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City of Las Vegas

**RECOMMENDING COMMITTEE MEETING
CITY HALL, 400 STEWART AVENUE
CITY MANAGER'S EIGHTH FLOOR CONFERENCE ROOM
CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.lasvegasnevada.gov>
APRIL 15, 2008
4:00 P.M.**

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

DUPLICATE AUDIO CDS MAY BE AVAILABLE AT A COST OF \$5.00 EACH THROUGH THE CITY CLERK'S OFFICE.

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. Bill No. 2008-18 – Annexation No. ANX-26436 – Property location: At 4871 Reiter Avenue; Petitioned by: Joel Hermosillo; Acreage: 0.53 acres; Zoned: R-E (County zoning), R-E (City equivalent).
Sponsored by: Councilman Rick Y. Barlow
4. Bill No. 2008-19 – Annexation No. ANX-26466 – Property location: At 6424 West Cheyenne Avenue; Petitioned by: Vietnam Veterans America Chapter #17; Acreage: 0.63 acres; Zoned: C-P (County zoning), P-R (City equivalent). Sponsored by: Councilman Ricky Y. Barlow
5. Bill No. 2008-20 – Establishes additional licensing requirements and regulations applicable to wedding chapels. Sponsored by: Councilman Gary Reese
6. Bill No. 2008-21 - Ordinance Creating Special Improvement District No. 1507 - Jones Boulevard (Elkhorn Road to Horse Drive) and Grand Teton Drive (Maverick Street to Decatur Boulevard)
Sponsored by: Step Requirement
7. CITIZENS PARTICIPATION: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the committee. No subject may be acted upon by the committee unless that subject is on the agenda and is scheduled for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited
8. ADJOURNMENT

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City of Las Vegas

ALL INTERESTED PERSONS ARE INVITED TO ATTEND: Copies of the above Bills may be obtained through the Office of the City Clerk, Monday through Friday, 8:00 A.M. to 5:00 P.M.

Facilities are provided throughout City Hall for the convenience of disabled persons. Reasonable efforts will be made to assist and accommodate physically handicapped persons. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 229-6311 and advise of your need at least 48 hours in advance of the meeting.

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

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge

Bulletin Board, City Hall Plaza, (next door to Metro Records)

Las Vegas Library, 833 Las Vegas Boulevard North

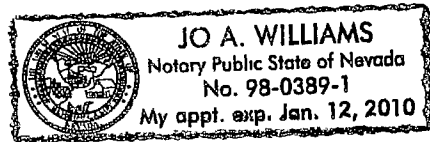
Clark County Government Center, 500 S Grand Central Parkway

Grant Sawyer Building, 555 E Washington Avenue

STATE OF NEVADA)
) ss
COUNTY OF CLARK)


SIGNATURE

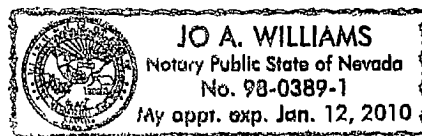

NOTARY PUBLIC in and for said County and State



STATE OF NEVADA)
) ss
COUNTY OF CLARK)

Paula Clark
SIGNATURE

NOTARY PUBLIC in and for said County and State



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: APRIL 15, 2008

DEPARTMENT: CITY CLERK

DIRECTOR: BEVERLY K. BRIDGES

SUBJECT:

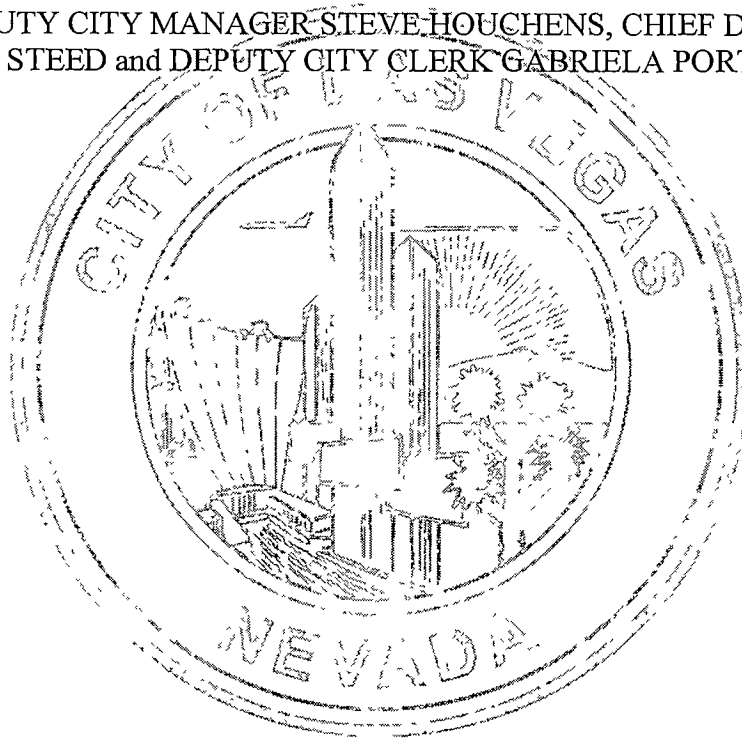
CALL TO ORDER

Minutes:

COUNCILWOMAN TARKANIAN called the meeting to order at 4:06 p.m.

PRESENT: COUNCILMEMBERS TARKANIAN and BARLOW

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



AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: APRIL 15, 2008

DEPARTMENT: CITY CLERK

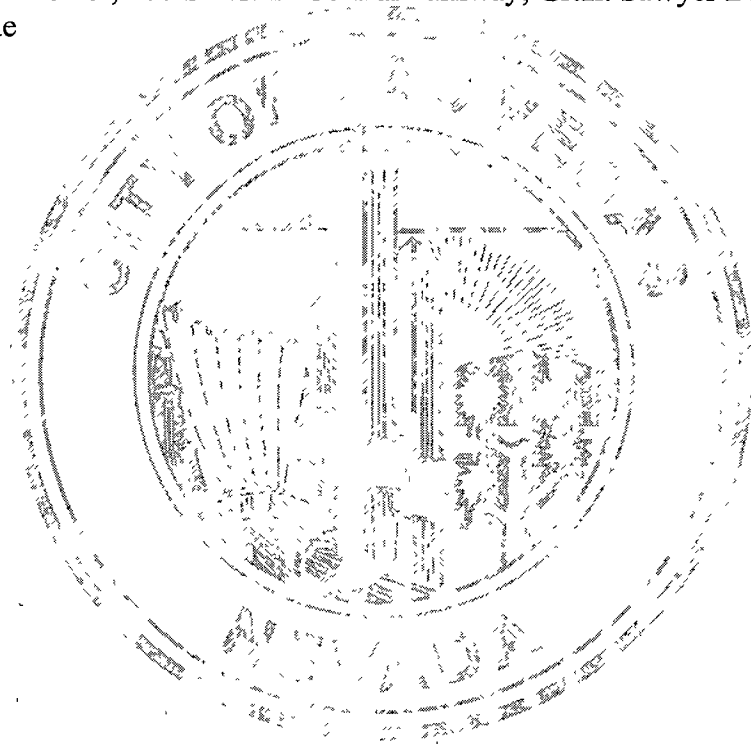
DIRECTOR: BEVERLY K. BRIDGES

SUBJECT:

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

Minutes:

ANNOUNCEMENT MADE - Meeting noticed and posted at the following locations: City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge Bulletin Board, City Hall Plaza (next door to Metro Records), Las Vegas Library, 833 Las Vegas Boulevard North, Clark County Government Center, 500 S. Grand Central Parkway, Grant Sawyer Building, 555 E. Washington Avenue



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: APRIL 15, 2008

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

NEW BILL:

Bill No. 2008-18 – Annexation No. ANX-26436 – Property location: At 4871 Reiter Avenue; Petitioned by: Joel Hermosillo; Acreage: 0.53 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Ricki Y. Barlow

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 at 4871 Reiter Avenue. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (May 16, 2008) 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. 2008-18 and Location Map

Motion made by RICKI Y. BARLOW to Approve as Do Pass

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

LOIS TARKANIAN, RICKI Y. BARLOW; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED said this item involves a standard, single-parcel, owner-petitioned annexation that is in order and recommended for approval.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.

