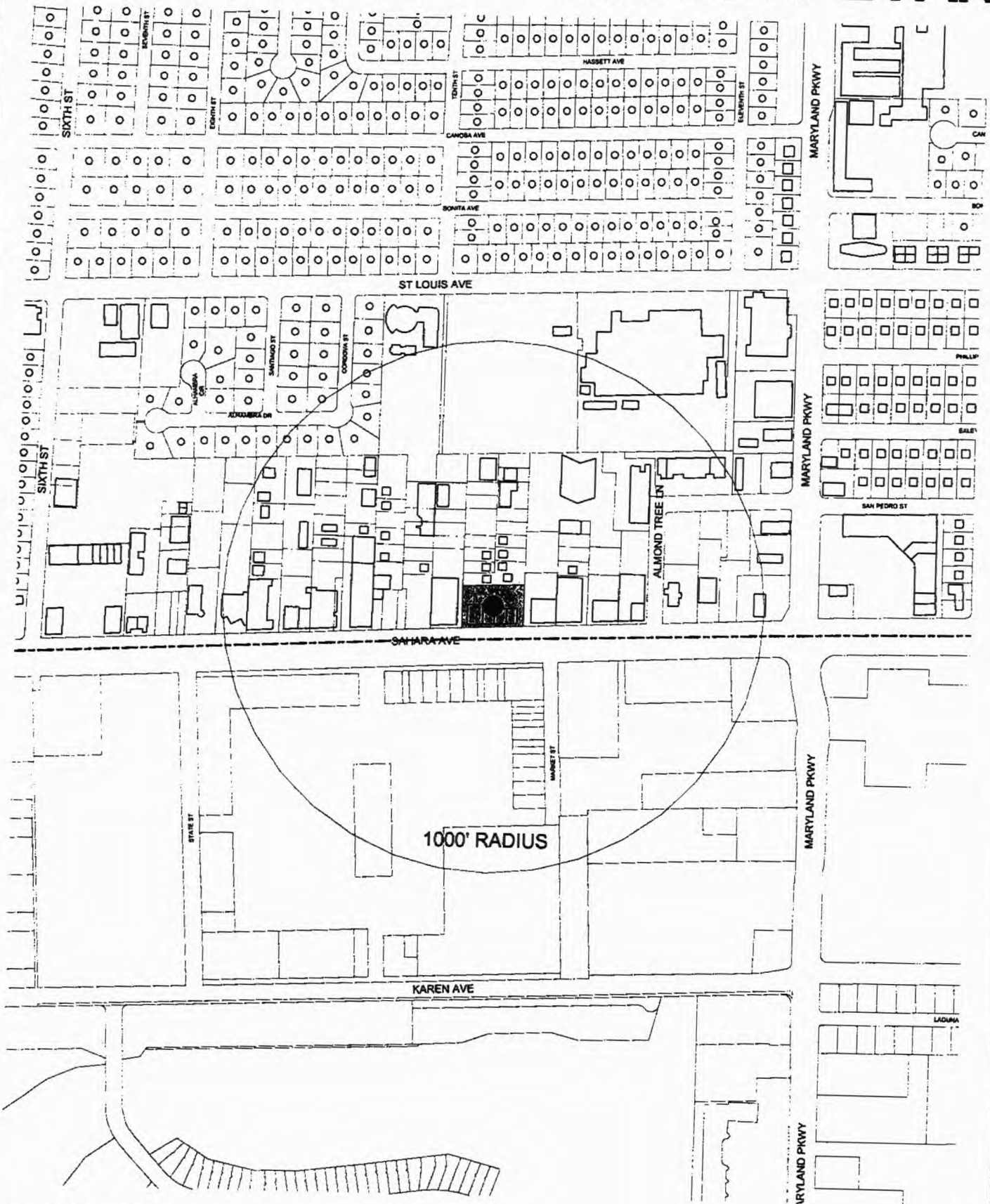
Map

Motion made by GARY REESE to Hold in Abeyance Items 62 and 71 to 5/2/2007 and STRIKE Item 72

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

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

SPIRITUAL INSIGHTS/NANCY EVANS



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐ Consent ☒ Discussion

SUBJECT:

Discussion and possible action regarding Temporary Approval of a new Massage Establishment License subject to the provisions of the planning and fire codes, Nikita General LLC dba Goldilocks Salon and Day Spa, 2800 West Sahara Avenue, Suite 8B, Elena Iniakina, Mbr, 100% - Ward 1 (Tarkanian)

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 Massage Establishment License.

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes with the authority of the director or designee to issue a permanent license upon receipt of a favorable investigative report or extend the temporary license if the investigation is not complete during the temporary period

BACKUP DOCUMENTATION:

Map

Motion made by LOIS TARKANIAN to Approve the temporary license, subject to the 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 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

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

Minutes:

JIM DiFIORE, Manager of Business Services, said the applicant, who was present, met the requirements for a temporary license. He suggested approval as recommended.

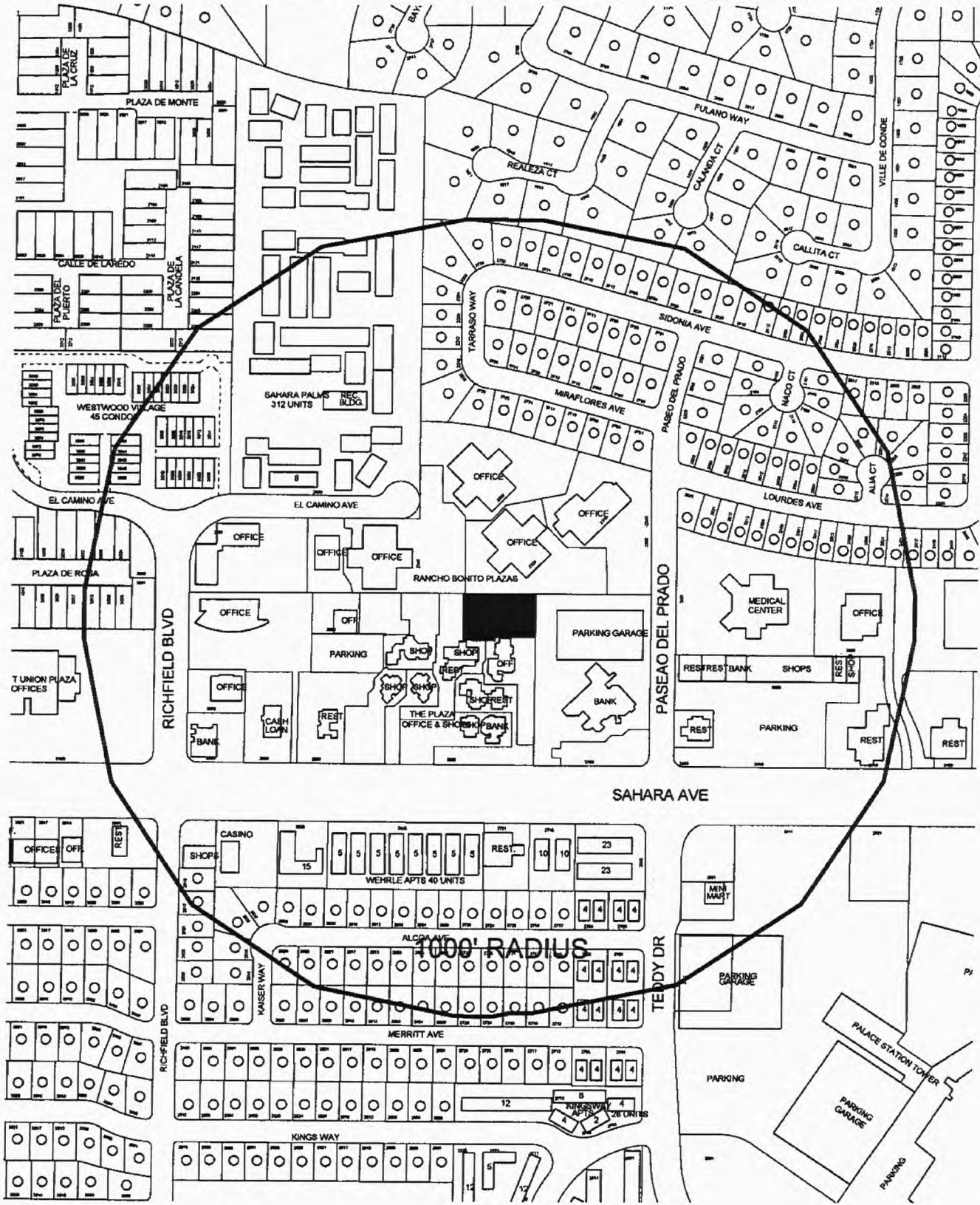
CITY COUNCIL MEETING OF: APRIL 18, 2007

MS. INIAKINA requested approval.

COUNCILWOMAN TARKANIAN clarified that it is a new license for an established massage entity.



GOLDBLOCKS SALON & DAY SPA



0 200 400 Feet



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: PUBLIC WORKS

DIRECTOR: CHARLIE KAJKOWSKI

☐ Consent ☒ Discussion

SUBJECT:

Discussion and possible action regarding a list of projects for nomination for funding from the special account established through the sale of Bureau of Land Management (BLM) lands in accordance with the Southern Nevada Public Lands Management Act (SNPLMA) - Wards 1, 2, 3, 4 and 6 (Tarkanian, Wolfson, Reese, Brown and Ross)

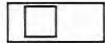
Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

The purpose of this item is to identify parks, trails and open space projects that will be submitted to the BLM for consideration for possible funding through the special account established as a result of the Southern Nevada Public Lands Management Act.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

1. Location Map
2. SNPLMA Special Account Nominations – Round 8
3. Submitted at meeting – Revised SNPLMA Special Account Nominations – Round 8 and PowerPoint presentation by staff

Motion made by GARY REESE to Approve with the deletion of Projects 4-B and 8

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

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

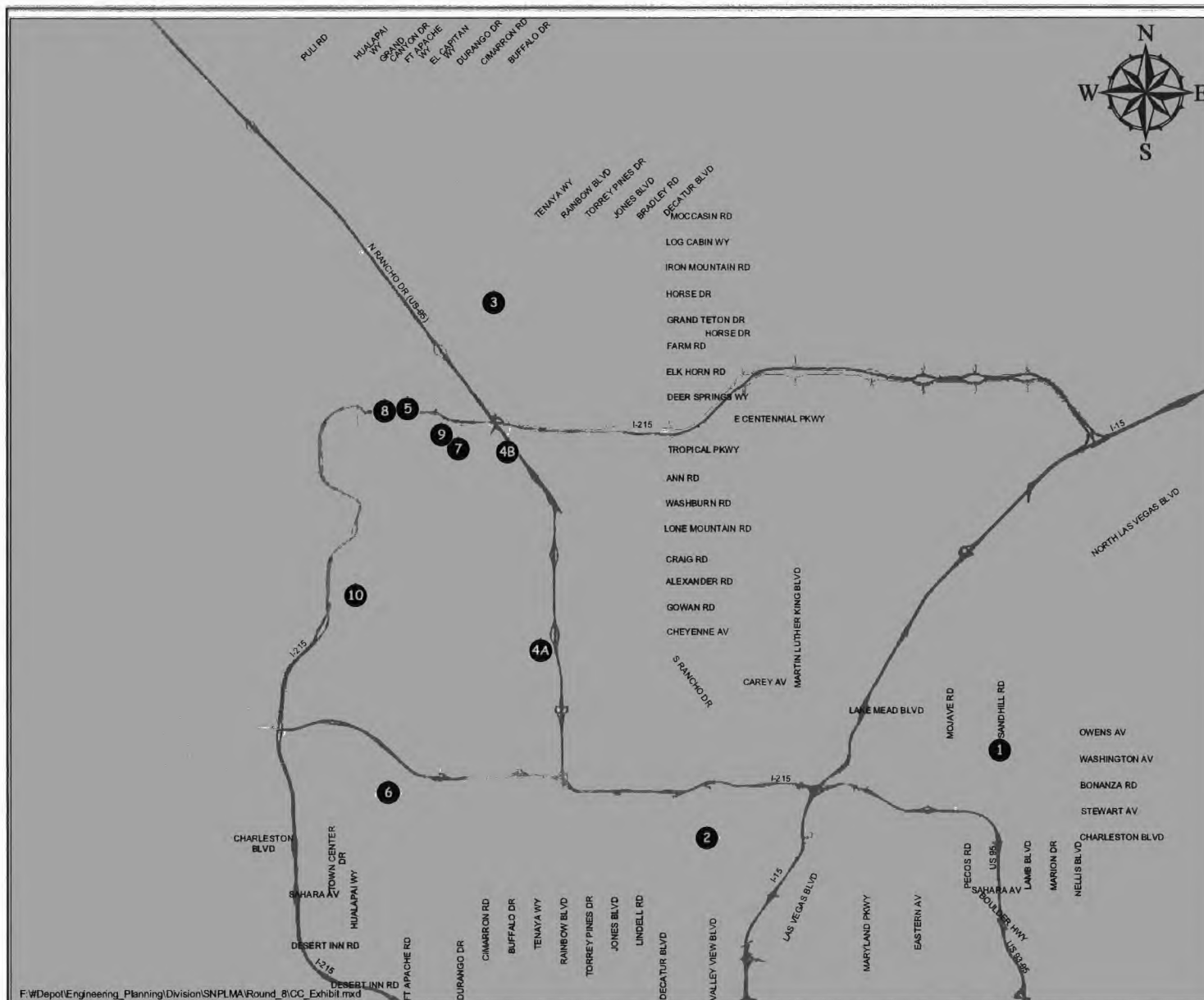
Minutes:

CHARLIE KAJKOWSKI, Director of Public Works, indicated that this matter is in order. He recommended approval, with the deletion of Projects 4-B and 8.

City of Las Vegas SNPLMA Round 8

Proposed Projects

- 1 Las Vegas Wash Trailhead Bridge
- 2 Rotary Park
- 3 Floyd Lamb Park Trails
- 4 Detention Basin Trail Gaps
A. Gowan South
B. Rancho
- 5 Ft. Apache Trailhead Park
- 6 Desert Preserve Trail
- 7 Tropical / Durango Park
- 8 Northern Beltway Trail - Hualapai to Durango
- 9 Durango Trail - Centennial to Durango
- 10 Lone Mountain Area Trail Pedestrian Bridge



CITY OF LAS VEGAS, NEVADA

SNPLMA SPECIAL ACCOUNT NOMINATIONS – Round 8 Parks, Trails and Natural Areas

The Southern Nevada Public Lands Management Act (SNPLMA) of 1998 provides for BLM land to be sold "for the development of parks, trails, and natural areas in Clark County" and for other purposes identified in the Act. BLM officials have outlined the procedures for nominating projects eligible for funding with the proceeds from the sales. Since these procedures require that the City submit a list of its projects each year for funding, a list is being presented for the City Council's consideration.

The City's projects are combined with those proposed by Clark County, Henderson, North Las Vegas, and regional governmental entities, including the Southern Nevada Water Authority, the Regional Flood Control District, and the Clark County Sanitation District. The projects are then evaluated and ranked by the Partners Working Group and the Federal Partners Executive Committee according to established criteria set forth in the Implementation Agreement. The actual priority ranking of the City's projects will not be known until after the Executive Committee ranks the projects and the Secretary of the Department of Interior approves the priority list sometime next year.

The list below is composed of projects recommended by the staffs of various departments involved in the process. The list is based on the current availability of land for the projects and on the opportunity to develop the projects in the immediate future. Funding that becomes available to the City for the projects selected will be programmed for construction/development within the next two to three years. A map is included with this agenda item to identify the location of specific projects.

SNPLMA PROJECT NOMINATIONS:

1. Las Vegas Wash Trailhead Bridge	\$2-4 million
2. Rotary Park	\$6-8 million
3. Floyd Lamb Park Trails	\$6-8 million
4. Detention Basin Trail Gaps ➤ 4A – Gowan South ➤ 4B - Rancho	\$4-6 million
5. Fort Apache Trailhead Park	\$4-6 million
6. Desert Preserve Trail	\$4-6 million
7. Tropical/Durango Park	\$10-11 million
8. Northern Beltway Trail - Hualapai to Durango	\$6-8 million
9. Durango Trail – Centennial to Tropical	\$4-6 million
10. Lone Mountain Area Trail Pedestrian Bridge	\$4-6 million
Total	\$50-69 million

PROJECT DESCRIPTIONS:

1. LAS VEGAS WASH TRAILHEAD BRIDGE

Amount Requested: \$2-4 million

A pedestrian bridge is proposed to connect two SNPLMA projects approved in Round 6, Sandhill/Owens Park & Trailhead - Private Land and City Owned Land. These trailheads are located across from each other on opposite sides of the Las Vegas Wash and along the Las Vegas Wash Trail Phase 1 approved in Round 3. The bridge will provide a pedestrian connection for the Sandhill/Owens Private Land parcel and the residents on that side of the channel to reach the Las Vegas Wash Trail. The bridge is anticipated to be at least a 200 foot span in order to keep the bridge footings out of the channel flood level waters.

2. ROTARY PARK

Amount Requested: \$6-8 million

Rotary Park is in need of an upgrade to make the highest and best use of the high demand for limited park facilities in this mature area of the valley. It is proposed to respond to the need for reserved group picnic usage by constructing two new group picnic shelters to the existing play equipment and modern restroom. To complement this group picnic usage the parking lot would be expanded, the play equipment expanded and shaded, new shaded seating added, a perimeter walking path added, replacement of the antiquated lighting to allow for night use of the park, and the addition of a small splashpad to mitigate the end of the useful life of nearby Cragin Pool at Hyde Park Middle School. The park is approximately 3.4 acres in size near Charleston and Hinson.

3. FLOYD LAMB PARK TRAILS

Amount Requested: \$6-8 million

SNPLMA funds are requested to design and construct proposed approximately four miles of multi-use trails around and within the proposed detention basins at Floyd Lamb State Park. The detention basins are earmarked for construction within the next two years. The trails are part of the City of Las Vegas Master Plan and the Northwest Open Space plan.

4. DETENTION BASIN TRAIL GAPS

Amount Requested: \$4-6 million

Two detention basin (D.B.) trails are targeted in this project. The basins and the proposed work are as follows:

- B. 4A - Gowan South D.B. - concrete paving of an existing gravel trail along the north, east and south sides of the basin (approx. 4400 lf) – also branching off of the SNPLMA project Lone Mountain Trail. Landscaping exists adjacent to the trail along the south and east reaches.
- C. 4B - Rancho D.B. – construction of a concrete trail (approx. 1200 lf) along the north basin boundary connecting an existing trail to the west and existing sidewalk on the east side adjacent to Centennial Center.

5. FORT APACHE TRAILHEAD PARK

Amount Requested: \$4-6 million

A trailhead park and concrete trail (approx. 3000 lf) is proposed around the basin boundary of the Fort Apache Detention Basin. The east reach connects an existing trail in Fort Apache to the proposed Northern Beltway Trail.

6. DESERT PRESERVE TRAIL

Amount Requested: \$4-6 million

A trail extension (approx. 1.5 miles) is proposed from the approved SNPLMA Round 7 Open Space Desert Preserve Trail at Alta and Hualapai (aka Desert Preserve Park) meandering through open space land between golf courses to existing Summerlin trails.

7. TROPICAL/ DURANGO PARK

Amount Requested: \$10-11 million

This proposed park is located on the northwest corner of Tropical and Durango and is approximately 8.7 acres in size. This passive park contains on-site parking, a restroom, drinking fountain, shaded play equipment, splashpad, and shaded seating. The park is within walking distance for both city and county residents and will provide a pedestrian connection between additional future athletic field projects to the east and northwest.

8. NORTHERN BELTWAY TRAIL – HUALAPAI TO DURANGO

Amount Requested: \$6-8 million

A multi-use non-equestrian trail is proposed along the north side of CC-215 from Hualapai to Durango. The trail will connect existing trails in Fort Apache as well as proposed trails in Hualapai, Grand Canyon and Durango to the Beltway Trail System.

9. DURANGO TRAIL – CENTENNIAL TO TROPICAL

Amount Requested: \$4-6 million

A multi-use non-equestrian trail is proposed along the west side of Durango from Centennial to Tropical. The trail will be an integral link in the trail system proposed in the developing area. Along the southern end of the project will be two parks – Durango Riley Park and Tropical./Durango Park (#7 of this list).

10. LONE MOUNTAIN AREA TRAIL PEDESTRIAN BRIDGE

Amount Requested: \$4-6 million

A number of trails and parks converge in the area around Alexander Road and Hualapai Way. This project will construct a pedestrian overpass connecting the Gilmore Channel trail to the softball complex currently under construction. The bridge will provide safe access over Hualapai Way, which is projected to be heavily traveled once the Clark County regional park and the softball complex are in place.

CITY OF LAS VEGAS, NEVADA

SNPLMA SPECIAL ACCOUNT NOMINATIONS – Round 8 Parks, Trails and Natural Areas

The Southern Nevada Public Lands Management Act (SNPLMA) of 1998 provides for BLM land to be sold "for the development of parks, trails, and natural areas in Clark County" and for other purposes identified in the Act. BLM officials have outlined the procedures for nominating projects eligible for funding with the proceeds from the sales. Since these procedures require that the City submit a list of its projects each year for funding, a list is being presented for the City Council's consideration.

The City's projects are combined with those proposed by Clark County, Henderson, North Las Vegas, and regional governmental entities, including the Southern Nevada Water Authority, the Regional Flood Control District, and the Clark County Sanitation District. The projects are then evaluated and ranked by the Partners Working Group and the Federal Partners Executive Committee according to established criteria set forth in the Implementation Agreement. The actual priority ranking of the City's projects will not be known until after the Executive Committee ranks the projects and the Secretary of the Department of Interior approves the priority list sometime next year.

The list below is composed of projects recommended by the staffs of various departments involved in the process. The list is based on the current availability of land for the projects and on the opportunity to develop the projects in the immediate future. Funding that becomes available to the City for the projects selected will be programmed for construction/development within the next two to three years. A map is included with this agenda item to identify the location of specific projects.

SNPLMA PROJECT NOMINATIONS:

1. Las Vegas Wash Trailhead Bridge	\$2-4 million
2. Rotary Park	\$6-8 million
3. Floyd Lamb Park Trails	\$6-8 million
4. Gowan South Detention Basin Trail Gap	\$2-4 million
5. Fort Apache Trailhead Park	\$4-6 million
6. Desert Preserve Trail	\$4-6 million
7. Tropical/Durango Park	\$10-11 million
8. Durango Trail – Centennial to Tropical	\$4-6 million
9. Lone Mountain Area Trail Pedestrian Bridge	\$4-6 million
Total	\$42-59 million

Submitted *At City Council*
after final agenda

PROJECT DESCRIPTIONS:

1. LAS VEGAS WASH TRAILHEAD BRIDGE

Amount Requested: \$2-4 million

A pedestrian bridge is proposed to connect two SNPLMA projects approved in Round 6, Sandhill/Owens Park & Trailhead - Private Land and City Owned Land. These trailheads are located across from each other on opposite sides of the Las Vegas Wash and along the Las Vegas Wash Trail Phase 1 approved in Round 3. The bridge will provide a pedestrian connection for the Sandhill/Owens Private Land parcel and the residents on that side of the channel to reach the Las Vegas Wash Trail. The bridge is anticipated to be at least a 200 foot span in order to keep the bridge footings out of the channel flood level waters.

2. ROTARY PARK

Amount Requested: \$6-8 million

Rotary Park is in need of an upgrade to make the highest and best use of the high demand for limited park facilities in this mature area of the valley. It is proposed to respond to the need for reserved group picnic usage by constructing two new group picnic shelters to the existing play equipment and modern restroom. To complement this group picnic usage the parking lot would be expanded, the play equipment expanded and shaded, new shaded seating added, a perimeter walking path added, replacement of the antiquated lighting to allow for night use of the park, and the addition of a small splash pad to mitigate the end of the useful life of nearby Cragin Pool at Hyde Park Middle School. The park is approximately 3.4 acres in size near Charleston and Hinson.

3. FLOYD LAMB PARK TRAILS

Amount Requested: \$6-8 million

SNPLMA funds are requested to design and construct proposed approximately four miles of multi-use trails around and within the proposed detention basins at Floyd Lamb State Park. The detention basins are earmarked for construction within the next two years. The trails are part of the City of Las Vegas Master Plan and the Northwest Open Space plan.

4. GOWAN SOUTH DETENTION BASIN TRAIL GAP

Amount Requested: \$2-4 million

The project entails the concrete paving of an existing gravel trail along the north, east and south sides of the Gowan South Detention Basin (approx. 4400 lf), which branches off of the SNPLMA project Lone Mountain Trail. Landscaping exists adjacent to the trail along the south and east reaches.

5. FORT APACHE TRAILHEAD PARK

Amount Requested: \$4-6 million

A trailhead park and concrete trail (approx. 3000 lf) is proposed around the basin boundary of the Fort Apache Detention Basin. The east reach connects an existing trail in Fort Apache to the proposed Northern Beltway Trail.

6. DESERT PRESERVE TRAIL

Amount Requested: \$4-6 million

A trail extension (approx. 1.5 miles) is proposed from the approved SNPLMA Round 7 Open Space Desert Preserve Trail at Alta and Hualapai (aka Desert Preserve Park) meandering through open space land between golf courses to existing Summerlin trails.

7. TROPICAL/ DURANGO PARK

Amount Requested: \$10-11 million

This proposed park is located on the northwest corner of Tropical and Durango and is approximately 8.7 acres in size. This passive park contains on-site parking, a restroom, drinking fountain, shaded play equipment, splash pad, and shaded seating. The park is within walking distance for both city and county residents and will provide a pedestrian connection between additional future athletic field projects to the east and northwest.

8. DURANGO TRAIL – CENTENNIAL TO TROPICAL

Amount Requested: \$4-6 million

A multi-use non-equestrian trail is proposed along the west side of Durango from Centennial to Tropical. The trail will be an integral link in the trail system proposed in the developing area. Along the southern end of the project will be two parks – Durango Riley Park and Tropical./Durango Park (#7 of this list).

9. LONE MOUNTAIN AREA TRAIL PEDESTRIAN BRIDGE

Amount Requested: \$4-6 million

A number of trails and parks converge in the area around Alexander Road and Hualapai Way. This project will construct a pedestrian overpass connecting the Gilmore Channel trail to the softball complex currently under construction. The bridge will provide safe access over Hualapai Way, which is projected to be heavily traveled once the Clark County regional park and the softball complex are in place.



**SOUTHERN NEVADA PUBLIC
LANDS MANAGEMENT ACT
(SNPLMA)**

ROUND 8 PROJECTS

APRIL 18, 2007

LAS VEGAS WASH TRAILHEAD BRIDGE

#1

OWENS AVE

SANDHILL RD

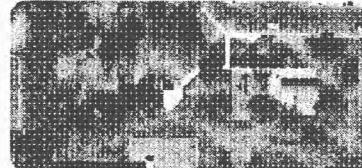
PECOS RD

WASHINGTON AVE



ROTARY PARK

#2



FLOYD LAMB PARK TRAILS

#3

DURANGO

WHEEL

BRENT



BUENA VISTA

DETENTION BASIN TRAIL GAPS

GOWAN SOUTH

#4

CHEYENNE

US 95

BUFFALO

PEAK



DETENTION BASIN TRAIL GAPS RANCHO

~~#4B~~

TROPICAL PINE

WITHDRAWN

US 95
CENTENNIAL
CENTER BLVD

FORT APACHE TRAILHEAD PARK

#5

DEER SPRINGS

ESCHELON POINT

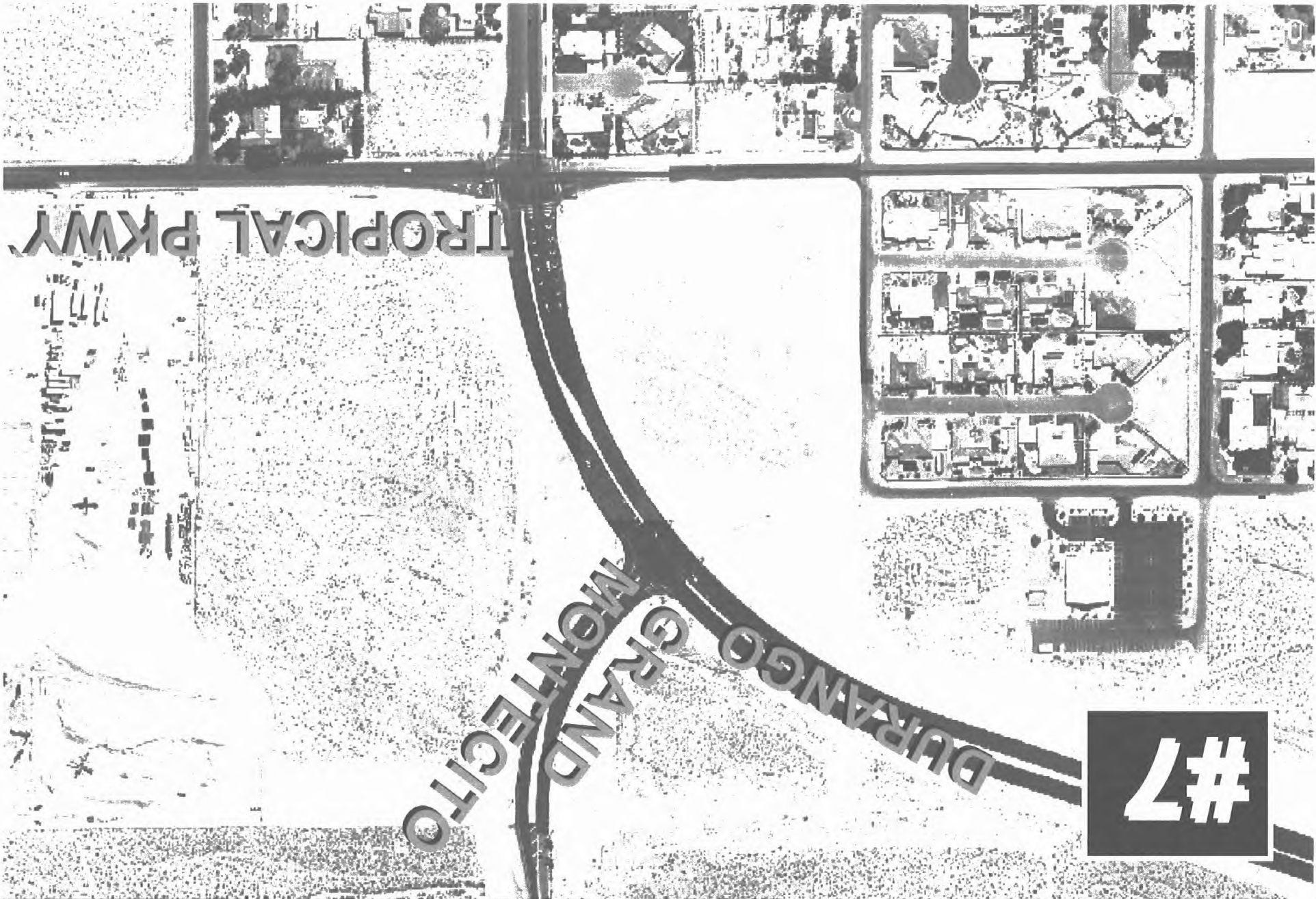
FT APACHE

CC-215

DESERT PRESERVE TRAIL

#6



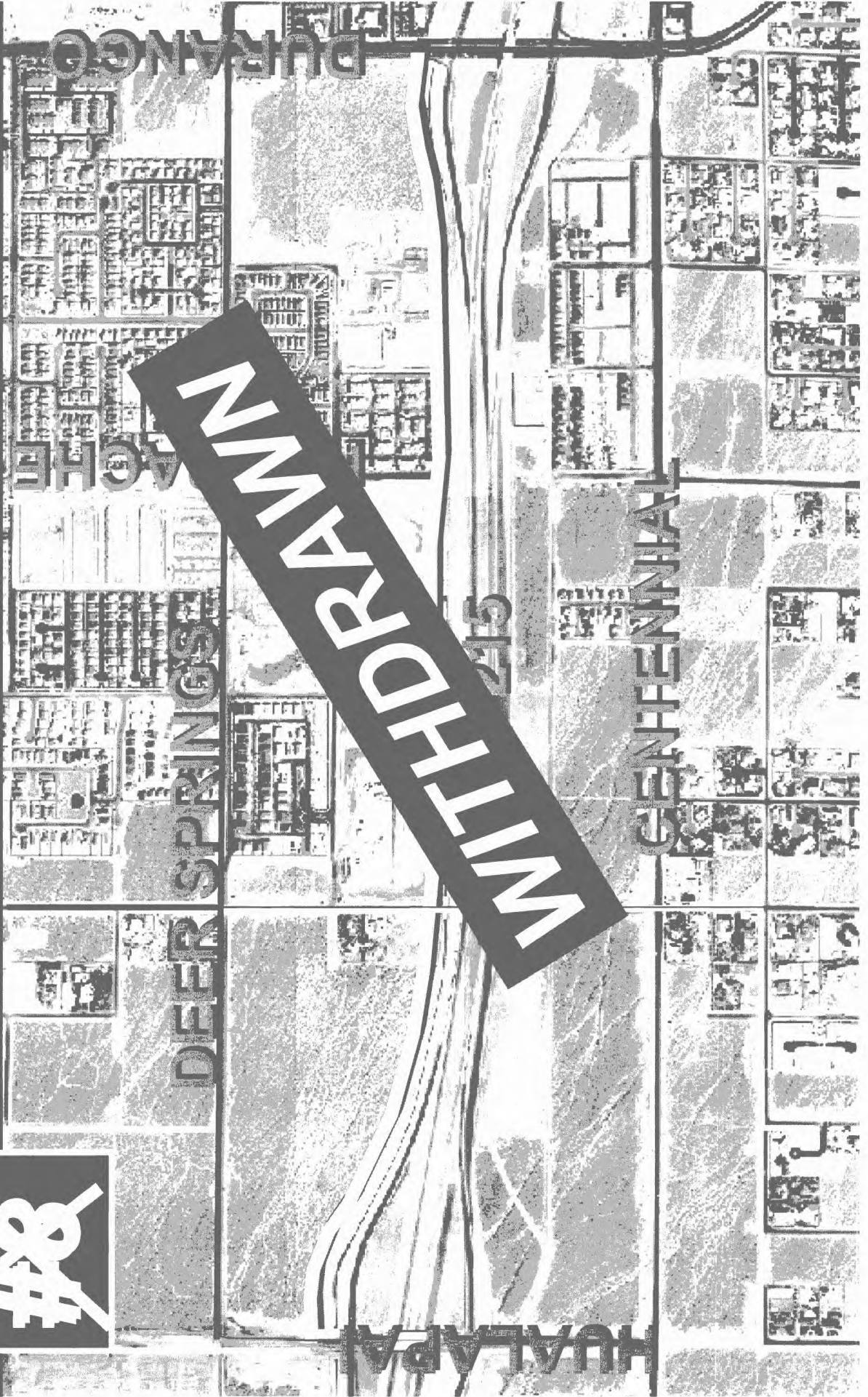


TROPICAL / DURANGO PARK



NORTHERN BELTWAY TRAIL HUALAPAI TO DURANGO

WITHDRAWN



DURANGO TRAIL CENTENNIAL TO TROPICAL

#8



LONE MOUNTAIN AREA TRAIL PEDESTRIAN BRIDGE

#9

ALEXANDER

CC-215

HUALAPAI



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐ Consent ☒ Discussion

SUBJECT:

RESOLUTIONS:

R-25-2007 - Public hearing and possible action regarding a Resolution authorizing the issuance and sale of Economic Development Revenue Bonds not to exceed \$75,000,000 to finance the acquisition, construction, and equipment of a project for Keep Memory Alive (KMA) to build the Lou Ruvo Brain Institute in Union Park - Ward 5 (Williams)

Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Amount:

Funding Source:

Dept./Division: Finance and Business Services

PURPOSE/BACKGROUND:

These Economic Development Revenue Bonds will finance the acquisition, construction and equipment for Keep Memory Alive (KMA) to build the Lou Ruvo Brain Institute in Union Park. These bonds will not represent an indebtedness of the City and will be repaid pursuant to an agreement between the City and KMA and will be supported by an irrevocable transferable direct pay letter of credit from The Bank of New York.

RECOMMENDATION:

Staff recommends approval.

BACKUP DOCUMENTATION:

Resolution No. R-25-2007

Motion made by BRENDA J. WILLIAMS to Approve

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

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

Minutes:

MARK VINCENT, Director of Finance and Business Services, noted that the bonds are not obligations of the City of Las Vegas, but rather of Keep Memory Alive. The City is simply the conduit for Keep Memory Alive. There are two components, one taxable for the Wolfgang Puck restaurant, resulting in about \$68.6 million in non-taxable bonds and about \$5.4 million in

CITY COUNCIL MEETING OF: APRIL 18, 2007

taxable bonds. The transaction is secured by an indenture trust with Bank of New York. Because Keep Memory Alive is such a new organization, it does not have the required five-year operating history or the bond rating; therefore, Keep Memory Alive has worked with the Bank of New York to secure the indenture in an irrevocable letter of credit to support this transaction. All requirements of Nevada Revised Statutes have been met. This project should create about 51 permanent positions. Staff recommends approval.

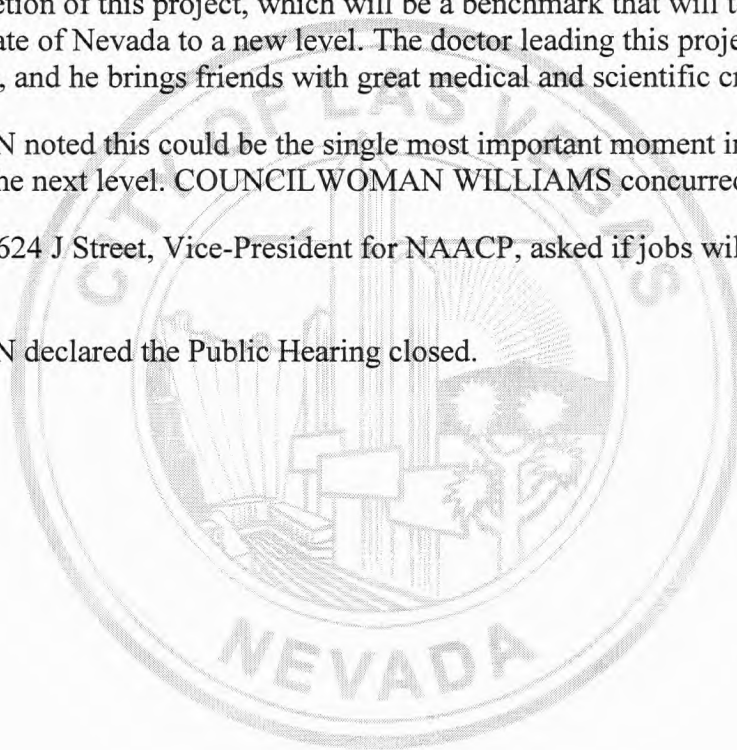
MAYOR GOODMAN declared the Public Hearing open.

PETER BERNHARD, Counsel for Keep Memory Alive, noted that the local component of the group that spoke before the Senate Finance Committee consists of people who have been residents of Nevada for more years than Nevada has been a state. All the members are looking forward to the completion of this project, which will be a benchmark that will take the City of Las Vegas and the State of Nevada to a new level. The doctor leading this project chose to relocate to Las Vegas, and he brings friends with great medical and scientific credentials.

MAYOR GOODMAN noted this could be the single most important moment in the evolution of taking Las Vegas to the next level. COUNCILWOMAN WILLIAMS concurred.

EDDIE WATSON, 1624 J Street, Vice-President for NAACP, asked if jobs will be available to Ward 5 residents.

MAYOR GOODMAN declared the Public Hearing closed.



Summary - A resolution authorizing the issuance and sale of economic development revenue bonds for Keep Memory Alive.

RESOLUTION NO. R-25-2007

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF THE CITY OF LAS VEGAS, NEVADA VARIABLE RATE DEMAND ECONOMIC DEVELOPMENT REVENUE BONDS (KEEP MEMORY ALIVE PROJECT) SERIES 2007A AND SERIES 2007B TO FINANCE THE COSTS OF ACQUIRING CERTAIN FACILITIES FOR KEEP MEMORY ALIVE; AUTHORIZING THE EXECUTION AND DELIVERY BY THE CITY OF A LOAN AGREEMENT, INDENTURE OF TRUST, BOND PURCHASE AGREEMENT, CLOSING DOCUMENTS AND SUCH BONDS IN CONNECTION THEREWITH; MAKING DETERMINATIONS AND FINDINGS AS TO OTHER MATTERS RELATED TO SUCH FINANCING; AND REPEALING ANY ACTION HERETOFORE TAKEN IN CONFLICT HEREWITH.

WHEREAS, the City of Las Vegas, Nevada (the "City") is authorized by the City Economic Development Revenue Bond Law, Nevada Revised Statutes Sections 268.512 to 268.568, inclusive (the "Act"), to issue bonds to finance projects located within the City or within ten miles of the corporate boundaries of the City to promote the social welfare of the residents of the City by enabling "corporations for public benefit" (as defined in the Act) to acquire, develop, expand and maintain facilities that provide services for those residents; and

WHEREAS, the Act authorizes the City (i) to issue its revenue bonds for the purpose of defraying the cost of financing any project and all incidental expenses incurred in connection with the issuance of such bonds, (ii) to enter into financing agreements with others for the purpose of providing revenues to pay the bonds authorized to be issued under the Act and upon such terms and conditions as the City Council of the City may deem advisable, and (iii) to secure the payment of the principal of, premium, if any, and interest on such bonds as provided in the Act; and

WHEREAS, Keep Memory Alive, a nonprofit corporation duly organized and existing under the laws of the State of Nevada ("KMA"), has requested that the City issue its revenue bonds pursuant to the Act to finance the costs of the construction of a building to be located on a parcel of land to be acquired by KMA and the acquisition and installation of personal property and facilities in such building and on such land (the "Project"); and

WHEREAS, the Project will be owned by KMA, and may, in the future, be leased to the Lou Ruvo Brain Institute, a Nevada nonprofit corporation, will be used as an outpatient treatment, education and research facility for Alzheimer's, ALS, Parkinson's and Huntington's diseases, along with other brain diseases and memory disorders and as the headquarters for KMA and other nonprofit organizations dedicated to the treatment, education and research for these diseases and disorders and will also contain a café/kitchen and will be located in the City; and

WHEREAS, the City has determined to issue its City of Las Vegas, Nevada Variable Rate Demand Economic Development Revenue Bonds (Keep Memory Alive Project) Series 2007A (the "Series 2007A Bonds") in an aggregate principal amount of not to exceed \$68,600,000 and its City of Las Vegas, Nevada Taxable Variable Rate Demand Economic Development Revenue Bonds (Keep Memory Alive Project) Series 2007B in an aggregate principal amount of not to exceed \$5,400,000 (the "Series 2007B Bonds" and together with the Series 2007A Bonds, the "Bonds") pursuant to and secured by an Indenture of Trust dated as of May 1, 2007 (the "Indenture") between the City and The Bank of New York Trust Company, N.A., as trustee (the "Trustee"), to provide proceeds for a loan to be made to KMA pursuant to a Loan Agreement dated as of May 1, 2007 (the "Loan Agreement") between the City and KMA to pay a part or all of the cost of the Project, to pay interest on the Bonds for a period estimated to be one year and to pay certain costs of issuance incurred in connection with the issuance of the Bonds; and

WHEREAS, payment of the principal of and interest on the Bonds, and the purchase price of the Bonds upon optional and mandatory tender, will be supported by an irrevocable transferable direct pay letter of credit (the "Letter of Credit") from The Bank of New York (the "Bank"), the beneficiary of which is the Trustee; and

WHEREAS, the issuance of the Bonds by the City to finance the cost of the Project will enable or assist KMA in carrying out the purposes for which it was created; and

WHEREAS, there has been submitted to the City an application of KMA requesting the City to issue the Bonds (the "Application"); and

WHEREAS, the Application contains a schedule of the estimated costs of the Project and the other estimated uses of the proceeds of the Bonds and financial and other information with respect to the Bank; and

WHEREAS, pursuant to the Act and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), the City Council has caused to be published notice of a public hearing and has held a public hearing in connection with the Project and the Bonds; and

WHEREAS, pursuant to the Act, the City Council has determined to make certain findings in connection with the Project and the financing thereof; and

WHEREAS, there have been presented to the City Council (i) the proposed form of the Loan Agreement, including, as Exhibit D thereto, the proposed form of the promissory note (the "Note") of KMA, (ii) the proposed form of the Indenture, (iii) the proposed form of the Bond Purchase Agreement to be dated the date of the sale of the Bonds (the "Purchase Contract") among the City, KMA and Zions First National Bank (the "Underwriter"), (iv) the proposed form of the Official Statement (the "Official Statement") relating to the Bonds, and (v) the proposed form of the Letter of Credit.

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

Section 1. All action (not inconsistent with the provisions of this resolution) heretofore taken by the City Council and the officers, employees and agents of the City directed toward the financing of the cost of the Project and the issuance and sale of the Bonds therefor be, and the same is hereby, ratified, approved and confirmed.

Section 2. The City Council has held a public hearing pursuant to NRS 268.528 and the Code on April 18, 2007 at the Council Chambers, 400 East Stewart Avenue, Las Vegas, Nevada. An affidavit of publication of the notice of the hearing is attached hereto as Exhibit B. The minutes of the public hearing are attached hereto as Appendix C.

Section 3. Pursuant to NRS 268.530, the City Council hereby determines as follows:

(a) Based on information from KMA contained in the Application, the total amount of money necessary to be provided for the Project by the issuance of the Bonds by the City shall not exceed \$75,000,000.

(b) The City Council has received a 5-year operating history from the Bank in the Application. Based upon a commitment letter from the Bank which is contained in the Application, the payment of the principal of and interest on the Bonds will be

supported by the Letter of Credit from the Bank and, therefore, the Bank will be an enterprise which guarantees principal and interest payments on the Bonds.

(c) The City has received evidence in the Application that the Bank has received within the 12 months preceding the date of the public hearing a rating within the top four rating categories by either Moody's Investors Service or Standard and Poor's Rating Services.

(d) Based upon information from the City's special financial consultant for this transaction which is a part of the Application, KMA has sufficient financial resources to place the Project in operation and to continue its operations, meeting the obligations of the Loan Agreement.

(e) Based upon information from KMA in the Application, the Project will provide a public benefit.

(f) Based upon information from KMA contained in the Application, the Project will be compatible with existing facilities in the area adjacent to the location of the Project and is compatible with the general plan of the City adopted pursuant to Chapter 278 of NRS.

(g) The Project will encourage the creation of jobs for the residents of the State of Nevada.

(h) Sufficient safeguards are provided in the financing documents authorizing the issuance of the Bonds to assure that all proceeds of the Bonds will be expended solely for the purposes of the Project and the other purposes permitted by such financing documents.

Section 4. For the purposes of Section 147(f) of the Code, the City Council hereby approves the Bonds and the Project, including the following information regarding the Project: the Project will be used as an outpatient treatment, education and research facility for Alzheimer's, Parkinson's, ALS and Huntington's diseases, along with other brain diseases and memory disorders, and as the headquarters for KMA and other nonprofit organizations dedicated

to treatment, education and research for these diseases and disorders, and will also contain a café/kitchen. The Project will be located at 22 South Grand Central Parkway, Las Vegas, Nevada. The City Council hereby determines that the Project will promote the social welfare of the residents of the City by enabling KMA to acquire and construct the Project which will, among other purposes, provide services for the residents of the City. The City Council hereby determines that it desires the City to proceed with the issuance of the Bonds and the financing of the Project.

Section 5. The City shall finance the cost of the Project by loaning the proceeds of the Bonds to KMA in accordance with the provisions of the Loan Agreement.

Section 6. To defray the cost of the Project (including interest on the Bonds for approximately one year and certain incidental expenses incurred in issuing the Bonds), there is hereby authorized and created two issues of economic development revenue bonds designated "City of Las Vegas, Nevada Variable Rate Demand Economic Development Revenue Bonds (Keep Memory Alive Project) Series 2007A" and "City of Las Vegas, Nevada Taxable Variable Rate Demand Economic Development Revenue Bonds (Keep Memory Alive Project) Series 2007B". The Bonds are issuable as fully registered bonds in denominations of \$100,000 and \$5,000 multiples in excess thereof while bearing interest at the Weekly Interest Rate (as defined in the Indenture) and in denominations of \$5,000 and integral multiples thereof while bearing interest at the Fixed Interest Rate (as defined in the Indenture). The Bonds shall be dated as provided in the Indenture and shall bear interest from such date payable on each Interest Payment Date (as defined in the Indenture). Pursuant to NRS Section 350.165, the City hereby delegates to the Director of Finance and Business Services of the City or, in his absence, the City Manager the power to sign the Purchase Contract, thereby determining the aggregate principal amount of the Series 2007A Bonds, provided that such aggregate principal amount shall not exceed \$68,600,000, and the aggregate principal amount of the Series 2007B Bonds, provided that such aggregate principal amount shall not exceed \$5,400,000.

Such determinations shall be evidenced by the execution of the Purchase Contract by the Director of Finance and Business Services of the City or by the City Manager.

From the date of their initial delivery through the next succeeding Wednesday, the interest rate on the Bonds shall be that rate per annum as shall be established in the Indenture.

Thereafter, except as provided in the Indenture, the Bonds shall bear interest at the Weekly Interest Rate. On any Interest Period Reset Date (as defined in the Indenture) on or after August 1, 2007, the interest rate on the Bonds may be converted to the Fixed Interest Rate upon written direction from KMA, in the manner provided in the Indenture and determined by the Remarketing Agent, initially Zions First National Bank, according to the standards and procedures set forth in the Indenture.

Notwithstanding the foregoing, the rate of interest on the Series 2007A Bonds shall not at any time exceed 12% per annum and the rate of interest on the Series 2007B Bonds shall not at any time exceed 20% per annum. The Series 2007A Bonds shall mature on May 1, 2037. The Series 2007B Bonds shall mature on May 1, 2013. The Bonds shall be payable, shall be subject to redemption and purchase prior to maturity and shall be in substantially the forms provided in the Indenture. Pursuant to the Purchase Contract, the Bonds shall be sold at a negotiated sale to the Underwriter at the purchase price equal to 99.00% of the principal amount thereof.

Section 7. The following determinations and findings are hereby made in accordance with Sections 268.548, 268.550 and 268.558 of the Act:

- (a) The maximum amount reasonably anticipated to be necessary in each year to pay the principal of and the interest on the Bonds is as follows:

Annual Period to and Including May 1	Maximum Interest for Such Period	Principal to be Retired in Such Period	Maximum Annual Debt Service Requirement
2008	\$9,260,976 *	\$-0-	\$9,260,976 *
2009	9,312,000	-0-	9,312,000
2010	9,312,000	-0-	9,312,000
2011	9,312,000	-0-	9,312,000
2012	9,312,000	-0-	9,312,000
2013	9,312,000	5,400,000	14,712,000
2014	8,232,000	-0-	8,232,000
2015	8,232,000	-0-	8,232,000
2016	8,232,000	-0-	8,232,000
2017	8,232,000	-0-	8,232,000
2018	8,232,000	-0-	8,232,000
2019	8,232,000	-0-	8,232,000
2020	8,232,000	-0-	8,232,000
2021	8,232,000	-0-	8,232,000
2022	8,232,000	-0-	8,232,000
2023	8,232,000	-0-	8,232,000
2024	8,232,000	-0-	8,232,000
2025	8,232,000	-0-	8,232,000
2026	8,232,000	-0-	8,232,000
2027	8,232,000	-0-	8,232,000
2028	8,232,000	-0-	8,232,000
2029	8,232,000	-0-	8,232,000
2030	8,232,000	-0-	8,232,000
2031	8,232,000	-0-	8,232,000
2032	8,232,000	-0-	8,232,000
2033	8,232,000	-0-	8,232,000
2034	8,232,000	-0-	8,232,000
2035	8,232,000	-0-	8,232,000
2036	8,232,000	-0-	8,232,000
2037	8,232,000	68,600,000	76,832,000

* Assumes the Bonds are issued on May 3, 2007.

(b) No reserve fund has been established nor is proposed to be established for the retirement of the Bonds or the maintenance of the Project and accordingly it shall not be necessary to pay amounts into any such reserve fund.

(c) The terms under which the Project is to be financed provide that KMA shall maintain the Project and carry all proper insurance with respect thereto.

(d) The revenues payable by KMA under the Loan Agreement and the Note are sufficient to pay, in addition to all other requirements of the Loan Agreement and this resolution, all sums referred to in paragraphs (a) and (c) of this Section.

(e) The Project will be located on land transferred to KMA by City Parkway V, Inc., a corporation established and controlled by the City. Such land is no longer necessary for other purposes of the City.

Section 8. The forms, terms and provisions of the Loan Agreement, the Note, the Indenture, the Letter of Credit and the Purchase Contract be and they hereby are approved, and the City shall enter into the Loan Agreement, the Indenture and the Purchase Contract in the form of each of such documents presented to the City Council at this meeting, with only such changes therein as are not inconsistent herewith; and the Mayor is hereby authorized to execute and deliver the Loan Agreement and the Indenture; and the Acting City Clerk and any Deputy City Clerk of the City are each hereby authorized to affix the City seal to and to attest the Loan Agreement and the Indenture. The City Manager, the Director of Finance and Business Services of the City and the Acting City Clerk and any Deputy City Clerk of the City are each hereby authorized to execute and deliver the Purchase Contract. The City shall assign the Note to the Trustee, and the Mayor and the Acting City Clerk and any Deputy City Clerk of the City are each hereby authorized to execute the assignment form on the Note.

Section 9. The forms, terms and provisions of the Bonds, in the forms contained in the Indenture, be and they hereby are approved, with only such changes therein as are not inconsistent herewith; and the Mayor and the Acting City Clerk of the City are each hereby authorized to execute the Bonds, by manual or facsimile signature, and each is authorized to deliver the Bonds; and the seal of the City, or a facsimile thereof, is hereby authorized to be affixed to the Bonds.

Section 10. The Bank of New York Trust Company, N.A., is appointed as trustee under the Indenture, thereby also serving as registrar and paying agent for the Bonds under the terms of the Indenture. Zions First National Bank is appointed as remarketing agent under the Indenture to determine the interest rate on the Bonds and to perform certain other duties, all in accordance with the Indenture.

Section 11. The distribution of the Official Statement in substantially the form presented to the City Council at this meeting in connection with the offering and sale of the Bonds is hereby ratified and approved; provided, however, that neither the City nor any officer, employee or agent thereof has or assumes any responsibility for the accuracy or completeness of the Official Statement.

Section 12. The officers, employees and agents of the City shall take all action necessary or reasonably required by the Loan Agreement, the Indenture and the Purchase Contract to effectuate their provisions and shall take all action necessary or desirable in conformity with the Act to finance the cost of the Project and for carrying out the transactions contemplated by this resolution, including without limitation the execution and delivery of any closing documents to be delivered in connection with the sale and delivery of the Bonds.

Section 13. The cost of financing the Project, including the costs incidental to the authorization, issuance and sale of the Bonds, will be paid out of the proceeds of the Bonds and funds of KMA, and the Bonds will not be the general obligations of the City, nor shall the Bonds, including the interest thereon, constitute the debt or indebtedness of the City within the meaning of the Constitution or statutes of the State of Nevada, nor shall anything contained in this resolution or in the Bonds, the Loan Agreement, the Note, the Indenture, the Purchase Contract, the Letter of Credit, the Official Statement or any other instrument give rise to a pecuniary liability or a charge upon the general credit or taxing powers of the City, nor shall the breach of any agreement contained in this resolution, the Bonds, the Loan Agreement, the Note, the Indenture, the Purchase Contract, the Letter of Credit, the Official Statement or any other instrument impose any pecuniary liability upon the City or a charge upon the general credit or taxing powers of the City, the City having no power to pay out of its general fund, or otherwise contribute any part of the cost of financing the Project, nor power to operate the Project as a business or in any manner, nor shall the City condemn any land or other property for the Project.

Section 14. After any of the Bonds are issued, this resolution shall be and remain irrevocable until the Bonds and the interest thereon shall have been fully paid, canceled and discharged.

Section 15. If any section, paragraph, clause, or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this resolution.

Section 16. All bylaws, orders and resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed as reviving any bylaw, order or resolution or part thereof.

Section 17. This resolution shall be in effect immediately upon its passage and adoption.

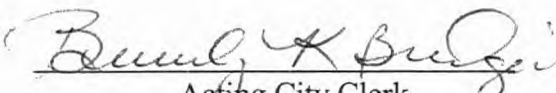
PASSED, ADOPTED AND APPROVED April 18, 2007.



Mayor

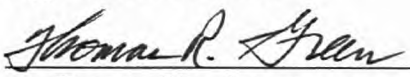
(SEAL)

Attest:



Acting City Clerk

Approved as to form:

 4/4/07

Deputy City Attorney
Thomas R. Green

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

I, Beverly K. Bridges, the duly chosen and qualified Acting City Clerk of the City of Las Vegas, Nevada (the “City”), do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of a resolution (the “Resolution”) passed and adopted by the City Council of the City at a regular meeting of the Council held on April 18, 2007.

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

Those Voting Aye:

Mayor:	Oscar B. Goodman
Councilmembers:	Gary Reese
	Larry Brown
	Steven D. Ross
	Steve Wolfson
	Lois Tarkanian
	Brenda J. Williams

Those Voting Nay: None

Those Absent: None

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

4. All members of the City Council were given due and proper notice of the meeting. Pursuant to §241.020, Nevada Revised Statutes, written notice of the meeting was

given not later than 9:00 a.m. on the third working day before the meeting including in the notice the time, place, location and agenda of the meeting:

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

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

and

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

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

6. A copy of the notice so given of the meeting of the City Council held on April 18, 2007 is attached to this certificate as Exhibit A.

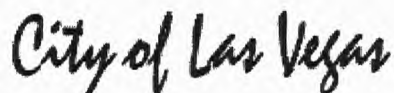
IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City this April 18, 2007.


Acting City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of Meeting)



CITY COUNCIL AGENDA

COUNCIL CHAMBERS • 400 STEWART AVENUE • PHONE 229-6011

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

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

COUNCIL MEMBERS: LARRY BROWN (Ward 4), STEVE WOLFSON (Ward 2),
LOIS TARKANIAN (Ward 1), STEVEN D. ROSS (Ward 6); BRENDA J. WILLIAMS (Ward 5 - Interim)

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

April 18, 2007

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

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

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

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

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

CEREMONIAL MATTERS

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. INVOCATION - REVEREND CYNDI DeLONG, RELIGIOUS SCIENCE
4. PLEDGE OF ALLEGIANCE
5. OATH OF OFFICE ADMINISTERED TO ELECTED OFFICIALS – MAYOR; COUNCILMAN, WARD 1; AND COUNCILMAN, WARD 3
6. RECOGNITION OF THE EMPLOYEE OF THE MONTH
7. RECOGNITION OF THE SENIOR OF THE QUARTER
8. RECOGNITION OF AMERICAN CITY QUALITY MONTH
9. RECOGNITION OF THE BISHOP GORMAN HIGH SCHOOL GIRLS AAAA STATE BASKETBALL CHAMPIONS

10. RECOGNITION OF CITY GROUPS MEXICO VIVO AND THE RAINBOW COMPANY FOR EARNING GOVERNOR'S ARTS AWARDS
11. RECOGNITION OF THE WINNERS OF THE BEST OF THE WEST LACROSSE TOURNAMENT
12. RECOGNITION OF NATIONAL AND GLOBAL YOUTH SERVICE DAY

BUSINESS ITEMS - MORNING

13. Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time
14. Approval of the Final Minutes by reference of the regular City Council meeting of March 21, 2007

CONSENT AGENDA

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

FIELD OPERATIONS - CONSENT

15. Approval of a Lease Agreement between the City of Las Vegas and Lutheran Social Services of Nevada for the lease of land from the City of Las Vegas for two modular spaces located at 741 Veterans Memorial Drive - Ward 5 (Williams)
16. Approval of a Grant of Easement from the City of Las Vegas to Nevada Power Company to cancel and supersede the Right-of-Entry previously on record and continue to allow Nevada Power Company access to the site for electrical systems needs located at 7151 Oso Blanca Road commonly known as Mountain Ridge Park, APN 125-20-501-002 - Ward 6 (Ross)
17. Approval of a Reciprocal Right-of-Way Agreement between the City of Las Vegas and Longford Medical Center LLC, for multi-use trail segments located near Washington Avenue and Buffalo Drive - Ward 1 (Tarkanian)

FINANCE & BUSINESS SERVICES - ADMINISTRATION CONSENT

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

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES CONSENT

19. Approval of a Special Event Alcoholic Beverage License for Las Vegas Celtic Society, Location: Floyd Lamb State Park, 9200 Tule Springs Road, Dates: April 21 - 22, 2007, Type: Special Event General, Event: Highland Festival, Responsible Person in Charge: Liam O'Dowd - Ward 6 (Ross)
20. Approval of a Special Event Alcoholic Beverage License for Mexican Patriotic Committee, Location: Freedom Park, 850 North Mojave Road, Date: May 6, 2007, Type: Special Event Beer/Wine, Event: Family Picnic, Responsible Person in Charge: Salvador Montenegro - Ward 3 (Reese)
21. Approval of a Special Event Alcoholic Beverage License for St. Anne Catholic School, Location: St. Anne Catholic School, 1813 South Maryland Parkway, Date: April 28, 2007, Type: Special Event General, Event: School Fun Fair, Responsible Person in Charge: Carol D. Rose - Ward 3 (Reese)
22. Approval of a Special Event Alcoholic Beverage License for The Spirit of Cuba, Location: Sammy Davis Jr. Festival Plaza, 720 Twin Lakes Drive, Date: April 28, 2007, Type: Special Event General, Event: City of Las Vegas Sponsored Concert, Responsible Person in Charge: Aleyda Hernandez - Ward 5 (Williams)

23. Approval of a new Temporary Beer/Wine/Cooler On-sale License, Essence of Thai, Inc., dba Essence of Thai Restaurant, 4105 West Sahara Avenue, Wichitra K. Gee, Pres, 100% - Ward 1 (Tarkanian)
24. Approval of Temporary Change of Business Name, Change of Location and Change of Ownership for a Tavern License and Temporary Approval of a new Restricted Gaming License for 15 slots subject to the provisions of the planning and fire codes, Health Dept. regulations, and confirmation of approval by the Nevada Gaming Commission, From: Club King, LLC, dba Celebrity Las Vegas, To: C & NO Ventures, Inc., dba Timbers Bar & Grill, 3370 Novat Street, Timbers Hospitality Group, Inc., 100%, The Donner Investment Trust, Andrew B. Donner, Trustee, 63.56% - Ward 4 (Brown)
25. Approval of a new Temporary Restricted Gaming License for 15 slots subject to the confirmation of approval by the Nevada Gaming Commission, The Lodge at Grand Teton Operator, LLC, dba The Lodge at Grand Teton, 8350 Grand Teton Drive, Stuart Apollo, Mmbr, 100% - Ward 6 (Ross)
26. Approval of a new Restricted Gaming License for 5 slots subject to the confirmation of approval by the Nevada Gaming Commission, Montesano's Italian Deli, Inc., Montesano's Italian Deli & Restaurant, 3441 West Sahara Avenue, Suite B2, Lucille Montesano, Dir, Pres, Secy, Treas, 100% - Ward 1 (Tarkanian)
27. Approval of a new Temporary Hypnotherapist License subject to the provisions of the planning and fire codes, Osheena E. Tayal, dba Flourish Hypnotherapy Group, 1770 North Buffalo Drive, Suite 103, Osheena E. Tayal, 100% - Ward 1 (Tarkanian)
28. Approval of a New Temporary Locksmith License subject to the provisions of the planning and fire codes, Able Lock & Key, Inc., dba Able Lock & Key, Inc., 1911 East Charleston Boulevard, Eric C. Going, Dir, Pres, Treas, Secy, 100% - Ward 3 (Reese)
29. Approval of a new Temporary Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, Lion Martial Arts School, Inc., dba Lion Martial Arts School, Inc., 3233 West Charleston Boulevard, Suite 107, Sherry L. Hanneman, Pres, 100% - Ward 1 (Tarkanian)

FINANCE & BUSINESS SERVICES - PURCHASING & CONTRACTS CONSENT

30. Approval of Agreement No. 070324 for the purchase of four Medtec Ambulances - Department of Fire and Rescue - Award recommended to: MEDTEC AMBULANCE CORPORATION (\$869,412 - Fire Equipment Acquisition Internal Service Fund)
31. Approval of the second Amendment to Engineering Design Services Agreement No. 06-11553 for Additional Design Services in connection with Jones Boulevard, Grand Teton Drive and Farm Road - Department of Public Works - Award recommended to: CARTER BURGESS, INC. (\$562,070 - Road and Flood Capital Projects Fund) - Ward 6 (Ross)
32. Approval of Modification No. 1 to Engineering Design Services Agreement No. 06-07149 for Additional Design Services in connection with Grand Teton Drive Overpass Structure - Department of Public Works - Award recommended to: POGGEMEYER DESIGN GROUP, INC. (\$236,569 - Road and Flood Capital Projects Fund) - Ward 6 (Ross)
33. Approval of award of Bid No. 06.15341.03-LED, Centennial Hills Park, Phase 3 located at Deer Springs Way and Buffalo Drive and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: APCO CONSTRUCTION (\$12,091,896 - Parks and Leisure Activities Capital Projects Fund - Ward 6 (Ross)

NEIGHBORHOOD SERVICES - CONSENT

34. Approval to accept an allocation of \$2,281,275 of FY 2007 - 2008 Federal HOME funds from the Department of Housing and Urban Development (HUD) to the City of Las Vegas - All Wards
35. Approval of an allocation of \$843,000 in HOME/Low Income Housing Trust Funds (LIHTF) from the City of Las Vegas to Silver State Housing for the completion of Sonoma Palms (3050 N. Jones Blvd.), an affordable senior housing project - Ward 5 (Williams)

36. Approval of an allocation of \$1,650,581 in HOME/Low Income Housing Trust Funds (LIHTF) from the City of Las Vegas to HELP Las Vegas Housing Corporation, for construction costs to build HELP Owens 2 (1455 N. Main Street), an affordable multi-family housing project with a preference for veterans - Ward 5 (Williams)
37. Approval of an allocation of \$1,250,000 in HOME/Low Income Housing Trust Funds (LIHTF) from the City of Las Vegas to Nevada H.A.N.D., Inc. for construction costs to build Stewart Pines III (Stewart Ave. and 13th St.), an affordable senior housing project - Ward 5 (Williams)
38. Approval of an allocation of \$650,000 in HOME/Low Income Housing Trust Funds (LIHTF) from the City of Las Vegas to Silver State Housing to assist with land acquisition for the purpose of constructing McKnight Senior Village II (651 McKnight Street), an affordable senior housing project - Ward 3 (Reese)
39. Approval of an allocation of \$2,000,000 in HOME/Low Income Housing Trust Funds (LIHTF) from the City of Las Vegas to Nevada H.A.N.D., Inc. for construction costs to build Silver Sky Deer Springs (Deer Springs and Decatur), an affordable senior housing project - Ward 6 (Ross)
40. Approval to allocate \$70,000 of Community Development Block Grant (CDBG) construction funds to abate slum and blight in conjunction with the Neighborhood Services vacant and abandoned building initiative approved by City Council on April 21, 2004 - All Wards

PLANNING & DEVELOPMENT - CONSENT

41. Approval of a Summerlin West Parks Development Agreement between the Howard Hughes Corporation and the City of Las Vegas for Summerlin Villages 20 and 23A - Ward 2 (Wolfson)

PUBLIC WORKS - CONSENT

42. Approval of an Encroachment Request from Keep Memory Alive on behalf of City Parkway V, Incorporated, owner (northeast corner of Bonneville Avenue and Grand Central Parkway) - Ward 5 (Williams)
43. Approval of an Encroachment Request from Yack Construction on behalf of Rain Vault, LLC, owner (A Street north of Washington Avenue) - Ward 5 (Williams)
44. Approval of a Declaration of Utilization from the Bureau of Land Management for a portion of the Southwest Quarter of Section 32, Township 19 South, Range 60 East, Mount Diablo Meridian, for sewer purposes generally located on the north side of Lone Mountain Road between El Capitan Way and Durango Drive, APNs 125-32-802-020, 125-32-802-030 and 125-32-804-003 - County (near Ward 4 - Brown)
45. Approval of Second Supplemental Interlocal Contract LAS22D06 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFC) for flood control improvements for the Brent Lane and Tule Springs Detention Basins (\$300,000 - CCRFC) - Ward 6 (Ross)
46. Approval of Second Supplemental Interlocal Contract 481B between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) for the City Parkway, D Street Connector (\$200,000 - RTC) - Ward 5 (Williams)
47. Approval of First Supplemental Interlocal Contract LAS22E06 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFC) for the Las Vegas Wash - Decatur Boulevard (Centennial Parkway to Farm Road) (\$450,000 - CCRFC) - Ward 6 (Ross)
48. Approval of an Interlocal Contract between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) for Centennial Parkway/Grand Montecito Parkway intersection improvements (\$410,000 - RTC) - Ward 6 (Ross)
49. Approval of Interlocal Agreement 112690 with the Las Vegas Valley Water District for the City of Las Vegas Rampart Trail Phase 1 project located on Vegas Drive, east of Rampart Boulevard, APN 138-29-501-007 (\$11,416 - Southern Nevada Public Land Management Act [SNPLMA]) - Ward 2 (Wolfson)

50. Approval of Interlocal Agreement 112689 with the Las Vegas Valley Water District for the City of Las Vegas Cedar Drainage Trail located on Honolulu Street, south of Bonanza Road, APN 140-31-196-003 (\$12,326 - Southern Nevada Public Land Management Act [SNPLMA]) - Ward 3 (Reese)
51. Approval of an Interlocal Agreement between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to provide funding for additional design work and construction of the Downtown Connector Bus Rapid Transit Project (\$750,000 General Fund/\$45,000,000 Regional Transportation Commission [RTC]) - Wards 3 and 5 (Reese and Williams)

RESOLUTIONS - CONSENT

52. R-23-2007 - Approval of a Resolution overruling complaints, protests, and objections and confirming the final assessment roll for Special Improvement District No. 1485 - Alta Drive (Rancho Drive to approximately 275 feet west of Lacy Lane) (Landscape Maintenance FY2008) (\$59,400.00 - Capital Projects Fund - Special Assessments) - Ward 1 (Tarkanian)
53. R-24-2007 - Approval of a Resolution amending Schedule 25-II, 35 MPH speed limits, to add the speed limit of 35 MPH on Farm Road from Grand Canyon Drive to Oso Blanca Road - Ward 6 (Ross)

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

54. Report from the City Manager on Emerging Issues
55. Discussion and possible action concerning the status of 2007 legislative issues - All Wards
56. Discussion and possible action regarding an Exclusive Negotiation Agreement and a Letter of Understanding by and among City Parkway V, Inc., LiveWork, LLC, and Zoe Property, LLC, for evaluating the feasibility of the disposition and development of real property in downtown Las Vegas located near Main Street and Lewis Avenue and near the Southeast corner of City Parkway and Grand Central Parkway (APNs 139-34-210-022, -021, -020, -019, -023, -008, -007, -009, -010, -011, -012, -013, and a portion of APN 139-34-110-004) - Wards 3 and 5 (Reese and Williams)

BUSINESS DEVELOPMENT - DISCUSSION

57. Discussion and possible action regarding an Exclusive Negotiation Agreement between the City of Las Vegas and Laurich Properties, Inc., for the development of a commercial retail center containing no less than 100,000 square feet of total gross leasing area, with a full-service grocery store at least 40,000 square feet in size, located at the southwest corner of Martin L King Boulevard and Lake Mead Boulevard (APNs 139-21-313-005 and 009) - Ward 5 (Williams)
58. Discussion and possible action regarding a Real Property Purchase and Sale Agreement between City Parkway V, Inc., and the McKellar Development Group, Inc., for 2.40 acres of land at the Las Vegas Technology Center located between Tenaya Way and U.S. 95 north of Cascade Valley Court for the purpose of constructing a 127 room hotel and designating that those funds be deposited into the Industrial Revenue Fund (\$2,507,989 Gain - City Parkway V, Inc.) - Ward 1 (Tarkanian) [Note: This item will be trailed to be heard after the related Item 75 (R-26-2007)]
59. Discussion and possible action regarding an Amended and Restated Exclusive Negotiation Agreement (Amended ENA) with Frank Wright Plaza, LLC, (FWP) to negotiate a Disposition and Development Agreement (DDA) for parcels located at 4th Street and Stewart Avenue totaling approximately 5.49 acres (Site) (APNs 139-34-501-004, 007 and 008) - Ward 5 (Williams)
60. Discussion and possible action regarding the Real Property Purchase and Sale Agreement with Las Vegas Police Protective Association Metro, Inc. for real property generally located adjacent to the northwest corner of Seventh Street and Stewart Avenue and identified with parcel number (APN 139-34-501-011) (\$1,524,003.18 - City Facilities Capital Projects Fund) - Ward 5 (Williams)

