

RESOLUTION NO. R-16-2002

A RESOLUTION MAKING A PROVISIONAL ORDER TO THE EFFECT THAT CERTAIN IMPROVEMENTS IN THE CITY SHALL BE ACQUIRED PURSUANT TO THE CONSOLIDATED LOCAL IMPROVEMENTS LAW TO BE KNOWN AS CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1486 – RAINBOW BOULEVARD PHASE II (RANCHO DRIVE TO ANN ROAD); AND CALLING A HEARING ON THE PROJECT.

Summary: Provisional Order Resolution

WHEREAS, the City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively) of the County of Clark in the State of Nevada, is of the opinion that the interest of the City requires the creation of a special improvement district pursuant to the Consolidated Local Improvements Law and the acquisition and improvement of 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

WHEREAS, the City Engineer, together with the Engineering Integration Division of the City and certain consulting engineers (collectively, hereinafter the "Engineer") has filed at the office of the City Clerk, in connection with the Project and with the proposed City of Las Vegas, Nevada, Special Improvement District No. 1486 – Rainbow Boulevard Phase II (Rancho Drive to Ann Road) the following:

(A) Preliminary plans and specifications showing a typical section of the contemplated improvements, the type or types of material, approximate thickness and wideness for the Project;

(B) A preliminary estimate of the total cost of the Project and of each type of construction, the estimate being made in a lump sum or by unit prices, and further, including in the total estimate, without limiting the generality of the foregoing, the advertising, appraising, engineering, legal, interest on interim warrants, if any, discount on any bonds, printing, and such other expenses as in the judgment of the Engineer are necessary or essential to the completion of such work or improvement, and the payment of the cost thereof;

(C) An assessment plat or map, including an addendum thereto (designated as a "Tabulation of Parcels") showing the descriptions of the property to be assessed, showing the area to be assessed, the market values, a description of each lot, tract or parcel of land, the name and address of each owner, the amounts of estimated

preliminary assessments, the amount of maximum benefits (and corresponding market value increases) estimated to be assessed against each lot, tract or parcel of land in the assessment area such estimate being based on the method of assessment set forth herein (an equitable adjustment having been made for assessments to be levied against wedge or "V" or other irregularly-shaped lots or lands, or for any lot, tract or parcel of land not specially benefited for other reasons in direct proportion to its front footage, so that assessments according to benefits will be equal and uniform); and

(D) The Engineer's Report to the City Council on Benefits, as to the method of determining benefits and corresponding market value increases and as to whether the creation of the District is economically sound and feasible; and

WHEREAS, the City Council has examined the improvement plans, assessment plat, including the addendum thereto, typical section of contemplated improvements, preliminary estimate of the cost, estimate of maximum benefits, and Engineer's Report, so filed with the City Clerk, and has found, and does hereby declare the same to be satisfactory in all respects; and

WHEREAS, the City Council has also determined, and does hereby determine, that all of the assessable property in the City which is specially benefited by the improvements to be acquired in the Special Improvement District No. 1486 - Rainbow Boulevard Phase II (Rancho Drive to Ann Road) and only the property which is so specially benefited, is included in the District; and

WHEREAS, the property to be included within the proposed District is located in the City; and

WHEREAS, the City Council has determined, and does hereby determine, that less than one-half of the cost of the improvements in the District shall be paid with funds from the levy of assessments; and

WHEREAS, the City Council has determined and does hereby determine that the exception provided by NRS 271.306(2)(a) does exist with respect to the costs of the improvements in the District, as more than one-half of the total costs will be paid with money derived from sources other than the levy of special assessments.

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

Section 1. The special improvement district shall be designated "City of Las Vegas, Nevada, Special Improvement District No. 1486 - Rainbow Boulevard Phase II (Rancho Drive to Ann Road)" (hereinafter the "District").

Section 2. This Resolution shall be known as, and may be cited by, the short title "Special Improvement District 1486 Provisional Order Resolution" (hereinafter the "Resolution").

Section 3. The City Council hereby ratifies the preparation, by the Engineer, of and does accept the plans and specifications, assessment plat (including the addendum and exhibits thereto), typical section of the contemplated improvements, preliminary estimate of cost, the Engineer's Report on Benefits, and the estimate of maximum benefits (and corresponding market value increases) to be assessed against each lot, tract, or parcel of land in the assessment area.

Section 4. The Project shall be acquired at an estimated preliminary total cost of \$2,358,000.00 including engineering, legal, and incidental expenses, as more particularly hereinafter set forth and as described in the plans and specifications herein accepted, reference to which is hereby made and which are available for public inspection at the office of the City Clerk at 400 Stewart Avenue, Las Vegas, Nevada 89101.

Section 5. The City Council has also determined and does hereby declare as follows:

1. The public convenience and necessity requires the creation of the District and construction of the Project;
2. The creation of the District is economically sound and feasible; and
3. 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 assessment is made.

Section 6. The boundaries of the District, within which is located the Project and the lots, tracts and parcels of land to be assessed, shall be as designated in the form of notice set forth in Section 7 of this Resolution. It is estimated that the total cost shall be apportioned as follows:

Estimated Amount of Special Assessments	Amount Available from Other Sources	Total Cost
\$439,177.02	\$1,918,822.98	\$2,358,000.00

The amounts to be assessed shall be made upon all tracts benefited in proportion to the special benefits received, as more fully described in the form of notice set forth in Section 7 of this Resolution.

Section 7. On Wednesday, March 20, 2002, at 1:00 p.m. in the City Council Chambers 400 Stewart Avenue in Las Vegas, Nevada (i.e., a time at least 20 days after the adoption of this Resolution) the City Council will consider the ordering of the Project and will hear all complaints, protests, and objections that may be made in writing, and filed as hereafter provided, or made verbally at the hearing, concerning the same, by the owners of land to be assessed or any person interested. The owners of the property to be assessed or any other persons interested therein may file a written protest or objection, and may appear before the City Council and be heard as to the propriety and advisability of making such improvements, as to the estimated cost thereof, as to the manner of payment therefor, as to the amount thereof to be assessed against the property to be improved, and as to the amount of special benefits and corresponding market value increases. Twenty (20) days' notice, in writing, of such time and place shall be given to such property owners, postage prepaid, as first-class mail, to each property owner at his last known address, the names and addresses of such property owners are to be obtained from the records of the County Assessor or from such other sources as the City Clerk deems reliable. Such notice shall also be given to the owner and each tenant of mobile home parks, if any, located on any tracts to be assessed. Any such list of names and addresses may be revised from time to time, but such list need not be revised more frequently than at twelve month intervals. Notice shall also be given by posting in three (3) public places at or near the site of the Project at least twenty (20) days prior to the hearing. Proof of such mailing and posting shall be made by the affidavit of the City Clerk or Deputy City Clerk, such proof to be filed with the City Clerk, provided that failure to mail such notice or notices shall not invalidate any assessment nor any other of the proceedings hereunder. Notice of the time and place of such hearing shall also be given by publication in the Las Vegas-Review Journal, a daily newspaper published in Las Vegas and of general circulation in the City of Las Vegas, Nevada, once each week for three (3) consecutive weekly publications, by three (3) weekly insertions, the first publication in such newspaper to be at least fifteen (15) days prior to the date of the protest hearings. Not less than fourteen (14) days shall intervene between the first publication and the last publication in such newspaper. Such service by publication shall be verified by the affidavit of the publishers and filed with the City Clerk. The proof of publication, the proof of mailing and the proof of posting shall be maintained in the records of the office of

the City Clerk until all the assessments appertaining to the District shall have been paid in full principal, interest and any penalties or collection costs. Said notice shall be in substantially the following form:

(Form of Notice)

NOTICE OF HEARING ON PROPOSED PROJECT AND ASSESSMENTS WITHIN
THE PROPOSED CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT
DISTRICT NO. 1486 - RAINBOW BOULEVARD PHASE II (RANCHO DRIVE TO ANN
ROAD).

NOTICE IS HEREBY GIVEN to the property owners within the proposed City of Las Vegas, Nevada, Special Improvement District No. 1486 - Rainbow Boulevard Phase II (Rancho Drive to Ann Road) (hereinafter the "District") and to all interested persons that:

The City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively) of the County of Clark in the State of Nevada, has provisionally ordered the acquisition of a Sewer Project, Street Project and a Water Project (collectively, the "Project") as more particularly described as follows:

RAINBOW BOULEVARD (EAST SIDE) - from the eastern right-of-way of Rancho Drive, north along Rainbow Boulevard approximately 4,415 feet to the southern right-of-way of Ann Road (100-foot right-of-way).

The following assessment parcel numbers (APNs) identified in the record of the County Assessor of Clark County are included in the district: 125-35-101-001, 125-35-101-002, 125-35-101-005, 125-35-101-007, 125-35-103-001, 125-35-103-003, 125-35-103-006, 125-35-103-007, 125-35-201-006, 125-35-201-018, 125-35-301-001 through -004, 125-35-301-007 through -010, 125-35-301-014, and 125-35-401-001.

Except as shown on the preliminary plans and specifications now on file in the office of the City Clerk and in the office of the Special Improvement District in Las Vegas, Nevada, the character of such Project shall be described more particularly as follows: The improvements on Rainbow Boulevard will consist of the grading, regrading, graveling, and asphalt paving as necessary for at least four (4) travel lanes, continuous left turn lane and median islands, "L" type curb and gutter, sidewalks, commercial and residential driveway approaches and streetlights. The streetlights will be installed at the back of sidewalk at appropriate intervals. At the request of the owners of property in the District (filed with the office of the Special Improvement District prior to June 13, 2001) water and sewer laterals will be installed from the existing or proposed main lines in Rainbow Boulevard to such property. Sewer lines within the District are owned and maintained by the City. The City will require that properties connecting to the sewer line pay a connection fee and be annexed to the City at the time of hookup. 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 preliminary estimated total cost of the Project and the amount to be assessed is as follows:

Estimated Amount of Special Assessments	Amount Available from Other Sources	Total Cost
\$439,177.02	\$1,918,822.98	\$2,358,000.00

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

The assessments will be levied on a front foot basis, provided that those tracts which front a cul-de-sac and which abut or front a street or streets being improved will be assessed on a "unit lot" basis, i.e., all lots abutting the cul-de-sac are to be assessed the same amount based upon the front footage of those lots abutting the street or streets being improved which also abut the cul-de-sac. Each property owner will be assessed for the cost of an 8-foot wide street pavement section, curb and gutter, sidewalks, driveway approaches and streetlights, where not already existing. The owners of property who elect to have water or sewer laterals installed will be assessed per foot of lateral installed on a per service or unit lot basis.

The boundaries of the District shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements or fronting a cul-de-sac which abuts or fronts a street to be improved by the improvements.

All persons interested are hereby advised that the preliminary plans and specifications (showing a typical section of the contemplated improvements) and the assessment plat including a tabulation of parcels or preliminary assessment roll; a preliminary estimate of the total cost, a description of the lots, tracts and parcels of land to be assessed and the portion of the cost to be assessed thereagainst, and the amount of maximum benefits (including the corresponding market value increases) estimated to be conferred on each piece or parcel of property, the Engineer's report as to the method of determining benefits, and all proceedings in the premises, are on file in the office of the Special Improvement District, Department of Public Works, and at the office of the City Clerk, 400 Stewart Avenue, Las Vegas, Nevada, and can be seen and examined by any property owner, or other interested persons, during regular business hours, from 8:00 a.m. to 5:00 p.m., Monday through Friday.

It is anticipated that there will be grade or elevation changes in connection with the acquisition of the Project. Such grade or elevation changes are substantial and are as shown on the preliminary plans and specifications. All persons interested are hereby referred to the preliminary plans and specifications which relate to the details of the Project.

On Wednesday, March 20, 2002, at 1:00 p.m., in the City Council Chambers at 400 Stewart Avenue, in Las Vegas, Nevada, the City Council will consider the ordering of the proposed Project, and will hear all complaints, protests and objections that may be made in writing and filed as hereafter provided, or made verbally at the hearing, concerning the same, by the owner of any tract to be assessed or any person interested. The owners of the property to be assessed, or any other person interested therein, may appear before the City Council and be heard as to the propriety and advisability of acquiring and improving such Project, as to the estimated cost thereof, as to the manner of payment therefor, 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.

The City Council requests that any property owner or interested person wishing to make protest or objection, make such protest or objection in writing at the office of the City Clerk at least three (3) days before the time set for such hearing, i.e., on or before Friday, March 15, 2002. On the date and at the time and place fixed for such hearing, any and all property owners interested in the Project may, by written complaint, protest or objection, present their views to the City Council, or present them orally, and the City Council may adjourn the hearing from time to time to discuss and consider said issues before it. Any

person filing a written protest or objection as hereinabove provided shall have the right within thirty (30) days after the City Council has finally passed on such protest or objection to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination, but thereafter all actions or suits attacking the validity of the proceedings and the amount of benefits shall be perpetually barred. A PROPERTY OWNER'S ONLY CHANCE TO PRESENT EVIDENCE TO DEMONSTRATE THAT HIS OR HER ESTIMATED ASSESSMENTS ARE EXCESSIVE WILL BE AT THE PUBLIC HEARING AND A PROPERTY OWNER WILL NOT BE ABLE TO PRESENT ANY ADDITIONAL EVIDENCE UPON SUBSEQUENT APPEAL TO DISTRICT COURT.

A person should object to the formation of the District, using the procedure outlined in this notice, if his support for the District is based upon a statement or representation concerning the Project that is not contained in the language of this notice.

If a person objects to the amount of maximum benefits estimated to be assessed or to the legality of the proposed assessments in any respect:

- (1) He is entitled to be represented by counsel at the hearing;
- (2) Any evidence he desires to present on these issues must be presented at the hearing; and
- (3) Evidence on these issues that is not presented at the hearing may not thereafter be presented in an action brought pursuant to NRS 271.315.