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8 **BILL NO. 2008-18**

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-26436)

13 Sponsored by: Councilman Ricki Y. Barlow Summary: Annexes property described
14 generally as located at 4871 Reiter Avenue.

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 That portion of the Northeast Quarter (NE 1/4) of the Northeast Quarter
21 (NE 1/4) of Section 24, Township 20 South, Range 60 East, M.D.M., in
22 County of Clark, State of Nevada, being Lot 1 in Block 6 of CURTIS PARK
MANOR UNIT No.2, together with the adjacent half street right of way of
REITER AVENUE (30.00 feet wide as measured from centerline thereof) as
shown on Book 5 of Plats, Page 24 of Clark County, Nevada Records.

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 16th day of May, 2008, 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 16th day of May, 2008, 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 16th day of May, 2008.

13 SECTION 7: The described territory, which previously has been zoned R-E
14 (County of Clark classification), is hereby classified as R-E (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.

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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 2008.

6 APPROVED:

7
8 By _____
9 OSCAR B. GOODMAN, Mayor

10 ATTEST:

11 _____
12 BEVERLY K. BRIDGES, CMC
13 City Clerk

14 APPROVED AS TO FORM:

15 *Val Heed* 3-19-08
16 Date
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1 The above and foregoing ordinance was first proposed and read by title to the Council on the
2 _____ day of _____, 2008, 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 _____, 2008, which was a _____ meeting of said Council; that
6 at said _____ meeting, the proposed ordinance was read by title to the City
7 Council as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12

13 By _____
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

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16 BEVERLY K. BRIDGES, CMC
17 City Clerk

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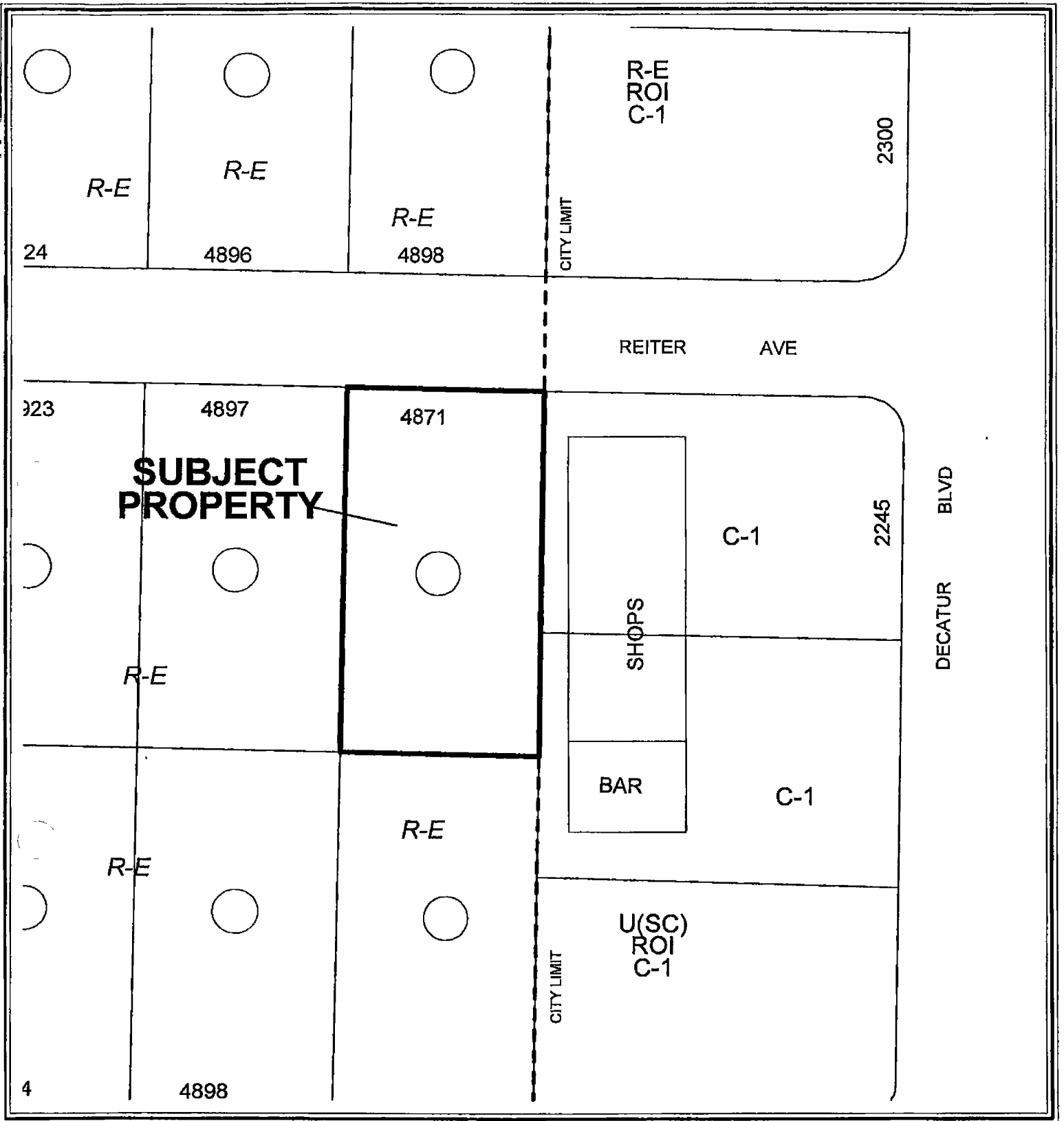
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CASE: ANX-26436

01020 Feet



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: APRIL 15, 2008

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

NEW BILL:

Bill No. 2008-19 – Annexation No. ANX-26466 – Property location: At 6424 West Cheyenne Avenue; Petitioned by: Vietnam Veterans America Chapter #17; Acreage: 0.63 acres; Zoned: C-P (County zoning), P-R (City equivalent). Sponsored by: Councilman Ricky Y. Barlow

Fiscal Impact

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No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located at 6424 West Cheyenne Avenue. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (May 16, 2008) 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. 2008-19 and Location Map

Motion made by RICKI Y. BARLOW to Approve as Do Pass

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

LOIS TARKANIAN, RICKI Y. BARLOW; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

COUNCILMAN BARLOW noted that, as the sponsor of this bill, his first name was erroneously spelled with a Y at the end; it is spelled with an I.

RECOMMENDING COMMITTEE MEETING OF: APRIL 15, 2008

CHIEF DEPUTY CITY ATTORNEY STEED reported that this annexation involves a single parcel that was requested by the owner. It is in order and recommended for approval.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.