61. TIME CERTAIN 4:00 P.M. - ABEYANCE ITEM - Discussion and possible action regarding litigation related to the FAA right hand turn at McCarran Airport (City of Las Vegas, Nevada, et al. v. United States Department of Transportation, et al.) - All Wards

62. ABEYANCE ITEM - Discussion and possible action regarding an Appeal of Denial for a Family Home Child Care Facility License, Lia Hernandez, dba Lia Hernandez, 9108 Teal Lake Court, Lia Hernandez, 100% - Ward 4 (Brown)
63. ABEYANCE ITEM - Discussion and possible action regarding Temporary Approval of a new Pawnbroker License subject to the provisions of the planning and fire codes, Candice Limon, dba MNM Pawn, 3227 Meade Avenue, Suite 3B, Candice E. Limon, 100% - Ward 1 (Tarkanian)
64. ABEYANCE ITEM - Discussion and possible action regarding Temporary Approval of a new Class II Secondhand Dealer License, Auto Pawn and Pistol Permit subject to the provisions of the planning and fire codes, Candice Limon, dba MNM Pawn, 3227 Meade Avenue, Suite 3B, Candice E. Limon, 100% - Ward 1 (Tarkanian)
65. Discussion and possible action regarding a Six-Month Review of Temporary Approval for Supper Club License, Ajuua, Inc., dba Ajuua! Mexican Restaurant & Cantina, 2100 Fremont Street, Daniel R. Cardena, Dir, Pres, VP, Secy, Treas, 100% - Ward 3 (Reese)
66. Discussion and possible action regarding a Three Month Review of a Tavern License, Nevada Receivership, LLC, dba Crazy Horse Too, 2476 Industrial Road, Michael J. Signorelli, Managing Mmbr, 100% - Ward 3 (Reese)
67. Discussion and possible action regarding a Six Month Review of Temporary Approval of a Beer/Wine/Cooler On-Sale License, Rubio's Restaurants of Nevada, Inc., dba Rubio's Fresh Mexican Grill, 1910 Village Center Circle, Suite 9, John C. Fuller, Dir, Pres, Secy, Treas, Rubio's Restaurant, Inc., PTC, 100% - Ward 2 (Wolfson)
68. Discussion and possible action regarding a Six Month Review of Temporary Approval of a Beer/Wine/Cooler On-Sale License, Rubio's Restaurants of Nevada, Inc., dba Rubio's Fresh Mexican Grill, 7290 West Lake Mead Boulevard, Suite 3, John C. Fuller, Dir, Pres, Secy, Treas, Rubio's Restaurant, Inc., PTC, 100% - Ward 1 (Tarkanian)
69. Discussion and possible action regarding a Six Month Review of Temporary Approval of a Beer/Wine/Cooler On-Sale License, Rubio's Restaurants of Nevada, Inc., dba Rubio's Fresh Mexican Grill, 9310 West Sahara Avenue, Suite 1, John C. Fuller, Dir, Pres, Secy, Treas, Rubio's Restaurant, Inc., PTC, 100% - Ward 2 (Wolfson)
70. Discussion and possible action on a Review of Conditions of a Tavern License and a Gaming License for Scotch 80's Limited, dba Squiggy's, 530 South Martin Luther King Boulevard, Danny R. Piper, Dir, Pres, Treas, 50% and Joseph D. Bunch, Dir, Secy, 50% - Ward 5 (Williams)
71. Discussion and possible action regarding Temporary Approval of a new Massage Establishment License subject to the provisions of the planning and fire codes, Russell Emde, dba Tranquil Gardens Massage, 3900 North Rancho Drive, Suite 107, Russell J. Emde, Owner, 100% - Ward 6 (Ross)
72. Discussion and possible action regarding Temporary Approval of a new Psychic Art and Science License subject to the provisions of the planning and fire codes, Nancy Evans, dba Spiritual Insights, 1000 East Sahara Avenue, Suite 101, Nancy Evans, 50% - Ward 3 (Reese)

73. Discussion and possible action regarding a list of projects for nomination for funding from the special account established through the sale of Bureau of Land Management (BLM) lands in accordance with the Southern Nevada Public Lands Management Act (SNPLMA) - Wards 1, 2, 3, 4 and 6 (Tarkanian, Wolfson, Reese, Brown and Ross)

<http://www5.lacounty.gov/cirepub/cache/0/1b002554c3c00d20c500f1/120012520> 1/25/2007

74. R-25-2007 - Public hearing and possible action regarding a Resolution authorizing the issuance and sale of Economic Development Revenue Bonds not to exceed \$75,000,000 to finance the acquisition, construction, and equipment of a project for Keep Memory Alive (KMA) to build the Lou Ruvo Brain Institute in Union Park - Ward 5 (Williams)
75. R-26-2007 - Discussion and possible action regarding a Resolution consenting to the sale by City Parkway V of 2.40 acres of land generally located between Tenaya Way and U.S. 95 north of Cascade Valley Court (a portion of APN 138-15-612-003) at fair market value which conforms to the requirements of AB312 and is in the best interest of the Public - Ward 1 (Tarkanian) [Note: Related Item 58 will be trailed to be heard following this Item]
76. R-27-2007 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the Redevelopment Agency and Exber, Inc., d/b/a El Cortez Hotel & Casino, located at 112 & 116 North Las Vegas Boulevard (APN 139-34-611-002 & 003), to be in compliance with and in furtherance of the goals and objectives of the Redevelopment Agency - Ward 5 (Williams) [NOTE: This item is related to Redevelopment Agency Item 3 (RA-4-2007) and to Redevelopment Agency Item 4]
77. R-28-2007 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the Redevelopment Agency and Exber, Inc., d/b/a El Cortez Hotel & Casino, 600 Fremont Street (APN 139-34-612-004), to be in compliance with and in furtherance of the goals and objectives of the Redevelopment Agency - Ward 5 (Williams) [NOTE: This item is related to Redevelopment Agency Item 5 (RA-5-2007) and to Redevelopment Agency Item 6]
78. R-29-2007 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the Redevelopment Agency and Four Queens, Inc., 222 East Carson Street (APN 139-34-210-046), to be in compliance with and in furtherance of the goals and objectives of the Redevelopment Agency - Ward 3 (Reese) [NOTE: This item is related to Redevelopment Agency Item 7 (RA-6-2007) and to Redevelopment Agency Item 8]

BOARDS & COMMISSIONS - DISCUSSION

79. Discussion and possible action on the appointment and reappointment of members to the Neighborhood Partners Fund Board for Fiscal Year 2008

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

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

80. Bill No. 2007-14 – Prohibits unruly gatherings and establishes regulations and penalties with respect thereto. Sponsored by: Councilwoman Lois Tarkanian and Councilman Gary Reese

NEW BILLS - DISCUSSION

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

81. Bill No. 2007-15 - Levies Assessment for Special Improvement District No. 1485 - Alta Drive (Rancho Drive to approximately 275 feet west of Lacy Lane) (Landscape Maintenance FY2008) Sponsored by: Step Requirement
82. Bill No. 2007-16 – Annexation No. ANX-10156 – Property location: Within the area bounded by Clark County

Highway 215 on the east, Washburn Road on the south, Puli Road on the west, and Centennial Parkway on the north; Petitioned by Southwest Desert Equities, LLC, et al.; Acreage: Approximately 245 acres; Zoned: R-U (County zoning), U (PF-CC), U (PCD) and U (ROW) (City equivalents). Sponsored by: Councilman Steven D. Ross

83. Bill No. 2007-17 – Amends the Town Center Development Standards Manual to allow consignment sales in the GC-TC and SC-TC Zoning Districts, by means of special use permit, as a limited type of secondhand dealer. Sponsored by: Councilman Steven D. Ross
84. Bill No. 2007-18 – Requires in certain buildings a minimum level of support for radio coverage for emergency service personnel. Sponsored by: Councilman Steven D. Ross
85. Bill No. 2007-19 - Authorizes the issuance of a local improvement district bond, Series 2007, for an amount not to exceed \$1,724,000 for Special Improvement District No.1506 – Fremont Street Pedestrian Improvements (Las Vegas Boulevard to 8th Street). Proposed by: Mark R. Vincent, Director of Finance and Business Services
86. Bill No. 2007-20 – Annexation No. ANX-19561 – Property location: On the south side of Deer Springs Way, approximately 330 feet west of Grand Canyon Drive; Petitioned by: Dark, LLC; Acreage: 5.1 acres; Zoned: R-E (County zoning), U (RNP) (City equivalent). Sponsored by: Councilman Steven D. Ross

1:00 P.M. - AFTERNOON SESSION

BUSINESS ITEMS - AFTERNOON

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

HEARINGS - DISCUSSION

88. Public Hearing to consider the report of expenses to recover costs for abatement of nuisance and assess civil penalties located at 513 Upland Boulevard. PROPERTY OWNER: TRUSTEE CLARK COUNTY TREASURER C/O MARY ALICE WHITNEY (\$5,004.75 - General Fund) - Ward 1 (Tarkanian)
89. Public Hearing to consider the report of expenses to recover costs for mitigation abatement of nuisance located at 3205 GOLETA DRIVE. PROPERTY OWNER: JAN MYERS (\$9,857.50 - General Fund) - Ward 6 (Ross)
90. Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building and assess civil penalties located at 604 Stanford Street. PROPERTY OWNER: JAMES A. LITTLEFIELD C/O P. CARLSON (\$2,711.25 - General Fund) - Ward 1 (Tarkanian)
91. Public Hearing to consider the report of expenses to recover costs for mitigation abatement of vacant or abandoned building and assess civil penalties located at 1836 Lewis Avenue. PROPERTY OWNER: BANK US NATIONAL ASSN TRS C/O ASC 106 (\$12,147.85 - General Fund) - Ward 3 (Reese)

PLANNING & DEVELOPMENT

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

PLANNING & DEVELOPMENT - CONSENT

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

92. EOT-20206 - APPLICANT/OWNERS: ASIAN DEVELOPMENT, LLC. - Request for an Extension of Time of an approved Variance (VAR-1916) TO ALLOW NO STEPBACKS WHERE STEPBACKS ARE REQUIRED AFTER THE FOURTH STORY IN THE TOWN CENTER DEVELOPMENT STANDARDS on 3.08 acres adjacent to the north side of Deer Springs Way, approximately 330 feet west of Durango Drive (APN 125-20-201-015, 017 and 018), T-C (Town Center) Zone, Ward 6 (Ross). Staff recommends APPROVAL
93. EOT-20199 - APPLICANT/OWNERS: ASIAN DEVELOPMENT, LLC. - Request for an Extension of Time of an approved Special Use Permit (SUP-1915) FOR A FIFTEEN STORY OFFICE BUILDING WHERE TOWN CENTER DEVELOPMENT STANDARDS ALLOW A MAXIMUM OF TWELVE STORIES IN THE UC-TC (Urban Center Mixed-Use - Town Center) DISTRICT on 3.08 acres adjacent to the north side of Deer Springs Way, approximately 330 feet west of Durango Drive (APN 125-20-201-015, 017 and 018), T-C (Town Center) Zone, Ward 6 (Ross). Staff recommends APPROVAL
94. EOT-20203 - APPLICANT/OWNERS: ASIAN DEVELOPMENT, LLC. - Request for an Extension of Time of an approved Site Development Plan Review (SDR-1914) FOR A FIFTEEN STORY OFFICE/RETAIL BUILDING WITH PARKING GARAGE on 3.08 acres adjacent to the north side of Deer Springs Way, approximately 330 feet west of Durango Drive (APN 125-20-201-015, 017 and 018), T-C (Town Center) Zone, Ward 6 (Ross). Staff recommends APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

95. ZON-19691 - PUBLIC HEARING - APPLICANT/OWNER: JAMES L. POLLINS - Request for a Rezoning FROM: C-2 (GENERAL COMMERCIAL) TO: R-4 (HIGH DENSITY RESIDENTIAL) on 0.16 acres at 204 West Monroe Avenue (APN 139-27-111-068), Ward 5 (Williams). The Planning Commission (7-0 vote) and staff recommend APPROVAL
96. MSP-19558 - PUBLIC HEARING - APPLICANT: LAS VEGAS ATHLETIC CLUB - OWNER: JERMAC - Request to amend a previously approved Master Sign Plan (MSP-8319) TO ALLOW CHANNEL LETTERING WHERE VINYL LETTERING WAS PREVIOUSLY APPROVED; TO INCREASE THE ALLOWABLE SQUARE FOOTAGE PER TENANT SIGN FROM THE APPROVED 3 FEET X 12 FEET TO 3.5 FEET X 25 FEET, AND TO ADD AN ADDITIONAL TENANT SIGN TO THE EAST ELEVATION, BRINGING THE TOTAL TENANT SIGNS ON THAT SIDE TO FIVE WHERE THE APPROVAL SPECIFIED ONLY FOUR on 13.2 acres at 1725 North Rainbow Boulevard (APN 138-22-803-001), C-1 (Limited Commercial) Zone, Ward 5 (Williams). The Planning Commission (5-2 vote) and staff recommend APPROVAL
97. SUP-19568 - PUBLIC HEARING - APPLICANT: MOMOTARO SUSHI & SHABU SHABU BAR - OWNER: NP/I&G MONTECITO MARKETPLACE PHASE I, LLC - Request for a Special Use Permit FOR A PROPOSED BEER/WINE/COOLER ON-SALE ESTABLISHMENT AND A WAIVER FROM THE 400-FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING PARK at 7160 North Durango Drive, Suite #140 (APN 125-20-510-021), TC (Town Center) Zone [MT-TC (Montecito - Town Center) Special Land Use Designation], Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

98. VAC-19526 - PUBLIC HEARING - APPLICANT/OWNER: THE ROMAN CATHOLIC BISHOP OF LAS VEGAS - Petition to vacate a 10-foot wide public right-of-way running between Maryland Parkway and Eleventh Street approximately 70 feet south of Oakey Boulevard, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
99. VAC-19586 - PUBLIC HEARING - APPLICANT/OWNER: VALLEY HEALTH SYSTEM, LLC - Petition to Vacate the Rose Street alignment and adjacent pedestrian easements south of Pinto Lane, Ward 5 (Williams). The Planning Commission (7-0 vote) and staff recommend APPROVAL
100. SDR-19629 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR THE PROPOSED EXPANSION OF AN EXISTING PUBLIC PARK on 7.31 acres at the southeast corner of Bradley Road and Grand Teton Drive (a portion of APN 125-13-501-009), C-V (Civic) Zone, Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL
101. ZON-19070 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: ALL STAR AUTOMOTIVE, INC. - Request for a Rezoning FROM: C-2 (GENERAL COMMERCIAL) TO: C-M (COMMERCIAL/INDUSTRIAL) on 1.09 acres at 2027-2041 West Bonanza Road (APNs 139-28-401-029 and 031), Ward 5 (Williams). The Planning Commission (3-3 tie vote on a motion for approval) NO RECOMMENDATION. Staff recommends APPROVAL
102. VAR-18625 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: LE FERIA, LLC - Request for a Variance TO ALLOW 39 PARKING SPACES WHERE 95 PARKING SPACES ARE THE MINIMUM REQUIRED on 2.33 acres at 3851 Pennwood Avenue (APNs 162-07-702-002 and 003), M (Industrial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend DENIAL
103. SDR-19214 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: Le FERIA, LLC - Request for a Site Development Plan Review FOR AN EXISTING OFFICE, RETAIL AND MINI-STORAGE FACILITY DEVELOPMENT AND A WAIVER TO ALLOW A LANDSCAPE BUFFER WIDTH OF ZERO FEET WHERE 15 FEET IS THE MINIMUM REQUIRED ALONG THE RIGHT-OF-WAY on 2.33 acres at 3851 Pennwood Avenue (APNs 162-07-702-002 and 003), M (Industrial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend DENIAL
104. VAR-19098 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: KRYFAM, LP - Request for a Variance TO ALLOW 74 PARKING SPACES WHERE 87 SPACES ARE REQUIRED on 1.83 acres at the southwest corner of Tenaya Way and Sky Pointe Drive (APN 125-27-410-004), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL
105. VAR-19447 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: KRYFAM, LP - Request for a Variance TO ALLOW A FOUR-STORY HOTEL WHERE TWO STORIES ARE THE MAXIMUM PERMITTED on 1.83 acres at the southwest corner of Tenaya Way and Sky Pointe Drive (APN 125-27-410-004), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL
106. SUP-19100 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: KRYFAM, LP - Request for a Special Use Permit FOR A HOTEL WITH A WAIVER TO ALLOW A DISTANCE SEPARATION OF 80 FEET FROM A RESIDENTIAL USE WHERE 330 FEET IS THE MINIMUM REQUIRED at the southwest corner of Tenaya Way and Sky Pointe Drive (APN 125-27-410-004), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL
107. SDR-19097 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: KRYFAM, LP - Request for a Site Development Plan Review FOR A FOUR-STORY, 50,478 SQUARE FOOT HOTEL WITH A WAIVER TO ALLOW PERIMETER LANDSCAPE BUFFER WIDTH OF 14 FEET FOR A THREE FOOT SECTION WHERE 15 FEET IS THE MINIMUM REQUIRED on 1.83 acres at the southwest corner of Tenaya Way and Sky Pointe Drive (APN 125-27-410-004), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL

108. ARC-20049 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: NIGRO DEVELOPMENT - OWNER: KRYFAM, LP - REQUEST FOR APPROVAL OF A MASTER SIGN PLAN AND WAIVERS OF THE TOWN CENTER DEVELOPMENT STANDARDS MANUAL FOR A 65' HIGH PYLON SIGN WHERE 24' HIGH IS THE LIMIT, TO ALLOW A PYLON SIGN ADVERTISING ONE TENANT WHERE MULTIPLE TENANTS IS REQUIRED AND FOR A 12' HIGH MONUMENT SIGN WHERE 8' HIGH IS THE LIMIT FOR A COMMERCIAL DEVELOPMENT, SKY POINTE HOTEL LOCATED ON THE SOUTHWEST CORNER OF TENAYA WAY AND SKY POINTE DRIVE (APN 125-27-410-004), TC (Town Center) Zone, Ward 6 (Ross). Staff recommends APPROVAL
109. VAR-19282 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: PETER PAPAS - OWNERS: AEGEAN ISLE, WEST CHARLESTON ANIMAL HOSPITAL, AND DIXIE LEAVITT AGENCY - Request for a Variance TO ALLOW 267 EXISTING PARKING SPACES WHERE 301 PARKING SPACES ARE REQUIRED FOR AN EXISTING SHOPPING CENTER on 5.20 acres at 7871 through 7891 West Charleston Boulevard (APNs 163-04-514-002, 003, and 004), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). The Planning Commission (6-1 vote) and staff recommend APPROVAL
110. SUP-18347 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GRAND TETON LODGE LAND LLC - Request for a Special Use Permit FOR A PROPOSED 800 SQUARE FOOT CAR WASH, FULL SERVICE on 2.71 acres on the northeast corner of Grand Teton Drive and Durango Drive (APN 125-09-401-031), U [(Undeveloped) Zone, SC (Service Commercial) General Plan Designation] Under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL
111. SUP-18630 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GRAND TETON LODGE LAND LLC - Request for a Special Use Permit FOR A BEER/WINE/COOLER OFF-SALE ESTABLISHMENT IN A PROPOSED SERVICE STATION WITHOUT AUTOMOTIVE REPAIR on 2.71 acres on the northeast corner of Grand Teton Drive and Durango Drive (APN 125-09-401-031), U [(Undeveloped) Zone, SC (Service Commercial) General Plan Designation] Under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL
112. SDR-18349 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GRAND TETON LODGE LLC - Request for a Major Amendment to an approved Site Development Plan Review FOR A PROPOSED 4,056 SQUARE-FOOT SERVICE STATION WITHOUT AUTOMOTIVE REPAIR, AN 800 SQUARE FOOT CAR WASH, FULL SERVICE, AND A 2,700 SQUARE FOOT RESTAURANT WITH DRIVE-THROUGH on 2.71 acres on the northeast corner of Grand Teton Drive and Durango Drive (APN 125-09-401-031), U [(Undeveloped) Zone, SC (Service Commercial) General Plan Designation] Under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL
113. SUP-13490 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: FIRST PRESBYTERIAN CHURCH OF LV NV - Appeal filed by the applicant from the denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1619 West Charleston Boulevard (APN 162-04-510-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL
114. SUP-18314 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: T-MOBILE USA, INC - OWNER: INTERNATIONAL CHURCH OF THE FOURSQUARE GOSPEL - Request for a Special Use Permit FOR A PROPOSED 80-FOOT TALL WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN on 1.75 acres adjacent to the south side of Alexander Road, approximately 650 feet east of Cimarron Road (APN 138-09-501-003), C-V (Civic) Zone, Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL
115. SUP-18655 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: T-MOBILE USA INC. - OWNER: BERKE ENTERPRISES, LTD., L.P. - Request for a Special Use Permit FOR A PROPOSED WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN at 1501 East Charleston Boulevard (APN 139-35-402-001), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
116. SUP-19296 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: BECKER & SONS - Request for a Special Use Permit FOR A PROPOSED AUTO TITLE LOAN ESTABLISHMENT AND A

WAIVER OF THE 200 FOOT MINIMUM DISTANCE SEPARATION REQUIREMENT FROM RESIDENTIAL ZONED PROPERTY at 1990 North Rainbow Boulevard (APN 138-23-301-002), C-1 (Limited Commercial) Zone, Ward 5 (Williams). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

117. SDR-15747 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH - Request for a Site Development Plan Review FOR A PROPOSED 31,126 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP AND A WAIVER OF THE PERIMETER LANDSCAPING REQUIREMENTS on 8.55 acres at the northwest corner of Rainbow Boulevard and Westcliff Drive (a portion of APN 138-27-802-004), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
118. ZON-19616 - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: A & A, INC. - Request for a Rezoning FROM: R-4 (HIGH DENSITY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) on 0.33 acres at 401-403 South Sixth Street (APNs 139-34-710-007 and 008), Ward 3 (Reese). The Planning Commission (6-1 vote) and staff recommend APPROVAL
119. VAR-20139 - PUBLIC HEARING - APPLICANT/OWNER: A & A, INC. - Request for a Variance TO ALLOW 11 PARKING SPACES WHERE 72 PARKING SPACES ARE THE MINIMUM REQUIRED on 0.33 acres at 401-403 South Sixth Street (APNs 139-34-710-007 and 008), R-4 (High Density Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL
120. SDR-19614 - PUBLIC HEARING - APPLICANT/OWNER: A & A, INC. - Request for a Major Amendment to an approved Site Development Plan Review (V-0016-83) FOR THE ADDITION OF 342 SQUARE FEET TO AN EXISTING RESTAURANT on 0.33 acres at 401-403 South Sixth Street (APNs 139-34-710-007 and 008), R-4 (High Density Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL
121. ZON-19680 - PUBLIC HEARING - APPLICANT/OWNER: LAS VEGAS RESCUE MISSION - Request for a Rezoning FROM: R-4 (HIGH DENSITY RESIDENTIAL) TO: M (INDUSTRIAL) on 0.15 acres on the southeast corner of "F" Street and Wilson Avenue (APN 139-27-301-002), Ward 5 (Williams). The Planning Commission (6-1 vote) and staff recommend APPROVAL
122. SUP-19681 - PUBLIC HEARING - APPLICANT/OWNER: LAS VEGAS RESCUE MISSION - Request for a Special Use Permit FOR A RESCUE MISSION on the northeast corner of "F" Street and Bonanza Road (APN 139-27-301-002), R-4 (High Density Residential), C-2 (General Commercial) and M (Industrial) Zones [PROPOSED: C-2 (General Commercial) and M (Industrial) Zones], Ward 5 (Williams). The Planning Commission (6-1 vote) and staff recommend APPROVAL
123. SDR-19679 - PUBLIC HEARING - APPLICANT/OWNER: LAS VEGAS RESCUE MISSION - Request for a Site Development Plan Review FOR A PROPOSED 10,771 SQUARE FOOT RESCUE MISSION AND WAIVERS OF THE PERIMETER LANDSCAPE BUFFER STANDARD TO ALLOW NO LANDSCAPING ALONG PORTIONS OF THE NORTH AND SOUTH PROPERTY LINES WHERE 15-FOOT WIDE LANDSCAPE BUFFERS ARE REQUIRED AND TO ALLOW NO LANDSCAPING ALONG THE EAST PROPERTY LINE WHERE AN EIGHT FOOT LANDSCAPE BUFFER IS REQUIRED on 1.82 acres on the northeast corner of "F" Street and Bonanza Road (APN 139-27-301-002), R-4 (High Density Residential), C-2 (General Commercial) and M (Industrial) Zones [PROPOSED: C-2 (General Commercial) and M (Industrial) Zones], Ward 5 (Williams). The Planning Commission (6-1 vote) and staff recommend APPROVAL
124. SUP-19645 - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: ALECO ENTERPRISES, INC. - Request For A Special Use Permit FOR AN AUTO TITLE LOAN ESTABLISHMENT AND FINANCIAL INSTITUTION - SPECIFIED WITH A WAIVER TO ALLOW A DISTANCE SEPARATION OF 60 FEET FROM A RESIDENTIAL ZONED PROPERTY WHERE 200 FEET IS REQUIRED AND A WAIVER TO ALLOW A DISTANCE SEPARATION OF 100 FEET FROM AN EXISTING FINANCIAL INSTITUTION WHERE 1,000 FEET IS REQUIRED at 631 North Nellis Boulevard (APN 140-29-802-009), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
125. SDR-19648 - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: ALECO ENTERPRISES, INC. -

Request for a Major Amendment to an approved Site Development Plan Review (Z-62-72) for a 1,500 SQUARE FOOT ADDITION WITH DRIVE-THRU TO AN EXISTING 2,009 SQUARE FOOT COMMERCIAL BUILDING WITHIN AN EXISTING SHOPPING CENTER on 4.56 acres at 631 North Nellis Boulevard (APN 140-29-802-009), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

126. SUP-19671 - PUBLIC HEARING - APPLICANT: ADVANCE GROUP, INC. DBA RAPID CASH - OWNER: NELLIS OWENS 48, LLC - Request For A Special Use Permit FOR AN AUTO TITLE LOAN ESTABLISHMENT AND A WAIVER TO ALLOW A DISTANCE SEPARATION OF 130 FEET FROM A RESIDENTIAL USE WHERE A MINIMUM OF 200 FEET IS REQUIRED at 5067 East Owens Avenue (APN 140-29-510-021), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL
127. SDR-19352 - PUBLIC HEARING - APPLICANT/OWNER: GREYMOUTH, LLC - Request for a Site Development Plan Review FOR A PROPOSED 48-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT on 2.25 acres at 2380 Searles Avenue (APN 139-26-508-016), C-2 (General Commercial) Zone under Resolution of Intent to R-3 (Medium Density Residential) Zone, Ward 3 (Reese). NOTE: THIS APPLICATION HAS BEEN AMENDED FROM 48-UNITS TO 50-UNITS. The Planning Commission (7-0 vote) and staff recommend APPROVAL
128. VAC-13850 - PUBLIC HEARING - APPLICANT/OWNER: WILLIAM LYON HOMES - Petition to Vacate public rights-of-way generally located west of the intersection of Horse Drive and Coke Street, Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL
129. TMP-18239 - PUBLIC HEARING - SMOKE RANCH/DECATUR II - APPLICANT: RICHMOND AMERICAN HOME - OWNER: SCHNIPPEL FAMILY TRUST - Request for a Tentative Map FOR A 65-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 6.19 acres adjacent to the southeast corner of Decatur Boulevard and Smoke Ranch Road (APN 139-19-101-002), R-1 (Single Family Residential) Zone under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units Per Acre) Zone [PROPOSED: R-PD12 (Residential Planned Development -12 Units Per Acre) Zone], Ward 5 (Williams). The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL
130. DIR-20734 - APPLICANT: JOCELYN NIXON - OWNER: ALTA DECATUR, LLC - Appeal of the Planning and Development Department interpretation of Title 19.16 regarding the discontinuation of a nonconforming tavern use located at 465 South Decatur Boulevard, Ward 5 (Williams). Staff recommends DENIAL

SET DATE

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

CITIZENS PARTICIPATION

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

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

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

EXHIBIT B

(Attach Copy of Affidavit of Publication of Notice of Public Hearing)

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Stacey M Lewis, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

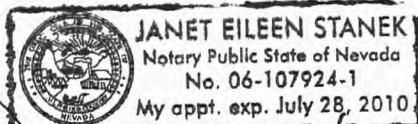
LV CITY CLERK

2296311LV

1790584

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 03/30/2007 to 03/30/2007, on the following days:

03/30/2007



Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

30th day of March, 2007.

Janet E. Stanek
Notary Public

NOTICE OF HEARING
CONCERNING
PROPOSED ECONOMIC
DEVELOPMENT
REVENUE BONDS OF
NEVADA TO FINANCE A
PROJECT FOR KEEP
MEMORY ALIVE TO BE
LOCATED IN THE CITY
OF LAS VEGAS,
NEVADA.

NOTICE IS HEREBY GIVEN that a public hearing will be held on April 18, 2007 at 9:00 a.m. or as soon thereafter as it may be heard, at the Council Chambers, Las Vegas City Hall Complex, 400 Stewart, Las Vegas, Nevada for the purpose of considering the proposed issuance by the City of Las Vegas, Nevada (the "City") of economic development revenue bonds (the "Bonds") to be issued under the City Economic Development Revenue Bond Law, NRS 268.512 to 268.568, inclusive (the "Act"), for Keep Memory Alive, a Nevada nonprofit corporation ("KMA"), to finance the construction of an approximately 67,300 square foot building to be located on an approximately 2.13 acre parcel of land to be acquired by KMA and the acquisition and installation of personal property and facilities in such building and on such land (the "Project"). The Project will be owned by KMA and may, in the future, be leased to the Lou Ruvo Brain Institute, a Nevada nonprofit corporation. The Project will be used as an outpatient treatment, education and research facility for Alzheimer's, Parkinson's, ALS and Huntington's diseases, along with other brain diseases and memory disorders, and as the headquarters for KMA and other nonprofit organizations dedicated to treatment, education and research for these diseases and disorders, and will also contain a cafe/restaurant. The Project will be located at 22 South Grand Central Parkway, Las Vegas, Nevada. At such public hearing the City Council of the City (the "City Council") will consider information supplied by KMA and The Bank of New York (the "Bank") to enable the City Council to make certain determinations required by the Act. Copies of the proposed resolution to be considered by the City Council after such hearing will be on file during the ten days prior to the public hearing, in the office of the City Clerk of the City, and will be available for inspection during normal and regular business hours.

KMA has requested the City to issue the Bonds under the Act, in one or more series, in the maximum aggregate principal amount of \$75,000,000 for the purposes outlined above. The Bonds shall be special, limited obligations of the City, payable from revenues derived by the City from a financing agreement between the City and KMA and from moneys drawn on an irrevocable letter of credit issued by the Bank (or by another financial institution issuing a replacement letter of credit). The Bonds shall never constitute the debt or indebtedness of the City within the meaning of any provision or limitation of the constitution of the State of Nevada or statutes, and shall not constitute nor give rise to a pecuniary liability of the City or a charge against its general credit or taxing powers.

All interested persons are invited to attend the public hearing, which will be the only public hearing held by the City prior to the consideration by the City Council of a resolution authorizing the issuance of the Bonds. Persons wishing to submit written comments in lieu of or in addition to speaking at the public hearing should submit such comments to the City Council not later than the time of the public hearing.

By order of the City Council of the City of Las Vegas, Nevada this March 7, 2007.

/s/ Beverly K. Bridges
Acting City Clerk
PUB: March 30, 2007
LV Review-Journal

2007 APR -6 A 10:43

RECEIVED
CITY CLERK

EXHIBIT C

(Attach Copy of Minutes of Public Hearing)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐ Consent ☒ Discussion

SUBJECT:

RESOLUTIONS:

R-25-2007 - Public hearing and possible action regarding a Resolution authorizing the issuance and sale of Economic Development Revenue Bonds not to exceed \$75,000,000 to finance the acquisition, construction, and equipment of a project for Keep Memory Alive (KMA) to build the Lou Ruvo Brain Institute in Union Park - Ward 5 (Williams)

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division: Finance and Business Services

PURPOSE/BACKGROUND:

These Economic Development Revenue Bonds will finance the acquisition, construction and equipment for Keep Memory Alive (KMA) to build the Lou Ruvo Brain Institute in Union Park. These bonds will not represent an indebtedness of the City and will be repaid pursuant to an agreement between the City and KMA and will be supported by an irrevocable transferable direct pay letter of credit from The Bank of New York.

RECOMMENDATION:

Staff recommends approval.

BACKUP DOCUMENTATION:

Resolution No. R-25-2007

Motion made by BRENDA J. WILLIAMS to Approve

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

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

Minutes:

MARK VINCENT, Director of Finance and Business Services, noted that the bonds are not obligations of the City of Las Vegas, but rather of Keep Memory Alive. The City is simply the conduit for Keep Memory Alive. There are two components, one taxable for the Wolfgang Puck restaurant, resulting in about \$68.6 million in non-taxable bonds and about \$5.4 million in

CITY COUNCIL MEETING OF: APRIL 18, 2007

taxable bonds. The transaction is secured by an indenture trust with Bank of New York. Because Keep Memory Alive is such a new organization, it does not have the required five-year operating history or the bond rating; therefore, Keep Memory Alive has worked with the Bank of New York to secure the indenture in an irrevocable letter of credit to support this transaction. All requirements of Nevada Revised Statutes have been met. This project should create about 51 permanent positions. Staff recommends approval.

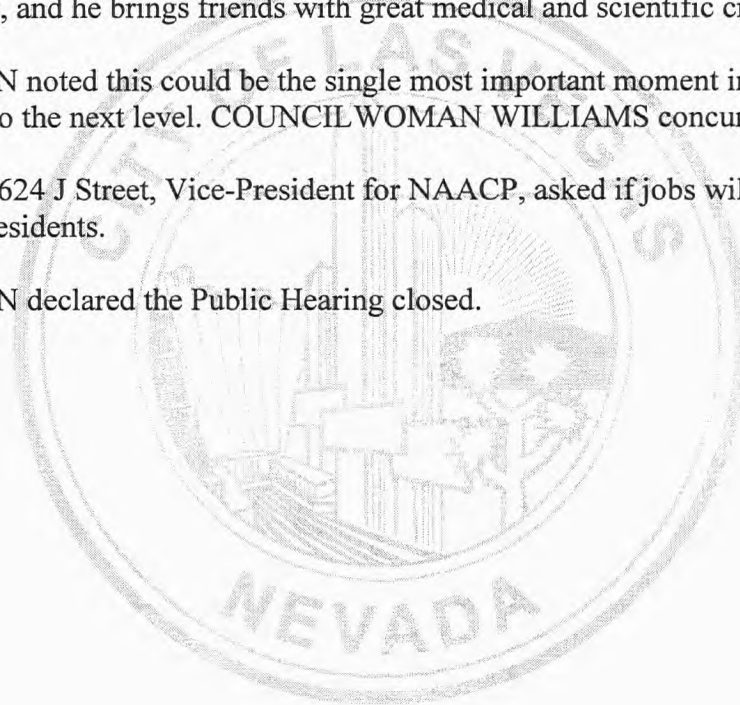
MAYOR GOODMAN declared the Public Hearing open.

PETER BERNHARD, Counsel for Keep Memory Alive, noted that the local component of the group that spoke before the Senate Finance Committee consists of people who have been residents of Nevada for more years than Nevada has been a state. All the members are looking forward to the completion of this project, which will be a benchmark that will take the City of Las Vegas and the State of Nevada to a new level. The doctor leading this project chose to relocate to Las Vegas, and he brings friends with great medical and scientific credentials.

MAYOR GOODMAN noted this could be the single most important moment in the evolution of taking Las Vegas to the next level. COUNCILWOMAN WILLIAMS concurred.

EDDIE WATSON, 1624 J Street, Vice-President for NAACP, asked if jobs will be will be available to Ward 5 residents.

MAYOR GOODMAN declared the Public Hearing closed.



DOCUMENT LOCATOR PAGE

002204.139 Las Vegas, NV/Keep Memory Alive Bonds – Bond Resolution.v3

C:\WINNT\Temporary Internet Files\OLK3\Bond Resolution v3 (672733_3).DOC

Created on: 3/29/2007 2:06 PM

Last Saved on: 3/29/2007 2:06:00 PM

Printed on: 4/4/2007 8:09 AM

In order to locate this document quickly, please keep this page with the attached document.
Thank you.

WARNING: You may need to delete the tag footer from this document. Please report any problems with this macro to the User Support Specialist, x8080.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: OFFICE OF BUSINESS DEVELOPMENT

DIRECTOR: SCOTT D. ADAMS

☐ Consent ☒ Discussion

SUBJECT:

RESOLUTIONS:

R-26-2007 - Discussion and possible action regarding a Resolution consenting to the sale by City Parkway V of 2.40 acres of land generally located between Tenaya Way and U.S. 95 north of Cascade Valley Court (a portion of APN 138-15-612-003) at fair market value which conforms to the requirements of AB312 and is in the best interest of the Public - Ward 1 (Tarkanian)
[Note: Related Item 58 will be trailed to be heard following this Item]

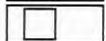
Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

The proposed hotel development will add \$13,000,000 of new investment to the community, provide 140 construction jobs and 48 permanent jobs. The land sale is at the appraised fair market value.

RECOMMENDATION:

Approval.

BACKUP DOCUMENTATION:

1. Resolution No. R-26-2007
2. Site Map

Motion made by LOIS TARKANIAN to Approve

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

BRENDA J. WILLIAMS, LOIS TARKANIAN, 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, reported that Items 75 and 58 are companion items. The resolution is required under the new property disposition guidelines enacted under AB 312. Since the land is being sold at fair market value, the resolution does not have to justify the difference between the selling amount and the appraised value. It simply

CITY COUNCIL MEETING OF: APRIL 18, 2007

documents the economic impacts of the project, which are specified under the Purpose/Background section. Staff recommends approval.

JAMES McKELLAR, McKellar Development Group, Inc., 3340 S. Topaz Road, indicated that a letter was received from the Intercontinental Group, which franchises the Holiday Inn Express. The Group is looking forward to a business venture with McKellar Development, who owns the outstanding Hampton Inn, adjacent to the site where the Holiday Inn will be located.



RESOLUTION FINDING THAT THE PROPOSED SALE BY CITY PARKWAY V TO MCKELLAR DEVELOPMENT GROUP, INC. OF THE PROPERTY LOCATED IN LAS VEGAS TECHNOLOGY CENTER IS IN THE BEST INTERESTS OF THE PUBLIC

WHEREAS, City Parkway V, an affiliate of the City of Las Vegas ("City") owns the property located in Las Vegas Technology Center which is shown in Exhibit A and B of the REAL PROPERTY PURCHASE AND SALES AGREEMENT BETWEEN CITY PARKWAY V AND MCKELLAR DEVELOPMENT GROUP, INC, (the "Property"); and

WHEREAS, City Parkway V now desires to sell the Property to McKellar Development Group, Inc. for the purpose of facilitating its development of a 127 room Holiday Inn Express Hotel on the vacant land to contribute to the City's economic development efforts in Las Vegas by bringing Thirteen million dollars (\$13,000,000) of investment, One Hundred forty (140) construction jobs and forty eight (48) permanent jobs; and

WHEREAS, the proposed sale is for an amount that is the highest appraised value of the Property, an amount which is fair market value; and

WHEREAS, Nevada Revised Statute 268.063 authorizes the City to sell, lease or otherwise dispose of property for purposes of economic development, without offering it to the public, if the City Council finds, by resolution, that it is in the best interests of the public to do so; and

WHEREAS, the proposed sale of the Property by City Parkway V to McKellar Development Group, Inc. is consistent with the intent of the above-referenced statute as a sale for purposes of economic development because it will:

- Facilitate the establishment of new commercial enterprises or facilities within the City;
 - Provide for the support, retention or expansion of existing commercial enterprises; and
 - Thereby create and retain opportunities for employment for the residents of the City;
- and

WHEREAS, the presence of McKellar Development Group, Inc. as a corporate entity in the City of Las Vegas, and as a party who is already connected with the Property via the ownership of the adjacent facility, contributes significantly to the potential for successful

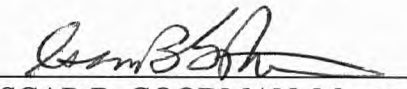
1 development of the Property, potential that may not be as great if the Property is offered to the
2 public; and

3 WHEREAS, the City desires to encourage McKellar Development Group, Inc. to pursue
4 additional development, which will encourage stability of property ownership and continuity of
5 development in the area, thereby adding to the ongoing vitality of the area.

6 NOW, THEREFORE, BASED UPON THE FOREGOING, THE CITY COUNCIL
7 HEREBY FINDS that the sale of the Property from City Parkway V to McKellar Development
8 Group, Inc, without offering it to the public, is for purposes of economic development and is in
9 the best interests of the public.

10 PASSED, ADOPTED AND APPROVED THIS 18TH day of April, 2007.

11 CITY OF LAS VEGAS ("City")

12
13 By: 
14 OSCAR B. GOODMAN, Mayor

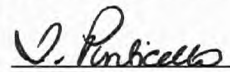
15 ATTEST:

16 
17 BEVERLY K. BRIDGES, Acting City Clerk

18 Date of City Council Approval:

19
20 April 18, 2007
21 Date

22 APPROVED AS TO FORM:

23  4/3/07
24 Deputy City Attorney Date

Site Map



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: OFFICE OF BUSINESS DEVELOPMENT

DIRECTOR: SCOTT D. ADAMS

☐ Consent ☒ Discussion

SUBJECT:

RESOLUTIONS:

R-27-2007 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the Redevelopment Agency and Exber, Inc., d/b/a El Cortez Hotel & Casino, located at 112 & 116 North Las Vegas Boulevard (APN 139-34-611-002 & 003), to be in compliance with and in furtherance of the goals and objectives of the Redevelopment Agency - Ward 5 (Williams) [NOTE: This item is related to Redevelopment Agency Item 3 (RA-4-2007) and to Redevelopment Agency Item 4]

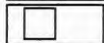
Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This is a related item to discussion and possible action regarding assisting Exber, Inc., d/b/a El Cortez Hotel & Casino, with the cost of visual improvements to the property fronting North Las Vegas Boulevard as a new entry way into the El Cortez Hotel & Casino from Las Vegas Boulevard. Approval will adopt findings that the Agreement is in compliance with and furtherance of the goals and objectives of the RDA and the Redevelopment Plan.

RECOMMENDATION:

Approval.

BACKUP DOCUMENTATION:

1. Resolution No. R-27-2007
2. Before and After Photos/Renderings of Project
3. Site Map

Motion made by BRENDA J. WILLIAMS to Approve Council Items 76 and 77 and Redevelopment Agency Items 3-6 as recommended

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

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

CITY COUNCIL MEETING OF: APRIL 18, 2007

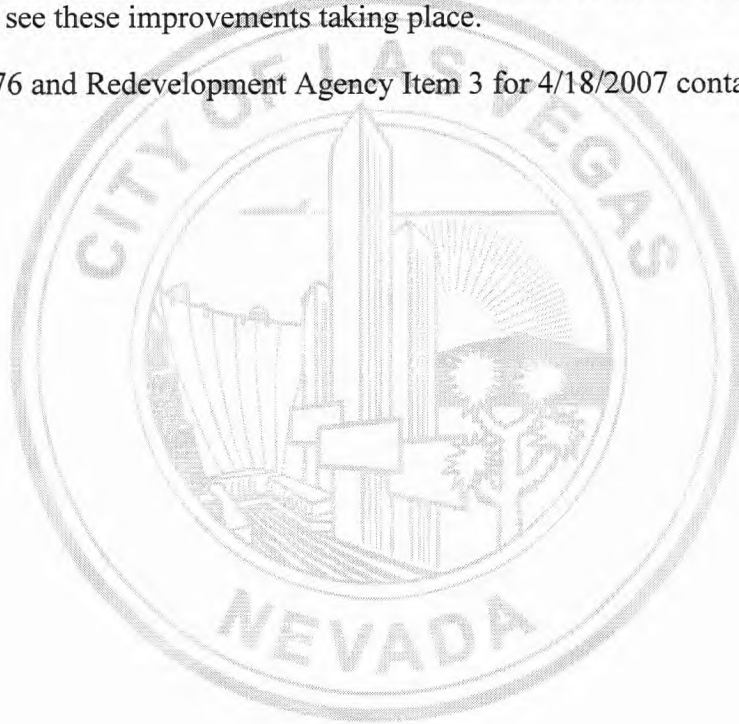
Minutes:

SCOTT ADAMS, Director of the Office of Business Development, said he would handle Council Items 76 and 77 and Redevelopment Agency Items 3 through 6 together, as they all deal with the El Cortez. The actions under each item are required for CVIP agreements, and all requirements have been met. The owners of the El Cortez have reinvested millions into their property, of which he showed pictures and drawings. He recommended approval of the six items, as they will greatly enhance the surrounding area.

JOE WOODY, Chief Financial Officer of the El Cortez, stated that the El Cortez is committed to downtown. The improvements should be completed in July 2007.

COUNCILWOMAN WILLIAMS said she has been a customer of the El Cortez for 40 years, and she is happy to see these improvements taking place.

City Council Item 76 and Redevelopment Agency Item 3 for 4/18/2007 contain duplicate minutes.



1

2

6

7

O

4

Q

21

23

25

21

1 WHEREAS, the City Council of the City of Las Vegas has considered the
2 findings that the development of improvements to a building, facilities, structures or other
3 improvements to be located at the Site are of benefit to the Redevelopment Area or the
4 immediate neighborhood in which the Redevelopment Area is located; and
5

6 WHEREAS, the City Council of the City of Las Vegas has considered the
7 findings that no other reasonable means of financing the building, facilities or structures or
8 other improvements on the Site are available; and
9

10 WHEREAS, the City Council of the City of Las Vegas has considered the
11 undertakings of the Agency in connection with the Commercial Visual Improvement
12 Agreement (the "Agreement"), which provides for the contribution of funds to Exber, Inc. for
13 making physical, visual improvements to the building located on the Site, all as more fully set
14 forth in the Agreement.
15

16 NOW, THEREFORE, BE IT HEREBY RESOLVED that the City Council of
17 the City of Las Vegas hereby finds and determines that the development of building, facilities,
18 structures or other improvements on the Site are of benefit to the Redevelopment Area or the
19 immediate neighborhood in which the Redevelopment Area is located; and
20

21 RESOLVED FURTHER, that the City Council of the City of Las Vegas hereby
22 finds and determines there are no reasonable means of financing those building, facilities,
23 structural or other improvements on the Site; and
24

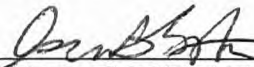
25 RESOLVED FURTHER, that the City Council of the City of Las Vegas hereby
26 consents to the undertakings of the Agency in connection with the Agreement with Exber, Inc.
27 for the Project concerning the development on the Site.
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

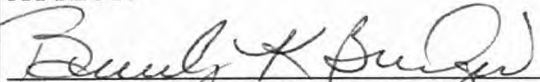
THE FOREGOING RESOLUTION was passed, adopted and approved this

18TH day of April, 2007.

CITY OF LAS VEGAS

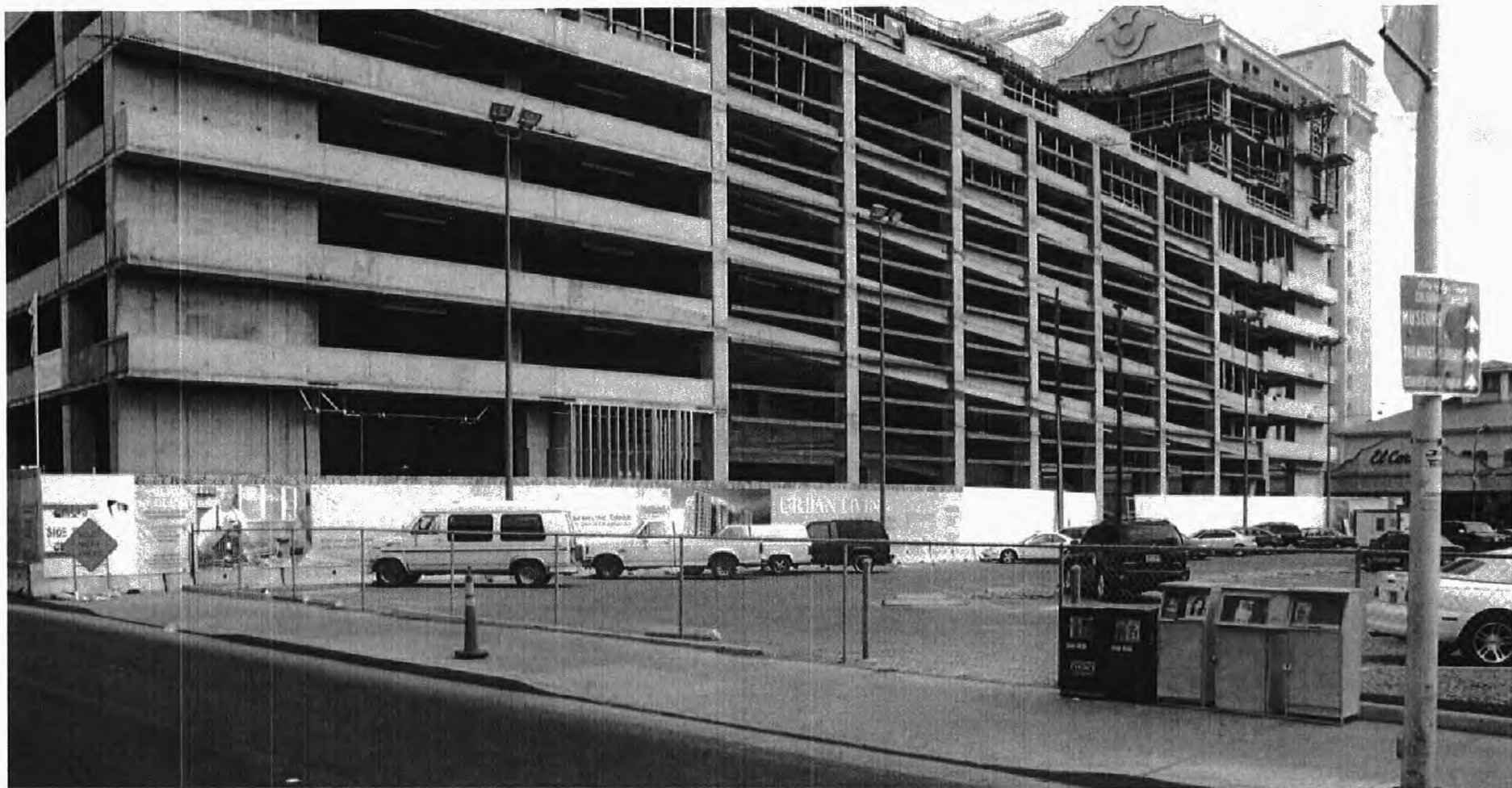
By 
OSCAR B. GOODMAN, Mayor

ATTEST:

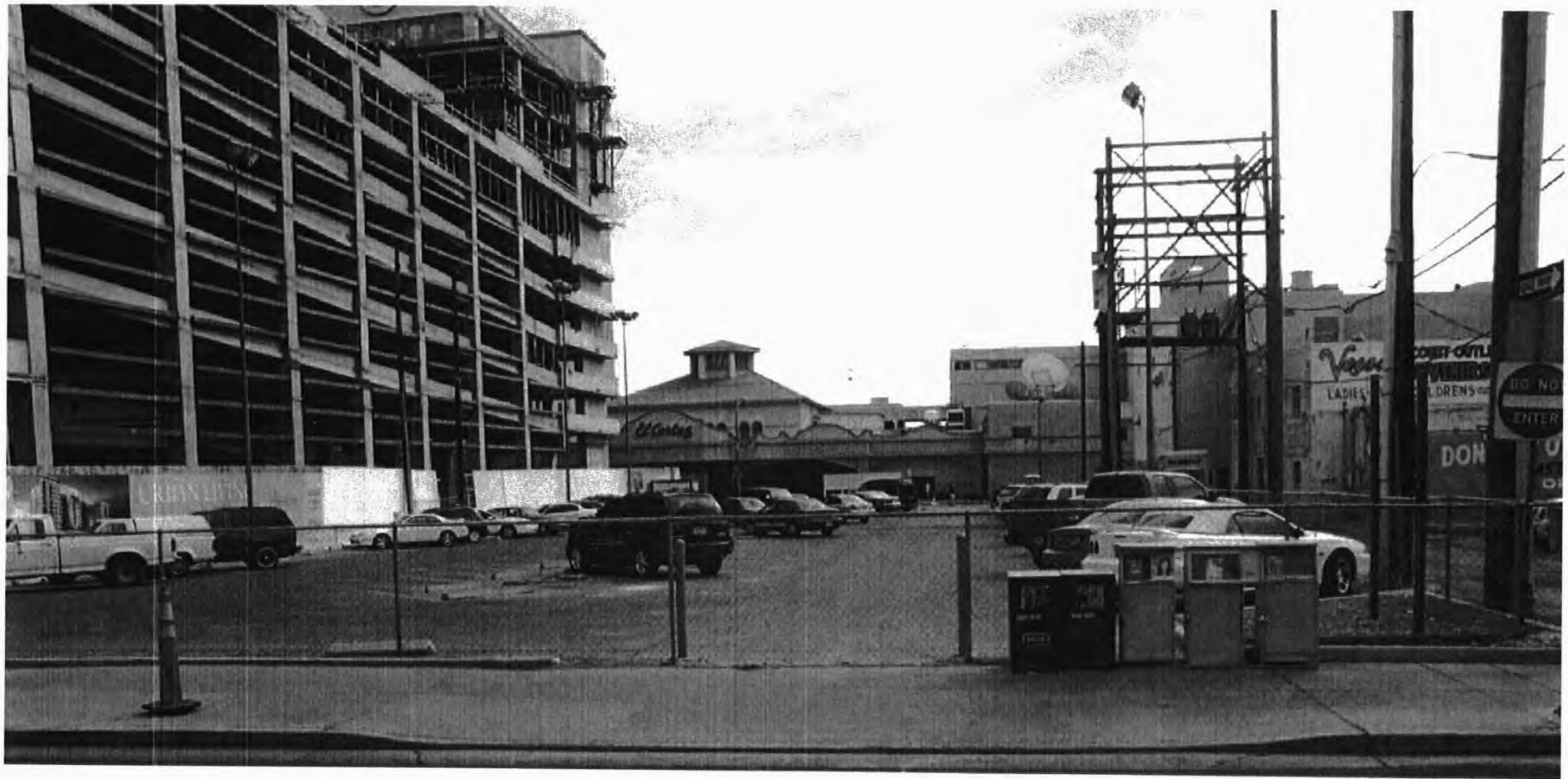

BEVERLY BRIDGES, Acting City Clerk

APPROVED AS TO FORM:
 4/5/07
Date

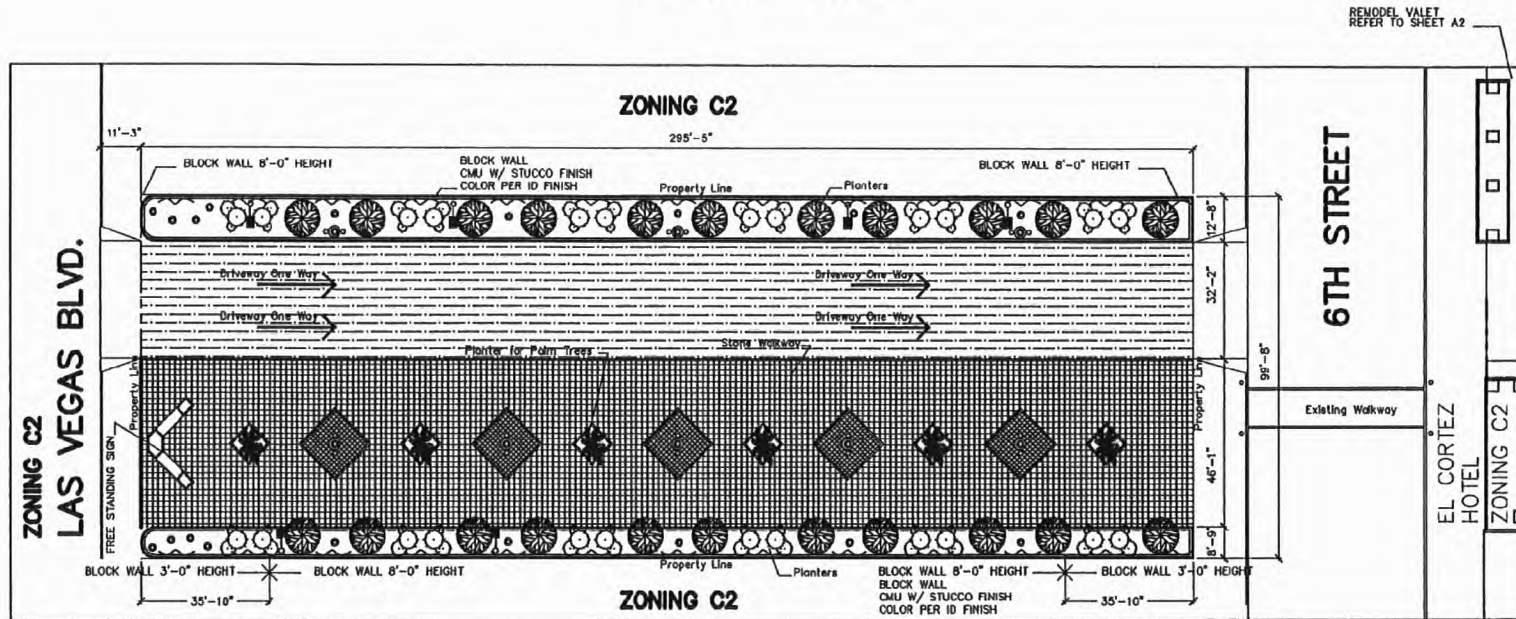
BEFORE
(El Cortez Hotel & Casino – 112 & 116 North Las Vegas Boulevard)



BEFORE
(El Cortez Hotel & Casino – 112 & 116 North Las Vegas Boulevard)

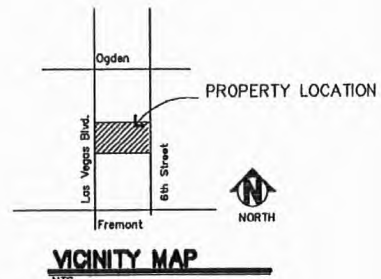
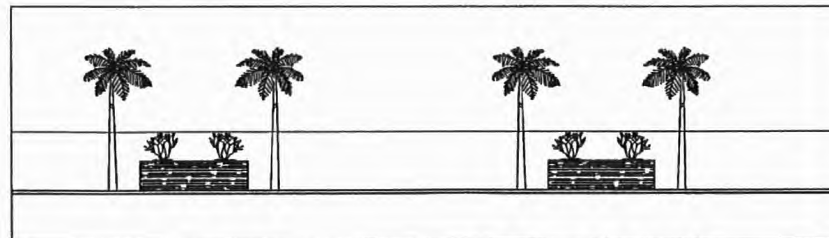


AFTER RENDERING



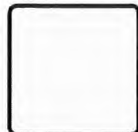
LANDSCAPE LEGEND

- NO TURF LANDSCAPE
GROUND COVER - CRUSHED GRANITE
BROWN AND TAN
- SHRUBS
TUSCAN BLUE ROSEMARY
MARINUS OFFICIALS
5 - GALLON
26 - COUNT
- SHRUBS
TEXAS SAGE
24 - GALLON
24 - COUNT
- CACTUS
BARREL
5 - GALLON
20 - COUNT
- CATS CLAW IVY
5 - GALLON
26 - COUNT
- TREES
PALMS
DATE PALM
8 - GALLON
24 - COUNT
- TREES
AFRICAN SUMAC
24" BOX TREES
22 - COUNT
- LIGHT POLE
TOTAL (6)
- EXISTING LIGHTS
LIGHT POLE 50'-0"
TOTAL (6)



02/06/2007

REVISION	BY



DAVID MCKEE ARCHITECT PC

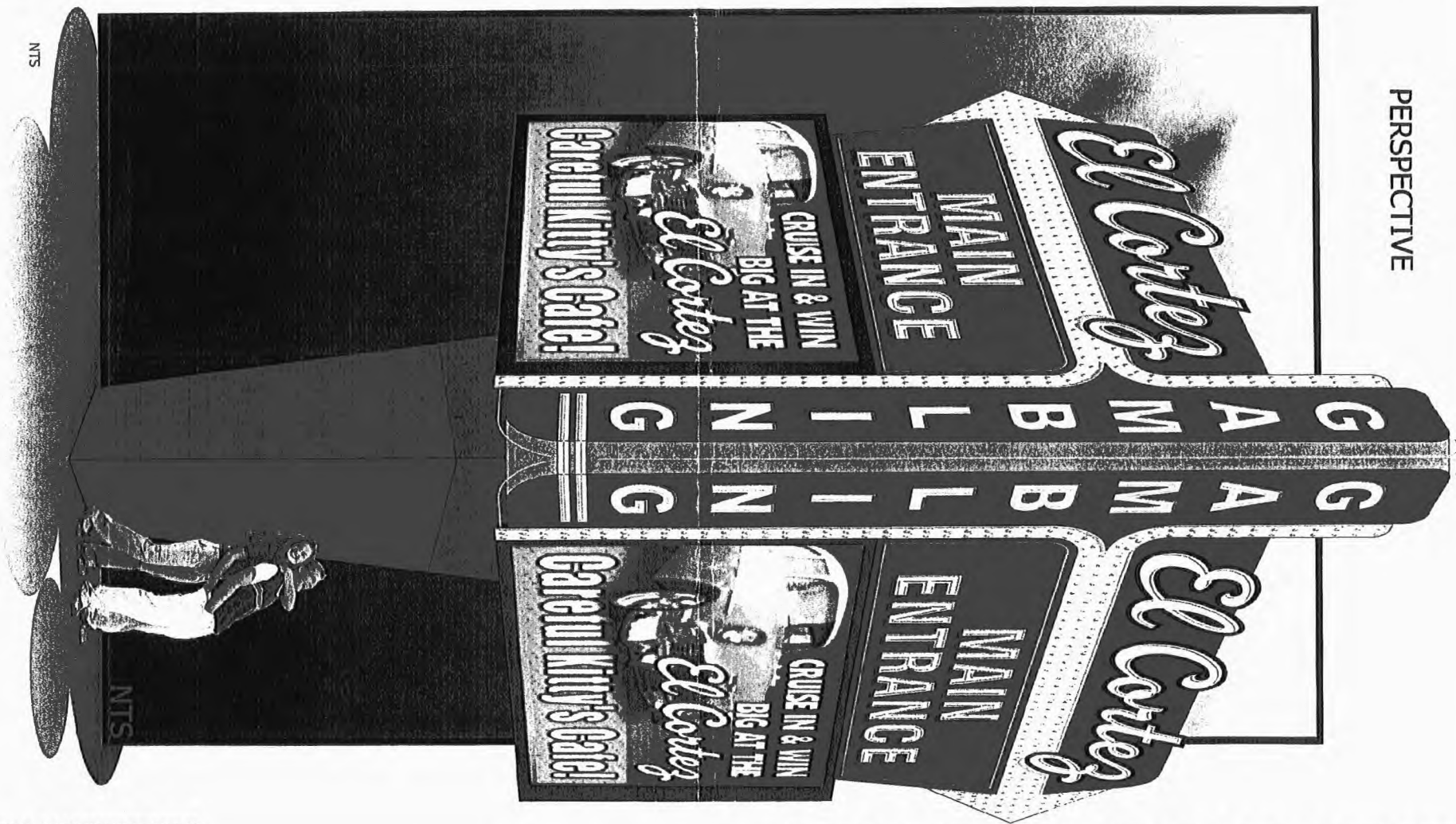
4492 West Hacienda, Suite 11C
Las Vegas, Nevada 89118
Office: (702) 388-0002
Cell: (702) 258-4070
Fax: (702) 388-0004

Design is based on the information provided by the client. The designer is not responsible for the accuracy of the information provided. The designer is not responsible for the construction of the project. The designer is not responsible for the performance of the project.

DATE	02/06/2007
SCALE	AS SHOWN
JOB NO.	
DRAWN	LJ
CHECKED	DAVE
DATE	02/06/2007
SCALE	AS SHOWN
JOB NO.	

L-1

PERSPECTIVE



NTS

NTS

COPYRIGHT © 2005 YOUNG ELECTRIC SIGN CO. ALL RIGHTS RESERVED. LAS VEGAS, NV 89102



LAS VEGAS DIVISION
YOUNG ELECTRIC SIGN COMPANY
 5119 So. Cameron St., Las Vegas, NV 89118 (702) 876-8080

THIS DRAWING WAS CREATED BY YOUNG ELECTRIC SIGN COMPANY. THE ORIGINAL IDEAS HEREIN ARE THE PROPERTY OF YOUNG ELECTRIC SIGN COMPANY. PERMISSION TO USE OR REPRODUCE THIS DRAWING CAN BE OBTAINED ONLY BY WRITTEN AGREEMENT. SEE YOUR SALES REPRESENTATIVE OR CALL THE NEAREST OFFICE OF YOUNG ELECTRIC SIGN COMPANY.

NOTE: COST FOR PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL.

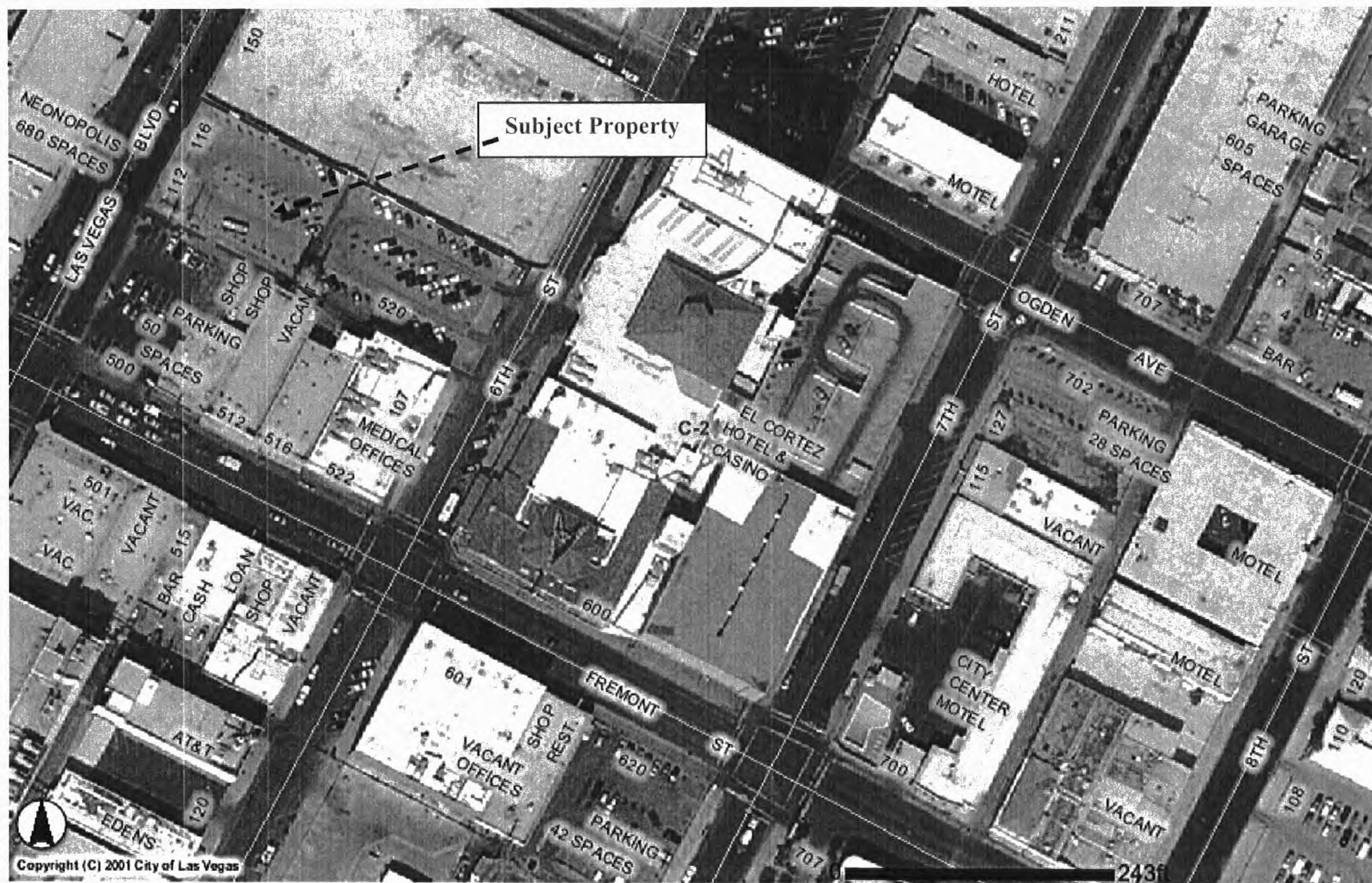
R1: RAISE 2'-0" / ADD "MAIN ENTRANCE" COPY R2: change led matrix R3: ADD FLAGSTONE R4: NEW DESIGN R5: REDESIGNED R6: NEW DESIGN

NEVADA CONTRACTOR LICENSE NO. TWO	APPROVED BY	DATE	REVISIONS	SCALE	DATE	DESIGNER	FIRM NAME / LOCATION ADDRESS	FILE DESIGN NUMBER	OPTION / REV
CLIENT			R1	AS NOTED	11-08-05	EDDY T. ARROYO	EL CORTEZ	17748A1.1	R6
SALES			R2	AS NOTED	12-09-05	EDDY T. ARROYO	600 FREMONT ST.		
DESIGN			R3	AS NOTED	03-21-06	EDDY T. ARROYO	LAS VEGAS, NV		
ESTIMATING			R4	AS NOTED	05-04-06	EDDY T. ARROYO			
ENGINEERING			R5	AS NOTED	08-25-06	ADOLFO	SALESPERSON = BRIAN COVEY		
EXPEDITING			R6	AS NOTED	08-31-06	ADOLFO			

SHEET 1 OF 2

W.D. NUMBER

SITE MAP
(El Cortez Hotel & Casino – 112 & 116 North Las Vegas Boulevard)



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: OFFICE OF BUSINESS DEVELOPMENT**DIRECTOR: SCOTT D. ADAMS**☐ Consent ☒ Discussion**SUBJECT:****RESOLUTIONS:**

R-28-2007 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the Redevelopment Agency and Exber, Inc., d/b/a El Cortez Hotel & Casino, 600 Fremont Street (APN 139-34-612-004), to be in compliance with and in furtherance of the goals and objectives of the Redevelopment Agency - Ward 5 (Williams) [NOTE: This item is related to Redevelopment Agency Item 5 (RA-5-2007) and to Redevelopment Agency Item 6]

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

This is a related item to discussion and possible action regarding assisting Exber, Inc. d/b/a El Cortez Hotel & Casino, with the cost of visual improvements to the commercial building at 600 Fremont Street. Approval will adopt findings that the Agreement is in compliance with and furtherance of the goals and objectives of the RDA and the Redevelopment Plan.

RECOMMENDATION:

Approval.