The City Council of the City of Las Vegas has determined that one-half or more of the total cost of each of the improvements in the District shall be paid with monies derived from other than the levy of special assessments and accordingly may take advantage of the exception stated in paragraph (a) of subsection (2) of NRS 271.306, (which exception is that the City, at its option, may proceed with the improvements in the District regardless of the percentage of protests).

After such hearing, the City Council shall determine the advisability of undertaking each part of the Project, and, if it determines to proceed, shall determine the kind and character of such improvements to be made, and shall authorize the advertising for bids for the doing of such work and the furnishing of all necessary materials with the lowest and best bidder or bidders. The City Council may determine not to proceed with all or any part of the Project regardless of the protests or objections.

After the determination of the actual cost of the Project, assessments shall be levied in accordance with the laws of the State of Nevada. In no event shall the assessments exceed the estimated maximum special benefits to the property assessed or the reasonable market value of the property being assessed (as determined by the City Council). The City Council shall provide that the assessments may be payable without interest and without demand during a specified cash payment period and the City Council shall provide that the assessments may be paid at the election of the owner in twenty (20) substantially equal semi-annual installments of principal. The City Council shall also provide the time and terms of payment of such assessments and shall fix penalties (at a rate not exceeding two percent (2%) per month) to be collected upon delinquent payments. The City Council shall also provide the rate of interest on unpaid installments of assessments which will not exceed the maximum rate of interest permitted under the statutes of the State. If assessment bonds are issued, such rate will not exceed by more than 1% of the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than 3% the "Index of Twenty Bonds" which shall have been most recently published before the time bids for the bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. If bonds are not sold for the District, the City Council shall by resolution establish the rate of interest on unpaid and deferred installments of assessments.

Pursuant to NRS 271.357 and NRS 271.360, the City has established a procedure to allow any person whose principal residence will be included in the District to apply for a Hardship Determination. Any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the same rate and terms as are established for other assessments in the manner provided. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the term of the bonds expires; (c) the property owner's application for renewal of the Hardship Determination is disapproved; (d) the property owner fails to pay interest on the unpaid balance of assessments in a timely manner; or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 hereof. A person desiring to apply for a Hardship Determination shall file an application no later than

March 15, 2002, with the Clark County Department of Social Services, 1600 Pinto Lane, Las Vegas, Nevada 89106, (702) 455-8687.

By order of the City Council of the City, Nevada, and dated this February 20, 2002

BARBARA JO RONEMUS, City Clerk

(End of Form of Notice)

Section 8. 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 Resolution) concerning the City of Las Vegas, Nevada, Special Improvement District No. 1486 - Rainbow Boulevard Phase II (Rancho Drive to Ann Road) be, and the same hereby are, ratified, approved and confirmed.

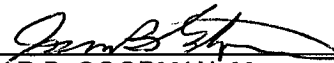
Section 9. That the officers of the City are directed to effectuate the provisions of this Resolution.

Section 10. That all resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such inconsistency.

Section 11. That the invalidity of any provision of this Resolution shall not affect any remaining provisions hereof.

Section 12. That the City Council has determined, and does hereby declare, that this Resolution shall be in effect after its passage in accordance with the law.

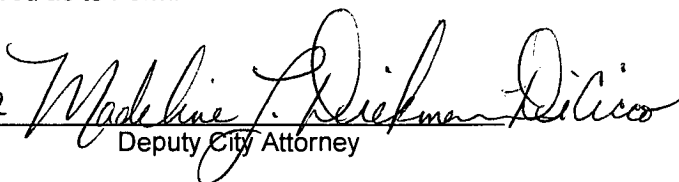
PASSED, ADOPTED AND APPROVED this 20th day of February, 2002.


OSCAR B. GOODMAN, Mayor

Attest:


BARBARA JO RONECUS, City Clerk

Approved as to Form:

2-7-02 
Date Deputy City Attorney

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

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

1. The foregoing pages constitute a true, correct, complete and compared copy of a resolution adopted by the City Council of the City (hereinafter the "City Council") at a meeting held on February 20, 2002.

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

Those Voting Aye:	Oscar B. Goodman Gary Reese Michael J. McDonald Larry Brown Lynette-Boggs McDonald Lawrence Weekly Michael Mack
-------------------	---

Those Voting Nay:	NONE
-------------------	------

Those Absent:	NONE
---------------	------

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

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

(A) BY POSTING A COPY OF THE NOTICE AT LEAST THREE WORKING DAYS BEFORE THE MEETING AT THE PRINCIPAL OFFICE OF THE CITY COUNCIL, OR IF THERE IS NO PRINCIPAL OFFICE, AT THE BUILDING IN WHICH THE MEETING

IS TO BE HELD, AND AT LEAST THREE (3) OTHER SEPARATE, PROMINENT PLACES WITHIN THE JURISDICTION OF THE CITY COUNCIL, TO WIT:

- (i) Court Clerk's Office Bulletin Board
City Hall Plaza
Las Vegas, Nevada
- (ii) City Hall Plaza
Special Outside Posting Bulletin Board
Las Vegas, Nevada
- (iii) Senior Citizens Center
Las Vegas, Nevada
- (iv) Clark County Government Center
500 South Grand Central Parkway
Las Vegas, Nevada
- (v) Downtown Transportation Center
Las Vegas, Nevada

(B) BY MAILING A COPY OF THE NOTICE TO EACH PERSON, IF ANY, WHO HAS REQUESTED NOTICE OF THE MEETINGS OF THE CITY COUNCIL IN THE SAME MANNER IN WHICH NOTICE IS REQUIRED TO BE MAILED TO A MEMBER OF THE CITY COUNCIL. SUCH NOTICE WAS DELIVERED TO THE POSTAL SERVICE NO LATER THAN 9:00 A.M. ON THE THIRD WORKING DAY PRIOR TO THE MEETING.

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

6. A copy of such notice so given of the meeting of the City Council on February 20, 2002, is attached to this certificate as Exhibit "A".

IN WITNESS WHEREOF, I have hereunto set my hand on this February 20, 2002.

(SEAL)


BARBARA JO RONEMUS, City Clerk

Exhibit "A"

(Attach Notice of Meeting and Agenda)

City of Las Vegas

CITY COUNCIL AGENDA

FEBRUARY 20, 2002 TABLE OF CONTENTS

Ceremonial Matters Pg 1

Business Items Pg 2

CONSENT

Building & Safety Department Pg 2
 Detention & Enforcement Department Pg 2
 Finance & Business Services Pg 2 – 4
 Human Resources Department Pg 4
 Neighborhood Services Department Pg 5
 Public Works Department Pg 5 – 6
 Resolutions Pg 6
 Real Estate Committee Pg 6

DISCUSSION

Administrative Pg 7
 Business Development Department Pg 7
 City Attorney Pg 7
 Finance & Business Services Pg 7 – 8
 Human Resources Department Pg 8
 Public Works Department Pg 8
 Resolutions Pg 8
 Boards & Commissions Pg 8 – 9
 Recommending Committee Reports Pg 9
(Bills eligible for adoption at this meeting)
 Recommending Committee Reports Pg 10
(Bills eligible for adoption at a later meeting)
 New Bills Pg 10 – 11

AFTERNOON

Afternoon Session Pg 11
 Public Hearings Pg 11
 Planning & Development Pg 12 – 16
 Addendum *(Item heard by Department)* Pg 17
 Citizens Participation Pg 17



CITY COUNCIL AGENDA

COUNCIL CHAMBERS • 400 STEWART AVENUE • PHONE 229-6011

CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.ci.las-vegas.nv.us>

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

COUNCILMEMBERS: MICHAEL J. McDONALD (Ward 1), LARRY BROWN (Ward 4), LYNETTE BOGGS McDONALD (Ward 2),

LAWRENCE WEEKLY (Ward 5), MICHAEL MACK (Ward 6)

Facilities are provided throughout City Hall for the 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.

FEBRUARY 20, 2002

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 CITY'S WEBSITE AT www.ci.las-vegas.nv.us. 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 10:00 AM.

DUPLICATE AUDIO TAPES ARE AVAILABLE AT A COST OF \$3.00 PER TAPE AND DUPLICATE VIDEO TAPES ARE AVAILABLE AT A COST OF \$5.00 PER TAPE THROUGH THE CITY CLERK'S OFFICE.

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

CEREMONIAL MATTERS

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - REVEREND MASSEY GENTRY, CHRIST EPISCOPAL CHURCH
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF EMPLOYEE OF THE MONTH
- PROCLAMATION PRESENTATION TO EXXONMOBIL FOUNDATION EDUCATIONAL ALLIANCE
- ECONOMIC OPPORTUNITY BOARD SPECIAL PRESENTATION TO MAYOR PRO TEM GARY REESE
- LAS VEGAS HOUSING AUTHORITY SPECIAL PRESENTATION TO COUNCILWOMAN LYNETTE BOGGS MCDONALD
- RECOGNITION OF CITY OF LAS VEGAS FIRST AFRICAN-AMERICAN POLICE OFFICER AND FIREFIGHTER IN CELEBRATION OF BLACK HISTORY MONTH

BUSINESS ITEMS

1. Any items from the morning session that the Council, staff and/or the applicant wishes to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time
2. Approval of the Final Minutes by reference of the Regular City Council Meeting of January 16, 2002

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.

BUILDING & SAFETY DEPARTMENT - CONSENT

3. Approval to enter into an agreement with KB Home which provides for the Department of Building and Safety to use a temporary employee to perform building inspections

DETENTION & ENFORCEMENT DEPARTMENT - CONSENT

4. Approval of Professional Services Agreement for Detention and Narcotics K-9 Training between the City of Las Vegas and Donn Yarnall (\$30,000 - General Fund)
5. Approval of Interlocal Memorandum of Understanding for Mutual Aid in Law Enforcement between the City of Las Vegas and the City of North Las Vegas

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

6. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
7. Approval of report of notification of delinquent filing of City's 4th Quarterly Report for Fiscal Year 2000-2001 with the Nevada Department of Taxation
8. Approval of a report by the City Treasurer of the February 5, 2002 sale of properties subject to the lien of a delinquent assessment in SID Districts 404 and 707 (Summerlin Area) - Wards 2 & 4 (L.B. McDonald & Brown)
9. Approval of a new Beer/Wine/Cooler On-sale Liquor License subject to the provisions of the fire codes, JJ & DH, Inc., dba Hanabi Sushi Bar Japanese Restaurant, 1000 South Rampart Blvd., #16, Jun Y. Kim, Dir, Pres, Secy, Treas, 100% - Ward 2 (L.B. McDonald)
10. Approval of Change of Ownership and Business Name for a Supper Club Liquor License, From: Monsoon II, LLC, dba Monsoon Pan Asian Bistro, Stavros K. Kritikos, Mmbr, Mgr, 40%, Christos Kapotis, Mmbr, 30%, Konstantinos Demertzis, Mmbr, 30%, To: Elavie, Inc., dba Elavie, 8991 West Sahara Ave., Stavros, K. Kritikos, Dir, 66 2/3%, Nicoletta Messologitis, Dir, Pres, 16 2/3%, Yannis Kontizas, Dir, Treas, 16 2/3% - Ward 2 (L.B. McDonald)
11. Approval of Change of Ownership, Location and Business Name for a Tavern Liquor License subject to the provisions of the fire codes and Health Dept. regulations, From: William Keneman, dba Star Golf, 3000 Meade Ave. (Non-operational), William N. Keneman, 100%, To: Polonez Polish Deli & Restaurant, Inc., dba Polonez Polish Deli & Restaurant, 1243 East Sahara Ave., Boguslaw M. Sobol, Dir, Pres, Secy, Treas, 100% - Ward 3 (Reese)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