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8 **BILL NO. 2008-19**

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-26466)

13 Sponsored by: Councilman Ricki Y. Barlow Summary: Annexes property described
14 generally as located at 6424 West Cheyenne
Avenue.

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 That portion of the Southeast Quarter (SE 1/4) of the Southeast Quarter
21 (SE 1/4) of the Southwest Quarter (SW 1/4) of Section 11, Township 20
22 South, Range 60 East, M.D.M., in County of Clark, State of Nevada, being
23 LOT 3, together with the adjacent half street right of way of CHEYENNE
AVENUE (50.00 feet wide as measured from centerline thereof) as shown on
Parcel Map in File 3, Page 83 of Clark County, Nevada Records.

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

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

1 the area are contiguous to the City;

2 C. The territory proposed to be annexed is not included within the
3 boundaries of another incorporated city or within the boundaries of
4 any unincorporated town as those boundaries existed as of July 1,
5 1983;

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

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

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

1 effective on the 16th day of May, 2008, and on that date the City will have the funds
2 appropriated in sufficient amount to finance the extension into the described territory of
3 police protection, fire protection, street maintenance, street sweeping, and street lighting
4 maintenance.

5 SECTION 5: The described territory, together with the inhabitants and
6 property thereof, shall, from and after the 16th day of May, 2008, be subject to all debts,
7 laws, ordinances and regulations in force in the City and shall be entitled to the same
8 privileges and benefits as other parts of the City, and shall be subject to municipal taxes
9 levied by the City.

10 SECTION 6: The City Engineer is hereby instructed to cause to be prepared
11 an accurate map or plat of the described territory and to record the map or plat, together with
12 a certified copy of this ordinance, in the office of the County Recorder of Clark County,
13 Nevada, which recording shall be done prior to the 16th day of May, 2008.

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

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

26 ...

27 ...

28 ...

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

PASSED, ADOPTED and APPROVED this _____ day of _____,
2008.

APPROVED:

By OSCAR B. GOODMAN, Mayor

ATTEST:

BEVERLY K. BRIDGES, CMC
City Clerk

APPROVED AS TO FORM:

Val Reed 3-19-08
Date

1 The above and foregoing ordinance was first proposed and read by title to the Council on the
2 _____ day of _____, 2008, 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 _____, 2008, 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": _____

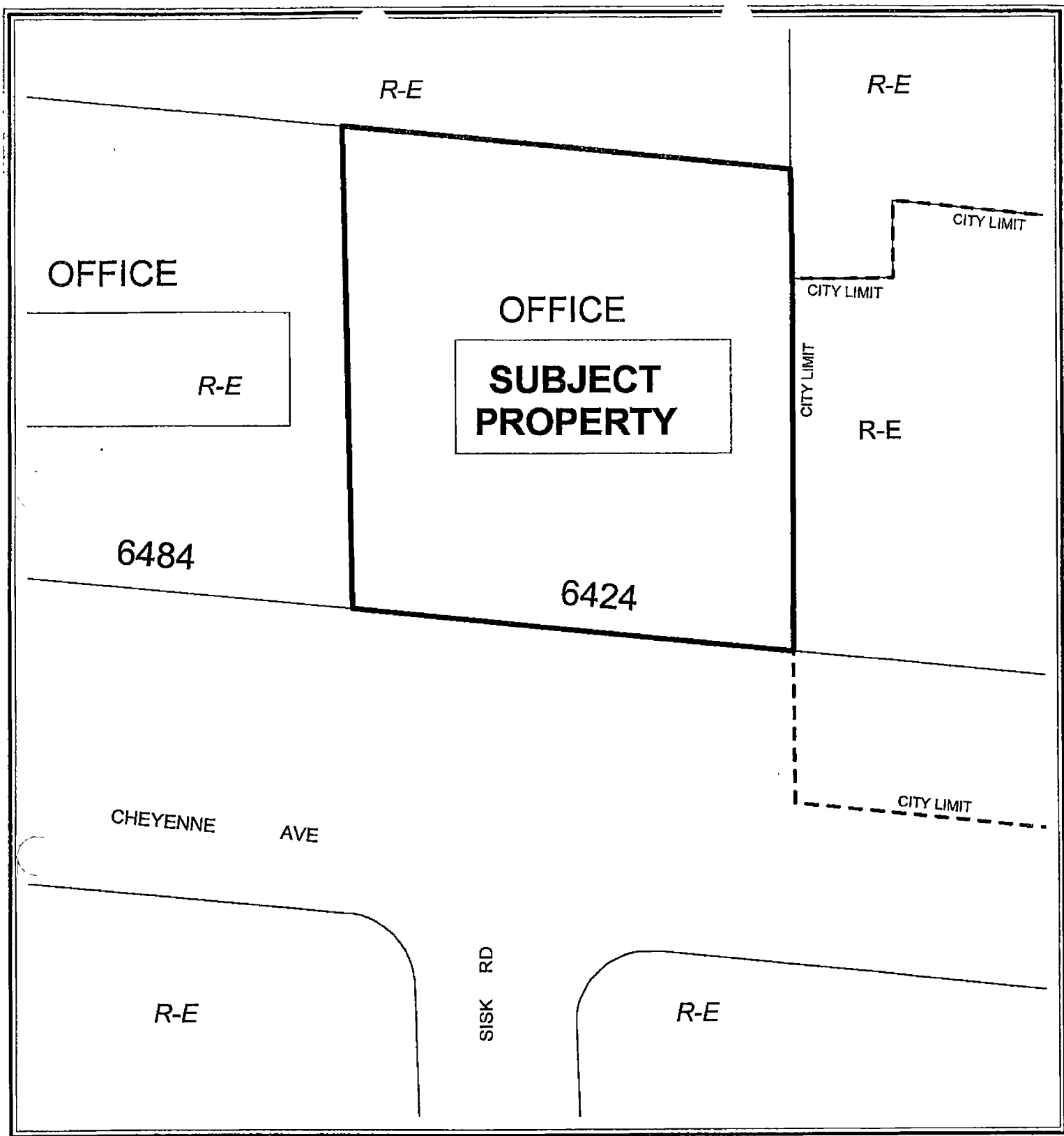
10 ABSENT: _____

11 APPROVED:

12
13 By _____
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 _____
17 BEVERLY K. BRIDGES, CMC
18 City Clerk
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CASE: ANX-26466

0 9 18 Feet



AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: APRIL 15, 2008

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

NEW BILL:

Bill No. 2008-20 – Establishes additional licensing requirements and regulations applicable to wedding chapels. Sponsored by: Councilman Gary Reese

Fiscal Impact

☒ ☐

No Impact

☐ **Augmentation Required**

☐ ☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will establish additional licensing requirements and regulations applicable to wedding chapels, including certain restrictions on solicitation activities and the classification of the wedding chapel license category as a privileged license.

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. 2008-20
2. Business Impact Statement
3. Submitted at meeting - Support letter by Cliff Evarts

Motion made by RICKI Y. BARLOW to Hold in Abeyance 5/20/2008

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

LOIS TARKANIAN, RICKI Y. BARLOW; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED presented this matter on behalf of CITY ATTORNEY BRAD JERBIC, who could not be present. He explained that the ordinance was requested by COUNCILMAN REESE in response to the situation with A Garden of Love wedding chapel. The ordinance would require new licensees to apply for a privileged license, for

RECOMMENDING COMMITTEE MEETING OF: APRIL 15, 2008

which a background check would have to be done, that would have to be considered by Council for approval. This would reinforce the need for those that act on behalf of chapels to comply with City Code.

