

RESOLUTION NO. R-73-2002

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. 1481 – EL CAPITAN WAY (CENTENNIAL PARKWAY TO US 95); AND CALLING A HEARING ON THE PROJECT.

Summary: Provisional Order

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 Storm Sewer Project as defined in NRS 271.215, 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. 1481 – El Capitan Way (Centennial Parkway To US 95) 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. 1481 – El Capitan Way (Centennial Parkway To US 95) and only the property which is so specially benefited, is included in the District; and

WHEREAS, a portion of the property to be included within the proposed District is located in the County; and

WHEREAS, pursuant to NRS 271.015 the City may assess property which is located without the City boundaries with the consent of the County; and

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. 1481 – El Capitan Way (Centennial Parkway To US 95)" (hereinafter the "District").

Section 2. This Resolution shall be known as, and may be cited by, the short title "Special Improvement District 1481 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 \$7,934,023.11, 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 District shall constitute two assessment units for purposes of remonstrance, construction and assessment. The boundaries of the District and each such unit, 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:

Unit	Estimated Amount of Special Assessments	Amount Available from Other Sources	Total Cost
1	\$ 1,318,823.19	\$ 0.00	\$ 1,318,823.19
2	\$ 2,505,884.92	\$ 4,109,315.00	\$ 6,615,199.92
	\$ 3,824,708.11	\$ 4,109,315.00	\$ 7,934,023.11

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, September 4, 2002, at 1:00 p.m. in the City Council Chambers, 400 Stewart Avenue, 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 interested person. 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' prior 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, proof of same 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 pertaining 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. 1481 – EL CAPITAN WAY (CENTENNIAL PARKWAY TO US 95)

NOTICE IS HEREBY GIVEN to the property owners within the proposed City of Las Vegas, Nevada, Special Improvement District No. 1481 – El Capitan Way (Centennial Parkway To US 95) (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 Sanitary Sewer Project, a Storm Sewer Project, a Street Project, and a Water Project (collectively, the "Project") as more particularly described as follows:

The El Capitan Way improvement project will include at least four (4) travel lanes, median islands with dedicated left turn lanes, traffic control devices, curb and gutter, streetlights, commercial driveways, storm drain, water mains, water laterals, fire hydrants, and sewer laterals, generally in the following locations:

UNIT 1 (Wet Utilities) – from the centerline of Centennial Parkway north along El Capitan Way (varying 93-foot to 103-foot right-of-way) to the northerly right-of-way line of Elkhorn Road, improvements will include 12-inch diameter water mains, water laterals, sewer laterals, and fire hydrants.

UNIT 1 ADDITIONAL WATER MAIN IN CENTENNIAL – from the eastern right-of-way line of Campbell Road along Centennial Parkway approximately 1400 feet to the eastern right-of-way line of El Capitan Way, improvements will include a 12-inch diameter water main.

UNIT 1 ADDITIONAL WATER MAIN IN ELKHORN – from the centerline of El Capitan Way along Elkhorn Road approximately 1300 feet to the centerline of Riley Street, improvements will include 12-inch diameter water mains, water laterals, and fire hydrants.

UNIT 2 (East Side Off-Site Improvements) – from the northerly right-of-way line of Interstate-215 north along El Capitan Way (93-foot to 103-foot right-of-way) to the northerly right-of-way line of Elkhorn Road, improvements will include pavement, curb and gutter, storm drain laterals and drop inlets, streetlights, and commercial driveways.

UNIT 2 ADDITIONAL OFFSITE IMPROVEMENTS – from the easterly right-of-way line of El Capitan Way along the south side of Elkhorn Road (95-foot to 120-foot right-of-way) approximately 1,300 feet, improvements will include pavement, curb and gutter, storm drains with laterals and drop inlets, and streetlights.

At the request of the owners of property in the District, water and sewer laterals will be installed from the existing or proposed main lines in El Capitan Way and Elkhorn Road 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:

Unit	Estimated Amount of Special Assessments	Amount Available from Other Sources	Total Cost
1	\$ 1,318,823.19	\$ 0.00	\$ 1,318,823.19
2	\$ 2,505,884.92	\$ 4,109,315.00	\$ 6,615,199.92
	\$ 3,824,708.11	\$ 4,109,315.00	\$ 7,934,023.11

The amounts to be assessed for the improvements in each unit of the District will be levied upon all tracts in each unit of 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). However, 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. 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 basis.

The boundaries of the District are as follows:

UNIT 1 – WET UTILITIES

The boundaries of Unit 1 generally include those parcels on both sides of El Capitan Way between Centennial Parkway and Elkhorn Road identified by the following assessor parcel numbers (APN's as identified in the record of the County Assessor of Clark County) 125-20-101-008, 125-20-101-009, 125-20-101-017, 125-20-201-008, 125-20-201-019, 125-20-301-009, 125-20-301-019, 125-20-402-008, 125-20-501-001, 125-20-601-001, 125-20-701-001, 125-20-801-002. The segment of 12-inch diameter water main along Centennial from Campbell Road to El Capitan Way is being assessed to the parcels listed above. The segment of 12-inch diameter water main and all related appurtenances on Elkhorn Road is assessed to APN 125-20-501-001 only.

UNIT 2 – OFFSITE IMPROVEMENTS

The boundaries of Unit 2 generally include those parcels on the east side of El Capitan Way between Interstate-215 and Elkhorn Road identified by APN 125-20-501-001, 125-20-601-001, and 125-20-701-001. That portion of the offsite improvements on the south side of Elkhorn Road between El Capitan Way and Riley Street are assessed to APN 125-20-501-001 only. The streetlights will be installed at the back of the curb and gutter at appropriate intervals.

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, 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. All of the foregoing 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 interested persons are hereby referred to the preliminary plans and specifications which relate to the details of the Project.

On Wednesday, September 4, 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 interested person. 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 protest or object, do so 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, August 30, 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.

After such hearing, the City Council shall determine the advisability of undertaking each unit 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 performing such work and furnishing all necessary materials with the lowest and best bidder or bidders.

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 forty (40) equal semi-annual installments of principal and interest. 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 August 30, 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 August 7, 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. 1481 – El Capitan Way (Centennial Parkway To US 95) 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.

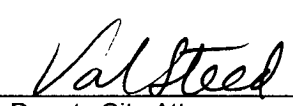
PASSED, ADOPTED AND APPROVED this 7th day of August, 2002.


OSCAR B. GOODMAN, Mayor

Attest:


BARBARA JO RONEMUS, City Clerk

Approved as to Form:

7-26-02 
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 August 7, 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
 Lawrence Weekly
 Michael Mack

Those Voting Nay:

NONE

Those Absent:

Lynette-Boggs McDonald

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 August 7, 2002, is attached to this certificate as Exhibit "A".

IN WITNESS WHEREOF, I have hereunto set my hand on this August 7, 2002.

(SEAL)

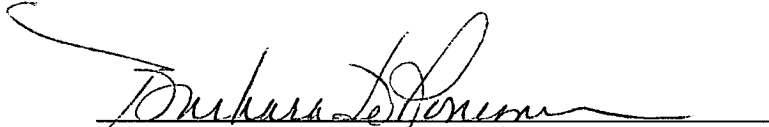

BARBARA JO RONEMUS, City Clerk

Exhibit "A"

(Attach Notice of Meeting and Agenda)

City of Las Vegas

CITY COUNCIL AGENDA

AUGUST 7, 2002

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**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.

AUGUST 7, 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 INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

DUPLICATE AUDIO 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 - RABBI HERSHEL BROOKS, BET KNESSET BAMIDBAR OF SUN CITY
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF CITIZEN OF THE MONTH
- RECOGNITION OF THE EMPLOYEE OF THE YEAR
- RECOGNITION OF COMMUNITY PARTNERS IN RADIO
- RECOGNITION OF PROBLEM GAMBLING AWARENESS WEEK

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 July 3, 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.