BACKUP DOCUMENTATION:

1. Resolution No. R-28-2007
2. Before and After Photos/Renderings of Project
3. Site Map

Motion made by BRENDA J. WILLIAMS to Approve Council Items 76 and 77 and Redevelopment Agency Items 3-6 as recommended

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

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

Minutes:

See Item 76 for related discussion.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

WHEREAS, the City of Las Vegas Redevelopment Agency (the "Agency") adopted on March 5, 1986, that plan of redevelopment entitled, to-wit: the Redevelopment Plan for the Downtown Las Vegas Redevelopment Area pursuant to Ordinance 3218, which Redevelopment Plan has been subsequently amended on February 3, 1988, by Ordinance 3339; April 11, 1992, by Ordinance 3637, on November 4, 1996, by Ordinance 4036, on December 17, 2003, by Ordinance 5652 and on May 17, 2006, by Ordinance 5830 (the "Redevelopment Plan"); and

WHEREAS, the Redevelopment Plan identifies and designates an area within the corporate boundaries of the City of Las Vegas (the “Redevelopment Area”) as in need of redevelopment in order to eliminate the environmental deficiencies and blight existing therein; and

WHEREAS, the Agency approved on October 20, 2004 the form for the Commercial VIP Agreement, the Commercial VIP Affidavit, and the Commercial VIP Program Manual, in order to provide funding to owners of commercial properties located within the Redevelopment Area for the purpose of making improvements to the exterior of such commercial properties; and

WHEREAS, EXBER, INC. (the "Participant") is the owner of real property and improvements located at 600 Fremont Street, and which parcel is commonly known as APN 139-34-612-004 (the "Site"); and

1 WHEREAS, the City Council of the City of Las Vegas has considered the
2 findings that the development of improvements to a building, facilities, structures or other
3 improvements to be located at the Site are of benefit to the Redevelopment Area or the
4 immediate neighborhood in which the Redevelopment Area is located; and
5

6 WHEREAS, the City Council of the City of Las Vegas has considered the
7 findings that no other reasonable means of financing the building, facilities or structures or
8 other improvements on the Site are available; and
9

10 WHEREAS, the City Council of the City of Las Vegas has considered the
11 undertakings of the Agency in connection with the Commercial Visual Improvement
12 Agreement (the "Agreement"), which provides for the contribution of funds to Exber, Inc. for
13 making physical, visual improvements to the building located on the Site, all as more fully set
14 forth in the Agreement.
15

16 NOW, THEREFORE, BE IT HEREBY RESOLVED that the City Council of
17 the City of Las Vegas hereby finds and determines that the development of building, facilities,
18 structures or other improvements on the Site are of benefit to the Redevelopment Area or the
19 immediate neighborhood in which the Redevelopment Area is located; and
20

21 RESOLVED FURTHER, that the City Council of the City of Las Vegas hereby
22 finds and determines there are no reasonable means of financing those building, facilities,
23 structural or other improvements on the Site; and
24

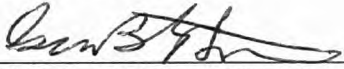
25 RESOLVED FURTHER, that the City Council of the City of Las Vegas hereby
26 consents to the undertakings of the Agency in connection with the Agreement with Exber, Inc.
27 for the Project concerning the development on the Site.
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

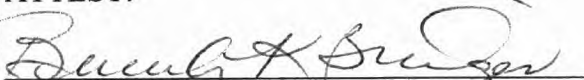
THE FOREGOING RESOLUTION was passed, adopted and approved this

18TH day of April, 2007.

CITY OF LAS VEGAS

By 
OSCAR B. GOODMAN, Mayor

ATTEST:


BEVERLY BRIDGES, Acting City Clerk

APPROVED AS TO FORM:

 4/5/07
Date

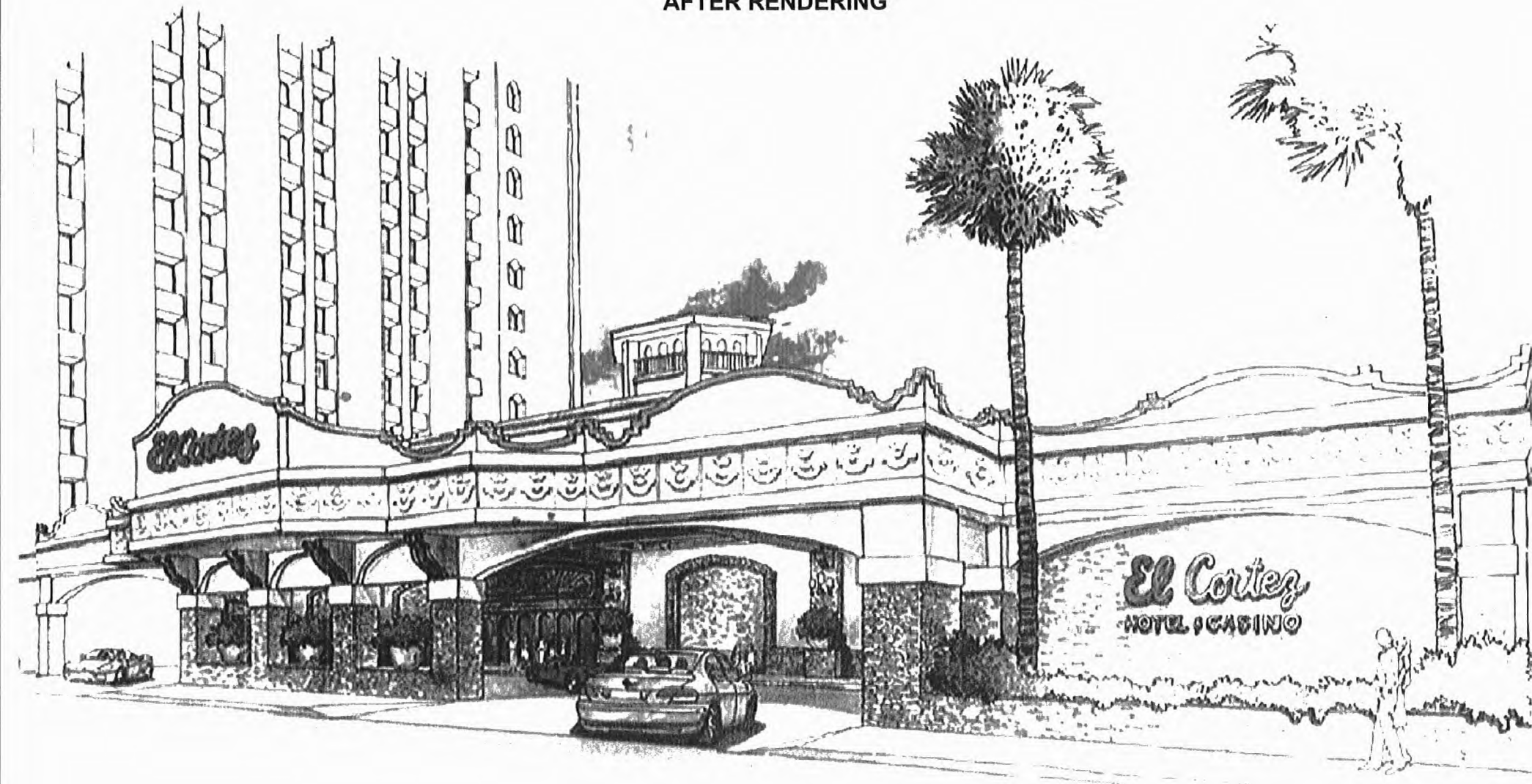
BEFORE
(El Cortez Hotel & Casino – 600 Fremont Street)



BEFORE
(El Cortez Hotel & Casino – 600 Fremont Street)



AFTER RENDERING



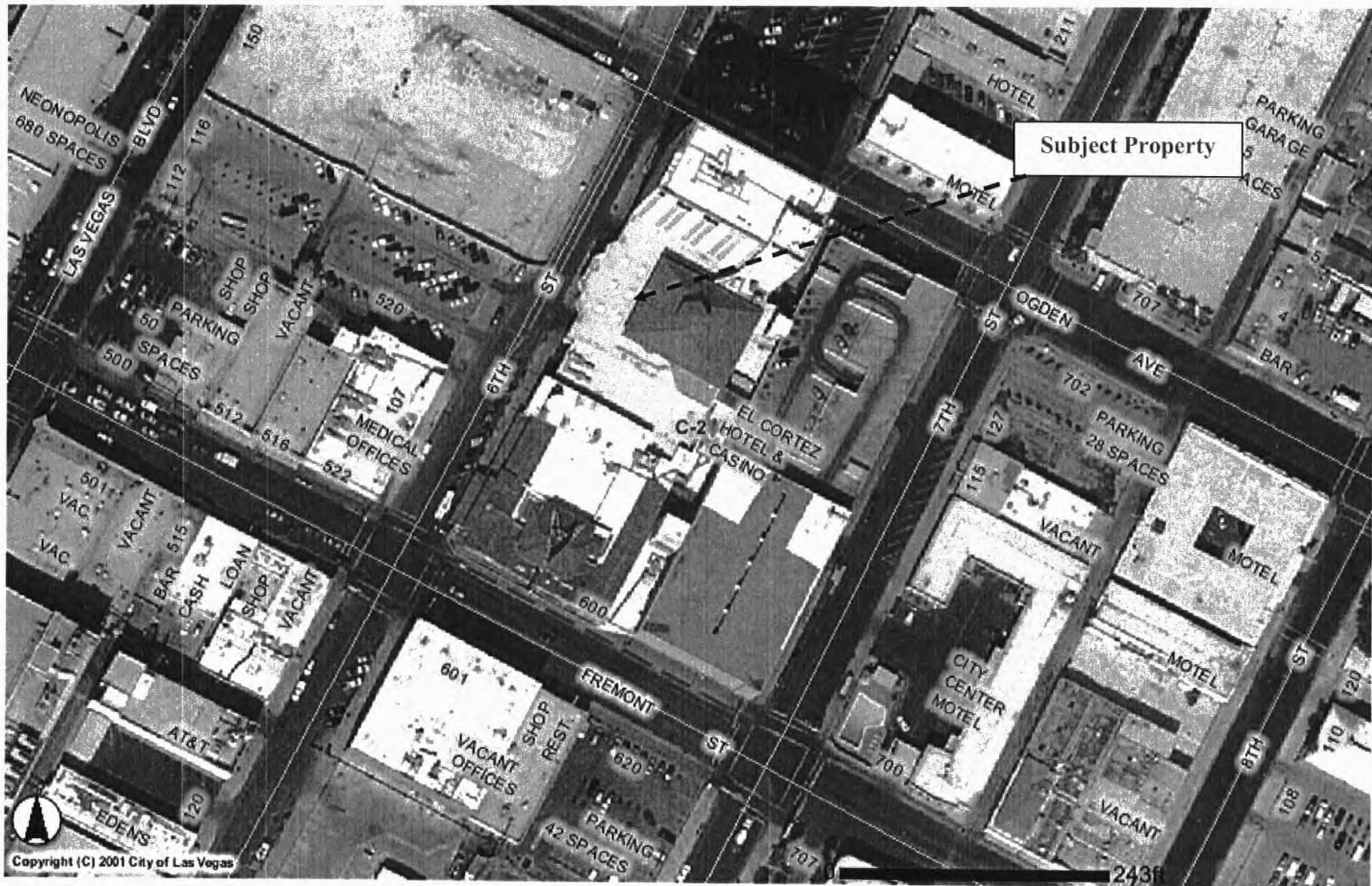
AFTER RENDERING



EL CORTEZ CASINO & HOTEL

YATES-SILVERMAN, INC.

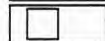
SITE MAP
(El Cortez Hotel & Casino – 600 Fremont Street)



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: OFFICE OF BUSINESS DEVELOPMENT**DIRECTOR: SCOTT D. ADAMS**☐ Consent ☒ Discussion**SUBJECT:****RESOLUTIONS:**

R-29-2007 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the Redevelopment Agency and Four Queens, Inc., 222 East Carson Street (APN 139-34-210-046), to be in compliance with and in furtherance of the goals and objectives of the Redevelopment Agency - Ward 3 (Reese) [NOTE: This item is related to Redevelopment Agency Item 7 (RA-6-2007) and to Redevelopment Agency Item 8]

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

This is a related item to discussion and possible action regarding assisting Four Queens, Inc., with the cost of visual improvements to the City-owned parking garage and leased by Four Queens at 222 East Carson Street. Approval will adopt findings that the Agreement is in compliance with and furtherance of the goals and objectives of the RDA and the Redevelopment Plan.

RECOMMENDATION:

Approval.

BACKUP DOCUMENTATION:

1. Resolution No. R-29-2007
2. Before and After Photos/Renderings of Project
3. Site Map

Motion made by GARY REESE to Approve Council Item 78 and Redevelopment Agency Items 7 and 8 as recommended

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

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

CITY COUNCIL MEETING OF: APRIL 18, 2007

Minutes:

SCOTT ADAMS, Director of the Office of Business Development, stated that Council Item 78 and Redevelopment Agency Items 7 and 8 involve a CVIP agreement, for which all requirements have been met. He showed a before picture and an after drawing, depicting the improvements. The Four Queens is another entity in the downtown area that is making substantial improvements. Staff recommends approval.

BETTY MEDINA, Project Director with the Four Queens, thanked the City for its redevelopment efforts.

City Council Item 78 and Redevelopment Agency Item 7 for 4/18/2007 contain duplicate minutes.



- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

WHEREAS, the City of Las Vegas Redevelopment Agency (the "Agency") adopted on March 5, 1986, that plan of redevelopment entitled, to-wit: the Redevelopment Plan for the Downtown Las Vegas Redevelopment Area pursuant to Ordinance 3218, which Redevelopment Plan has been subsequently amended on February 3, 1988, by Ordinance 3339; April 11, 1992, by Ordinance 3637, on November 4, 1996, by Ordinance 4036, on December 17, 2003, by Ordinance 5652 and on May 17, 2006, by Ordinance 5830 (the "Redevelopment Plan"); and

WHEREAS, the Redevelopment Plan identifies and designates an area within the corporate boundaries of the City of Las Vegas (the “Redevelopment Area”) as in need of redevelopment in order to eliminate the environmental deficiencies and blight existing therein; and

WHEREAS, the Agency approved on October 20, 2004 the form for the Commercial VIP Agreement, the Commercial VIP Affidavit, and the Commercial VIP Program Manual, in order to provide funding to owners of commercial properties located within the Redevelopment Area for the purpose of making improvements to the exterior of such commercial properties; and

WHEREAS, FOUR QUEENS, INC. (the "Participant") is the lessee of real property and improvements located at 222 Carson Avenue, and which parcel is commonly known as APN 139-34-210-046 (the "Site"); and

1 WHEREAS, the City Council of the City of Las Vegas has considered the
2 findings that the development of improvements to a building, facilities, structures or other
3 improvements to be located at the Site are of benefit to the Redevelopment Area or the
4 immediate neighborhood in which the Redevelopment Area is located; and
5

6 WHEREAS, the City Council of the City of Las Vegas has considered the
7 findings that no other reasonable means of financing the building, facilities or structures or
8 other improvements on the Site are available; and
9

10 WHEREAS, the City Council of the City of Las Vegas has considered the
11 undertakings of the Agency in connection with the Commercial Visual Improvement
12 Agreement (the "Agreement"), which provides for the contribution of funds to Four Queens,
13 Inc.. for making physical, visual improvements to the building located on the Site, all as more
14 fully set forth in the Agreement.
15

16 NOW, THEREFORE, BE IT HEREBY RESOLVED that the City Council of
17 the City of Las Vegas hereby finds and determines that the development of building, facilities,
18 structures or other improvements on the Site are of benefit to the Redevelopment Area or the
19 immediate neighborhood in which the Redevelopment Area is located; and
20

21 RESOLVED FURTHER, that the City Council of the City of Las Vegas hereby
22 finds and determines there are no reasonable means of financing those building, facilities,
23 structural or other improvements on the Site; and
24

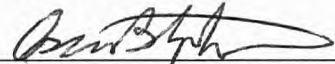
25 RESOLVED FURTHER, that the City Council of the City of Las Vegas hereby
26 consents to the undertakings of the Agency in connection with the Agreement with Four
27 Queens, Inc. for the Project concerning the development on the Site.
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

THE FOREGOING RESOLUTION was passed, adopted and approved this

18TH day of April, 2007.

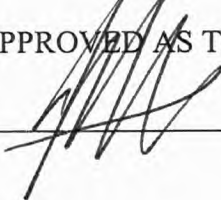
CITY OF LAS VEGAS

By 
OSCAR B. GOODMAN, Mayor

ATTEST:


BEVERELY BRIDGES, Acting City Clerk

APPROVED AS TO FORM:

 4/5/07
Date

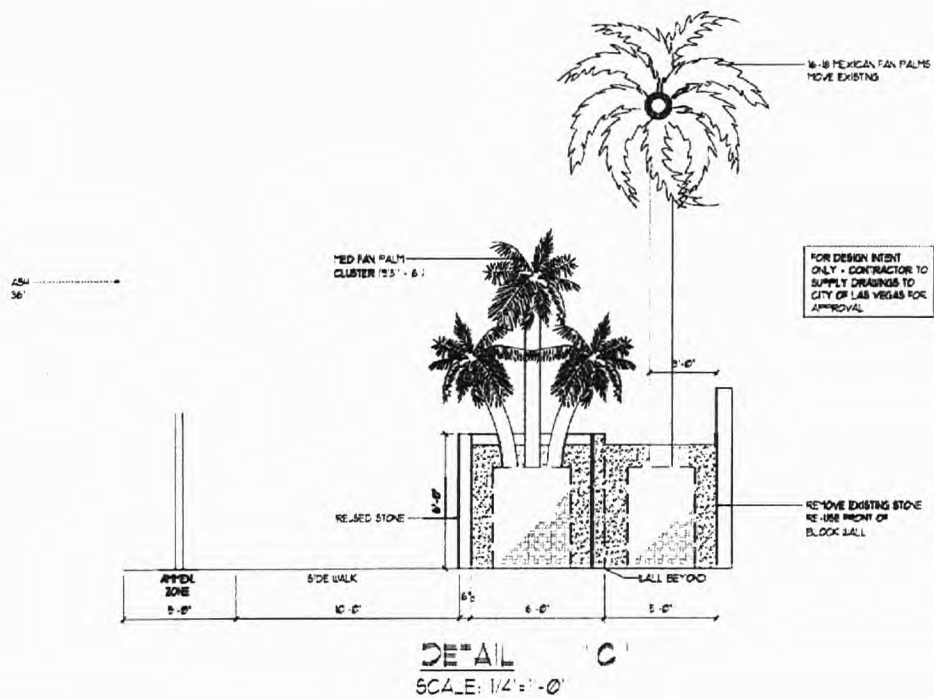
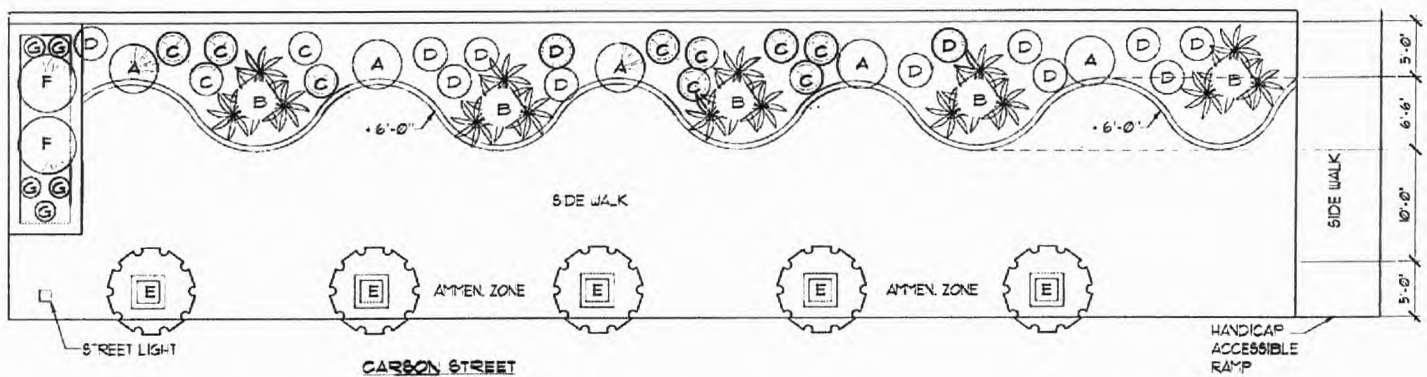
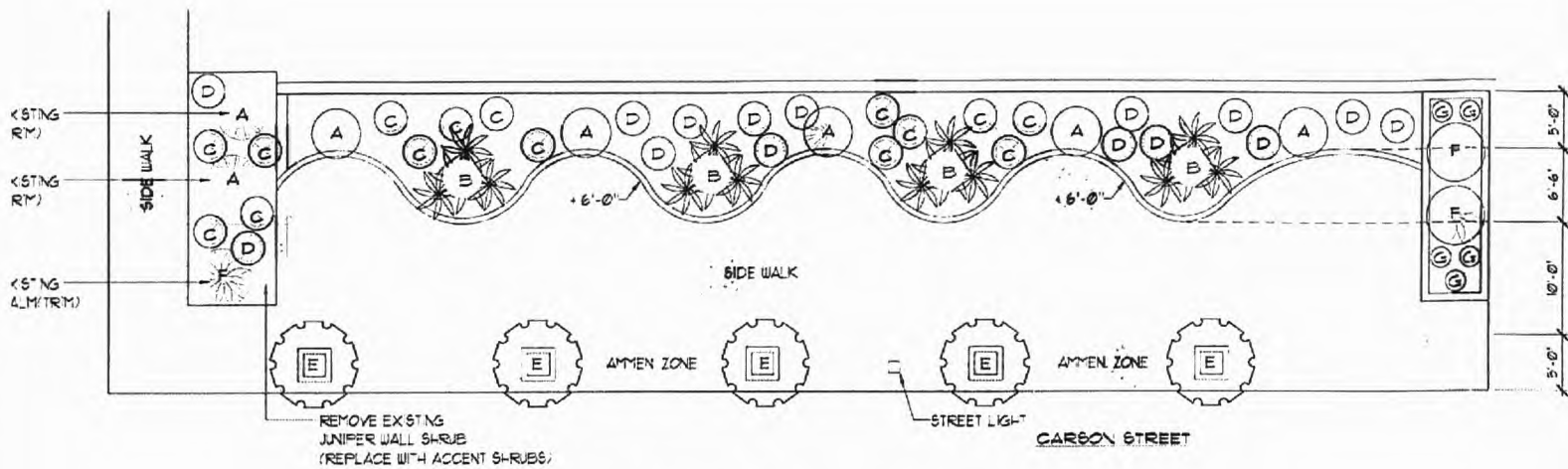
R-29-2007 Approved at 4-18-2007 Council

BEFORE
(Four Queens Parking Garage – 222 East Carson Street)

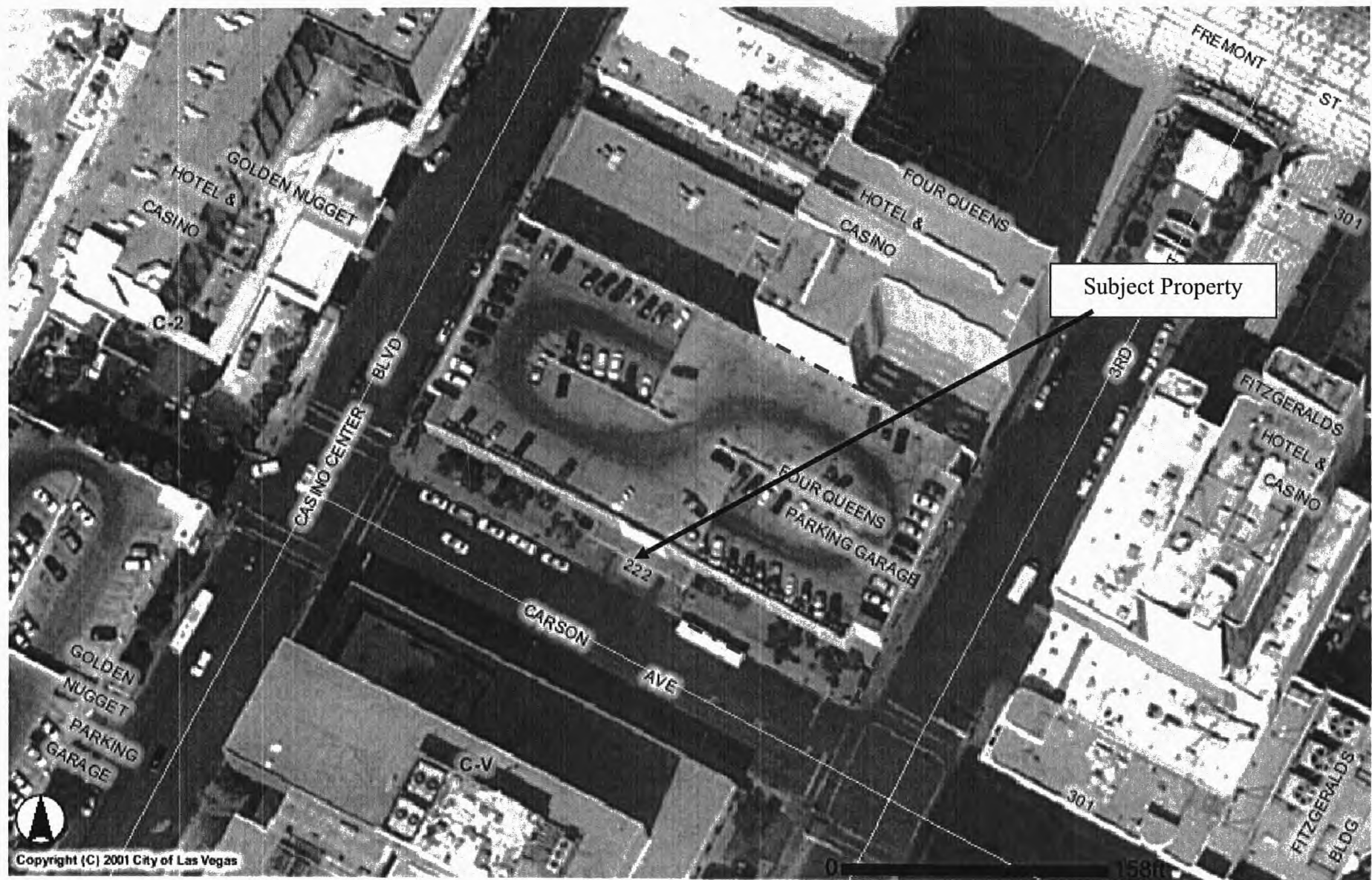


BEFORE
(Four Queens Parking Garage – 222 East Carson Street)





SITE MAP
(Four Queens Parking Garage – 222 East Carson Street)



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: CITY CLERK

DIRECTOR: BEVERLY K. BRIDGES, ACTING

☐ Consent ☒ Discussion

SUBJECT:

BOARDS & COMMISSIONS:

Discussion and possible action on the appointment and reappointment of members to the Neighborhood Partners Fund Board for Fiscal Year 2008

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

The Neighborhood Partners Fund Board consists of 13 members and was created to review Neighborhood Partners Fund applications and recommend awards to the City Council. It is designed to assist citizens in improving the quality of life for City of Las Vegas neighborhoods. This Board is being reconvened to review these applications and select the recipients for FY 2008. These reappointments and appointments become effective April 30, 2007. Each member's term will expire April 30 of each year. Procedure for this Board is appointment by Mayor and City Council.

RECOMMENDATION:

Reappointments: Mayor's designee-Elena Owens; Ward 1 Staff Designee-Robin Munier; Ward 2 Staff Designee-Audrie Dodge; Neighborhood Rep.-Charles Desiderio; Ward 3 Staff Designee-Loretta Arrington; Ward 4 Staff Designee-Darcy Hayes; Neighborhood Rep-Lenny Taylor; Ward 5 Neighborhood Rep-AJ Powell; Ward 6 Staff Designee-Tuesday James; Neighborhood Rep-Gerry Green

New Appointments: Ward 1 Neighborhood Rep-Renée Rampton; Ward 3 Neighborhood Rep-Don Burroughs; Ward 5 Staff Designee-Karlette Adams.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Current Listing and Authority

Motion made by GARY REESE to Approve the appointment and reappointment of the recommended members

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

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

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 18, 2007

DEPARTMENT: CITY CLERK

ITEM DESCRIPTION: Discussion and possible action on the appointment and reappointment of members of the Neighborhood Partners Fund Board

The Neighborhood Partners Fund Program grants up to \$5,000 to registered, neighborhood-based organizations for self-help projects that will improve the physical, public safety, cultural, recreational, or educational conditions of their neighborhood. The total amount available to disburse for these projects for FY2007-2008 is \$75,000. Registered neighborhood associations wishing to participate in the NPF program must submit a completed application by April 23, 2007. These applications will be reviewed by the NPF Board during May and June and a recommendation for funding will be made to Council in July 2007.

Registered neighborhood-based organizations have to match the city's grant contribution with volunteer time, in-kind donations of goods and services and/or financial contributions. Projects must be completed during fiscal year 2007-2008 and are required to take place within the boundaries of the registered neighborhood-based organization or areas immediately adjacent. The NPF program also requires neighborhood residents to be directly involved in all phases of the project. NPF cannot be used to fund the organization's operating budget or other city services.

Attached are the Mayor and Council Offices recommended appointments and reappointments.

City of Las Vegas

FY 2007-2008 Neighborhood Partners Fund Board

Representative	Proposed Name
Mayor or his designee	Elena Owens, City Hall
Ward 1 Staff Designee	Robin Munier, City Hall
Ward 1 Neighborhood Representative	Renée Rampeton 229 S. Mallard Street LV NV 89107 878-1859
Ward 2 Staff Designee	Audrie Dodge, City Hall
Ward 2 Neighborhood Representative	Charles Desiderio 1312 Bainberry Ridge Ln Las Vegas NV 89107 838-6431 or 236-6000 cell
Ward 3 Staff Designee	Loretta Arrington, City Hall
Ward 3 Neighborhood Representative	Don Burroughs 1130 Hillside Place Las Vegas, Nevada 89104 310-9990
Ward 4 Staff Designee	Darcy Hayes, City Hall
Ward 4 Neighborhood Representative	Lenny Taylor 3432 Coconino Ln Las Vegas, NV 89129 656-1779/531-1816
Ward 5 Staff Designee	Karlette Adams, City Hall
Ward 5 Neighborhood Representative	(Mrs.) AJ Powell 1236 Hart Ave Las Vegas, NV 89106 636-7641
Ward 6 Staff Designee	Tuesday James, City Hall
Ward 6 Neighborhood Representative	Gerry Green 8321 Gorsky Las Vegas, NV 89131 232-0976

NEIGHBORHOOD PARTNERS FUND BOARD

<u>MEMBERS</u>	<u>ADDRESS</u>	<u>ZIP CODE</u>	<u>ORIGINAL APPT.</u>	<u>TERM EXPIRES</u>
1) ELENA OWENS MAYOR GOODMAN' S STAFF DESIGNEE	400 Stewart Avenue	01	4/5/2006 (Effective 5/1/2006)	4/30/2007
2) ROBIN MUNIER CITY COUNCIL - WARD 1 STAFF DESIGNEE	400 Stewart Avenue	01	4/20/2005 (Effective 5/1/2005) (Reapp. 4/5/2006)	4/30/2007
3) ROLIN ABRUMS NEIGHBORHOOD REP - WARD 1	1921 Bannie Avenue	02	4/20/2005 (Effective 5/1/2005) (Reapp. 4/5/2006)	4/30/2007
4) AUDRIE DODGE CITY COUNCIL - WARD 2 STAFF DESIGNEE	400 Stewart Avenue	01	5/19/2004 (Reapp. 4/20/2005) (Reapp. 4/5/2006)	4/30/2007
5) CHARLES DESIDERIO NEIGHBORHOOD REP - WARD 2	1312 Bainberry Ridge Ln.	07	4/16/2003 (Reapp. 5/19/2004) (Reapp. 4/20/2005) (Reapp. 4/5/2006)	4/30/2007
6) LORETTA ARRINGTON CITY COUNCIL - WARD 3 STAFF DESIGNEE	400 Stewart Avenue	01	5/17/2000 (Reapp. 5/1/2002) (Reapp. 4/16/2003) (Reapp. 5/19/2004) (Reapp. 4/20/2005) (Reapp. 4/5/2006)	4/30/2007
7) JARROD McCLUNG NEIGHBORHOOD REP - WARD 3	1230 South 16 th Street	04	4/5/2006 (Effective 5/1/2006)	4/30/2007
8) DARCY HAYES CITY COUNCIL - WARD 4 STAFF DESIGNEE	400 Stewart Avenue	01	4/16/2003 (Reapp. 5/19/2004) (Reapp. 4/20/2005) (Reapp. 4/5/2006)	4/30/2007
9) LENNY TAYLOR NEIGHBORHOOD REP - WARD 4	3432 Coconino Lane	29	5/19/2004 (Reapp. 4/20/2005) (Reapp. 4/5/2006)	4/30/2007
10) RICKY BARLOW CITY COUNCIL - WARD 5 STAFF DESIGNEE	400 Stewart Avenue	01	4/20/2005 (Effective 5/1/2005) (Reapp. 4/5/2006)	4/30/2007
11) AJ POWELL (MRS.) NEIGHBORHOOD REP - WARD 5	1236 Hart Avenue	06	4/5/2006 (Effective 5/1/2006)	4/30/2007

NEIGHBORHOOD PARTNERS FUND BOARD

<u>MEMBERS</u>	<u>ADDRESS</u>	<u>ZIP CODE</u>	<u>ORIGINAL APPT.</u>	<u>TERM EXPIRES</u>
12) TUESDAY JAMES CITY COUNCIL - WARD 6 STAFF DESIGNEE	400 Stewart Avenue	01	4/5/2006 (Effective 5/1/2006)	4/30/2007
13) GERRY GREEN NEIGHBORHOOD REP - WARD 6	8321 Gorsky	31	4/5/2006 (Effective 5/1/2006)	4/30/2007

AUTHORITY:	Created by Council Action on 3-9-98 with bylaws approved on 6-22-98. By-Laws were amended on 2-16-2000 to increase the membership to 13 members.
MEMBERS:	13 MEMBERS appointed by the Mayor and City Council comprised as follows: Mayor or her/his designee Council Liaison or Staff Designee of the Councilmember for each of the six Council Wards One Neighborhood Representative for each of the six Council Wards
TERM:	Members shall each serve a term of one year, Expiration dates were set on 5/18/2000 so all members terms expired at the same time. Members may be reappointed to consecutive one-year terms as necessary (Must fill unexpired term. Membership is not assignable or transferable.)
NOTES:	Members Need Not Be City Residents No Financial Disclosure Required
PURPOSE:	Review Neighborhood Partners Fund applications and recommend awards to the City of Las Vegas City Council
MEETINGS:	Department of Neighborhood Services - Call of the Chair and the Board may establish regular meetings by resolution. Meetings are subject to the provisions of the Open Meeting Law.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING

Bill No. 2007-14 – Prohibits unruly gatherings and establishes regulations and penalties with respect thereto. Sponsored by: Councilwoman Lois Tarkanian and Councilman Gary Reese

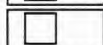
Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will prohibit unruly gatherings and provide regulations and penalties with respect thereto. Such gatherings include neighborhood parties and other gatherings in residential areas that cause a disturbance of the quiet enjoyment of private or public property. Typical gatherings of this type involve the consumption of alcoholic beverages by minors and create the need for emergency response services. The bill is intended to reduce the costs of providing such services by providing for civil penalties and the recovery of costs.

RECOMMENDATION:

This bill was held in abeyance by the 4/3/2007 Recommending Committee to 5/1/2007 Recommending Committee meeting for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

1. Bill No. 2007-14
2. Business Impact Statement

Minutes:

Recommendation noted.

5/1/2007 Recommending Committee

5/2/2007 Council Agenda

BILL NO. 2007-14

ORDINANCE NO. _____

AN ORDINANCE TO PROHIBIT UNRULY GATHERINGS, ESTABLISH REGULATIONS WITH RESPECT THERETO, PROVIDE FOR THE IMPOSITION OF PENALTIES AND RESPONSE COSTS, AND PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilwoman Lois Tarkanian
Councilman Gary Reese

Summary: Prohibits unruly gatherings and establishes regulations and penalties with respect thereto.

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

SECTION 1: Title 9 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new chapter, designated as Chapter 14, consisting of the provisions set forth as Sections 2 to 13, inclusive, of this Ordinance.

SECTION 2: The purpose of this Chapter is to set forth the criteria to be used by Metro and the City to enforce laws prohibiting neighborhood parties that provide service to and consumption of alcoholic beverages by adults and underage persons. In addition, this Chapter is enacted to reduce the costs of providing police, fire and other emergency response services regarding unruly gatherings by imposing a civil penalty against the social host and land owner for the recovery of costs associated with providing emergency response services.

SECTION 3: For purposes of this Chapter, the following terms have the meanings ascribed to them:

"Department" means the Department of Neighborhood Services.

"Metro" means the Las Vegas Metropolitan Police Department.

"Owner" means any owner of real property, as well as any agent of an owner acting on behalf of the owner to control or otherwise regulate the occupancy of use of the property.

"Residence or other private residential property" means a home, yard, apartment, condominium, or other dwelling unit or residential property, whether occupied on a temporary or permanent basis, whether occupied as a dwelling, party or other social function and whether owned, leased, rented or used without compensation.

"Response costs" means the costs associated with responses by law enforcement, fire or any

1 other emergency response providers to unruly gatherings, including, but not limited to:

2 (A) Salaries and benefits of law enforcement, fire or other emergency response
3 personnel for the amount of time spent responding to, remaining at, or otherwise dealing with unruly
4 gatherings;

5 (B) The cost of any medical treatment to or for any law enforcement, fire or other
6 emergency response personnel injured responding to, remaining at or leaving the scene of an unruly
7 gathering; and

8 (C) The cost of repairing any Metro or City equipment or property damaged, and
9 the cost of the use of any such equipment, in responding to, remaining at or leaving the scene of an
10 unruly gathering.

11 "Responsible person" means a person or persons with a right of possession in the residence
12 or other private residential property on which an unruly gathering is conducted, including, but not
13 limited to:

14 (A) An owner of the residence or other private residential property;

15 (B) A tenant or lessee of the residence or other private residential property;

16 (C) The landlord of another person responsible for the gathering;

17 (D) The person or persons in charge of the residence or other private residential
18 property; or

19 (E) The person or persons who organize, supervise, officiate, conduct or control
20 the gathering, or any other person or persons accepting responsibility for such a gathering.

21 "Unruly gathering" means a gathering of two or more persons on any private residential
22 property in a manner which causes a disturbance of the quiet enjoyment of private or public property
23 by any person or persons. Such disturbances include, but are not limited to, excessive noise or traffic,
24 obstruction of public streets by crowds or vehicles, drinking in public, the service of alcohol to minors
25 or consumption of alcohol by minors, fighting, littering, vandalism, assaults, batteries, disturbance of
26 the peace, or any other conduct that constitutes a threat to public health, safety or welfare. An unruly
27 gathering is unlawful and constitutes a civil infraction and may be abated by reasonable means,
28 including, but not limited to citations or arrests of violators under applicable ordinances or statutes.

1 SECTION 4: Every owner, occupant, lessee or holder of any possessory interest of
2 a residence or other private residential property within the City is required to maintain, manage and
3 supervise the property and all persons thereon in a manner so as not to violate the provisions of this
4 Chapter. Once notified, the owner of the property remains liable for such violations regardless of any
5 contract or agreement with any third party regarding the property.

6 SECTION 5: The Department is authorized to post any premises at which an unruly
7 gathering has occurred with a notice stating:

8 (A) That an unruly gathering has occurred at the premises;

9 (B) The date of the unruly gathering;

10 (C) That any subsequent unruly gathering on the same premises within a one
11 hundred eighty-day period shall be grounds for the imposition of liability in accordance with this
12 Chapter;

13 (D) That those with potential liability include any person in attendance causing the
14 gathering to be unruly; any owner, occupant or a tenant of the premises at which the unruly gathering
15 occurred; and any sponsor of the event constituting the unruly gathering; and

16 (E) That the posting of the notice may be contested as set forth in Section 8 of this
17 Ordinance.

18 SECTION 6: (A) The posting of premises pursuant to Section 5 of this Ordinance
19 is authorized each time an unruly gathering occurs on the premises. The owner, occupant or tenant
20 of the premises or sponsor of the event constituting the unruly gathering, if present, shall be consulted
21 as to the location in which such notice is posted in order to achieve both the security of the notice and
22 its prominent display. In the event that a premises is already posted at the time of a subsequent
23 posting the one hundred eighty-day period shall be extended to one hundred eighty days from the date
24 of the new posting. Once a premises is initially posted as a result of an unruly gathering and the
25 conduct causing the gathering to be unruly has ceased, a resumption of behavior constituting an unruly
26 gathering on the premises that results in another police response shall constitute a new and separate
27 unruly gathering for the purpose of this Section.

28 (B) In connection with the posting of premises, the Department shall mail notice

1 of the posting to the property owner at the last known address of record on file at the Clark County
2 Assessor's Office. The notice shall advise the property owner that any subsequent unruly gathering
3 within one hundred eighty days on the same premises shall be grounds for the imposition of liability
4 in accordance with this Chapter. The notification shall be sent by regular mail and certified mail,
5 return receipt requested. In addition, the notice shall be provided to any agent of the owner, if known,
6 who controls or regulates the use of the premises. Notice to the owner's agent may be provided by
7 hand delivery or by certified or regular mail sent to the agent's last known address. The failure to
8 serve notice to any person described in this Section shall not invalidate any citation, civil penalty or
9 other proceedings as to any other person duly served or relieve any such person from any duty imposed
10 by this section.

11 SECTION 7: The owner, occupant or tenant of the posted premises shall be
12 responsible for ensuring that a notice posted under Sections 5 and 6 of this Ordinance is not removed,
13 defaced or concealed. The removal, defacement or concealment of a posted notice is subject to a
14 minimum civil penalty of one hundred fifty dollars in addition to any other penalties which may be
15 imposed under this Chapter.

16 SECTION 8: An owner, occupant or tenant of the posted premises may contest the
17 posting of the notice by filing a written petition for review with the City Clerk requesting that the City
18 Council determine whether justification existed for posting of the notice under the provisions of this
19 Chapter. The petition must be filed in accordance with the time line that is set forth in LVMC
20 9.04.070 for notices of a nuisance violation, and the City Clerk shall set a hearing in accordance with
21 the requirements of Chapter 9.04. At the hearing, the agency responsible for posting the property shall
22 have the burden of proving by substantial evidence that the posting of the notice was justified pursuant
23 to the provisions of this Chapter.

24 SECTION 9: (A) Except as otherwise provided in Subsection (B) of this Section,
25 a petition for review under Section 8 of this Ordinance that is filed by an owner may include a request
26 for removal of a notice on the grounds that the owner has taken reasonable and necessary actions, such
27 as evicting a tenant responsible for the violation, to prevent the occurrence of a subsequent unruly
28 gathering at the posted premises. The petitioner has the burden of proving by a preponderance of

1 evidence that the petitioner has taken reasonable and necessary actions to prevent the occurrence of
2 a subsequent unruly gathering.

3 (B) A request under Subsection (A) of this Section is not available to an owner who
4 was present at the unruly gathering and engaged in conduct causing the gathering to be unruly.

5 SECTION 10: (A) An unruly gathering is unlawful and constitutes a nuisance and
6 civil violation. The following parties, if found responsible for the violation, are liable for the penalty
7 provided for in Paragraph (1) of Subsection (B) of Section 11 of this Ordinance:

8 (1) The person or persons who organized or sponsored the event
9 constituting the unruly gathering, including any owner or occupant in attendance at the unruly
10 gathering; and

11 (2) Any person in attendance at the unruly gathering who engaged in any
12 conduct causing the gathering to be unruly.

13 (B) The occurrence of an unruly gathering on the same premises more than once
14 in any one hundred eighty-day period is a civil violation. The following parties, if found responsible
15 for such a violation are liable for the penalties provided for in Paragraphs (2) or (3) of Subsections (B)
16 of Section 11 of this Ordinance:

17 (1) The owner of the property where the subsequent unruly gathering
18 occurred if either:

19 (a) The owner was present when the property was posted; or

20 (b) Notification of the posting was mailed or delivered to the owner
21 of the property in accordance with Section 6 of this Ordinance and the subsequent unruly gathering
22 occurred not less than one week after the mailing of such notification.

23 (2) The occupant or tenant of the property where the subsequent unruly
24 gathering occurred.

25 (3) The person or persons who organized or sponsored the event
26 constituting the subsequent unruly gathering.

27 (4) Any person in attendance at the subsequent unruly gathering who
28 engaged in any conduct causing the gathering to be unruly.

1 (C) Nothing in this Section shall be construed to impose liability on the owner,
2 occupant or tenant of the premises or sponsor of the event constituting the unruly gathering for the
3 conduct of persons who are in attendance without the express or implied consent of the owner,
4 occupant tenant or sponsor as long as the owner, occupant tenant or sponsor has taken steps reasonably
5 necessary to prevent a subsequent unruly gathering or to exclude the uninvited persons from the
6 premises, including owners who are actively attempting to evict a tenant from the premises. Where
7 an invited person engages in unlawful conduct which the owner, occupant tenant or sponsor could not
8 reasonably foresee and could not reasonably control without the intervention of the police, the
9 unlawful conduct of the person shall not be attributable to the owner, occupant tenant or sponsor for
10 the purposes of determining liability under this Chapter.

11 SECTION 11: (A) It is a civil violation for any responsible person to conduct, aid,
12 allow, permit or condone an unruly gathering at a residence or other private residential property. Upon
13 receipt of documentation indicating that an unruly gathering has taken place, the Department is
14 authorized to determine that a violation has occurred, that one or more persons should be held
15 responsible for the violation, and that penalties should be imposed.

16 (B) Upon a determination made pursuant to Subsection (A), the Department is
17 authorized to impose the following penalties:

18 (1) For a first violation of this Chapter, a minimum civil penalty of one
19 hundred fifty dollars;

20 (2) For a second violation of this Chapter at the same residence or private
21 residential property, or by the same responsible person, within a one hundred eighty-day period, a
22 minimum civil penalty of three hundred dollars.

23 (3) For a third or subsequent violation of this Chapter at the same residence
24 or private residential property, or by the same responsible person, within a one hundred eighty-day
25 period, a minimum civil penalty of five hundred dollars.

26 (C) The second, third or subsequent penalties prescribed in Paragraphs (2) and (3)
27 of Subsection (B) are payable whether or not the responsible person for such unruly gathering is
28 different from the responsible person for any prior unruly gathering at the residence or other private

1 residential property.

2 (D) The penalty schedule prescribed in this Section is a "rolling schedule," meaning
3 that, in calculating the penalty that is payable, the Department shall count backward starting from the
4 date of the most recent unruly gathering to determine how many prior unruly gatherings have taken
5 place at the residence or other private residential property in question during the preceding one
6 hundred eighty days. A warning given pursuant to this Chapter shall remain in effect for the residence
7 or other private residential property at a given address until a full one hundred eighty-day period has
8 elapsed during which there have been no responses to a unruly gathering at that residence or other
9 private residential property.

10 (E) The determination that a violation occurred and the imposition of penalties
11 pursuant to this Section may be appealed in accordance with the appeal procedures for nuisances as
12 set forth in LVMC Chapter 9.04. The payment of any penalty shall be stayed during the pendency of
13 a timely appeal.

14 SECTION 12: (A) When law enforcement, fire or other emergency response
15 provider responds to an unruly gathering at a residence or other private residential property within one
16 hundred eighty days of a warning given to a responsible person for an unruly gathering, all persons
17 shall be jointly and severally liable for the costs of Metro or the City of providing response costs for
18 that response and all subsequent responses during the warning period.

19 (B) When a law enforcement, fire or other emergency response provider officials
20 makes an initial response to an unruly gathering at a residence or other private residential property,
21 the official shall inform any person or persons at the scene who are responsible for the gathering that:

22 (1) The official has determined that an unruly gathering exists; and

23 (2) Responsible persons are liable for any response costs required for
24 subsequent responses to the scene for an unruly gathering within one hundred eighty days.

25 (C) Only one warning will be given to a responsible person pursuant to this Section
26 before Metro or the City assesses response service costs in accordance with this Chapter.

27 (D) If a responsible person cannot be identified at the scene, the official may issue
28 a warning to one or more persons identified pursuant to this Section, may subsequently return to the

1 residence or other private residential property and issue the warning to a then present responsible
2 person, or a combination thereof. Warnings given to responsible persons who do not reside at the
3 residence or other private residential property in question shall be delivered by regular and certified
4 mail, return receipt requested.

5 SECTION 13: (A) The amount of response costs shall be deemed a debt owned to
6 the City by the responsible person held liable under Section 12 of this Ordinance for the unruly
7 gathering and, if a juvenile, by the juvenile's parents. The responsible person may appeal the
8 imposition of costs in accordance with the appeal procedures for nuisance as set forth in LVMC
9 Chapter 9.04. In the event an appeal is not timely filed, the City may collect the costs in any
10 commercially reasonable manner including, but not limited to using a collection agency or civil
11 litigation.

12 (B) Notice of the costs for which the responsible person is liable shall be mailed
13 by regular mail and certified mail, return receipt requested within thirty days of the response giving
14 rise to such costs. The notice shall contain the following information:

15 (1) The name of the person or persons being held liable for the payment of
16 such costs;

17 (2) The address of the residence or other private residential property where
18 the unruly gathering occurred;

19 (3) The date and time of the response;

20 (4) The law enforcement, fire or emergency service provider who
21 responded;

22 (5) The date and time of any previous warning given pursuant to Section
23 12 of this Ordinance and previous responses to unruly gatherings at the residence or other private
24 residential property in question within the previous one hundred eighty-day period; and

25 (6) An itemized list of the response costs for which the person or persons
26 are being held liable.

27 (C) The responsible person must remit payment of the noticed response costs to the
28 City Clerk within thirty days after the date of the notice. The payment of any such costs shall be

1 stayed upon a timely appeal.

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

10 SECTION 15: All ordinances or parts of ordinances or sections, subsections, phrases,
11 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
12 1983 Edition, in conflict herewith are hereby repealed.

13 PASSED, ADOPTED and APPROVED this ____ day of _____, 2007.

14 APPROVED:

15
16 By OSCAR B. GOODMAN, Mayor

17 ATTEST:

18 BEVERLY BRIDGES, Acting City Clerk

19 APPROVED AS TO FORM:

20 Val Steel 3-13-07
21 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 BEVERLY BRIDGES, Acting City Clerk

18

19

20

21

22

23

24

25

26

27

28

BUSINESS IMPACT STATEMENT
BILL NO. 2007-14

(Prohibits unruly gatherings and establishes regulations and penalties with respect thereto)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2007-14, that will prohibit unruly gatherings and establish regulations and penalties with respect thereto

1. The following constitutes a description of the number of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.

Not applicable.

2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:

Adverse effects:

None

Beneficial effects:

None

Direct effects:

None

Indirect effects:

None

3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:

Not applicable

4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:

No additional cost

5. If the proposed rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:

Not applicable

6. If the proposed rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:

Not applicable

7. If the proposed rule includes provisions that duplicate or are more stringent than federal, state or local standards regulating the same activity, the following explains when such duplicative or more stringent provisions are necessary:

Not applicable

Date: March 13, 2007

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

NEW BILL:

Bill No. 2007-15 – Levies Assessment for Special Improvement District No. 1485 - Alta Drive (Rancho Drive to approximately 275 feet west of Lacy Lane) (Landscape Maintenance FY2008)
Sponsored by: Step Requirement

Fiscal Impact

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Amount: \$59,400.00

Funding Source: Capital Projects Fund - Special Assessments

Dept./Division: Public Works/SID

PURPOSE/BACKGROUND:

Levies the assessment for the annual maintenance costs of street beautification improvements along Alta Drive from Rancho Drive to approximately 275 feet west of Lacy Lane. The fiscal amount reflects the estimated maintenance costs from July, 2007 through June, 2008.

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. 2007-15

Minutes:

First Reading - Referred - COUNCILMEMBERS TARKANIAN and ROSS

5/1/2007 Recommending Committee

5/2/2007 Council Agenda

ORDINANCE NO. _____

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1485 - ALTA DRIVE (LANDSCAPE MAINTENANCE FY2008); PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF MAINTAINING STREET BEAUTIFICATION IMPROVEMENTS; ASSESSING THE COST OF MAINTENANCE AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID MAINTENANCE; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

Summary: Levy Ordinance

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

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

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

WHEREAS, in accordance with NRS 271.360 and NRS 271.378, the City Council has heretofore determined, and does hereby declare, that the net cost of the Maintenance Project for FY2008 (including all necessary incidentals which either have been or will be incurred in connection with the District) is \$59,400.00, of which, \$0.00 is available from other sources and of which \$59,400.00 is to be assessed upon the benefited lots, tracts and parcels of land in the District which the City Council has determined will receive special benefits (and corresponding market value increases) from the Maintenance Project; and

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

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

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

WHEREAS, the City Council thereupon fixed a time and place, to wit: Wednesday, April 4, 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 Maintenance Project in the District, by any person interested, and by any parties aggrieved by such assessments, would be heard and considered by the City Council; and

WHEREAS, the Engineer has, in accordance with the provisions of law relating thereto, given the requisite legal notice by both mail and publication that complaints, protests and objections to assessments for the Maintenance Project in the District should be filed with the City Clerk, and that the City Council would hear and consider any and all complaints, protests or objections on Wednesday, April 4, 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 ("Tabulation of Parcels") to be filed in the records of the office of the City Clerk on March 7, 2007; and

WHEREAS, the City Clerk, by publication and by mail, gave the requisite notice of the time and place of such hearing on April 4, 2007, of the filing of the final assessment roll in her office, of the date of filing the same, and of the right of any such person to object specifically in writing and of the waiver of any objection in the absence of such objection; and

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

WHEREAS, all complaints, protests and objections, both written and oral, were found to be without sufficient merit and overruled, except as provided in the District No. 1485 (FY2008) Assessment Protest Resolution; and

WHEREAS, by the District No. 1485 (FY2008) Assessment Protest Resolution, the City Council modified, corrected and revised the final assessment roll and modified, corrected, revised and confirmed the final assessment roll to be in final form; and

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

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

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

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

Section 1. This Ordinance shall be known as, and may be cited by, the short title "District No. 1485 (FY2008) Levy Ordinance" (hereinafter the "Ordinance").

Section 2. The City Council has heretofore determined, and does hereby declare, that each and every complaint, protest and objection made in connection with the District is without sufficient merit and the same be, and the same hereby is, overruled, and finally passed on by the City Council, except as provided in the District No. 1485 (FY2008) Assessment Protest Resolution.

Section 3. All actions, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Ordinance) concerning Special Improvement District No. 1485 – Alta Drive (Landscape Maintenance FY2008) including, but not limited to, the creation of the District, the amount of the maintenance contract, the levy of assessments for those purposes, the determination that the tracts in the District will receive special benefits and market value

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

Section 4. For the purpose of paying the costs and expenses of the Maintenance Project, the amounts and assessments shown in the final assessment roll (as so filed, modified and confirmed) are hereby levied and assessed against the lots, tracts and parcels of land in the District (being all those specially benefited by the Maintenance Project) and described in the final assessment roll for the District, as filed in the office of the City Clerk on March 7, 2007, and as modified and confirmed by the District No. 1485 (FY2008) Assessment Protest Resolution duly adopted by the City Council on April 18, 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, as hereinafter provided. Failure to pay the whole assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments the amount of the assessment then unpaid. In case of such election to pay in installments, the unpaid assessments shall be payable in four (4) substantially equal quarterly installments of principal until paid in full, without interest, payable at the office of the City Treasurer on July 2, 2007, October 1, 2007, January 2, 2008 and April 1, 2008. Failure to pay any installment when due shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the City, the exercise of said option to be indicated by the commencement of foreclosure proceedings by the City; and the whole amount of the unpaid principal shall, after such delinquency, whether said option is or is not exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest until the day of sale or until paid, but at any time prior to the date of the sale the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, and all penalty interest accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The

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

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

Section 6. The amounts assessed shall be a lien upon the owner's lots, tracts and parcels of land from the effective date of this Ordinance (i.e. May 20, 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, penalties, and collection costs).

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

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

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

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

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

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

(Form of Notice)

NOTICE TO PROPERTY OWNERS OF THE LEVY OF ASSESSMENTS FOR
LANDSCAPE MAINTENANCE IN CITY OF LAS VEGAS, NEVADA SPECIAL
IMPROVEMENT DISTRICT NO. 1485 - ALTA DRIVE (LANDSCAPE
MAINTENANCE FY2008)

NOTICE IS HEREBY GIVEN to the owners of all property upon which an assessment has been levied, and other interested persons, that District No. 1485 (FY2008) Levy Ordinance (hereinafter the "Levy Ordinance") was duly passed, adopted, signed and approved on May 16, 2007. The Levy Ordinance levied and assessed the cost and expense of landscape maintenance against the lots, tracts and parcels of land specially benefited by the maintenance in what is commonly designated as "City of Las Vegas, Nevada, Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance)," (said lots, tracts and parcels of land being more specifically described in the final assessment roll designated in the ordinance).

Assessments are due and payable at the office of the City Treasurer in Las Vegas, Nevada, on or before June 19, 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, without interest as hereinafter provided. Failure to pay the whole assessment within the 30-day period will be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay the unpaid assessment in installments. In case of such election to pay in installments, the unpaid assessments will be payable in four (4) substantially equal quarterly installments of principal until paid in full, being payable at the office of the City Treasurer in Las Vegas, Nevada, on July 2, 2007, October 1, 2007, January 2, 2008, and April 1, 2008. Failure to pay any assessment installment when due will cause the whole of the unpaid principal of such assessment to become due and payable immediately at the City's option, and the whole amount of the unpaid principal will, after such delinquency, whether the City's option is or is not exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of sale or until paid, but at any time prior to the date of the sale, the owner may pay the amount of all delinquent

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

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

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

The amounts assessed as aforesaid constitute a lien upon said lots, tracts and parcels of land from May 20, 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 May 16, 2007.

Beverly K. Bridges, CMC, Acting City Clerk

(End of Form of Notice)

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

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

Section 14. That in accordance with Section 2.110 of the City Charter, this Ordinance when first proposed is to be read by title to the City Council, immediately after which an adequate number of copies of the proposed Ordinance are to be deposited with the office of the City Clerk for public examination and distribution upon request; thereafter, the City Clerk is authorized and directed to give notice of the deposit together with the title of the Ordinance by publication at least once in the Las Vegas Review-Journal, i.e., a newspaper published and having general circulation in the City, at least ten (10) days before the adoption of the Ordinance, i.e., at least ten (10) days before May 16, 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. 1485 ALTA DRIVE (LANDSCAPE MAINTENANCE FY2008) PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF MAINTAINING STREET BEAUTIFICATION IMPROVEMENTS; ASSESSING THE COST OF MAINTENANCE AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID MAINTENANCE; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-entitled proposed Ordinance were filed with and are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, 400 Stewart Avenue, Las Vegas, Nevada, and that such ordinance was proposed on the 18th of April, 2007, and will be considered for adoption at the regular meeting of the City Council of the City of Las Vegas on the 16th of May, 2007.

/s/ Beverly K. Bridges, CMC
Acting City Clerk

(End of Form)

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

(Form for Publication After Final Adoption of Ordinance)

ORDINANCE NO. _____

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1485 - ALTA DRIVE (LANDSCAPE MAINTENANCE FY2008); PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF MAINTAINING STREET BEAUTIFICATION IMPROVEMENTS; ASSESSING THE COST OF MAINTENANCE AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID MAINTENANCE; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that the above Ordinance was proposed on April 18, 2007, and was passed at a regular meeting held on May 16, 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
Steve Wolfson
Lois Tarkanian
Steven D. Ross

Those Voting Nay:

Those Absent:

This Ordinance shall be in full force and effect from and after May 20, 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 16th of May, 2007

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

(SEAL)

Attest:
/s/ BEVERLY K. BRIDGES, CMC
Acting 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.

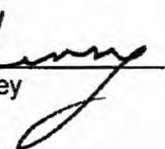
Introduced April 18, 2007, PASSED, ADOPTED AND APPROVED May 16, 2007.

OSCAR B. GOODMAN, Mayor

Attest:

BEVERLY K. BRIDGES, CMC, Acting City Clerk

Approved as to Form:

29 MAR 07 WZ/
Date Deputy City Attorney 

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

I, Beverly K. Bridges, CMC, the duly chosen, acting 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 April 18, 2007, and finally adopted and approved on May 16, 2007.

2. The following members of the City Council were present at the April 18, 2007, Council meeting:

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

3. The foregoing Ordinance was first proposed and read by title to the City Council on April 18, 2007, and referred to a committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said Ordinance on May 16, 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 May 16, 2007, meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:	Oscar B. Goodman
	Gary Reese
	Larry Brown
	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 April 18, 2007, and May 16, 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
2nd Floor Skybridge
Las Vegas, Nevada
- (ii) Bulletin Board
City Hall Plaza (next door to Metro Records)
Las Vegas, Nevada
- (iii) Las Vegas Library
833 Las Vegas Boulevard North
Las Vegas, Nevada
- (iv) Clark County Government Center
500 South Grand Central Parkway
Las Vegas, Nevada
- (v) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada

(b) By mailing a copy of the notice 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 April 18, 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 May 16, 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 May 16, 2007.

BEVERLY K. BRIDGES, CMC, Acting City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of April 18, 2007 Meeting)

EXHIBIT B

(Attach Copy of Notice of May 16, 2007 Meeting)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

NEW BILL:

Bill No. 2007-16 – Annexation No. ANX-10156 – Property location: Within the area bounded by Clark County Highway 215 on the east, Washburn Road on the south, Puli Road on the west, and Centennial Parkway on the north; Petitioned by Southwest Desert Equities, LLC, et al.; Acreage: Approximately 245 acres; Zoned: R-U (County zoning), U (PF-CC), U (PCD) and U (ROW) (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 within the area bounded by Clark County Highway 215 on the east, Washburn Road on the south, Puli Road on the west, and Centennial Parkway on the north. The annexation is at the request of a property owner and the City, with a statement of non-objection having been filed by the Bureau of Land Management and Clark County as additional owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (June 8, 2007) is set by this ordinance.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

Bill No. 2007-16 and location map

Minutes:

First Reading - Referred - COUNCILMEMBERS TARKANIAN and ROSS

5/1/2007 Recommending Committee

5/2/2007 Council Agenda

1
2
3
4
5
6
7
8 **BILL NO. 2007-16**

9 **ORDINANCE NO. _____**

10 AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO
11 PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS
12 INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE
CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-10156)

13 Sponsored by: Councilman Steven D. Ross Summary: Annexes property described
14 generally as located within the area bounded
15 by Clark County Highway 215 on the East,
16 Washburn Road on the south, Puli Road on
the west, and Centennial Parkway on the
north.

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

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

22 Those portions of the West Half (W 1/2) of Section 25, and the North Half
23 (N 1/2) of Section 36, Township 19 South, Range 59 East, M.D.M., in
24 County of Clark, State of Nevada, as shown on "RECORD OF SURVEY -
ANNEXATION PLAT" recorded October 9, 2006 in Survey File 160, Page
62 of Clark County, Nevada Records, described as follows:

25 BEGINNING at the quarter corner common to Section 35 and Section 36,
26 Township 19 South, Range 59 East, M.D.M.; thence along the west line of
the Northwest Quarter (NW 1/4) of said Section 36, North 00°11'22" West
27 1333.44 feet to the north sixteenth section corner, common to said Section 35
and Section 36; thence departing said west line, North 89°25'29" East 336.75
28 feet; thence North 00°10'04" West 667.00 feet; thence South 89°22'37" West
337.01 feet returning to said West line; thence along said west line,

1 North 00°11'22" West 666.72 feet to the section corner common to said
2 Section 35 and 36, and to Section 25 and 26; thence along the west line of the
3 Southwest Quarter (SW 1/4) of said Section 25, North 00°25'02" West
4 665.57 feet; thence departing the west line of said Southwest Quarter
5 (SW 1/4), North 89°16'43" East 337.20 feet; thence South 00°25'23" East
6 665.87 feet to the south line of the Southwest Quarter (SW 1/4) of said
7 Section 25; thence departing said south line, South 00°10'04" East 667.00
8 feet; thence North 89°22'37" East 337.01 feet; thence North 00°08'45" West
9 667.28 feet returning to the south line of the Southwest Quarter (SW 1/4) of
10 said Section 25; thence departing said south line, North 00°25'44" West
11 1332.33 feet; thence South 89°13'42" West 674.27 feet to the South sixteenth
12 corner common to Section 25 and Section 26; thence along the west line of
13 said Southwest Quarter (SW 1/4), North 00°25'02" West 665.57 feet; thence
14 departing said west line North 89°09'23" East 674.17 feet; thence
15 North 00°25'33" West 666.42 feet to the north line of the Southwest Quarter
16 (SW 1/4) of said Section 25; thence departing said north line,
17 North 00°34'06" West 1335.26 feet; thence North 00°34'04" West 667.27
18 feet; thence North 89°00'42" East 676.07 feet; thence North 00°30'37" West
19 667.32 feet to the west sixteenth section corner common to Section 24 and
20 Section 25, Township 19 South, Range 59 East, M.D.M., on the centerline of
21 CENTENNIAL PARKWAY; thence along said centerline and the north line
22 of the Northwest Quarter (NW 1/4) of said Section 25, North 89°00'28" East
23 317.75 feet to the intersection with the westerly line of the I-215 LAS
24 VEGAS BELTWAY, being the beginning of a non-tangent curve, concave
25 southeasterly, having a radius of 3175 feet, the radial line through said
26 beginning bears North 66°00'47" West; thence southwesterly departing said
27 north line and along the westerly line of said I-215 through a central angle of
28 24°25'21" and an arc length of 1353.36 feet; thence continuing along said
westerly line, South 00°26'08" East 2028.11 feet; thence departing said
westerly line, South 89°09'34" West 30.14 feet; thence South 89°09'23" West
337.09 feet; thence South 00°25'48" East 666.84 feet; thence
North 89°13'42" East 337.13 feet to the southwest sixteenth section corner of
said Section 25; thence North 89°13'00" East 30.15 feet returning to said
westerly line of said I-215; thence along said westerly line,
South 00°26'08" East 198.29 feet to the beginning of a curve, concave
northeasterly, having a radius of 3175.00 feet; thence southeasterly along said
westerly line through a central angle of 54°09'51" and an arc length of
3001.46 feet; thence South 54°35'59" East 844.74 feet to the beginning of a
curve, concave southwesterly, having a radius of 2825.00 feet; thence
southeasterly along said westerly line through a central angle of 20°45'15"
and an arc length of 1023.30 feet to the south line of the Southeast Quarter
(SE 1/4) of the Northeast Quarter (NE 1/4) of said Section 36; thence along
said south line, South 89°29'03" West 57.14 feet to the east sixteenth center
section corner of said Section 36; thence along the south line of the
Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of said
Section 36, South 89°29'40" West 1348.00 feet to the center quarter corner
of said Section 36; thence along the south line of the Southeast Quarter
(SE 1/4) of the Northwest Quarter (NW 1/4) of said Section 36,
South 89°29'12" West 1345.71 feet to the west sixteenth center section corner
of said Section 36; thence along the south line of the Southwest Quarter
(SW 1/4) of the Northwest Quarter (NW 1/4) of said Section 36,
South 89°31'18" West 1344.90 feet to the POINT OF BEGINNING.

BASIS OF BEARINGS: South 89°00'28" West being the north line of the
Northwest Quarter (NW 1/4) of Section 25, Township 19 South, Range 59

1 East, M.D.M., as shown on Record of Survey in File 124, Page 94 of Clark
2 County, Nevada Records.

3 Prepared by:
4 Brian Yu PLS,
5 731 S. Fourth Street,
6 Public Works, City of Las Vegas,
7 Las Vegas, NV 89101
8 byu@lasvegasnevada.gov

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

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

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

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

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

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

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

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

27 (1) In accordance with NRS 268.584, the City Council, on
28 February 7, 2007, adopted a resolution of intent to annex, along with the form of a notice of
public hearing to be provided to property owners within the annexation area, and set a public
hearing for March 21, 2007.

(2) In accordance with NRS 268.578 and 268.588, the City

1 Council, on February 21, 2007, approved an annexation report and made it available for
2 inspection and copying thereafter.

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

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

10 (5) In accordance with NRS 268.590, the City Council held a
11 public hearing on March 21, 2007, at which time persons who wished to be heard concerning
12 the matter were given that opportunity. During the public hearing, and within the 15-day
13 period following the public hearing, the number of persons who protested the annexation
14 (zero) was less than a "majority of the property owners" as defined by NRS 268.574(3).

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

17 SECTION 3: The City will provide police protection through the Las Vegas
18 Metropolitan Police Department, fire protection, street maintenance, and library services
19 immediately upon annexation. Garbage collection by the company franchised by the City
20 will also be provided immediately. The City sanitary sewer system will serve the proposed
21 annexation area. Any connection to or extension of this sewer line to serve the annexation
22 area shall be at the expense of the landowners. Other services, such as participation in the
23 City's recreational programs, special education classes and programs, public works planning,
24 building inspections, and other City services will also be available immediately. Utilities
25 such as gas, electricity, telephone, and water are provided by private utility companies and
26 other services to the area will not be affected by annexation. Street paving, curbs and gutters,
27 sidewalks and street lights which are not in place at the time of annexation will be installed
28 in the presently developed areas upon the request of the property owners and at their expense

1 by means of special assessment districts. Such improvements will be extended into the
2 undeveloped areas as development takes place and the need therefor arises, and will be
3 located according to the needs of the area at that time. Such installations will also be made
4 at the expense of the property owners, either by means of special assessment districts or as
5 prerequisites to the approval of subdivision plats, building permits or other land use or
6 development applications.

7 SECTION 4: The annexation of the described territory shall become
8 effective on the 8th of June, 2007, and on that date the City will have the funds appropriated
9 in sufficient amount to finance the extension into the described territory of police protection,
10 fire protection, street maintenance, street sweeping, and street lighting maintenance.

11 SECTION 5: The described territory, together with the inhabitants and
12 property thereof, shall, from and after the 8th day of June, 2007, be subject to all debts, laws,
13 ordinances and regulations in force in the City and shall be entitled to the same privileges and
14 benefits as other parts of the City, and shall be subject to municipal taxes levied by the City.

15 SECTION 6: The City Engineer is hereby instructed to cause to be prepared
16 an accurate map or plat of the described territory and to record the map or plat, together with
17 a certified copy of this ordinance, in the office of the County Recorder of Clark County,
18 Nevada, which recording shall be done prior to the 8th day of June, 2007.

19 ...

20 ...

21 ...

22 ...

23 ...

24 ...

25 ...

26 ...

27 ...

28 ...

1 SECTION 7: The described territory, which previously has been zoned R-U
2 (County of Clark classification), is hereby classified with the City of Las Vegas
3 classifications that are set forth below, which are deemed to be the equivalents of the County
4 classification:

PROPERTY DESCRIPTION (BY APN)	CITY CLASSIFICATION
126-25-201-009 126-25-401-019	U (PF-CC)
126-25-201-002 126-25-401-007 126-25-401-009 126-25-401-010 126-36-101-001 126-36-101-003 126-36-101-004 126-36-101-007 126-36-101-008 126-36-101-009 126-36-201-001	U (PCD)
All other parcels	U (ROW)

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

24 ...

25 ...

26 ...

27 ...

28 ...

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

PASSED, ADOPTED and APPROVED this ____ day of _____,
2007.

