

RESOLUTION NO. R-75-2002

1. **WHEREAS**, pursuant to the provisions of ch. 348A of Nevada Revised Statutes and ch. 348A of the Nevada Administrative Code ("NAC"), there has been allocated to the City of Las Vegas, Nevada (the "City" and the "State", respectively), the amount of \$26,545,707 in tax-exempt private activity bond volume cap for calendar year 2002 ("Volume Cap"); and

2. **WHEREAS**, the City has received requests for an allocation of Volume Cap for an affordable rental housing projects from PacifiCap Properties ("Pacific"); and

3. **WHEREAS** the City desires to allocate a portion of the City's Volume Cap to Pacific.

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

Section 1. The City hereby transfers \$3,440,000 of its Volume Cap to the Director (the "Director") of the Department of Business and Industry (the "Department") with a request that the Director transfer such Volume Cap to the Division of Housing ("Housing") for use for the following project in the following amount:

Project Sponsor	Project	Amount of Volume Cap Allocation
Pacific	Sun Ridge Villas North Decatur and 215 Beltway Las Vegas, Nevada	\$3,440,000

Section 2. The transfer and allocation made in Section 1 is subject to the condition that the Project Sponsor execute an agreement in substantially the form attached as Exhibit "A."

Section 3. With respect to the transfer made in Section 1 only, in the event the condition listed in Section 2 is not met for a particular project, or in the event that the condition is met but the bonds issued on or before August 1, 2003 for that project do not fully use the allocation made to that project, Housing is requested to use that allocation or the remaining part of that allocation for one or more other affordable rental housing projects located in the City, the financing of which is hereafter approved by the City Council.

Section 4. Pursuant to Section 348A.220 of NAC, the City hereby certifies that it has used \$-0- of its allocation for calendar year 2002, and that it intends to use by transfers as herein provided and as provided in another resolution adopted prior to September 1, 2002) and hereby reserves (and by such further resolution adopted prior to September 1 will reserve) the entire unused portion of its Volume Cap.

Section 5. The Mayor and City Clerk are hereby authorized to execute and deliver on behalf of the City, an Agreement with the sponsor specified in Section 1A hereof, in substantially the form attached hereto as Exhibit "A."

Section 6. Pursuant to ch. 348A of NRS, the City provides the following information:

A. A representative of the City with whom the Director may communicate regarding this resolution is Sharon Segerblom, Director, City of Las Vegas Neighborhood Services Dept. who may be contacted by telephone at (702) 229-2330 or by e-mail ssegerblom@ci.las-vegas.nv.us or by mail to: 400 E. Stewart Avenue, 2nd floor Las Vegas, NV 89101.

B. The Housing Division, as transferee of the Rental Housing Allocations made in Section 1 is hereby required to inform the Director in writing as soon as practicable after the occurrence or non-occurrence of the terms and conditions applicable to the volume cap so transferred as specified in Section 3. A representative of the transferee that the Director may communicate with is Lon DeWeese, State of Nevada Housing Division, 1802 N. Carson St., Suite 154, Carson City, Nevada 89710. Mr. DeWeese may be contacted mail at the above address or by telephone at (775) 687-4258.

Section 7. The City Clerk is hereby authorized and directed to mail a copy of this resolution to the Director and the Secretary of the State Board of Finance.

Section 8. Nothing in this Resolution obligates the City to issue bonds for any particular project or to grant approvals for a project or constitutes a representation that such bonds will be issued, that such projects will be approved, or that any city Volume Cap other than the amount outlined in Section 1 will be made available for any particular project.

Section 9. This Resolution may be amended or repealed at any time by the City at its sole discretion before bonds are issued that use the Volume Cap described herein.

After such bonds are issued, this Resolution may not be amended or repealed in such a manner as to change the allocation of Volume Cap to the bonds, which have been issued.

Section 10. This Resolution shall be effective upon its passage and approval.

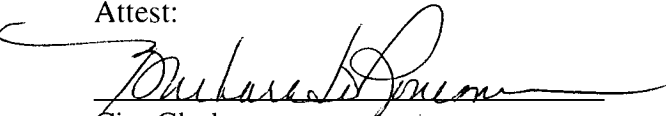
PASSED, ADOPTED AND APPROVED this 7th day of August, 2002.

(SEAL)



Mayor

Attest:



City Clerk

"EXHIBIT A"**AGREEMENT**

This Agreement is entered into on this ____ day of _____, 2002 between the City of Las Vegas, Nevada (the ACity@) and _____ (the ASponsor@), of that certain affordable rental housing project known as the _____ (the AProject@).