COUNCILWOMAN TARKANIAN interjected and clarified that any new verbiage in the ordinance was underlined. CHIEF DEPUTY CITY ATTORNEY STEED explicated that added sections and any language underlined is considered new.

CHIEF DEPUTY CITY ATTORNEY STEED continued with the requirements of the proposed ordinance. It prohibits solicitation within 100 feet of the entrance of the Marriage Bureau between the hours of 7:00 a.m. to 12:00 a.m., because of problems caused by A Garden of Love wedding chapel. This requirement parallels the intent of State law to prohibit solicitation on county courthouse property. In accordance with State law, input was sought from licensees, some of whom responded that the distance limitations should be more restrictive. However, staff and COUNCILMAN REESE believe that some solicitation should be permitted.

CHIEF DEPUTY CITY ATTORNEY STEED suggested the Committee allow public comment, but that the item be held until the Recommending Committee of 5/6/2008 so that CITY ATTORNEY JERBIC could appear and make detailed comments. He also requested the Council proceedings regarding A Garden of Love wedding chapel be incorporated in this record.

GARY PECK, Executive Director of the American Civil Liberties Union of Nevada, 732 S. Sixth Street, expressed serious objection to this bill, opining that requiring a privileged license would raise serious problems that would invite litigation, due to the religious aspect involved. Some people that perform marriages belong to religious faiths and organizations. The idea that the government is going to run background checks to determine whether these people "qualify" is a serious problem that raises serious constitutional issues, including the requirement that these people establish the validity of their faith. It is not for the government to make those inquiries. It should suffice for an authorized person to perform marriages to declare that he/she is qualified to perform marriages, and not for government to make that decision. He noted that Martin Luther King, Jr., probably would not be allowed to perform marriages under this ordinance, because he was arrested many times, and there are many pastors that have been arrested before becoming members of the clergy.

Lastly, he expressed concern about the 100-foot restriction, because of where it might place people relative to the marriage bureau. He suggested the opportunity for more discussion be provided.

CLIFF EVARTS, Vegas Wedding Chapel, pointed out that members of the clergy are registered with the County Clerk, which is the authorizing entity. This bill does not propose to govern them. He supported requiring a privileged license for chapels, because it would help solve serious problems that have occurred, which have negatively impacted the industry. It received a lot of negative publicity throughout the country. Also, people that perform marriages are privy to personal information, which opens the door for identity theft by unscrupulous people. Background checks are essential for the protection of customers; the industry does not need

RECOMMENDING COMMITTEE MEETING OF: APRIL 15, 2008

anymore scandals. The 100-foot restriction will help enforcement of solicitation activity. He strongly supported more regulation, and distributed copies of a support letter dated February 29, 2008, that he sent to JIM DiFIORE, Manager of Business Services, a copy of which is included in the minutes.

JASON MYERS and DAVID FOOTE, owners of the Chapel of the Flowers, and JONI MOSS, Vice President, Nevada Wedding Association, concurred with the comments of MR. EVARTS and supported the proposed ordinance. MS. MOSS added that the distance requirement should be increased.

REVEREND STEPHEN SMITH agreed with the 100-foot distance requirement, in order to create a safety zone for couples. However, as a minister who performs weddings and hopes to be able to perform weddings soon on carriages, he expressed concern on the broadness of the proposed rules. He often refers couples to Cupid Wedding Chapel; would that make him guilty of solicitation? Also, would he have to obtain a license for every establishment for which he performs weddings? The City should be targeting the "handbillers" (solicitors).

WILMA HERRERA, owner of Allure Wedding Chapel, supported the dissemination of handbills, as long as the couples are not harassed. The couples can then have more information and decide where to get married. She employs a lot of homeless people to pass out handbills to help them out, but she always emphasizes to them to keep quiet and just pass out the handbills. She is not concerned about the legitimacy of her ministers because they are ordained to her chapel.

CIERRA BALDERRAMA remarked that she has been in the chapel business for five years and she has never been privy to information, such as a social security number, from any person wishing to get married. So the possibility of identify theft should not even be a consideration. MS. HERRERA agreed with MS. BALDERRAMA that personal information is not given to solicitors; they only coordinate. MR. EVARTS persisted that one of the two documents required must have a social security number. Also, couples show a driver's license.

SHERRIE KLUTE, owner of Stained Glass Wedding Chapel, said that, as a minister, Clark County deemed her business to be a church; therefore, she was not required to obtain a license. Nevertheless, she would undergo the process to come into compliance. She supported the distance requirement and urged the Committee to also add language enforcing a dress code and possession of an I.D. badge. All these regulations will improve the industry. However, she opposed the requirement to obtain a privileged license, stating that it would interfere with separation of church and state and the Civil Rights Bill. The biggest offender in the business was shut down, and that alone was a big improvement to the industry.

MR. PECK emphasized that he was not unmindful of the concerns expressed. But, regarding the 100-foot rule, he would like to see where that would be in relation to the building. It may be permitted under free speech. Regarding the privileged license requirement, the courts are not going to accept the argument that the regulation is good for business or for Las Vegas. He urged the City to reconsider and deal with some of the issues mentioned in different ways. MS.

RECOMMENDING COMMITTEE MEETING OF: APRIL 15, 2008

KLUTE agreed that the issues need to be narrowed down to "handbillers," not advertisers, in front of the courthouse

REVEREND SMITH objected to requiring work cards, stating that he has been involved in passing out flyers to the homeless to invite them to church, and he was almost cited for doing that. He was only trying to help the homeless.

JUPITER DESPHY, ordained minister at Heavenly Bliss Wedding Chapel, said he believes in redemption, forgiveness, and that a person should be given the liberty to operate a business regardless of his/her past. But repeat offenders should be dealt with and put out of business, and it should not take four years to put a bad business out of business. However, he strongly believes bad businesses could be shut down without infringing on anyone's constitutional rights. He adamantly objected to the 100-foot rule; it is impractical, in his opinion, as people disseminating handbills would have to run in circles, because of the way the courthouse is set up. The chapel industry needs to build a reputation on the work they do.

MS. BALDERRAMA interjected that the 100-foot requirement would put "handbillers" in the street, where it is illegal to pass out handbills.

COUNCILWOMAN TARKANIAN said many good points were made. She suggested to CHIEF DEPUTY CITY ATTORNEY STEED that an audiotape on this item be provided to CITY ATTORNEY JERBIC

CHIEF DEPUTY CITY ATTORNEY STEED clarified that this bill does not add anything new with regard to soliciting and "handbilling." It is already covered in the Las Vegas Municipal Code under Chapter 6 to serve as a reminder to those that act on behalf of wedding chapel operators and owners that their agents and employees have to follow the existing rules. Moreover, this bill does not include an expansion on who has to obtain a license. It merely requires existing and future universal wedding chapels to obtain a privileged license. The City does not license churches or ministers. By state law, licensing of ministers falls under the purview of the County, and the County Clerk is required to make inquiries into the qualifications and backgrounds of those wishing to obtain permission to perform marriages. But the City can license chapels, even if owned/operated by a minister.