APPROVED:

By: OSCAR B. GOODMAN, Mayor

ATTEST:

BEVERLY BRIDGES, Acting City Clerk

APPROVED AS TO FORM:

Val Steed 4-4-07
Date

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

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12

13 By _____
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16

17 BEVERLY BRIDGES, Acting City Clerk

18

19

20

21

22

23

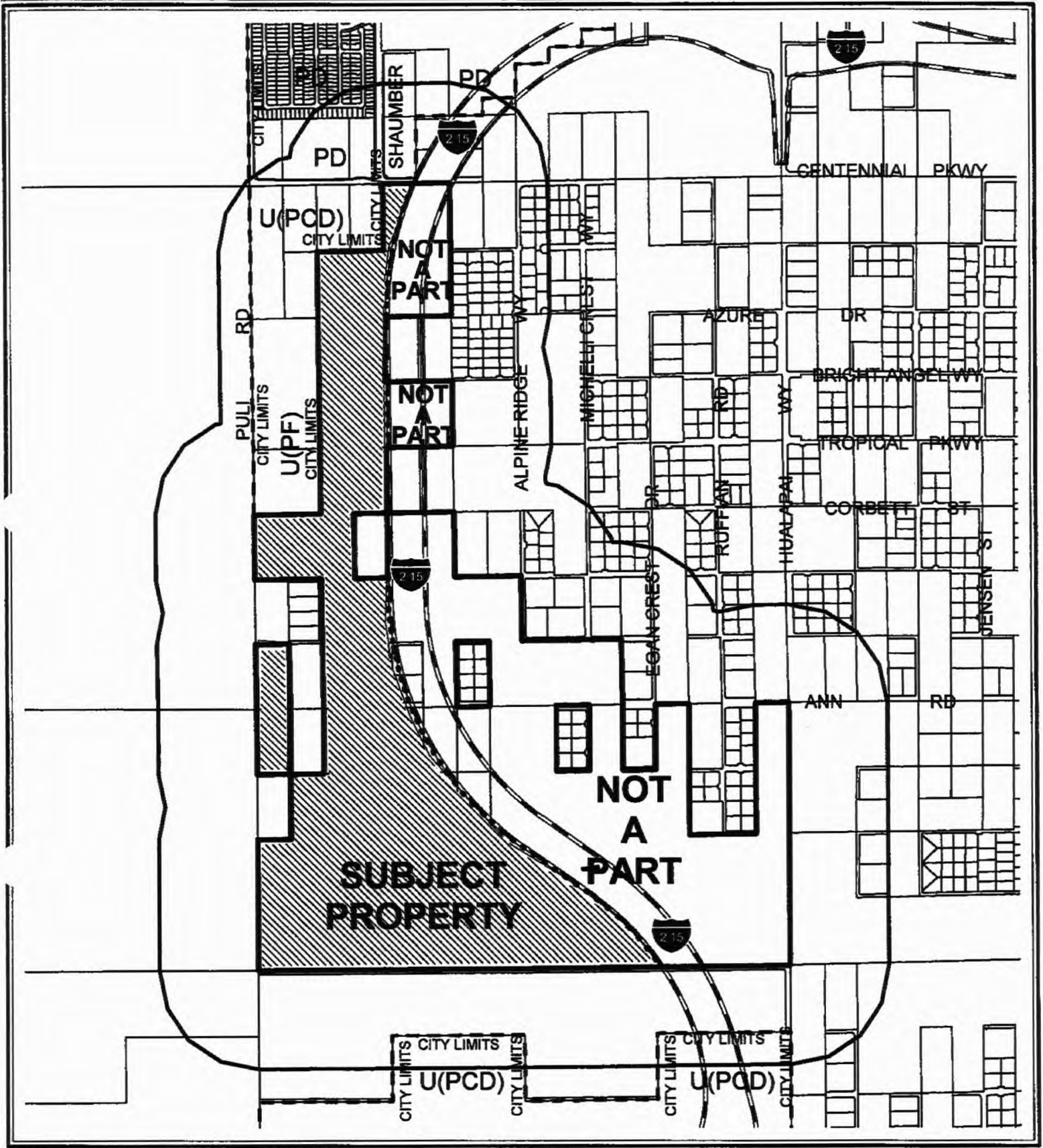
24

25

26

27

28



CASE: **ANX-10156**

RADIUS: 1000 FT

0 2000 4000 Feet



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

NEW BILL:

Bill No. 2007-17 – Amends the Town Center Development Standards Manual to allow consignment sales in the GC-TC and SC-TC Zoning Districts, by means of special use permit, as a limited type of secondhand dealer. Sponsored by: Councilman Steven D. Ross

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

It has been proposed to allow consignment sales in Town Center, specifically in the GC-TC and SC-TC Zoning Districts. In order to use existing licensing and zoning categories, the use will be treated as a limited type of secondhand dealer use, allowable only by means of special use permit. Specific conditions related to the manner and hours of operation will be imposed on any special use permit in order to ensure compatibility of the 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. 2007-17

Minutes:

First Reading - Referred - COUNCILMEMBERS TARKANIAN and ROSS

5/1/2007 Recommending Committee

5/2/2007 Council Agenda

BILL NO. 2007-17

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE TOWN CENTER DEVELOPMENT STANDARDS TO ALLOW CONSIGNMENT SALES IN THE GC-TC AND SC-TC ZONING DISTRICTS, BY MEANS OF SPECIAL USE PERMIT, AS A LIMITED TYPE OF SECONDHAND DEALER, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steven D. Ross

Summary: Amends the Town Center Development Standards Manual to allow consignment sales in the GC-TC and SC-TC Zoning Districts, by means of special use permit, as a limited type of secondhand dealer.

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

SECTION 1: The Town Center Development Standards Manual, adopted under Section 19.06.110(B) of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as set forth in Sections 2 and 3 of this Ordinance.

SECTION 2: Section B.2 of the Manual is amended by amending the Permitted Uses Matrix, identified therein as Table 1, to add a new row for the use "Secondhand Dealer," to read as follows:

USES	GC	SC	UC	SX	MS	EC	L	ML	MLA	M	PF
Secondhand Dealer	S	S									

SECTION 3: Section B.4.B of the Manual is amended by adding, at the appropriate location, the use category "Secondhand Dealer," to read as follows:

SECONDHAND DEALER

- a. The use may be operated for consignment sales only.
- b. Only the following merchandise may be sold: jewelry (Class III), furniture, fixtures, tableware, pictures and paintings.
- c. Payment to the consignor for consigned merchandise may not be made until after the merchandise has been sold.
- d. No outdoor displays, sales or storage of any merchandise shall be permitted.

1 e. The hours of operation shall be limited to the hours between 8:00 a.m. and 10:00 p.m.,
2 unless otherwise specified by the City Council.

3 f. The use shall comply with the applicable requirements of LVMC Title 6.

4 g. The conditions listed above are not waivable development standards under the
5 provisions of the Town Center Development Standards Manual.

6 SECTION 4: The Planning and Development Department is authorized and directed
7 to incorporate into the Manual the amendments made by this Ordinance. Regarding the amendment
8 made by Section 3, the Department is authorized to insert and number the new use category either at
9 the end of the categories listed or so as to appear alphabetically. If the latter, the Department is
10 authorized and directed to renumber use categories appropriately and make such other corrections as
11 may be necessary throughout the Manual to reflect the change in renumbering.

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

20 ...

21 ...

22 ...

23 ...

24 ...

25 ...

26 ...

27 ...

28 ...

SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2007.

APPROVED:

By OSCAR B. GOODMAN, Mayor

ATTEST:

BEVERLY BRIDGES, Acting City Clerk

APPROVED AS TO FORM:

Val Steel 4.4-07
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 _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

16

17 BEVERLY BRIDGES, Acting City Clerk

18

19

20

21

22

23

24

25

26

27

28

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

NEW BILL:

Bill No. 2007-18 – Requires in certain buildings a minimum level of support for radio coverage for emergency service personnel. Sponsored by: Councilman Steven D. Ross

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

Emergency service personnel have varying degrees of success in receiving and sending radio communications within certain types of multi-story residential and commercial occupancies. This bill would require such buildings to provide a minimum level of support for radio coverage for emergency service personnel. Input from emergency service agencies and from building industry representatives has been provided. The bill would apply to both new and existing buildings; existing buildings would be given time to be brought into compliance following notice from the City.

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. 2007-18
2. Business Impact Statement

Minutes:

First Reading - Referred - COUNCILMEMBERS TARKANIAN and ROSS

5/1/2007 Recommending Committee

5/2/2007 Council Agenda

1 **BILL NO. 2007-18**

2 **ORDINANCE NO. _____**

3 **AN ORDINANCE TO REQUIRE IN CERTAIN BUILDINGS A MINIMUM LEVEL OF SUPPORT**
4 **FOR RADIO COVERAGE FOR EMERGENCY SERVICE PERSONNEL, AND TO PROVIDE FOR**
5 **OTHER RELATED MATTERS.**

6 Sponsored by: Councilman Steven D. Ross

Summary: Requires in certain buildings a
minimum level of support for radio coverage for
emergency service personnel.

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

9 **SECTION 1:** Title 16 of the Municipal Code of the City of Las Vegas, Nevada, 1983
10 Edition, is hereby amended by adding thereto a new chapter, designated as Chapter 18, consisting of
11 Sections 10 to 50, inclusive, reading as follows:

12 **16.18.010:** Except as otherwise provided in this Chapter, all buildings (new or existing) that are
13 more than four stories in height shall provide support for adequate radio coverage for emergency
14 service personnel. For purposes of this Section, "support for adequate radio coverage for emergency
15 service personnel" means any combination of building design and signal amplification systems that
16 meets all of the following criteria:

17 (A) There must be a minimum signal strength of one microvolt (- 95 dBm)
18 available in 95% of the area of each floor of the building, with a Delivered Audio Quality (DAQ) of
19 3 when transmitted from a public safety radio communication system. For purposes of this
20 Subsection, a DAQ of 3 means that transmitted speech is understandable with no more than slight
21 effort, and no more than occasional repetition is required because of noise or distortion;

22 (B) The radio frequency ranges which must be supported are the 700 and 800
23 megahertz public safety bands;

24 (C) Any signal amplification system must:

25 (1) Include filters to reject frequencies below and above the designated
26 public safety bands by a minimum of 35 dB;

27 (2) Be 100% compatible with analog or digital modulations after
28 installation without additional adjustment or modification; and

1 (3) Have a 95% reliability factor;

2 (D) Any signal amplification system that contains an electrically powered
3 component must be capable of operating on an independent battery or generator system, or
4 combination thereof, for a period of at least twelve hours, without external power input; and

5 (E) The combination of building design and signal amplification systems must first
6 be approved by the Las Vegas Metropolitan Police Department and the City's Department of Fire and
7 Rescue:

8 (1) For proposed or new construction, prior to the approval of final plans;
9 and

10 (2) For existing construction, in order to achieve and maintain compliance
11 with this Chapter.

12 **16.18.020:** Subject to compliance with Section 16.18.010, radio signal amplification systems that
13 may be used under this Chapter include radiating cable systems, internal multiple antenna system with
14 FCC certificated bi-directional amplifiers as needed, and other FCC-approved technology.

15 **16.18.030:** (A) For new construction, initial testing for compliance with Section 16.18.010 will
16 be performed by the Department of Fire and Rescue or its authorized designee. A certificate of
17 occupancy may be withheld by the Department of Building and Safety if a structure fails to comply.

18 (B) For existing construction, initial testing and periodic testing for compliance
19 (annual or otherwise) will be performed by the Department of Fire and Rescue or its authorized
20 designee, independently or in conjunction with regular inspection procedures.

21 **16.18.040:** In addition to the testing provided for in Section 16.18.030, representatives of the Las
22 Vegas Metropolitan Police Department and the Department of Fire and Rescue may enter upon
23 property at any time to conduct testing of existing buildings to determine compliance with this
24 Chapter. Any such testing must be done upon reasonable notice to the owner or the owner's
25 representative, and in accordance with law.

26 **16.18.050:** This Chapter does not apply to:

27 (A) Any one or two-family dwelling subject to the International Residential Code,
28 as adopted by the City; or

1 (B) Any R-3 or R-4 occupancy as defined in the International Building Code, as
2 adopted by the City.

3 SECTION 2: Buildings that are existing on the date of the adoption of this Ordinance
4 and are not in compliance with the requirements of this Ordinance shall be brought into compliance
5 within one year after written notice from the City to do so, or within such other period specified in the
6 notice.

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

15 SECTION 4: Whenever in this ordinance any act is prohibited or is made or declared
16 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
17 required or the failure to do any act is made or declared to be unlawful or an offense or a
18 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
19 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
20 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
21 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2007.

APPROVED:

By OSCAR B. GOODMAN, Mayor

ATTEST:

BEVERLY BRIDGES, Acting City Clerk

APPROVED AS TO FORM:

Val Steed 4-4-07
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 _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

16

17 BEVERLY BRIDGES, Acting City Clerk

18

19

20

21

22

23

24

25

26

27

28

**BUSINESS IMPACT STATEMENT
BILL NO. 2007-18**

**(Requires in certain buildings a minimum level of support for
radio coverage for emergency service personnel)**

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2007-18, that will require in certain buildings a minimum level of support for radio coverage for emergency service personnel.

1. The following constitutes a description of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.

In addition to informal discussions with interested parties, notice of the proposed ordinance and an invitation to respond was sent to a number of representative building industry and development groups. No responses to the invitation were received by the City.

2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:

Adverse effects:

Possible increased costs in building construction or retrofitting for businesses owning or occupying affected buildings.

Beneficial effects:

Increased safety and security for building occupants and visitors because of enhanced radio operability for emergency service personnel.

Direct effects:

Possible increased costs in building construction or retrofitting for businesses owning or occupying affected buildings.

Indirect effects:

Increased safety and security for building occupants and visitors because of enhanced radio operability for emergency service personnel.

3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:

The original proposal was modified to apply to fewer buildings so as to minimize the number of businesses potentially impacted.

4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:

No additional cost for enforcement.

5. If the proposed rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:

No additional fees.

6. If the proposed rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:

Not applicable.

7. If the proposed rule includes provisions that duplicate or are more stringent than federal, state or local standards regulating the same activity, the following explains why such duplicative or more stringent provisions are necessary:

The provisions of this ordinance, to the extent that they duplicate or are more stringent than federal, state or local standards regulating the same activity, are deemed necessary in order to provide adequate and responsible emergency service response.

Date: April 3, 2007

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

NEW BILL

Bill No. 2007-19 – Authorizes the issuance of a local improvement district bond, Series 2007, for an amount not to exceed \$1,724,000 for Special Improvement District No. 1506 – Fremont Street Pedestrian Improvements (Las Vegas Boulevard to 8th Street). Proposed by: Mark R. Vincent, Director of Finance and Business Services

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount: \$1,724,000

Funding Source: SID assessments in the respective district

Dept./Division: Finance and Business Services

PURPOSE/BACKGROUND:

In accordance with the Nevada Consolidated Local Improvements Law (NRS Chapter 271), the City intends to issue a registered local improvement district bond in connection with the acquisition of public improvements for property that is subject to Special Improvement District 1506. The principal amount of the bond will not exceed \$1,724,000 and will not constitute a debt of the City.

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. 2007-19

Minutes:

First Reading - Referred - COUNCILMEMBERS TARKANIAN and ROSS

5/1/2007 Recommending Committee

5/2/2007 Council Agenda

Summary - An ordinance authorizing a local improvement bond for the City of Las Vegas, Nevada, District No. 1506 – Fremont Street Pedestrian Improvements (Las Vegas Boulevard to 8th Street) in the aggregate principal amount of not to exceed \$1,724,000, and providing other matters related thereto.

BILL NO. 2007-19
ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A REGISTERED LOCAL IMPROVEMENT DISTRICT BOND, SERIES 2007, FOR THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1506 – FREMONT STREET PEDESTRIAN IMPROVEMENTS (LAS VEGAS BOULEVARD TO 8TH STREET) TO FINANCE THE CONSTRUCTION OF LOCAL IMPROVEMENTS AND PROVIDING OTHER MATTERS RELATED THERETO.

WHEREAS, the City of Las Vegas in the State of Nevada (the “City” and “State,” respectively) is a political subdivision of the State, duly organized and operating as a city under the provisions of Nevada Revised Statutes (“NRS”) Chapter 268 and an act entitled “AN ACT incorporating the City of Las Vegas, in Clark County, Nevada, under a new charter; defining the boundaries thereof; and providing other matters properly relating thereto,” cited as Chapter 517, Statutes of Nevada 1983 (the “Charter”), and all laws amendatory thereof; and

WHEREAS, the City Council of the City (the “Council”), pursuant to an ordinance heretofore passed and adopted (the “District Ordinance”), created the City of Las Vegas, Nevada, Special Improvement District No. 1506 – Fremont Street Pedestrian Improvements (Las Vegas Boulevard to 8th Street) (the “District”), ordered the acquisition of certain local improvements for the District (the “Project”) and determined to defray a portion of the entire cost and expense of such improvements by special assessments, according to benefits, against the benefitted lots, tracts and parcels of land in the District; and

WHEREAS, the Council has by an ordinance heretofore passed and adopted (the “Assessment Ordinance”) levied assessments against the property benefitted by the Project; and

WHEREAS, the Council and the officers of the City have determined, and do hereby determine, that it is necessary and in the best interests of the City and the inhabitants thereof that the City issue its registered local improvement bond in an aggregate principal amount not exceeding the aggregate principal amount of such assessments levied against properties in the District as remains payable in installments on the date of delivery of the bond, except as otherwise provided in Nevada Revised Statutes (“NRS”) 271.360; and

WHEREAS, the Council has elected, and hereby elects, to have Chapter 348 of NRS apply to the bond issued for the District; and

WHEREAS, the bond issued for the District is to bear interest at the rate or rates per annum provided in the bond purchase proposal submitted by the initial purchaser (the "Purchaser") and accepted by the City Director of Finance and Business Services (the "Finance Director"), which rate must not exceed by more than 3% of the Index of Twenty Bonds most recently published in The Bond Buyer prior to the time bids were received for the bond, and is to be sold at a price equal to the principal amount thereof, plus accrued interest to the date of delivery of the bond, less a discount not exceeding 9% of the principal amount thereof, all as specified by the Finance Director in a certificate dated on or before the date of delivery of the bond (the "Certificate of the Finance Director"); and

WHEREAS, the Council has previously established a Local Improvement District Special Surplus and Deficiency Fund (the "Surplus and Deficiency Fund"), in accordance with NRS 271.428.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAS VEGAS, IN THE STATE OF NEVADA, DOES ORDAIN:

Section 1. This ordinance shall be known as and may be cited by the short title "District No. 1506 Bond Ordinance" (this "Ordinance").

Section 2. All actions, proceedings, matters and things heretofore taken, had and done by the City and the officers of the City (not inconsistent with the provisions of this Ordinance) concerning the District, including, but not limited to, the construction and acquisition of the Project, the performing of all prerequisites to the levying of special assessments and to fixing the assessment lien against the properties in the District, including, without limitation, the passage and adoption of the Creation Ordinance and the Assessment Ordinance, and the issuance of its local improvement bond hereby authorized in the aggregate principal amount of not to exceed \$1,724,000 (the "Bond") and the sale of the Bond to the Purchaser, is ratified, approved and confirmed, including, without limitation, the distribution of the Request for Proposals for the purchase of the Bond. Pursuant to NRS 350.165, the Finance Director is authorized to accept the bond purchase proposal for the Bond and to execute and deliver the Certificate of the Finance Director specifying the items required by this Ordinance.

Section 3. The City covenants to receive, collect and enforce the payment of all assessments made and levied for the Project, and all installments thereof, all interest thereon, and all penalties accrued, as provided by law and in the same manner and at the same time or times as prescribed by the Assessment Ordinance and this Ordinance, and to pay and disburse said payments, the installments thereof, the interest thereon, and the penalties thereto, to any person or persons lawfully entitled thereto.

Section 4. The City Treasurer of the City (the "City Treasurer") is hereby authorized, empowered and directed to receive and collect all assessments levied to pay the cost of the Project, the installments thereof, the interest thereon (at a rate to be determined), and the penalties accrued, at the time and in the manner specified in the Assessment Ordinance, and to pay and disburse such payments to the person or persons lawfully entitled to receive the same, in accordance with the ordinances and resolutions of the City heretofore or to be hereafter adopted. Except as provided in NRS 271.360 concerning assessments for which a hardship determination

has been made, all moneys received from the assessments levied in the District after the cash period provided in the Assessment Ordinance, both principal and interest, shall be placed in a separate fund to be designated the "City of Las Vegas, Nevada, District No. 1506 Bond Fund" (the "Bond Fund"), and shall be used as soon as the funds are available for the purpose of paying the principal of and the interest on the Bond, and for no other purpose whatsoever, and as security for such payment, the Bond Fund is hereby exclusively pledged except as otherwise specifically provided herein. The City Treasurer is also authorized, empowered and directed to receive and collect surplus local improvement district moneys, if any, pursuant to NRS 271.428 and to place all said surplus moneys, except as otherwise required by NRS 271.429, in the Surplus and Deficiency Fund, and to disburse therefrom said moneys for the payment of the interest on and the principal of the City's special or local improvement district bonds, including the Bond, to the extent necessary, if necessary.

Section 5. If the owner of any lot, tract or parcel of land assessed for the Project shall be delinquent as to assessments, it shall be the duty of the Council to cause the delinquent person to be notified of such delinquency, in writing, and if such delinquency is not paid, the Council may foreclose the special assessment lien against the property or properties wherein the delinquency exists in the method now or hereafter provided by law. All the net proceeds of collecting any delinquent assessment shall be deposited in the Bond Fund (or in the general fund of the City, to the extent provided in Section 9 hereof) and in any event in an amount of not less than the principal amount of said assessment and accrued interest thereon to the date of its collection.

Section 6. For the purpose of defraying all or a portion of the cost and expense of the Project (except to the extent funds are available therefor from that part of said assessments which have been heretofore paid and to the extent other funds are available therefor), there shall be issued in the name of the City, the City's fully registered (i.e. registered as to payment of both principal and interest) special assessment bond designated as the "City of Las Vegas, Nevada, District No. 1506 -- Fremont Street Pedestrian Improvements (Las Vegas Boulevard to 8th Street) Local Improvement Bond, Series 2007" in the aggregate principal amount of not to exceed \$1,724,000 (the "Bond"), which Bond shall be dated as of its date of delivery. The Bond shall be in a denomination equal to the aggregate principal amount thereof. The Bond shall be issued in fully registered form. The installments of principal on the Bond shall bear interest, calculated on a 360-day year of twelve 30-day months, at the rate or rates set forth in the Certificate of the Finance Director from its dated date until its maturity date or dates, payable on June 1 and December 1 of each year, commencing on December 1, 2007. The installments of principal on the Bond shall mature on the dates and in the amounts set forth in the Certificate of the Finance Director.

The final installment of principal of the Bond shall be payable to the registered owner thereof as shown on the registration records kept by the City Treasurer, as Registrar (the "Registrar"), upon maturity thereof and upon presentation and surrender at the office of the City Treasurer, as Paying Agent (the "Paying Agent"). If the Bond shall not be paid at maturity or upon prior redemption, they shall continue to draw interest at the interest rate borne by the Bond until the principal thereof is paid in full. Payment of installments of principal of and interest on the Bond shall be made to the registered owner thereof by check or draft mailed by the Paying Agent on each payment date (or, if such payment date is not a business day, on the next

succeeding business day), to the registered owner thereof at his address as shown on the registration records kept by the Registrar at the close of business on the day preceding such payment date. The Paying Agent may make payments on the Bond by such alternative means as may be mutually agreed to between the owner of such Bond and the Paying Agent (provided, however, that the City shall not be required to make funds available to the Paying Agent prior to the due dates of interest and principal). All such payments shall be made in lawful money of the United States of America.

All principal payments in connection with a partial optional redemption shall be noted on the prepayment panel appended to the Bond, except in the case of final maturity, in which case this Bond must be presented to the Paying Agent prior to payment. Notwithstanding the foregoing, the payment records of the Paying Agent shall be conclusive.

Section 7. Principal installments on the Bond shall be subject to prior redemption at the option of the City at any time at a price equal to the principal amount redeemed, plus accrued interest to the redemption date, in whole or in part as determined by the City from any legally available moneys, upon 10 days' notice to the registered owner of the Bond.

Notice of any prior redemption shall be given by the Registrar in the name of the City by sending a copy of such notice by first-class, postage prepaid mail, at least 10 days prior to the redemption date to the registered owner of the Bond at his or her address as it last appears on the registration records kept by the Registrar.

Such notice shall specify the installment or installments of principal of the Bond so to be redeemed (if less than all are to be redeemed) and the date fixed for redemption. Such notice shall further state that on the redemption date there will become and will be due and payable upon each installment so to be redeemed at the Paying Agent, the principal amount thereof and accrued interest thereon to the redemption date, and that from and after such date interest will cease to accrue. Notice having been given in the manner provided herein, the installments of principal of the Bond so called for redemption shall become due and payable on the redemption date so designated; and upon presentation thereof at the Paying Agent, the District will pay the installments of principal of the Bond so called for redemption.

A certificate by the Registrar that a notice of redemption has been given as herein set forth shall be conclusive and receipt by the bondowner of a notice of redemption shall not be a condition precedent to the redemption of that Bond.

Section 8. The person in whose name the Bond shall be registered on the registration books kept by the Registrar shall be deemed and regarded as the absolute owner thereof for all purposes and payment of principal of and interest on the Bond shall be made only to or upon the written order of the registered owner thereof or his legal representative (except as provided above for the payment of interest to the registered owner as of the Regular or a Special Record Date). All such payments shall be valid and effectual to discharge the liability upon such Bond to the extent of the sum or sums so paid.

Section 9. The Bond and the interest thereon shall be payable from the Bond Fund, containing the receipts upon the collection thereof from the assessments levied against and secured by a lien upon the lots, tracts and parcels of land in the District. Whenever there is a deficiency in the Bond Fund, the deficiency must first be paid out of the Surplus and Deficiency Fund (to the extent any money is available therein) before any payment is made out of the general fund of the City (the "General Fund"). In the event the Bond Fund shall be insufficient to pay the Bond and interest thereon as they become due, and the amounts, if any, in the Surplus and Deficiency Fund are not sufficient for that purpose, the deficiency shall be paid out of the General Fund. In the event deficiencies are paid out of the General Fund, all net proceeds of collecting the delinquent assessments with respect to which such payments from the General Fund were required to be made shall be returned and deposited in the General Fund when the Bond, both principal and interest, have been fully paid and discharged. If the General Fund shall be insufficient to pay any such deficiency promptly, the Council shall levy, and it shall be its duty to levy, general (ad valorem) taxes upon all property in the City which is by law taxable for State, City and municipal purposes, without regard to any statutory tax limitation existing on or after May 14, 1965, and without limitation as to rate or amount, fully sufficient, after making due allowance for probable delinquencies, to provide for the prompt payment of such Bond as they become due, both principal and interest, but subject to the limitations set forth in NRS Chapter 361 and Section 2 of Article 10 of the Constitution of the State. The Bond and the interest thereon are payable solely from the assessments, any moneys in the Surplus and Deficiency Fund, the General Fund, and general tax proceeds pledged to the payment thereof.

Section 10. Pursuant to NRS 271.515, the Mayor, the City Clerk and City Treasurer shall each file with the Secretary of State his or her manual signature certified under oath. Thereafter, the Bond shall be signed and executed in the name of the City with the engraved, imprinted, stamped or otherwise reproduced manual or facsimile of the signature of the Mayor and the City Treasurer, shall be attested with the manual or facsimile signature of the City Clerk, and shall be authenticated by the manual signature of an authorized officer of the Registrar as hereafter provided. A printed, engraved, stamped or otherwise placed authentic or facsimile of the seal of the City shall be affixed thereto. The Bond bearing the signatures of the officers in office at the time of the signing thereof, shall be the valid and binding obligation of the City (subject to the requirement of authentication by the Registrar as hereinafter provided), notwithstanding that before the delivery thereof and payment therefor, any or all of the persons whose signatures appear thereon shall have ceased to fill their respective offices. Any officer herein authorized or permitted to sign the Bond at the time of its execution and of the execution of a signature certificate, may adopt as and for his or her own facsimile signature, the facsimile signature of his or her predecessor in office in the event that such facsimile signature appears upon the bond. The Bond shall not be valid or obligatory for any purpose unless the certificate of authentication, substantially in the form hereinafter provided, has been duly executed by the Registrar, and such certificate of authentication of the Registrar upon the Bond shall be the only competent evidence that such Bond has been duly issued and delivered. The Registrar's certificate of authentication shall be deemed to have been duly executed by it if manually signed by a duly authorized officer of the Registrar, but it shall not be necessary that the same officer sign the certificate of authentication on the Bond issued hereunder. If the Bond shall be lost, stolen, destroyed or mutilated, the Registrar shall, upon receipt of such evidence or information relating thereto, appropriate indemnification, and such reimbursement for expenses as it may reasonably require, register and deliver to the registered owner thereof a replacement for such

Bond bearing a number not contemporaneously outstanding. If such lost, stolen, destroyed or mutilated Bond shall have matured, the Registrar may direct the Paying Agent to pay such bond in lieu of replacement.

Section 11. Books or records for the registration and transfer of the Bond shall be kept by the Registrar for the Bond. The Bond shall be fully transferable by the registered owner thereof in person or by his duly authorized attorney on the registration records kept at the office of the Registrar, or such other office as may be designated by the Registrar, upon presentation of the Bond together with a duly executed written instrument of transfer satisfactory to the Registrar. Upon the surrender for transfer of the Bond at the Registrar, duly endorsed for transfer or accompanied by an assignment (in form satisfactory to the Registrar) duly executed by the registered owner or his attorney duly authorized in writing, the Registrar shall authenticate and deliver in the name of the transferee or transferees a new Bond, bearing a number or numbers not contemporaneously outstanding. The Registrar may require the owner or transferee to pay any tax or other governmental charge required to be paid with respect to such transfer, and may charge a sum sufficient to pay the cost of preparing and authenticating a new Bond. No such charges shall be levied in the case of an exchange resulting from an optional redemption. The Registrar shall not be required to transfer or exchange (i) the Bond during a period beginning at the opening of business 15 days before the date of mailing by the Registrar of a notice of prior redemption of the Bond and ending at the close of business on the date of such mailing, or (ii) the Bond after the mailing of notice calling such bond, or any portion thereof, for redemption as herein provided. Whenever the Bond shall be surrendered to the Paying Agent upon payment thereof, or to the Registrar for replacement as provided herein, the Bond shall be promptly canceled and destroyed by the Paying Agent or Registrar, and a certificate of such destruction shall be prepared by the Paying Agent or Registrar upon request of the City.

Section 12. Subject to the registration provisions hereof, the Bond shall be fully negotiable and shall have all the qualities of negotiable paper, and the owner thereof shall possess all rights enjoyed by the holders of negotiable instruments under the provisions of the Uniform Commercial Code - Investment Securities.

Section 13. Pursuant to NRS 271.505, the Bond shall contain a recital that it is issued pursuant to Chapter 271 of NRS (the "Consolidated Local Improvements Law"), which recital shall conclusively impart full compliance with all of the provisions of the Consolidated Local Improvements Law, and the Bond issued containing such recital shall be incontestable for any cause whatsoever after its delivery for value.

Section 14. Subject to the provisions of this Ordinance, the Bond and certificates thereon shall be in substantially the following form, with such omissions, insertions, endorsements, and variations as may be required by the circumstances, be required or permitted by this Ordinance, or be consistent with this Ordinance and necessary or appropriate to conform to the rules and requirements of any governmental authority or any usage or requirement of law with respect thereto:

(Form of Bond)

**TRANSFER OF THIS BOND OTHER
THAN BY REGISTRATION IS NOT EFFECTIVE**

UNITED STATES OF AMERICA

STATE OF NEVADA

COUNTY OF CLARK

NO. R-_____

\$_____

**CITY OF LAS VEGAS, NEVADA
DISTRICT NO. 1506 – FREMONT STREET PEDESTRIAN IMPROVEMENTS
(LAS VEGAS BOULEVARD TO 8TH STREET)
LOCAL IMPROVEMENT BOND
SERIES 2007**

Interest Rate

_____% per annum

Dated as of

Date of Delivery

REGISTERED OWNER:

PRINCIPAL AMOUNT: _____ **DOLLARS**

The City of Las Vegas (the "City"), in the State of Nevada (the "State"), for value received hereby promises, out of funds available for the purpose as hereinafter set forth, to pay to the registered owner hereof specified above or registered assigns the principal amount specified above on the maturity date specified above with interest hereon from the date of this Bond, or from the most recent interest payment date to which interest has been paid, until maturity at the percentage rate per annum specified above. This Bond shall bear interest on the principal amount hereof from its dated date at the rate per annum specified above (calculated on the basis of a 360-day year of twelve 30-day months), payable semiannually on each June 1, and December 1, commencing December 1, 2007. The principal of this Bond shall be payable on June 1 of each year in the following amounts:

[Insert Maturity Schedule]

The final payment of principal of and interest on this Bond is payable upon presentation and surrender hereof at the office of the City's paying agent for the Bond (the "Paying Agent"), presently the City Treasurer, who is also now acting as the City's Registrar for the Bond (the "Registrar") or such other office as designated by the Paying Agent. Installments of principal and interest on this Bond prior to the final payment will be made by check mailed by the Paying Agent on each payment date (or, if such date is not a business day, on the next succeeding business day) to the person in whose name this Bond is registered (the "registered owner") in the registration records of the City maintained by the Registrar, at the address appearing thereon as of the close of business on the day next preceding such payment date. Alternative means of payment of interest may be used if mutually agreed to by the registered

owner and the Paying Agent, as provided in the "District No. 1506 Bond Ordinance," adopted and approved by the City Council of the City on May 2, 2007 authorizing the issuance of this Bond (the "Ordinance"). All such payments shall be made in lawful money of the United States of America without deduction for any service charges of the Paying Agent or the Registrar.

This Bond is subject to prior redemption at any time at a price equal to the principal amount redeemed, plus accrued interest to the redemption date, in whole or in part as determined by the City from any legally available moneys, upon 10 days' notice to the registered owner of the Bond

This Bond is one of a series of special assessment bonds, issued by the City, all of which are of like date and designation and in the total amount of _____ Dollars (\$_____).

Pursuant to the Ordinance, reference to which is made for further details, the payment of the principal of and the interest on this Bond shall be made from, and as security for such payment there is pledged, a special fund designated "City of Las Vegas, Nevada, District No. 1506 Bond Fund," sometimes designated the "Bond Fund," containing the receipts upon the collection thereof from the assessments, as defined in the Bond Ordinance, levied against and secured by a lien upon the property specially benefitted by improvements in the City of Las Vegas, Nevada, Special Improvement District No. 1506 - Fremont Street Pedestrian Improvements (Las Vegas Boulevard to 8th Street) (the "District"), and remaining unpaid on the date of delivery of the Bond. The Bond Fund is and shall continue to constitute a sinking fund for and be deemed specially appropriated to the full and prompt payment of the Bond and the interest thereon, and shall be used for no other purpose whatsoever. In the event the Bond Fund shall be insufficient to pay the Bond and the interest thereon as they become due, and the moneys, if any, in the City's special Surplus and Deficiency Fund are not sufficient for that purpose, the deficiency shall be paid out of the City's general fund. If the City's general fund shall be insufficient to pay any such deficiency promptly, the City Council of the City shall levy, and it shall be its duty to levy, general (ad valorem) taxes upon all property in the City which is by law taxable for State, county and municipal purposes, without regard to any statutory tax limitation existing on or after May 14, 1965, and without limitation as to rate or amount, fully sufficient, after making due allowance for probable delinquencies, to provide for the prompt payment of such Bond as it becomes due, both principal and interest, but subject to the limitations set forth in Nevada Revised Statutes ("NRS") Chapter 361, Section 2 of Article 10 of the Constitution of the State. The Bond and the interest thereon are payable solely from the assessments, the moneys, if any, in the City's Surplus and Deficiency Fund, the general fund, and general tax proceeds pledged to the payment thereof.

The assessments made and levied to defray said cost, with accruing interest thereon, constitute a lien upon and against the property upon which such assessments were made and levied from and after the effective date of the ordinance levying assessments for the District.

It is hereby certified, recited and declared that all acts, conditions and things essential to the validity of this bond exist, have happened and have been done in due time, form and manner as required by law; that the total issue of said special assessment bonds of the City for said improvements and incidental expenses, including this Bond, does not exceed the amount

authorized by law nor the total unpaid special assessments levied to cover the cost of said improvements; that this Bond is issued under the authority of the Consolidated Local Improvements Law, Chapter 271, NRS and that this Bond is incontestable for any cause whatsoever.

It is hereby further certified, recited and declared that the proceedings, with reference to making such improvements, levying the assessments to pay therefor, and issuing the Bond, have been regularly had and taken, in compliance with law, and that all prerequisites to the fixing of the assessment lien against the property benefitted by the improvements and of the liability of the owner or owners of such property therefor have been performed.

This Bond is fully registered (i.e., registered as to payment of both principal and interest), and is issuable in a denomination equal to the aggregate principal amount thereof.

Except for the fifteen-day period preceding any date on which all of a portion of this Bond is being selected for call for prior redemption and except for any portion of this Bond so called for redemption, this Bond is fully transferable by the registered owner hereof in person or by his duly authorized attorney on the registration books kept by the Registrar upon surrender of this Bond together with a duly executed written instrument of transfer satisfactory to the Registrar, and upon the payment of all fees and charges required by such Registrar. Upon such transfer a new fully registered Bond of the same aggregate principal amount will be issued to the transferee in exchange for this Bond, subject to such terms and conditions as set forth in the Ordinance. The City and the Registrar and Paying Agent may deem and treat the person in whose name this bond is registered as the absolute owner hereof for the purpose of making payment and for all other purposes.

This Bond shall not be valid or obligatory for any purpose until the Registrar shall have manually signed the certificate of authentication herein.

IN WITNESS WHEREOF, City of Las Vegas, Nevada, has caused this Bond to be signed and executed in the name of and on behalf of the City with the [manual/facsimile] signature of the Mayor of the City Council, to be countersigned with the [manual/facsimile] signature of the City Treasurer, and to be countersigned, subscribed, executed and attested with the [manual/facsimile] signature of the City Clerk, has caused the [authentic/facsimile] of the corporate seal of the City to be affixed hereon, and has caused this bond to be dated as of the date specified above.

(For [Manual/Facsimile] Signature)
Mayor

Countersigned:

(For [Manual/Facsimile] Signature)
City Treasurer

(AUTHENTIC OR FACSIMILE SEAL)

Attested and Countersigned:

(For [Manual/Facsimile] Signature)
City Clerk

PROVISION FOR REGISTRATION AS TO PRINCIPAL AND INTEREST

This Bond must be registered as to both principal and interest on the registration records of the City, kept by the City Treasurer, as Registrar. After registration as to principal and interest, the Registrar shall note such registration on such registration records and in the registration blank below, and the principal and interest on this Bond shall be paid to such registered owner. This Bond may be transferred by the registered owner or his or her legal representative only upon a duly executed assignment in form satisfactory to the Registrar, such transfer to be made on said registration records and endorsed hereon.

Every privilege, registration and transfer shall be exercised only in accordance with the authorizing ordinance and such reasonable rules and regulations as the Registrar may prescribe.

**Date of
Registration**

**Name of
Registered Owner**

**Signature
of Registrar**

May __, 2007

PREPAYMENT PANEL

The following installments of principal (or portions thereof) of this bond have been prepaid in accordance with the terms of the ordinance authorizing the issuance of this bond.

Date of
Prepayment

Principal
Prepaid

Signature of Authorized
Representative of Owner

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ the within bond and hereby irrevocably constitutes and appoints _____ attorney in fact, to transfer the within bond on the books of the Registrar, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed

Signature Must Be Guaranteed By A Member
Firm Of The National Association Of Securities
Dealers Or By A Commercial Bank or Trust
Company

NOTE: The signature to this Assignment must correspond with the name as written on the face of the within bond in every particular, without alteration or enlargement or any change whatsoever.

Name of Transferee: _____

Address of Transferee: _____

Taxpayer Identification or
Social Security Number(s) _____

Transfer fees must be paid to the Registrar in order to transfer or exchange this Bond as provided in the Bond Ordinance.

(End of Form of Assignment)

Section 15. When the Bond has been duly executed and authenticated, it will be delivered to the Purchaser on receipt of the agreed purchase price. The proceeds realized from the sale of the Bond (net of any discount), including any investment income therefrom, shall be applied solely to defray the cost and expense of making said improvements and issuing the Bond; provided, however, that after said cost and expenses are paid (excepting any portion to be paid with other than special assessment proceeds), any funds remaining from the sale of the Bond shall be deposited in the Bond Fund and used for the purposes therefor specified in Section 4 of this Ordinance. The Purchaser, however, shall in no manner be responsible for the application by the City, or any of its officers, agents or employees, of any of the funds derived from the sale thereof or of any other funds herein designated.

Section 16. So long as any of the Bond remains outstanding, the City will keep or cause to be kept true and accurate books of records and accounts showing full and true entries covering the collection and disposition of special assessments levied for the Project, as well as any delinquencies in the collection thereof, covering deposits in and disbursements from the Bond Fund, covering deposits in and disbursements from the Surplus and Deficiency Fund, covering the redemption of the Bond (both principal and interest), and covering disbursements to defray the costs of the Project, including incidental expenses. The City will permit an inspection and examination of all books and accounts at all reasonable times by any representative of any of the original purchaser of the Bond.

Section 17. The Finance Director is authorized to execute the proposal to purchase the Bond submitted by the Purchaser in accordance with the provisions of this Ordinance. Pursuant to NRS 350.810 and MSRB Rule G-23, the Council hereby consents to receiving a bid on the Bond from Zions Bank (and its affiliates), and this consent shall constitute a written agreement required by NRS 350.810.

Section 18. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing:

(a) the printing of the Bond, including, without limitation, the printing of such additional blank Bonds as shall be required by the Registrar; and

(b) the execution of such certificates as may be reasonably required by the Purchaser, relating, inter alia, to the signing and registration of the Bond, the tenure and identity of the officials of the Council and the City, the delivery of the Bond, the designation of the Paying Agent and the Registrar, the receipt of the purchase price for the Bond, the exemption of interest on the Bond from federal and state income taxation, and if it is in accordance with fact, the absence of litigation, pending or threatened, affecting the validity thereof. It shall be the duty of the proper officers of the City to hereafter take all action necessary for the City to comply with the provisions of Chapter 271, NRS, as hereafter amended and supplemented from time to time;

(c) the execution by the Finance Director of the purchase proposal between the Purchaser and the City; and

(d) the completion and execution by the Finance Director of the Certificate of the Finance Director in accordance with the provisions of this Ordinance.

Section 19. Any registered owner of the Bond may, either at law or in equity, by suit, action, mandamus or other appropriate proceeding in any court of competent jurisdiction, protect the liens created by this Ordinance on the proceeds of assessments levied for the Project, and may by suit, action, mandamus or other appropriate proceeding enforce and compel the performance of any duty imposed upon the City by the provisions of this Ordinance, or any ordinance heretofore adopted concerning the District, including without limiting the generality of the foregoing, the segregation of special assessments, the proper application thereof, and the appointment of a receiver. The failure of any Bondowner to proceed shall not relieve the City or any of its officers, agents or employees of any liability for failure to perform any such duty.

Section 20. The City covenants for the benefit of the registered owner or owners of the Bond that it will not take any action or omit to take any action with respect to the Bond, the proceeds thereof, any other funds of the City or any facilities financed with the proceeds of the Bond if such action or omission (i) would cause the interest on the Bond to lose its exclusion from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended to the date of delivery of the Bond (the "Tax Code"), or (ii) would cause interest on the Bond to lose its exclusion from alternative minimum taxable income as defined in Section 55(b)(2) of the Tax Code except to the extent such interest is required to be included in the adjusted current earnings adjustments applicable to corporations under Section 56 of the Tax Code in calculating corporate alternative minimum taxable income. The foregoing covenant shall remain in full force and effect notwithstanding the payment in full or defeasance of the Bond until the date on which all obligations of the City in fulfilling the above covenant under the Tax Code have been met.

Section 21. When all of the principal of and interest on the Bond have been duly paid, the pledge, the lien, and all obligations hereunder shall thereby be discharged as to the Bond and the Bond shall no longer be deemed to be outstanding within the meaning of this Ordinance. There shall be deemed to be such due payment when the City has placed in escrow or in trust with a trust bank located within or without the State, an amount sufficient (including the known minimum yield available for such purpose from bills, certificates of indebtedness, notes, bonds or similar securities which are direct obligations of, or the principal of and interest on which are unconditionally guaranteed by the United States ("Federal Securities") in which such amount may be initially invested wholly or in part) to meet all principal of and the interest on the Bond, as the same become due. The Federal Securities shall become due before the respective times on which the proceeds thereof shall be needed, in accordance with a schedule established and agreed upon between the City and the bank at the time of the creation of the escrow or trust, or the Federal Securities shall be subject to redemption at the option of the holders thereof to assure availability as needed to meet the schedule. For the purpose of this section "Federal Securities" shall include only Federal Securities which are not callable for redemption prior to their maturities except at the option of the owner thereof.

Section 22. 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, and this Ordinance shall be irrevocable until the Bond and the interest thereon shall be fully paid, satisfied and discharged, as herein provided.

Section 23. This Ordinance may be amended (except for the provisions of Section 13 hereof) or supplemented by an ordinance or ordinances adopted by the Council, without the receipt by the City of any additional consideration, with the written consent of the owners of sixty percent (60%) of the principal amount of the Bond outstanding at the time of the adoption of such amendatory or supplemental ordinance, provided, however, that no such ordinance shall have the effect of permitting:

- a. an extension of the maturity of the Bond; or
- b. a reduction in the principal amount of the Bond or the rate of interest thereon; or
- c. the creation of a lien upon or a pledge of property, revenues or funds, ranking prior to the liens or pledges created by this Ordinance; or
- d. a reduction of the principal amount of Bond required for consent to such amendatory or supplemental ordinance.

Section 24. Pursuant to NRS 271.520, the Bond, its transfer, and the income therefrom, shall forever be and remain free and exempt from taxation by the State and any subdivision thereof, except for the tax on estates imposed by Chapter 375A of NRS, or the tax on generation-skipping transfers imposed pursuant to the provisions of Chapter 375B of NRS.

Section 25. The Council hereby finds and declares that the life of the Project to be acquired with the proceeds obtained from the sale of the Bond shall be not less than the period during which the Bond matures.

Section 26. If the Registrar or Paying Agent initially appointed hereunder shall resign, or if the Council shall determine to remove the Registrar or Paying Agent, the Council may, upon notice mailed to each owner of the Bond at his address last shown on the registration books, appoint a successor Registrar or Paying Agent, or both. No resignation or dismissal of the Registrar or Paying Agent may take effect until a successor is appointed. It shall not be required that the same institution serve as both Registrar and Paying Agent hereunder, but the City shall have the right to have the same institution serve as both Registrar and Paying Agent hereunder. Any corporation, association, or agency into which the Registrar or the Paying Agent may be converted or merged, or with which it may be consolidated, or to which it may sell or transfer its corporate trust business and assets as a whole or substantially as a whole, or any corporation or association resulting from any such conversion, sale, merger, consolidation or transfer to which it is a party, automatically shall be and become successor registrar or paying agent hereunder and vested with all of the powers, discretions, immunities, privileges and all other matters as was its predecessor, without the execution or filing of any instrument or any further act, deed or conveyance on the part of any of the parties hereto, anything herein to the contrary notwithstanding.

Section 27. When first proposed, this Ordinance shall be read to the Council by title, after which an adequate number of copies of this Ordinance shall be filed with the City Clerk for public distribution. Notice of the filing shall be published once in a newspaper published and having general circulation in the City, at least 10 days before the adoption of this Ordinance, such publication to be in substantially the following form:

(Form of Publication of Notice of Filing of Ordinance)

BILL NO. _____

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A REGISTERED LOCAL IMPROVEMENT DISTRICT BOND, SERIES 2007, FOR THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1506 – FREMONT STREET PEDESTRIAN IMPROVEMENTS (LAS VEGAS BOULEVARD TO 8TH STREET) TO FINANCE THE CONSTRUCTION OF LOCAL IMPROVEMENTS AND PROVIDING OTHER MATTERS RELATED THERETO.

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-numbered and entitled proposed Ordinance are available for public inspection and distribution at the office of the Acting City Clerk of the City of Las Vegas at her office in the City Hall, 400 Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on April 18, 2007 and will be considered for adoption at the regular meeting of the City Council to be held on May 2, 2007.

/s/ BEVERLY K. BRIDGES, CMC
Acting City Clerk

(End of Form of Publication of Notice of Filing of Ordinance)

Section 28. This Ordinance shall be in effect on the day after the date of publication as hereinafter provided. After this Ordinance is adopted and signed by the Mayor and attested and sealed by the Clerk, this Ordinance shall be published once by its title only, together with the names of the Council members voting for or against its passage, such publication to be made in a newspaper published and having a general circulation in the City, and such publication to be in substantially the following form:

(Form of Publication)

BILL NO. ____
ORDINANCE NO. ____

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A REGISTERED LOCAL IMPROVEMENT DISTRICT BOND, SERIES 2007, FOR THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1506 – FREMONT STREET PEDESTRIAN IMPROVEMENTS (LAS VEGAS BOULEVARD TO 8TH STREET) TO FINANCE THE CONSTRUCTION OF LOCAL IMPROVEMENTS AND PROVIDING OTHER MATTERS RELATED THERETO.

PUBLIC NOTICE IS HEREBY GIVEN that the above-numbered and entitled Ordinance was proposed on April 18, 2007 and that such Ordinance was passed at a regular meeting of the City Council on May 2, 2007 by the following vote of the City Council:

Those Voting Aye:

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

Those Voting Nay:

Those Absent:

This Ordinance shall be in full force and effect from and after the 5th day of May, 2007 i.e., the day after publication of such Ordinance by its 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.

DATED this May 2, 2007.

/s/ OSCAR B. GOODMAN

Mayor

Attest:

/s/ BEVERLY K. BRIDGES, CMC
Acting City Clerk

(End of Form of Publication)

Section 29. If any section, paragraph, clause or 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 provision shall not affect any of the remaining provisions of this Ordinance.

OSCAR B. GOODMAN, Mayor

(SEAL)

Attest:

BEVERLY K. BRIDGES, CMC,
Acting City Clerk

APPROVED AS TO FORM:

V. M. Steed 4-4-07
Deputy City Attorney

This Ordinance shall be in full force and effect from and after the 5th day of May, 2007, i.e., the day after the publication of such Ordinance by its title only.

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

I, Beverly K. Bridges, CMC, the duly chosen and qualified Acting Clerk of City of Las Vegas, Nevada (the "City"), 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 of the City (the "Council") on April 18, 2007 and finally adopted and approved at the meeting of the Council held on May 2, 2007.

2. The following members of the Council were present at the April 18, 2007 meeting:

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

2. The foregoing Ordinance was first proposed and read by title to the Council on April 18, 2007, and referred to a committee composed of the _____ for recommendation. Thereafter, said committee reported favorably on said Ordinance on May 2, 2007, which was a regular meeting of said Council. At the May 2, 2007 regular meeting, the proposed Ordinance was again read by title to the Council and adopted. The members of the Council were present at the May 2, 2007 meeting and voted upon the adoption of the Ordinance as follows:

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

Those Voting Nay:	_____
Those Absent:	_____

3. The original of the Ordinance has been approved and authenticated by the signatures of the Mayor of the City and myself as Acting Clerk of the City, and sealed with the

seal of the City, and has been recorded in the journal of the Council kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

4. All members of the Council were given due and proper notice of the meetings held on April 18, 2007 and May 2, 2007.

5. All members of the Council were given due and proper notice of each meeting. Pursuant to NRS § 241.020, written notice of the meeting including the time, place, location and agenda of the meeting was given by 9:00 a.m. at least three working days before the meeting.

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

- (i) Bulletin Board (next door to Metro Records)
City Hall Plaza
Las Vegas, Nevada
- (ii) City Hall Plaza
City Clerk's Bulletin Board, 2nd Floor Skybridge
Las Vegas, Nevada
- (iii) Las Vegas Library
833 Las Vegas Boulevard North
Las Vegas, Nevada
- (iv) Clark County Government Center
500 S. 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 to each person, if any, who has requested notice of the meetings of the Council in the same manner in which notice is required to be mailed to a member of the Council.

6. Copies of the notice of each such meeting as posted and mailed are attached hereto as Exhibits A and 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.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this May __, 2007.

BEVERLY K. BRIDGES, CMC, Acting City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of Meeting held April 18, 2007)

EXHIBIT B

(Attach Copy of Notice of Meeting held May 2, 2007)

EXHIBIT C

(Attach Affidavit of Publication of Filing of Bond Ordinance)

EXHIBIT D

(Attach Affidavit of Publication of Adoption of Bond Ordinance)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

NEW BILL:

Bill No. 2007-20 – Annexation No. ANX-19561 – Property location: On the south side of Deer Springs Way, approximately 330 feet west of Grand Canyon Drive; Petitioned by: Dark, LLC; Acreage: 5.1 acres; Zoned: R-E (County zoning), U (RNP) (City equivalent). 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 south side of Deer Springs Way, approximately 330 feet west of Grand Canyon Drive. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (May 11, 2007) is set by this ordinance.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

Bill No. 2007-20 and location map

Minutes:

First Reading - Referred - COUNCILMEMBERS TARKANIAN and ROSS

5/1/2007 Recommending Committee

5/2/2007 Council Agenda

THE MORNING SESSION RECESSED AT 2:23 P.M.

1
2
3
4
5
6
7
8 **BILL NO. 2007-20**

9 **ORDINANCE NO. _____**

10 AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO
11 PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS
12 INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE
13 CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-19561)

13 Sponsored by: Councilman Steven D. Ross Summary: Annexes property described
14 generally as located on the south side of Deer
15 Springs Way, approximately 330 feet west of
16 Grand Canyon Drive.

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

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

20 The West Half (W 1/2) of the Northeast Quarter (NE 1/4) of the Northeast
21 Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 19, Township
22 19 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada.

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

- 25 A. The area to be annexed was contiguous to the City's boundaries at the
26 time the annexation proceedings were instituted;
- 27 B. More than one-eighth (1/8) of the aggregate external boundaries of
28 the area are contiguous to the City;

1 C. The territory proposed to be annexed is not included within the
2 boundaries of another incorporated city or within the boundaries of
3 any unincorporated town as those boundaries existed as of July 1,
4 1983;

5 D. The City is eligible to annex the described territory since the
6 landowners have signed a petition constituting one hundred percent
7 (100%) of the owners of record of individual lots or parcels of land
8 within the annexation area.

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

27 SECTION 4: The annexation of the described territory shall become
28 effective on the 11th day of May, 2007, and on that date the City will have the funds

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

4 SECTION 5: The described territory, together with the inhabitants and
5 property thereof, shall, from and after the 11th day of May, 2007, be subject to all debts,
6 laws, ordinances and regulations in force in the City and shall be entitled to the same
7 privileges and benefits as other parts of the City, and shall be subject to municipal taxes
8 levied by the City.

9 SECTION 6: The City Engineer is hereby instructed to cause to be prepared
10 an accurate map or plat of the described territory and to record the map or plat, together with
11 a certified copy of this ordinance, in the office of the County Recorder of Clark County,
12 Nevada, which recording shall be done prior to the 11th day of May, 2007.

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

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

25 ...

26 ...

27 ...

28 ...

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

4 PASSED, ADOPTED and APPROVED this ____ day of _____,
5 2007.

6 APPROVED:

7
8 By OSCAR B. GOODMAN, Mayor

9
10 ATTEST:

11 BEVERLY BRIDGES, Acting City Clerk

12 APPROVED AS TO FORM:

13 Val Steed 4-10-07
14 Date

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

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12

13 By _____
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16

17 BEVERLY BRIDGES, Acting City Clerk

18

19

20

21

22

23

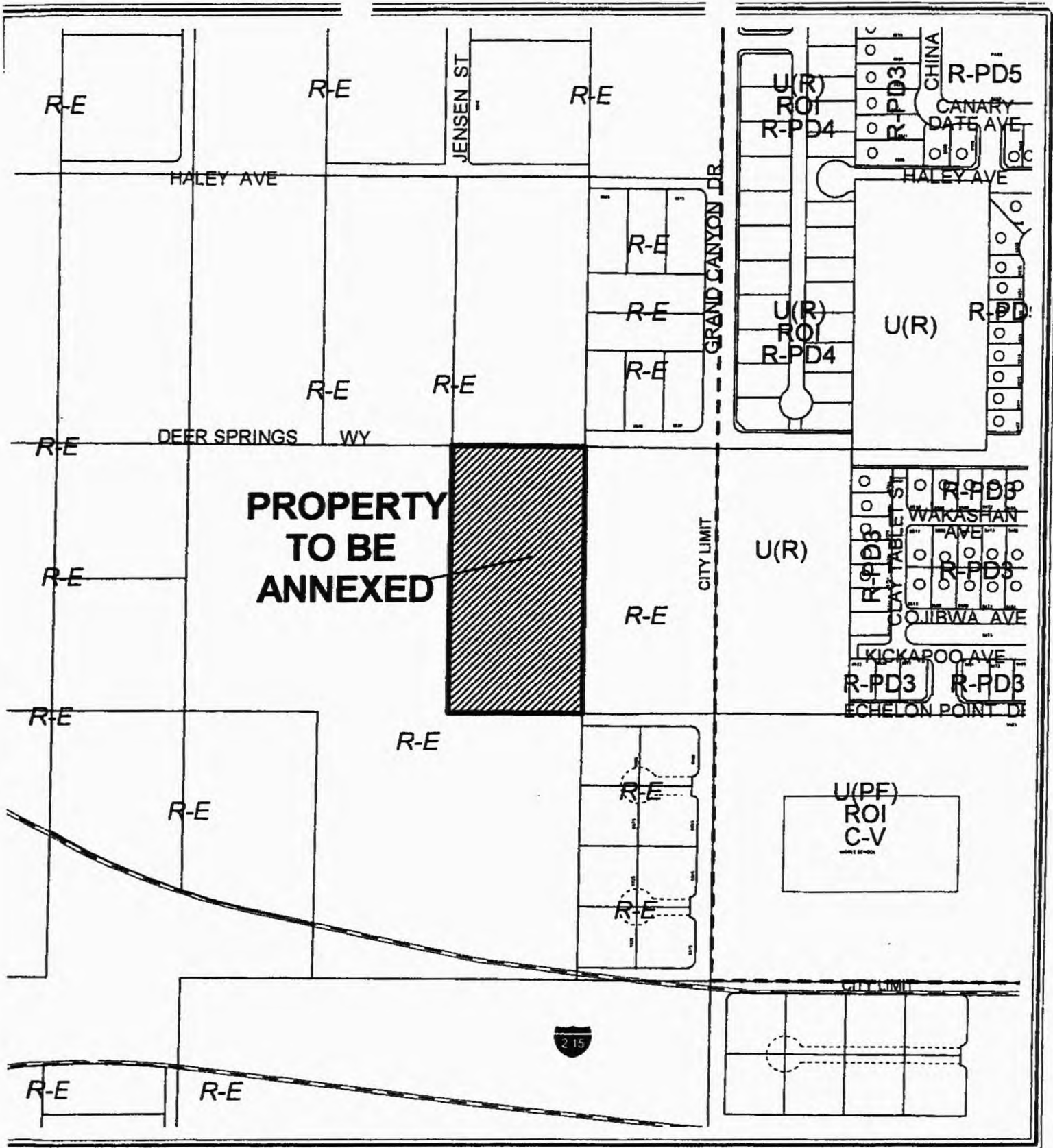
24

25

26

27

28



CASE: ANX-19561

0 200 Feet



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: CITY CLERK

DIRECTOR: BEVERLY K. BRIDGES, ACTING

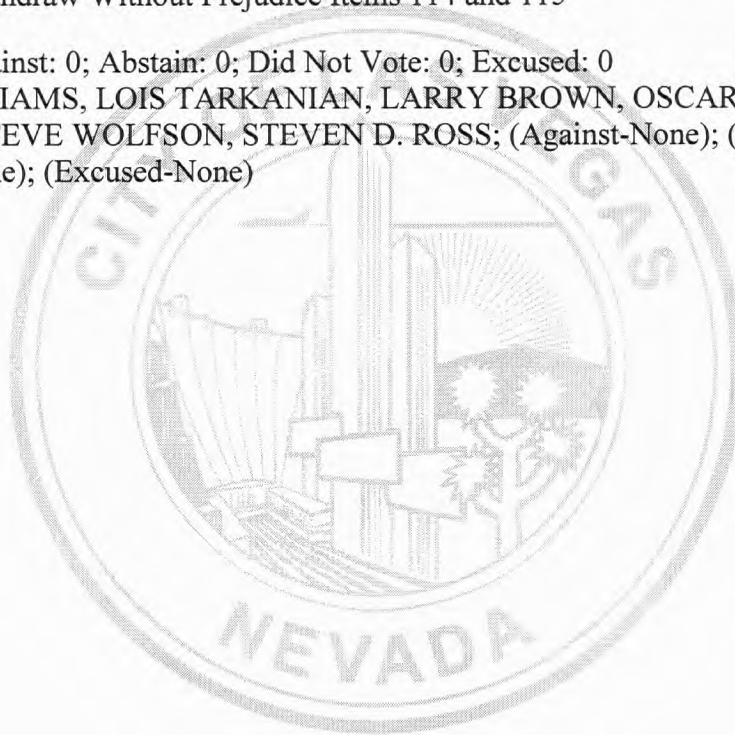
☐ Consent ☒ Discussion

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 Items 104-108 and Item 130 to 5/2/2007; Items 110-112 to 5/16/2007; Item 117 to 6/20/2007; Item 113 to 7/11/2007; Item 103 to 7/18/2007; and Withdraw Without Prejudice Items 114 and 115

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



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: STEPHEN HARSIN**☐ Consent ☒ Discussion**SUBJECT:**

Public Hearing to consider the report of expenses to recover costs for abatement of nuisance and assess civil penalties located at 513 Upland Boulevard. PROPERTY OWNER: TRUSTEE CLARK COUNTY TREASURER C/O MARY ALICE WHITNEY (\$5,004.75 – General Fund) - Ward 1 (Tarkanian)

Fiscal Impact☐**No Impact**☐**Augmentation Required**☒**Budget Funds Available****Amount:** \$5,004.75**Funding Source:** General Fund**Dept./Division:** Neighborhood Services/Neighborhood Response**PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired C. H. Construction, LLC to paint the exterior of residence, remove refuse, waste, trash, debris, and vegetation, and repair fence. To date, there have been sixteen (16) inspections conducted at this location. The value of the property based on the sale date in 1971 was \$24,600.00.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$3,325.00 for work completed by C. H. Construction, LLC, plus a 15% administrative processing fee of \$498.75, reinspection fees (including late fees) of \$231.00, civil penalties in the amount of \$950.00, for a total amount of \$5,004.75, and that the above charges be filed and recorded against the property, constituting a special assessment and lien, and authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

CITY COUNCIL MEETING OF: APRIL 18, 2007

Motion made by LOIS TARKANIAN to Approve

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

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

Minutes:

Photos and video shown but not submitted.

MAYOR GOODMAN declared the Public Hearing open.

DEVIN SMITH, Manager of Neighborhood Response, indicated the condition of the property as a public hazard and attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken, nor an appeal filed, the Department of Neighborhood Services hired C.H. Construction, LLC to paint the exterior of residence, remove refuse, waste, trash, debris, vegetation and repair fence. To date, there have been 16 inspections conducted at this location. The value of the property based on the sale date in 1971 was \$24,600. MR. SMITH recommended that the City Council approve the report of expenses in the amount of \$3,325, plus a 15 percent administrative processing fee of \$498.75, reinspection fees including late fees of \$231, civil penalties in the amount of \$950, totaling \$5,004.75, and that the above charges be filed and recorded against the property, constituting a special assessment and lien and authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

COUNCILWOMAN TARKANIAN verified with MR. SMITH that the taxes were not being paid on the property and was reacquired by Clark County. The Councilwoman was surprised that Clark County allowed the property to deteriorate to its current condition.

There being no one present to speak, MAYOR GOODMAN declared the Public Hearing closed.

AGENDA MEMO

CITY COUNCIL MEETING DATE: April 18, 2007

DEPARTMENT: Neighborhood Services

**ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of nuisance and assess civil penalties located at 513 Upland Boulevard. PROPERTY OWNER: TRUSTEE CLARK COUNTY
TREASURER C/O MARY ALICE WHITNEY – (\$5,004.75 - General Fund) - Ward 1 (Tarkanian)**

C. H. Construction, LLC completed work on January 15, 2007 at a cost of \$3,325.00; \$231.00 in reinspection fees (w/late fees); Civil Penalties of \$950.00 plus a 15% administrative processing fee, for a total of \$5,004.75.

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the Uniform Code for the Abatement of Nuisance and Civil Penalties, the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.



Memorandum

City of Las Vegas Neighborhood Services Department

To: Beverly Bridges, Acting City Clerk
From: Devin S. Smith, Manager – Neighborhood Response Division
CC: File
Date: April 2, 2007
Re: Report of Expenses for the abatement of nuisance located at 513 Upland Boulevard - Ward 1 (Tarkanian)

LVMC Ordinance 5873 authorizes the City of Las Vegas to assess and collect a re-inspection fee of \$120.00 if the nuisance violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of \$180.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection. In addition, LVMC 9.04.020 and 9.040.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. On the 2nd re-inspection a \$180 re-inspection fee + a \$150.00 civil penalty will be assessed; on the 3rd re-inspection a \$180 re-inspection fee + a \$300.00 civil penalty will be assessed; on the 4th re-inspection and any future re-inspections will be assessed a \$180 re-inspection fee + a \$500.00 civil penalty. Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance (1) shall be guilty of a misdemeanor; (2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred (\$500.00) dollars per day, or for commercial properties; civil penalties of not more than one thousand (\$1000.00) per day, for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. The \$500.00 or \$1000 daily civil penalty will be determined at the discretion of the city council. Any and all unpaid fees are subject to collection and/or liens.

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance," the Department of Neighborhood Services caused the above-referenced property to be corrected by painting the exterior of residence, removing refuse, waste, trash, debris and vegetation, and repairing fence. The abatement was completed by C.H. Construction, LLC on January 15, 2007 at a cost of \$3,325.00, which was accepted by the Department of Neighborhood Services.

Contract Amount Breakdown:	
Paint exterior of residence	\$1,500.00
Refuse/Waste/Trash/Debris/Litter Removal	\$825.00
Vegetation Removal	\$800.00
Repair fence	\$200.00
AMOUNT DUE:	\$3,325.00
Administrative Processing Fee:	\$498.75
Sub-Total:	\$3,823.75
Reinspection Fees (w/late fees):	\$231.00
Civil Penalties:	\$950.00
TOTAL AMOUNT DUE:	\$5,004.75
OWNER OF RECORD:	TRUSTEE CLARK COUNTY TREASURER c/o MARY ALICE WHITNEY
PROPERTY ABATED:	513 UPLAND BOULEVARD
ASSESSOR PARCEL:	138-36-314-029
LEGAL DESCRIPTION:	CHARLESTON HGTS TRACT #08 UNIT 2 PLAT BOOK 5 PAGE 32 LOT 20 BLOCK 20

DSS:ed

C.H. Construction, LLC
2505 Anthem Village Dr, Suite E-532
Henderson, NV 89052

Disclosure of Principals

The principals and partners of C.H. Construction, LLC and all persons and entities holding more than 1% interest in C.H. Construction, LLC or any principal of C.H. Construction, LLC are the following:

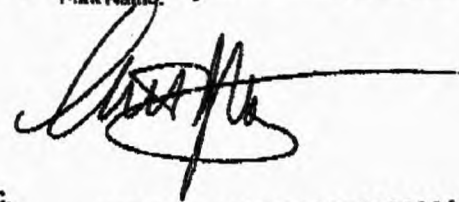
Full Name	Business Address	Business Phone
1. Christopher G. Harrison	2505 Anthem Village Dr. E-532 Hend, NV 89052	702-858-7860
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____
7. _____	_____	_____

Continue list until full and complete disclosure is made.

I certify under penalty of perjury, that the foregoing list is full and complete.

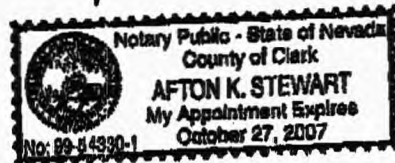
C.H. Construction, LLC

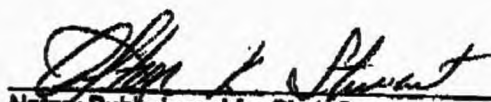
By: Christopher Harrison
Print Name:



STATE OF NEVADA)
COUNTY OF CLARK }

Subscribed and sworn to before me, a Notary Public,
on this 2nd day of May, 2005.





Notary Public in and for Clark County,
State of Nevada



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
WARD 5 (VACANT)

DOUGLAS A. SELBY
CITY MANAGER

NOTICE OF PUBLIC HEARING
APRIL 18, 2007

Pursuant to Title 9, Chapter 4 of the Las Vegas Municipal Code, NOTICE IS HEREBY GIVEN THAT ON **Wednesday, April 18, 2007 at 1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following **REPORT OF EXPENSES** submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

Abatement of the property by painting the exterior of residence, removing refuse, waste, trash, debris and vegetation, and repairing fence on property located at **513 UPLAND BOULEVARD**, legally described as **CHARLESTON HGTS TRACT #08 UNIT 2 PLAT BOOK 5 PAGE 32 LOT 20 BLOCK 20**. Owner of record at time of abatement: **TRUSTEE CLARK COUNTY TREASURER c/o MARY ALICE WHITNEY – WARD 1 (TARKANIAN)**

The Director of Neighborhood Services certifies in the report that the sum of \$5,004.75 was expended (\$3,325.00 for abatement by C. H. Construction LLC; \$231.00 Re-Inspection Fees (with Late Fees); \$498.75 Administrative Processing Fee and \$950.00 Civil Penalties.)