WHEREAS, the Sponsor has submitted an application to the City for allocation of a part of the City=s private activity bond Volume Cap in order for the Sponsor to finance the Project; and

WHEREAS, the City is inclined to allocate a portion of its private activity bond Volume Cap to the Project; and

WHEREAS, in so allocating its Volume Cap, the City is relying on representations made by the Sponsor in its application to the City with respect to the nature of the Project and other matters.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL PROMISES AND AGREEMENTS CONTAINED HEREIN, IT IS HEREBY AGREED AS FOLLOWS:

Section 1. The City will as provided in the resolution adopted by the City Council of the City on August 7, 2002 (the AResolution@) allocate a portion of its bond Volume Cap to the Project under the conditions and for the term provided in the Resolution. Such allocation of bond Volume Cap is based on the representations contained in the Sponsor=s application as to the nature of the Project and other matters stated in that application.

Section 2. The Sponsor agrees not to make any change in the Project or in any other of the items described in its application without obtaining consent of the City=s Director of the City=s Neighborhood Services Department or her designee.

Section 3. This Agreement shall be effective on the date of its execution and remain in effect until the bonds which use the Volume Cap allocation described herein have been paid in full.

Section 4. This Agreement does not provide any City endorsement of the Project or any City representation as to the Project or the issuance of bonds for the Project, other than an allocation of private activity bond Volume Cap as provided in the Resolution. It is understood that the private activity bond Volume Cap will be transferred to the State of Nevada, and

that the State of Nevada in its sole discretion will determine whether to finance the Project with the issuance of bonds. Other than the allocation of bond Volume Cap mentioned above, this Agreement in no way binds the City to the Project, and prior to the issuance of bonds which use this Volume Cap, the City may, in its sole discretion, amend or repeal the Resolution; but after the issuance of bonds which use this Volume Cap, the City will not amend the Resolution in a manner which changes the allocation of Volume Cap to the bonds which have been issued.

Section 5. In the event the Sponsor breaches this Agreement, the City may sue for specific performance hereof by the Sponsor, may pursue legal action against the Sponsor, may use whatever other remedies may be available to it at law or in equity or may pursue any combination thereof. The Sponsor agrees to pay any of the City's attorney fees incurred in enforcing the terms of this agreement. If bonds have been issued which rely on the allocation of bond Volume Cap made by the Resolution, a breach of this Agreement will not result in forfeiture of bond Volume Cap which has been used for those bonds, but may, at the option of the City, result in forfeiture of any part of the bond Volume Cap described herein which has not been used by the issuance of bonds.

Section 6. No person is a third party beneficiary of this Agreement and nothing herein requires that the City enforce the provisions hereof; however, any failure to enforce or delay in enforcing the provisions hereof does not constitute a waiver of the City's right to enforce this Agreement. Any single or partial enforcement of any provision hereof does not preclude any other enforcement or the exercise of any other right, power or remedy the City may have.

Section 7. The persons signing this Agreement represent that they have the power to do so on behalf of the party for which they are signing.

IN WITNESS WHEREOF, the City and the Sponsor have caused this Agreement to be signed as of the day and year mentioned above.

City of Las Vegas, Nevada

(SEAL)

By: _____
Mayor

City Clerk

Sponsor
By: _____

STATE OF NEVADA)
 :SS.
 CITY OF LAS VEGAS)

I, the undersigned duly chosen, qualified and acting Clerk of City of Las Vegas, Nevada (the "City"), do hereby certify:

1. The foregoing pages, excerpts form the minutes of a regular meeting of the City Council of the City of Las Vegas (the "Council") held on August 7, 2002 constitute a true, correct, complete and compared copy of the proceedings of the Council so far as such minutes relate to the resolution, a copy of which is set forth in such minutes.

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

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

Those Voting Nay:	NONE
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Those Absent:	Lynette Boggs McDonald
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3. The copy of the resolution is a true, correct, complete and compared copy of the original passed and adopted by the Council at the designated meeting.

4. 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 Council kept for that purpose in my office, which record has been duly signed by the officers and properly sealed.

5. The members of the Council were present at such meeting and voted on the passage of the resolution as set forth above.

6. All members of the Council were given due and proper notice of the meeting. Pursuant to ' 241.020, Nevada Revised Statues, written notice of the meeting was

given not later than 9:00 a.m. on the third working days 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 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 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

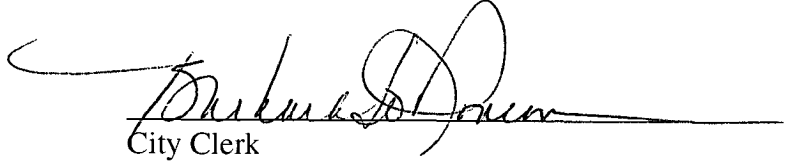
and

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

7. Upon request, the 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 Council for an item on the agenda, except for certain confidential materials and materials pertaining to closed meetings, as provided by law.