CITY ATTORNEY - CONSENT

3. Approval to satisfy Judgment in Baird and Barbieri, et al. v. City of Las Vegas, Case No. A411661 (\$175,000 - Self Insurance Fund)

FIELD OPERATIONS DEPARTMENT - CONSENT

4. Approval of the donation of one Chevrolet Blazer with 4 wheel drive to White Pine County in accordance with Nevada Revised Statute 332.185
5. Approval of a Professional Services Agreement with Owens Geotechnical Inc. for construction management, construction inspection, and related services in conjunction with the CMAQ Alley Paving project, units 1-3 (\$65,000 - Enterprise Fund) - Wards 1, 3 and 5 (M. McDonald, Reese and Weekly)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

6. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
7. Approval of the City of Las Vegas Debt Management Policy as of June 30, 2002
8. Approval of a Special Event Liquor License for Hispanic Broadcasting Corp., Location: Lorenzi Park, 3333 West Washington Ave., Date: September 15, 2002, Type: Special Event General, Event: Fiestas Patrias, Responsible Person in Charge: Zulema Bash - Ward 5 (Weekly)
9. ABEYANCE ITEM - Approval of Change of Ownership for a Beer/Wine/Cooler On-sale Liquor License, From: Rubio's Restaurants of Nevada, Inc., Theodore E. Frumkin, II, Dir, Pres, Secy, Treas, Rubio's Restaurant, Inc., PTC, 100%, Robert J. Rubio, VP, To: Fish Taco Pacifico, dba, Rubio's Baja Grill, 9310 West Sahara Ave., Suite 1, Victor R. Silva, Dir, Pres, Secy, Treas, 50%, Christopher C. Micheals, Dir, 50% - Ward 2 (L.B. McDonald)
10. Approval of a new Beer/Wine/Cooler On-sale Liquor License subject to Health Dept. regulations, Sakura Sushi, Inc., dba Sakura Sushi, Inc., 7290 West Lake Mead Blvd., #2, Jay Lee, Dir, Pres, 50%, Yeung B. Lee, Dir, Secy, 50% - Ward 4 (Brown)
11. Approval of 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: Ciceros Pizza, Inc., dba Legends Restaurant & Lounge, Rudolph V. Jalio, Jr., Dir, Pres, 25%, Robert L. Sullivan, Dir, VP, 25%, Jean M. Sullivan, Dir, Secy, 25%, Linda L. Jalio, Dir, Treas, 25%, To: Hoosiers, Inc., dba Club 50, 865 North Lamb Blvd., Suites 6, 7, 8 & 9, Wim Bosch, Dir, Pres, 50%, Paul M. Meyer, Dir, Secy, Treas, 50% - Ward 3 (Reese)
12. Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler Off-sale Liquor License and a new Restricted Gaming License for 7 slots subject to Health Dept. regulations and approval by the Nevada Gaming Commission, From: Morteza Sheikhan, dba Mory's AM/PM Mini Market, Morteza Sheikhan, 100%, To: Ed's AM/PM, LLC, dba Ed's AM/PM, 333 East Charleston Blvd., Ahmad Peyghambarian, Mmbr, 100% - Ward 1 (M. McDonald)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

13. Approval of Change of Ownership 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: T.M.D., Inc., Anthony J. Testolin, Dir, Pres, 25%, Diane Testolin, Dir, Secy, Treas, 25%, Pamela Mulligan, 50%, To: Maxco, Inc., dba Andy Capz Pub, 1631 North Decatur Blvd., Russell E. Davies, Dir, Pres, Secy, Treas, 100% - Ward 5 (Weekly)
14. Approval of Shareholder, Special Administrator, and Key Employee for a Tavern Liquor License and a Restricted Gaming License for 15 slots subject to approval by the Nevada Gaming Commission, M.D.C. Enterprises, Inc., dba Club Diamond, 840 North Decatur Blvd., Suites D, E & F, Adele C. Colich, Special Administrator of the estate of Daniel Colich, Christopher J. Colich, Key Employee, The Colich Family Trust, 100%, Adele C. Colich, Trustee, 100% - Ward 5 (Weekly)
15. Approval of Key Employee for a Beer/Wine/Cooler Off-sale Liquor License and a Restricted Gaming License for 7 slots, Slots Unlimited, Inc., dba Village Shop #4, 2151 North Rancho Drive, David W. Lumpkin, Mgr - Ward 5 (Weekly)
16. Approval of Key Employee for a Beer/Wine/Cooler Off-sale Liquor License and a Restricted Gaming License for 7 slots, Slots Unlimited, Inc., dba Village Shop #3, 7801 West Charleston Blvd., Karen R. Brooks, Mgr - Ward 1 (M. McDonald)
17. Approval of Key Employee for a Tavern Liquor License and a Non-restricted Limited Gaming License for 35 slots, Innerout, Inc., dba Charlie's Bar Down Under, 1950 North Buffalo Drive, Gail K. Hunt, Mgr - Ward 4 (Brown)
18. Approval of Key Employee for a Tavern Liquor License and a Non-restricted Limited Gaming License for 35 slots, Becker Gaming Group, dba Charlie's Lakeside Bar & Grill, 8603 West Sahara Ave., Gail K. Hunt, Mgr - Ward 2 (L.B. McDonald)
19. ABEYANCE ITEM - Approval of Change of Ownership for a Beer/Wine/Cooler On-sale Liquor License, From: Rubio's Restaurants of Nevada, Inc., Theodore E. Frumkin, II, Dir, Pres, Secy, Treas, Rubio's Restaurant, Inc., PTC, 100%, Robert J. Rubio, VP, To: Fish Taco Pacifico, dba, Rubio's Baja Grill: 1910 Village Center Circle, Suite 9; 7290 West Lake Mead Blvd., Victor R. Silva, Dir, Pres, Secy, Treas, 50%, Christopher C. Micheals, Dir, 50% - Ward 4 - (Brown)
20. Approval of a new Slot Operator Space Lease Location Non-restricted Gaming License for 16 slots subject to approval by the Nevada Gaming Commission, JILD Corporation, dba Las Vegas Gaming Company, db at Moulin Rouge Hotel & Casino, 900 West Bonanza Road - Ward 5 (Weekly)
21. Approval of a new Slot Operator Space Lease Location Restricted Gaming License for 7 slots subject to approval by the Nevada Gaming Commission, Silver State Gaming, Inc., db at City Stop, 3970 North Tenaya Way - Ward 4 (Brown)
22. Approval of a new Burglar Alarm Service License, Emergency Detection Systems, LLC, dba Emergency Detection Systems, LLC, 800 North Rainbow Blvd., Suite 208, Curtis L. Traupman, Mgr, 51%, Robert B. Meyer, II, Mgr, 49% - Ward 2 (L.B. McDonald)
23. Approval of a new Locksmith License, Metropolitan Bank Services, LLC, dba Metropolitan Bank Services, LLC subject to the provisions of the planning codes, 4920 West Cheyenne Ave., Suite B, Michael A. Rodney, Mmbr, Mgr, 50%, Phillip D. Hurbace, Mmbr, Mgr, 50% - Ward 6 (Mack)
24. Approval of a new Massage Establishment License subject to the provisions of the planning codes, Sommer L. Pelas, dba, Sommer L. Pelas, 7500 West Sahara Ave., Sommer L. F. Pelas, 100% - Ward 1 (M. McDonald)
25. Approval of Change of Location for a Massage Establishment License subject to the provisions of the planning and fire codes, Anthony Chadwell, dba The Center for Holistic Rehabilitation, From: 3507 West Charleston Blvd., To: 7380 West Sahara Ave., Suite 140, Anthony K. Chadwell, 100% - Ward 1 (M. McDonald)
26. Approval of a new Psychic Art and Science License, Bettie E. Speck, dba Bettie Speck, 600 South Jones Blvd., Bettie E. Speck, 100% - Ward 1 (M. McDonald)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

27. Approval of Change of Location for a Psychic Art and Science License subject to the provisions of the planning and fire codes, Anastasia S. Rutledge, dba Sonali, From: 1151 South Buffalo Drive, Suite 120, To: 9326 West Sahara Ave., Suite 6, Anastasia S. Rutledge, 100% - Ward 2 (L.B. McDonald)
28. Approval of award of Bid Number 020072-DAR, Open End Contract for Two (2) Mini Sewer Vacuum Trucks - Department of Field Operations - Award recommended to: HAAKER EQUIPMENT CO. (\$239,456 - Internal Service Fund)
29. Approval of Use Agreement and the issuance of a purchase order for an annual requirements contract for Fire Fighting Hose for city-wide use by Fire & Rescue Operations (KF) - Department of Fire & Rescue - Award Recommended to: L.N. CURTIS & SONS (Estimated annual amount of \$200,000 - General Fund)
30. Approval of award of Bid Number 020054-KF, Annual Requirements Contract to Furnish or Furnish and Install Fencing - Department of Field Operations - Award recommended to: THE TIBERTI COMPANY (Estimated annual amount of \$200,000 - General Fund)
31. Approval of revision number one to purchase order number 212878 (KF) for the annual requirements contract for fire fighting tools and equipment - Department of Fire & Rescue - Award recommended to: L.N. CURTIS & SONS (\$100,000 - General Fund)
32. Approval of revision number one to purchase order number 212407 for the annual requirements contract for ready mix concrete (DAR) - Various Departments - Award recommended to: SILVER STATE MATERIALS CORP. (\$55,000 - General Fund)
33. Approval of issuance of a purchase order for two (2) Toyota Prius Vehicles under Open End Contract Number 020044-DAR - Department of Field Operations - Award recommended to: FINDLAY TOYOTA (\$40,382 - Internal Service Fund)
34. Approval of award of Bid Number 020096-DAR, Open End Contract for One (1) End Dump Trailer - Department of Field Operations - Award recommended to: HALLMARK TRADING CO. (\$25,982 - Internal Service Fund)

NEIGHBORHOOD SERVICES DEPARTMENT - CONSENT

35. Approval of a ratification of an Assignment of a Deed of Trust in exchange for repayment of a Single Family Owner Occupied Direct Rehab Loan for property at 312 West Van Buren - Ward 5 (Weekly)