12. Approval of Change of Ownership for a Tavern Liquor License subject to the provisions of the fire codes and Health Dept. regulations, From: Alarcon, Inc., Sergio Alarcon, Dir, Pres, 34%, Jorge Alarcon, Dir, Secy, Treas, 33%, Victor Alarcon, Dir, 33%, To: Ramon Nuñez, dba Tequilas Bar, 1815 East Charleston Blvd., Ramon N. Nuñez, 100% - Ward 3 (Reese)
13. Approval of Key Employee for a Package Liquor License, Smith's Food & Drug Centers, Inc., dba Smith's Food & Drug Center #377, 850 South Rancho Drive, David R. Rumley, Store Dir - Ward 1 (M. McDonald)
14. Approval of Key Employee for a Tavern Liquor License, Lone Star Steakhouse & Saloon of Las Vegas, Inc., dba Lone Star Steakhouse & Saloon, 1611 South Decatur Blvd., Sergio A. Morones, Gen Mgr - Ward 1 (M. McDonald)
15. Approval of Key Employee for a Package Liquor License, American Drug Stores, Inc., dba Albertson's Store #6013, 2550 South Fort Apache Road, Zdenka Favazzo, Store Dir - Ward 2 (L.B. McDonald)
16. Approval of Key Employee for a Package Liquor License, Thrifty Payless, Inc., dba Rite Aid #6240, 10 North Eastern Ave., Todd C. Sawyer, Store Mgr - Ward 3 (Reese)
17. Approval of Key Employee for a Package Liquor License, The Vons Companies, Inc., dba Vons #2398, 1061 West Owens Ave., Charles R. Gray, Store Mgr - Ward 3 (Reese)
18. Approval of Key Employee for a Package Liquor License, Thrifty Payless, Inc., dba Rite Aid #6114, 5991 West Cheyenne Ave., Diana L. Dobos, Store Mgr - Ward 6 (Mack)
19. Approval of Key Employee for a Hotel Lounge Bar Liquor License, MI Hotels of Las Vegas, Inc., dba Courtyard by Marriott, 1901 North Rainbow Blvd., Douglas A. Smith, Gen Mgr - Ward 4 (Brown)
20. Approval of a new Independent Massage Therapist License, Megan Nelson, dba Megan Nelson, 5825 Fawn Ave., Megan D. Nelson, 100% - Ward 1 (M. McDonald)
21. Approval of a new Independent Massage Therapist License, Ilene S. Robbins, dba Ilene Robbins, 313 Harvard Street, Ilene S. Robbins, 100% - Ward 1 (M. McDonald)
22. Approval of a new Independent Massage Therapist License, Krista M. Gurlides, dba Krista M. Gurlides, 520 Joe Willis Street, Krista M. Gurlides, 100% - Ward 2 (L.B. McDonald)
23. Approval of a new Independent Massage Therapist License, Sharon Ann White, dba Sharon Ann White, 4480 East Charleston Blvd., Suite 1, Sharon Ann White, 100% - Ward 3 (Reese)
24. Approval of a new Independent Massage Therapist License, Edward G. MacFarlane, dba Mac Massage, 3436 Martin Hall Drive, Edward G. MacFarlane, 100% - Ward 4 (Brown)
25. Approval of a new Independent Massage Therapist License, Valerie J. Martinez, dba Valerie J. Martinez, 7854 Blue Brook Drive, Valerie J. Martinez, 100% - County
26. Approval of Change of Location for an Independent Massage Therapist License subject to the provisions of the fire codes, Larisa Hochstetter, dba Larisa Therapist of Massage, From: 4900 Harmony Ave., To: 1009 Transom Drive, Larisa Hochstetter, 100% - Ward 2 (L.B. McDonald)
27. Approval of Change of Location for an Independent Massage Therapist License, Thadra Smith, dba Touche by Thadra, From: 8209 Woodland Prairie Ave., To: 8360 Shore Breeze Dr., Darlene J. Smith, 100% - Ward 4 (Brown)
28. Approval of Change of Location for an Independent Massage Therapist License subject to the provisions of the planning and fire codes, Carol J. Williams, dba Carol J. Williams, From: 7310 Smoke Ranch Road, Suite M, To: 2620 Regatta Drive, Suite 113, Carol J. Williams, 100% - Ward 4 (Brown)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

29. Approval of Change of Location for an Independent Massage Therapist License, Doug Stevens, dba Doug Stevens, From: 6345 South Pecos Road, #103, To: 1550 East Tropicana Ave., Douglas M. Stevens, 100% - County
30. Approval of a new Massage Establishment License subject to the provisions of the fire codes, Rong Guo Zhang, dba Asian Health Center, 2121 South Decatur Blvd., Suite 2, Rong G. Zhang, 100% - Ward 1 (M. McDonald)
31. Approval of award of Bid Number 01.1730.18-RC, 2001-2002 Street Rehabilitation Mayfair Neighborhood and approve the construction conflicts & contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: CAPRIATI CONSTRUCTION CORPORATION, INC. (\$1,575,398 - Street Rehabilitation Fund) - Ward 5 (Weekly)
32. Approval of award of Bid Number 02.1730.07-RC, Owens Avenue Improvements Phase I, I-15 to Owens and approve the construction conflicts & contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: SOUTHERN NEVADA PAVING, INC. (\$1,029,653 - Regional Transportation Commission) - Wards 3 & 5 (Reese & Weekly)
33. Approval of rejection of bid and award of Bid Number 020037-DAR, Open End Contract for Trencher, Scooter and Light Duty Vehicles - Department of Field Operations - Award recommended to: VARIOUS SUPPLIERS (Aggregate amount of \$516,911.49 - Capital Projects Fund)
34. Approval of the issuance of a purchase order for four (4) additional regenerative sweepers under Open End Contract Number 010079-TC, Regenerative Street Sweepers (DAR) - Department of Field Operations - Award recommended to: SNE EQUIPMENT (\$402,260 - Capital Projects Fund)
35. Approval of authorization to use State of Nevada Bid Number WSCA 6416 for an Annual Requirements Contract for Industrial Supplies and Equipment (DAR) - Various Departments - Award recommended to: W.W. GRAINGER (\$200,000 - General Fund)
36. Approval of Revision Number Two to Purchase Order 211200 for office supplies from Office Depot (CW) - Various Departments - Award recommended to: OFFICE DEPOT (\$190,000 - Internal Service Fund)
37. Approval of award of Bid Number 020008-KF, Annual Requirements Contract for Fire Rescue Equipment - Department of Fire & Rescue - Award recommended to: DESERT SPECIALTY RIGGING-SUPPLY for Lots I & II; GARY'S BACKPACKING AND MOUNTAINEERING for Lot III; and L.N. CURTIS & SONS for Lot IV (Estimated aggregate annual amount of \$100,000 - General Fund)
38. Approval of award of Bid Number 020027-DAR, Annual Requirements Contract for Sewer Rodder Parts - Department of Field Operations - Award recommended to: ARIZONA WASTEWATER INDUSTRIES (Estimated annual amount of \$50,000 - Internal Services Fund)
39. Approval of rejection of bid and award of Bid Number 020035-DAR, Annual Requirements Contract for Pest Control - Department of Field Operations - Award recommended to: ELIMINATE PEST CONTROL (Estimated annual amount of \$35,000 - General Fund)
40. Approval of rejection of all bids received on Bid Number 02.15341.04-LED, Installation of Skate Park Ramp Components - Garehime Heights Park - Ward 4 (Brown)

HUMAN RESOURCES DEPARTMENT - CONSENT

41. Approval for Broadbent & Associates to install and monitor wells at Fire Station #1 for a two year period (\$124,770 - Self-Insurance Liability Trust Fund) - Ward 5 (Weekly)

NEIGHBORHOOD SERVICES DEPARTMENT - CONSENT

42. Approval of a Designated Services Agreement with Harding ESE for special inspection and materials testing for the new East Las Vegas Community-Senior Center located at 250 North Eastern Avenue for \$55,084 of General Obligation Bond funding - Ward 3 (Reese)
43. Approval of an allocation in the amount of \$63,130 of HOME Investment Partnership Program grant funds to SDA, Inc. to assist in paying additional water fees for City Center Apartments, 821 Bridger Avenue, which were unanticipated when the project began - Ward 5 (Weekly)

PUBLIC WORKS DEPARTMENT - CONSENT

44. Approval to file a Right-of-Way Grant with the Bureau of Land Management for a flood control detention basin on portions of land lying within the Southeast Quarter (SE 1/4) and the Southwest Quarter (SW 1/4) of Section 36, Township 19 South, Range 59 East, the Northeast Quarter (NE 1/4) of Section 1, Township 20 South, Range 59 East, and the Northwest Quarter (NW 1/4) and the Southwest Quarter (SW 1/4) of Section 6, Township 20 South, Range 60 East, M.D.M., generally located on property bounded by Barden Road on the west, Hualapai Way on the east, LaMadre Way on the north and Red Coach on the south, APN 126-36-401-001, 137-01-501-001, 138-06-201-001 and -301-001 - Ward 4 (Brown) and County
45. Approval to file a Right-of-Way Grant with the Bureau of Land Management for roadway, sewer and drainage purposes on portions of land lying within the Northeast Quarter (NE 1/4) of Section 18, Township 19 South, Range 60 East, M.D.M., generally located on the south side of the Grand Teton Drive alignment, westerly of Fort Apache Road and easterly of Grand Canyon Drive - APN's 125-18-501-003 and -006 - Ward 6 (Mack)
46. Approval of a Declaration of Utilization from the Bureau of Land Management for a portion of the Northwest Quarter (NW 1/4) and the Northeast Quarter (NE 1/4) of Section 29, T19S, R60E, M.D.M., for road, sewer and drainage purposes located on the east and west sides of the El Capitan Way alignment, south of Centennial Parkway (Durango II Project) - APN's: 125-29-103-002 and -501-001 - Ward 6 (Mack) and County
47. Approval of a Dedication from the City of Las Vegas, a Municipal Corporation for a portion of the Southwest Quarter (SW1/4) of Section 25, T19S, R60E, M.D.M. for rights-of-way located on the north side of Ann Road and the west side of Calverts Street (Ann Road Project) - 125-25-410-029, -030 and -031 - Ward 6 (Mack)
48. Approval of a Second Supplemental Interlocal Contract #360b between the City of Las Vegas, the City of North Las Vegas and the Regional Transportation Commission of Southern Nevada for construction of Phase I of Owens Avenue, I-15 to Pecos (\$1,716,000 - Regional Transportation Commission) - Ward 3 (Reese) and North Las Vegas
49. Approval of a Fourth Supplemental Interlocal Contract LAS 17 A 98 between the City of Las Vegas and the Clark County Regional Flood Central District to extend the date of completion for Las Vegas Wash Rancho Drive System (Peak Drive to Lake Mead Boulevard) for additional time needed to obtain a NDOT Occupancy Permit - Ward 5 (Weekly)
50. Approval of a Third Supplemental Interlocal Contract LAS 10 H 98 between the City of Las Vegas and the Clark County Regional Flood Control District to extend the date of completion for Gowan North Buffalo Branch to December 31, 2002 due to delays in approval of road alignment and cross-section which would be acceptable to all residents in the SID area - Ward 4 (Brown)
51. Approval of a Sixth Supplemental Interlocal Contract LAS 10 D 95 by and between the City of Las Vegas and the Clark County Regional Flood Control District to extend the date of completion for the Gowan North Channel Gowan North Detention Basin to Durango Drive - Ward 4 (Brown)
52. Approval of an Encroachment Request from Steve Menzies on behalf of MW, LLC, owner (northwest corner of Commerce Street and Colorado Avenue) - Ward 3 (Reese)

PUBLIC WORKS DEPARTMENT - CONSENT

53. Approval of Sewer Connection and Interlocal Contract with Clark County Sanitation District - Gilmore Family L.P., owner (southwest corner of Quadrel Street and Hickam Avenue, APN 138-04-707-002) - County (near Ward 4 Brown)
54. Approval of an Interlocal Agreement between the City of Las Vegas and the Nevada Department of Transportation for the Federal Safety Project for Safety Improvements to Town Center Drive at Hualapai Way, Town Center Drive at Banburry Cross Drive, and Sahara Avenue west of Rainbow Boulevard - (\$30,000 - Non-Signalized Intersection Improvements) - Wards 1 & 2 (M. McDonald & L.B. McDonald)

RESOLUTIONS - CONSENT

55. R-9-2002 - Approval of a Resolution directing the City Treasurer to prepare the First Assessment Lien Apportionment Report regarding: Special Improvement District No. 1413 (Levy Assessments) - Ward 1 (M. McDonald)
56. R-10-2002 - Approval of a Resolution approving the First Assessment Lien Apportionment Report regarding: Special Improvement District No. 1413 (\$3,248.79 - City SID Fund - Special Revenue) - Ward 1 (M. McDonald)
57. R-11-2002 - Approval of a Resolution Awarding Bid - re: Special Improvement District No. 1473 - Ann Road (US-95 Freeway to Allen Lane) (\$336,001 - Capital Projects Fund - Special Assessments) - Ward 6 (Mack)
58. R-12-2002 - Approval of a Resolution Awarding Bid - re: Special Improvement District No. 1479 - Mayfair Area (\$55,357.50 - Capital Projects Fund - Special Assessments) - Ward 5 (Weekly)
59. R-13-2002 - Approval of a Resolution Establishing the Interest Rate re: Special Improvement District No. 1482 - Gowan Road (Metro Park) from Hualapai Way to Jensen Street (\$65,331.88 - Capital Projects Fund - Special Assessments) - Ward 4 (Brown)
60. R-14-2002 - Approval of a Resolution Making Provisional Order and Directing that Notice of Public Hearing thereon be given regarding: Special Improvement District No. 1484 - Alta Drive (Rancho Drive to Valley View Boulevard) (\$159,446.82 - Capital Projects Fund - Special Assessments) - Ward 1 (M. McDonald)
61. R-15-2002 - Approval of a Resolution Making Provisional Order and Directing that Notice of Public Hearing thereon be given regarding: Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance) (\$76,072/yr - Capital Projects Fund - Special Assessments) - Ward 1 (M. McDonald)
62. R-16-2002 - Approval of a Resolution Making Provisional Order and Directing that Notice of Hearing thereon be given regarding: Special Improvement District No. 1486 - Rainbow Boulevard Phase II (Rancho Drive to Ann Road) (\$439,177.02 - Capital Projects Fund - Special Assessments) - Ward 6 (Mack)

REAL ESTATE COMMITTEE - CONSENT

63. Approval of a Memorandum of Understanding (MOU) #2002-1 between the City of Las Vegas (City) and Southwest Desert Equities, LLC (SWDE), which outlines the terms of purchasing from the BLM for approximately 15.0 acres and selling to SWDE approximately 8.0 acres located in the vicinity of Alexander Road and Hualapai Way - Ward 4 (Brown)
64. Approval of a Memorandum of Understanding (MOU) #2002-2 between the City of Las Vegas (City) and Southwest Desert Equities, LLC (SWDE), which outlines the terms of purchasing from the BLM approximately 2.5 acres and selling to SWDE approximately 1.2 acres of land located on the northwest corner of Buffalo Drive and Rome Boulevard - Ward 6 (Mack)
65. Approval authorizing staff to enter into negotiations with the Clark County School District (CCSD) for the sale of approximately 2.98 acres of City owned land near the southeast corner of Vegas Drive and Simmons Street known as Parcel Number 139-29-501-012 - Ward 5 (Weekly)