8. A copy of such notice so given of the meeting of the 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.



City Clerk

(SEAL)

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. Hurbače, 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

Received, filed and approved by the Director of the Department of Business and Industry of the State of Nevada this ____ day of _____, 2002

Director, Department of Business and Industry

Received and filed by the Secretary of the State Board of Finance this ____ day of _____, 2002

Secretary, State Board of Finance

AGREEMENT

This Agreement is entered into on this 7th day of August, 2002 between the City of Las Vegas, Nevada (the "City") and PacifiCap Properties (the "Sponsor"), of that certain affordable rental housing project known as the Sun Ridge Villas (the "Project").

WHEREAS, the Sponsor has submitted an application to the City for allocation of a part of the City's private activity bond Volume Cap in order for the Sponsor to finance the Project; and

WHEREAS, the City is inclined to allocate a portion of its private activity bond Volume Cap to the Project; and

WHEREAS, in so allocating its Volume Cap, the City is relying on representations made by the Sponsor in its application to the City with respect to the nature of the Project and other matters.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL PROMISES AND AGREEMENTS CONTAINED HEREIN, IT IS HEREBY AGREED AS FOLLOWS:

Section 1. The City will as provided in the resolution adopted by the City Council of the City on August 7, 2002 (the "Resolution") allocate a portion of its bond Volume Cap to the Project under the conditions and for the term provided in the Resolution. Such allocation of bond Volume Cap is based on the representations contained in the Sponsor's application as to the nature of the Project and other matters stated in that application.

Section 2. The Sponsor agrees not to make any change in the Project or in any other of the items described in its application without obtaining consent of the City's Director of the City's Neighborhood Services Department or her designee.

Section 3. This Agreement shall be effective on the date of its execution and remain in effect until the bonds which use the Volume Cap allocation described herein have been paid in full.

Section 4. This Agreement does not provide any City endorsement of the Project or any City representation as to the Project or the issuance of bonds for the Project, other than an allocation of private activity bond Volume Cap as provided in the Resolution. It is understood that the private activity bond Volume Cap will be transferred to the State of Nevada, and that the State of Nevada in its sole discretion will determine whether to finance the Project with the issuance of bonds. Other than the allocation of bond Volume Cap mentioned above, this Agreement in no way binds the City to the Project, and prior to the issuance of bonds which use this Volume Cap, the City may, in its sole discretion, amend or repeal the Resolution; but after the issuance of bonds which use this Volume Cap, the City will not amend the Resolution in a manner which changes the allocation of Volume Cap to the bonds which have been issued.

Section 5. In the event the Sponsor breaches this Agreement, the City may sue for specific performance hereof by the Sponsor, may pursue legal action against the Sponsor, may use whatever other remedies may be available to it at law or in equity or may pursue any combination thereof. The Sponsor agrees to pay any of the City's attorney fees incurred in enforcing the terms of this agreement. If bonds have been issued which rely on the allocation of bond Volume Cap made by the Resolution, a breach of this Agreement will not result in forfeiture of bond Volume Cap which has been used for those bonds, but may, at the option of the City, result in forfeiture of any part of the bond Volume Cap described herein which has not been used by the issuance of bonds.

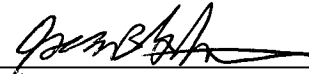
Section 6. No person is a third party beneficiary of this Agreement and nothing herein requires that the City enforce the provisions hereof; however, any failure to enforce or delay in enforcing the provisions hereof does not constitute a waiver of the City's right to enforce this Agreement. Any single or partial enforcement of any provision hereof does not preclude any other enforcement or the exercise of any other right, power or remedy the City may have.

Section 7. The persons signing this Agreement represent that they have the power to do so on behalf of the party for which they are signing.

IN WITNESS WHEREOF, the City and the Sponsor have caused this Agreement to be signed as of the day and year mentioned above.

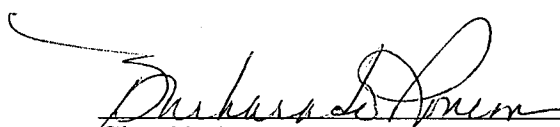
City of Las Vegas, Nevada

(SEAL)

By: 

Mayor Oscar B. Goodman

"City"

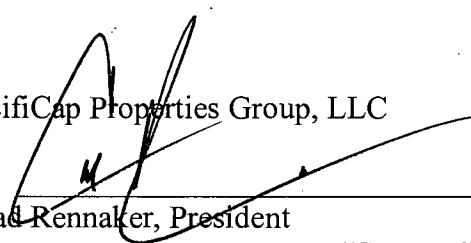

City Clerk

City Council Approved: August 7, 2002

Approved as to form:

 8/22/02

PacifiCap Properties Group, LLC

By: 

Chad Rennaker, President

"Sponsor"

NEIGHBORHOOD SERVICES
DEPARTMENT

2002 AUG 21 P 2:37