PUBLIC WORKS DEPARTMENT - CONSENT

36. Approval of a Second Supplemental Participation Contract #LAS.16.B.99 between the City of Las Vegas, the Clark County Regional Flood Control District and Centennial Centre LLC for construction of the US-95 Channel between Centennial Parkway and the Rancho Detention Basin to extend the date of completion to allow time to process billings after remediation of project deficiencies - Ward 6 (Mack)
37. Approval of a Third Supplemental Interlocal Contract #LAS.10.J.98 between the City of Las Vegas and the Clark County Regional Flood Control District to increase funding of design engineering for Gowan North Channel, Alexander Drive to Lone Mountain Road and Lone Mountain Outfall (\$41,000 - Clark County Regional Flood Control District) - Ward 4 (Brown)
38. Approval of Interlocal Contract LAS.10.T.02 between the City of Las Vegas and the Clark County Regional Flood Control District for construction of Gowan North System, Alexander Drive to Lone Mountain Road and Lone Mountain Outfall (\$5,812,000 - Clark County Regional Flood Control District) - Ward 4 (Brown)

PUBLIC WORKS DEPARTMENT - CONSENT

39. Approval of a Sixth Supplemental Interlocal Contract LAS.09.L.98 between the City of Las Vegas and the Clark County Regional Flood Control District to reduce funding for right-of-way acquisition for the Freeway Channel - Alta Drive to Sahara Avenue (-\$500,000 - Clark County Regional Flood Control District) - Wards 5, 3 and 1 (Weekly, Reese and M. McDonald)
40. Approval of a Fourth Supplemental Interlocal Contract LAS.09.O.99 between the City of Las Vegas and the Clark County Regional Flood Control District to increase funding for construction of the Freeway Channel - Alta Drive to Sahara Avenue and Bypass Facility (\$500,000 - Clark County Regional Flood Control District) - Wards 5, 3 and 1 (Weekly, Reese and M. McDonald)
41. Approval of Interlocal Contract #418 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada for design of improvements to Discovery Lane, Grand Central Parkway to Martin L. King Boulevard (\$360,000 - Regional Transportation Commission) - Ward 5 (Weekly)
42. Approval to file an amendment to Right-of-Way Grant No. N-74967 with the Bureau of Land Management for Deer Springs Park to add roadway, sewer and drainage purposes for portions of land lying within the Northeast Quarter (NE 1/4) of Section 21, Township 19 South, Range 60 East, M.D.M., generally located on the east side of Conough Lane south of Elkhorn Road – APN 125-21-501-002 - Ward 6 (Mack)
43. Approval of Interlocal Agreement No. 107741 with the Las Vegas Valley Water District (LVVWD) to add a new lateral and fire hydrant to the Las Vegas Valley Water District's system in Owens Avenue near Stocker Street (\$15,662.50 - Private Funds) - Ward 5 (Weekly)
44. Approval of a Sewer Connection and Interlocal Contract with Clark County Sanitation District - Javier A. Medina and Ana M. Medina, owners (south of Vegas Drive, east of Smith Street, APN 138-25-104-005) - County (near Ward 1 - M. McDonald)
45. Approval of an Encroachment Request from Pardee Construction Company Nevada, owner (southeast corner of Tee Pee Lane and Farm Road) - Ward 6 (Mack)
46. Approval of an Encroachment Request from Integrity Engineering on behalf of the Clark County School Board of Trustees, owner (southeast corner of Conough Lane and Elkhorn Road) - Ward 6 (Mack)
47. Approval of an Encroachment Request from G. C. Wallace, Incorporated, on behalf of William Lyon Homes, Incorporated, owner (northeast corner of Jones Boulevard and Grand Teton Drive) - Ward 6 (Mack)
48. Approval of an Encroachment Request from KB Home Nevada, Incorporated, owner (northeast corner of Pioneer Way and Alexander Road) - Ward 4 (Brown)
49. Approval of an Encroachment Request from Wright Civil Engineers on behalf of John L. Crofts, owner (650 South Main Street) - Ward 1 (M. McDonald)
50. Approval of a Sewer Connection and Interlocal Contract with Clark County Sanitation District - Hafen Development & Construction, Inc. on behalf of Anthony and Debra Grimaldi, owners (north of La Madre Avenue, west of Durango Drive, APN 125-32-704-016) - County (near Ward 6 - Mack)
51. Approval of a Contract Modification #3 with Las Vegas Paving to fund additional protection against flooding on the I-15 Freeway Channel project (\$500,000 - Clark County Regional Flood Control District) - Ward 1 (M. McDonald)
52. Approval of a Fourth Amendment to a Professional Services Agreement with Wells Pugsley Architects for additional design services on the Doolittle Recreation Center Renovation and Addition located at 1950 "J" Street and Lake Mead - (\$75,000 - Las Vegas Convention and Visitors Authority) - Ward 5 (Weekly)
53. Approval of a Professional Services Agreement with HCA Architects for Architectural Civil Engineering and Landscape design services for West Service Center Traffic Engineering Field Operations Building located near the southwest corner of Ronemus Drive and Sauer Street (\$138,050 - Capital Improvements Project General Fund) - Ward 4 (Brown)

PUBLIC WORKS DEPARTMENT - CONSENT

54. Approval of a one-year review regarding the impact of R-94-2001 amending Schedule 25-III by approving a Speed Limit of 40 mph on Craig Road from 750 feet west of US-95 to the West City Limits - Ward 4 (Brown)

RESOLUTIONS - CONSENT

55. R-70-2002 - Approval of a Resolution directing the City Treasurer to prepare the Fourth Assessment Lien Apportionment Report re: Special Improvement District No. 1435 - Washington Avenue (Lamb Boulevard to Nellis Boulevard) (Levy Assessments) - Ward 3 (Reese)
56. R-71-2002 - Approval of a Resolution approving the Fourth Assessment Lien Apportionment Report re: Special Improvement District No. 1435 - Washington Avenue (Lamb Boulevard to Nellis Boulevard) (Levy Assessments) - Ward 3 (Reese)
57. R-72-2002 - Approval of a Resolution Amending Schedules 25-II and 25-IV to Change the Speed Limit on Martin L. King Boulevard between Bonanza Road and Carey Avenue from 35 mph to 45 mph - Ward 5 (Weekly)
58. R-73-2002 - Approval of a Resolution Making Provisional Order and Directing that Notice of Public Hearing thereon be given regarding: Special Improvement District No. 1481 - El Capitan Way (Centennial Parkway to US-95) - (\$3,824,708.11 - Capital Projects Fund/Special Assessments) - Ward 6 (Mack)
59. R-74-2002 - Approval of a Resolution Making Provisional Order and Directing that Notice of Public Hearing thereon be given regarding: Special Improvement District No. 1495 - Buffalo Drive (Cheyenne Avenue to Lone Mountain Road) - (\$161,922.91 - Capital Projects Fund/Special Assessments) - Ward 4 (Brown)
60. R-75-2002 - Approval of a Resolution transferring 2002/2003 Private Activity Bond Volume Cap of \$3,440,000 to PacifiCap Properties to construct a new multi-family apartment complex known as Sun Ridge Villas at North Decatur and 215 Beltway - Ward 6 (Mack)

REAL ESTATE COMMITTEE - CONSENT

61. Approval authorizing staff to enter into negotiations with Richards Family Trust for a ground lease for parcel number 139-34-410-152 located at 707 South 4th Street and parcel number 139-34-410-153 located at 401 Garces Avenue - Ward 1 (M. McDonald)
62. Approval of a Bill of Sale from the City of Las Vegas (CLV) to the Las Vegas Valley Water District (LVVWD) for the purposes of providing water services at Fire Station #10 located at 1501 South Martin Luther King Boulevard - Ward 1 (M. McDonald)
63. Approval of a Grant of Easement from the City of Las Vegas (CLV) to Nevada Power Company (NPC) for the purpose of providing power service at Centennial Hills Park located on the southwest corner of Elkhorn Road and Buffalo Drive - Ward 6 (Mack)
64. Approval of a Purchase Agreement between Priority One Commercial acting on behalf of the City of Las Vegas for the sale of City property located at 6260 Queen Irene Court to Richard G. and Hannah J. Rapp for \$270,000 (less CLV's share of closing costs and commission) - County (near Ward 6 - Mack)
65. Approval of an Easement and Rights-of-Way between the City of Las Vegas (City) and the Las Vegas Valley Water District (LVVWD) for the construction of water lines to service Centennial Hills Park located on the southwest corner of Elkhorn Road and Buffalo Drive - Ward 6 (Mack)

DISCUSSION / ACTION ITEMS**ADMINISTRATIVE - DISCUSSION**

66. Report from the City Manager on emerging issues

ADMINISTRATIVE SERVICES - DISCUSSION

67. Report and possible action on the Bill Draft Request (BDR) that will be submitted to the Legislative Counsel Bureau on behalf of the City

BUSINESS DEVELOPMENT - DISCUSSION

68. Discussion and possible action regarding a special event contract and lease between the world professional Chuckwagon Association and City Parkway IV, Inc. and City Parkway V, Inc. for the Las Vegas Stampede on the unimproved, 61-acre, City Parkway property (gain of \$10,000 - City Parkway IV, Inc. and City Parkway V, Inc. funds) - Ward 5 (Weekly)

CITY ATTORNEY - DISCUSSION

69. Discussion and possible action on request from state Bureau of Services to the Blind and Visually Impaired ("Bureau") for permits to control operations in the Stewart Avenue garage vending site and in all machine vending sites on City property