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

BEVERLY K. BRIDGES, CMC
ACTING CITY CLERK

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

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:

DB 513 UPLAND BLVD

TRUSTEE CLARK COUNTY TREASURER
C/O MARY ALICE WHITNEY
513 UPLAND BOULEVARD
LAS VEGAS, NV 89107-3618

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x M. Whitney

☐ Agent☒ Addressee

B. Received by (Printed Name)

M. WHITNEY

C. Date of Delivery

4/7/07

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☒ No

2007 APR -9 A 10: 47

3. Service Type

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

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7005 3110 0001 3041 0398

Address: 513 UPLAND BLVD

CITZ

DEAD SHRUBS, T/D, O/S, HOUSE HIDDEN BY PILES OF JUNK

Parcel(s)

Parcel:	Size:	Subdivision Name:
13836314029	0.18 ACRE	CHARLESTON HGTS TRACT #08 UNIT 2

Owner Information:

10-Aug-02	22-Jun-06	WHITNEY MARY ALICE
		513 UPLAND BLVD; LAS VEGAS, NV 89107-3618
22-Jun-06		TRUSTEE CLARK COUNTY TREASURER % WHITNEY MARY ALICE
		513 UPLAND BLVD; LAS VEGAS, NV 89107-3618

Inspection Summary

Inspector:	Status:		Scheduled DT:	Start Dt:	Comp DT:	Min:
960392	Failed		5/22/2006	05/22/2006 9:10	05/22/2006 9:20	10
960392	Failed		6/2/2006	06/02/2006 10:45	06/02/2006 10:55	10
960392	Failed		6/8/2006	06/08/2006 11:20	06/08/2006 11:30	10
960392	Passed	Partial	6/14/2006	06/14/2006 10:50	06/14/2006 11:00	10
960392	Failed		6/16/2006	06/19/2006 8:35	06/19/2006 8:45	10
960392	Passed	Partial	6/26/2006	06/28/2006 7:00	06/28/2006 7:05	5
960392	Failed		7/7/2006	07/06/2006 11:00	07/06/2006 11:20	20
970581	Passed	Partial	7/10/2006	07/08/2006 11:25	07/08/2006 11:50	25
960392	Passed	Partial	7/28/2006	07/28/2006 9:00	07/28/2006 10:15	75
960392	Passed	Partial	9/6/2006	09/08/2006 15:30	09/08/2006 15:30	0
970581	Passed	Partial	9/9/2006	09/09/2006 12:45	09/09/2006 12:55	10
960392	Passed	Partial	9/11/2006	09/13/2006 7:30	09/13/2006 7:35	5
960392	Passed	Partial	9/29/2006	09/19/2006 9:55	09/19/2006 10:00	5
960392	Passed	Partial	10/3/2006	10/03/2006 14:59	10/03/2006 14:59	0
960392	Passed	Partial	10/30/2006	10/31/2006 8:00	10/31/2006 8:05	5
940274	Passed		1/29/2007	02/08/2007 15:04	02/08/2007 15:04	0
Time in Minutes:						200

Violation Details

Violation	Violation DT:	Resolve DT:	Location:
A-OBSTRUCT			S/WALK, STREET: OVERGROWN VEGETATIONM
PRUNE			
A-REFUSE/WST		2/8/2007	DEAD VEG
REMOVE			
A-PAINTING	5/22/2006		RESIDENCE HAS EXTREME DETERIORATED PAINT ON RESIDENCE AND
REPAIR			
A-WEEDS	5/22/2006	2/8/2007	ALL YDS
CUT AND MAINTAIN			

Log

Type:	Date:	Employee:	Min:
MISC	2/8/2007 3:01:00 PM	LAURA DEARMOND	0
SENT CH CONSTRUCTION INVOICE \$3,325.00 TO FINANCE & GAVE FILE TO PAM			
VIDPST	1/25/2007 10:00:00 AM	VICKI OZUNA	5
19) Property completed, post video completed.			
VIDREQ	1/16/2007 7:24:00 AM	LAURA DEARMOND	0
REC'D INVOICE & SENT EMAIL FOR VIDEO TO 19			
PHONE	1/11/2007 10:30:00 AM	VICKI OZUNA	-525595
19) Spoke to Kris from KO advised per DS that he is to remove all of the dead veg from fence surrounding front yard perimeter. Advised him that if he can not fix he will have to replace. Kris continued to argue. Devin called him and advised, left messag			
PHONE	1/10/2007 12:10:00 PM	VICKI OZUNA	-525595
19) Received call from KO wanting to be advised about the fence and what they are supposed to do by email.			
PHONE	12/14/2006 3:00:00 PM	VICKI OZUNA	10
19) Discussed with CH increase of \$700 to have eaves painted. 24 approved.			
VIDREQ	12/12/2006 7:40:00 AM	LAURA DEARMOND	0
REC'D FAX START DATE 12-12-06, SENT EMAIL TO 19 FOR VIDEO & TO CALL AFTON AT C H CONSTRUCTION			
BIDA	12/8/2006 11:20:00 AM	LAURA DEARMOND	0
AWARDED TO C H CONSTRUCTION			
EMAIL	11/21/2006 3:08:00 PM	LAURA DEARMOND	0
SENT EMAIL TO DEVIN FOR APPROVAL TO AWARD			
DIRECT	11/17/2006 10:42:00 AM	PAMELA HINES	5
24) FILE TO LD TO FORWARD REQUEST TO DSS FOR LOW BID APPROVAL.			
INSP	10/31/2006 8:00:00 AM	STEPHANIE DEMOLEAS	5
17) NO CHANGE, PROCEED WITH ABATEMENT, TO 24			
MISC	10/25/2006 1:59:00 PM	LAURA DEARMOND	0
REC'D CERT CARD SIGNED BY OWNER MARY WHITNEY & ATTACHED CARD TO FILE			
NOPOST	10/18/2006 10:15:00 AM	STEPHANIE DEMOLEAS	1
17) 10-day posted, NO CHANGE			
NOTICE	10/17/2006 1:10:00 PM	LAURA DEARMOND	0
SENT 10 DAY NOTICE BEFORE ABATEMENT TO OWNER MARY ALICE WHITNEY			
BIDR	10/17/2006 1:07:00 PM	LAURA DEARMOND	0
REC'D BIDS (1)C H CONSTRUCTION \$3,325 (2)C&W ENTERPRISES \$5,400			
BIDS	10/10/2006 3:16:00 PM	LAURA DEARMOND	0
FAXED BID TO CONTRACTORS, DUE BACK 10-16			
DIRECT	10/4/2006 2:09:00 PM	PAMELA HINES	7
24)PROCEED WITH BIDS. WHEN MARY ALICE SIGNED FIRST RELEASE,THOUGHT WE COULD GET WORK DONE W/VOLUNTEERS. NO ONE INTERESTED AS CLEAN-UP TOO LARGE. WE NOW HAVE TO BID FOR A FEE CLEANUP SO NEW RELEASE EXPLAINING FEE & LIEN SIGNED. REFER TO OFFICE STAFF			
INSP	10/3/2006 2:57:00 PM	STEPHANIE DEMOLEAS	0
17) NO CHANGE, MET WITH #26 AND OWNER, MARY ALICE LAST FRI. SHE WISHES FOR US TO PROCEED WITH ABATEMENT. SHE SIGNED AN AUTHORIZATION FORM FOR CLV TO ABATE AND SHE WILL PAY. TO 24 TO PROCEED			
MISC	9/21/2006 11:27:00 AM	LAURA DEARMOND	0
REC'D CERT CARD SIGNED BY OWNER MARY WHITNEY & ATTACHED CARD TO FILE			
RECORD	9/20/2006 3:16:00 PM	JESSICA LARRAMENDY	0
JL) Recorded N&O dated September 15, 2006 at Clark County. Recorded in Book: 20060920 Inst: 02177.			
INSP	9/19/2006 9:55:00 AM	KARL VILLABLANCA	5
17) N&O POSTED, C/B 10/03			
NOTICE	9/15/2006 7:59:00 AM	LAURA DEARMOND	0
SENT NUISANCE N&O TO COMPLY TO OWNER TRUSTEE CLARK COUNTY TREASURER C/O MARY ALICE WHITNEY			

INSP	9/13/2006 7:30:00 AM	STEPHANIE DEMOLEAS	5
17) no change, NEW PIX TAKEN, CB 9/29			
DIRECT	9/12/2006 1:16:00 PM	PAMELA HINES	6
24)PICS ARE OVER 2 MOS OLD. PLEASE RESUBMIT N & O REQUEST W/CURR PICS. THANKS.			
INSP	9/9/2006 12:45:00 PM	ROBERT KAEMPFER	10
26) Met w/owner Mary, she said if she has to pay that she would like to get her own landscapers. She wants to meet with 26 & 17 monday between 10-11AM, cb 9-11.			
NOREQ	9/8/2006 3:30:00 PM	STEPHANIE DEMOLEAS	0
17) to 24 for approval			
INSP	8/28/2006 11:45:00 AM	STEPHANIE DEMOLEAS	5
17) no change, email to 24 to see if we can proceed with 10-day			
INSP	7/28/2006 9:00:00 AM	STEPHANIE DEMOLEAS	75
17) MET ON SITE W/FRANKLIN SIMPSON TO EVAL PROP. HE IS SETTING UP APPOINTMENTS WITH RRT AND VOLUNTEER REPS TO SEEK APPROVAL FOR ABATEMENT. WAS DELAYED HERE BEC I HAD FLAT TIRE. S/C 8/22			
INSP	7/8/2006 11:25:00 AM	ROBERT KAEMPFER	25
26) Met w/owner Mary & (sweet talked) I mean explained to her what we would do to clean her property and that there would be no cost to her for anything we do. She signed authorization to enter and clean property, cb 7-10			
DIRECT	7/7/2006 7:51:00 AM	PAMELA HINES	0
24)ATTEMPTED TO CALL MARY ALICE, N/A.WILL HAVE 26 ATTEMPT CONTACT ON WKND- SEE IF MARY ALICE WILL SIGN RELEASE FOR CLEANUP. SHE STILL OWES FEES FROM LAST YEAR'S CASE. NO SENSE APPLYING MORE FEES, IT WON'T GET CLEANED UP THAT WAY. VOIDED \$500 REQUEST			
INSP	7/6/2006 11:00:00 AM	STEPHANIE DEMOLEAS	20
17) PIX, ASSESS FEE PLUS \$500 CIV PEN. VEH IN DWAY BUT RESIDENT WOULD NOT RESPOND TO DOOR OR VIA TEL. HAVE LEFT HER SEVERAL NOTES OFFERING ASSISTING TO NO AVAIL. SWITCHING TO N&O, CB 7/18			
DIRECT	7/3/2006 11:42:00 AM	PAMELA HINES	3
24)PLEASE REQUEST NEIGH PLANNER ASSIST TO SCHED A CLEANUP FOR OWNER. ADVISE HER IS SHE FAILS TO ACCEPT OFFER, WE HIRE CONTRACTOR & IT WILL COST LOTS OF \$\$\$			
PHONE	6/30/2006 11:49:00 AM	STEPHANIE DEMOLEAS	0
17) attempted to call WHITNEY, NO ANS, NO MACH			
CIVPEN	6/30/2006 11:04:00 AM	JESSICA LARRAMENDY	0
JL) Billed \$300.00 civil penalty - Invoice 42333HN-330401			
INSP	6/28/2006 7:00:00 AM	STEPHANIE DEMOLEAS	5
17) no change, BUT PROP NOW UNDER CLARK COUNTY TREASURER. ASKED 24 TO DISCUSS W/ME AND PERHAPS WE CAN FIND ALTERATIVE, S/C 7/7			
INSP	6/19/2006 8:35:00 AM	STEPHANIE DEMOLEAS	10
17) pix, assess fee. plus \$300 civ pen, no change and NO CONTACT FROM OWNER: MARY ALICE WHITNEY DESPITE SEVERAL REQUEST, S/C 6/26			
CIVPEN	6/15/2006 2:03:00 PM	JESSICA LARRAMENDY	0
JL) Billed \$150 Civil Penalty - Invoice #42333HN-323848. Forwarded to Finance.			
INSP	6/14/2006 10:50:00 AM	STEPHANIE DEMOLEAS	10
17) no change, NO RESPONSE AT DOOR OR TEL. POSTED 4TH CN TELLING WHITNEY THAT SHE NEEDED TO CALL ME BEFORE END OF DAY TO TRY AND RESOLVE OR I WOULD ASSESS 3RD FEE TOMORROW. CB 6/16			
INSP	6/8/2006 11:20:00 AM	STEPHANIE DEMOLEAS	10
17) PIX, ASSESS FEE PLUS \$150 PEN, POSTED 3RD CN, WHITNEY TEL: 878-0631, NO REPOSE, CB 6/14			
INSP	6/2/2006 10:45:00 AM	STEPHANIE DEMOLEAS	10
17) pix, assess fee. NO CHANGE., NO RESPONSE. POSTED 2ND CN WITH REQ FOR OWNER, WHITNEY TO CALL ME CB 6/8			
INSP	5/22/2006 9:10:00 AM	STEPHANIE DEMOLEAS	10
17) cn posted, CB 6/2			

Time in minutes:

-1050948

APN 138-36-314-029

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: TRUSTEE CLARK COUNTY TREASURER C/O MARY ALICE WHITNEY
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: 138-36-314-029
Commonly known as: 513 UPLAND BOULEVARD
Legal Description: CHARLESTON HGTS TRACT #08 UNIT 2
PLAT BOOK 5 PAGE 32
LOT 20 BLOCK 20

On January 15, 2007, as provided in the Municipal Code, 16.31, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of \$5,004.75 were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on April 18, 2007 ordered the above charges in the amount of \$5,004.75, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

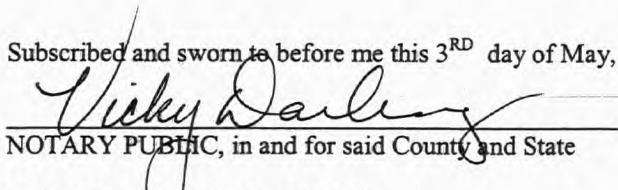

BEVERLY K. BRIDGES, Acting City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

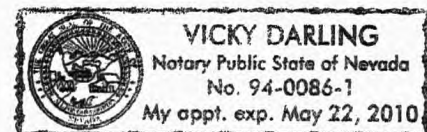
STATE OF NEVADA)
COUNTY OF CLARK)

BEVERLY K. BRIDGES, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.


BEVERLY K. BRIDGES, Acting City Clerk

Subscribed and sworn to before me this 3RD day of May, 2007


NOTARY PUBLIC, in and for said County and State



WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE, LAS VEGAS, NV 89101
Case # - 42333

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: STEPHEN HARSIN**☐ Consent ☒ Discussion**SUBJECT:**

Public Hearing to consider the report of expenses to recover costs for mitigation abatement of nuisance located at 3205 GOLETA DRIVE. PROPERTY OWNER: JAN MYERS (\$9,857.50 - General Fund) - Ward 6 (Ross)

Fiscal Impact☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Amount: \$9,857.50**Funding Source:** General Fund**Dept./Division:** Neighborhood Services/Neighborhood Response**PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, the Department of Neighborhood Services hired James Burke, Inc. to remove refuse, waste, trash, debris, vegetation and graffiti, to landscape front yard, repair or replace all windows/doors, install protective covering required on all doors and windows and install a 6-foot chain link fence on the north and south side yard. To date, there have been six (6) inspections conducted at this location. The value of the property based on the sale date of December 2003 was \$172,000.00.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$8,500.00 for work completed by James Burke, Inc., plus a 15% administrative fee of \$1,275.00, reinspection fees (including late fees) of \$82.50, for a total amount of \$9,857.50, and that the above charges be filed and recorded against the property, constituting a special assessment and lien, and authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

Motion made by STEVEN D. ROSS to Approve

CITY COUNCIL MEETING OF: APRIL 18, 2007

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

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

Minutes:

Video shown but not submitted.

MAYOR GOODMAN declared the Public Hearing open.

DEVIN SMITH, Manager of Neighborhood Response, indicated the condition of the property as a public hazard and attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken, nor an appeal filed, the Department of Neighborhood Services hired James Burke, Inc. to remove refuse, waste, trash, debris, vegetation, graffiti, to landscape front yard, repair or replace all broken windows/doors, install protective covering required on all doors and windows and install a 6-foot chain link fence on the north and south side yard. To date, there have been six inspections conducted at this location. The value of the property based on the sale date of December 2003 was \$172,000. MR. SMITH recommended that the City Council approve the report of expenses in the amount of \$8,500, plus a 15 percent administrative processing fee of \$1,275, reinspection fees including late fees of \$82.50, totaling \$9,857.50, and that the above charges be filed and recorded against the property, constituting a special assessment and lien and authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

In response to COUNCILMAN ROSS' inquiry regarding daily civil penalties, MR. SMITH responded that a fifth inspection did not take place so daily civil penalties did not apply.

There being no one present to speak, MAYOR GOODMAN declared the Public Hearing closed.

AGENDA MEMO

CITY COUNCIL MEETING DATE: April 18, 2007

DEPARTMENT: Neighborhood Services

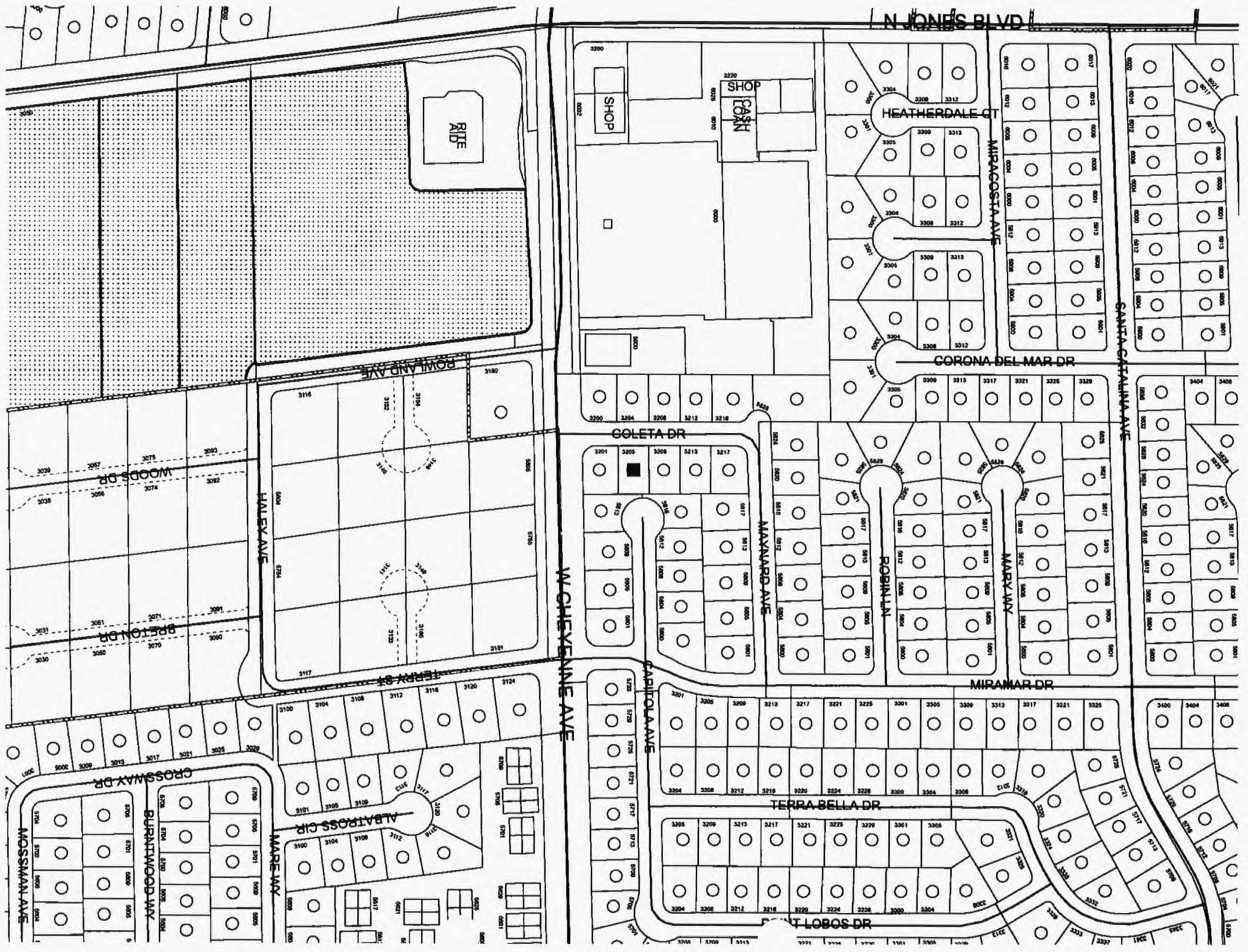
ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for mitigation abatement of nuisance located at 3205 Goleta Drive.

PROPERTY OWNER: JAN MYERS – (\$9,857.50 - General Fund) - Ward 6 (Ross)

James Burke, Inc. completed work on February 9, 2007 at a cost of \$8,500.00; \$82.50 in reinspection fees (w/late fees); plus a 15% administrative processing fee, for a total of \$9,857.50.

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the Uniform Code for Nuisance and Civil Penalties, the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.



N JONES BLVD

HEATHERDALE CT

MIRACOSTA AVE

CORONA DEL MAR DR

GOLETA DR

MAYNARD AVE

ROBIN LN

MARY LN

MIRAMAR DR

TERRA BELLA DR

T LOBOS DR

MCHEVENE AVE

HALEY AVE

MADEIRA

MOSSMAN AVE

BURATWOOD AVE

CROSSWAY DR

ALBATROSS CIR

FERRY ST

WOODS DR

BRITTON DR

RIDE

SHOP

CASH

Memorandum

City of Las Vegas Neighborhood Services Department

To: Beverly Bridges, Acting City Clerk
From: Devin S. Smith, Manager – Neighborhood Response Division
CC: File
Date: April 2, 2007
Re: Report of Expenses for the mitigation abatement of nuisance located at 3205 Goleta Drive - Ward 6 (Ross)

LVMC Ordinance 5873 authorizes the City of Las Vegas to assess and collect a re-inspection fee of \$120.00 if the nuisance violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of \$180.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection. In addition, LVMC 9.04.020 and 9.040.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. On the 2nd re-inspection a \$180 re-inspection fee + a \$150.00 civil penalty will be assessed; on the 3rd re-inspection a \$180 re-inspection fee + a \$300.00 civil penalty will be assessed; on the 4th re-inspection and any future re-inspections will be assessed a \$180 re-inspection fee + a \$500.00 civil penalty. Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance (1) shall be guilty of a misdemeanor; (2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred (\$500.00) dollars per day, or for commercial properties; civil penalties of not more than one thousand (\$1000.00) per day, for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. The \$500.00 or \$1000 daily civil penalty will be determined at the discretion of the city council. Any and all unpaid fees are subject to collection and/or liens.

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance," the Department of Neighborhood Services caused the above-referenced property to be corrected by removing refuse, waste, vegetation and graffiti, landscaping front yard, repairing or replacing all windows/doors, installing protective covering required and installing a 6-foot chain link fence on the north and south side yard. The abatement was completed by James Burke, Inc. on February 9, 2007 at a cost of \$8,500.00, which was accepted by the Department of Neighborhood Services.

Contract Amount Breakdown:	
Landscape (front & side yards): Rock landscape, no irrigation, include weed barrier under rock	\$2,000.00
Repair or replace all windows/doors that are boarded (Note: Bid may be adjusted if replacement/repair is not required)	\$2,000.00
Protective covering required (All doors/windows)	\$1,000.00
Refuse/waste/trash/debris/litter removal (including the deteriorated perimeter fencing & carport posts/columns)	\$500.00
Vegetation removal (dead/dry/overgrown) to include any dead bushes, trees, plants	\$500.00
Graffiti removal as needed	\$500.00
Install 6-ft chain link fence on north & south side yards to discourage entrance into rear yard	\$2,000.00
AMOUNT DUE:	\$8,500.00
Administrative Processing Fee:	\$1,275.00
Sub-Total:	\$9,775.00
Reinspection Fees (w/late fees):	\$82.50
TOTAL AMOUNT DUE:	\$9,857.50
OWNER OF RECORD:	JAN MYERS
PROPERTY ABATED:	3205 GOLETA DRIVE
ASSESSOR PARCEL:	138-12-417-008
LEGAL DESCRIPTION:	NEW COUNTRY UNIT 7 AMD
	PLAT BOOK 31 PAGE 87
	LOT 2 BLOCK 4

DSS:ed

JAMES BURKE, INC
4261 E. NAVAJO BLVD
PAHRUMP, NV 89061

DISCLOSURE OF PRINCIPALS

The principals and partners of James Burke, Inc. and all persons and entities holding more than a 1% interest in James Burke, Inc. or any principal of James Burke, Inc. are the following:

<u>Full Name</u>	<u>Business Address</u>	<u>Business Phone</u>
1. <u>PATRICIA JAMES</u>	<u>- 4261 E. NAVAJO BLVD, PAHRUMP NV</u>	<u>- 702-348-7033</u>
2. <u>FRANCIS JAMES</u>	<u>- 4261 E. NAVAJO BLVD, PAHRUMP NV</u>	<u>- 702-348-7033</u>
3. <u>ZAIN BURKE</u>	<u>- 6928 EUROPEAN ROBIN, N. LAS VEGAS NV</u>	<u>89084 - 645-1160</u>
4. <u>JAMIE BURKE</u>	<u>- 6928 EUROPEAN ROBIN, N. LAS VEGAS NV</u>	<u>89084 - 645-1160</u>
5. _____	_____	_____
6. _____	_____	_____

Continue list until full and complete disclosure is made.

I certify under penalty of perjury, that the foregoing list is full and complete.

James Burke, Inc.

BY: Patricia

Subscribed and sworn to before me
 This 12 day of February, 2007

Marsha E. Conrad
 Notary Public





LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
WARD 5 (VACANT)

DOUGLAS A. SELBY
CITY MANAGER

**NOTICE OF PUBLIC HEARING
APRIL 18, 2007**

Pursuant to Title 9, Chapter 4 of the Las Vegas Municipal Code, NOTICE IS HEREBY GIVEN THAT ON **Wednesday, April 18, 2007 at 1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following **REPORT OF EXPENSES** submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

Abatement of the property by removing refuse, waste, vegetation and graffiti, landscaping front yard, repairing or replacing all windows/doors, installing protective covering required and installing a 6-foot chain link fence on the north and south side yard on property located at **3205 GOLETA DRIVE**, legally described as **NEW COUNTRY UNIT 7 AMD PLAT BOOK 31 PAGE 87 LOT 2 BLOCK 4**. Owner of record at time of abatement: **JAN MYERS – WARD 6 (ROSS)**

The Director of Neighborhood Services certifies in the report that the sum of \$9,857.50 was expended (\$8,500.00 for abatement by James Burke, Inc.; \$82.50 Re-Inspection Fees (with Late Fees); and \$1,275.00 Administrative Processing Fee.)

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

**BEVERLY K. BRIDGES, CMC
ACTING CITY CLERK**

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

Address: 3205 GOLETA DR

CLV
DBPROJ

ABANDONED HOUSE, HAS ALREADY BEEN ABATED, MAIL LETTER FOR MITIGATION PROCEDURES.

Parcel(s)

Parcel:	Size:	Subdivision Name:
13812417008	0.15 ACRE	NEW COUNTRY UNIT 7 AMD

Owner Information:

10-Aug-02	24-Dec-03	BRICKEY GARY W & JOLEEN M
		3205 GOLETA DR; LAS VEGAS, NV 89108-4741
24-Dec-03		MYERS JAN
		3205 GOLETA DR; LAS VEGAS, NV 89108-4741

Inspection Summary

Inspector:	Status:		Scheduled DT:	Start Dt:	Comp DT:	Min:
982400	No Action					
982400	Failed		11/15/2006	11/09/2006 10:00	11/09/2006 10:20	20
982400	Passed	Partial	11/30/2006	12/01/2006 13:26	12/01/2006 13:28	2
982400	Failed		12/12/2006	12/12/2006 12:50	12/12/2006 12:54	4
982400	Passed	Partial	1/16/2007	01/03/2007 14:00	01/03/2007 14:02	2
982400	Passed	Partial	1/16/2007	01/18/2007 10:10	01/18/2007 10:13	3
940274	Passed		2/16/2007	02/16/2007 11:26	02/16/2007 11:26	0
Time in Minutes:						31

Violation Details

Violation	Violation DT:	Resolve DT:	Location:
A-REFUSE/WST	11/9/2006	2/16/2007	PROPERTY
REMOVE ALL REFUSE AND WASTE			
A-MITIGATION	11/9/2006	2/16/2007	PROPERTY
SUBMIT MITIGATION PLAN			
A-INTENT LTR	11/9/2006	2/16/2007	PROPERTY
SUBMIT LETTER OF INTENT			
A-BLD VACANT	11/9/2006	2/16/2007	PROPERTY
KEEP MAINTAINED AT ALL TIMES			
A-BRDG CERT	11/9/2006	2/16/2007	PROPERTY
OBTAIN BOARDED BUILDING CERTIFICATE			
A-PAINTING	11/9/2006	2/16/2007	SOUTH SIDE YARD
REPAIR DILAPIDATED FENCE			
A-LITTER	11/9/2006	2/16/2007	PROPERTY
REMOVE ALL LITTER			
A-WEEDS	11/9/2006	2/16/2007	PROPERTY
REMOVE ALL HIGH/DRY VEGETATION			

Log

Type:	Date:	Employee:	Min:
--------------	--------------	------------------	-------------

MISC	2/26/2007 11:25:00 AM	LAURA DEARMOND	0
SENT JAMES BURKE INC INVOICE \$8,500 TO FINANCE & GAVE FILE TO PAM			
VIDPST	2/16/2007 11:26:00 AM	LAURA DEARMOND	0
19) POST ABATEMENT VIDEO COMPLETED			
VIDPST	2/15/2007 10:00:00 AM	ANTHONY GUARINO	0
21)DID POST VIDEO- PLACED TAPE ON 19'S DESK			
VIDREQ	2/12/2007 7:18:00 AM	LAURA DEARMOND	0
REC'D INVOICE & SENT AFTER MITIGATION VIDEO REQUEST TO 19			
MISC	1/30/2007 7:40:00 AM	LAURA DEARMOND	0
CERT LETTER TO OWNER JAN MYERS RETURNED ATTEMPTED NOT KNOWN, ATTACHED LETTER TO FILE			
VIDREQ	1/26/2007 1:28:00 PM	LAURA DEARMOND	0
REC'D START DATE 2-5-07 SENT VIDEO REQUEST EMAIL TO 16			
BIDA	1/24/2007 11:33:00 AM	LAURA DEARMOND	0
AWARDED TO JAMES BURKE INC			
INSP	1/18/2007 10:10:00 AM	LYNN NIHIPALI	3
16)PROCEED WITH MITIGATION.			
INSP	1/3/2007 2:00:00 PM	LYNN NIHIPALI	2
16)NO CHANGES, CB 1-16			
NOPOST	1/3/2007 2:00:00 PM	LYNN NIHIPALI	2
16)POSTED ON WALL BY "GARAGE".			
NOTICE	1/2/2007 3:03:00 PM	LAURA DEARMOND	0
SENT 10 DAY NOTICE BEFORE MITIGATION TO OWNER JAN MYERS			
BIDR	12/29/2006 3:01:00 PM	LAURA DEARMOND	0
REC'D BIDS 1.C&W ENTERPRISES \$7,000 2.JAMES BURKE INC \$8,500			
BIDS	12/22/2006 12:24:00 PM	LAURA DEARMOND	0
FAXED BID TO CONTRACTORS, DUE BACK 12-28			
LETTER	12/20/2006 9:39:00 AM	LIDIA MCKENZIE	0
LM _ N&O regular mail - returned "return to sender - attempted not known - unable to forward". Placed in file.			
MISC	12/15/2006 10:55:00 AM	LYNN NIHIPALI	3
16)REVIEWED CASE WITH 24, HAVE NO CONTACT WITH OWNER FOR OVER A YEAR (PREVIOUS CASE) HAVE RECEIVED CALLS FROM NEIGHBORS ABOUT USING THE YARD TO DO DRUGS. PROCEED WITH MITIGATION.			
INSP	12/12/2006 12:50:00 PM	LYNN NIHIPALI	4
16)STILL HAS T/D, WEEDS, DEAD VEGETATION, FENCE HAS FALLEN DOWN, DISCUSS WITH 24 TO ABATE FOR ALL BUT WINDOWS, OR GO AHEAD AND DO MITIGATION, TOOK PIX, ASSESS FEES, CB 12-15			
PHONE	12/11/2006 2:26:00 PM	LIDIA MCKENZIE	0
CALLER STATES THAT FENCE IS DOWN AGAIN AND PEOPLE ARE GOING THROUGH HIS BACKYARD THROUGH THAT BROKEN FENCE			
RECORD	12/7/2006 1:30:00 PM	JESSICA LARRAMENDY	0
JL) Recorded N&O dated December 1, 2006 at Clark County. Recorded in Book: 20061207 Inst: 03486			
PHONE	12/4/2006 11:57:00 AM	ELIZABETH DOUGLAS	0
NEIGHBOR CALLED, PEOPLE GOING INTO BACK YARD--FENCE NOT SECURED. FENCE HAS BEEN BROKEN AGAIN.			
ROBERT WALKER 395-6658			
NOPOST	12/1/2006 1:26:00 PM	LYNN NIHIPALI	2
16)POSTED ON WALL BY DRIVEWAY, CB 12-12			
INSP	12/1/2006 1:26:00 PM	LYNN NIHIPALI	2
16)NO CHANGES, CB 12-12			
NOTICE	12/1/2006 9:32:00 AM	LIDIA MCKENZIE	0
Notice & Order sent			

RESEAR	11/29/2006 7:00:00 AM	LYNN NIHIPALI	15
--------	-----------------------	---------------	----

16)CC TAX, DELINQUENT, SEWER, DELINQUENT, NO PHONE NUMBER, HAS NUMBER IN ZABA BUT COMES BACK TO 5521
CLEARY, WILL TRY, NOTHING IN SSN SEARCH, NDOC WEBSITE UNAVAILABLE AT THIS TIME,

INSP	11/9/2006 10:00:00 AM	LYNN NIHIPALI	20
------	-----------------------	---------------	----

16)HOUSE IS VACANT,BOARDED, NOT ACCESSABLE, BOARDED BY CITY ABATEMENT, DEAD VEGETATION, HIGH
VEGETATION, SIDE FENCE DILAPIDATED,LITTER, SOME WATER IN POOL, PREPARE MITIGATION NOTICE.

<i>Time in minutes:</i>	53
-------------------------	----

APN 138-12-417-008

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: JAN MYERS

Reputed Owner(s) at time of mitigation abatement.

Assessor's Parcel No.: 138-12-417-008
Commonly known as: 3205 GOLETA DRIVE
Legal Description: NEW COUNTRY UNIT 7 AMD
PLAT BOOK 31 PAGE 87
LOT 2 BLOCK 4

On February 9, 2007, as provided in the Municipal Code, 16.31, the City of Las Vegas caused the mitigation abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of \$9,857.50 were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on April 18, 2007 ordered the above charges in the amount of \$9,857.50, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

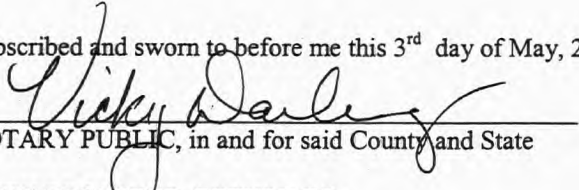

BEVERLY K. BRIDGES, Acting City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

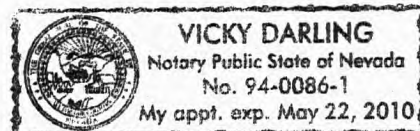
STATE OF NEVADA)
COUNTY OF CLARK)

BEVERLY K. BRIDGES, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.


BEVERLY K. BRIDGES, Acting City Clerk

Subscribed and sworn to before me this 3rd day of May, 2007


NOTARY PUBLIC, in and for said County and State



WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE, LAS VEGAS, NV 89101
Case # - 47961

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: STEPHEN HARSIN**☐ Consent ☒ Discussion**SUBJECT:**

Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building and assess civil penalties located at 604 Stanford Street. PROPERTY OWNER: JAMES A. LITTLEFIELD C/O P. CARLSON (\$2,711.25 - General Fund) - Ward 1 (Tarkanian)

Fiscal Impact☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Amount: \$2,711.25**Funding Source:** General Fund**Dept./Division:** Neighborhood Services/Neighborhood Response**PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired Weaver Construction to remove refuse, waste, trash, debris and vegetation, board/secure doors/windows/openings that are open/accessible to City of Las Vegas specifications, and post No Vehicles, No Dumping and No Trespassing signs. To date, there have been eight (8) inspections conducted at this location. The value of the property based on the sale date of October 1997 was \$77,000.00.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$2,075.00 for work completed by Weaver Construction, plus a 15% administrative processing fee of \$311.25, a Boarded Building Certificate in the amount of \$325.00 for a total amount of \$2,711.25 and that the above charges be filed and recorded against the property, constituting a special assessment and lien, and authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

CITY COUNCIL MEETING OF: APRIL 18, 2007

Motion made by LOIS TARKANIAN to Approve

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

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

Minutes:

Video shown but not submitted.

MAYOR GOODMAN declared the Public Hearing open.

DEVIN SMITH, Manager of Neighborhood Response, indicated the condition of the property as a public hazard and attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken, nor an appeal filed, the Department of Neighborhood Services hired Weaver Construction to remove refuse, waste, trash, debris, vegetation, board/secure doors/windows/openings that are open and accessible to City of Las Vegas specifications, and post No Vehicles, No Dumping and No Trespassing signs. To date, there have been eight inspections conducted at this location. The value of the property based on the sale date of October 19, 1977 was \$77,000. MR.

SMITH recommended that the City Council approve the report of expenses in the amount of \$2,075, plus a 15 percent administrative processing fee of \$311.25, a Boarded Building Certificate in the amount of \$325, totaling \$2,711.25, and that the above charges be filed and recorded against the property, constituting a special assessment and lien and authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

Seeing no public comment, MAYOR GOODMAN declared the Public Hearing closed.

COUNCILWOMAN TARKANIAN thanked Neighborhood Services for their assistance in cleaning up these properties. The residents of Ward 1 appreciate their efforts.

There being no one present to speak, MAYOR GOODMAN declared the Public Hearing closed.

AGENDA MEMO

CITY COUNCIL MEETING DATE: April 18, 2007

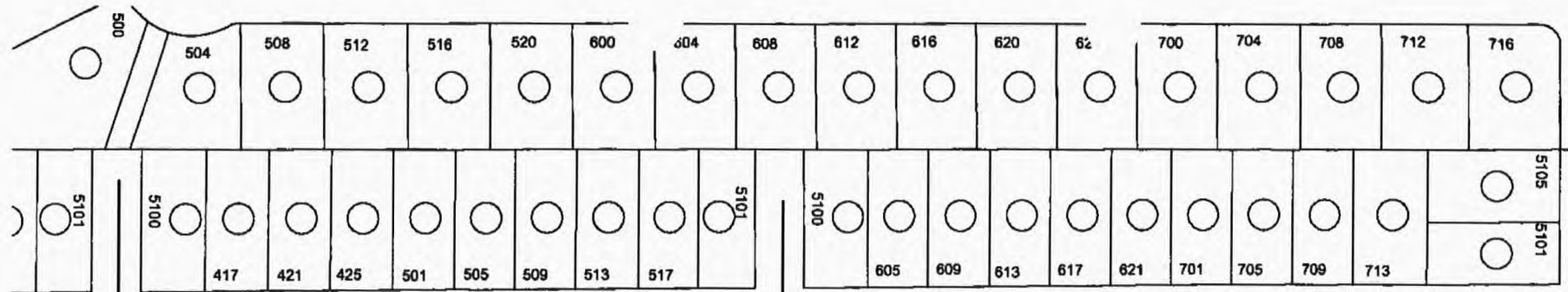
DEPARTMENT: Neighborhood Services

ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building and assess civil penalties located at 604 Stanford. PROPERTY OWNER: JAMES A. LITTLEFIELD C/O P. CARLSON – (\$2,711.25 - General Fund) - Ward 1 (Tarkanian)

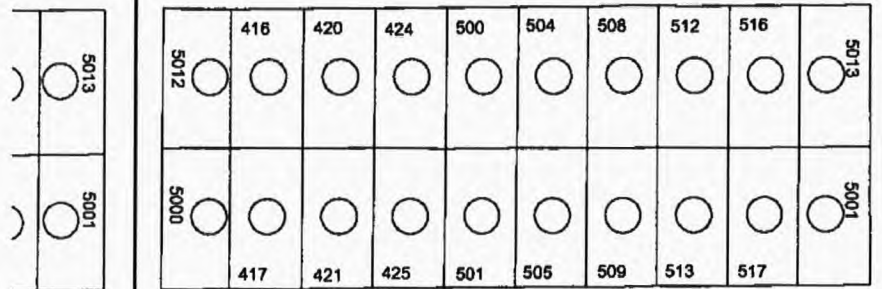
Weaver Construction completed work on February 9, 2007 at a cost of \$2,075.00, a boarded building certificate in the amount of \$325.00, plus a 15% administrative processing fee, for a total of \$2,711.25.

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the Uniform Code for the Abatement of Dangerous Building, Vacant or Abandoned Buildings and Civil Penalties, the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

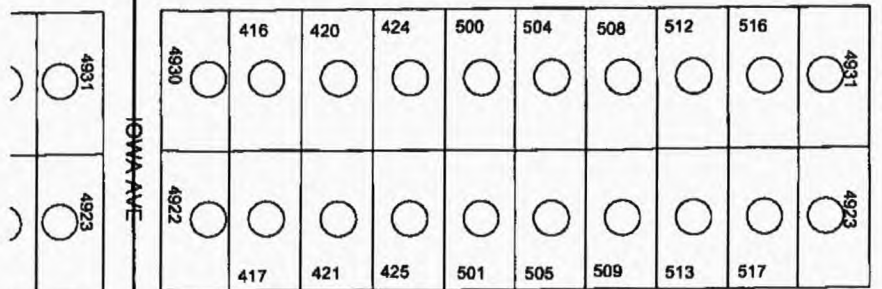
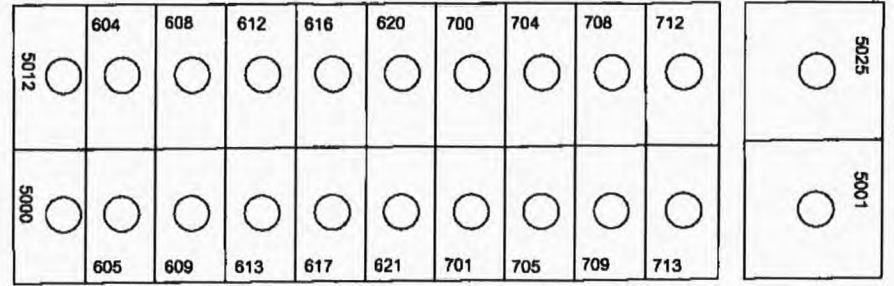
If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.



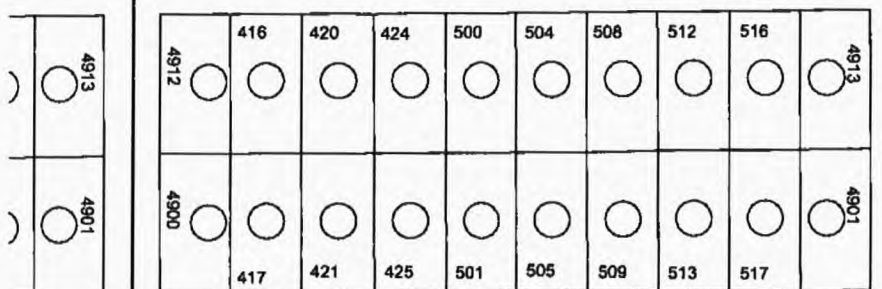
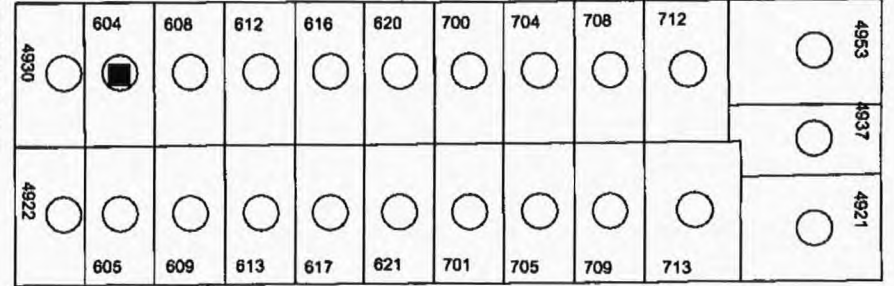
N MINNESOTA ST



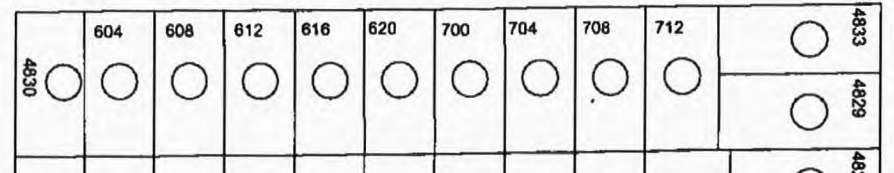
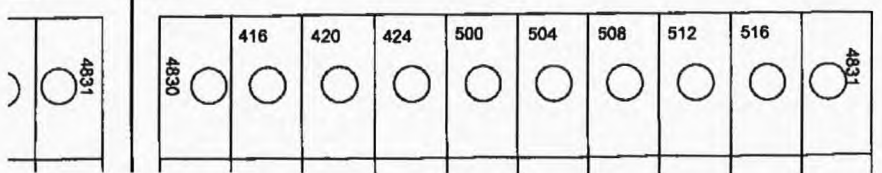
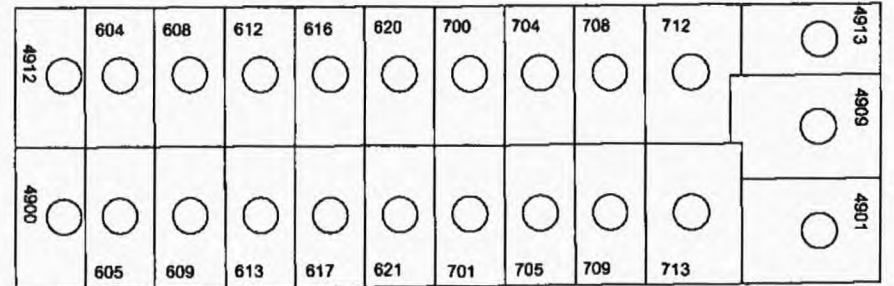
STANFORD ST



PRINCETON ST



HARVARD ST



Memorandum

City of Las Vegas Neighborhood Services Department

To: Beverly Bridges, Acting City Clerk
From: Devin S. Smith, Manager – Neighborhood Response Division
CC: File
Date: April 2, 2007
Re: Report of Expenses for the abatement of Vacant or Abandoned Building at 604 Stanford Street - Ward 1 (Tarkanian)

LVMC Ordinance 5873 authorizes the City of Las Vegas to assess and collect a re-inspection fee of \$120.00 if the nuisance violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of \$180.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection. In addition, LVMC 9.04.020 and 9.040.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. On the 2nd re-inspection a \$180 re-inspection fee + a \$150.00 civil penalty will be assessed; on the 3rd re-inspection a \$180 re-inspection fee + a \$300.00 civil penalty will be assessed; on the 4th re-inspection and any future re-inspections will be assessed a \$180 re-inspection fee + a \$500.00 civil penalty. Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance (1) shall be guilty of a misdemeanor; (2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred (\$500.00) dollars per day, or for commercial properties; civil penalties of not more than one thousand (\$1000.00) per day, for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. The \$500.00 or \$1000 daily civil penalty will be determined at the discretion of the city council. Any and all unpaid fees are subject to collection and/or liens.

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Vacant or Abandoned Building," the Department of Neighborhood Services caused the above-referenced property to be corrected by removal of refuse, waste, trash, debris and vegetation, board/secure doors/windows/openings that are open/accessible to City of Las Vegas specifications, and No posting vehicles, No Dumping and No Trespassing signs. The abatement was completed by Weaver Construction on February 9, 2007 at a cost of \$2,075.00, which was accepted by the Department of Neighborhood Services.

Contract Amount Breakdown:	
Board/secure doors/windows/openings that are open/accessible	\$425.00
Refuse/waste/trash/debris/litter removal	\$1,250.00
Vegetation removal	\$325.00
Post signs (No Trespassing, No Dumping, No Vehicles)	\$75.00
AMOUNT DUE:	\$2,075.00
Administrative Processing Fee:	\$311.25
Boarded Building Certificate	\$325.00
TOTAL AMOUNT DUE:	\$2,711.25
OWNER OF RECORD:	JAMES A. LITTLEFIELD C/O P. CARLSON
PROPERTY ABATED:	604 STANFORD STREET
ASSESSOR PARCEL:	138-25-713-084
LEGAL DESCRIPTION:	LAS VEGAS SQUARE
	PLAT BOOK 1 PAGE 96
	LOT 31 BLOCK 3
	& LOT 32

DSS:ed

WEAVER CONSTRUCTION

"GENERAL ENGINEERING"

2590 NORTH NELLIS BLVD.

LAS VEGAS, NEVADA 89115

EXHIBIT A

DISCLOSURE OF PRINCIPALS

The principals and partners of Weaver Construction and
all persons and entities holding more than a 1% interest in
Weaver Construction or any principal of
Weaver Construction are the following:

<u>FULL NAME</u>	<u>BUSINESS ADDRESS</u>	<u>BUSINESS PHONE</u>
1. Phil Weaver	2590 N. Nellis Blvd. LV, NV	644-1088
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____

Continue list until full and complete disclosure is made

I certify under penalty of perjury, that the foregoing list is
full and complete.

Weaver Construction

BY: Phyllis Weaver
Phyllis Weaver, Office Mgr.

Subscribed and sworn to before me
this 28 day of October, 1999.

Stephanie D. Dunn
Notary Public





LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
WARD 5 (VACANT)

DOUGLAS A. SELBY
CITY MANAGER

**NOTICE OF PUBLIC HEARING
APRIL 18, 2007**

Pursuant to Title 9, Chapter 4 of the Las Vegas Municipal Code, NOTICE IS HEREBY GIVEN THAT ON **Wednesday, April 18, 2007 at 1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following **REPORT OF EXPENSES** submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

Abatement of the property by removing refuse, waste, trash, debris and vegetation, board and secure doors/windows/openings that are open/accessible to City of Las Vegas specifications, and posting No Vehicles, No Dumping and No Trespassing signs on property located at **604 STANFORD STREET**, legally described as **LAS VEGAS SQUARE PLAT BOOK 1 PAGE 96 LOT 31 BLOCK 3 AND LOT 32**. Owner of record at time of abatement: **JAMES A. LITTLEFIELD c/o P. CARLSON – WARD 1 (TARKANIAN)**

The Director of Neighborhood Services certifies in the report that the sum of \$2,711.25 was expended (\$2,075.00 for abatement by Weaver Construction; \$325.00 Boarded Building Certificate; and \$311.25 Administrative Processing Fee.)

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

**BEVERLY K. BRIDGES, CMC
ACTING CITY CLERK**

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

Address: 604 STANFORD ST

CITZ
DBPROJ

ABANDONED SFR, T/D, OPEN AND ACCESSIBLE FROM CASE # 47205

Parcel(s)

Parcel:	Size:	Subdivision Name:
13825713084	0.12 ACRE	LAS VEGAS SQUARE

Owner Information:

10-Aug-02	LITTLEFIELD JAMES A % P CARLSON
	604 STANFORD ST; LAS VEGAS, NV 89107-1878

Inspection Summary

Inspector:	Status:		Scheduled DT:	Start Dt:	Comp DT:	Min:
982400	Failed		11/6/2006	10/24/2006 10:38	10/24/2006 10:44	6
982400	Passed	Partial	11/27/2006	11/14/2006 9:54	11/14/2006 9:58	4
982400	Passed	Partial	11/27/2006	11/29/2006 10:28	11/29/2006 10:32	4
982400	Passed	Partial	1/2/2007	12/22/2006 10:10	12/22/2006 10:15	5
982400	Passed	Partial	1/2/2007	01/02/2007 14:40	01/02/2007 14:42	2
982400	Passed	Partial	1/4/2007	01/16/2007 10:29	01/16/2007 10:31	2
982400	Passed	Partial	1/31/2007	01/31/2007 12:25	01/31/2007 12:32	7
940274	Passed		2/15/2007	02/15/2007 9:06	02/15/2007 9:06	0
982400	Passed	Partial	3/28/2007	03/30/2007 11:40	03/30/2007 11:42	2
982400	No Action		4/12/2007			

Time in Minutes: 32

Violation Details

Violation	Violation DT:	Resolve DT:	Location:
A-BRDG CERT	10/24/2006		
A-ZONE OTHER	10/24/2006	2/15/2007	PROPERTY
REMOVE ALL VEHICLES FROM VACANT SFR			
A-REFUSE/WST	10/24/2006	2/15/2007	PROPERTY
REMOVE ALL REFUSE AND WASTE			
A-MITIGATION	10/24/2006	2/15/2007	PROPERTY
SUBMIT DETAILED MITIGATION PLAN			
A-INTENT LTR	10/24/2006	2/15/2007	PROPERTY
SUBMIT LETTER OF INTENT			
A-BLD VACANT	10/24/2006	2/15/2007	PROPERTY
CLEAN AND MAINTAIN			
A-BLD DNGR	10/24/2006	2/15/2007	PROPERTY
SECURE ALL OPENINGS TO CITY SPECIFICATIONS			
A-LITTER	10/24/2006	2/15/2007	PROPERTY
REMOVE ALL LITTER			
A-WEEDS	10/24/2006	2/15/2007	PROPERTY
REMOVE ALL HIGH VEGETATION			

Log

Type:	Date:	Employee:	Min:
INSP	3/30/2007 11:40:00 AM	LYNN NIHIPALI	2
16)CLEAN AND SECURE, CB 4-12			
MISC	3/2/2007 9:12:00 AM	LAURA DEARMOND	0
SENT WEAVER CONSTRUCTION INC INVOICE \$2,075.00 TO FINANCE (\$275.00 CREDIT GIVEN BY WEAVER FOR VEHICLE REMOVED BY OTHERS)			
VIDPST	2/15/2007 7:11:00 AM	LAURA DEARMOND	0
PER 19 AFTER ABATEMENT VIDEO TAKEN, GAVE INVOICE TO DEVIN			
VIDREQ	2/7/2007 9:05:00 AM	LAURA DEARMOND	0
REC'D MESSAGE FROM PHYLLIS OF WEAVER CONSTRUCTION THAT ABATEMENT IS COMPLETE, SENT VIDEO REQUEST EMAIL TO 19 SINCE 16 IS OUT			
INSP	1/31/2007 12:25:00 PM	LYNN NIHIPALI	7
16)PROPERTY IS STILL A MESS, FRONT DOOR IS LOCKED, BUT IS ACCESSIBLE FROM REAR, REAR FULL OF TRASH AND DEBRIS, FRONT YARD HAS DEAD VEG, ROLLS OF CARPET, TARP, WINDBLOWN T/D. PROCEED WITH ABATEMENT.			
VIDPRE	1/31/2007 12:25:00 PM	LYNN NIHIPALI	8
16)PRE ABATEMENT VIDEO TAKEN CB 2-14			
VIDREQ	1/30/2007 9:15:00 AM	LAURA DEARMOND	0
SENT EMAIL TO 16 FOR BEFORE ABATEMENT VIDEO, WEAVER START DATE TUESDAY 2-6-07			
BIDA	1/24/2007 11:41:00 AM	LAURA DEARMOND	0
AWARDED TO WEAVER CONSTRUCTION			
INSP	1/16/2007 10:29:00 AM	LYNN NIHIPALI	2
16)NOTHING HAS BEEN DONE, PROCEED WITH ABATEMENT			
INSP	1/2/2007 2:40:00 PM	LYNN NIHIPALI	2
16)THERE ARE STILL DUMPSTERS ON THE STREET, ITEMS REMOVED FROM FRONT YARD, NO WHERE TO PARK, WILL CHECK BACK ON 1-4 IF NOT PROCEED WITH ABATEMENT.			
MISC	12/26/2006 10:03:00 AM	LAURA DEARMOND	0
CERT & REGULAR LETTERS RETURNED NOT DELIVERABLE AS ADDRESSED UNABLE TO FORWARD, ATTACHED LETTERS TO FILE			
NOPOST	12/22/2006 10:10:00 AM	LYNN NIHIPALI	5
16)10 DAY BEFORE ABATEMENT POSTED ON WALL BY FRONT DOOR			
INSP	12/22/2006 10:10:00 AM	LYNN NIHIPALI	5
16)ONLY THE TRUCK IS GONE, CB 01-02			
NOTICE	12/20/2006 2:15:00 PM	LAURA DEARMOND	0
SENT 10 DAY NOTICE BEFORE ABATEMENT TO OWNER JAMES LITTLEFIELD			
BIDR	12/20/2006 2:13:00 PM	LAURA DEARMOND	0
REC'D BIDS 1.WEAVER CONSTRUCTION INC \$2,350 2.C&W ENTERPRISES \$3,200 3.CH CONSTRUCTION \$3,825			
BIDS	12/13/2006 9:48:00 AM	LAURA DEARMOND	0
FAXED BID TO CONTRACTORS, DUE BACK 12-19			
DIRECT	12/12/2006 9:47:00 AM		0
24)PLEASE OBTAIN BIDS, THANKS			
INSP	12/6/2006 8:40:00 AM	LYNN NIHIPALI	4
16)NOTHING HAS BEEN DONE, PIX, PROCEED WITH ABATEMENT			
MISC	12/1/2006 9:46:00 AM	LAURA DEARMOND	0
CERT LETTER TO OWNER JAMES LITTLEFIELD RETURNED UNCLAIMED, ATTACHED LETTER TO FILE			
MISC	11/21/2006 10:43:00 AM	LAURA DEARMOND	0
REGULAR LETTER TO OWNER JAMES LITTLEFIELD RETURNED UNCLAIMED, ATTACHED LETTER TO FILE			
RECORD	11/17/2006 2:21:00 PM	JESSICA LARRAMENDY	0
JL) Recorded N&O dated November 13, 2006 at Clark County. Recorded in Book: 20061117 Inst: 02448.			

CASENO 47715 ABANDB

02321-68

NOPOST 11/14/2006 9:54:00 AM LYNN NIHIPALI 4

16)POSTED ON WALL BY FRONT DOOR.

INSP 11/14/2006 9:54:00 AM LYNN NIHIPALI 4

16)NOTHING HAS CHANGED OTHER THAN IT LOOKS LIKE SOME PULLED ALL THE DRAWERS OUT OF THE DRESSERS IN FRONT AND PUT ALL OVER YARD, CB 11-27

DBPROJ 11/13/2006 10:50:00 AM LAURA DEARMOND 0

INSP 10/24/2006 10:38:00 AM LYNN NIHIPALI 6

16)SFD,OPEN,ACCESSIBLE(ONE DOOR LAUNDRY IN REAR) POWER IS STILL ON,NEIGHBOR STATED THAT OWNER DIED A FEW MONTHS BACK,HAD FOR SALE, NOW SIGN GONE, HAS T/D,VEH,WEEDS,R/W,LITTER, WILL PREPARE AND ISSUE NOTICE. VEH ON FRONT YARD SEE NOTES FROM CASE # 47205

Time in minutes: 49

APN 138-25-713-084

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: JAMES A. LITTLEFIELD C/O P. CARLSON
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: 138-25-713-084
Commonly known as: 604 STANFORD STREET
Legal Description: LAS VEGAS SQUARE
PLAT BOOK 1 PAGE 96
LOT 31 BLOCK 3
& LOT 32

On February 9, 2007, as provided in the Municipal Code, 16.31, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of \$2,711.25 were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on April 18, 2007 ordered the above charges in the amount of \$2,711.25, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

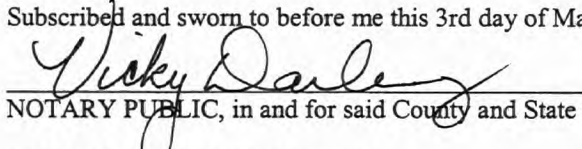

BEVERLY K. BRIDGES, Acting City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

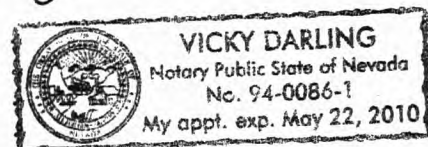
STATE OF NEVADA)
COUNTY OF CLARK)

BEVERLY K. BRIDGES, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.


BEVERLY K. BRIDGES, Acting City Clerk

Subscribed and sworn to before me this 3rd day of May, 2007


NOTARY PUBLIC, in and for said County and State



WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE, LAS VEGAS, NV 89101
Case # - 47715

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: STEPHEN HARSIN**☐ Consent ☒ Discussion**SUBJECT:**

Public Hearing to consider the report of expenses to recover costs for mitigation abatement of vacant or abandoned building and assess civil penalties located at 1836 Lewis Avenue.

PROPERTY OWNER: BANK US NATIONAL ASSN TRS C/O ASC 106 (\$12,147.85 - General Fund) - Ward 3 (Reese)

Fiscal Impact☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Amount: \$12,147.85**Funding Source:** General Fund**Dept./Division:** Neighborhood Services/Neighborhood Response**PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, the Department of Neighborhood Services hired C. H. Construction, LLC to paint exterior as needed, repair eaves as needed, repair or replace windows/doors that are boarded, place protective covering required, remove refuse, waste, trash, debris, vegetation, (dead, dry & overgrown), and graffiti, landscape the front and side yards (with rock), repair or replace fascia board as needed and repair dilapidated fence. To date, there have been nine (9) inspections conducted at this location. The value of the property based on the sale date of December 2006 was \$172,707.00.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$9,949.00 for work completed by C. H. Construction, LLC, plus a 15% administrative fee of \$1,492.35, reinspection fees (including late fees) of \$181.50, civil penalties in the amount of \$450.00, a Boarded Building Certificate in the amount of \$75.00 for a total amount of \$12,147.85, and that the above charges be filed and recorded against the property, constituting a special assessment and lien, and authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

Motion made by GARY REESE to Approve

CITY COUNCIL MEETING OF: APRIL 18, 2007

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

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

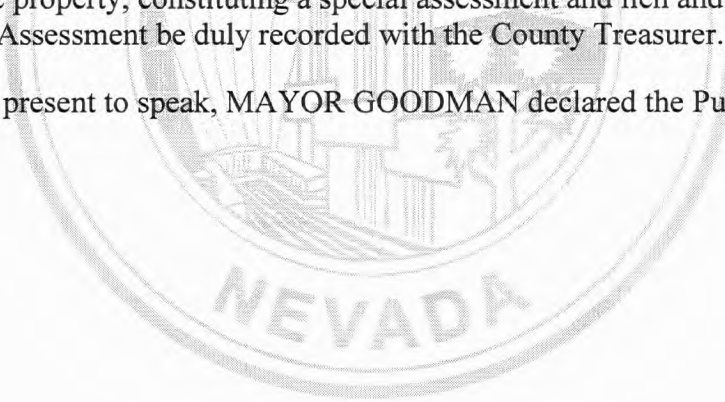
Minutes:

MAYOR GOODMAN declared the Public Hearing open.

DEVIN SMITH, Manager of Neighborhood Response, indicated the condition of the property as a public hazard and attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken, nor an appeal filed, the Department of Neighborhood Services hired C.H. Construction, LLC to paint exterior as needed, repair eaves as needed, repair or replace windows/doors that were boarded, place protective covering required, remove refuse, waste, trash, debris, vegetation (dead, dry and overgrown), graffiti, landscape the front and side yards with rock, repair or replace fascia board as needed and repair dilapidated fence. To date, there have been nine inspections conducted at this location. The value of the property based on the sale date of December 2006 was \$172,707.

MR. SMITH recommended that the City Council approve the report of expenses in the amount of \$9,949, plus a 15 percent administrative processing fee of \$1,492.35, reinspection fees including late fees of \$181.50, civil penalties in the amount of \$450, a Boarded Building Certificate in the amount of \$75, totaling \$12,147.85, and that the above charges be filed and recorded against the property, constituting a special assessment and lien and authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

There being no one present to speak, MAYOR GOODMAN declared the Public Hearing closed.



AGENDA MEMO

CITY COUNCIL MEETING DATE: April 18, 2007

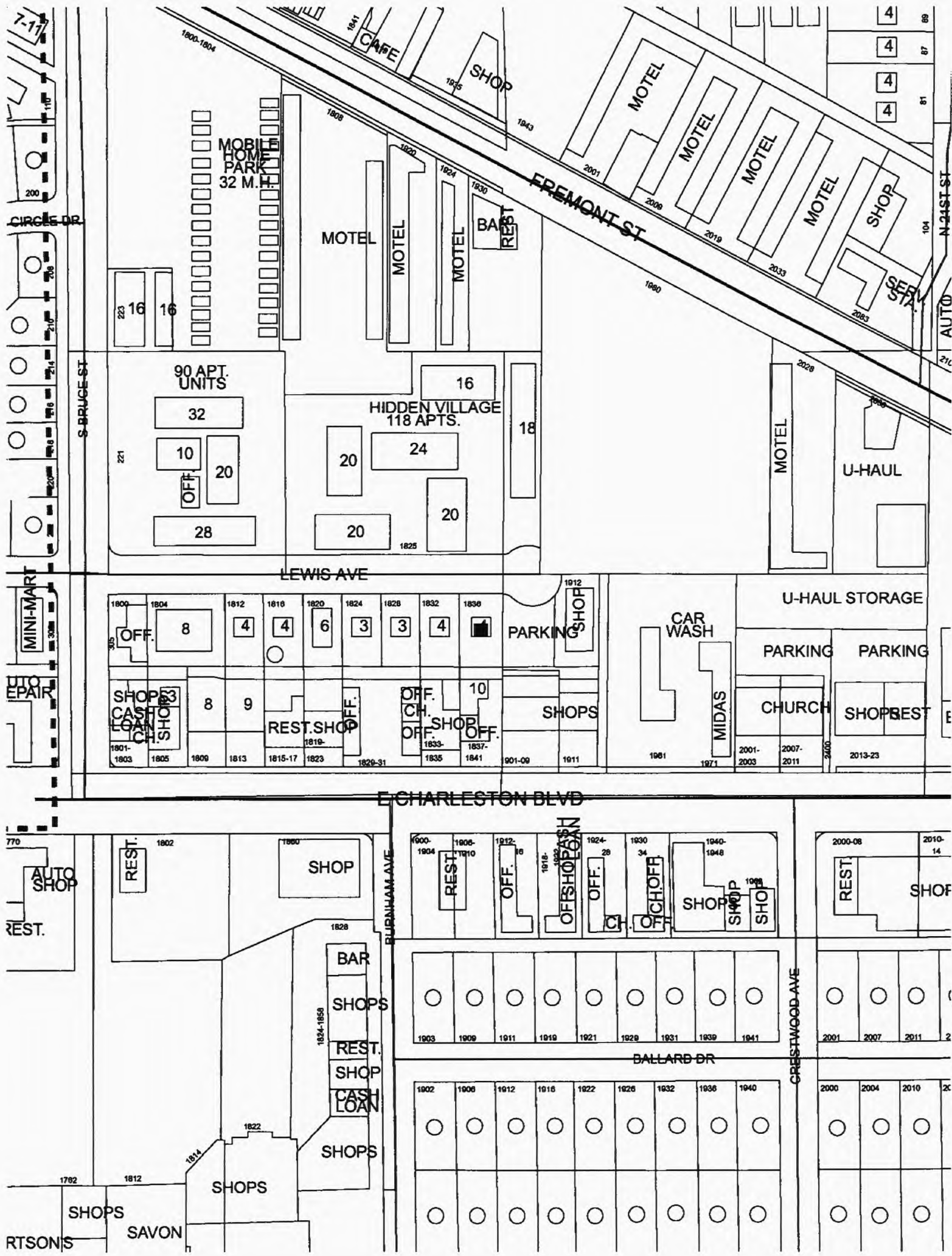
DEPARTMENT: Neighborhood Services

ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for mitigation abatement of vacant or abandoned building and assess civil penalties located at 1836 Lewis Avenue. PROPERTY OWNER: BANK US NATIONAL ASSN TRS C/O ASC 106 - (\$12,147.85 - General Fund) - Ward 3 (Reese)

C. H. Construction, LLC completed work on January 23, 2007 at a cost of \$9,949.00; \$181.50 in reinspection fees (w/late fees); Civil Penalties of \$450.00; a Boarded Building Certificate of \$75.00 plus a 15% administrative fee, for a total of \$12,147.85.

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the Uniform Code for the Mitigation Abatement of Dangerous Building, Vacant or Abandoned Buildings and Civil Penalties, the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.



Memorandum

City of Las Vegas Neighborhood Services Department

To: Beverly Bridges, Acting City Clerk
From: Devin S. Smith, Manager – Neighborhood Response Division
CC: File
Date: April 2, 2007
Re: Report of Expenses to recover costs for the mitigation abatement of Vacant or Abandoned Building at 1836 Lewis Avenue - Ward 3 (Reese)

LVMC Ordinance 5873 authorizes the City of Las Vegas to assess and collect a re-inspection fee of \$120.00 if the nuisance violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of \$180.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection. In addition, LVMC 9.04.020 and 9.040.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. On the 2nd re-inspection a \$180 re-inspection fee + a \$150.00 civil penalty will be assessed; on the 3rd re-inspection a \$180 re-inspection fee + a \$300.00 civil penalty will be assessed; on the 4th re-inspection and any future re-inspections will be assessed a \$180 re-inspection fee + a \$500.00 civil penalty. Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance (1) shall be guilty of a misdemeanor; (2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred (\$500.00) dollars per day, or for commercial properties; civil penalties of not more than one thousand (\$1000.00) per day, for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. The \$500.00 or \$1000 daily civil penalty will be determined at the discretion of the city council. Any and all unpaid fees are subject to collection and/or liens.

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Vacant or Abandoned Building," the Department of Neighborhood Services caused the above-referenced property to be corrected by landscaping the front and side yards (with rock), painting exterior as needed, repairing eaves as needed, repairing or replacing windows/doors that are boarded, placing protective covering required, removal of refuse, waste, trash, debris, vegetation (dead, dry, overgrown), and graffiti, repairing or replacing fascia board as needed and repairing dilapidated fence. The mitigation abatement was completed by C. H. Construction, LLC on January 23, 2007 at a cost of \$9,949.00, which was accepted by the Department of Neighborhood Services.

Contract Amount Breakdown:	
Landscape (front & side yards): Rock landscape, no irrigation, include weed barrier under rock	\$2,000.00
Exterior paint – as needed	\$2,000.00
Repair eaves – as needed	\$200.00
Repair or replace all windows/doors that are boarded	\$1,200.00
Protective covering required	\$1,300.00
Refuse/waste/trash/debris/litter removal (including the deteriorated perimeter fencing & carport post/columns)	\$1,200.00
Vegetation Removal (Dead/Dry/Overgrown)	\$800.00
Graffiti Removal	\$100.00
Repair or replace fascia board – as needed	\$800.00
Repair dilapidated fence – as needed	\$349.00
AMOUNT DUE:	\$9,949.00
Administrative Processing Fee:	\$1,492.35
Boarded Building Certificate:	\$75.00
Sub-Total:	\$11,516.35
Reinspection Fees (w/late fees):	\$181.50
Civil Penalties:	\$450.00
TOTAL AMOUNT DUE:	\$12,147.85
OWNER OF RECORD:	BANK US NATIONAL ASSN TRS C/O ASC 106
PROPERTY ABATED:	1836 LEWIS AVENUE
ASSESSOR PARCEL:	139-35-814-010
LEGAL DESCRIPTION:	LAWRENCE LOVE TRACT
	PLAT BOOK 3 PAGE 9
	LOT 10

DSS:ed

C.H. Construction, LLC
2505 Anthem Village Dr, Suite E-532
Henderson, NV 89052

Disclosure of Principals

The principals and partners of C.H. Construction, LLC and all persons and entities holding more than 1% interest in C.H. Construction, LLC or any principal of C.H. Construction, LLC are the following:

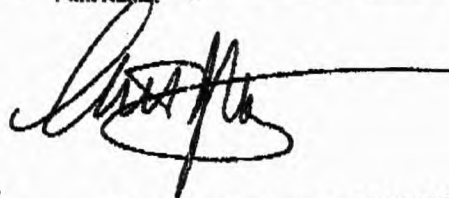
Full Name	Business Address	Business Phone
1. Christopher G. Harrison	2505 Anthem Village Dr. E-532 Hend, NV 89052	702-858-7840
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____
7. _____	_____	_____

Continue list until full and complete disclosure is made.

I certify under penalty of perjury, that the foregoing list is full and complete.

C.H. Construction, LLC

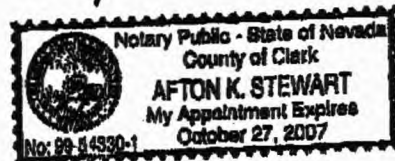
By: Christopher Harrison
Print Name:

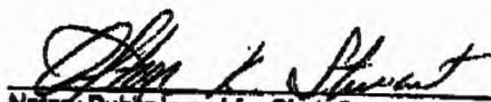


STATE OF NEVADA)

COUNTY OF CLARK)

Subscribed and sworn to before me, a Notary Public,
on this 22 day of May, 2005.





Notary Public in and for Clark County,
State of Nevada



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
WARD 5 (VACANT)

DOUGLAS A. SELBY
CITY MANAGER

**NOTICE OF PUBLIC HEARING
APRIL 18, 2007**

Pursuant to Title 9, Chapter 4 of the Las Vegas Municipal Code, NOTICE IS HEREBY GIVEN THAT ON **Wednesday, April 18, 2007 at 1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following **REPORT OF EXPENSES** submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

Abatement of the property by landscaping the front and side yards (with rock), painting exterior as needed, repairing eaves as needed, repairing or replacing windows/doors that are boarded, placing protective covering required, removal of refuse, waste, trash, debris and vegetation (dead, dry, overgrown), and graffiti, repairing or replacing fascia board as needed and repairing dilapidated fence on property located at **1836 LEWIS AVENUE**, legally described as **LAWRENCE LOVE TRACT PLAT BOOK 3 PAGE 9 LOT 10**. Owner of record at time of abatement: **BANK US NATIONAL ASSN TRS C/O ASC 106 - WARD 3 (REESE)**

The Director of Neighborhood Services certifies in the report that the sum of \$12,147.85 was expended (\$9,949.00 for abatement by C. H. Construction LLC; \$75.00 Boarded Building Certificate; \$181.50 Re-Inspection Fees (with Late Fees); \$1,492.35 Administrative Processing Fee and \$450.00 Civil Penalties.)

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

**BEVERLY K. BRIDGES, CMC
ACTING CITY CLERK**

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

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:

DB 1836 LEWIS AVENUE

JOSE ENRIQUE RODRIGUEZ
MIGUEL BARDALES
10230 CASANES AVENUE
DOWNEY, CA 90241-2907

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Leslie Bardales* ☒ Agent ☐ Addressee

B. Received by (Printed Name)

Leslie Bardales

C. Date of Delivery

4/7/07

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

NO ☒ No

2007 APR -9 A 10:47

3. Service Type

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

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7005 3110 0001 3041 0374

Address: 1836 LEWIS AVE

CLV
DBPROJ

VACANT/BOARDED BUILDING

Parcel(s)

Parcel:	Size:	Subdivision Name:
13935814010	0.18 ACRE	LAWRENCE LOVE TRACT

Owner Information:

10-Aug-02	17-Dec-03	ELQUIST ROBERT A & JUNE L LIV TR ELQUIST ROBERT A & JUNE L TRS 3020 PLAZA DEL ROSA; LAS VEGAS, NV 89102
17-Dec-03	28-May-04	TURNER MICHAEL % MT REAL ESTATE 2545 S TORREY PINES; LAS VEGAS, NV 89146-4007
28-May-04	01-Sep-04	TAN SAMUEL N 16905 BALTAR ST; VAN NUYS, CA 91406-1106
01-Sep-04	08-Sep-04	ASSURED INVESTORS INC % ASSURED INC 1723 W MAGNOLIA BLVD; BURBANK, CA 91506
08-Sep-04	21-Apr-05	ASSURED INVESTORS INC % ASSURED INC 1723 W MAGNOLIA BLVD; BURBANK, CA 91506-1839
21-Apr-05	15-Jun-06	BASCO MARIA 4957 W 21ST ST; LOS ANGELES, CA 90016-2208
15-Jun-06	24-Aug-06	RODRIGUEZ JOSE ENRIQUE BARDALES MIGUEL 1836 LEWIS AVE; LAS VEGAS, NV 89101-5151
24-Aug-06	11-Jan-07	RODRIGUEZ JOSE ENRIQUE BARDALES MIGUEL 10230 CASANES AVE; DOWNEY, CA 90241-2907
11-Jan-07	22-Feb-07	BANK U S NATIONAL ASSOC TRS 7495 NEW HORIZON WY; MAIL STOP-NAC #X3902-01F FREDERICK, MD 21703-8388
22-Feb-07		BANK U S NATIONAL ASSN TRS 7495 NEW HORIZON WY; MAIL STOP-NAC #X3902-01F FREDERICK, MD 21703-8388

Inspection Summary

Inspector:	Status:		Scheduled DT:	Start Dt:	Comp DT:	Min:
981876	Failed		7/7/2006	07/07/2006 11:53	07/07/2006 11:57	4
981876	Passed	Partial	7/19/2006	07/14/2006 8:14	07/14/2006 8:17	3
981876	Passed	Partial	7/24/2006	07/26/2006 9:00	07/26/2006 9:03	3
981876	Passed	Partial	8/22/2006	08/22/2006 10:39	08/22/2006 10:41	2
981876	Passed	Partial	9/5/2006	09/08/2006 12:40	09/08/2006 12:42	2
982400	Failed		9/26/2006	10/04/2006 12:49	10/04/2006 12:57	8
982400	Failed		11/2/2006	11/02/2006 13:55	11/02/2006 14:00	5
982400	Failed		12/4/2006	12/05/2006 13:30	12/05/2006 13:40	10
982400	Passed		1/3/2007	02/14/2007 11:22	02/14/2007 11:23	1
Time in Minutes:						38

Violation Details

Violation	Violation DT:	Resolve DT:	Location:
------------------	----------------------	--------------------	------------------

A-BLD DNGR 7/7/2006 7/26/2006 PROPERTY

SECURE BLDG TO CLV SPECS

A-REFUSE/WST 7/7/2006 2/14/2007 PROPERTY

REMOVE ALL REFUSE AND WASTE

A-MITIGATION 7/7/2006 2/14/2007 PROPERTY

SUBMIT A MITIGATION PLAN.