COUNCILMAN BARLOW asked how the proposed 100-foot rule could be increased, to which CHIEF DEPUTY CITY ATTORNEY STEED answered that an amendment could be made by way of request of a Council member. COUNCILMAN BARLOW also asked if the proposed distance requirement respects the right to free speech on sidewalks. CHIEF DEPUTY CITY ATTORNEY STEED indicated reasonable restrictions could be imposed on sidewalks without violating the right to free speech.

COUNCILMAN BARLOW opted to hold this matter in abeyance longer than requested, because he felt that a committee should be formed in the interim to try and reach a consensus on an ordinance.

RECOMMENDING COMMITTEE MEETING OF: APRIL 15, 2008

COUNCILWOMAN TARKANIAN directed CHIEF DEPUTY CITY ATTORNEY STEED to relay COUNCILMAN BARLOW'S suggestion to CITY ATTORNEY JERBIC. COUNCILMAN BARLOW emphasized that a consensus would be in the best interest of the City

See Item 7 for related discussion.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.



1 **BILL NO. 2008-20**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO ESTABLISH ADDITIONAL LICENSING REQUIREMENTS AND
4 REGULATIONS APPLICABLE TO WEDDING CHAPELS, AND TO PROVIDE FOR OTHER
RELATED MATTERS.

5 Sponsored by: Councilman Gary Reese

Summary: Establishes additional licensing
requirements and regulations applicable to
wedding chapels.

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

9 SECTION 1: Title 6, Chapter 84, Section 10, of the Municipal Code of the City of
10 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **6.84.010:** (A) No person shall engage in the business of operating a wedding chapel without
12 first obtaining and thereafter maintaining a valid unexpired license pursuant to this Code. The City
13 Council finds and determines that the operation of a wedding chapel should require a privileged
14 license, and is therefore subject to the provisions of Chapter 6.06.

15 (B) In addition to any requirement of Chapter 6.06 otherwise applicable, each
16 employee or agent of a wedding chapel business, including an independent contractor, who will
17 engage in the solicitation of business or the distribution of advertising materials for the wedding
18 chapel must comply with applicable provisions of Chapters 6.42 and 6.62.

19 SECTION 2: Title 6, Chapter 84, of the Municipal Code of the City of Las Vegas,
20 Nevada, 1983 Edition, is hereby amended by adding thereto a new Section 60, reading as follows:

21 **6.84.060:** Between the hours of 7:00 a.m. and midnight, no officer, employee or agent of a
22 wedding chapel, including an independent contractor, may solicit business for the chapel at a location
23 within one hundred feet of the primary public entrance to the Marriage Bureau (or any successor
24 location within the City wherein marriage licenses are applied for and received).

25 SECTION 3: The provisions of this Ordinance shall apply to wedding chapels
26 licensed before or subsequent to the adoption of this Ordinance, except that existing licensees need
27 not apply for a new privileged license unless otherwise required by the Director of Finance and
28 Business Services.

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

SECTION 5: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

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 _____, 2008.

APPROVED:

By OSCAR B. GOODMAN, Mayor

ATTEST:

BEVERLY K. BRIDGES, CMC
City Clerk

APPROVED AS TO FORM:

Val Steed 3-19-07
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of ____, 2008, 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 ____, 2008, 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:

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BEVERLY K. BRIDGES, CMC
City Clerk

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BUSINESS IMPACT STATEMENT
BILL NO. 2008-20
(Establishes additional licensing requirements and regulations
applicable to wedding chapels)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2008-20, that would establish additional licensing requirements and regulations applicable to wedding chapels.

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.

Comments were solicited through a local wedding chapel association, as well as from 10-15 representatives of existing operators. Several responses were received, none of which objected to the impact on business operations, and several of which suggested additional limitations that potentially would have an even greater business impact. Copies of the responses may be obtained from the Business License Division of the Department of Finance and Business Services.

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:

- Additional licensing requirements and processes, principally applicable to new operators
- Potentially negative impact from the limitation on business solicitations near the local Marriage Bureau

Beneficial effects:

By allowing for greater scrutiny of licensees and limiting solicitation activities near the Marriage Bureau, the proposed rule will help restore credibility and image to the industry and to the City

Direct effects:

As indicated above

Indirect effects:

As indicated above

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:

None considered in response to the input referred to above

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

No appreciable 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 19, 2008

LAS VEGAS WEDDING BUREAU, LLC

dba: Vegas Wedding Chapel

320 South 3rd Street, Las Vegas, NV 89101

Ph 702-385-1514 Fax 702-385-1852 Mobile 702-528-1200

Cliff@702Wedding.com

February 29, 2008

Mr. Jim DiFiore
Business Services Manager
Dept. of Finance and Business Services
400 Stewart Ave., 3rd Floor
Las Vegas, NV 89101

Dear Mr. DiFiore:

Thank you for allowing us to respond to the proposed changes to Las Vegas City Ordinances impacting the wedding industry. We commend the City and their efforts to address these very serious issues, that left unresolved, will continue to erode the marriage business in Las Vegas. An example of this continuing negative national media coverage is enclosed (ABC News, Nightline, February 20, 2008).

Generally we are in favor of the proposed changes, particularly the requirement for wedding chapels to obtain a Privilege License. We believe this is necessary to provide enforcement authority whenever the City encounters 'rogue' business operators who flaunt reasonable and gentle guidance from City personnel. We assume any change of ownership will also trigger the requirement to obtain a Privilege License. In order to avoid any appearance of favoritism to existing chapels, we would volunteer to seek a Privilege License even though it appears that we would be otherwise exempt.

We also support the idea that a solicitor's permit would be required for the distribution of commercial handouts for any wedding chapel. In reality this requirement already exists and is routinely and successfully ignored by solicitors and chapel owners.

The more difficult portion of the ordinance is the implementation of meaningful regulations that will minimize the negative impact of street hustlers preying on the naivety of our out-of-town guests. We believe that this proposed change will not have any meaningful impact on the way business has been conducted for the past several years in and around the Marriage Bureau. Without treading on the very sensitive feelings of the ACLU we believe minor changes to this proposal will accomplish the results you wish to achieve.

- 100' from the "primary public entrance" will only move the current solicitors 21' from the current boundary (the "blue line" designating the property line on 3rd Street), which is routinely and successfully ignored. Almost all of the newly created 100' protected area lies within the area that is already controlled by Clark

#5

County Bailiffs who have been unsuccessful in keeping solicitors at bay. Solicitors would still approach every car that parks on 3rd Street and in the County parking lot, just as they currently do. (See attached aerial diagram.)

- A meaningful proposal would be "...within one hundred feet (100') of the Marriage Bureau (and parking lot) property line". In the alternative the outdoor public steps could be defined as the 'primary public entrance'. This clarification would eliminate future arguments about the location of the 'primary' public entrance (for example if the Marriage Bureau were moved to the 3rd floor of the RJC) and provide the required precise enforcement criteria. This modification would at least require the current flock of street hustlers to relocate east of 3rd Street and north of Lewis. This would also eliminate the gauntlet that wedding couples must endure under the current and proposed boundaries.
- These distance restrictions should apply to everyone, including principals and owners as well as officers, employee, agents and independent contractors. As you may recall chapel owners have been among the most flagrant violators of the current regulations which included multiple assaults on competitors. Allowing principals a free rein will circumvent your best intentions.
- It is our desire that the City of Las Vegas regain its reputation as a 24-hour town where a couple can be married any time day or night. Therefore we believe the new rules and ordinances should be enforced 7 days per week, 24 hours per day, including weekends and holidays.
- The best long term solution to these issues would have been to change the ordinance to "Prohibit the distribution of commercial handouts and commercial solicitation within 100' of the property line of any courthouse, marriage bureau, detention center, police station and city hall (including adjoining parking garages and parking lots)." This wording will provide a permanent solution to the current problems and prevent future circumvention by creative business owners.