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

70. ABEYANCE ITEM - Discussion and possible action regarding a Psychic Art and Science License, Brandi L. Benson, dba Brandi L. Benson, 2000 Las Vegas Blvd. South, Space K-03, Brandi L. Benson, 100% - Ward 1 (M. McDonald)
71. ABEYANCE ITEM - Discussion and possible action regarding a new Massage Establishment License subject to the provisions of the fire codes, Hai Bin Liu, dba Asian Princess Spa, 2212 Paradise Road, Hai Bin Liu, 100% - Ward 3 (Reese)
72. Discussion and possible action regarding a Six Month Review of a Massage Establishment License, Shu Qin O'Neil, dba Good Luck Massage, 4211 West Sahara Ave., Suite C, Shu Q. O'Neil, 100% - Ward 1 (M. McDonald)
73. Discussion and possible action regarding the third quarterly approval of Qualified Contractors for the period August 7, 2002 through January 1, 2004 pursuant to City of Las Vegas Qualification Plan

HUMAN RESOURCES - DISCUSSION

74. Discussion and possible action regarding City Manager selection following presentations by staff and final applicants (Salary and benefits not to exceed \$179,253 - General Fund)

MUNICIPAL COURT - DISCUSSION

75. Discussion and possible action regarding a Marshal position and matching funding pursuant to Municipal Court's subgrant 2002-VAWG-06 from Violence Against Women Act (VAWA) in the amount of \$42,203 (\$14,068 City General Fund for a total of \$56,271)

RESOLUTIONS - DISCUSSION

76. ABEYANCE ITEM - R-69-2002 - Discussion and possible action regarding a Resolution consenting to certain undertakings of the City of Las Vegas Redevelopment Agency in connection with the Owner Participation Agreement with World Market Center, LLC, for the project concerning the development of real property generally west of Grand Central Parkway and north of Bonneville/Alta - (APNs 139-33-610-004, 139-33-511-003, and 139-33-511-004) - Ward 5 (Weekly) [NOTE: This item is related to Redevelopment Agency Item #3]

BOARDS & COMMISSIONS - DISCUSSION

77. ABEYANCE ITEM - AUDIT OVERSIGHT COMMITTEE --Bill Martin, Term Expiration 6/5/2002
78. ABEYANCE ITEM - AUDIT OVERSIGHT COMMITTEE -- Joseph Saitta, Term Expiration 7/19/2002; Michael Kern, Term Expiration 8/16/2002
79. ABEYANCE ITEM - SENIOR CITIZENS ADVISORY BOARD -- Anthony Bruges -- Term Expiration 6/2005 (Resigned)
80. PLANNING COMMISSION -- Michael E. Buckley -- Term Expiration 8-19-2002
81. CHILD CARE LICENSING BOARD -- Nona Carroll -- Term Expiration 6-2005 (Resigned)

REAL ESTATE COMMITTEE - DISCUSSION

82. Discussion and possible action regarding Real Property Purchase and Sale Agreement between the City of Las Vegas and SDMI Northwest, LLC, a Nevada Limited Liability Company, for the sale of land in the Las Vegas Technology Center (Gain of \$831,070.00 -- Industrial Park Fund) - Ward 4 (Brown)

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

83. Bill No. 2002-77 -- Amends the zoning regulations to establish the means for allowing the storage of recreational vehicles and boats. Sponsored by: Councilman Lawrence Weekly
84. Bill No. 2002-78 -- Amends the zoning regulations to allow self-service car washes in the C-1 Zoning District by means of special use permit. Sponsored by: Councilman Michael Mack
85. Bill No. 2002-79 -- Expands the circumstances in which off-premise signs may be allowed by means of special use permit in the C-V Zoning District. Sponsored by: Councilman Lawrence Weekly
86. Bill No. 2002-82 -- Annexation No. A-0009-02 (A) -- Property location: On the west side of Shadow Mountain Place, approximately 190 feet south of Lake Mead Boulevard; Petitioned by: Eric and Joseph Cruz; Acreage: 1.01 acres; Zoned: R-E (County zoning), U (R) (City equivalent). Sponsored by: Councilman Lawrence Weekly

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.

87. Bill No. 2002-80 – Annexation No. A-0053-99 (A) – Property location: On the southeast corner of Rainbow Boulevard and Tropical Parkway; Petitioned by: Duesco, et al. (previous owners); Acreage: 19.51 acres; Zoned: R-E (ROI to RNP1) (County zoning), R-E (ROI to R-PD3) (City equivalent); Sponsored by: Councilman Michael Mack
88. Bill No. 2002-81 – Annexation No. A-0008-02 (A) – Property location: Southeast of the intersection of Grand Teton Drive and Hualapai Way; Petitioned by: El Durango, LLC, et al.; Acreage: 118.18 acres; Zoned: R-3 (County zoning); U (PCD), U (PR) and U (PF) (City equivalents). Sponsored by: Councilman Michael Mack
89. Bill No. 2002-83 – Allows the expansion of nonconforming sexually oriented businesses under certain circumstances. Sponsored by: Mayor Oscar B. Goodman

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.

90. Bill No. 2002-84 – Allows major auto repair garages in the C-2 Zoning District by means of special use permit. Sponsored by: Councilman Michael Mack
91. Bill No. 2002-85 – Revises the Town Center Development Standards Manual to allow limited commercial uses in the Medium Density Residential-Town Center District by means of conditional approval. Sponsored by: Councilman Michael Mack
92. Bill No. 2002-86 – Revises the development standards applicable to commercial and industrial development. Proposed by: Robert S. Genzer, Director of Planning and Development
93. Bill No. 2002-87 – Revises the landscape, wall and buffer requirements for development within the City. Proposed by: Robert S. Genzer, Director of Planning and Development

1:00 P.M. - AFTERNOON SESSION

94. 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

95. ABEYANCE ITEM – Public hearing on local improvement district regarding: Special Improvement District No. 1485 – Alta Drive (Landscape Maintenance) (\$57,054 – Capital Projects Fund/Special Assessments) – Ward 1 (M. McDonald)
96. Public hearing on local improvement district regarding: Special Improvement District No. 1473 - Ann Road (US-95 Freeway to Allen Lane) (\$381,165.08 - Capital Projects Fund/Special Assessments) - Ward 6 (Mack)
97. Public hearing on local improvement district regarding: Special Improvement District No. 1477 - Tenaya Way and Azure Drive (\$2,416,532.82 - Capital Projects Fund/Special Assessments) - Ward 6 (Mack)

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.

98. EXTENSION OF TIME - REZONING - Z-0045-94(7) - J AND K VILLANI TRUST - Request for an Extension of Time on an approved Rezoning (Z-0045-94) FROM: U (Undeveloped) [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) on 1.05 acres on the north side of Lake Mead Boulevard, approximately 640 feet west of Torrey Pines Drive (APN: 138-23-201-003), PROPOSED USE: MINOR AUTOMOTIVE REPAIR GARAGE FACILITY, Ward 6 (Mack). The Planning Commission (3-2 vote) recommends DENIAL. Staff recommends APPROVAL
99. EXTENSION OF TIME - REZONING - Z-0004-00(1) - OLIVETTE O'CONNELL - Request for an Extension of Time on an approved Rezoning (Z-0004-00) FROM: R-1 (Single Family Residential) TO: C-1 (Limited Commercial) on 0.5 acres at 1217 West Owens Avenue (APN: 139-28-502-007), (PROPOSED USE: FAST-FOOD RESTAURANT), Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL
100. EXTENSION OF TIME - REZONING - Z-0005-00(1) - UNITED STATES POSTAL SERVICE - Request for an Extension of Time of an Approved Rezoning FROM: R-E (Residence Estates) TO: C-V (Civic) of 4.93 acres located adjacent to the northeast corner of Jones Boulevard and Azure Drive (APN: 125-25-101-012), [PROPOSED USE: UNITED STATES POST OFFICE], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
101. EXTENSION OF TIME - SPECIAL USE PERMIT - U-0109-99(2) - D2801 WESTWOOD, INC. - Request for an Extension of Time on an approved Special Use Permit (U-0109-99) WHICH ALLOWED A TAVERN at 2801 Westwood Drive (APN: 162-08-604-001), M (Industrial) Zone, Ward 1 (M. McDonald). The Planning Commission (5-0 vote) and staff recommend APPROVAL
102. EXTENSION OF TIME - SPECIAL USE PERMIT - U-0023-00(1) - DAYBREAK CHRISTIAN FELLOWSHIP - Request for an Extension of Time on an approved Special Use Permit (U-0023-00) WHICH ALLOWED A CHURCH adjacent to the northwest corner of Cimarron Road and Windrush Avenue (APN: 163-04-101-011), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation], Ward 1 (M. McDonald). The Planning Commission (5-0 vote) and staff recommend APPROVAL
103. EXTENSION OF TIME - SPECIAL USE PERMIT - U-0111-00(1) - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY, ET AL - Request for an Extension of Time on an approved Special Use Permit (U-0111-00) FOR A PROPOSED SUPPER CLUB on the northwest corner of Cheyenne Avenue and the proposed Western Beltway alignment (APN: 137-12-301-014, 137-12-401-002, 003, 019, 023, 025, 027, and 032), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] Zone under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – CONSENT