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

- 66. Report from the City Manager on emerging issues
- 67. Public hearing regarding the advisability of the City entering into a Monorail Agreement to grant Transit Systems Development, LLC the right to install and operate a monorail in the City
- 68. Discussion and possible action regarding the proposed Monorail Agreement between the City and Transit Systems Development, LLC

BUSINESS DEVELOPMENT - DISCUSSION

- 69. Report and possible action regarding the development of 100 South Grand Central Parkway (aka City Parkway V - APN 139-34-110-002 and City Parkway IV - APN 139-34-110-003) - Ward 5 (Weekly)

CITY ATTORNEY - DISCUSSION

- 70. Discussion and possible action to modify the contract for outside counsel representation on the union negotiations with an additional \$25,000
- 71. Discussion and possible action regarding the Professional Services Agreement with Frederick P. Kessler for redistricting (\$28,000 plus direct expenses - General Fund)
- 72. Discussion and possible action on Appeal of Work Card Denial: Steven Pollard, 625 Twin Lakes Drive, Las Vegas, NV 89107

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

- 73. Discussion and possible action on the Fiscal Year 2003 Las Vegas Metropolitan Police Department Funding Apportionment
- 74. ABEYANCE ITEM - Discussion and possible action regarding Change of Ownership for a Beer/Wine/Cooler Off-sale Liquor License, From: Hashem & Khalid, Rageh H. Hashem, 50%, Marim A. Khalid, 50%, To: Lucky Seven Market, dba Lucky Seven Market, 1401 West Lake Mead Blvd., Rageh, H. Hashem, Ptnr, 12 1/2%, Marim A. Khalid, Ptnr, 12 1/2%, Worku Y. Berhanu, Ptnr, 37 1/2%, Fekadu W. Bibiso, Ptnr, 37 1/2% - Ward 5 (Weekly)
- 75. Discussion and possible action regarding Change of Ownership and Business Name for a Tavern Liquor License and a new Restricted Gaming License for 15 slots subject to Health Dept. regulations and approval by the Nevada Gaming Commission, From: David M. Rice & Karen W. Rice Family Trust, dba Hard Hat Cocktail Lounge, David M. Rice, Trustee, Karen W. Rice, Trustee, To: Hard Hat Lounge, LLC, dba Hard Hat Lounge, 1675 Industrial Road, Ross E. Williams, Mgr, R. E. Williams Family L.P., Mmbr, 99%, Toro, LLC Gen Ptnr, 1%, Ross E. Williams, Ltd Ptnr, 49.5%, Natasha C. Williams, Ltd Ptnr, 49.5% - Ward 3 (Reese)
- 76. Discussion and possible action regarding Temporary Approval of a new Slot Operator Space Lease Location Restricted Gaming License for 15 slots subject to approval by the Nevada Gaming Commission, Cardivan Company db at Albertson's #6018, 7151 West Craig Road, (NOTE: Item to be heard in the afternoon session in conjunction with Item #149 - Special Use Permit #U-0161-01) - Ward 6 (Mack)

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

77. Discussion and possible action regarding Temporary Approval of a new Package Liquor License subject to the provisions of the planning and fire codes and Health Dept. regulations, Albertson's Inc., dba Albertson's #6018, 7151 West Craig Road, Peter L. Lynch, Pres, Kaye L. O'Riordan, Secy, John F. Boyd, Treas, (NOTE: Item to be heard in the afternoon session in conjunction with Item #149 - Special Use Permit #U-0161-01) - Ward 6 (Mack)
78. Discussion and possible action regarding Change of Location for an Independent Massage Therapist License, Marisa Dong, dba Marisa Dong, From: 2127 Paradise Rd., Suite B, To: 3201 West Sahara Ave., Suite B, Marisa Dong, 100% - Ward 1 (M. McDonald)
79. Discussion and possible action to approve award of contract for the Operation (estimated \$1,350,000 annually) and Management (estimated \$96,000 annually) of the Northwest Family Golf Course - Department of Field Operations - Award recommended to: EVERGREEN ALLIANCE GOLF LIMITED (Estimated \$22,500,000 over 15 years to be paid from Golf Enterprise Fund revenues) - Ward 4 (Brown)

HUMAN RESOURCES - DISCUSSION

80. Discussion and possible action regarding the extension of the resolution authorizing payment to eligible city employees during military leave

PUBLIC WORKS DEPARTMENT - DISCUSSION

81. Discussion and possible action on a request to replace all traffic signal incandescent lights throughout the City of Las Vegas with Light Emitting Diode (LEDs) - (\$1,621,415 - Traffic Signal Capital Fund) - All Wards

RESOLUTIONS - DISCUSSION

82. R-17-2002 - Discussion and possible action regarding a resolution supporting Federal legislation to facilitate the inclusion of lands in the Red Rock Canyon National Conservation Area by authorizing the exchange of certain lands between the United States and Howard Hughes Corporation

BOARDS & COMMISSIONS - DISCUSSION

83. ABEYANCE ITEM - Discussion and possible action on the two or four year appointment of the Ward 6 representative on the Ethics Review Board in accordance with Ordinance No. 5436, adopted August 1, 2001
84. ABEYANCE ITEM - ETHICS REVIEW BOARD – Earle W. White, Jr., Term Expiration 4-14-2001; Robert J. Fleming, Term Expiration 4-14-2001; Linda Young, Term Expiration 5-12-2001
85. YOUTH NEIGHBORHOOD ASSOCIATION PARTNERSHIP PROGRAM (YNAPP) GRANT REVIEW BOARD – Mel Kalagian – Term Expiration 1-21-2003 (Resigned); Nichole Alberti – Term Expiration 1-21-2003 (Resigned); Joshua D. Swackhamer – 1-21-2003 (Resigned)
86. ANIMAL ADVISORY COMMITTEE – Mark A. Dolginoff - Term Expiration 3-20-2002; Gretchen Stone – Term Expiration 4-3-2002
87. CLARK COUNTY DISTRICT BOARD OF HEALTH – Sherry Colquitt - Term Expires 5-15-2002 (Resignation effective 2-28-2002)

BOARDS & COMMISSIONS - DISCUSSION

88. Discussion and possible action on the appointment of a Community at Large representative to the Las Vegas Centennial Celebration Committee
89. Discussion and possible action to increase the number of members by two on the Las Vegas Centennial Celebration Committee
90. Discussion and possible action to appoint two new Mayor's Organizational Representatives to the Las Vegas Centennial Celebration Committee

RECOMMENDING COMMITTEE REPORTS - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

91. Bill No. 2002-11 – Revises the zoning regulations that pertain to wireless communication facilities. Sponsored by: Councilman Michael Mack
92. Bill No. 2002-14 – Annexation No. A-0001-99(A) – Property Location: On the southeast corner of Brent Lane and Jones Boulevard; Petitioned By: Prem Land, LLC, et al; Acreage: 20.46 acres; Zoned: R-E (County Zoning), U (DR) (City Equivalent); Sponsored by: Councilman Michael Mack
93. Bill No. 2002-15 – Annexation No. A-0034-01(A) – Property Location: On the southwest corner of Lone Mountain Road and Shaumber Road; Petitioned By: Meranto Living Trust; Acreage: 5.36 acres; Zoned: R-U (County Zoning), U (PCD) (City Equivalent); Sponsored by: Councilman Larry Brown
94. Bill No. 2002-16 – Annexation No. A-0044-01(A) – Property Location: On the west side of Cliff Shadows Parkway, 700 feet south of Craig Road; Petitioned By: Loraine Milano; Acreage: 5.56 acres; Zoned: R-U (County Zoning), U (PCD) (City Equivalent); Sponsored by: Councilman Larry Brown
95. Bill No. 2002-17 – Annexation No. A-0046-01(A) – Property Location: On the southwest corner of Log Cabin Way and El Capitan Way; Petitioned By: Martin A. and Pamela D. Warburton, et al; Acreage: 29.45 acres; Zoned: R-A (County Zoning), U (PCD) (City Equivalent); Sponsored by: Councilman Michael Mack
96. Bill No. 2002-18 – Annexation No. A-0060-01(A) – Property Location: On the north side of Alexander Road, approximately 700 feet west of Vegas Vista Trail; Petitioned By: MB Holdings LLC; Acreage: 5.51 acres; Zoned: R-U (County Zoning), U (PCD) (City Equivalent); Sponsored by: Councilman Larry Brown
97. Bill No. 2002-19 – Annexation No. A-0067-01(A) – Property Location: On the northwest corner of Carl Avenue and Shadow Mountain Place; Petitioned By: John R. Elliott; Acreage: 0.65 acres; Zoned: R-E (County Zoning), R-E (City Equivalent); Sponsored by: Councilman Lawrence Weekly
98. Bill No. 2002-20 – Annexation No. A-0073-01(A) – Property Location: On the northeast corner of Cimarron Road and Whispering Sands Drive; Petitioned By: Carina Corporation; Acreage: 10.40 acres; Zoned: R-E (County Zoning), U (PCD) (City Equivalent); Sponsored by: Councilman Michael Mack
99. Bill No. 2002-21 – Annexation No. A-0076-01(A) – Property Location: On the southwest corner of Lone Mountain Road and Buffalo Drive; Petitioned By: Lone Mountain/Buffalo General Partnership; Acreage: 15.69 acres; Zoned: R-E (County Zoning), U (DR) (City Equivalent); Sponsored by: Councilman Larry Brown
100. Bill No. 2002-22 – Amends the Zoning Code to allow ancillary commercial uses in connection with an assisted living apartment. Proposed by: Robert S. Genzer, Director of Planning and Development
101. Bill No. 2002-23 – Requires a special use permit for an animal hospital, clinic or shelter without outside pens in the C-D and C-1 Zoning Districts, and allows the boarding of animals only in conjunction with the operation of an animal hospital, clinic or shelter. Sponsored by: Councilman Michael J. McDonald

RECOMMENDING COMMITTEE REPORTS - 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.

- 102. Bill No. 2001-115 – Requires certain disclosures in connection with the sale of a residence or residential lot. Sponsored by: Mayor Oscar B. Goodman
- 103. Bill No. 2002-24 – Amends the business licensing requirements for arts and crafts shows. Proposed by: Mark Vincent, Director, Finance and Business Services
- 104. Bill No. 2002-25 – Annexation No. A-0035-01(A) – Property Location: On the southeast corner of Kerry Way and Alexander Road; Petitioned By: City of Las Vegas; Acreage: 2.51 acres; Zoned: R-E (County Zoning), U (PCD) (City Equivalent); Sponsored by: Councilman Larry Brown
- 105. Bill No. 2002-26 – Annexation No. A-0040-01(A) – Property Location: On the southwest corner of Azure Drive and El Capitan Way; Petitioned By: City of Las Vegas; Acreage: 5.01 acres; Zoned: R-E (ROI to RNP1) (County Zoning), U (DR) (City Equivalent); Sponsored by: Councilman Michael Mack
- 106. Bill No. 2002-27 – Annexation No. A-0049-01(A) – Property Location: On the east side of Campbell Road, approximately 330 feet north of O'Hare Avenue; Petitioned By: Danny Lopez; Acreage: 1.28 acres; Zoned: R-A (County Zoning), U (PCD) (City Equivalent); Sponsored by: Councilman Michael Mack
- 107. Bill No. 2002-28 – Annexation No. A-0054-01(A) – Property Location: On the northeast corner of Jones Boulevard and Horse Drive; Petitioned By: Unified Credit Equivalent Trust et al.; Acreage: 20.36 acres; Zoned: R-E (County Zoning), U (DR) (City Equivalent); Sponsored by: Councilman Michael Mack
- 108. Bill No. 2002-29 – Annexation No. A-0068-01(A) – Property Location: At and near the southeast corner of Alexander Road and El Capitan Way; Petitioned By: Romolo Ramo Fusco Family Trust, et al.; Acreage: 8.11 acres; Zoned: R-E (County Zoning), U (L) (City Equivalent); Sponsored by: Councilman Larry Brown
- 109. Bill No. 2002-30 – Annexation No. A-0075-01(A) – Property Location: On the southwest corner of Alexander Road and Campbell Road; Petitioned By: Mohamed Ahmed; Acreage: 2.70 acres; Zoned: R-E (County Zoning), U (L) (City Equivalent); Sponsored by: Councilman Larry Brown
- 110. Bill No. 2002-31 – Revises the standards for the boarding, maintenance and rehabilitation of vacant buildings. Sponsored by: Councilman Michael J. McDonald

NEW BILLS

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.

- 111. Bill No. 2002-32 – Establishes a hardship determination procedure for persons whose property will be included within the boundaries of an improvement district. Proposed by: Bradford R. Jerbic, City Attorney
- 112. Bill No. 2002-33 – Establishes temporary event business licensing requirements. Proposed by: Mark Vincent, Director of Finance and Business Services

NEW BILLS

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.

113. Bill No. 2002-34 – Amends licensing, record keeping and reporting requirements for businesses. Proposed by: Mark Vincent, Director of Finance and Business Services
114. Bill No. 2002-35 – Amends the City's sewer regulations to add customer classes and revise the billing and collection provisions. Proposed by: Mark Vincent, Director of Finance and Business Services

1:00 P.M. - AFTERNOON SESSION

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

PUBLIC HEARINGS - DISCUSSION

116. ABEYANCE ITEM - Public hearing on local improvement district regarding: Special Improvement District No. 1463 – Bonanza Village Subdivision – Security Wall (\$824,698.56 - Capital Projects Fund - Special Assessments) - Ward 5 (Weekly)
117. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 1815 West Washington Avenue. PROPERTY OWNER: CITIMORTGAGE INC - Ward 5 (Weekly)
118. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 1108 Saylor Way. PROPERTY OWNER: JUDY MARIE VITTORINO - Ward 5 (Weekly)
119. Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 1321 South Main Street. PROPERTY OWNER: MOLINA RAQUEL - Ward 3 (Reese)

PLANNING & DEVELOPMENT DEPARTMENT

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 DEPARTMENT – 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.