A-INTENT LTR 7/7/2006 2/14/2007 PROPERTY

SUBMIT A LETTER OF INTENT

A-BRDG CERT 7/7/2006 2/14/2007 PROPERTY

OBTAIN A BOARDING CERT

A-LITTER 7/7/2006 2/14/2007 PROPERTY

REMOVE ALL LITTER

A-WEEDS 7/7/2006 2/14/2007 PROPERTY

REMOVE ALL HIGH WEEDS

A-BLD VACANT 7/24/2006 2/14/2007 PROPERTY

MAINTAIN PROPERTY CLEAN/SECURE.

Log

Type:	Date:	Employee:	Min:
MISC	2/14/2007 11:51:00 AM	LAURA DEARMOND	0
SENT C H CONSTRUCTION INVOICE \$9,949 TO FINANCE & GAVE FILE TO PAM			
MISC	2/7/2007 10:54:00 AM	LAURA DEARMOND	0
INVOICE IN ORACLE			
MISC	2/5/2007 3:30:00 PM	LAURA DEARMOND	0
GAVE INVOICE TO DEVIN			
PHONE	1/30/2007 9:29:00 AM	VICKI OZUNA	0
19) received message from Mary Ann- from Wild & Associates- 258-8200 requesting call back. Stated DSS and 16 have not been returning calls for over 30 days. Called her to try and answer questions.			
VIDPST	1/24/2007 11:16:00 AM	LAURA DEARMOND	0
16) ROCK HAS BEEN PUT DOWN, WINDOWS & DOORS HAVE SECURITY BARS, ALL LARGE ITEMS & LITTER HAVE BEEN REMOVED			
VIDREQ	1/24/2007 7:28:00 AM	LAURA DEARMOND	0
REC'D INVOICE & SENT EMAIL TO 16 FOR VIDEO			
PHONE	1/23/2007 1:02:00 PM	LYNN NIHIPALI	0
16)NOTICES THAT WERE MAILED TO PREVIOUS OWNER AND FAXED TO KRISTIE. SHE STATED THAT SHE HAD LEFT MESSAGES WITH DSS, BUT HAD NOT RECEIVED ANY RETURN CALL. WILL PREPARE THE NOTICES FOR FAX, GO OVER WITH DSS BEFORE FAXING NOTICES.			
PHONE	1/23/2007 1:02:00 PM	LYNN NIHIPALI	0
16)WHEN ASKED BY THE AGENT. I RELAYED THAT IT WAS A DECISION I COULD NOT MAKE. I LET HER KNOW THAT THE CONTRACTOR WAS ALREADY WORKING ON THE PROPERTY WHEN WE HAD FINALLY HEARD FROM KRISTIE KAYSER AT PRUDENTIAL. SHE ASKED THAT I FAX HER THE COPIES OF THE			
PHONE	1/23/2007 1:02:00 PM	LYNN NIHIPALI	0
16)SPOKE TO MARY ANN GOTTI, ATTNY FOR NEW OWNER, STATED THAT HER CLIENT WAS NEVER INFORMED OF MITIGATION PROCEDURES. I EXPLAINED THAT WE DO NOT KNOW ABOUT FORECLOSURES UNTIL THEY ARE ACTUALLY RECORDED. SHE WANTED TO KNOW WHY THE INSPECTOR DID NOT STOP			
MISC	1/2/2007 9:53:00 AM	LYNN NIHIPALI	0
16)IN 24'S QUEUE, WILL DISCUSS ON 1-3, WHEN DECIDED WHAT WILL BE DONE, RETURN TO 16'S QUEUE,			
EMAIL	12/29/2006 11:35:00 AM	LYNN NIHIPALI	1
16)EMAIL SENT TO 19 TO CHECK IF OKAY WAS GIVEN FOR THE WEEK DELAY.			
PHONE	12/29/2006 11:35:00 AM	LYNN NIHIPALI	1
16)SPOKE TO CHRIS WHO STATED HE NEEDED ONE MORE WEEK TO GET WINDOWS AND BARS BECAUSE OF THE HOLIDAYS, SAID DSS STILL WANTED HIM TO MITIGATE AND WAS APPROVED BY 19			

INSP	12/29/2006 11:05:00 AM	LYNN NIHIPALI	1
16)ROOF IS STILL NOT DONE, WINDOWS STILL BOARDED. WILL CONTACT CHRIS			
CONTC	12/29/2006 9:33:00 AM	LYNN NIHIPALI	0
16)KRISTIE KAYSER 301-846-8159 FAX 301-846-8487			
PHONE	12/21/2006 3:00:00 PM	LYNN NIHIPALI	5
16)SPOKE TO CHRIS FROM C&H, IS WAITING FOR BARS AND WINDOWS, LET HIM KNOW THAT THIS NEEDS TO BE DONE BY WEDNESDAY, PER 24 (WANTED IT DONE BY MONDAY, BUT THAT IS 12-25).			
INSP	12/21/2006 2:00:00 PM	LYNN NIHIPALI	5
16)SPOKE TO KRISTIE KAYSER FROM PRUDENTIAL, THEY JUST BOUGHT THE PROPERTY 2 DAYS, PER MGMT, DO NOT STOP MITIGATION, FAXED HER COPIES OF NOTICE AND ORDER AND 10 DAYS TO MIT. LET HER KNOW PREVIOUS OWNER IGNORED. CB 12-28 TO CHECK FOR COMPLETION.			
PHONE	12/21/2006 12:15:00 PM	PAMELA HINES	3
24)JOE IANIUCCI FROM PRUDENTIAL AMERICAN, LOCAL AGENT FOR PRIMER ASSETS- ONSITE & WANTS CLV CONTRACTOR ONSITE (C&W) TO STOP WORK AS THEY JUST TOOK OVER PROPERTY. PER DSS- WORK TO CONTINUE AS PROPER NOTICE WAS GIVEN & TIME FRAME TO COMPLY LAPSED.			
VIDPRE	12/8/2006 9:40:00 AM	LYNN NIHIPALI	13
16)PRE MITIGATION VIDEO TAKEN, CB 12-15			
VIDREQ	12/8/2006 7:11:00 AM	LAURA DEARMOND	0
REC'D FAX FROM C H CONSTRUCTION START DATE MONDAY 12-11-06, SENT EMAIL TO 16 FOR VIDEO			
BIDA	12/6/2006 9:26:00 AM	LAURA DEARMOND	0
AWARDED TO C.H. CONSTRUCTION			
INSP	12/5/2006 1:30:00 PM	LYNN NIHIPALI	10
16)NOTHING HAS BEEN DONE, TRASH AND DEBRIS, FURNITURE IN PARKING AREA ALLEY SIDE, SIGNS OF VAGRANT ACTIVITY, PLEASE PROCEED WITH MITIGATION			
MISC	11/22/2006 2:20:00 PM	LAURA DEARMOND	0
REC'D REVISED BID FROM ALLIED SVC/DISASTER KLEEN \$15,169.78			
NOTICE	11/22/2006 2:14:00 PM	LAURA DEARMOND	0
SENT 10 DAY NOTICE BEFORE MITIGATION TO OWNERS JOSE ENRIQUE RODRIGUEZ & MIGUEL BARDALES			
BIDR	11/22/2006 8:36:00 AM	LAURA DEARMOND	0
REC'D BIDS (1)C.H. CONSTRUCTION \$9,949 (2)C&W ENTERPRISES \$10,600 (3)JAMES BURKE INC \$11,500 (4)ALLIED SVC/DISASTER KLEEN \$11,997.13 (5)MCKINNEY CONSTRUCTION \$28,550			
BIDS	11/17/2006 3:22:00 PM	LAURA DEARMOND	0
FAXED BID TO CONTRACTORS, DUE BACK 11-21			
INSP	11/2/2006 1:55:00 PM	LYNN NIHIPALI	5
16)PIX, FOR IMMEDIATE MITIGATION, OWNER ON TITLE HAS NO INTEREST IN MAINTAINING PROPERTY, ASSESS FEES. CB 11-06			
PHONE	10/5/2006 9:08:00 AM	LYNN NIHIPALI	8
16)SPOKE TO MIGUEL,STATED HE ONLY HAS A NOTE ON THE PROPERTY, ENRIQUE OWES HIM MONEY,EXPLAINED THAT THE TITLE SHOWS HIM AS OWNER, THAT I HAVE FEE'D FOR NO LETTER OF INTENT,AND HE SHOULD HAVE ENRIQUE CONTACT ME ASAP BECAUSE THE FEES WILL CONTINUE.CB 10/18			
INSP	10/4/2006 12:49:00 PM	LYNN NIHIPALI	8
16)SECURE, SOME HIGH WEEDS, NO LETTER OR MIT PLAN AS OF YET, FEE ASSESSED, TRY TO CONTACT OWNER. CB 10/6			
PHONE	9/13/2006 3:06:00 PM	KELLY OLIVERIUS	0
30)PHONED OWNER, MIGUEL BARDALES, 562-233-3853, NO ANSWER, LEFT A VM FOR HIM TO CALL.			
INSP	9/8/2006 12:40:00 PM	KELLY OLIVERIUS	2
30)PROPERTY SECURE/CLEAN. LETTER/BOARD DUE 09/13. CONTACT OWNER.CB 09/22			
INSP	8/22/2006 10:39:00 AM	KELLY OLIVERIUS	4
30)PROPERTY SECURE. SOME R/W (FURNITURE, BUCKETS, ECT.). MOST REMOVED. LETTER/BOARD DUE 09/13. CB 09/05 TO CHECK STATUS.			
PHONE	8/4/2006 3:27:00 PM	KELLY OLIVERIUS	0
30)RETURNED A CALL TO RUBEN PEREZ, INVESTOR, 323-864-8735, HE SAID HE IS IN CONTACT WITH THE OWNER AND IS LOOKING INTO PURCHASING PROPERTY. HE IS AWARE OF N&O AND MAY BUY WITH THEM ATTACHED. TOLD HIM CURRENT TIMELINES WOULD APPLY.			

INSP	7/26/2006 9:00:00 AM	KELLY OLIVERIUS	3
30)PROPERTY SECURED. SOME R/W REMOVED. PIX. CB 08/09.			
MISC	7/21/2006 3:50:00 PM	KATHY STEWART	0
Sent signed Certified Card from Miguel Bardales to #30 to file.			
MISC	7/20/2006 1:44:00 PM	KATHY STEWART	0
Sent Regular & Certified letter from Jose Enrique Rodriguez & Miguel Bardales, Return to Sender, Attempted Not Known, Unable to Forward, to #30 to file.			
RECORD	7/18/2006 10:15:00 AM	JESSICA LARRAMENDY	0
JL) Recorded N&O dated July 13, 2006. Recorded at Clark County - Book: 20060718 Inst: 0890.			
NOPOST	7/14/2006 8:14:00 AM	KELLY OLIVERIUS	3
30)POSTED N&O, CB 07/24			
FAX	7/13/2006 1:30:00 PM	KATHY STEWART	0
Per request from #30, faxed copy of N&O to James @ 933-4623.			
DBPROJ	7/13/2006 1:28:00 PM	KATHY STEWART	0
MISC	7/12/2006 11:49:00 AM	KELLY OLIVERIUS	5
30)PROCESSED N&O, FORWARDED TO KATHY.			
RESEAR	7/12/2006 11:46:00 AM	KELLY OLIVERIUS	3
30)ACCESSED ASSESSOR FOR OWNER INFO.			
PHONE	7/11/2006 4:37:00 PM	KELLY OLIVERIUS	6
30)RETURNED A CALL TO PATRICIA MC HENRICK, LOCAL PROEPRTY MANAGER, 241-4324, EXPLAINED CURRENT VIOL. TO HER AND WORK TO BE DONE BY LICENSED CONTRACTOR.			
PHONE	7/7/2006 12:00:00 PM	KELLY OLIVERIUS	2
30)PHONED OWNER, INFORMED HIM PROPERTY OPEN/ACCESS AND TO SECURE IMMEDIATELY.			
INSP	7/7/2006 11:53:00 AM	KELLY OLIVERIUS	4
30)COMMERCIAL MULTI FAMILY, OPEN/ACCESS. BOARDS. LITTER, WEEDS. R/W (VAG DEBRIS, FURNITURE, PAINT BUACKETS, ECT.). PIX. PROCESS N&O. CONTACT OWNER.			
PHONE	7/6/2006 1:44:00 PM	KELLY OLIVERIUS	0
30)RECIEVED A CALL FROM MIGUEL BARDALES, EXPLAINED N&O AND OUTSTANDING FEES/LEINS. REFERRED HIM TO JESSICA FOR EXACT AMOUNT.			
CONTCT	7/6/2006 1:18:00 PM	KELLY OLIVERIUS	0
30)MIGUEL BARDALES, 562-233-3853, 10230 CASANES AVE, DOWNEY, CA, 90241. FAX 933-4623 ATTN JAMES, PROPERTY MANAGER.			

Time in minutes:

92

APN 139-35-814-010

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **BANK US NATIONAL ASSN TRS C/O ASC 106**
Reputed Owner(s) at time of mitigation abatement.

Assessor's Parcel No.: **139-35-814-010**
Commonly known as: **1836 LEWIS AVENUE**
Legal Description: **LAWRENCE LOVE TRACT**
PLAT BOOK 3 PAGE 9
LOT 10

On **January 23, 2007**, as provided in the Municipal Code, 16.31, the City of Las Vegas caused the mitigation abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of **\$12,147.85** were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

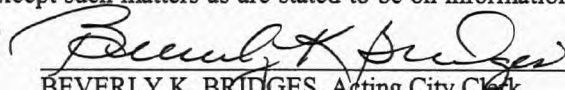
The Las Vegas City Council, at a duly noticed public hearing held on **April 18, 2007** ordered the above charges in the amount of **\$12,147.85**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

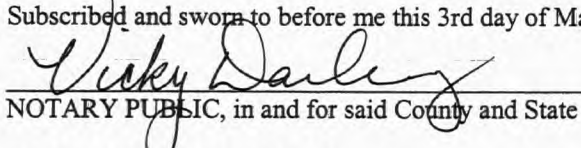

BEVERLY K. BRIDGES, Acting City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

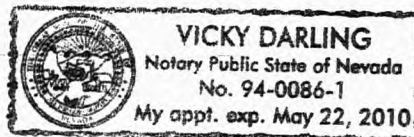
STATE OF NEVADA)
COUNTY OF CLARK)

BEVERLY K. BRIDGES, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.


BEVERLY K. BRIDGES, Acting City Clerk

Subscribed and sworn to before me this 3rd day of May, 2007


NOTARY PUBLIC, in and for said County and State



WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE, LAS VEGAS, NV 89101
Case # - 44175

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒ **Consent** ☐ **Discussion**

SUBJECT:

EXTENSION OF TIME - VARIANCE

EOT-20206 - APPLICANT/OWNERS: ASIAN DEVELOPMENT, LLC. - Request for an Extension of Time of an approved Variance (VAR-1916) TO ALLOW NO STEPBACKS WHERE STEPBACKS ARE REQUIRED AFTER THE FOURTH STORY IN THE TOWN CENTER DEVELOPMENT STANDARDS on 3.08 acres adjacent to the north side of Deer Springs Way, approximately 330 feet west of Durango Drive (APN 125-20-201-015, 017 and 018), T-C (Town Center) Zone, Ward 6 (Ross). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

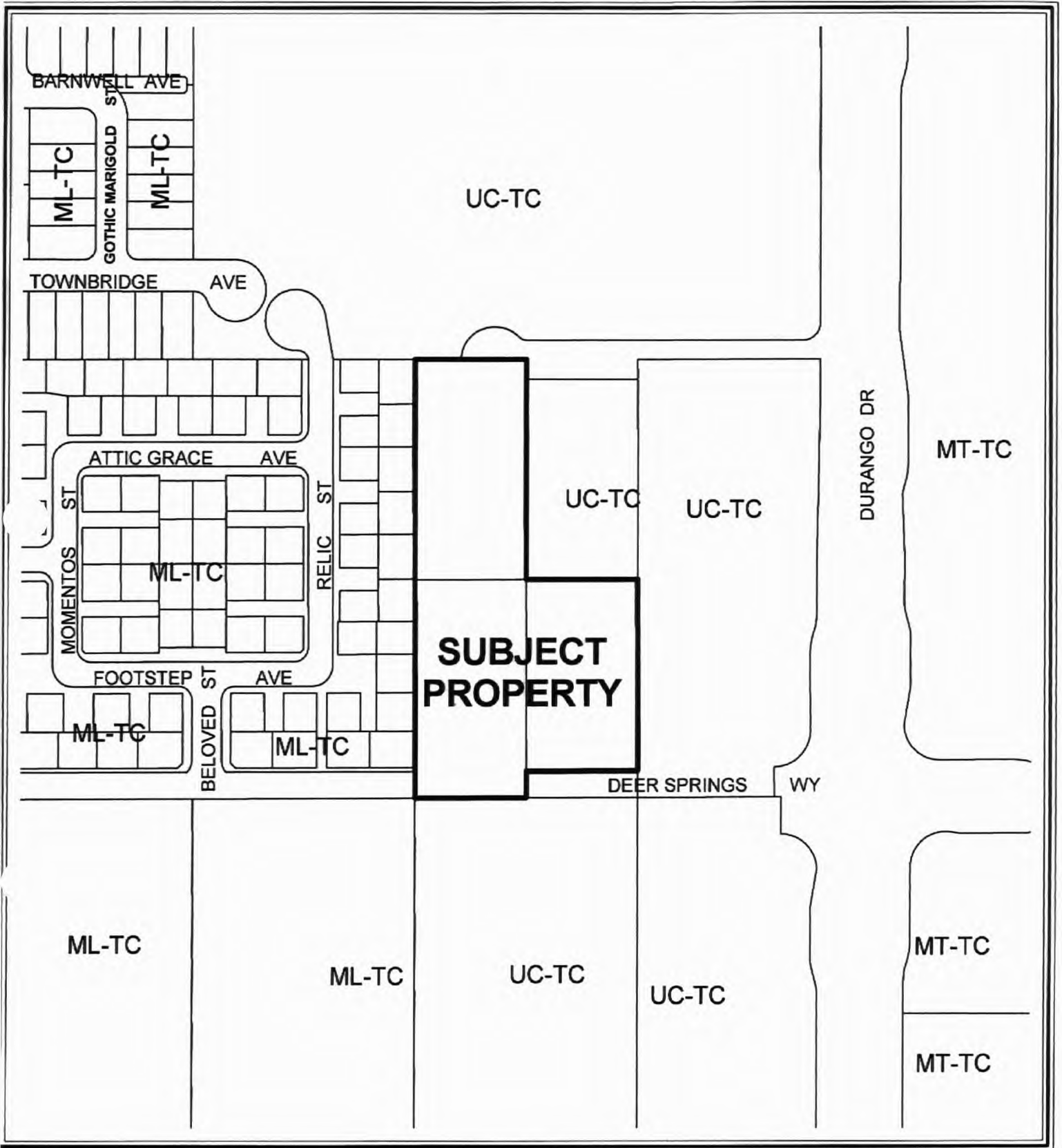
BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for VAR-1916

Motion made by GARY REESE to Approve Subject to Conditions Items 92-94

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

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



CASE: EOT-20206

03060 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 18, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: EOT-20206 - APPLICANT/OWNERS: ASIAN
DEVELOPMENT, LLC.**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Variance (VAR-1916) shall expire on May 7th, 2008 unless another Extension of Time is approved.
2. Conformance to the Conditions of Approval for Variance (VAR-1916) and all other subsequent related cases and as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is the second request for an Extension of Time of an approved Variance (VAR-1916) to allow no stepbacks where stepbacks are required after the fourth story in the town center development standards on 3.08 acres adjacent to the north side of Deer Springs Way, approximately 330 feet west of Durango Drive.

Since the first extension of time request the applicant has had a Tentative Map (TMP-15639) approved and is in the process of completing a drainage study. A traffic impact analysis has been completed. Approval of this request with a one year time limit is recommended, unless another extension of time is approved.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/07/03 *	The City Council approved a Rezoning (ZON-1913) to TC (Town Center) on the remaining portion of this site, a Special Use Permit (SUP-1915) for a fifteen story office building where Town Center Development Standards allow a maximum of twelve stories in the UC-TC (Urban Center Mixed-Use - Town Center) District, a Variance (VAR-1916) to allow no step backs where step backs are required after the fourth story in the Town Center Development Standards and a Site Development Plan Review (SDR-1914) for a fifteen story office/retail building with parking garage. The Planning Commission and staff recommended approval on 04/07/03.
03/16/05	The City Council approved related requests for an Extension of Time (EOT-6008) for Special Use Permit (SUP-1915) which allowed a fifteen-story office building where Town Center Development Standards allow a maximum of twelve stories in the UC-TC (Urban Center Mixed-Use - Town Center) District and an Extension of Time (EOT-6009) for Variance (VAR-1916), which allowed no step backs where step backs are required after the fourth story in the Town Center Development Standards.
09/21/06	The Planning Commission approved a Tentative Map for a one-lot commercial subdivision on 3.08 acres on the north side of Deer Springs Way, approximately 330 feet west of Durango Drive. Staff recommended approval.
04/18/07	The City Council will hear two related Extensions of Time (EOT-20199) and EOT-20203) concurrently with this item.
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this request.	
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required, nor was one held.	

Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	

Details of Application Request	
Site Area	
Net Acres	3.08

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	UC-TC (Urban Center Mixed Use - Town Center)	T-C (Town Center)
North	Multi-Family Residential	UC-TC (Urban Center Mixed Use - Town Center)	T-C (Town Center)
South	Undeveloped	UC-TC (Urban Center Mixed Use - Town Center)	U (Undeveloped) [TC (Town Center) General Plan Designation]
East	Undeveloped	UC-TC (Urban Center Mixed Use - Town Center)	T-C (Town Center)
West	Single Family Residential	ML-TC (Medium-Low Density Residential - Town Center)	T-C (Town Center)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
T-C Town Center District	X		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
T-C Town Center District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to the Town Center Development Standards Manual, the following Development Standards apply to the subject proposal:

Standards	Required	<i>Requested</i>	<i>Compliance</i>
Stepbacks	8-ft. stepback required after 3 stories, with 4-ft. stepback optional at 6 stories and another 8-ft. stepback at 9 stories.	Stepbacks proposed at 3 rd , 10 th and 13 th levels, on three sides of the building only. The north wall has a stepback only at the 13 th level.	N

The proposed office tower meets the required 3rd floor stepback standard on three of the four building elevations. The variance applies only to the north elevation of the structure. The subject deviation is 25%.

Pursuant to Title 19.08, the following Residential Adjacency Standards apply to the subject proposal:

- a) **Proximity slope:** Title 19.08.B.1 requires that a 3:1 slope be maintained from a non-residential project to an adjacent residential property line. Achieving a 15-story building on this site (or even the 12-story building that is allowed on the site without a Special Use Permit) would not be possible if this requirement were observed, as the proposed 204-foot building would require a 612-foot setback on a 334-foot wide lot. As designed, the office tower is set back 28.5 feet from the adjacent residential property. The subject deviation is therefore 95.3%.
- b) **Building Setback:** Title 19.08.B.4 requires that a non-residential building be set back at least an equal distance to the setback required for an adjacent residentially zoned lot. In this case, the site immediately to the west was approved for single-family development through Site Development Plan Review Z-0063-01(1). The required rear setback (which is the adjacent dimension to this site) for these lots is 14 feet. The proposed office building will be set back a distance of 28.5 feet, while the parking garage is to be set back 21 feet. The proposal therefore complies with this requirement.

ANALYSIS

This is the second extension of time request for the proposed project. At the time of the first request the applicant had not moved forward with the project since approval. Since the first extension of time request the applicant has had a Tentative Map (TMP-15639) approved and is in the process of completing a drainage study. A traffic impact analysis has been completed. Approval of this request with a one year time limit is recommended, unless another extension of time is approved.

Conditions of approval from VAR-1916:

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-1913), Special Use Permit (SUP-1915) and Site Development Plan Review (SDR-1914).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

FINDINGS

Approval of the original Variance (VAR-1916) was granted on 05/07/03 with an Extension of Time request being approved on 03/16/05. This request for a second extension of time is deemed appropriate given the circumstances currently occurring on the subject property. Approval of this request is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-20206 APN: 125-20-201-015, 017, & 018

Name of Property Owner: Asian Development LLC

Name of Applicant: David Bramlett

Name of Representative: Victor Rodriguez

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes

☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

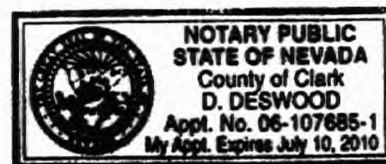
Signature of Property Owner: _____

Print Name: Barry Brinkley

Subscribed and sworn before me

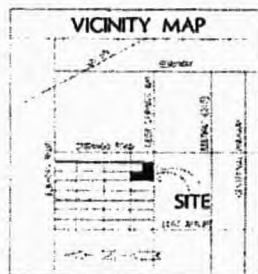
This 26 day of February, 2007

D. Deswood
Notary Public in and for said County and State

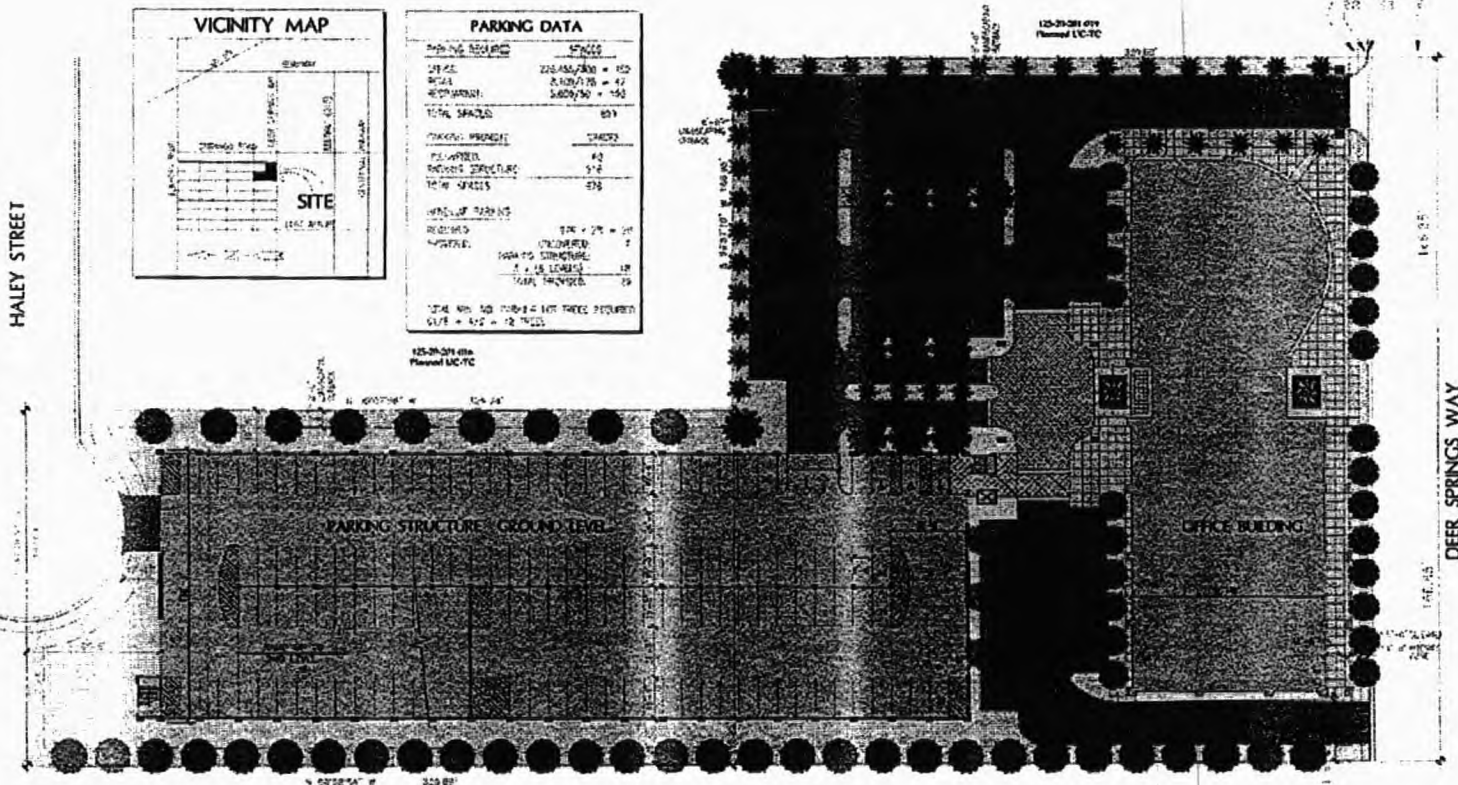


SITE DATA	
APN	125-20-01-015, 017 & 018
PROPERTY SIZE	105,144 S.F. / 2.4 ACRES
BUILDING FUEL	205,000 T.B.
CREATED FLOOR	22,800 S.F.
IMPOSED STRUCTURE	47,817 S.F.
FLOOR AREA RATIO	1.15 BLDG. AREA
	12 FLOOR, 8
	100% STEEL
TAKEOFF NUMBER	10-10

PARKING STRUCTURE SPACES	
LEVEL	SPACES
GROUND	113
2ND	148
3RD	148
4TH	148
5TH	148
6TH	148
7TH	151
TOTAL	916



PARKING DATA	
SPACES REQUIRED	SPACES
OFFICE	228,000/200 = 114
RETAIL	2,000/200 = 10
RESTAURANT	5,000/200 = 25
TOTAL SPACES	149
PROPOSED SPACES	149
PROPOSED STRUCTURE	149
TOTAL SPACES	149
PROPOSED SPACES	149
PROPOSED STRUCTURE	149
TOTAL SPACES	149
PROPOSED SPACES	149
PROPOSED STRUCTURE	149
TOTAL SPACES	149



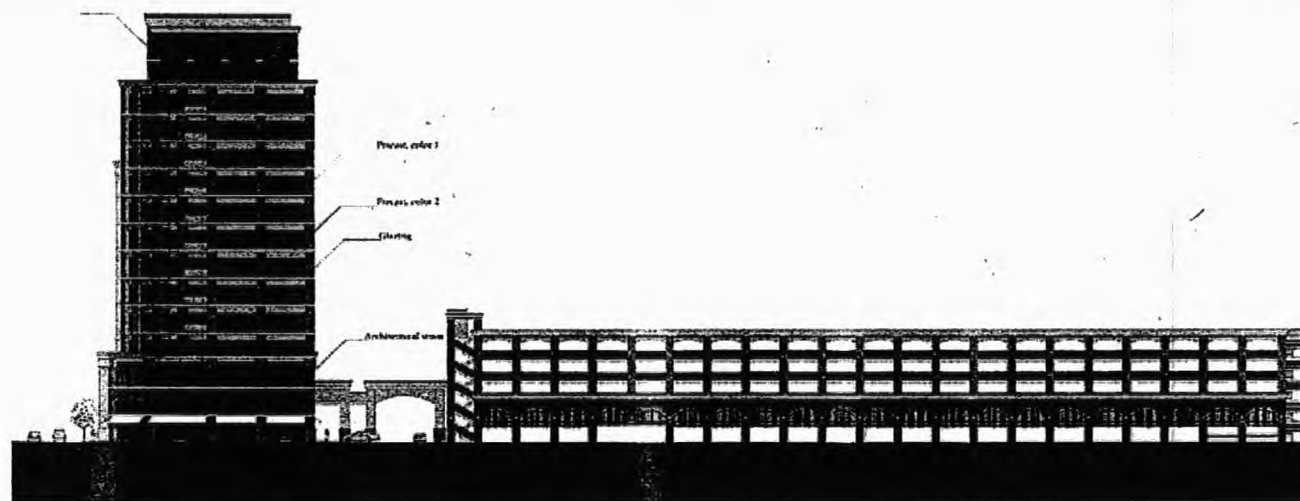
SITE PLAN
SCALE: 1" = 30'-0"

CENTENNIAL HILLS OFFICE TOWER

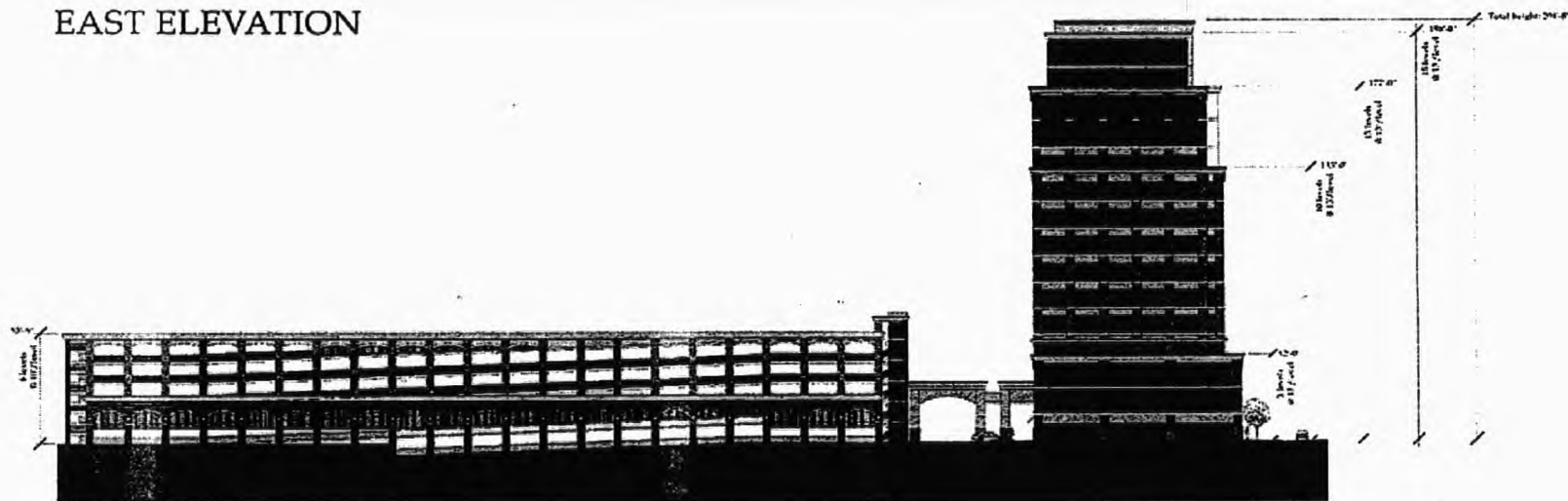
SCHEMATIC DESIGN: 02-25-03

EOT-20206 RECEIVED
04-18-07 CC
FEB 27 2007

ICHA
ARCHITECTS



EAST ELEVATION



WEST ELEVATION

SCALE: 1" = 30'-0"

EOT-20206

04-18-07 CC

RECEIVE

FEB 27 2007

CENTENNIAL HILLS OFFICE TOWER

SCHEMATIC DESIGN: 02-25-03

HKA
ARCHITECTS





Consulting Civil Engineers, INC.

3111 S. Valley View Ste. T101 • Las Vegas, NV 89102
(702) 222-4747 • (702) 248-9606 Fax

February 27, 2007

City of Las Vegas
Development of Planning and Development
731 South 4th Street
Las Vegas, NV 89101

Re: Second Extension of Time for VAR-1916

APNs: 125-20-201-015, 017, & 018

This is a request for a second extension of time for the application on the parcels noted above. The reason for this request is that the project is moving forward as the traffic study has already been approved and the drainage study is currently in the process of being reviewed. The final map cannot be recorded until both studies have been approved however the final plans are being worked on and are close to being finished at this point in time. The project, while moving forward, will not be permitted before the land use expires. We respectfully ask for this extension of time so that the final map plans can be finished at the same time the drainage study review has been completed and approved.

If you have any questions please feel free to contact me at 222-4747.

Thank You,



Victor Rodriguez

EOT-20206
04-18-07 CC



MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
MICHAEL J. McDONALD
LARRY BROWN
LYNETTE B. McDONALD
LAWRENCE WEEKLY
MICHAEL MACK

CITY MANAGER
DOUGLAS A. SELBY



036619

May 9, 2003

Mr. Craig Brooksby
Maple Development, Limited Liability Company
Asian Development, Limited Liability Company
P.O. Box 33130
Las Vegas, Nevada 89133

RE: VAR-1916 - VARIANCE
CITY COUNCIL MEETING OF MAY 7, 2003
Related to ZON-1913, SUP-1915 & SDR-1914

Dear Mr. Brooksby:

The City Council at a regular meeting held May 7, 2003 APPROVED the request for a Variance TO ALLOW NO STEPBACKS WHERE STEPBACKS ARE REQUIRED AFTER THE FOURTH STORY IN THE TOWN CENTER DEVELOPMENT STANDARDS AND A WAIVER OF THE RESIDENTIAL ADJACENCY STANDARDS OF TITLE 19 on 3.80 acres adjacent to the northeast corner of Deer Springs Way and Kevin Street (APN: 125-20-201-015, 017 and 018), T-C (Town Center) Zone and U (Undeveloped) Zone [UC-TC (Urban Center Mixed-Use - Town Center) General Plan Designation], [PROPOSED: T-C (Town Center) Zone]. The Notice of Final Action was filed with the Las Vegas City Clerk on May 8, 2003. This approval is subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-1913), Special Use Permit (SUP-1915) and Site Development Plan Review (SDR-1914).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

Sincerely,

Mary Esway
Deputy City Clerk I for
Barbara Jo Ronemus, City Clerk

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

VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

EOT-20206
04-18-07 CC

Mr. Craig Brooksby
VAR-1916 – Page Two

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. Of Fire Services

Mr. Gary Eddington
HCA Architects
1850 E. Flamingo Rd. Ste 109
Las Vegas, Nevada 89119

Mr. Craig Brooksby
Land Development & Investment Division, Inc.
P.O. Box 33130
Las Vegas, Nevada 89133

EOT-20206
04-18-07 CC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒ **Consent** ☐ **Discussion**

SUBJECT:

EXTENSION OF TIME - SPECIAL USE PERMIT

EOT-20199 - APPLICANT/OWNERS: ASIAN DEVELOPMENT, LLC. - Request for an Extension of Time of an approved Special Use Permit (SUP-1915) FOR A FIFTEEN STORY OFFICE BUILDING WHERE TOWN CENTER DEVELOPMENT STANDARDS ALLOW A MAXIMUM OF TWELVE STORIES IN THE UC-TC (Urban Center Mixed-Use - Town Center) DISTRICT on 3.08 acres adjacent to the north side of Deer Springs Way, approximately 330 feet west of Durango Drive (APN 125-20-201-015, 017 and 018), T-C (Town Center) Zone, Ward 6 (Ross). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

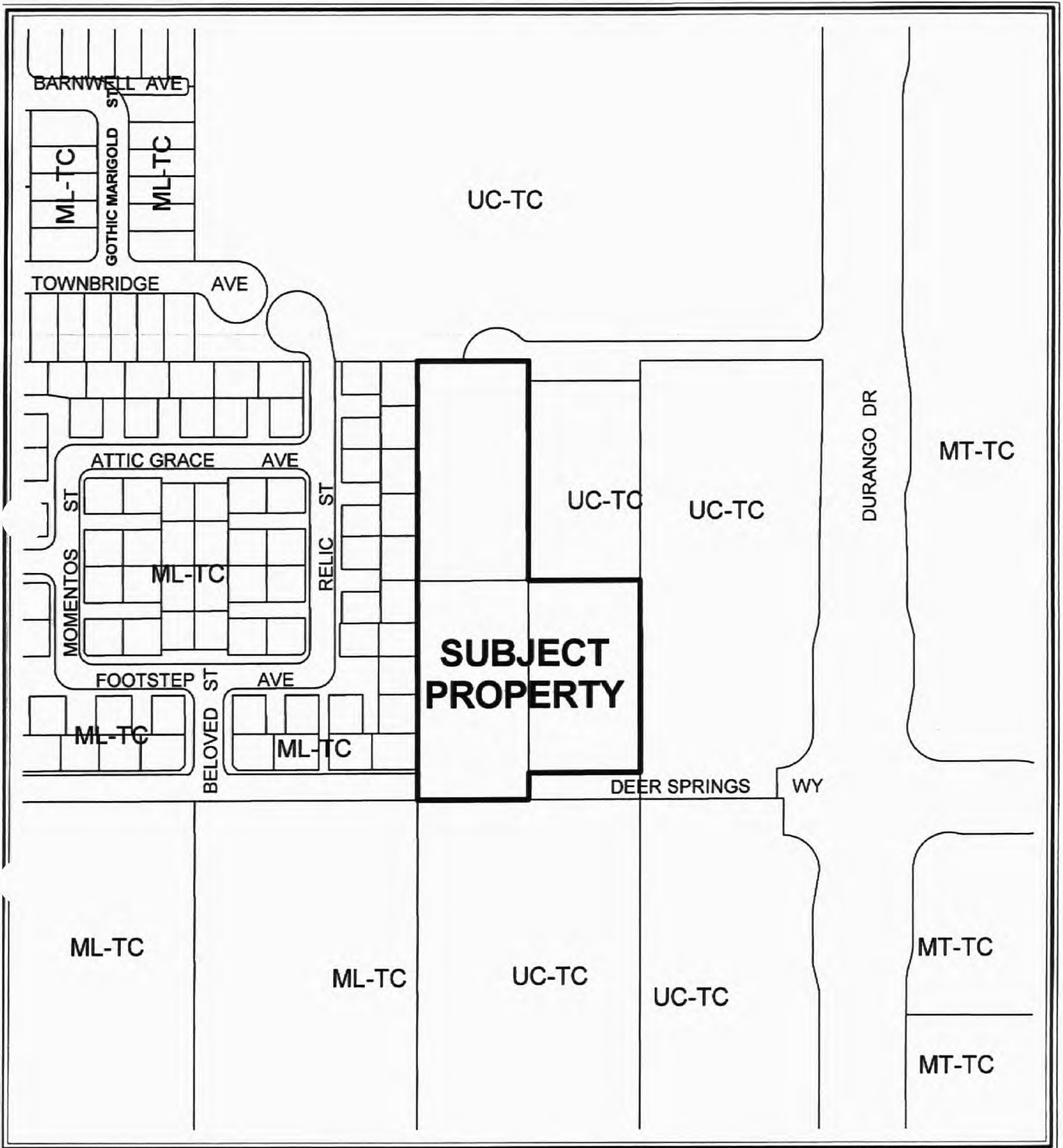
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for SUP-1915

Motion made by GARY REESE to Approve Subject to Conditions Items 92-94

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

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



CASE: EOT-20199

03060 Feet





03060 Feet



CASE: EOT-20199



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 18, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: EOT-20199 - APPLICANT/OWNERS: ASIAN
DEVELOPMENT, LLC.**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Special Use Permit (SUP-1915) shall expire on May 7th, 2008 unless another Extension of Time is approved.
2. Conformance to the Conditions of Approval for Special Use Permit (SUP-1915) and all other subsequent related cases and as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is the second Extension of Time request of an approved Special Use Permit (SUP-1915) for a fifteen story office building where town center development standards allow a maximum of twelve stories in the UC-TC (Urban Center Mixed-Use - Town Center) district on 3.08 acres adjacent to the north side of Deer Springs Way, approximately 330 feet west of Durango Drive.

Since the first extension of time request the applicant has had a Tentative Map (TMP-15639) approved and is in the process of completing a drainage study. A traffic impact analysis has been completed. Approval of this request with a one year time limit is recommended, unless another extension of time is approved.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/07/03 *	The City Council approved a Rezoning (ZON-1913) to TC (Town Center) on the remaining portion of this site, a Special Use Permit (SUP-1915) for a fifteen story office building where Town Center Development Standards allow a maximum of twelve stories in the UC-TC (Urban Center Mixed-Use - Town Center) District, a Variance (VAR-1916) to allow no step backs where step backs are required after the fourth story in the Town Center Development Standards and a Site Development Plan Review (SDR-1914) for a fifteen story office/retail building with parking garage. The Planning Commission and staff recommended approval on 04/07/03.
03/16/05	The City Council approved related requests for an Extension of Time (EOT-6008) for Special Use Permit (SUP-1915) which allowed a fifteen-story office building where Town Center Development Standards allow a maximum of twelve stories in the UC-TC (Urban Center Mixed-Use - Town Center) District and an Extension of Time (EOT-6009) for Variance (VAR-1916), which allowed no step backs where step backs are required after the fourth story in the Town Center Development Standards.
09/21/06	The Planning Commission approved a Tentative Map for a one-lot commercial subdivision on 3.08 acres on the north side of Deer Springs Way, approximately 330 feet west of Durango Drive. Staff recommended approval.
04/18/07	The City Council will hear two related Extensions of Time (EOT-20206 and EOT-20203) concurrently with this item.
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this request.	
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required, nor was one held.	

Neighborhood Meeting
A neighborhood meeting is not required, nor was one held.

Details of Application Request
Site Area
Net Acres 3.08

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	UC-TC (Urban Center Mixed Use - Town Center)	T-C (Town Center)
North	Multi-Family Residential	UC-TC (Urban Center Mixed Use - Town Center)	T-C (Town Center)
South	Undeveloped	UC-TC (Urban Center Mixed Use - Town Center)	U (Undeveloped) [TC (Town Center) General Plan Designation]
East	Undeveloped	UC-TC (Urban Center Mixed Use - Town Center)	T-C (Town Center)
West	Single Family Residential	ML-TC (Medium-Low Density Residential - Town Center)	T-C (Town Center)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
T-C Town Center District	X		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
T-C Town Center District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the second extension of time request for the proposed project. At the time of the first request the applicant had not moved forward with the project since approval. Since the first extension of time request the applicant has had a Tentative Map (TMP-15639) approved and is in the process of completing a drainage study. A traffic impact analysis has been completed. Approval of this request with a one year time limit is recommended, unless another extension of time is approved.

Conditions of approval from SUP-1915:

1. Conformance to all Minimum Requirements under Title 19.06.110 and the Town Center Development Standards Manual for a building taller than 12 stories in the Durango Corridor area of Town Center.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-1913) and Site Development Plan Review (SDR-1914).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

FINDINGS

Approval of the original Special Use Permit (SUP-1915) was granted on 05/07/03 with an Extension of Time request being approved on 03/16/05. This request for a second extension of time is deemed appropriate given the circumstances currently occurring on the subject property. Approval of this request is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-20199 APN: 125.20.201.015, 017, & 018

Name of Property Owner: Asian Development, LLC

Name of Applicant: David Bramlett

Name of Representative: Victor Rodriguez

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes

☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

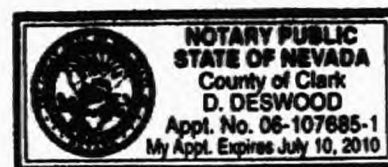
Signature of Property Owner: _____

Print Name: Barry Brooksby

Subscribed and sworn before me

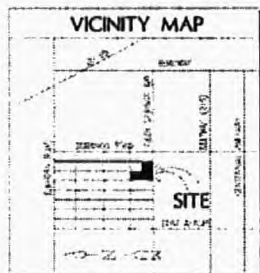
This 26 day of February, 2007
D. Deswood

Notary Public in and for said County and State

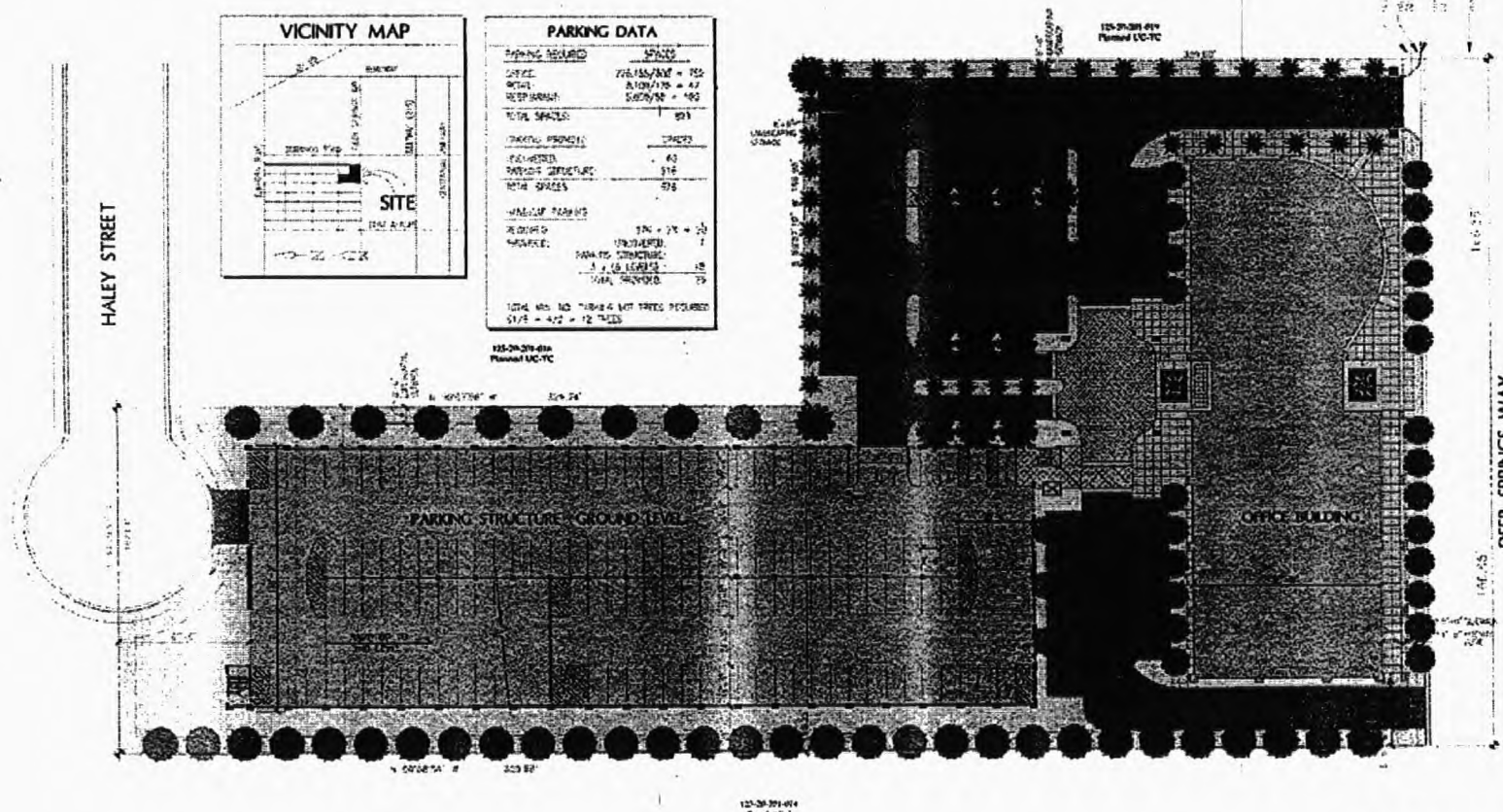


SITE DATA	
APR.	125-20-201-010, 017 & 018
PERMITTED SITE	105,104 SF / 5.8 ACRES
BUILDING SITE	240,000 SF
DEVELOP (105)	12,500 SF
PARKING STRUCTURE	47,517 SF
110' WIDE DRIVE	15,000 SF
10' WIDE DRIVE	10,000 SF
TOTAL DRIVE	25,000 SF
TOTAL DRIVE	10,000 SF

PARKING STRUCTURE SPACES	
LEVEL	SPACES
GROUND	113
2ND	145
3RD	145
4TH	145
5TH	145
6TH / 7TH	151
TOTAL	916



PARKING DATA	
PARKING REQUIRED	SPACES
OFFICE	776,155/300 = 258
RETAIL	8,000/175 = 45
RESTAURANT	5,000/50 = 100
TOTAL SPACES	403
PARKING PROVIDED	SPACES
GROUND	113
PARKING STRUCTURE	803
TOTAL SPACES	916
AVAILABLE SPACES	SPACES
GROUND	113
PARKING STRUCTURE	803
TOTAL SPACES	916
TOTAL NO. OF TRUCKS WITH TRAILERS REQUIRED	51/2 = 42 = 12 TRUCKS



SITE PLAN
SCALE: 1" = 30'-0"

EOT-20199
04/18/07 CC

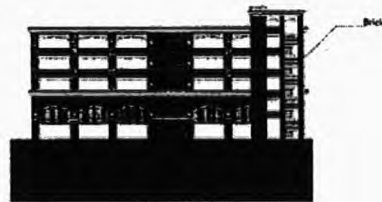
RECEIVED
FEB 27 2007



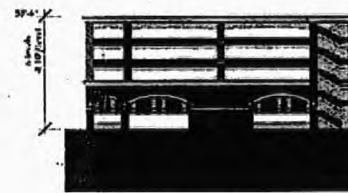
CENTENNIAL HILLS OFFICE TOWER

SCHEMATIC DESIGN: 02-15-03

ICMA
ARCHITECTS



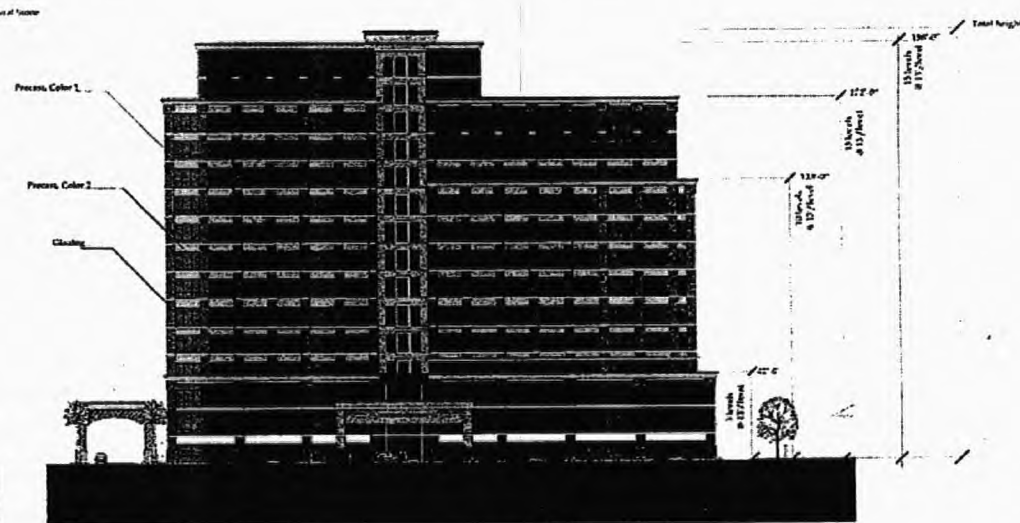
SOUTH ELEVATION (PARKING STRUCTURE)



NORTH ELEVATION (PARKING STRUCTURE)



SOUTH ELEVATION



NORTH ELEVATION

EOT-20199
04/18/07 CC

FEB 27 2007

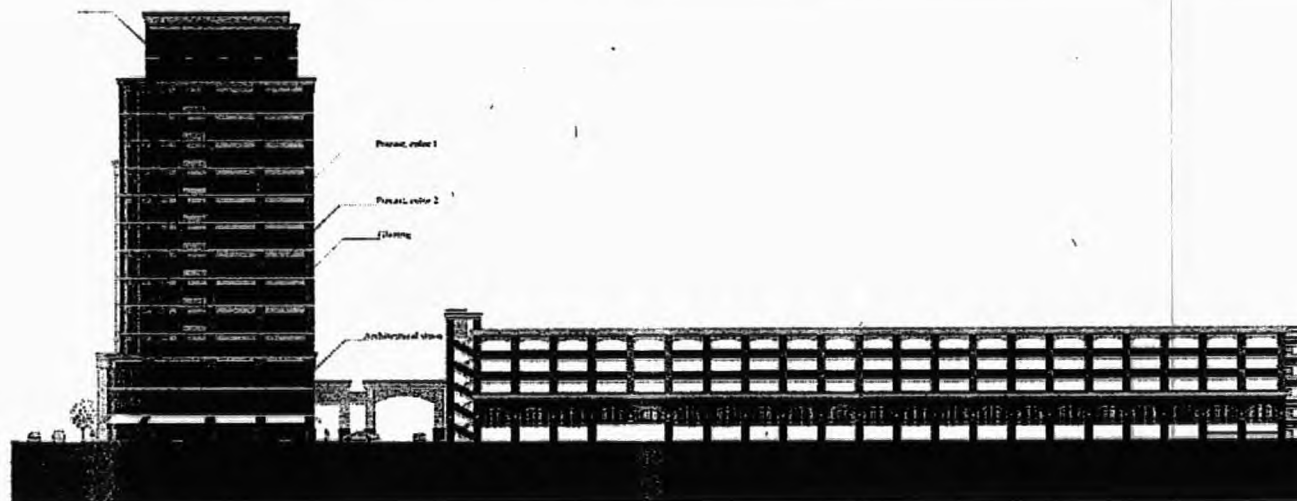
SCALE: 1" = 30'-0"



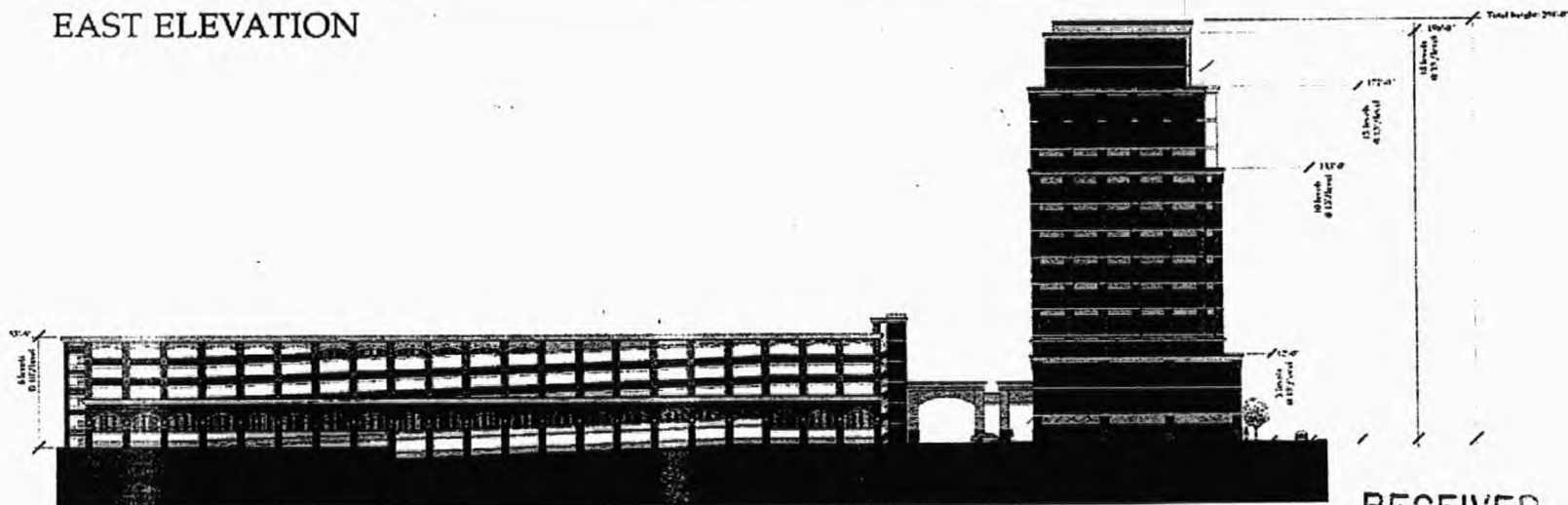
CENTENNIAL HILLS OFFICE TOWER

SCHEMATIC DESIGN: 03-25-03

ICHA
ARCHITECTS



EAST ELEVATION



WEST ELEVATION

SCALE: 1" = 30'-0"

EOT-20199

04/18/07 CC

RECEIVED

FEB 27 2007



CENTENNIAL HILLS OFFICE TOWER

SCHEMATIC DESIGN: 02-25-03

ICHA
ARCHITECTS



Consulting Civil Engineers, INC.

3111 S. Valley View Ste. T101 • Las Vegas, NV 89102
(702) 222-4747 • (702) 248-9606 Fax

February 27, 2007

City of Las Vegas
Development of Planning and Development
731 South 4th Street
Las Vegas, NV 89101

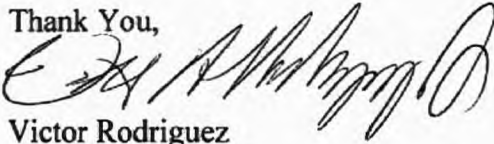
Re: Second Extension of Time for SUP-1915

APNs: 125-20-201-015, 017, & 018

This is a request for a second extension of time for the application on the parcels noted above. The reason for this request is that the project is moving forward as the traffic study has already been approved and the drainage study is currently in the process of being reviewed. The final map cannot be recorded until both studies have been approved however the final plans are being worked on and are close to being finished at this point in time. The project, while moving forward, will not be permitted before the land use expires. We respectfully ask for this extension of time so that the final map plans can be finished at the same time the drainage study review has been completed and approved.

If you have any questions please feel free to contact me at 222-4747.

Thank You,



Victor Rodriguez

EOT-20199
04/18/07 CC



MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
MICHAEL J. McDONALD
LARRY BROWN
YNETTE B. McDONALD
AWRENCE WEEKLY
MICHAEL MACK

CITY MANAGER
DOUGLAS A. SELBY

May 9, 2003

Mr. Craig Brooksby
Maple Development, Limited Liability Company
Asian Development, Limited Liability Company
P.O. Box 33130
Las Vegas, Nevada 89133

RE: SUP-1915 - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF MAY 7, 2003
Related to ZON-1913, VAR-1916 & SDR-1914

Dear Mr. Brooksby:

The City Council at a regular meeting held May 7, 2003 APPROVED the request for a Special Use Permit FOR A FIFTEEN STORY OFFICE BUILDING WHERE TOWN CENTER DEVELOPMENT STANDARDS ALLOW A MAXIMUM OF TWELVE STORIES IN THE UC-TC (Urban Center Mixed-Use - Town Center) DISTRICT on 3.80 acres adjacent to the northeast corner of Deer Springs Way and Kevin Street (APN: 125-20-201-015, 017 and 018), T-C (Town Center) Zone and U (Undeveloped) Zone [UC-TC (Urban Center Mixed-Use - Town Center) General Plan Designation], [PROPOSED: T-C (Town Center) Zone]. The Notice of Final Action was filed with the Las Vegas City Clerk on May 8, 2003. This approval is subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.06.110 and the Town Center Development Standards Manual for a building taller than 12 stories in the Durango Corridor area of Town Center.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-1913) and Site Development Plan Review (SDR-1914).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

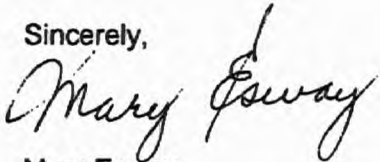
VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

EOT-20199
04/18/07 CC

Mr. Craig Brooksby
SUP-1915 – Page Two

4. All City Code requirements and design standards of all City departments must be satisfied.

Sincerely,



Mary Esway
Deputy City Clerk I for
Barbara Jo Ronemus, City Clerk

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. Of Fire Services

Mr. Craig Brooksby
Land Development & Investment Division, Inc.
P.O. Box 33130
Las Vegas, Nevada 89133

Mr. Gary Eddington
HCA Architects
1850 E. Flamingo Rd
Las Vegas, Nevada 89119

EOT-20199
04/18/07 CC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒ Consent ☐ Discussion

SUBJECT:

EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW

EOT-20203 - APPLICANT/OWNERS: ASIAN DEVELOPMENT, LLC. - Request for an Extension of Time of an approved Site Development Plan Review (SDR-1914) FOR A FIFTEEN STORY OFFICE/RETAIL BUILDING WITH PARKING GARAGE on 3.08 acres adjacent to the north side of Deer Springs Way, approximately 330 feet west of Durango Drive (APN 125-20-201-015, 017 and 018), T-C (Town Center) Zone, Ward 6 (Ross). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

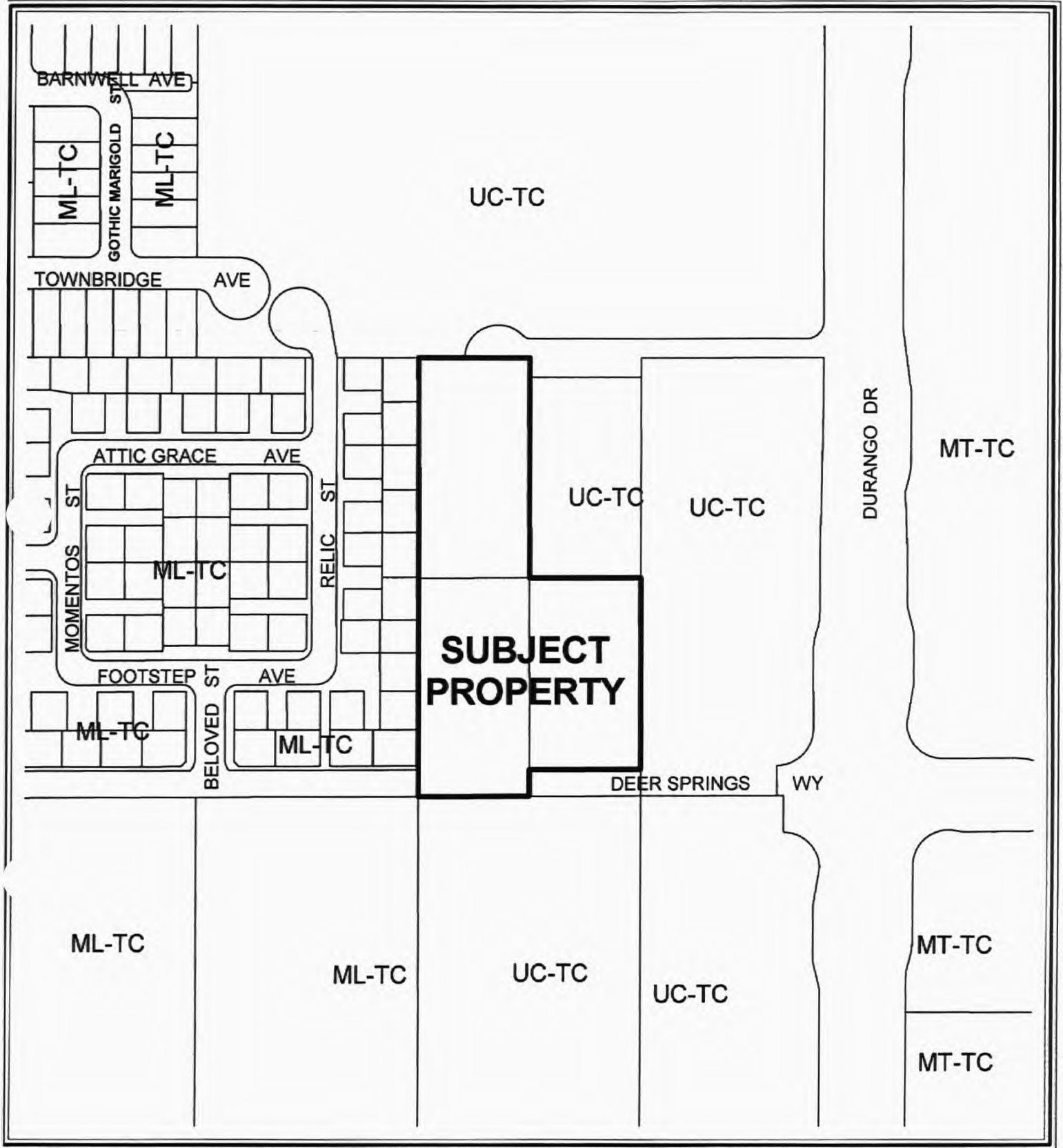
BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for SDR-1914

Motion made by GARY REESE to Approve Subject to Conditions Items 92-94

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

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



CASE: EOT-20203

03060 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 18, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: EOT-20203 - APPLICANT/OWNERS: ASIAN
DEVELOPMENT, LLC.**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Site Development Plan Review (SDR-1914) shall expire on May 7th, 2008 unless another Extension of Time is approved.
2. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-1914) and all other subsequent related cases and as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is the second Extension of Time request for an approved Site Development Plan Review (SDR-1914) for a fifteen story office/retail building with parking garage on 3.08 acres adjacent to the northeast corner of Deer Springs Way and Kevin Street.

Since the first extension of time request the applicant has had a Tentative Map (TMP-15639) approved and is in the process of completing a drainage study. A traffic impact analysis has been completed. Approval of this request with a one year time limit is recommended, unless another extension of time is approved.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/07/03 *	The City Council approved a Rezoning (ZON-1913) to TC (Town Center) on the remaining portion of this site, a Special Use Permit (SUP-1915) for a fifteen story office building where Town Center Development Standards allow a maximum of twelve stories in the UC-TC (Urban Center Mixed-Use - Town Center) District, a Variance (VAR-1916) to allow no step backs where step backs are required after the fourth story in the Town Center Development Standards and a Site Development Plan Review (SDR-1914) for a fifteen story office/retail building with parking garage. The Planning Commission and staff recommended approval on 04/07/03.
03/16/05	The City Council approved related requests for an Extension of Time (EOT-6008) for Special Use Permit (SUP-1915) which allowed a fifteen-story office building where Town Center Development Standards allow a maximum of twelve stories in the UC-TC (Urban Center Mixed-Use - Town Center) District and an Extension of Time (EOT-6009) for Variance (VAR-1916), which allowed no step backs where step backs are required after the fourth story in the Town Center Development Standards.
09/21/06	The Planning Commission approved a Tentative Map for a one-lot commercial subdivision on 3.08 acres on the north side of Deer Springs Way, approximately 330 feet west of Durango Drive. Staff recommended approval.
04/18/07	The City Council will hear two related Extensions of Time (EOT-20206 and EOT-20203) concurrently with this item.
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this request.	
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

Details of Application Request	
Site Area	
Net Acres	3.08

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	UC-TC (Urban Center Mixed Use - Town Center)	T-C (Town Center)
North	Multi-Family Residential	UC-TC (Urban Center Mixed Use - Town Center)	T-C (Town Center)
South	Undeveloped	UC-TC (Urban Center Mixed Use - Town Center)	U (Undeveloped) [TC (Town Center) General Plan Designation]
East	Undeveloped	UC-TC (Urban Center Mixed Use - Town Center)	T-C (Town Center)
West	Single Family Residential	ML-TC (Medium-Low Density Residential - Town Center)	T-C (Town Center)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
T-C Town Center District	X		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
T-C Town Center District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

PROJECT DESCRIPTION

The project will consist of a 15-story office building and a six-level parking garage structure. The office building is located at the south end of the parcel, facing Deer Springs Way, and will have a main floor area of about 22,000 square feet (including 8,100 square feet of retail space), with a total floor area of 283,080 square feet. A 5,000 square-foot restaurant is planned for the 15th floor. The east, west and south façades of the structure are intended to step back at the third, tenth and thirteenth levels. The north elevation will step back only at the thirteenth level.

The parking garage will be a 53.5-foot high, six-level structure oriented north-south on the site, to the north of the office building, and will contain 916 parking spaces. Entrances to the parking garage will be via Haley Avenue (Hitt Family Court), which is intended to terminate in a cul-de-sac immediately adjacent to this site, and via a driveway to Deer Springs Way on the east side of the property. A one-way fire lane will be provided to Deer Springs Way on the west side of the property. A small amount of surface parking (60 spaces) will be provided on the remainder of the site between the two structures, which are connected by an open porte-cochere that acts as the main entrance to the building.