104. EXTENSION OF TIME - SPECIAL USE PERMIT - U-0112-00(1) - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY, ET AL - Request for an Extension of Time of an Special Use Permit (U-0112-00) FOR A LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION) IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE on the northwest corner of Cheyenne Avenue and the Beltway alignment (APN: 137-12-301-014, 137-12-401-003, 019, 023, 025, 027, and 032), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL
105. EXTENSION OF TIME - SPECIAL USE PERMIT - U-0113-00(1) - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY, ET AL - Request for an Extension of Time of an approved Special Use Permit (U-0113-00) WHICH ALLOWED TAVERN on the northwest corner of Cheyenne Avenue and the Beltway alignment (APN: 137-12-301-014, 137-12-401-003, 019, 023, 025, 027, and 032), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL
106. EXTENSION OF TIME - SPECIAL USE PERMIT - U-0200-00(1) - RAUL GIL, ET AL - Request for a Reinstatement and Extension of Time of an Approved Special Use Permit which allowed a Restaurant Service Bar in conjunction with an existing restaurant (CASA DON JUAN) and proposed expansion thereof at 1202-1204 South Main Street (APN: 162-03-110-132) C-M (Commercial/Industrial) Zone, Ward 1 (M. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL
107. EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - Z-0033-97(31) - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY, ET AL - Request for an Extension of Time on an approved Site Development Plan Review [Z-0033-97(17) & Z-0024-99(6)] WHICH ALLOWED A 46,750 SQUARE FOOT COMMERCIAL CENTER; AND FOR A PROPOSED 6,600 SQUARE FOOT OFFICE COMPLEX on 13.0 acres located adjacent to the northwest corner of Cheyenne Avenue and the beltway alignment (APN: 137-12-301-014, 137-12-401-003, 019, 023, 025, 027 and 032), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

108. APPEAL OF DIRECTOR'S DECISION - DB-0013-02 - LAMAR OUTDOOR ADVERTISING - Appeal of a Director's Decision to not accept and process a Variance application to allow a proposed off-premise advertising (billboard) sign to be 500 feet from an existing billboard where 750 feet is the minimum separation required. The decision to not accept the application was based on Chapter 19A.18.070B of the Zoning Code, which states that a Variance shall not be granted in order to vary any minimum spacing requirements between uses, (APN: 162-09-102-005), 2601 Westwood Drive, Ward 1 (M. McDonald). Staff recommends DENIAL
109. TENTATIVE MAP - PUBLIC HEARING - TM-0039-02 - PARADISE MEADOWS II - D.R. HORTON - Request for a Tentative Map for 38 lots on 12.5 acres located adjacent to the northeast corner of Deer Springs Way and Bradley Road (APNs 125-24-604-004 and 007); R-1 (Single-Family Residential) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
110. REVIEW OF CONDITION - PUBLIC HEARING - Z-0072-97(4) - THE DEVELOPERS OF NEVADA - Request for a Review of Condition of an approved Rezoning (Z-0072-97) to eliminate Condition Number 4 which required the dedication of a 20-foot wide multi-purpose trail adjacent to the north side of Haley Avenue, located between Tenaya Way and Pioneer Way (APNs: 125-22-212-005 through 011 and 125-22-213-001 & 002), R-PD2 (Residential Planned Development - 2 Units per Acre), Ward 6 (Mack). Staff recommends APPROVAL
111. REVIEW OF CONDITION - PUBLIC HEARING - U-0145-01(1) - DOYLE M. DILLARD ON BEHALF OF BOB'S BAIL BONDS - Request for a Review of Condition Number 6 regarding the paving of an adjacent alley on property located at 816 East Ogden Avenue (APN: 139-34-612-049), C-2 (General Commercial) Zone, Ward 5 (Weekly). Staff recommends APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

112. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-0086-94(4) - BANK OF COMMERCE - Appeal filed by David Arpin from the Approval by the Planning Commission on a request for a Site Development Plan Review FOR A FINANCIAL INSTITUTION WITH DRIVE THROUGH on 0.75 acres located adjacent to the north side of Sahara Avenue, approximately 1,150 feet west of Tenaya Way (APN: 163-03-412-013), C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald). (Note: Financial Institution is Bank of Commerce). The Planning Commission (6-0 vote) and staff recommend APPROVAL
113. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-0024-99(42) - B & B TRUST, ET AL ON BEHALF OF KB HOME OF NEVADA, INC. - Request for a Major Modification to the Lone Mountain West Master Plan TO ADD APPROXIMATELY 15.91 ACRES TO THE MASTER PLAN AREA AND TO DESIGNATE THESE PARCELS FOR MEDIUM-LOW (UP TO 12 DWELLING UNITS PER ACRE) LAND USES located adjacent to the southeast corner of Lone Mountain Road and Cliff Shadows Parkway (APNs: 137-01-101-006, 007 & 008), Ward 4 (Brown). The Planning Commission (4-0-3 vote) and staff recommend APPROVAL
114. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SD-0026-02 - STEVE A. PHILLIPS AND RAYNELL PHILLIPS - Request for a Site Development Plan Review FOR SITE IMPROVEMENTS IN CONJUNCTION WITH TEMPORARY SALES located at 6651 West Charleston Boulevard (APN: 163-02-104-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation], Ward 1 (M. McDonald). The Planning Commission (6-1 vote) and staff recommend DENIAL
115. VACATION - PUBLIC HEARING - VAC-0037-02 - CHURCH L D S PRESIDING BISHOP - Petition to vacate a public utility easement generally located adjacent to the southeast corner of Cimarron Road and El Campo Grande Avenue, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
116. VACATION - PUBLIC HEARING - VAC-0038-02 - SILVER STATE HOLDING COMPANY, ET AL ON BEHALF OF KIMBALL HILL HOMES - Petition to vacate U.S. Government Patent Easements generally located adjacent to the southwest corner of Donald Nelson Avenue and Fort Apache Road, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
117. VACATION - PUBLIC HEARING - VAC-0039-02 - PARDEE CONSTRUCTION COMPANY ON BEHALF OF PERMA-BILT - Petition to vacate a portion of Park Street generally located south of Elkhorn Road, approximately 675 feet east of Grand Canyon Drive, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
118. VACATION - PUBLIC HEARING - VAC-0041-02 - COLEMAN-TOLL, LIMITED PARTNERSHIP - Petition to vacate U.S. Government Patent Easements and a portion of Park Street and Via Provenza Avenue generally located adjacent to the southeast corner of Farm Road and Grand Canyon Drive, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
119. VACATION - PUBLIC HEARING - VAC-0043-02 - MOUNTAIN SPA RESIDENTIAL DEVELOPMENT, LIMITED LIABILITY COMPANY - Petition to vacate a portion of Buffalo Drive located between Racel Street and Broad Peak Drive, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
120. VACATION - PUBLIC HEARING - VAC-0044-02 - SUMMIT HOLDINGS, LIMITED LIABILITY COMPANY, ET AL - Petition to vacate U.S. Government Patent Reservations and portions of Right-Of-Way generally located adjacent to the southeast corner of Alexander Road and the Western Beltway, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
121. VACATION - PUBLIC HEARING - VAC-0046-02 - ANDREW GORDON - Petition to vacate a 20-foot wide public drainage easement located at 1016 Salem Rose Court, Ward 2 (L.B. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL
122. VACATION - PUBLIC HEARING - VAC-0047-02 - PERMA-BILT - Petition to vacate U.S. Government Patent Reservations generally located adjacent to the southeast corner of Grand Canyon Drive and Severence Lane, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