120. EXTENSION OF TIME - SPECIAL USE PERMIT - U-0089-99(3) - THE SOUTHLAND CORPORATION AND UNGAR INVESTMENTS LIMITED PARTNERSHIP - Request for an Extension of Time of an Approved Special Use Permit FOR GASOLINE SALES IN CONJUNCTION WITH A RENOVATION OF AN EXISTING CONVENIENCE STORE (7-ELEVEN) on property located at 2691 West Sahara Avenue, (APN's: 162-08-502-001 and 005), C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL
121. EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - Z-0010-00(2) - JUNIOR LEAGUE OF LAS VEGAS - Request for an Extension of Time of an Approved Site Development Plan Review FOR A PROPOSED RELOCATION AND CONVERSION OF A 3,300 SQUARE FOOT RESIDENCE TO AN OFFICE, MUSEUM, AND CULTURAL CENTER USE, on 0.48 Acres adjacent to the northwest corner of Bridger Avenue and Ninth Street (APN: 139-34-701-002), R-4 (High Density Residential) Zone under Resolution of Intent to C-V (Civic), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

122. SITE DEVELOPMENT PLAN REVIEW - Z-0086-00(1) - NILA BIEKER AND CAROL A. WALDMAN - Request for a Site Development Plan Review and a Reduction in the amount of Required Perimeter and Parking Lot Landscaping FOR A PROPOSED 1,500 SQUARE FOOT OFFICE located adjacent to the southeast corner of Stewart Avenue and Lamb Boulevard (APN: 140-32-310-001), R-1 (Single Family Residential) Zone under Resolution of Intent to P-R (Professional Office and Parking), Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
123. SITE DEVELOPMENT PLAN REVIEW - SD-0076-01 - COX COMMUNICATIONS - Request for a Site Development Plan Review and a Reduction in the amount of Required Parking Lot Landscaping FOR A PROPOSED 43,000 SQUARE-FOOT, 2-STORY OFFICE BUILDING AND A 3,500 SQUARE-FOOT PAYMENT CENTER located adjacent to the northeast corner of Rancho Drive and Bonanza Road (APN: 139-29-704-035), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
124. SITE DEVELOPMENT PLAN REVIEW - SD-0077-01 - FLETCHER JONES TRUST, ET AL ON BEHALF OF ENTERPRISE CAR RENTAL - Request for a Site Development Plan Review FOR THE RELOCATION OF AN EXISTING AUTOMOBILE RENTAL FACILITY INTO A TEMPORARY MODULAR BUILDING (ENTERPRISE CAR RENTAL) located adjacent to the northwest corner of Decatur Boulevard and Alta Drive (Bill Heard Chevrolet) (APN: 138-36-601-008), C-2 (General Commercial) Zone, Ward 1 (M. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

125. SITE DEVELOPMENT PLAN REVIEW - SD-0078-01 - JOHN AND HOLLA HUBBARD ON BEHALF OF THE HOUSE OF PRAYER CHURCH - Request for a Site Development Plan Review and a Reduction in the amount of Perimeter and Parking Lot Landscaping FOR A PROPOSED HOUSE OF WORSHIP on a 0.32 acre parcel located at 620 Jackson Avenue (APN: 139-27-110-072), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL
126. ABEYANCE ITEM - REVIEW OF CONDITION - PUBLIC HEARING - Z-0016-98(21) - IRON MOUNTAIN RANCH ALLIANCE, LIMITED LIABILITY COMPANY ON BEHALF OF KB HOME NEVADA, INC. - Request for a Review of Condition Number 6 of an Approved Site Development Plan Review [Z-0016-98(13)] TO ALLOW 18-FOOT FRONT YARD SETBACKS (TO GARAGE) AND 14-FOOT FRONT YARD SETBACKS (TO HOUSE) WHERE 18-FOOT FRONT YARD SETBACKS ARE THE MINIMUM REQUIRED on 40 acres located on the northwest corner of Horse Drive and Bradley Road (APN: 125-12-202-002), R-E (Residence Estates) Zone under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units per Acre), Ward 6 (Mack). Staff recommends APPROVAL
127. REVIEW OF CONDITION - PUBLIC HEARING - Z-0022-01(2) - IRON MOUNTAIN RANCH ALLIANCE, LIMITED LIABILITY COMPANY ON BEHALF OF KB HOME NEVADA, INC. - Request for a Review of Condition No. 5 of an Approved Site Development Plan Review [Z-0022-01(1)] TO ALLOW 18-FOOT FRONT YARD SETBACKS (TO GARAGE) AND 14-FOOT FRONT YARD SETBACKS (TO HOUSE) ON LOTS UP TO 7,000 SQUARE FEET WHERE 18-FOOT FRONT YARD SETBACKS ARE THE MINIMUM REQUIRED on 42 acres located on the southeast corner of Iron Mountain Road and Jones Boulevard (APN's: 125-12-101-001 through 004), U (Undeveloped) Zone [DR (Desert Rural) General Plan Designation] under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units per Acre), Ward 6 (Mack). Staff recommends APPROVAL
128. REVIEW OF CONDITION - PUBLIC HEARING - Z-0059-01(4) - IRON MOUNTAIN RANCH ALLIANCE, LIMITED LIABILITY COMPANY ON BEHALF OF KB HOME NEVADA, INC. - Request for a Review of Condition No. 6 of an Approved Site Development Plan Review [Z-0059-01(3)] TO ALLOW 18-FOOT FRONT YARD SETBACKS (TO GARAGE) AND 14-FOOT FRONT YARD SETBACKS (TO HOUSE) WHERE 18-FOOT FRONT YARD SETBACKS ARE THE MINIMUM REQUIRED on 40 acres located on the southwest corner of Iron Mountain Road and Bradley Road (APN: 125-12-101-006), R-E (Residence Estates) Zone under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units per Acre), Ward 6 (Mack). Staff recommends APPROVAL
129. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-0083-01(1) - BABB INVESTMENT COMPANY ON BEHALF OF SPRINT PCS - Request for a Site Development Plan Review FOR A PROPOSED 60 FOOT TALL WIRELESS COMMUNICATIONS MONOPOLE on 4.87 Acres adjacent to the south side of Gowan Road, approximately 1,015 feet east of Hualapai Way, (APN: 138-07-301-004), U (Undeveloped) Zone, [PCD (Planned Community Development) General Plan Designation], PROPOSED PD (Planned Development) Zone, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend DENIAL
130. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-0025-88(9) - FARM & ALEXANDER PROPERTIES LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and a Reduction in the amount of required parking lot landscaping FOR A PROPOSED 90,519 SQUARE FOOT RETAIL COMMERCIAL CENTER located adjacent to the southeast corner of the intersection of Alexander Road and Tenaya Way (APN: 138-10-516-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
131. VACATION - PUBLIC HEARING - VAC-0046-01 - CONCORDIA HOMES OF NEVADA - Petition to vacate U.S. Government Patent Reservations generally located north of Deer Springs Way, 1,335 feet east of Fort Apache Road, Ward 6, (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

132. TWO YEAR REQUIRED REVIEW - VARIANCE - PUBLIC HEARING - V-0154-94(2) - STEINBERG DIAGNOSTIC MEDICAL - Required Two Year Review of an Approved Variance WHICH ALLOWED A 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN located at 2320 South Rancho Drive (APN: 162-04-401-004), C-1 (Limited Commercial) Zone under Resolution of Intent to O (Office), Ward 1 (M. McDonald). The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL
133. FIVE YEAR REQUIRED REVIEW - VARIANCE - PUBLIC HEARING - V-0112-96(2) - JAMES AND SANDRA SAPP ON BEHALF OF LAMAR ADVERTISING COMPANY - Required Five Year Review on an Approved Variance WHICH ALLOWED AN EXISTING NON-CONFORMING 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN TO BE RELOCATED 513 FEET FROM ANOTHER OFF-PREMISE SIGN WHERE 750 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED at 1109 Western Avenue (APN: 162-04-504-001), M (Industrial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
134. VARIANCE - PUBLIC HEARING - V-0079-01 - CAREFREE WINTERHAVEN LIMITED LIABILITY COMPANY ON BEHALF OF TEMPLETON DEVELOPMENT CORPORATION - Appeal filed by Templeton Development Corporation from the Denial by the Planning Commission of a request by Carefree Winterhaven, Limited Liability Company on behalf of Templeton Development Corporation for a Variance TO ALLOW A DOUBLE-FACED FREESTANDING GROUND SIGN WITH AN AREA OF 672 SQUARE FEET ON EACH SIDE WHERE 48 SQUARE FEET IS THE MAXIMUM AREA PERMITTED; AND A HEIGHT OF 45 FEET WHERE 12 FEET IS THE MAXIMUM HEIGHT PERMITTED on property located adjacent to the east side of U.S. 95, north of Cheyenne Avenue, at 3300 Winterhaven Street (APN: 138-10-803-011), R-PD20 (Residential Planned Development – 20 Units per Acre) under Resolution of Intent to R-4 (High Density Residential) Zone, Ward 6 (Mack). The Planning Commission (4-2-1 vote) recommends DENIAL. Staff has no recommendation
135. ONE YEAR REQUIRED REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-0107-95(2) - JOHN SELBY ON BEHALF OF LAMAR OUTDOOR ADVERTISING COMPANY - Appeal filed by Lamar Outdoor Advertising Company from the Denial by the Planning Commission of a request by John Selby on behalf of Lamar Outdoor Advertising Company for a One Year Required Review of an Approved Special Use Permit WHICH ALLOWED A 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 816 North Rancho Drive (APN: 139-29-704-001), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend DENIAL
136. ONE YEAR REQUIRED REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-0184-00(1) - SOLI AND ALEXANDRA MUNAKASH ON BEHALF OF DAVID JIMENEZ - Required One Year Review of an Approved Special Use Permit WHICH ALLOWED A RESTAURANT SERVICE BAR IN CONJUNCTION WITH AN EXISTING RESTAURANT (MARISCUS EL PESCADOR); and a request for a Waiver of the 400-foot separation requirement from a child care facility [at 4301 Stewart Avenue] and an Elementary School [William K. Moore Elementary School at 491 North Lamb Boulevard] located at 4371 Stewart Avenue (APN: 140-31-602-011), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
137. TWO YEAR REQUIRED REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-0141-94(2) - SOUTHLAND CORPORATION - Appeal filed by Lamar Outdoor Advertising Company from the Denial by the Planning Commission of a request by Southland Corporation for a Required Two Year Review of an Approved Special Use Permit WHICH ALLOWED A 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN located at 2625 West Sahara Avenue (APN: 162-08-502-001), C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald). The Planning Commission (6-1 vote) and staff recommend DENIAL
138. FIVE YEAR REQUIRED REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-0107-96(1) - YEHUDA GAT AND YEHUDA LEVY - Required Five Year Review of an Approved Special Use Permit WHICH ALLOWED A 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN located at 110 North Jones Boulevard (APN: 138-25-404-003), C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald). The Planning Commission (5-2 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

139. SPECIAL USE PERMIT - PUBLIC HEARING - U-0148-01 - BECKER & SONS L.L.C. ON BEHALF OF KIATTIPOL KITTISOROS - Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR IN CONJUNCTION WITH AN EXISTING RESTAURANT (PIN KAOW) at 1974 North Rainbow Boulevard (APN: 138-23-301-002), C-1 (Limited Commercial), Ward 5 (Weekly). The Planning Commission (4-0-3 vote) and staff recommend APPROVAL
140. SPECIAL USE PERMIT - PUBLIC HEARING - U-0149-01 - JOHN AND SALLY BEDOTTO 1995 LIVING TRUST - Request for a Special Use Permit FOR A GUEST HOUSE/CASITA WITH MORE THAN ONE OCCUPANT ROOM AND TO ALLOW THE GUEST HOUSE TO BE SIX FEET FROM THE PRINCIPAL DWELLING WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED on property located at 7433 Silver Palm Avenue (APN: 163-03-210-040), R-PD2 (Residential Planned Development - 2 Units per Acre), Ward 1 (M. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL
141. SPECIAL USE PERMIT - PUBLIC HEARING - U-0150-01 - PAN PACIFIC PROPERTIES INC. ON BEHALF OF BARBARA KILBANE - Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR IN CONJUNCTION WITH AN EXISTING RESTAURANT (DA FRANCO RISTORANTE) located at 2101 North Rainbow Boulevard, Suite #101 (APN: 138-22-603-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
142. SPECIAL USE PERMIT - PUBLIC HEARING - U-0151-01 - CHARLESTON ASSOCIATES, LIMITED LIABILITY COMPANY, ON BEHALF OF THE CHEESECAKE FACTORY RESTAURANT - Request for a Special Use Permit FOR A SUPPER CLUB IN CONJUNCTION WITH A PROPOSED RESTAURANT (CHEESE CAKE FACTORY) on property located adjacent to the east side of Rampart Boulevard, approximately 750 feet south of Alta Drive (APN: 138-32-412-025), PD (Planned Development) Zone, Ward 2 (L.B. McDonald). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
143. SPECIAL USE PERMIT - PUBLIC HEARING - U-0152-01 - CRAIG MARKETPLACE, LIMITED LIABILITY COMPANY ON BEHALF OF GOODWILL OF SOUTHERN NEVADA INC. - Request for a Special Use Permit FOR A NON-PROFIT THRIFT SHOP (GOODWILL) at 7091 West Craig Road, (APN: 138-03-701-020) C-1 (Limited Commercial) Zone, Ward 4 (Brown). The Planning Commission (6-1 vote) and staff recommend APPROVAL
144. SPECIAL USE PERMIT - PUBLIC HEARING - U-0154-01 - LONE MOUNTAIN CENTER, LIMITED LIABILITY COMPANY ON BEHALF OF GREEN LIPS CAFE, LIMITED LIABILITY COMPANY - Request for a Special Use Permit TO ALLOW A RESTAURANT SERVICE BAR IN CONJUNCTION WITH A RESTAURANT (CAFE MAMA'S) located at 4864 West Lone Mountain Road (APN: 125-36-818-003), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
145. SPECIAL USE PERMIT - PUBLIC HEARING - U-0155-01 - RICHARD JACOBS - Request for a Special Use Permit TO ALLOW AN AUTO RENTAL BUSINESS located at 1590 East Sahara Avenue (APN: 162-02-411-026), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
146. SPECIAL USE PERMIT - PUBLIC HEARING - U-0156-01 - ALLEN AND FLORENCE SHARPE TRUST ON BEHALF OF RSC CYCLE, INC. - Request for a Special Use Permit TO ALLOW A PROPOSED USED MOTOR VEHICLE SALES BUSINESS (RSC CYCLE) located at 2605 Highland Drive (APN: 162-09-110-016), M (Industrial) Zone, Ward 3 (Reese). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
147. SPECIAL USE PERMIT - PUBLIC HEARING - U-0157-01 - SOLI AND ALEXANDRA MUNAKASH ON BEHALF OF NEXTEL COMMUNICATIONS - Appeal filed by Jones Vargas from the Denial by the Planning Commission of a request by Soli and Alexandra Munakash on behalf of Nextel Communications for a Special Use Permit TO ALLOW A PROPOSED COLOCATION AT A HEIGHT OF 60 FEET ONTO AN EXISTING 100-FOOT TALL WIRELESS COMMUNICATIONS MONOPOLE TOWER located at 4371 Stewart Avenue (APN: 140-31-602-011), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (5-1-1 vote) recommends DENIAL. Staff recommends APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