ANALYSIS

This is the second extension of time request for the proposed project. At the time of the first request the applicant had not moved forward with the project since approval. Since the first extension of time request the applicant has had a Tentative Map (TMP-15639) approved and is in the process of completing a drainage study. A traffic impact analysis has been completed. Approval of this request with a one year time limit is recommended, unless another extension of time is approved.

Conditions of approval for SDR-1914:

1. A Rezoning [ZON-1913] to a T-C (Town Center) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the location of loading zones, main floor entrances and uses, and outdoor seating areas.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to indicate the required amenity zone and planting requirements for Haley Avenue and planting requirements on Deer Springs Way to Town Center standards, and to indicate the required 20% open space as per Title 19.06.110.E.

7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
15. All City Code requirements and design standards of all City departments must be satisfied.
16. The three parcels which comprise this action must be combined into one entity by an Administrative Joining, intersite access and joint use agreement, a Reversionary Map, or similar legal action that binds each parcels interdependency prior to the issuance of any permits for this site.
17. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
18. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

19. Site development to comply with all applicable conditions of approval for ZON-1913 and all other subsequent site-related actions.

FINDINGS

Approval of the original Site Development Plan Review (SDR-1914) was granted on 05/07/03 with an Extension of Time request being approved on 03/16/05. This request for a second extension of time is deemed appropriate given the circumstances currently occurring on the subject property. Approval of this request is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **EOT-20203** APN: 125.20.201.015, 017, & 018

Name of Property Owner: Asian Development LLC

Name of Applicant: David Bramlett

Name of Representative: Victor Rodriguez

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes

☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

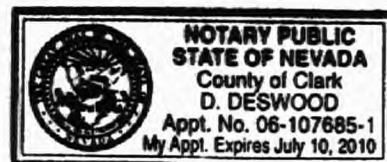
Signature of Property Owner: _____

Print Name: Barry Brooksby

Subscribed and sworn before me

This 26 day of February, 2007

D. Deswood
Notary Public in and for said County and State

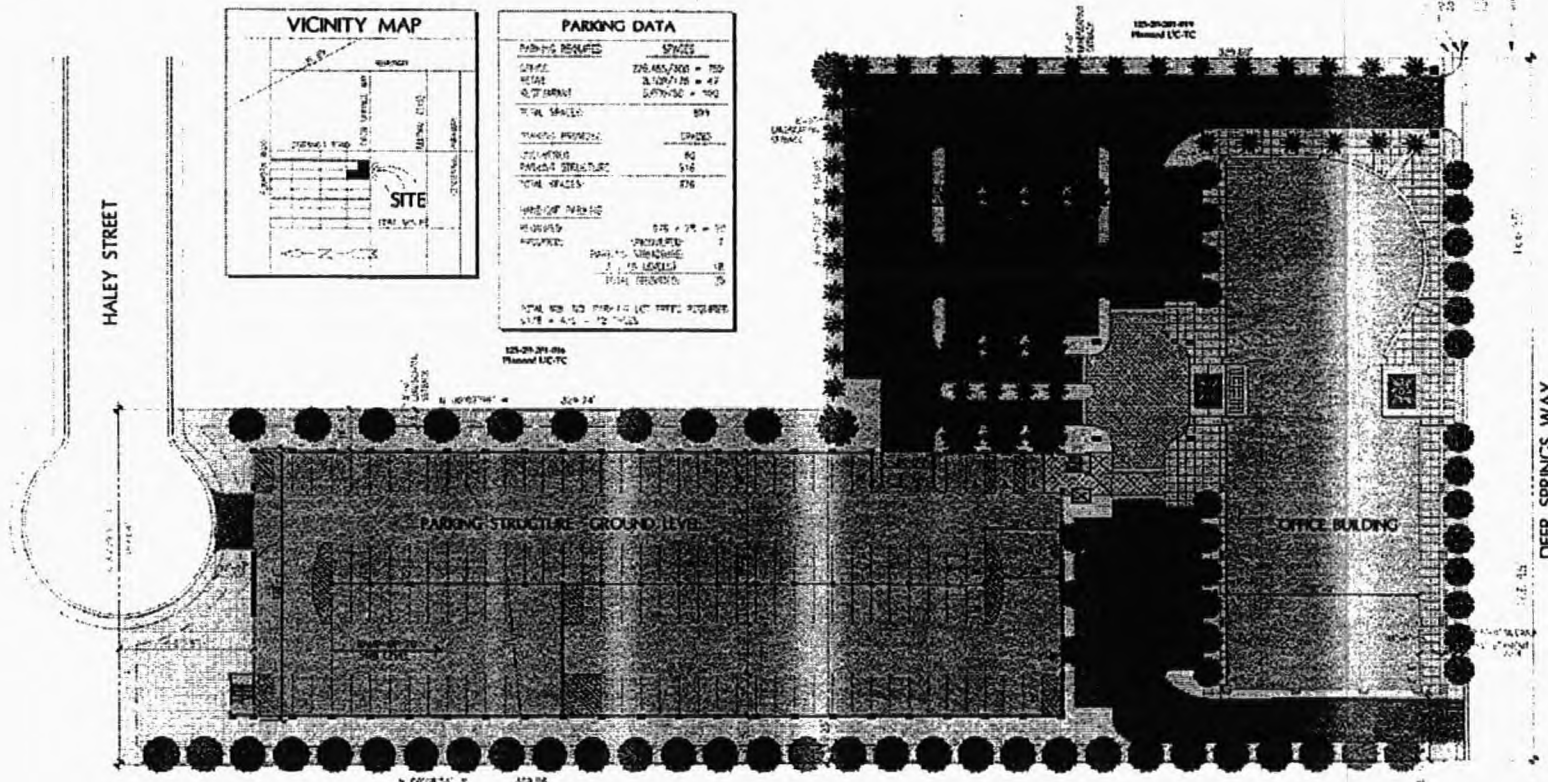


SITE DATA	
APR	125-20-201-015, 017 & 019
PROPERTY SIZE	125.44 ST / 3.5 ACRES
RESIDING ZONE	200,000 SF
OFFICE BLDG	22,500 SF
PARKING STRUCTURES	47,812 SF
GROUND AREA	12,500 SF
PLANNED ZONING	12-12

PARKING STRUCTURE SPACES	
LEVEL	SPACES
GROUND	113
2ND	145
3RD	145
4TH	145
5TH	145
6TH / 7TH	151
TOTAL	610



PARKING DATA	
PARKING REQUIRED	SPACES
OFFICE	22,500 SF / 100 = 225
RESID	200,000 SF / 400 = 500
STREET	100
TOTAL REQUIRED	825
PROVIDED	610
DEFICIT	215
PROPOSED	825
PROVIDED	825
DEFICIT	0
TOTAL REQUIRED	825
TOTAL PROVIDED	825
DEFICIT	0



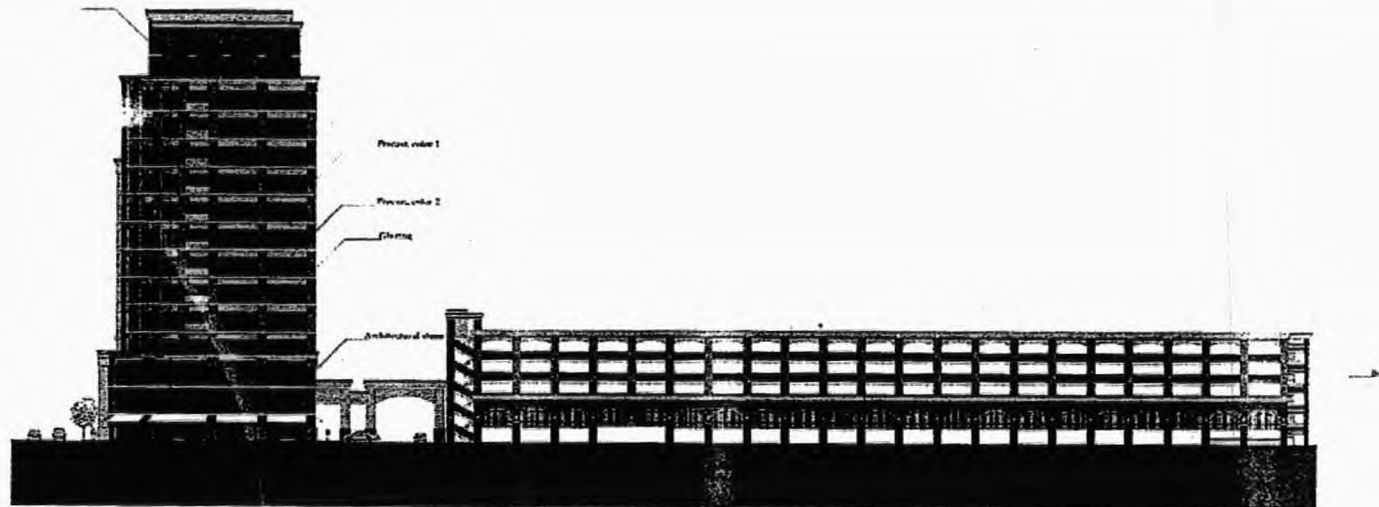
SITE PLAN
SCALE: 1" = 30'-0"

CENTENNIAL HILLS OFFICE TOWER

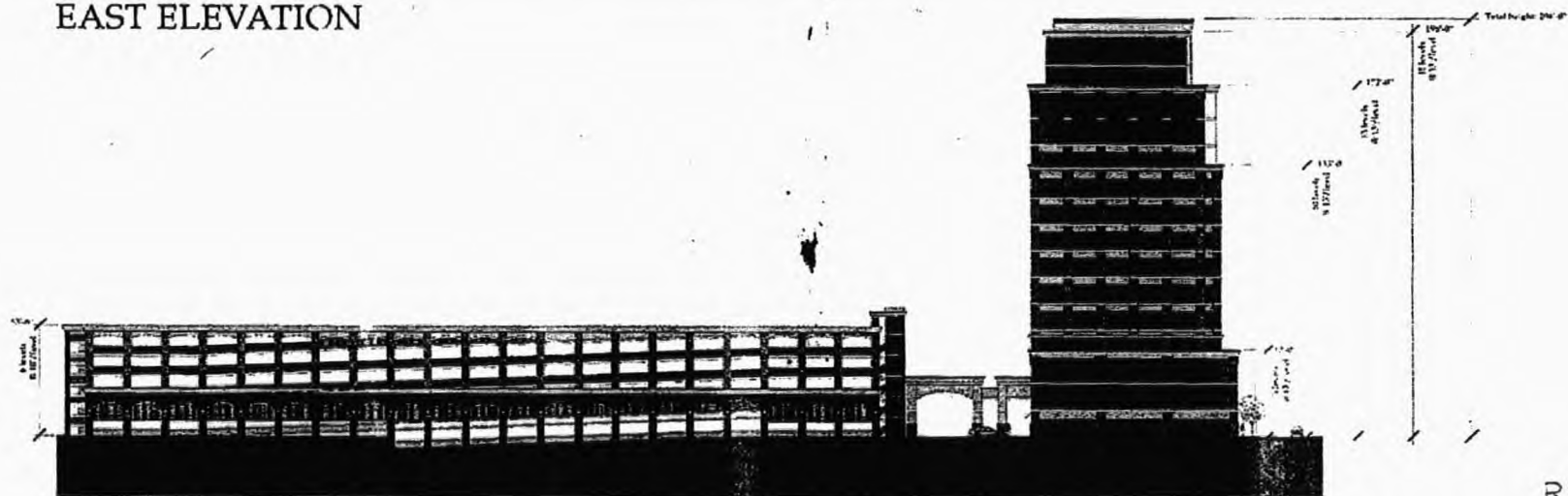
SCHEMATIC DESIGN: 03-23-03

ICHA
ARCHITECTS

EOT-20203 RECEIVED
04-18-07 CC FEB 27 2007



EAST ELEVATION



WEST ELEVATION

SCALE: 1" = 30'-0"

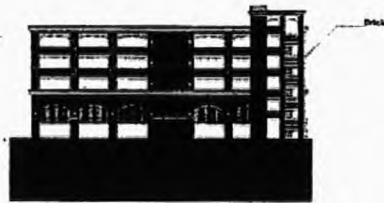
RECEIVED
EOT-20203
04-18-07 CC FEB 27 2007



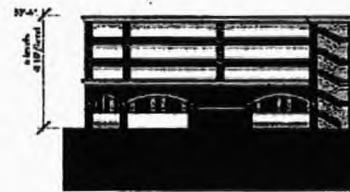
CENTENNIAL HILLS OFFICE TOWER

SCHEMATIC DESIGN: 02-25-03

INA
ARCHITECTS



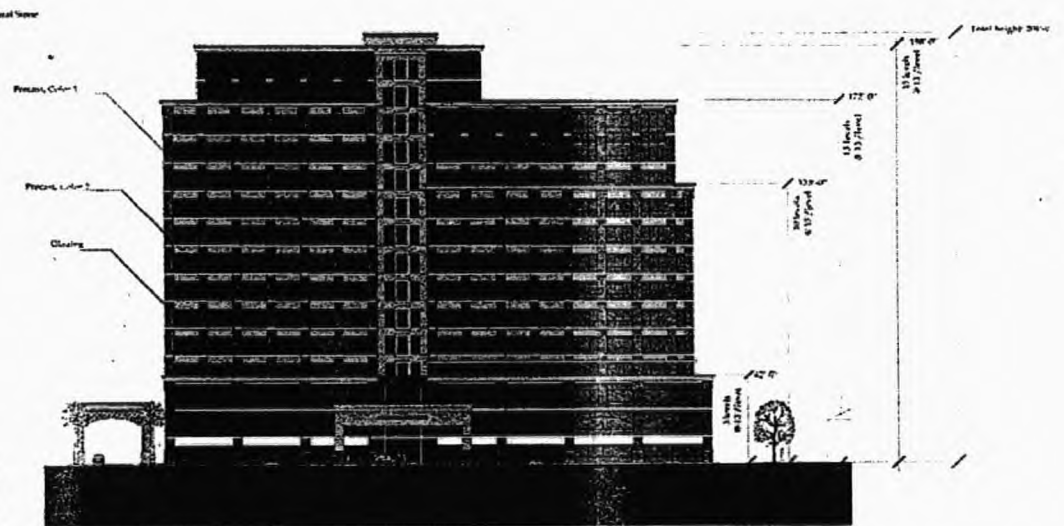
SOUTH ELEVATION (PARKING STRUCTURE)



NORTH ELEVATION (PARKING STRUCTURE)



SOUTH ELEVATION



NORTH ELEVATION

RECEIVED

EOT-20203

04-18-07 CC FEB 27 2007

SCALE: 1" = 10'-0"

CENTENNIAL HILLS OFFICE TOWER

SCHEMATIC DESIGN: 02-25-03

ICNA
ARCHITECTS



Consulting Civil Engineers, INC.

3111 S. Valley View Ste. T101 • Las Vegas, NV 89102
(702) 222-4747 • (702) 248-9606 Fax

February 27, 2007

City of Las Vegas
Development of Planning and Development
731 South 4th Street
Las Vegas, NV 89101

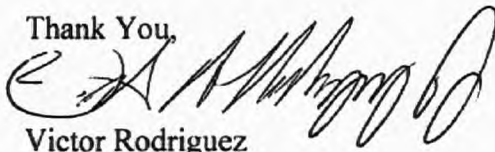
Re: Second Extension of Time for SDR-1914

APNs: 125-20-201-015, 017, & 018

This is a request for a second extension of time for the application on the parcels noted above. The reason for this request is that the project is moving forward as the traffic study has already been approved and the drainage study is currently in the process of being reviewed. The final map cannot be recorded until both studies have been approved however the final plans are being worked on and are close to being finished at this point in time. The project, while moving forward, will not be permitted before the land use expires. We respectfully ask for this extension of time so that the final map plans can be finished at the same time the drainage study review has been completed and approved.

If you have any questions please feel free to contact me at 222-4747.

Thank You,



Victor Rodriguez

EOT-20203
04-18-07 CC



MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
MICHAEL J. McDONALD
LARRY BROWN
NETTE B. McDONALD
LAWRENCE WEEKLY
MICHAEL MACK

CITY MANAGER
DOUGLAS A. SELBY

June 12, 2003

Mr. Craig Brooksby
Maple Development, Limited Liability Company
Asian Development, Limited Liability Company
P.O. Box 33130
Las Vegas, Nevada 89133

RE: SDR-1914 - SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF MAY 7, 2003
Related to ZON-1913, VAR-1916 & SUP-1915

Dear Mr. Brooksby:

The City Council at a regular meeting held May 7, 2003 APPROVED the request for a Site Development Plan Review FOR A FIFTEEN STORY OFFICE/RETAIL BUILDING WITH PARKING GARAGE on 3.80 acres adjacent to the northeast corner of Deer Springs Way and Kevin Street (APN: 125-20-201-015, 017 and 018), T-C (Town Center) Zone and U (Undeveloped) Zone [UC-TC (Urban Center Mixed-Use - Town Center) General Plan Designation], [PROPOSED: T-C (Town Center) Zone]. The Notice of Final Action was filed with the Las Vegas City Clerk on May 8, 2003. This approval is subject to:

Planning and Development

1. A Rezoning [ZON-1913] to a T-C (Town Center) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the location of loading zones, main floor entrances and uses, and outdoor seating areas.

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

VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

EOT-20203
04-18-07 CC

5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to indicate the required amenity zone and planting requirements for Haley Avenue and planting requirements on Deer Springs Way to Town Center standards, and to indicate the required 20% open space as per Title 19.06.110.E.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit. A double row of 36-inch box trees shall be planted along the entire west side of the parking garage.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Mr. Craig Brooksby
SDR-1914 – Page Three
June 12, 2003

15. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

16. The three parcels which comprise this action must be combined into one entity by an Administrative Joining, intersite access and joint use agreement, a Reversionary Map, or similar legal action that binds each parcels interdependency prior to the issuance of any permits for this site.
17. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
18. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
19. Site development to comply with all applicable conditions of approval for ZON-1913 and all other subsequent site-related actions.

Sincerely,



Angela Crolli
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

Sincerely,



M. Margo Wheeler, AICP
Planning Manager, Current Planning Division
Planning and Development Department

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. Of Fire Services

Mr. Gary Eddington
HCA Architects
1850 East Flamingo Road, Suite #109
Las Vegas, Nevada 89119

Mr. Craig Brooksby
Land Development & Investment Division, Inc.
P.O. Box 33130
Las Vegas, Nevada 89133

EOT-20203
04-18-07 CC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
REZONING

ZON-19691 - PUBLIC HEARING - APPLICANT/OWNER: JAMES L. POLLINS - Request for a Rezoning FROM: C-2 (GENERAL COMMERCIAL) TO: R-4 (HIGH DENSITY RESIDENTIAL) on 0.16 acres at 204 West Monroe Avenue (APN 139-27-111-068), Ward 5 (Williams). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter

Motion made by BRENDA J. WILLIAMS to Approve Subject to Conditions

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

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

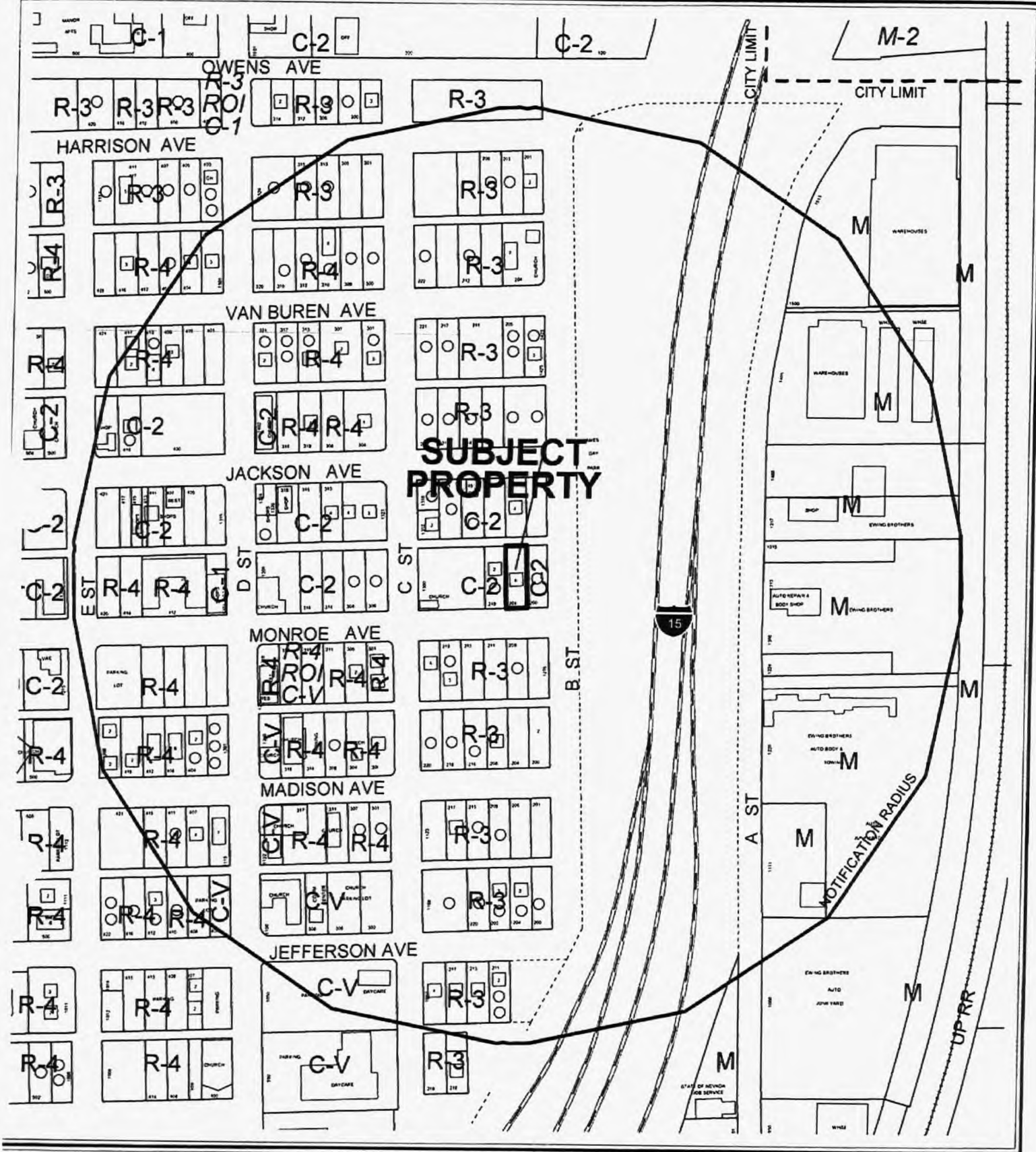
Minutes:

MAYOR GOODMAN declared the Public Hearing open.

JAMES PONDS, 669 Peachy Canyon Circle, Las Vegas, Nevada, was present.

COUNCILWOMAN WILLIAMS did not see any issues with the rezoning request and expressed support.

MAYOR GOODMAN declared the Public Hearing closed.



CASE: **ZON-19691**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)





CASE: ZON-19691

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)

0 500 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 18, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-19691 - APPLICANT/OWNER: JAMES L. POLLINS

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. R-4 zoning is hereby approved.

Public Works

2. Sign a Covenant Running with Land agreement for the possible future installation of half-street improvements (including curb and gutter, sidewalks, streetlighting, permanent paving and possibly fire hydrants) on Monroe Avenue adjacent to this site. The Covenant agreement must be recorded with the County Recorder and a copy of the recorded document must be provided to the City.
3. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
4. Upon development/redevelopment of the property, appropriate street improvements, drainage mitigation and traffic mitigation commitments may be required.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Rezoning from C-2 (General Commercial) to R-4 (High Density Residential) at 204 West Monroe Avenue, the site of an existing four-plex residential structure.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/01/03	The City Council approved a General Plan Amendment (GPA-2497) to Amend the City of Las Vegas Downtown Development Plan Map (Map 9) of the Las Vegas Redevelopment Plan from Industrial to Commercial and from Industrial to Mixed Use for properties bounded by Charleston Boulevard to the north, Third Street to the east, Commerce Street to the west and Colorado Street to the south. The subject site was amended from a general plan designation of M (Industrial) to MXU (Mixed Use) as a result of this action. Planning Commission and Staff recommended approval.
03/22/07	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #8/r1).
<i>Related Building Permits/Business Licenses</i>	
09/19/05	Building Permit under plan check number L-1702-05 issued to Just Properties to rewire the existing four-plex on the subject site.
06/07/06	Building Permit under plan check number L-1702-05 issued to Just Properties to renovate the existing four-plex on the subject site

<i>Pre-Application Meeting</i>	
01/26/07	A pre-application meeting was held to discuss the requirements for requesting a zone change from C-2 (General Commercial) to R-4 (High Density residential).

<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this application, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.16

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Multi-Family Residential	MXU (Mixed Use)	C-2 (General Commercial)
North	Multi-Family Residential	MXU (Mixed Use)	C-2 (General Commercial)
South	Single Family Residential	MXU (Mixed Use)	R-3 (Medium Density Residential)
East	Single Family Residential	MXU (Mixed Use)	C-2 (General Commercial)
West	Multi-Family Residential	MXU (Mixed Use)	C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Redevelopment Plan Area	X		Y
West Las Vegas Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Airport Overlay District	X		Y
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

This application is a request to bring a non-conforming use into compliance with the Title 19 zoning ordinance. The property is located with the Redevelopment Plan area and the West Las Vegas plan, and by creating conformity between the zoning and land use, the request is supportive of these area plans. Further, while the subject site is located within the Airport Overlay district, the two-story residential structure is well below the height buffer limits.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	6,500 Square Feet	6,900 SF	Y
Min. Lot Width	NA	50 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	8 Feet	Y
• Corner	NA	NA	NA
• Rear	20 Feet	7 Feet	N*

Min. Distance Between Buildings	10 Feet	5.75 Feet	N*
Max. Lot Coverage	NA	35.2%	Y
Max. Building Height	2 Stories/35 Feet	1 Story	Y

*Because no building addition is proposed as part of this request, the non-conforming setback and building separation can continue.

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
C-2 (General Commercial)	0 Units Per Acre	0 units
<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R-3 (Medium Density Residential)	25 Units Per Acre	4 units
<i>General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
MXU	25 Units Per Acre	4 units

ANALYSIS

The applicant is seeking a rezoning from C-2 (General Commercial) to R-4 (High Density Residential), which allows for up to 50 units per acre. The subject site is an existing four-plex originally constructed in 1956 on a 0.16 acre lot. This four-plex is a non-conforming use in the existing C-2 (General Commercial) zone, but is a permitted use in the proposed R-4 (High Density Residential) zone.

The reason for this request, as stated in the applicant's justification letter, is that with the non-conforming use in the C-2 (General Commercial) zone, the applicant is unable to finance, refinance or otherwise improve the condition of his property despite the fact that the four-plex is the "highest and best use" of the subject site. Several building permits have been issued for site improvements over the last five years, and in order to continue allowing the owner of this site to best maintain the property, staff recommends approval of this request.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. "The proposal conforms to the General Plan."

The proposed Rezoning from C-2 (General Commercial) to R-4 (High Density Residential) is consistent with the land use designation of MXU and the West Las Vegas Plan goal of preserving the character of existing neighborhoods.

2. **“The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”**

As the proposed Rezoning is intended to preserve the existing uses on the site, granting this request will ensure continued compatibility with the surrounding land uses and zoning districts.

3. **“Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”**

This property had previously been rezoned in order to allow the assemblage of surrounding parcels for Mixed Use redevelopment. As the subject site was not assembled in the redevelopment of surrounding parcels, growth and development factors indicate the need to preserve the existing use on this site. Therefore, the proposed Rezoning is appropriate as it will bring the non-conforming use into compliance.

4. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”**

Monroe Avenue, a local street, is and will continue to be adequate to meet the needs of the existing use on the subject site.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

12

ASSEMBLY DISTRICT 6

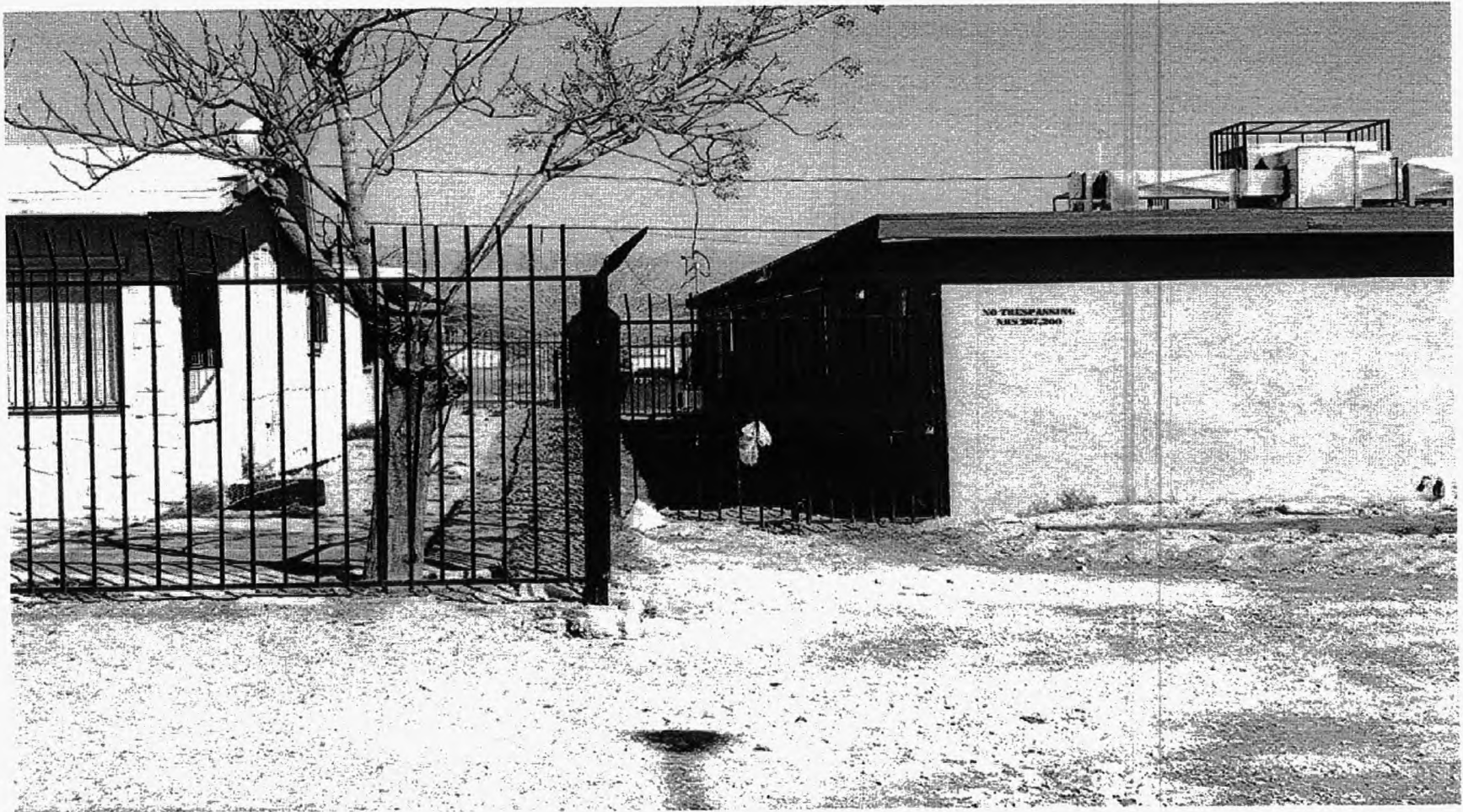
SENATE DISTRICT 4

NOTICES MAILED 145 by Planning Department

APPROVALS 0

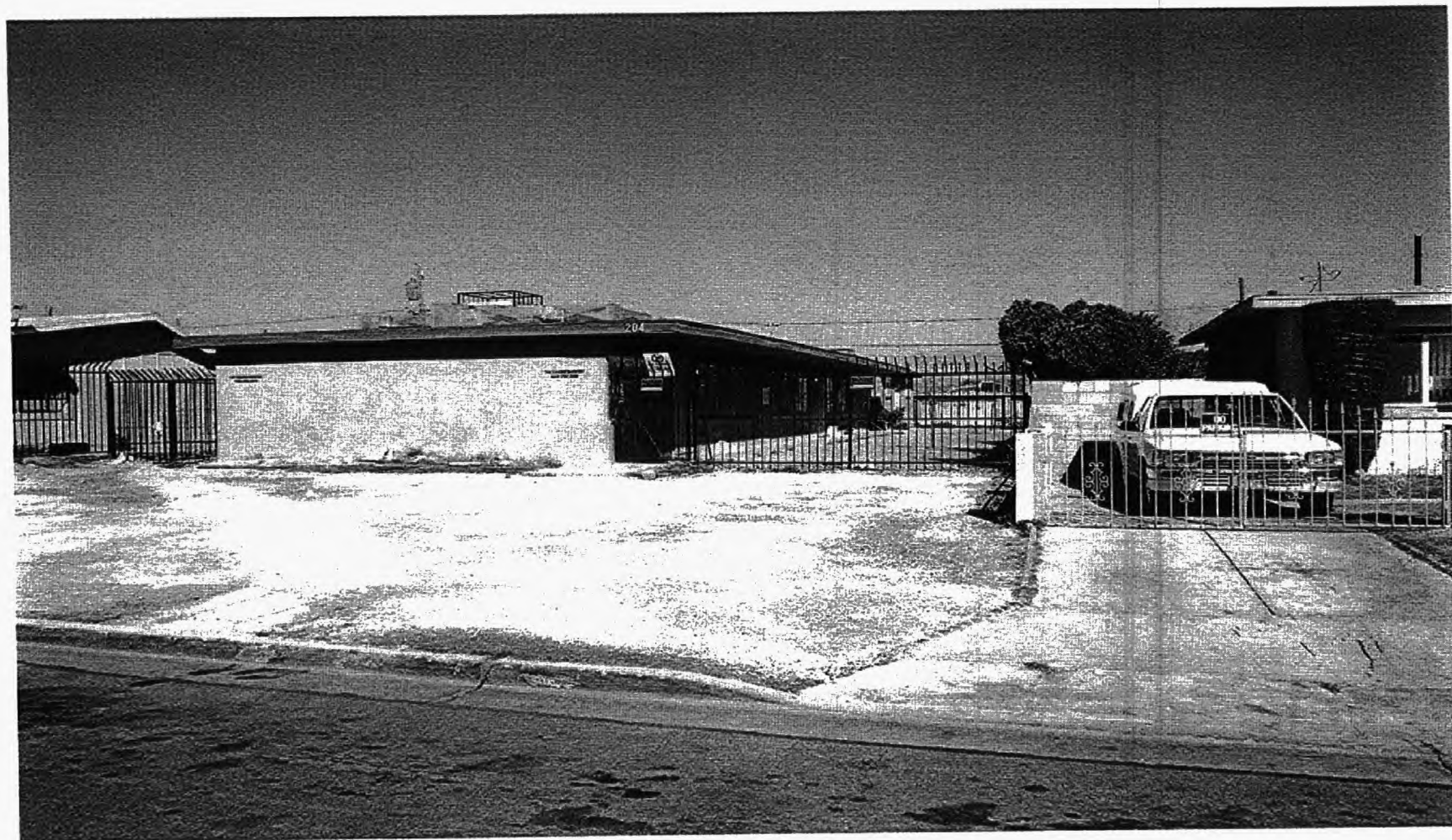
PROTESTS 0





ZON-19691 - APPLICANT/OWNER: JAMES L. POLLINS
204 WEST MONROE AVENUE
MARCH 22, 2007 PLANNING COMMISSION

02/20/07



ZON-19691 - APPLICANT/OWNER: JAMES L. POLLINS
204 WEST MONROE AVENUE
MARCH 22, 2007 PLANNING COMMISSION

02/20/07

February 5, 2007

City Of Las Vegas
Planning and Development Department

Re: Request of Zone Change for 204 W. Monroe Ave, Las Vegas, APN# 139-27-111-068

To Whom It May Concern:

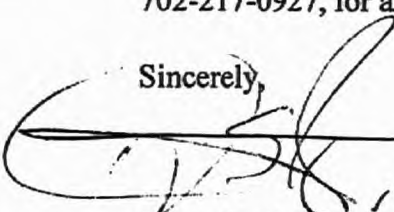
This letter is requesting a zone change for the above property, from zone Commercial (C-2) to Residential (R-4). This property was purchased as a residential, multi-family unit (four-plex), it was repaired as such and appraised as 'Highest and Best Use for Property', is Residential, in a Residential Area.

As a result, without the approval of this request, for the above, and any other similar properties in the area, it is making it almost impossible for anyone to finance, refinance, or receive any improvement loans, if these properties are zoned C-2. These loans are so badly needed to help restore and beautify the properties, in this area.

Consequently, this C-2 zoning is putting a great hardship on me, with regards to refinancing and loan approval, As stated in the above paragraph, I purchase this property as a residential, multi-family unit, in a residential area.

Thank you in advance to your immediate attention to this matter. You may contact me at 702-217-0927, for any questions or concerns.

Sincerely,



James Pollins
Owner

ZON-19691
03/22/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

MASTER SIGN PLAN

MSP-19558 - PUBLIC HEARING - APPLICANT: LAS VEGAS ATHLETIC CLUB - OWNER: JERMAC - Request to amend a previously approved Master Sign Plan (MSP-8319) TO ALLOW CHANNEL LETTERING WHERE VINYL LETTERING WAS PREVIOUSLY APPROVED; TO INCREASE THE ALLOWABLE SQUARE FOOTAGE PER TENANT SIGN FROM THE APPROVED 3 FEET X 12 FEET TO 3.5 FEET X 25 FEET, AND TO ADD AN ADDITIONAL TENANT SIGN TO THE EAST ELEVATION, BRINGING THE TOTAL TENANT SIGNS ON THAT SIDE TO FIVE WHERE THE APPROVAL SPECIFIED ONLY FOUR on 13.2 acres at 1725 North Rainbow Boulevard (APN 138-22-803-001), C-1 (Limited Commercial) Zone, Ward 5 (Williams). The Planning Commission (5-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 03-22-07 Planning Commission Meeting Item 9

Motion made by BRENDA J. WILLIAMS to Approve Subject to Conditions

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

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

NOTE: COUNCILMAN WOLFSON noted that he is an active member of the Las Vegas Athletic Club; DEPUTY CITY ATTORNEY JAMES LEWIS verified that the Councilman could vote on this item, as it would not affect him any differently than others who are members at the subject facility.

CITY COUNCIL MEETING OF: APRIL 18, 2007

Minutes:

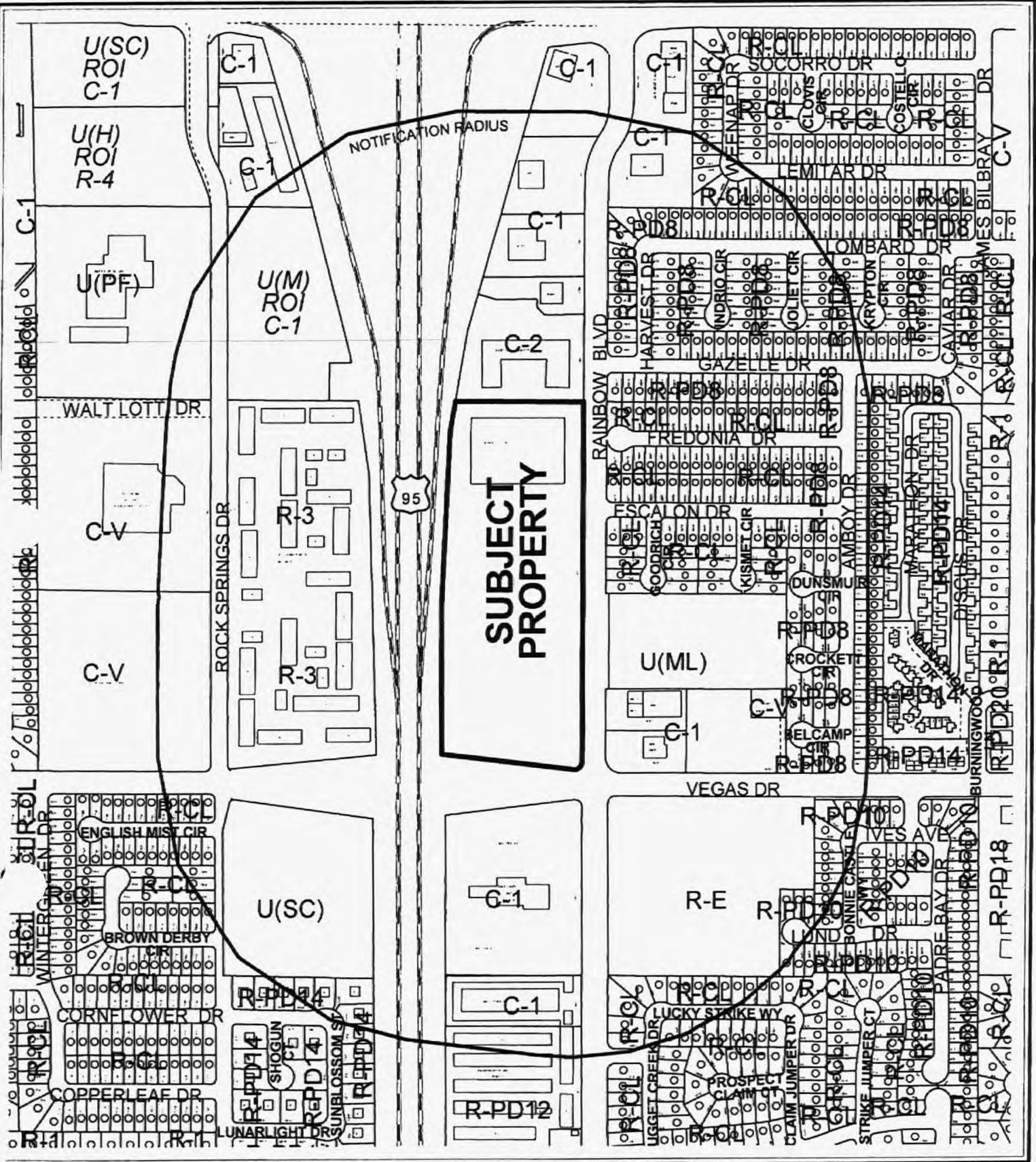
MAYOR GOODMAN declared the Public Hearing open.

MAYOR GOODMAN confirmed that no one was present to speak on behalf of the applicant.

ASSISTANT CITY ATTORNEY BRYAN SCOTT added that the COUNCILMAN WOLFSON had received information regarding certain code enforcement issues related to the subject property. MARGO WHEELER, Director of Planning and Development, confirmed that there are code enforcement problems regarding the placement and maintenance of the property's landscaping; staff will be following up with a separate action on this matter, which is unrelated to the signage.

MAYOR GOODMAN declared the Public Hearing closed.





CASE: **MSP-19558**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)





AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 18, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: MSP-19558 - APPLICANT: LAS VEGAS ATHLETIC CLUB -

OWNER: JERMAC

**** CONDITIONS ****

The Planning Commission (5-2/ld/sd vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the sign elevations and documentation as submitted in conjunction with this request, date stamped 02/01/07, except as amended by conditions herein.
2. Illumination of the wall signage shall comply with Title 19.14.070 Residential Protection Standards.
3. Tenant signage shall not exceed the width of the tenant space and shall be centered above said tenant space. Tenant signage is not to extend beyond mid-column to either side of the tenant space entrance.
4. All signage shall have proper permits obtained through the Building and Safety Department.
5. Any future amendments to the Master Sign Plan which are in compliance with the requirements of Title 19.14 for the subject zoning district may be reviewed and approved administratively by the Planning and Development Department.

Public Works

6. Signs shall not be located within the public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.
7. Site development to comply with all applicable conditions of approval for SDR-1527 and all other subsequent site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for an amendment to an approved Master Sign Plan (MSP-8319) for a proposed additional tenant sign on the east elevation, to allow channel letters versus the approved vinyl letters, and to allow increased signage area per tenant sign for a commercial development on 14.09 acres at 1725 North Rainbow Boulevard. The applicant indicates that the revised sign criterion is compatible and appropriate for the area.

The proposed signage changes are in compliance with the standards as set forth in the City of Las Vegas Sign Code (Title 19.14) for a multi-tenant commercial development in a C-1 (Limited Commercial) zone. Therefore, approval of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/03/84	The subject property was Annexed [A-0015-84(A)] into the City of Las Vegas as part of a larger request.
11/21/84	The City Council approved a Rezoning (Z-0074-84) from N-U (Non-Urban) Zone to C-1 (Limited Commercial) Zone on the southern portion of this site, and from N-U (Non-Urban) to R-3 (Medium Density Residential) on the northern portion of this site as part of a larger request. The Planning Commission recommended approval of the C-1 (Limited Commercial) portion and denial of the R-3 portion.
01/16/85	The City Council approved a Rezoning (Z-0095-84) on the northern portion of this site from N-U (Non-Urban) under Resolution of Intent to R-3 (Medium Density Residential) to C-1 (Limited Commercial). The Planning Commission recommended approval.
06/21/89	The City Council approved a Special Use Permit (U-0055-89) for two (2) 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) signs on this site, under condition that the billboards may only be used as Subdivision Development Directional Signs for the first five years. The Board of Zoning Adjustment recommended denial, citing the incompatibility of the signs at this location.
07/20/94	The City Council approved a Required five-year Review [U-0055-89(1)] on an approved Special Use Permit for two (2) 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) signs on this site. The Board of Zoning Adjustment recommended approval.

11/03/99	The City Council approved a Required five-year Review [U-0055-89(2)] on an approved Special Use Permit for two (2) 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) signs on this site. The Planning Commission recommended approval, with the condition that the northern billboard sign be removed within 60 days.
02/08/01	The Planning Commission accepted the applicant's request to Withdraw without Prejudice a Site Development Plan Review [Z-0095-84(1)] for a proposed 70,976 athletic/fitness club with retail uses on the northern portion of the site.
08/21/02	The City Council approved a Required two-year Review [U-0055-89(3)] on an approved Special Use Permit for two (2) 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) signs on this site. The off-premise signs will be subject to a Required two-year Review. The Planning Commission recommended denial, citing the incompatibility of the signs with new development in the area.
03/19/03	The City Council approved a Site Development Plan Review (SDR-1527) for a 88,372 square-foot athletic/fitness club with retail uses on the northern portion of the site. The Planning Commission and staff recommended approval.
07/16/03	The City Council approved a Variance (VAR-2292) to allow a proposed 65-foot tall off-premise advertising (billboard) sign on this site where 40 feet is the maximum height permitted and a Special Use Permit (SUP-2291) for a proposed 65-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign. The Planning Commission and staff recommended denial.
09/07/05	The City Council approved a Review of Condition (ROC-8320) of Condition Number 11 of an approved Site Development Plan Review (SDR-1527) to allow approval of a required Master Sign Plan by the Planning Commission only where both Planning Commission and City Council are required to approve in conjunction with a Health Club. Staff recommended approval of the subject case.
11/16/05	The City Council approved a Master Sign Plan (MSP-8319) for a proposed commercial development on 14.09 acres at 1725 North Rainbow Boulevard. The Planning Commission and staff recommended denial.
04/13/06	The Planning Commission approved a Site Development Plan Review (SDR-11443) for an existing 285 space parking lot and a waiver of the perimeter landscape buffer requirements. Staff recommended denial.
05/17/06	The City Council approved a Required two-year Review [U-0055-89(3)] on an approved Special Use Permit for a 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) signs on this site. The off-premise sign will be subject to a Required Five-year Review. The Planning Commission recommended denial, citing the incompatibility of the signs with new development in the area.
01/05/07	Staff administratively approved a Site Development Plan Review (SDR-18829) for a proposed 222 space expansion of an existing parking lot.

03/08/07	The Planning Commission tabled a Site Development Plan Review (SDR-19276) for an 80,000 square foot three-story office building and a three-level parking garage on the southern portion of the 14.09 acres at 1725 North Rainbow Boulevard.
03/22/07	The Planning Commission voted 5-2/ld/sd to recommend APPROVAL (PC Agenda Item #9/rts).
<i>Related Building Permits/Business Licenses</i>	
07/17/03	A building permit application, plan check C-221-03, was submitted for the site. The permit was issued 01/28/04. The Planning and Development Department review began 09/23/03 and recorded approval on 12/10/03. There have been multiple revisions and reviews added to this plan check with the latest being for two trash enclosures that was completed on 01/23/06.
11/19/04	A sign permit application, plan check L-3900-04, was submitted for the site. The permit was issued 11/19/04. The Planning and Development Department reviewed and recorded approval on 11/19/04. This plan check approved three wall signs at the Las Vegas Athletic Club located at 1725 North Rainbow Boulevard. The first sign is located on the southern elevation and is approximately 21'-10" x 5'-8". The second sign is located on the east elevation and is 67'-10" x 9'-3". The third sign is located on the west elevation and is 48' x 13'. The Building and Safety Department approved the final sign inspection on 08/09/05.
05/19/05	A business license for a H08 (Health and Fitness Club - Any business that is open to the public and that provides the use of equipment or facilities for the maintenance or development of physical fitness or the control of weight. The term does not include any business that sells memberships) category license was processed in by the Department of Finance and Business Services. This license (H08-00049) was approved by the Planning and Development Department on 11/10/05 and issued by Business Services on 11/17/05.
09/21/05	A business license for an A18 (Accommodation Facility - This license is required when a commercial business establishment, not directly related to child care, provides limited facilities for the customers children (while on premises), not to exceed three & 1/2 hours in any 24 hour period) category license was processed in by the Department of Finance and Business Services. This license (A18-00020) was approved by the Planning and Development Department and issued by Business Services on 11/17/05.
11/03/05	A business license for a R05 (Restaurant - Take Out Only - An establishment designed for selling prepared foods for off-premise consumption) category license was processed in by the Department of Finance and Business Services. This license (R05-00477) was approved by the Planning and Development Department on 11/08/05 and issued by Business Services on 11/29/05.

02/22/06	A sign permit application, plan check L-0319-06, was submitted for the site. The permit was issued 02/23/06. The Planning and Development Department reviewed and recorded approval on 02/22/06. This plan check approved three wall signs at the Las Vegas Athletic Club located at 1725 North Rainbow Boulevard. The first sign is located on the eastern elevation and is approximately 47-foot x 7-foot. The second and third signs are located on the western elevation and are 16-foot x 14-foot and 24-foot x 14-foot. The Building and Safety Department approved the final sign inspection on 02/07/07.
07/25/06	A business license for a H22 (Health & Fitness Consultant - Any person who coaches or teaches another person the development and care of the human body by means of regular periods of physical activity, i.e. Personal Trainer) category license was processed in by the Department of Finance and Business Services. This license (H22-00107) was approved by the Planning and Development Department and issued by Business Services on 08/03/06.
09/15/06	A business license for a H22 (Health & Fitness Consultant - Any person who coaches or teaches another person the development and care of the human body by means of regular periods of physical activity, i.e. Personal Trainer) category license was processed in by the Department of Finance and Business Services. This license (H22-00111) was approved by the Planning and Development Department on 09/27/06 and issued by Business Services on 09/29/06.
12/18/06	A business license for a T33 (Tanning Salon - A business that provides the service and sales of a tan or tanning products to the general public) category license was processed in by the Department of Finance and Business Services. This license (T33-00044) was approved by the Planning and Development Department on 12/22/06 and issued by Business Services on 01/02/07.
12/21/06	A business license for a B03 (Bank - Any corporation, including a commercial bank or a banking corporation, that is under a State or Federal charter and that conducts the business or receiving money as demand deposits or otherwise carrying on a banking and trust business) category license was processed in by the Department of Finance and Business Services. This license (B03-00181) was approved by the Planning and Development Department on 12/27/06 and issued by Business Services on 01/29/07.
<i>Pre-Application Meeting</i>	
01/21/07	A pre-application meeting was held and elements of this application were discussed. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required nor was one held.	

Details of Application Request	
Site Area	
Gross Acres	14.1
Net Acres	13.2

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Health Club	SC (Service Commercial)	C-1 (Limited Commercial)
North	Hotel, Motel, or Hotel Suites	SC (Service Commercial)	C-2 (General Commercial)
South	Commercial Recreation/Amusement (Outdoor) Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	Single Family, Detached	ML (Medium Low Density Residential)	R-CL (Single Family Compact-Lot)
	Undeveloped	ML (Medium Low Density Residential)	U (Undeveloped) [ML (Medium-Low Density Residential) General Plan Designation]
	General Retail and Service Station	SC (Service Commercial)	C-1 (Limited Commercial)
West	Interstate 95	ROW (Interstate)	ROW (Interstate)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
Billboard Exclusionary Zone – exempt area	X		Y
A-O (Airport Overlay) District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

Master Sign Plan Requirements for On-Premise Signage		
Threshold	Yes	No
Non-Residential project with a site larger than 15 acres		X
Non-Restricted Gaming Establishment		X
Residential project containing more than 500 units and/or 160 acres in area		X
To establish the requirements/limitations for signs located in the Gaming and Downtown Overlay Districts, and any uses not required elsewhere in 19.14 located in the "Planned Community" and "Planned Development" Districts		X
To establish requirements/limitations for signs in a specific development	X*	

- * A Master Sign Plan was required pursuant to the approved Site Development Plan Review (SDR-1527)

DEVELOPMENT STANDARDS

Pursuant to Title 19.14, the following sign standards apply:

Wall Signs: [E]		
Standards	Allowed	Provided
Maximum Number	No limit	6
Maximum Area	Approximately 2,392 SF	6-87.5 square foot signs (525 SF of Tenant Sign Area Total)
Maximum Projection	2 Feet	As conditioned
Illumination	Internal/External	Internal/Internal

Summary of Proposed Changes				
	MSP-8319	MSP-19558	Difference	Percent Change
Tenant Wall Signs:				
Number of Signs	4 – East Elev. 1 – South Elev.	5 – East Elev. 1 – South Elev.	+1 – East Elev. 0 – South Elev.	≈ 17.0% Increase in no. of Tenant Signs
Allowable Square Footage per Sign	36 SF	87.5 SF	+51.5 SF	≈ 243% Increase
Type of Construction Material	Vinyl	Pan Channel Letters	N/A	N/A
Illumination	Internal	Internal	N/A	N/A

ANALYSIS

The subject site is designated SC (Service Commercial) within the Southwest Sector Plan of the General Plan. This category permits a variety of low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons and that do not include more intense general commercial characteristics. The present zoning of C-1 (Limited Commercial) is in conformance with this land use designation.

The Master Sign Plan process is a method used to coordinate signage for multi-tenant developments and coordinate signage with architecture and was specifically required as a part of the Site Development Plan Review (SDR-1527) which approved this commercial development. There is existing signage at this location as approved under the Master Sign Plan (MSP-8319). Signage has been installed on the south, east, and west elevation in varying sizes as depicted in the approved plan that includes:

- South Elevation – a Las Vegas Athletic Club logo sign [Sign A (21-foot 10-inch x 5-foot 8-inch)];
- East Elevation – a Las Vegas Athletic Club logo sign [Sign B (67-foot 10-inches x 9-foot 3-inch)] and an illuminated flex face sign [Sign D2 (47-foot x 7-foot)]; and
- West Elevation – a Las Vegas Athletic Club logo sign [Sign C (48-foot x 13-foot)], an illuminated tenant cabinet sign [Sign D (16-foot x 14-foot)], and an illuminated flex face sign [Sign D1 (24-foot x 14-foot)].

The site includes two previously approved off-premise billboard signs, which are located on the northwest and southwest portions of the parcel. The existing billboards were approved as a part of a Special Use Permit (U-0055-89) for two (2) signs 40-foot tall, 14-foot by 48-foot Off-premise Advertising (Billboard) Signs on this site, under condition that the billboards may only be used as Subdivision Development Directional Signs for the first five years. The Board of Zoning Adjustment recommended denial on 05/25/89, citing the incompatibility at this location.

This amendment to the approved Master Sign Plan (MSP-8319) would establish additional signage and amended signage criteria for the tenant spaces along the eastern and southeastern portion of the Las Vegas Athletic Club located at on the subject site.

The amended Master Sign Plan proposes six wall signs (Sign E) for the tenant spaces where five signs were approved. Further, the applicant proposes to allow pan channel letter signs where vinyl signage had been approved. Finally, the applicant proposes to increase the allowable signage area for each sign from 36 square feet (3 feet by 12 feet) to 87.5 square feet (3.5 feet by 25 feet).

The proposed number of wall signs (Sign E) exceeds the four tenant signs approved for the east elevation and are of an increased signage area. Title 19.14.060 (F)(11) allows an unspecified number of wall signs provided that the total amount of area taken up by wall signage does not exceed 20 percent of the buildings elevation. For multi-tenant buildings the signage area may not exceed 20 percent of the elevation of the tenant space. The proposed changes to the approved Master Sign Plan (MSP-8319) will allow an increase in the signage area and the number of tenant signs.

but will remain within the constraints of Title 19.14.060(F)(11) for wall signs within a C-1 (Limited Commercial) zone. A condition has been added that all tenant signs be centered over the tenant space and that the signage not extend past the mid-point of any column to either side of the tenant's entry way.

Pursuant to Title 19.08, Residential Adjacency Standards apply to the subject proposal. The proximity slope calculation provides that the maximum height allowed for the signage is to be one-third the distance of the nearest edge of the sign to the nearest point on any property planned or zoned for residential use. This distance is 30 feet. Therefore, the proposed signage complies with the height requirement since the residential use is approximately 150 feet to the east. The tenant wall signage does not encroach on the minimum 40-foot setback requirement.

Pursuant to Title 19.14.070, Residential Protection Standards apply to the subject proposal. The proposed tenant signs are to be illuminated via pan channel lettering. Since the signage will be within 200 feet of property zoned as single-family residential, the tenant signage must adhere to Title 19.14.070(B)(2). Pan channel lettering is an internally illuminated type of signage that does not include exposed neon, bare bulbs, or animation. Therefore, the proposed signage complies with the protection requirement since the residential use, at approximately 150 feet to the east, is greater than 40 feet away and does not exceed the allowable illumination standards.

The applicant's proposed tenant signage for the Las Vegas Athletic Club site is a minor change to better accommodate the commercial development's existing and potential tenants. The signage meets the requirements of the City of Las Vegas Sign Code (Title 19.14). Therefore, staff is recommending approval of the amendment to the approved Master Sign Plan as proposed.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

8

ASSEMBLY DISTRICT 34

SENATE DISTRICT 3

NOTICES MAILED 335 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **MSP-19558** APN: 138-22-803-001

Name of Property Owner: JERMAC

Name of Applicant: Chad Smith (Las Vegas Athletic Club)

Name of Representative: Chad Smith

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

Yes

✓ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN:

Signature of Property Owner:

Print Name:

Subscribed and sworn before me

This 3rd day of January, 2007

Clark County, Nevada

Notary Public in and for said County and State

Revised 11-14-06



T:\depot\Application Packet\Statement of Financial Interest.doc

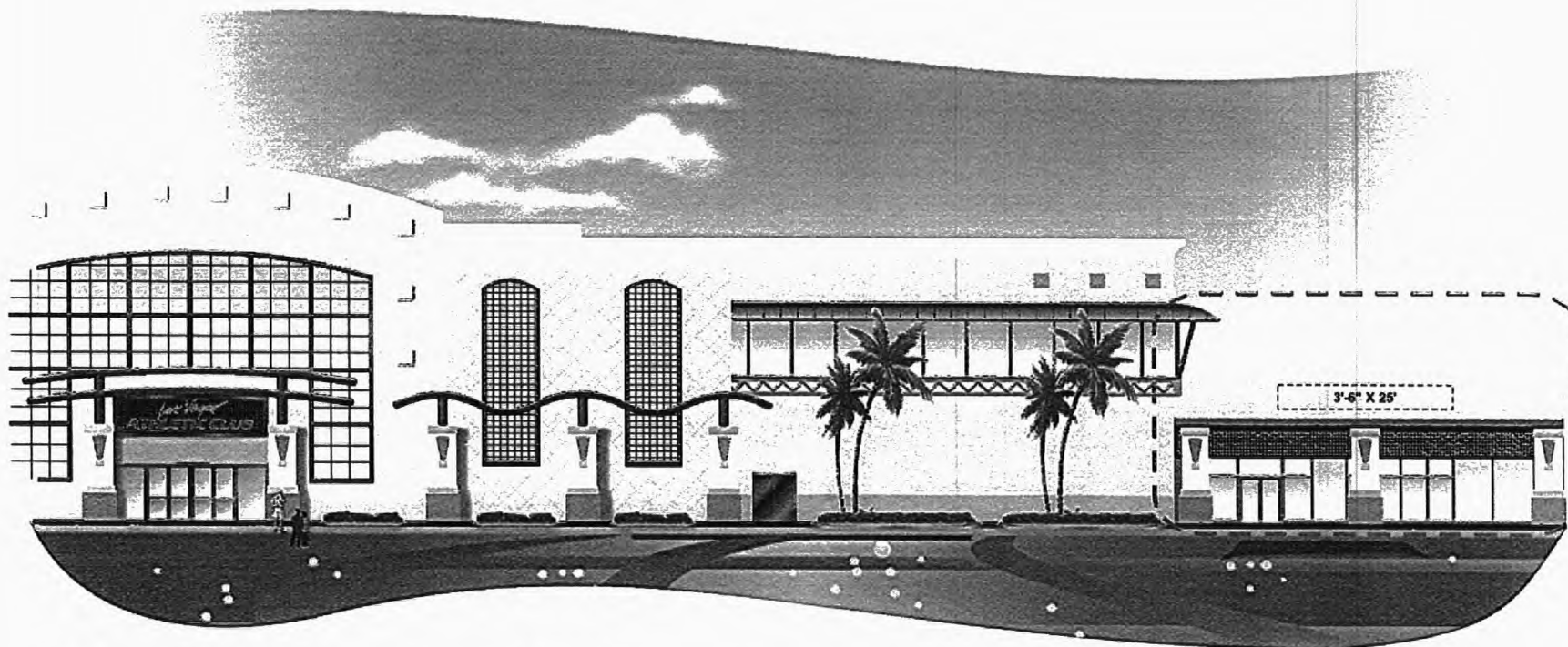
Las Vegas
ATHLETIC CLUB

N. RAINBOW / VEGAS

VISION SIGN

MSP-19558
03/22/07 PC

RECEIVED
FEB 01 2007



E TENANT SIGN AREA 1/16" = 1'-0" QTY = 1

NOTE: TENANT'S ARE ALLOWED PAN CHANNEL LETTERS WITH LOGO'S
NOT TO EXCEED SIGN AREA SHOWN ABOVE.

MSP-19558
03/22/07 PC

JOB NO.	8766
DATE	07.21.04
DRAWN BY	VINCE
CHECKED BY	JACK
FILE NAME	LVAC8766.CDR
SHEET	

Las Vegas
ATHLETIC CLUB
U.S. 95 & RAINBOW BLVD

VISION SIGN
3875 S. Midway Ave. Las Vegas, Nevada 89103

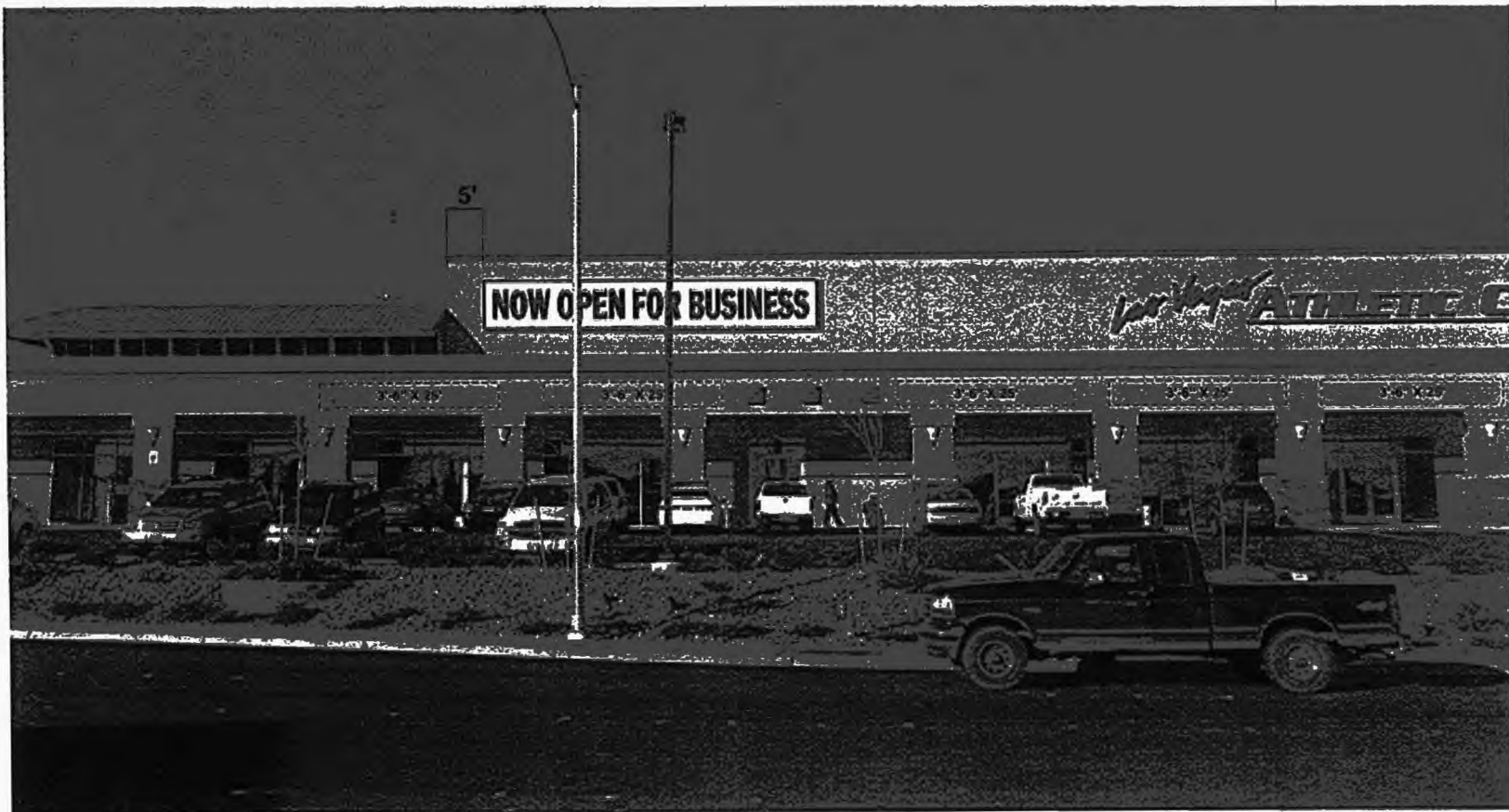
These plans are prepared and submitted by the contractor as an exemption to NRS 623.030 for work under contractor license category author issued under NRS 624.

NV CONTRACTOR LICENSE #42776

DATE	10.12.04	ADD NEW PROPOSED LAYOUT
DATE	11.16.04	REVISE CALLOUT / FORMAT
DATE	07.22.05	ADD BLDG SIZES
DATE	07.28.05	REVISE BLDG SIGNAGE
DATE	11.13.05	REVISE BLDG SIGNAGE

THIS ARTWORK WAS PREPARED BY AND IS THE PROPERTY OF VISION SIGN, INC. ANY UNAUTHORIZED USE OF SAME, IN WHOLE OR PART, IS PROHIBITED.

RECEIVED
FEB 01 2007



E TENANT SIGN AREA 1/16" = 1'-0" QTY = 5

NOTE: TENANT'S ARE ALLOWED PAN CHANNEL LETTERS WITH LOGO'S
NOT TO EXCEED SIGN AREA SHOWN ABOVE.

MSP-19558
03/22/07 PC

PROJECT	8766
DATE	07.21.04
DESIGNER	VINCE
BY	JACK
FILE NAME	LVAC8766.CDR
USER	

Las Vegas
ATHLETIC CLUB
U.S. 95 & RAINBOW BLVD.

VISION SIGN
3025 S. PULASKI AVE. LAS VEGAS, NEVADA 89119

These plans are prepared and submitted by the
client as an application to the City of Las Vegas
for work under contract to the City of Las Vegas
under contract number 19558-07.

DATE	03/22/07
BY	PC
FOR	VISION SIGN
PROJECT	8766
DATE	03/22/07
BY	PC
FOR	VISION SIGN
PROJECT	8766

THIS ARTWORK WAS PREPARED BY AND IS THE PROPERTY OF VISION SIGN, INC. ANY UNAUTHORIZED USE OF SAME, IN WHOLE OR PART, IS PROHIBITED.

FEB 01 2007



MSP-19558 - APPLICANT: LAS VEGAS ATHLETIC CLUB - OWNER: JERMAC
1725 NORTH RAINBOW BOULEVARD
MARCH 22, 2007 PLANNING COMMISSION

02/20/07



MSP-19558 - APPLICANT: LAS VEGAS ATHLETIC CLUB - OWNER: JERMAC
1725 NORTH RAINBOW BOULEVARD
MARCH 22, 2007 PLANNING COMMISSION

02/20/07



MSP-19558 - APPLICANT: LAS VEGAS ATHLETIC CLUB - OWNER: JERMAC
1725 NORTH RAINBOW BOULEVARD
MARCH 22, 2007 PLANNING COMMISSION

02/20/07



MSP-19558 - APPLICANT: LAS VEGAS ATHLETIC CLUB - OWNER: JERMAC
1725 NORTH RAINBOW BOULEVARD
MARCH 22, 2007 PLANNING COMMISSION

02/20/07



MSP-19558 - APPLICANT: LAS VEGAS ATHLETIC CLUB - OWNER: JERMAC
1725 NORTH RAINBOW BOULEVARD
MARCH 22, 2007 PLANNING COMMISSION

02/20/07



MSP-19558 - APPLICANT: LAS VEGAS ATHLETIC CLUB - OWNER: JERMAC
1725 NORTH RAINBOW BOULEVARD
MARCH 22, 2007 PLANNING COMMISSION

02/20/07



MSP-19558 - APPLICANT: LAS VEGAS ATHLETIC CLUB - OWNER: JERMAC
1725 NORTH RAINBOW BOULEVARD
MARCH 22, 2007 PLANNING COMMISSION

02/20/07



3625 S. Polaris Las Vegas, NV 89103

Phone: (702) 895-7474
Fax: (702) 895-7444

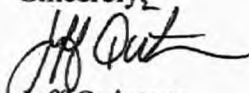
January 10, 2007

City of Las Vegas
Department of Planning
731 S Fourth Street
Las Vegas, NV 89101

To whom this may concern,

We would like to submit a revision to the Master Sign Plan for the Las Vegas Athletic Club. We are asking the commission to consider allowing channel letter signs. We would like to alter the previously approved wall signs for the secondary tenants in the building to allow for channel letter signs as an option to the approved cabinet sign design. The new sign areas for the tenants have increased in size to allow flexibility of channel letter copy on the building. The square footage is still under the allowable per the City of Las Vegas code and would be consistent with other signs in the same area.

Sincerely,


Jeff Quintana

RECEIVED
FEB 01 2007

MSP-19558
03/22/07 PC

**NOTE: THE FOLLOWING DOCUMENTATION
WAS SUBMITTED FOR THE RECORD BEFORE
OR AT THE PLANNING COMMISSION HEARING
ON THIS ITEM WHICH IS NOW APPEARING
BEFORE THE CITY COUNCIL**

Attn: Carman Burney

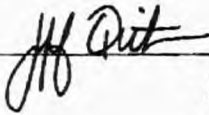
CITY OF LAS VEGAS	
ONE MOTION / ONE VOTE	
	Planning and Development Department
	Current Planning Division
	731 South Fourth Street
	Las Vegas, Nevada 89101
	(702) 229-6301 Phone (702) 385-7268 Fax

SUBJECT: MSP-19558 - APPLICANT: LAS VEGAS ATHLETIC CLUB - OWNER: JERMAC

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the **March 22, 2007** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to **Carman Burney at 385-7268**. If there is no one present at the Planning Commission meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any Planning Commissioner or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions.