123. VACATION - PUBLIC HEARING - VAC-0048-02 - FARM & ALEXANDER PROPERTIES, LIMITED LIABILITY COMPANY - Petition to vacate a 20-foot wide public sewer easement generally located south of Alexander Road, east of Tenaya Way, Ward 4 (Brown). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
124. VACATION - PUBLIC HEARING - VAC-0049-02 - RICHMOND AMERICAN HOMES - Petition to vacate an unnamed Right-Of-Way generally located adjacent to the north side of Elkhorn Road, between Decatur Boulevard and Thom Boulevard, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
125. VACATION - PUBLIC HEARING - VAC-0050-02 - B & B TRUST, ET AL - Petition of vacation to vacate U.S. Government Patent Reservations and a portion of the Barden Road Right-Of-Way generally located east of Cliff Shadows Parkway, between Lone Mountain Road and Peaceful Dawn Avenue, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
126. VARIANCE - PUBLIC HEARING - V-0034-02 - THOMAS DEBOARD AND ANNA F. DEBOARD - Request for a Variance TO ALLOW A SIX-FOOT TALL SOLID BLOCK WALL WITHIN THE FRONT YARD WHERE A TWO-FOOT SOLID BLOCK WALL IS THE MAXIMUM HEIGHT ALLOWED on property located at 3404 North Decatur Boulevard (APN: 138-12-710-074), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
127. VARIANCE - PUBLIC HEARING - V-0035-02 - TJP LIMITED PARTNERSHIP ON BEHALF OF CASPIAN MARKET - Request for a Variance to allow 26 parking spaces where 42 spaces are required in conjunction with a proposed market and restaurant located at 2101 South Decatur Boulevard (APNs: 163-01-708-003 and 004), C-2 (General Commercial) Zone, Ward 1 (M. McDonald). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
128. VARIANCE - PUBLIC HEARING - V-0037-02 - I AND K HOLDINGS, LIMITED LIABILITY COMPANY - Request for a Variance to allow three parking spaces where the proposed uses require 14 parking spaces on property located at 2111 South Maryland Parkway (APN: 162-02-410-072), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-1 vote) and staff recommend APPROVAL
129. VARIANCE RELATED TO V-0037-02 - PUBLIC HEARING - V-0038-02 - I AND K HOLDINGS, LIMITED LIABILITY COMPANY - Request for a Variance to allow an existing building zero feet from the side property line, where five feet is the minimum setback required on property located at 1205 Exley Avenue (APN: 162-02-410-071), R-2 (Medium-Low Density Residential) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL
130. SPECIAL USE PERMIT RELATED TO V-0037-02 AND V-0038-02 - PUBLIC HEARING - U-0073-02 - I AND K HOLDINGS, LIMITED LIABILITY COMPANY - Request for a Special Use Permit TO ALLOW A PSYCHIC ARTS BUSINESS on property located at 2111 South Maryland Parkway (APN: 162-02-410-072), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-1 vote) and staff recommend APPROVAL
131. ABEYANCE ITEM - ONE YEAR REQUIRED REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-0028-01(1) - GATEWAY MOTEL, INC. ON BEHALF OF REAGAN NATIONAL ADVERTISING - Appeal filed by Singer & Brown on behalf of Reagan National Advertising from the Denial by the Planning Commission of a Required One Year Review of an approved Special Use Permit WHICH ALLOWED A 40 FOOT HIGH, 28 FOOT X 24 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 928 Las Vegas Boulevard South (APN: 139-34-410-165), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend DENIAL
132. TWO YEAR REQUIRED REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-0023-95(2) - BANK NEVADA COMMERCE ON BEHALF OF CLEAR CHANNEL OUTDOOR ADVERTISING - Required Two Year Review of an approved Special Use Permit (U-0023-95) WHICH ALLOWED A 40 FOOT HIGH, 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3200 South Valley View Boulevard (APN: 162-08-410-018), C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

133. SPECIAL USE PERMIT - PUBLIC HEARING - U-0063-02 - WORLD ENTERTAINMENT CENTER, LIMITED LIABILITY COMPANY - Request for a Special Use Permit and a Waiver of the minimum 1,500 foot separation requirement from religious facilities, taverns and a school FOR A TAVERN at 450 Fremont Street (NEONOPOLIS) (APN: 139-34-513-002 and 003), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
134. SPECIAL USE PERMIT - PUBLIC HEARING - U-0065-02 - ALBERT T. MURRAY ON BEHALF OF 24/7 DETAILING - Request for a Special Use Permit FOR AUTO DETAIL at 400 West Owens Avenue (APN: 139-22-403-003), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL
135. SPECIAL USE PERMIT - PUBLIC HEARING - U-0066-02 - ALBERT T. MURRAY ON BEHALF OF 24/7 TIRE SHOP - Request for a Special Use Permit FOR AUTO PARTS, ACCESSORY SALES AND SERVICE at 400 West Owens Avenue (APN: 139-22-403-003), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL
136. SPECIAL USE PERMIT - PUBLIC HEARING - U-0069-02 - PAIGE GROSS AND N&M YAHRAUS TRUST ON BEHALF OF GLORIA PULIDO - Request for a Special Use Permit to allow a proposed BANQUET FACILITY located at 4250 East Bonanza Road, Suite 10 (APN: 140-30-802-004), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
137. SPECIAL USE PERMIT - PUBLIC HEARING - U-0068-02 - BOYD GAMING CORPORATION ON BEHALF OF LAS VEGAS EVENTS CENTER - Request for a Special Use Permit TO ALLOW A PROPOSED SPORTS/EVENTS ARENA, located adjacent to the northeast corner of Main Street and Stewart Avenue (APNs: 139-27-405-001, 002 and 139-27-411-001), C-2 (General Commercial) and C-M (Commercial/Industrial) Zones, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
138. SITE DEVELOPMENT PLAN REVIEW RELATED TO U-0068-02 - PUBLIC HEARING - SD-0027-02 - BOYD GAMING CORPORATION ON BEHALF OF LAS VEGAS EVENTS CENTER - Request for a Site Development Plan Review FOR A PROPOSED 207,935-SQUARE-FOOT SPORTS/EVENTS ARENA located adjacent to the northeast corner of Main Street and Stewart Avenue (APNs: 139-27-405-001, 002 and 139-27-411-001), C-2 (General Commercial) and C-M (Commercial/Industrial) Zones, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
139. REZONING - PUBLIC HEARING - Z-0036-02 - FRANK L. NAPOLITANI AND THERESE M. NAPOLITANI - Request for a Rezoning FROM: R-1 (Single-Family Residential) TO: P-R (Professional Office and Parking) of 0.16 acres located at 610 South 7th Street (APN: 139-34-810-003), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
140. SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0036-02 - PUBLIC HEARING - Z-0036-02(1) - FRANK L. NAPOLITANI AND THERESE M. NAPOLITANI - Request for a Site Development Plan Review and a Reduction in the amount of Required Perimeter Landscaping FOR A PROPOSED 1,497 SQUARE FOOT OFFICE BUILDING CONVERSION on 0.16 acres at 610 South 7th Street (APN: 139-34-810-003), R-1 (Single-Family Residential) Zone, [PROPOSED P-R (Professional Office and Parking)], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
141. REZONING - PUBLIC HEARING - Z-0042-02 - NORMAN J. KERR JR. AND DIANNA M. KERR ON BEHALF OF RICHMOND AMERICAN HOMES - Request for a Rezoning FROM: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] TO: PD (Planned Development) of 10.00 acres located adjacent to the northwest corner of Gowan Road and Cliff Shadows Parkway (APNs: 137-12-201-001 and 007), Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

142. ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-0006-02 - TONY WOOD-YICK AND LOUISA WAI-YEE CHOW, ET AL - Request to amend a portion of the Centennial Hills Sector Plan FROM: ML (Medium Low Density Residential) TO: SC (Service Commercial) on 4.39 acres located adjacent to the northwest corner of Centennial Parkway and Thom Boulevard (APN: 125-24-801-017), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL
143. ABEYANCE ITEM - REZONING RELATED TO GPA-0006-02 - PUBLIC HEARING - Z-0021-02 - TONY WOOD-YICK AND LOUISA WAI-YEE CHOW, ET AL - Request for a Rezoning FROM: R-E (Residence Estates) TO: C-1 (Limited Commercial) on 4.39 acres located adjacent to the northwest corner of Centennial Parkway and Thom Boulevard (APN: 125-24-801-017), PROPOSED USE: COMMERCIAL CENTER, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL
144. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-0013-02 - WEST SAHARA PROPERTY MANAGEMENT - Request to amend a portion of the Southwest Sector of the General Plan FROM: R (Rural Density Residential) TO: O (Office) on 2.81 acres located adjacent to the northwest corner of Sahara Avenue and Tomsik Street, (APNs: 163-04-407-001 and 002), Ward 1 (M. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL
145. REZONING RELATED TO GPA-0013-02 - PUBLIC HEARING - Z-0035-02 - WEST SAHARA PROPERTY MANAGEMENT - Request for a Rezoning FROM: U (Undeveloped) Zone [SC (Service Commercial) and PROPOSED O (Office) General Plan Designations] TO: C-1 (Limited Commercial) and O (Office) of 10.00 acres located adjacent to the northwest corner of Sahara Avenue and Tomsik Street (APNs: 163-04-407-001 and 002), PROPOSED USE: RETAIL/OFFICE COMPLEX, Ward 1 (M. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL
146. SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-0013-02 AND Z-0035-02 - PUBLIC HEARING - Z-0035-02(1) - WEST SAHARA PROPERTY MANAGEMENT - Request for a Site Development Plan Review and a Reduction in the amount of Required Parking Lot Landscaping FOR A PROPOSED 81,291 SQUARE FOOT RETAIL/OFFICE COMPLEX on 10.00 acres located adjacent to the northwest corner of Sahara Avenue and Tomsik Street (APNs: 163-04-407-001 and 002), U (Undeveloped) Zone [SC (Service Commercial) and PROPOSED O (Office) General Plan Designations] [PROPOSED C-1 (Limited Commercial) and O (Office) Zones], Ward 1 (M. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL
147. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-0015-02 - CORONADO BAY/SAHARA, LIMITED LIABILITY COMPANY - Request to amend a portion of the Southwest Sector of the General Plan FROM: R (Rural Density Residential) and SC (Service Commercial) land use designations TO: O (Office) on 4.61 acres located adjacent to the north side of Sahara Avenue, approximately 333 feet west of Buffalo Drive (APN: 163-04-806-001), Ward 1 (M. McDonald). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL
148. REZONING RELATED TO GPA-0015-02 - PUBLIC HEARING - Z-0038-02 - CORONADO BAY/SAHARA, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: U (Undeveloped) Zone [R (Rural Density Residential) and SC (Service Commercial) General Plan Designations] TO: O (Office) of 4.61 acres located adjacent to the north side of Sahara Avenue, approximately 333 feet west of Buffalo Drive (APN: 163-04-806-001), PROPOSED USE: PROFESSIONAL OFFICES, Ward 1 (M. McDonald). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL
149. SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-0015-02 AND Z-0038-02 - PUBLIC HEARING - Z-0038-02(1) - CORONADO BAY/SAHARA, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and a Reduction in the amount of Required Perimeter and Parking Lot Landscaping FOR A PROPOSED 52,800-SQUARE-FOOT PROFESSIONAL OFFICE COMPLEX on 4.61 acres located adjacent to the north side of Sahara Avenue, approximately 333 feet west of Buffalo Drive (APN: 163-04-806-001), U (Undeveloped) Zone [R (Rural Density Residential) and SC (Service Commercial) General Plan Designations], PROPOSED: O (Office), Ward 1 (M. McDonald). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

150. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-0017-02 - GIBBS FAMILY TRUST ON BEHALF OF MIKE HELMER - Request to amend a portion of the Southeast Sector of the General Plan FROM: ML (Medium-Low Density Residential) TO: M (Medium Density Residential) on 10.32 acres located adjacent to the south side of Owens Avenue, approximately 660 feet west of Lamb Boulevard (APN: 140-30-503-002), Ward 3 (Reese). NOTE: The request was amended to MLA at the Planning Commission meeting. The Planning Commission (7-0 vote) and staff recommend APPROVAL
151. REZONING RELATED TO GPA-0017-02 - PUBLIC HEARING - Z-0040-02 - GIBBS FAMILY TRUST ON BEHALF OF MIKE HELMER - Request for a Rezoning of 10.32 Acres located adjacent to the south side of Owens Avenue, approximately 660 feet west of Lamb Boulevard (APN: 140-30-503-002), From: R-E (Residence Estates) To: R-3 (Medium Density Residential), [PROPOSED USE: 224-UNIT APARTMENT COMPLEX], Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend DENIAL
152. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE 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 SEP 16 P 2:03

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
2362919

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 3
edition(s) of said newspaper issued from 08/19/2002 to 09/02/2002, on
the following days: AUGUST 19, 26, SEPT. 2, 2002

Signed: _____

Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

12

day of _____

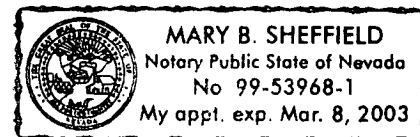
September

2002

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. 1481 - El Capitan Way (Centennial Parkway To US 95)**

NOTICE IS HEREBY GIVEN to the property owners within the proposed City of Las Vegas, Nevada, Special Improvement District No. 1481 - El Capitan Way (Centennial Parkway To US 95) (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 Sanitary Sewer Project, a Storm Sewer Project, a Street Project, and a Water Project (collectively, the "Project") as more particularly described as follows:

The El Capitan Way Improvement project will include at least four (4) travel lanes, median islands with dedicated left turn lanes, traffic control devices, curb and gutter, streetlights, commercial driveways, storm drain, water mains, water laterals, fire hydrants, and sewer laterals, generally in the following locations:

UNIT 1 (Wet Utilities) - from the centerline of Centennial Parkway north along El Capitan Way (varying 93-foot to 103-foot right-of-way) to the northerly right-of-way line of Elkhorn Road, improvements will include 12-inch diameter water mains, water laterals, sewer laterals, and fire hydrants.

UNIT 1 ADDITIONAL WATER MAIN IN CENTENNIAL - from the eastern right-of-way line of Campbell Road along Centennial Parkway approximately 1400 feet to the eastern right-of-way line of El Capitan Way, improvements will include a 12-inch diameter water main.

UNIT 1 ADDITIONAL WATER MAIN IN ELKHORN - from the centerline of El Capitan Way along Elkhorn Road approximately 1300 feet to the centerline of Riley Street, improvements will include 12-inch diameter water mains, water laterals, and fire hydrants.

UNIT 2 (East Side Off-Site Improvements) - from the northerly right-of-way line of Interstate-215 north along El Capitan Way (93-foot to 103-foot right-of-way) to the northerly right-of-way line of Elkhorn Road, improvements will include pavement, curb and gutter, storm drain laterals and drop inlets, streetlights, and commercial driveways.

UNIT 2 ADDITIONAL OFFSITE IMPROVEMENTS - from the easterly right-of-way line of El Capitan Way along the south side of Elkhorn Road (95-foot to 120-foot right-of-way) approximately 1,300 feet, improvements will include pavement, curb and gutter, storm drains with laterals and drop inlets, and streetlights.

At the request of the owners of property in the District, water and sewer laterals will be installed from the existing or proposed main lines in El Capitan Way and Elkhorn Road 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:

Unit	Estimated Amount of Special Assessments	Amount Available from Other Sources	Total Cost
1	\$ 1,318,823.19	\$ 0.00	\$ 1,318,823.19
2	\$ 2,505,884.92	\$ 4,109,315.00	\$ 6,615,199.92
	\$ 3,824,708.11	\$ 4,109,315.00	\$ 7,934,023.11

The amounts to be assessed for the improvements in each unit of the District will be levied upon all tracts in each unit of 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). However, 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. 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 basis.

The boundaries of the District are as follows:

UNIT 1 - WET UTILITIES

The boundaries of Unit 1 generally include those parcels on both sides of El Capitan Way between Centennial Parkway and Elkhorn Road identified by the following assessor parcel numbers (APN's as identified in the record of the County Assessor of Clark County) 125-20-101-008, 125-20-101-009, 125-20-101-017, 125-20-201-008, 125-20-201-019, 125-20-301-009, 125-20-301-019, 125-20-402-008, 125-20-501-001, 125-20-601-001, 125-20-701-001, 125-20-801-002. The segment of 12-inch diameter water main along Centennial from Campbell Road to El Capitan Way is being assessed to the parcels listed above. The segment of 12-inch diameter water main and all related appurtenances on Elkhorn Road is assessed to APN 125-20-501-001 only.

UNIT 2 - OFFSITE IMPROVEMENTS

The boundaries of Unit 2 generally include those parcels on the east side of El Capitan Way between Interstate-215 and Elkhorn Road identified by APN 125-20-501-001, 125-20-601-001, and 125-20-701-001. That portion of the offsite improvements on the south side of Elkhorn Road between El Capitan Way and Riley Street are assessed to APN 125-20-501-001 only. The streetlights will be installed at the back of the curb and gutter at appropriate intervals.

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, 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. All of the foregoing 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 interested persons are hereby referred to the preliminary plans and specifications which relate to the details of the Project.

On Wednesday, September 4, 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 interested person. 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 protest or object, do so 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, August 30, 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.

After such hearing, the City Council shall determine the advisability of undertaking each unit 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 performing such work and furnishing all necessary materials with the lowest and best bidder or bidders.

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 forty (40) equal semi-annual installments of principal and interest. 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 August 30, 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 August 7, 2002.

/s/ BARBARA JO RONEMUS, City Clerk
 PUB: August 19, 26, Sept. 2, 2002 LV Review Journal

Exhibit "C"

(Attach minutes of public hearing on September 4, 2002)

City of Las Vegas

Agenda Item No. 95

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 4, 2002

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

Public hearing on proposed local improvement district for Special Improvement District No. 1481 - El Capitan Way (Centennial Parkway to US-95) (\$3,824,708.11 - Capital Projects Fund/Special Assessments) - Ward 6 (Mack)

Fiscal Impact☐**No Impact****Amount:** \$3,824,708.11☐**Budget Funds Available****Dept./Division:** Public Works/SID☒**Augmentation Required****Funding Source:** Capital Projects Fund/Special Assessments**PURPOSE/BACKGROUND:**

The construction and installation of pavement, storm drain facilities, water mains, water laterals, and sewer laterals. In addition, curb and gutter, driveway approaches, and fire hydrants, will be constructed on the east side of El Capitan Way and along the southside of Elkhorn Road. Costs will be recovered over a 20-year period in accordance with the Provisional Order approved by City Council on the 7th day of August, 2002.

RECOMMENDATION:

Public Hearing only; no action required.

BACKUP DOCUMENTATION:

Public Hearing Notice

MOTION:

None required

NOTE: MAYOR GOODMAN abstained on the advice of MR. WERNER because this project has implications in the Town Center and also because of his business relationship with JERRY SNYDER, who might benefit from the outcome of this project.

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

*City of Las Vegas***Agenda Item No. 95**

CITY COUNCIL MEETING OF SEPTEMBER 4, 2002

Public Works Department

Item 95 – Public hearing on proposed local improvement district for Special Improvement District No. 1481 – El Capitan Way

MINUTES – Continued:

RICHARD GOECKE, Director of Public Works, gave an overview of the Special Improvement District No. 1481 and explained that this pertains to the Regional Transportation's improvements on El Capitan Way from the Centennial Parkway to the US95. MR. GOECKE stated that this item is in order.

COUNCILMAN MACK commended MR. GOECKE and his staff, as well as the adjacent property owners, for their combined contributions.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(1:10 – 1:12)

3-199

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.