148. SPECIAL USE PERMIT - PUBLIC HEARING - U-0158-01 - GEMINI, INC. ET AL ON BEHALF OF LADY LUCK LAS VEGAS - Request for a Special Use Permit TO ALLOW THE CONVERSION OF A RESORT HOTEL (LADY LUCK) INTO A TIMESHARE DEVELOPMENT located at 206 North Third Street (APN's: 139-34-510-017 & 018), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
149. SPECIAL USE PERMIT - PUBLIC HEARING - U-0161-01 - CRAIG MARKET PLACE, INCORPORATED ON BEHALF OF ALBERTSON'S - Request for a Special Use Permit FOR THE SALE OF PACKAGED LIQUOR FOR OFF-PREMISE CONSUMPTION IN CONJUNCTION WITH A GROCERY STORE (ALBERTSON'S) on 12.2 acres generally located adjacent to the south side of Craig Road approximately 220 feet east of Tenaya Way (APN: 138-03-701-018), C-1 (Limited Commercial) Zone, Ward 6 (Mack). (NOTE: Item to be heard in conjunction with Morning Session Items #76 and #77) - The Planning Commission (6-0 vote) and staff recommend APPROVAL
150. REZONING - PUBLIC HEARING - Z-0089-01 - SCHNIPPEL FAMILY LIMITED PARTNERSHIP ET AL, ON BEHALF OF NEVADA H.A.N.D. - Request for a Rezoning FROM: R-E (Residence Estates) Zone Under Resolution of Intent to R-PD20 (Residential Planned Development - 20 Units per Acre) TO: R-PD25 (Residential Planned Development - 25 Units per Acre) on 3.78 Acres located adjacent to the north side of Bonanza Road, approximately 1,000 feet east of Sandhill Road (APN's: 140-30-802-001 and 002), PROPOSED USE: SENIOR APARTMENTS, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
151. VARIANCE RELATED TO Z-0089-01 - PUBLIC HEARING - V-0089-01 - SCHNIPPEL FAMILY LIMITED PARTNERSHIP, ET AL, ON BEHALF OF NEVADA H.A.N.D. - Request for a Variance TO ALLOW A PROPOSED SENIOR APARTMENT COMPLEX 76 FEET FROM A SINGLE FAMILY RESIDENTIAL PROPERTY LINE WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM SETBACK OF 129 FEET on property located adjacent to the north side of Bonanza Road, approximately 1,000 feet east of Sandhill Road, (APN's: 140-30-802-001 and 002), R-E (Residence Estates) Zone Under Resolution of Intent to R-PD20 (Residential Planned Development - 20 Units per Acre) [PROPOSED: R-PD25 (Residential Planned Development 25 Units per Acre)], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
152. VARIANCE RELATED TO Z-0089-01 AND V-0089-01 - PUBLIC HEARING - V-0090-01 - SCHNIPPEL FAMILY LIMITED PARTNERSHIP, ET AL, ON BEHALF OF NEVADA H.A.N.D. - Request for a Variance TO ALLOW 101 SPACES WHERE THE PROPOSED USE (A SENIOR APARTMENT COMPLEX) REQUIRES A MINIMUM OF 116 SPACES on 3.78 Acres adjacent to the north side of Bonanza Road, approximately 1,000 feet east of Sandhill Road, (APN: 140-30-802-001 and 002), R-E (Residence Estates) Zone Under Resolution of Intent to R-PD20 (Residential Planned Development - 20 Units per Acre) [PROPOSED: R-PD25 (Residential Planned Development 25 Units per Acre)], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
153. SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0089-01, V-0089-01 AND V-0090-01 - PUBLIC HEARING - Z-0089-01(1) - SCHNIPPEL FAMILY LIVING PARTNERSHIP, ET AL, ON BEHALF OF NEVADA H.A.N.D. - Request for a Site Development Plan Review and a Reduction in the amount of Required Parking Lot Landscaping FOR A PROPOSED 96 UNIT SENIOR APARTMENT COMPLEX on 3.78 Acres located adjacent to the north side of Bonanza Road, approximately 1,000 feet east of Sandhill Road, (APN's: 140-30-802-001 and 002), R-E (Residence Estates) Zone Under Resolution of Intent to R-PD20 (Residential Planned Development - 20 Units per Acre), PROPOSED: R-PD25 (Residential Planned Development - 25 Units per Acre), Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
154. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION AND HEARINGS OFFICER MEETINGS AND DANGEROUS BUILDINGS OR NUISANCE/LITTER ABATEMENTS

ADDENDUM**CITIZENS PARTICIPATION**

Items raised under this portion of the City Council Agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes

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

Las Vegas Library, 833 Las Vegas Boulevard North
Senior Citizen Center, 450 E. Bonanza Road
Clark County Government Center, 500 S. Grand Central Parkway
Court Clerk's Office Bulletin Board, City Hall Plaza
City Hall Plaza, Special Outside Posting Bulletin Board

Exhibit "B"

(Attach Affidavit of Publication of Notice of Hearing)

RECEIVED
CITY CLERK

2002 MAR 22 A 10:12

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

Donna Stark, 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
2103116

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 3 edition(s) of said newspaper issued from 03/04/02 to 03/18/2002, on the following days: MARCH 4, 11, 18, 2002

Signed: _____

Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

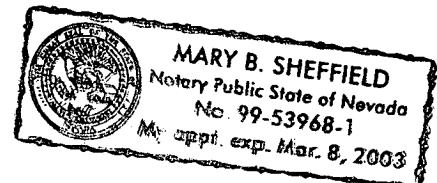
18

day of _____ 2002

*March**Mary B. Sheffield*

Notary Public

PLEASE SEE ATTACHED



**NOTICE OF HEARING ON PROPOSED PROJECT AND ASSESSMENTS
WITHIN THE PROPOSED CITY OF LAS VEGAS, NEVADA SPECIAL
IMPROVEMENT DISTRICT NO. 1486 - RAINBOW BOULEVARD PHASE II
(RANCHO DRIVE TO ANN ROAD).**

NOTICE IS HEREBY GIVEN to the property owners within the proposed City of Las Vegas, Nevada, Special Improvement District No. 1486 - Rainbow Boulevard Phase II (Rancho Drive to Ann Road) (hereinafter the "District") and to all interested persons that:

The City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively) of the County of Clark in the State of Nevada, has provisionally ordered the acquisition of a Sewer Project, Street Project and a Water Project (collectively, the "Project") as more particularly described as follows:

RAINBOW BOULEVARD (EAST SIDE) - from the eastern right-of-way of Rancho Drive, north along Rainbow Boulevard approximately 4,415 feet to the southern right-of-way of Ann Road (100-foot right-of-way).

The following assessment parcel numbers (APNs) identified in the record of the County Assessor of Clark County are included in the district: 125-35-101-001, 125-35-101-002, 125-35-101-005, 125-35-101-007, 125-35-103-001, 125-35-103-003, 125-35-103-006, 125-35-103-007, 125-35-201-006, 125-35-201-018, 125-35-301-001 through 004, 125-35-301-007 through 010, 125-35-301-014, and 125-35-401-001.

Except as shown on the preliminary plans and specifications now on file in the office of the City Clerk and in the office of the Special Improvement District in Las Vegas, Nevada, the character of such Project shall be described more particularly as follows: The improvements on Rainbow Boulevard will consist of the grading, regrading, graveling, and asphalt paving as necessary for at least four (4) travel lanes, continuous left turn lane and median islands, "L" type curb and gutter, sidewalks, commercial and residential driveway approaches and streetlights. The streetlights will be installed at the back of sidewalk at appropriate intervals. At the request of the owners of property in the District (filed with the office of the Special Improvement District prior to June 13, 2001) water and sewer laterals will be installed from the existing or proposed main lines in Rainbow Boulevard to such property. Sewer lines within the District are owned and maintained by the City. The City will require that properties connecting to the sewer line pay a connection fee and be annexed to the City at the time of hookup. **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 preliminary estimated total cost of the Project and the amount to be assessed is as follows:

Estimated Amount of Special Assessments	Amount Available from Other Sources	Total Cost
\$439,177.02	\$1,918,822.98	\$2,358,000.00

The amounts to be assessed for the Improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases); provided, however, that an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly-shaped lots or lands, if any, and for any lot, tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform. The 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 designated "Tabulation of Parcels" or preliminary assessment roll. In cases of wedge or "V" or any other irregularly shaped tracts, the amount apportioned thereto shall be in proportion to the special benefits thereby derived.

The assessments will be levied on a front foot basis, provided that those tracts which front a cul-de-sac and which abut or front a street or streets being improved will be assessed on a "unit lot" basis, i.e., all lots abutting the cul-de-sac are to be assessed the same amount based upon the front footage of those lots abutting the street or streets being improved which also abut the cul-de-sac. Each property owner will be assessed for the cost of an 8-foot wide street pavement section, curb and gutter, sidewalks, driveway approaches and streetlights, where not already existing. The owners of property who elect to have water or sewer laterals installed will be assessed per foot of lateral installed on a per service or unit lot basis.

The boundaries of the District shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements or fronting a cul-de-sac which abuts or fronts a street to be improved by the improvements.

All persons interested are hereby advised that the preliminary plans and specifications (showing a typical section of the contemplated improvements) and the assessment plat including a tabulation of parcels or preliminary assessment roll; a preliminary estimate of the total cost, a description of the lots, tracts and parcels of land to be assessed and the portion of the cost to be assessed thereagainst, and the amount of maximum benefits (including the corresponding market value increases) estimated to be conferred on each piece or parcel of property, the Engineer's report as to the method of determining benefits, and all proceedings in the premises, are on file in the office of the Special Improvement District, Department of Public Works, and at the office of the City Clerk, 400 Stewart Avenue, Las Vegas, Nevada, and can be seen and examined by any property owner, or other interested persons, during regular business hours, from 8:00 a.m. to 5:00 p.m., Monday through Friday.

It is anticipated that there will be grade or elevation changes in connection with the acquisition of the Project. Such grade or elevation changes are substantial and are as shown on the preliminary plans and specifications. All persons interested are hereby referred to the preliminary plans and specifications which relate to the details of the Project.

On Wednesday, March 20, 2002, at 1:00 p.m., in the City Council Chambers at 400 Stewart Avenue, in Las Vegas, Nevada, the City Council will consider the ordering of the proposed Project, and will hear all complaints, protests and objections that may be made in writing and filed as hereafter provided, or made verbally at the hearing, concerning the same, by the owner of any tract to be assessed or any person interested. The owners of the property to be assessed, or any other person interested therein, may appear before the City Council and be heard as to the propriety and advisability of acquiring and improving such Project, as to the estimated cost thereof, as to the manner of payment thereof, 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.

The City Council requests that any property owner or interested person wishing to make protest or objection, make such protest or objection in writing at the office of the City Clerk at least three (3) days before the time set for such hearing, i.e., on or before Friday, March 15, 2002. On the date and at the time and place fixed for such hearing, any and all property owners interested in the Project may, by written complaint, protest or objection, present their views to the City Council, or present them orally, and the City Council may adjourn the hearing from time to time to discuss and consider said issues before it. Any person filing a written protest or objection as hereinabove provided shall have the right within thirty (30) days after the City Council has finally passed on such protest or objection to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination, but thereafter all actions or suits attacking the validity of the proceedings and the amount of benefits shall be perpetually barred. A PROPERTY OWNER'S ONLY CHANCE TO PRESENT EVIDENCE TO DEMONSTRATE THAT HIS OR HER ESTIMATED ASSESSMENTS ARE EXCESSIVE WILL BE AT THE PUBLIC HEARING AND A PROPERTY OWNER WILL NOT BE ABLE TO PRESENT ANY ADDITIONAL EVIDENCE UPON SUBSEQUENT APPEAL TO DISTRICT COURT.