These proposed changes will have a positive impact on the wedding business in general and will not restrict the formation, expansion or operation of any wedding chapel. These changes will benefit existing and future wedding chapels by helping to create a comfortable and rewarding experience for wedding couples and encourage positive media coverage. This renewed favorable media coverage will benefit the wedding industry and every wedding chapel. Meaningful changes will be a major step in allowing Las Vegas to once again take pride in its recognition as the 'Wedding Capital of the World'.

Very truly yours,

CLIFF EVARTS

FEB 29 2008

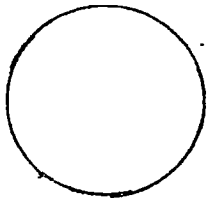
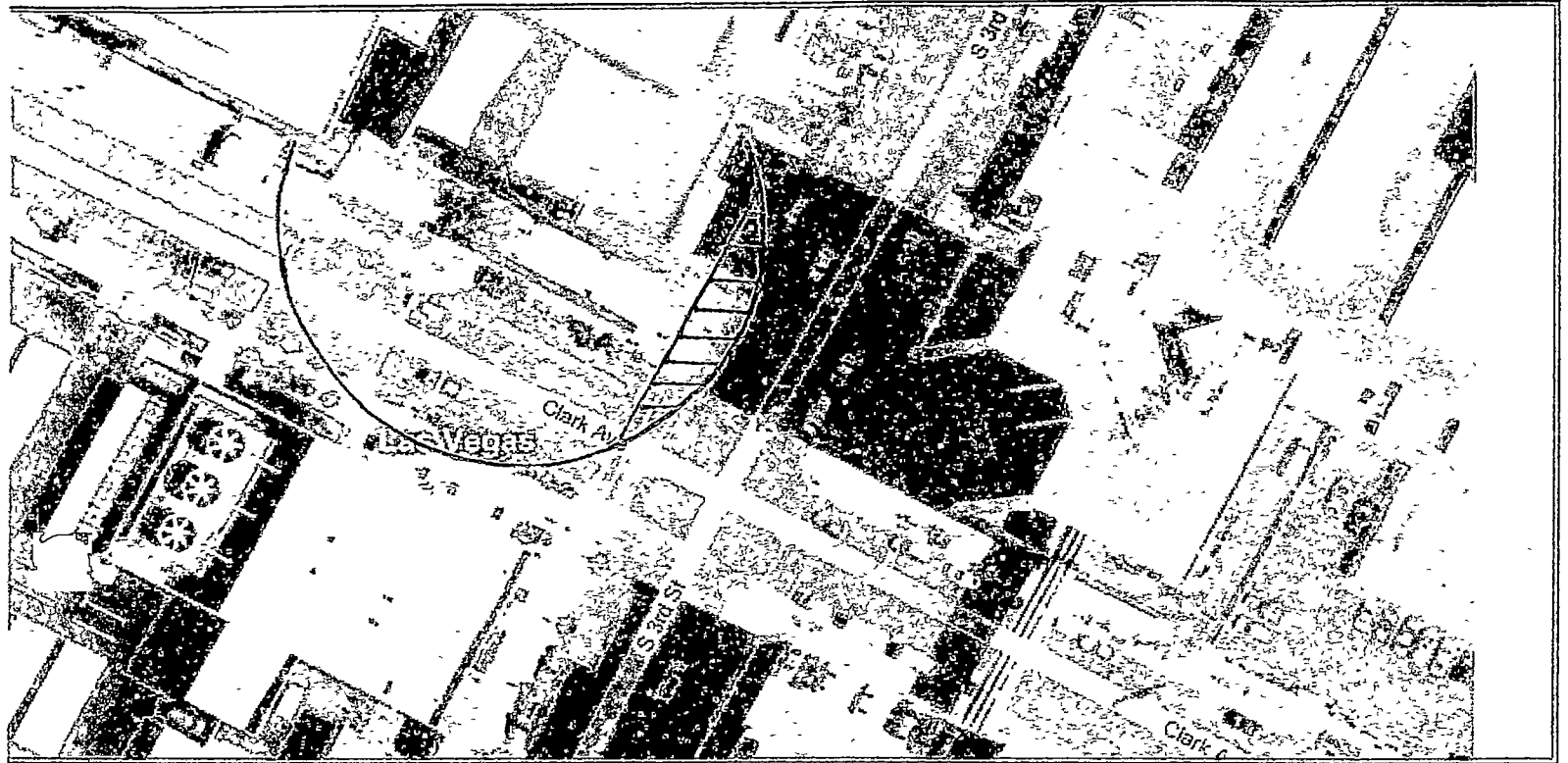
Cliff Evarts
CEO/Founder

Enclosures

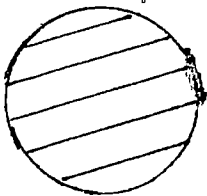
cc: Councilman Gary Reese, Mayor Pro-Tem

For the best possible print results, click the printer icon on the Live Search Maps page.

Welcome



CURRENT 'PROTECTED AREA'
(The area located west of the RJC property line.)



PROPOSED 'PROTECTED AREA' EXPANSION

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: APRIL 15, 2008

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

NEW BILL:

Bill No. 2008-21 - Ordinance Creating Special Improvement District No. 1507 - Jones Boulevard (Elkhorn Road to Horse Drive) and Grand Teton Drive (Maverick Street to Decatur Boulevard) Sponsored by: Step Requirement

Fiscal Impact

☐

No Impact

☒

Augmentation Required

☐

Budget Funds Available

Amount: \$2,199,180.67

Funding Source: Capital Projects Fund - Special Assessments

Dept./Division: Public Works/SID

PURPOSE/BACKGROUND:

The construction and installation of pavement, median islands with left turn lanes and/or continuous left turn lane, "L" type curb and gutter, sidewalks, and street lights.

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. 2008-21

Motion made by RICKI Y. BARLOW to Approve as Do Pass.

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

LOIS TARKANIAN, RICKI Y. BARLOW; (Against-None); (Abstain-None), (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED explained that this matter pertains to the standard creation of a Special Improvement District (SID). He indicated that it is in order and that MIKE THOMPSON, Supervisor of the Special Improvement District Section, was present to answer any questions of the Committee.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.

BILL NO. 2008-21
ORDINANCE NO. _____

AN ORDINANCE CREATING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1507 – JONES BOULEVARD (ELKHORN ROAD TO HORSE DRIVE) AND GRAND TETON DRIVE (MAVERICK STREET TO DECATUR BOULEVARD) PRESCRIBING DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO.