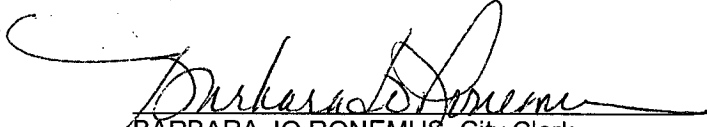
2. I mailed or caused to be mailed a notice entitled "NOTICE OF HEARING ON PROPOSED PROJECT AND ASSESSMENTS WITHIN THE PROPOSED CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 1481 - EL CAPITAN WAY (CENTENNIAL PARKWAY TO US 95)" by deposit in the United States mail, postage prepaid, as first-class mail, at the post office in the City of Las Vegas, Nevada, on August 15, 2002, being at least twenty (20) days prior to the hearing, on September 4, 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.

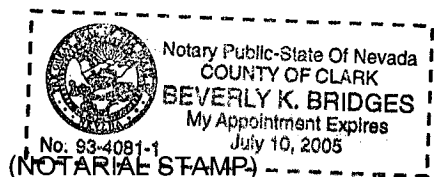
Further Affiant sayeth naught.


 BARBARA JO RONEMUS, City Clerk

SUBSCRIBED and SWORN to before me in the City of Las Vegas, Nevada, this 11th

Sept, 2002.

My commission expires 7-10-2005.



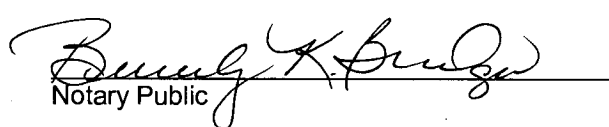

 Notary Public

EXHIBIT "A"

(Attach List of Property Owners with Their Addresses)

C5118033
RUN DATE- 07/31/02 01:26

CLARK COUNTY ASSESSOR'S OFFICE
TAX ROLL EXTRACTION FOR: CITY OF LAS VEGAS PUB WKS

PAGE- 1

P A R C E L	NAME AND ADDRESS	ASSESSOR DESCRIPTION	M I S C	V A L U E
138-04-503-002	LONE MOUNTAIN BUFFALO PTNRSH	PARCEL MAP FILE 4 PAGE 25	DEED- 910301:00558 01	LAND- 01 8.14 156695
1495 BUFF	%A MASSI	LOT 2	DATE- 03/01/1991	NS
DIST-200	3202 W CHARLESTON		LND USE- 0-00-0-0-0	
	LAS VEGAS NV 89102-1932	GEOID- PT NE4 NE4 SEC 04 20 60	AD- 2001 CONST YR-0000	
LOCATION-	7613 W LONE MOUNTAIN RD LV			
138-04-503-003	LONE MTN BUFFALO GENERAL PTNRSH	PARCEL MAP FILE 4 PAGE 25	DEED- 910301:00558 01	LAND- 01 4.21 81043
1495 BUFF	%A MASSI	LOT 3	DATE- 03/01/1991	NS
DIST-200	3202 W CHARLESTON		LND USE- 0-00-0-0-0	
	LAS VEGAS NV 89102-1932	GEOID- PT NE4 NE4 SEC 04 20 60	AD- 2001 CONST YR-0000	
138-09-501-007	K B HOME NEVADA INC	PT NE4 NE4 SEC 09 20 60	DEED- 20020426:02737 01	LAND- 01 1.59 65415
1495 BUFF	%L BRYANT		DATE- 04/26/2002	NS
DIST-200	750 PILOT RD #F		LND USE- 0-00-0-0-0	
	LAS VEGAS NV 89119-9007	GEOID- PT NE4 NE4 SEC 09 20 60	AD- 2001 CONST YR-0000	
138-09-501-017	K B HOME NEVADA INC	PT NE4 NE4 SEC 9 20 60	DEED- 20020426:02737 01	LAND- 01 1.78 74235
1495 BUFF	%L BRYANT		DATE- 04/26/2002	NS
DIST-200	750 PILOT RD #F		LND USE- 0-00-0-0-0	
	LAS VEGAS NV 89119-9007	GEOID- PT NE4 NE4 SEC 09 20 60	AD- 2001 CONST YR-0000	
138-10-101-020	USA	PT NW4 NW4 SEC 10 20 60	DEED- 9999:9999999 01	LAND- 01 5.00 183750
1495 BUFF	CHURCH GOD IN CHRIST LEASE		DATE- 99/99/9999	NS IMPR- 215330
DIST-200	P O BOX 4321		LND USE- 4-20-0-0-0	EXMPT- E1 399080
	NO LAS VEGAS NV 89036-4321	GEOID- PT N2 NW4 SEC 10 20 60	AD- 2001 CONST YR-2001	

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. 1481 – EL CAPITAN WAY (CENTENNIAL PARKWAY TO US 95)

NOTICE IS HEREBY GIVEN to the property owners within the proposed City of Las Vegas, Nevada, Special Improvement District No. 1481 – El Capitan Way (Centennial Parkway To US 95) (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 Sanitary Sewer Project, a Storm Sewer Project, a Street Project, and a Water Project (collectively, the "Project") as more particularly described as follows:

The El Capitan Way improvement project will include at least four (4) travel lanes, median islands with dedicated left turn lanes, traffic control devices, curb and gutter, streetlights, commercial driveways, storm drain, water mains, water laterals, fire hydrants, and sewer laterals, generally in the following locations:

UNIT 1 (Wet Utilities) – from the centerline of Centennial Parkway north along El Capitan Way (varying 93-foot to 103-foot right-of-way) to the northerly right-of-way line of Elkhorn Road, improvements will include 12-inch diameter water mains, water laterals, sewer laterals, and fire hydrants.

UNIT 1 ADDITIONAL WATER MAIN IN CENTENNIAL – from the eastern right-of-way line of Campbell Road along Centennial Parkway approximately 1400 feet to the eastern right-of-way line of El Capitan Way, improvements will include a 12-inch diameter water main.

UNIT 1 ADDITIONAL WATER MAIN IN ELKHORN – from the centerline of El Capitan Way along Elkhorn Road approximately 1300 feet to the centerline of Riley Street, improvements will include 12-inch diameter water mains, water laterals, and fire hydrants.

UNIT 2 (East Side Off-Site Improvements) – from the northerly right-of-way line of Interstate-215 north along El Capitan Way (93-foot to 103-foot right-of-way) to the northerly right-of-way line of Elkhorn Road, improvements will include pavement, curb and gutter, storm drain laterals and drop inlets, streetlights, and commercial driveways.

UNIT 2 ADDITIONAL OFFSITE IMPROVEMENTS – from the easterly right-of-way line of El Capitan Way along the south side of Elkhorn Road (95-foot to 120-foot right-of-way) approximately 1,300 feet, improvements will include pavement, curb and gutter, storm drains with laterals and drop inlets, and streetlights.

At the request of the owners of property in the District, water and sewer laterals will be installed from the existing or proposed main lines in El Capitan Way and Elkhorn Road 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:

Unit	Estimated Amount of Special Assessments	Amount Available from Other Sources	Total Cost
1	\$ 1,318,823.19	\$ 0.00	\$ 1,318,823.19
2	\$ 2,505,884.92	\$ 4,109,315.00	\$ 6,615,199.92
	\$ 3,824,708.11	\$ 4,109,315.00	\$ 7,934,023.11

The amounts to be assessed for the improvements in each unit of the District will be levied upon all tracts in each unit of 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). However, 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. 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 basis.

The boundaries of the District are as follows:

UNIT 1 – WET UTILITIES

The boundaries of Unit 1 generally include those parcels on both sides of El Capitan Way between Centennial Parkway and Elkhorn Road identified by the following assessor parcel numbers (APN's as identified in the record of the County Assessor of Clark County) 125-20-101-008, 125-20-101-009, 125-20-101-017, 125-20-201-008, 125-20-201-019, 125-20-301-009, 125-20-301-019, 125-20-402-008, 125-20-501-001, 125-20-601-001, 125-20-701-001, 125-20-801-002. The segment of 12-inch diameter water main along Centennial from Campbell Road to El Capitan Way is being assessed to the parcels listed above. The segment of 12-inch diameter water main and all related appurtenances on Elkhorn Road is assessed to APN 125-20-501-001 only.

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The boundaries of Unit 2 generally include those parcels on the east side of El Capitan Way between Interstate-215 and Elkhorn Road identified by APN 125-20-501-001, 125-20-601-001, and 125-20-701-001. That portion of the offsite improvements on the south side of Elkhorn Road between El Capitan Way and Riley Street are assessed to APN 125-20-501-001 only. The streetlights will be installed at the back of the curb and gutter at appropriate intervals.

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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 interested persons are hereby referred to the preliminary plans and specifications which relate to the details of the Project.

On Wednesday, September 4, 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 interested person. 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.

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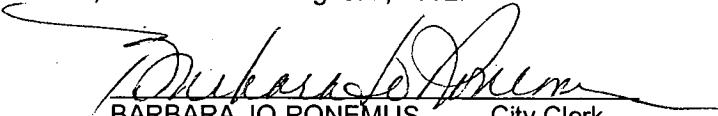
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By order of the City Council of the City, Nevada, and dated this August 7, 2002.



BARBARA JO RONECUS, City Clerk