A person should object to the formation of the District, using the procedure outlined in this notice, if his support for the District is based upon a statement or representation concerning the Project that is not contained in the language of this notice.

If a person objects to the amount of maximum benefits estimated to be assessed or to the legality of the proposed assessments in any respect:

- (1) He is entitled to be represented by counsel at the hearing;
- (2) Any evidence he desires to present on these issues must be presented at the hearing; and
- (3) Evidence on these issues that is not presented at the hearing may not thereafter be presented in an action brought pursuant to NRS 271.315.

The City Council of the City of Las Vegas has determined that one-half or more of the total cost of each of the improvements in the District shall be paid with monies derived from other than the levy of special assessments and accordingly may take advantage of the exception stated in paragraph (a) of subsection (2) of NRS 271.306, (which exception is that the City, at its option, may proceed with the improvements in the District regardless of the percentage of protests).

After such hearing, the City Council shall determine the advisability of undertaking each part of the Project, and, if it determines to proceed, shall determine the kind and character of such improvements to be made, and shall authorize the advertising for bids for the doing of such work and the furnishing of all necessary materials with the lowest and best bidder or bidders. The City Council may determine not to proceed with all or any part of the Project regardless of the protests or objections.

After the determination of the actual cost of the Project, assessments shall be levied in accordance with the laws of the State of Nevada. In no event shall the assessments exceed the estimated maximum special benefits to the property assessed or the reasonable market value of the property being assessed (as determined by the City Council). The City Council shall provide that the assessments may be payable without interest and without demand during a specified cash payment period and the City Council shall provide that the assessments may be paid at the election of the owner in twenty (20) substantially equal semi-annual installments of principal. The City Council shall also provide the time and terms of payment of such assessments and shall fix penalties (at a rate not exceeding two percent (2%) per month) to be collected upon delinquent payments. The City Council shall also provide the rate of interest on unpaid installments of assessments which will not exceed the maximum rate of interest permitted under the statutes of the State. If assessment bonds are issued, such rate will not exceed by more than 1% of the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than 3% the "Index of Twenty Bonds" which shall have been most recently published before the time bids for the bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. If bonds are not sold for the District, the City Council shall by resolution establish the rate of interest on unpaid and deferred installments of assessments.

Pursuant to NRS 271.357 and NRS 271.360, the City has established a procedure to allow any person whose principal residence will be included in the District to apply for a Hardship Determination. Any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the same rate and terms as are established for other assessments in the manner provided. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the term of the bonds expires; (c) the property owner's application for renewal of the Hardship Determination is disapproved; (d) the property owner fails to pay interest on the unpaid balance of assessments in a timely manner; or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 hereof. A person desiring to apply for a Hardship Determination shall file an application no later than March 15, 2002, with the Clark County Department of Social Services, 1600 Pinto Lane, Las Vegas, Nevada 89106, (702) 455-8687.

By order of the City Council of the City, Nevada, and dated this February 20, 2002

BARBARA JO RONEMUS, City Clerk
PUB: March 4, 11, 18, 2002 Las Vegas Review-Journal

Exhibit "C"

(Attach minutes of public hearing on March 20, 2002)

City of Las Vegas

Agenda Item No. 131

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 20, 2002

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Public hearing on local improvement district regarding: Special Improvement District No. 1486
- Rainbow Boulevard Phase II (Rancho Drive to Ann Road) \$370,487.57 - Capital Projects Fund
- Special Assessments) - Ward 6 (Mack)

Fiscal Impact☐**No Impact****Amount:** \$370,487.57☒**Budget Funds Available****Dept./Division:** PW/SID☐**Augmentation Required****Funding Source:** Capital Projects Fund - Special Assessments**PURPOSE/BACKGROUND:**

The installation of pavement, "L" type curb and gutter, sidewalk, commercial and residential driveway approaches, water laterals, sewer laterals and streetlights.

RECOMMENDATION:

Public Hearing only; no action required.

BACKUP DOCUMENTATION:

Public Hearing Notice

MOTION:

None required

MINUTES:

MAYOR PRO REM REESE declared the Public Hearing open.

DICK GOECKE, Director, Public Works, stated that sidewalks, curb and gutter areas will be included in this Special Improvement District (SID), totaling approximately \$4 million, with an assessment of approximately \$380,000. The item is in order.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO REM REESE declared the Public Hearing closed.

(2:23 – 2:24)

4-414

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

AFFIDAVIT OF MAILING
NOTICE OF HEARING

Barbara Jo Ronemus does hereby swear, upon oath according to law:

1. I am and at all times hereinafter mentioned was the duly qualified and sworn City Clerk of the City of Las Vegas, Nevada.

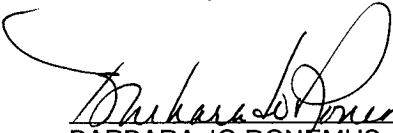
2. I mailed or caused to be mailed a notice entitled "NOTICE OF HEARING ON PROPOSED PROJECT AND ASSESSMENTS WITHIN THE PROPOSED CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 1486 - RAINBOW BOULEVARD PHASE II (RANCHO DRIVE TO ANN ROAD)" by deposit in the United States mail, postage prepaid, as first-class mail, at the post office in the City of Las Vegas, Nevada, on February 28th, 2002, being at least twenty (20) days prior to the hearing, on March 20, 2002, to the last known address of each last known owner of land within the District whose property will be assessed for the cost of the improvements, such addresses and owners being those appearing on the records of the County Assessor of Clark County, Nevada, and from such other sources as I, the City of Las Vegas and Public Works Department deemed to be reliable.

3. A list of said owners and their addresses is hereto attached, marked Exhibit A and made a part hereof, all addresses therein being situate within the City of Las Vegas, Nevada, unless otherwise indicated, such names and addresses being the same as those shown on the "Tabulation of Parcels" or "Preliminary Assessment Roll".

4. There is attached hereto, marked Exhibit B and made a part hereof, a full, true and correct copy of the notice as mailed as herein described.

5. Copies of the affidavit of publication of said notice, verified by the affidavit of the publisher, and a copy of this affidavit are on file in the office of the City Clerk.

Further Affiant sayeth naught.

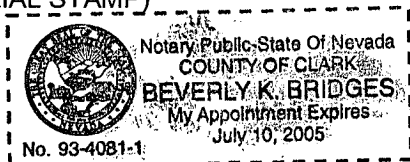

 BARBARA JO RONEMUS, City Clerk

SUBSCRIBED and SWORN to before me in the City of Las Vegas, Nevada, this April 8, 2002.

My commission expires 7-10-2005.


 Notary Public

(NOTARIAL STAMP)



(Mailing required under the provisions of NRS Chapter 241)

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

Barbara R. Staples, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the **28th** day of **February, 2002**, a copy of NOTICE, the attached of which is a true and correct copy of the Public Hearing – re: **Special Improvement District #1486**, to be held on the **20th** day of **March, 2002** was deposited in the United States Mail, Postage prepaid, First Class Certified Mail, to each person and/or organization whose name appears on the list maintained in the Office of the City Clerk.

SIGNATURE

City Clerk
DEPARTMENT

Subscribed and sworn to before me this

28th day of February, 2002

Bruno X. Souza
NOTARY PUBLIC in and for said County and State

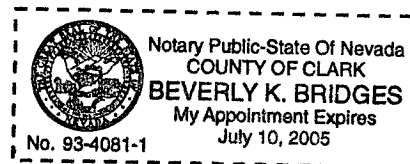


EXHIBIT "A"

(Attach List of Property Owners with Their Addresses)

P A R C E L	NAME AND ADDRESS	ASSESSOR DESCRIPTION	M I S C	V A L U E
125-35-101-001	CHOE SUSAN ETAL	PARCEL MAP FILE 19 PAGE 47	DEED- 970327:02287 01 LAND- 01 .92 17500	
RNBOW-1486	25 SULLIVAN AVE	LOT 1	DATE- 03/27/1997 NS	
DIST-200	LIBERTY NY 12754-2207		LND USE- 0-00-0-0-0	
		GEOID- PT NW4 NW4 SEC 35 19 60	AD- 2001 CONST YR-0000	
125-35-101-002	CHOE SUSAN ETAL	PARCEL MAP FILE 19 PAGE 47	DEED- 970327:02287 01 LAND- 01 .90 17500	
RNBOW-1486	25 SULLIVAN AVE	LOT 2	DATE- 03/27/1997 NS	
DIST-200	LIBERTY NY 12754-2207		LND USE- 0-00-0-0-0	
		GEOID- PT NW4 NW4 SEC 35 19 60	AD- 2001 CONST YR-0000	
125-35-101-005	BATLEY JOHN M	PT NW4 NW4 SEC 35 19 60	DEED- 961018:01264 01 LAND- 01 1.05 19250	
RNBOW-1486	5455 N RAINBOW BLVD		DATE- 10/18/1996 NS IMPR- 38400	
DIST-200	LAS VEGAS NV 89130-1608		LND USE- 1-10-7-0-1 1	
LOCATION-	5455 N RAINBOW BLVD LV	GEOID- PT NW4 NW4 SEC 35 19 60	AD- 2001 CONST YR-1985	
125-35-101-007	SHIOK HENRY J	PT NW4 NW4 SEC 35-19-60	DEED- 0498:0457348 01 LAND- 01 1.06 17500	
RNBOW-1486	P O BOX 652		DATE- 02/26/1975 NS	
DIST-200	LAS VEGAS NV 89125-0652		LND USE- 0-00-0-0-0	
LOCATION-	5445 N RAINBOW BLVD LV	GEOID- PT NW4 NW4 SEC 35 19 60	AD- 2001 CONST YR-0000	
125-35-103-001	MAYES LLOYD F & MARTHA L	PT NW4 NW4 SEC 35 19 60	DEED- 900828:00127 01 LAND- 01 1.04 19250	
RNBOW-1486	5435 N RAINBOW BLVD		DATE- 08/28/1990 JT IMPR- 45620	
DIST-200	LAS VEGAS NV 89130-1623		LND USE- 1-10-7-0-0 1	
LOCATION-	5435 N RAINBOW BLVD LV	GEOID- PT NW4 NW4 SEC 35 19 60	AD- 2001 CONST YR-1976	
125-35-103-003	TORGUSSON TRACEY	PT NW4 NW4 SEC 35 19 60	DEED- 980303:00160 01 LAND- 01 1.05 19250	
RNBOW-1486	6130 W FLAMINGO #530		DATE- 03/03/1998 NS IMPR- 71610	
DIST-200	LAS VEGAS NV 89103-2280		LND USE- 1-10-7-0-0 1	
LOCATION-	5425 N RAINBOW BLVD LV	GEOID- PT NW4 NW4 SEC 35 19 60	AD- 2001 CONST YR-1979	
125-35-103-006	SCHOUTEN 1983 TRUST	PARCEL MAP FILE 16 PAGE 99	DEED- 900509:00018 01 LAND- 01 1.03 17500	
RNBOW-1486	SCHOUTEN ALBERT & MARILYN L TRS	LOT 1	DATE- 05/09/1990 NS	
DIST-200	8987 KING JOHN CT	& PT LOT 2	LND USE- 0-00-0-0-0	
	LAS VEGAS NV 89149-3221	GEOID- PT NW4 NW4 SEC 35 19 60	AD- 2001 CONST YR-0000	
125-35-103-007	SCHOUTEN 1983 TRUST	PARCEL MAP FILE 16 PAGE 99	DEED- 20000523:00280 01 LAND- 01 .88 17500	
RNBOW-1486	SCHOUTEN ALBERT & MARILYN CO-TRS	PT LOT 2	DATE- 05/23/2000 NS	
DIST-200	8987 KING JOHN CT		LND USE- 0-00-0-0-0	
	LAS VEGAS NV 89149-3221	GEOID- PT NW4 NW4 SEC 35 19 60	AD- 2001 CONST YR-0000	
125-35-201-006	GLAZE JOHN L TRUST	PT SW4 NW4 SEC 35 19 60	DEED- 960723:01193 01 LAND- 01 3.52 61250	
RNBOW-1486	GLAZE JOHN L TRS		DATE- 07/23/1996 NS IMPR- 67550	
DIST-200	5300 N RAINBOW BLVD		LND USE- 1-10-7-0-0 1	
	LAS VEGAS NV 89130-1602	GEOID- PT SW4 NW4 SEC 35 19 60	AD- 2001 CONST YR-1984	
LOCATION-	5300 N RAINBOW BLVD LV			
125-35-201-018	HALL JOHN R & GLENDA S	PT SW4 NW4 SEC 35 19 60	DEED- 971024:00080 01 LAND- 01 1.85 32380	
RNBOW-1486	DILLER RICHARD C & JHONNA G		DATE- 10/24/1997 JT-JT IMPR- 51830	
DIST-200	5398 N RAINBOW		LND USE- 1-10-7-0-0 1	
	LAS VEGAS NV 89130-1607	GEOID- PT S2 NW4 SEC 35 19 60	AD- 2001 CONST YR-1965	
LOCATION-	5398 N RAINBOW BLVD LV			