	<u>3-21-07</u>
Signature	Date
<u>JEFF QUINTANA</u>	
Please Print Name	
<u>VISION SIGN INC</u>	
Company Name	

Sincerely,

Andrew P. Reed, Planning Supervisor
Current Planning Division

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 18, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:****SPECIAL USE PERMIT**

SUP-19568 - PUBLIC HEARING - APPLICANT: MOMOTARO SUSHI & SHABU SHABU BAR - OWNER: NP/I&G MONTECITO MARKETPLACE PHASE I, LLC - Request for a Special Use Permit FOR A PROPOSED BEER/WINE/COOLER ON-SALE ESTABLISHMENT AND A WAIVER FROM THE 400-FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING PARK at 7160 North Durango Drive, Suite #140 (APN 125-20-510-021), TC (Town Center) Zone [MT-TC (Montecito - Town Center) Special Land Use Designation], Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****City Council Meeting****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****City Council Meeting****RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 03-22-07 Planning Commission Meeting Item 10

Motion made by STEVEN D. ROSS to Approve Subject to Conditions

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

JAMES YU, 2560 Montessori Street, Suite 208, appeared with applicant, YVONNE SHIN, 7160 N. Durango Drive, Suite 140, Las Vegas. MR. YU stated the request would allow beer and

CITY COUNCIL MEETING OF: APRIL 18, 2007

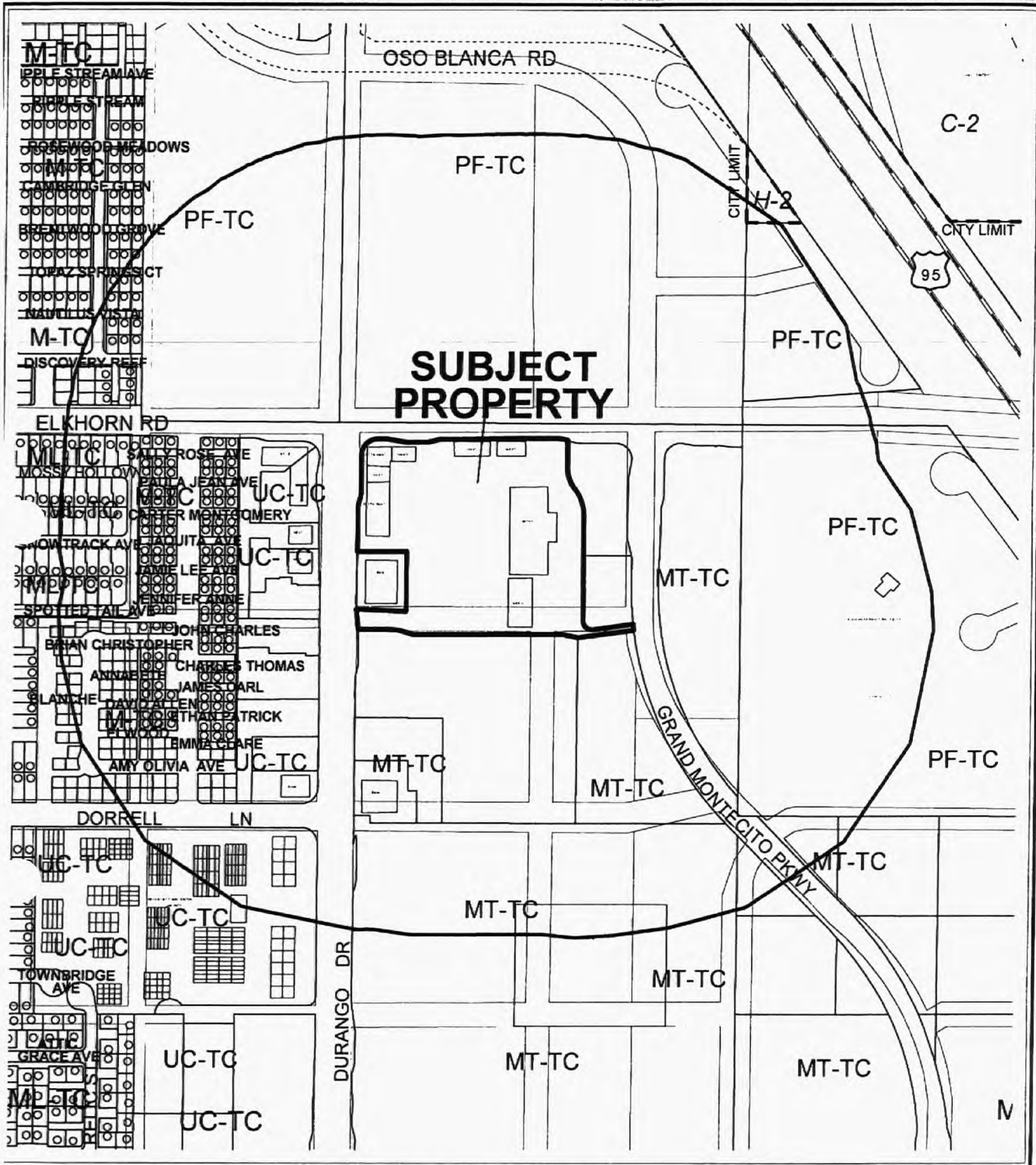
wine to be served at their Japanese restaurant. MAYOR GOODMAN complimented the applicant on a beautiful restaurant.

COUNCILMAN ROSS thanked MR. YU and MS. SHIN for being so patient during this meeting. He believed the applicant's restaurant is in a great location and families will visit frequently.

COUNCILMAN ROSS confirmed with MR. YU and MS. SHIN that all conditions are acceptable.

MAYOR GOODMAN declared the Public Hearing closed.





CASE: SUP-19568

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [MT-TC (MONTECITO TOWN CENTER SPECIAL LAND USE DESIGNATION)]



CASE: SUP-19568

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [MT-TC (MONTECITO TOWN CENTER SPECIAL LAND USE DESIGNATION)]

0 500 1000 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 18, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-19568 - APPLICANT: MOMOTARO SUSHI & SHABU
SHABU BAR - OWNER: NP/I&G MONTECITO MARKETPLACE PHASE I, LLC**

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. Approval of this Special Use Permit does not constitute approval of a liquor license.
3. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Special Use Permit for a proposed Beer/Wine/Cooler on sale establishment and a Waiver of the 400 foot distance separation requirement from a City park. The project is located at 7160 North Durango Drive, Suite #140 within the Montecito Marketplace - Phase I.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/16/05	The City Council approved a Site Development Plan Review (SDR-5731) for a 380,000 square-foot commercial development on 45.6 acres adjacent to the southeast corner of Durango Drive and Elkhorn Road and the northwest corner of Durango Drive and Dorrell Lane. Staff recommended denial. The Planning Commission recommended approval.
04/19/06	The City Council approved a Variance (VAR-11710) to allow a reduction in required parking on a 1.48 acre commercial site at the southeast corner of Durango Drive and Elkhorn Road. Staff recommended denial. The Planning Commission recommended approval.
04/19/06	The City Council approved a Major Amendment (SDR-11702) to an approved Site Development Plan Review (SDR-5731) to allow the modification of Pads G, I through O, R, U, and V on 21.48 acres at the southeast corner of Durango Drive and Elkhorn Road. Staff recommended denial. The Planning Commission recommended approval.
03/22/07	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #10/ja).
<i>Related Building Permits/Business Licenses</i>	
CURRENT	Restaurant seating 45 or more: R09-99942-62-6-131876
<i>Pre-Application Meeting</i>	
01/17/07	A Pre-application meeting was held where the applicant was advised by Planning staff of the Special Use Requirements and distance separation.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this application type nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	10.3 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Commercial	Montecito Town Center	Town Center
North	Commercial	Montecito Town Center	Town Center
South	Commercial	Montecito Town Center	Town Center
East	Commercial	Montecito Town Center	Town Center
West	Commercial	Montecito Town Center	Town Center

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
T-C Town Center District	X		Y
Special Purpose and Overlay Districts			
T-C (Town Center) District	X		Y
Trails		X	Y
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular		Handi-capped
Commercial Center	104,907	1 space/250 square feet	419	9	403		N*
TOTAL			419		403		

*Parking for the Montecito Phases I & II was granted a 14.65 percent reduction in required parking under Variance (VAR-11710). The project site is deficient in required parking by 4 percent and is in compliance with the approved Variance.

Waivers		
Request	Requirement	Staff Recommendation
To allow use within 356 feet of a public park.	400 feet separation	Approve

ANALYSIS

The project is to allow for the operation of a Beer/Wine/Cooler On-sale establishment at an existing 3,044 square foot restaurant within the Montecito Marketplace – Phase I.

- **General Plan and Zoning**

The project site is located within the Montecito Town Center land use designation and zoning and is a permitted use.

- **Distance Separation Requirements**

Pursuant to Title 19.04 no Beer/Wine/Cooler On-sale establishment is allowed within 400 feet of a church, synagogue, school, child care, or city park. The project will be located 355 feet west of a City park. A Waiver is requested to relieve the applicant of this restriction. Because service and consumption of alcohol will be limited to within the restaurant and no adverse effects to the immediate community should result with implementation of the project, staff recommends approval of the application.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The project is subject to the Special Use Requirements for Beer/Wine/Cooler On-sale establishment and will complement the existing and future commercial uses.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The project location is an existing restaurant and adequate parking facilities are available on site.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

Automobile access onto the project site is sufficient from Durango Drive.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

No significant adverse effects to human health and public safety will occur with implementation of the project.

5. **The use meets all of the applicable conditions per Title 19.04.**

Approval of the subject project will be located within 350 feet of a city park where 400 feet is the minimum distance separation required under Title 19.04. The project will meet all other Special Use Requirements.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

13

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 406 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-19568** APN: **125-20-510-021**
 Name of Property Owner: 14112116 Montecito Marketplace Phase I, LLC.
 Name of Applicant: Momotaro Sushi & Shabu Shabu Bar

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes

☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: Ben Stollar

Print Name: Ben Stollar

Subscribed and sworn before me

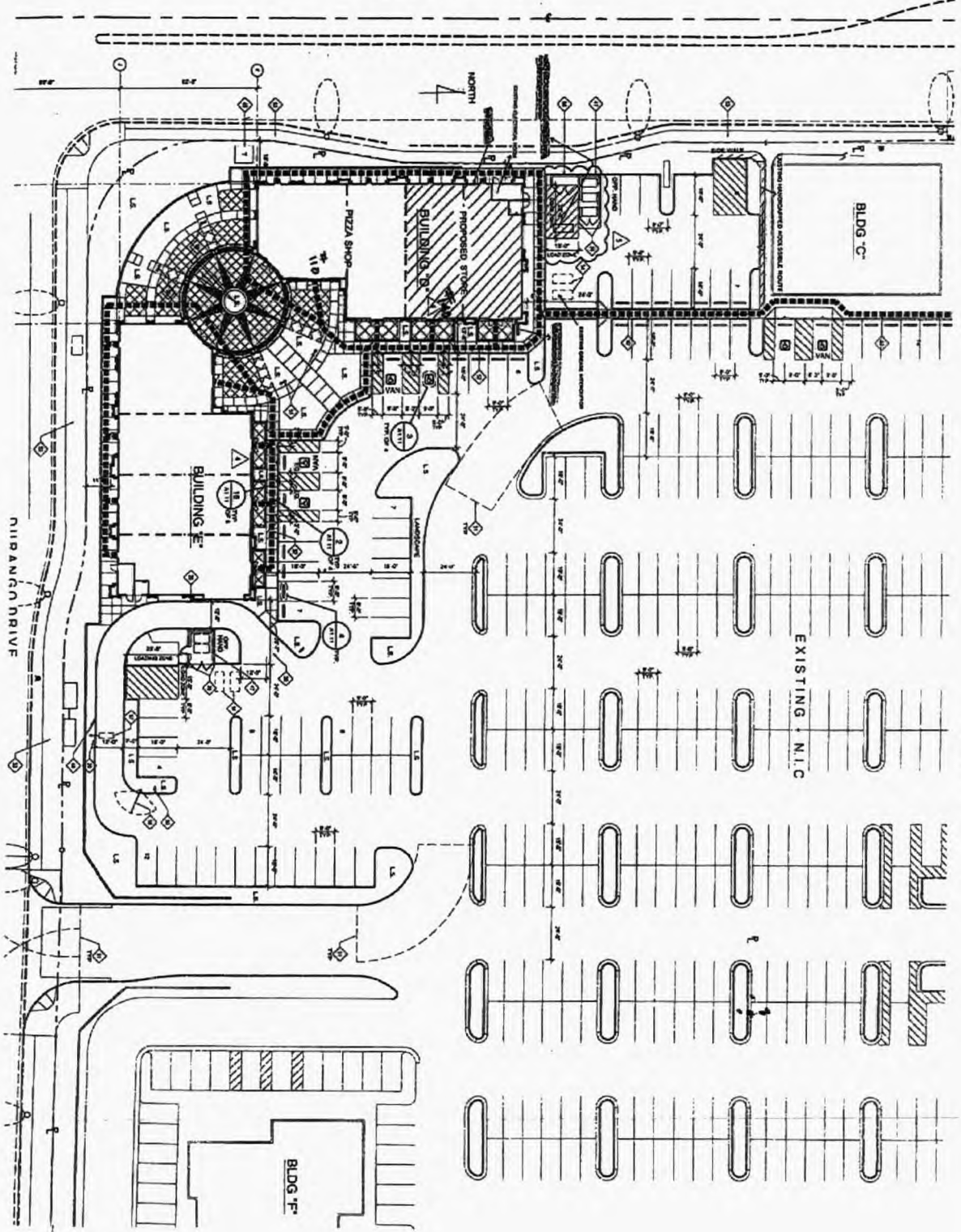
This 26th day of January, 2007

DARLAH J. DELGADO
 Notary Public in and for said County and State

County of San Diego
State of CA



ELKHORN ROAD



MOMOTARO MARKETPLACE
Peds D, E, & H

Ref.

SHEET SP	PROJECT: MOMOTARO SUSHI AND SHABU SHABU BAR 7160 NORTH DURANGO, SUITE 140 LAS VEGAS, NV	 KIM CONSTRUCTION PLUMBING, ELECTRICAL & MECHANICAL CONTRACTORS 8779 LAS OLIVAS LAS VEGAS, NEVADA 89147 OFFICE (702) 362-3372 FAX (702) 362-3373		DATE: 2-1-07 DRAWN BY: [blank] CHECKED BY: [blank]
	SHEET TITLE: [blank]			NO. OF SHEETS: [blank]

SUP-19568
03/22/07 PC

FEB 02 2007

Kaido



SUP-19568 - APPLICANT: MOMOTARO SUSHI & SHABU SHABU BAR - OWNER: NP/I&G MONTECITO
MARKETPLACE PHASE I, LLC
7160 NORTH DURANGO DRIVE, SUITE #140
MARCH 22, 2007 PLANNING COMMISSION

02/20/07

January 6, 2007
Planning and Development Department
City of Las Vegas

Justification Letter for Special Use Permit

Project Name: Momotaro Sushi & Shabu Sahbu Bar
Project Address: 7160 N Durango Dr #140
Las Vegas NV 89149
Applicant: Yvonne Y Shin

We intend to serve Japanese food with beer and wine at above site. Having a permit to serve beer and wine will increase sales by 10-20% which is significant financially in operating a small restaurant.

I respectfully ask you to grant an approval to serve beer and wine.

Sincerely,



Yvonne Y Shin
Owner
Momotaro Suhi & Shabu Shabu Bar

SUP-19568
03/22/07 PC

**NOTE: THE FOLLOWING DOCUMENTATION
WAS SUBMITTED FOR THE RECORD BEFORE
OR AT THE PLANNING COMMISSION HEARING
ON THIS ITEM WHICH IS NOW APPEARING
BEFORE THE CITY COUNCIL**

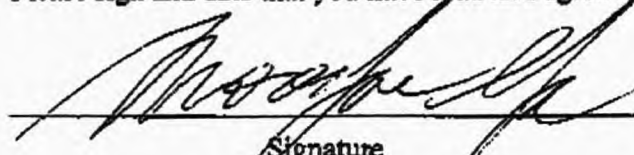
CITY OF LAS VEGAS**ONE MOTION / ONE VOTE****Planning and Development Department****Current Planning Division****731 South Fourth Street****Las Vegas, Nevada 89101****(702) 229-6301 Phone (702) 385-7268 Fax**

**SUBJECT: SUP-19568 - APPLICANT: MOMOTARO SUSHI & SHABU SHABU BAR -
OWNER: NP/1&G MONTECITO MARKETPLACE PHASE I, LLC**

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the **March 22, 2007** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to Carman Burney at 385-7268. If there is no one present at the Planning Commission meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any Planning Commissioner or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions.


Signature
Date 3/17/07
JAMES YU
Please Print Name

Company Name

Sincerely,

Andrew P. Reed, Planning Supervisor
Current Planning Division

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 18, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

VACATION

VAC-19526 - PUBLIC HEARING - APPLICANT/OWNER: THE ROMAN CATHOLIC BISHOP OF LAS VEGAS - Petition to vacate a 10-foot wide public right-of-way running between Maryland Parkway and Eleventh Street approximately 70 feet south of Oakey Boulevard, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 03-22-07 Planning Commission Meeting Item 11

Motion made by GARY REESE to Approve Subject to Conditions

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

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

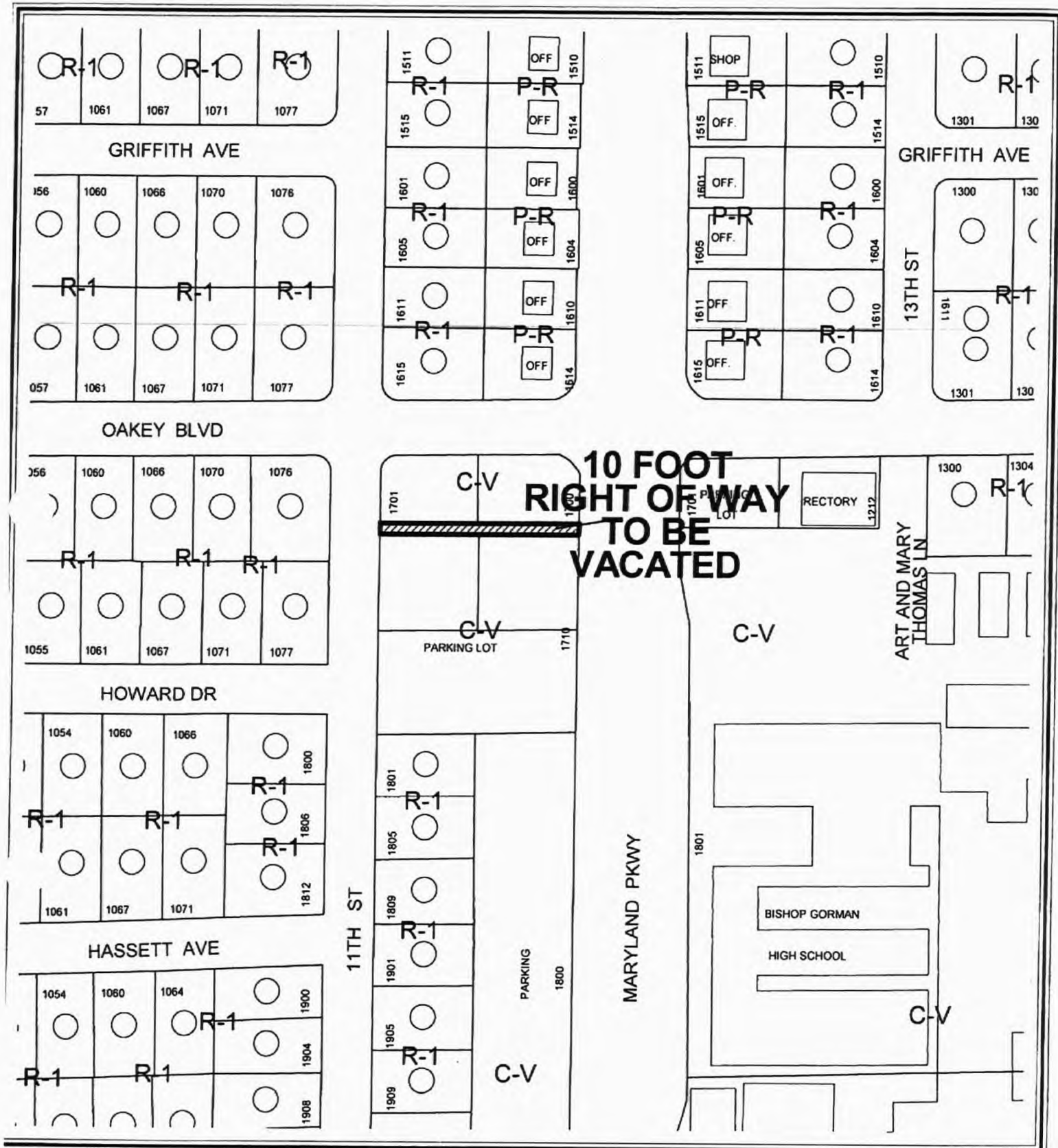
NOTE: COUNCILMAN BROWN and COUNCILWOMAN TARKANIAN noted their abstentions, as they both serve on the Catholic Charities Board of Trustees.

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

ERNIE FREGGIARO appeared on behalf of the applicant and concurred with staff's conditions.

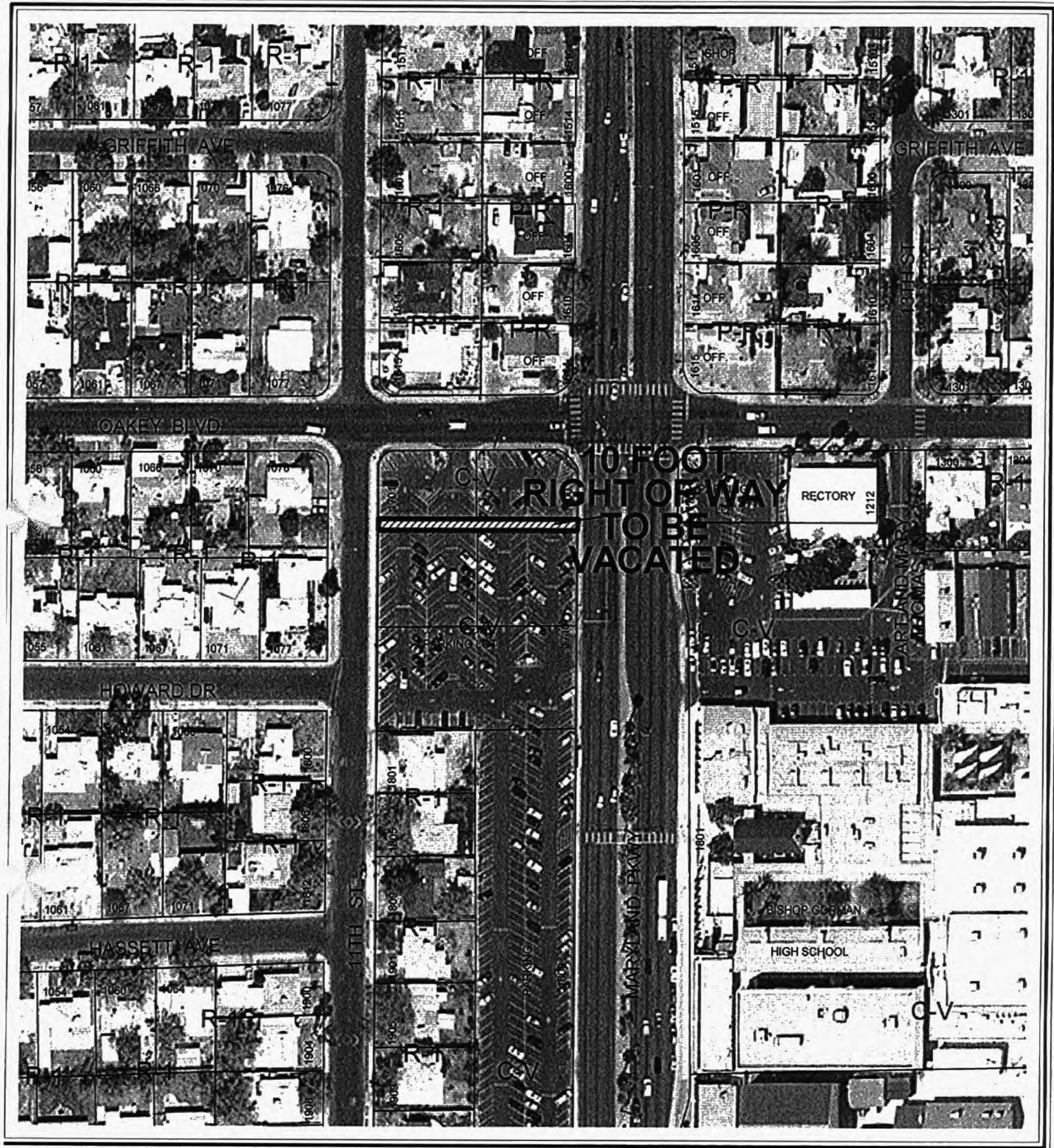
MAYOR GOODMAN declared the Public Hearing closed.



CASE: VAC-19526

0 100 Feet





AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 18, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAC-19526 - APPLICANT/OWNER: THE ROMAN CATHOLIC DIOCESE OF LAS VEGAS

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
2. All development shall be in conformance with code requirements and design standards of all City Departments.
3. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.
4. The limits of this Petition of Vacation shall be defined as an existing 10-foot public alley located south of Oakey Boulevard, between Eleventh Street and Maryland Parkway.
5. Concurrent with the recordation of this Petition of Vacation, dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the southwest corner of Oakey Boulevard and Maryland Parkway. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents.
6. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
7. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request to vacate a ten-foot public right-of-way located within an existing parking lot between Maryland Parkway and Eleventh Street south of Oakey Boulevard and north of Canosa Avenue. The City of Las Vegas holds title to the subject right-of-way; however, no physical roadway or alley exists or is planned to be used by the public at this location. The right-of-way is entirely contained within the existing parking lot. The reason for this request is to create a clean title for the property owner and to eliminate liability to the City of Las Vegas.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/22/95	Planning and Development staff approved administratively a Parcel Map (PM-0039-95) of a "Portion of the East Half (E½) of the Southeast Quarter (SE¼) of Section 3, Township 21 South, Range 61 East M.D.M." generally located between 11th Street and Maryland Parkway, approximately 110 feet south of Oakey Boulevard
10/27/97	The City Council approved a Rezoning (Z-84-97) from R-1 (Single Family Residential) to C-V (Civic) including a site plan for a 306 space parking lot on the subject site.
03/22/07	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #11/r1).

<i>Pre-Application Meeting</i>
A pre-application meeting is not required for this application nor was one held.

<i>Neighborhood Meeting</i>
A neighborhood meeting is not required for this application nor was one held.

<i>Details of Application Request</i>			
Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Parking Lot	PF (Public Facilities)	C-V (Civic)
North	Single Family Residential, Office	L (Low Density Residential) and O (Office)	R-1 (Single Family Residential) and PR (Professional Office and Parking)

South	Single Family Residential, Office	L (Low Density Residential) and O (Office)	R-1 (Single Family Residential) and PR (Professional Office and Parking)
East	School, Rectory	PF (Public Facilities)	C-V (Civic)
West	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	NA
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
C-V (Civic) District	X		Y
A-O (Airport Overlay) District	X		Y
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

The subject site conforms fully with the requirements of the C-V (Civic) zoning district. While the subject site is located within the Airport Overlay District, it is a parking lot and; therefore, well below the 200 foot height buffer.

DETAILS OF APPLICATION REQUEST

ANALYSIS

- **Planning and Development**

The applicant seeks to vacate a right-of-way located within an existing parking lot. The proposed vacation is supported as the right-of-way is no longer needed and is most likely the result of a mapping error.

- **Public Works**

- Does this vacation request result in uniform or non-uniform right-of-way widths? *Uniform as it will eliminate public alley right-of-way that is within an existing parking lot.*
- From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since the alley is not constructed and the right-of-way lies within an existing parking lot.*

- C. Does it appear that the vacation request involves only excess right-of-way? *Yes.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *No, this vacation request will eliminate unused right-of-way.*
- E. Does this vacation request eliminate public street access to any abutting parcel? *No.*
- F. Does this vacation request result in a conflict with any existing City requirements? *No.*
- G. Does the Department of Public Works have an objection to this vacation request? *No.*

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

13

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 3 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAC-19526** APN: 162-03-717-006, 007

Name of Property Owner: Roman Catholic Bishop of Las Vegas

Name of Applicant: Roman Catholic Bishop of Las Vegas

Name of Representative: Integrity Engineering

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes

☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

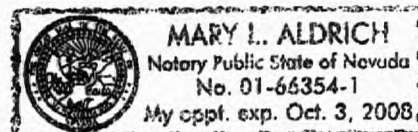
APN: _____

Signature of Property Owner: + [Signature]

Print Name: JOSEPH A. PENE

Subscribed and sworn before me

This 30th day of January, 2007
Mary L. Aldrich
Notary Public in and for said County and State





VAC-19526 - APPLICANT/OWNER: THE ROMAN CATHOLIC BISHOP OF LAS VEGAS
MARCH 22, 2007 PLANNING COMMISSION

02/20/07



VAC-19526 - APPLICANT/OWNER: THE ROMAN CATHOLIC BISHOP OF LAS VEGAS
MARCH 22, 2007 PLANNING COMMISSION

02/20/07

JUSTIFICATION LETTER

Vacation of 10.00 feet Right-of-Way in Bishop Gorman High School Parking Lot

This vacation is necessary to correct an error in the legal descriptions of property owned by the Roman Catholic Diocese of Las Vegas. The title is still held by the City of Las Vegas, but there is no physical roadway or alley to be used by the public within the area described.

In order to eliminate liability to the City of Las Vegas and to create a clean title for the Diocese, we need to have this property vacated by the City of Las Vegas back to the Roman Catholic Diocese of Las Vegas.

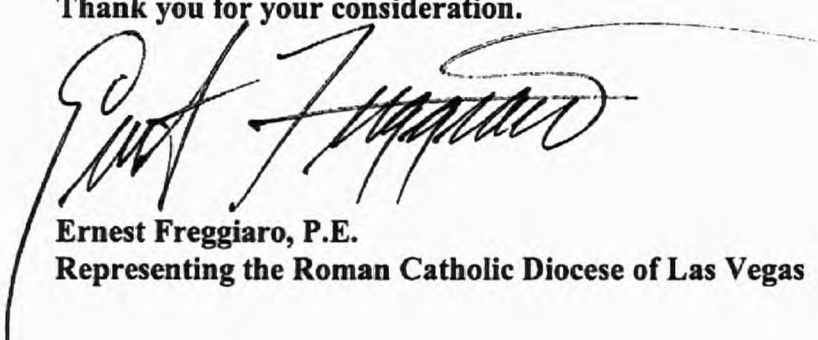
This property has been used as a parking lot by the students of Bishop Gorman High School for a number of years. The parking lot runs from Oakey Blvd. on the north to Canosa Avenue on the south.

There is no physical access onto this property allowed, except for the benefit of the students of Bishop Gorman High School.

I respectfully request the vacation of this property for the benefit of the Roman Catholic Diocese of Las Vegas.

All properties transferred to the Diocese must be made to: The Roman Catholic Bishop of Las Vegas, a Corporation Sole.

Thank you for your consideration.



Ernest Freggiaro, P.E.

Representing the Roman Catholic Diocese of Las Vegas

RECEIVED

VAC-19526
03/22/07 PC

**NOTE: THE FOLLOWING DOCUMENTATION
WAS SUBMITTED FOR THE RECORD BEFORE
OR AT THE PLANNING COMMISSION HEARING
ON THIS ITEM WHICH IS NOW APPEARING
BEFORE THE CITY COUNCIL**

CITY OF LAS VEGAS

ONE MOTION / ONE VOTE



Planning and Development Department
Current Planning Division
731 South Fourth Street
Las Vegas, Nevada 89101
(702) 229-6301 Phone (702) 385-7268 Fax

SUBJECT: VAC-19526 - APPLICANT/OWNER: THE ROMAN CATHOLIC BISHOP OF LAS VEGAS

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the **March 22, 2007** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to **Carman Burney at 385-7268**. If there is no one present at the Planning Commission meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any Planning Commissioner or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions.

Br. John J. Dodd, C.F.O. *3-16-07*
 Signature Attorney-in-Fact. Date

BR. JOHN J. DODD, C.F.O.
 Please Print Name

Roman Catholic Bishop of Las Vegas
 Company Name

Sincerely,

Andrew P. Reed, Planning Supervisor
 Current Planning Division

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
VACATION

VAC-19586 - PUBLIC HEARING - APPLICANT/OWNER: VALLEY HEALTH SYSTEM, LLC - Petition to Vacate the Rose Street alignment and adjacent pedestrian easements south of Pinto Lane, Ward 5 (Williams). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 03-22-07 Planning Commission Meeting Item 12

Motion made by BRENDA J. WILLIAMS to Approve Subject to Conditions

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

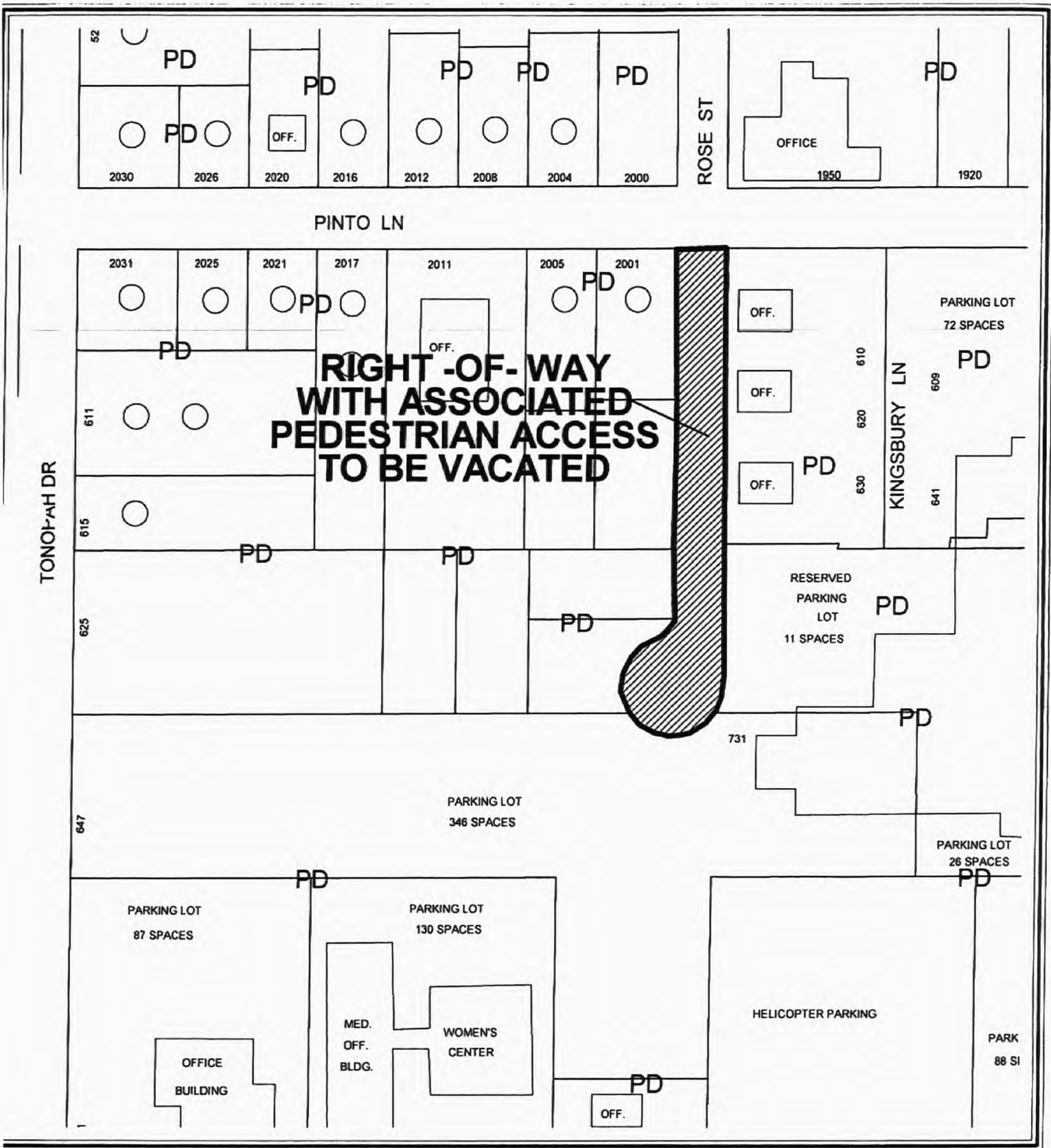
BRENDA J. WILLIAMS, LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-STEVE WOLFSON); (Excused-None)

Minutes:

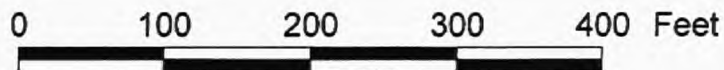
MAYOR GOODMAN declared the Public Hearing open.

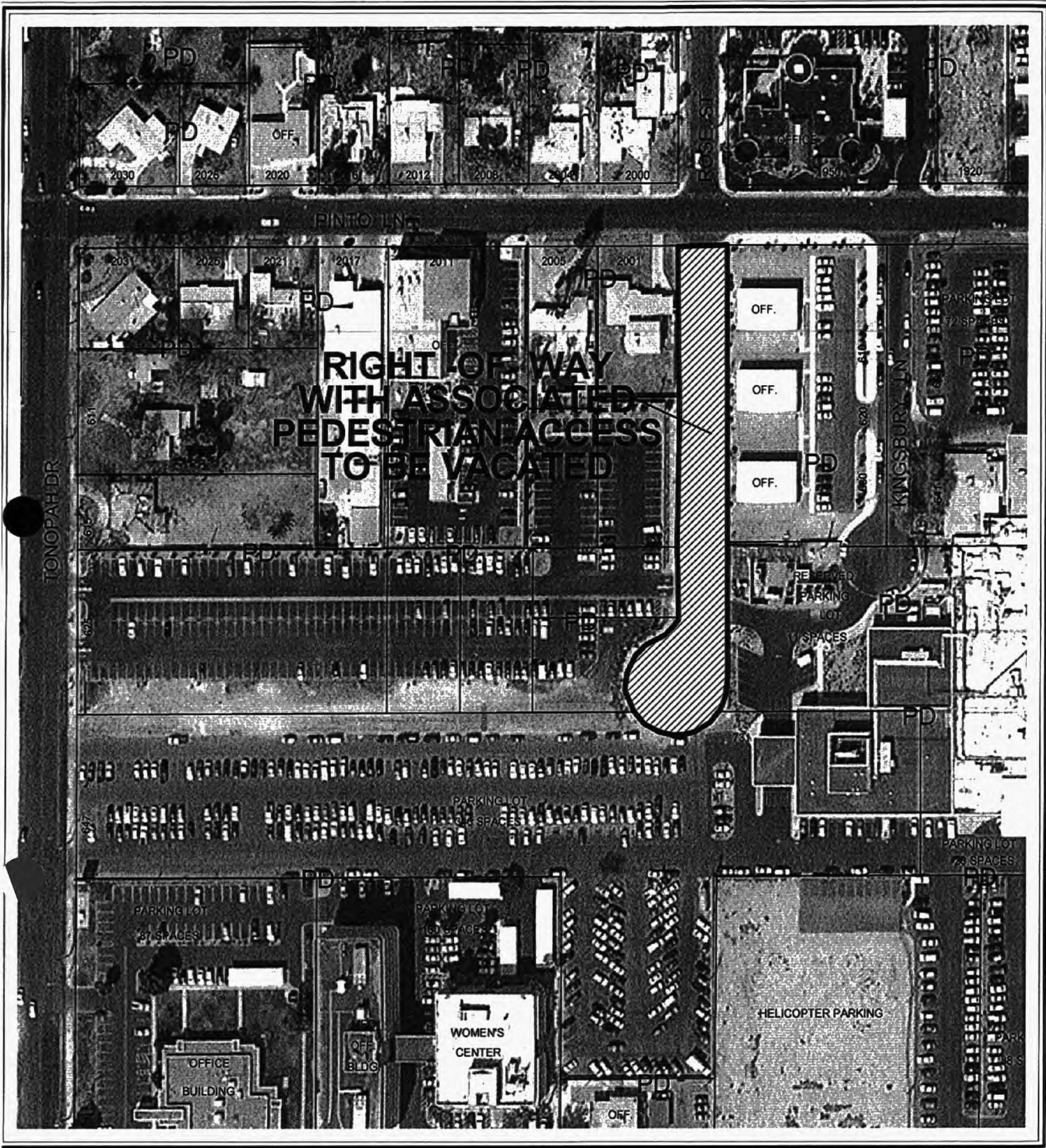
PRESTON HOWARD, 2300 West Sahara Avenue, appeared on behalf of the applicant and explained the request would facilitate an addition to the surgery area at Valley Hospital.

MAYOR GOODMAN declared the Public Hearing closed.



CASE: VAC-19586





0 100 200 300 400 Feet

CASE: VAC-19586



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 18, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAC-19586 - APPLICANT/OWNER: VALLEY HEALTH SYSTEM, LLC

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
2. All development shall be in conformance with code requirements and design standards of all City Departments.
3. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.
4. The limits of this Petition of Vacation shall be defined as the entire width (including the cul-de-sac bulb) and associated pedestrian access easements on Rose Street, south of Pinto Lane.
5. Public sewer easements shall be retained through this Petition of Vacation. Alternatively, a sanitary sewer relocation/abandonment plan must be submitted to and approved by the Department of Public Works. If relocation is proposed, the relocated sewer lines must be constructed and active prior to the recordation of the Order of Vacation.
6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.
7. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to recordation of the Order of Vacation to discuss fire access.
8. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

9. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a petition to Vacate the Rose Street alignment and the adjacent pedestrian easements south of Pinto Lane.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
04/21/71	The City Council approved a Site Development Plan Review [Z-0053-65(3)] for a proposed hospital and convalescent home on this site adjacent to the subject right-of-way.
04/27/76	The Planning Commission approved a request for Rezoning C-1 (Limited Commercial). (Z-0027-76) adjacent to the subject right-of-way.
11/29/79	The Board of Zoning Adjustment approved a request for a Variance (V-0085-79) to allow a second freestanding on-premise sign where only one sign is permitted and for this second sign to be five times the allowed height, at 647 Tonopah Drive adjacent to the subject right-of-way.
06/19/02	The City Council approved a request for a Major Modification [Z-0020-97(33)] to the Las Vegas Medical District Neighborhood Plan including the subject right-of-way. The Planning Commission and staff recommended approval.
09/18/02	The City Council approved a request for a Site Development Plan Review [Z-0020-97(38)] for a 27,000 square foot addition to an existing hospital on 9.51 acres at 620 Shadow Lane adjacent to the subject right-of-way. The Planning Commission and staff recommended approval.
04/07/04	The City Council approved a Vacation (VAC-3057) of Valerie Street between Tonopah Drive to Rose Street adjacent to the subject right-of-way. The recordation number of this Vacation is 01657.
07/22/04	The Planning Commission approved a request for a Master Sign Plan on property located at 620 Shadow Lane (MSP-4481) adjacent to the subject right-of-way. Staff recommended approval.
11/04/04	The Planning Commission approved a Tentative Map (TMP-5303) for a one-lot commercial subdivision adjacent to the subject right-of-way. Staff recommended approval.
05/18/05	The City Council approved a Site Development Plan Review (SDR-6197) for a 104,000 square-foot building addition to an existing hospital and an expansion of the existing parking lot adjacent to the subject right-of-way. The Planning Commission and staff recommended approval.
01/18/06	The City Council approved a Special Use Permit for a proposed Helipad adjacent to the subject right-of-way. The Planning Commission and staff recommended approval.

03/22/07	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #12/rl).
----------	--

Pre-Application Meeting			
A pre-application meeting is not required for this application nor was one held.			
Neighborhood Meeting			
A neighborhood meeting is not required for this application nor was one held.			
Details of Application Request			
Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Public Street Right-of-Way	ROW (Right-of-Way)	PD (Planned Development)
North	Single Family Residential, Office	MD-1 (Medical Support)	PD (Planned Development)
South	Parking, Helipad, Medical Offices	MD-2 (Major Medical)	PD (Planned Development)
East	Hospital, Medical Offices	MD-2 (Major Medical)	PD (Planned Development)
West	Parking, Medical Offices	MD-1 (Medical Support)	PD (Planned Development)
Special Districts/Zones		Yes	No
Special Area Plan			
Las Vegas Medical District		X	Y
Special Districts/Zones		Yes	No
Special Purpose and Overlay Districts			
Trails			X
Rural Preservation Overlay District			X
Development Impact Notification Assessment			X
Project of Regional Significance			X

ANALYSIS

- Planning and Development**

The applicant intends to incorporate the public right-of-way for Rose Street into the parking lot development that serves Valley Hospital and surrounding medical offices and support facilities. No properties other than those owned by the applicant are accessed via the right-of-way to be vacated, and this request serves to further the Las Vegas Medical District plan. The section of Rose Street that the applicant seeks to vacate ends in a cul-de-sac surrounded by the applicant's property. A street which previously connected the southern tip of Rose Street to Tonopah Drive was previously vacated in 2004. In addition, two pedestrian access easements previously granted to the City of Las Vegas will be vacated as well as the public right-of-way. These include a 5.43-foot pedestrian access easement along the east side of Rose Street containing 633 square feet, granted on

02/26/03; and a five-foot pedestrian access easement along the west side of Rose Street containing 826 square feet, granted on 05/07/04. This request is appropriate, as the subject right-of-way is not needed and will not result in reduced access traffic handling capability for the area.

- **Public Works**

- A. Does this vacation request result in uniform or non-uniform right-of-way widths? *It will result in a uniform right-of-way width as it will completely eliminate Rose Street south of Pinto Lane.*
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since the current alignment of Rose Street ends in a cul-de-sac and mostly serves as access to a parking lot.*
- C. Does it appear that the vacation request involves only excess right-of-way? *Yes as the vacated portion of Rose Street will be incorporated into the University Medical Center campus.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, the expansion of the University Medical Center campus.*
- E. Does this vacation request eliminate public street access to any abutting parcel? *No.*
- F. Does this vacation request result in a conflict with any existing City requirements? *No.*
- G. Does the Department of Public Works have an objection to this vacation request? *No.*

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

19

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 12 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAC-19586** APN: see attached Exhibit

Name of Property Owner: Valley Health System, LLC

Name of Applicant: (property owner)

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

 Yes x No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

Valley Health System, LLC
by: Valley Hospital Medical Center, Inc.

Signature of Property Owner: Ann Fitt

Print Name: Steve Filton

Subscribed and sworn before me

This 1st day of February, 2007

Christina S. O'Malley
Notary Public in and for said County and State

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Christina E. O'Donnell, Notary Public
Upper Merion Twp., Montgomery County
My Commission Expires Oct. 6, 2010

Member, Pennsylvania Association of Notaries



VAC-19586 - APPLICANT/OWNER: VALLEY HEALTH SYSTEM, LLC
MARCH 22, 2007 PLANNING COMMISSION

02/08/07



VAC-19586 - APPLICANT/OWNER: VALLEY HEALTH SYSTEM, LLC
MARCH 22, 2007 PLANNING COMMISSION

02/08/07

PRESTON B. HOWARD, P.C.

A PROFESSIONAL LAW CORPORATION
2300 W. SAHARA AVENUE, SUITE 650
LAS VEGAS, NEVADA 89102

PRESTON B. HOWARD, ESQ.
EMAIL: PrestonHoward@pbhlaw.com

TEL : (702) 456-3232
FAX : (702) 384-8222

January 31, 2007

Via Hand Delivery

City of Las Vegas
Planning and Development Department
731 South 4th Street
Las Vegas, NV 89101

Re: Vacation of Rose Street - South of Pinto Lane
Justification Letter

Ladies and Gentlemen:

Please accept this letter as the requisite justification letter to accompany the application of Valley Health System, LLC to vacate the Rose Street alignment south of Pinto Lane.

Valley Health System, LLC, the owner of Valley Hospital, having acquired property appurtenant to the west side of Rose Street, now owns all the real property appurtenant to the Rose Street alignment which is the subject of the vacation application. The intended future use of the property will be as a portion of the Valley Hospital facilities pursuant to its master plan of future development. In the near term future, plans are presently being prepared to revise the OR/Surgery addition to Valley Hospital which was approved in 2005 (SDR - 6197) which revisions will result in the utilization of a portion of the property to be vacated as a part of that project.

The proposed vacation is consistent with the previous vacations of Kingsbury Way south of Pinto Lane and Valerie Street east of Tonopah. The proposed vacation is also consistent with the Medical District Plan for the area previously adopted by the City of Las Vegas.

Should you have any questions, or require any further information or documentation, please advise me at your convenience. Thank you for your continuing assistance.

Sincerely,



Preston B. Howard, Esq.

VAC-19586
03/22/07 PC

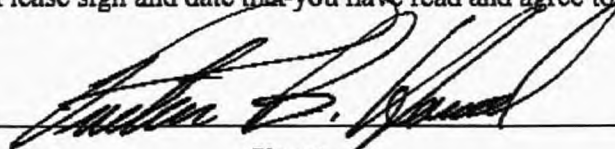
**NOTE: THE FOLLOWING DOCUMENTATION
WAS SUBMITTED FOR THE RECORD BEFORE
OR AT THE PLANNING COMMISSION HEARING
ON THIS ITEM WHICH IS NOW APPEARING
BEFORE THE CITY COUNCIL**

CITY OF LAS VEGAS**ONE MOTION / ONE VOTE****Planning and Development Department****Current Planning Division****731 South Fourth Street****Las Vegas, Nevada 89101****(702) 229-6301 Phone (702) 385-7268 Fax****SUBJECT: VAC-19586 - APPLICANT/OWNER: VALLEY HEALTH SYSTEM, LLC**

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the **March 22, 2007** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to Carman Burney at 385-7268. If there is no one present at the Planning Commission meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any Planning Commissioner or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions.


Signature

3-19-07

Date

PRESTON B. HOWARD

Please Print Name

Attorney-in-Fact For**Valley Health System, LLC**

Company Name

Sincerely,

Andrew P. Reed, Planning Supervisor
Current Planning Division

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW

SDR-19629 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR THE PROPOSED EXPANSION OF AN EXISTING PUBLIC PARK on 7.31 acres at the southeast corner of Bradley Road and Grand Teton Drive (a portion of APN 125-13-501-009), C-V (Civic) Zone, Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter

Motion made by STEVEN D. ROSS to Approve Subject to Conditions

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

MICHAEL VLAOVICH, Public Works Department, commented that they are in concurrence with staff's conditions.

MR. VLAOVICH informed MAYOR GOODMAN that the park had not been named yet.

COUNCILMAN ROSS noted that the proposed expansion will assist in addressing the need for additional multi-purpose fields, which will accommodate a variety of sports.

MAYOR GOODMAN declared the Public Hearing closed.

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 18, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-19629 - APPLICANT/OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning (Z-45-95), Major Modification (MOD-2425) and ROC (2428) shall be required, except as amended herein.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan date stamped 03/12/07, the landscape plan date stamped 02/14/07 and building elevations, date stamped 02/06/07, except as amended by conditions herein.
4. A Waiver from Title 19.12 perimeter landscape requirements is hereby approved, to allow perimeter landscape improvements along Grand Teton Drive to be completed in a later phase of development.
5. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
6. All mechanical equipment and trash areas shall be fully screened in views from the abutting streets.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
8. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

10. Coordinate offsite improvements for Grand Teton Drive with the "Jones Boulevard/Grand Teton Drive Roadway Improvements" Project.
11. A Drainage Plan and Technical Drainage Study, or other acceptable information, must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits. Provide and improve all drainageways as recommended in the approved drainage plan/study.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is for a Site Development Plan Review for the proposed expansion of an existing park at the southeast corner of Grand Teton Drive and Bradley Road. The development of this parcel will provide primarily a dual purpose lacrosse and soccer field, supporting infrastructure, parking and enhanced landscaping.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
7/19/95	The City Council approved a Rezoning (Z-0040-05) of 37.79 acre site from R-E (Residence Estates) to C-V (Civic) including the subject site. The Planning Commission recommended approval of the request at their meeting of June 22, 1995. Condition # 8 of that approval requires that a detailed plot plan for the site be submitted to the Planning Commission and City Council for approval at a public hearing prior to development. Staff recommended approval.
02/21/01	The City Council approved a General Plan Amendment (GPA-0041-00) to PF (Public Facilities), Rezoning (Z-0109-00) to C-V (Civic), and Site Development Plan [Z-0109-00(1)] in order to allow the development of an elementary school on 12.1 acres adjacent to the subject site. The Planning Commission recommended approval of the Rezoning and Site Development Plan, but was unable to obtain a supermajority for the General Plan Amendment. The Planning Commission and staff recommended approval.
08/06/03	The City Council approved a Major Modification (MOD-2425) to the Iron Mountain Ranch Master Plan, which would allow KB Home Nevada, Inc., to post a bond for park improvements rather than commence construction; and approved the companion Review of Conditions (ROC-2428), which modified the timeframe for construction of the park facilities. The Planning Commission and staff recommended approval.
08/20/03	The City Council approved a Site Development Plan Review (SDR-2602) for a proposed public park on the subject site. The Planning Commission and staff recommended approval.
03/22/07	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #14/r1).

<i>Related Building Permits/Business Licenses</i>	
01/14/04	A Building Permit under Plan Check Number C-364-03 was issued for the rough grading for a city park on a separate portion of the parcel upon which the subject site is located. Additional permits under this plan check number were issued for shade structures, on-site improvements and hardscapes, and on-site sewer.

Pre-Application Meeting	
01/24/07	A pre-application meeting was held to discuss the requirements for a Site Development Plan Review, and whether this case required a public hearing.

Neighborhood Meeting
A Neighborhood Meeting is not required for this application, nor was one held.

Details of Application Request	
Site Area	
Gross Acres	7.31

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	PF (Public Facilities)	C-V (Civic)
North	Single Family Residential	R (Rural Density Residential)	R-E (Residence Estates), R-E (Residence Estates) under ROI to C-V (Civic)
South	Undeveloped, Park, School	PF (Public Facilities), PR-OS, ML (Medium-Low Density Residential)	C-V (Civic), R-PD7 (Residential Planned Development – 7 Units Per Acre)
East	Single Family Residential	PF (Public Facilities), L (Low Density Residential)	R-PD5 (Residential Planned Development – 5 Units Per Acre), R-E (Residence Estates) under ROI to C-V (Civic)
West	Single Family Residential	R (Rural Density Residential)	R-PD3 (Residential Planned Development – 3 Units Per Acre)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
Iron Mountain Ranch	X		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts		X	N/A
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A

The site is located within the area governed by the Iron Mountain Ranch Master Plan, and is designated as a park by the plan. The Recreation Trails Element of the General Plan designates the east side of Bradley Road for a 30-foot wide Multi-Use Equestrian Trail, and the Transportation Trails Element of the General Plan designates the south side of Grand Teton Drive for a 20-foot wide Multi-Use (Non-Equestrian) Trail. The Trail and related landscaping improvements, however, are included in a separate right-of-way improvement project (Jones Boulevard Improvements – Elkhorn Road to Horse Drive), and the applicant requests that these requirements be deferred until the subsequent park construction phase.

DEVELOPMENT STANDARDS

Title 19.08.050 stipulates that the development standards for a project in a Civic District shall be established upon approval of a Site Development Plan, and that setback and other standards are not automatically applied. In reviewing the project for conformance with generally-accepted development standards, all proposed structures will have adequate setbacks from property lines, and lot coverage for the development will be minimal.

<i>Standard</i>	<i>Provided</i>
Min. Lot Size	7.31 acres
Min. Lot Width	662.49 Feet
Min. Setbacks • Front • Side • Corner • Rear	155 Feet 145 Feet 750 Feet 95 Feet
Trash Enclosure	145 Feet, Screened

Landscaping and Open Space Standards

While C-V (Civic) zoned properties are exempt from the general application of landscape requirements, the proposed park should conform to parking lot landscaping and residential buffering requirements. While parking lot trees provided are not spaced exactly as would be required if Title 19.12 applied, the landscape plan identifies 22 trees in the parking lot where 17 trees are required based upon a six to one parking space to tree ratio. Perimeter landscaping along the north property line will be provided in the construction phase in concurrence with a proposed Multi-Use, Non-Equestrian Trail along Grand Teton Drive which is proposed as a separate right-of-way improvement.

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Park	4 acres	Two spaces per gross acre, Plus additional parking for each major sports or recreational facility.	15		96	3	Y
TOTAL					99		Y

ANALYSIS

- Zoning

The park site is designated PF (Public Facility) and PR-OS (Park/Recreation/Open Space) in the Centennial Hills General Plan. The designation allows for public parks, recreational areas, schools, and public uses. The C-V (Civic) zoning on the subject site corresponds to the General Plan designations.

The site is located within the area governed by the Iron Mountain Ranch Master Plan, and is designated as a park by the plan. A Major Modification (MOD-2425) to the Iron Mountain Ranch Master Plan places responsibility for constructing the park on the City. The Transportation Trails Element of the General Plan designates the south side of Grand Teton Drive for a 20-foot wide Multi-Use Non-Equestrian Trail. This trail and related landscaping will be provided as a separate right-of-way improvement project that will be concurrent with the construction phase of this park.

The proposed plan for the park includes a soccer/lacrosse field with four outdoor lighting fixtures and a surrounding chain-link fence. In addition, 99 parking spaces with 22 parking lot trees are provided between the proposed field and Grand Teton Drive. A previous phase of the park located at Bradley Road and Whispering Sands includes a playground, skateboard area, bocce court, picnic area, restroom building and parking area on the west side of the park, with a playground and parking lot at the north side of the park. The central portion of the park will be devoted to a passive recreation area. Access to this phase will be entirely via two driveways to Grand Teton Drive. No pedestrian nor vehicular linkages are proposed between phases one and two of the park at this time.

- Waivers

No waivers are requested or required for the proposed development.

- Landscaping

The proposed landscaping will greatly enhance the site and will be a positive amenity for the neighborhood. In addition, the Multi-Use, Non-Equestrian recreational trail along the northern perimeter will further enhance the aesthetics of the site.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **“The proposed development is compatible with adjacent development and development in the area;”**

The park is compatible with the adjacent development and will provide recreation opportunities for residents in the immediate area. Further, the proposed park is consistent with and required by the Iron Mountain Ranch development agreement and specifically Major Modification (MOD-2425).

2. **“The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;”**

The development is consistent with the General Plan, the Iron Mountain Ranch Master Plan and Title 19.

3. **“Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;”**

The park will be a relatively low-intensity use, and will not significantly impact adjacent roadways or neighborhood traffic patterns.

4. **“Building and landscape materials are appropriate for the areas and for the City;”**

The proposed landscaping will greatly enhance the site and will be a positive amenity for the neighborhood. In addition, the Multi-Use, Non-Equestrian recreational trail along the northern perimeter will further enhance the aesthetics of the site.

5. **“Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;”**

The proposed structures will be appropriate for the park use and will be compatible with adjacent development.

6. **“Appropriate measures are taken to secure and protect the public health, safety and general welfare.”**

Adequate measures have been taken in the design of the site to protect the public health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

3

ASSEMBLY DISTRICT 13

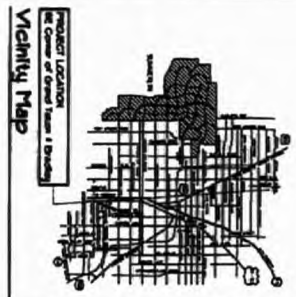
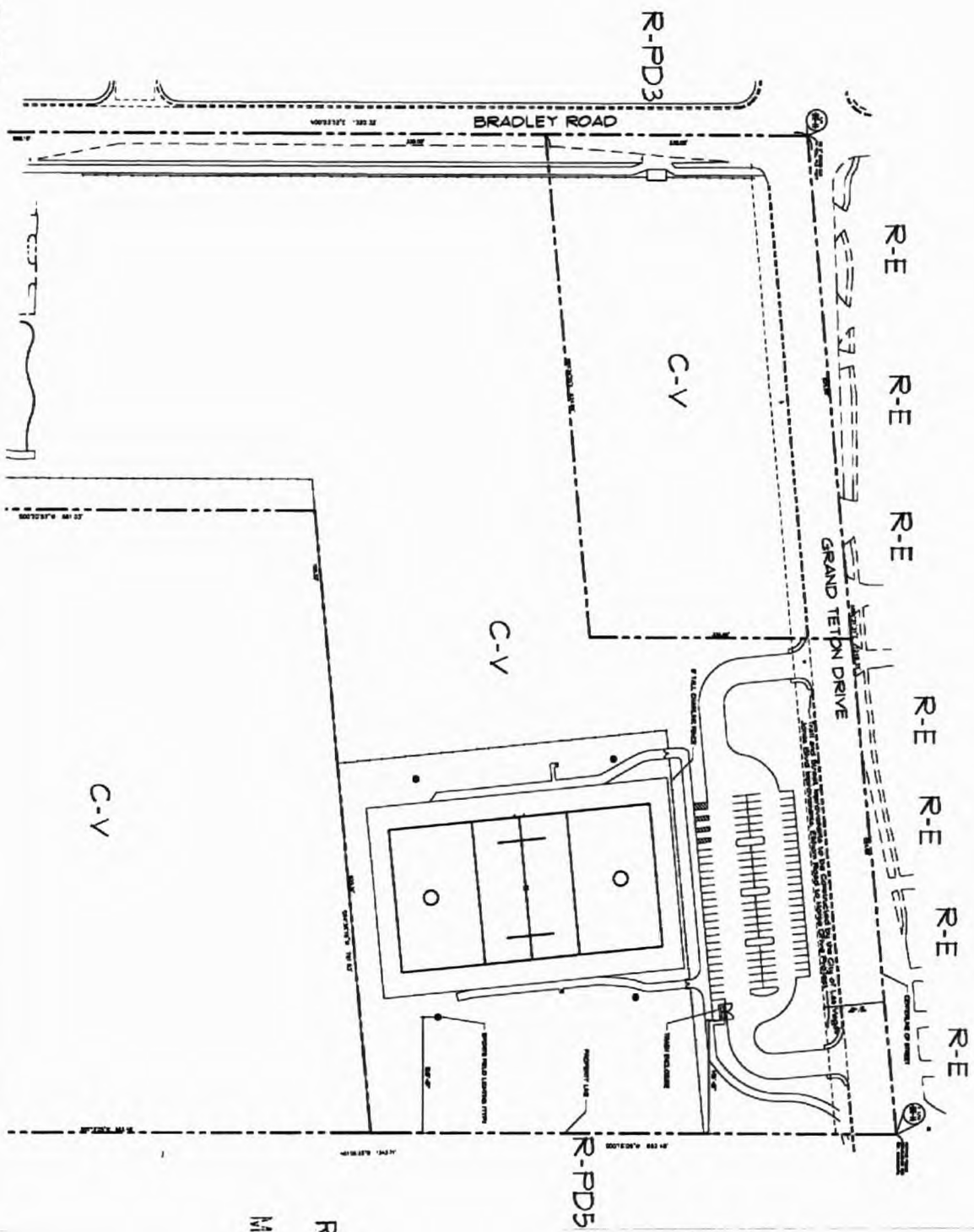
SENATE DISTRICT 9

NOTICES MAILED 790 by Planning Department

APPROVALS 0

PROTESTS 0

Site Plan



Parking Space Count

90 Total Parking Spaces (75 in 1st Street)
 15 Additional Parking Spaces - 1 Substandard, 1 New Accessible

Area of Work

1 Acre

RECEIVED

MAR 12 2007

SDR-19629
 REVISED
 03/22/07 PC

DEPARTMENT OF PUBLIC WORKS

Teton Trails Park Phase II
 SE Corner of Grand Teton & Bradley

Site Plan



AS-1

DATE: _____

BY: _____

CHECKED: _____

APPROVED: _____

DESIGNED: _____

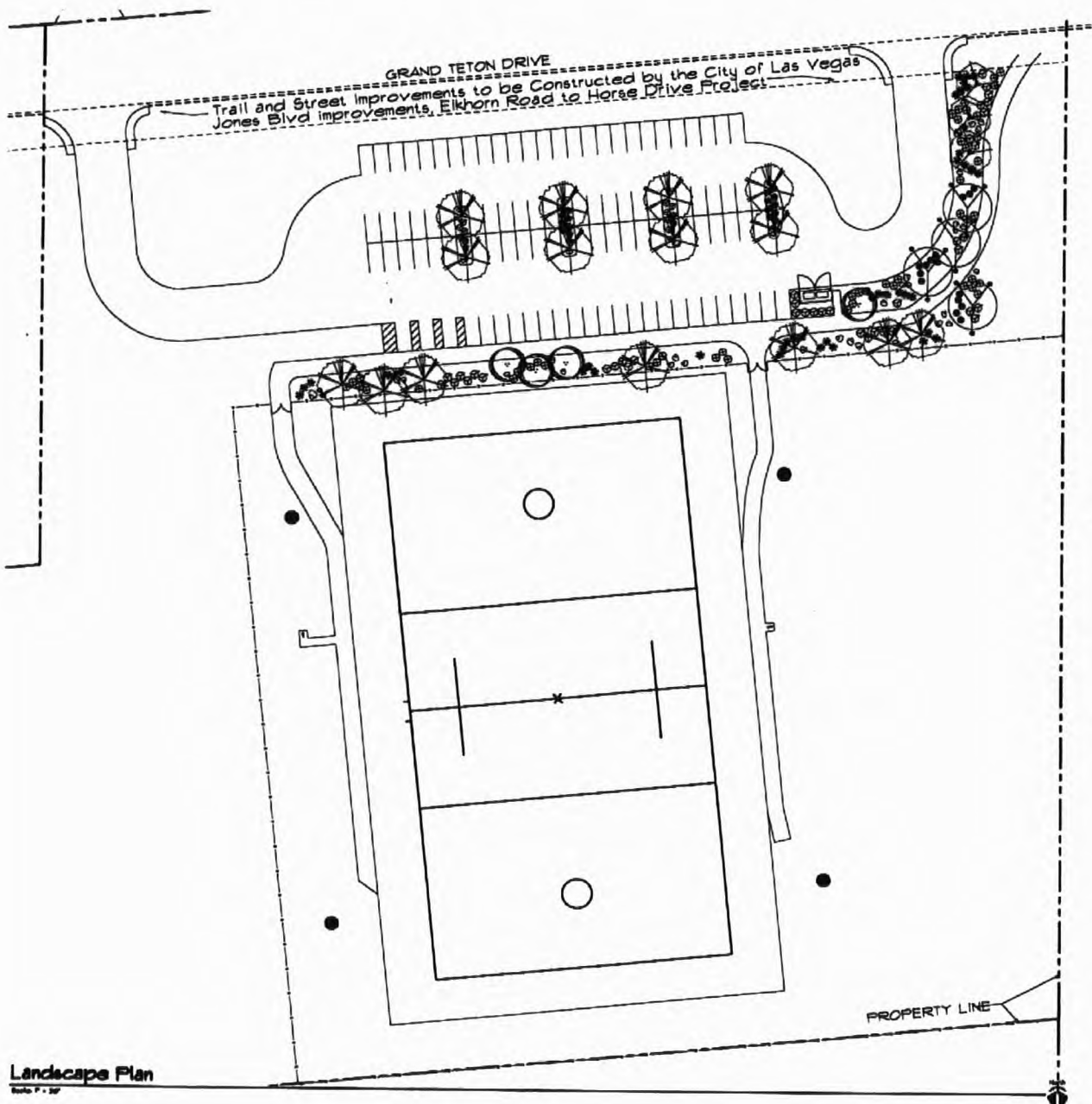
DRAWN: _____

PROJECT: _____

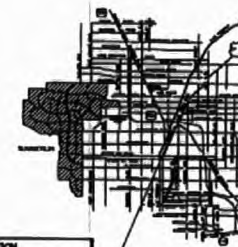
LOCATION: _____

SCALE: _____

DATE: _____



Landscape Plan
Scale: 1" = 30'



PROJECT LOCATION
SE Corner of Grand Teton & Bradley

Vicinity Map

PLANT SCHEDULE

SYMBOL	QTY	SIZE	BOTANICAL NAME	COMMON NAME	COMMENTS
TREES					
	4	24" DBH	ACACIA SENEGALENSIS	BROOKING ACACIA	7" MIN. CAL.
	3	24" DBH	CITRUS AURANTIUM "ORANGE TREE"	DEWENT FRUITED PALE VARIETY	7" MIN. CAL.
	4	18" DBH	CITRUS AURANTIUM	CITRUS	7" MIN. CAL.
	5	18" DBH	PROSOPIS JULIFLORA "MIMBRO"	FAIR-TEX AKA	2-3" MIN. CAL.
SHRUBS & GROUNDERCOVER					
	5	3 GAL.	ECHINOCACTUS SETACEUS	DEWENT CACTUS	ALL & BUSHY
	10	3 GAL.	NEPENTHE DE PAVANILLO "RED-YELLOW"	RED-YELLOW YACCA	ALL & BUSHY
	31	3 GAL.	LANTANA VERMILION	RED GOLD LANTANA	ALL & BUSHY
	44	3 GAL.	LEUCOPHYLLA FRUTICOSA "GREEN GLOSS"	GREEN TENDRIL PLANT	ALL & BUSHY
	50	3 GAL.	LEUCOPHYLLA FRUTICOSA "GREEN GLOSS"	GREEN TENDRIL PLANT	ALL & BUSHY
NOTES					
PLANTING AREAS: INSTALL A 2" LAYER OF 3/4" PEARLITE 3/4" SAND 1/2" GRAIN PERMANENTLY					
"MULCH" RED ESPRESSO GRANITE CONTIGUOUS TO ALL PLANTING UNDER ALL TREES AND BUSHES					

RECEIVED

MAR 1 2 2007

SDR-19629
REVISED
03/22/07 PC



DEPARTMENT OF PUBLIC WORKS

Teton Trails Park Phase II
SE Corner of Grand Teton & Bradley

Landscape Site Plan

CITY OF LAS VEGAS
DEPARTMENT OF PUBLIC WORKS
ARCHITECTURAL SERVICES

DATE: 03/22/07
BY: [Signature]
CHECKED: [Signature]
APPROVED: [Signature]

PROJECT: Teton Trails Park Phase II
SHEET: 1 OF 1

L1



SDR-19629 - APPLICANT/OWNER: CITY OF LAS VEGAS
SOUTHEAST CORNER OF BRADLEY ROAD AND GRAND TETON DRIVE
MARCH 22, 2007 PLANNING COMMISSION

02/20/07



SDR-19629 - APPLICANT/OWNER: CITY OF LAS VEGAS
SOUTHEAST CORNER OF BRADLEY ROAD AND GRAND TETON DRIVE
MARCH 22, 2007 PLANNING COMMISSION

02/20/07



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

CHARLES KAJKOWSKI, JR.
PUBLIC WORKS DIRECTOR

DEPARTMENT OF PUBLIC WORKS
CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

OFFICE 702.229.6276

FAX 702.382.0848

TDD 702.386.9108

www.lasvegasnevada.gov

January 11, 2007 (Revised February 14, 2007)

City of Las Vegas
Department of Planning and Development
731 S. Fourth St.
Las Vegas, NV 89101

Attn: Current Planning:

Re: Justification Letter
Site Development Review – Teton Trails Park Phase 2
For a portion of A.P.N. 125-13-501-009, 4.00 acres

The City of Las Vegas intends to construct the next phase of Teton Trails Park and is hereby submitting a Site Development Review application. Teton Trails Park is located on approximately 22.5 acres at the Southeast corner of Grand Teton Drive and Bradley Road. The most recent Planning action for this park was SDR-2602, related to the development of the first phase of this park, approved by City Council at its meeting of August 20, 2003.

This intended next phase of development will provide a lighted lacrosse/soccer field on the easternmost portion of the parksite, fronting on Grand Teton Drive. A parking area, trash enclosure, accessible walk paths connecting the parking area to the lacrosse/soccer field and drought tolerant perimeter landscaping will be included in this phase. However, further supporting infrastructure and enhanced landscaping will be constructed with a subsequent phase of park development. Trail landscaping and landscaping within planter areas between this project parking area and the trail is requested to be deferred until the subsequent park construction phase.⁽¹⁾ A revised park master concept plan is submitted with this application.

Right of Way improvements for Teton Trails, including a Multi-Use (Non Equestrian) Trail on the south side of Grand Teton Drive are being developed concurrently as a separate project (Jones Boulevard Improvements – Elkhorn Road to Horse Drive).

In support of our application the following is presented:

- This parcel and adjoining parcels have been previously designated as a parksite or civic use (Z-0040-95).
- This project will provide recreational opportunities and promote healthy lifestyles for the citizens of Las Vegas, as stated in the City's published priorities.
- This project promotes the objectives of NRS 278.

SDR-19629

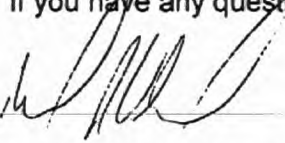
RECEIVED

FEB 14 2007

03/22/07 PC

This project will further develop raw land into a City park. This project will enhance the general health, safety and welfare of the surrounding area. The Park will provide a visual green link with the adjacent neighboring residential community and extend available activities for the adjacent Howard Eckethorn Elementary School.

If you have any questions, please contact me at 229-1045.



Michael J. Vlaovich, AIA
Architectural Project Manager
City of Las Vegas Public Works
229-1045 (fax) 464-5701

⁽¹⁾ Text added on February 14, 2007

RECEIVED
FEB 14 2007