Summary: Creation Ordinance

WHEREAS, the City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively) in the County of Clark, State of Nevada, has determined and does hereby declare that the public convenience and necessity require, and the City Council deems it necessary to create, the City of Las Vegas, Nevada, Special Improvement District No 1507 – Jones Boulevard (Elkhorn Road to Horse Drive) and Grand Teton Drive (Maverick Street to Decatur Boulevard) (hereinafter the "District"), for the purpose of constructing and improving or acquiring and improving a Sanitary Sewer Project as defined in NRS 271.200, a Street Project as defined in NRS 271.225, and a Water Project as defined in NRS 271.250 (collectively, hereinafter the "Project"), and to defray a portion of the entire cost and expense of such Project by special assessments, according to benefits, against the benefited lots, tracts and parcels of land within the District; and

WHEREAS, by a resolution heretofore passed and approved (the "Provisional Order Resolution"), the City Council declared its determination to create the District for the purpose of making the Project, stating therein the character and location of the Project, what portion of the entire expense thereof shall be paid by special assessments, and that the assessments are to be made according to benefits, by apt description designating the District, including the lands to be so assessed and definitely locating the improvements to be made; and

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

WHEREAS, among other documents, the City Engineer together with the City Engineer Division (collectively, the "Engineer") made out a preliminary assessment roll and an assessment plat for the

District which contains, among other things, the names and addresses of the last known owners of the property to be assessed, or if not known, stating the name is "unknown"; a description of each lot, tract, or parcel of land to be assessed; the market value of each lot; the amount of the estimated assessment to be levied thereon; and the amount of maximum special benefits (and corresponding market value increases); and the Engineer has reported the preliminary assessment roll and assessment plat to the City Council and has prepared and reported the "Engineer's Report to the City Council on Benefits," and has filed the assessment plat, preliminary assessment roll and the Engineer's Report with the City Clerk; and

WHEREAS, pursuant to the Provisional Order Resolution, the City Council gave notice (in the manner specified by NRS 271.305) of the filing of the preliminary plans, assessment plat, preliminary assessment roll, typical section of the contemplated improvements, preliminary estimate of cost, and estimate of maximum benefits (and corresponding market value increases), and of the time and place of a hearing thereon; and

WHEREAS, the manner of giving such notice by mail, publication and posting was reasonably calculated to inform the parties of the proceedings concerning the District which might directly and adversely affect their legally protected interests; and

WHEREAS, all owners of property to be assessed and interested persons so desiring were permitted to file a written complaint, protest or objection on or before Friday, February 29, 2008, and to appear before the City Council on Wednesday, March 5, 2008, to be heard as to the propriety and advisability of acquiring and improving the Project provisionally ordered, as to the estimated cost thereof, the manner of payment therefor, and as to the amount thereof to be assessed, the benefits estimated to be conferred against each tract, and the corresponding market value increases expected for each tract in the District; and

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

WHEREAS, the written and oral objections and protests received were duly considered, and the City Council has determined that it is in the best interests of the City, and the inhabitants thereof, to create the District and

WHEREAS, every written complaint, protest and other objection was found to be without sufficient merit and was overruled by the City Council by the Protest Disposal Resolution, except as otherwise provided in said resolution, and

WHEREAS, any person filing a written complaint, protest or objection shall have the right, within 30 days after the City Council has finally passed on such complaint, protest or objection to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination; and

WHEREAS, the City Council and the Engineer have done all things necessary and preliminary to the creation of the District, including, without limitation, the filing with the City Clerk of an accurate estimate of cost, full and detailed, final revised plans and specifications, revised assessment plat, revised final map, and a report on benefits by the Engineer. The City Council desires now to authorize the Project and to create the District by this Ordinance.

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

Section 1. That this Ordinance shall be known as, and may be cited by, the short title "Special Improvement District No. 1507 Creation Ordinance" (the "Ordinance").

Section 2. That the City Council has heretofore determined and does hereby determine that each and every protest and objection made in connection with the District is without sufficient merit and the same be, and the same heretofore have been, by the Protest Disposal Resolution, overruled, and finally passed upon by the City Council.

Section 3. That the City Council has also determined and does hereby declare as follows:

- (a) The public convenience and necessity require the creation of the District
- (b) The creation of the District is economically sound and feasible.
- (c) The market value of each of the benefited lots, tracts and parcels of land in the District will be increased by an amount directly attributable to the Project for which the assessments are made.

Section 4. That there hereby is created in the City an improvement district designated as the City of Las Vegas, Nevada, Special Improvement District No. 1507 – Jones Boulevard (Elkhorn Road to Horse Drive) and Grand Teton Drive (Maverick Street to Decatur Boulevard)” for the purpose of acquiring the Project as more particularly described below. The boundaries of the District, which include the location of the Project and the lots, tracts and parcels of land to be assessed, shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements (as described below). The streets to be improved by the improvements are:

Jones Boulevard (BOTH SIDES) - from the centerline of Elkhorn Road north to the centerline of Horse Drive approximately 8,027-feet (varies from 90 to 100-foot right-of-way).

Grand Teton Drive (BOTH SIDES) – from the centerline of Maverick Street east to the centerline of Jones Boulevard, approximately 1,340-feet (100-foot right-of-way).

Grand Teton Drive (NORTH SIDE) – from the centerline of Bradley Road east to the centerline of Thom Boulevard, approximately 1,249-feet (105-foot right-of-way)

Section 5. That the Project, which is hereby ordered to be acquired, shall be located within the boundaries of the District, and shall be as shown in the final plans and specifications heretofore filed in the City Clerk’s office, without minor details being described. The character of the improvements shall be described more particularly as follows:

The project will consist of the grading, regrading, graveling, and asphalt paving, as necessary, for four (4) travel lanes, a two-way center left turn lane with raised medians with turn pockets at signalized or future signalized intersections, “L” type curb and gutter, sidewalks, commercial and residential driveways, and streetlights. The streetlights along Jones Boulevard from Elkhorn Road to Horse Drive and Grand Teton Drive from Maverick Street to Jones Boulevard, will be installed at the back of the sidewalk at appropriate intervals. The streetlights along Grand Teton Drive from Bradley Road to Thom Boulevard will be installed in the median island. At the request of the owners of property in the District (filed with the office of the Special Improvement District prior to December 14, 2007), water and sewer laterals will be installed from existing or proposed main lines in Jones Boulevard or Grand Teton Drive to such property (hereinafter collectively referred to as the “Improvements”). The City will require that properties connecting to the sewer line pay a connection fee. THE CITY HAS NO OBLIGATION TO PROVIDE

WATER OR SEWER SERVICE TO ANY PROPERTY WITHIN THE DISTRICT REGARDLESS OF WHETHER THE CITY COUNCIL PROCEEDS WITH ALL OR ANY PART OF THE PROJECT.

The City Council has determined that a portion of the cost of the Project is of special benefit and shall be paid by special assessments against the lots, tracts and parcels of land so benefited.

Section 6. That the estimated total cost of the Project shall be apportioned and assessed as follows:

Total Cost	Estimated Amount of Special Assessments	Amount Available from Other Sources
\$ 17,680,037.30	\$ 2,199,180.67	\$ 15,480,856.63

The amounts to be assessed for the Project will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases); provided, however, that an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly shaped lots or lands, if any, and for any lot, tract or parcel not specially benefited by the improvements so that assessments according to benefits are equal and uniform.

The assessments will be levied on a front foot method for the installation of pavement, curb, gutter, sidewalk, and streetlights and on a square foot method for the installation of residential and commercial driveways. Each property owner will be assessed for the cost of a 8-foot wide pavement section, curb, gutter, sidewalks, driveway approaches and streetlights, where not already existing. The owners of property who elect to have water or sewer installed will be assessed per foot of lateral installed on a per service or unit lot basis.

Such basis of assessments has been designated by the City Council in the Provisional Order Resolution.

Section 7. That the portion of the costs to be assessed against, and the maximum amount of benefits estimated (and corresponding market value increases) to be conferred upon, each piece or parcel of property in the District is stated in the assessment plat and addendum thereto, as designated preliminary assessment roll.