P A R C E L	NAME AND ADDRESS	ASSESSOR DESCRIPTION	M I S C	V A L U E
125-35-301-001	REED GINGER C RNBDW-1486 6620 WELCOME LN DIST-200 LAS VEGAS NV 89130-1805 LOCATION- 6620 WELCOME LN LV	PARCEL MAP FILE 42 PAGE 82 LOT 1 GEOID- PT W2 W2 SEC 35 19 60	DEED- 990325:02123 01 LAND- 01 DATE- 03/25/1999 NS IMPR- LND USE- 1-10-7-0-0 1 AD- 2001 CONST YR-1990	.52 21000 43630
125-35-301-002	SMITH RICHARD L & MARGARET M RNBDW-1486 6610 WELCOME LN DIST-200 LAS VEGAS NV 89130-1805 LOCATION- 6610 WELCOME LN LV	PARCEL MAP FILE 42 PAGE 82 LOT 2 GEOID- PT W2 W2 SEC 35 19 60	DEED- 930412:00262 01 LAND- 01 DATE- 04/12/1993 JT IMPR- LND USE- 1-10-7-0-1 1 AD- 2001 CONST YR-1995	.52 21000 70170
125-35-301-003	SPORE RAYMOND L & SOVANDA K RNBDW-1486 6600 WELCOME LN DIST-200 LAS VEGAS NV 89130-1805 LOCATION- 6600 WELCOME LN LV	PARCEL MAP FILE 43 PAGE 76 LOT 1 GEOID- PT W2 W2 SEC 35 19 60	DEED- 871231:00889 01 LAND- 01 DATE- 12/31/1987 JT IMPR- LND USE- 1-10-7-0-0 AD- 2001 CONST YR-1986	.61 21000 43430
125-35-301-004	SPORE RAYMOND L & SOVANDA K RNBDW-1486 6600 WELCOME LN DIST-200 LAS VEGAS NV 89130-1805 LOCATION- 6590 WELCOME LN LV	PARCEL MAP FILE 43 PAGE 76 LOT 2 GEOID- PT W2 W2 SEC 35 19 60	DEED- 950505:00065 01 LAND- 01 DATE- 05/05/1995 JT IMPR- LND USE- 1-10-7-0-0 1 AD- 2001 CONST YR-1986	.61 21000 34600
125-35-301-007	HOWLETT DOUGLAS G & STACIE J RNBDW-1486 6621 WELCOME LN DIST-200 LAS VEGAS NV 89130-1806 LOCATION- 6621 WELCOME LN LV	PARCEL MAP FILE 42 PAGE 82 LOT 3 GEOID- PT NW4 SW4 SEC 35 19 60	DEED- 960123:00790 01 LAND- 01 DATE- 01/23/1996 JT IMPR- LND USE- 1-10-7-0-0 1 AD- 2001 CONST YR-1988	.52 21000 35230
125-35-301-008	GESLER ROBERT M RNBDW-1486 6611 WELCOME LN DIST-200 LAS VEGAS NV 89130-1806 LOCATION- 6611 WELCOME LN LV	PARCEL MAP FILE 42 PAGE 82 LOT 4 GEOID- PT NW4 SW4 SEC 35 19 60	DEED- 980430:04116 01 LAND- 01 DATE- 04/30/1998 NS IMPR- LND USE- 1-10-7-0-0 1 AD- 2001 CONST YR-1990	.52 21000 50560
125-35-301-009	WEBER QUIZA N & CHARLES M RNBDW-1486 6601 WELCOME LN DIST-200 LAS VEGAS NV 89130-1806 LOCATION- 6601 WELCOME LN LV	PARCEL MAP FILE 43 PAGE 33 LOT 2 GEOID- PT NW4 SW4 SEC 35 19 60	DEED- 20000731:01163 01 LAND- 01 DATE- 07/31/2000 JT IMPR- LND USE- 1-10-7-0-1 1 AD- 2001 CONST YR-1984	.61 21000 31440
125-35-301-010	RENNIE DONALD S RNBDW-1486 5108 BACK ST DIST-200 LAS VEGAS NV 89130-1809 LOCATION- 5108 BACK ST LV	PARCEL MAP FILE 43 PAGE 76 LOT 3 GEOID- PT NW4 SW4 SEC 35 19 60	DEED- 980210:00153 01 LAND- 01 DATE- 02/10/1998 NS IMPR- LND USE- 1-10-7-0-0 1 AD- 2001 CONST YR-1990	.61 21000 38020
125-35-301-014	RANCHO DRIVE PARTNERSHIP RNBDW-1486 1639 N VALLEY DR DIST-200 LAS VEGAS NV 89108-2002 LOCATION- 5050 N RAINBOW BLVD LV	PARCEL MAP FILE 43 PAGE 33 LOT 3 & PARCEL MAP 63-4 LOTS 1,2 & PT N2 SW4 35 19 60 GEOID- PT N2 SW4 SEC 35 19 60	DEED- 930331:01865 01 LAND- 01 DATE- 03/31/1993 NS IMPR- LND USE- 2-40-0-0-0 AD- 2001 CONST YR-1986	74.46 1563660 86860
125-35-401-001	RANCHO DRIVE L L C RNBDW-1486 %J MORAN JR DIST-200 %MORAN & ASSOC 630 S 4TH ST #400 LAS VEGAS NV 89101	PT SW4 SW4 SEC 35 19 60 GEOID- PT SW4 SW4 SEC 35 19 60	DEED- 20020115:02266 01 LAND- 01 DATE- 01/15/2002 NS LND USE- 0-00-0-0-0 AD- 2001 CONST YR-0000	10.52 220920

EXHIBIT "B"

(Attach Notice of Hearing as Mailed)

NOTICE OF HEARING ON PROPOSED PROJECT AND ASSESSMENTS WITHIN THE PROPOSED CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 1486 - RAINBOW BOULEVARD PHASE II (RANCHO DRIVE TO ANN ROAD).

NOTICE IS HEREBY GIVEN to the property owners within the proposed City of Las Vegas, Nevada, Special Improvement District No. 1486 - Rainbow Boulevard Phase II (Rancho Drive to Ann Road) (hereinafter the "District") and to all interested persons that:

The City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively) of the County of Clark in the State of Nevada, has provisionally ordered the acquisition of a Sewer Project, Street Project and a Water Project (collectively, the "Project") as more particularly described as follows:

RAINBOW BOULEVARD (EAST SIDE) - from the eastern right-of-way of Rancho Drive, north along Rainbow Boulevard approximately 4,415 feet to the southern right-of-way of Ann Road (100-foot right-of-way).

The following assessment parcel numbers (APNs) identified in the record of the County Assessor of Clark County are included in the district: 125-35-101-001, 125-35-101-002, 125-35-101-005, 125-35-101-007, 125-35-103-001, 125-35-103-003, 125-35-103-006, 125-35-103-007, 125-35-201-006, 125-35-201-018, 125-35-301-001 through -004, 125-35-301-007 through -010, 125-35-301-014, and 125-35-401-001.

Except as shown on the preliminary plans and specifications now on file in the office of the City Clerk and in the office of the Special Improvement District in Las Vegas, Nevada, the character of such Project shall be described more particularly as follows: The improvements on Rainbow Boulevard will consist of the grading, regrading, graveling, and asphalt paving as necessary for at least four (4) travel lanes, continuous left turn lane and median islands, "L" type curb and gutter, sidewalks, commercial and residential driveway approaches and streetlights. The streetlights will be installed at the back of sidewalk at appropriate intervals. At the request of the owners of property in the District (filed with the office of the Special Improvement District prior to June 13, 2001) water and sewer laterals will be installed from the existing or proposed main lines in Rainbow Boulevard to such property. Sewer lines within the District are owned and maintained by the City. The City will require that properties connecting to the sewer line pay a connection fee and be annexed to the City at the time of hookup. **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 preliminary estimated total cost of the Project and the amount to be assessed is as follows:

Estimated Amount of Special Assessments	Amount Available from Other Sources	Total Cost
\$439,177.02	\$1,918,822.98	\$2,358,000.00

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

The assessments will be levied on a front foot basis, provided that those tracts which front a cul-de-sac and which abut or front a street or streets being improved will be assessed on a "unit lot" basis, i.e., all lots abutting the cul-de-sac are to be assessed the same amount based upon the front footage of those lots abutting the street or streets being improved which also abut the cul-de-sac. Each property

owner will be assessed for the cost of an 8-foot wide street pavement section, curb and gutter, sidewalks, driveway approaches and streetlights, where not already existing. The owners of property who elect to have water or sewer laterals installed will be assessed per foot of lateral installed on a per service or unit lot basis.

The boundaries of the District shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements or fronting a cul-de-sac which abuts or fronts a street to be improved by the improvements.

All persons interested are hereby advised that the preliminary plans and specifications (showing a typical section of the contemplated improvements) and the assessment plat including a tabulation of parcels or preliminary assessment roll; a preliminary estimate of the total cost, a description of the lots, tracts and parcels of land to be assessed and the portion of the cost to be assessed thereagainst, and the amount of maximum benefits (including the corresponding market value increases) estimated to be conferred on each piece or parcel of property, the Engineer's report as to the method of determining benefits, and all proceedings in the premises, are on file in the office of the Special Improvement District, Department of Public Works, and at the office of the City Clerk, 400 Stewart Avenue, Las Vegas, Nevada, and can be seen and examined by any property owner, or other interested persons, during regular business hours, from 8:00 a.m. to 5:00 p.m., Monday through Friday.

It is anticipated that there will be grade or elevation changes in connection with the acquisition of the Project. Such grade or elevation changes are substantial and are as shown on the preliminary plans and specifications. All persons interested are hereby referred to the preliminary plans and specifications which relate to the details of the Project.

On Wednesday, March 20, 2002, at 1:00 p.m., in the City Council Chambers at 400 Stewart Avenue, in Las Vegas, Nevada, the City Council will consider the ordering of the proposed Project, and will hear all complaints, protests and objections that may be made in writing and filed as hereafter provided, or made verbally at the hearing, concerning the same, by the owner of any tract to be assessed or any person interested. The owners of the property to be assessed, or any other person interested therein, may appear before the City Council and be heard as to the propriety and advisability of acquiring and improving such Project, as to the estimated cost thereof, as to the manner of payment therefor, 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.

The City Council requests that any property owner or interested person wishing to make protest or objection, make such protest or objection in writing at the office of the City Clerk at least three (3) days before the time set for such hearing, i.e., on or before Friday, March 15, 2002. On the date and at the time and place fixed for such hearing, any and all property owners interested in the Project may, by written complaint, protest or objection, present their views to the City Council, or present them orally, and the City Council may adjourn the hearing from time to time to discuss and consider said issues before it. Any person filing a written protest or objection as hereinabove provided shall have the right within thirty (30) days after the City Council has finally passed on such protest or objection to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination, but thereafter all actions or suits attacking the validity of the proceedings and the amount of benefits shall be perpetually barred. A PROPERTY OWNER'S ONLY CHANCE TO PRESENT EVIDENCE TO DEMONSTRATE THAT HIS OR HER ESTIMATED ASSESSMENTS ARE EXCESSIVE WILL BE AT THE PUBLIC HEARING AND A PROPERTY OWNER WILL NOT BE ABLE TO PRESENT ANY ADDITIONAL EVIDENCE UPON SUBSEQUENT APPEAL TO DISTRICT COURT.

A person should object to the formation of the District, using the procedure outlined in this notice, if his support for the District is based upon a statement or representation concerning the Project that is not contained in the language of this notice.

If a person objects to the amount of maximum benefits estimated to be assessed or to the legality of the proposed assessments in any respect:

- (1) He is entitled to be represented by counsel at the hearing;
- (2) Any evidence he desires to present on these issues must be presented at the hearing; and
- (3) Evidence on these issues that is not presented at the hearing may not thereafter be presented in an action brought pursuant to NRS 271.315.

The City Council of the City of Las Vegas has determined that one-half or more of the total cost of each of the improvements in the District shall be paid with monies derived from other than the levy of

special assessments and accordingly may take advantage of the exception stated in paragraph (a) of subsection (2) of NRS 271.306, (which exception is that the City, at its option, may proceed with the improvements in the District regardless of the percentage of protests).

After such hearing, the City Council shall determine the advisability of undertaking each part of the Project, and, if it determines to proceed, shall determine the kind and character of such improvements to be made, and shall authorize the advertising for bids for the doing of such work and the furnishing of all necessary materials with the lowest and best bidder or bidders. The City Council may determine not to proceed with all or any part of the Project regardless of the protests or objections.

After the determination of the actual cost of the Project, assessments shall be levied in accordance with the laws of the State of Nevada. In no event shall the assessments exceed the estimated maximum special benefits to the property assessed or the reasonable market value of the property being assessed (as determined by the City Council). The City Council shall provide that the assessments may be payable without interest and without demand during a specified cash payment period and the City Council shall provide that the assessments may be paid at the election of the owner in twenty (20) substantially equal semi-annual installments of principal. The City Council shall also provide the time and terms of payment of such assessments and shall fix penalties (at a rate not exceeding two percent (2%) per month) to be collected upon delinquent payments. The City Council shall also provide the rate of interest on unpaid installments of assessments which will not exceed the maximum rate of interest permitted under the statutes of the State. If assessment bonds are issued, such rate will not exceed by more than 1% of the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than 3% the "Index of Twenty Bonds" which shall have been most recently published before the time bids for the bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. If bonds are not sold for the District, the City Council shall by resolution establish the rate of interest on unpaid and deferred installments of assessments.

Pursuant to NRS 271.357 and NRS 271.360, the City has established a procedure to allow any person whose principal residence will be included in the District to apply for a Hardship Determination. Any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the same rate and terms as are established for other assessments in the manner provided. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the term of the bonds expires; (c) the property owner's application for renewal of the Hardship Determination is disapproved; (d) the property owner fails to pay interest on the unpaid balance of assessments in a timely manner; or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 hereof. A person desiring to apply for a Hardship Determination shall file an application no later than March 15, 2002, with the Clark County Department of Social Services, 1600 Pinto Lane, Las Vegas, Nevada 89106, (702) 455-8687.

By order of the City Council of the City, Nevada, and dated this February 20, 2002


BARBARA JO RONEMUS, City Clerk