Section 8. That the City Engineer, in cooperation with the City, is hereby authorized to advertise for performing the work and making the Improvements in the Las Vegas Review-Journal, a daily newspaper published in Las Vegas, Nevada, and of general circulation in the City. Such notice shall be published at least once, not less than seven days before the opening of bids. The notice shall be in substantially the form provided by the plans, specifications and contract documents.

Section 9 That after the award of the contract, the City Council shall determine the total cost of the work performed, including incidentals, and assessments shall be levied in accordance with the laws of the State, and the City Council shall provide that the assessments may be payable without interest or demand at the election of the owner during a specified cash payment period, or in forty (40) substantially equal semi-annual installments of principal and interest. The City Director of Finance and Business Services shall provide the rate of interest on unpaid installments of assessments which will not exceed the maximum rate of interest permitted under the Nevada Revised Statutes. If assessment bonds are issued, such rate will not exceed more than one percent (1%) of the highest rate of interest on any of the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed more than three percent (3%) the "Index of Twenty Bonds", which shall have been most recently published at the time bids for the bonds are received, or at a time a negotiated offer for the sale of such bonds is accepted. If assessment bonds are not issued, such rate will not exceed 9%.

Section 10 That all action, proceedings, matters and things heretofore taken, had and done by the City, and the officers thereof, (not inconsistent with the provisions of this Ordinance) concerning the District, including, but not limited to, the performing of all prerequisites to the creation of the District, the acquisition of the Project, the specially benefited property therein, the determination that the lots, tracts and parcels of land in the District will receive special benefits and market value increases, and the levy of assessments for that purpose be, and the same hereby are, ratified, approved and confirmed.

Section 11. That 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, the preparation of all necessary documents, legal proceedings, construction contracts, engineering specifications, contract addenda, and other items necessary or

desirable for the completion of the levying of the assessments for the District and the issuance of the bonds.

Section 12 That in accordance with NRS 271.325 (6), upon the final adoption of this Ordinance, the City Clerk is hereby authorized and directed to immediately file in the office of the Clark County Recorder a certified copy of the preliminary assessment roll (the list of the tracts to be assessed). The County Recorder is to record such assessment roll for the purpose of establishing the record of lien or liens against the lots, tracts, and parcels of land and the amounts of maximum benefits estimated to be assessed against each tract in the assessment area as set forth in this Ordinance.

Section 13 That 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 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 the adoption of this Ordinance, such publication to be in substantially the following form:

(Form of Publication of Notice of Filing)

Notice of Filing of:

ORDINANCE NO. _____

AN ORDINANCE CREATING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1507 – JONES BOULEVARD (ELKHORN ROAD TO HORSE DRIVE) AND GRAND TETON DRIVE (MAVERICK STREET TO DECATUR BOULEVARD) PRESCRIBING DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO.

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 2nd day of April, 2008, and will be considered for adoption at the regular meeting of the City Council of the City of Las Vegas on the 7th day of May, 2008.

/s/ Beverly K Bridges, CMC
City Clerk

(End of Form of Publication of Notice of Filing)

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 and against its passage, and with a statement that typewritten copies of the 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 City of Las Vegas Charter and all laws thereunto enabling. Such publication shall be in substantially the following form:

(Form for Publication After Final Adoption of Ordinance)

ORDINANCE NO _____

AN ORDINANCE CREATING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO 1507 – JONES BOULEVARD (ELKHORN ROAD TO HORSE DRIVE) AND GRAND TETON DRIVE (MAVERICK STREET TO DECATUR BOULEVARD) PRESCRIBING DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO.

PUBLIC NOTICE IS HEREBY GIVEN that the above Ordinance was proposed on April 2, 2008, and was passed at a regular meeting held on May 7, 2008, 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
Ricki Y. Barlow

Those Voting Nay:

Those Absent:

This Ordinance shall be in full force and effect from and after May 11, 2008, 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 7th day of May, 2008.

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

(SEAL)

Attest:
/s/ BEVERLY K. BRIDGES, CMC
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 2, 2008, PASSED, ADOPTED AND APPROVED May 7, 2008.

OSCAR B. GOODMAN, Mayor

Attest:

Beverly K. Bridges, CMC
City Clerk

Approved as to form:

20 MAR 08 H Z Lunny

Date Deputy City Attorney

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

I, Beverly K. Bridges, CMC, the duly chosen, qualified City Clerk of the City of Las Vegas (hereinafter the "City Clerk" and "City", respectively), 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 2, 2008, and finally adopted and approved on May 7, 2008.

2. The following members of the City Council were present at the April 2, 2008, City Council meeting

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

3. The foregoing Ordinance was first proposed and read by title to the City Council on April 2, 2008, and referred to a committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said Ordinance on May 7, 2008, 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 members of the City Council were present at the May 7, 2008, 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
	Ricki Y. Barlow

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 2, 2008, and May 7, 2008 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
- (vi) The City of Las Vegas website

, and

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

6. A copy of such notice so given of the meeting of the City Council on April 2, 2008, 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 7, 2008, 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 7, 2008.

BEVERLY K BRIDGES, CMC
City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of April 2, 2008 Meeting)

EXHIBIT B

(Attach Copy of Notice of May 7, 2008 Meeting)

EXHIBIT C

(Attach Affidavit of Publication of Notice of Filing of Creation Ordinance)

C.

EXHIBIT D

(Attach Affidavit of Publication of Title of Creation Ordinance)

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: APRIL 15, 2008

DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES

SUBJECT:

CITIZENS PARTICIPATION: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the committee. No subject may be acted upon by the committee unless that subject is on the agenda and is scheduled for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited

Minutes:

JUPITER DESPHY, ordained minister at Heavenly Bliss Wedding Chapel, requested a copy of the 100-foot-radius map.

GARY PECK, Executive Director of the American Civil Liberties Union of Nevada, 732 S. Sixth Street, and SHERRY KLUTE, owner of Stained Wedding Chapel, thanked the Committee members for allowing people to speak freely.

CLIFF EVARTS, Vegas Wedding Chapel, was confused about the creation of a committee. COUNCILWOMAN TARKANIAN explained that the committee would meet with CITY ATTORNEY JERBIC before the next Recommending Committee meeting on 5/20/2008. CHIEF DEPUTY CITY ATTORNEY STEED indicated that he would suggest to CITY ATTORNEY JERBIC to confer with COUNCILMAN BARLOW on his recommendation.

COUNCILMAN BARLOW asked that those wishing to be a part of the committee to contact JONI MOSS, Nevada Wedding Association, who would obtain all the necessary contact information and handle the coordination. In the interim, he would work with CITY ATTORNEY JERBIC and COUNCILMAN REESE. MS. MOSS indicated she would be happy to be the coordinator. She added that a copy of the ordinance was sent to all wedding chapels for input. CHIEF DEPUTY CITY ATTORNEY STEED stated that the responses would be incorporated in the record.

See Item 5 for related discussion.

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: APRIL 15, 2008

DEPARTMENT: CITY CLERK

DIRECTOR: BEVERLY K. BRIDGES

☐ Consent ☒ Discussion

SUBJECT:

ADJOURNMENT

Minutes:

The meeting was adjourned at 5:13 p.m.

Respectfully submitted:


Gabriela Portillo-Brenner, Deputy City Clerk II
April 18, 2008

